

AMENDED
March 24, 2020
5:00 p.m.
Conference Call:
1-929-205-6099
Access Code:
225906695

CITY COUNCIL

- A. Roll Call
- B. Invocation – Councilmember Waring
- C. Pledge of Allegiance
- D. Presentations and Recognitions
- E. Public Hearings
- F. Act on Public Hearing Matters
- G. Approval of City Council Minutes:

1. February 25, 2020

- H. Citizens Participation Period

Please use one of the following methods to provide comments for the City Council meeting. Comments must be received by 4:00 p.m., Monday, March 23rd:

- 1. E-mail comments to publiccomments@charleston-sc.gov
- 2. Leave a voice mail at 843-579-6313
- 3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

- I. Petitions and Communications:
- J. Council Communications:
- K. Council Committee Reports:

1. Committee on Community Development: (Meeting was held Thursday, March 12, 2020 at 4:30 p.m.)

- a. Identification of the priority goals for the 2020-2025 Consolidated Plan Grant, Home Investment Partnerships Program and Housing Opportunities for Persons with AIDS Grants (*information only*)

- b. Review/approval of the 2020-2021 Budget for the Community Development Block Grant, Home Investment Partnerships (*information only*)
- c. Accessory Dwelling Units – draft ordinance (*information only*)
- d. Conservation Subdivision – draft ordinance (*information only*)

2. Committee on Public Safety: (Emergency Meeting was held Wednesday, March 18, 2020 at 2:00 p.m.)

- a. Discussion regarding the implementation of Emergency Ordinances put into effect related to COVID-19.

3. Committee on Public Works and Utilities: (Meeting was held Monday, March 23, 2020 at 4:00 p.m.)

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

- (i) Dedication and Acceptance of Avenue of Oaks- Avenue of Oaks (30' R/W 2046 LF). All infrastructure has been completed, inspected and accepted.
 - Title to Real Estate
 - Affidavit for taxable or Exempt Transfers
 - Exclusive Stormwater Drainage Easement Agreement
 - Plat
- (ii) Dedication and Acceptance of Whitney Lakes, Phase 2D- A PORTION OF Brittlebush Lane (40' R/W, 738 LF), a portion of Petunia Alley (20' R/W, 46 LF), a portion of August Road (40' R/W, 826 LF). All infrastructure has been completed with the exception of sidewalks. The sidewalks have been bonded.
 - Title to Real Estate
 - Affidavit for taxable or Exempt Transfers
 - Exclusive Stormwater Drainage Easement Agreement
 - Plat
- (iii) Dedication and Acceptance of Oakfield, Phase 3 - a portion of Vincent Astor Drive (50' R/W, LF) , Cooper Farm Road (50' R/W, LF), a portion of Leopold Street (50' R/W, LF),. All infrastructure for this phase has been bonded.
 - Title to Real Estate
 - Affidavit for Taxable or Exempt Transfers
 - Exclusive Stormwater Drainage Agreement
 - Plat
- (iv) Approval to notify SCDOT that the City intends to accept maintenance of 150 LF of 10' wide concrete sidewalks and 35 LF of 8' wide concrete sidewalk to be constructed in conjunction with the project at 1285 Folly Road.
- (v) Approval to notify SCDOT that the City intends to accept maintenance of 410 LF of concrete sidewalks, crosswalks & street trees wells on Meeting Street (S-107) to be constructed in conjunction with the project at 44 Line Street.

- (vi) Approval to notify SCDOT that the City intends to accept maintenance of 450 LF of concrete sidewalks and 50 LF of granite curbs on Meeting Street (S-107) to be constructed in conjunction with the project at 547 Meeting Street.
- (vii) Approval to notify SCDOT that the City intends to accept maintenance of 867 LF of sidewalks on Cane Slash (S-1334) to be constructed in conjunction with the project at Oak Field (Phase 5C & 5D).
- (viii) Approval to notify SCDOT that the City intends to accept maintenance of 1283 LF of sidewalks on Savannah Hwy (US-17) to be constructed in conjunction with the project at Hwy 17 and Main Road.

b. Stormwater Management Department Update:

- (i) Dunoon Drive Drainage Improvements - Approval to award a construction contract to the low bidder B&C Land Development for \$64,840.00 for improvement of the drainage system on Dunoon Drive in Shadowmoss. This funding is currently allocated to the project in the Drainage Fund.
- (ii) Spring Fishburne Drainage Improvement Project Phase 3 – Approval of Fee Amendment #20 to the Professional Services Contract with Davis & Floyd for \$428,757.00 for Extended Duration of Construction Engineering & Inspection Services on the Project Phase. These funds are available within the approved project budget.
- (iii) Spring Fishburne Drainage Improvement Project Phase 3 – Approval of Change Order #12 to the Construction Contract with Jay Dee Contractors for \$0.00
- (iv) Low Battery Seawall Repairs – Approval of Change Order #1 to the Construction Contract with Gulf Stream Construction Company for \$328,191.00 for modifications to pile installation. This funding is available within the Project Contingency Budget and is funded from Hospitality Funds.

4. Committee on Ways and Means:

- (Bids and Purchases)
- (Budget Finance and Revenue Collections: Approval of Worker's Comp renewal with Safety National in the amount of \$417,015. The 2020/2021 policy renewal rate is flat but the premium is increasing due to the increased payroll. This policy runs April 1, 2020 to April 1, 2021.
- (Office of Cultural Affairs: Approval to apply for \$6,000 from South Carolina PRT's Tourism Advertising Grant Program, to support the 2020 MOJA Arts Festival. A 3:1 City match is required. Matching funds will come from corporate sponsorship and private donation.
- (Office of Cultural Affairs: Approval to apply for \$1,000 from the Jerry and Anita Zucker Family Endowment Fund of the Coastal Community Foundation. Funds will be used to support outreach programming in association with the 2020 Piccolo Spoleto Festival. No City match is required.
- (Police Department: Approval to submit the 2020 State Homeland Security Grant. If awarded, the grant will fund a tactical rescue and response vehicle for use in active shooter situations and other critical incidents. The anticipated project cost is \$307,175. A cash match of 25% (\$76,794) is being offered for this grant. The match will be budgeted for FY2021. Due to time constraints, this is an after-the-fact approval request.

- (Police Department: Approval to submit the FY2021 Victims of Crime Act Grant (VOCA). If awarded, the grant will continue funding for the salary and fringe benefits of one (1) Elder Abuse Advocate and one (1) Resource Specialist assigned to the Family Violence Unit. The anticipated project cost is \$94,674. A cash match of 20% (\$18,935) is required for this grant. The grant is due on April 1st.
- (Resiliency: Approval to submit the 2021 SC DHEC Solid Waste Reduction & Recycling grant application (\$25,000) to support a pilot program to recycle mattresses and support outreach and education efforts around new garbage routes and schedules. The grant application is due on April 3, 2020. No City match is required.
- (Stormwater Management: Approval of Dunoon Drive Drainage Improvement Construction Contract with B&C Land Development in the amount of \$64,840 for the installation of a storm drain system (450 linear feet of 6" pipe) to reduce ongoing flooding concerns for properties along Dunoon Drive. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent project contingency funds exist in the Council approved budget. Approval of this Construction Contract will institute a project budget of \$71,324 of which \$64,840 will be obligated for the contract. The funding source for this project is the Drainage Fund.
- (Stormwater Management: Approval of Spring Fishburne US17 Phase 3 Fee Amendment #20 with Davis & Floyd in the amount of \$428,757 for additional CEI services based upon the continuation of services beyond the revised construction contract end date of 11 October 2019 to the proposed contract end date of 19 May 2020 and covers anticipated additional effort between the latest project date of completion (31 July 2020). The current CEI services contract will expire 31 March 2020. Approval of Fee Amendment #20 will increase the Phase 3 portion of the overall Professional Services Contract by \$428,757 (from \$6,496,769 to \$6,925,526). The funding sources for this project are: State Infrastructure Bank (\$49,000,000), Capital Contribution (\$59,532), and Drainage Fund (\$42,000).
- (Stormwater Management: Approval of Spring/Fishburne Drainage Improvements Phase 3 Change Order #12 to the Construction Contract with Jay Dee Contractors, Inc., in the amount of \$457,875 with the funds coming from the Owner's Contingency Cash Allowance (OCCA) resulting in a \$0.00 change order and no impact on the project budget as a whole. Change Order #12 is for additional costs associated with video inspection of 6 drop shafts (\$7,875) and a Negotiated Global Settlement for all outstanding claims/change proposals (\$450,000) including claims associated with grouting multiple shafts, tunnel tour date of 10/4/19, and removal of sediment from the Line St. drop shaft. This Change Order also adds 225 days to the calendar for substantial completion setting a new substantial completion date of 5/19/2020. Approval of Change Order #12 will obligate \$0.00 of the project budget. Costs for the Change Order (\$457,875) will come out of the approved OCCA of \$2,000,000 (balance of OCCA for the project is \$315,098.89).
- (Parks-Capital Projects: Approval of Low Battery Seawall Repairs-Phase 1 Change Order #1 in the amount of \$328,191 for a new pile redesign and implementation based on existing pile conflicts that were discovered during exploratory excavation and coring to verify existing pile design. Approval of this change order also adds 25 days to the date of substantial completion setting a new date of 1/8/2021. Approval of Change Order #1 will increase the construction contract by \$328,191 (from \$10,930,451 to \$11,258,642). The funding sources for this project are: Hospitality Funds (\$13,08,957.53), Municipal Accommodations Tax Funds (\$12,382,816), and Charleston County Accommodations Tax Fees (\$400,000).
- (Parks-Capital Projects: Approval of St. Julian Devine Landscape Renovations Construction Contract with AOS Specialty Contractors, Inc. in the amount of \$399,557

for site and landscape improvements at the St. Julian Devine Community Center. Approval of this Construction Contract will obligate \$399,557 of the project budget \$3,110,000. Funding sources for this project are: 2015 General Fund Reserves (\$250,000), 2018 General Fund Reserves (\$400,000), Cooper River Bridge TIF (\$2,250,000), and Charleston Parks Conservancy Contribution (\$210,000).

(Parks-Capital Projects: Approval of St. Julian Devine Improvement Change Order #2 with Satchel Construction, LLC, in the amount of \$55,619.98 to provide and install new pendant lights on floors 1 & 3, paint exposed brick, remove and replace tile base, repairs to roof decking, replace breakroom cabinets, locker, and entrance door glass, painting changes on all floors, and replace aluminum storefront double doors at north entrance. Approval of this change order also adds 7 days to the date of substantial completing setting a new date of 7/30/2020. Approval of Change Order #2 will increase the Construction Contract by \$55,619.98 (from \$599,066.03 to \$654,686.01). Funding sources for this project are 2015 General Fund Reserves (\$250,000), 2018 General Fund Reserves (\$400,000), Cooper River Bridge TIF (\$2,250,000), and Capital Contribution (\$210,000).

(Parks-Capital Projects: Approval of Stoney Field Improvements increase to P162427 for LED Lighting Improvements with National Energy Solutions in the amount of \$9,692 for the relocation of the breaker panels from the top of 4 poles to a safer, more easily accessible location close to ground level. Approval to increase P162427 will increase the PO amount by \$9,692 (from \$294,391.12 to \$304,353.12). Funding for this project is 2005 GO Bond (\$399,048), 2018 GO Bond (\$2,600,000), Hospitality Funds (\$1,250,000), and a Capital Contribution (\$19,432.50).

(Fire Department: Approval to apply for a HMEP grant in the amount of \$10,500 for the Charleston FD Haz-Mat Team to attend specialized training. A 20% in-kind match is required for this grant. Salaries of personnel attending classes will be used as the match.

