

A meeting of the Beaufort-Port Royal Metropolitan Planning Commission (MPC) was held on **July 29, 2019 at 5:30 p.m.** in the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Vice-Chairman Jim Crower, Commissioners Robert Semmler, Judy Alling, Mike Tomy, Caroline Fermin, and Bill Bardenwerper, and City of Beaufort Director of Community and Economic Development David Prichard.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

Vice-Chairman Crower called the meeting to order at 5:53 p.m. and led the Pledge of Allegiance.

MINUTES

Commissioner Tomy made a motion, second by Commissioner Fermin, to approve the minutes of the May 20, 2019 MPC meeting. Commissioner Fermin abstained from voting because she was not at the meeting, and Commissioner Bardenwerper abstained from voting because he was not yet on the MPC. **The motion to approve the minutes as submitted was approved 4-0.**

Commissioner Tomy made a motion, second by Commissioner Fermin, to approve the minutes of the June 17, 2019 MPC meeting. Commissioner Bardenwerper abstained from voting because he was not yet on the MPC. **The motion to approve the minutes as submitted was approved 5-0.**

Commissioner Fermin made a motion, second by Commissioner Semmler, to change the published agenda by moving item I to the top. The motion passed unanimously.

REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT

CITY OF BEAUFORT - PROPOSED BEAUFORT CODE TEXT AMENDMENT to modify Section 11.6.1 B of the Beaufort Code for sign-face attachment for the purpose of public safety

Applicant: Bo Hodges, Adams Outdoor Advertising

Mr. Prichard said **Bo Hodges**, representing Adams Outdoor Advertising, had come to city council at a work session about billboard hurricane frames and the city's ordinance concerning nonconforming signs. Mr. Prichard read from the ordinance and said Adams Outdoor Advertising contends that such a frame doesn't meet the level of structural or design change, and it would allow quicker, safer hurricane preparation. Given that council recognizes the advantage of a minor alteration to the sign face for public safety, but doesn't want to provide a loophole that would extend the life of a nonconforming sign, they have asked Planning to draft language to address this, he said.

Mr. Prichard pointed out the change to the language: the addition of “nor does it refer to minor modifications to sign-face attachment” to Beaufort Code Section 11.6.1.B.2. City council suggested also adding that this applies to the attachment of a sign face “for the purpose of public safety.”

Vice-Chairman Crower asked what a perimeter frame is. Mr. Hodges showed models of billboard frames and described how they work. Of the 3 billboards in the city, one has been updated with the safer frame. The others are old wooden frames; if their faces aren’t taken off before a hurricane, it could become a projectile, he said. There’s now a lightweight frame that allows them to wrap the vinyl around it, so the vinyl – not the dangerous frame – will fly off in a storm. Typically, someone would go to the billboards, get the vinyl off, and put it in a truck, but that can’t be done with the old signs, which Mr. Hodges said are “outdated and unsafe.”

Commissioner Semmler said the city code says there are to be no more billboards in the city limits. If a billboard is knocked down, is Adams Outdoor Advertising authorized to replace it? Mr. Prichard said no. The ones that are here can remain as long as the sign isn’t replaced. Commissioner Fermin said she thought the ordinance said also that there could be no enhancements. Mr. Prichard read from the ordinance and said that the word “enhanced” isn’t used, but there is similar language, which was why this was an issue.

Staff recommends approval of the ordinance change, Mr. Prichard said.

Mr. Hodges said this would only apply to 2 of the 3 signs, not including the Grainger sign, which was rebuilt after a lawsuit.

There was no public comment.

Commissioner Bardenwerper made a motion, second by Commissioner Fermin, to recommend accepting staff’s recommendation for the billboard change. The motion passed unanimously.

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing two parcels of property (20.71 acres) at 44 and 50 Miller Drive East – further identified as District R200, Map 15, and Parcels 107 and 749 – and rezoning them from T3-HN (Hamlet Neighborhood) to T4-Neighborhood (T4-N).

Annexation applicants: Elizabeth L. Brown and Denise Heyman Martinson

Rezoning applicant: Michael Mark

Mr. Prichard read from the staff report. Ms. Martinson and Ms. Brown have petitioned the City of Beaufort to annex the property, he said. T3-Hamlet Neighborhood is the current zoning.

