A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **November 18, 2013 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Vice Chairman James Crower and Commissioners Alice Howard, Robert Semmler, Jennifer Bihl, Bill Harris, City Planner Libby Anderson and Town Planner Linda Bridges.

Chairman Joe DeVito was absent.

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**

Vice Chairman Crower called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

**Commissioner Harris made a motion, second by Commissioner Howard, to amend the agenda to move the Civic Master Plan resolution up to the first item. The motion passed unanimously.**

**MINUTES**

Commissioner Howard said that on page 8, Craig Lewis's statement about the "restricted conservation easements" in the Southside Park plan should have been "convenants." After the recorder checked the audio, Mr. Lewis did say "restricted conservation easements," but Commissioner Howard's correction will be made for the record. **Commissioner Harris made a motion, second by Vice Chairman Crower, to accept the minutes of October 21, 2013 as amended. The motion passed unanimously.**

**REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT**

**City of Beaufort – Resolution to Adopt the Civic Master Plan**

Ms. Anderson apprised the Metropolitan Planning Commission of events since the Metropolitan Planning Commission workshop. In the November 4 memo, she said, the items highlighted in red are the items that came out of the workshop. Historic Beaufort Foundation (HBF) submitted some items subsequent to the workshop. Mr. Lewis, Redevelopment Commission chair **Jon Verity**, and planning staff submitted all of their comments, and their responses to the HBF comments.

Mr. Lewis said "a few things were easy": additional drawings, imagery, and changes to the text in regard to appropriate housing for the Historic District. The bigger challenge, he said, was the narrative in regard to specific guidelines or principles. The planning staff, Mr. Verity, and Mr. Lewis looked at what was submitted and evaluated it against the expectations for the document and how it could be worked in or not.

Mr. Lewis said including that type of information was not detailed enough, they felt, "to provide further expectations in regard to what the document is." He reiterated the purpose of the Civic Master Plan and said the items submitted were general principles and provided no additional clarification. He gave an example from the National Trust for Historic Preservation, which he said "says itself that they are a little vague." They provide no more detailed information than is in the Milner guidelines that are being used today, and provide no more detail and clarification for applicants coming to the Boards or planning staff. There were pages from the Historic District guidelines that HBF wanted included, but staff et al didn't feel like it needed to be put in, so they referenced that document in its entirety in the plan. HBF compiled their information "with a lot of effort," and Mr. Lewis said that they were appreciated.

Commissioner Howard asked Mr. Lewis in Chapter 7 about the background on the student housing opportunities. The caption was adjusted, she said, and she asked if he could show the document on the screen to refresh her memory. Mr. Lewis said the question was about why the image was in there. He said it was to show potential new buildings and an opportunity to expand new buildings in that direction. He said it was a suggestion from people who would like to see USCB expand up Carteret Street and around instead of into the neighborhoods themselves.

**Maxine Lutz**, Executive Director of Historic Beaufort Foundation, said she had hoped that the results of the workshop would put HBF's concerns to rest. They thought the workshop was helpful, and they left the meeting with the understanding that they were to provide additional photos and "the 7 principles" would be folded into the Civic Master Plan; they submitted that "in good faith." They learned that Mr. Lewis "only submitted their most undemanding suggestions." They believe he has "mischaracterized" their suggestions, she said. They wanted a joint resolution, but Ms. Lutz said Mr. Lewis "didn't make himself available for that."

**Cynthia Jenkins** was not available, Ms. Lutz said, but **Terry Murray** and **Conway Ivy** were present. Ms. Lutz said they are relying on the MPC "to listen to the public" and send the Civic Master Plan to City Council with the language HBF provided because

1. Mr. Lewis "rejected the inclusion of the integrities because we think he misunderstood why we feel they should be included," Ms. Lutz said. HBF wants them included for future actions: using the integrities as a yardstick for new construction.
2. The infill design principles were rejected because Mr. Lewis felt they would confuse applicants and Boards. Ms. Lutz said, "The principles are in harmony with city guidelines" and re-stating them should not be a problem. They give the architect creative expression while encouraging sensitive restoration consistent with Beaufort's 300 year old architectural heritage.
3. Ms. Lutz said that Mr. Lewis stated that he believes the loss of significant structures is the greatest threat, but she said "inappropriate infill is as bad for the Historic District as

losing historic structures." Ms. Lutz said Mr. Lewis had said that HBF was against infill, and she said that's not true and cited examples to support her contention.

