

A work session of the Beaufort City Council was held on January 4, 2011 at 5:00 p.m. in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Council members Donnie Ann Beer, Mike Sutton, Mike McFee, Gary Fordham, Mayor Keyserling and City Manager Scott Dadson.

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.

Mayor Keyserling called the work session to order at 5:04 pm.

**BLADEN STREET TEXT AMENDMENT AND REZONING - DISCUSSION REGARDING APPEAL PROCESS AND OTHER EDITS**

Mayor Keyserling said that there had been a question raised by a property owner and Councilman Sutton as to the appeal process and whether it would go to court or to the ZBOA. **Wayne "Cooter" Ramsey** said it would go to the historic district Review Board (HDRB) if city staff could not resolve the matter. After that it would go to court. Mr. Dadson said council had received the city attorney's assessment which was that the appeal can be to HDRB and then to the circuit court. Council could substitute the Zoning Board of Appeals (ZBOA) for HDRB if it chose to, and the city attorney is comfortable either way.

Councilman Sutton said his initial concern was the longer range goal of how the process would unfold for a redevelopment zone in the city. Because it's more form-based code, if the rest are zoning issues, why don't these appeals go to the ZBOA? He feels appeals in this district should be as they proceed in the rest of the city. Mayor Keyserling said the argument would be that because it's in the historic district, there is a different set of rules there. When form-based code is city-wide, there may no longer be a historic district as such. His immediate inclination, he said, is that it should go to the ZBOA. Mr. Dadson said form-based code won't replace the historic district designation. Mr. Dadson said form-based code will answer past "bugaboos" as to size, mass, etc.

Mr. Dadson said if someone doesn't like a position, and they want to appeal, it could go to HDRB or ZBOA. **Libby Anderson** said if the ordinance says it would be a variance issue, it would go to ZBOA. Councilman Sutton said HDRB works a lot with mass and scale. They're not using Milner in this case; they're using new guidelines for the new zoned area. This code is a new tool for the HDRB. He feels most disagreements will be about lot lines, setbacks, porch size, etc. He asked the most likely debatable issue. **Steve Tully** said he hopes not to get to the appeals process and that the city architect will be qualified to make the decisions. He said architecturally, it's historic if it's in the historic district. He suggested separating the issues. Councilman McFee said this might add a cumbersome layer on this issue.

Mr. Dadson said the incentive is built in to work it out at the staff level, which is the ultimate goal. Mr. Ramsey said staff has the authority to make those adjustments without having to go to ZBOA. He feels it would typically happen in a difference of opinion, rather than something in the code. He'd prefer that sort of head-butting go to the HDRB.

Ms. Anderson said the appeal should go one way or the other. ZBOA hears variances from the set standard. They also hear appeals, which, like Mr. Ramsey, she considers “disagreements.” Both HDRB and ZBOA don’t need to hear them. Mr. Dadson asked if it was a staff or applicant choice. Ms. Anderson said it should be spelled out in the ordinance itself. Councilman Sutton asked if it’s possible to have a choice in the ordinance, based on the particulars of the case. He said the purpose is to encourage vertical growth. The biggest debate when he was on HDRB was about mass and scale, not color choices, which are on the staff level of approval, typically. He said they’re not talking about restoration work on existing historic structures. It was then agreed that there was some of that in this area.

Mr. Dadson asked council which group they would like appeals to go to. Ms. Anderson said she tends to agree with Mr. Ramsey that most appeals will be architectural questions, so they should go to the board that’s skilled and experienced in those areas, which is the HDRB. Councilman Sutton said he likes the term “variance,” which is “a change of course.” ZBOA is used to dealing with issues of variance.

**Craig Lawrence** said from past experience, it’s tough to ask a ZBOA to deal with design issues, so they shouldn’t call it a “variance,” or it will legally *have* to go to ZBOA. They could set up tiers, which he said was done in another town. In terms of form-based code - which is where the entire city is going - the HDRB probably isn’t right, but the Design Review Board (DRB) might be, as it will look throughout the city, and may be the ultimate evolution for where the city’s going. Councilman Sutton said the work the boards do has been discussed as to blending and the creation of “a hybrid group.” He agreed with Mr. Lawrence that the DRB might be the best long-term. There was general consensus that DRB would be most appropriate, and if it doesn’t work out, they can change it.

Mr. Tully said roof pitches were brought up at the previous meeting. The code document is going to a second reading in council’s next regular session. He said he had found some other things in his review of the document. He showed a different, more accurate rendering from what’s currently in the document, because he knows “pictures are important.”

Mr. Dadson asked Mr. Ramsey if Mr. Tully “could do singles if he wanted to,” and Mr. Ramsey said he could do that plan or singles according to the form-based code, which offers flexibility. Mr. Tully asked if replacing the picture is a problem. Mayor Keyserling said it’s a typical block, not Mr. Tully’s block and shows the breadth of what could be done in *any* block. Mr. Lawrence said they could show both. Ms. Anderson said there have been a few minor changes to the document since the last work session. She said she’d e-mail those changes to Mr. Tully.