The annexation request is consistent with the 2009 Comprehensive Plan, Mr. Prichard said, and the property is “contiguous to the primary service area.” The request “also meets the requirement that incremental growth can be medium- to high-density,” he said.

The City of Beaufort will be able to provide all service to the annexed parcels, Mr. Prichard said. The parcels would be subject to the millage rate at the time of annexation, which is 75.77 mils for FY 2020. Commissioner Tomy asked about the surrounding zoning for this property and whether it is in the city or the county.

Rob Merchant discussed the zoning around the property, including Lady’s Island Community Preservation, which allows a maximum residential density of 2 dwelling units per acre. The proposed zoning, T3-HN, allows single-family residential; there is a minimum lot size, which “governs how much you can fit on the site,” he said.

Bruce Richards discussed how his neighborhood has changed. To “accommodate more people,” it has residential neighborhoods like his around it. Most people who object to the annexation and rezoning are afraid that this would be a “stepping stone to commercial development,” he said. The neighborhood is currently “kind of semi-rural,” Mr. Richards said, and they would like to keep that zoning. “The neighborhood we’re discussing is ours, not yours,” he said.

Kristi Warner, Miller Drive East, said, “It talks about office buildings” and things that could be on the property if it’s rezoned, which she asked the commissioners not to allow. “We want our neighborhood to stay our neighborhood,” she said.

Commissioner Bardenwerper asked about the density under the county’s T3-HN zoning. Mr. Prichard said the minimum lot size is 6,500 square feet. Mr. Merchant said, accounting for streets, there would probably be 4 or 5 dwelling units per acre. Mr. Prichard said 25% of a parcel [development] is generally used for streets, and at 43,560 square feet to an acre, about 5 or 6 dwelling units “is probably correct.”

Commissioner Bardenwerper asked what happens if the MPC recommends annexation to council but doesn’t recommend this zoning district. Mr. Prichard said these property owners desire to be within the city limits. If the MPC recommended approval of annexation but not the property owners’ preferred zoning, it would go to city council with a recommendation to annex but not with T4-N zoning.

Commissioner Bardenwerper asked if it’s typical to get annexation requests from property owners who can’t get the zoning they want from the county. Mr. Prichard said, “I wouldn’t want to speculate. You could ask their agent . . . what their motivation is.”

Commissioner Bardenwerper said if the property owners don’t get the zoning they want, they could withdraw their annexation request. Mr. Prichard said if the MPC does

not recommend approval, and city council votes against it on first reading, the property owners could withdraw their request for annexation.

Commissioner Tomy asked what the equivalent county zoning for this property would be. Mr. Merchant said Hamlet Neighborhood is primarily residential. T3-N is mixed-use but leans more heavily toward residential, Mr. Prichard said. T4-N would be allowed here, he said, and it could be a possible equivalence “or a zoning similar to that.”

Mr. Prichard said he’d sent an addendum to the commissioners. This area is designated as community form “Village,” so the request to zone as T-4N is compatible with the Lady’s Island Plan, he said; it’s further broken down as “Village Neighborhood” because “they [the creators of the Lady’s Island Plan] foresee a less intense use,” and the applicant’s request would be allowed under the plan.

Mr. Prichard read about allowable uses in T4-N. Commissioner Semmler read allowable uses in T3-HN and then read from the Lady’s Island Plan, including about the goal of municipality and county coordination, and about the Village Center that Mr. Prichard had cited. With rezoning, Commissioner Semmler said, a developer could build apartments there, per the city code, with 200 units on 20 acres. There is a 4-acre pond, which he doesn’t think would be filled in, but it could be, and “the developer can do anything he wants” once it’s rezoned. He feels “the worst-case scenario,” if it’s rezoned, would be that “there’s no way” anyone in the neighborhood could get across Sams Point Road on “the 2-lane road.” Commissioner Semmler said Miller Road is one of the places being considered for a stoplight. If South Carolina DOT would put it in, and “that little bitty road” couldn’t handle the congestion resulting from the people in the 200 apartment units.

Commissioner Semmler discussed the work on the Lady’s Island Plan. A criterion was that large developments are encouraged to come to the Lady’s Island Community Preservation Committee (CPC). Once this is rezoned, he said, “it’s out of our hands.” The developer could go straight to city council and not to the CPC. They don’t want to stop development and redevelopment, Commissioner Semmler said, and they don’t want to stop annexations that property owners have a right to; his concern is about the rezoning.