(Legal Department: Approval of a Mutual Termination Agreement with Charleston Parks Conservancy regarding donations for the Municipal Golf Course

(Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Shawn Elaine Anderson conveying the property located at 4 Nunan Street for the purchase price of \$201,834. This property is being sold subject to the City of Charleston Single Family Affordable Restrictive Covenants with an affordability period of 90 years. (4 Nunan Street: TMS: 460-07-02-221) (Ordinance)

(Request approval of an Agreement with Charleston Water System (CWS) for the City to Grant Permanent and Temporary Easements on TMS 343-02-00-139, a City Owned Property on Plymouth Ave on James Island for the Installation and Maintenance of a Water Main. This CWS Project is to replace a damaged water main to restore redundant water service to James Island. ***(To be sent under separate cover by the Real Estate Department)***

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

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Shawn Elaine Anderson the property located at 4 Nunan Street (Charleston County TMS No. 460-07-02-221) (Peninsula) (District 3) (the "Property") for \$201,834.00, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years, and further subject to a permanent general utility easement for the benefit of and appurtenant to the adjacent property located at 4 Grants Court (Charleston County TMS No. 460-07-02-222).

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 authorize the execution and delivery of Lease/Purchase and Security Agreements with TD Equipment Finance, Inc. in order to provide for the acquisition of various vehicles, information technology and other equipment and accessories; to provide the terms and conditions of such Lease/Purchase and Security Agreements; to provide for the granting of a security interest to secure all obligations of lessee under the lease/purchase and security agreements; to authorize the execution and delivery of all documents necessary or appropriate to the consummation of such Lease/Purchase and Security Agreements; and to provide for other matters related thereto.*
- 2. An ordinance providing for the issuance and sale of Waterworks and Sewer System Refunding and Capital Improvement Revenue Bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$220,000,000 and other matters relating thereto.*
- 3. An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Carol Jeane Lotz the property located at 4 Grants Court (Charleston County TMS No. 460-07-02-222) (Peninsula) (District 3) (the "Property") for \$222,642.00, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years, together with a General Utility Easement for the benefit of the property, said General Utility Easement encumbering the City's adjacent property located at 4 Nunan Street (Charleston County TMS No. 460-07-02-221) (Peninsula) (District 3).*
- 4. An ordinance to provide for the annexation of properties on Maybank Highway (3.5 acres) (TMS# 313-00-00-034; 313-00-00-035), 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 properties are owned by William Stephen Harris. (DEFERRED)*
- 5. An ordinance to provide for the annexation of property on Maybank Highway (2.05 acre) (TMS# 313-00-00-306), 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 LMC, LLC. (DEFERRED)*
- 6. 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 FOR PUBLIC HEARING)*
- 7. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone to correct a scrivener's error. (DEFERRED FOR PUBLIC HEARING)*
- 8. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to Planning Commission composition to establish commission member alternates and to update other applicable sections*

related to Planning Commission Rules and Procedures. (DEFERRED FOR PUBLIC HEARING)

9. *An ordinance to amend Chapter 27, Stormwater Management and Flood Control, of the Code of the City of Charleston, to add a new Article IV to provide fill requirements for all new construction, developments, and redevelopments within the City. (DEFERRED)*
10. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items. (DEFERRED)*
11. *An ordinance to amend Chapter 29, Article V1, Sec. 29-240 of the Code of the City of Charleston pertaining to the procedure of accident reporting. (DEFERRED)*
12. *An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the "Homestead Exemption" in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the "Homestead Exemption" with respect to Stormwater Utility Fees; and to provide that the elimination of the "Homestead Exemption" in Sec. 27-140(a) shall not apply until January 1, 2020. (DEFERRED FOR PUBLIC HEARING)*
13. *An ordinance to provide for the annexation of property known as 1415 S Edgewater Drive (0.72 acre) (TMS# 349-13-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Robert F. Kauffmann.(DEFERRED)*
14. *An ordinance to 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)*
15. *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)*

M. Bills up for First Reading*

***NOTICE:** A public hearing on Items M.1 through M.4 has been advertised to be held at City Council's meeting on March 24, 2020. Due to the Coronavirus pandemic, no public hearing on Items M.1 through M.4 will be held on March 24, 2020. The public hearing for Items M.1 through M.4 will be rescheduled and advertised for City Council's April 14, 2020 meeting. City Council may give Items M.1 through M.4 a first reading prior to holding a public hearing. City Council may not give Items M.1 through M.4 a final reading until after a properly-advertised public hearing as to each Item.

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 220 Nassau Street (peninsula) (0.89 acre) (TMS #459-05-01-067) (Council District 4), be rezoned from Diverse Residential (DR-2) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Charleston County School District.
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 Ashley River Road (West Ashley) (1.53 acres) (TMS #354-12-00-004) (Council District 2), be rezoned from Single-Family Residential (SR-1) classification to Limited Business (LB) classification. The property is owned by Laura M. Smith.
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 1970 Delaney Drive (James Island) (0.303 acre) (TMS #340-00-00-099) (Council District 6), be rezoned from Single-Family Residential (SR-1) classification to Single-Family Residential (SR-4) classification. The property is owned by Jesse J. Richardson III.
4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items.
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 276 Coming Street (Peninsula) (0.07 acre) (TMS #460-04-04-003) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Matthew Black Lineberger. **(The Planning Commission recommends disapproval.)** *(DEFERRED)*
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1815 Beechwood Road (West Ashley) (0.65 acre) (TMS #354-07-00-101) (Council District 2), be rezoned from Single-Family Residential (SR-6) classification to Diverse Residential (DR-6) classification. The property is owned by Matt and Angela Chambers. *(DEFERRED)*
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is part thereof, so that property located on River Road, Summerland Drive, and Oakville Plantation Road (Johns Island) (126.95 acre) (TMS #317-00-00-007, 317-00-00-011, 317-00-00-012, 317-00-00-075, 317-00-00-076, and 317-00-00-089) (Council District 5), be zoned, and existing Light Industrial (LI) classification be rezoned to Planned Unit Development (PUD) classification. The property is owned by Keith W. Lackey, Gail Grimball, and Gary S. Worth. *(DEFERRED)*
8. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to make rooftop eating and drinking places subject to the approval of a special exception in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, adopt regulations for rooftop eating and drinking places in the GB, UC, MU-2, MU-2/WH, and UP base zoning districts, and prohibit rooftop eating and drinking places in all other base zoning districts. *(DEFERRED)*

9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of former Summerville Avenue right-of-way (Peninsula Neck) (approximately 1.4 acres) (Unzoned Right-of-Way) (Council District 4), be zoned General Business (GB) classification. The property is former right-of-way deeded to adjacent property owners. (DEFERRED)

N. Miscellaneous Business:

1. Request approval of a proposed settlement agreement between the City of Charleston and The Citadel, the Military College of South Carolina, arising out of Case No. 2020-CP-10-0145, The Citadel v. City of Charleston, et al., in which The Citadel appeals the BAR-L's denial of a permit to demolish Capers Hall and a public safety building on The Citadel's campus, within the block bounded by Lee Avenue to the north, Elmwood Avenue to the east, Hagood Avenue to the west, and Huger Street to the south (a portion of Charleston County TMS No. 460-00-00-004) (Peninsula) (District 6).
2. Consideration of Amendment to Agreement with the Local Development Corporation ("LDC") to create an emergency fund to assist small businesses as a result of COVID-19
3. **An Emergency Ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding a new Part 4 – Temporary Procedures for Public Hearings to Article 1 (General Provisions) to implement Section 5 of Executive Order No. 2020-10 by permitting hearings on development approvals before certain City Boards and Commissions to be held virtually or by remote or other alternative means and to urge the General Assembly to adopt similar legislation.**
4. **An Emergency Ordinance re: Stay at Home**
5. The next regular meeting of City Council will be Tuesday, April 14, 2020 at 5:00 p.m.

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.

K3(a)(i)

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF CHARLESTON)

KNOW ALL MEN BY THESE PRESENTS, that HDP OAKS AVENUE LLC, a Delaware limited liability company ("Grantor") in the state aforesaid, for an in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, that certain property described on Exhibit A, a copy of which is attached hereto and incorporated herein by reference, which is granted, bargained, sold and released for the use of the public forever.

Grantee's Mailing Address: City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, its successors and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

**[REMAINDER OF PAGE INTENTIONALLY BLANK;
SIGNATURE PAGE AND EXHIBIT TO FOLLOW]**

WITNESS the Grantor's Hand and Seal this 24th days of February, 2020.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

HDP OAKS AVENUE LLC

Craig Hobart

Witness #1

Print Name: Craig Hobart

[Signature] Agent

By: James Cone

Its: Agent

Anne E West

Witness #2

Print Name: Anne E. West

STATE OF South Carolina)

COUNTY OF Charleston)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by James Cone, the Agent of HDP OAKS AVENUE LLC, a Delaware limited liability company, on the 24th day of February, 2020.

Signature of Notary: [Signature]

Print Name of Notary: Abby Hayes

Notary Public for South Carolina

My Commission Expires: October 19, 2026

SEAL OF NOTARY

Abby F. Hayes
Notary Public, State of South Carolina
My Commission expires Oct. 19, 2026

[REMAINDER OF PAGE INTENTIONALLY BLANK;
SIGNATURE PAGE AND EXHIBIT TO FOLLOW]

EXHIBIT A

[LEGAL DESCRIPTION OF PROPERTY]

All that certain property underneath, above, and containing that certain right-of-way situate, lying and being in the City of Charleston, Charleston County, South Carolina, shown and designated as "AVENUE OF OAKS PUBLIC ALLEY (30' R/W)," contained within that subdivision known or to be known as "Avenue of the Oaks," as more particularly shown and delineated on that certain plat entitled, "FINAL PLAT SHOWING AVENUE OF THE OAKS (9.984 ACRES) SUBDIVISION, TMS 418-06-00-028, PROPERTY OF HDP OAKS AVENUE LLC, LOCATED WEST OF THE ASHLEY, IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA," prepared by Andrew C. Gillette (S.C.P.L.S. No. 5933-B), dated July 12, 2019, last revised _____, and recorded _____ in Plat Book _____ at Pages _____ through _____ in the Register of Deeds Office for Charleston County, South Carolina (the "Plat").

Said right-of-way butting and bounding, measuring and containing, and having such courses and distances as are shown on the Plat, reference to which is had for a full and complete description, being all of the said dimensions, a little more or a little less.

Being a portion of the same property conveyed to HDP Oaks Avenue LLC by (1) deed of Campbell-Knuppel Mobile Home Park, LLC, dated October 27, 2017, and recorded October 30, 2017, in Deed Book 0676 at Page 129 in the Register of Deeds Office for Charleston County, South Carolina; and (2) deed of Thomas C. Campbell, III and Dorothy E. Knuppel, dated October 27, 2017, and recorded October 30, 2017, in Deed Book 0676 at Page 135 in the Register of Deeds Office for Charleston County, South Carolina; but not including that portion of the property conveyed by HDP Oaks Avenue LLC to ECLT Foundation, Inc. by deed dated October 10, 2018, and recorded November 5, 2018 in Deed Book 0758 at Page 280 in the Register of Deeds Office for Charleston County, South Carolina.

Being a portion of TMS No. 418-06-00-028

[END OF DOCUMENT]

STATE OF SOUTH CAROLINA)

COUNTY OF Charleston) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

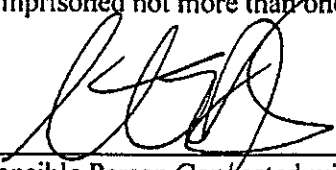
1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by HDP Oaks Avenue LLC
to City of Charleston on 10/25/19.
3. Check one of the following: The deed is
 - (A) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) exempt from the deed recording fee because (See Information section of affidavit): #1 Value less than \$100 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes or No

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) The fee is computed on the fair market value of the realty which is _____
 - (C) The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES or NO to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Attorney.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

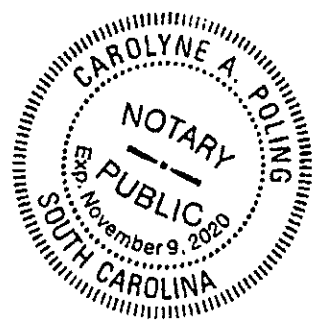


Responsible Person Connected with the Transaction

Steven E. Harvey

Print or Type Name Here

Sworn this 25th day of October 2019
Carolyn A. Poling
Notary Public for SC
My Commission Expires: 11/9, 2020



STATE OF SOUTH CAROLINA)
) **EXCLUSIVE STORM**
) **WATER DRAINAGE**
) **EASEMENTS**
COUNTY OF CHARLESTON) **CITY OF CHARLESTON**

This Agreement is made and entered into this ____ day of _____, 2020, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City") and HDP Oaks Avenue LLC, a Delaware limited liability company (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of the property identified by and designated as Charleston County tax map number 418-06-00-028 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of the Owner's property, as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain drainage easements more particularly described on Exhibit A, attached hereto and incorporated herein by reference.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

**[REMAINDER OF PAGE INTENTIONALLY BLANK;
SIGNATURE PAGES AND EXHIBIT TO FOLLOW]**

IN WITNESS WHEREOF, the Owner has set its Hand and Seal the day and year first above written.

WITNESSES:

Craig Hobart
Witness #1
Craig Hobart
Case S West

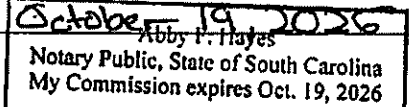
Witness #2
Anne E. West
STATE OF South Carolina
COUNTY OF Charleston

HDP OAKS AVENUE LLC
[Signature]
By: James Cone
Its: Agent

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by James Cone, the Agent of HDP Oaks Avenue LLC, a Delaware limited liability company, on this 24th day of February, 2020.

Signature: [Signature]
Print Name of Notary: Abby Hayes
Notary Public for South Carolina
My Commission Expires: October 19, 2026
SEAL OF NOTARY



[REMAINDER OF PAGE INTENTIONALLY BLANK;
EXHIBIT TO FOLLOW]

EXHIBIT A

[DESCRIPTION OF DRAINAGE EASEMENTS]

All those certain drainage easements of various widths being shown and labeled "C.C.D.E." or otherwise designated as City of Charleston drainage easements, on that certain plat entitled, "FINAL PLAT SHOWING AVENUE OF THE OAKS (9.984 ACRES) SUBDIVISION, TMS 418-06-00-028, PROPERTY OF HDP OAKS AVENUE LLC, LOCATED WEST OF THE ASHLEY, IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA," prepared by Andrew C. Gillette (S.C.P.L.S. No. 5933-B), dated July 12, 2019, last revised _____, and recorded _____ in Plat Book _____ at Pages _____ through _____ in the Register of Deeds Office for Charleston County, South Carolina.

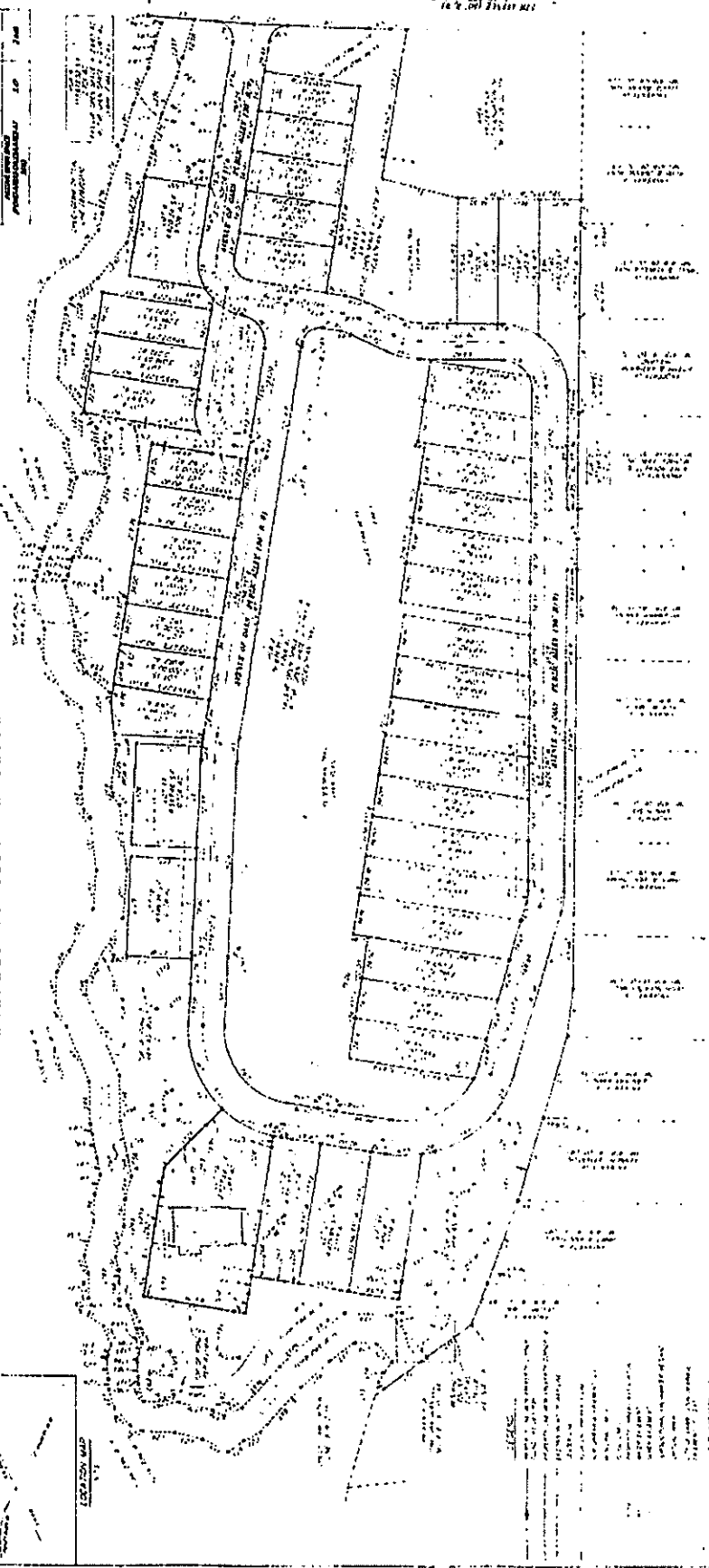
SAID EXCLUSIVE STORMWATER DRAINAGE EASEMENTS having such the size, shape, dimensions, buttings, and boundings as will by reference to said plat more fully and at-large appear.

[END OF DOCUMENT]

LAND USE / ZONING	AREA (AC)	PERCENTAGE
RESIDENTIAL	1.389	47.3%
COMMERCIAL	0.504	16.8%
INDUSTRIAL	0.000	0.0%
AGRICULTURAL	0.000	0.0%
UNDEVELOPED	1.117	35.9%
TOTAL	2.900	100.0%

SITE SUMMARY
 TOTAL BUILT UP AREA = 1,389 AC.
 TOTAL P.O.A. = 4.904 AC.
 TOTAL LOT AREA = 2,681 AC.
 TOTAL SITE AREA = 9,887 AC.

MARGUES OF OLDTOWN CRTFA



FINAL PLAT
 SHOWING AVENUE OF THE OAKS (0.064 ACRES) SUBDIVISION,
 TRS 418-00-00-028, PROPERTY OF HOP OAKS AVENUE LLC,
 LOCATED WEST OF THE ASHLEY, IN THE CITY OF CHARLESTON,
 CHARLESTON COUNTY, SOUTH CAROLINA
 DATE: JULY 12, 2019
 SCALE: 1" = 40'

SHEET 1 OF 2

REGISTERED PROFESSIONAL ENGINEER
 STATE OF SOUTH CAROLINA
 ENGINEER NO. 12345
 PROJECT NO. 12345
 DATE: JULY 12, 2019



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Whitney Lake, Phase 2D

("Grantor") in the state aforesaid, for and in consideration of the sum of
ONE AND 00/100 DOLLAR (\$1.00), being the true consideration to it in hand paid at and before
the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby
acknowledged, has granted, bargained, sold and released, and by these presents does grant,
bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and
assigns, forever, the following described property which is granted, bargained, sold and released
for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives,
and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston
State of South Carolina, identified as (list street names) August Road, Brittlebush Lane & Petunia
Alley

as shown and designated on a plat entitled Final Subdivision Plat Showing 40 Lots & 4 HOA
Areas Located in The Gardens at Whitney Lake, Phase 2D, Johns Island, City of Charleston,
Charleston County, South Carolina

prepared by RLA Associates, PA
dated August 1, 2019, revised _____, and recorded on _____
in Plat Book _____ at Page _____ in the ROD Office for Charleston County.
Said property butting and bounding, measuring and containing, and having such courses and
distances as are shown on said plat. Reference being had to the aforesaid plat for a full and
complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the
Whitney Lake, LLC dated 6 April 2010 and recorded
19 April 2010 in Book 0117 at Page 702 in the ROD Office for
Charleston County, South Carolina.

Grantee's Mailing Address:

City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

Portion of TMS No.:

314-00-00-334

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 21st day of February 2020.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

[Signature]
Witness Number One

BLAKE SMITH
Printed Name

[Signature]
Witness Number Two

LUKE COFFEY
Printed Name

Grantor
[Signature]

Jason Long
Printed Name

AUTHORIZED SIGNATORY

STATE OF Georgia)
COUNTY OF CHARLESTON Richmond)

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Jason Long, the Authorized Signatory of Southeastern Recapitalization Group, LLC, a Limited Liability Company, on behalf of the Grantor on the 21st day of February, 2020.

Signature of Notary: Susan A. Skadan
Print Name of Notary: Susan A. Skadan
Notary Public for Columbia County, Georgia
My Commission Expires: June 28, 2021



SEAL OF NOTARY

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Southeastern Recapitalization Group, LLC
to City of Charleston on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) exempt from the deed recording fee because (See Information section of affidavit): Exemption #1 & Exemption #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____.
 - (B) _____ The fee is computed on the fair market value of the realty which is _____.
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
 - (B) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Authorized Signatory.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

Jason Long

Authorized Signatory

Print or Type Name Here

Sworn this 21st day of February 2020

Susan A. Skadan
Notary Public for Columbia County, Georgia

My Commission Expires: June 28, 2021



STATE OF SOUTH CAROLINA)
)
)
)
 COUNTY OF CHARLESTON) EXCLUSIVE STORM
) WATER DRAINAGE
) EASEMENTS
) CITY OF CHARLESTON

This Agreement is made and entered into this _____ day of _____ 2020, by and between the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina (herein the "City"), and Southeastern Recapitalization Group, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining storm water drainage ditches and appurtenances ("Storm Water System") across a portion of _____ property identified by and designated as Charleston _____ County tax map number 312-00-00-334 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through the referenced portion of _____ the Owner's property as hereinafter described; and

WHEREAS, the undersigned Owner of the property is desirous of cooperating with the City and is minded to grant unto it certain permanent and exclusive storm water drainage easements in and to the property necessary therefor.

