

A work session of the Beaufort City Council was held on September 9, 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.

DISCUSSION REGARDING PARKING AT 214 SCOTT STREET

Dick Stewart showed various options for reconfiguring a parking easement and building apartments, a potential new development at 214 Scott Street.

Option 1 – Wraps Port Republic and Scott Streets with an apartment building with 18 apartments and leaves 36 parking spaces behind the new building, “27 of which are an easement in favor of the city.”

Option 2 – At Port Republic and Scott Streets, they would “leave the easement where it is and develop something on the rest” of the property; the building would front Port Republic and go back inward, rather than wrapping the corner.

Option 3 – Move the parking easement to the Port Republic Square parcel. They are demolishing the rear of the old Piggly Wiggly building there for more parking. Mr. Stewart said he is suggesting this option because

- 1) This is on Charles Street, and has immediate access into and out of Charles Street for parking; “it can be dedicated essentially for city control.”
- 2) “It’s pretty close to Bay Street.”
- 3) They purchased it for parking for guests at the Beaufort Inn.

Mayor Keyserling said there have been letters back and forth about values of easements vs. dirt, and as a real estate person, he knows that an easement, unlike dirt, doesn’t go up and down in value. The city made the switch, Mayor Keyserling said, so Mr. Stewart could build two buildings for the Beaufort Inn. Mr. Stewart said he thought there would be structured parking where the easement is. He said the city did it because they wanted 27 parking spaces downtown. Mr. Stewart said he’s paid property tax on them. Mayor Keyserling said the city gave up 27 spaces as an incentive for Mr. Stewart to build; Councilwoman Beer said that was the understanding. Mr. Stewart said they filed a master plan for the Beaufort Inn in December. HBF has approved it, and we’re “moving towards that process.” The wedding business has been important to downtown, he said. They have about 40 events a year in the garden. Most weddings cause them to sell out 98% of their rooms and fill other inns downtown as well. They will “probably build in the parking areas on the Beaufort Inn block ... and then come over to the Tabby Garden and move that area.” “We plan to put buildings in the space,” Mr. Stewart said.

Mayor Keyserling said Mr. Stewart has the right to move the parking but not drastically.

Councilman Sutton said economics play a big role in what happens downtown. The intent many years ago to incubate vertical growth downtown was part of the reason 27 spaces were moved. He championed that because they were able to move parking from 2 different “obscure lots on the back streets to a more prominent location where a future, potential parking garage was to be built.” There was some pushback, he said, and the economy changed, so no development happened. They’ve maintained the 27 spaces either with the intent to be horizontal as it is today, or to build a parking structure. He wants to help Mr. Stewart and any other developers go vertical and to build, including moving the parking. He said council will continue to encourage him to go vertical; the city can never give up parking and can’t afford to buy any new parking now. They “want to work with anyone who has land ... to try to manage a better parking situation.” Councilman Sutton said he only has a problem with option #3, and not that big of a problem with it. Council would “like to see a real plan ... and something really happening ... before we start dancing around with the parking movement.”

Mr. Stewart said in the last 14-18 months, banks have approached them about financing apartments. They are coming forward with that because the funds are available now but may not be once they go through the process. Several years ago, for “the building next to Fordham’s,” Mr. Stewart’s group created a plan for a floor of commercial and three of residential, and when they went through the Historic District Review Board process, he explained that they needed residential on the three top floors to make money. “Someone on the board voted to cut off the top floor,” Mr. Stewart said, and then “it wasn’t a viable option anymore.” They have invested a few million dollars in parking, he said, and invested in design work on these buildings. They went to Historic District Review Board, which “verbally supported” this project.

Mr. Stewart doesn't want to buy parking spaces in the city and be accused of taking spaces away from downtown parking. He thinks there will be a parking structure on Port Republic Square. He said they “would like to move along,” and “are waiting on this process to see what happens.” They will do what the city wants and are asking how the city would like to proceed.

Councilman Sutton said Options #1 and #2 are both fine and basically the same. Council has worked hard on communication and being open with 303 Associates. He said Mr. Stewart is “a vital player in development in the city.” Councilman Sutton just wants to make sure the public’s investment is protected and to see that Mr. Stewart goes vertical. Councilman Sutton said maybe a three-story building on that property might work. Councilman Sutton asked about the parking for the apartments. Mr. Stewart said it’s not committed parking, and renters can rent a parking space in that block or another block. A hotel can have off-site parking, and they “may be forced” to convert the apartment building to a hotel so they can have off-site parking. **Bill Harvey** said **Libby Anderson** had written that “under the current scenario,” there would be enough on-street parking to satisfy code for these apartments if they were 1-bedroom apartments.

Councilman Sutton asked about mixing leased and owned parking – public and private – and if

it's manageable. Mayor Keyserling said this is roughly what **Courtney Worrell** brought to council about a year ago. Mayor Keyserling said council was very enthusiastic about it then, and he thinks they still are now. He has come back to believing option #1 being the best option; he feels it's the "simplest, cleanest" way, and if the market demands that Mr. Stewart build more, the city should encourage that. Mr. Dadson asked if it's possible with option #3 if the parking is moved to maximize the property and to what extent. Mr. Stewart agreed said he feels a lot of people perceive that the private parking downtown is public.

Councilman O'Kelley said in regard to option #1, there are 36 spaces and 18 suites, and he's concerned that 18 people who own suites "will expect to have parking under their windows or thereabouts." Councilman O'Kelley said that if they all have 1 car, there would be 18 spaces left instead of 27. Mr. Stewart said Greyhound Suites has no parking; it's the Beaufort Inn's parking because they manage Greyhound Suites. Councilman O'Kelley said he thinks the numbers are skewed, and he explained why. People will not move their cars in the morning because the city wants the parking spaces for people to come to work, he feels. He said there wouldn't be 27 spaces, "particularly when the dedicated ones are taken out." Councilman O'Kelley went on to discuss the parking that would be available with Option #2. Mayor Keyserling said he had counted the parking spaces, and he sees 29 spaces plus 2 handicapped. Mayor Keyserling said the city's goal is to protect its 27 spaces but not inhibit vertical growth. Mr. Stewart counted 36 spaces with Councilman O'Kelley.

Councilman O'Kelley said he didn't see how 27 spaces would fit into Option #3. Mr. Stewart said his company is obligated to provide 27 spaces, and they would do that. Councilman O'Kelley said there "has to be room to back in and out and drive in and out." Mr. Stewart said it would fit 29. Councilman O'Kelley said he's not against the development, but he doesn't want to lose any spaces. However it was obtained, the city has a protected easement, he said. He feels this won't work, and the city won't have 27 spaces on any given morning. Mayor Keyserling said they would still have 27 metered spaces. Councilman O'Kelley said they have hangtags for the Western Auto lot, and people pay monthly. Mayor Keyserling said people who live there could buy tags, but the spaces would not be dedicated spaces for the apartments.

Councilman Sutton said council needs to discuss what to do next to get development going in the core commercial district. Mr. Stewart said they "have not asked for any favors and are not asking for any now; this is basically a partnership thing." Charles and Bay Street is "a problem lot," and it and "this corner are wasted space in Beaufort," he feels. This is "important to creating an urban fabric in this town." "Wrapping that corner," Mr. Stewart said, "is very important." The building near the end of Bay Street has not been a financial success, Mr. Stewart said, and he thinks, "Wrapping this block is the way to make this project be successful financially."

Mr. Stewart said during construction, parking would have to move for that time period. He said if people are told what is happening, they will be okay with it. People will come to understand the combination of public and private parking, he feels. He would like to have a better building

on the corner of Charles and Bay Streets and at the bagel shop, which was originally to be a temporary building.

Councilman Sutton said a decision wouldn't be made at a work session, and they have an agreement on the transfer of the easement for the parking spaces. When development occurs, it would be OK to temporarily move parking "as long as the spaces came back to some agreeable location." Tonight, "council needs to give concurrence," Councilman Sutton said, and to "tell Mr. Stewart to continue his process."

Mr. Dadson said the real council debate is the permanency of and location for the 27 spaces: behind a building, or "let Mr. Stewart and 303 maximize the property" with people who would live in the building. Mr. Dadson asked council to consider if all the spaces should stay together. If they think so, they should determine where they should go. What a design review board approves is where the city elects to move them permanently. Mayor Keyserling asked, if Mr. Stewart "weren't bound to keep the 27 here, would you be putting more on there?" Mr. Stewart said he could do that now but he'd have to put some foundations down where some of those parking spaces were. He'd lose 3-4 parking spaces, "and some of your parking would be under a building ... That's the sort of thing we would do if you agreed to do that."

Councilman McFee said if the did option #3 "and gave him the flexibility to do whatever he would, then he would provide additional parking for his residents below the building, potentially." Mayor Keyserling said "or he could have metered spaces like he has in Port Republic Square." Mayor Keyserling said "so many of our parkers are Bay Street parkers," and they're not parking in the neighborhood, so to move them to a private lot that costs what the city's does, and move city parking to Charles Street is a potential problem with the public. Mr. Stewart said they could move them to another space, but he has the problem of needing the West Street spaces to be available for the inn guests. Mr. Stewart told Councilman McFee that they don't need to move them to have additional capacity; they "need a cooperative arrangement saying, 'If you build over that, Dick, and you still come out with 27 spaces, we want to be as close (to Bay Street) as we can.'" The parking would be sprinklered, he added. He and Councilman Sutton briefly discussed the expense and logistics of underground parking in a flood zone and the approval process.

Mayor Keyserling said he is comfortable with this and feels the public / the city's spaces are protected. Councilman Sutton said if the city is successful at increasing urban density, parking patterns change, and if a developer builds 18 suites, and people who live in the apartments park in the spaces, rather than downtown employees or patrons of a store, "that's part of the dynamics of the downtown core becoming more vibrant." Mayor Keyserling said he's been told that from Craven Street south "there are about 1000 spaces that are privately held." He feels that he could reasonably build 2 more carriage houses and a garden area on his lot and park at Port Republic Square. That's what will get that garage built, he said, and it will be across the street. That's what they have been talking about – that's infill – and what the Civic Master Plan talks about.

Councilman O'Kelley said if Mr. Stewart builds this, the city would not have 27 spaces. It will maybe have 14: 18 are for the suites, 4 are dedicated to suites above Bay Street Outfitters, 2 are handicapped, etc. The people who use the Western Auto parking lot will only have 14 spaces. Mr. Stewart said the city doesn't "lose" the people who live and work downtown and use spaces the city owns or controls. People who are new to downtown will be using them. Councilman O'Kelley said there will be nowhere for the people who've been here to park. Councilman O'Kelley said the city gave Mr. Stewart "dirt" on West Street and in exchange got 27 parking spaces with an easement. The city is supposed to keep those spaces, he said, and they're to be controlled by the city; 303 Associates, not the city, would control this, Councilman O'Kelley contended. He said the apartment dwellers would want to park in the 18 spaces. Mr. Stewart said he would be foolish to spend the several million the building will cost if he didn't have a parking plan. People will park on Port Republic Square if these spaces aren't available to them.

Councilman Sutton said that people are working, living, and shopping downtown, and that's what the city wants. Councilman McFee said they are metered, and he and Councilman Sutton explained how they feel it will work. Councilman O'Kelley said he doesn't see how it would work. Councilman McFee said seeing the layout, he thinks it's workable. Councilman Sutton said they have been talking about getting more people downtown for years, and "this is a good problem to have." Councilman Sutton said people will park on private property in order to park downtown, including church lots. They "need to make a change to grow." He sees *more users* for the parking, "not parking going away."