Commissioner Semmler asked what the applicants would rezone to if they couldn't rezone to T3. Mr. Prichard said they would have to choose something in the city’s code. Less intense zoning would be T3-N or T3-S, he said, and he read the descriptions of each zoning from the code.

Commissioner Semmler asked if what is being proposed would be considered an upzoning. Commissioner Semmler asked if what is being proposed would be considered an “upzoning” from the county’s zoning, per Mr. Prichard’s “definition of the term.” Mr. Prichard said he didn’t know. What he had focused on wasn’t the county’s zoning, since

the property would “no longer be in the county, but on “what the Comprehensive Plan” and the Lady’s Island Plan “saw for the future of that area.”

Commissioner Semmler said the key to the Lady’s Island Plan is “to keep the citizens involved in that process, and we’ve completely not done that,” in this instance, which is unfortunate.”

Commissioner Tomy said the MPC has to look at and vote on the annexation and recommend approval or not of the zoning. They can’t substitute the requested zoning, but they could make a suggestion of a substitution.

Looking at the lot pattern, Commissioner Bardenwerper asked “the general size of most of” the neighborhood’s lots. Various members of the public said the lots are “about a half-acre.” Perpendicular to Miller Drive, they’re a little over half an acre, and they’re “about 100 feet deep,” he was told.

Al Hancock, 43 Miller Drive East, said the applicant’s property has been for sale “for awhile,” and he knows there is an offer to buy it, but the sale depends on “changing the annexation and rezoning it.”

Mr. Prichard said the applicant’s “development plan is unknown.” Lady’s Island’s citizens were not intentionally excluded through this, he added. What they said their intentions and desires were – as expressed in the Lady’s Island Plan – were used in the consideration of this annexation and rezoning. “The hope of the Lady’s Island Preservation Committee is that development plans would be brought to them for discussion,” Mr. Prichard said, but “there is no development plan currently” for this property, “just a request for zoning, which could allow a range of uses,” including multi-family dwellings. Commissioner Semmler said, “We’ve seen the results of that.”

Mr. Richards said it has been presented that the owners would like to be part of the City of Beaufort, but the owners aren’t residents. He believes the owners’ “only goal is to prostitute that property for maximum financial gain.”

Ashley [last name inaudible], 13 Sunrise Boulevard, asked what the benefit would be of annexing besides rezoning the property. Also, she said, “the residents of Lady’s Island” were informed of the MPC meeting by “a small sign” on the property that was “put up a week ago,” which she saw while walking her dog. She feels that’s “insufficient notice.” Mr. Prichard said the public is informed in other ways, too, including advertisements in the newspaper and notices on the city’s website and information board. The city followed state law concerning notification, and “there are a lot of people here,” so the notifications worked, he said.

Commissioner Tomy said the MPC could suggest an appropriate zoning and recommend turning down the proposed zoning, then city council would take the matter up. The MPC

could make its recommendation for zoning that would more closely match what is wanted than the proposed zoning does.

Commissioner Bardenwerper said if the applicants don't get the zoning they want, they might withdraw the whole request before it goes to city council. He asked if the applicants' zoning request needs to be turned down; when the MPC recommends annexation, it also needs to recommend zoning, whether it's what an applicant asks for or not.

Commissioner Tomy said the MPC can't do that. There is a request for rezoning, and the commissioners have to recommend denying it, then recommend an appropriate zoning for city council to consider; they "can't substitute a motion." Citizens can request annexation into the city, and if the property is contiguous to a growth boundary, it is allowed, Commissioner Semmler said.

Mr. Prichard said, "Technically, the city is not rezoning"; it's "establishing zoning for land that has now moved to the city," so staff felt it was not "appropriate to charge the applicants for rezoning" or to have them fill out a rezoning application. Staff asked the applicants "their preference for zoning with the annexation," he said.

Chuck Newton, Sea Island Corridor Coalition (SICC), read a statement. [*It is attached to the minutes for the purpose of entering it into the record. – steno.*]

SICC doesn't object to petitions for annexation, Mr. Newton said, and the organization doesn't object to the rezoning application of **Merritt Patterson** and Terra Development that is also on the agenda, but "we have serious concerns" about the Miller Drive rezoning. He enumerated current surrounding uses and said, "This parcel is an island in the middle of a residential neighborhood."

