

**AMENDED**

City Hall  
80 Broad Street  
January 22, 2019  
5:00 p.m.

**State of the City Address**  
**7:30 p.m.**

**CITY COUNCIL**

**A. Roll Call**

**B. Invocation – Councilmember Mitchell**

**C. Pledge of Allegiance**

**D. Presentations and Recognitions**

1. Proclamation recognizing Fadol Brown Day in the City of Charleston
2. Presentation of the Harold Koon Award

**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 295 Calhoun Street (Peninsula) (2.10 acres) (TMS #457-02-02-001) (Council District 8), be rezoned from Limited Business (LB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by the Medical University of South Carolina.
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 2115 Saint James Drive (James Island) (0.24 acre) (TMS #343-02-00-090) (Council District 11), annexed into the City of Charleston December 4, 2018 (#2018-162), be zoned Single-Family Residential (SR-1) classification. The property is owned by Catherine G. Galloway.
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 property located on Bentgrass Court (James Island) (0.57 acre) (TMS #334-03-00-009) (Council District 12), annexed into the City of Charleston December 4, 2018 (#2018-161), be zoned Rural Residential (RR-1) classification. The property is owned by Linda Ketner.
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 a vacant lot on Agatha Street (West Ashley) (0.13 acre) (TMS #351-07-00-070) (Council District 7), be zoned Single-Family Residential (SR-2) classification. The property is owned by Donna R. Johnson.

**F. Act on Public Hearing Matters**

**G. Approval of City Council Minutes:**

1. December 18, 2018
2. January 8, 2019

**H. Citizens Participation Period**

**I. Petitions and Communications:**

1. Appointment of Code Enforcement Officers (Fire Department)

**J. Council Committee Reports:**

**1. Committee on Traffic and Transportation: (Meeting was held on Tuesday, January 22, 2019 at 3:30 p.m.)**

- a.) Adoption of Charleston Comprehensive Parking Study and Recommendations
- b.) Director's Update
- c.) Discussion

**2. Committee on Public Works and Utilities: (Meeting was held on Tuesday, January 22, 2019 at 2:30 p.m.)**

**a. Acceptances and Dedications:**

- (i) Sidewalk and granite curb at 137-141 Spring Street. Approved to notify SCDOT that the city intends to accept maintenance responsibility for concrete sidewalk and granite curb to be constructed in conjunction with the project at 137-141 Spring street with the SCDOT right-of-way (S-10-3).
  - Letter
  - Map

- (ii) Sidewalk at 642 Meeting Street. Approved to notify SCDOT that the City intend to accept maintenance responsibility for concrete sidewalk on North Nassau Street to be constructed in conjunction with the project at 642 Meeting Street.
  - Letter
  - Map

**b. Miscellaneous and Other New Business:**

- (i) Update Spring Fishburne and Calhoun West
- (ii) Update from Flood Plain Manager

### 3. Committee on Ways and Means:

(Bids and Purchases

(Police Department: Approval to submit the FY20 SCDPS Highway Safety Grant application. The grant will fund two officer salaries and equipment. Officers will focus efforts on speed enforcement. The application for this grant is due February 1, 2019. This grant does not require a City match.

(Police Department: Approval to submit the FY20 SCDPS Highway Safety Grant application. The grant will fund two officer salaries and equipment. Officers will enhance efforts to reduce impaired driving. The application for this grant is due February 1, 2019. This grant does not require a City match.

(Fire Department: Approval to accept the DHEC grant in the amount of \$85,754 for the Low Country Healthcare Coalition to support the Haz-Mat Team. Funds will be used to purchase detection and decon equipment. There is a 20% in-kind match required.

(Parks-Capital Projects: Approval of Federal funding in the amount of \$74,795 for a back-up power generator at James Island Recreation Center. This would be matched with \$24,932 in City funding, for purchasing and installing the generator for mitigation of future hazards. The approval of the grant award will institute a \$99,727 project budget. The funding sources for the project are: FEMA Hazard Mitigation Grant Funds (\$74,795) and 2019 General Fund Police Budget (\$24,932).

