

Providence Baptist Church
294 Seven Farms Drive
August 20, 2019
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Lewis

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Introduction of Amber Johnson, Diversity, Racial Reconciliation, and Tolerance Manager and Leigh Bailey, Director of Real Estate Management

E. Public Hearings

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1150 Folly Road (James Island) (0.47 acre) (TMS #425-13-00-030) (Council District 12), be rezoned from Residential Office (RO) classification to Commercial Transitional (CT) classification. The property is owned by McGrew Living Trust.
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 49 Archdale St (Peninsula) (0.175 acre) (TMS #457-04-03-071, 073, 074, and 054) (Council District 8), be rezoned from Limited Business (LB) classification to Urban Commercial (UC) classification. The property is owned by Yellow Dog Design and Development LLC.
3. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-511 to clarify the type of use that may qualify for a special exception that reduces the number of parking spaces required by Chapter 54 of the Code of the City of Charleston (Zoning Ordinance)
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1732 Elm Road (West Ashley) (0.49 acre) (TMS #355-11-00-120) (Council District 10), annexed into the City of Charleston July 16, 2019 (#2019-062), be zoned Single-Family Residential (SR-1) classification. The property is owned by Carol L. Jackson-Powell.
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1617 Jessamine Road (West Ashley) (0.14 acre) (TMS #351-12-00-081) (Council District 9), annexed into the City of Charleston July 16, 2019 (#2019-063), be zoned Single-Family Residential (SR-2) classification. The property is owned by Albert Peter Shahid, III and Sarah Assemany Shahid
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Clements Ferry Road (Cainhoy)

(approximately 16.40 acres) (TMS #275-00-00-005) (Council District 1), be zoned Rural Residential (RR-1) classification. The property is owned by IVO Sands LLC. **(SECOND READING)**

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. June 18, 2019
2. July 16, 2019
3. July 25, 2019 (*Deferred*)

H. Citizens Participation Period

I. Petitions and Communications:

- a. Design Review Board Appointment

J. Council Communications:

- a. Discussion on changing the method of valuation for the purpose of determining "substantial damage" based on the assessed value to the appraised value of the property. (*Requested by Councilmember Perry K. Waring*)

K. Council Committee Reports:

1. Committee on Public Safety: (Meeting was held on July 31, 2019 at 5:00 p.m.)

- a. Discussion of Amending Ordinance Section 2-56 to include a Judicial Committee
- b. Update on Racial Bias Audit
- c. Municipal Buildings Security (in wake of Virginia Beach shooting)
- d. Approval of a Memorandum of Understanding by and between the City of Charleston and the South Carolina Law Enforcement Division (SLED) for use of SLED's criminal facial recognition system

2. Committee on Traffic and Transportation: (Meeting was held on August 20, 2019 at 2:30 p.m.)

- a. Revised Memorandum of Understanding between the South Carolina Department of Transportation, Berkeley County and the City of Charleston to allow the installation of a traffic control signal at the intersection of Beresford Run and Clements Ferry Road and shared desire for improved access management along Clements Ferry Rd. (S-8-33).

3. Audit Committee (Meeting was held on August 19, 2019 at 3:00 p.m.)

- a. Review Final Reports
 - Internal Audit Report
 - Outside Legal Counsel
- b. Council Questions for the Mayor
- c. Discussion: Next Steps

4. Committee on Public Works and Utilities: (Meeting was held on August 19, 2019 at 2:00 p.m.)

a. Acceptance and Dedication of Rights-of-Way and Easements

- (i) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 187 LF of sidewalk and 16 LF of granite curb on Meeting Street (US 52) and 136 LF of sidewalk to be installed on Romney Street (S-10-126) in conjunction with the project at Meeting and Romney Streets.
- (ii) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 100 LF of granite curb and 500 SF of sidewalk on Congress Street (S-1821) to be installed in conjunction with the Greek Hellenic Center on Congress Street (S-1821).

b. Stormwater Management Department Update

- (i) Church Creek – Weston & Sampson Professional Services Contract Amendment for Stormwater Storage Options Evaluation
- (ii) Church Creek – Weston & Sampson Professional Services Contract Amendment for Lake Dotterer Improvement Modeling
- (iii) Church Creek – Weston & Sampson Professional Services Contract Amendment for Hickory Farms Diversion Channel Additional Services
- (iv) Hospital District – Davis & Floyd Professional Services Contract for Ehrhardt Basin Drainage Improvement Preliminary Design Services
- (v) Program Management – AECOM Professional Services Work Authorization for Special Protection Area Mapping, Regulation Development, and GIS Dataset Development
- (vi) Orleans Road Repair – Recommendation to Award
- (vii) Stormwater Fee Ordinance – Revision to Remove Homestead Exemption
- (viii) Low Battery Seawall – Memorandum of Agreement with CWS for In-Contract Utility Work
- (ix) Low Battery Seawall – Application for State Infrastructure Bank Funding
- (x) FEMA Freeboard Discussion

- (xi) Stormwater Design Standards Manual Update Discussion
- (xii) Stormwater Project Updates
- (xiii) Floodplain Management Updates
- (xiv) Lord Calvert Drive Drainage Project – Recommendation to Award

5. Committee on Ways and Means:

(Bids and Purchases

(CARTA FY2020 Budget

(Mayor's Office of Resilience and Emergency Management: Approval to submit a Hazard Mitigation Grant application under Hurricane Florence that will continue the previously awarded Urban Flood Alert Project. This application will allow for the use of unused funds from the previously awarded grant project. Additional funding in the amount of \$10,437 will be required for the grant match. The match will be budgeted in 2020.

(Mayor's Office of Resilience and Emergency Management: Approval to submit a Scope of Work change that will fund the construction and installation of 4 flood alert systems in the downtown area and will change the location of the flood sensor. This scope of work change request increases the cost of this project from \$149,196 to \$190,943, or \$41,747 and increases the City's match by \$10,437. The additional match will be budgeted in 2020.

(Police Department: Approval to submit the FY19 Edward Byrne Memorial DOJ JAG Application that will fund the acquisition of one 3D Laser Scanner for use at crimes scenes and for traffic collision reconstruction. The application for this grant is due 8/23/19. This application requests \$28,553 and does not require a match.

(Office of Cultural Affairs: Approval to apply for \$50,000 from the National Endowment for the Arts, Art Works Grant, to support Charleston 350 Celebrations. The project period is 6/1/2020 to 11/30/2020. Due to time constraints, this grant application was submitted on July 23, 2019. A 1:1 City match is required. Matching funds will come from corporate sponsorships, foundation support and paid admissions. This is an after-the-fact approval.

(Office of Cultural Affairs: Approval to accept a grant award in the amount of \$2,750 from South Carolina Humanities (Fast Track Literary Grant) to support programs of the 2019 Free Verse Festival. A 1:1 City match is required. Matching funds will come from paid admissions and donations.

(Police Department: Approve the extension of an agreement between CPD and Charleston Housing Authority. CHA pays CPD for five officers assigned to cover CHA properties.

(Police Department: Approve an agreement between CPD and DEA regarding CPD's participation in the Charleston, SC Resident Office Task Force on narcotics trafficking and dangerous drugs.

(Police Department: Approval of a Memorandum of Agreement between CPD and CCSD regarding SRO's for the 2019-2020 school year

(Police Department: Approval of a Memorandum of Agreement between CPD and James Island

Charter High School regarding SRO's for the 2019-2020 school year.

(Police Department: Approval of the Memorandum of Agreement between the City of Charleston and Berkeley County School District regarding SRO's for the 2019-2020 school year. ***(To be sent under separate cover by the Legal Department)***)

(Parks-Capital Projects: Approval of the CPD Forensics Services Building Construction Contract with Hill Construction Services of Charleston in the amount of \$9,385,006 for the construction of the Charleston Police Department Forensic Services Building. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved budget. Approval of this will institute a \$12,392,186 project budget, of which the \$9,385,006 construction contract will be funded. The funding sources for this project are: 2015 IPRB Bond (\$7,392,186) and 2017 IPRB (\$5,000,000).

(Resiliency: Approval for City Council to authorize the remaining \$50,000 of the \$100,000 budgeted for Dutch Dialogues as additional payment to Historic Charleston Foundation for the City of Charleston's contribution. City Council previously reduced the amount approved for the Dutch Dialogues by \$100,000. There would be no budgetary impact to increasing the funding by \$50,000, as the total amount was previously budgeted.

(Parks-Capital Projects: Approval of the West Ashley Bikeway Resurfacing Construction Contract with Landscape Pavers LLC, in the amount of \$148,888 for the construction of 1,016 linear feet of a bike and pedestrian pathway from Playground Rd. to Wantoot Blvd. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of the Construction Contract will institute a \$480,000 project budget, of which the \$148,888 construction contract will be funded. The funding sources for this project are: 2015 General Fund Reserves (\$380,000) and the Hospitality Fund (\$100,000).

(Parks-Capital Projects: Approval of the West Ashley Greenway Improvements-Stinson to Parkdale Construction Contract with Landscape Pavers LLC, in the amount of \$157,234 for the installation of an asphalt trail from the Stinson Dr. entrance to the east side of Long Creek and associated work with a raised crosswalk at the Arlington Dr. crossing. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds existing in the Council Approved Budget. Approval of the Construction Contract will institute a \$314,016.57 project budget, of which the \$157,234 construction contract will be funded. The funding sources for the project are: 2013 General Fund Reserves (\$214,016.57) and 2016 General Fund Reserves (\$100,000).

(Parks-Capital Projects: Acceptance of Federal funding in the amount of \$3,096,659.75 for Phase 2 of the Fire Station #06 Retrofit Project (*FEMA-DR-4166-0010-R*). This would be matched with \$1,032,220 in City funding. This is for the purpose of retrofitting the historic fire station to address future hazards at the facility, protecting the building occupants and equipment and enabling emergency response to follow an incident. The current completion deadline is March 12, 2020. A request for a statutory 1- year extension will be submitted per program requirements due to the extended review period in Phase 1 of the grant. Anticipated bidding

and contracting for the project will necessitate seeking an additional 1-year extension from FEMA. The approval of the grant award will institute a \$4,128,879.75 project budget. The funding sources for the project are: FEMA Hazard Mitigation Grant (\$3,096,659.75) and 2015 IPRB Bond (\$1,032,220).

- (Stormwater Management: Approval to apply for the SIB financial assistance program in support of the \$64,000,000 Low Battery Seawall project. The application is requesting \$32,000,000 in SIB funds with a 50/50 City match of \$32,000,000. The application will be submitted on August 29, 2019 to meet the deadline on September 1, 2019. The City currently has \$23,000,000 of the required match. With approval of this grant, City Council is committing future allocations of Municipal Accommodations Tax and Hospitality fees over the next 10 years to meet the total match requirement. *(Pending review by the Committee on Public Works and Utilities)*)
- (Stormwater Management: Approval of Church Creek Drainage Basin Fee Amendment #2 with Weston & Sampson Engineers, Inc. in the amount of \$99,900 for hydraulic modeling of the West Ashley Circle storage facility, Mid-Basin Area storage facility, and the CSX/Whitfield Channel storage. Approval of Fee Amendment #2 will increase the Professional Services Contract by \$99,900 (from \$373,000 to \$472,900). Funding for this project is the Drainage Fund. *(Pending review by the Committee on Public Works and Utilities)*)
- (Stormwater Management: Approval of Church Creek Drainage Basin Fee Amendment #3 with Weston & Sampson Engineers, Inc. in the amount of \$21,780 for additional hydraulic modeling of the Lake Dotterer Diversion project. Approval of Fee Amendment #3 will increase the Professional Services Contract by \$21,780 (from \$472,900 to \$494,680). Funding for this project is the Drainage Fund. *(Pending review by the Committee on Public Works and Utilities)*)
- (Stormwater Management: Approval of Church Creek Drainage Basin Fee Amendment #4 with Weston & Sampson Engineers, Inc. in the amount of \$33,685 for additional cultural resource investigation and additional plats for the Hickory Farms Overland Flow Diversion due to the need for additional temporary construction easements. Approval of Fee Amendment #4 will increase the Professional Services Contract by \$33,685 (from \$494,680 to \$528,365). Funding for this project is the Drainage Fund. *(Pending review by the Committee on Public Works and Utilities)*)
- (Stormwater Management: Approval of the Ehrhardt Street Tunnel Project Professional Services Contract with Davis & Floyd in the amount of \$286,922 for the preliminary design of the Medical District Flood Mitigation project to include 30% design of surface collection, a vortex structure, and a drop shaft near the sump of Ehrhardt St. and design of an additional tunnel connecting to the Cannon St. Shaft. Funding for this will come out of the Drainage Fund. *(Pending review by the Committee on Public Works and Utilities)*)
- (Stormwater Management: Approval of the Lord Calvert Drive Drainage Improvement Construction Contract with KTC Enterprises, Inc. in the amount of \$171,035 for the installation of a new storm drain pipe along Lord Calvert Drive. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council approved budget. Approval of the Construction

Contract in the amount of \$171,035 will establish a project budget of \$188,138.50. The funding source for this project is the Drainage Fund. *(Pending review by the Committee on Public Works and Utilities)*

(Stormwater Management: Approval of Work Authorization #3 with AECOM in the amount of \$198,569 to develop comprehensive mapping of Stormwater Special Protection Areas (SPAs), refining standards for stormwater development/redevelopment in SPAs, and supporting preparation a GIS dataset for making the information publicly available. Approval of this Work Authorization also approves a budget transfer of \$50,000 from the Stormwater Studies line-item (193010-52204). *(Pending review by the Committee on Public Works and Utilities)*

(Budget Finance and Revenue Collections: An ordinance establishing the Morrison Drive Redevelopment Project Area; making certain findings of blight within the Redevelopment Project Area; designating and defining redevelopment projects consisting of public improvements within the Redevelopment Project Area; designating appropriate redevelopment project costs; approving an overall redevelopment plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto.

(Public Service: Request authorization for the Mayor to execute on behalf of the City a Memorandum of Agreement ("MOA") with the Commissioners of Public Works of the City of Charleston, South Carolina, d/b/a Charleston Water System ("CWS"), under which the City will include certain utility work within the scope of the Low Battery Seawall Repair and Reconstruction Project, including (a) the relocation of numerous lateral and longitudinal water and sanitary sewer conflicts between the proposed drainage infrastructure; and (b) the replacement of existing gravity sanitary sewer and water main infrastructure within Murray Boulevard, with CWS agreeing to reimburse the City for 100% of the costs of all construction items associated with such utility work. Upon approval of this Item by City Council and prior to execution by the Mayor, Corporation Counsel is authorized to consent to minor modifications of the draft MOA attached hereto that do not increase the costs or obligations of the City under the draft MOA, and the Mayor shall be authorized to execute such MOA without further action by City Council upon the consent of Corporation Counsel; provided, however, nothing herein shall permit Corporation Counsel or the Mayor to authorize future amendments or modifications to the MOA. *(Pending review by the Committee on Public Works and Utilities)*

(An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the "Homestead Exemption" in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the "Homestead Exemption" with respect to Stormwater Utility Fees; and to provide that the elimination of the "Homestead Exemption" in Sec. 27-140(a) shall not apply until January 1, 2020.

(Request approval for the use of Charles Towne Landing Founder's Hall in the amount of \$4,750 for MOJA Festival activities (1500 Old Towne Rd.)

(Request approval for the use of Memminger Auditorium in the amount of \$2,750 for MOJA Festival Events (56 Beaufain Street)

- (Request authorization for the Mayor to execute an easement agreement, together with the appropriate easement drawing, under which the City will grant an easement for the relocation of a transformer and appurtenant facilities and equipment to Dominion Energy South Carolina, Inc. on the City's property commonly known as the Riley Waterfront Park, designated as Charleston County TMS No. 458-09-04-051. The Mayor will be authorized to execute the easement and drawing without further action by City Council upon approval of the final form of the agreement by Corporation Counsel.
- (Request approval of the Amendment to Greenbelt Grant Agreement Harbor Woods Tract whereby amending the January 26, 2009 Grant Agreement between the County of Charleston and City of Charleston to convey a .01-acre portion of the Harbor Woods tract and release it from the Greenbelt deed restrictions.
- (Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Christina Ford Williams for the sale of 931 Fifth Avenue for \$174,837. Ms. Williams will receive \$50,000 in downpayment assistance from the City of Charleston, invest \$2,500 of her own funds, secure lender financing of \$119,837 and receive closing cost assistance from the Federal Home Loan Bank. This property is one of 7 new houses recently constructed in the Ashleyville-Maryville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-07-00-173; 931 Fifth Avenue) [Ordinance]
- (Approval to rescind Ordinance 2019-048 authorizing the sale of 919 Sycamore Street to Ms. Fredericka Ravenell [Ordinance]
- (Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Katrina L. Snow for the sale of 919 Sycamore Street for \$196,237. Ms. Snow will receive \$45,000 in downpayment assistance from the City of Charleston, secure lender financing of \$145,000, invest \$6,500 of her own funds for principal reduction and closing costs. This property is one of 7 new houses recently constructed in the Ashleyville-Maryville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-11-00-239; 919 Sycamore Street) [Ordinance]
- (Approval to rescind Ordinance 2019-045 authorizing the sale of 839 Minnie Street to Ms. Renee Fleetwood Lewis [Ordinance]; and
- (Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Cody Edward Shealy for the sale of 839 Minnie Street for \$201,637. Mr. Shealy will receive \$50,000 in downpayment assistance from the City of Charleston. Mr. Shealy will also apply for \$10,000 loan and \$2,000 in grant funds from the City's Employer Assisted Housing Program. This property is one of 7 new houses recently constructed in the Ashleyville-Maryville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. Mr. Shealy is an employee of the City of Charleston. (TMS: 418-11-00-074; 839 Minnie Street) [Ordinance]

(Request authorization for Mayor to execute an easement agreement, together with appropriate easement drawing, under which the City will grant a permanent easement to Flyway, LLC, at property designated as Charleston County TMS Nos. 458-09-02-068, to install, maintain, replace and repair certain personal property servicing the grantee's property. (TMS: 458-09-02-068; adjacent to City parking structure and to 5 Cumberland Street)

(Request authorization for the Mayor to accept a Proposal for Voluntary Cleanup Contract ("VCC") Services (Revision 1) Housing Parcel (VCC 17-6523-NRP) and Lowcountry Low Line (VCC 17-6524-NRP) from S&ME, Inc., relating to that certain parcel, containing 0.71 acres, more or less, located at the southern terminus of F Street (Charleston County TMS No. 4600404118) and the former railroad right-of-way purchased by the City from Norfolk Southern and to execute the attached Agreement for Services with S&ME, Inc., as a sole source provider, for a total fee of not to exceed \$76,945, said fee not to be exceeded without prior City Council approval. Funding will come from the 2018 Recreation Bond (\$51,980) and Franchise Fee (\$24,965).

(Acceptance of a 2019 Charleston County Greenbelt Grant award for the purchase of an 0.46-acre waterfront property on James Island (Brantley Park). The award is \$467,000 in 'Urban' Greenbelt funds, with \$233,500 from the City of Charleston's allocation, and \$233,500 from the Town's allocation. The total purchase price of the property is \$500,000, with the balance of the funds to be provided by the Town of James Island. The City of Charleston will own the property, and the Town will be responsible for developing and operating the facility.

(Request approval of a Termination of Lease between 160 St. Phillips St., LLC and the City pertaining to the parcel of land at the northeast corner of Morris and St. Phillip Street (TMS: 460-12-02-54), currently leased by the City for parking use.

(Consider the following annexation:

-2591 Morning Dove Lane (TMS#355-05-00-132) 0.28 acre, West Ashley (District 2). The property is owned by Samuel and Kelley Mosley

(Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice relating to matters covered by the attorney-client privilege regarding the development plan for Ackerman Park, located at 55 Sycamore Avenue, in West Ashley, including possible need to condemn right-of-way easement for access to Park. Upon returning to open session, the Committee may take action on matters discussed in executive session.

Give first reading to the following bills from Ways and Means:

An ordinance establishing the Morrison Drive Redevelopment Project Area; making certain findings of blight within the Redevelopment Project Area; designating and defining redevelopment projects consisting of public improvements within the Redevelopment Project Area; designating appropriate redevelopment project costs; approving an overall redevelopment plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto.

An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the "Homestead Exemption" in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the "Homestead Exemption" with respect to Stormwater Utility Fees; and to provide that the elimination of the "Homestead Exemption" in Sec. 27-140(a) shall not apply until January 1, 2020.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Christina Ford Williams the property located at 931 Fifth Avenue (Charleston County TMS No. 418-07-00-173) (West Ashley) (Maryville/Ashleyville) for \$174,837.00, with Williams to receive \$50,000.00 in down payment assistance from the City of Charleston, invest \$2,500.00 of her own funds, and secure lender financing of \$122,337.00 and closing cost assistance from the federal home loan bank, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years and also subject to a declaration of cross access and utility easements for Lot 473a, Lot 473b, and Lot 473c, Ashleyville, recorded in Deed Book 0807 at Page 342 in the Register of Deeds Office for Charleston County, South Carolina.

An ordinance repealing Ordinance No. 2019-048 and authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Katrina L. Snow the property located at 919 Sycamore Avenue (Charleston County TMS No. 418-11-00-239) (West Ashley) (Maryville/Ashleyville) for \$196,237.00, with Snow to receive \$45,000.00 in down payment assistance from the City, invest \$6,500.00 of her own funds for principal reduction and closing costs, and secure lender financing for the balance of the purchase price, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years, and also subject to a permanent, perpetual, and appurtenant private sewer line easement to be retained by the City of Charleston for the benefit of the adjacent property located at 915 Sycamore Avenue (TMS No. 418-11-00-205), owned by the City.

An ordinance repealing Ordinance No. 2019-045 and authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Cody Edward Shealy the property located at 839 Minnie Street (Charleston County TMS No. 418-11-00-074) (West Ashley) (Maryville/Ashleyville) for \$201,637.00, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years.

