



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
CITY COUNCIL CHAMBERS – 2ND Floor
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070

CITY COUNCIL AGENDA
REGULAR MEETING
FEBRUARY 22, 2011

NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

I. CALL TO ORDER

Mayor Billy Keyserling

6:00 P.M.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Walker – Seaside Vineyard

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

IV. PUBLIC COMMENT

Time Designated for Council to Receive Comment from the Public

V. PUBLIC HEARING

- A. Rezoning a Parcel of Property Located at 1403 Greenlawn Drive, from Neighborhood Commercial District to Marsh Gardens Planned Unit Development (PUD)

VI. MINUTES

Review of the Worksession Meeting February 1, 2011 and Regular Meeting February 8, 2011

VII. OLD BUSINESS

- A. Ordinance Rezoning a Parcel of Property Located at 1403 Greenlawn Drive, from Neighborhood Commercial District to Marsh Gardens Planned Unite Development – 2nd Reading

VIII. NEW BUSINESS

- A. Resolution forming the Beaufort Museum Committee
B. Resolution establishing new Waterfront Park Policy, Rental fees and Council Co-Sponsorship Form
C. Request for street closure from Historic Beaufort Foundation to host annual Lafayette Soiree on April 30, 2011

IX. REPORTS

- City Manager's Report
- Mayor's Report
- Reports by Council Members

X. EXECUTIVE SESSION

XI. ADJOURN

City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Scott Dadson, City Manager
FROM: Libby Anderson, City of Beaufort Planning Director
DATE: February 18, 2011
SUBJECT: Rezoning Application--1403 Greenlawn Drive

=====

303 Associates, LLC has submitted an application to rezone a parcel of property located at 1403 Greenlawn Drive, identified as District 120, Tax Map 1, Parcel 263 (see Site Location Map attached). The existing zoning is Neighborhood Commercial District. The proposed zoning is Marsh Gardens Planned Unit Development (PUD). The lot is proposed to be designated Lot Type D as shown in the attached Development Standards chart from the PUD. The rezoning application is attached.

City Council gave first reading to an ordinance rezoning the lot on January 25. A public hearing on the proposed rezoning is scheduled for the February 22 City Council meeting. Letters were sent to adjoining property owners on February 4. The public hearing notice ran in *The Beaufort Gazette* on February 7. The property was posted on February 8. To date, staff has received no public comments on the rezoning proposal.

The Beaufort--Port Royal Metropolitan Planning Commission will consider this rezoning request at their February 21 meeting.

Site Location Map

Created January 25, 2011



Marsh Garden Development Standards

Lot & Building Design	Lot Type			
	Type A	Type B	Type C	Type D
Minimum Lot Width:	20'	20'	n/a	16'
Maximum Site Coverage:	100%	100%	100%	100%
Minimum Building Frontage Coverage:	90%	75%	none	90%
Maximum Height: **	65'	65'	65'	65'
Minimum Height:	28' (35')	28' (35')*	none	24'
Build to Line (front):	10' (5')*	15' (10')*	none	10'
Side set back:	0'	0'	0'	0'
Rear set back:	0'	0'	0'	0'
Front Porch / Awning Coverage:	50%	50%	none	50%

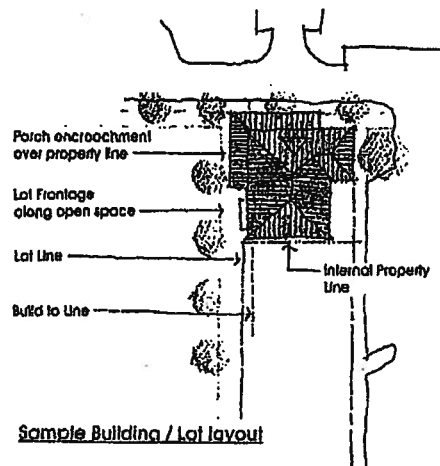
* Denotes corner conditions

** Measured from grade to top of primary roof structure.

Lot Layout

The Regulating Plan documents the location of streets, open space and buildable lot areas. These lot areas are simply the total area that may be developed for a building site. Later sub-division of these areas will allow for smaller lots to be sold or leased as required. The Site & Building Design Table above shows minimum lot subdivision widths. The minimum frontage requirement insures that the street wall will be build as designed. Some of the lots "front" open spaces, not right of ways as required. Legal right of way access for these properties will be provided from the rear (parking side) of the buildings. Porches, awnings and similar architectural projections shall be allowed and encouraged to extend past the lot lines into street or open space areas.

* The frontage requirements shall be for the primary vertical wall of the structure to cover the above noted percentage of the lot.



City of Beaufort
Department of Planning & Development Services
1911 Boundary Street
Beaufort, South Carolina 29902
Phone (843) 525-7011 / Fax (843) 525-7034
*Revised August 2010

Application Fee
\$250 + \$10 for each
additional lot.