Developing the uses allowed in T4-N as anything other than residential "would radically change the character of this predominantly residential neighborhood," which is "something the Lady's Island Plan hopes to retain," Mr. Newton said, and "commercial uses" that would be permitted under T4-N "are out of scale and incompatible with [the] current use." If the Lady's Island Plan is to be successful, he said, we must on occasion be able to say "No."

Peter Somerville, Lady's Island, said the presentation tonight has been confusing. The proposed area to be annexed is only contiguous to the city "where that school is." No other property in the area is being proposed for annexation, so the city won't be responsible for traffic enforcement there, which he feels will be "a problem when there is more traffic because of density increases." Also, Mr. Somerville is concerned because the city said it had asked the applicants what zoning they preferred, "yet [the city has] no idea what the applicant wants to do with this property."

If there's a question about the Lady's Island Plan, Mr. Somerville said, the City of Beaufort should ask the CPC about what was intended, not rely on its own interpretation.

Mr. Prichard said this annexation and rezoning are not being proposed by the City of Beaufort; the applicant has requested this, and the city is honoring that request.

Lolita Watson, Ribaut Road, is concerned that most of the Lady's Island residents who are present don't live in the City of Beaufort and can't vote for city council. As a taxpayer, she's always concerned about annexations because of how far the City of Beaufort Police Department has to go on calls, "when its budget is so tight." Looking at a map of where the city line is, people would be "horrified" at how far those delivering city services to annexed properties would have to go, she said.

Rikki Parker, Coastal Conservation League, said this property is in the "Village Neighborhood" area, where the goal is "to ensure that development fits with the existing character of the neighborhood," in a walkable community that has "a high percentage of residential density," which is in contrast to T4-N zoning, which has "a broad mix of urban and residential units" and "limited commercial development." The developer of the Miller Drive parcels could eventually do something that is "consistent with the Lady's Island Plan under T4-N," Ms. Parker said, "but they could also do a whole lot more than that." Coastal Conservation League recommends that the MPC recommend "a slightly lower zoning category" to ensure the development is more consistent with the recommendations of the Lady's Island Plan, she said.

Charlene Richards, 10 Wiggins Road, asked what would stop city council from allowing a developer to put apartments on this property. Vice-Chairman Crower said if the city zones it T4-N, by-right, the property owner could do that. Ms. Richards asked, "What's to stop them?" if the property is annexed. She recommended that the property not be annexed because "you can't control what somebody's going to do on that property."

Commissioner Alling said she thought that if a resident requested annexation, the property had to be annexed. Mr. Prichard said it's his understanding that this is not so; city council doesn't have to annex property just because annexation has been requested.

A member of the public did not give his name but said he lives at 16 Sunrise Boulevard. He said it seems simplest to deny annexation of this property and asked, "If they don't live here, why are we even entertaining this option?"

Mr. Prichard said city council can deny an annexation request, but a property owner has the right to seek it, "wherever they live." The law gives property owners this right and protects "their due process to do something that's legal," he said. Part of the process is having public meetings where people who "are for or against it" can speak out.

Michael Marr, the agent for the applicant, said the property owner had to leave the property “for health reasons.” He has been trying to sell it, but the owners are concerned that they wouldn't be treated fairly because they are in the “Village,” and they were not treated fairly the last time they dealt with the county. Mr. Marr said he is here because the property owners can't be, and that's what he knows about what they want.

Janet Mulcahy, 36 Thomas Sumter Street, discussed putting in “the circle” and then putting in cookie cutter houses in a piece of property in their area. The neighbors are still very “sore” from what has happened on the land around them, she said. The owners may have had problems with the county in the past, Ms. Mulcahy said, but they want to “get rid of property without going through the proper channels per se,” so they are asking the MPC and the city to “do their dirty work.” She said this “beautiful land” has been “for sale forever,” and now the owners want “to get rid of it however they can,” even if it means “another section of our beautiful Lady's Island just go[es] away.”

Steve Holland said, “We are in the midst of seeing how one circumvents the Lady's Island Plan.” He said “a developer” had implied that the sale of this property is contingent on this particular rezoning.

