

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, June 25, 2008, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Jim Hicks, Chair

Mr. Brian Flewelling

Mr. Ronald Petit

Ms. Mary LeGree

Mr. Frank Mullen

Mr. E. Parker Sutler

**Members Absent:** Ms. Diane Chmelik and Mr. Edward Riley III

**Member Vacancies:** One (At-Large representative--formerly Alan Herd since November 2007)

**Staff Present:**

Mr. Anthony Criscitiello, Planning Director

Ms. Barbara Childs, Admin. Asst. to Planning Director

Mr. Tom Henrikson, County Comptroller

Mr. Colin Kinton, County Traffic & Transportation Engineer

**CALL TO ORDER:** Chairman Hicks called the meeting to order at approximately 6:06 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Hicks led those assembled in the Chambers with the pledge of allegiance to the U.S.A. flag.

**CHAIRMAN'S REPORT:** Chairman Hicks congratulated Vice Chair Brian Flewelling on winning the Republican nomination for County Council District 9.

**PUBLIC COMMENT** for items other than agenda items: Ms. Wendy Zara noticed that the City had a hearing on big-box district as recommended by the Northern Regional Plan. Hoping County will do likewise to its standards.

**COMPREHENSIVE PLAN/FUTURE LAND USE MAP AMENDMENT FOR SOUTHERN BEAUFORT COUNTY R-600-13-3, 3A, 3B AND 61 (101.36 ACRES TO BE KNOWN AS OKATIE MARSH PUD, LOCATED DIRECTLY SOUTH OF THE RIVER'S END SUBDIVISION ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA); FROM RURAL SERVICE AREA TO NEIGHBORHOOD/MIXED-USE AREA; APPLICANT & OWNER: LA CASA REAL ESTATE AND INVESTMENT, LLC**

**SOUTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR SOUTHERN BEAUFORT COUNTY R-600-13-3, 3A, 3B AND 61 (101.36**

**ACRES TO BE KNOWN AS OKATIE MARSH PUD, WITH 64,800 SQUARE FEET OF COMMERCIAL SPACE AND 395 DWELLING UNITS) LOCATED DIRECTLY SOUTH OF THE RIVER'S END SUBDIVISION AND ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA; FROM RURAL (R) ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; APPLICANT & OWNER: LA CASA REAL ESTATE AND INVESTMENT, LLC**

**COMPREHENSIVE PLAN/FUTURE LAND USE MAP AMENDMENT FOR SOUTHERN BEAUFORT COUNTY R600-13-6 (119.25-ACRE TRACT TO BE KNOWN AS OSPREY POINT PUD, LOCATED DIRECTLY SOUTH OF THE PROPOSED OKATIE MARSH PUD AND NORTH OF OKATIE ELEMENTARY SCHOOL, ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA); FROM RURAL SERVICE AREA TO NEIGHBORHOOD/MIXED-USE AREA; APPLICANT & OWNER: JAMES Y. ROBINSON / LOWCOUNTRY PARTNERS III, LLC (ALSO KNOWN AS LCPIII, LLC)**

**SOUTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR SOUTHERN BEAUFORT COUNTY R600-13-6 (119.25-ACRE TRACT TO BE KNOWN AS OSPREY POINT PUD, WITH 204 SINGLE-FAMILY HOMES, 102 "LIVE/WORK" RESIDENTIAL UNITS ABOVE RETAIL/OFFICE SPACES, 221 MULTI-FAMILY UNITS, AND 25 ACRES OF NON-RESIDENTIAL USES) LOCATED DIRECTLY SOUTH OF THE PROPOSED OKATIE MARSH PUD AND NORTH OF OKATIE ELEMENTARY SCHOOL, ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA; FROM RURAL (R) ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; APPLICANT & OWNER: JAMES Y. ROBINSON / LOWCOUNTRY PARTNERS III, LLC (ALSO KNOWN AS LCPIII, LLC)**

**COMPREHENSIVE PLAN/FUTURE LAND USE MAP AMENDMENT FOR SOUTHERN BEAUFORT COUNTY R600-13-8C—A PORTION OF (63.54 ACRES TO BE KNOWN AS RIVER OAKS PUD, LOCATED SOUTH OF THE PROPOSED OSPREY POINT PUD AND EAST OF OKATIE ELEMENTARY SCHOOL, ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA); FROM RURAL SERVICE AREA TO NEIGHBORHOOD/MIXED-USE AREA; APPLICANT: JAMES Y. ROBINSON / ARD HILTON HEAD, LLC**

**BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR SOUTHERN BEAUFORT COUNTY R600-13-8C—A PORTION OF (63.54 ACRES TO BE KNOWN AS RIVER OAKS PUD, WITH 118 SINGLE FAMILY DWELLING UNITS/COTTAGES, 146 MULTI-FAMILY UNITS/APARTMENTS IN TWO 3-STORY BUILDINGS, A CLUBHOUSE, A 66-BED NURSING HOME, A 10,000-SQUARE FOOT REHAB FACILITY, A 1,500-SQUARE FOOT CHAPEL, AND OTHER ANCILLARY USES) LOCATED SOUTH OF THE PROPOSED OSPREY POINT PUD AND EAST OF OKATIE ELEMENTARY SCHOOL, ON THE EAST SIDE OF HIGHWAY 170 IN THE OKATIE AREA; FROM RURAL (R) ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; APPLICANT: JAMES Y. ROBINSON / ARD HILTON HEAD, LLC**

Chairman Hicks briefed the audience on the history of the above projects where the Land Management Committee had returned these projects to the Planning Commission for further consideration because the applicants had additional information for review. He also informed the audience on the process that will occur for tonight's meeting.

Mr. Criscitiello briefed the Commissioners.

### **Applicants' Comments:**

Mr. Roberts Vaux, the applicant's attorney, introduced Dr. Thomas Tanner, who is part of the Strom Thurmond Institute at Clemson University. Chairman Hicks clarified that the applicant hired Dr. Tanner to counter the assessment by Mr. Tom Henrikson, County Comptroller.

Dr. Thomas Tanner briefed the Commissioners on his professional background and presented a power point presentation of the Regional Dynamics Modeling System (REDYN) and the results that the model produced regarding the Okatie Village Plan. The fiscal impact is an important consideration, but not the only consideration that should be used.

### **Other Comments:**

Ms. Phyllis White, Chief Operations Officer for the Beaufort County School District. The School District does not have an opinion regarding the Okatie Village Plan or any other subdivision in Beaufort County. The Superintendent did write a letter in support of a community school. The School District's school attendance estimate from the Okatie Village is compatible with the applicants' figures. She noted that the Red Cedar School will be used to transfer students who do not live near Okatie Elementary. The School District will be receiving funds from the state through the state tax system. She clarified that the School District is capped on the state side and cannot raise millage rates locally. The School District has lost \$16 million in the past years. She believes Dr. Tanner's figures are realistic.

Mr. Tom Henrikson, Beaufort County Comptroller, noted that he was asked to do a limited review of the Okatie Village Plan. He explained the methodology for his figures. He acknowledged that Dr. Tanner's study was more comprehensive and had used all the revenues available to Beaufort County. However, Dr. Tanner did use some revenues that Beaufort County does not receive. Mr. Henrikson said that the development would not be a net gain for the County government, it may be a net gain for the County. (Mr. Flewelling asked if the TIF District had any impact on his or Dr. Tanner's analyses. Mr. Henrikson replied that when the TIF is repaid, then the County will experience that revenue.)

Mr. Colin Kinton, the Beaufort County Traffic and Transportation Engineer, noted that he had asked a consultant, Carter Burgess, to review Mr. Kulash's and SRS studies performed for the applicants. He noted that there will be a \$2.3 million deficit to widen Highway 170 because of Okatie Village. The volumes anticipated from this development will push the road to a 6-lane road.

Ms. Kim Statler of the Lowcountry Economic Network noted that her Board of Directors reviewed Dr. Tanner's report. She noted that Dr. Tanner's model used service and retail businesses, instead of the high-end businesses that her organization is working to attract to Beaufort County. Our ~~country~~ County is not geared toward mixed-use communities where people will be able to walk to work and shop near their homes.

*Note: Chairman Hicks recessed the meeting at approximately 7:16 p.m., and reconvened the meeting at approximately 7:26 p.m.*

Mr. Roberts Vaux, the applicant's attorney, noted that Ms. Shirley Wilkins, the County Affordable Housing Coordinator, was in the audience and asked if the Commission wanted to hear from her. Chairman Hicks acknowledged that Ms. Wilkins supported the development.

Dr. Tanner clarified that his report regarding the fiscal impact calculations used the 2002 data. He acknowledged that the later data would have changed some figures, but not dramatically.