REZONING APPLICATION
(Except for PUDs)

OFFICE USE ONLY: Application #: _____ Date Received: _____

Property Address: 1403 Greenlawn Drive

District, Tax Map, Parcel #: R120 001 000 0263 0000

Applicant: 303 Associates, LLC

Applicant Phone #: 521-9000 Fax #: 319-9545 E-Mail Address: ctw@303associates.com
dstewart@303associates.com

Applicant Address: 2015 Boundary Street, Suite 300
Beaufort, SC 29902

Property Owner: 303 Associates, LLC Phone #: _____

Property Owner Address: 2015 Boundary Street, Suite 300, Beaufort, SC 29902

Have any previous applications been made for a map amendment affecting these same premises? (X) YES () NO
upon annexation

If yes, give action(s) taken: annexation

Present zone classification: GC / Boundary St. Redevelopment District

Requested zone classification: PUD

Total area of property: .384 acres

Existing land use: vacant

Desired land use: park and overflow parking

Reasons for requesting rezoning: The rezoning is being requested pursuant to
staff's recommendation.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ___ Yes No

You must attach a boundary map prepared by a registered land surveyor of the tract, plot, or properties, in question, and all other adjoining lots or properties under the same ownership. 12 copies of all application materials are required.

Applicant signature: [Signature] Date: 1/24/11

NOTE: If the applicant is not the property owner, the property owner must sign below.

Property owner signature: _____ Date: _____

A work session of the Beaufort City Council was held on February 1, 2011 at 5:00 p.m. in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Council members Donnie Ann Beer, Mike Sutton, Mike McFee, Gary Fordham, Mayor Keyserling 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.

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

DISCUSSION OF REYNOLDS STREET RESURFACING AND OWNERSHIP

Greg Bache, Ward Edwards Engineering, showed a drawing of the plans. At this time, the pavement surface is deteriorating and has been overlaid and not well-cared for. Technical College of the Lowcountry (TCL) wanted to use stimulus money to make safety and connectivity improvements. Mr. Bache showed the planned improvements to remedy these issues. He said the issue of road ownership had emerged. Because it was a SCDOT road, they were limited in what they could do for improvements and how to go about them. A brick paver wouldn't be allowed, for example. The plan now shows a reduced road width to give more planting and sidewalk abilities. They have added some different types of landscaping and they have incorporated the possibility of stormwater drainage. The stormwater demonstration area would offer an opportunity to show an above ground stormwater retro fit item along with TCL's windmill and solar panels.

Mr. Bache presented the cost estimate. Final TCL costs are \$75,082.50 and city costs are \$48,727.50.

Isaiah Smalls, City of Beaufort Public Works, said the road would have to be acquired from DOT. For alternative paving funding, they would go to the CTC. Early indications are that this is do-able. They forwarded a letter to the county engineer from Mr. Dadson to Bob Klink. Mr. Dadson said they would request paving funds from CTC by letter. The stormwater piece would come from the city's General Fund coffers.

Councilman Fordham asked if they'd have enough money "to pave the dirt road." Councilman Sutton said they don't know who owns it. Mr. Bache indicated a letter from SCE&G that said it would cost \$180,000 to put the power lines underground in the "straight, true Reynolds section." Mr. Bache thought that was a high SCE&G ballpark figure. The water and sewer in the area has no underground proposed except for the bio-retention area. There are some strong sewer force mains and a small water line on the side of the road.

Councilman Fordham expressed surprise that they "had to add anything." Mayor Keyserling asked Mr. Dadson how it fits with the comp plan and if anything could be done to make it more compatible with the comp plan. Mr. Dadson said staff worked with Ward-Edwards, and it keeps interconnectivity; is a road diet, "which is always good"; leads to safety improvements; and the bio-retention area is also good if it happens. Mayor Keyserling asked if the parking lot would go in front of the church. Mr. Bache said they have not yet discussed it.

Mr. Dadson said council must decide if it would accept road ownership for this type of plan. The CTC funds have been requested by letter to the county, and they can wait to see if that will happen. This has a multiple benefit to the driving public in general and keeps interconnectivity. Mayor Keyserling asked about bike or foot paths to the hospital. Councilman Sutton said the campus is now connected to Ribaut Road by the sidewalks. He asked what the long-term costs are for future maintenance when the city takes roads into the city inventory. Some is on city property and some is on TCL's property; he'd like assurances about who will take care of the surfaces and landscaping.

Councilman Sutton said SCDOT is doing more than he has seen in a long time. He wants to be cautious not to create something that they have to spend too much time on five years from now. In subdivisions, stormwater systems can fail, asphalt systems can fail, ditches aren't cleaned out by property owners, etc. Mr. Smalls said the road surface should last 15-17 years. He would expect no repairs for that period of time. The subdivisions had no standards, he added, and that's why they failed. The existing stormwater system works now and should not be an issue in this project.

Councilman Sutton asked about the bus system and possible money for shelters and studies. He said he doesn't want to miss an opportunity to create a shelter zone there, at least for now. He indicated a turn-around where he thought there might be a good opportunity for a bus shelter. There was some discussion among those at the table about the possibility and feasibility of public transportation in this area. Councilman Sutton said he'd look at again in the planning phases for a turn-around. Mr. Bache said there's a straight-through behind the Lutheran church which is an easy connection to make. Mayor Keyserling said it could conceivably take traffic off of Elliott Street.

Councilman Sutton said if they're going to own the street and be a partner with TCL, they should look at moving portions of the street; the same restrictions don't necessarily exist as they did before. He feels no turn-around would be short-sighted. Discussion continued about alternatives and possibilities which might work in this regard. Mr. Dadson said the buses are picking up in the morning at the 2 stops on Ribaut. Mr. Dadson said if they couldn't do that yet, in the cross-agreement, that would secure future concerns for everybody as to who would maintain what. **Hayes Weisser**, TCL, said the school is very open to that.