Councilman Sutton said there’s a note about pitch changes, and he wants to “make sure that it’s not locked in.” Mr. Tully said on page 28 of the plan, it showed pictures of roof tops. Mr. Ramsey quoted the general code. Councilman Sutton asked the percentage Mr. Ramsey has designed “at 10 and 12”; Mr. Ramsey said 75 - 80%. Councilman Sutton said future councils will look at the form-based code and locking it in at a number will cause them to interpret it as a standard. Mr.

Ramsey said it needs to be looked at with the pictures provided. Councilman McFee clarified that this is to make the roofs compatible with those that are there now. Councilman Sutton he's concerned about a developer making everything look exactly the same. Mr. Tully agreed they should take the particular numbers out; Councilman Sutton said he doesn't want "a row house look" because of the undeveloped city block. Mayor Keyserling said if Mr. Tully were to decide to go with a more commercial look, he might want a flat roof. Mr. Ramsey and Mr. Tully said that flat roofs are allowed. Mr. Ramsey said there's no harm in deleting the numerical values and keeping the images there. Councilman Sutton said he's good with that.

Councilman Sutton said regarding building height that current code allows for a 50' building in the core commercial district, and this code allows for a 65' building. He wondered if the city architect would approve a building that big. Mr. Tully said he won't build anything that big. Councilman Sutton said Milner said there could be a 50' building, and 3 applications to the board were all subject to many objections. Mr. Ramsey said 55' is the maximum height with a pitched roof. Councilman Sutton said 3 types of buildings in this code document have a 65' allowable height. Mr. Ramsey said it's 38' for flat and 55' for pitched. There was general discussion of stories vs. height. Councilman Sutton said he doesn't want citizen boards and city council to have to deal with issues of building height.

Mayor Keyserling explained to those in attendance what the redevelopment district is and the work with Mr. Tully as the developer who's currently ready to work in the area. He also explained who Mr. Lawrence is.

#### **DISCUSSION REGARDING REYNOLDS ROAD REPAVING**

**Thomas Leitzel** said the Technical College of the Lowcountry (TCL) wants to improve access to Building 12 on the TCL campus. Guests and students have multiple access points, which creates safety issues, and they would like to shore that up to assure safety; they feel they can do that through improvements to Reynolds Road. Mr. Dadson said the city is involved because of a request for the city to participate monetarily with the paving. He would like to have city staff from planning and public works sit down with Ward Edwards to look at pedestrian and street safety issues that the city would like to see resolved. If council wants to participate, the committee has to get to work pretty quickly; Mr. Leitzel said the project is being funded by stimulus money and needs to be spent by June 30, 2011.

A graphic was presented to council to show the dimensions of the plan. Councilman Sutton asked if the funding requested from the city is part of a grant match. Mr. Leitzel said the additional funding requested of the city "is in areas that will approve facilities." They "are secured on funding." What they have now is through stimulus money, and would cover many aspects of the plan; city funding will allow improvements to the rear of a road that hasn't been maintained by SCDOT for many years.

There was a discussion about stormwater issues and plans for that in the area, including the addition of curb and gutter that doesn't exist today. They have met with BJWSA. Councilman Sutton said there have been sewer issues in that area. Councilman Sutton said if they're asking

for city money, they should include power companies in the discussion to see if the funding is available. They said they'll ask again and get further clarification. The funding priority is to improve safety and connectivity for pedestrians, but aesthetics are important as well. Mr. Dadson said they might be able to consider "diversion and conversion of funds," and the city might be able to work out other issues, once they're in the game, that will help both parties out.

Mayor Keyserling said he has received many e-mails about the need for traffic calming in that area, so that would be excellent. Also, there's a half-mile stretch from Reynolds Road to Allison Road where there's "no connectivity." He doesn't want to see money spent on something that prevents work that is in the city's, the hospital's and TCL's long-term interests. He said if there's a way to weave in a bike path or a sidewalk to achieve interconnectivity, that would be ideal in this area where there is none. Mr. Leitzel said the college is supportive of that also. Mayor Keyserling asked the planning staff to look to that.

Councilman Sutton asked what would happen if the city didn't participate; Mr. Leitzel said they would go ahead with the plan, but there would still be a messy street. Now it's a huge safety hazard. Councilman McFee asked about the fence on the graphic, and was told that it is provided to direct people to use the crosswalk.

