

A work session meeting of the Beaufort City Council was held on February 28, 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, and Mike McFee. Councilman George O'Kelley was an excused absence.

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 5:00 p.m.

**Councilwoman Beer made a motion, second by Councilman McFee to hold an executive session at the end of the work session. The motion was passed unanimously.**

### **DISCUSSION WITH REDEVELOPMENT COMMISSION AND METROPOLITAN PLANNING COMMISSION CHAIRS**

**Jon Verity** handed out a sheet of the highest priority at-risk properties and reviewed what was happening with each. Councilman Sutton asked if this was the top 17 properties of concern; Mr. Verity said yes. Councilman Sutton said council has pushed Historic Beaufort Foundation to produce something like this for years to show where the energy should be focused. Mr. Verity said this is that document. Mayor Keyserling asked if a house comes up for demolition that's not on this list, if Historic Beaufort Foundation will oppose it. Mr. Verity said he didn't know. Councilman Sutton explained the "lack of focus" in the past in regard to demolition. Mr. Verity said he would look into Councilman Sutton's question. This is a list of high priority houses, Mr. Verity said. Councilman Sutton said this is a focusing, not a change in policy. Mr. Verity said there might be additional houses out there that could be on the list, but these are the highest priority.

**Alan Dechovitz** said the Office of Civic Investment had conferred with the National Registry about the number of properties that needed to be maintained in order to keep historic designation, and they were told it was not a matter of the number of buildings that would allow Beaufort to keep its designation.

**John Dickerson** said one property on this list under discussion was purchased for \$48,000 but is listed by the county as valued at \$99,000, so they will be taxed at that rate. Councilman McFee said there is legislation pending to ameliorate this situation. Mayor Keyserling said it would be worth going and talking to the assessor and then challenging this, but many of the properties today in Beaufort County are in similar situations. Councilman McFee said that this situation started when the economic downturn occurred, and realtors were not given the ability to change this. Mayor Keyserling gave an example of his own experience where the assessment value was not changed because of the value of the land, even though houses on it were demolished. Councilman Sutton said there are uninhabitable houses that are on the tax rolls still at \$300,000. Councilman McFee said the property owner has to take the action in a case like that; the municipality cannot. Mayor Keyserling said this is especially true in historic areas,

as in other similar towns and cities in South Carolina. Under law, all that could potentially be done is to freeze the city tax, but that would only be effective for 25% of the property tax.

Councilman Sutton said if all this money is put into the area, it would be important to add help with this for property owners as a tool. It will allow the property to change hands, get developed, and be put back on the tax rolls at its new, proper assessed value. Mr. Verity said this is a state issue, but Councilman McFee said legislators need to be lobbied by the city as well. He said he feels this would be an incentive, and they have a 501c3 with the Housing Authority. The city could drop the value, take it off the tax roll temporarily, and put it back on when it's redeveloped.

Mayor Keyserling suggested a "friendly condemnation." Mayor Keyserling said the Redevelopment Commission could buy a property at a discounted rate as a non-profit, or the Housing Authority could, and it would come off the rolls, then go back on when it's redeveloped. Mr. Dickerson said Lowcountry Housing Trust might finance half of it, and when renovation is completed, it's an opportunity to "do a re-set."

Councilman McFee said certificates of occupancy are what generates taxation. Councilman Sutton said if a house burns down, and it can't be torn down for some reason, he would still have to pay taxes on it for 4-5 years. Councilman McFee said that the point is to establish incentives for private investment in the area, not to have the City of Beaufort buy houses, even to get around tax issues.

Mr. Verity said Lowcountry Produce is doing "what we hoped it would and then some." **Libby Anderson** said Bladen Street construction is starting tomorrow; DOT has approved the construction plan. The bid opening on Duke Street is about a week away.

Mr. Verity said at the Redevelopment Commission meeting this week, there will be a presentation on Rail to Trail, the Open Land Trust will show plans, and the Redevelopment Commission will discuss incentives.

The heirs' property meeting that took place that morning, Mr. Verity said, was good, and they plan to have another such meeting with an attorney present to answer some questions.

The pre-bid conference on Lafayette Street was held. It was a dump site in the past, and there is concrete, etc. on the site. They expect bids back in 30 days. There are 5-6 who are seriously interested, Mr. Verity said.

Mr. Verity said the family that owns the "old pink gas station" is looking to move their bike shop, Road Fish, into it. Ms. Anderson said the plans are still in flux but are getting bigger, not smaller.

Mr. Verity said he and Mr. Dadson had lunch with the new director of BJWSA. He also said that there's been some interest in the old jail site, and they have been put in touch with the owner. Mike McNally and Mr. Verity and Councilman Sutton met about the areas around the churches in regard to parking and an effort to find partnership on that issue

Mr. Verity said the owner of the Lipsitz building downtown is looking to make the upstairs into six apartments. He'd like to put a wine and cheese store in the corner location.

The Redevelopment Commission is trying to get its marketing efforts together more, Mr. Verity said. The initial goal is to put together media kits and "let people know what's going on."

Mayor Keyserling asked about the harbor master plan. Mr. Verity said they met with Tony Royal and Kevin Cuppia to discuss a day dock, and they are interested in coming up with a plan for that. They asked the Office of Civic Investment to come back with ideas about how to get that started, and they hope to see those ideas in the next week or so. Mayor Keyserling said he believes that he and council, if there's a plan to pay for it, "will have the courage to move forward." He recommended that they look at previous reports on the matter, and Mr. Verity said they will.

#### **REDEVELOPMENT COMMISSION INTERVIEWS**

Mayor Keyserling said he had encouraged Mr. Dechovitz to be a candidate for the Redevelopment Commission. The planning Mr. Dechovitz did was more the kind of city-building that the Office of Civic Investment and the Planning Commission are doing. Mayor Keyserling feels redevelopment is weak in finding someone to put together a team to look for prospective investors to help them understand what the opportunities will be.

Mr. Dechovitz explained his background, clarifying that his career at Proctor and Gamble was not in brand management or marketing.

#### **COUNCIL RETREAT WORK PLAN**

Mayor Keyserling said Mr. Dadson had requested direction on the retreat's work plan. He asked **Kathy Todd** whether the city could get the financial reports published monthly. Ms. Todd said it could definitely be quarterly, and Mayor Keyserling said he was asking her if they could be monthly. Ms. Todd said there's a lot of time involved in getting the report out of the system and formatting it as they saw in the quarterly report. Down the road it might be possible, though, she said. Mayor Keyserling said he understands that it's work, but improving access to information through the web site is "a day-to-day thing."

Mayor Keyserling said council sessions should be focused on economic development. Councilman McFee said Mr. Dadson wants the council's work plan for staff based on what they did in the retreats. Councilman McFee said by the end of the retreat, everyone was overwhelmed by the amount of information and ideas they'd generated. Mayor Keyserling said he thinks council basically said that the past two years were about city-planning, and now it is

about city building. How tourism money is invested, the capital improvements plan, etc. should be better integrated toward city-building. Mayor Keyserling suggested that they should ask if it takes it to where the master plan and comprehensive plan are to take the city.

Mayor Keyserling went on to discuss the money given to the DMO and money spent on infrastructure. He said the measurables are building permits, customer satisfaction, and revenues. The question, he feels, is "Should we be doing this, and does it help us grow the city?"

Councilman Sutton said if he were directing Mr. Dadson for staff, there are many plans which are now in the brick and mortar phase, and he would like an outline that reflects that. "What are the impacts on the city?" he asked. He would like to see how individual projects affect the CIP, and at the end of it, the mayor's report on the status of the city is created. The workshop outlines ought to parallel this and be the pieces of it: annexation policy, taking back the streets, minimizing parking issues, etc. as work session issues. Staff would know that this was a work session issue to gather background information, and then when it came to council, they could discuss where they should and shouldn't own the streets.

Councilman Sutton said if they look at economic development and fine-tune it, the ways to streamline building permits, etc., leads back to expectations from the economic development standpoint, and then that leads to upping staffing requirements, especially as the Office of Civic Investment steps down.

Mayor Keyserling said now the city has the plan, and the question is how they measure the economy and growth to see that they have the kind of people they need in order to make work that they want to have done happen. But, he said, now there's a plan, the economy is getting better, and in terms of redevelopment, it didn't slow down that much downtown.

Mayor Keyserling suggested that there will be a session for Mr. Dadson's evaluation. Approaching the retreat material is difficult to do without the city manager present. He recommended a work session or an extended personnel session involving Mr. Dadson.

### **EXECUTIVE SESSION**

**On motion of Councilwoman Beer, seconded by Councilman McFee, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws to discuss contractual matters. The motion was approved unanimously.**

**Councilwoman Beer, seconded by Councilman McFee, made a motion to come out of executive session and resume the work session. The motion was approved unanimously.**

There being no further business, the work session ended at 6:52 p.m.

A regular meeting of the Beaufort City Council was held on February 28, 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, and Mike McFee. Councilman George O'Kelley was an excused absence.

**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.

**PUBLIC HEARING: ORDINANCE REZONING SIX PARCELS OF PROPERTY ON HARBORVIEW DRIVE, FROM R-4 HIGH DENISTY SINGLE-FAMILY RESIDENTIAL DISTRICT TO NEIGHBORHOOD COMMERCIAL DISTRICT**

Mayor Keyserling opened this public hearing. Ms. Anderson showed the six lots, located on Lady's Island. They are part of property known as Whitehall. There are plans to develop it as part of a larger Whitehall area. The lots are currently vacant or undeveloped. Current zoning permits lots on 4000 square feet. There is preservation land adjacent, and there is some General Commercial zoning surrounding it. It is currently in the unincorporated area of the county. The proposed zoning is Neighborhood Commercial which is a mixed use zone that permits all types of residential development as well as office and commercial uses. Drive-through facilities are prohibited for restaurants but are permitted for banks.

In terms of rezoning, the comprehensive plan zoning is G2, which contains denser, mixed use development and traditional walkable neighborhoods. Appropriate uses in G2 include single-family and multi-family development. The Whitehall property was included in the civic master plan, and Ms. Anderson showed a graphic of the plan which designates the area T4.

Ms. Anderson said the area to the south is single-family and to the north is undeveloped. In terms of marketability under proposed zoning, the property would be more marketable because it would offer a greater variety of uses. Also, if it were all one zoning designation, it can be planned and developed more efficiently. Water is available, but sewer is not until the property is developed. Public notice was made, and two public comments were received and forwarded to council.

Staff recommends denial of the application until the adoption of form-based code next month, Ms. Anderson said. After that, all city parcels would be rezoned, including Whitehall. The new form-based code would permit development in the fashion of the civic master plan while protecting the single-family uses to the south. The Office of Civic Investment feels that there would be inadequate tools and protection for the single-family if it were developed now. The Planning Commission recommended denial of the application as well.

**Bonnie Carmody** has lived on Harborview Circle for 17 years, and said she read the letter (of public notice) and was, like her neighbors, concerned on several levels. She likes being in the county. She is concerned that if it's zoned Neighborhood Commercial, "it changes everything." She wants to know what the buffer would be. There's already a traffic issue in her area, and she feels that it will be even greater. She promotes business and some development, but she is concerned that the trees in the area will be taken out. She said she represents some of her other neighbors as well, a couple of whom had sent e-mails. Residents were told that the zoning would remain the same as it is. She submitted a letter from another neighbor to be included in the record.

Mayor Keyserling asked if there is a master plan. Ms. Anderson said there is not; it's under straight zoning, not a PUD.

**David Tedder** said he represents the owners of the property. He said there have been 4 master plans for the property under consideration. The zoning is incompatible in that area for mixed use development, he said. The Planning Commission asked why they don't just wait, and Mr. Tedder said to rezone 14 properties on Bladen Street took 12 months, which was not as complex as the application of form-based code. Mr. Tedder said "the market is damaged, but there needs to be value on paper." Split zoning makes it difficult to do something with "either side of it." He said he's not asking for a change from the comprehensive plan or the civic master plan. They are asking for a change in zoning to let them start the process. Even if the Office of Civic Investment were to bring in a plan, they, too, would find that the zoning is incorrect, and they would be unable to do it. He quoted Jim Hicks as saying that a site development plan shouldn't be brought forward when doing a redevelopment request.

Mr. Tedder asked when they would find out if this matter would be workshopped before first reading or not. Mayor Keyserling said they'd get back to him. There was general discussion among council about whether it would be discussed in a work session and why. There being no further public comment, Mayor Keyserling closed this public hearing.

**PUBLIC HEARING: AMENDMENT TO SECTION 6.6.F. OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO), "OUTDOOR DISPLAY OF MERCHANDISE," TO DELETE THE PROVISIONS PERTAINING TO DISPLAY OF MERCHANDISE IN BUFFER AREAS**

Mayor Keyserling opened this public hearing. Ms. Anderson said all indoor and outdoor merchandise is subject to this ordinance. She pointed out that indoor merchandise must be only 5' from the building. Whether or not the buffers exist, outdoor merchandise must be set back the distance of the buffers. This presents a problem for auto dealerships. Ms. Anderson said this was not the intention of the ordinance, so they are proposing to delete this paragraph. Paragraph B of the ordinance should prevent clutter, staff feels. The Planning Commission recommended approval. Mayor Keyserling said this will be on a future agenda. There being no public comment, Mayor Keyserling closed this public hearing.

## **MINUTES**

The minutes of the work session and regular meeting on February 14, 2012 were presented to council for review. **On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as submitted. The motion passed 3-0 with one abstention because Councilman Sutton was not present at the meeting.**

The minutes of the work session on February 21, 2012 were presented to council for review. **On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as submitted. The motion passed unanimously.**

### **ORDINANCE REVISING SECTION 5.3.D OF THE UDO, "SPECIFIC USE STANDARDS, OTHER VEHICLE SALES AND SERVICE," TO DELETE THE PROVISIONS PERTAINING TO THE LOCATION OF VEHICLE DISPLAY**

**Councilman Sutton, second by Councilwoman Beer, made a motion to revise the ordinance on second reading. There was no public comment. The motion passed unanimously.**

### **ORDINANCE REVISING SECTION 6.6.F OF THE UDO, "OUTDOOR DISPLAY OF MERCHANDISE," TO DELETE THE PROVISIONS PERTAINING TO THE LOCATION OF DISPLAY IN BUFFER AREAS**

**Councilwoman Beer, second by Councilman Sutton, made a motion to revise the ordinance on second reading. There was no public comment. The motion passed unanimously.**

### **REQUEST FOR WAIVER OF OPEN CONTAINER FROM THE GUILD OF BEAUFORT GALLERIES FOR SPRING ART WALK**

**Councilwoman Beer, second by Councilman McFee, made a motion to approve the request for the event slated for March 17, 2012 from 4-8 PM. Ivette Burgess said everything is the same as last year. The motion passed unanimously.**

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Councilman Sutton made a motion to appoint Alice Howard to serve on the Metropolitan Planning Commission; Councilwoman Beer seconded. The motion passed unanimously.**

**Councilman Sutton made a motion to appoint Mr. Dehovitz to serve on the Redevelopment Commission; Councilwoman Beer seconded. The motion passed unanimously.**

**Councilman Sutton made a motion to appoint Bill Harris to serve on the Metropolitan Planning Commission; Councilman McFee seconded. The motion passed unanimously.**

Councilman McFee pointed out that there are two available seats on the ZBOA now.

Councilman Sutton said he had a recommendation for Milton Lawrence for a position on the Beaufort Housing Authority.

## **MAYOR'S REPORT**

Mayor Keyserling said the re-energized state Military Enhancement Committee met in Columbia today.

**REPORTS BY COUNCIL MEMBERS**

Councilman McFee said Councilwoman Beer and he attended the Municipality Association meeting last week. Their legislative sessions were curtailed, but they did have meetings in regard to receivership that the senate has already set forth and the house is working on. They had good response from their meetings. Local fund governance was discussed, and there was movement forward.

Councilman Sutton asked Dr. Foxworth, in her position as the acting city manager, about the crossing at Bay Street and Newcastle and requested she have the matter looked into. Dr. Foxworth said she would bring it to the attention of the city manager and staff.

Councilwoman Beer said there are upcoming Wounded Warrior events, including a bike race and a visit from someone from Fox News who will attend the Lieutenant Dan concert.

Mayor Keyserling noted that an Academy Award winner lives on Dataw and won an Oscar for sound mixing.

**ADJOURNMENT**

There being no further business to come before City Council, **Councilwoman Beer made a motion to adjourn, seconded by Councilman McFee. The motion was approved unanimously, and the meeting was adjourned at 7:43 p.m.**

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