Kevin Cuppia, Sunset Boulevard, said he respects the property owner's right to annex, but the surrounding property owners who have lived there for many years have to be respected. He feels the city “won't take care of that property the way they should.” He asked what the next step is if the MPC turns down the annexation request. Vice-Chairman Crower said the MPC makes a recommendation to city council. Mr. Cuppia believes the city can't provide services to its current residents, much less serve more.

Vice-Chairman Crower closed the public comment portion of the meeting.

Commissioner Bardenwerper said an important question is whether or not the city has the ability to provide services if this property, which is at the end of a dead end road, is annexed. It's adjacent to other city property, and if it's in the city, residents (by way of city council) and the MPC “have some level of control over it.” He thinks the city probably does have the ability to service this property, and if that's agreed upon, then the commissioners should discuss the rezoning.

Commissioner Tomy said, according to staff's comments, the city has that ability. Mr. Prichard said he talked to all of the city's relevant department heads, and they said yes, they could provide services, effective on the date of annexation.

Commissioner Bardenwerper made a motion, for the purpose of discussion, to recommend annexing the property. Commissioner Semmler seconded the motion.

Commissioner Alling said they have heard that the public feels keeping the county zoning is best, but that might not be so. It might be better to annex it and zone it T3-S, she said, which only allows single family residents and civic uses. Vice-Chairman Crower said that sounds like an excellent solution.

Commissioner Alling said she doesn't understand why the public feels that it's better to have the property in the county than in the city. Commissioner Semmler asked Mr. Merchant to discuss the intergovernmental agreement between the county and the city about annexation. Mr. Merchant said the intergovernmental agreement "recognizes growth boundaries" and that "eventually the City of Beaufort and the Town of Port Royal could annex in those areas." He's not sure how this applies to this particular rezoning. Commissioner Semmler asked if there is "wiggle room" to allow an annexation into the city to be denied if someone requests it. Mr. Merchant said if someone were to request that the county upzone a property, "we would direct them to the city."

The motion passed 4-2, Commissioner Semmler and Commissioner Alling opposed.

Commissioner Fermin made a motion to recommend that city council deny the request to rezone to T3-HN and to recommend T3-S zoning instead. Commissioner Tomy seconded the motion. *[Upon review of the minutes, it was discovered that Commissioner Fermin misspoke in making her motion; the rezoning the commissioners voted to deny was T3-N, not T3-HN. – steno.]*

Mr. Prichard read the T3-Suburban zoning definition and by-right uses, including single-family dwellings and civic uses, with no multi-family dwellings. **The motion passed unanimously.**

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing five parcels of property (6.9 acres) at 11 Williams Street, 13 Williams Street, 19 Mayfair Court, 17 Mayfair Court, and 13 Mayfair Court – further identified as District R200, Map 15, Parcels 116, 526, 525, 523, and District R200, Map 16, Parcel 82 – and rezoning them from T4-HC (Hamlet Center) and T3-N (Neighborhood) to T5-UC (Urban Corridor)

Applicant: Merritt Patterson, Terra Development Group

Mr. Prichard read from the staff report and made a correction to it.

The City of Beaufort will be able to provide all services upon annexation, Mr. Prichard said. The applicant is not here, and Mr. Prichard thought "the two partners" would be present, but they are not.

Commissioner Bardenwerper asked how a city police officer could access this site by a public road. Mayfair Court is currently a dead end, Mr. Prichard said. He thinks it is "part of the Lady's Island corridor plan to make it not a dead end." Mr. Merchant is no longer present to answer that question, he said. Commissioner Bardenwerper asked if the

public has a right to access this property; if Williams Road is private, there's no public access to it. Mr. Prichard said a private road could have a public easement.

Commissioner Tomy asked whether there is "a radius" that a fire truck would be able to turn in. Mr. Prichard said part of this issue would be solved in the development of the parcel. Those kinds of access issues don't need to be solved now, he said. Williams Road is a paved private street, and Mayfair Court is an unpaved county street. A member of the public said there's a house at 19 Mayfair Court, which is a rental property.

Commissioner Bardenwerper asked what the City of Beaufort would do if it didn't have public road access, and the owner wanted to build a single-family house on the property. Mr. Prichard said the city doesn't allow development of property unless there is public access.

Chief Bertholf said this parcel would still be served by the Lady's Island/St. Helena Fire District in terms of "response," but all other non-response activities would come from the Beaufort/Town of Port Royal Fire Department if it were annexed.

