

A work session of the Beaufort City Council was held on November 27, 2012 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, George O'Kelley, Mike Sutton, and Mike McFee, 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.

CALL TO ORDER

The Mayor called the meeting to order at 5:00 p.m.

DISCUSSION WITH REDEVELOPMENT COMMISSION CHAIR

Jon Verity discussed the public meeting on Boundary Street. The Redevelopment Commission will talk with those who have concerns in order to "better understand their concerns and see what they are interested in." Lafayette Street is moving along, he said, and they hope it's underway by the first of the year. The city is working on the day dock, and the Redevelopment Commission will help where they can. They have done nothing on the water sports center.

The Depot Building had its ribbon cutting, Mr. Verity said. The Redevelopment Commission will wait to see what happens before being more involved in the building's use. The demand, activity and neighborhood will determine what the Redevelopment Commission does. Mayor Keyserling said he's heard from two people wondering about the building's availability, and asked if Martin Goodman was who they should contact, and Mr. Verity said yes or **Craig Lewis**.

Councilman O'Kelley asked, in regard to Boundary Street, if there would be slip lanes for left turns in necessary areas on Boundary Street. Craig Reeves at Sea Eagle Commission is concerned about his trucks being able to get in and out. Councilman O'Kelley thinks the street should be beautified, but he doesn't think the businesses should fail, as was said from the podium at the public meeting. Mr. Verity said they'll visit Sea Eagle. Mayor Keyserling clarified that Councilman O'Kelley meant a left-turn lane. Mayor Keyserling said they may do something along Boundary to allow 18-wheelers to make a U-turn. Mr. Verity said Mr. Lewis had said that they would be able to make a U-turn going east. Councilman O'Kelley said Mr. Reeves had said that if semis go down Ribaut Road and they're not supposed to, they might get in trouble with their companies who can track their movement with GPS.

Councilman Sutton said he looks at the medians in Port Royal, and some areas of the median have been closed where they were improper two-lanes, just open sections in the median. He said on Ribaut Road there are "some arbitrary turn lanes." Councilman O'Kelley cited some places on Ribaut Road where, coming out of the business, one is compelled to turn right and then turn around to go the other way. He thinks staff or the Redevelopment Commission should ask those businesses along Ribaut what the effect has been on their business with these changes. Councilman O'Kelley said Port Royal has done what is being discussed for Boundary, and several of those businesses could be affected, so they should be asked about it. Councilman

Sutton feels that “other things are causing those businesses to have issues.” On Boundary Street, there are businesses clumped together that all can’t be accommodated; he thinks asking how they will turn traffic around is a good question to ask, though.

Councilman Sutton said those businesses don’t have accommodation for 18-wheelers now, so the businesses “may be asking for something they shouldn’t get, anyway.” Perhaps smaller trucks are the answer, he suggested. Councilman O’Kelley recalled that there was once a station for unloading that allowed the city to keep the semis out of downtown. Mayor Keyserling said everyone won’t be happy, but they should try to overcome the structural issues as well as possible.

Mr. Verity said the Redevelopment Commission is working on development incentives; they are going to clarify what they are and see if there are incentives that are financially do-able. They will discuss this with council in the first quarter of the year. The commission plans to get all sectors of the Civic Master Plan approved this year, Mr. Verity said. The Beaufort Code is moving along, Mr. Verity said, though it’s a large committee and therefore difficult to get everyone on the committee there at the same time. He said there will be controversy at the end, but they “are determined to get this done right.”

Bladen Street’s Midtown Center has been a big success and has generated more interest in residential housing. They want to have commercial on Bladen Street, “but the temptation is to do residential.” They want a building that can be converted. Mr. Dadson said there’s a live-work unit going in on Bladen. Mr. Verity said that’s the goal and that’s what they have told the developers.