NOW, THEREFORE, in consideration of the foregoing and the benefits to be derived by the drainage improvements to the property, the Owner has granted, bargained, sold, released and conveyed by these present and does grant, bargain, sell, release and convey unto the City of Charleston all of those certain New City of Charleston Drainage Easements (or D.E.) as such are identified on the above referenced portion of _____ property and which are more fully shown on that certain plat entitled;

" Final Subdivision Plat Showing 40 Lots & 4 HOA Areas Located in The Gardens at Whitney Lake, Phase 2D, Johns Island, City of Charleston, Charleston County, South Carolina

Prepared and executed by Robert L. Arrington, PLS dated August 1, 2019,
 revised on _____, and recorded on _____ in Plat
 Book _____ at Page _____ in the ROD Office for Charleston, South Carolina (herein the "Plat").

A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive and Permanent Storm Water Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water System. These Exclusive and Permanent Storm Water Drainage Easements shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against Owner and its heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

WITNESSES:

CITY OF CHARLESTON

Witness #1

By: ~~Laura Gabines~~
Its: Public Service Director

Witness #2

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by _____, the _____ of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____.

Signature: _____

Print Name of Notary: _____

Notary Public for _____

My Commission Expires: _____

SEAL OF NOTARY

WITNESSES:

OWNER:

Blaha Sut
Witness #1

[Signature]
Name: JASON LONG Authorized Signatory

[Signature]
Witness #2

STATE OF Georgia)
)
COUNTY OF Richmond)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Jason Long, the Authorized Signatory of Southeastern Recap. Group, a Limited Liability Company, on behalf of the Owner on 2/21/2020.

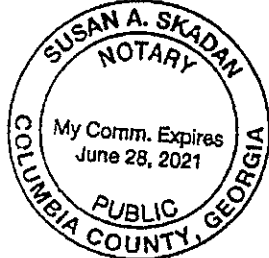
Signature: Susan A Skadan

Print Name of Notary: Susan A Skadan

Notary Public for Columbia County, Georgia

My Commission Expires: June 28, 2021

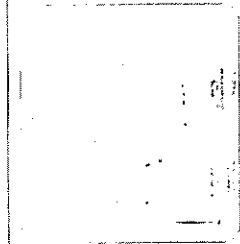
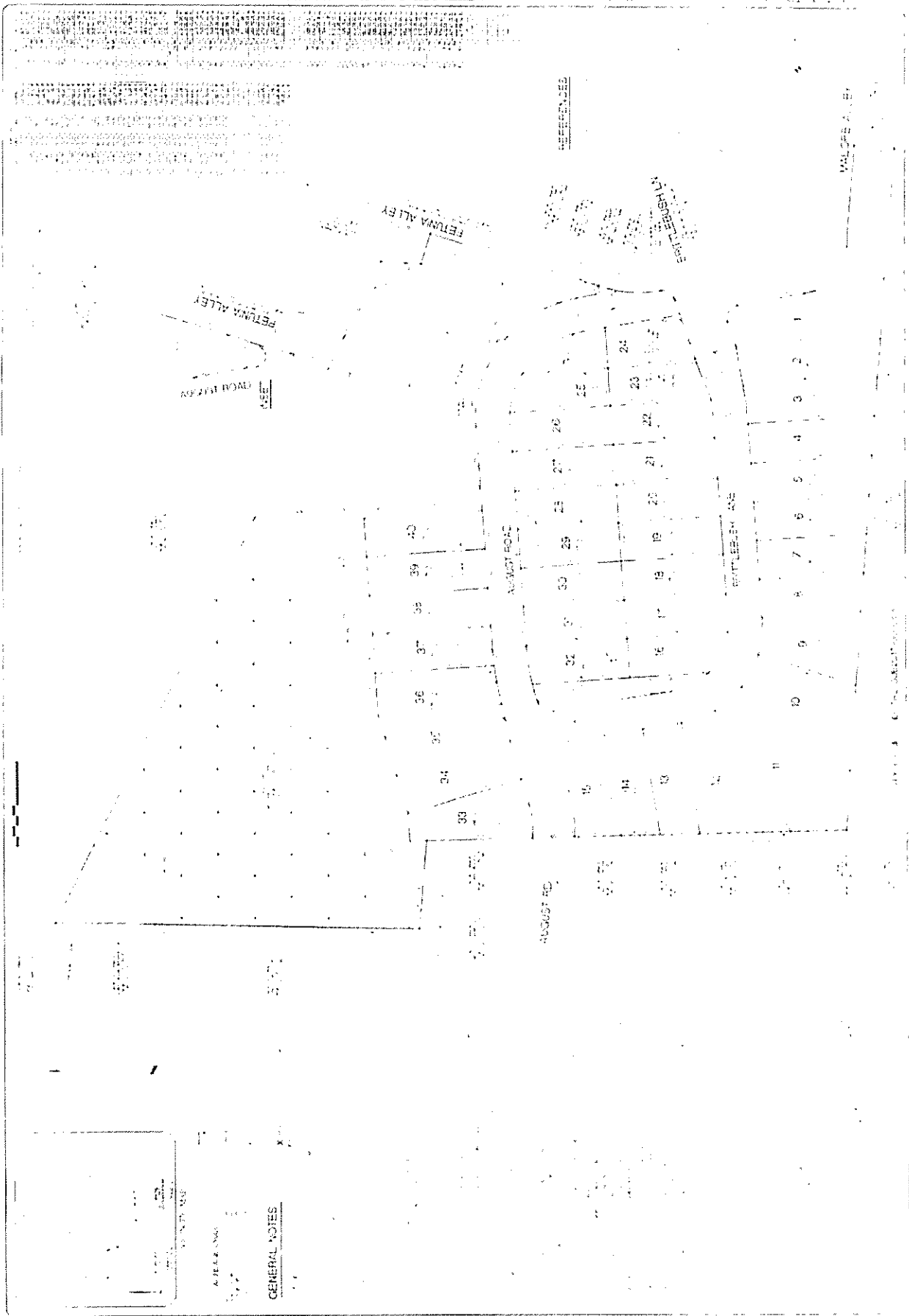
SEAL OF NOTARY



RLA ASSOCIATES, PA

PROJECT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALLEGANY, WEST VIRGINIA

RE DEVELOPMENT OF THE PROPERTY OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALLEGANY, WEST VIRGINIA



GENERAL NOTES

1. ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

5. THE DEVELOPER SHALL MAINTAIN THE STREETS AND ALLEYS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL ORDINANCES.

6. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES AND STRUCTURES.

7. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE.

8. THE DEVELOPER SHALL MAINTAIN THE STREETS AND ALLEYS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL ORDINANCES.

9. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES AND STRUCTURES.

10. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE.

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by PULTE HOME COMPANY, LLC
to THE CITY OF CHARLESTON on _____.
3. Check one of the following: The deed is
 - (A) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (B) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (C) exempt from the deed recording fee because (See Information section of affidavit): #2 (explanation required)
(If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
 - (A) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (B) _____ The fee is computed on the fair market value of the realty which is _____
 - (C) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is _____
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: _____
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(If no amount is listed, place zero here.)
 - (C) Subtract Line 6(b) from Line 6(a) and place the result here: _____

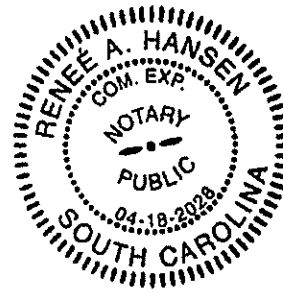
7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is _____.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Grantor.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

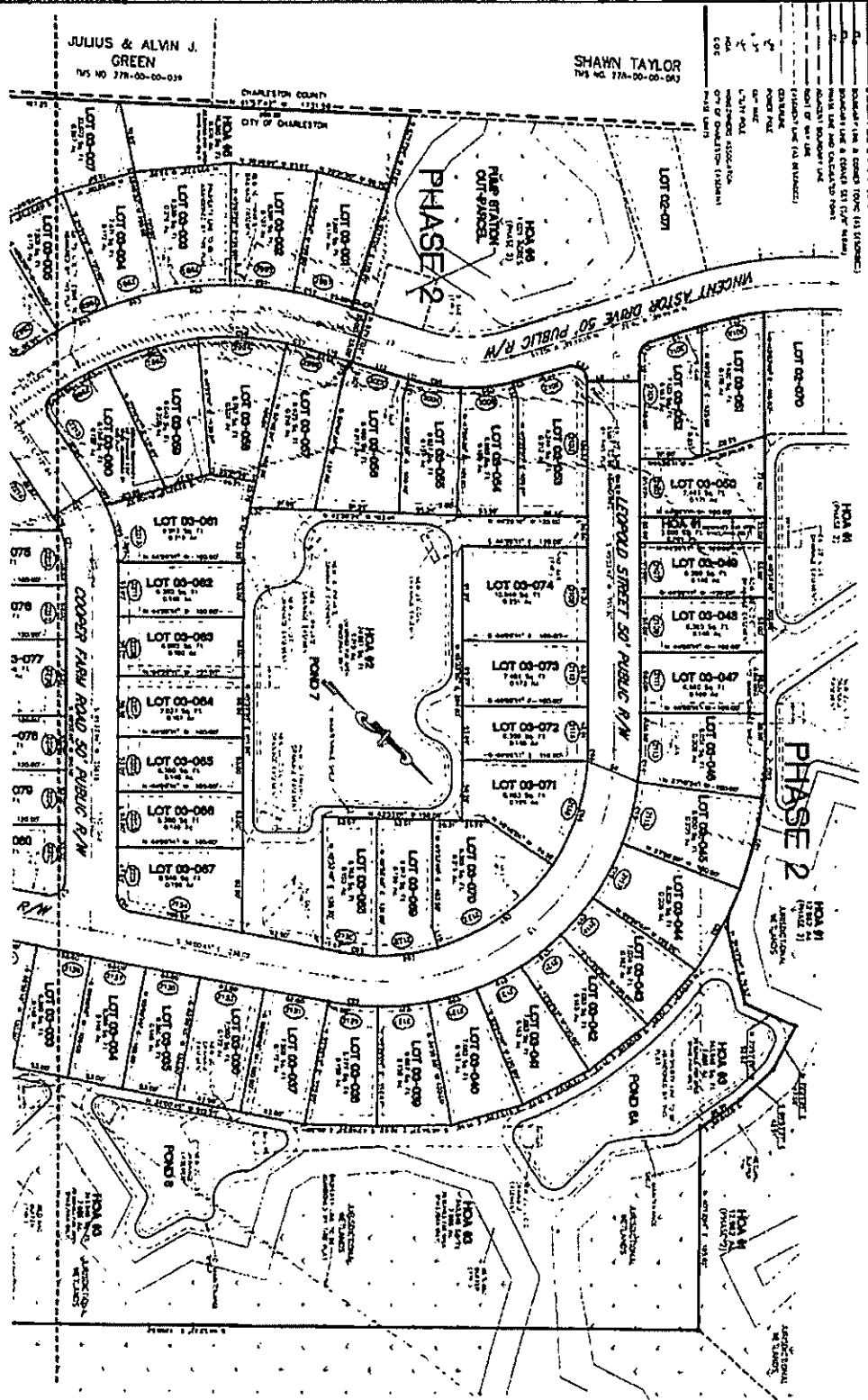
SIDNEY DUDLEY DIR. OF LAND DEVELOPMENT
Print or Type Name Here

Sworn this 10th day of JULY 2019
RENEE A. HANSEN
Notary Public for SOUTH CAROLINA
My Commission Expires: April 18, 2028



LEGEND

- 1. Proposed 1/4" = 1' Utility Easement
- 2. Proposed 1/4" = 1' Easement (15' WIDE)
- 3. Proposed 1/4" = 1' Easement (15' WIDE)
- 4. Proposed 1/4" = 1' Easement (15' WIDE)
- 5. Proposed 1/4" = 1' Easement (15' WIDE)
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- 44. Proposed 1/4" = 1' Easement (15' WIDE)
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- 71. Proposed 1/4" = 1' Easement (15' WIDE)
- 72. Proposed 1/4" = 1' Easement (15' WIDE)
- 73. Proposed 1/4" = 1' Easement (15' WIDE)
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- 99. Proposed 1/4" = 1' Easement (15' WIDE)
- 100. Proposed 1/4" = 1' Easement (15' WIDE)



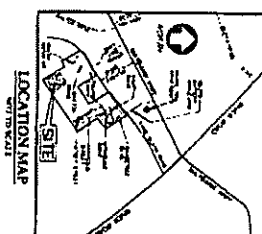
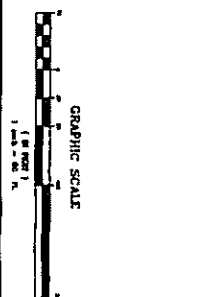
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SAID SUBDIVISION HAS BEEN MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ACT AND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON, SOUTH CAROLINA. I AM NOT PROVIDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND I AM NOT PROVIDING ANY WARRANTY OF TITLE OR OF MERCHANTABILITY OF THE LAND.