Mayor Keyserling said in the discussion of CTC taking the road out of the DOT system, he estimated it would cost \$30-\$40,000. Mr. Dadson added "with CTC taking \$25,000 or so." Mr. Dadson said he's not worried from a budget perspective. The cross-agreement, getting the road from DOT, and the CTC monies are the "action elements," he feels. Mayor Keyserling said they'll need to know about CTC in order to set a budget. Mr. Dadson said the budget is contingent upon receiving CTC funds. Mr. Weisser reminded them that they have to do the road now in order to spend the stimulus money as soon as possible. Councilman Sutton asked if the money can be spent on state-owned roads. Mr. Dadson said he'd think so. It's still a public access road if the city owns it.

Councilman McFee asked how far Reynolds is paved; Mayor Keyserling said not to Elliott. Mr. Bache said Elliott is in pretty good condition. Councilman Sutton asked why they weren't discussing power lines with this streetscape project. If they don't do it now, they won't in 10-20 years. Mayor Keyserling asked if they can bury it only in a limited way. Mr. Bache said they requested "to get the section of 4 poles off

there.” He said TCL would love to have them all underground, but their budget is limited. Councilman Sutton said there “needs to be willingness, too,” and he “hasn’t sensed that from the service provider.” The discussion continued about various power lines in the area and their size.

Councilman McFee said the \$180,000 estimate to bury lines sounded “outrageously high.” Councilman Sutton proposed a “common sense approach” to future line burying. Mr. Dadson said he agrees, but the differences are great between TCL’s and SCE&G’s timelines. He fears their involvement would create a lag. Councilwoman Beer said they won’t get it done in a short period of time. Mr. Dadson said it would be nice if others were bringing pressure to bear on SCE&G. Mr. Weisser said they were told by SCE&G that burying lines is too expensive and they don’t like to do it.

Mayor Keyserling said perhaps they should consider taking the road contingent upon getting the CTC money and asked if that can happen fast enough. Mr. Smalls said he expected to hear within the month of February. Mr. Bache said they can phase the overlay easily once they get the bid contract. The stimulus money needs to be spent by June 30, Mr. Weisser said. Mr. Bache said it’s designed and permitted.

Mr. Dadson said overall the project to him seems worthwhile. Mayor Keyserling said that while they’re reluctant to take a terrible road into the system, it will get done at some point. Mr. Dadson said the ultimate amount the city would be out is \$18,067; they’d have to find the money somewhere. Mr. Dadson said the plan they have is what staff considers the best possible plan.

Ward-Edwards has budgeted \$100,000 for the projects, Mr. Bache said. The road ownership is the critical piece so they can proceed with the plan as-is; the already compressed timeline will be thrown off otherwise. Mayor Keyserling said Mr. Smalls should push as hard as he can, and **Josh Martin** or Planning should draft an agreement. Mr. Dadson said Mr. Smalls and Mr. Bache should draft something for council to look at by next Tuesday’s meeting. Mr. Dadson said it would be incumbent on council to also pressure the CTC.

Mr. Bache asked if there was anything TCL needed to do on the stormwater front. Mayor Keyserling said there might be grant money available since it’s a unique project. Mr. Dadson said they have stormwater fees they could go to, too. Councilman McFee asked if the bio-feature had a landscaping element, and Mr. Bache said there are standard plants and explained how the native water plants would be placed.

DISCUSSION REGARDING BAY STREET LIGHTING

Mr. Smalls said as part of the traffic flow/pedestrian safety improvements, a mast arm has been installed at Bay and Carteret. They have discussed the stability of existing lights. SCE&G wouldn’t allow push buttons on the gooseneck lights; they needed to be more substantial. Then, Mr. Smalls said, they began to discuss the lights that would be used as improvements were made on these streets. Putting the mast arm “would clean the area up,” as would removing the goosenecks, and then move north up on Carteret.

Donna Alley said these lights have undergone public review. The fixture is “handsome,” and, Mr. Dadson added, “replaceable.” Mr. Smalls said the gooseneck was hard to get parts for. He explained

numerous other difficulties with the gooseneck lights. Mayor Keyserling said he remembers Bay Street lighted with wooden poles and “cobra lights.” Ms. Alley said they have a historic photo from the federal courthouse of lights with a little hood or cap on them, and they tried to find a replica, but this is the unanimous choice. Councilman McFee asked if it would just replace the existing pole locations. He wondered if the existing posts could be stretched out. Mr. Smalls said the problem was with connection.

Councilman Sutton said power availability is an issue, and this will become the downtown light. Mr. Smalls said there are 128 gooseneck lamps now. Councilman Sutton said the non-fused, non-metered system is what lights festivals, etc. Mr. Smalls said they still pay for the light they use at Christmas. Mr. Smalls said they can have an outlet at the base or top for Christmas lights. Councilman Sutton said they need to be appropriate for lighting for various festivals. Mayor Keyserling said a consistent street light program from Building Beaufort would be ideal. Mr. Dadson said they’re looking at the street light plan now. Once the pattern is begun, they can determine if they want it elsewhere as well.