Councilman O’Kelley asked what will happen with the Coastal Contractors office, and Mr. Verity said he believes “it’s up in the air.” The developer has requested to tear it down but has been turned down by the DRB a couple times, he said. Mayor Keyserling said he had received a set of drawings from the developer about what could be done with it, and **Steve Tully** believed those plans would work there. Mayor Keyserling will show the drawings to some potentially interested parties who are looking for financing. Councilman Sutton said they want Bladen Street to remain with the commercial context. The plan was to have commercial frontage there. Mr. Tully could build all residential buildings, and Bladen Street will not have commercial as the city wants. It’s an economic issue for the owners, now. He said live-works have not sold. Councilman McFee said there’s a resurgence of interest in live-work spaces, but “it’s not a huge market.”

Mr. Verity said there are vacant properties in that area and greater density could be better. Mr. Dadson said Beaufort does not have as many rooftops as they need to support the commercial they would like to have. Bladen Street, in his opinion, makes sense for live-work spaces. There’s interest in infill and some infill already there. There has been infill on the streets that intersect with Bladen. The Redevelopment Commission may need to understand how to go another step

further with the development community and the market. Mayor Keyserling said it's easier to put the live-work spaces there than a block away.

Councilman Sutton said the financing part is the problem to buy a live-work, which won't get financing as a residential unit would. He said the Redevelopment Commission might try to target the institutions to describe to them what it is that they're trying to do. Mr. Dadson said the live-work that is going up counts as a commercial building and is permitted as a commercial building. Mayor Keyserling said the Lowcountry Housing Trust can offer guidance on this. Mr. Verity said Bladen is the logical place for it. Mayor Keyserling said it could look like a commercial building, and for the interim the ground floor could be lived on.

Mayor Keyserling asked, if a live-work is built as a condo, and the owner lives upstairs, can it be a 4% property? Ms. Anderson said there's a formula for condos; there are two separate owners on one building, but it still has to be built as a commercial building. Mr. Dadson said the assessor splits live-work spaces on the tax bill. From a zoning perspective, they can do whatever they like, but from a building code perspective what it's used for matters.

Mayor Keyserling said someone who wants to build an apartment shouldn't be punished for building with commercial underneath them. Mr. Dadson said their digest indicates when there's a split use. Mr. Verity said if they can use a building for residential in the meantime on the ground floor until the market changes, that would work. Councilman Sutton said it's easier to finance residential than commercial. If you rent the bottom of a building to a dress shop and live on the upper floor, the developer has to follow commercial codes, and the bank won't finance it because it's not a conventional loan formula. Councilman O'Kelley said Billy Jones did it in the old BB&T building. Councilwoman Beer cited Habersham. Mayor Keyserling said that anything that could be done to offer incentives to have the commercial on the ground floor, they should do. They need to make it as easy as possible. Mr. Verity said if the demand is there, they should figure out how to do it without punishment for the owner.

Mr. Verity said that the hospital work appears to be coming along well. **Rick Toomey** told him they should occupy the administration building in April. The Redevelopment Commission will have a meeting with TCL for long-range planning on December 6 before the Redevelopment Commission meeting.

Mayor Keyserling said in regard to Boundary Street, he's had discussions about whether there's a way to minimize the boardwalk. Mr. Dadson said they're "talking about that internally and strategizing"; they should have something to report back. "The folks who need to be aware are aware," he said. Mayor Keyserling said as they "move into the doing side," if the council can help the Redevelopment Commission with incentives, they would like to because they made a difference in Midtown. That has had an impact on the restoration that is happening downtown. Mayor Keyserling said he has seen about a half-dozen projects going on downtown, and he credits Midtown and Bladen Street. Mr. Verity said the developers of Midtown are looking at

other places to continue the model. Mr. Verity said at the retreats, they can develop action plans to focus on getting things done and prioritizing what they want to do.

Councilman Sutton said in the discussion about incentives, he wants the Redevelopment Commission to look at the question of county assessment for historic preservation incentives. The state statutes may allow a rollback on a historic property or one in the Historic District. The city, state, and county all have a part in this. The county won't do it because they want to move taxes forward. If a state law allows a municipality to do it, they need to find that out. If a depleted property is at the end of its life span, and a developer wants it, but the properties around it are assessed high, then the municipality should have the ability to roll the assessment back for a term. That way they can abate the taxes on some level. The owner or developer can get their investment back by not paying the property tax at the level at which it would have been assessed. The Redevelopment Commission can examine that statute and then open doors with other stakeholders.

