

City Hall
80 Broad Street
February 12, 2019
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Wagner

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation honoring Reverend Alma Dungee

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. January 8, 2019
2. January 22, 2019

H. Citizens Participation Period

I. Petitions and Communications:

1. Report from the Commission on Women:

A Resolution urging the State of South Carolina Legislature to support passage of the Equal Rights Amendment

2. Adoption of the Sea Level Rise Strategy Report – Mark Wilbert, Chief Resilience Officer

J. Council Committee Reports:

1. Committee on Recreation: (Meeting was held on Thursday, February 7, 2019 at 1:00 p.m.)

- a. Age Requirement Change for Palmetto Artisan Ordinance
- b. Name 1099 King Street the Reverend Alma Dungee Recreation Building
- c. Items for Discussion (*Action may or may not be taken on any of the below items*):
 - Brantley Park;
 - Longborough Exchange Agreement;

- Waring Senior Center;
- Stoney Field;
- WPAL;
- Status of the ongoing Cultural Planning Process;
- Status of Cannon Street Arts Center (134 Cannon);
- Corrine Jones Community Garden proposal;
- Daniel Island Neighborhood Park #4;
- Ferguson Village;
- Wellness and Aquatics Center Complex;
- Mrs. Tee

Give first reading to the following bill from Recreation:

An ordinance to amend Chapter 17 of the Code of the City of Charleston, South Carolina, to modify the City's Palmetto Artisan Regulations to extend the age of the program to eighteen years old or until graduation from high school.

2. Committee on Community Development – Special Meeting: (Meeting was held on Thursday, February 7, 2019 at 3:00 p.m.)

- a. Review of Opportunity Zone Proposal for the City of Charleston
- b. Discussion of the Huger Street Streetscape Project
- c. Update to the Requests for Proposals for the Cooper River Bridge Redevelopment Area and the Lowline Affordable Housing sites (information only)
- d. Review and approval of requests for Bond Funds
(If necessary, Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) for a discussion of negotiations incident to proposed contractual arrangements. Action may or may not be taken.)

3. Committee on Public Works and Utilities: (Meeting was held on Monday, February 11, 2019 at 4:00 p.m.)

a. Acceptances and Dedications:

- (i) Bluestone and granite curb at 475 East Bay Street. Approved to notify SCDOT that the city intends to accept maintenance responsibility for bluestone and granite curb to be constructed in conjunction with the project at 475 East Bay Street with the SCDOT right-of-way (US-52).
 - Letter
 - Map
- (ii) 642 Meeting Street. Approved to notify SCDOT that the City intend to accept maintenance responsibility for street lighting and street trees on North Nassau Street (S-119) to be constructed in conjunction with the project at 642 Meeting Street.
 - Letter
 - Map

b. Miscellaneous and Other New Business:

- (i) Update from Project Managers
- (ii) Update on Councilmember Shahid's request regarding Drainage Issues
- (iii) Update from Floodplain Manager on Freeboard
- (iv) Update on Stormwater Design Standards Manual revisions
- (v) Interim Stormwater Standards Ordinance:

An ordinance to amend the Stormwater Design Standards Manual in accordance with Sec. 27-28 of the Code of the City of Charleston, by adding interim requirements for stormwater systems and facilities for new developments within all areas of the City other than the Church Creek Drainage Basin; to provide for exemptions; and to provide for an expiration date. ***(Requested by Councilwoman Jackson)***

- (vi) Moratorium Ordinance:

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; deferred and referred to the Committee on Public Works and Utilities at the January 22, 2019 City Council meeting)***

Give first reading to the following bills from Public Works and Utilities:

An ordinance to amend the Stormwater Design Standards Manual in accordance with Sec. 27-28 of the Code of the City of Charleston, by adding interim requirements for stormwater systems and facilities for new developments within all areas of the City other than the Church Creek Drainage Basin; to provide for exemptions; and to provide for an expiration date.

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.

4. Committee on Ways and Means:

(Bids and Purchases)

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

(Police Department: Approve Third Amendment renewing Agreement between Charleston Dorchester Mental Health Center (CDMHC) and CPD in the amount of \$20,000 wherein CDMHC provides CPD with a full time mental health professional who provides services to children and families in domestic violence cases.

(Public Service: Approval to apply for a FEMA grant application in the amount of \$694,821.57 that requires a City match of \$69,482. If approved, this grant would fund 3 property mitigation projects (2 acquisition/demolition and 1 structural elevation). Due to time constraints, the application was submitted on January 29, 2019. The City match required is \$69,482.

(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 \$879,065 to \$7,710,837). The funding source for this work is the State Infrastructure Bank (SIB), the Drainage Fund, and the King Street Gateway TIF.

(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 up to \$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).

(Legal Department: Approval of a Memorandum of Understanding between the Historic Charleston Foundation and the City of Charleston not to exceed \$225,000 for the Dutch Dialogues

(Request authorization for the Mayor to execute an easement agreement, together with the appropriate easement drawing, under which the City will grant an underground electric line

easement to South Carolina Electric & Gas Company ("SCE&G"), together with the ability for SCE&G to install pad mounted transformers, switch gears, and other necessary apparatus and equipment on the City's property lying to the south of Savannah Highway (U.S. Highway 17), designated as Charleston County TMS Nos. 350-00-00-072 and 350-00-00-073, commonly known as the site for Fire Station No. 11. The Mayor will be authorized to execute the easement and drawing without further action by City Council upon approval of the final form of the agreement by Corporation Counsel.

(Update on Longborough Exchange Agreement between City and Longborough Homeowners' Association

(Update on the Charleston Technology Center

(Consider the following annexation:

- A vacant lot on Stinson Drive (TMS# 350-05-00-095) 0.99 acre, West Ashley (District 11).

The property is owned by Rale MGMT LLC.

(Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code for the receipt of legal advice concerning potential claims related to the Middleborough Development. The Committee may or may not take action after returning to open session.

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

An ordinance to provide for the annexation of a vacant lot on Stinson Drive (0.99 acre) (TMS# 350-05-00-095), 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 Rale MGMT LLC.

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 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 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.*
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 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.*
6. *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. (DEFERRED FOR PUBLIC HEARING)*
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 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.
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 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)
3. 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)
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 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)
5. 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*)

6. 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*)
7. 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. The next regular meeting of City Council will be Tuesday, February 26, 2019 at 5:00 p.m. at City Hall, 80 Broad Street.

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