(Public Service: Approval to purchase and install two check-valves with Palmetto Gunite Construction Co. in the amount of \$121,760 at the Meeting St. and King St. outfalls at the Battery Wall. Funding is coming from the Drainage Fund (\$60,880) and Charleston Public Work (\$60,880).

(Public Service: Approval of a Memorandum of Understanding (MOU) with the Charleston Commissioners of Public Works (CPW) which commits CPW to assist the City in funding 50% of the costs to install check-valves at the King St. and Meeting St. outfalls on the Battery, not to exceed \$80,000.

(Public Service: Approval of Spring-Fishburne US 17 Phase 4 Fee Amendment #17 with Davis and Floyd in the amount of \$505,688 to include additional design elements moved from Division IV, project enhancements, design revisions due to as-built conditions and other ancillary items, value engineering, mitigation support, and program administration. Fee Amendment #17 will increase the Phase 4 portion of the overall Professional Services Contract by \$505,688 (from \$879,065 to \$1,384,753). The funding source for this work is the State Infrastructure Bank (SIB), the Drainage Fund, and the King Street Gateway TIF. *(DEFERRED)*

(Public Service: Approval of Spring-Fishburne US 17 Phase 4 Fee Amendment #18 with Davis and Floyd in the amount of \$6,831,772 to provide construction engineering and inspection (CEI) services to support the construction of the Phase 4 pump station wet wall and outfall. Fee Amendment #18 will increase the Phase 4 portion of the overall Professional Services Contract by \$6,831,772 (from \$1,384,753 to \$8,222,213). The funding source for this work is the State Infrastructure Bank (SIB), the Drainage Fund, and the King Street Gateway TIF. *(DEFERRED)*

(Public Service: Approval of Spring-Fishburne US 17 Phase 4 Construction Contract with Conti Construction, Inc., in the amount of \$51,933,757 to construct the Pump Station, Wet Wall, and Outfall of the Spring-Fishburne Drainage Project. 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. The Construction Contract will obligate \$51,933,757 of the \$65,909,935.70 project budget. The funding sources for this work are the State Infrastructure Bank (SIB) (\$39,000,000), King Street Gateway TIF (\$8,500,000) and the Drainage Fund. (\$18,409,935.70). (DEFERRED)

**(Police Department: Approve the mutual aid MOU with City of Atlanta to allow City of Charleston Bomb Tech/K-9 Officer to assist City of Atlanta with security for Super Bowl LIII on February 3, 2019 in Atlanta)**

(Approval to authorize the Mayor to execute the necessary documents for the purchase of 0 Justin Avenue, property located in the Maryville-Ashleyville community, for \$372,000 subject to the conditions outlined in the attached Agreement of Purchase & Sale (TMS: 418-07-00-080; 418-07-00-081; 418-07-00-082; 418-07-00-083; 418-07-00-084; 418-07-00-085; 418-07-00-086; 418-07-00-087; 418-07-00-088). The property is owned by John T. Vernon, II.

(Consider the following annexation:

- A vacant lot on Agatha Street (TMS# 351-07-00-070) 0.13 acre, West Ashley (District 7). The property is owned by Donna R. Johnson.

*Give first reading to the following bill from Ways and Means:*

*An ordinance to provide for the annexation of a vacant lot on Agatha Street (0.13 acre) (TMS# 351-07-00-070), 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 7. The property is owned by Donna R. Johnson.*

**K. Bills up for Third Reading:**

- 1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of Single Family Detached Affordable Housing as a conditional use within multiple base zoning districts. (DEFERRED)*

**L. 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 amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 52 Line Street (Peninsula) (approximately 0.90 acre) (TMS #459-05-03-139) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Norfolk Southern.*