Councilman O'Kelley asked Councilman Sutton if it can be a historic property or only a property in the Historic District. Councilman Sutton said he read it as "either-or." Mr. Verity said they'd take a look at the statute. Councilman O'Kelley said there would be more opportunity to develop historic structures NOT in the Historic District. Councilman Sutton said an investor needs this tool, and it doesn't harm the neighborhood because the property is depleted now, and some incentive, even small, may help.

TOURISM MANAGEMENT ADVISORY COMMITTEE UPDATE

Charlie Williams said TMAC will offer quarterly reports. They have been looking at the horse carriage operations and are following it to see how it's working. Council's involvement is no longer necessary. Officer **Hope Able** is part of the committee as well as the tour coordinator. They are looking right now at how to present a better face to visitors to Beaufort. They feel that the carriage tour operators have to pass a test to be knowledgeable about the area, and others who work downtown sometimes don't have the information to answer the questions tourists have, Mr. Williams said. The committee is looking at a model used on Hilton Head Island and will put together a proposal to address this. They need to get employers to have their employees better able to interact with the public. This can have a long-term effect on word-of-mouth.

Mr. Williams said that they are looking primarily at retail businesses and restaurants, but not exclusively. They will offer seminars periodically, and the public could come as well to learn about Beaufort. They are also looking at some way to further the education of the tour guides. This may be a stand-alone program or an outgrowth of this other educational program. They can also give the businesses a sign of some kind that indicates that they have taken the course, so visitors know where information resources are. Developing course materials will take some money, and they will look at Accommodations Tax and other funding sources when the time comes.

Mr. Williams said among other things that are going on that are tourism-related, Park Beaufort is working on a shuttle service to downtown, which TMAC thinks is a good idea. They are also following the Main Street Beaufort way-finding and branding efforts. Some TMAC members will go to the branding meetings.

Mayor Keyserling said Mr. Williams is on the Main Street Beaufort board; because of the TDAC focus on greater collaboration among groups, TMAC may find a partner in Main Street Beaufort and Chamber of Commerce, and they may find that something that what TMAC wants to do is already funded.

Mayor Keyserling said there is interest in a standardized plaque for historic houses. Councilman O'Kelley said Georgetown in Washington, DC has a good plaque. Mayor Keyserling said the designer, Scott Sonic, is concerned about uniformity and that it tell a narrative that could be followed. Councilman McFee said the Historic Beaufort Foundation had received push-back from property owners about plaques. Mayor Keyserling said it would be voluntary, and they could be purchased. There may be a program to help historic homeowners pay for them.

Councilman Sutton asked Mr. Williams about "the zoning question that is floating about tour operation equipment in the city." He said it's not addressed in the current guidelines, and TMAC might look into ways to address that and see if they missed something in establishing guidelines.

Councilman Sutton said that all the tour operators do the tours a little differently. He's heard a lot of the tours recently, and they "have more to do with fantasy than history," even though the drivers must pass a test. He's "almost appalled by the lack of control" the city has over what tourists hear. Mr. Williams said at every TMAC meeting, they "lament about this," and that one way to counter the fantasy it is to come up with more interesting history to offer.

Councilwoman Beer said one of the stories Councilman Sutton cited was from the Ghost Tours. Councilwoman Beer said they say on the Ghost Tours that they can't guarantee the truth of the stories they tell. There are great disparities between reality and these misrepresentations he's heard, Councilman Sutton said.

Officer Able said the class the Historic Beaufort Foundation representative is planning will be beneficial. The operators are told what to tell, and they can't be punished because they don't know that they're not telling the facts. This will get them all in the same room to learn the accurate history. Councilman Sutton said some operators do it well. Maybe they can get the drivers to learn how important the accuracy is from the perspective of council, or Historic Beaufort Foundation, etc.