Lanelle Fabian asked if the brackets for banners on these lights can be removed and put on the new poles. Mr. Smalls said he thinks they can be removed from the current ones and placed on new ones. Councilman Sutton asked if the plan addresses anywhere where there’s not enough light currently. Mr. Smalls said only if those areas are on Carteret Street. Mr. Dadson said the plan calls for more light. They tried to plan a CIP that helped them to address that. Councilwoman Beer mentioned an area she thinks is particularly dark and dangerous. Mayor Keyserling said they could ask the mayor if the property owner wanted to buy a lamp that matched the city’s. Councilman Sutton said they have darkened vacant lots in his neighborhood, and no one to buy the lights for them. Mayor Keyserling said this is a privately-owned public thoroughfare. Mr. Dadson said the city’s responsibilities are in the public right-of-way. They will be doing lights in certain places, and the city will work with individuals who might want to have an area lighted.

Mr. Dadson asked council if any issues need to be raised. Councilman McFee said the CIP included lighting only downtown. He asked if they had more built in to go to Craven St. Mr. Dadson said they would deal with Scott and West back to Craven, but they need to price it and “figure out the pieces to that puzzle.” The mast arm is forcing them to put in a series of fixtures now.

Ms. Alley said lighting will be a part of Building Beaufort’s individual neighborhood study. Councilman Sutton asked how they would prioritize lights, and he said they should do it where they have to now, then work into areas where they need more lighting and then, maybe simultaneously, do a replacement on the other streets. Various people discussed their preferences as to the order in which lights would be replaced. Councilman Sutton said he thinks they need to concentrate on one block at a time. Mr. Dadson said they can schedule it that way. Mayor Keyserling asked if Historic Beaufort Foundation had been in on the discussion. Ms. Alley said Historic Beaufort Foundation and Historic District Review Board (HDRB) had been spoken with. Councilman McFee said he spoke with Maxine Lutz, and she told him Historic Beaufort Foundation was part of the process a couple of years ago. Ms. Alley said they “also have a picture from Milner.”

Reed Armstrong asked what kind of bulbs would be put in the lights. Mr. Dadson said the city would have the ability to test the lights and see what works. Adjacency of buildings may make a difference in what they choose as well as energy efficiency.

UPDATE OF BOUNDARY STREET REDEVELOPMENT

Mr. Dadson said the Redevelopment Commission would be updated as well. Mr. Dadson told about various changes that had been requested, such as repaving a portion of Ribaut Road. Mr. Martin showed a phasing approach for the project and the draft schedule time line before the first phase of the project. He demonstrated phases 1A, 1B, and 1C. The design is a T-intersection, but there will be a traffic circle on the other end. Mr. Dadson said they're not down to that area yet, and it will be designed to be a T or a circle. Councilman Sutton said it was a question of money. Mayor Keyserling said they thought they were going to design a T and maintain the land for some possibility in the future.

Speed reduction is important, Mr. Martin said, because "it determines the angles and tangents of the curve." Bends in a road, like Bellamy Curve, would not be permitted by the DOT today. The city requested a 35 mph limit. The more it goes up, the radius increases, and the more "suburban" the curve becomes. SCDOT approved for 40 mph, not 35. They may have to go higher up in the DOT to get it to 35 mph. They've been working with the property owners; the "tighter" that section can be gotten, the better. The parallel road can be set up for what's expected from then on, i.e., a pedestrian standard.

The Boundary Street traffic study has finally been approved, Mr. Martin said. He showed an area in which the traffic signals proposed have been approved. As they're working on the public realm, they have been talking to various property owners and "doing concepts" on three different areas. He pointed out the different in the existing (red) and proposed (green) lights on the chart in response to a question from Mayor Keyserling.

The re-designation also affects how the road section can be constructed moving along Boundary Street, Mr. Martin said. That was very important and is finalized. Utilities are finalized in regard to the duct bank design to cover the existing utilities. "Everyone is signed up," he said, and they're working on SCE&G finalizing the area around City Hall. Mr. Dadson said they got pricing from SCE&G to design putting utilities underground. \$25,000 would be charged against TIF2. He said Mr. Martin will tell them how it will work when the engineering is complete.

Mayor Keyserling said when council set priorities for Boundary Street, they based them on estimates for sales tax. Among their priorities, they voted to put all utilities underground at the same time, and Mr. Dadson said "to the extent that they could." It will be "a substantial chunk," beyond the scope of the non-standard service agreement. Mayor Keyserling said another priority was the 10' multi-modal path, again assuming money was available. The dream was to do the west end as a model, with as much undergrounding as possible, and create connectivity with the multi-modal path. Mr. Dadson agreed those were the priorities. Mayor Keyserling said when the bike paths are removed from the streets, they would have a multi-modal path; he feels they should do as much as they can so as to keep it connected. Councilman Sutton said Councilman McFee needs to ensure that the whole Redevelopment Commission understands what council's priorities are and where they came from.

Councilman Sutton said the city currently doesn't own the section behind Chik-Fil-A, and Redevelopment Commission will have to determine what to do with that. Councilman Sutton said they can deal with private property owners in Higginsonville, but now they can't get the state to approve the road speed they want. "The relationship works with Port Royal," but the plan won't work if the DOT doesn't reduce speed limits.

Mr. Martin said county form-based code is in conflict with DOT standards as well. Councilman Sutton wondered whether DOT realized the effort that had been put into this plan so far. Mr. Dadson said they need the speeds lower to justify a design position. DOT went to 40 mph, and they wanted to create a more consistent speed reduction at the approach and that gets accomplished. The city should thank them for 40 mph and ask them to go to 35 mph to help with the design.

Mr. Dadson said the penny sales tax is the supplemental additional money on top of what they have to work with. Mr. Dadson said TIF2 is there and then there were 2 referendums, and the penny tax was the one that passed. They "got it in with half being the penny and half being impact fees." Mr. Dadson said TIF 2 works incrementally.

