

A meeting of the Historic District Review Board was held on **June 12, 2019 at 2:00 p.m.** in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Chairman Chuck Symes, board members Bill Allison, John Dickerson, Quinn Peitz, and Katherine Pringle, and David Prichard and Heather Spade, city staff.

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

Chairman Symes called the meeting to order at 2:00 p.m.

MINUTES

Mr. Peitz made a motion, second by Mr. Dickerson, to approve the minutes of the May 8, 2019 HDRB meeting. The motion to approve the minutes as submitted passed unanimously.

REVIEW OF FULL BOARD PROJECTS

910 PORT REPUBLIC STREET, PIN R120 004 000 0912 0000

New construction

Applicant: Stephen Schein, Jr. (19-10 HRB.1)

The applicant is requesting approval to construct a new building on this parcel.

Stephen Schein, Jr. said he and his father are “looking for an extension.” The original period ended May 23, and they wanted to know the length of an extension. Ms. Spade said an extension lasts 12 months, but an applicant has to apply for an extension 30 days prior to the end of the initial 24-month period.

Mr. Schein said he and his father, **Stephen Schein, Sr.**, have agreed to stick with the project as initially presented, so the letter he sent is no longer valid. Chairman Symes said he is confused and extremely disappointed in staff’s work on this application. The HDRB and staff have discussed the need for staff to do work on behalf of the board, which needs architectural and planning support, he said. The applicants need approval to demolish the building, then to build something, Chairman Symes said. He is sorry the applicants have had “this mess befall” them, and he feels they shouldn't have to have additional application fees imposed on them in the future.

Chairman Symes asked if they should do a conceptual approval without demolition, or demolition *and* conceptual approval.

Mr. Allison asked why the applicant is asking for an extension, but not doing the work. He said the Scheins haven’t done anything in the 2 years since the original approval, and it doesn't sound like they are planning to do anything for another year. Mr. Schein said he retired and intended to return to Beaufort to retire, but he hasn’t been able to yet.

He can make some forward movement here, he said, but it's limited. He said Mr. Schein, Sr. has made it clear that this is to be his son's project. They want to make progress, Mr. Schein said, but it will be slow. If it's required to have a demolition before conceptual approval, they will do that, he said; if they could get both today, that would be fantastic, but he understands if that can't be done. Mr. Schein said they are doing this to move forward as soon as possible per his circumstances.

Mr. Allison said the board has old staff notes but not the letter that was sent to the applicant after he came to the HDRB 2 years ago. Mr. Schein said, "The iterative process will change that presentation." He will work with an architect as that moves forward. Mr. Peitz said the board had talked about multiple issues in 2017. Mr. Schein said he would address those. He would like to move forward with the project, but the earliest he could do that would be next spring.

Ms. Pringle said there hasn't been a formal application for demolition or a public hearing, so the board couldn't decide on that today.

Mr. Allison suggested that since Mr. Schein hasn't submitted a plan, and this process would be starting over, he would like the applicants to respond to the prior comments the HDRB made. This process will take 3 or 4 months, he said, and Mr. Schein would have to submit applications for different approvals. If Mr. Schein were his client, Mr. Allison said, he would make the formal application process later, so when he gets approval next February or March, he could take his time, and that would give him more time than the board's approval process.

Mr. Peitz said he was here for the initial application, and the HDRB supported it. He said he'd requested the minutes of the meeting where the original application was considered; Ms. Spade said she didn't see that request. Mr. Peitz said **Lauren Kelly's** staff report said any future submittals would address staff and board comments, but those comments have not been addressed yet. There's a linear process, he said, and if the Scheins don't get demolition approval, it would be a waste of the applicant's and the board's time. Mr. Allison said, normally, "it's not just a linear process." The board wants to see a concept of what will replace the building when it is demolished.

Mr. Peitz explained the steps of the process, and the submittal of the conceptual plan is done after the demolition approval. The comments staff and the HDRB made 2 years ago were good, he said. The HDRB today is in an awkward position, and Mr. Peitz feels this is no one's fault, but the process needs reevaluation. The applicant should come back to the board with a demolition request and conceptual approval, he said, and then if the board approves demolition, the applicant could move forward with the conceptual plan.

Mr. Schein asked if the HDRB has a guide he could read. Chairman Symes said on the city website, under "HDRB," the application process is detailed. He thinks Mr. Peitz outlined

perfectly the process for getting the demolition and the HDRB's first look at replacement buildings.

Mr. Dickerson explained what the HDRB looks at and suggested Mr. Schein look at the Milner guidelines. Knowing that and the city's master plan will prepare Mr. Schein for the questions staff and the board will have, he said. Chairman Symes said a courtesy visit with HBF to get their opinion would also help the applicant know what he does and doesn't want to change.

Chairman Symes said he wasn't aware the applicant's application had expired. Since it would be a few months before the applicants could work on the project, he suggested bringing it back when they're ready, and there shouldn't be additional costs. Mr. Dickerson said if the board would table the application, Mr. Schein could come back without additional costs.