Commissioner Tomy said the developer hasn't said he would improve the roads. Chief Bertholf said road improvement would be required for emergency access. Mr. Prichard said the owner would have the same issues if he wanted to develop the property in the county.

Commissioner Bardenwerper said no one could build a new house there without access by a public road. Whatever is built there, they need to figure out how to get public road access first; any kind of subdivision would require public road access, he said. Mr. Prichard said roads in a PUD "are often private." Commissioner Bardenwerper said the "lowest level of development" is a single-family subdivision, and he doesn't think they would be allowed to have access through an easement.

Commissioner Semmler made a motion to recommend annexation into the City of Beaufort. Commissioner Fermin seconded. The motion passed unanimously.

Mr. Prichard said the property owner desires that the property be rezoned T5-UC. He read from the staff report about this. T5-UC is consistent with the adjacent city property and the first of the City of Beaufort's strategic goals. He said staff recommends the T5-UC zoning designation.

Commissioner Alling asked what is allowed under the county's zoning designations (T4-HC, T3-N, and T3-HN) and the proposed T5-UC zoning. Mr. Prichard read about allowed uses in T5-UC. He said there are some apartments nearby to the east on Sams Point Road. He showed a map of the city zoning surrounding the property. He then showed the current county zoning of the properties and described the allowed uses in T3-N, T3-

HN, and T4-HC zoning. Under county zoning, multi-family dwellings are allowed in all but the parcel that doesn't have an address, which is zoned T3-HN, he said.

It seems like this might logically develop as offices, Commissioner Bardenwerper said. Commissioner Semmler said there's a good buffer between the office park and the neighborhood, and if it is all zoned the same, "you lose that natural buffer." Commissioner Bardenwerper asked if there's a creek on the commercial side of the property. A member of the public said yes.

Mr. Prichard said this is the zoning that was requested, and staff had no issue with it. Commissioner Bardenwerper said it "could be taken down a little" from what the applicant has requested, such as T5-DC. Mr. Prichard said that's a transect zone in the downtown district, though there's nothing to say it couldn't be used elsewhere. He knows the applicant is interested in possibly putting storage units on "that large parcel," so "that's probably also why they're asking for T5-UC."

Commissioner Alling said she recommends zoning "that is as close" as possible "to what is there today." Mr. Prichard said T4-HC is "less intense" than T5-UC; T4-N is "probably closer," he said.

Mr. Somerville said he's "disturbed" to hear the city wants to rezone the property, but staff doesn't "know what the character of the surrounding property is" and doesn't "seem to care about that." The zoning the city has proposed is "high-density" on a street that has two lanes, he said. Mr. Somerville said he assumes the city is "not going to annex the street." The proposed zoning is "what the developer would like to do," he said; that zoning "should be on a primary thoroughfare," which this property is not.

An unidentified member of the public said the proposal is to make these parcels like parcels on Sams Point Road. The back half of this property is "entirely residential," he said, while the other part is "all woodlands." He said he'd received an email from Sea Island Coalition, which he read. Pointing out a storage unit by some woods, he said, "We're going to be moving the commercial corridor north." 22 years ago, his realtor told him that the area has a "government by, and for, developers," and he feels that is still the case. He also feels a developer has "something in mind for this property."

Mr. Prichard said the city hasn't made a decision about this; it is a citizen's application for rezoning. "From a professional planning standpoint," he tries to be neutral, and he doesn't "even like to make recommendations." He said he knows what the city wants by reading its Comprehensive Plan, and under that, T5-UC zoning "qualifies" for this property. City council will say whether or not they see it "in the near future," he said. "Staff is not making a choice for T5-UC," Mr. Prichard said. He wants the applicant to feel that he's "getting a fair shake," and he said he "won't hold back information" from the MPC or anyone else. In the future, the city sees that this property "could be T5-UC," he concluded.

Commissioner Alling said the purpose of zoning isn't to zone something for a developer but "for the betterment of the community, and the developer follows those guidelines." So, the MPC is meant to think about what would be the best zoning for the community, not about what might or might not happen on the property, she said.

Vice-Chairman Crower said when he looks at the map, it appears that the area around the four corners is "the nucleus of a business area." Mr. Prichard is suggesting that the zoning continue north, he said, and the zoning would be roughly the same size as what's already there, then it turns to residential, so he wonders if it would be "better to zone this as something transitional" between the office uses and the neighborhood to the north. Commissioner Bardenwerper said, unfortunately, it doesn't appear there's good transitional zoning.