4. The design guidelines were included to show the city's commitment to help avoid confusion for developers, owners, etc., Ms. Lutz said. HBF wants a reference to the preservation manual as the required document for reference.
5. Ms. Lutz said they also resent "the censorious attitude by the consultant" in "assuming he can reject HBF's suggestions." The Lawrence Group had no expertise about historic architecture, etc., but "continually substituted its opinions" for HBF's greater knowledge of the subject.

Mr. Ivy, chair of the Historic Beaufort Foundation, said that the Foundation requests that the MPC recommend to council that the HBF suggestions and language be included for protection of the National Historic Landmark District. He said the HBF suggestions "provide specifics." In the workshop and other venues, they have offered specifics that "the Office of Civic Investment has chosen not to accept." He said they should be included in the plan because the workshop determined that the plan was to be a non-legally binding guide.

Commissioner Howard asked Mr. Lewis about the infill guidance. She said there's a lot of guidance on street construction etc., so she asked why he didn't want to include design guidelines. Mr. Lewis said they are "trying to get to a level of detail that's useful for infill development." The HBF suggestions "are already in the regulatory documents in use today." They are trying to ensure that the Civic Master Plan is "a good tool that can go to the step of (informing) the new code" and the use of the Historic District guidelines, which can maybe be tightened up or maybe stay the same. They are providing detailed suggestions, not elements buried in the narrative already.

The document is slimmed down to the size of the original Sector One document, Mr. Lewis said. The next step is the code, which is where those principles belong. These principles are in the existing guidelines for the Historic District and the Northwest Quadrant. Commissioner Bihl asked if they could include a reference to the principles, and Mr. Lewis said those references are "already in there 2 or 3 times." Mr. Lewis said they have made hundreds of changes, and this is the sixth full iteration of the document. They have changed a lot of imagery and text. He said the Redevelopment Commission wanted a detailed document to direct infill development opportunities.

Commissioner Howard asked about the integrities, the inclusion of which she sees both sides of, and she asked if there were somewhere else to reference them. Mr. Lewis said all of the elements are included in much more detail, which he described. He feels like including these things doesn't add anything to the Civic Master Plan. They're part of code, the Historic District guidelines, and the Northwest Quadrant guidelines.

Mr. Ivy said that what HBF proposes including is in other documents, and he feels those should be included *by reference* in this plan to prove that they intend to follow those guidelines. They need a few sentences to refer to the guidelines in Chapter 3, he said, to facilitate the approval process in the future. Mr. Lewis pointed out one of those reference points in the Civic Master Plan to the Metropolitan Planning Commission.

Commissioner Howard asked Ms. Lutz if the language that Mr. Lewis referred to "was strong enough language" for her. Ms. Lutz said HBF would prefer to have *all* of their revisions included, rather than just by reference, because a developer would look at the Civic Master Plan, and she questioned why they should keep information from a developer; by including this information, they can also keep a developer from having to "go from document to document." This Civic Master Plan will last for 5 years and bring about change, and Ms. Lutz said HBF questions whether it will change the other regulatory documents; "if they're included, they're more likely to stay in place," she feels.

Vice Chairman Crower read the reference on page 48 to which Mr. Lewis had referred, which included the plans and "other relevant documents."

Commissioner Semmler said in the past months, he's been impressed with HBF's passion and asked them not to give that up. He feels this Civic Master Plan should be a step forward and a celebration. He said the plan talks about what developers need to do and provides for public investment. He said they "need to go forward." He thinks Mr. Lewis deserves congratulations "for what he has accomplished" and his "patience and graciousness." He feels the language is clear, and that "the leadership will protect Historic Beaufort," but they need to grow and go forward. He thinks the document gives a "fantastic AAA road map" that you can deviate from.

