

Aiken City Council Minutes

August 13, 2013

CITY COUNCIL AND PLANNING COMMISSION JOINT MEETING

Council Present: Mayor Fred Cavanaugh, Councilmembers Dewar, Ebner, Homoki, Merry, and Price.

Planning Commission Members Present: Liz Stewart, John McMichael, Bob Besley, Kent Cubbage, Jack Hunter, Terry Provost, and Susan DeBruhl.

Absent: Councilmember Diggs.

Others Present: Richard Pearce, Stuart Bedenbaugh, Gary Smith, Ed Evans, Carla Delaney, George Grinton, Susan Mimmie, Maayan Schechter of the Aiken Standard, and 19 citizens.

Mayor Cavanaugh called the meeting to order at 4:01 P.M.

ACTION AGENDAPlanning Commission

Mayor Cavanaugh welcomed attendees and explained the Planning Commission and City Council meet jointly once a year to discuss the Action Agenda. Mayor Cavanaugh thanked the Planning Commission for the work they do. He stated the items on the Action Agenda are discussed and then put in order of priority, decided by City Council and the Planning Commission.

City Manager Richard Pearce stated the purpose of the meeting is to give the Planning Commission direction. He stated that there are a couple of items that have come up that may need to be added to the Action Agenda. One of the potential items is whether or not bridges in the right of way should be subject to Design Review Board jurisdiction and part of their scope of review as proposed projects. Another issue that has come up to the Planning Department is the use of LED lamps for commercial development, and there was an item that was discussed last year regarding inoperable vehicles on commercial properties. He stated the Planning Commission had also discussed the definition for Residential Assisted Living Facilities. These are just four potential items for discussion.

Liz Stewart reviewed the status of the items on the FY 2013 Action Agenda.

- 1) Northside Transportation Study. Completed and adopted by City Council.
- 2) Natural Resources Element. Currently in progress. It is scheduled for a primary topic for the September Planning Commission Worksession, and if it goes well, there may be a public hearing as early as October, and then it will go to City Council for consideration.
- 3) Amendment to the Zoning Ordinance regarding definition of "dwelling unit." There was a considerable amount of time spent on this issue, and the Planning Commission gave it a great deal of thought. There were a lot of accommodations made to include public input. There was a special worksession geared to get public input because they felt it was important to hear the concerned citizens. It was sent to City Council for public hearing and recommendation on July 9.
- 4) Amendment to the Zoning Ordinance regarding determination of length of a building in the Planned Residential, Planned Commercial, and Planned Institutional zones. Completed and adopted by City Council.
- 5) Amendments to the Zoning Ordinance regarding commercial storage containers. Completed and adopted by City Council.

Ms. Stewart stated there was no progress made on items 6-10. She stated during this time, the Planning Commission has had three new commissioners who have had to be brought up to speed.

- 6) Possible amendments to the Zoning Ordinance regarding the depth of untouched buffers required for commercial and multi-family residential projects. No progress.
- 7) Review the Policy on Provision of City Services to Unincorporated Areas. No progress.
- 8) Review of the Land Development Regulations. No progress.
- 9) Review of certain sign provisions in the Zoning Ordinance. No progress.
- 10) Possible study of the area bounded by Richland Avenue, York Street, Hampton Avenue, and Beaufort Street. No progress.

Mr. Pearce stated the item regarding the definition of dwelling unit is going to be on the September 9, 2013 City Council agenda.

Councilman Philip Merry stated there were several people in attendance interested in hearing information regarding the historic bridges and what plans there might be from the Department of Transportation regarding them. He stated at some point the Planning Commission and City Council will probably have an opportunity to consider an amendment to the Zoning Ordinance related to the control or oversight the City has for plans for the bridges. Councilman Merry asked that the public be recognized and allowed to speak regarding this, since they are in attendance.

Mr. Pearce stated the two issues. One is there is a pending petition to have the existing historic wooden bridges added to the historic register. The second is the Design Review Board has very limited jurisdiction in the right of way. For example, curbing is something they can consider, but bridges are not listed. The amendment to the Zoning Ordinance for Planning Commission review, in addition to the petition to designate the bridges to the register, would be whether bridges would be in the Design Review Board's scope of review. It would be an actual amendment to the Zoning Ordinance.