RECORDED & INDEXED SCALE: 1/4" = 1'



OF THE RECORDS OF THE CITY OF CHARLESTON, SOUTH CAROLINA, THE SAID SUBDIVISION IS RECORDED IN THE OFFICE OF THE CLERK OF THE CITY OF CHARLESTON, SOUTH CAROLINA, IN THE YEAR 2017, IN THE BOOK 117, PAGE 117.

SEE SHEET 4 FOR REFERENCES AND NOTES
SEE SHEET 4 FOR CURVE AND LINE TABLES



NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/15/17
2	FINAL	11/15/17

FINAL PLAT
SHOWING THE SUBDIVISION OF
A PORTION OF TRACT NO. 278-00-00-041 & 127
CONTAINING
LOTS 1 THROUGH 87 (15,283 ACRES)
RIGHT-OF-WAYS (4.174 AC.)
AND
HOMEOWNERS ASSOCIATION AREAS (14,333 AC.)
PULTE HOME COMPANY, LLC
THE CITY OF CHARLESTON, SOUTH CAROLINA
DATE: 11/15/17
SCALE: 1/4" = 1'

HLA SURVEYING & ENGINEERING
27 Landon Drive, St. Charles, SC 29317
TEL: 803.331.1100 FAX: 803.331.1100

K3(a)(iv)



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

March 25, 2019

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

RE: Maintenance of sidewalk on Folly Road (SC-171), in conjunction with the project at 1285 Folly Road.

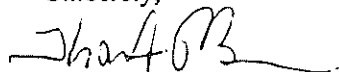
Dear Mr. Richards:

This letter concerns the proposed installation of 150 LF of 10' wide concrete sidewalks and 35 LF of 8' wide concrete sidewalk to be constructed in conjunction with the project at 1285 Folly Road.

The City Council of Charleston, at its meeting held March 24, 2020, agreed to accept maintenance responsibility for the 150 LF of 10' wide concrete sidewalks and 35 LF of 8' wide concrete sidewalk on Folly Road within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

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

Sincerely,


Thomas F. O'Brien,
Director of Public Service

Copy to:
Robert Hauck, GIS
Cameron Baker, PE, C Baker Engineering, LLC

TFO/tmg



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Interim Director of Public
Service

January 23, 2019

March 25, 2020

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

RE: Maintenance of sidewalk on Spring St. (S-10-3), in conjunction with project at
~~137-141 Spring Street.~~ *Folly Road*

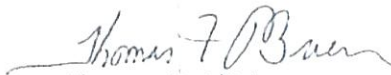
Dear Mr. Richards:

This letter concerns the proposed installation of ¹⁵⁰ ~~31~~ linear feet of concrete sidewalk and
³⁵ ~~32~~ LF of granite curb on Spring St. (S-10-3) to be constructed in conjunction with the
project at 137-141 Spring Street. *Folly Road*

The City Council of Charleston, at its meeting held on January ~~22~~ ²², 2019, agreed to accept
maintenance responsibility for the concrete sidewalk and granite curb within the State
maintained right-of-way shown on the attached drawing and which will be constructed
under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain
this sidewalk and corner accessibility ramps in compliance with current ADA and
SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design
Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian
Facilities).

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

Sincerely,


Thomas F. O'Brien,



March 4, 2020

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

Re: Autboell Car Wash – (City of Charleston Project ID TRC-SP2018-000182)
SCDOT Sidewalk Maintenance Letter
CBE Project No. 18.023

Dear Mr. O'Brien:

The South Carolina Department of Transportation (SCDOT) has requested a signed maintenance agreement letter from the City of Charleston for the proposed concrete sidewalk located in the Folly Road right-of-way for the above referenced project. The improvements are associated with the development plans of a new full service Autobell Car Wash. The proposed improvements include 150 LF of 10' concrete sidewalk which is reduced to 8' for 35 LF. The sidewalk improvement will replace an existing sidewalk as part of the "Rethink Folly Road" plan.

Please let this letter represent our formal request to the City of Charleston for the executed maintenance agreement for the proposed improvements within the Folly Road right-of-way.

Should you have any questions or require additional information, please do not hesitate to call me at (843) 270-3185.

Sincerely,

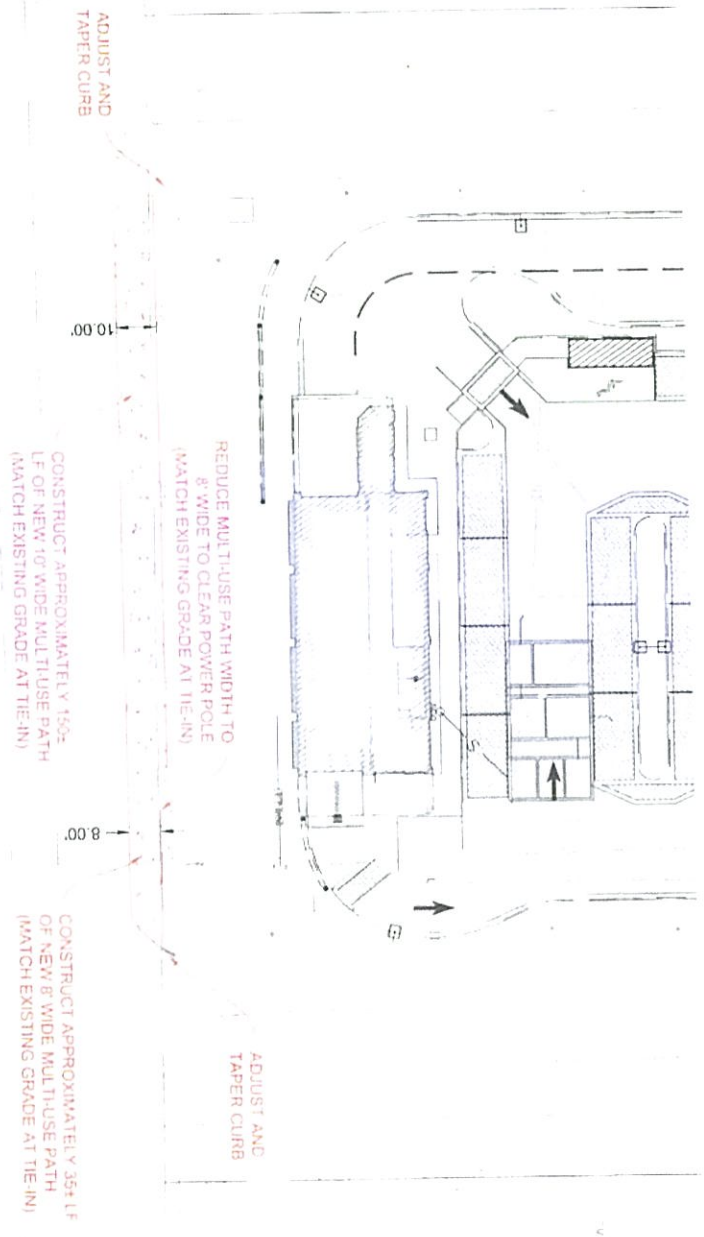
A handwritten signature in blue ink that reads "Cameron Baker". The signature is fluid and cursive, with a long horizontal line extending to the right.

Cameron Baker, PE
Principal

SIDEWALK EXHIBIT
1" = 30'
AUTOBELL CAR WASH
CITY OF CHARLESTON, SOUTH CAROLINA
TMS NO. 337-000-120



POLLY ROAD (S/C HWY 171)
50' R/W
SPEED LIMIT = 40 MPH



JAMES B. MATTINGLY
REGISTERED PROFESSIONAL ENGINEER
SOUTH CAROLINA
TMS NO. 337-000-120
3/14/14

DATE: 3/14/14
SCALE: 1" = 30'
PROJECT: AUTOBELL CAR WASH
SHEET: 1 OF 1

K3(a)(v)



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

March 25, 2019

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

RE: Maintenance of approximately 410 LF of concrete sidewalks, crosswalks & street trees wells on Meeting Street (S-107), in conjunction with the project at 44 Line Street.

Dear Mr. Richards:

This letter concerns the proposed installation of 410 LF of concrete sidewalks, crosswalks & street trees wells on Meeting Street (S-107) to be constructed in conjunction with the project at 44 Line Street.

The City Council of Charleston, at its meeting held March 24, 2020, agreed to accept maintenance responsibility for the 410 LF of concrete sidewalks, crosswalks & street trees wells on Meeting Street (S-107) within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

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

Sincerely,

Thomas F. O'Brien,
Director of Public Service

Copy to:

Robert Hauck, GIS
Bret Jarotski, Bowman Senior Project Eng.

TFO/tmg



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Interim Director of Public
Service

~~January 23, 2019~~
March 25, 2020

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

approx 410 LF of concrete sidewalk and street tree wells and crosswalks.

RE: Maintenance of sidewalk on Spring St. (S-10-3), in conjunction with project at ~~137-141~~ Spring Street. *44 Line Street*

Meeting S-107

Dear Mr. Richards:

(S-10-7)

± 410

and curb, street box wells & crosswalks

This letter concerns the proposed installation of ~~31~~ linear feet of concrete sidewalk and 32 LF of granite curb on Spring St. (S-10-3) to be constructed in conjunction with the project at ~~137-141~~ Spring Street. *Meeting*

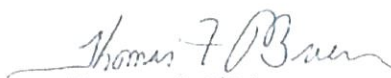
44 Line Street

March 24, 2020

The City Council of Charleston, at its meeting held on ~~January 22, 2019~~, agreed to accept maintenance responsibility for the concrete sidewalk and granite curb within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

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

Sincerely,


Thomas F. O'Brien,

March 3, 2020

Mr. Mike Metzler
Interim Director of Public Service
City of Charleston - Public Service
2 George Street
Charleston, SC 29401

**RE: 44 Line Street (LC Line Street: Parcel 1 and The Enclave)
TRC-SP2018-000085
PWU Submission**

Dear Mr. Metzler,

For the above referenced project, this is our office's formal submission for the City of Charleston PWU Committee's review and to be on the next scheduled PWU Committee meeting agenda. Our office requests the PWU Committee review this letter and the provided exhibit in order to issue a "Maintenance Partner Agreement" to provide to SCDOT per their right-of-way maintenance requirements. The provided exhibit includes the location, linear footage, and material of the required right-of-way items (concrete sidewalks, crosswalks, street tree wells, and streetlights) that SCDOT has required the City to maintain. SCDOT is also requiring the following statement be provided by the City:

"Maintenance of all decorative lighting systems along the SCDOT right-of-ways will be perpetual with the total cost including operational cost being the responsibility of the City. The SCDOT shall incur no costs. The City will have sole responsibility for periodic inspections to determine that all luminaries are operational. All maintenance will be performed in such a manner as to provide for the safe, orderly, and efficient flow of traffic and in conformity with Department traffic control guidelines."

