

Mr. Mike A. Brown
District 1
Ms. Rhonda Jerome
District 2
Ms. Virginia Jamison
District 3
Mr. Ron Brinson
District 4
Mr. Jerome Heyward
District 5

Mayor R. Keith Summey
NORTH CHARLESTON CITY COUNCIL
Montague Terrace at North Charleston Coliseum
5000 Coliseum Drive
North Charleston, SC
June 11, 2020
7:00 PM

Ms. Dorothy Williams
District 6
Mr. Samuel L. Hart
District 7
Mr. Bob King
District 8
Mr. Kenny Skipper
District 9
Mr. Michael Brown
District 10

Call to Order

Mayor R. Keith Summey

Invocation

Mayor R. Keith Summey

Pledge of Allegiance

Mayor R. Keith Summey

PRESENTATIONS

Introduction of New Employees

Mayor R. Keith Summey

MINUTES

1. Minutes from May 28, City Council Meeting

Request to Approve

INTRODUCTION OF BILLS AND RESOLUTIONS

2. An Ordinance Authorizing the Mayor to Execute a Berm Easement and Any and All Documents Necessary and Appropriate to Grant said Easement Across TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205 to SC Department of Commerce, Division of Public Rails

Final Reading

INTRODUCTION OF BILLS AND RESOLUTIONS

3. An Ordinance Rezoning the Properties Addressed as 1921 Gumwood Boulevard (Charleston County TMS#s 472-04-00-105 & -106) from R-1, Single-Family Residential, to B-2, General Business, and Concurrently Amending the Comprehensive Plan's Future Land Use Map for Those Same Parcels, Changing from "Single-Family, Traditional" to "Major Business/Retail" (Council District 7)

First Reading

4.. An Ordinance Rezoning the Properties Addressed as 7910 & 7920 Dorchester Road (Charleston County TMS#s 397-00-00-061 & -081) from B-1, Limited Business, to B-2, General Business (Council District 1)

First Reading

5. An Ordinance Rezoning the Properties Addressed as 8836-8850 Deerwood Drive (Charleston County TMS#s 486-10-00-001 & -002) from R-1, Single-Family Residential, to R-2, Multi-Family Residential, and Concurrently Amending the Comprehensive Plan's Future Land Use Map for Those Same Parcels, Changing from "Single-Family, Suburban" to "Multi-Family Residential" (Council District 3)

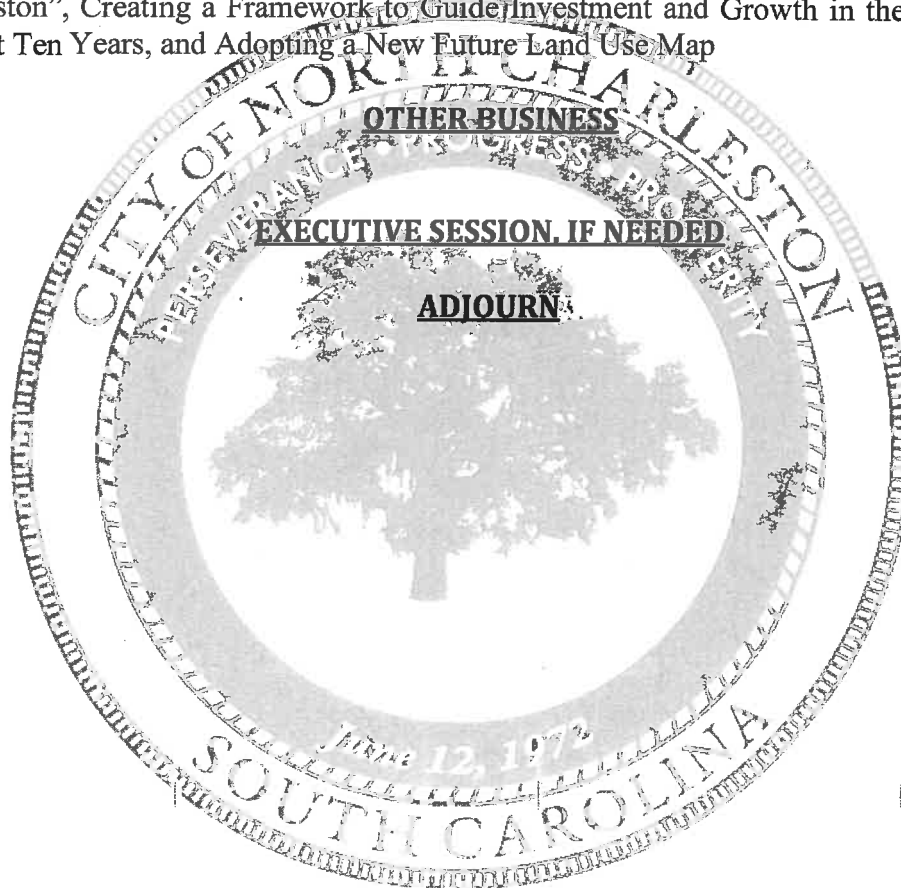
First Reading

6.. An Ordinance Rezoning the Property Addressed as 113 Bexley Street (Charleston County TMS# 470-07-00-259) from R-1, Single-Family Residential, to R-2, Multi-

First Reading

Family Residential, and Concurrently Amending the Comprehensive Plan's Future Land Use Map for That Same Parcel, Changing from "Single-Family, Traditional" to "Multi-Family Residential" (Council District 8)

- 7.. An Ordinance Rezoning the Properties Addressed as 4506 & 4520 Piggly Wiggly Drive (Charleston County TMS#s 470-01-00-029 & -041) from B-2, General Business to M-1, Light Industrial, and Concurrently Amending the Comprehensive Plan's Future Land Use Map for Those Same Parcels, Changing from "Major Business/Retail" to "Light Industrial" (Council District 7) First Reading
8. An Ordinance Approving the New Comprehensive Plan Update, Known As "Prime North Charleston", Creating a Framework to Guide Investment and Growth in the City Over the Next Ten Years, and Adopting a New Future Land Use Map First Reading & Public Hearing



NORTH CHARLESTON CITY COUNCIL
May 28, 2020
Minutes

Mayor R. Keith Summey called to order the meeting of the North Charleston City Council at 7:00 p.m. in the City Council Chambers of North Charleston City Hall, 2500 City Hall Lane, North Charleston, SC. Other City Council members in attendance were Ms. Rhonda Jerome, Ms. Virginia Jamison, Mr. Ron Brinson, Mr. Jerome Heyward, Mr. Kenny Skipper, and Mr. Michael Brown (Dist. 10). Excused were Ms. Dorothy Williams. Also in attendance were City Attorney Brady Hair, Projects Manager Adam MacConnell, Denise Badillo, Purchasing Director other staff, and members of the public.

The media, organizations and interested individuals were advised of the meeting in compliance with Sec. 30-4-80 (e) of the South Carolina Code of Laws for 1976, as amended.

Mayor Summey offered the invocation and invited those present to join in reciting the Pledge of Allegiance.

1. The next item on the agenda was a request to approve the minutes from the March 16, 2020 Emergency City Council meeting.

Motion by Mr. Brown (Dist. 10):

To approve the minutes from the March 16, 2020 Emergency City Council meeting minutes as presented.

Motion supported by Mr. Hart. The motion carried unanimously by roll call vote. (10-0-0)

2. The next item on the agenda was a request to approve the minutes from the April 24, 2020 Special City Council meeting.

Motion by Mr. Skipper:

To approve the minutes from the April 24 Special City Council meeting minutes as presented.

Motion supported by Mr. Brown (Dist 10). The motion carried unanimously by roll call vote. (10-0-0)

3. The next item on the agenda was final reading of An Ordinance abandoning and accepting small portions of right-of-way to adjust the right-of-way of Palm View Circle. (Council District 5)

Current plans for the completion of the development of Ashley River Commons requires adjustment of the road right-of-way of Palm View Circle. This Ordinance will abandon a 315.08 S.F. portion of right-of-way and accept 191.52 S.F. of road right-of-way in order to achieve the slight adjustment of the right-of-way. RHH Land Investors, LLC, has provided a Subdivision Bond in the amount of \$147,656.26, which represents 125% of the estimated cost to complete remaining required infrastructure improvements. Staff recommend approval.

Motion by Mr. Heyward:

To approve the Final Reading of an Ordinance abandoning and accepting small portions of right-of-way to adjust the right-of way of Palm View Circle. (Council District 5

Motion supported by Mrs. Jamison. The motion carried unanimously by roll call vote. (10-0-0)

4. The next item on the agenda was the Final Reading an Ordinance Adopting a Bill to be Entitled an Annexation Ordinance of the City of North Charleston Annexing an Area Known as 53-T in Charleston County (TMS #404-07-00-001), 4846 Foxwood Drive, in Council District 1

This annexation is for one parcel addressed as 4846 Foxwood Drive, further identified as Charleston County TMS #404-07-00-001. City proposed zoning is R-1, Single-Family Residential, per the Comprehensive Plan's Future Land Use Map designation for the property. One hundred percent (100%) of the freeholders representing 100 percent of the assessed value of the property have signed a petition for this annexation; therefore, no public hearing is required. The records of the County Auditor and Assessor have been checked, and the petition stands ready for adoption should Council so desire. Services to this property will be effective immediately after final reading and will be assigned to City Council District 1. Staff recommend approval,

Motion by Mr. Brown (Dist 1):

To approve the Final Reading of an Ordinance Adopting a Bill to be Entitled an Annexation Ordinance of the City of North Charleston Annexing an Area Known as 53-T in Charleston County (TMS #404-07-00-001), 4846 Foxwood Drive, in Council District 1

Motion supported by Mr. Hart. The motion carried unanimously by roll call vote. (10-0-0)

5. The next item on the agenda was First Reading of an Ordinance Authorizing the Mayor to Execute a Berm Easement and Any and All Documents Necessary and Appropriate to Grant said Easement Across TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205 to SC Department of Commerce, Division of Public Rails.