Mr. Williams said he agrees with Councilman Sutton about bringing the drivers together and letting them hear what the truth is, stressing that it's important to tell THAT story. The classes will be "a good first step down the right road." Councilwoman Beer said the test was designed

to do that. Officer Able said the committee's updating the guide they have, and Historic Beaufort Foundation is working on a book, so the committee has put it on hold until the book is complete. Officer Able said some drivers have taken the test 3-4 times, and she keeps them up-to-date with the current ordinances. When it comes to information they give out on their tours, she has gone to one guide twice who told her that she was only telling what she has been told to tell. Officer Able doesn't blame them for what they're telling. Councilman Sutton said there's a difference between history and a story. They need the material, and they have to want to tell an accurate story so that they don't have a "Disney trip."

Councilman O'Kelley said in regard to etiquette and giving directions for visitors, he knows that some people downtown don't know the names of the streets, etc. He thinks people may be more likely to come back to Beaufort if they are treated warmly and spoken to. Mayor Keyserling said he's glad to see this approach being taken to go beyond the previous focus solely on the carriage tour wars.

Mr. Dadson said traditionally there's a holiday party for those who serve on city's boards and commissions. He asked council how they feel about that. Mayor Keyserling said the last couple of years, they "have seemed forced," and very few people attended. A problem may be tying the party to a meeting. He feels if they do something different, then they might get a better turnout. Councilman McFee said the timing of it during the busy holiday season may be part of the problem. Mayor Keyserling said the more engaged they are with the boards and commissions, the better.

Councilman Sutton suggested an event at the Depot Building, and there was general agreement that this was a good idea, and that they should do it in January. Councilman O'Kelley said a real invitation with an RSVP would get more interest and they'd know how many people were coming. **Ivette Burgess** asked if they wanted to do it during the work week. There was discussion as to whether the building had indoor lighting and restrooms. Mayor Keyserling said if the party were bigger and better, they might get more people.

Ms. Burgess asked again what day of the week they want to do it. Mr. Dadson suggested the Tuesday night council doesn't have a meeting. Councilman O'Kelley suggested that Friday would be good because people don't want to go out when they have to work the next day. Councilman McFee said they can determine when to do it when they know what they want to do.

Town Council of Hilton Head Island will be hosted at the mayor's house when they come for their retreat, Mr. Dadson said, and it will be posted as a public meeting.

Councilman McFee said he's heard positive things about holiday parking.

There being no further business, the meeting adjourned at 6:21 p.m.

A regular meeting of the Beaufort City Council was held on November 27, 2012 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, George O’Kelley, Mike Sutton, Mike McFee, 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.

CALL TO ORDER

The Mayor called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was led by Councilwoman Beer, and the Pledge of Allegiance was led by the mayor.

ARBOR DAY PROCLAMATION

Councilwoman Beer made a motion to approve the proclamation, second by Councilman McFee. The motion was approved unanimously. Councilwoman Beer read the proclamation and gave it to **Libby Anderson**.

PUBLIC HEARING: REZONING A PARCEL OF PROPERTY LOCATED AT 308 CHARLES STREET, IDENTIFIED AS DISTRICT 121, TAX MAP 4, PARCEL 848A

The existing zoning is “Office Commercial District.” The proposed zoning is “Core Commercial District.”

Applicant: Richard Tritschler

Mayor Keyserling recused himself because he and his brother own the property. He passed the gavel to Councilwoman Beer. **Councilwoman Beer opened the public hearing.** Ms. Anderson said the applicant is the agent for the property owners. She showed where the parcel is on an overhead map. A historic two-story structure is on the property. The property is zoned Office Commercial, but it should be Office Residential. No retail activity such as restaurants and retail are allowed in Office Commercial. Core Commercial zoning allows a variety of residential uses and all types of commercial activity. No new single family and two-family dwellings are allowed in this zoning. The comprehensive plan designates this property as Neighborhood Mixed Use; appropriate uses in G-3 include civic uses, residential and commercial uses. This allows the highest intensity commercial uses and the highest residential intensity. T-4 Neighborhood Center is a mixed-use zone, and “it’s high on the activity meter,” Ms. Anderson said, for residential, office, and commercial uses. Public notice was made. There has been one public comment received. The Planning Commission has recommended that the property be rezoned Neighborhood Commercial on a 4-2 vote. In Neighborhood Commercial, *new* single and two-family structures can be built.