Mr. Prichard said the applicants had asked for an extension, and staff said they needed to have applied for it 30 days before. If the applicants had asked for an extension 30 days before, they wouldn't be at the HDRB meeting. Planning was trying to be decent, he said. This "really isn't a do-over," Mr. Prichard said, but an effort to give the applicants an extension while following the code. Mr. Allison said, "Either way, it's the same. "

Of the 2 options, Chairman Symes felt tabling it would be better. Mr. Prichard said there's nothing to extend because the application has expired.

Heather Seifert said HBF's Preservation Committee had a similar conversation. She offered to help the applicant however she could. Mr. Prichard said he's okay with waiving the fees when Mr. Schein applies again.

Mr. Dickerson said the HDRB has recently discussed an application it approved to move a building for which the applicant said he had only a short timeframe in which to get work on it rolling, and now it's been 2 years, and nothing's been done since it was moved. It's problematic for the city to have "approvals that are just hanging out there," he said. The board is first interested in having positive things happen and move forward, Mr. Dickerson said, but things have happened in the last 18 months that haven't been good.

Maxine Lutz said she recalls this project and HBF being happy with the conceptual approval, but someone on staff should have gone through everything with the applicant like Mr. Peitz did. The board should not be explaining the process to applicants, she said. It's important to have staff that will focus on preservation in the Historic District, Ms. Lutz added. Mr. Schein, Sr. has done great work in preservation, she said, and he shouldn't have to go through this today, so staff should "step to the plate."

Chairman Symes said if the application is expired, the board can't recommend an extension, but he strongly recommends that the Scheins not have to pay more fees in the future.

Mr. Prichard asked what the board means by "conceptual approval." Mr. Peitz said some people feel conceptual approval for this project has expired, so "we go back to square one." The applicants could present an application for demolition and a new series of plans for what replaces the demolished building. He said, "We are not so onerous" as to have the applicants go back to the beginning with nothing, so they will be guided, and they might be able to run the steps of the process concurrently. Mr. Peitz said he's ready not to have the applicant pay any fees again because of the confusion of the city staff. The applicants could reference the 2017 approval. They will have to pay design fees, anyway, he said, and Mr. Schein could come back to the board to have them look at the demolition and project applications in a "practical and logical way."

Mr. Prichard said what was decided in 2017 was conceptual approval. The Scheins are coming back now, and this was meant to be an opportunity for them to see if the board would approve the conceptual approval from 2017. Mr. Allison said the applicant had submitted "a set of working drawings," but conceptual approval is given for something that is "almost a sketch." You should not hire an architect to get a conceptual approval, he said. The previous board had approved the concept only, not the drawings.

Chairman Symes apologized to the applicants about "this mess," and he asked them to do the demolition and conceptual applications in the spring and to ask questions of staff if they have them.

Chairman Symes made a motion to recommend that the city not charge the applicants for additional application fees when they bring the project back. Mr. Allison seconded the motion. The motion passed unanimously.

OTHER BUSINESS

Mr. Prichard said staff wants to provide the best support to all of the boards. He has looked for an architect to support the HDRB, and he's still trying to do that. The planning department is short-staffed, he said.

There has been criticism of staff in this situation, Mr. Prichard said, but Ms. Spade had explained the situation to Mr. Schein, Sr., who was "confused." She tried to find a solution, and that's why this happened this way, Mr. Prichard said. He understands the board's frustration, but he wants them to know that Ms. Spade was trying to be "compassionate."

Mr. Prichard said if the HDRB needs someone who specializes in a particular kind of architecture, they should ask him to find someone. He said he is sorry the board asked

for the 2017 meeting's minutes and didn't get them; he'll look for them. The deadline for an application is two weeks before the HDRB meeting, he said, and staff has a week to do the report.

Mr. Prichard said the board members are expected to have the necessary design expertise. The ordinance doesn't guarantee staff support for boards, he said, and while they have had that in the past, by law, the board is expected to work on its own.

Mr. Prichard said he had a long interview yesterday with someone with two master's degrees in planning and design. If that hire happens, good, but if it doesn't, he has it in his budget to hire experts to help the boards.

Mr. Allison said the board doesn't need an architect to review applications; it needs someone who understands the code, which Ms. Kelly did because she helped write it. He suggested that SCAD has a very good historic preservation program. They need someone who understands historic architecture and what our "code means in terms of how to look at a building," he said.

Ms. Pringle said the board's first opportunity to discuss the applications is in front of the applicants. If the board needs to consult an expert, they might need another meeting to do that first.

Mr. Allison said they need to look at the guidelines again for the steps of the process. Ms. Kelly often did preliminary and final approvals herself. She did detailed write-ups, but he doesn't think the city can be expected to deliver that level of service now. He thinks the HDRB needs to take more detailed looks at projects, rather than relying on staff to do "further approvals."

Mr. Dickerson said the board gave Ms. Kelly the ability to see that the applicants did small things that the board had suggested (e.g., "Take that awning off") before giving final approval.