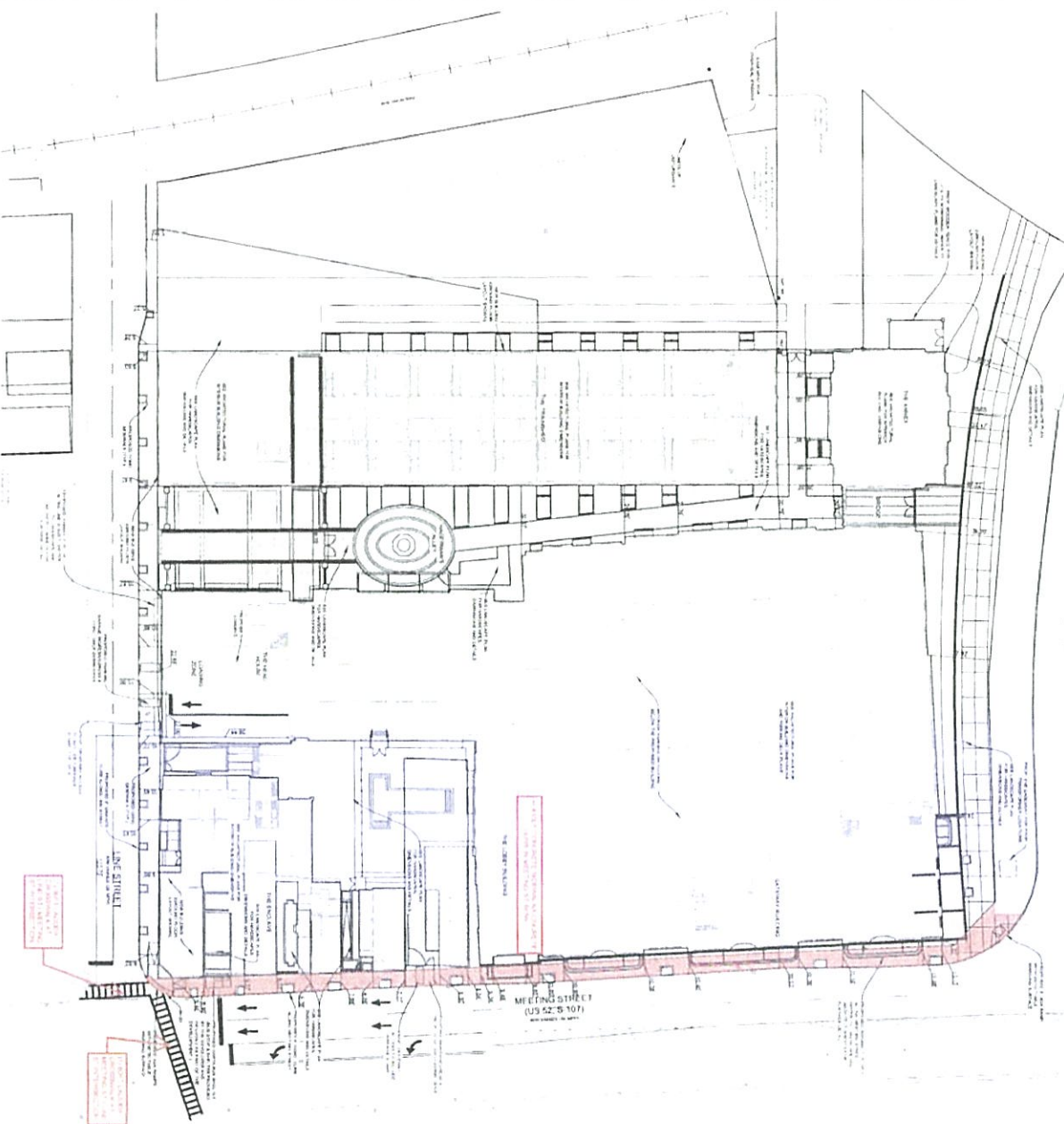
Should you have any questions or comments, please contact our office at (843) 501-0333.

Very Respectfully,
BOWMAN CONSULTING GROUP, LTD.



Bret Jarotski
Senior Project Engineer

INTERSTATE 1-7
OFFRAMP



NOTES

1. THE ARCHITECT HAS REVIEWED THE SITE PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF CHARESTON ZONING ORDINANCES.
2. THE ARCHITECT HAS REVIEWED THE SITE PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF CHARESTON PLANNING COMMISSION ORDINANCES.
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CITY OF CHARESTON PLANNING COMMISSION STANDARDS

1. THE ARCHITECT HAS REVIEWED THE SITE PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF CHARESTON PLANNING COMMISSION STANDARDS.
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SITE PLAN

C300

South Carolina

Scale: 1" = 20'

North Arrow



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

March 25, 2019

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

RE: Maintenance of concrete sidewalks and granite curbs on Meeting Street (S-107),
in conjunction with the project at 547 Meeting Street.

Dear Mr. Richards:

This letter concerns the proposed installation of 450 LF of concrete sidewalks and 50 LF
of granite curbs on Meeting Street (S-107) to be constructed in conjunction with the
project at 547 Meeting Street.

The City Council of Charleston, at its meeting held March 24, 2020, agreed to accept
maintenance responsibility for the 450 LF of concrete sidewalks and 50 LF of granite
curbs on Meeting Street within the State maintained right-of-way shown on the attached
drawing and which will be constructed under a valid SCDOT Encroachment Permit. The
City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in
compliance with current ADA and SCDOT standards (ADA Standards for Transportation
Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide
for Development of Pedestrian Facilities).

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

Sincerely,

Thomas F. O'Brien,
Director of Public Service

Copy to:
Robert Hauck, GIS
Vincent N. Sottile, PE, EarthSource Eng.

TFO/tmg



EARTHSOURCE ENGINEERING

CIVIL ENGINEERING | SITE PLANNING | LANDSCAPE DESIGN | LEED DESIGN

09 March 2020

Mr. Tom O'Brien

Re: **Request for Granite Curb and Sidewalk Maintenance**

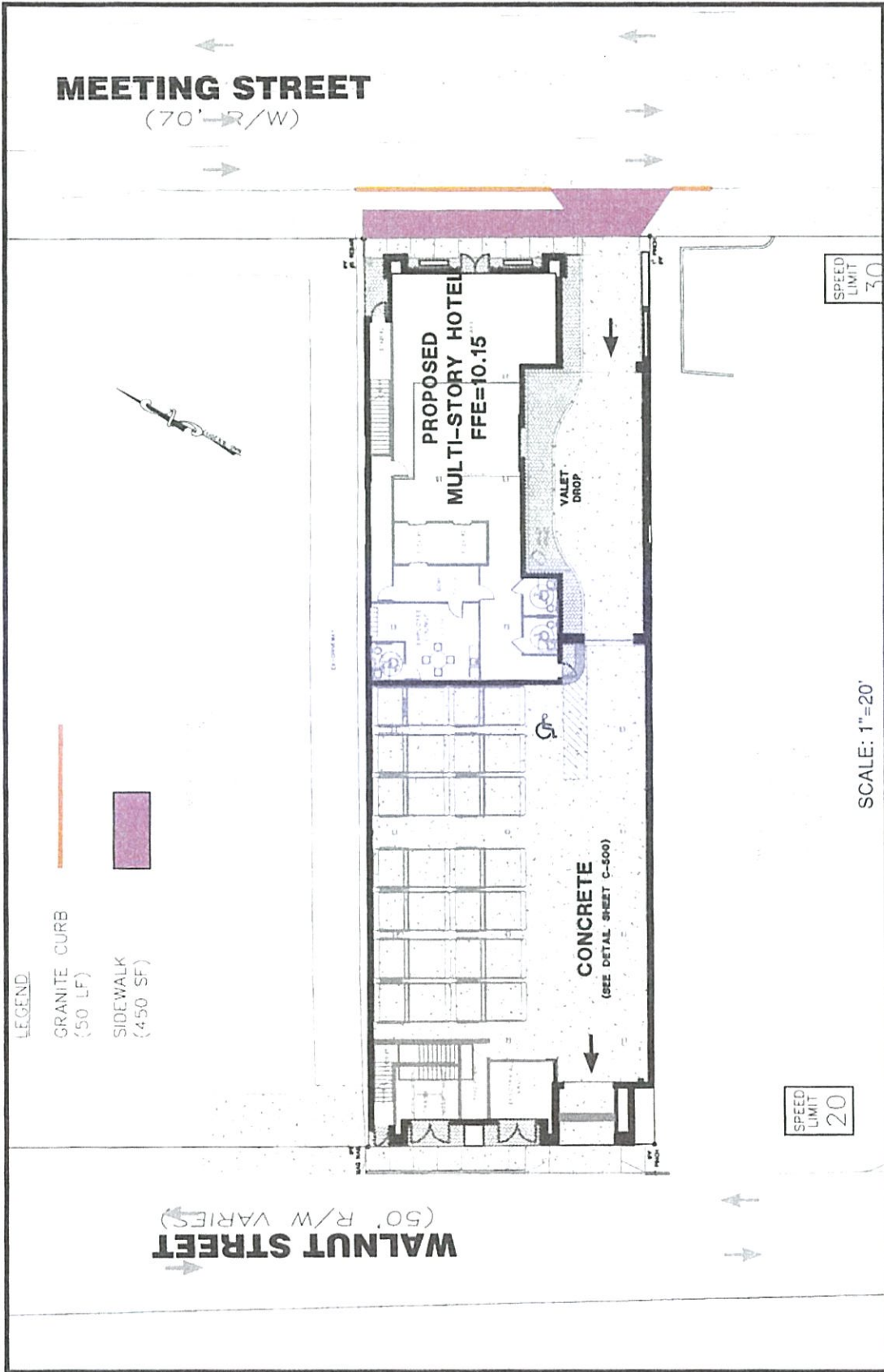
Moxy Hotel
547 Meeting Street
Charleston, SC 29401
TMS# 459-05-01-016

Dear Mr. O'Brien:

The owner of 547 Meeting Street (TMS #459-05-01-016) formally request the PWU Committee agree to maintain the required granite curbs and sidewalks proposed to be installed in the SCDOT right-of-way of Meeting Street as requested by SCDOT. The granite curbs and sidewalks are proposed to be installed per the City of Charleston Ordinance and TRC Committee.

Respectfully Submitted,

Vincent N Sottile, PE



EARTHSOURCE
THE GREEN BUILDING GROUP

MOXY HOTEL
GRANITE CURB AND SIDEWALK EXHIBIT

800 Johnnie Dodds Boulevard Suite 200
Mt Pleasant, SC 29528
www.earthsourceinc.com

Office: 843.881.0025
info@earthsourceinc.com
branch@earthsourceinc.com



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

March 25, 2019

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

RE: Maintenance of sidewalk on Cane Slash (S-1334), in conjunction with the project at Oak Field (Phase 5C & 5D).

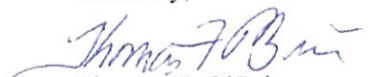
Dear Mr. Richards:

This letter concerns the proposed installation of 867 LF of sidewalks on Cane Slash (S-1334) to be constructed in conjunction with the project at Oak Field (Phase 5C & 5D).

The City Council of Charleston, at its meeting held March 24, 2020, agreed to accept maintenance responsibility for the 867 LF of sidewalks on Cane Slash (S-1334) within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

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

Sincerely,


Thomas F. O'Brien,
Director of Public Service

Copy to:
Robert Hauck, GIS
Adriana B. Carson, PM, HLA

TFO/tmg

O'Brien, Tom F.

From: Adriana Carson <acarson@hlainc.com>
Sent: Wednesday, March 4, 2020 3:36 PM
To: O'Brien, Tom F.
Cc: Givens, Barry
Subject: FW: Oakfield Sidewalk along Cane Slash- Oakfield Phase 5C &5D
Attachments: Oakfield Ph. 5C SCDOT Sidewalk Exhibit 3-4-2020.pdf

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Tom,

Welcome back! Hope you are doing well. I am working on the last 7 lots of the Oakfield Subdivision Project (Phases 5C &5D)). The TRC staff requested for a new sidewalk to be installed along Cane Slash SCDOT right-of-way between the existing roundabout and proposed secondary entrance. In order for SCDOT to approve the encroachment permit a sidewalk maintenance letter from the City of Charleston is required. Per Ronnie and Eric Schulz's direction, it is my understanding that this sidewalk will need to go through the Public Works committee and then be presented to the City Council. I'm not sure of how this process work. Can you please help me. Below is a description of what we are proposing and also I have attached an exhibit showing which portion of the sidewalk will be installed within the SCDOT right-of-way :

Installation of 743 linear feet long concrete sidewalk and one ADA ramp to be constructed in conjunction with Phases 5C and 5D, within the SCDOT right-of-way at Cane Slash Road.

Thanks,

Adriana B. Carson

Senior Project Director



29A Leinbach Drive
Charleston, SC 29407-9688
Tel. 843.763.1166, ext. 14
www.hlainc.com

 Please consider the environment before printing this email

From: Adriana Carson
Sent: Wednesday, December 11, 2019 9:07 AM
To: Schultz, Eric <SCHULTZE@charleston-sc.gov>
Subject: FW: Oakfield Sidewalk along Cane Slash- Oakfield Phase 5C &5D

Eric,
Please let me if you need anything else to take this through City Council. SCDOT is requiring a maintenance letter from the City.
Thanks,

Adriana B. Carson

Senior Project Director



29A Leinbach Drive
Charleston, SC 29407-9688
Tel. 843.763.1166, ext. 14
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From: Adriana Carson

Sent: Friday, November 08, 2019 9:15 AM

To: Schultz, Eric <SCHULTZE@charleston-sc.gov>; Schumacher, Janet <SCHUMACHERJ@charleston-sc.gov>

Subject: FW: Oakfield Sidewalk along Cane Slash- Oakfield Phase 5C &5D

Eric and Janet,

I have attached a set of the proposed sidewalk along Cane Slash that you requested in our previous TRC meeting. SCDOT doesn't see any issues with the sidewalk location. Please note that we have meandered the sidewalk around the power poles and that the sidewalk on those locations are 3' wide. Due to the existing swale and not enough clearance for a pipe we are not able to go around the other side of the pole closer to the road. Please let me know if this set is sufficient to present to the City Council for the City maintenance agreement and if you need any other information.

Thanks

Adriana B. Carson

Senior Project Director



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From: Fleming, Juleigh B. <FlemingJB@scdot.org>

Sent: Wednesday, November 06, 2019 7:53 AM

To: Adriana Carson <acarson@hlainc.com>

Cc: Grooms, Robert W. <GroomsRW@scdot.org>

Subject: RE: Oakfield Sidewalk along Cane Slash

Hey Adriana,

We do not have issues with the sidewalk if the City will maintain it. You will have to provide an analysis of the ditch since you are reducing the cross-section. You will need to ensure it can handle the additional runoff from the sidewalk for the 10-yr storm event.

Thanks!
JuLeigh

From: Adriana Carson <acarson@hlainc.com>
Sent: Friday, November 1, 2019 3:09 PM
To: Fleming, Juleigh B. <FlemingJB@scdot.org>
Cc: Grooms, Robert W. <GroomsRW@scdot.org>
Subject: FW: Oakfield Sidewalk along Cane Slash

*** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. ***

Juleigh,

We added the 1' shelf to the sidewalk cross-sections. Can you please review the attached set and let me know if you have any comments or concerns. My plan is to submit a PDF to Eric Schulz, for him to present it to the City Council for the maintenance agreement. We will do a formal submittal to SCDOT after we get the acceptance by the City.

Thanks,
Adriana B. Carson
Senior Project Director



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From: Jimi Woody <jwoody@hlainc.com>
Sent: Friday, November 01, 2019 11:13 AM
To: Adriana Carson <acarson@hlainc.com>
Subject: Oakfield Sidewalk

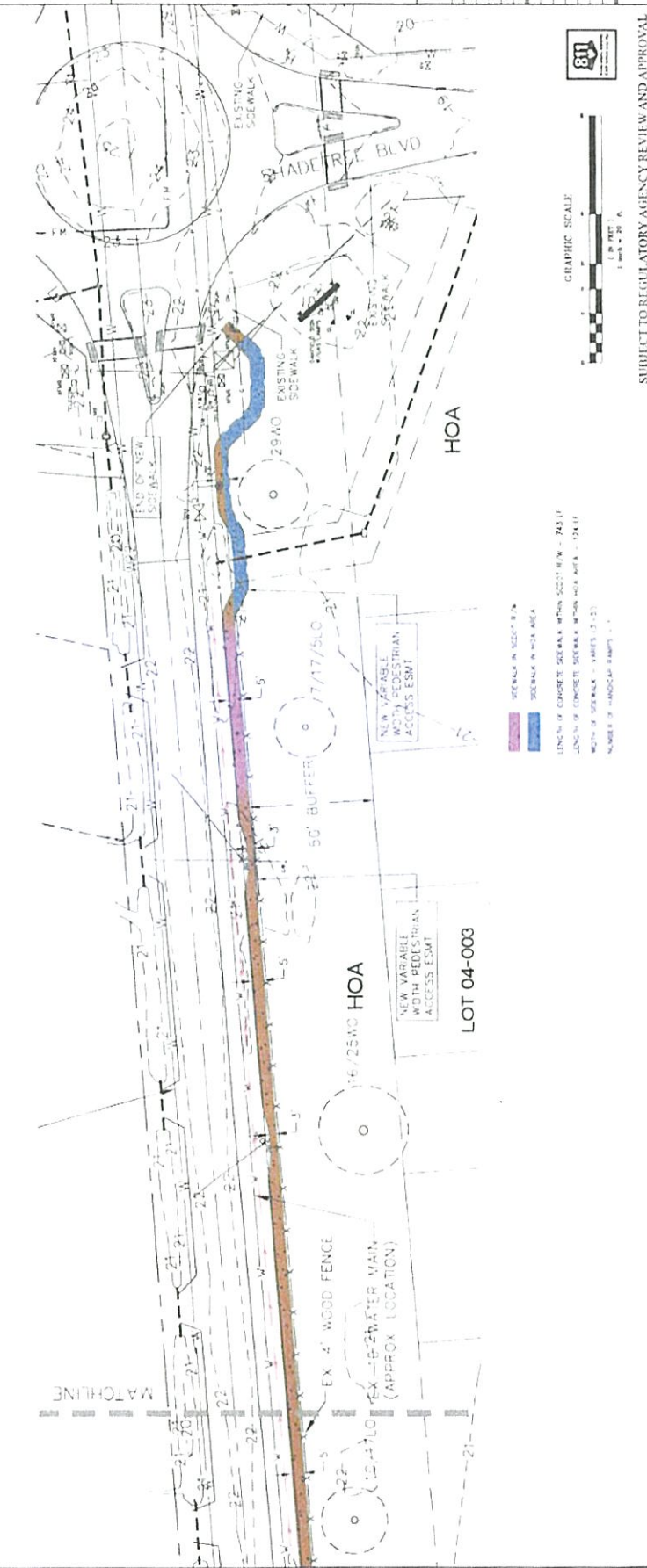
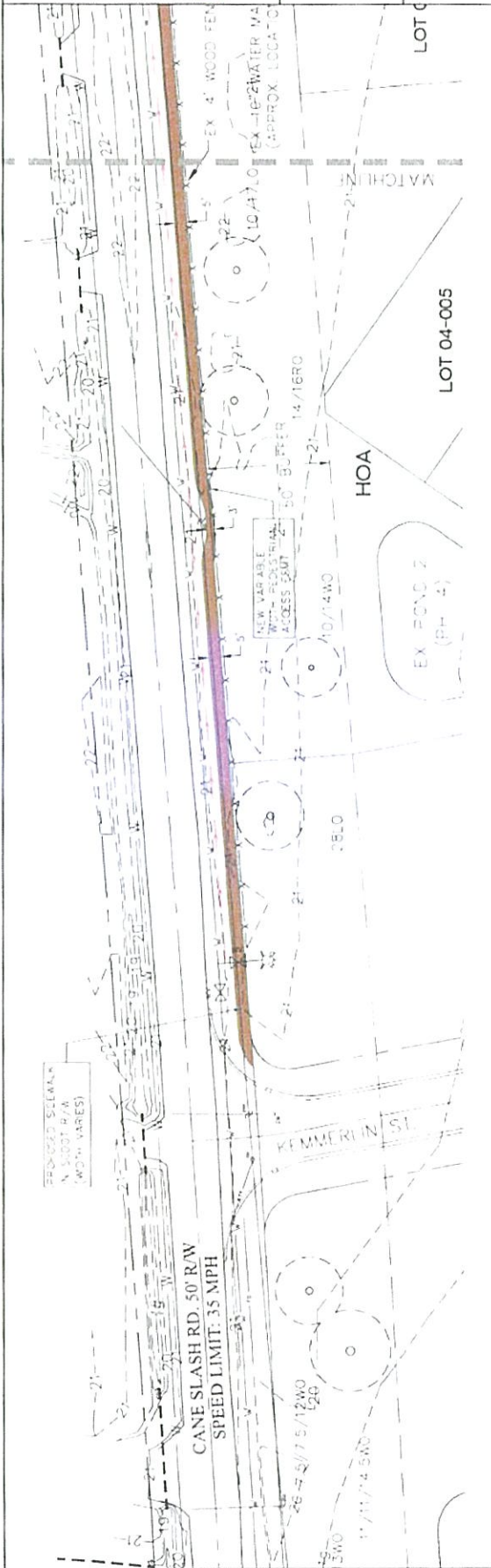
Adriana,

Attached is a PDF of the revised SCDOT sidewalk plans for Oakfield Ph. 5C & 5D.

Thanks,

Jimi Woody

DATE	REVISION
01/17/2018	1
02/15/2018	2
03/15/2018	3
04/15/2018	4
05/15/2018	5
06/15/2018	6
07/15/2018	7
08/15/2018	8
09/15/2018	9
10/15/2018	10
11/15/2018	11
12/15/2018	12




 GRAPHIC SCALE
 1" = 20' 0"
 1" = 40' 0"
 1" = 80' 0"


-  SIDEWALK IN HOA AREA
-  SIDEWALK IN HOA AREA
-  LENGTH OF CONCRETE SIDEWALK WITH SCOT NEW = 743 LF
-  LENGTH OF CONCRETE SIDEWALK WITH HOA AVE = 124 LF
-  WIDTH OF SIDEWALK = 4 FEET (3'-2")
-  NUMBER OF HANDICAP RAMP = 1

SUBJECT TO REGULATORY AGENCY REVIEW AND APPROVAL



JOHN J. TECKLENBURG
Mayor

City of Charleston
South Carolina
Department of Public Service

THOMAS F. O'BRIEN
Director of Public Service

March 25, 2019

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

RE: Maintenance of sidewalk on Savannah Hwy (US-17), in conjunction with the project at Hwy 17 and Main Road.