Commissioner Semmler said he wishes "it was less dense." He said, "This is an opportunity to upzone," which is what he believes "the applicant is trying to do." Mayfair Court is an anomaly in that location, he said. A lot of the homes on that court need revitalization, but what he doesn't like is that the zoning is "abrupt," not "a smooth transition." Commissioner Semmler said the applicant could have come to the CPC. He doesn't want to "disrupt what's already there."

Commissioner Tomy said the parcels have "accumulated into a single proposal," and he feels that they should suggest a different zoning that is "more closely related to the residential character of the area." There was general agreement that an appropriate zoning would be T3-N. Commissioner Tomy said the MPC needs to protect the interests of the community.

Commissioner Bardenwerper made a motion to recommend that city council deny the zoning request and to recommend T3-N, instead. Commissioner Semmler seconded the motion. The motion passed unanimously.

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing four parcels of property (4.02 acres) at 35 Parris Island Gateway, 43 Parris Island Gateway, 46 Broad River Boulevard, and 41 Broad River Boulevard – further identified as District R100, Map 29, Parcels 13I, 13J, 139 and 13 – and rezoning them from C5-RC/MU (Regional Center/Mixed-Use) to T5-UC/RMX (Urban Corridor/Regional Mixed-Use)

Applicants: Andrew Burris, Petros 35 LLC and Barry J. McDonald, Dominion Energy South Carolina, Inc.

Mr. Prichard said there is a mistake in the staff report: The annexation request for 41 Broad River Boulevard is from Dominion Energy, while the others are from Petros 35, LLC / Andrew Burris. He read from the staff report about the proposed annexation.

Commissioner Semmler said this is a good opportunity for the area.

Commissioner Semmler made a motion, second by Commissioner Tomy, to recommend the annexation request. The motion passed unanimously.

On the rezoning request, the applicant requests T5-UC/RMX zoning on the west side of Broad River Boulevard, Mr. Prichard said. He read from the staff report about the T5-UC and RMX classifications. Staff supports the dual zoning, he said.

Commissioner Semmler made a motion, second by Commissioner Fermin, to recommend acceptance of the zoning request for both parcels. The motion passed unanimously.

CITY OF BEAUFORT – ANNEXATION & REZONING REQUEST – Annexing 1 parcel of property (35.7 acres) at 302 Parker Drive – further identified as District R100, Map 25, Parcel 170 – and rezoning it from S1 (Industrial) to Light Industrial (LI)

Applicant: Chris Fisher, Glass WRX, SC, LLC

Mr. Prichard read from the staff report about the proposed annexation of this property. Commissioner Semmler said this would bring jobs. **Commissioner Semmler made a motion to recommend annexation. Commissioner Fermin seconded. The motion passed unanimously.**

Mr. Prichard said the applicant has requested Light Industrial zoning. He read from the staff report and said staff recommends the zoning and feels it's compatible with existing development.

Commissioner Semmler made a motion, second by Commissioner Alling, to recommend the rezoning request. The motion passed unanimously.

UPDATE OF COUNCIL ACTIONS

Mr. Prichard reported on Holy Trinity School's request for use of part of Southside Park for a soccer field and said city council had postponed a decision on the matter.

The Chamber of Commerce has requested approval to use Waterfront Park for Shrimp Festival this year in October, he said, and the Universal Unitarian Church has requested to use Waterfront Park in October; council approved both requests.

ELECTION OF OFFICERS

Commissioner Semmler asked that the record reflect the commissioners' appreciation of **Bill Harris**, former MPC chairman.

The vice-chairman becomes the chairman, Commissioner Semmler said, so a vice-chairman needs to be elected. Commissioner Tomy said the chairman needs to be elected, too; the person serving as vice-chairman does not automatically roll over into that position.

Commissioner Semmler nominated Commissioner Tomy to serve as the MPC chairman. Commissioner Fermin seconded the motion. The motion passed unanimously.

Commissioner Tomy nominated Vice-Chairman Crower to continue serving as the MPC vice-chairman. Commissioner Semmler seconded the motion. The motion passed unanimously.

There being no further business to come before the commission, **Commissioner Fermin made a motion to adjourn**, and the meeting ended at 8:45 p.m.