An ordinance to provide for the annexation of property known as 2591 Morning Dove Lane (0.28 acre) (TMS# 355-05-00-132), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by Samuel and Kelley Mosley.

L. Bills up for Third Reading:

1. An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019 (**AS AMENDED**)

M. Bills up for Second Reading:

(City Council may give second reading, order to third reading, give third reading, and order engrossed for ratification any bill listed on the agenda as a second reading.)

1. An ordinance to provide for the annexation of property known as Clements Ferry Road (16.40 acres) (TMS# 275-00-00-005), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by IVO Sands LLC.
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 200 Spring Street (Peninsula) (0.422 acre) (TMS# 460-11-01-011) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by 200 Spring Street Development LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 214 and 216 Spring Street and a portion of 31½ Ashton Street (Peninsula) (approx. 0.422 acre) (TMS# 460-11-01-016, 017 and a portion of 037) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Bergland Investments LLLP.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 404 Woodland Shores Road (James Island) (0.50 acre) (TMS #343-11-00-104) (Council District 11), annexed into the City of Charleston June 18, 2019, be zoned Single-Family Residential (SR-1) classification. The property is owned by Nathaniel West.
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2154 Wappoo Drive (James Island) (0.24 acre) (TMS #343-06-00-185) (Council District 11), annexed into the City of Charleston May 28, 2019, be zoned Single-Family Residential (SR-1) classification. The property is owned by Tyler Cox and Graham Cox.
6. An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") a Transfer Agreement and all other documents necessary to convey real property located

at 105 Hanover Street (Charleston County TMS No. 459-05-01-077) to Charleston County Human Services Commission, doing business as Palmetto Community Action Partners, for \$68,090.95, for the development of affordable rental housing, subject to the City's HOME Investment Partnerships Program Guidelines

7. An ordinance to provide for the annexation of property known as 2951 Bolton Road (0.32 acre) (TMS# 307-10-00-044), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Joshua L. Bettinger and Shelby R. Walls.
8. An ordinance to amend the fee schedule for building and trade permits attached hereto and incorporated herein by reference as Exhibit I, by providing an amended definition for plan review fee, by providing a new fee for plan revision review and by providing for additional permit fees associated with plan revisions for updated project scope of work that result in increased construction costs.
9. An ordinance to provide for the annexation of property known as 1707 McLeod Avenue (0.46 acre) (TMS# 424-09-00-155), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by MSA Holdings LLC.
10. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Planned Unit Development (PUD) Master Plan and Development Guidelines for property located on River Road and Maybank Highway (the Village at Fenwick PUD – Johns Island) (approximately 44.891 acres) (TMS# 346-00-00-004, 076 and portions of 346-00-00-258 and 259). (DEFERRED)
11. An ordinance to amend Part 15 (Mixed Use 1 - Workforce Housing District Mixed Use 2 - Workforce Housing District) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance), to implement the Federal Opportunity Zone Program, by creating certain incentives to encourage the development of "Opportunity Units" for households with incomes less than or equal to 60% of the Area Median Income (AMI). (DEFERRED)
12. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by deleting Section 54-220 Accommodations Overlay Zone, and replacing said section with a new Section 54-220, Accommodations Overlay Zone, to, among other things: provide for the preservation or creation of Mixed-Use Districts; prohibit the displacement of housing by accommodations uses and consider the effects of dwelling units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the dwelling units should be attached to an accommodations special exception approval; establish conditions on the displacement or reduction of office space by accommodations uses; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on the property; to include a minimum and maximum size for accommodations facilities; to provide regulations for the design and location of guest

drop off and pick up areas; to require the incorporation of meeting and conference space; to establish a limit on the number of full-service hotels; to provide for a contribution to the City of Charleston Affordable/Workforce Housing Account; and to subject violators of the provisions of this Section 54-220 to having their business license or certificate of occupancy revoked. **(AS AMENDED)**(DEFERRED)

13. An ordinance to provide for the annexation of property known as 1415 S Edgewater Drive (0.72 acre) (TMS# 349-13-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Robert F. Kauffmann.(DEFERRED)
14. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1415 South Edgewater Drive (West Ashley) (00.72 acre) (TMS #349-13-00-095) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Robert F. Kauffmann. (DEFERRED FOR PUBLIC HEARING) **Expires 11.27.19**
15. An ordinance to provide for the annexation of property known as 1389 River Road (10.94 acres) (TMS# 311-00-00-025), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)
16. An ordinance to provide for the annexation of property known as 1381 River Road (1.28 acres) (TMS# 311-00-00-097), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)
17. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 141 Meeting Street and 174 King Street (Peninsula) (1.061 acres) (TMS #457-08-04-003) (Council District 1), be rezoned from General Business (GB) classification to Urban Commercial (UC) classification. The property is owned by SCE&G. (DEFERRED) **Expires 8.21.19**
18. An ordinance to close and abandon Kinlock Court, a City right-of-way, said right-of-way running westerly approximately 200 feet from meeting street to the Interstate 26 right-of-way; and to further authorize the Mayor to execute Quit Claim Deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Kinlock Court, conveying to each owner one-half of the width of Kinlock Court as said Kinlock Court abuts each owner's property, subject to any and all easements or other matters of record. (DEFERRED)

N. Bills up for First Reading

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located at Sam Rittenberg Boulevard and Orleans

Road (Epic Center PUD – West Ashley) (approximately 53.029 acres) (TMS #310-04-00-009, 351-05-00-043, 351-05-00-044, 351-09-00-015 and 351-09-00-053) (Council District 7), be rezoned from General Business (GB) classification to Planned Unit Development (PUD) classification. The property is owned by TMP SRE I LLC, TMP SRE II LLC, and TMP SRE III LLC.

2. An ordinance to amend Chapter 29, Article V1, Sec. 29-240 of the Code of the City of Charleston pertaining to the procedure of accident reporting.
3. An ordinance to amend Chapter 29, Article IV, Sec. 29-96 of the Code of the City of Charleston to update language regarding insurance requirements for private passenger automobile tours
4. An ordinance to amend Chapter 29, Article I, Sec. 29-2 of the Code of the City of Charleston to update the definition of private passenger automobile.
5. An ordinance to provide for the annexation of property known as 0 Oakville Plantation Road (10.47 acre) (TMS# 317-00-00-007), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Keith W. Lackey. (*DEFERRED*)
6. An ordinance to provide for the annexation of property known as 2495 River Road (4.75 acre) (TMS# 317-00-00-012), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Gail Grimbball (*DEFERRED*)
7. An ordinance to provide for the annexation of property known as 2493 Summerland Drive (9.91 acre) (TMS# 317-00-00-075), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Gary S. Worth. (*DEFERRED*)
8. An ordinance to provide for the annexation of property known as 0 Summerland Drive (8.70 acre) (TMS# 317-00-00-076), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Gary S. Worth. (*DEFERRED*)
9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the zone map, which is part thereof, so that property located on River Road, Summerland Drive, and Oakville Plantation Road (Johns Island) (126.95 acre) (TMS #317-00-00-007, 317-00-00-011, 317-00-00-012, 317-00-00-075, 317-00-00-076, and 317-00-00-089) (Council District 5), be zoned, and existing Light Industrial (LI) classification be rezoned to Planned Unit Development (PUD) classification. The property is owned by Keith w. Lackey, Gail Grimbball, and Gary s. Worth. (*DEFERRED*)

10. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of former Summerville Avenue right-of-way (Peninsula Neck) (approximately 1.4 acres) (Unzoned Right-of-Way) (Council District 4), be zoned General Business (GB) classification. The property is former right-of-way deeded to adjacent property owners. (DEFERRED)
11. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 217 Ashley Avenue (Peninsula) (0.33 acre) (TMS #460-11-04-080) (Council District 6), be rezoned from Diverse Residential (DR-2F) classification to Limited Business (LB) classification. The property is owned by Trust of Robert J. Lowe, Jr. & Trust of Gwendolyn M. Lowe. **(The Planning Commission recommends disapproval.) (DEFERRED) Expires 11.27.19**
12. An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits building construction operations during certain hours. (DEFERRED)

O. Miscellaneous Business:

1. Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice relating to matters covered by the attorney-client privilege regarding the pending application by the WestEdge Foundation, Inc. for a Section 404 Individual Permit to place 8,585 cubic yards of fill material in 2.9 acres of tidal, jurisdictional wetland areas and a tidal drainage feature in the location of a capped and closed municipal landfill and to impact 0.945 acres within the tidal drainage feature located at the southwest corner of Hagood Avenue and Fishburne Street to create a tidally influenced pond. The total combined impacts proposed are 3.845 acres. Upon returning to open session, City Council may take action on matters discussed in executive session.
2. The next regular meeting of City Council will be Tuesday, September 10, 2019 at 5:00 p.m. at City Hall, 80 Broad Street.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, August 20, 2019 beginning at 5:00 p.m. at Providence Baptist Church, 294 Seven Farms Drive, Daniel Island, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

REZONINGS

1. To rezone 1150 Folly Road (James Island) (0.47 acre) (TMS# 425-13-00-030) from Residential Office (RO) classification to Commercial Transitional (CT) classification.
2. To rezone 49 Archdale Street (Peninsula) (0.175 acre) (TMS# 457-04-03-071, 073, 074 & 054) from Limited Business (LB) classification to Urban Commercial (UC) classification.

ORDINANCE AMENDMENT

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-511 to clarify the type of use that may qualify for a special exception that reduces the number of parking spaces required by Chapter 54 of the Code of the City of Charleston (Zoning Ordinance).

ZONINGS

To zone the following properties annexed into the City of Charleston:

1. 1732 Elm Road (West Ashley) (0.49 acre) (TMS# 355-11-00-120) Single-Family Residential (SR-1).
2. 1617 Jessamine Road (West Ashley) (0.14 acre) (TMS# 351-12-00-081) Single-Family Residential (SR-2).
3. Clements Ferry Road (Cainhoy) (Approximately 16.40 acres) (TMS# 275-00-00-005) Rural Residential (RR-1).
(Second Reading)

VANESSA TURNER MAYBANK
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email schumacherj@charleston-sc.gov three business days prior to the meeting.

CITY OF CHARLESTON

PLANNING COMMISSION MEETING REPORT

MEETING OF JULY 17, 2019

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, July 17, 2019** in the Public Meeting Room, 1st Floor, 2 George St. The following applications were considered:

REZONINGS

1. **642 King St & 54 Line St (Peninsula) TMS# 4600404029 & 030** – 0.106 ac. Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use/Workforce Housing (MU-2/WH).

WITHDRAWN BY APPLICANT

2. **609, 631, 631, 635 & 637 King St, 226, 228, 234 & 242 Saint Philip St & 1 Ackermans Ct (Peninsula) TMS# 4600802011, 012, 013, 112 & 113 and portions of 4600802010, 015, 109, 110, 111, 114, & 117** – approx. 2.16 ac. Request rezoning from General Business (GB) to Mixed-Use/Workforce Housing (MU-2/WH).

DEFERRED BY APPLICANT

3. **1150 Folly Rd (James Island) TMS# 4251300030** – 0.47 ac. Request rezoning from Residential Office (RO) to Commercial Transitional (CT).

RECOMMENDED APPROVAL

ORDINANCE AMENDMENTS

1. Request approval of an ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) **by deleting Section 54-220 Accommodations Overlay Zone, and replacing said section with a new Section 54-220, Accommodations Overlay Zone, to, among other things: provide for the preservation or creation of Mixed-Use Districts; prohibit the displacement of housing by accommodations uses and consider the effects of dwelling units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the dwelling units should be attached to an accommodations special exception approval; establish conditions on the displacement or reduction of office space by accommodations uses; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on the property; to include a minimum and maximum size for accommodations facilities; to provide regulations for the design and location of guest drop off and pick up areas; to require the incorporation of meeting and conference space; to establish a limit on the number of full-service hotels; to provide for a contribution to the City of Charleston Affordable/Workforce Housing Account; and to subject violators of the provisions of this Section 54-220 to having their business license or certificate of occupancy revoked.**

RECOMMENDED APPROVAL WITH CONDITIONS

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) **by amending Section 54-511 to clarify the type of use that may qualify for a special exception that reduces the number of parking spaces required by Chapter 54 of the Code of the City of Charleston (Zoning Ordinance).**

RECOMMENDED APPROVAL

ZONINGS

1. **1732 Elm Rd (West Ashley) TMS# 3551100120** – 0.49 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

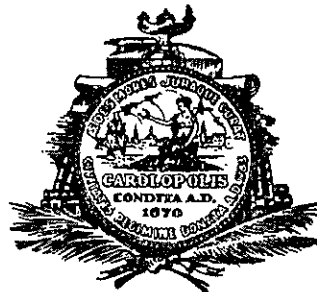
RECOMMENDED APPROVAL

2. **1617 Jessamine Rd (West Ashley) TMS# 3511200081** – 0.14 ac. Request zoning of Single-Family Residential (SR-2). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMENDED APPROVAL

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc. In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

E1.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1150 FOLLY ROAD (JAMES ISLAND) (0.47 ACRE) (TMS #425-13-00-030) (COUNCIL DISTRICT 12), BE REZONED FROM RESIDENTIAL OFFICE (RO) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY MCGREW LIVING TRUST.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Residential Office (RO) classification to Commercial Transitional (CT) classification.

Section 2. The property to be rezoned is described as follows:
1150 Folly Road (James Island) (0.47 acre) (TMS #425-13-00-030)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
_____ in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 3

1150 Folly Rd (James Island)

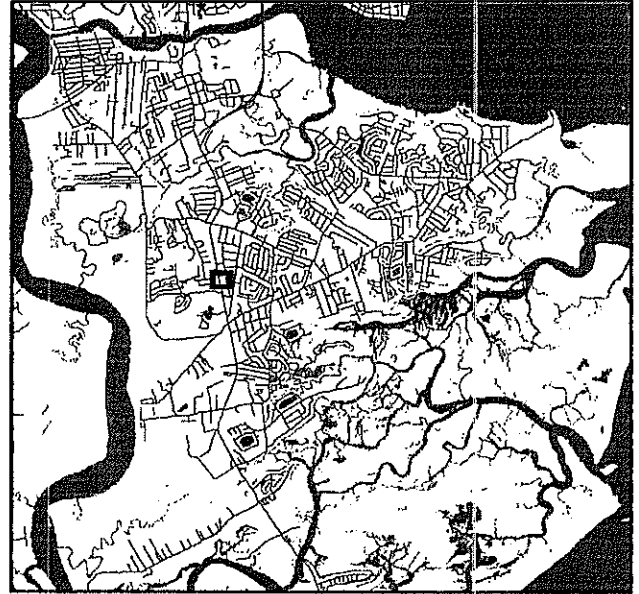
TMS# 4251300030

0.47 ac.

Request rezoning from Residential Office (RO)
to Commercial Transitional (CT).

Owner: McGrew Living Trust
Applicant: Zach Bennett

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 49 ARCHDALE ST (PENINSULA) (0.175 ACRE) (TMS #457-04-03-071, 073, 074, AND 054) (COUNCIL DISTRICT 8), BE REZONED FROM LIMITED BUSINESS (LB) CLASSIFICATION TO URBAN COMMERCIAL (UC) CLASSIFICATION. THE PROPERTY IS OWNED BY YELLOW DOG DESIGN AND DEVELOPMENT LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Limited Business (LB) classification to Urban Commercial (UC) classification.

Section 2. The property to be rezoned is described as follows:
49 Archdale St (Peninsula) (0.175 acre) (TMS #457-04-03-071, 073, 074, and 054)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the _____ Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 2

49 Archdale St (Peninsula)

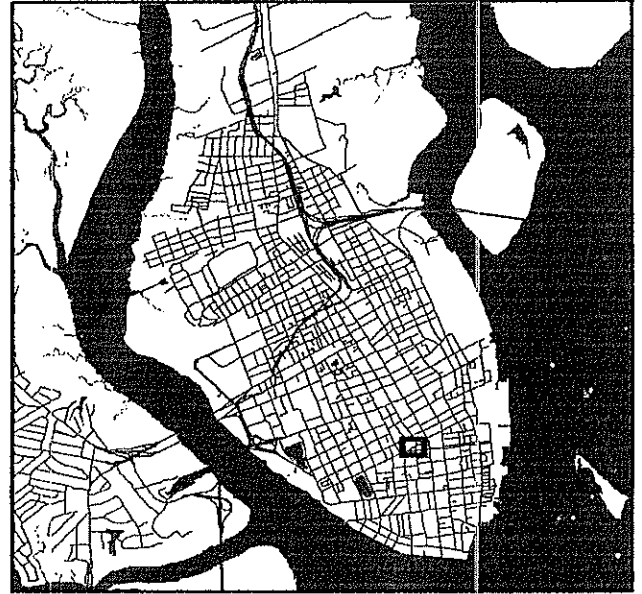
TMS# 4570403071, 073, 074 & 054

0.175 ac.

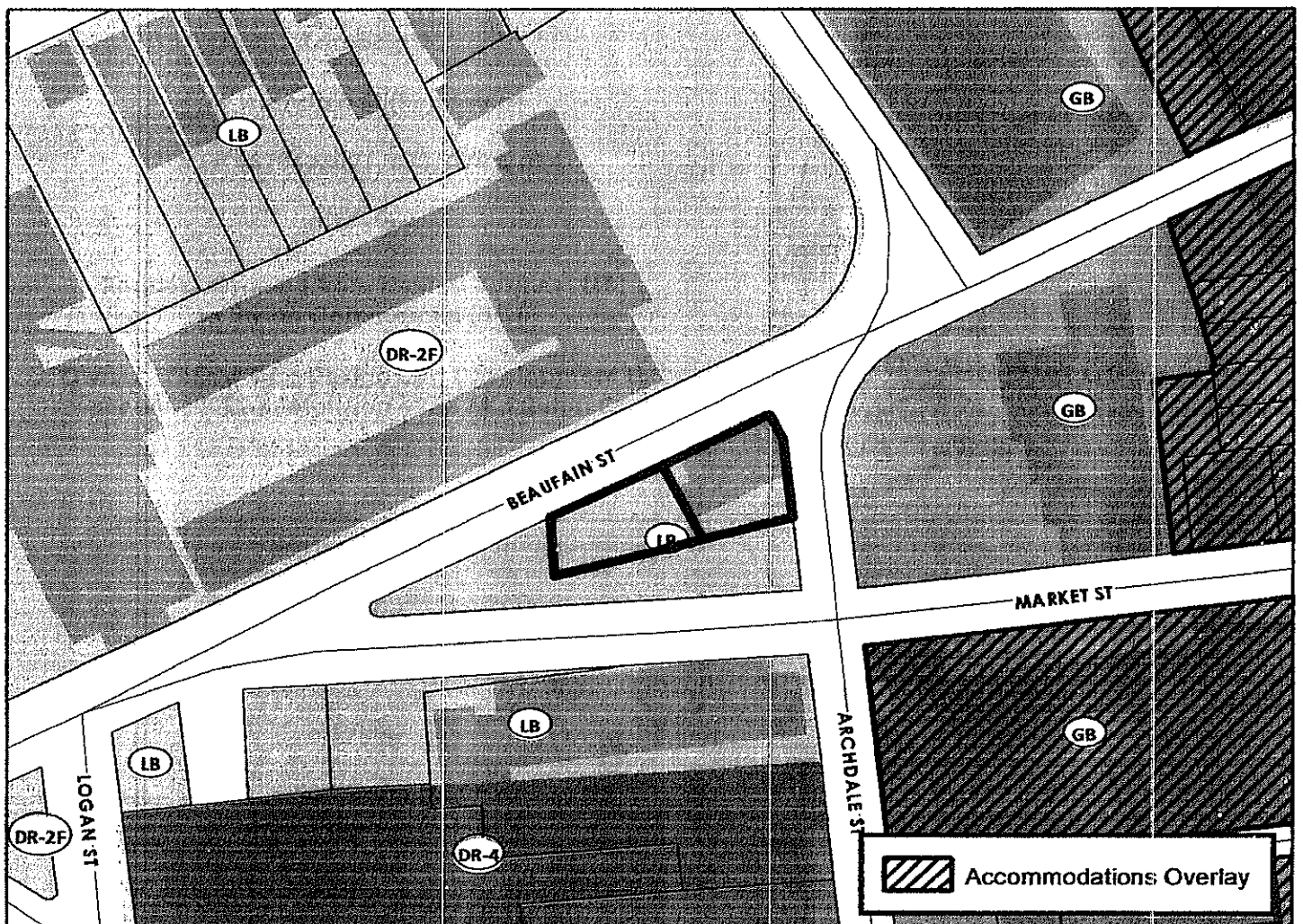
Request rezoning from Limited Business (LB)
to Urban Commercial (UC).

Owner: Yellow Dog Design and Development LLC
Applicant: William Morrison – The Middleton Group

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-511 TO CLARIFY THE TYPE OF USE THAT MAY QUALIFY FOR A SPECIAL EXCEPTION THAT REDUCES THE NUMBER OF PARKING SPACES REQUIRED BY CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE)

Section 1. Subsection a, 1. of Section 54-511 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with ~~strike through~~):

"1. Whether the proposed use is ~~an-allowed~~ **permitted** use in the applicable zoning district;"

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____
in the Year of Our Lord
2019, in the ____ Year of Independence of the
United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1732 ELM ROAD (WEST ASHLEY) (0.49 ACRE) (TMS #355-11-00-120) (COUNCIL DISTRICT 10), ANNEXED INTO THE CITY OF CHARLESTON JULY 16, 2019 (#2019-062), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CAROL L. JACKSON-POWELL.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

1732 Elm Road (West Ashley) (0.49 acre) (TMS #355-11-00-120)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 1

1732 Elm Rd (West Ashley)

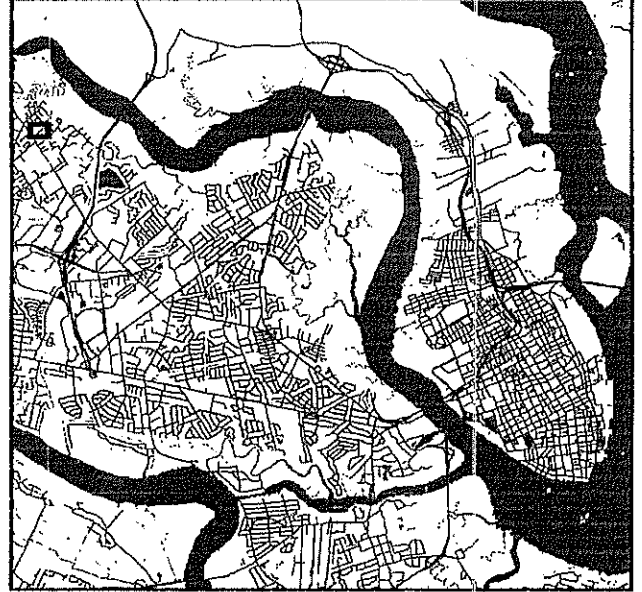
TMS# 3551100120

0.49 ac.

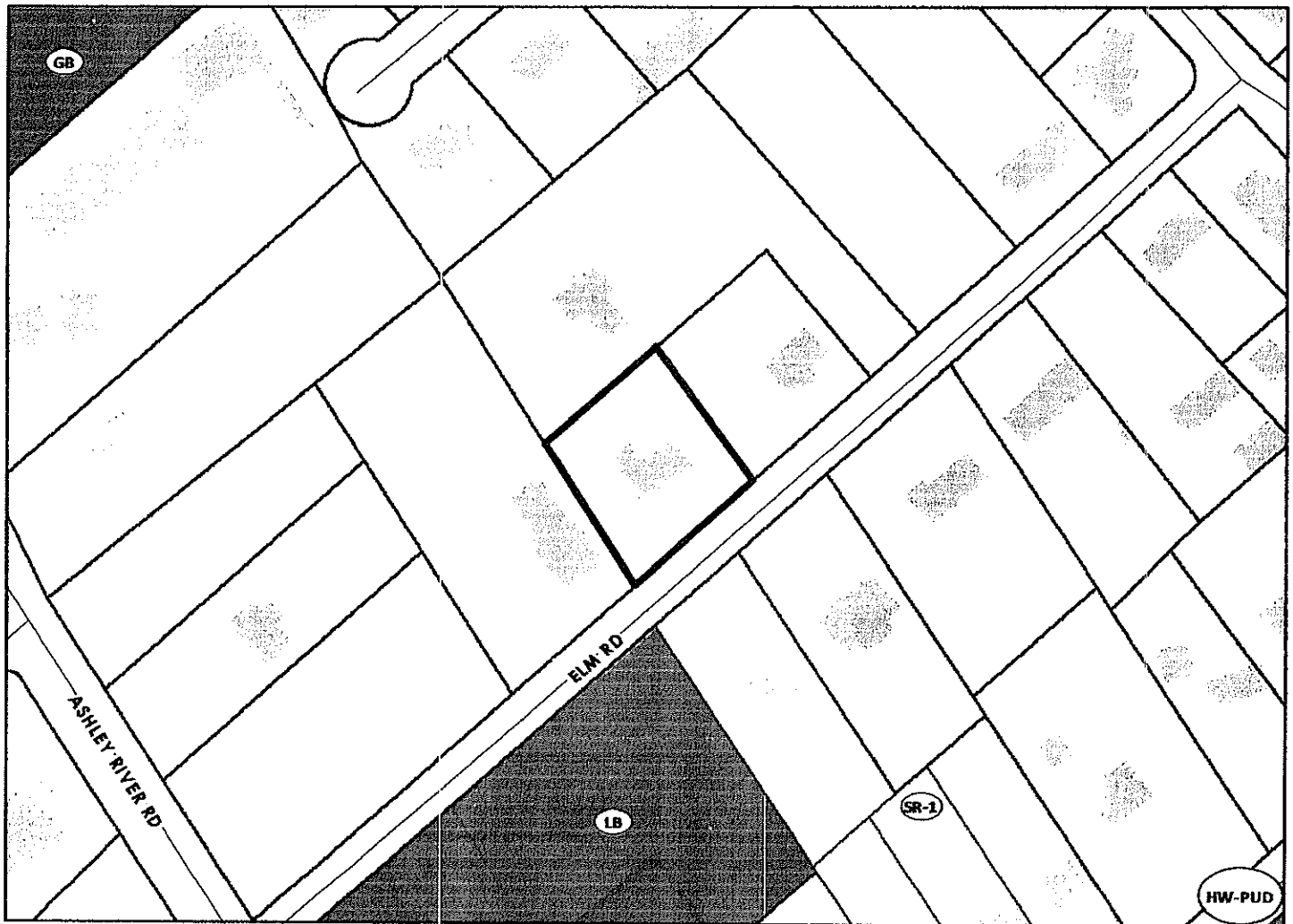
**Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.**

Owner: Carol Jackson-Powell

Area



Location



E5.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1617 JESSAMINE ROAD (WEST ASHLEY) (0.14 ACRE) (TMS #351-12-00-081) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON JULY 16, 2019 (#2019-063), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY ALBERT PETER SHAHID, III AND SARAH ASSEMAN Y SHAHID.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

1617 Jessamine Road (West Ashley) (0.14 acre) (TMS #351-12-00-081)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-2) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 2

1617 Jessamine Rd (West Ashley)

TMS# 3511200081

0.14 ac.

Request zoning of Single-Family Residential (SR-2).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Pete Shahid & Sarah Shahid

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY ON CLEMENTS FERRY ROAD (CAINHoy) (APPROXIMATELY 16.40 ACRES) (TMS #275-00-00-005) (COUNCIL DISTRICT 1), BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY IVO SANDS LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

Clements Ferry Road (Cainhoy) (approximately 16.40 acres) (TMS #275-00-00-005)

Section 2. That the said parcel of land described above shall be zoned Rural Residential (RR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

Zoning

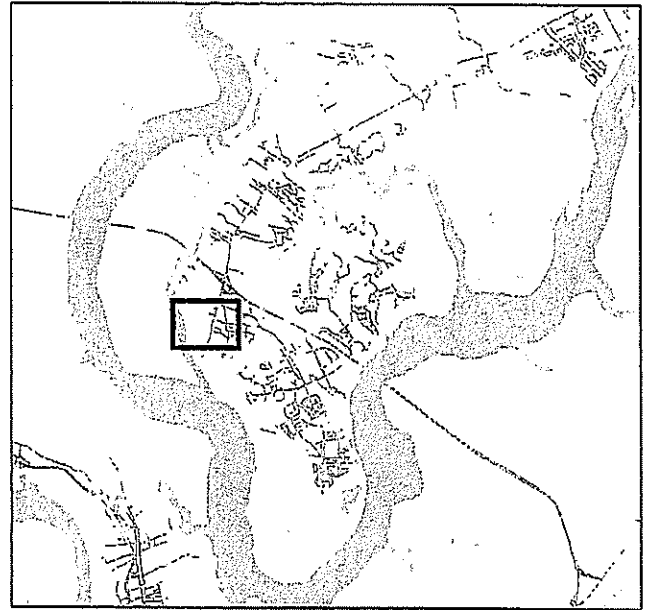
Clements Ferry Road (Cainhoy)

TMS# 2750000005

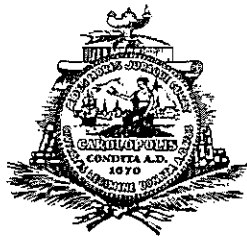
Approximately 16.40 ac.

Request zoning of Rural Residential (RR-1).
Zoned Multisection Manufactured Residential (R1-MM)
in Berkeley County.

Owner: IVO SANDS LLC



I(a).

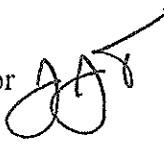


City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor 

DATE: August 20, 2019

RE: Design Review Board Appointment

The Design Review Board shall comprise of seven (7) members. These members shall be citizens of the City of Charleston, with the exception of the professions requires by this ordinance who may be non-citizen owners or principals of a business within the City of Charleston. These members shall have a demonstrated interest in, and a competence and knowledge of architecture, landscape architecture and urban design, and shall include four (4) design professionals including attest one (1) registered architect, one (1) registered landscape architect, one (1) professional engineer, and one (1) realtor/development professional. The board shall elect one of its member's chairman.

Recently, John Tarkany, the boards Landscape Architect, had to resign due to health issues. I would like to thank Mr. Tarkany for the commitment and hard work he has displayed while serving on the Design Review Board for a number of years. For his replacement I am recommending Erin Stevens.

Ms. Stevens is an accomplished landscape architect. She holds a Bachelor's Degree from Harvard University and a Master's Degree in landscape architecture form the University of Georgia. She is the founder and president of Surculus, and urban design and landscape architecture form with the emphasis on urban resilience and sustainable infrastructure for municipal, commercial, residential, and industrial projects.

The following is my recommendation for the Design Review Board.

- Erin Stevens – **New Appointment** – term expires 2/28/2023

SURCULUS

ERIN FINCH STEVENS, RLA, LEED AP

Founder, President, and Landscape Architect of a certified woman-owned urban design and landscape architecture firm with an emphasis on urban resilience and sustainable infrastructure for municipal, commercial, residential, and industrial projects. Prior to launching Surculus in 2016, Erin's professional experience was divided between multi-disciplinary engineering firms and design-focused landscape architectural firms located throughout the Charleston region.

EDUCATION

Bachelor of Arts cum laude in English and American Literature and Language - Harvard University, Cambridge, MA 2004
Master of Landscape Architecture - University of Georgia School of Environmental Design, Athens, GA 2008
Visiting Student in Urban Studies - Columbia University Graduate School of Architecture, Planning, and Preservation, NYC, NY 2004

ASSOCIATIONS AND CERTIFICATIONS

- Licensed Landscape Architect, SC# 1210, 2012-present.
- LEED Accredited Professional, GBCI, 2008-present.
- Member / Sponsor: American Society of Landscape Architects (ASLA), Urban Land Institute (ULI), Commercial Real Estate Women (CREW), Charleston Resilience Network (CRN), Lowcountry Local First (LLF), Charleston Moves, Harvard Schools and Scholarships Committee, Ashley Hall Alumnae Association Board, Harvard Club of South Carolina (President, 2016-Present; Regional Vice President 2012-2016)
- Certified Woman-Owned Business (Surculus), SC Office of Small and Minority Business Assistance Program
- Certified Disadvantaged Business Enterprise (Surculus), SC Department of Transportation
- Certified Minority and Women Business Enterprise (Surculus), City of Charleston

SELECTED PROJECTS

Charleston Community Arts Center – 134 Cannon Street, Charleston, SC

Landscape Architect for the renovation of a historically African-American church into a City-owned performing and visual arts center. The project includes an interior renovation of the former Zion-Olivet sanctuary into a theater, and the transformation of the church's former fellowship halls and offices into visual art galleries and other support facilities for artists. Landscape Architectural improvements include a renovation of the facility's pedestrian circulation and the addition of a lawn, hardscaping, and garden intended to feature art installations and host outdoor events.

The College of Charleston City Bistro Exterior Patio Renovation – Charleston, SC

Landscape Architect for a 9,560 SF renovation of the outdoor areas of a College of Charleston dormitory and dining facility. Renovations included a hardscape renovation that incorporated pervious paving to reduce impacts to natural stormwater flows, an exterior canopy addition with heating and cooling to increase the capacity of the dining facility, expanded bike storage for residents and patrons, full landscape renovations, and a new exterior lighting and furniture package.

South Carolina Governor's Mansion – Columbia, SC

Landscape Architect for the renovation of public gardens on the South Carolina Governor's Mansion property to increase bird-supportive habitat and food sources for local and migratory bird species. Renovations included an all-native planting design in a highly visible and publicly-accessible area of the Mansion grounds and the installation of bird houses throughout the property intended to host a variety of avian species. The garden was sponsored by Audubon and was unveiled in conjunction with Governor Henry McMaster's endorsement of an officially recognized annual Native Plant Week in South Carolina. Completed 2018.

Grace Homes – Charleston, SC

Landscape Architect for a 60-unit affordable housing development project located in the heart of Charleston, SC. Under the guidance of the Charleston Housing Authority and the City of Charleston Design Review Committee, Surculus developed a design for the outdoor spaces of this housing development located in the footprint of the former Cooper River Bridge. The project is located adjacent to the proposed Low Line park and will offer public housing for low- to moderate-income families as well as a series of connected greenspaces to tie the development to the future park system.

Ingleside Development – North Charleston, SC

Landscape Architectural consultant serving on the design review board (DRB) for a 1600-acre mixed-use development located in North Charleston, South Carolina. Additionally, Erin provides ongoing landscape architectural services for the public facilities and roadways within the development, including planting and streetscape plans. While previously working for another firm, Erin wrote Ingleside's Planned Development District (PDD) Guidelines currently administered through the City of North Charleston Department of Planning & Zoning.

Oak Terrace Preserve, Phase II – North Charleston, SC*

Landscape architect for Phase II of a sustainably - focused residential community. Responsible for the design of pocket parks, buffers, bioswales, and other communal areas from the conceptual phase through construction administration. Oak Terrace Preserve is designed as a Low Impact Development (LID) intended to transform the former naval housing complex into a community of 300 single-family homes and 70 townhouses. The design included LID practices of raingardens, bioswales, pervious pavements, forebays, floodplain restoration, and wetland treatment before discharging into an EPA 303(d)-listed impaired waterbody.

Boeing Campus Expansion – North Charleston, SC*

Zoning guideline preparation, supporting drawings, and public presentations for the implementation of a Planned Development District (PDD) for the 450-acre expansion of Boeing SC Campus in North Charleston, SC. Provided landscape architectural design and construction documentation services for associated expansion projects.

I-26alt – Berkeley, Charleston, and Dorchester Counties, SC*

Directed the land use portion of the FTA-funded alternatives analysis of a regional fixed-guideway transit solution along the I-26 corridor from Summerville to Charleston. The scope included a comprehensive operational analysis of the current CARTA transit network, latent demand market analysis to develop short-range, mid-range, and long-range transit recommendations, and analysis and selection of a locally-preferred transit alternative along the 22-mile corridor.

Wharf 7 Apartments – Daniel Island, SC*

Landscape architect for all phases of design and construction for a 312-unit, luxury apartment complex located on Daniel Island in Charleston, SC. In addition to planting design, responsibilities included design for all amenity areas including amphitheater with shade structure, amenitized pool area, dog park, community garden, and a variety of other community features. Provided conceptual renderings, 3D modeling, DRB coordination, and construction drawings.

**Projects completed with previous firms.*

AWARDS

- Women's Leadership Initiative (WLI) Prologis Scholarship Recipient, Urban Land Institute, 2016.
- Delegate to Young Leaders Group, Regional Partnership Forum, Urban Land Institute, 2015.
- Three-time Jurors' Selection, Iraqi Memorial Design Competition, 2009. Winning entry *A Common Thread* featured in galleries in Reno, NV; New York, NY; and San Jose, CA.
- Second Place, Atlanta Park Pride: Vertical Park Competition (team of two with Sara Fiore), 2009. Designed 11-story interactive community garden prototype to include urban agriculture and recreation facilities for a site in downtown Atlanta, GA.
- Honorable Mention, USGBC Atlanta Chapter's Emerging Green Builders Natural Talent Design Competition (team of four), 2008. Designed a low-impact visitors' center for a Civil War battlefield restoration in rural Georgia.

Memorandum of Understanding
Criminal Facial Recognition System

A. PURPOSE.

1. This document creates a Memorandum of Understanding (MOU) when signed by a participating agency and endorsed by the South Carolina Law Enforcement Division (SLED) Criminal Justice Information Systems (CJIS) on behalf of the Criminal Facial Recognition System.
2. The Criminal Facial Recognition System was created in order to provide a single-source, secure data and facial image warehouse environment in which the South Carolina law enforcement community could search to find criminal information, to include images, for the purpose of investigating and disrupting criminal activities. The Criminal Facial Recognition System is a unique system in which users have access to mugshots and South Carolina Probation, Parole, and Pardon Services (PPP) images to include demographic data and arrest information.
3. This MOU is entered into by SLED and signatory municipal, county, state, and federal law enforcement agencies participating in the Criminal Facial Recognition System. This MOU sets forth the policy and procedures for the use of the Criminal Facial Recognition System by participating parties, including the ownership and control of data within the system.
4. Direct access to the Criminal Facial Recognition System is available to law enforcement agencies in South Carolina in the furtherance of authorized law enforcement activities.

B. PARTICIPANTS.

1. The participating law enforcement agencies are those whose representatives have subscribed to this MOU affirming adherence to the plan, principles and restrictions set forth herein.

C. AUTHORITY.

1. The South Carolina Code of Regulations, Section 73-30, reads, "Every law enforcement agency must send SLED a copy of each report made by any officer during the performance of his duties in responding to reported criminal violations within the jurisdiction of that agency; and every law enforcement agency must send SLED a copy of each arrest document made by any officer, jailor, or other official." Section 73-21 reads, "When practicable, the SLED/CJIS will develop

systems which will facilitate the exchange of criminal justice information between criminal justice agencies."

D. MISSION/OBJECTIVES.

1. The Criminal Facial Recognition System seeks to gather arrest data associated with mugshots from SC law enforcement agencies in a systematic and ongoing manner in order to maximize the benefits of information gathering and analysis to prevent and respond to criminal and terrorist threats; to support preventive, investigative and enforcement activities; and, to enhance public safety and the protection of critical infrastructure in South Carolina. The specific objectives of the Criminal Facial Recognition System are to:

- a. Integrate arrest data with mugshots from arresting agencies in near real time within one data warehouse accessible by all participating agencies.
- b. Reduce the time spent by participating agencies' operational, investigative and analytic personnel in search and retrieval of relevant data by providing query and analytical tools.
- c. Provide local and state law enforcement with a tool to search arrest data, including mugshots.
- d. Provide local and state law enforcement with a tool to develop six packs otherwise known as photo line-ups.

E. OWNERSHIP, ENTRY AND MAINTENANCE OF INFORMATION.

1. SLED/CJIS, in support of SC Code of Regulations 73-21 acts as the State's central criminal justice information repository and collects, processes, and stores criminal justice information and records necessary to the operation of the criminal justice information system of the State Law Enforcement Division. Also in support of SC Code of Regulations 73-21, when practicable, the SLED/CJIS will develop systems which will facilitate the exchange of criminal justice information between criminal justice agencies. The SLED/CJIS will collect, process, maintain, and disseminate information and records with due regard to the privacy of individuals, and will maintain and disseminate only accurate and complete records.

2. The Criminal Facial Recognition System is populated with information based on electronic fingerprint submissions (including mugshots where applicable) received from time of arrest and PPP images. It is not intended, nor does it serve as, an original repository of record. Rather, the Criminal Facial

Recognition System is a means to provide timely access for law enforcement agencies to information replicated from the Automatic Fingerprint Identification System (AFIS) and those images submitted by PPP.

F. ACCESS TO AND USE OF INFORMATION.

1. Each participating agency will have access to certain arrest information and images within the Criminal Facial Recognition System. Access, dissemination and/or use of such information by participating agencies are governed under the provisions of this MOU and any other applicable agreements for the exchange of information which may be established for the Criminal Facial Recognition System by the SLED CJIS CSO. Any SC law enforcement agency may access the Criminal Facial Recognition System, regardless if that agency contributes data to Criminal Facial Recognition System or those systems which provide information to the Criminal Facial Recognition System.
2. All parties will have access via a secure internet connection to the data warehoused in the Criminal Facial Recognition System, as provided in this MOU and other applicable agreements which may be established for the Criminal Facial Recognition System by SLED CJIS. Each agency is responsible for providing its own internet connectivity.
3. A person may only access the Criminal Facial Recognition System information when he/she is acting on behalf of a participating agency and has a legitimate need to know for an authorized law enforcement, counter terrorism, public safety, and/or national security purpose.
4. SLED CJIS has the responsibility to ensure proper usage of data contained within the Criminal Facial Recognition System, and conduct audits as necessary. The Criminal Facial Recognition System will maintain an audit capability to log all user activity. SLED CJIS will report any improper usage to the participating agency head and/or agency point of contact for follow up action.
5. SLED will train, certify, and grant access to users of the system. SLED will also notify all approved users of their obligations under applicable statutes and policies, and obtain acknowledgement in writing.
6. By accepting access to the information services described within this MOU, the User agrees to adhere to the following terms and conditions:
 - a. The User agrees the Criminal Facial Recognition application is for criminal justice purposes only;

- b. Use for any purpose other than criminal justice purposes will result in immediate termination of the MOU and immediate loss of access to the Criminal Facial Recognition;
- c. User agrees to comply with all SLED requirements regarding use of the Criminal Facial Recognition and SLED CJIS Networks;
- d. The User agrees Criminal Facial Recognition results are investigative leads to assist with subject identification and/or verification;
- e. The User agrees to provide qualified users the opportunity to attend training and to become trainers;
- f. The User agrees their personnel accept responsibility for identity adjudication and take law enforcement action based upon their own identity determination;
- g. The User agrees to notify SLED as soon as possible, and in no event not later than 5 business days, after an arrest(s) resulting from the use of the Criminal Facial Recognition;
- h. The User agrees to participate in related evaluations to determine the effectiveness of the Criminal Facial Recognition application; and
- i. SLED is to be notified immediately when User personnel have a change in employment status or duty assignment where Criminal Facial Recognition access is no longer needed.

G. SECURITY.

- 1. Each participating agency will be responsible for designating those employees with access to the Criminal Facial Recognition System.
- 2. Each participating agency is responsible for training those employees with access to the Criminal Facial Recognition System regarding its use, dissemination and security of any information obtained from the system.

H. COSTS.

- 1. SLED is responsible for the purchase and maintenance of the hardware and software comprising the Criminal Facial Recognition System platform.
- 2. Participating agencies are responsible for the purchase and maintenance of devices necessary to access data contained within the Criminal Facial Recognition System.

I. LIABILITY.

- 1. Unless specifically addressed by the terms of this MOU (or other written agreement), the parties acknowledge and accept responsibility for negligent or wrongful acts or omissions of their respective officers and employees to the

extent they would be liable under the laws of the jurisdiction(s) to which they are subject.

J. GOVERNANCE.

1. The Criminal Facial Recognition System is managed by the Office of the SLED CJIS Systems Officer (CSO).

K. NO RIGHT IN NON-PARTIES.

1. This MOU is an agreement among the parties and is not intended nor should it be construed to create or confer on any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise against SLED; or any municipal, county, state, or federal party, or other sponsor under whose auspices a party is participating in the CRIMINAL FACIAL RECOGNITION SYSTEM; or the officers, directors, employees, detailees, agents, representatives, contractors, subcontractors, consultants, advisors, successors, assignees or other agencies thereof.

L. EFFECTIVE DATE/DURATION/MODIFICATION.

1. This MOU shall become effective when the duly authorized representative(s) of each party sign.
2. This MOU shall continue in force indefinitely for so long as it continues to advance the participants' mission purposes and contingent upon approval and availability of necessary funding and as long as MOU terms and conditions are adhered to.
3. This MOU may be modified upon the mutual written consent of the duly authorized representatives of the parties. However, the parties may without the need of formal MOU modification cooperatively address and resolve administrative, technical, and operational details relating to this MOU provided any such resolution does not conflict with the spirit, intent or provisions of this MOU. Modifications must be sufficiently memorialized to meet the business purposes of the Criminal Facial Recognition System.

IN WITNESS THEREOF, the parties below have individually executed this MOU by the signatures of the duly authorized representative of each participating agency, and incorporated herein as part of this MOU.

Signature: _____

Date: _____

Name: _____

Title: _____

Agency: _____

For the Criminal Facial Recognition System:

Signature: _____

Date: _____

Name: _____

Title: _____

Agency: _____

MEMORANDUM OF UNDERSTANDING
IN REGARD TO
TRAFFIC SIGNAL INSTALLATION

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered in this _____ day of _____, 2019, by and between the South Carolina Department of Transportation (hereinafter, "SCDOT"), the County of Berkeley County (hereinafter, "COUNTY") and the City of Charleston (hereinafter, "CITY"), collectively referred to as "the PARTIES."

WHEREAS, pursuant to Section 56-5-930 of the South Carolina Code of Laws of 1976, as amended, SCDOT is authorized to place and maintain traffic-control devices, conforming to its standards, upon all highways in the State Highway System; and

WHEREAS, County and City have requested SCDOT consider the installation of an additional traffic signal at intersections on the State Highway System, along the Clements Ferry Rd. (S-8-33) corridor between I-526 and Beresford Run; and

WHEREAS, after consideration of traffic patterns, proposed development and other safety considerations, SCDOT has determined that a traffic signal should be installed at the intersection of Beresford Run and Clements Ferry Rd. (S-8-33) (the "Intersection"); and

WHEREAS, COUNTY and CITY are agreeable with this decision; and

WHEREAS, the PARTIES desire to enter into this Memorandum of Understanding to memorialize their agreement in regard to the installation of the traffic signal and shared desire for improved access management along Clements Ferry Rd. (S-8-33);

WHEREAS, the PARTIES have the power and authority to enter into this Memorandum of Understanding;

NOW THEREFORE, the PARTIES do hereby agree as follows:

1) SCDOT will allow the installation of a traffic control signal at the Intersection, to be installed under an encroachment permit in accordance with its standard conditions and procedures.

2) An encroachment permit for the traffic signal installation shall only be granted after a traffic signal warrant study is completed which indicates a traffic signal is justified based on field-measured traffic volumes, and SCDOT concurs with the findings of that study.

3) COUNTY and CITY concur with the location of the traffic signal at the Intersection and agree that future access to properties adjacent to the Intersection shall be granted access to Beresford Run and the future roadway which creates the fourth intersection approach to Beresford Run and Clements Ferry Rd. (S-8-33), regardless of land use or zoning, through the normal encroachment permitting process. For the purpose of establishing cross-access, the City and County agree to coordinate in the review of all development plans for properties located within the scope of this MOU in order to identify mutually agreeable locations for access, roadways, and intersections within their jurisdictions.

4) Access to adjacent properties shall be provided through a 22-foot minimum publically accessible travel way within a 50-foot minimum publically dedicated right-of-way, constructed according to the design and construction requirements of the respective governmental jurisdiction (either the CITY or COUNTY), and which will connect with either Marina Drive, the future roadway (tentatively named Grande Oaks Drive) creating the fourth intersection approach to Marina Drive and Clements Ferry Rd. (S-8-33), Beresford Run, or the future roadway which creates the fourth intersection approach to Beresford Run and Clements Ferry Rd. (S-8-33) (tentatively known as the realignment of Enterprise Drive).

5) No other traffic signal shall be installed within 1,320 feet of this traffic signal along Clements Ferry Rd. (S-8-33), as measured along the roadway centerline.

6) The PARTIES do hereby bind themselves, and their successors and assigns, to the terms of this MOU, which may be amended if all PARTIES agree.

7) This MOU shall expire five (5) years from the date of execution if the traffic signal at Beresford Run and Clements Ferry Rd. (S-8-33) is not yet installed, unless all parties agree to a subsequent extension.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the PARTIES hereto have caused this Agreement to be executed on the dates indicated below.

WITNESSED BY:

COUNTY OF BERKELEY

By: _____

Print Name: _____

Title: _____

Date: _____

WITNESSED BY:

CITY OF CHARLESTON

By: _____

Print Name: _____

Title: _____

Date: _____

WITNESSED BY:

**SOUTH CAROLINA DEPARTMENT
OF TRANSPORTATION**

By: _____

Print Name: _____

Title: _____

Date: _____



July 02, 2019

Tom O'Brien
City of Charleston
Department of Public Service
Engineering Division
2 George Street, Suite 2100
Charleston, SC 29401

**Meeting and Romney St.
SCDOT Sidewalk Maintenance Request Letter
City Project ID: TRC-SP2017-000046**

Dear Mr. O'Brien,

As part of the encroachment permit review for Meeting and Romney Street, City ID# TRC-SP2017-000046, the SCDOT is requesting that we provide a signed maintenance agreement letter from the City of Charleston for the proposed ~185 LF of 7' sidewalk and ~16 LF of granite curb to be installed within the SCDOT Right-of-Way along Meeting Street and the proposed ~136 LF of 6' sidewalk within the SCDOT Right-of-Way on Romney Street. Please let this letter represent our formal request to the City of Charleston for a signed maintenance agreement letter for the new sidewalk and granite curb associated with the Meeting and Romney Street project.

Should you have any questions or need additional information, please call our office.

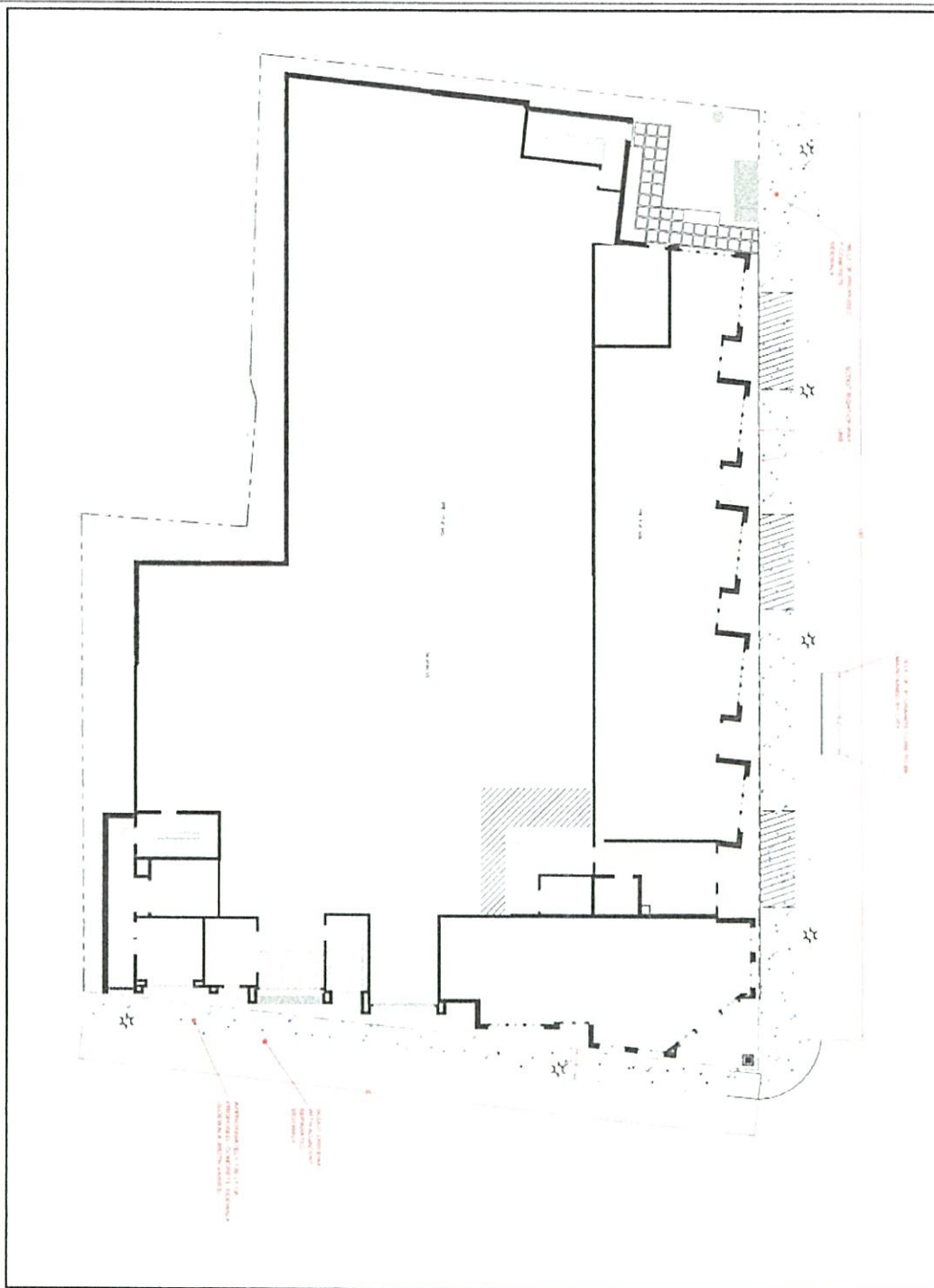
SEAMON, WHITESIDE & ASSOCIATES, INC.

A handwritten signature in blue ink, reading "Jason E. Munday".

Jason Munday, PE
Civil Engineering Division Head

CC: Anna Lewis, Entitlements Manager, SWA

Job #7613



APPROXIMATELY 200,000 U.S. INhabitants are DETAINED IN MEXICO STREET LIGHTS. COASTAL ASSOCIATION WITH THE DEVELOPMENT OF THE VILLAGE AND BROWN STREET WOULD USE PUBLIC INFORMATION AND A LUMP SUM OF \$100,000 TO BE INSTALLED IN MEXICO STREET LIGHTS FOR A YEAR. ASSOCIATION WITH THE DEVELOPMENT OF THE MEXICO STREET LIGHTS WOULD USE PUBLIC



SW
SEAMON WHITESIDE

四



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

August 21, 2019

Mr. Kirk R. Richards, P.E.
Assistant District Maintenance Engineer
SCDOT-District Six
6355 Fain Blvd.
North Charleston, SC 29406

RE: Maintenance of granite curb & sidewalk on Congress Street (S-1821) for the
Greek Hellenie Center.

Dear Mr. Richards:

This letter concerns the proposed installation of granite curb and sidewalk on Congress St
(S-1821).

The City Council of Charleston, at its meeting held August 21, 2019, agreed to accept maintenance responsibility for 100LF granite curb and 500SF of sidewalk within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

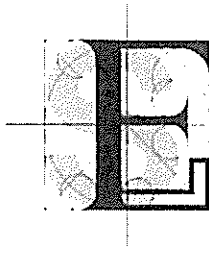
Should there be any questions, please do not hesitate to contact me at 843-724-3754 or at obrient@charleston-sc.gov.

Sincerely,

Thomas F. O'Brien,
Director of Public Service

Copy to:
Trey Linton, Forsberg Eng.
Robert Hauck, GIS

TFO/tmg



FORSBERG
ENGINEERING
& SURVEYING
INCORPORATED

July 25, 2019

To: Tom O'Brien
City of Charleston Dept. of Public Service
Engineering Division

Re: Greek Hellenic Center Congress Street
Maintenance request

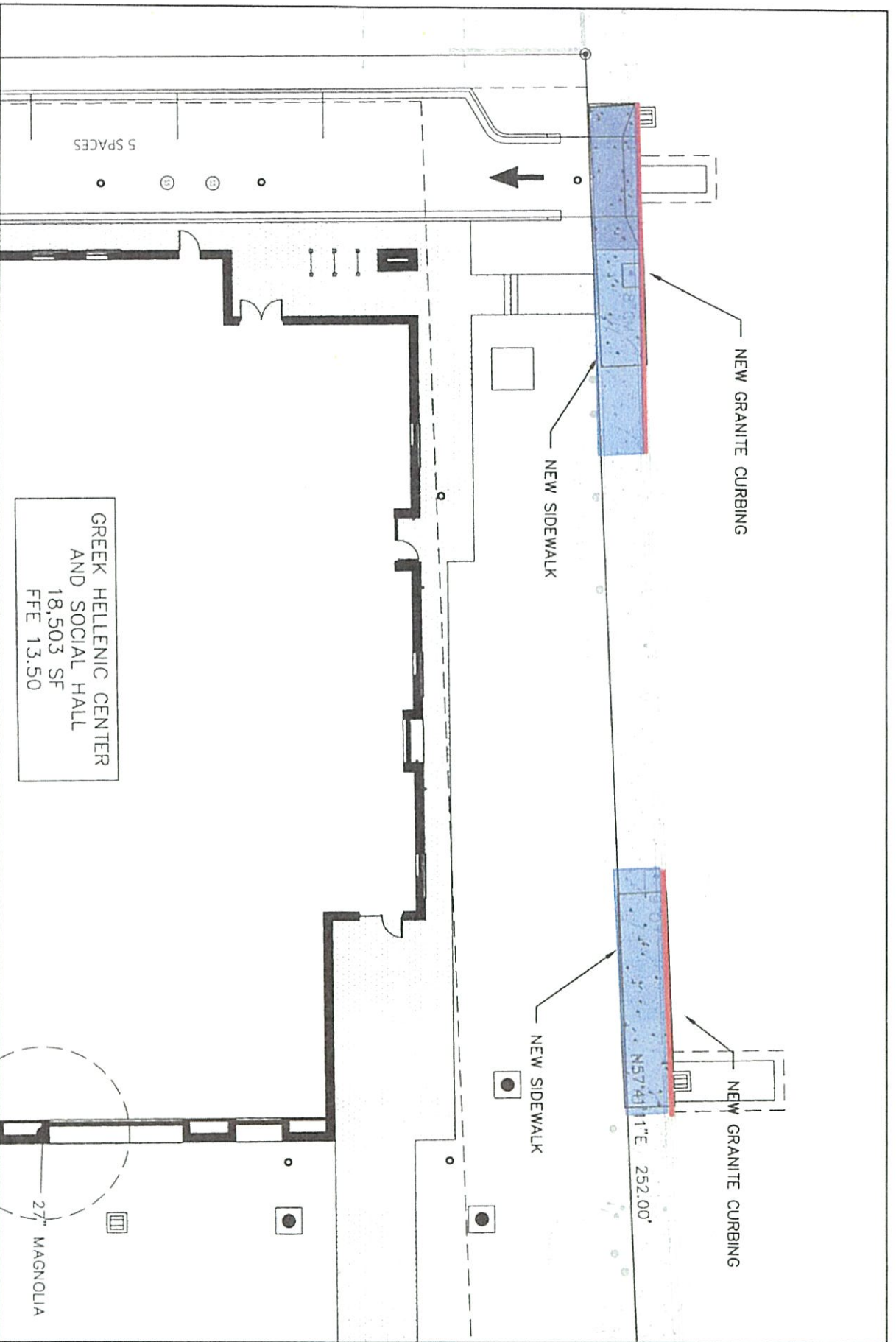
Dear Tom:

Attached is a site exhibit showing new work proposed in Congress Street right of way as part of new work associated with Greek Hellenic Center. We submitted to the SCDOT for encroachment permit and one of the conditions they listed for approval was a maintenance letter needed to be provided from the City. The granite curbing along Congress is approximately 100 Linear Feet and the new sidewalk is approximately 500 square feet. We have attached Exhibit showing the encroachments.

Please review the attached submittal and please do not hesitate to contact me with any questions/comments.

Sincerely,

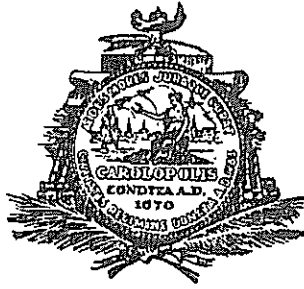
Trey Linton
Trey Linton



GREEK HELLENIC CENTER
AND SOCIAL HALL
18,503 SF
FFE 13.50

GRANITE CURBING: 100 LF
SIDEWALK: 500 SF

GREEK HELLENIC CENTER
CONGRESS STREET
SCALE: 1"=20'
SITE EXHIBIT 7.24.19



Ratification
Number _____

A N O R D I N A N C E

AMENDING CHAPTER 27 OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING FLOOD HAZARD PREVENTION AND CONTROL REQUIREMENTS IN SECTION 27-117 TO INCREASE THE FREEBOARD REQUIREMENT FROM ONE FOOT TO TWO FEET, EFFECTIVE AUGUST 1, 2019 (AS AMENDED).

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Sec. 27-117.(1) of the Code of the City of Charleston, is hereby amended as shown by the language that is stricken and replaced by bold, underlined text as follows:

“(1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, or the applicable structural member elevated at least ~~one (1) foot~~ **two (2) feet** above the level of base flood elevation prescribed for that zone.

a. *New construction* means structures for which the start of construction commenced on or after April 9, 1971.

b. **For substantial improvement of any residential structure, the increase of elevation from one foot to two feet applies only to structures damaged as a result of flooding.**

Section 2. Sec. 27-117.(2) of the Code of the City of Charleston, is hereby amended as shown by the language that is stricken and replaced by bold, underlined text as follows:

“(1) *Non-residential construction.* New construction or substantial improvement of any commercial, industrial or other non-residential structure on or after April 9, 1971 shall either have the lowest floor, including basement, or the applicable structural member elevated to or above ~~one (1) foot~~ **two (2) feet** above the level of the base flood elevation prescribed for that zone or, together with attendant utility and sanitary facilities be flood-proofed in accordance with the FEMA publication "Floodproofing Non-Residential Structures" (1987) (**2013**), so that all areas below the required elevation are watertight and with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subparagraph (2) are satisfied. Such

certification shall be provided to the city as set forth in section 27-114(3) of this division."

Section 3. Sec. 27-117.(4)c.i. of the Code of the City of Charleston, is hereby amended as shown by the language that is stricken and replaced by bold, underlined text as follows:

"i. Stands or lots be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at least ~~one (1) foot~~ **two (2) feet** above the base flood level;"

Section 4. Sec. 27-117.(4)d.i. of the Code of the City of Charleston, is hereby amended as shown by the language that is stricken and replaced by bold, underlined text as follows:

"i. The lowest floor of the manufactured home is elevated to at least ~~one (1) foot~~ **two (2) feet** above the level of the base flood elevation; **unless the substantial improvement to the existing manufactured home is the result of an event other than flooding and therefore is exempt from the increase of elevation from one foot to two feet;** or"

Section 5. Sec. 27-117.(6)b.i. of the Code of the City of Charleston, is hereby amended as shown by the language that is stricken and replaced by bold, underlined text as follows:

"i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above ~~one (1) foot~~ **two (2) feet** above the base flood level, **unless the substantial improvements are the result of an event other than flooding and therefore are exempt from the increase of elevation from one foot to two feet;** and"

Section 6. All of the requirements set forth herein shall take effect and become operative and enforceable on August 1, 2019.

Section 7. This ordinance shall become effective upon ratification.

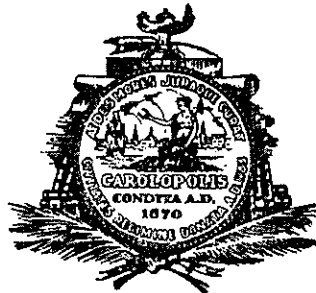
Ratified in City Council this ____ day of _____
in the Year of Our Lord, 201_,
and in the ____rd Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

NI.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED AT SAM RITTENBERG BOULEVARD AND ORLEANS ROAD (EPIC CENTER PUD – WEST ASHLEY) (APPROXIMATELY 53.029 ACRES) (TMS #310-04-00-009, 351-05-00-043, 351-05-00-044, 351-09-00-015 AND 351-09-00-053) (COUNCIL DISTRICT 7), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY TMP SRE I LLC, TMP SRE II LLC, AND TMP SRE III LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Planned Unit Development (PUD) classification.

Section 2. The property to be rezoned is described as follows:

Property located at Sam Rittenberg Boulevard and Orleans Road (Epic Center PUD – West Ashley) (approximately 53.029 acres) (TMS #310-04-00-009, 351-05-00-043, 351-05-00-044, 351-09-00-015 and 351-09-00-053)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
_____ in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning

**Sam Rittenburg Blvd and Orleans Rd
(West Ashley)**

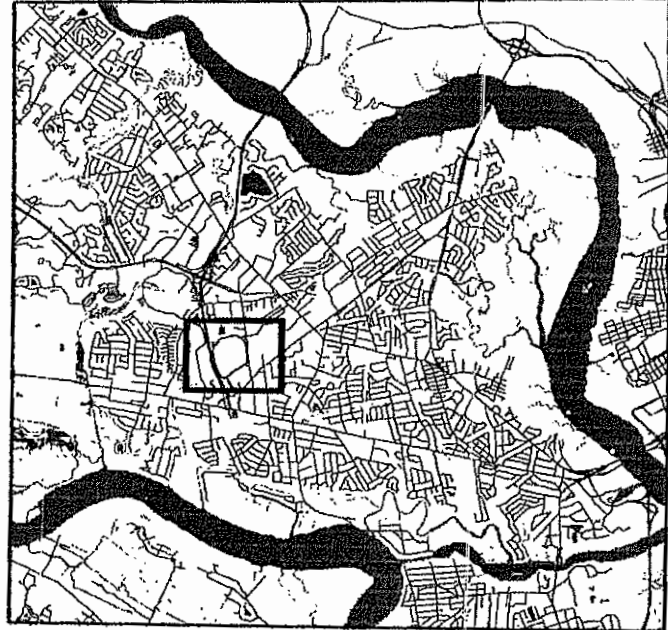
**TMS# 310-04-00-009, 351-05-00-043 and 044,
and 351-09-00-015 and 053**

approx. 53.029 acres

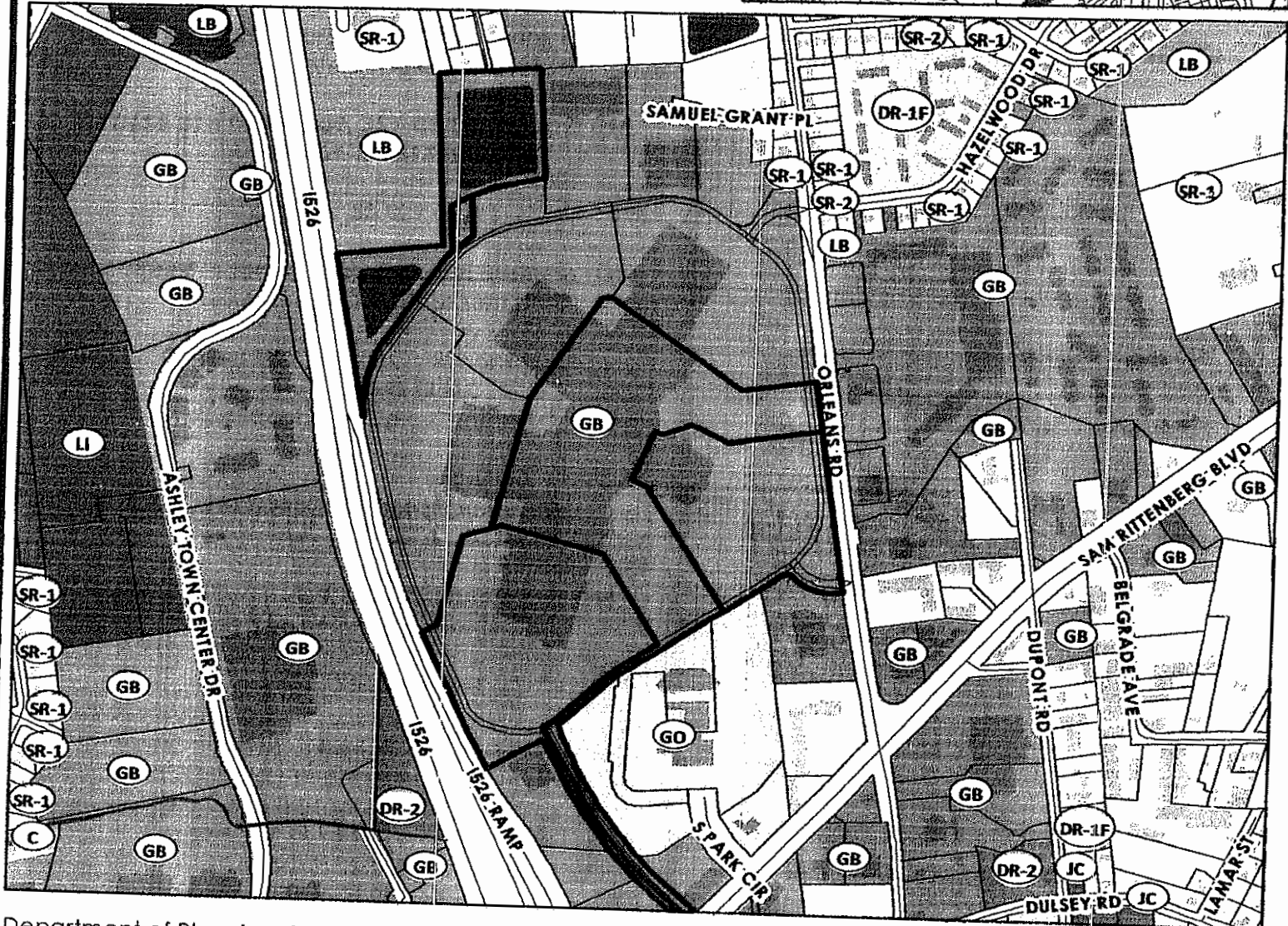
**Request rezoning from General Business (GB)
to Planned Unit Development (PUD).**

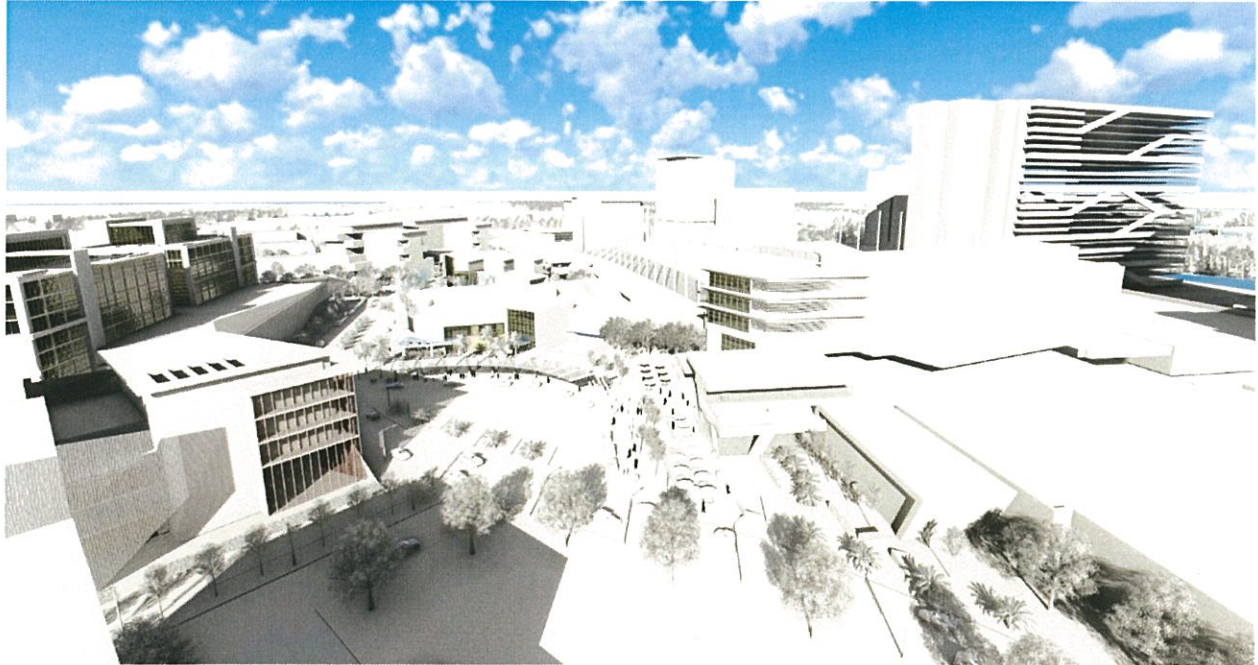
**Owner: TMP SRE I LLC, TMP SRE II LLC
and TMP SRE III LLC
Applicant: TMP Epic Center LLC**

Area



Location





Epic Center Planned Unit Development

Charleston, South Carolina

Applicant:

TMP EPIC CENTER, LLC
2070 Sam Rittenberg Blvd.
Suite B276
Charleston, SC 29407
(843) 762-0110

Owners:

TMP SRE I, LLC
TMP SRE II, LLC
TMP SRE III, LLC

Submittal: August 13, 2019

City Project ID# _____

EPIC CENTER PUD Executive Summary

Citadel Mall Ownership has spent the last 2.5 years working with the Mayor, the City Planning Department, the West Ashley Revitalization Commission, and the Community to collaborate and take part in the West Ashley Revitalization Plan.

Existing Conditions:

- The Citadel Mall is strictly bound by an REA agreement that includes approximately 100 acres of property and a variety of stakeholders. These agreements are complex and it is imperative, as the City has learned from other case studies around the country, that flexible zoning is created to provide a successful redevelopment. The applicant controls the developer rights for the REA agreement and 53.029 acres of the development.
- Currently the property is zoned GB and all existing improvements are retail use.
- The interior mall property tax has decreased by over \$600,000 since the property first went into default in 2008. Neighboring properties have decreased as well following this pattern, making the redevelopment of this property into a vibrant mixed-use development critical to increasing the tax base in the area and populating the TIF that was passed in 2017.

The West Ashley Revitalization Plan has shaped the PUD document. Below is a summary of the guiding principles that have been developed based on the West Ashley Revitalization Plan:

- **Create Dense Mixed-Use Environment** so that the property is diversified and one asset class in a down cycle does not affect the entire community. Density is presented with a metric that will allow the uses to be converted. As an example, if there is a larger demand for housing and a lower demand for office, a conversion matrix exists that would allow the developer to swap uses. This flexibility is important to the long-term nature of this plan.
- **Create an environment for jobs.** 84% of the people living in West Ashley work outside of West Ashley. Office and Employment Opportunities are important to the execution of the Plan. MUSC has made a large commitment to the Revitalization Plan by investing in the adaptive re-use of the former JC Penny building. This building will not only provide new jobs to the area, but will also provide easy access to health care. MUSC expects to see about 1200 patients per day in this location and will offer an incredible variety of medical services.
- **Improve access to different modes of transportation.** Transportation is a major problem in the West Ashley area, partially because so many leave West Ashley for work. The property has the most used park and ride site in the area. The PUD creates the opportunity to develop an intermodal transportation facility with transportation stakeholders like LCRT in the area. The opportunity to create new streets, sidewalks, and bikeways will allow more connectivity to the project as well as the opportunity to promote health and wellbeing.

- **Pursue a facility to support regional and national athletic tournaments in the area.** Sports Facility will bring entertainment activities as well as tourism to the West Ashley area, which historically has the lowest ADR in Charleston. This PUD provides the opportunity to attract tourism specifically to West Ashley to improve the accommodations business in this market.
- **Housing district with convenient multimodal access.** A variety of housing opportunities is an important aspect of a Live Work Play environment. A variety of housing opportunities will exist with a focus on providing housing opportunities for all employees working within this project. There is no housing being eliminated by the redevelopment plan and therefore any housing developed will be adding to the available residential stock in West Ashley.
- **Structured Parking.** Parking is a valuable asset in Charleston, however the large parking fields surrounding the mall in its current condition are not ideal. Structured parking will be a crucial component in redeveloping this property as a dense, mixed-use development, and the TIF document recognizes this.
- **Open Space.** The property currently meets the redevelopment criteria of 20% open space. In addition, new open spaces will be created throughout the final land plan that are more accessible and usable by the surrounding community, patrons, and stakeholders.
- **Traffic Patterns.** A series of improvements have been recommended after certain milestones are reached in development. It is imperative that the changes take into account the connectivity to surrounding neighborhoods and the developers will be working in collaboration with the Hazelwood planning effort to ensure the connectivity is improved.

The enclosed draft addresses most of the comments received from the Technical Review Committee on August 8th. We continue to work closely with staff to address provisions regarding Workforce Housing, Mass Transit (CARTA) and Stormwater, and these revised sections will be included in an updated submittal that will be reviewed by the TRC on September 12th.

Epic Center Planned Unit Development

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SECTION 1: RELATIONSHIP TO ZONING ORDINANCE

The Development Guidelines and Land Use Plan for the Epic Center Planned Unit Development (PUD), attached hereto and made a part hereof, are part of the PUD conditional Master Plan application submitted in accordance with the Zoning Ordinance of the City of Charleston, Article 2, Part 7 Sections 54-250, et seq. Excepted as amended herein, the then-current Zoning Ordinance of the City of Charleston shall govern and is incorporated herein by reference.

No person shall erect or alter any building, structure, or sign on any tract of land or use any tract of land within the Epic Center PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Epic Center PUD Development Guidelines shall follow definitions listed in the Zoning Ordinance of the City of Charleston, as amended from time to time. Administration and enforcement of the adopted Epic Center PUD Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Epic Center PUD Master Plan was approved by Charleston City Council on date _____, ordinance number _____.

SECTION 2: INTRODUCTION AND BACKGROUND INFORMATION

2.1 Background and Ownership

Citadel Mall was originally opened in July 1981 and was developed by Jacobs, Visconsi and Jacobs of Cleveland, Ohio. Citadel Mall is located in West Ashley adjacent to Interstate 526, Sam Rittenberg Boulevard and Orleans Road. A location map showing Citadel Mall and the immediate area is provided in **Appendix A**.

Citadel Mall is a regional mall of over 88 acres and houses over 1,100,000 square feet of retail uses, including Belk, Dillard's, and Target. The Citadel Mall has been in a period of decline for over 10 years, and redevelopment of the site has been an item of concern for the City and Community during this decline. The Citadel Mall is a major stakeholder in the West Ashley Tax Increment Financing District, and a major focus of Plan West Ashley, a City of Charleston initiative.

In 2017, several parcels of the mall were acquired by TMP SRE 1, LLC. Shortly thereafter, the JC Penney parcel was acquired by TMP SRE II, LLC after closing their Citadel Mall location. In early 2018, the Sears parcel was sold to TMP SRE III, LLC, and Sears ceased operations at the Citadel Mall Location in August of 2018. The Medical University of South Carolina is currently converting the former JC Penney building into their west campus medical facility. HBO is currently occupying the former Sears building for a film production studio. During this time applicant has worked closely with the West Ashley Planning Commission and hosted a series of charrettes and public forums on the property.

The existing development and mall operation are governed by a Real Estate Agreement (REA) of which multiple additional property owners are bound. Future development will be developed in accordance with the REA and any subsequent revisions or restatements, but also in accordance with this document and with design oversight of the Epic Center Architectural Review Board whose guidance will be directed based on developed Design Guidelines with urban mixed-use character in mind. Additional information concerning the REA can be found in **Section 13**.

A current property survey is provided in **Appendix B – Property Survey**.

The table below is a list of all parcels contained within the Epic Center PUD boundaries showing ownership, TMS number, and acreage of each parcel. Overall acreage for the Epic Center PUD includes the roads that are currently privately owned and operated.

Owner	TMS No.	Area (acres)
TMP SRE III, LLC	310-04-00-009	14.249
TMP SRE I, LLC	351-04-00-015	19.613
TMP SRE II, LLC	351-04-00-053	10.651
TMP SRE I, LLC	351-04-00-043	0.309
TMP SRE I, LLC	351-04-00-044	8.207
Total PUD Area:		53.029

Stakeholders Parcels*	TMS No.	Area (acres)
Dillard's Department Store, Inc.	351-04-00-062	12.392
Belk, Inc.	351-04-00-063	10.941
Target Corporation	351-04-00-054	11.725
<i>*It is anticipated the stakeholder parcels will be added to the PUD and developed as Phase 2 of the project.</i>		

2.2 Current Zoning

All properties are currently zoned GB-General Business as depicted in **Appendix C – Existing Zoning Map**.

2.3 Development Goals

Epic Center is the next phase of Citadel Mall and will be developed as an urban, mixed-use project and in accordance with the concept of live, work, and play, with health and wellness as a core principle of the development.

The single use of retail has contributed to the declining property value as the sector has struggled, which has affected the local community. The Epic Center site will accommodate a mix of uses that work together and bring a new center of economic opportunity not only to the site but also to West Ashley and other areas of the City of Charleston. The design character will be a dense urban district with new opportunities for gathering spaces and better walkability to the surrounding communities. The architectural character will be modern, and a new network of streets and walking paths will be developed over time.

The Epic Center PUD is based on the following development principles:

- Creating diverse employment opportunities and industry centers that are not tied to a singular industry;
- Creating a mix of housing product for a diverse range of income levels with a specific focus on workforce housing;
- Providing access to sport and entertainment facilities that will be economic drivers to the area;
- Encouraging sustainable development through a long-term strategy;
- Enhancing walkability and access to the public realm;
- Creating a transportation hub more integrated into the PUD; and
- Using the principles of wellness to promote a community of spaces for healthy, balanced lifestyle.

SECTION 3: LAND USE

3.1 Area Breakdown

The table below is a breakdown of the Epic Center PUD's current project acreage, uses, and open space.

Total Area	53.029 acres
Total Highland	52.93 acres
Total Wetlands	0.0 acres
Total Critical Area	0.099 acres
Total Open Space	8.207 acres

3.2 Net Density

The Epic Center PUD is a mixed-use property incorporating flexibility to accommodate appropriate development over time. The Epic Center PUD is based on the Mixed-Use zoning of the City's zoning ordinance and incorporates a base density intensity for proposed development. The table below summarizes the overall net density for the Epic center PUD:

Zoning	Land Use	Area (sq. ft.)	Units
Mixed-Use	Retail	600,000	
Mixed-Use	Office	1,400,000	
Mixed-Use	Medical	275,000	
Mixed-Use	Sports	200,000	
Mixed-Use	Hotel		500 rooms
Mixed-Use	Residential		1025 dwelling units
Mixed-Use	Senior		200 dwelling units
Mixed-Use	Civic	15,000	

These densities/intensities represent the anticipated square footages or unit counts anticipated in the Epic Center PUD. Should the land use densities/intensities need to increase over time, a corresponding reduction in densities/intensities for other uses shall be required pursuant to the Land Intensity Conversion Matrix provided in **Appendix D**. In addition, to enable flexibility over the duration of development, the net densities/intensities of a specific Land Use may be converted to a different specific Land Use utilizing the Institute of Traffic Engineer's Handbook, 10th edition (the "ITE") equivalence. Development density/intensity may occur only after written notice to the City's Traffic and Transportation department and the receipt of written notification from the City that the transfer complies with ITE standards.

As an example of the flexibility of using the ITE equivalence, suppose a use change is proposed from 50,000 sf of retail to a hotel use. Based on the ITE equivalence, 214 hotel rooms could be added in place of the 50,000 sf of retail space. The calculations based on the ITE Conversion Matrix are shown below:

$50,000 \text{ sf} / 1,000 \text{ sf} = 50$ $50 * 4.281 = 214$ room substitution for 50,000 sf of retail space

3.3 Development Zones

Epic will be comprised of a mixture of uses working to complement each other through economic collaboration. Land planning will consist of zones for retail and entertainment, healthcare and sports performance, commercial, and residential. A variety of uses within each zone will be planned around new

roadways and common spaces creating a work, live, play environment that creates an opportunity for new transportation solutions to support the urban landscape.

A land use plan is provided in **Appendix E – Land Use and Open Space Plan**.

3.4 Attainable Housing

Fifteen percent (15%) of the total residential units developed within the Epic Center PUD will be developed as attainable housing and may include senior living housing. These residential units will be developed as one of the following:

- (1) Owner occupied housing units that shall be made available to households having a household income that does not exceed one hundred twenty percent (120%) of the AMI, as determined by the U.S. Department of Housing and Urban Development or its successor, and as adjusted for the City; or
- (2) Rental housing units, which shall be made available to households having a household income between eighty (80%) and one hundred twenty percent (120%) of the AMI, as determined by the U.S. Department of Housing and Urban Development or its successor, and as adjusted for the City.

Prior to the issuance of a certificate of occupancy for an attainable housing unit, Developer shall execute or cause to be executed covenants restricting such unit to occupancy and, if applicable, ownership by qualified persons for a period of fifteen (15) years for rental housing units and for a period of twenty-five (25) years for owner-occupied housing units. For the owner occupied units, the covenants shall identify the maximum allowable sales prices, as defined in City of Charleston Zoning Code Section 54-299.1.B., and provide that the initial maximum allowable sales price may be adjusted annually for inflation based on the increase in the AMI or the Consumer Price Index, whichever is greater. The covenants shall include a provision granting the City the right to enforce the covenants.

SECTION 4: ZONING CRITERIA

The development of the property must maintain flexibility to accommodate its existing conditions and stakeholders who collectively share the existing infrastructure. The locations and sizes of land uses will be developed in a comprehensive land plan that considers the life cycle of the existing assets and phases development in accordance with market conditions and design parameters that work collaboratively with the existing retail stakeholders. As such, the conceptual land plan does not include boundaries or preliminary planning concepts that will continue to evolve through the land planning process. Any zoning criteria that is not addressed herein will be governed by the City of Charleston Zoning Ordinance as it may be amended from time to time.

4.1 Development Standards

The table below is a breakdown of development standards in Epic Center. All amenity areas, facilities, and public streets shall be ADA compliant. Additional details will be provided in the Design Principles as approved by the process outlined in Section 9.

Lot Requirements	
Minimum Lot Size	No Minimum
Minimum Lot Frontage	30 feet
Lot Occupancy	No Maximum

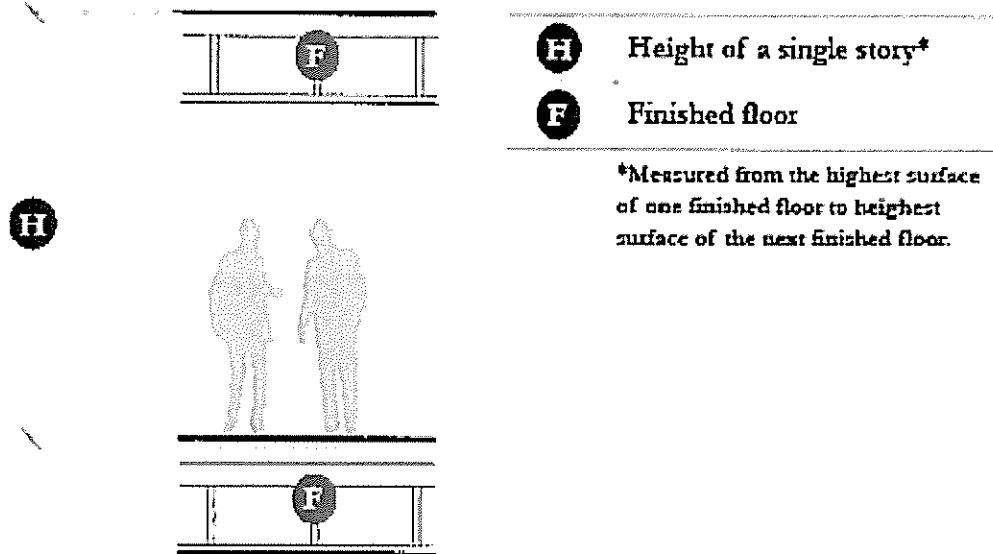
Minimum Setbacks

Front	0 feet
Rear	0 feet
Sides	0 feet

Maximum Building Height

Buildings within 500 feet of the Orleans Road right-of-way shall not exceed nine stories. Buildings outside of this area have a maximum height of 25 stories; provided, however, that no more than 40% of the property shall have buildings that exceed 20 stories.

Where heights are specified in stories, the measurement shall be taken from finished floor to finished floor. See Figure below.



Any area under a structure in excess of six feet shall be counted as a story. Additional height for ornamental appurtenances and utilitarian appurtenances related to mechanical equipment or structural systems (such as elevator and stair towers, exhaust fans, HVAC and communications equipment) that exceed the maximum allowable height may be permitted by the Epic Center Design Review Board (ECDRB) based on architectural merit and context. Appurtenances shall not exceed nine feet in height and shall be placed to the rear or side of the building where possible in order to minimize visibility from the public right of way. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same. Density of screening should be adequate to sufficiently screen mechanical equipment.

Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone parking garages shall appear from the street to conform to the number of stories permitted in the height district in which is located.

Floors shall be measured in the following manner:

Residential:

The maximum height of a residential floor shall be 12 feet" (could be 13 or 14 feet). "Any dimension above this shall constitute two stories.

The minimum height of any residential floor shall not be less than 10 feet; however, there is no minimum height for floors in a one family dwelling, two-family dwelling or one-family attached dwelling.

Non-Residential:

The maximum height of any nonresidential story shall be 20 feet" (maybe more).

The ECDRB may grant a waiver up to 25 feet on the main floor based on architectural merit and context. Any dimension above this height shall constitute two stories.

The minimum height of any nonresidential floor shall not be less than 12 feet.

4.2 Permitted Uses

Permitted uses in the Epic Center PUD shall be in accordance with the GB-General Business zoning classification as set forth in the City of Charleston Zoning Ordinance Article 2, Part 3 as amended through this document approval date with the following exceptions:

Additional allowed uses include the following:

- 701----- Hotels, motels and inns (Accommodations)
- 7042 --- Dormitories
- 781----- Motion Picture/Multimedia Production
- 801----- Offices and clinics of health practitioners
- 805----- Nursing and personal care facilities
- 806----- Hospitals
- 807----- Medical and Dental Laboratories
- 884.1 -- Multi-Family dwelling for the elderly
- 5122 --- Drugs, Drug Proprietaries, and Druggist Sundries

4.3 Excluded Uses

Notwithstanding Section 4.2 above, the following uses are not permitted within the Epic Center PUD:

- 14----- Mining
- 66----- Short Term Lenders
- 091----- Commercial Fishing
- 516----- Chemical and Allied Products
- 527----- Mobile Home dealers
- 556----- Recreational and Utility Trailer Dealers
- 703----- Camps and Trailing Parks
- 726.2 -- Crematories
- 784----- Video Tape Rental
- 4788 --- Stables
- 7299 --- Massage Parlors
- 7998 --- Riding Stables
- Adult Uses (as defined in the City of Charleston Zoning Ordinance latest edition)

4.4 Parking and Loading Requirements

The property is currently bound by the REA agreement parking standards. There will be no minimum or maximum parking standards at Epic Center. Parking standards and loading dock requirements shall be addressed in the Design Principles.

4.5 Communications Towers

Communication towers are allowed in the Epic Center PUD subject to the current City of Charleston Zoning Ordinance and as it may be amended from time to time.

SECTION 5: OPEN SPACE

Open space will consist of the existing open space parcels along with urban plazas and parks located throughout the Epic Center PUD. Opportunities for these spaces will be developed for specific properties during their design development and will be overseen by the REA and Epic Center Architectural Review Board.

In addition to the network of urban open spaces, a civic use is proposed for the PUD. The exact character of this use is to be determined as development advances.

The open space will be maintained by the Property Owner Association and/or applicable government entity. Requirements for open space are per the table below:

Open Space Requirements	
Gross PUD Area	53.029 acres
Existing Open Space	8.207 acres
	Useable Open Space 2.65 acres
Gross Open Space Required	10.85 acres (20% gross project area)

Refer to the conceptual open space locations and tabulation in **Appendix E - Land Use and Open Space Plan**.

SECTION 6: BUFFERS

Other than OCRM designated critical line buffers required by the then-current Zoning Ordinance, buffers are not required within or around the Epic Center PUD.

SECTION 7: TREE SUMMARY

The existing site has numerous trees along open space edges and planted trees in scattered islands, along roadways, and in restricted planting areas around buildings. Tree protection is a very important aspect of Epic Center and shall be governed per the City of Charleston Zoning Ordinance, latest edition, with the exception of trees required to be maintained shall be 12 trees per acre. In addition to the zoning requirements, tree removal requires the approval of the Epic Center Architectural Review Board and shall not be removed until permits are issued by the City of Charleston.

The table below shows a summary of existing trees. Refer to **Appendix G** for the tree survey.

Existing Tree Summary	Overall Site
Existing Trees on Site	1,505
Existing Grand Trees on Site	24
Existing Protected Trees on Site	1,076 (12.2 trees/acre)

SECTION 8: RIGHT-OF WAY

A mix of roadways is proposed for Epic Center. Public roads will be limited in number and their character and location will be determined as development proceeds. All roads will be built to City Standards; public roads shall be accepted by the City in accordance with the then current regulations.

All at grade roadways will have asphalt lanes and concrete curb and gutter. Sidewalks will be present on both sides of the road where sensible to allow pedestrian circulation throughout the PUD.

The Epic Center vision is to have walkable urban streets throughout the PUD in order to fulfill the requirements of live, work and play. The higher density urban character with structured parking will make streetscapes a high priority for creating shade and landscape character.

Any deviation from standard materials within rights-of-way will require City of Charleston Director of Public Service approval. All rights-of-way shall be designed and implemented to accommodate emergency and public service vehicles.

Road cross-sections shall be those typically allowed by ordinance, as well as those cross-sections illustrated in **Appendix H – Typical Road Cross Sections**.

Proposed vehicular access points shall be as noted in **Figure I-1** of **Appendix I – Vehicular Access Plan and Photographs** and in the corresponding photographs (**Figures I-2 through I-5**).

SECTION 9: DRAINAGE BASIN ANALYSIS

The PUD is located within the Dupont Wappoo (DuWap) drainage basin. The extent of this basin compares closely to five basins within the 1984 Davis and Floyd drainage study designated as Citadel Mall Channel, Dupont North, Sherwood West, and Skylark Drive.

The overall basin is a mix of high-density commercial development and residential areas. The central outfall for the area is the large drainage channel that is south of and adjacent to the Citadel Mall. The mall properties are predominantly asphalt, concrete and building. There are significant landscape areas around the exterior of the mall and large retail tenant spaces (i.e. Belk, Dillard, Target and former Sears). But, the amount of landscape within the surface parking lots and along the internal circulation roads is minimal. This results in high Curve Numbers (CNs) and low Times of Concentration (TCs). The CNs range from 94 – 96 for the developed basins

The City of Charleston and Charleston County have jointly initiated a drainage study to evaluate the existing drainage capacities in the area and to recommend improvements. This study is on-going, and the data collection and site investigation phase of the study are complete.

The results of the data collection were requested, but not available at the time of this submittal. The stormwater modeling phase of the DuWap basin study has not been completed and recommended improvements are expected to be made later this year (est. summer/fall of 2019).

The PUD has more than 20% impervious surface, and the cumulative costs of development over 5 years is anticipated to be equal to or exceed 50% of the value of the property, thus requiring conformance with the "Redevelopment" provisions of the Stormwater Management Ordinance (Code of the City of Charleston, Chapter 27).

This ordinance revision requires implementation of one of the following performance standards (summarized):

1. Reduce impervious cover by 20%
2. Reduce the volume of runoff from the site by 10 percent for the 2-year, 24-hour storm event
3. Reduce the peak discharge rate by 20 percent for the 10-year and 25-year, 24-hour storm events

The intent of the Preliminary Drainage Study is to analyze the existing basins and to demonstrate an ability to meet the stormwater requirements for SCDHEC Standards for Stormwater Management and Sediment Reduction Regulation: R.72-300 thru 72-316 and R.72-405 thru 72-445 and an ability to meet the Redevelopment Ordinance. For this purpose, the post development analysis has been performed to demonstrate an ability to meet the performance standard #2 – 10-percent reduction in the 2-year, 24-hour stormwater volume.

The presented solution is not the only way to meet the ordinance, but an illustration of a way to achieve the requirements. The presented solution is a reduction in CN by decreasing impervious area and no change in the Time of Concentration (TC). The ultimate solution can be achieved by any combination of stormwater storage, decrease in CN through additional landscape areas or permeable pavements, or an increase in TC.

Notwithstanding anything contained in the foregoing, all development shall comply with the then-current stormwater and drainage requirements.

The Drainage Basin Analysis is located Section 7 of the Engineering Report. Refer to **Appendix J** for the Engineering Report and its associated maps and calculations.

SECTION 10: TRAFFIC IMPACT STUDY

The proposed Epic Center Mixed-Use Development is located at the Citadel Mall in the City of Charleston, South Carolina. The current plan envisions the redevelopment of the area to include a total of roughly 4,000,000 square feet of residential, hotel, retail, office, and arena uses.

Development would take place over the next 20+ years. Access would be provided on Orleans Road and Sam Rittenberg Boulevard. A Traffic Impact Study was conducted to determine the amount of new traffic anticipated, its impact on surrounding roadways, and potential mitigation strategies.

Trip generation and distribution was estimated using Institute of Transportation Engineers (ITE) procedures in coordination with the Berkeley-Charleston-Dorchester Council of Governments (BCDCOG) Charleston Area Transportation Study (CHATS) model. New traffic was assigned to the study area intersections and impact quantified.

With the buildout of the Epic Center, some improvements to the site accesses and to area roadways will be necessary. Recommendations include:

- Construction and signalization of a new main entrance to Epic Center on Orleans Road south of Hazelwood Road;
- Removal of the signal at Orleans Road and Hazelwood Road and redesign of the intersection;
- Lane additions to Orleans Road northbound approaching Paul Cantrell Boulevard to include dual left-turn lanes and a through/right-turn lane;
- Turn lane addition to the southbound Orleans Road approach to Sam Rittenberg Boulevard; and
- Signal timing adjustments to include SB overlap phase at the Sam Rittenberg Boulevard and S. Park Square/Skylark (Epic Center Access #3) Drive intersection.

Since the development is planned to occur over the next 20+ years, not all the recommendations need to be implemented immediately. Market conditions and numerous other factors will determine the pace of development and when roadway improvements are needed.

As recommended in the traffic study, the vehicular access points may change with the development of the property. As density increases, an additional access and the modification of existing access points along Orleans Road may need to occur.

The location of future alternative access points is shown in **Appendix I**. Development direction will determine the most appropriate of the two alternative locations.

The complete Traffic Impact Study is provided in **Appendix K**.

SECTION 11: CULTURAL RESOURCES

A cultural resources assessment was conducted and is presented in **Appendix L**.

Review of the South Carolina State Historic Preservation Office (SHPO) GIS data indicates there are no eligible historic structures within or immediately adjacent to the PUD.

Refer to the SHPO map depicted as **Figure L-1** in **Appendix L**.

SECTION 12: LETTERS OF COORDINATION

Refer to **Appendix M – Letters of Coordination** for received correspondence.

SECTION 13: ADDITIONAL INFORMATION

13.1 Design Review and Modifications

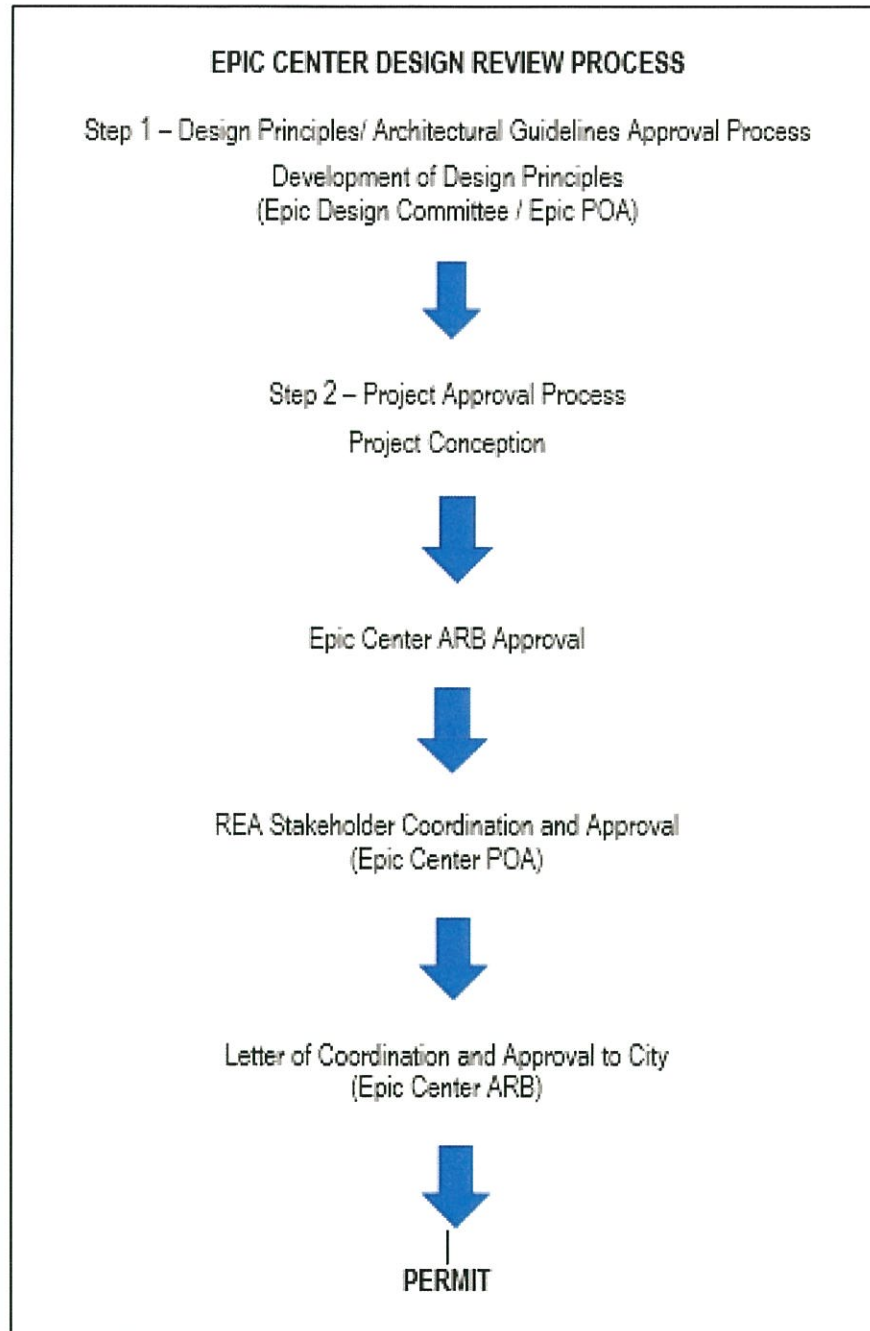
The Epic Center development shall be governed by design guidelines developed to insure current, progressive design in the development of high-density, urban mixed-use properties. The Epic Center Design Guidelines shall be developed by a committee of professionals and approved by the Epic Center Property Owners Association (POA) and the City of Charleston Design Review Board (DRB).

The Epic Center Design Guidelines shall include direction for the following elements of design:

- Building Location and Orientation;
- Architectural Character;

- Signage Design and Character;
- Site and Landscape Plan and Character;
- Streetscape and Circulation Design;
- Exterior Lighting Design and Character; and
- Parking Layout and Character.

Design review will be performed by the Epic Center Architectural Review Board with recommendations passed to City Staff for incorporation of the project technical review. Development within the Epic Center PUD will not be subject to any design review other than by the Epic Center Architectural Review Board.



13.2 Existing Real Estate Agreements

The original Citadel Mall development is governed by a recorded multi-party agreement also referred to as the REA and a series of other unrecorded operating agreements. The original Real Estate Agreement includes the following additional parcels, whose owners are referred to as stakeholders throughout this document:

Parcel (Area)	TMS	Acres
Dillard's	351-04-00-062	12.392
Target	351-04-00-054	11.737
Belk	351-04-00-063	10.941
Dick's Sporting Goods	351-05-00-035	6.07
	351-05-00-042	
PetSmart	310-04-00-010	3.93
	310-04-00-017	
S&N Properties, LLC	351-05-00-052	4.98

The REA will be amended and re-stated from time to time and may also expire or be abandoned at some point. The EPIC CENTER POA will manage the compliance of this agreement and will work with existing stakeholders to implement a design plan that compliments and protects the uses of the existing real estate and operations.

Epic Center Planned Unit Development

List of Appendices

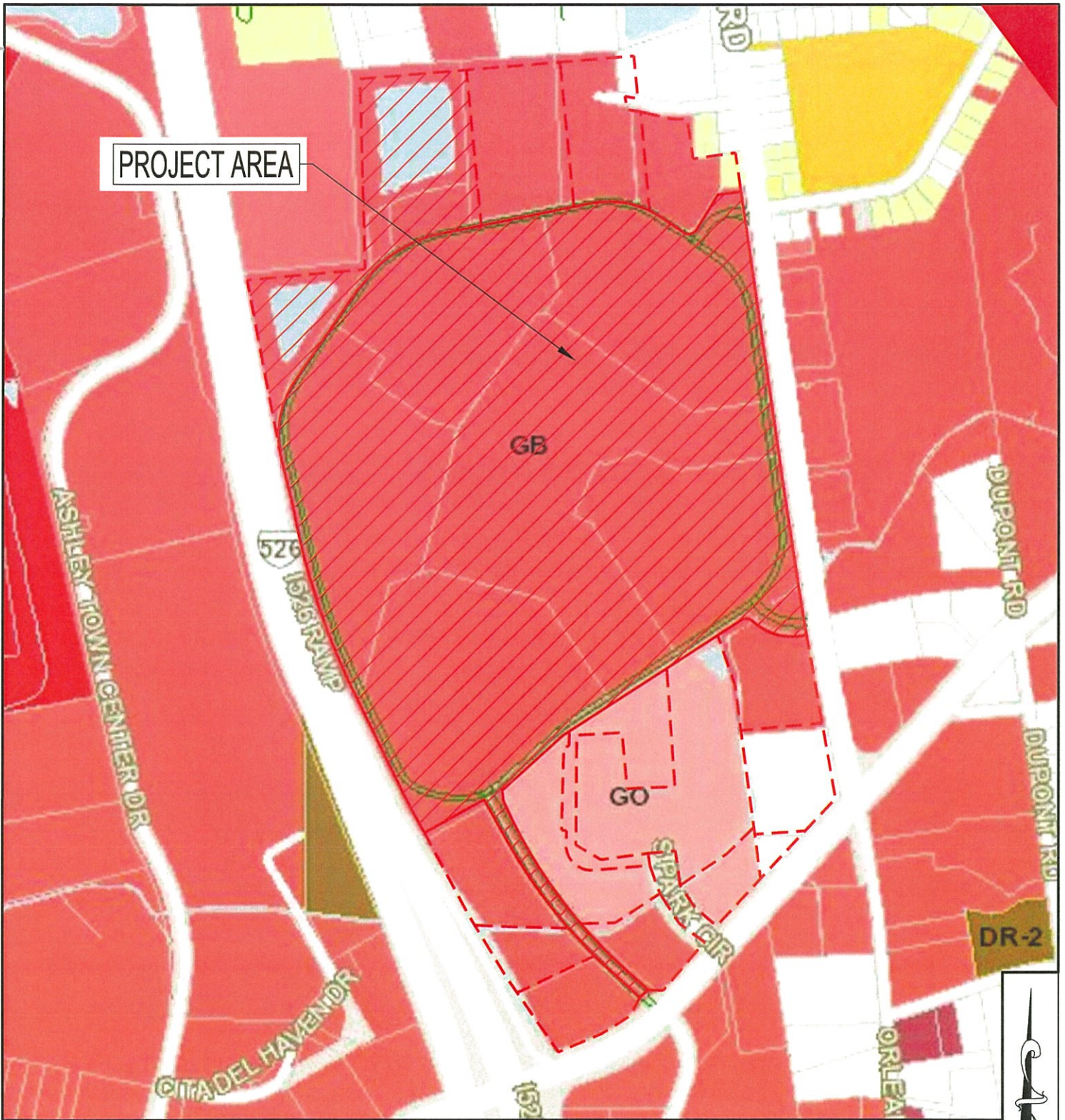
Appendix A	Location Map
Appendix B	Property Survey
Appendix C	Existing Zoning Map
Appendix D	Land Use Intensity Conversion Matrix
Appendix E	Land Use and Open Space Plan
Appendix F	Height District Plan
Appendix G	Tree Survey
Appendix H	Typical Road Cross Sections
Appendix I	Access Plan and Photographs
Appendix J	Engineering Report with Drainage Basin Analysis
Appendix K	Traffic Impact Study
Appendix L	Cultural Resources Assessment
Appendix M	Letters of Coordination

APPENDIX A – LOCATION MAP



APPENDIX B – PROPERTY SURVEY

APPENDIX C – EXISTING ZONING MAP



PROJECT SITE IS IN ZONE:
GB -GENERAL BUSINESS



1226 YEAMANS HALL ROAD
HANAHAN, SC 29410
843-566-0161
ADCENGINEERING.COM

ZONING MAP

PROJECT EPIC

PD-6

DATE: 08/20/18

CHARLESTON, SOUTH CAROLINA

REF:

ADC PROJECT#: 18221.00

APPENDIX D – LAND USE INTENSITY CONVERSION MATRIX

ITE 10th Edition Conversion Matrix

Land Use	Average Rate											
	200 Multi-Family Housing (Low Rise)	220 Multi-Family Housing (Mid Rise)	221 Multi-Family Housing (Mid Rise)	222 Multi-Family Housing (High Rise)	252 Senior Adult Housing - Attached	254 Assisted Living	310 Hotel	460 Arena	610 Hospital	630 Clinic	710 General Office Building	720 Medical Dental Office
Convert From:	1 DU	1 DU	1 DU	1 DU	1 DU	1 DU	1 DU	1 KSF	1 KSF	1 KSF	1 KSF	1 KSF
200	1,000	1,273	1,556	1,839	2,154	2,415	2,679	1,191	0.025	0.171	0.487	0.147
220	0.786	1,000	1,222	1,444	1,666	1,889	2,111	0.936	0.020	0.134	0.383	0.115
221	0.643	0.818	1,000	1,182	1,365	1,548	1,731	0.766	0.016	0.110	0.313	0.094
222	0.464	0.591	0.722	0.854	1,000	1,146	1,292	0.553	0.012	0.079	0.226	0.068
252	4.643	5.909	7.222	8.535	10,000	11,311	12,622	5.532	0.116	0.793	2.261	0.682
254	1.589	2.023	2.457	2.891	3.325	3.759	4.193	1.894	0.040	0.271	0.774	0.234
310	0.839	1.068	1.297	1.526	1.755	1.984	2.213	1.000	0.021	0.143	0.409	0.123
460	39.857	50.727	61.597	72.467	83.337	94.207	105.077	47.489	1.000	6.805	19.409	6.451
610	5.857	7.455	9.053	10.651	12.249	13.847	15.445	6.979	0.147	1.000	2.852	0.948
630	2.054	2.614	3.174	3.734	4.294	4.854	5.414	2.447	0.052	0.351	1.000	0.332
710	6.179	7.864	9.549	11.234	12.919	14.604	16.289	7.362	0.155	1.055	3.009	1.000
720	6.804	8.659	10.514	12.369	14.224	16.079	17.934	8.106	0.171	1.162	3.313	1.101

ITE 10th Edition PM Peak Hour Rates	
200	Multi-Family Housing (Low Rise)
220	Multi-Family Housing (Mid Rise)
221	Multi-Family Housing (Mid Rise)
222	Multi-Family Housing (High Rise)
252	Senior Adult Housing - Attached
254	Assisted Living
310	Hotel
460	Arena
610	Hospital
620	Nursing Home
630	Clinic
710	General Office Building
720	Medical Dental Office
820	Shopping Center/Retail

APPENDIX E – LAND USE AND OPEN SPACE PLAN



LAND USE AND OPEN SPACE PLAN EPIC CENTER



APPENDIX F – HEIGHT DISTRICT PLAN



HEIGHT DISTRICTS EPIC CENTER



APPENDIX G – TREE SURVEY



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ARCHITECTURE



TREE SURVEY EPIC CENTER



APPENDIX H – TYPICAL ROAD CROSS SECTIONS

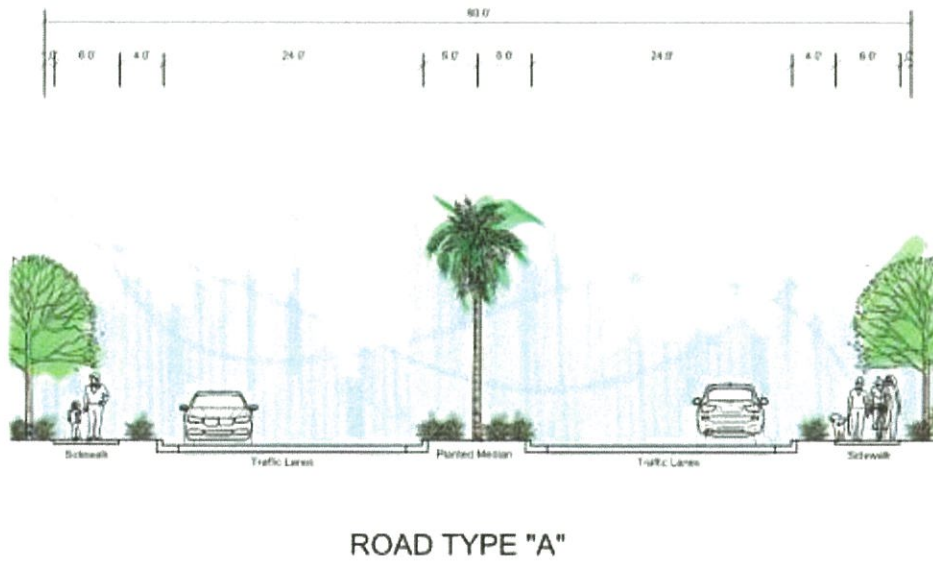


Figure H-1: Epic Center PUD main entrance road and internal collector with two lanes and 10' planted center median.

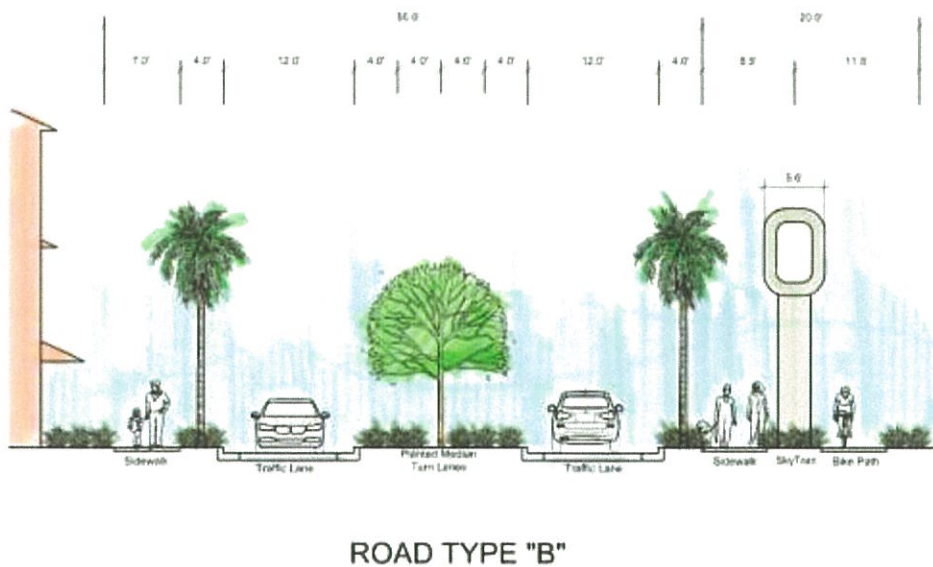


Figure H-2: Epic Center PUD perimeter collector road with integrated mass transit and hiker/biker trails. Roadway has two lanes with 16' center median which can accommodate a center turn lane.

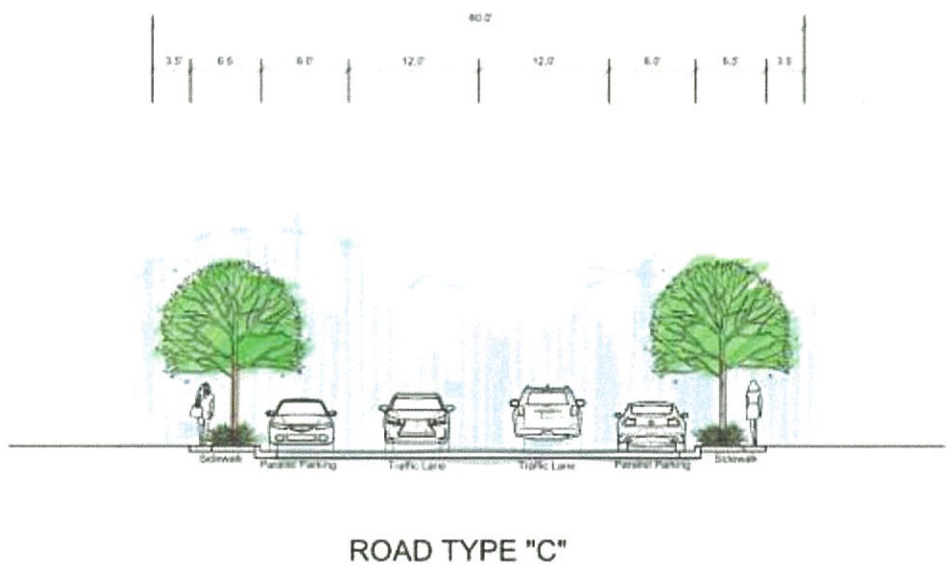


Figure H-3: Epic center PUD connector street with on-street parking. Street design to allow closed parking during events to enable quick entry and exit of property.

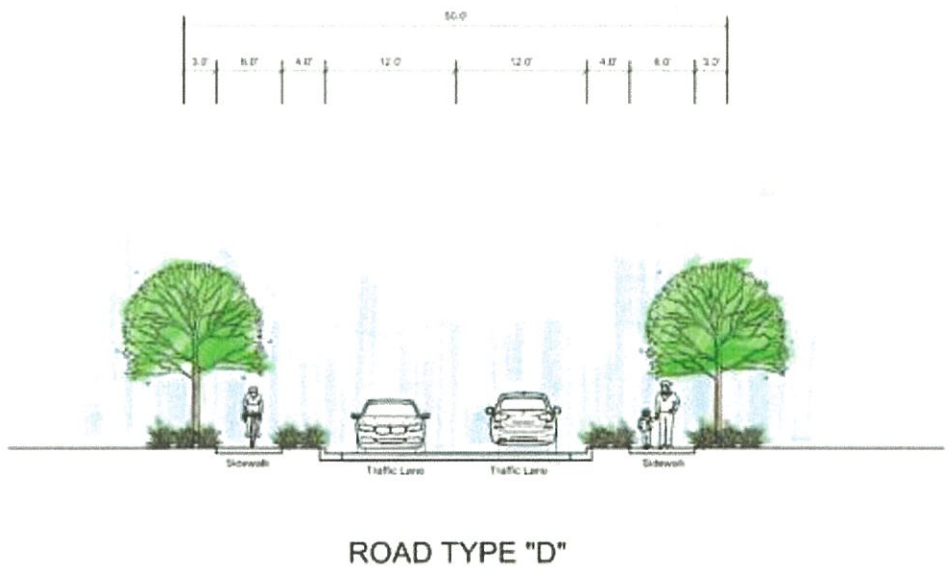


Figure H-4: Epic Center PUD internal connector street with sidewalks and tree plantings.

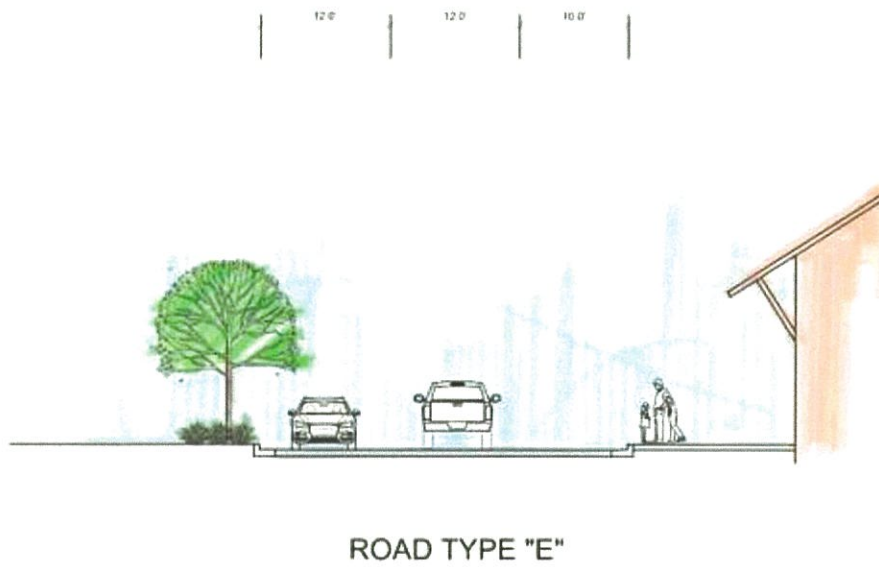
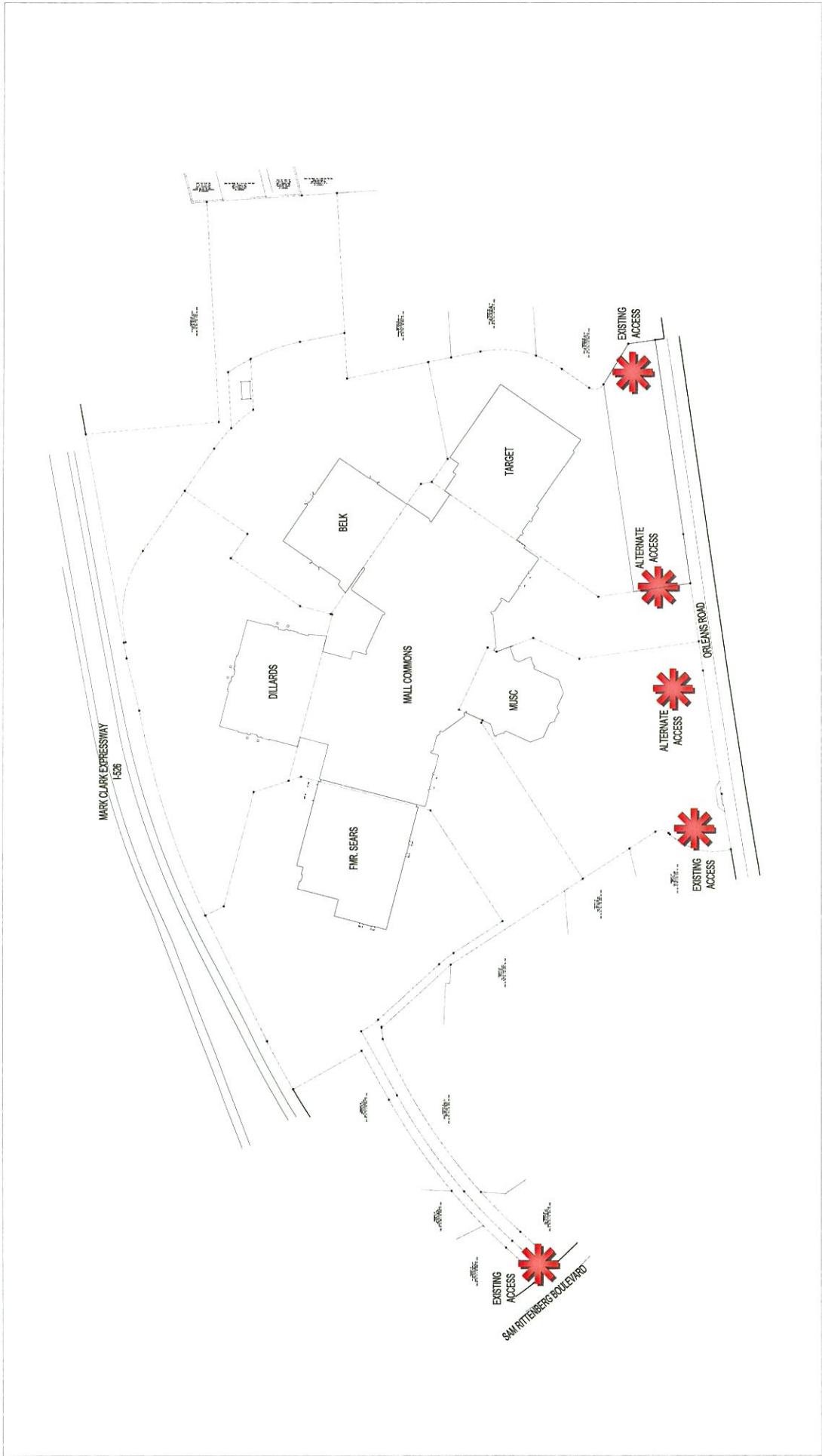


Figure H-5: Epic Center PUD commercial adjacency street with fire lane. this street may have parking on opposite side of fire lane.

APPENDIX I – ACCESS PLAN AND PHOTOGRAPHS



ACCESS PLAN EPIC CENTER



mcmillan | pazdan | smith
ARCHITECTURE



Figure I-2: Existing access to Sam Rittenberg Boulevard.



Figure I-3: Existing south entrance at Orleans Road.



Figure I-4: Existing north entrance at Orleans Road.



Figure I-5: Proposed future alternate entrance locations at Orleans Road.

APPENDIX J – ENGINEERING REPORT WITH DRAINAGE BASIN ANALYSIS

APPENDIX K – TRAFFIC IMPACT STUDY

APPENDIX L - CULTURAL RESOURCES

Cultural Resources Assessment Report

Cultural Resources Assessment

Project: Citadel Mall Redevelopment

County: Charleston

Authors: Ralph Bailey (RPA, Principal Investigator) and Charles F. Phillips (Historian)

1. ArchSite Database Search (see attached map)

Date: April 24, 2019

Buffer: Half Mile

Resource Number	Description	NRHP Status
6341	Oakland Elementary School	Not Eligible
2570372	Simons House	Not Eligible
4267	Wallace Elementary and High Schools	Eligible
6734	1971 Survey- 1423 Hazel Road	Not Eligible
6735	1974 Survey- 1956 Savage Road	Not Eligible
6736	1971 Survey- 1952 Carrie Street	Not Eligible
6737	1973 Survey- 1975 Carrie Street	Not Eligible
6738	1430 Amber Lane	Not Eligible
6745	1963 Survey- 1889 Richmond Road	Not Eligible
38CH0109	The Kinloch Site	Destroyed by I526

There is one recorded historic property that is outside the project tract but within the half mile buffer (see Figure 1). The Wallace School (Resource 4267) is one of several Equalizations Schools in South Carolina that is considered eligible for the NRHP. The school is well to the east of the project and will not be impacted.

Previous investigations in the immediate vicinity of the project tract consist of several DOT-sponsored projects related to the Mark Clark Expressway and various road and intersection improvement projects from the late 1970s through the early 2000s (see Figure 1). One archaeological site, 38CH0109, was recorded. This site, known as the Kinloch site was researched and subsequently destroyed by the expressway. In 2016, Charleston County completed a survey update of above ground historic resources in the county (Reed et al. 2016). Several mid-20th century houses were identified within the half-mile buffer of the project tract. None are eligible for the NRHP.

2. Archival Map Research

Historic Maps, Plats, and Aerial Photographs Showing the Study Area.

Document	Date	Description
USGS Johns Island quadrangle	1958	Shows local roads on highland.
Charleston Co. Highway Map	1938	Shows two buildings on the highland.
Johns Island quadrangle	1919	Shows a road and 10 houses.
Kollock map of Charleston Co.	1902	Shows no structures.
McCrary Plat # 897	c.1900	Shows Grant lands and residence of Thomas Grant.
Confederate Defenses of Charleston	1863	Shows nothing in the project area.
Mills map of Charleston District	1825	Shows nothing in the project area.
McFadden Map of SC	1780	Shows nothing in the project area.

Early 20th century topographic maps show a narrow ridge running northwest to the southeast across the northern section of the project tract and wetlands throughout the western and southern portions of the tract (see Figure 2). The wetlands were channelized and drained and the roads realigned at some point in the mid twentieth century. Houses line Savage Road along the eastern boundary of the project tract until the area was commercially developed in the 1980s. Citadel Mall opened in 1981.

3. Field Reconnaissance

The principal investigator conducted a field reconnaissance on May 2, 2019. The project tract and surrounding area is heavily developed with big box stores, chain restaurants, office parks, and apartment buildings. The former Wallace School (Resource 4267) have been replaced or altered significantly since it operated as an Equalization School. It is likely no longer eligible for the NRHP.

There is a small, concrete block store and several small one-story brick and wood frame homes along Orleans Road near the northeast corner of the project tract. These buildings are much less than 50 years old and do not meet the minimum requirement to be surveyed and assessed for NRHP eligibility.

4. Project Summary and Recommendations

The Citadel Mall redevelopment tract was developed in the 1980s. The western and southern portions of the tract consist of filled wetlands. The north and eastern portions of the tract lie on a terrace that was developed with several houses in the mid-1900s. None of these houses remain today. The potential for significant archaeological sites to be present on the project tract is very low.

The area immediately surrounding the project tract consists of modern commercial development. The former Wallace Equalization School is recorded within the half mile buffer of the project tract; however, it has been significantly altered and is likely no longer eligible for the NRHP. There are no significant archaeological sites or historic architectural resources within the half mile buffer of the project tract. Redevelopment of the Citadel Mall tract will have No Effect on historic properties. Additional work is not warranted.