#### **DISCUSSION REGARDING REPORT FROM PARKING COMMITTEE**

Mayor Keyserling reviewed the history of the parking issues to date regarding the kiosks, management of parking, etc. A series of proposals and recommendations for improvements were delivered to council before the holiday break. Some were embraced by council but others council was not ready to embrace. Mayor Keyserling said there has been a lot of misinformation propagated "by people who don't like kiosks" and the real intention in parking changes has been lost sight of. He stressed that parking fees are not money being taken from Bay Street merchants and given to the Northwest Quadrant "when those people don't shop downtown," as has been claimed. He added that this is not a healthy element of the discussion.

The mayor feels the right thing to do is to get the issue resolved and move on to the growth and future of downtown Beaufort. The recession has been difficult on downtown businesses; some may have closed in part because of losing customers to parking issues, but some that closed weren't viable to begin with. The consensus among council is that 6 months of free parking is not on the table, as this would put the parking back in the same problem-filled place where it was a year ago. There is unquestionably better turnover now, which was a major issue when the plan was put into place.

Councilman Fordham said that the previous Sunday, 5 people discussed parking with him at church. He went downtown to research the parking problem firsthand. He looked at the kiosks and heard from his wife about problems that have been encountered. He suggested that the meters remain bagged for another month so the parking issues can be worked out to avoid continuing to work on the issue "piecemeal." He observed that the kiosks don't give change, and he wondered where parkers would get change when most people don't know what or

where Park Beaufort is. He suggested that the committee have another month with bagged meters so they can come up with recommendations.

Mayor Keyserling responded that the change issue is no different than it's ever been, but with the kiosks, about 70% of users are using cards and bills, so merchants won't have people coming in and asking for change, which is something they had complained about in the past.

Councilman Sutton explained the parking management plan, which is the first there's been in the city. The system council believed would work "isn't working too well." While the meters were bagged, there was an effort to solve the problems. Main Street Beaufort canvassed the core commercial downtown and others for feedback on the pieces that weren't working, not just on Bay Street. The survey results indicated that those 76 spots on Bay Street function differently than all the other spots. As a result of the survey, the comments were tallied and the merchants and customers clearly have issues that can be fixed.

The report was given to Park Beaufort, and they in turn presented their recommendations. Among the recommendations was removing the six Bay Street kiosks to flat lots that were identified as not having enough kiosks. In their place on Bay would be double-headed meters. There are enough meters in stock to "meterize Bay Street again." There could be new, state-of-the-art meters put in, alternatively. Changing the time limits has been discussed as well. The recommendation was that Bay Street would be extended to 3 hours; the library and lot near the playground would remain at 2 hours. Councilman Sutton reviewed the reasoning behind this. There was also discussion of making the Marina lot without time limit. "Tiering" the time zones of streets off of Bay Street was also discussed. The Scott Street lot, which is currently metered, was recommended to become a pay station lot and the meters taken out. There was a discussion of rate structure changes to offer incentives to park off of Bay Street.

Councilman Sutton reviewed other recommendations from Park Beaufort, such as whether kiosks should use receipts in the cars' windows as opposed to the current no-display method. "Pay and display" was Park Beaufort's recommendation. He went on to discuss the recommendations regarding signs (the universally recognized green "P"), warnings, additional drop boxes for violations, and a token system, which the merchants can give out and which would be an incentive for customers to come back and shop.

Councilman McFee said "pay by display" came out as a recommendation from Park Beaufort after the initial meeting. Rate and location time alterations have been passed by council on first reading, Mr. Dadson said. Mayor Keyserling said there's not yet consensus on replacing kiosks with meters. Mayor Keyserling said he'd like council to consider asking Park Beaufort to turn the Port Republic street lot into "24-7 free parking." He offered several reasons for this proposal. There are 76 available spaces there, and he suggested they look at the graduated rates on the other streets so that the further away one gets, the less expensive it is. Merchants can tell people where to go by walking a block or so, as they do in strip malls, to get free or cheaper parking.

Mayor Keyserling said he recalled that the meters needed to be replaced anyway, which is one reason the kiosks were purchased. He feels a meter hasn't been developed yet or proven that will take a card and he doesn't want to experiment. Meters would only be updating what they had before. He would like to finish out the original year-long experiment (until July) and give the kiosks a chance when they and other elements are improved. He'd like a specific sign at each space.

Mr. Dadson said the committee should consider that Park Beaufort has done a study on how changing signs will reduce the number of signs. Going to a receipt system would also eliminate the need for the signs Mayor Keyserling mentioned.

Councilman Sutton said several citizens have recommended free parking, and a lot might be the incentive. His concern would be that the Port Republic lot is privately held and has had issues connected to it for years. That lot is leased by a third party, and he doesn't want to test something that isn't owned by the city. Mayor Keyserling said that's a valid concern, and Park Beaufort should answer it. The concept he's promoting is free parking but off of Bay Street to create incentives to keep the Bay Street spots in circulation. Mr. Dadson said the data will be greater in a few months as to whether the tier system nets results.