**Public Comment:**

1. Mr. Harley Laing, a representative of the Coalition for Smart Growth, noted that the Coalition supports the project. His group sees it as a plus using Dr. Tanner's modeling system. He mentioned the McLeod annexation where such an analysis would have been beneficial. He mentioned that John Stewart, a co-chair of the Coalition and a noted economist, had been in communication with Dr. Tanner. Mr. Laing noted that Mr. Stewart said the model was complex, but complex does not mean accurate. Regional models have not been analyzed for their correctness. Look at the project in direct relation to other projects in the County. The Coalition believes this project is the next stage in project development – this is a good example of smart growth.
2. Mr. John Payne owns two lots in the area since 1976. They enjoy looking at the water. He noted a past development that did not occur. This developer is willing to bring water and sewer to the area. He loves the area, and an old septic system hurts, not helps, the river. The people should be looking to developers who want to eliminate the septic systems that leach into the river and who will pave the roads. The School system will be building new schools that will eliminate the overcrowding at Okatie Elementary. Two apartment complexes have been built within 3 miles of the area, both in Jasper County. This is a no brainer and a win-win for Beaufort County. Please vote yes.
3. Mr. Joe Dugan, lives on Cherry Point Road and has two daughters going to Okatie Elementary. Smart growth has a different meaning nationally than in Beaufort County. Our answer to over growth in rural areas is to increase the density. His daughter will have to spend more time in the dilapidated modular buildings. 1200 homes will add approximately 500 students; the School Board figured 400 to 500. He spoke of the low graduation rate in Beaufort County. The truth is how much money is to be made. This project is a real estate scheme to make money; this is not a philanthropic venture. Building low-end housing will not fix anything. Do not place value on the applicants' figures.
4. Ms. Karen Heitman, the founder of Greater Bluffton Pathways, advocates safe walking routes to school. Okatie Village provides for cyclists and pedestrians within the development to Okatie Elementary School. Her group expects the developer to use

- ASHTO standards. They are also asking for a provision for a pathway along Highway 170 for the regional East Coast Greenway.
5. Ms. Wendy Zara reiterated that this is the first project that has agreed to provide realistic workforce housing. Ms. Zara noted that Ms. Kim Statler's job is hindered because there is not enough workforce housing. She would wish that all the Beaufort County developers would use Dr. Tanner's modeling.
  6. Mr. James Scott, a resident of Okatie, asked if we watched storm models. When all the models are run, none usually agree. Most models have built-in biases because of the programmers. The developers have pointed to the discrepancies in the traffic report since their residents will use the road across the street in Jasper County. How will Jasper County be affected by this development? The reason Mr. Scott and his neighbors moved to the area was because of the location. Affordable housing needs to be located near jobs. Reject this data as untrue results.
  7. Mr. John Thomas, of W.K. Dickson, read a letter from William and Jeannie Young who are Cherry Point residents who support the development, including the 50-foot buffer, the 35-foot building height, and the stormwater plan. The letter was given to the Commission for the record.
  8. Ms. Kathy Scott, a resident in the Okatie area, is bothered by the difference in the County and Dr. Tanner's data. She noted that Dr. Tanner's model was not used for any other project in Beaufort County. Beaufort County is unique. The County's report is more believable than the developers'. A computer program is only as good as the information put into it. What is been proven that development like this does not pay. The results from Dr. Tanner's report will not be proven for a number of years.
  9. Mr. Allen Ward, a civil engineer and president of Ward Edwards, noted that he only works for people who want to protect the environment. Bio-filtration is being used in the Okatie Village project. Farming changed the system by directly emptying into the rivers. Okatie Village will change to system back. Protect the people from bad development, but Okatie Village is an excellent development.

Mr. Roberts Vaux, the applicant's attorney, noted that the 500 children from the Okatie Village will not be at Okatie Elementary. His conversation with Ms. Carol Crutchfield of the School District noted that there might be 400 through 500 children from the Okatie Village.

Ms. White of the School District noted that the children from Okatie Village will be pre-Kindergarten through Grade 12.

Mr. Vaux noted that comparable neighborhoods were used instead of national neighborhoods. The Southern Beaufort County Subcommittee asked if the developers could find a national company to occupy a portion of the commercial spaces in the Okatie Village. They have Espy Building Supplies slated for commercial space in Okatie Village.