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 property located on F Street (Peninsula) (0.71 acre) (TMS #460-04-04-118) (Council District 4), be rezoned from unzoned right-of-way to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by the City of Charleston.*
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 89 Romney Street (Peninsula) (0.10 acre) (TMS #463-16-02-005) (Council District 4), be rezoned from Diverse Residential (DR-1F) classification to Residential Office (RO) classification. The property is owned by Mary A. Boags Life Estate.*
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 2026 Clements Ferry Road (Cainhoy) (30.50 acres) (TMS #271-00-01-035) (Council District 1), be rezoned from Light Industrial (LI) classification to General Business (GB) classification. The property is owned by Clements Ferry Properties LLC.*
5. *An ordinance authorizing the Mayor to execute on behalf of the City of Charleston the Purchase and Sale Agreement with Galphin Lee Jackson, III, transferring a 539 square foot portion of city owned property located on Dills Bluff Road, Charleston, South Carolina.*
6. *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. (DEFERRED)*
7. *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. (DEFERRED)*
8. *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. (DEFERRED)*
9. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-206 and Section 54-207 to make parking for churches a conditional use within the Conservation and all Residential Zoning Districts. (DEFERRED FOR PUBLIC HEARING)*
10. *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)*
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 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)*

- 12. 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)*
- 13. 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)*
- 14. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to strengthening Workforce Housing. (DEFERRED FOR PUBLIC HEARING)*
- 15. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton. (DEFERRED)*
- 16. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton. (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 property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke. (DEFERRED)*
- 18. 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 on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke. (DEFERRED)*
- 19. 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)

20. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. (DEFERRED)
21. 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)

#### **M. Bills up for First Reading**

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance), by adding new definitions to Article 1, General Provisions, Part 3, Definitions, and by adding to Article 9, Administration and Enforcement, a new Part 6, entitled, "Temporary Moratorium Applicable to Special Flood Hazard Areas on James Island and Johns Island," and in other respects, to provide for the temporary suspension of the issuance of development permits and approvals for the purpose of allowing the City time to update and revise its Stormwater Design Standards Manual to ensure the sustainability of development on James Island and Johns Island, while protecting existing and future residents, business owners, landowners, and developers in these areas from the adverse impacts of flooding which may result from land disturbing activities, development, and construction within such areas. **(Requested by Councilwoman Jackson)**
2. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) pertaining to Article 2, Part 15 – Mixed Use 1 - Workforce Housing district and Mixed Use 2 - Workforce Housing District.
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 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)
4. 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)
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 property located on Sheppard Street and Saint Philip

Street (Peninsula) (approximately 0.69 acre) (TMS #460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned to include it in the Short Term Rental Overlay Zone (ST) classification. The property is owned by Lowcountry Marketing Group LLC. (*DEFERRED*)

6. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; and prohibit an overconcentration of accommodations units within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map (*DEFERRED*)
7. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to incentive options and particularly strengthening Workforce Housing; and by amending Sec. 54-201 (V), Base Zoning Districts to correct Upper Peninsula District; and by amending Article 3, Part 2, Sec 54-305 (B) pertaining to Upper Peninsula District; and by amending Article 3, Part 1, Sec. 54-301, Table 3.1 Height, Area and Setback Regulations, footnote 24, pertaining to correcting the Section number; and by amending Article 4, Part 4, Sec. 54-420, Table 1.2 allowed sign types by Zoning District to add Upper Peninsula District; and by amending Article 1, Part 1, Sec. 54-102 (b), Base Zoning District Classifications to add Upper Peninsula District. (*DEFERRED*)
8. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 8 providing for a Temporary Moratorium on the issuance of development permits for Residential (Single Family and Multi-Family) Development on John's Island (*DEFERRED*)

#### **N. Miscellaneous Business:**

**1. Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice relating to Middleborough Villas - Phase II. Action may or may not be taken.**

2. The next regular meeting of City Council will be Tuesday, February 12, 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](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.