**Commissioner Harris made a motion to recommend approval of the resolution to adopt the Civic Master Plan; Commissioner Semmler seconded.** Commissioner Harris suggested that the following should be part of the approval: that the Civic Master Plan move to council with the elements HBF doesn't support continuing to be discussed, and that the aspect considering less infill and more sensitive redevelopment in the Northwest Quadrant also is considered important.

Commissioner Semmler said he agrees about the infill and about the continued discussion with HBF. They could forward it to council with comments. Commissioner Howard said she still has concerns about Northwest Quadrant infill, based on public comment and her own knowledge of the area. Commissioner Bihl said she would like an agreement with the HBF, knowing that they recognize that it wouldn't happen today. There needs to be give and take, Commissioner Bihl feels, and if they can add language "to make everybody more comfortable," that would be "a minor revision," and would "make everyone happy and on the same page." Commissioner Semmler asked what minor revision she was referring to. Commissioner Bihl said a compromise

Commissioner Semmler asked if she wanted approval to be tabled another 30 days. Commissioner Bihl said she wanted approval with comments on this one section. Commissioner Howard said she sees the references that have been referred to, but "the language isn't strong enough to have any compromise yet." It would be nice, Commissioner Howard said, to have stronger language, and though Mr. Lewis "doesn't want to cut and paste," she thinks "there's a way to beef it up," as the language seems "weak as it's written." Commissioner Semmler said he didn't view it that way, and references to other plans that this plan is following send the developer back to those references. Commissioner Howard said that she agrees, and Commissioner Semmler said if they take from the other documents and insert them in the Civic Master Plan, there's no reason for those other documents.

Commissioner Howard said that's not what she's saying. She thinks HBF and Mr. Lewis can work together on stronger language. Vice Chairman Crower said it's agreed that this is not a legal document, so he's confused by why HBF wants those documents in this Civic Master Plan, which is not regulatory. He feels including them doesn't make the Civic Master Plan stronger. "Those documents are guidelines, and this document is a guideline," he said.

Ms. Murray, co-chair of the Preservation Committee for HBF, said Ms. Lutz had said that this is a plan that will be a guideline, and the expectation is that it will be implemented through new codes and regulations. HBF fears that if this provides guidelines, she said, the documents that they have discussed could be changed. If they include in the Civic Master Plan "a statement that this is a city policy to use these principles as a yardstick when the codes change, they will be changed as part of the overall compliance." HBF doesn't want to have all the current documents folded in, but to set an overriding set of principles and guidelines for those who write the code to implement the plan.

Commissioner Semmler asked if Ms. Murray thought this document was a policy. Ms. Murray said yes, there are several policy statements. Having a guide for civic infrastructure is a policy. It's not just a physical plan; it's a policy and conceptual plan, she said.

Commissioner Howard said they could add "be consistent with the National Park Service standard." So even if the Beaufort manual and Northwest Quadrant standards got changed, they would have national standards as a base. Ms. Murray said "the materials that (Ms. Lutz) provided are equally good expressions of principles that have withstood the test of time." They were "cobbled from other existing districts," Ms. Murray said, and are not national standards. Commissioner Semmler asked if everything in Ms. Lutz's letter is different than the current standards.

Commissioner Semmler said he agrees with what Commissioner Howard suggested, but he's concerned that Ms. Murray has said that everything Ms. Lutz wrote in her memo should be included. Ms. Murray said they're fine with omitting the October 31st sketches, but Mr. Ivy and

Ms. Lutz would prefer that they use the language for 3.1 that HBF suggested, which included the integrities and the design principles. Commissioner Howard said that if they reference the national standards, that only leaves infill design that HBF wanted included.