Councilwoman Beer asked why DOT is reluctant to reduce the speed. Councilman McFee said it's too big of a reduction because of the feeder roads. He said they will reduce speeds further down the road, according to their letter. Councilman Sutton discussed the disparities of street speeds. He suggested that this is a big topic for the entire city. He assumes DOT wants the city to take roads but wouldn't give the city Highway 21. Mr. Dadson said they want to do the first section right. Mr. Dadson said Mr. Martin should ask for DOT for 35 mph again. Mr. Martin said the speed limits have to do with volumes. The studies are set up "not to model the fine grain network" but to model the bigger roads. There followed a discussion of road speeds and volume. They have suggested that for DOT manual reform, Beaufort County could be the guinea pig. They are pushing on various points.

Councilman Sutton asked what the Redevelopment Commission would be asked to do with this. Mr. Dadson said their role will be to come in and negotiate for property rights acquisitions. It's really with the county and the engineers and DOT. The political push on speeds and design now is on the city. Mayor Keyserling said there is room for the Redevelopment Commission to be working with property owners now. He feels business people can approach other business people and build relationships. Mr. Dadson said the further they go toward the municipality center, the more the Redevelopment Commission role will increase. Mr. Martin said with undergrounding, as one travels from finished to unfinished portions of Boundary Street, the corridor "will be a natural driver to proceed with the rest of it."

Mr. Armstrong said they are looking at a major bus exchange and asked if there was more information on that. Mr. Dadson said the city has released a study and indicated on which area. He said they are trying to design in the area "where the trailhead meets the bus terminal" and "this is where the urban fabric starts." They've been "trying to work this angle for awhile." The DOT has the first phase in front of it. Mayor Keyserling said land was donated for a bus shelter, and Mr. Armstrong said he believes it's where two intersections join. The property donated to them, Mayor Keyserling said, is at Town Center, and he wondered if the other property owner would donate as well. Councilman Sutton said the

shelters are limited in number and one of the biggest costs is land acquisition. Mayor Keyserling said the logical place to do it is at the trailhead. Councilman Sutton said this requires even more buy-in. Councilwoman Beer recalled when all of the Boundary Street corridor planning began.

Mr. Dadson said various partnerships have allowed this to get this far. Mayor Keyserling asked if engineering was complete. Mr. Martin said on the first phase, they're about 50% complete and are waiting on DOT on the speed. Mr. Dadson added that they're also waiting on DOT comments. Mayor Keyserling said there's no match requirement in the penny tax, so they know they have in the \$12 million range for Phase 1. Councilman Sutton reviewed the various pieces that would be involved, i.e., the parallel road.

Councilman Sutton asked if efforts are being made for the Phase 2 property owners. Mr. Martin said parcel by parcel coordination is going on. There may be private redevelopment in 1A and 1B phases. Councilman Sutton said the concerns of private business owners in the middle section were alleviated, and he doesn't want them to recur. The connectivity is hugely important. Mr. Dadson said for private property owners, the traffic study has been accepted. There was some discussion of what's going on in various areas in regard to properties and their owners.

There being no further business, Councilman Sutton made a motion, second by Councilwoman Beer, to adjourn. The motion passed unanimously and the meeting was adjourned at 7:02 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK

A regular meeting of the Beaufort City Council was held on February 8, 2011 at 6:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, Mike McFee, and City Manager Scott Dadson.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

MINUTES

The minutes of the regular council meeting on January 25, 2011 were presented to council for review. On motion by Councilman McFee, second by Councilwoman Beer, council voted unanimously to approve the minutes as written. Councilman Fordham abstained because he was not present at the meeting.

AMENDMENT REVISING MARSH GARDENS PLANNED UNIFIED DEVELOPMENT (PUD)

Councilwoman Beer, second by Councilman McFee, made a motion to approve the amendment on second reading. **Reed Armstrong**, Coastal Conservation League, said it's often difficult to find a satisfactory compromise position between a developer and the city's comprehensive plan, so he was pleased that had apparently happened in this case. He expressed hope that in future projects in the Boundary Street Master Plan area, this will set a precedent. **The motion passed unanimously.**

MOTION TO CONSIDER ACCEPTANCE OF REYNOLDS STREET INTO THE CITY SYSTEM

Councilwoman Beer, second by Councilman Fordham, made a motion to approve acceptance of Reynolds Street into Beaufort's street system. Mayor Keyserling explained the issue in brief to the assembled public.

Councilwoman Beer amended her motion to include consideration of acceptance upon obtaining funds from CTC for resurfacing of the street. Councilman Fordham seconded the amended motion.

Councilwoman Beer withdrew her motion and Councilman Fordham his second. Councilman McFee made a motion to include consideration of acceptance upon obtaining funds from CTC for resurfacing of the street and to include the acceptance of a maintenance agreement between TCL and the City of Beaufort. Councilwoman Beer seconded the motion. **The motion passed unanimously.**

RESOLUTION REQUESTING REDUCTION OF SPEED IN THE BOUNDARY STREET REDEVELOPMENT DISTRICT

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the resolution. Mayor Keyserling said the reason for the resolution is that there are design issues at the intersection of Highways 170 and 21 and this will allow for the optimum road curve. Mr. Armstrong said the issue has been clearly laid out, and the resolution was important for the success of the Boundary Street Plan and the safety of vehicles and pedestrians. He wished the city his best in their efforts with the DOT.