Councilwoman Beer suggested rather than make the Port Republic lot free for everyone, they could make it free for downtown employees with a tag. **Randall Burch** said the parking committee said there aren't enough kiosks on Bay Street. The cost is prohibitive to add more, and "they don't work as they are now." He doesn't think they should wait another 6 months to see if the kiosks can work or not. The city will have to buy additional kiosks, and this will cost more than the \$30,000 for new meters.

**Charles Aimar** said that the misinformation he had about the Redevelopment Commission came from the Redevelopment Commission itself. Mayor Keyserling clarified that the parking money "has been committed to nothing" but to go into an improvement fund. Both the mayor and Councilman Sutton explained how this works. Income to the city is "pledgeable income" for anything they do to the city; council wants to make sure the funds stays in an incentive fund for downtown. Mr. Aimar went on to say that a Redevelopment Commission member had said that the contract with Park Beaufort "was thrown on them in their first meeting, and they were told to sign off on it by staff" without knowing what was in it. He said a free lot would be filled up by employees, not downtown customers. He believes 90% of the property owners on Bay Street want the kiosks removed from Bay Street.

**Tony Royal** said he likes the sound of the free parking lot. He asked the term on the lease. Mr. Dadson said that is private-to-private. Park Beaufort shared that it's a short-term lease. **Rob Bowden** said that the kiosks don't work. As far as free parking, he doesn't have an opinion, but he's sure it would be taken up by downtown employees. The other flat lots are under-capacity for meters, so he feels people have to line up to use them. Regarding the adjustable rates, the kiosks are sophisticated and could be adjusted to give people who work downtown a break on parking, possibly with a merchant code.

**Donna Starkey** said the kiosks can accept cards and are more advanced, but they shouldn't rule out meters that can do the same things. She saw some in Bethesda, MD that required use of a cell phone to access a credit card. She added that every complaint she's heard about parking on Bay Street is not about parking costs but about the complexity of the kiosks.

Mayor Keyserling asked the merchants about "being in the change business again." Mr. Royal said he's never heard any merchant complain about it, and other merchants present agreed. Mayor Keyserling asked them about purchasing tokens to give to their customers. **Nan Sutton** responded that if they could get tokens at a discount, it would be a great idea for locals, especially. She said when she gives change to someone, they usually come back in the store to shop later.

**Edward Dukes** stated that he believes the kiosks need to be off Bay Street. **Don Starkey** agreed that there shouldn't be kiosks on Bay Street, "especially the way they are today." Mayor Keyserling said they won't be buying any more kiosks for awhile. Mr. Starkey said they should move them to flat lots and maybe they could do other things in a few years.

**Roger Alley** said this matter is being made more complicated than it needs to be. He advocated free parking as is done in Hillsboro. He would like council and Main Street Beaufort to look at this model and how it's being done. 3-hour limits would guarantee turnover. Discussion ensued on the costs of this idea.

Mayor Keyserling asked if Lanier managed any communities where there was chalking and no meters or kiosks. **Alice Wallace** said no. She said the rates in downtown Beaufort have been simplified and suggested that everyone should look at that. She added that two people had come into Park Beaufort to complain that they weren't able to get money for a meter today from a merchant. Mayor Keyserling asked the committee to meet again, and Mayor Keyserling asked that the committee include Mr. Royal. Mr. Dadson said he'd organize the meeting time. Councilman Sutton asked what would be discussed at this meeting.

Mayor Keyserling said it's essential to get downtown moving again. The parking committee will have a meeting and will make revisions for the next regular meeting of city council. Mr. Bowden said he feels the sliding scale rates should be considered and discussed "so that it isn't confusing to the customer." Councilman Sutton said that will definitely be discussed. Ms. Sutton asked if there will also be further discussion of a free parking lot, and Councilman Sutton and Mayor Keyserling said yes. The recommendation will be on the agenda for Tuesday.

#### **DISCUSSION REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS**

Jeff Thomas and Mary Ann Norton were interviewed for positions on the HDRB. Voting was delayed at the last council session. They were Main Street Beaufort candidates, and **Lanelle Fabian** said council was given two applicants from one organization for one position. They need a resident of the historic district, Councilman Sutton said, and both of them are. Councilman

McFee said one could stay in reserve for to serve as eventual replacement for someone who rotates off the board.

Councilman Sutton said TMAC “needs to be gotten together for marching orders.”

There was a general discussion about bike racks.

Councilman McFee said the New Year’s Eve tricentennial event went very well. January 17 from 4:30-6:30 pm will be the official Beaufort birthday celebration and will include a color guard, 21-gun salute, a flyover, the Marine Corps band, and a huge cake.

Mayor Keyserling said the Tricentennial committee’s focus will move to building the number of Beaufort 300 participants.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:23 p.m.

ATTEST: \_\_\_\_\_  
IVETTE BURGESS, CITY CLERK