Commissioner Semmler said he's concerned about the Infill design principles. He asked where it comes from. Ms. Murray said their preservation consultant, **Cynthia Jenkins**, "derived them from other districts." Commissioner Semmler asked if those infill integrities could be included in the design principles, or the other two sections they want included. He's hesitant to add something that was "put together" from other sources. He feels they have something that works and ensures that they don't damage the historic fabric of the city. Ms. Murray said those design principles are excellent guides and don't contradict good design, planning, or preservation. She said if they make sense to the Metropolitan Planning Commission, e.g., the Northwest Quadrant, they should be included, or they could recommend to Mr. Lewis that they be included elsewhere. In any case, HBF wants them included in the Civic Master Plan as a guide for those developing the code.

In regard to the Secretary of the Interior Standards, Mr. Lewis said they are in the preservation documents. Commissioner Howard said they can be changed, though, which is HBF's point. Mr. Lewis showed the Preservation Manual supplement and discussed "the specificity which it already talks about." These general principles are already embodied in the document, he said. The goal is to preserve the best elements of the Historic District while allowing infill and redevelopment to occur in a manner that's not degrading to the Historic District. There is a lot of detail already in the adopted documents. They have incorporated everything, Mr. Lewis said, and they feel the guidelines are in place.

Commissioner Howard said there's nothing in the Civic Master Plan that addresses infill. Ms. Murray said the infill *principles* weren't in there, though there were other references to infill. There is very detailed guidance already, Mr. Lewis said, and he wants it to remain "tight." "Cutting and pasting other elements will change that other document as well," and the Civic Master Plan will then have cross references to other documents that may change as well over time. All the information is in there, he restated.

Ms. Murray said Mr. Lewis had just made her argument for her: "that as soon as you start referencing documents, those documents change," so HBF wants their language included because that sort of changing "is their fear." Doing so will guide those who do the regulatory documents to include those documents.

Commissioner Semmler said he agreed with Commissioner Howard's recommendation in regard to the Secretary of Interiors standards. Commissioner Semmler said he feels the infill standards are included. He feels the umbrella plan should reference the other plans, not take from them, which "weakens both documents."

Commissioner Howard said she wanted the Secretary of Interior's integrities to be included in 3.1 before the Beaufort preservation manual. Mr. Lewis said those are not adopted, and its language on the website, not an actual adopted document. **Mayor Billy Keyserling** asked "the authority of the infill design principles and where they come from." Ms. Lutz said that the Redevelopment Commission in the workshop had asked that infill design guidelines be included in the Civic Master Plan, so Ms. Jenkins had gathered suggestions from other historic districts. They are the HBF's suggestions for infill design guidelines, but the integrities are part of the National Park Service nomination form for a building or area considered for National Registry to determine whether that building measures up to their standard.

Commissioner Howard asked how to word that. Ms. Lutz said they would reference the 7 integrities designated by the National Park Service for gauging whether or not a building is appropriate for a Historic District. Commissioner Semmler said that expands what they were talking about.

Commissioner Harris asked if this is the right document for that. Commissioner Semmler asked who gets to judge the "feeling" of the building, which is one of the integrities. Commissioner Harris said he doesn't want to add a provision for this language to be added to his motion.

Commissioner Howard said they could discuss the infill principles, which are something new. She asked if they could amend the motion to include them in this document. Commissioner Semmler said that's not part of the Metropolitan Planning Commission agenda. Commissioner Harris said he doesn't want to add that to the motion because he doesn't feel this is the right document for it. Vice Chairman Crower said the HBF is "tenacious in their arguments."