Mayor Cavanaugh stated it is an item that can be added to the Action Agenda and he welcomes the public's comments.

Planning Commissioner McMichael stated it is being proposed that the bridges be raised, which will broaden the footprint, and will change all the landscape and impact the residents.

Mr. Pearce stated whether you talk about Union Street, Fairfield Street, or York Street, you can see impacts that are more severe than what are at the Laurens Street bridge.

Mr. Merry stated the Department of Transportation is looking at replacing the bridges and working on a design for them. He feels it would be worthwhile for City Council to consider whether the City wants to have any input with respect to the Department of Transportation's efforts.

Councilman Steve Homoki stated he was not sure what could be done about the wooden bridges. He is familiar with some wooden bridges in Woodside and thought the City stated they would not accept wooden bridges.

Councilman Reggie Ebner stated that about 40-50 years ago, the State said that as a policy, they would not replace any wooden bridges with wood. Wooden bridges with heavy use would deteriorate more quickly. He stated the case with Woodside is a different issue because it is not a state highway. When dealing with bridges, whether state or federal, whoever is going to do it needs to get the rules. There are very strict rules for highway bridges, and these would be designed for truck traffic. He stated something has to be done soon so the bridges are not closed. He has been told it is not

the decking, but the support under the bridge, because the pilings are bad. He also stated that the railroad people are very particular, and when dealing with the bridges we are dealing with the railroad. He feels it would be wise to place this under the Design Review Board. He is happy to meet with the Design Review Board and give them names and numbers of people to contact for help.

Councilman Merry stated the largest impact on downtown would be the grade change. If the bridges are raised and the grade is changed, the parks will be destroyed, trees will be taken down, and there will be on and off ramps that extend farther out. Councilman Merry feels it would be in the best interest of the City to get involved now, rather than wait. He stated that City Council voted, as part of the Master Plan, to retain and maintain the wooden bridges on these three specific roads that the Department of Transportation is looking to redesign right now.

Planning Commission Chair Liz Stewart asked why the Department of Transportation is looking at the bridges now. She asked if there was a specific concern.

Mr. Pearce stated the bridges are inspected and are graded on a 100 point scale, and the York Street bridges are at a 12. Mr. Pearce stated there is a state law that anytime the Department of Transportation is going to do a project within the boundaries of a municipality, they have to gain the consent of the governing body before they proceed.

Ms. Stewart asked if the bridges are designated as historic structures, does that absolve the state of any responsibility that the City may have to assume.

Councilwoman Price stated she feels there is a list of bridges and the city needs to see the list to see where they stand, otherwise we are speculating.

Mr. Phil Johnston, Jr. stated he and a group are very concerned. The bridges and parks are part of Aiken. He stated that changing the grade of the Union Street bridge will necessitate the park to be torn up and the possible loss of trees down Colleton Avenue. The very essence of Aiken will be disturbed. The manhole cover on the northside of Union Street is where the first stake was put in the ground to start Aiken. The first train station was in front of the park. The second one was 50-100 feet to the west of the Union Street bridge. Almost everything that identifies Aiken was in that area. He does not feel that designating the bridges as historic will keep them from being destroyed, but it sends a signal that the City values them and will do what they can to preserve them.

Mr. Johnston stated he wrote Norfolk Southern and received a reply. He heard that Norfolk Southern wanted to make the bridges higher, but in the reply from John Friedman, Vice President of Norfolk Southern, he wrote that they did not request that the bridges be replaced. Norfolk Southern is not behind the bridge survey; it is the Department of Transportation.

Councilman Dewar stated it seems to him that the Design Review Board needs to get involved, but also everyone needs to be on the same page, because there is a lot of information to be analyzed.

Mr. Johnston stated the ambience and the character of the town are what bring people to Aiken. He feels if the bridges and parks are destroyed little by little, this will be ruined.