Councilwoman Beer said she has no problem with #1, and #2 would be her next choice. She doesn't like option #3. Mayor Keyserling said he feels #2 would be "terrible because it would feature a corner as a parking lot." If there's room to grow, Mayor Keyserling said, they could look at #3. Mr. Stewart said they would like "some sort of statement." Mayor Keyserling said Mr. Harvey could write a letter confirming the agreement.

Mayor Keyserling asked Mr. Stewart about what was happening with the *tsuris* with the City of Beaufort and asked if things were squared away. 1:06:08 Mr. Stewart said, they are not. Mayor Keyserling asked what council can do about that. Mr. Stewart praised the Planning Department, the Metropolitan Planning Commission, the Historic District Review Board, and the Redevelopment Commission and said, "We are going over some proposed language ... there are a couple of things that are surprises in there that we're not sure where they came from. One is a 60% lot coverage requirement in the Boundary Street Redevelopment District." He said there are "unnecessary" and costly additions to the regulatory requirements that are "business-unfriendly, and we'll be letting the Planning staff know." Additionally, there's been language added about "requirements for what you'll provide in your site plan ... which can be very expensive for small properties." He believes it will discourage redevelopment. "And then there's language in there that says you'll provide all this 'plus anything else the city architect might request.' That scares people, because they're afraid they'll spend a certain amount of

money and show up and then there'll be some additional thing they hadn't expected ... to remove the fear factor, we're going to ask that the language be removed and say 'if there's something else (you require) say it, don't have the ability to just come back'" and require it later. He said, "The attitude and willingness to work is very good. We're very positive and pleased about that." They will probably be at the Planning Commission meeting next week with these comments, and before council September 26. They have issued contracts for work in the parking lot; Ms. Worrell said the demolition should start this week.

Mayor Keyserling asked about Greenlawn and if fears were allayed about the trees behind the buildings. Mr. Stewart said no, they have made progress in that. "One of the comments we'll be making is that if a tree needs to be moved, it won't be arbitrary ... if it's something that has to be done, we'll be willing to pay." Mr. Stewart continued that "in order for these buildings to be appropriate there has to be some element of parking and transportation nearby. What we're doing on that street is consistent with the Civic Master Plan: there would be row houses..." When there were houses on Greenlawn, a lot of trees were planted in the backyards and behind houses, and "in order to accomplish that back road ... we have to take some trees out." He spent \$7000 on a tree survey and a tree assessment, he said. He said, "We'd like to not have a surprise ... because some individual has the ability to stop it."

Mayor Keyserling asked if Mr. Stewart had read the tree mitigation ordinance. Mr. Stewart said, "The language in the ordinance as we understand it says if staff chooses to, they can" dictate that a tree be kept, not mitigated. Ms. Worrell said the plan is "adequate and fair," but there's some "gray language" that is ambiguous. It says trees "may or may not be removed at the discretion —" instead of *when* they can and cannot be removed. Mr. Stewart said, "an individual can determine that 'this tree is not going to be removed,' and that can happen, as it did with the Starbucks project, close to a year into the site work...when somebody came back and said, 'This tree doesn't go.' And then we were in the paper as bad people, when the site plan and the Civic Master Plan (inaudible) that tree goes," according to Mr. Stewart. He said that they would like the opinion of whether a tree goes from "someone who's putting their dollars to work to fulfill your plan and ours," (as opposed to "someone in the tree business"). They are prepared to remediate the trees they take out, but "we need to know that we're going to be able to do that." Councilman Sutton said they will have a chance to debate this, and he asked Mr. Stewart to be prepared to clarify his thoughts and come to the next regular council meeting. There is a first reading on the ordinance revisions tonight, he added.

Councilman Sutton said, "A lot of these things have been on the shelf for some time." Council "is behind the curve ... as (people) try to develop." Mr. Stewart said that when the 3-4 "architects from the Historic District Review Board, Design Review Board, and Metropolitan Planning Commission met with Planning staff and us, there was not *one* who said 2-story buildings were required. ... There was not *one* that said 75% glass was something that you need to achieve." They worked through the glass issue, and the "suddenly the 60% lot coverage has shown up. No analysis has been done. Nobody talked to us." Mr. Stewart feels what "somebody thinks is a good idea" is not being "tethered in economic reality." Someone won't spend \$5 –

10,000 to come to the city to see if he can redevelop a building, he feels. He “want(s) city council and staff to be thinking about this: What are we afraid of? Are we afraid too many people are going to try to redevelop on Boundary Street? ...Why are we trying to slow this down so much?” If property values go up, people won’t need to be encouraged to cover 60% of the lot, he said. They’ll build as much as they can “because they’ll be getting a return on investment. That’s the way capitalism works.”

Councilman Sutton said he doesn’t think that anyone is trying to slow anyone down. He has supported the Boundary Street Master Plan to encourage development and vertical growth. He encouraged Mr. Stewart “to bring up good points.” Mr. Stewart said Beaufort “is not widely regarded as friendly to development.” He said, “as we said to planning staff ... if your response to every concern is to require the private sector to do something that takes time and costs money and doesn’t produce certainty, you are an impediment to action.” He feels “the language of the code and the uncertainty of it, and the odd requirements are impediments.” For example, he said, they were “enthusiastic” when the city architect position was added because “that was somebody you could sit down with and talk to and facilitate development.” He stated again that submitting a plan “for the city architect to opine upon,” costs “significant numbers of thousands of dollars ... and the language (sits) in the code that that person can ask for anything they want, any time they want, no matter how far you’ve gone. That’s not good.” He compared this unfavorably to Georgia and described a scenario of **Jim Gibson** and Ms. Worrell presenting the Olive Garden-Red Lobster building at a Planning Commission meeting where “the deck was stacked against” them, but then council voted unanimously in favor of it. He said, “The idealism of some folks who are wedded to a particular type of urban design (shouldn't) get in the way of the policy goals that you all have endorsed” for redevelopment.

Mr. Stewart said in regard to Greenlawn they have to expand the PUD “because we have to incorporate both of those things together.” He said that was a concern with the remediation requirements and he wanted council to know that that is forthcoming, and they had to do it “to bridge the lots.” Mayor Keyserling said, “The issue is a consistent design, primarily.”

The work session was adjourned at 6:23 p.m.

A regular meeting of the Beaufort City Council was held on September 9, 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.

PUBLIC HEARING: UDO AMENDMENT REVISING SECTIONS 5.4.G TO ADD A SETBACK FOR SIDE-LOADED GARAGES

Mayor Keyserling opened this public hearing. Ms. Anderson said they have received quite a few applications for side-loading garages. To have adequate turning radius it needs a greater length than that of the house. Side-loading doors face the side of the property. A minimum distance is 22' for standard vehicles. The Planning Commission has recommended approval. The landscape architect also told her that the minimum is 22'. Mayor Keyserling said they are looking at an 80' minimum lot. Councilman McFee said that's right; all of this couldn't be added on a 50' lot. Councilman O'Kelley said he doesn't understand why 22' is needed, if it's for backing out. Ms. Anderson showed him on a sketch. Councilman McFee said this creates a larger lot and therefore a smaller house, so he has some concerns as a realtor or a developer might have. **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 session August 19, 2014. Councilman McFee pointed out that the correct acronym is CAFR, not CAFIR. **The motion to accept the minutes as amended was approved unanimously.**

Councilman McFee made a motion, second by Councilwoman Beer, to approve the minutes of the council's work and regular session August 26, 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

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on first reading. Ms. Anderson said in more urban zoning districts, gas stations' sign restrictions

are minimal; they relate to the width of the lot: 5, 10 and 18 square feet. Gas stations like to display the cost of gas and have reader boards, and the small signs make this difficult. This revision allows an additional 10' to the signs. Ms. Anderson said some gas stations on Ribaut Road, for example, have 24 square foot signs. Ms. Anderson said at Enmark, if it became a Sunoco, they could have a 15 square foot sign under this ordinance. There are 5 gas stations in these zoning districts that have the minimal sign requirements. Councilman McFee asked if there were any additional restrictions for the Historic District and the gas station there, and Ms. Anderson said it would allow them to have a larger sign. **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

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on first reading.

Ms. Anderson presented an overview of the ordinance.

1. Revise the definition of grand tree based on the size *and* species of the tree.
 2. Require mitigation for the removal of healthy grand trees by replanting or paying a reforestation fee.
 3. Removal of a section called "Tree Coverage Requirements" to simplify the ordinance.
 4. Require a certified arborist's report when grand trees that are proposed to be removed or saved are involved on a site.
 5. Give the administrator the authority to require mitigation on a residential lot for the removal of a healthy grand tree or when a tree is the last tree on site.
 6. Require mitigation when a grand tree was supposed to be saved but during the bond period, is dead or declining. This would extend the bond from 1 year to 2 years.
- Councilman McFee asked if the current owner is responsible, and Ms. Anderson said yes.

Councilman O'Kelley said if someone has a dead grand tree, it would be a different situation, and Ms. Anderson said that was right. This is all part of new construction and doesn't apply to existing lots, except for #5 in regard to removal of a healthy grand tree.

Councilman Sutton asked if the administrator has the authority to deny tree removal. Ms. Anderson said yes, and this doesn't change that or the Design Review Board's approval. There's no mitigation if a tree can't be taken out. Councilman Sutton said council "needs to have a discussion because we are seeing this happen, and as people come to the table to develop, there will be more issues."

Mayor Keyserling said there's a line where it's clear with few exceptions that you can move tree that will be in the way. "If you want to take out a big Live Oak, there needs to be predictability," he said, and "the developer needs to know ahead of time," as Mr. Stewart had said. The Starbucks tree was worth preserving over 2 parking spaces that could be found elsewhere, Ms. Anderson said. Mayor Keyserling said one could remove, as a general rule, as long as one

mitigates. Ms. Anderson said she's never known a building to be denied in order to save a tree. Most developers want to work around trees. She said on the Family Dollar site, the board approved 500 inches of grand trees. They didn't get the mitigation then, because of when it happened, and that's what PTAC is trying to do. The boards are reasonable, but if someone can shift a plan to the left or right to save a tree that's what they'll ask for.

Mayor Keyserling said council has been lead to believe that a developer thinks the process is arbitrary. Ms. Hill said this has happened on residential properties that want to remove a healthy grand tree. She calls on peers to help her determine what to do. "No one has ever asked for a spectacular grand tree to come down," she said. She has had "some questionable ones," and she calls on a peer or goes to PTAC. She hasn't heard that it's arbitrary, and commercially, she said, "I haven't encountered that at all." She, too, brought up the example of Family Dollar.

Mayor Keyserling said, "The suggestion Dick Stewart had made was that it was hard to plan" because "the developer could be told at the last minute they couldn't do something." Mayor Keyserling questioned whether "that plan was on the front-end." Mr. Stewart wants assurance that he will be able to do what they have agreed to, he said. Ms. Anderson said they "always recommend that a tree survey be done first thing, the sooner the better."

Councilman McFee asked, if a developer comes in with plans and has tree mitigation questions, at that point can Planning say, "These trees have to come out, and here's your mitigation"? Would the developer know from that point going forward what their responsibilities are? Ms. Hill said yes. Councilman McFee asked if they would have an idea of what would have to be removed, and Ms. Hill said yes. If there were a 60" grand tree in the way of a road, would it have to be removed? Councilman McFee asked. Ms. Hill said they would look at the tree to see if it's healthy, and if they would be able to move the plan. Councilman McFee then asked, in regard to the changes suggested to the tree ordinance for grand trees if a developer who owned a property for development "would consider this more onerous." He said he's wondering "if this is another level of red tape or hoop-jumping or something that makes it more difficult." Ms. Anderson said she doesn't think so. This began as a way to establish a reforestation fund. "It doesn't change the way the plans are read." Councilman McFee said it "expands a layer." Ms. Anderson said developers have always had to do a survey.

Ms. Hill said they "are looking for more site-sensitive design that preserves smaller trees," and this can save the developer funds because the survey also looks for hazard trees that should be removed. We need to preserve the urban forest, Ms. Hill said, not just save old trees. The diversity needs to be increased, and one way to do that is to retain small, healthy trees: this lowers the developer's costs. Councilman O'Kelley asked if this "gives the developers a better idea of what they can and should do." Ms. Hill said, "One would hope." She said she had attended a green infrastructure seminar, and everyone agreed that you should start with a tree survey and grading plan, and then overlay the site plan from there. This always happens in reverse now, so they are trying to reverse that. Developers will have a better overall idea of

what they can do if this is brought to their attention right away. Councilman O'Kelley asked if the tree survey accomplishes that now. Ms. Hill said the tree survey doesn't accomplish that now because of the current definition of a grand tree, and "people don't look at anything" when doing their site plan "except which are the big trees."

Councilman McFee said he's concerned that Beaufort is "labeled as developer- and business-unfriendly," and they "don't want this to be considered more difficult." Developers haven't expressed a problem with the mitigation costs. He just doesn't "want the additional requirement to seem more onerous," but he agrees that this gives better oversight. The planning community, such as architects, need to be brought on board, Councilman McFee feels. Ms. Anderson said they are trying to do this in the pre-application conference: stressing initially that the applicants need to "go get the tree survey and topo."

Councilman Sutton asked if any grand trees would make them say that a developer couldn't develop. Ms. Hill said no. Councilman Sutton said he's sure they'll hear about trees on Greenlawn and be fighting over which ones they need to save. Ms. Anderson said they wouldn't know until they get a tree survey. Ms. Anderson said sometimes the developers want to keep trees, and the arborist or Ms. Hill will tell them that it's better to take a tree out. If it's going to be saved, it needs to be worth it. Ms. Hill said they are going to lose good Live Oaks on Greenlawn, and there is no choice; they "will try to save the best trees and work the architecture around the best of them." It's not just grand Live Oaks; they need an urban forest with diversity.

Councilwoman Beer said there are water and laurel oaks in Pigeon Point, and that's a good example. Councilman McFee said expanding the description is a good idea, but he's "concerned that it not be perceived as more onerous than it is." Mayor Keyserling said a realtor came to him with a list of complaints. "He never went in with an understanding," and Mayor Keyserling said, "we're all trying to create a sense of understanding of expectations: What has to be done, and if it's done, can the developer do what they want to do?" He said the people they hear from are those who "don't get a road map" and take the time to learn what they need to know about regulations. The people who complain "try to take shortcuts and end up costing themselves more time, more money, more frustration, and they're going to point a finger at the city." Councilman McFee said, "the best we can do is ... be as transparent as possible with reference to 'This is what's coming down the pike, and you need to adhere to this if you want to have clean sailing with reference to your development plan.'" He feels it would be appropriate to let developers in the area who might be affected by these changes aware of them and get their feedback. **The motion passed unanimously.**

MOTION ALLOWING CITY MANAGER TO ENTER INTO CONTRACTUAL AGREEMENT REGARDING BUILDING INSPECTIONS AND PLAN REVIEW

Councilwoman Beer made a motion, second by Councilman McFee, to approve the city manager's entering the agreement. Mr. Dadson said in 2008, when they went from 86–87 single-family dwelling permits and 10 commercial new permits, to "basically zero, maybe 2 or 3,

the following year," they examined costs. They had a large fixed costs in inspections; someone was here whether they needed to be or not. They reevaluated, and now the agreement is up for the contract for services; the new one only pays when a permit is pulled. There's no fixed cost, only variable. They are fairly steady in the number of permits that are pulled monthly and yearly. The fixed cost is when the permit is applied for. This is just for inspection series, he said. Safe Built and Gogulski and Associates were the bidders. Staff recommends entering into this contract.