The City of North Charleston owns TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205. These parcels are adjacent to the former Charleston Naval Base Complex and provide drainage in the south end of the City, particularly the Cherokee/Chicora area. The SC Department of Commerce, Division of Public Rails would like to obtain an easement across the City parcels to construct a berm to minimize the noise impact on the surrounding residences. The berm would be constructed in such manner as to not impact the drainage. Public Rails will be responsible for having all engineering approved by North Charleston Public Works to ensure drainage is not affected and also provide insurance coverage in the event of any damage/injuries resulting from construction/placement of its berm. Staff recommends approval.

Mr. Hair reported 100% of the freehold property owners had signed a petition for annexation and Council may adopt the ordinance if they chose to do so.

Motion by Mr. Brown (Dist 10)

To approve First Reading of an Ordinance Authorizing the Mayor to Execute a Berm Easement and Any and All Documents Necessary and Appropriate to Grant said Easement Across TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205 to SC Department of Commerce, Division of Public Rails.

Motion supported by Mr. Hart. The motion carried unanimously by roll call vote (10-0-0)

6. The next item on the agenda was a Resolution Authorizing the Mayor to Execute a Pond Maintenance Agreement with Harborstone, LLC for the two Detention Ponds Located on the Park Parcel Tract F (TMS# 393-00-00-017) Donated to City of North Charleston by R&S Properties of South Carolina, LLC.

The City of North Charleston is about to receive a park donation of Tract F (TMS# 393-00-00-017) from R&S Properties of South Carolina, LLC pursuant to Resolution 2018-048. This property contains two detention ponds. The adjacent property owner, Harborstone, LLC and a publicly dedicated City right of way will create storm water runoff that will drain into these detention ponds. Harborstone is willing to contribute to the upkeep and maintenance as more fully set forth in the attached Pond Maintenance Agreement. While the City typically does not accept ownership of detention ponds, these two ponds are located within the park site and storm water from a City owned and maintained road will also be draining into these ponds. Public Works has reviewed the agreement and is ok with both the ponds being on City property and accepting storm water from the adjacent apartment site. Staff recommends approval.

Motion by Mr. Brown (Dist 10)

To approve a Resolution Authorizing the Mayor to Execute a Pond Maintenance Agreement with Harborstone, LLC for the two Detention Ponds Located on the Park Parcel Tract F (TMS# 393-00-00-017) Donated to City of North Charleston by R&S Properties of South Carolina, LLC.

Motion supported by Mrs. Jerome. The motion carried unanimously by roll call vote. (10-0-0)

7. The next item on the agenda was a Resolution Accepting the FY 2020 Coronavirus Emergency Supplemental Funding Program

The City of North Charleston can apply for \$229,590 through the United States Department of Justice Coronavirus Emergency Supplemental Funding Program. These funds are being requested to reimburse the City for costs associated with responding to the Coronavirus including the hazard pay that law enforcement and support personnel received. This portion is \$229,500. The remaining \$90 is being requested to reimburse the City for PPE.

There is no match. We are anticipating the award will be received very rapidly. Staff recommends that Council approve the City applying for the Coronavirus Emergency Supplemental Funding Program for \$229,590.

Motion by Mr. Brown (Dist 10)

To approve A Resolution Accepting the FY 2020 Coronavirus Emergency Supplemental Funding Program

Motion supported by Mrs. Jerome. The motion carried unanimously by roll call vote (10-0-0)

8. The next item on the agenda was a Resolution Authorizing the City of North Charleston to Accept the 2020 SCPRT – Park and Recreation Development Fund Grant – Dorchester County for Park Forest Playground

The City of North Charleston's Recreation Department has been awarded a grant from the South Carolina Department of Parks, Recreation and Tourism (PARD) to provide funds for new playground equipment, picnic tables, mulch and trash receptacles. Staff has worked to enhance the accessibility of this facility and has recommended that synthetic turf for safety surfacing be utilized.

The total grant award is \$50,497. The City is required to provide a match of \$10,099.40 and SCPRT will contribute \$40,397.60. Due to the recommendation and need for safety surfacing, the project will cost an additional \$4,744.57. Staff is proposing that matching funds and the overage come from the FY2020 budget (001-861-580960-00000-000 Council Contingency), therefore the total amount needed would be \$14,843.97. Staff recommends that Council approve the City accepting the PARD grant to benefit Park Forest Playground in the amount of \$50,497 and the match/overage of \$14,843.97 to come from:

Account Number: 001-861-580960-00000-000 (Council Contingency)
Current Balance: \$250,000
Amount Needed for this item: \$14,843.97

Motion by Mr. Brinson

To approve a Resolution Authorizing the City of North Charleston to Accept the 2020 SCPRT – Park and Recreation Development Fund Grant – Dorchester County for Park Forest Playground

Motion supported by Mr. Skipper. The motion carried unanimously by roll call vote. (10-0-0)

9. The next item on the agenda was a Resolution authorizing the Mayor to request and execute appropriate documents with the South Carolina Department of Transportation for the transfer of portions of the rights-of-way of Spruill Avenue, Reynolds Avenue and Rexton Street into the City System.

Portions of Spruill Avenue, Reynold Avenue and Rexton Street are currently under the jurisdiction of the South Carolina Department of Transportation (SCDOT). Staff is requesting the transfer of portions of Spruill Avenue, between East Montague Street and McMillian Avenue, Reynolds Avenue and Rexton Street, into the City's maintenance system in order to allow the City to better facilitate streetscape improvements and redevelopment potential along these historic commercial corridors. This resolution authorizes the Mayor to request and execute the appropriate paperwork for the transfer from the SCDOT to the City. Staff recommends approval.

Motion by Mr. Brown (Dist. 10)

To approve a Resolution authorizing the Mayor to request and execute appropriate documents with the South Carolina Department of Transportation for the transfer of portions of the rights-of-way of Spruill Avenue, Reynolds Avenue and Rexton Street into the City System

Motion supported by Mr. Hart. The motion carried unanimously by roll call vote. (10-0-0)

10. The next item on the agenda was a Resolution Authorizing the City of North Charleston to Purchase the Properties located at 4520, 4514, 4508 and 4502 Spruill Avenue.

The redevelopment of Spruill Avenue near Montague Avenue has led to a need for off-site parking. Staff has located the properties located at 4520, 4514, 4508 and 4502 Spruill Avenue and has reached an agreement with the owner to purchase these properties for \$320,000. We have appraisals for 3 of them for \$80,000 and the owner has agreed to the \$80,000 value for the 4th lot in that they are the same dimensions and characteristics.

Staff is proposing that the funds to purchase these properties comes from the FY2020 budget (Off Base TIF Account). Staff recommends that Council approve the City purchasing these properties for \$320,000

Motion by Mr. Hart

To Approve a Resolution Authorizing the City of North Charleston to Purchase the Properties located at 4520, 4514, 4508 and 4502 Spruill Avenue

Motion supported by Mr. Brown (Dist.10). The motion carried unanimously by roll call vote. (10-0-0)

11. The next item on the was a Request to Approve Bid Award, Ashley Villas Drainage Improvements, Phase III to the Low Bidder KTC Enterprises, Inc in the amount of \$607,400.00

Sealed Bids were received on April 28, 2020 for the Ashley Villas Drainage Improvement Phase III Project. Work will include but is not limited to removal and replacement of pavement and curbing, installation of curb inlets, grading and restoration of the site. Replacement of approximately 1,800 LF of piping and 60 drainage structures. Please see below tabulation.

KTC Enterprises, Inc., Moncks Corner, SC	\$ 607,400.00
Lowcountry Sitework, Charleston, SC	\$1,412,000.00
Triad Engineering, Charleston, SC	\$ 613,780.00
Gulf Stream Construction, North Charleston, SC	\$ 764,329.37

Staff recommend the Finance Committee recommend to City Council that the bid award for Ashley Villas Drainage Improvements, Phase III be awarded to the low bidder, KTC Enterprises, Inc., Moncks Corner, SC in the amount of \$607,400.00

Account Number: 306-630-530231, Stormwater Drainage
Current Balance: \$1,000,000
Amount needed for this Project: \$607,400.00

Motion by Mrs. Jerome

To Approve the Bid Award, Ashley Villas Drainage Improvements, Phase III to the Low Bidder KTC Enterprises, Inc in the amount of \$607,400.00

Motion supported by Mr. Brown (Dist 10). The motion carried unanimously by roll call vote. (10-0-0)

North Charleston City Council
May 28, 2020

12. The next item on the agenda was the Reappointment to Planning Commission – Vernon Pryor & Sharon Reed

The Mayor wishes to reappoint Vernon Pryor and Sharon Reed to continue serving on the Planning Commission. Their new term of office would expire January 12, 2024.

Motion by Mr. Brown (Dist.10)

To approve the reappointment to Planning Commission – Vernon Pryor & Sharon Reed

Motion supported by Mrs. Jamison. The motion carried unanimously by roll call vote. (10-0-0)

Speakers:

Rev. Nelson B. Rivers, III, 5220 Indigo Makers Trace, North Charleston, spoke in favor of and called for a racial biases audit and review of the police department.

Mavis Huger, 8621 Refuge Point Circle, North Charleston, spoke in favor of and called for a racial biases audit and review of the police department.

Raynique Syas, 1905 Grayson Street, North Charleston, spoke in favor of and called for a racial biases audit and review of the police department.

Rev, Dr, Charles C. Heyward Sr., 4037 Gift Blvd. Johns Island, spoke in favor of and called for a racial biases audit and review of the police department.

Jim Hemphill, 2124 Barbour Drive, Charleston, spoke in favor of and called for a racial biases audit and review of the police department.

There being no further business to come before the City Council the meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

These minutes were approved on:

Sandy L. Brown, CMC, Municipal Clerk

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

DATE: June 4, 2020
ITEM TITLE: New Employees
SUBMITTED BY: Human Resource
CONTACT PERSON: Christine A. Ruth, Director – Human Resources

SUMMARY EXPLANATION:

Employees below are new hires to be introduced to Council Members by Mayor Summey at the Thursday, June 11, 2020 City Council meeting.