Mr. Dadson said he had heard from Rob McFee, the County Division Director of Engineering and Infrastructure, that Mr. McFee is advocating in Columbia for this and other matters. **The motion passed unanimously.**

REQUEST FROM GUILD OF BEAUFORT GALLERIES FOR WAIVER OF OPEN CONTAINER FOR VALENTINE ART WALK

Councilwoman Beer, second by Councilman Fordham, made a motion to accept the request for the February 14, 2011 event. Councilman McFee asked if this is the same as a previous Art Walk request with regard to its expansion of the event area to Carteret Street. Mr. Dadson said yes. **The motion passed unanimously.**

REPORTS BY COUNCIL MEMBERS

Councilman McFee briefly discussed the two meetings of the Redevelopment Commission he had attended as a new member of the commission.

Councilwoman Beer said a definite date for the next Lt. Dan Weekend will be September 16, 2011.

Councilman Fordham said that several weeks ago, he had questioned the pilings at the site of the old Shell station next to Wendy's on Boundary Street and requested that they be removed so it could be used for parking, but nothing has been done. Councilman Sutton said he disagrees with any plan to use an area intended to be a vista onto the marsh for parking. There was some discussion about this. Mayor Keyserling agreed that signs might be a good idea for notifying the public that it is an open historic site. Councilwoman Beer said she believes it was created to be an open space, not a park or parking area.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman McFee, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws for a legal briefing from the city attorney. The motion was approved unanimously.

Councilwoman Beer, seconded by Councilman Sutton, made a motion to come out of executive session and resume the regular council meeting. The motion was approved unanimously.

ADJOURNMENT

There being no further business to come before City Council, Councilwoman Beer made a motion to adjourn, seconded by Councilman Sutton. The motion was approved unanimously, and the meeting was adjourned at 7:15 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK

CITY OF BEAUFORT
DEPARTMENT REQUEST FOR
CITY COUNCIL AGENDA ITEM

*** (Deadline for Submission - Wednesday Noon
Prior to Tuesday's Meeting) ***

TO: City Council

DATE: February 18, 2011

FROM: City Manager

AGENDA ITEM TITLE: Ordinance Rezoning a Parcel of Property Located at 1403 Greenlawn Drive, from Neighborhood Commercial District to Marsh Gardens Planned Unit Development (PUD) – 2nd Reading

MEETING DATE: February 22, 2011

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

1st Reading Held on January 25, 2011

APPROVAL BY CITY MANAGER: **APPROVED** **NOT APPROVED**

CITY ATTORNEY APPROVAL REQUIRED **YES** **NO**

PLACED ON AGENDA FOR:

REMARKS:

Council action:

2nd Reading and Approval

RESOLUTION

WHEREAS, the collection of historic artifacts, known as The Beaufort Museum, are currently stored in the City of Beaufort Court House, on Parris Island, and in Columbia, South Carolina; and

WHEREAS, there is a strong desire by citizens and the Beaufort City Council to preserve, protect and exhibit these historic artifacts; and

WHEREAS, a group of concerned citizens convened a committee, known as The Beaufort History Museum Committee, in December, 2010; and

WHEREAS, The Beaufort History Museum Committee is composed of Katherine Lang and Mary Lou Brewton, Co-Chairs, Harry Chakides, Jim Cato, Alvesta Robertson, Bruce Doneff, D. C. Gilley, and Advisory Board members, Steve Wise, Larry Rowland, Dave Smoot; and

WHEREAS, the mission of the Beaufort History Museum Committee is to retrieve and conserve Beaufort's collection of valuable historical artifacts, to properly dispose of artifacts insignificant or not associated with Beaufort's history or the period being interpreted by the Museum, to provide for display of relevant portions of the collection in an environment accessible to the public; and

WHEREAS, the Beaufort History Museum Committee appeared before Council in a workshop on February 15, 2011, with a request to Council that the Committee assume management of the City's collection of historic artifacts, beginning with cataloguing the artifacts, assessing historical relevance, and conserving or properly divesting items as recommended by the Committee and approved by the City Council; and

WHEREAS, the City Council desires to designate the Beaufort History Museum Committee as a committee of volunteers with the City's insurance protection from liability and for injury and losses that may occur from their activities on behalf of the City of Beaufort;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beaufort, South Carolina, so grants management authority of the City's museum collection to the Beaufort History Museum Committee, which shall serve as an ad-hoc committee for a period of one year.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 22nd day of February 2011.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

RESOLUTION

WHEREAS, the City of Beaufort has a Waterfront Park know as the Henry C. Chambers Waterfront Park, that is used for a variety of different events; and

WHEREAS, the City believes the Waterfront Park creates positive energy downtown; and

WHEREAS, the City wants to continue to encourage use by citizens; and

WHEREAS, the City incurs cost associated with the public use of the park; and

WHEREAS, the City has to be fair to its taxpayers and seek to recoup costs related to events; and

WHEREAS, the City has established a policy to govern use and a set of rates to be applied for use of the park.

THEREFORE, BE IT RESOLVED, that City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, that the City of Beaufort should approve the Special Events Policy, Associated Rates and City Council Co-Sponsorship Form.