Ms. Todd said SAFEbuilt was ranked higher because their fee was 75% of all revenues, and Gogulski's was more, so SAFEbuilt was considerably lower and offered "a very competitive rate for the city." "From a corporate mission standpoint," Ms. Todd reviewed SAFEbuilt's and then Gogulski's, which is more focused on engineering and construction, "so plan review is done on the side," unlike SAFEbuilt. "SAFEbuilt provided exactly what was asked in the proposal," Ms. Todd said, while "Gogulski left some out." SAFEbuilt's team members have required certifications, and only one of Gogulski's is certified ICC. The committee recommends that the contract be entered into with SAFEbuilt. Mr. Dadson said there's no base fee. It's all revenue-based.

Councilman McFee asked if Mr. Dadson was comfortable with the city's history with SAFEbuilt, and Mr. Dadson said it's "been acceptable." Mayor Keyserling said early on there was a complaint about re-inspections from contractors. If one's done, he asked if there is a charge. Mr. Dadson said there's no automatic re-inspection fee. It can be charged but doesn't have to be; it depends on the violation and what's being charged. Councilman Sutton said he's never been charged a re-inspection fee. Mr. Dadson said, "The fee schedules are to induce behavior," as when someone is repetitively violating. Councilman Sutton asked about the office space the city provides and if that relates to the bidding. Mr. Dadson said it is just a requirement that they are in the city hall. They are paid to inspect and review plans, and "everyone was bidding on the same basis." **The motion passed unanimously.**

REQUEST FROM THE EXCHANGE CLUB OF BEAUFORT TO HOST ANNUAL GHOST TOURS EVENT FROM OCTOBER 10 – 30, 2014

Councilwoman Beer made a motion, second by Councilman McFee, to approve the request. Ivette Burgess said nothing is different than in the past. The motion passed unanimously.

STREET CLOSURE, ALCOHOL SALES AND USE OF PARKING SPACES REQUEST FROM MAIN STREET BEAUFORT FOR SHRIMP FESTIVAL 2014

Councilwoman Beer made a motion, second by Councilman McFee, to approve the request. Ms. Burgess said staff met with Main Street Beaufort and nothing's changed. Ms. Burgess said the public restrooms would remain open for the event, i.e., until 11 p.m. on Friday. **The motion passed unanimously.**

WATERFRONT PARK CO-SPONSORSHIP REQUEST FROM HEALING HEROES OF THE LOWCOUNTY FOR HOSTING A CORNHOLE TOURNAMENT

Councilman McFee made a motion, second by Councilman Sutton, to approve the request for the November 1, 2014 event. Councilwoman Beer recused herself because of her involvement with the organization. There are no changes from last year's event. **The motion passed 4-0.**

MAYOR'S REPORT

Mayor Keyserling said he would like to know how to get the comprehensive reports Mr. Dadson is writing to the public. Mr. Dadson said they will publish them on the city's website.

Mr. Dadson said **Rick Griffin**, harbormaster, had said that the contractor at the marina "had issues" and is coming back at the end of the month. Mayor Keyserling asked about DNR and the day dock, and Mr. Dadson said it's been resubmitted to the state. Mr. Dadson said they "should be getting closer."

Councilman Sutton said there were concerns during Water Festival about whether the Dragon Boat dock was safe. Mr. Dadson said if grants are gotten, they could move some money to improving the existing structure. Councilman McFee said, "with the mooring field, that becomes more of a player." Mayor Keyserling said, "It's pretty ratty." Mr. Dadson agreed that "it's ready for some improvements."

REPORTS BY COUNCIL

Councilwoman Beer said the 9-11 ceremony is from 8:30 – 10 a.m. at Waterfront Park.

Councilman McFee said to go see "Grease" at USCB.

There being no further business to come before council, **Councilman O'Kelley made a motion to adjourn the meeting. Councilman McFee seconded. The motion passed unanimously,** and the meeting was adjourned at 8:13 PM.