Ms. Lutz said that the integrities are important in the Civic Master Plan because it will help them gauge future actions for new construction. Vice Chairman Crower said he feels they should pass it on to council with the recommendation that those parts be discussed in more detail in their deliberations, but at this point, the Metropolitan Planning Commission recommends it on the existing wording. He's not in favor of further editing. Commissioner Semmler called the question. **The motion passed 4–1, Commissioner Howard opposed.**

Ms. Anderson went through the resolution recommending adoption of the Civic Master Plan. **Vice Chairman Crower moved that they adopt the resolution as presented by staff. Commissioner Semmler seconded. The motion passed unanimously.**

**<u>City of Beaufort – Rezoning</u>**
*Application to rezone 1005 Craven Street, identified as District 121, Map 4, Parcel 784. Current zoning: Office Commercial District; proposed zoning: Neighborhood Commercial District*
Applicants: Kevin and Elizabeth Robinson

Ms. Anderson said this is in the Bluff neighborhood, and it's a two-story historic structure. The property is zoned Office Commercial District. No retail uses are permitted. Some uses like inns, B&Bs, and community services can be conditional uses.

Ms. Anderson showed the current zoning in the area. This parcel is mid-block, she said. The proposed zoning is Neighborhood Commercial District. It's "mixed-use on a neighborhood scale." No drive-through facilities are permitted. A chart was given to the Metropolitan Planning Commission that identified the differences between the two types of districts. In regard to the Comprehensive Plan, the Framework Map shows of greater density for this area, Ms. Anderson said. She showed uses of the surrounding properties: a law office, the Rhett House Inn and its annex, three single-family dwellings, a vacant lot owned by Harvey and Battey, and "an unofficial parking lot."

Ms. Anderson said public notice was made, and one comment was received. Staff is concerned only about the mid-block nature of the zoning, so staff recommends that they rezone the whole block face to Neighborhood Commercial; that will allow more flexibility in re-use of the properties. The owners of those properties are considering it, she said. Staff recommends that the block face be rezoned, and that it be a city-initiated rezoning. Then, if the Metropolitan Planning Commission concurs, she will come back with a recommendation for all three of the properties to be rezoned.

Commissioner Harris said there's formalized parking there, so there's no parking trouble. Ms. Anderson said they would not be required to provide on-site parking because on-street is available.

Commissioner Semmler asked if Ms. Anderson considers this spot-zoning, and Ms. Anderson said not if they do the whole block face. Commissioner Semmler asked why they would not just do the whole block. Ms. Anderson showed where they are going and not going, though she said that they could theoretically do more, per the Comprehensive Plan. The Comprehensive Plan "says yes to this," she said. Commissioner Semmler said he's not clear *why* they are doing it. She said the owner would like to use a section of the building that once was used as a retail space. The previous owner made it single-family residential.

Ms. Anderson said she sent the notice to HBF as she does for all applications in the Historic District. Commissioner Semmler said this home "could turn into a Best Western." Ms. Anderson said yes, under the current zoning it could be an inn under Office Commercial or a B&B, but that's not what Mr. and Mrs. Robinson want to do. Changing the zoning for the Rhett House Inn and Harvey-Battey from Office Commercial to Neighborhood Commercial will not make their current use non-conforming but would allow them additional uses in the future.

**John Crouch**, the architect of the renovation, represented the building owners. He said he realizes the zoning change will apply to subsequent owners; they want to preserve the previous uses of the building. The previous owner had turned it into two apartments and a retail space on the lower level. Mr. and Mrs. Robinson turned it back into a single family house; they have no current plans for what they want to do with it. He thinks it makes sense to have all the lots on the block zoned similarly and reflecting their true uses. Commissioner Harris said if it's to be used as retail, he asked if there are plans for the exterior, and Mr. Crouch said "it will stay exactly as it is." He knows there are building code issues. All the owners want to do is to preserve the historic use of the lower level.

Vice Chairman Crower asked if Mr. and Mrs. Robinson would have a problem waiting a month on responses from the other land owners, and Mr. Crouch said, "Certainly not." They have discussed the matter with the other owners, and they're fine with it, he added. Mr. Crouch asked if it would help to table it.

Commissioner Semmler said there's no difference in what they can do with the house with the different zoning. He's concerned the other property owners haven't commented. Mr. Crouch said if those owners didn't like the zoning, they would probably have commented. He said the street behind the property is of a different character than Craven Street.

The house is about 1100 square feet, and a garage with a guest apartment above it is about 675 square feet. Mr. Crouch said there's no ability to expand the footprint, and Mr. and Mrs. Robinson have no thought of doing anything.