IN WTNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 22nd day of February 2011.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

SPECIAL EVENTS POLICY

PAGE 8

BUSINESS LICENSE FOR PRIVATE EVENT –
DISCUSSED AT WORKSESSION FEBRUARY
15, 2011

Business License for a Private Event.

In order to conduct business in the City of Beaufort, the organizers must obtain a City of Beaufort business license through the Business License Office located at City Hall. The Organizer shall be responsible to ensure that all vendors hired to support the Organizer's event also have a City of Beaufort Business License. This includes but not limited to caterers; tent, tables and chairs rentals; florists and musicians. The Organizer will be held financial responsible for any vender found not to have a valid business license. For questions or additional information, please call (843)-525-7025.

Event License for Public Show or Festival

An Organizer of a show of event opened to the public either for free or for an admission fee shall obtain an Event License from the City. The license shall be for a period not to exceed fifteen (15) consecutive days and the fee shall be:

Estimated gross revenues from space rentals/retail sales up to \$10,000 or up to 25 exhibitors, whichever is greater. \$125.00

Estimated additional revenue of each \$10,000 or portion thereof up to \$1,000,000 or each additional five exhibitors or portion thereof, whichever is greater. \$ 30.00

Fireworks Permit

The company providing pyrotechnic service must submit an application to the State of South Carolina for a State Fireworks permit and provide a copy to the Beaufort Fire Department at (843)-525-7035 at least 30 days prior to the event.

Road Closure

In the event of a road closure, the event organizer is responsible for securing approval to close roads from the City Manager's office. Final approval for all street closures is under the preview of the SCDOT.

Vendor and Food Sales- Private Event

In accordance with provisions of the Memorandum of Understanding, it is the City's policy to allow the sale of food, beverages and event-related merchandise on City-owned or City-controlled property during special events. When using City facilities, vendor fees may apply. Please contact the Special Events Committee representative at 843-525-7070 or by email at iburgress@cityofbeaufort.org for more information.

The event organizer is responsible for procuring vendors for the event, and must provide to the City a list of food and beverage vendors and event-related merchandise that will be sold during the event, as well as any electric or water needs for each vendor. The Event Organizer must also provide a diagram showing the proposed location of each vendor. The City requires this information 10 business days prior to the event. The City reserves the right to exclude any vendor from using City facilities which in its sole discretion is selling a product or service which is contrary to the safety, health or welfare of the public. The City

SPECIAL EVENTS POLICY

PAGE 8

BUSINESS LICENSE FOR PRIVATE EVENT –
PROPOSED CHANGES TO POLICY PER
COUNCIL DISCUSSION AT WORKSESSION
FEBRUARY 15, 2011

Business License for a Private Event.

In order to conduct business in the City of Beaufort, the organizers must obtain a City of Beaufort business license through the Business License Office located at City Hall. The Organizer shall be responsible to ensure that all vendors hired to support the Organizer's event also have a City of Beaufort Business License. This includes but not limited to caterers; tent, tables and chairs rentals; florists and musicians. The Organizer will be held financially responsible for any vendor found not to have a valid business license. For questions or additional information, please call (843)-525-7025.

The City will assist the event organizer of a private event in fulfilling its obligation to ensure that all vendors involved in a private event comply with the City's Business License requirements. To do so, the organizer is requested to provide the City with a listing of all vendors that will be involved in the event. From the listing the City will inform the organizer which vendor does not have a current business license. The organizer may then choose from two options.

Option 1: The organizer may elect to include the estimated gross receipts that the unlicensed vendor will receive from the event with the gross receipts that the organizer discloses on its annual Business License application and inform the City which vendors are to be so included and the amount of each vendor's estimated gross receipt. Upon doing so, the such vendors will be deemed to have a valid City Business License.

Option 2: The organizer may notify the City as to which unlicensed vendors will not be included in the organizers annual business license application. The City shall in good faith attempt to secure a business license from such vendors prior to the event. The City shall notify the organizer of progress made prior to the event. The failure of the City to secure a business license shall not relieve the organizer from being financially responsible for any vendor associated with the event and not having a business license

Event License for Public Show or Festival

An Organizer of a show of event opened to the public either for free or for an admission fee shall obtain an Event License from the City. The license shall be for a period not to exceed fifteen (15) consecutive days and the fee shall be:

Estimated gross revenues from space rentals/retail sales up to \$10,000 or up to 25 exhibitors, whichever is greater. \$125.00

Estimated additional revenue of each \$10,000 or portion thereof up to \$1,000,000 or each additional five exhibitors or portion thereof, whichever is greater. \$ 30.00

Fireworks Permit

The company providing pyrotechnic service must submit an application to the State of South

WATERFRONT PARK PROPOSED FEES

<u>Park Area</u>	<u>Current Charge for full day use</u>	<u>Proposed 4HR Block</u>	<u>Proposed 6HR Block</u>	<u>Entire Park 12 HR Block</u>
Contemplative Garden	100	200	400	2200
Pavilion	125	350	500	
Green 1	100	300	500	
Green 2	150	450	750	
Electrical	25-50	50	75	
Deposit	200-1000	500	800	1100

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event _____

Date of Event: _____

Contact person: _____

Telephone: _____

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		**
<i>Is this a fund raising event?</i>		
<i>Is this event open to the public?</i>		
<i>Is there a required fee / donation to attend this event?</i>		
<i>Are you requesting more than two (2) park areas for this event?</i>		
<i>Will there be any type of "sales" for this event?</i>		
<i>Will this event require more than four (4) hours (includes setup & take down)?</i>		
<i>Will alcohol be sold / served?</i>		