POLICE

Breanna Daniels	Background Investigator
Robert Hobart	Police Officer
Cathy Holbird	Evidence Technician

FIRE

Maria Del La Cruz	Administrative Specialist
Kenneth Carroll	Firefighter
Brian Drew	Firefighter/EMT
Chad Gill	Firefighter/EMT
Stefan Morgan	Firefighter/EMT
Curtis Rampersant	Firefighter
Drennen Richards	Firefighter
David Yonko	Firefighter

EXECUTIVE

Angela Thrower	Senior Service Assistant
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FACILITIES

Rick Comps	Director of Facilities
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CODE ENFORCEMENT

Terri Lott	City Code Inspector
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Exhibits

Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

DATE: May 28, 2020

ITEM TITLE: Ordinance – Final Reading
An Ordinance Authorizing the Mayor to Execute a Berm Easement and Any and All Documents Necessary and Appropriate to Grant said Easement Across TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205 to SC Department of Commerce, Division of Public Rails.

SUBMITTED BY: Legal Department

CONTACT PERSON: Ray Anderson, Executive Department 740-2512
Mike Dalrymple, Public Works Department 745-1026
Bruce A. Berlinsky, Legal 852-2202

SUMMARY EXPLANATION:

The City of North Charleston owns TMS Parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205. These parcels are adjacent to the former Charleston Naval Base Complex and provide drainage in the south end of the City, particularly the Cherokee/Chicora area. The SC Department of Commerce, Division of Public Rails would like to obtain an easement across the City parcels to construct a berm to minimize the noise impact on the surrounding residences. The berm would be constructed in such manner as to not impact the drainage. Public Rails will be responsible for having all engineering approved by North Charleston Public Works to ensure drainage is not affected and also provide insurance coverage in the event of any damage/injuries resulting from construction/placement of its berm.

STAFF RECOMMENDATION:

Staff recommends approval.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Council voted

Exhibits

__ Resolution X Ordinance __ Contract __ Minutes X Plan/Map __ Transfer of Funds X Other

**AN ORDINANCE
AUTHORIZING THE MAYOR TO EXECUTE A BERM EASEMENT AND ANY
AND ALL DOCUMENTS NECESSARY AND APPROPRIATE TO GRANT SAID
EASEMENT ACROSS TMS PARCELS 469-16-00-274, 469-16-00-275, AND 469-
16-00-205 TO SC DEPARTMENT OF COMMERCE, DIVISION OF PUBLIC
RAILS**

WHEREAS, the City of North Charleston is the owner of TMS parcels 469-16-00-274, 469-16-00-275, and 469-16-00-205 that are adjacent to the former Charleston Naval Base; and,

WHEREAS, SC Department of Commerce, Division of Public Rails is developing a portion of the former Charleston Naval Base as an intermodal transport/cargo terminal with rail lines leaving through the north end of the former Charleston Naval Base; and,

WHEREAS, the rail lines will be located on property owned by SC Department of Commerce, Division of Public Rails, which property will impact the residential character of the dwellings located nearby; and,

WHEREAS, the SC Department of Commerce, Division of Public Rails in order to protect the nearby residential dwellings is building a sound attenuating berm; and

WHEREAS, City Council of North Charleston believes it to be in the best interest of its citizens to grant to SC Department of Commerce, Division of Public Rails an easement to allow SC Department of Commerce, Division of Public Rails to construct a sound attenuating berm adjacent to its intermodal transport/cargo terminal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Charleston, in Council Assembled, that the Mayor is hereby authorized to execute a Berm Easement and any and all documents necessary and appropriate to grant said easement to SC Department of Commerce, Division of Public Rails.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, in the Year of Our Lord, 2020, and in the 243rd year of the Independence of the United States of America.

APPROVED AS TO FORM:

R. KEITH SUMMEY, MAYOR

LEGAL COUNSEL

SANDY L. BROWN, MUNICIPAL CLERK

THE STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

BERM EASEMENT

THIS EASEMENT, hereinafter the "Agreement", is granted this ___ day of _____ 2020 by the CITY OF NORTH CHARLESTON ("City"), 2500 City Hall Lane, North Charleston, SC 29406 and ST. PHILIP'S AND ST. MICHAEL'S PUBLIC SERVICE DISTRICT COMMISSION N/K/A NORTH CHARLESTON SEWER DISTRICT ("NCS"), 7225 Stall Road, North Charleston, South Carolina 29406 (collectively referred to herein as the "Grantor") to the SOUTH CAROLINA DEPARTMENT OF COMMERCE, DIVISION OF PUBLIC RAILWAYS D/B/A PALMETTO RAILWAYS ("Grantee" or "Palmetto Railways"), 540 East Bay Street, Charleston, South Carolina 29403.

WITNESSETH:

WHEREAS, City is the owner of those certain tracts of land, comprising a combined total of approximately 2.7 acres, more or less, located in North Charleston, in Charleston County, South Carolina, having Charleston County Tax Map Numbers 469-16-00-274 and a portion of 469-16-00-205, more particularly described on Exhibit A, attached hereto and incorporated herein by reference, and NCS is the owner of that certain tract of land, comprising approximately 0.09 acres, more or less, located in North Charleston, in Charleston County, South Carolina, having Charleston County Tax Map Number 469-16-00-275, more particularly described on Exhibit B, attached hereto and incorporated herein by reference (collectively referred to herein as "Property");

WHEREAS, Palmetto Railways desires to obtain a permanent, non-exclusive easement over the Property, as more particularly described in the legal description contained in Exhibit C, incorporated herein by reference (the "Easement"), for any and all activities necessary or desirable to construct, own, operate, and maintain a sound-attenuating barrier comprised of, without limitation, an earthen berm, security fence and system, landscaping, and stormwater drainage features ("Improvements");

WHEREAS, Grantor is agreeable to granting such Easement to Grantee over the Property according to and subject to the terms, conditions, and provisions set forth herein.

NOW, THEREFORE, for and in consideration of the sum of FIVE AND NO/100 DOLLARS, to it in hand paid at and before the sealing and delivering of these presents by Palmetto Railways, receipt of which is hereby acknowledged, the Grantor has granted, bargained, sold and released, and by these presents does hereby grant, give, bargain, sell, and release unto the said Grantee, its respective successors and assigns, a permanent and exclusive easement, over, across, under, upon, and through the Grantor's Property in the Easement area described on Exhibit C, attached hereto and incorporated herein by reference; and more particularly shown and designated as "PROPOSED EASEMENT", which contains a total of 0.7 acres, on that certain "EASEMENT EXHIBIT FOR A PORTION OF TMS 469-16-00-205 BEING PARCEL A (0.51 AC.); PARCEL B (0.10) BEING TMS 469-16-00-274 AND PARCEL C (0.09 AC.) BEING TMS 469-16-00-275" prepared for Palmetto Railways by CDM Smith, dated March 14, 2019, a copy of which is attached hereto as Exhibit D and is incorporated herein by reference; and having the boundaries and measurements as shown on said Exhibit D, reference being craved thereto as often as necessary for a more complete and accurate legal description.

TERMS, CONDITIONS, AND PROVISIONS:

1. Purpose. Grantee is hereby granted the perpetual, non-exclusive right of way Easement as shown on Exhibit D to construct, own, operate, and maintain Improvements. Grantor acknowledges the possibility that the right of way Easement herein may be used in the future by public utilities or others granted the statutory right to use the right of way.
2. Easement to Run with Land. This Agreement, including all easements, covenants, agreements, rights, and obligations created hereby, shall run with and bind the Grantor's Property, and shall be

binding on and inure to the benefit of all persons having or acquiring fee title to such lands, all upon the terms, provisions, and conditions set forth herein. The Easement granted herein is of a commercial nature, freely assignable, by Grantee and otherwise transferable and is intended to be, and shall be construed as, an easement appurtenant to and running with the Grantee's property, whether or not described in any deed of conveyance, and the burden of said Easement shall run with the title to the Grantor's Property, whether or not described in any deed of conveyance. If applicable, Grantor will coordinate with Grantee before granting any new easements to minimize conflict with any existing or future planned Grantee easements.

3. Notice. All notices, waivers, demands, requests, or other communications required or permitted hereunder shall, unless otherwise expressly provided, be in writing and be deemed to have been properly given, served, and received (a) if delivered by messenger, when delivered, (b) if mailed, on the third (3rd) business day after deposit in the United States certified or registered mail, postage prepaid, return receipt requested, (c) if faxed, telexed, telegraphed, or telecopied, at the time recorded on the transmitting machine receipt, or (d) if delivered by reputable overnight express courier, freight prepaid, the next business day after delivery to such courier, in every case addressed to the party to be notified at its address shown below, or to such other address(es) or addressee(s) as any party entitled to receive notice hereunder shall designate to the others in the manner provided herein for the service of notices. Rejection or refusal to accept or inability to deliver because of changed address or because no notice of changed address was given, shall be deemed receipt. Unless changed in accordance with the preceding sentence, the addresses for notices given pursuant to this Agreement shall be as follows:

If to Grantor, to: City of North Charleston
 2500 City Hall Lane
 North Charleston, SC 29406
 Attn: Mayor's Office
 Phone: (843)745-1049

With copies to: Mike Dalrymple
 Public Works Department
 City of North Charleston
 Phone: (843) 745-1026
 Email: mdalrymple@northcharleston.org

and

J. Brady Hair, Esquire
P.O. Box 61896
North Charleston, SC 29419
Phone: (843) 572-8700
Email: brady@bradyhair.com

and

Bruce A. Berlinsky, Esquire
One Carriage Ln., Bldg. F
Charleston, SC 29407
Phone: (843) 852-2202
Email: bruce@berlinskylawfirm.com

If to Grantee, to: South Carolina Department of Commerce, Division of Public Railways d/b/a
Palmetto Railways
540 East Bay Street
Charleston, SC 29403
Attn: Tarek Ravenel
Phone: (843)-727-2067
Email: travenel@palmettorail.com

With a copy to: Chaun William Pflug, Esq.
The Pflug Law Firm, LLC
PO Box 801
Mount Pleasant, SC 29465-0801
Phone: (843) 647-7774
Email: cpflug@pfluglaw.com

4. Terms.

- a. The Easement granted herein is for the construction, repair, and maintenance of Grantee's sound-attenuating barrier and all work done by Grantee or Grantee's agent in connection therewith.
- b. Prior to the commencement of any construction, maintenance or repairs, Grantee shall submit all plans to North Charleston Public Works Department for review, comment, and approval.
- c. Grantee may sell, assign, or otherwise convey all or any portion of its Improvements located within the Easement.
- d. Grantee and Grantee's agents, as applicable, shall have the right to run any utilities within the Easement that are necessary or convenient to Grantee, with the Grantor's permission, which shall not be unreasonably withheld. Nothing contained herein shall imply that Grantee nor anyone other than Grantor shall have the right to grant or convey easement rights to any third party, which shall remain the sole and exclusive right of Grantor.
- e. Grantee shall have the right from time to time to repair, redesign, rebuild, or alter said Improvements and to utilize such additional equipment as may be necessary or convenient to so repair, redesign, rebuild, or alter.
- f. Grantee shall have the right to trim, cut, and remove trees, brush, foliage, roots, and other vegetation from, within, or adjacent to and affecting the Easement whenever in Grantee's judgment the same shall be necessary for the safe exercise of its rights.
- g. Grantor may not use the Easement for any activity or purpose without Grantee's prior written consent, which may not be unreasonably withheld except for drainage purposes which Grantee, by its acceptance and recording of this instrument, expressly consents. Grantor shall give Grantee as much notice as possible before entering the Easement Area.
- h. Grantor and Grantee agree that the Grantor, its successors, assigns, or administrators shall not erect within the Easement any buildings, fences, signs, improvements, or any other obstructions and/or structures.
- i. Grantor agrees that all structures and facilities placed on said Easement Area by Grantee shall remain the property of Grantee. The Grantor further agrees that it shall take no action that could interfere with, damage, or in any way adversely affect the Improvements that will be constructed in the Easement.

- j. Grantee agrees that the construction, repair, and maintenance of the Improvements will not interfere with the Grantor's drainage and that existing culverts and pipes located within the Easement will not be permanently disturbed by such construction, repair, and maintenance. The Grantor shall have the right to modify or relocate the culverts, pipes, and drainage system at its sole cost and expense.
 - k. Grantor acknowledges that Grantee shall obtain a South Carolina Non-Responsible Party Voluntary Cleanup Contract ("VCC") applicable to the Easement with the South Carolina Department of Health and Environmental Control ("SCDHEC") pursuant to the Brownfields/Voluntary Cleanup Program, S.C. Code Ann. §44-56-710 *et seq.* (as amended); the South Carolina Hazardous Waste Management Act, S.C. Code Ann. §44-56-10 *et seq.* (as amended); the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §§9601, *et seq.*; and the South Carolina Pollution Control Act, S.C. Code Ann. §48-1-10 *et seq.* Grantor agrees to allow and cooperate with Grantee in its implementation of the VCC Workplan, as defined in the VCC, which may require soil and groundwater assessment, sampling, testing, and remediation under the VCC, including, without limitation, Grantor's execution and recordation of an instrument containing Environmental Restrictions on the Easement, within five (5) business days of presentation by the Grantee.
5. Access to the Property by SCDHEC. The parties agree that SCDHEC shall have an irrevocable right of access to the Property for environmental response matters (if applicable) after Grantee acquires this Easement. This right of access shall remain in place until such time as remediation is accomplished for unrestricted use, and monitoring is no longer required, and shall extend to SCDHEC's authorized representatives and all other persons performing response actions on the Property under SCDHEC's oversight.
6. Miscellaneous.
 - a. Binding Agreement. This Agreement and all of the terms, provisions, and covenants contained herein shall apply to, be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.
 - b. Captions. The captions and/or section headings appearing or employed in this Agreement are for convenience of reference only and are not intended, to any extent and for any purpose, to limit, amplify or define the terms and provisions of this Agreement, or the text of any section or any subsection hereof.
 - c. Applicable Law and Venue. This Agreement shall be governed by, and construed in all respects in accordance with, the substantive federal laws of the United States and when applicable the laws of the State of South Carolina. The parties hereto hereby irrevocably agree that they will make all reasonable efforts to have all claims in respect of actions or proceedings heard and determined in a court sitting in Charleston County, South Carolina.
 - d. Entire Agreement. This Agreement, together with and including the Exhibits referenced herein, contains the entire agreement of the parties with respect to the subject matter hereof, and fully supersedes all prior written or oral agreements and understandings between the parties pertaining to such subject matter.
 - e. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original, and all of which taken together shall constitute an original, single Agreement. A facsimile or emailed Agreement or signature page hereto signed by either party shall constitute an original for purposes of binding that party. The parties agree that their signature pages may be attached to one document in order to form one completely

collated executed Agreement for purposes of convenience and/or recordation. It shall be necessary to account for only one such counterpart in proving this Agreement.

- f. Calculation of Time Periods. If any date of significance hereunder falls upon a Saturday, Sunday, or recognized Federal holiday in the United States, such date will be deemed moved forward to the next day that is not a Saturday, Sunday, or recognized Federal holiday in the United States. Unless otherwise specified, in computing any period of time described in this agreement, the day of the act or event after which the designated period of time begins to run is not to be included and the last day of the period so computed is to be included, unless such last day is a Saturday, Sunday, or legal holiday under the laws of the State of South Carolina, in which event the period shall run until the end of the next day that is neither a Saturday, Sunday, nor legal holiday. The final day of any such period shall be deemed to end at 5:00 PM Eastern.
- g. Construction. This Agreement is the result of negotiations between the parties, neither of whom has acted under any duress or compulsion, whether legal, economic, or otherwise. Accordingly, the terms and provisions hereof shall be construed in accordance with their usual and customary meanings. The parties acknowledge that the parties and their counsel have reviewed and revised this Agreement and each party hereto hereby waives the application of any rule of law which otherwise would be applicable in connection with the construction of this agreement that ambiguous or conflicting terms or provisions should be construed against the party who (or whose attorney) prepared the executed agreement or any earlier draft of the same.
- h. Modifications. This Agreement cannot be changed orally, and no agreement shall be effective to waive, change, modify, or discharge it in whole or in part unless such agreement is in writing and is signed by the parties against whom enforcement of such is sought, and shall not be varied, amended, or superseded except by written agreement between the parties hereto.
- i. Severability. If any provision of this Agreement, or the application thereof to any person, entity, or circumstance, shall for any reason and to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement, and the application of such provision to other persons, entities, or circumstances shall not be affected thereby but rather shall nonetheless remain in full force and effect and be enforced to the greatest extent permitted by law.
- j. Further Assurances. Each party hereto agrees to give further assurances to each other party hereto, by way of executing such other and further instruments and documents as may be reasonably necessary to effectuate and carry out the intents and purposes of this Agreement and the agreements contained herein.
- k. Effective Date. The Effective Date of this Agreement shall be the date designated on the first page of this Agreement.

TO HAVE AND TO HOLD, all and singular, the said right of way Easement and the rights hereinabove granted, unto the said South Carolina Department of Commerce, Division of Public Railways d/b/a Palmetto Railways, its successors and assigns forever, the Grantor hereby dedicates its interest in said parcel of land.

[SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, in the year of our Lord, Two Thousand and Twenty.

Signed, sealed, and delivered in the presence **City of North Charleston**
of:

First Witness By: _____

Second Witness Its: Mayor _____

THE STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, the _____, known to me to be the person whose name is subscribed to the foregoing instrument, and upon his oath acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____ 2020.

Signature of Notary Public

Printed Name of Notary Public

Notary Public for _____

My Commission Expires: _____

Signed, sealed, and delivered in the presence of:

St. Philip's and St. Michael's Public Service District Commission n/k/a North Charleston Sewer District

First Witness

By: _____

Second Witness

Its: _____

THE STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, the _____, known to me to be the person whose name is subscribed to the foregoing instrument, and upon his oath acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF ___ 2020.

Signature of Notary Public

Printed Name of Notary Public

Notary Public for _____

My Commission Expires: _____

..... | | |

Signed, sealed, and delivered in the presence of:

**South Carolina Department of Commerce,
Division of Public Railways d/b/a Palmetto
Railways**

First Witness

By: _____
Jeffrey McWhorter

Second Witness

Its: CEO & President

THE STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Jeffrey McWhorter, the CEO & President of Palmetto Railways, known to me to be the person whose name is subscribed to the foregoing instrument, and upon his oath acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF ____ 2020.

Signature of Notary Public

Printed Name of Notary Public

Notary Public for _____

My Commission Expires: _____

.....

EXHIBIT A

Legal Description of City's Property

ALL those certain pieces, parcels and lots of land, situate, lying and being in the City of North Charleston, County of Charleston, State of South Carolina, known and described as LOTS 2, 3, 4, 6, 7, & 9 on that certain plat of Davis & Floyd, Inc., surveyed by Albert Heatley, Jr., bearing the legend "PLAT SHOWING PROPERTY & EASEMENT ACQUISITION BY CITY OF NORTH CHARLESTON, LOCATED CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, S.C. SCALE 1" – 50' ", which plat was recorded in the RMC Office for Charleston County on the 4th day of April, 1980, in Book AP at Page 113.

THE ABOVE PROPERTY IS FURTHER DESCRIBED in that certain deed of conveyance from Eva Young to Francis M. Hughes and Patsy W. Hughes dated March 11, 1967, and recorded March 13, 1967, in Book K-97 at Page 27 in the RMC Office for Charleston County as LOT #'s 2, 3, 4, 5, 7 & 8 IN BLOCK K, Chicora Place by reference to a plat thereof recorded in the RMC Office for Charleston County in Plat Book D at Page 197.

SAID LOTS are more fully described in their buttings, boundings and measurements by reference to the plat of Davis & Floyd, Inc., heretofore referred to.

BEING the same property conveyed to CITY OF NORTH CHARLESTON by deed from Francis M. Hughes and Patsy W. Hughes dated June 19, 1980, recorded June 24, 1980, in the Office of the RMC for Charleston County in Deed Book S122 at Page 402.

AND

ALL that certain piece, parcel and lot of land situate, lying and being in the City of North Charleston, County of Charleston, State of South Carolina, known and described as PARCEL NUMBER 10 on that certain plat of Davis and Floyd, Inc., surveyed by Albert Heatley, Jr., bearing the legend "PLAT SHOWING PROPERTY & EASEMENT ACQUISITION BY CITY OF NORTH CHARLESTON LOCATED CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, S.C. SCALE 1" = 50'", which plat was recorded in the RMC Office for Charleston County on the 4th day of April, 1980, in Book AP at Page 113.

SAID PROPERTY IS FURTHER DESCRIBED as consisting of LOTS 11 AND 12 AND A PORTION OF LOTS 13, 14 AND 15, BLOCK L, CHICORA PLACE, recorded in Plat Book D, Page 197, in the RMC Office for Charleston County, the portions of Lots 13, 14, and 15, and all of Lots 11 and 12 hereby condemned appearing and being described on a plat of city owned lots in Blocks L and M, City Plat made by the City Engineer's Office, Charleston County, dated 4 May 1942 and recorded in the RMC Office for Charleston County in Plat Book F at Page 207.

AND

ANY interest which Grantor may have in the property which is platted as Baxter Street, being 60' in width and bounded to the west by the right of way of Seaboard Coastline Railroad, to the north generally on Parcels 1, 9, 8, 7 and 6; to the east by lands of the United States government, to the south by Parcel 10 and other property of John Zarins as described and identified on that certain plat of Davis and Floyd Engineers,

Inc., surveyed by Albert Heatley, Jr., bearing the legend, "PLAT SHOWING PROPERTY & EASEMENT ACQUISITION BY CITY OF NORTH CHARLESTON LOCATED CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, S.C. SCALE 1" = 50'", which plat was recorded in the RMC Office for Charleston County in Book AP at Page 113 on the 4th day of April, 1980; such portion of Baxter Street has never been opened and is to be abandoned and closed by the City of North Charleston in the development of a drainage and retention basin.

BEING the same property heretofore conveyed to CITY OF NORTH CHARLESTON by Deed of John Zarins dated October 21, 1980, recorded October 29, 1980, in the Office of the RMC for Charleston County in Deed Book V123 at Page 268.

AND

ALL those lots, pieces or parcels of land, situate, lying and being in Chicora Place, in the City of North Charleston, County of Charleston, State of South Carolina, known and described as "WHICH ARE PORTIONS OF LOTS LYING WITHIN THE SAID RIGHT OF WAY STRIPS, WHICH I HAVE HERETOFORE ACQUIRED, OR NOW HOLD IN MY NAME, WITHIN THE SAID STRIP, TOGETHER WITH ALL THE EASEMENTS, PRIVILEGES AND RIGHTS WHICH I HAVE ACQUIRED OR NOW HAVE WITHIN THE SAID STRIP, SUBJECT HOWEVER TO THE RESERVATIONS AND RESTRICTIONS UPON WHICH I HAVE ACQUIRED THE SAID PROPERTY."

BEING the same property conveyed to CITY COUNCIL OF NORTH CHARLESTON by deed from Esther G. Gaillard dated December 11, 1915, recorded December 15, 1915, in the Office of the RMC for Charleston County in Deed Book W26 at Page 186.

AND

ALL those lots, pieces, and parcels of land, situate, lying and being in Chicora Place, in the City of North Charleston, County of Charleston, State of South Carolina, known and described as "WHICH ARE PORTIONS OF LOTS LYING PARTLY WITHOUT SAID RIGHT OF WAY STRIPS, THE PROPERTY HEREIN CONVEYED BEING THOSE PORTIONS WHICH I HAVE HERETOFORE ACQUIRED OR NOW HOLD IN MY NAME, WHICH LIE OUTSIDE OF THE RIGHT OF WAY STRIPS; SUBJECT HOWEVER TO THE RESERVATIONS AND RESTRICTIONS UPON WHICH I HAVE ACQUIRED THE SAID PROPERTY. RESERVING AND EXCEPTING HEREFROM ALL THE LOTS, PIECES OR PARCELS OF LAND, WHICH I HOLD, WHICH ARE NOT CUT BY THE SAID RIGHT OF WAY STRIPS, AND ALSO THOSE WHICH I HAVE HERETOFORE GRANTED, ALIENED OR ASSIGNED, TO ANY PERSON OR CORPORATION WHATSOEVER."

BEING the same property conveyed to CITY COUNCIL OF NORTH CHARLESTON by deed from Esther G. Gaillard dated December 11, 1915, recorded December 16, 1915, in the Office of the RMC for Charleston County in Deed Book W26 at Page 188.

TMS No: 469-16-00-205

ALL that lot of land, situate, lying and being in Chicora Place, in the County of Charleston, State of South Carolina, and designated on the plat of Chicora Place recorded in the R.M.C. Office for the County of Charleston in Plat Book D at Page 197, as Lot No. 1, Block K, and having such dimensions as may be

seen by reference to the aforesaid plat. Said Lot measuring about Forty (40') feet by One Hundred and Five (105') feet, be the said dimensions more or less.

BEING the same property conveyed to COOPER RIVER PARK AND PLAYGROUND COMMISSION by Deed of North Charleston Consolidated Public Service District as successor to St. Philip's and St. Michael's Public Service District Commission, dated June 30, 1972, and recorded in the Office of the RMC for Charleston County in Deed Book 099 at Page 158.

TMS No: 469-16-00-274

EXHIBIT B

Legal Description of NCSD's Property

ALL that lot piece, or parcel of land, situate, lying and being in Chicora Place, in the County of Charleston, State of South Carolina, on the north side of Tenth Street, measuring and containing in front fifty (50') feet and the same on the back on North line and in depth seventy-five (75') feet, be the said dimensions more or less; BUTTING and bounding to the North on the remaining portions of Lots 2 and 4 on Plat of Chicora Place recorded in the RMC Office for Charleston County in Plat Book D, Page 197, to the East on property of the United States used as a Navy Yard, to the South on Tenth Street, and to the West on the remaining portion of Lot 4 on the aforesaid plat; said lot being the southeastern corner part of Lots 2 and 4 on said plat taken as a whole.

BEING the same property conveyed to ST. PHILIP'S AND ST. MICHAEL'S PUBLIC SERVICE DISTRICT COMMISSION N/K/A NORTH CHARLESTON SEWER DISTRICT by Deed of D. A. Aschenbeck, dated August 18, 1939, and recorded in the Office of the RMC for Charleston County in Deed Book D at Page 41.

TMS No: 469-16-00-275

EXHIBIT C

Legal Description of Easement

The Easement is more particularly described as:

All that certain piece, parcel, or tract of land, together with any improvements thereon, situate, lying and being in the County of Charleston, State of South Carolina, and being more particularly shown and designated as "PROPOSED EASEMENT" containing a total of 2.79 acres, on that certain "EASEMENT EXHIBIT FOR A PORTION OF TMS 469-16-00-205 BEING PARCEL A (0.51 AC.); PARCEL B (0.10) BEING TMS 469-16-00-274 AND PARCEL C (0.09 AC.) BEING TMS 469-16-00-275" prepared for the South Carolina Department of Commerce, Division of Public Railways by CDM Smith, dated March 14, 2019, a copy of which is attached hereto as Exhibit D, and incorporated herein by reference; and having the boundaries and measurements as shown on said Exhibit D, reference being craved thereto as often as necessary for a more complete and accurate legal description, and having according to said plat, the following metes and bounds to wit:

Beginning at the Iron Pin Found located at the northwest corner of the property owned by St. Michael's and St. Philip's Public Service District Commission n/k/a North Charleston Sewer District, having TMS Number 469-16-00-275, where it abuts properties of the South Carolina Department of Commerce, Division of Public Railways, having TMS Numbers 469-16-00-386 and 469-16-00-296, being the Point of Beginning thence running N53°10'55"E for a distance of 49.69' to an Iron Pin Set; thence turning and running S37°33'16"E for a total distance of 406.55' to an Iron Pin Set; thence turning and running S52°54'58"W for a distance of 80.00' to an Iron Pin Set; thence turning and running N37°33'17"W for a distance of 331.31' (total) to an Iron Pin Set; thence turning and running N52°01'35"E for a distance of 30.29' to an Iron Pin Set; thence turning and running N37°32'30"W for a distance of 75.00' to an Iron Pin Found, which is also the Point of Beginning.

EXHIBIT D

Easement Survey

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 2, 2020

Item Title: Ordinance – First Reading
An Ordinance Rezoning the Properties Addressed as 1921 Gumwood Boulevard (Charleston County TMS#s 472-04-00-105 & -106) from R-1, Single-Family Residential, to B-2, General Business, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for Those Same Parcels, Changing from “Single-Family, Traditional” to “Major Business/Retail” (Council District 7)

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

The subject properties are located at the corner of Gumwood Boulevard and Branch Avenue in the Oak Grove community and are developed with a single-family home that straddles the intervening property line between the subject parcels; there is also a shed located on the rear of parcel -105. The applicant has requested that the property be rezoned from R-1 to B-2, which would allow for the reuse or redevelopment of the existing property for any of the general business uses allowed in B-2 including, but not limited to, hotels, department stores, office supply stores, repair shops, full service restaurants, and dry cleaners as well as multi-family uses. The properties, both separately and combined, do not meet the minimum lot size nor lot width requirements for the B-2 zoning category. The entire neighborhood has R-1 zoning, except for one large parcel on the southern border of the neighborhood is zoned B-2 and is being used as a junkyard for old vehicles. Otherwise, the nearest B-2-zoned property is at the front of the neighborhood along the Rivers Avenue commercial corridor. The Comprehensive Plan’s Future Land Map establishes a future land use for the parcel of “Single-Family, Traditional”, which supports the current zoning and would require an amendment to “Major Business/Retail” to support the rezoning request. Based on the existing development of the subject parcels and the surrounding neighborhood as residential, the non-conforming size of the parcels for B-2 uses, and its location towards to the center of the neighborhood rather than close proximity to a commercial corridor, as well as the lack of support from the Comprehensive Plan, staff is recommending denial of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

STAFF RECOMMENDATION:

Based on the existing development of the subject parcels and the surrounding neighborhood as residential, the non-conforming size of the parcels for B-2 uses, and its location towards to the center of the neighborhood rather than close proximity to a commercial corridor, as well as the lack of support from the Comprehensive Plan, staff is recommending denial of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission held a public hearing and voted unanimously to recommend denial (5-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
 Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

AN ORDINANCE

REZONING THE PROPERTIES ADDRESSED AS 1921 GUMWOOD BOULEVARD (CHARLESTON COUNTY TMS#S 472-04-00-105 & -106) FROM R-1, SINGLE-FAMILY RESIDENTIAL, TO B-2, GENERAL BUSINESS, AND CONCURRENTLY AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP FOR THOSE SAME PARCELS, CHANGING FROM “SINGLE-FAMILY, TRADITIONAL” TO “MAJOR BUSINESS/RETAIL”

WHEREAS, the City of North Charleston is empowered to regulate to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the City is statutorily authorized to pass zoning and land use regulations; and

WHEREAS, TMS#s 472-04-00-105 & -106 are proposed for rezoning to B-2, General Business; and

WHEREAS, the parcel’s Future Land Use in the Comprehensive Plan, “Single-Family, Traditional,” is proposed for amendment to “Major Business/Retail,” in support of the B-2 zoning; and

WHEREAS, the Planning Commission of the City of North Charleston has considered the request for the change of the Zoning Classification of the property and made a recommendation to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH CHARLESTON, IN COUNCIL DULY ASSEMBLED, THAT THE ZONING ORDINANCE OF THE CITY OF NORTH CHARLESTON IS HEREBY AMENDED BY AMENDING SECTION 4-1 AND THE OFFICIAL ZONING MAP OF THE CITY OF NORTH CHARLESTON AS FOLLOWS:

The parcels bearing Charleston County TMS#s 472-04-00-105 & -106 are rezoned from R-1, Single-Family Residential, to B-2, General Business, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for Those Same Parcels, Changing from “Single-Family, Traditional” to “Major Business/Retail.”

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this ____ day of _____, 2020 in the year of our Lord, and in the 243rd year of Independence of the United States of America.

R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

SANDY BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 2, 2020

Item Title: Ordinance – First Reading
An Ordinance Rezoning the Properties Addressed as 7910 & 7920 Dorchester Road (Charleston County TMS#s 397-00-00-061 & -081) from B-1, Limited Business, to B-2, General Business (Council District 1)

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

The subject properties are located on Dorchester Road just south of the county line between Charleston and Dorchester Counties in front of the Summerfield Apartments. The applicant has applied to rezone the subject properties from B-1 to B-2 to expand the available uses of the property. The subject properties meet all of the dimensional standards for B-2 zoning districts. Also, the properties have a Future Land Use in the Comprehensive Plan of “Major Business/Retail,” which supports a rezoning to B-2. As the property is located along a major commercial corridor, Dorchester Road, and is supported by the existing Comprehensive Plan, staff recommends approval of the rezoning from B-1 to B-2.

STAFF RECOMMENDATION:

As the property is located along a major commercial corridor, Dorchester Road, and is supported by the existing Comprehensive Plan, staff recommends approval of the rezoning from B-1 to B-2.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission held a public hearing and voted to recommend approval (4-0-1).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
 Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

AN ORDINANCE

REZONING THE PROPERTIES ADDRESSED AS 7910 & 7920 DORCHESTER ROAD (CHARLESTON COUNTY TMS#S 397-00-00-061 & -081) FROM B-1, LIMITED BUSINESS, TO B-2, GENERAL BUSINESS

WHEREAS, the City of North Charleston is empowered to regulate to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the City is statutorily authorized to pass zoning and land use regulations; and

WHEREAS, TMS#s 397-00-00-061 & -081 are proposed for rezoning to B-2, General Business; and

WHEREAS, the parcels' Future Land Use in the Comprehensive Plan, "Major Business/Retail," is supportive of the proposed B-2 zoning; and

WHEREAS, the Planning Commission of the City of North Charleston has considered the request for the change of the Zoning Classification of the property and made a recommendation to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH CHARLESTON, IN COUNCIL DULY ASSEMBLED, THAT THE ZONING ORDINANCE OF THE CITY OF NORTH CHARLESTON IS HEREBY AMENDED BY AMENDING SECTION 4-1 AND THE OFFICIAL ZONING MAP OF THE CITY OF NORTH CHARLESTON AS FOLLOWS:

The parcels bearing Charleston County TMS#s 397-00-00-061 & -081 are rezoned from B-1, Limited Business, to B-2, General Business.

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, 2020 in the year of our Lord, and in the 243rd year of Independence of the United States of America.

R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

SANDY BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 2, 2020

Item Title: Ordinance – First Reading
An Ordinance Rezoning the Properties Addressed as 8836-8850 Deerwood Drive (Charleston County TMS#s 486-10-00-001 & -002) from R-1, Single-Family Residential, to R-2, Multi-Family Residential, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for Those Same Parcels, Changing from “Single-Family, Suburban” to “Multi-Family Residential” (Council District 3)

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

The subject properties are located at the corner of Deerwood Drive and Wheaton Street in the Deer Park neighborhood. The applicant has requested that the property be rezoned from R-1 to R-2, which would align the zoning with the current development and use of the parcels, making the 2 quadplexes legally conforming. The rezoning would also allow for the redevelopment of the properties with multi-family development of up to potentially 22 units assuming all site plan requirements could be met. The properties meet all of the minimum lot size requirements in the R-1 or R-2 zoning categories. There is no adjacent R-2 zoned property and the nearest is over 650 feet away off of Otranto Road. The Comprehensive Plan’s Future Land Map establishes a future land use for the parcel of “Single-Family, Suburban”, which supports the current zoning and would require an amendment to “Multi-Family Residential” to support the rezoning request. Based on the multi-family design of the existing development, the presence of various housing types in the area, and the close proximity of emergency services, due to the City’s fire station located less than 200 feet away, staff is recommending approval of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

STAFF RECOMMENDATION:

Based on the multi-family design of the existing development, the presence of various housing types in the area, and the close proximity of emergency services, due to the City’s fire station located less than 200 feet away, staff is recommending approval of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission held a public hearing and voted unanimously to recommend denial (5-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
 Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

AN ORDINANCE

REZONING THE PROPERTIES ADDRESSED AS 8836-8850 DEERWOOD DRIVE (CHARLESTON COUNTY TMS#S 486-10-00-001 & -002) FROM R-1, SINGLE-FAMILY RESIDENTIAL, TO R-2, MULTI-FAMILY RESIDENTIAL, AND CONCURRENTLY AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP FOR THOSE SAME PARCELS, CHANGING FROM “SINGLE-FAMILY, SUBURBAN” TO “MULTI-FAMILY RESIDENTIAL”

WHEREAS, the City of North Charleston is empowered to regulate to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the City is statutorily authorized to pass zoning and land use regulations; and

WHEREAS, TMS#s 486-10-00-001 & -002 are proposed for rezoning to R-2, Multi-Family Residential; and

WHEREAS, the parcel’s Future Land Use in the Comprehensive Plan, “Single-Family, Suburban,” is proposed for amendment to “Multi-Family Residential,” in support of the R-2 zoning; and

WHEREAS, the Planning Commission of the City of North Charleston has considered the request for the change of the Zoning Classification of the property and made a recommendation to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH CHARLESTON, IN COUNCIL DULY ASSEMBLED, THAT THE ZONING ORDINANCE OF THE CITY OF NORTH CHARLESTON IS HEREBY AMENDED BY AMENDING SECTION 4-1 AND THE OFFICIAL ZONING MAP OF THE CITY OF NORTH CHARLESTON AS FOLLOWS:

The parcels bearing Charleston County TMS#s 486-10-00-001 & -002 are rezoned from R-1, Single-Family Residential, to R-2, Multi-Family Residential, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for Those Same Parcels, Changing from “Single-Family, Suburban” to “Multi-Family Residential.”

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, 2020 in the year of our Lord, and in the 243rd year of Independence of the United States of America.

R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

SANDY BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 2, 2020

Item Title: Ordinance – First Reading
An Ordinance Rezoning the Property Addressed as 1113 Bexley Street (Charleston County TMS# 470-07-00-259) from R-1, Single-Family Residential, to R-2, Multi-Family Residential, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for That Same Parcel, Changing from “Single-Family, Traditional” to “Multi-Family Residential” (Council District 8)

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

The subject property is located on Bexley Street in the Old North Charleston neighborhood of Park Circle just north of North Charleston Terminal Company’s rail line. The applicant has requested that the property be rezoned from R-1 to R-2, which would allow the applicant to create a multi-family development on the property. The parcel’s size would limit any possible development to six units. There is no adjacent R-2 zoned property although there are R-2 uses on the adjacent parcel and sprinkled throughout the surrounding neighborhood, and there have been two rezonings within the last year to properties just to the south of the rail line which have created opportunities for multi-family housing developments. The Comprehensive Plan’s Future Land Use Map designates the future land use as “Single-Family, Traditional,” which does not support the rezoning and would require an amendment to “Multi-Family Residential”. Based on the predominance of the existing single-family infrastructure in the neighborhood, the lack of support in the Comprehensive Plan, and historical efforts of the City and the neighborhood to limit multi-family development in the area, staff is recommending denial of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

STAFF RECOMMENDATION:

Based on the predominance of the existing single-family infrastructure in the neighborhood, the lack of support in the Comprehensive Plan, and historical efforts of the City and the neighborhood to limit multi-family development in the area, staff is recommending denial of the rezoning and the amendment to the Comprehensive Plan’s Future Land Use Map.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission held a public hearing and voted unanimously to recommend denial (5-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
 Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

AN ORDINANCE

REZONING THE PROPERTY ADDRESSED AS 1113 BEXLEY STREET (CHARLESTON COUNTY TMS# 470-07-00-259) FROM R-1, SINGLE-FAMILY RESIDENTIAL, TO R-2, MULTI-FAMILY RESIDENTIAL, AND CONCURRENTLY AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP FOR THAT SAME PARCEL, CHANGING FROM “SINGLE-FAMILY, TRADITIONAL” TO “MULTI-FAMILY RESIDENTIAL”

WHEREAS, the City of North Charleston is empowered to regulate to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the City is statutorily authorized to pass zoning and land use regulations; and

WHEREAS, TMS# 470-07-00-259 is proposed for rezoning to R-2, Multi-Family Residential; and

WHEREAS, the parcel’s Future Land Use in the Comprehensive Plan, “Single-Family, Traditional,” is proposed for amendment to “Multi-Family Residential,” in support of the R-2 zoning; and

WHEREAS, the Planning Commission of the City of North Charleston has considered the request for the change of the Zoning Classification of the property and made a recommendation to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH CHARLESTON, IN COUNCIL DULY ASSEMBLED, THAT THE ZONING ORDINANCE OF THE CITY OF NORTH CHARLESTON IS HEREBY AMENDED BY AMENDING SECTION 4-1 AND THE OFFICIAL ZONING MAP OF THE CITY OF NORTH CHARLESTON AS FOLLOWS:

The parcel bearing Charleston County TMS# 470-07-00-259 is rezoned from R-1, Single-Family Residential, to R-2, Multi-Family Residential, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for That Same Parcel, Changing from “Single-Family, Traditional” to “Multi-Family Residential.”

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, 2020 in the year of our Lord, and in the 243rd year of Independence of the United States of America.

R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

SANDY BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 2, 2020

Item Title: Ordinance – First Reading
An Ordinance Rezoning the Properties Addressed as 4506 & 4520 Piggly Wiggly Drive (Charleston County TMS#s 470-01-00-029 & -041) from B-2, General Business to M-1, Light Industrial, and Concurrently Amending the Comprehensive Plan’s Future Land Use Map for Those Same Parcels, Changing from “Major Business/Retail” to “Light Industrial” (Council District 7)

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

The subject properties are two non-contiguous parcels on the block just south of Deas Hill Lane on Piggly Wiggly Drive in the Deas Hill neighborhood. The applicant has requested that the properties be rezoned from B-2 to M-1 which would broaden the potential use palette to both commercial and industrial uses. At just over 14,000 square feet and just under 7,000 square feet, the properties do not meet the minimum lot size required for M-1-zoned parcels. Additionally, while parcel (-029) meets the minimum street frontage requirement, parcel (-041) falls 40 feet short of the 100-foot requirement. While there are M-1 uses located across Piggly Wiggly Drive from the subject properties, the adjacent parcels and surrounding block is zoned General Commercial and almost exclusively used as residential. As the parcels do not meet the minimum lot standards for M-1 lots, if rezoned, potential development would not be able to meet the M-1 requirements, thus creating a situation where most or all of parcel (-041) would be undevelopable and a relatively large portion of (-029) may also become undevelopable due to building setback restrictions. The Comprehensive Plan’s Future Land Map establishes a future land use for the parcels of “Major Business/Retail,” which supports the current zoning and would require an amendment to “Light Industrial” to support the rezoning request. Based on the size of the lots, the adjacent residential uses on the block, and the lack of support in the Comprehensive Plan, staff recommends denial of the rezoning to M-1.

STAFF RECOMMENDATION:

Based on the size of the lots, the adjacent residential uses on the block, and the lack of support in the Comprehensive Plan, staff recommends denial of the rezoning to M-1.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission held a public hearing and voted unanimously to recommend denial of the rezoning (5-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits
 Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

AN ORDINANCE

REZONING THE PROPERTIES ADDRESSED AS 4506 & 4520 PIGGLY WIGGLY DRIVE (CHARLESTON COUNTY TMS#S 470-01-00-029 & -041) FROM B-2, GENERAL BUSINESS, TO M-1, LIGHT INDUSTRIAL, AND CONCURRENTLY AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FOR THOSE SAME PARCELS, CHANGING FROM "MAJOR BUSINESS/RETAIL" TO "LIGHT INDUSTRIAL"

WHEREAS, the City of North Charleston is empowered to regulate to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the City is statutorily authorized to pass zoning and land use regulations; and

WHEREAS, TMS#s 470-01-00-029 & -041 are proposed for rezoning to M-1, Light Industrial; and

WHEREAS, the parcels' Future Land Use in the Comprehensive Plan, "Major Business/Retail," is proposed for amendment to "Light Industrial" in support of the M-1 zoning; and

WHEREAS, the Planning Commission of the City of North Charleston has considered the request for the change of the Zoning Classification of the property and made a recommendation to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH CHARLESTON, IN COUNCIL DULY ASSEMBLED, THAT THE ZONING ORDINANCE OF THE CITY OF NORTH CHARLESTON IS HEREBY AMENDED BY AMENDING SECTION 4-1 AND THE OFFICIAL ZONING MAP OF THE CITY OF NORTH CHARLESTON AS FOLLOWS:

The parcels bearing Charleston County TMS#s 470-01-00-029 & -041 are rezoned from B-2, General Business, to M-1, Light Industrial, and Concurrently Amending the Comprehensive Plan's Future Land Use Map for Those Same Parcels, Changing from "Major Business/Retail" to "Light Industrial"

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, 2020 in the year of our Lord, and in the 243rd year of Independence of the United States of America.

R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

SANDY BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 11, 2020

Date: June 9, 2020

Item Title: Public Hearing & First Reading
An Ordinance Approving the updated Comprehensive Plan, Known As “Prime North Charleston”, Creating a Framework to Guide Investment and Growth in the City Over the Next Ten Years, and Adopting a New Future Land Use Map

Submitted by: Planning Commission

Contact Person: Gwen Moultrie, Zoning Administrator, (843) 740-2572

SUMMARY EXPLANATION:

Beginning in fall of 2018, the Berkeley-Charleston-Dorchester Council of Governments (BCDCOG), staff and the Planning Commission Comprehensive Plan Committee initiated the process of preparing the ten-year update of the Comprehensive Plan. Five public sessions were held along with online surveys, generating over 1000 responses and input to integrate and incorporate into the plan. Along with the public input, the Committee, staff and BCDCOG met with various community stakeholders and analyzed a range of data about all aspects of the City to begin drafting the plan. Utilizing the data, public responses and stakeholder input, the PRIME North Charleston Comprehensive Plan was drafted and prepared for consideration.

The PRIME North Charleston Comprehensive Plan provides a vision of the City as a sustainable and resilient community based on four guiding principles:

- Livability and Quality of Life – Ensuring a high quality of life city-wide, enhancing and connecting communities and building well-designed neighborhoods, encouraging infill and redevelopment, and providing accessible new gathering places within communities throughout the City;
- Sustainable Growth and Resiliency – Balancing growth impacts with the needs of the environment to ensure sustainability and resiliency;
- Economic Opportunity – Supporting a vibrant and diversified economic climate that provides a range of employment opportunities, retains existing businesses and attracts new businesses; and
- Mobility and Connectivity – Connecting residents and visitors with employment, shopping, educational institutions and activity centers through safe and efficient multi-modal regional transportation systems.

Throughout the month of February 2020, staff presented and provided an opportunity for comment during five public sessions held throughout the City as well as hosted an online survey on the PRIME North Charleston Comprehensive Plan. Over 125 people attended the public meetings and 65 survey responses were received, with a majority agreeing to the vision and guiding principles of the plan. Attached is a summary of the comments received during the meetings, as well as the results of the most recent survey. All input received during the process can be found in Appendix II of the draft plan.

STAFF RECOMMENDATION:

After public hearing, approval of the attached Ordinance, adopting the PRIME North Charleston Comprehensive Plan and Future Land Use Map.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On June 8, 2020, the Planning Commission voted unanimously to recommend approval of the Resolution to forward and approve the Comprehensive Plan to City Council (5-0-0), contingent upon an update to the Future Land Use Map Changing the Singing Pines area from “Mixed Use” to “Traditional Neighborhood”.

COUNCIL COMMITTEE RECOMMENDATION:

COUNCIL ACTION:

Exhibits

Resolution Ordinance Contract Minutes Plan/Map Transfer of Funds Other

**AN ORDINANCE
ADOPTING THE PRIME NORTH CHARLESTON COMPREHENSIVE PLAN AND
FUTURE LAND USE MAP**

Whereas, City Council adopted a comprehensive plan for the City of North Charleston in 1996, with a ten-year update in adopted in 2008; and

Whereas, the City of North Charleston Planning Commission found it necessary and appropriate, in accord with the SC Local Government Comprehensive Planning Enabling Act, to conduct a ten-year update of the City of North Charleston Comprehensive Plan to meet changing conditions and recommended approval by Resolution 2020-001 to adopt the PRIME North Charleston Comprehensive Plan; and

Whereas, the City of North Charleston will consider adoption of the PRIME North Charleston Comprehensive Plan, hereinafter referred to as “the Comprehensive Plan” to provide a coordinated and comprehensive plan of long-term goals, objectives, and priorities that will guide future development of North Charleston for the next twenty years; and

Whereas, the PRIME North Charleston Comprehensive Plan addresses all of the planning elements required by Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 as follows: population, housing, economic development, cultural and natural resources, community facilities, land use, transportation, and priority investment areas.

Whereas, a public hearing was held June 11, 2020 to consider public comments on the plan during a meeting of the Mayor Council.

Now, therefore be it resolved by the City of North Charleston Mayor and Council that, having met the requirements of Chapter 29 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, the PRIME North Charleston Comprehensive Plan, Future Land Use Map, and all associated appendices be hereby adopted.

Be it further resolved that the PRIME North Charleston Comprehensive Plan shall be utilized by City Council, the North Charleston Planning Commission and all City of North Charleston departments, agencies and officials as the official guide in making decisions concerning growth and development within the City of North Charleston.

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this _____ day of _____, 2020 in the year of our Lord, and in the 244th year of Independence of the United States of America.

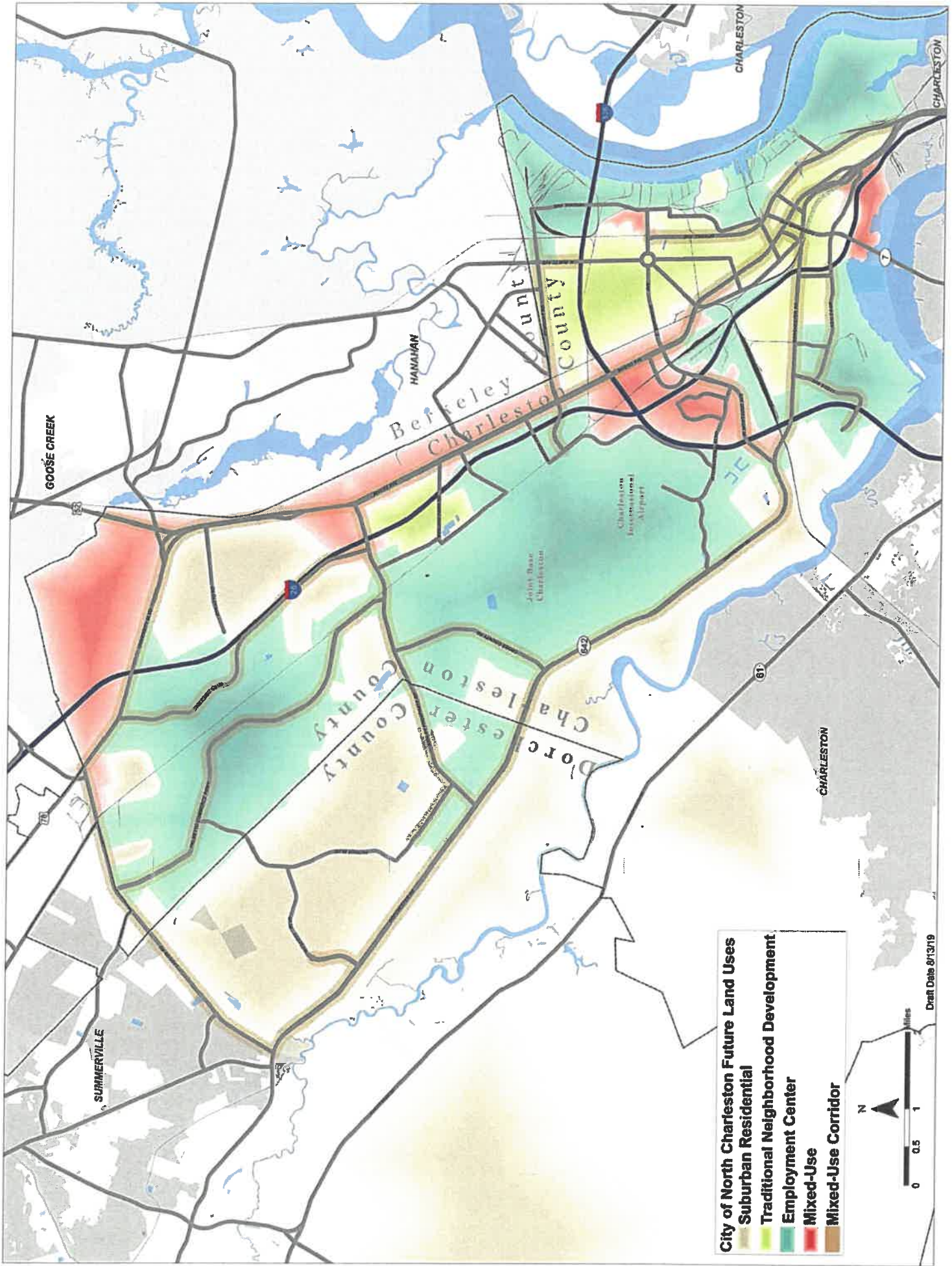
R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

ATTEST:

LEGAL COUNSEL

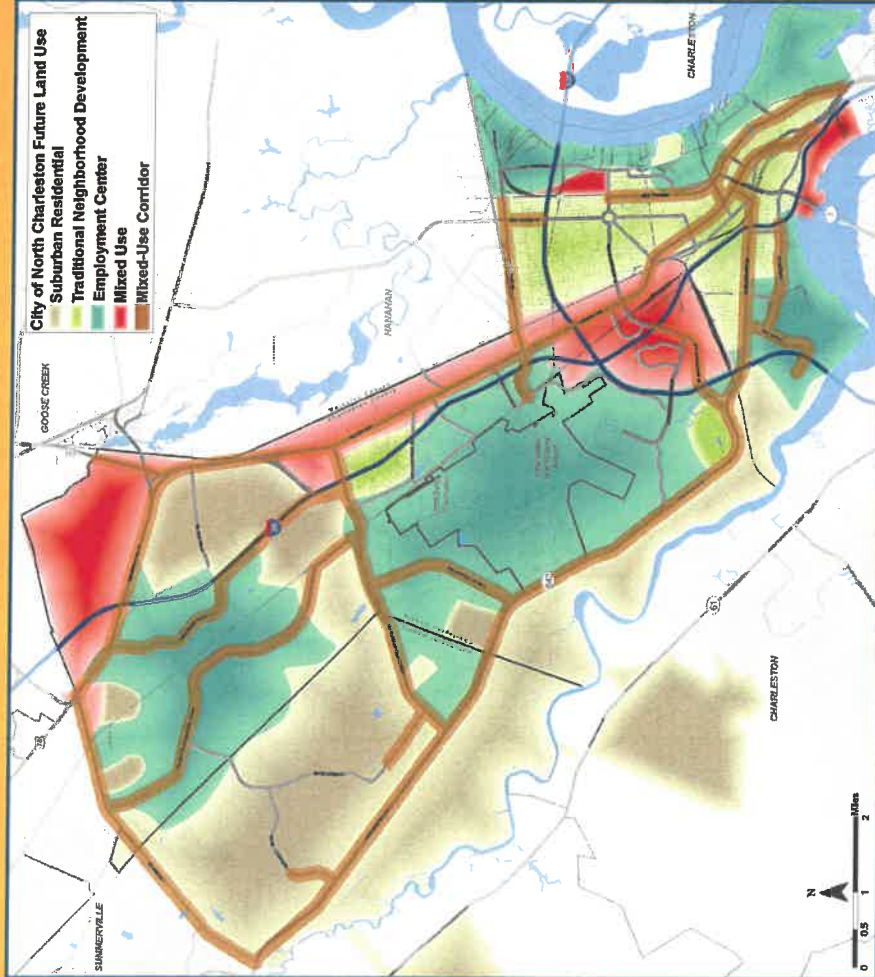
SANDY BROWN, MUNICIPAL CLERK



- City of North Charleston Future Land Uses**
- Suburban Residential
 - Traditional Neighborhood Development
 - Employment Center
 - Mixed-Use
 - Mixed-Use Corridor



PROPOSED FUTURE LAND USE MAP



FOR MORE INFORMATION CONTACT:

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**BERKELEY-CHARLESTON-DORCHESTER
COUNCIL OF GOVERNMENTS**
PLANNING, PARTNERSHIP & PROSPERITY



VISION FOR OUR CITY

The City of North Charleston envisions its future as a sustainable and resilient community...

...where the quality of life is enhanced by connected communities and equitable access to gathering places;

...where growth and development have been planned to respect natural systems and connect its people to nature;

...where a vibrant and diversified economy provides employment opportunities to all residents;

...where residents and visitors can move around and connect with necessary goods, services and activities using diverse transportation options.

INTRODUCTION:

Over the past 18 months the City has collaborated with residents and stakeholders to identify goals and strategies to support the Prime North Charleston vision. These goals and strategies have been categorized under four guiding principles that describe the Plan's objectives.



- 1. Livability and Quality of Life:**
As the City grows, ensure a high quality of life city-wide by enhancing and connecting communities and building well-designed neighborhoods, encouraging infill and redevelopment and providing accessible new gathering places within communities throughout the City
- 2. Sustainable Growth and Resiliency:**
Balance growth impacts with the needs of the environment to ensure sustainability and resiliency
- 3. Economic Opportunity:**
Support a vibrant and diversified economic climate that provides a range of employment opportunities, retains existing businesses and attracts new businesses
- 4. Mobility and Connectivity:**
Connect residents and visitors with employment, shopping, educational institutions and activity centers through safe and efficient multi-modal/regional transportation systems

Prime North Charleston goals seek to accommodate growth and all types of land uses with development and projects that enhance the quality of life for all residents. Guiding growth to follow the development objectives defined for the five land use areas described below will incrementally contribute to the protection an expansion of green spaces, expanded and more affordable housing options, access to economic opportunity, and greater connectivity and mobility for residents.

Suburban Residential

The Suburban Residential designation is applied to areas where the City intends to sustain lower-density neighborhoods. The principal use of land within these designated areas is low-density, single-family residential development with large yards and open space. Multi-family development and commercial uses in proximity to designated Mixed-Use Corridor future land use areas are compatible within the SR designated areas as well. Appropriate land uses include: Single-family residential detached housing, manufactured homes, open space, civic and recreation facilities, and mixed-uses depending on the surrounding uses.



Traditional Neighborhood

The Traditional Neighborhood designation is applied to areas of the City to provide for and/or sustain higher-density neighborhoods with smaller lots and a mix of housing types. Principal use of land in this designation is mixed residential typical of urban neighborhoods, including single-family residential development on smaller lots, attached residential structures such as duplexes and townhomes, and small-scale multi-family development. Where opportunities for infill and redevelopment exist, new communities should strive to include walkable neighborhood units within the development, in addition to appropriately-scaled commercial uses.



Mixed Use

The Mixed-Use designation is established to sustain a mixture of commercial and residential land uses located within close proximity to one another. Uses may be combined within a parcel and/or stacked within a structure. New development in the Mixed-Use areas should be designed to be compact, incorporating a system of open space including interconnected trails or sidewalks that provide access to parks, recreation, and open space areas as well as commercial services. Appropriate uses include office, retail, multi-family, and light industry (manufacturing and assembly).



Mixed-Use Corridor

The Mixed-Use Corridor designation is to provide for commercial, retail, office and higher-density housing adjacent to principal transportation corridors throughout the City. These areas are intended to promote development of mixed-uses that will enhance access to a wider range of services for nearby neighborhoods. Appropriate uses include office, retail, multi-family and light industry (manufacturing and assembly).



Employment Center

The Employment Center designation is for large-scale office and industrial uses developed for a major employer or cluster of employers with a mix of supporting or ancillary uses, such as restaurants, hotels and limited service retail. Employment Center areas create a commerce-focused environment and generally benefit from proximity to one another, with ease of access to supportive services and residential areas to relieve congestion. Appropriate land uses include office, light industry (manufacturing and assembly), ancillary retail/services for employees, commercial services, accommodations and public/institutional uses. Multi-family uses may also be compatible depending on the surrounding land uses and when sufficiently set back from industrial uses. Within the Employment Center designation, heavier industrial uses are also appropriate where in close proximity to freight and rail corridors, provided there is adequate separation from residential uses.