Mr. Pearce stated he does not mind scheduling a Worksession to discuss the bridges. There is about a one year time frame to work with, so getting this item on the Action Agenda is important. The Planning Commission will need to amend the Zoning Ordinance and then the amendment will go to City Council for approval. During this same time, a designation request is going before the Design Review Board, then to the Planning Commission, and eventually to City Council for approval.

Ms. Stewart stated it should be a priority item and after reading the letter from Norfolk Southern, she feels it's more than a little research being done by the Department of Transportation.

Councilman Merry stated he would like to meet with a Department of Transportation representative to see exactly what is being planned.

Mr. Ben Lott, Design Review Board, stated he endorses Phil Johnston, and he is in favor of the Design Review Board being involved. He feels it would be tragic to see the bridges changed so drastically.

Councilman Dewar stated the legislators designated a significant amount of money because of concerns nationwide and within our state because of concerns with infrastructure, including bridges. If the Design Review Board and Planning Commission are involved, he would like for them to report to City Council to keep them informed.

Mr. Pearce stated that after tonight's meeting, a letter is being written to the Department of Transportation to let them know what the City is doing.

Mayor Cavanaugh stated that letters also need to be written to the representatives and legislators.

Planning Commissioner Kent Cabbage stated in reading the letter from Norfolk Southern, they would be happy to have higher bridges. They have put a lot of thought into this issue.

Councilman Merry stated Norfolk Southern has an agreement with the Department of Transportation for 23 foot height for bridges across the board. There can be differences, but the standard is 23 feet. He feels it is unlikely they will want 23 foot bridges, especially since they already approved 21 ½ feet on the new Laurens Street bridge.

Mr. Robert Smoak stated, in regard to the height, he saw the notes of the chief surveyor and asked the height of the Union Street bridge, and it averages about 20 ½ feet. The Laurens Street bridge is 21 ½ feet. This is the only rail access into Aiken, so it makes no sense to build the other bridges 23 feet.

Councilman Ebner stated the Laurens Street bridge probably has a life span of about 100 years.

Councilman Merry stated Aiken is on the map because of the railroad. Aiken was named after the president of the railroad. The tracks predate our historic district and Aiken. As soon as there were railroad tracks, there was a railroad cut and a need to cross it. It is the reason we exist. It is vital.

Councilman Ebner suggested speaking directly to the railroad and not to the Department of Transportation, because the height has to be agreed to by the railroad.

Ms. Stewart stated another item to add to the Action Agenda is a review of the Comprehensive Plan 5-year plan. It is a huge endeavor. Time needs to be factored in to begin the process. It is a state statute and is due in 2015.

Mr. Ed Evans stated there is a consultant that will help with the update. He said there are several components. There is the basic plan, the Northside plan, the Old Aiken Plan, the Union Street Plan, and more. It all has to be brought together in a cohesive document, and in the process of doing that, the substance has to be evaluated. It is not just reorganizing.

Mayor Cavanaugh suggested prioritizing the Action Agenda.

Mr. Pearce suggested it be decided what to keep or delete from the list and then prioritize.

Ms. Stewart stated the Planning Commission hopes to be through with the Natural Resource Element by the end of the calendar year. It is a required element, and the Planning Commission has put about two years of work in it.

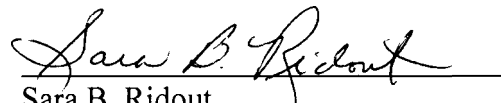
City Council and the Planning Commission discussed the order for the Action Agenda items.

Action Agenda for 2014 Fiscal Year

City Council and the Planning Commission agreed on the following for the Action Agenda items:

- 1) Natural Resources Element
- 2) Amendment to the Zoning Ordinance regarding railroad bridges
- 3) Review of sign regulations
- 4) Amendment to Zoning Ordinance regarding LED and modern lighting
- 5) Amendment to the Zoning Ordinance regarding definition of “residential assisted living facility”
- 6) Review the Policy on Provision of City Services to Unincorporated Areas
- 7) Possible amendments to the Zoning Ordinance regarding the depth of untouched buffers for commercial and multifamily residential development
- 8) Comprehensive Plan review
- 9) Review of Land Development Regulations

The meeting adjourned at 5:38 P.M.

  
Sara B. Ridout  
City Clerk