Councilman McFee asked if the Planning Commission had asked the applicant about the Neighborhood Commercial designation instead of Core Committee. Ms. Anderson said **Richard Tritschler** didn't know, as a representative of the owners, how they felt about it, and Councilman Sutton asked Mayor Keyserling how he felt. Mayor Keyserling said he's fine with Neighborhood Commercial.

John Dickerson, 1302 Charles Street, said he and his wife were the respondents to the public notice. They support the use of the structure as residential or commercial. With the advent of form-based code, they feel it's important to make these structures work for the owners while not impeding others' use of their properties. Mr. Dickerson pointed out several buildings around the property that are going from commercial to residential, and he said they think since that activity is happening, it should be considered by council in this rezoning matter. They want council to think about form-based code, the use, and how best to support the people who own the property. The Dickersons would advocate rezoning to Neighborhood Commercial or a special exception. **Councilwoman Beer closed this public hearing** and passed the gavel back to Mayor Keyserling.

MINUTES

The minutes of the work session and regular meeting on November 13, 2012 were presented to council for review. **Councilman McFee made a motion, second by Councilwoman Beer, to approve the minutes as submitted. The motion passed unanimously.**

ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY PROPERTY, FORMERLY THE LOVEJOY STREET RIGHT-OF-WAY

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the amendment on second reading. The motion was approved unanimously.

ORDINANCE AUTHORIZING CITY MANAGER TO ENTER INTO CONTRACT FOR CONVEYANCE OF CITY PROPERTY ON LAFAYETTE STREET

Councilwoman Beer made a motion, second by Councilman McFee, to approve the amendment on second reading. The motion was approved unanimously.

ORDINANCE REVISING SECTION 6.8.J.8.A OF THE UDO, "BOUNDARY STREET REDEVELOPMENT DISTRICT; ARCHITECTURAL STANDARDS, SIGN," BY ADDING A NEW SECTION PERMITTING FREESTANDING SIGNS ON NONCONFORMING LOTS

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on first reading. Ms. Anderson said that a public hearing was held earlier this month. This pertains only to the Boundary Street Redevelopment District. Freestanding signs are not currently allowed to be reused, and for existing businesses, this change will make it fairer. Councilman O'Kelley said this would in essence grandfather in the signs for those businesses that are there now, and Ms. Anderson said yes. Councilman McFee said the intent is to allow the businesses to have signs closer to the road in the more pedestrian environment that

Boundary Street will become. Ms. Anderson said the signs will be modest, and it can be 3' from their front property line. **The motion passed unanimously.**

ORDINANCE REVISING PART 5, CHAPTER 4 OF THE CODE OF ORDINANCES, "FLOOD DAMAGE PREVENTION ORDINANCE

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the ordinance on first reading. Ms. Anderson said the state's national flood insurance program coordinator has recommended four changes to keep the ordinance consistent with federal flood insurance requirements. The first is the addition of a new paragraph that says that for all property subject to the ordinance, a letter of map revision would apply to all. The second change was to take the part out of the ordinance that says that in new construction, if the structure is below the base flood elevation, you can have habitable space down there. This doesn't pertain to grandfathered buildings, Ms. Anderson said, only new construction. Third, they will add two new sections on swimming pool equipment and elevators. The last change deals with variances from flood requirements. They want a "functionally dependent uses" section to be added. **The motion passed unanimously.**

Kawana Wright, 20 West Gate Circle, said she was falsely arrested, and during the process, the police officer said the police wouldn't help her in the future if she needed help. While en route to the jail house, she was hurt by the officer's poor driving. She had called 911 to report the officer for poor conduct. Mayor Keyserling recommended that she meet with the police chief.

MAYOR'S REPORT

TWEAC is cooking, Mayor Keyserling said, and the director has many clients already and has been meeting with businesses here that need former Marine labor.

ADJOURNMENT

There being no further business to come before City Council, **Councilman O'Kelley made a motion to adjourn, seconded by Councilwoman Beer. The motion was approved unanimously,** and the meeting was adjourned at 7:28 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK