

A work session of the Beaufort City Council was held on September 23, 2014 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Mike McFee, Mike Sutton, and George O'Kelley, 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**

Mayor Keyserling called the work session to order at 5:00 p.m.

**Matt McAlhaney** was interviewed for a position on the Redevelopment Commission.

#### **PRESENTATION: COMPASSIONATE BEAUFORT COMMUNITIES**

Mayor Keyserling said he'd brought together people from the Compassionate Beaufort Initiative. **Mike Seymour** explained what the Charter of Compassion is and why they feel it's important. The idea is that it "activates the Golden Rule around the world." The Compassionate Cities Project "took off like wildfire," he said. **Noel Tillman** said he's involved with the EveryDay Kindness program. He said among "the stories" they want to tell (and help develop) are an African guest from a war-torn area, United Way and a sexual assault victim, Legal Aid, and Jaycees projects. It shines a light on the goodness that's already in the city, Mr. Seymour said – and fills the media with good news. **Pat Keown** said they are "trying to generate an Earth Day celebration" in Beaufort. "The belief is that ... what you love more, you take care of better," whether it's land or people, she said. Mr. Seymour said in their discussions, a theme is "the color divide ... that seems to resist any bridging," and they want to show that white and black people can work together.

Mr. Tillman said their business card is like a random acts of kindness and paying it forward thank you card that people can pass on; he explained how the card works. Councilwoman Beer said the neighborhood groups meet monthly, and the big Neighborhood Association meeting at City Hall is on the third Wednesday of each month at 10 a.m. Mr. Seymour said they go to other service groups' meetings and they are interested in attending the Neighborhood Association meeting.

**Edie Rodgers** spoke up to praise the Neighborhood Association meetings.

#### **DISCUSSION: UPDATE FROM DESIGNATED MARKETING ORGANIZATION (DMO)**

Beaufort Regional Chamber of Commerce Marketing Director **Robb Wells** made a presentation. Referring to a recent TDAC meeting, he said that he had heard TDAC telling groups that in regard to spending marketing dollars 50 miles outside of Beaufort, Savannah only generates about 7% of the traffic in the area, which is a low return on investment, as opposed to Charleston, for example. Mr. Wells went through a year in review. There was the largest room demand in 5 years. They've gone up from bottoming out in 2010. He feels "a buzz" happening about Beaufort, in terms of "making the small funding work" against marketing behemoths like Charleston.

Mr. Wells said the dip happens in the summer in Beaufort, when tourism drops. They are working diligently on this. They went from 18,000 to 40,000 leads in a year, not counting the website. Leads were \$5.79 this year, and **Stephen Murray** said before Mr. Wells got here, they were \$21 each. Mr. Wells went on to discuss "publicity value" from travel writers, including *Southern Living*, *Atlanta Journal-Constitution*, *Charlotte Observer*, *CNN.com*, etc.

Mr. Wells showed different levels of involvement with various events through "PR outreach" for the Shrimp Fest, Heritage Days, Fall Tour of Homes, Ghost Tours, etc. BeaufortSC.org, he said, takes up a ¼ of the search rankings (for Beaufort), which is the same amount as Trip Advisor. When they buy key words, they want to rank high; search engine optimization (SEO) allows them to rank higher.

Mr. Wells said revenue went up 19% since 2012 in the summer season. He showed the conversion from the visitor guest book pads to see what the major metro areas were who were guests in Beaufort. Mr. McAlhaney asked who

provides the data; Mr. Wells said they were in Beaufort when they took the survey and they can extrapolate the data; if they're staying in Hilton Head Island, they are not in the data. Mr. Wells said that there could be some people from Water Festival or Shrimp Festival. Mr. Wells said they put out between 750-1250 surveys a year; he explained where they are.

Mr. Wells showed a graph of the "visitor model," a quarter of which visit 5 or more times. HE said they need to keep introducing people to the area, building the shoulder season and repeat visitation every year through sports and group activities. A wrestling tournament filled up 4 nights in the dead season in Beaufort. They must also leverage authentic cultural and natural resources. They need to present an authentic Lowcountry experience. The threats to that are disruptive product lines (like a carnival); competition from other destinations (like Edisto); travel interest/expectations of the Next Generation. Mr. McAlhaney said the guests at City Loft and City Java talk a lot about cycling. Mr. Wells said 80% of people who come to Beaufort want access to water.

Mr. Wells said October is a big month for them with Shrimp Festival and the Fall Tour of Homes. Ms. Rodgers asked what kind of access people were looking for to the water. Mr. Wells said visitors want to go to the beach or have an expectation of dropping a kayak, and there's public access to do that. People who want to invest in Beaufort highlight access to water, too.

The work session was adjourned at 6:22 p.m.

A regular meeting of the Beaufort City Council was held on September 23, 2014 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling and council members Donnie Ann Beer, Mike McFee, Mike Sutton, and George O'Kelley.

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**

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

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilwoman Beer led the invocation and the Pledge of Allegiance.

#### **PROCLAMATION OF OCTOBER AS BEAUFORT FEMALE BENEVOLENT SOCIETY MONTH**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the proclamation. The motion passed unanimously** Councilwoman Beer read the proclamation and Mayor Keyserling presented it. **Wanda Scheper** said that the group has been at work for 200 years and described its purpose.

#### **PUBLIC COMMENT**

**Andy Bell**, representing the Santa Helena Foundation, told about the partnerships they are putting together for the archeological development of the Santa Helena site and the other plans that they have. He said it's "a national and an international story." They are putting together a proposal at the county's request for the use of the Federal Courthouse for their archeological laboratory and historical interpretive center. Mr. Bell said the group feels that 50,000+ visitors could come to the site. It will increase activity in Beaufort, he said. He said they would be making requests of council about parking across North Street from the courthouse.

#### **PUBLIC HEARING: REVISING SECTION 6.8, "BOUNDARY STREET REDEVELOPMENT DISTRICT," TO MODIFY MINIMUM BUILDING HEIGHT, CLARIFY TRANSPARENCY REQUIREMENTS, ADD MINIMUM FRONTAGE REQUIREMENTS, AND MAKE A NUMBER OF OTHER REVISIONS TO STREAMLINE THE DESIGN REVIEW PROCESS**

**Mayor Keyserling opened this public hearing. Libby Anderson** said that \$23 million in public funding is to be invested in Boundary Street to improve that corridor. They would like to stimulate private investment in the district by way of improvements to the Boundary Street Code. In 2011, the McDonalds was the first project of size on the Boundary Street Corridor. The next month, the TIGER grant for \$13 million was awarded. Starbucks is to be developed in the parcel next door to the City Hall. An apartment complex off of Greenlawn Drive, Ashley Point, is being developed. **Dick Stewart** had spoken to a meeting of the Redevelopment Commission about his issues with the Boundary Street Code, so council had instructed staff to convene a focus group. Area architects, a Starbucks representative, and **Jon Verity** of the Redevelopment Commission met in August to discuss "the concerns of the development community." They looked at other communities and what they are doing in regard to some of the issues raised.

The two-story minimum building height was "a great concern," and the glazing percentage for doors and windows wasn't clear, Ms. Anderson said. The architects agreed that the two-story building wasn't as important as placement of the building, she said, and the city needs "to address the economic realities" of today, since the plan was done in 2007. "The market is maybe not ready," she said. Comparing the plan to others, she noted that the Town of Port Royal requires a minimum two-story building in two of its most urban districts. Also, a percentage (i.e., 75%) of the lot frontage needs to be taken up by the building. The county's code is before their council. They also require a two-story minimum and a minimum building frontage; drive-throughs are permitted through special exception, as they are in Port Royal.

On Coleman Blvd. in Mt. Pleasant, buildings are required to fill the lot width and to be two stories; drive-throughs are not allowed. In West Ashley, there is 100% frontage in the urban portions, and the buildings are close to the street. Ms. Anderson reviewed what the Boundary Street Redevelopment Ordinance currently requires.

The focus group discussed changing building height. They concluded that residential should still be multi-story; there will also be an overlay zone where the two-story height requirement remains. Elsewhere in the district, the minimum first floor height will be 14', but buildings can have one story. Other points of discussion included the need for architectural details to look authentic, glazing, and different types of building frontages, a minimum building frontage (60-80% is common, she said), how drive-throughs work in a walkable urban district, vehicle circulation, and a maximum parking requirement.

Based on input from the focus group and other communities, staff is proposing seven changes to the code, Ms. Anderson said:

1. The Design Review Board, not the Metropolitan Planning Commission, would be the board that would hear appeals. This seems to make more sense since the Design Review Board reviews design projects.
2. SCDOT ownership of rights-of-way – Staff has added more flexibility: the building is required to be close to the street, and architectural elements need to be added to shelter the building, but none of these elements can be in the right-of-way, so they have provided some relief from those requirements.
3. Two-story building – The height requirement has been removed for commercial, not residential, buildings except at the major intersections of Boundary Street and Ribaut Road and Boundary Street and Highway 170, where two-story buildings are still required, though a mezzanine is acceptable.
4. Minimum frontage requirement – 60% on Boundary Street and 40% on side streets/less commercial areas creates a safer, more attractive, appealing environment.
5. Clarify the glazing – Staff changed the language to separate the requirements.
6. Adding maximum parking requirements – The citywide requirement is now applied to Boundary Street as well.
7. Tweaking the drive-through standards

The Metropolitan Planning Commission had heard the presentation about the proposed revisions and will have a workshop on October 1 to discuss them. They haven't made a recommendation yet. Ms. Anderson said council could have a workshop as well. Councilman Sutton said he would like to hear the public speak at the public hearing and then have a workshop on the revisions.

Mayor Keyserling asked for public comments and said that **Dick Stewart** and his company, 303 Associates, were appreciated for "trying to do some things," and for the time Mr. Stewart and **Courtney Worrell** had spent on their own and with staff on these issues. Mr. Stewart said he thinks "we completely agree with staff," though they may disagree with "timing and technique." Also, he said, what he is saying are concerns in regard to the plan don't affect his properties, those they are involved in or expect to be involved in, but they do affect the community and the district. He said he had talked to **Erin Moody**, a reporter for the *Beaufort Gazette*, about his feeling that the newspaper had misrepresented his expressions of "comments and concerns" as "complaints" to create controversy and sell newspapers.

Referring to Ms. Anderson's report, Mr. Stewart said his comments were to encourage the city to further redevelopment. They (he and his company) don't agree that the minimum two-story building is a height issue, as Ms. Anderson had said. They support that height, but the dilemma is in the codes, he said and went on to discuss the costs of having an elevator, which he described "a burden" on someone who wants to come into the district and develop but can't spend \$200,000 plus \$500 a month for telephone and maintenance, which is what the said an elevator would cost. People who might (re)develop won't want to come into the district with that expense. Mr. Stewart said they don't mind the height, but they think the minimum height discourages investment. He doesn't like the idea of saying people have to meet the minimum requirement in order to redevelop.

In regard to 60% minimum frontage coverage in the code, Mr. Stewart disputed that the West Ashley Historic District that Ms. Anderson had referred to was built with the frontage it was because it was a requirement but because "it was the highest and best use for that area." Bay Street, too, was built that way because of the commerce there. The more traffic and people there are, the more people who build and invest will do so when the opportunity presents itself. Requiring developers to do it is different than allowing them to do it, Mr. Stewart said. He believes instead of a requirement, this "should be a goal or request."

Mr. Stewart would like glazing requirements to be simple, so he can “talk to the architect.” He is not sure what the glazing requirement is because he said the document is “confusing” on this point.

In regard to maximum parking requirements, in the context of 60% frontage, Mr. Stewart indicated “a lot of asphalt” on his property, because, he said, the property requirements at the time called for that. He has a contract with Kmart, and he has to have their agreement before he can build a building “in a grassy strip,” which he indicated on a graphic. Mr. Stewart said he could make a case to Kmart that he can build a building there that will attract business to Kmart, but the 60% frontage and the maximum parking requirements problematize that option. He described the schedule for maximum parking and said he wants “assurance” from council that if he were to build a building there, he “would not have to pick up parking spaces.” He believes “other folks” feel the same way.

Mr. Stewart said he hasn’t spoken to him, but believes that the Taylor Motors owner is not planning to have 60% coverage, nor does he believe he is planning to get involved with the discussion on Boundary Street. Mr. Stewart said the community should convince the owner to have a building with an office, not a trailer, and “the community ... should do everything we can to make it simple” for the owner, by convincing him he’s not going to have to give up any parking or have to cover 60% to build a building. Mr. Stewart believes if the Taylor Motors owner is given a reason for people to walk by his business and thereby create pedestrian traffic, then he will build another building as well.

Mr. Stewart said he didn’t stop in to speak to anyone at the Atlantic Inn. He showed a grassy area in front of that business as well. He thinks that they could be convinced to build a building there, too, that would “give pedestrians a reason to walk by it,” but not if they had these requirements to meet. He thinks it should be easy for them and for “those skeptical people who have not heard great things about building in the city.” Mr. Stewart said if it is made easy, and these requirements aren’t there, he will “guarantee” that he “will get builders calling on these businesses.” He said he has bankers calling him every day asking, “Who in your area could use a small business loan?” If the businesses are told that this is the place to build and though there will be headaches during the street work, “let’s invest now,” when the project is done, and there is a lot of business on Boundary Street, the 60% and other requirements can be imposed then. Mr. Stewart said that those other businesses on Boundary Street that, unlike his company – which has imposed similar requirements on itself in its PUD, which has produced \$33 million of investment – don’t have these standards and won’t want to redevelop under them, should be able to develop without them, and the builders and developers will thank the city. He warned against blaming others if the investment doesn’t happen on the part of the private sector, when “the city set the table.” He said he doesn’t “doubt Libby’s desire to have an urban, walkable street,” but the tools have to be carefully managed.

Mr. Stewart shared an anecdote he’d been told about killing endangered animals because of the regulatory burdens of the Endangered Species Act had lead him to believe it had had the opposite consequences of those it was intended to have; this was in order to illustrate his beliefs that people should have it made easier for them to develop now, and that the city is unlikely to have “too much development” during the 18-22 months that construction is being done on Boundary Street. Mr. Stewart said he would go to businesses along the corridor with two or three bankers if he is given “the tools” and tell the people there “what the city has done for you to make your businesses better.” Mayor Keyserling said Mr. Stewart made “a compelling case.”

Ms. Rodgers asked for council to look at “address DOT ownership of roads” on the list, saying she hopes there’s no plan for the city to take over the roads. In regard to the 250’ radius for the two-story building requirements at the major intersections, Ms. Rodgers said that 250’ “doesn’t seem like a big requirement” if it is “to shield the big open street intersection area.” She wondered if it were a total radius. There was discussion about when the workshop on this matter should be. **Mayor Keyserling closed this public hearing.**

## **MINUTES**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes of the council’s work and regular session September 9, 2014. The motion to accept the minutes as submitted was approved unanimously.**

Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes of the council's work session September 16, 2014. The motion to accept the minutes as submitted was approved unanimously.

**ORDINANCE REVISING SECTION 7.2.G.4 OF THE UNIFIED DEVELOPMENT ORDINANCE TO ADD PROVISIONS FOR ADDITIONAL SIGNAGE FOR GAS STATIONS IN CERTAIN ZONING DISTRICTS**

Councilman Sutton made a motion, second by Councilwoman Beer, to approve the ordinance revision on second reading. The motion passed unanimously

**ORDINANCE REVISING SECTIONS 7.3 OF THE UNIFIED DEVELOPMENT ORDINANCE TO CHANGE THE DEFINITION OF GRAND TREE AND TO ADD PROVISIONS FOR MITIGATION FOR REMOVAL OF HEALTHY GRAND TREES**

Councilman Sutton made a motion, second by Councilwoman Beer, to table approval of the ordinance on second reading and to have a workshop on it. Councilman McFee said he wants to involve PTAC in the workshop, too. The motion passed unanimously

**ORDINANCE REVISING PART 10 OF THE CITY CODE TO ESTABLISH A SPECIAL ASSESSMENT FOR REHABILITATED HISTORIC PROPERTIES**

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the ordinance revision on second reading. Mayor Keyserling said this is the Bailey Bill, and county council had passed it on the third reading the previous night. He thanked everyone who'd helped.

**ORDINANCE REVISING SECTION 5.4.G OF THE UNIFIED DEVELOPMENT ORDINANCE TO ESTABLISH A SETBACK FOR SIDE-LOADING GARAGES**

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the ordinance revision on first reading. Ms. Anderson said they had received a number of new house plans that included side-loading garages. From the public hearing, they have added that this would not apply to lots governed by covenants. The motion passed unanimously

**ORDINANCE AMENDMENT TO THE RECOVERY OF COLLECTIONS COST AS A PART OF DELINQUENCY DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT**

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance amendment on first reading. Kathy Todd said this is state law; government can have their debt collected from refunds on state income tax returns. The city has participated through the collection of municipal court fines, and an ordinance has been on the books since 2008, but it didn't carry a provision for a collection fee. Council had discussed this in a work session in the prior week. The Department of Revenue charges \$25, and the Municipal Association charges a \$25 collection fee. This amendment would add a \$25 fee charged by the city to the "already existing ordinance." Mayor Keyserling said this is commonplace, and Ms. Todd agreed.

Councilman O'Kelley said he supports this and asked if "any of the people who default can fall through the cracks." He said the tax commission uses social security numbers to determine whose refund to attach the debt to, and if it's a business, the tax ID number. The city doesn't necessarily have those to submit the names. He said Phil Cromer had worked at the municipal association and might be able to speak to the matter. Ms. Todd said the data needed is the social security number "among other things." If that isn't known, a search can be done as a service through the Municipal Association, and help is available to get a connection to the social security number, so that it is part of the file that is uploaded to the Municipal Association setoff debt program. Councilman O'Kelley asked what would happen if there were multiple people with the same name and the wrong one is gotten and then that person "is going to be mad." Ms. Todd said there are steps taken before the file is uploaded to the Department of Revenue (DOR) for letters to go to the debtors. Councilman O'Kelley said what he wanted to know was, "When the DOR gets it, how do we know that they get the right (person)?"

Linda Roper said there is a social security number search *first* with the Municipal Association and whomever they contract with to do the search. They provide the name and other identifiers. The municipal court tries to match other information with the date of birth and the driver's license number, so they will know if it is the correct

person. If there were any question, the city wouldn't choose that person. There have to be "enough identifiers"; they usually have 3-6, including previous addresses and driver's license numbers. Ms. Roper said they have a choice to determine if it meets enough requirements to be sure that it's the right person, because the liability will be on the city if it's not. Ms. Roper said they have been doing this since 2001. **The motion passed unanimously**

**REQUEST FOR STREET CLOSURES AND USE OF THE WATERFRONT PARK FROM MAIN STREET BEAUFORT FOR THE ANNUAL TRICK-OR-TREAT DOWNTOWN EVENT**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the request** for the October 23, 2014 event. **Beth Caron** said nothing is different than last year except that there will be no entertainment in the park. **The motion passed unanimously**

**REPORTS BY COUNCIL**

Councilman McFee said that he's on the community investment panel at United Way, and he described a stress relief exercise he'd learned there.

There being no further business to come before council, **Councilman O'Kelley made a motion to adjourn the meeting. Councilwoman Beer seconded. The motion passed unanimously**, and the meeting was adjourned at 8:06 PM.