There was a discussion about possibly tabling the matter. Commissioner Semmler felt there was no reason to do so. Commissioner Semmler said he sees no reason to rezone it. He would forward a recommendation of denial to City Council. Commissioner Howard asked him to clarify his reasoning for denying. Commissioner Semmler said he thinks its spot zoning. **Commissioner Howard made a motion to table the matter until they hear from the other property owners about the rezoning. Commissioner Harris seconded. The motion passed 4-1, Commissioner Semmler opposed.**

**City of Beaufort – Update on Council Actions**

Ms. Anderson said the amendment on the accessory uses for garage design is being tabled or withdrawn. They had an appeal to the Zoning Board of Appeals, and they feel that "most of the garage issues are squared away." The major issue has already been resolved.

**TOWN OF PORT ROYAL – TEXT AMENDMENT**

**Replace existing zoning and overlay chapters with the Port Royal Code**

Ms. Bridges said they have had a workshop, and they "came full circle" there and decided to introduce the document at the Metropolitan Planning Commission session. She would make an

introduction and then share the refinements that have been made. Ms. Bridges said the Metropolitan Planning Commission has had some time with the document, and she would like to hear the commissioners' ideas as well.

Ms. Bridges said the code is a form-based code and is a unified code. It will blend together the subdivision regulations and the zoning regulations. Along with the code, they will have new zones, called transects, and they need to adopt a map that gives them representation of where the zones are and what the regulations are in those places. She detailed some highlights of that. T-1 zones are the "softest … a nature zone"; they skipped over T-2 because they are a municipality, and they don't think suburban development is appropriate; they have T-3 through T-5. The current PUD ordinances don't place a mandatory sunset date on PUDs. Staff recommends at this juncture that they move forward with the PUDs that are in place to continue to be. If they successfully adopt the form-based code and the zoning map, they would hope that they might see the owners of the PUDs "come back one by one to be folded in," possibly.

Ms. Bridges said the zoning document has 10 articles. The document was developed with the City of Beaufort's and the county's documents.

The second goal, Ms. Bridges said, is word-smithing to the introduction and to Article One. The Metropolitan Planning Commission was provided it for information just now, so she doesn't expect feedback now. They want the Metropolitan Planning Commission's opinion on whether it's word-smithing or whether they have made whole changes. The county's document was written first, she said, and there could be some issues with run-on sentences and cut and paste errors.

Ms. Bridges said the mobile home overlay was brought up at the workshop, and she showed the areas in the Town of Port Royal that allow manufactured housing on individual lots. She indicated the type of zoning many of them have – General Residential – and the Mobile Home overlay district gave them design standards for permanency and aesthetics.

**Brian Herrmann** said the changes were made between the last meeting and this, and "they are basically word-smithing." He said that the Metropolitan Planning Commission shouldn't anticipate this kind of reworking in the future

Ms. Bridges said she'd like feedback from the Metropolitan Planning Commission. They don't expect a resolution tonight, but they would like input and maybe a system for passing comments around. Commissioner Howard asked if at the workshop they had agreed to all copy each other on questions. Ms. Bridges said they did, but she's not received any yet.

Commissioner Harris said he thinks it's "complete and straightforward." He has "no issues with it jumping around," especially as someone who will need to use it. He thinks it's "clear and nicely balanced."

Vice Chairman Crower said they accepted this introduction of the document, and they will consider it at the next meeting. Ms. Bridges said, as they get into it, if comments start to be emailed around, the idea of another workshop is good to resolve some issues.

**Town of Port Royal – Update on Council Actions**

Ms. Bridges said the Beaufort Fun Park on Robert Smalls Parkway was annexed into the Town of Port Royal and zoned Highway Commercial as the Metropolitan Planning Commission had recommended.

**There being no further business to come before the commission, Commissioner Semmler made a motion to adjourn, second by Commissioner Howard. The motion passed unanimously,** and the meeting was adjourned at 7:37 p.m.