References Cited

Caballero, Olga

- 1990 *Archaeological Survey of the S-1168/S-1373 Intersection Improvements Project, Charleston County, South Carolina*. South Carolina Department of Transportation, Columbia

Davis, Summer Ciomek, Cox

- 2014 *Phase I Cultural Resources Survey of Selected Portions of the Mark Clark Expressway, Alternative G (Preferred Alignment), Charleston County, South Carolina*. Prepared for the South Carolina Department of Transportation, Columbia.

Hendrix, M. Patrick

- 2002 *Cultural Resources Survey of the Proposed Henry Tecklenburg Boulevard Extension Project, Charleston County, South Carolina*. Prepared for Thomas & Hutton Engineering, Mt. Pleasant.

Reed, Mary Beth, Summer Ciomek, and Patrick Sullivan

- 2016 *Charleston County Historic Resources Survey Update, Charleston County, South Carolina*. New South Associates, Stone Mountain, Georgia.

Roberts, Wayne D.

- 2004 *Archaeological Survey of the Orleans Road Improvements Project, Charleston County, South Carolina*. South Carolina Department of Transportation, Columbia.

Trinkley, Michael

- 1980 *Archaeological Survey of Skylark Drive Relocation and Access Road, Charleston County, South Carolina*. South Carolina Department of Transportation, Columbia.

Wheaton, Tom

- 1995 *Architectural, Underwater Reconnaissance, and terrestrial Archaeological Survey of the Mark Clark Expressway*. Prepared for the South Carolina Department of Transportation, Columbia.

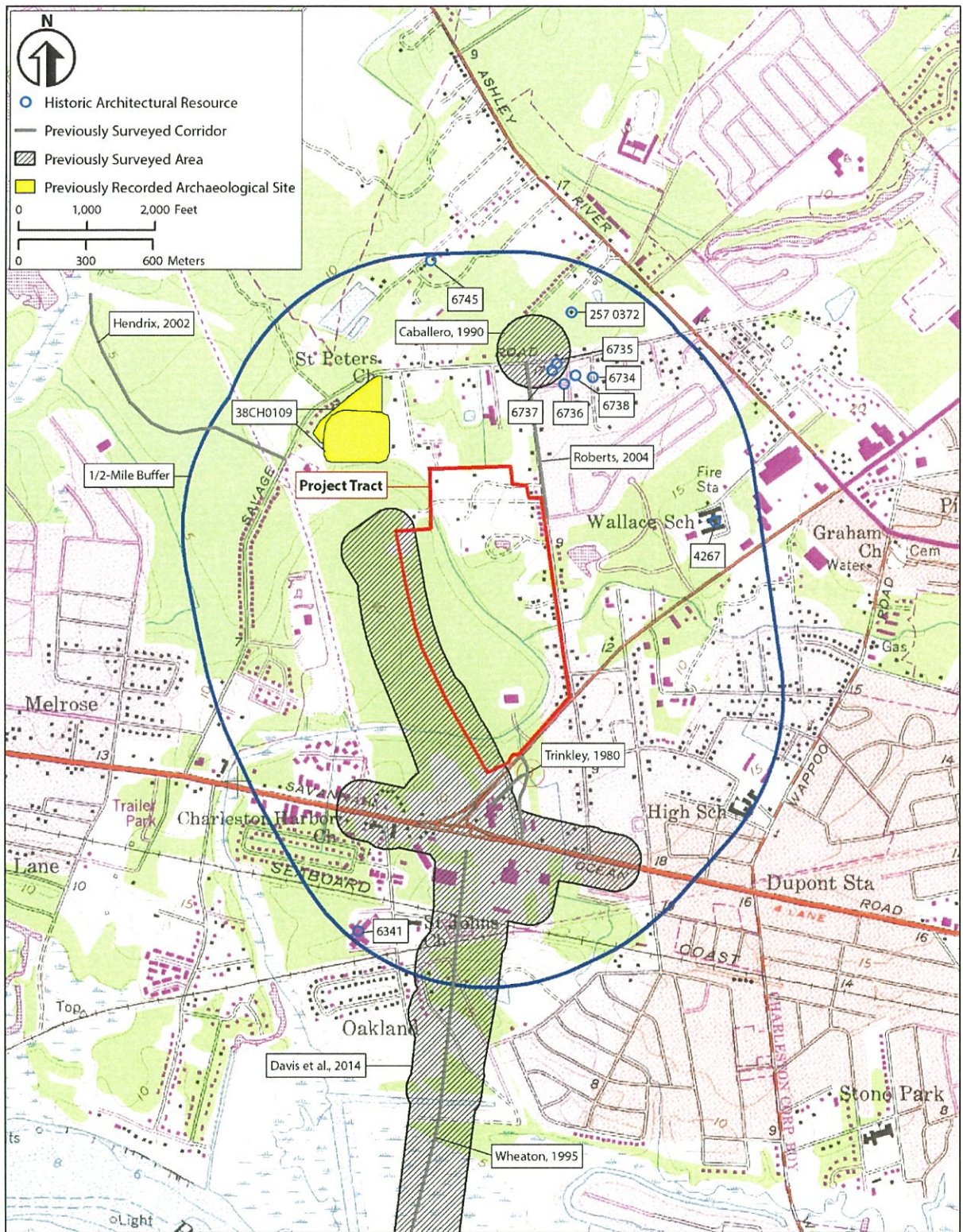


Figure 1. Location of the Project Tract and Previously Recorded Cultural Resources within 1/2 mile.

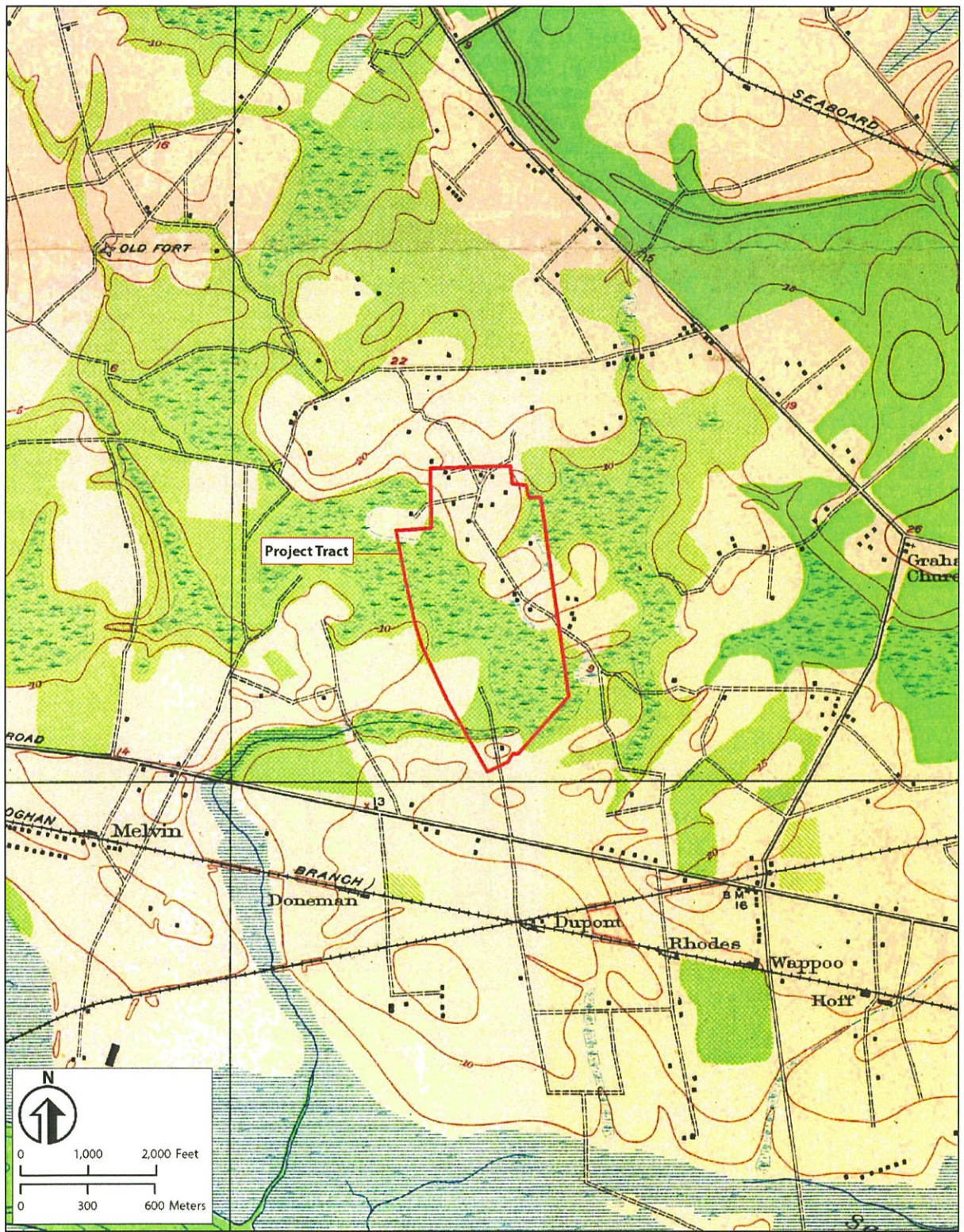
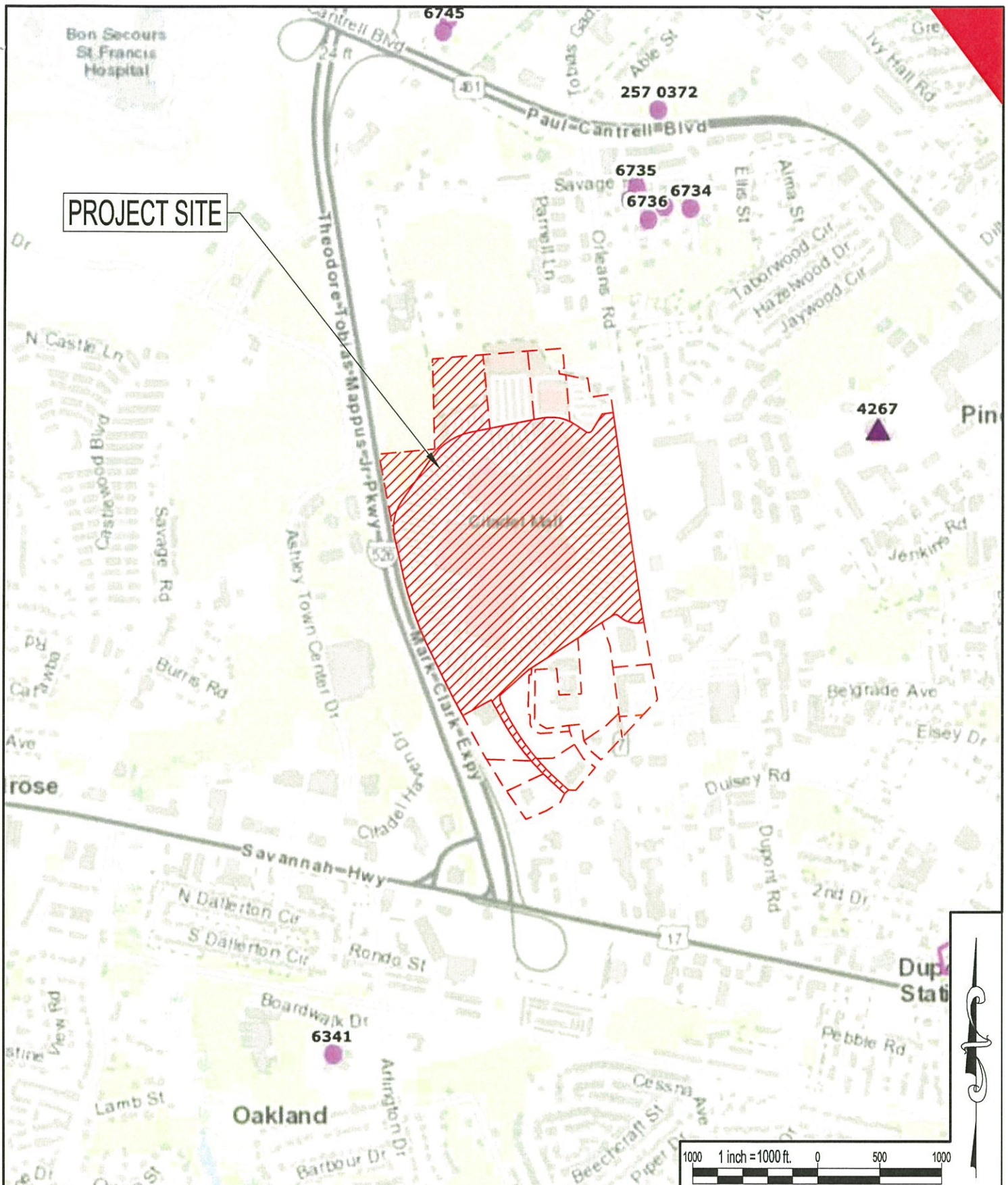


Figure 2. 1918 quadrangle showing residential development in the northeast portion of the tract.

APPENDIX L - CULTURAL RESOURCES

Figure L-1: State Historic Preservation Office (SHPO) Locations – Map PD-09.



1226 YEAMANS HALL ROAD
HANAHAN, SC 29410
843-566-0161
ADCENGINEERING.COM

STATE HISTORIC PRESERVATION OFFICE

PROJECT EPIC

PD-9

DATE: 08/20/18

CHARLESTON, SOUTH CAROLINA

REF:

ADC PROJECT#: 18221.00

APPENDIX M – LETTERS OF COORDINATION



February 14, 2019

Mr. Chris B. Cook, P.E.
ADC Engineering
1226 Yeamans Hall Road
Hanahan, SC 29410

Re: Letter of Availability - TMS#351-09-00-015, -053, -062, -063, -054, and 310-04-00-009 and 351-05-00-044.

Dear Chris,

I am pleased to inform you that Dominion Energy will be able to provide electric and gas service to the above referenced site. Service will be provided in accordance with Dominion Energy's General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the company's standard operating policies and procedures. Please note that this ability to serve may be dependent on Dominion Energy being able to obtain the necessary right-of-way to serve the site.

Any cost associated with providing service will be determined when a finalized/approved plan is submitted to our office. In order to begin engineering work for the project, the following information will need to be provided:

- 1.) Detailed utility site plan (AutoCAD format preferred) showing water, sewer, and storm drainage as well as requested service point/transformer locations.
- 2.) Additional drawings that indicate wetlands boundaries, tree survey with barricade plan and buffer zones (if required), as well as any existing or additional easements will also be needed.
- 3.) Electric load breakdown by type with riser diagrams.
- 4.) Signed copy of this letter acknowledging its receipt and responsibility for its contents and authorization to begin engineering work with the understanding that Dominion intends to serve the referenced project.

Dominion Energy's construction standards and specifications are available upon request. For more information or questions, contact me by phone at (843) 576-8451 or email at pthompson@scana.com.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Thompson".

Paul D. Thompson
Customer Service Engineering

Acknowledgement of Receipt

Signature _____

Title _____ Date _____



PO Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6800
www.charlestonwater.com

Board of Commissioners

Thomas B. Pritchard, Chairman
David E. Rivers, Vice Chairman
William E. Koopman, Jr., Commissioner
Mayor John J. Tecklenburg (Ex-Officio)
Councilmember Perry K. Waring (Ex-Officio)

Officers

Kin Hill, P.E., Chief Executive Officer
Mark Cline, P.E., Assistant Chief Executive Officer
Dorothy Harrison, Chief Administrative Officer
Wesley Ropp, CMA, Chief Financial Officer
Russell Huggins, P.E., Capital Projects Officer

February 19, 2019

Chris Cook, P.E.
ADC Engineering
Via email chrisc@adcengineering.com

Water & Sewer Availability TMS:351-09-00-015, -053, -062, -063, 054 and 310-04-00-009 and 351-05-00-044
Re: Redevelopment of existing retail/commercial site – Epic Center

This letter is to certify our willingness and ability to provide water service and wastewater collection to the above referenced site in Charleston County, South Carolina. Charleston Water System (CWS) currently has an existing water and wastewater systems located within easements on the site. The CWS own a 10" Ductile Iron Pipe (DIP) water main loop which ties into existing 24" DIP water mains in the rights of way of Orleans Road and Sam Rittenberg Blvd. CWS also owns 10" and 8" gravity wastewater collection mains throughout the site which travel to our existing 12" gravity wastewater main in the right of way of Orleans Road. As the property develops, it may be necessary to upsize or re-route existing water and wastewater mains depending on the scope of development.

This review does not supplant any other review as required by governing authorities and municipalities. It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water/fire flow and not negatively impact the existing developments. Additional proposed wastewater flow which exceeds current use must also not negatively affect downstream infrastructure. Please be advised any extensions or modification to the infrastructure will be a developer expense. All fees and costs associated with providing service to this site will be a developer expense. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing main/mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-6869.

Sincerely,

Lydia H. Owens
Charleston Water System

February 19, 2019

ADC Engineering
Attn: Christopher Cook
1226 Yeamans Hall Rd
Hanahan, SC 29410

Subject: Epic Center (Re-titled)
310-04-00-009, 351-05-00-044
351-09-00-015, 053, 054, 062, 063

Operations Division

Gerrita Postlewait, Ed.D.
Superintendent of Schools

Jeffrey Borowy, P.E.
Chief Operating Officer

Dear Mr. Cook:

Please accept this letter as "Proof of Coordination" and adequate service capacity for ADC's involvement with the preparation of PUD documents for the proposed redevelopment of seven (7) parcels known as Citadel Mall.

To determine an estimate of additional students any development will create, the following formula is used: on an average of .4 students per single-family unit and .2 students per multi-family unit which is then divided by the number of kindergarten through twelfth grade levels (which is a total of 13 levels) to get a grade level average. That average is multiplied by the number of grade levels per school level and rounded to the nearest whole number.

On the basis of the location supplied to us, we expect significant impacts to enrollment from a capacity standpoint. The three (3) schools that fall within the attendance zone where your development will take place are listed below, and are subject to zoning modification.

- Stono Park Elementary
- West Ashley Middle
- West Ashley High

Please contact me at (843) 566-1995 if you have any questions and/or concerns.

Sincerely,



Angela Barnette, M.Ed.
Director of Planning & Real Estate



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 29, ARTICLE VI, SEC. 29-240 OF THE CODE OF THE CITY OF CHARLESTON PERTAINING TO THE PROCEDURE OF ACCIDENT REPORTING.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 29, Article V, Sec. 29-240 of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in **bold and double underlined** and a ~~strike through~~ for a deletion):

Sec. 29-240. Report of accident required

The driver of a vehicle, or licensed tour guide, governed by the tourism ordinances, involved in any accident/occurrence resulting in injury to or death of any person/animal and/or property damage shall **immediately notify emergency services, once it is safe to do so. Following, notification to emergency services, the driver, or a representative of the company involved in the accident shall immediately notify the Department of Livability and Tourism and shall** within twenty-four (24) hours of such accident/occurrence make written report thereof to the **Director of Livability and Tourism**. Further, all carriage operators must maintain current liability insurance information on their carriages at all times. The information must include the name of the insurance carrier, the policy number, and the contact telephone number of the insurance carrier.

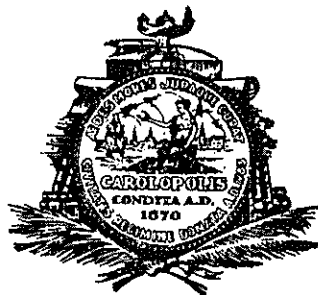
Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, and in the ____th Year of the Independence of the United States of America

John J. Tecklenberg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 29, ARTICLE IV, SEC. 29-96 OF THE CODE OF THE CITY OF CHARLESTON TO UPDATE LANGUAGE REGARDING INSURANCE REQUIREMENTS FOR PRIVATE PASSENGER AUTOMOBILE TOURS

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 29-96 of Chapter 29 of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in **bold and double underlined** and a ~~strike through~~ for a deletion):

Section 2. 29-96 Insurance required.

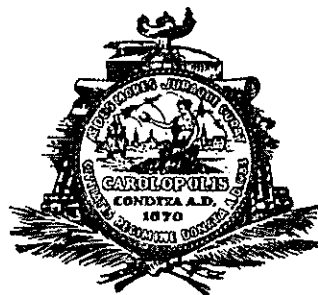
Private passenger automobiles used in conducting tours for hire must carry liability insurance **of at least the amounts required by the Financial Responsibility Act of South Carolina and also shall carry** with medical payments **(Med Pay) or Personal Injury Protection (PIP)** coverage in **an** amounts ~~required from time to time by the commission~~ **of at least \$5000 per accident**. Such policies shall contain no exclusion of coverage while operating vehicles for hire.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2019, and in the _____ Year of the Independence of the United States of America

John J. Tecklenberg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 29, ARTICLE I, SEC. 29-2 OF THE CODE OF THE CITY OF CHARLESTON TO UPDATE THE DEFINITION OF PRIVATE PASSENGER AUTOMOBILE.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 29-212 (e) (1)(f) of the Code of the City of Charleston is hereby amended so that hereafter said Section shall read as follows (amendatory language in bold and double underlined and a ~~striketrough~~ for a deletion):

Private passenger automobile shall mean a standard family passenger automobile, designed to hold no more than 8 persons including, a station wagon a sedan, cross-over, SUV, and or mini-van, used for the purpose of touring, and shall not include a van, panel truck or other vehicle. Private passenger automobile shall not include full-sized vans, buses of any type, panel trucks, limousines, motorcycles with or without passenger compartments, tricycles whether motorized or not, golf carts, low speed vehicles, motor homes, home-made vehicles, custom-made vehicles or standard family passenger automobiles that have been substantially modified from their original design, excepting modification of a standard family passenger vehicle for handicapped use is allowed. A taxi cab cannot be used as a private passenger automobile for touring purposes. A vehicle in service of a Transportation Network Company (also known as a ride-share company including Uber and Lyft) as defined by S.C. Code § 58-23-1610 cannot be used as a private passenger automobile for touring while actively engaged in transport of riders for the Transportation Network Company.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, and in the ____ Year of the Independence of the United States of America

John Tecklenberg Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council