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? _____

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Parks Superintendent Recommendation: Approved: _____ Denied: _____

Explanation: _____

Forward for Council Deliberation: _____

Date of Council Meeting

Council: Approved: _____

Denied: _____

Explanation: _____



Historic Beaufort Foundation

Post Office Box 11, Beaufort, South Carolina 29901

Phone: 843 379 3331

Fax: 843 379 3371

February 2, 2011

Mr. Scott Dadson, City Manager
1900 Boundary
Beaufort, SC 29902

Dear Mr. Dadson,

This year, Historic Beaufort Foundation will be hosting its annual Lafayette Soiree on April 30th at 302 Federal Street. The income generated from the event will help to ensure that the Foundation can meet its mission to support the preservation, protection, and presentation of sites and artifacts of architectural, historical, and cultural interest throughout Beaufort County.

This year's event will be a very special evening designed around celebrating Beaufort's 300th birthday. The evening will feature food prepared by local chefs, music, and dancing. We expect that the event will run from 6:30 until approximately 11:30 with 300 people anticipated to attend.

We are asking permission from the City to close public access to the corner of Federal and Pinckney Streets. This will help us to monitor and control access to the event while also maintaining a higher level of security. We will have valet parking as well as a police officer on site.

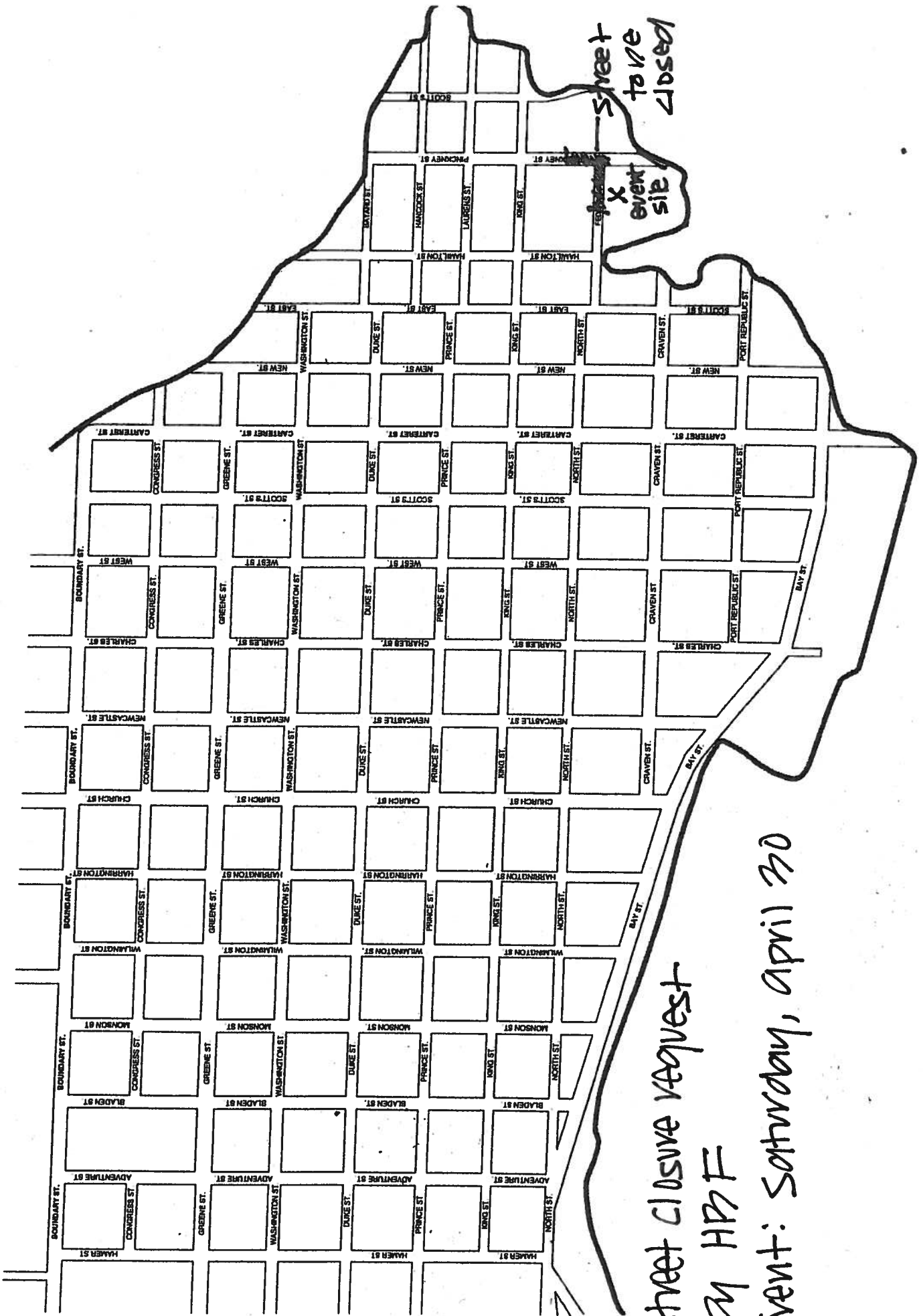
A letter announcing the event to the neighbors will be sent later in the month.

Thank you for your consideration.

Sincerely,

Julie Good

Executive Director



Street closure request
 by HPF
 Event: Saturday, April 30