Ms. Lutz said Ms. Kelly had been "under a directive to speed up the [approval] process," which had gotten bogged down in the past, so that's why applicants didn't come to the board 3 times: so, they could get going on their projects. She thinks someone with architectural experience would be good, but Planning needs someone with historic preservation experience.

Mr. Prichard said he would like more expert staff, but there isn't the budget for it. If the board doesn't have the expertise, and staff can't answer their questions, he would find an expert to do it. He suggested adding an additional week to the process between submitting an application and going to the board.

Chairman Symes said he agrees with Ms. Lutz that there was a push to make the process

faster for applicants. When something looked like it was 95% there, the board would have Ms. Kelly take care of it, he said. He's not sure what type of staff person is needed to support the board; they need to have a historic preservation background and architectural expertise. Chairman Symes feels the city needs to look at what each board member's area of expertise is. **Joel Newman**, for example, could look at something and recommend what the applicant needed to do to fix the architecture, he said.

Mr. Prichard said one HDRB member needs to be a member of HBF. Ms. Pringle is the "de facto HBF representative," Mr. Dickerson said. He feels the HDRB is "over-weighted with HBF connections." Chairman Symes said he is also on the HBF board of trustees. HBF can decide who its designated person on HDRB is, he said.

Chairman Symes said it wasn't clear to him today why the board was here, and any chairperson should know why the board is meeting. Mr. Prichard said staff thought the board would say the applicant still had conceptual approval. Anyone he brings on staff will have to learn the Beaufort Code. Ms. Spade is learning and so is he, Mr. Prichard said.

If the board needs something, they need to ask staff, Mr. Prichard said. He feels their frustration because of the great job Ms. Kelly did. Mr. Allison said he asked for minutes and staff comments as soon as the board received the email about this project, but they still don't have some of that. Some applicants will try to get around the board or try get away with something, he said, though that's not the case with this application.

Mr. Dickerson said the building that was on Charles and Craven Streets was approved to move in a hurry; the applicant had plans for the building, but it's sat there for 18 months, and nothing has happened, other than the building being lowered a bit. Mr. Allison said the approval was to sit the building on the site, and the applicant got a building permit to raise the building on a foundation 15' up in the air. He knows the building inspector came to see it. It's been permanently moved, but there's no way to get in it and no plan for it. Mr. Allison was told the owner has been renewing "the building permit every so often."

Ms. Pringle asked who is responsible for monitoring something like that. Mr. Dickerson said Codes Enforcement has to be involved. When the board pulls the trigger on something that is *supposed* to be a concept, he said, the applicants "have done an end-around," with no concern that anything at all will happen to them. Mr. Dickerson said it's really important that the board has "some teeth" to enforce what it tells applicants they have to do. Mr. Prichard said when the board members see things that are "awry," they should call staff.

Mr. Allison asked if he should call Codes Enforcement about this building at Newcastle and Congress. Ms. Spade said **Ken Meola** said he'd looked at it, but he doesn't have an update on it. Mr. Prichard said the city's Codes Enforcement guy has been having to do

other things that aren't his job.

Mr. Allison said he assumes there is a file system for what has been submitted and what's been acted on, so the board needs to know how this person with the building at Newcastle and Congress got permission to do what he's done. Mr. Prichard said he could be cited, and the city could take action on it. Mr. Allison said this is the second year that this has been going on. Mr. Dickerson said he brought it up a few months ago; Mr. Allison said he brought it up as soon as he saw the building "jacked up into the air," so he's been trying to get something done about it for more than a year.

Ms. Lutz said HBF gets a lot of calls about what's going on, and in the past, Ms. Kelly or Mr. Meola would check it out and stop work if necessary. She asked if Mr. Prichard has considered hiring "a contract historic preservationist." Mr. Prichard said yes. Ms. Lutz said she has some names of good possible candidates for that position.

Mr. Prichard said he had budgeted \$300,000 for the Comp Plan update, but to save money, staff's doing that, so there are funds to contract with experts.

Ms. Pringle asked Mr. Prichard why the board didn't get the Scheins' packet earlier. Mr. Prichard said Mr. Schein, Sr. missed the deadline to apply for the extension, and he seemed confused about what to do. Ms. Spade said she thinks Mr. Schein, Sr.'s confusion is why Mr. Schein, Jr. is taking over the project. Mr. Dickerson said the first thing he got about this application was on June 7. Chairman Symes said an extra week for the board to review would be good. Mr. Allison said staff should not be afraid to enforce deadlines. It's okay to push someone off for a month in order to get a proper submittal, he said.

Mr. Prichard said the open HDRB positions are posted.

The board thanked Mr. Peitz and Chairman Symes for their service to the HDRB. Ms. Lutz asked how the board would operate until their replacements are chosen. Chairman Symes said the board could operate with 3 members.

There being no further business to come before the board, **Mr. Peitz made a motion, second by Chairman Symes, to adjourn the meeting. The motion passed unanimously,** and the meeting was adjourned at 3:07 p.m.