Discussion by the Commission included the methodology used by Dr. Tanner, the comparison with the Tischler-Bise report for the Northern Regional Plan, the indirect effect of development to growth in the area, Tanner used data from Bureau of Labor and Statistics and 2002 Census of Governments, the sales tax data affecting Beaufort County, the multi-county effect and the projected revenue generated by Okatie Village, the estimate of 60% of residents that would move

to Beaufort County if the project were not built, developing rural area in a crowded way, developed as by-right would not be profitable to the County, (Tanner: project is net winner for the County),

Mr. Jim Robinson, the developer of the project, said he had lived in Beaufort County for 25 years. He does not want to see it degraded in anyway. He has designed several projects in the County, including the Beaufort Memorial Hospital addition. He hired Allen Ward and John Thomas who live here, and they have tried to design a project that will work in the County. The project will have a water treatment system that is unique to the area. He noted that the residents of the project will receive environmental education. He wanted to build homes for the working class. They are planning to contribute to the School District capital improvement fund to increase Okatie Elementary School.

Further discussion by the Commission included the pros and cons of the project, the number of affordable housing units in the development, the 24% internal capture rate of vehicles that will remain within the development, the rationale for widening Highway 170 from the Academy of Career Excellence (ACE) to the River Bend subdivision from 4 to 6 lanes because of Okatie Village and any future developments thereafter, the difference between the studies by Dr. Tanner and Mr. Henrikson, the multi-faceted variables involved in calculating whether the County will be able to provide services without raising taxes, the problematic areas of transportation and education that may be caused by the development, the probable increased impacts fees affected because of this development, the affect to the taxpayers, the negative impact on the quality of life in Beaufort, the development using a portion of the 10% of land available for development in Southern Beaufort County, supporting the development with conditions that financial agreement will include transportation and education relief, kudos on the project design, continue the rural atmosphere by not widening Highway 170, and commended the developers on their work on the project.

**Motion:** Mr. Petit made a motion, and Ms. LeGree seconded, **to forward to County Council a recommendation of approval on the Okatie Village project, pending the resolution of funding for roads and schools to the satisfaction of the County Council.** The motion was carried unanimously (FOR: Hicks, LeGree, Mullen, and Petit; AGAINST: Flewelling and Sutler).

*Note: Chairman Hicks recessed the meeting at approximately 9:15 p.m. and reconvened the meeting at 9:25 p.m. Mr. Petit left the meeting due to illness.*

**Motion:** Mr. Flewelling made a motion, and it was seconded, **to forward to County Council a recommendation of approval for the Comprehensive Plan/Future Land Use Map Amendments from Rural Service Area to Neighborhood Mixed Use Area and Southern Beaufort County Zoning Map Amendments/Rezoning Requests from Rural to Planned Unit Development (PUD) for Okatie Marsh (R-600-13-3, 3A, 3B and 61; 101.36 acres), Osprey Point (R600-13-6; 119.25 acres), and River Oaks (R600-13-8C—a portion of; 63.54 acres).** The motion was carried (FOR: Flewelling, Hicks, LeGree, and Mullen; AGAINST: Sutler).

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX J (DALE COMMUNITY PRESERVATION/CP), DIVISION 2 (DALE MIXED USE DISTRICT), SECTION 2.7 ADDITIONAL DEVELOPMENT STANDARDS—PLACEMENT (EXEMPTS COMMERCIAL DAYCARE CENTERS FROM SIZE REQUIREMENT IN DALE CP MIXED USE DISTRICT); APPLICANT: GEORGE DAWSON**

Mr. Criscitiello briefed the Commissioners. The staff recommended approval of the text amendment.

**Applicants' Comments:** None were received.

**Public Comment:** None were received.

**Discussion by the Commission** included a clarification of the text amendment affecting the Dale CP District,

**Motion:** Mr. Mullen made a motion, and Mr. Sutler seconded, **to forward to County Council a recommendation of approval for the Text Amendments to Beaufort County Zoning and Development Standards Ordinance (ZDSO), Appendix J--Dale Community Preservation/CP), Division 2--Dale Mixed Use District, Section 2.7 Additional Development Standards—Placement, which exempts commercial daycare centers from the size requirement in the Dale CP Mixed Use District).** The motion was carried unanimously (FOR: Flewelling, Hicks, LeGree, Mullen, and Sutler).

**ADJOURNMENT: Motion:** Mr. Sutler made a motion, and Mr. Mullen seconded, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Flewelling, Hicks, Mullen, and Sutler). The meeting adjourned at approximately 9:30.p.m.

**SUBMITTED BY:** \_\_\_\_\_  
Barbara Childs, Admin. Assistant to the Planning Director

\_\_\_\_\_  
Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED:** **August 4, 2008; as corrected**  
(Additions are **bolded and underscored**, deletions are ~~struck through~~)