Dear Mr. Richards:

This letter concerns the proposed installation of 1283 LF of sidewalks on Savannah Hwy (US-17) to be constructed in conjunction with the project at Hwy 17 and Main Road.

The City Council of Charleston, at its meeting held March 24, 2020, agreed to accept maintenance responsibility for the 1283 LF of sidewalks on Savannah Hwy (US-17) within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk and corner accessibility ramps in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

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

Sincerely,

Thomas F. O'Brien,
Director of Public Service

Copy to:
Robert Hauck, GIS
Adriana B. Carson, PM, HLA

TFO/tmg

O'Brien, Tom F.

From: Adriana Carson <acarson@hlainc.com>
Sent: Wednesday, March 4, 2020 3:50 PM
To: O'Brien, Tom F.
Cc: Givens, Barry
Subject: Hwy 17 Sidewalk Improvements for the Satori Apartments- City of Charleston Maintenance Letter
Attachments: Satori Apts SCDOT Sidewalk Exhibit 3-4-2020.pdf; 1_COVER COVER.pdf

CAUTION: This email originated outside of the City of Charleston. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tom,

Here is another project where TRC is asking us to provide a sidewalk within the SCDOT right-of-way in front of the proposed Apartment complex. In order to get it approved by SCDOT we will need to provide them with a City of Charleston maintenance letter. This project is adjacent to the Publix Store at the intersection of Hwy 17 and Main Road. Below is a description of what we are proposing:

Installation of a 5-foot wide by 1,283 linear feet long concrete sidewalk and three ADA ramp with detectable warning assemblies to be constructed in conjunction with Satori Apartments, within the SCDOT right-of-way at Savannah Hwy (Hwy 17)

Thanks,

Adriana B. Carson, P.M

Senior Project Director



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DEVELOPMENT SUMMARY

TOTAL AREA: 247,000 SQ. FT.
 PROPOSED USE: MULTI-FAMILY RESIDENTIAL
 TOTAL APARTMENTS: 140 UNITS
 (100 UNITS) 9 UNIT (10 UNITS) 3 UNIT (20 UNITS)
 HEIGHT LIMIT: 55' (PER ZONING)
 (HEIGHT EXTENSION APPROVED BY 2ND ON 5-1-18)
 UTILITY ACCESS:
 NORTH SIDE OF SAVANNAH HIGHWAY
 APPROXIMATELY 100 FT. WEST OF INTERSECTION
 WITH WEST BAYVIEW DRIVE
 DISTRICT AREA: 100 AC
 LOT AREA: 200' X 100' (100' X 100' X 100' X 100')
 DISTRICT AREA: 100 AC
 LOT AREA: 200' X 100' (100' X 100' X 100' X 100')
 DISTRICT AREA: 100 AC
 LOT AREA: 200' X 100' (100' X 100' X 100' X 100')

PARKING SUMMARY

REQUIREMENTS:
 1.3 SPACES PER UNIT (287 UNITS = 446 SPACES)
 (INCLUDING UNDEVELOPED PARKING REQUIRED: 14 SPACES)
 TOTAL PARKING REQUIRED: 460 SPACES
 PROPOSED PARKING:
 1. STAMPEDE PARKING: 447 SPACES
 2. UNDERGROUND PARKING: 14 SPACES
 3. PERIMETER PARKING: 14 SPACES
 4. UNDEVELOPED PARKING: 14 SPACES
 5. CONNECTED PERIMETER PARKING: 24 SPACES
 TOTAL PARKING PROVIDED: 460 SPACES
 PARKING/LOADING/UNLOADING ZONES:
 1. 10 SPACES
 2. 10 SPACES
 3. 10 SPACES
 4. 10 SPACES
 5. 10 SPACES
 6. 10 SPACES
 7. 10 SPACES
 8. 10 SPACES
 9. 10 SPACES
 10. 10 SPACES

TRUCK TRAILER SUMMARY

TOTAL TRUCK TRAILER SPACES: 110 SPACES
 TRUCK TRAILER SPACES PROVIDED: 110 SPACES
 TRUCK TRAILER SPACES REQUIRED: 110 SPACES
 TRUCK TRAILER SPACES PROVIDED: 110 SPACES
 TRUCK TRAILER SPACES REQUIRED: 110 SPACES

2017 BZA APPROVAL

Approved August 2, 2017
 Requester: [Name]
 Request: [Description]
 Report # [Number]
 [Additional details]

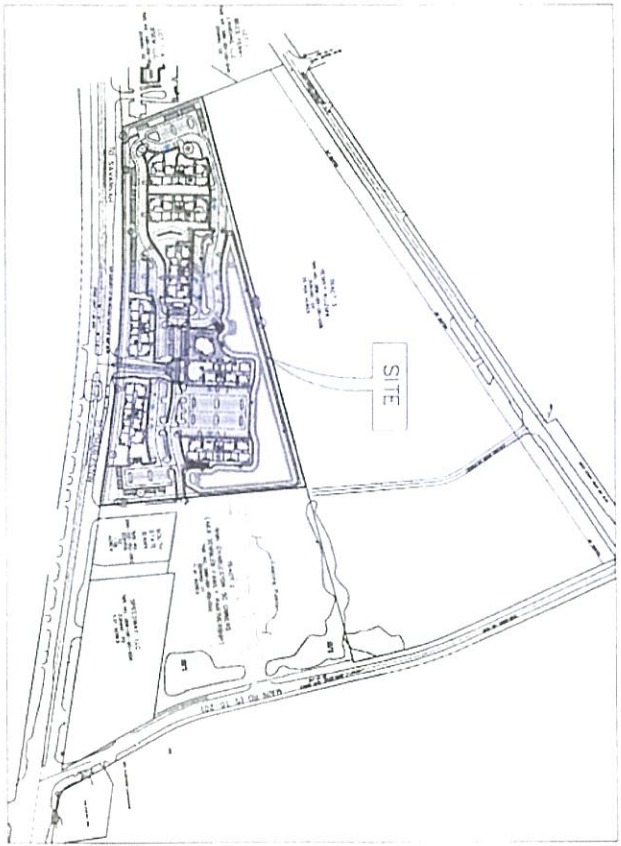
SITE IMPROVEMENT PLANS

FOR SATORI WEST ASHLEY

(FORMERLY GATEWAY APARTMENTS)

LOCATED IN THE CITY OF CHARLESTON
 CHARLESTON COUNTY, SOUTH CAROLINA

CITY PROJECT ID# 161118-SAVANNAH HWY-1



PLAN VIEW
11-2016

CONSTRUCTION NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHARLESTON ZONING ORDINANCE AND THE CITY OF CHARLESTON SUBDIVISION ORDINANCE.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHARLESTON SUBDIVISION ORDINANCE AND THE CITY OF CHARLESTON ZONING ORDINANCE.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHARLESTON SUBDIVISION ORDINANCE AND THE CITY OF CHARLESTON ZONING ORDINANCE.
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHARLESTON SUBDIVISION ORDINANCE AND THE CITY OF CHARLESTON ZONING ORDINANCE.

REGULATORY AGENCY & UTILITY CONTACTS:
 1. CITY OF CHARLESTON
 2. CHARLESTON COUNTY
 3. SOUTHERN POWER CORPORATION
 4. SOUTHERN GAS SERVICE COMPANY
 5. SOUTHERN WATER AND SEWER SERVICE COMPANY
 6. SOUTHERN RAILROAD COMPANY
 7. SOUTHERN POWER CORPORATION
 8. SOUTHERN GAS SERVICE COMPANY
 9. SOUTHERN WATER AND SEWER SERVICE COMPANY
 10. SOUTHERN RAILROAD COMPANY

SHEET NO.	TITLE
1	GENERAL NOTES
2	CONSTRUCTION NOTES
3	CONSTRUCTION NOTES
4	CONSTRUCTION NOTES
5	CONSTRUCTION NOTES
6	CONSTRUCTION NOTES
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47	CONSTRUCTION NOTES
48	CONSTRUCTION NOTES
49	CONSTRUCTION NOTES
50	CONSTRUCTION NOTES

REGULATORY AGENCY REVIEW AND APPROVAL

DATE: 11-2016

PROJECT: 0401522

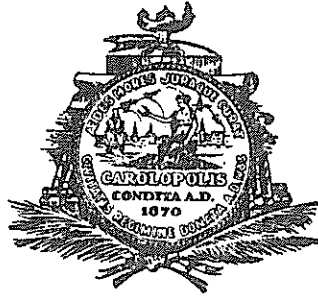
PROJECT: SATORI WEST ASHLEY
 CITY OF CHARLESTON, SOUTH CAROLINA

HLA THE SITE EXPERTS

SURVEYING • WETLAND PERMITTING • LAND PLANNING
 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE

204 LAMBDA DRIVE, CHARLESTON, SC 29407 • TEL: 803.763.1664 • WWW.HLA.COM

ml.)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 220 NASSAU STREET (PENINSULA) (0.89 ACRE) (TMS #459-05-01-067) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY CHARLESTON COUNTY SCHOOL DISTRICT.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Diverse Residential (DR-2) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification.

Section 2. The property to be rezoned is described as follows:
220 Nassau Street (Peninsula) (0.89 acre) (TMS #459-05-01-067)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 2

220 Nassau St (Peninsula)

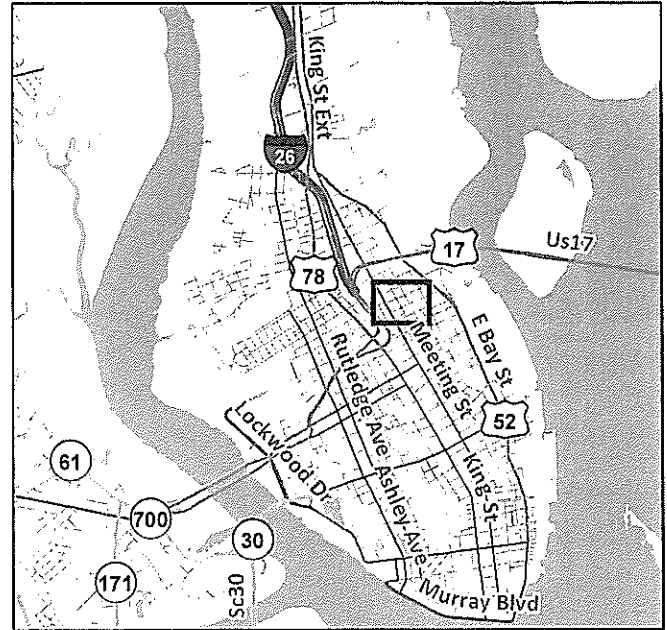
TMS # 4590501067

approx. 0.89 ac.

Request rezoning from Diverse-Residential (DR-2) to Mixed-Use/Workforce Housing (MU-1/WH).

Owner: Charleston County School District
Applicant: The Humanities Foundation, Inc.

Area



Location



M2.)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT ASHLEY RIVER ROAD (WEST ASHLEY) (1.53 ACRES) (TMS #354-12-00-004) (COUNCIL DISTRICT 2), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO LIMITED BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY LAURA M. SMITH.

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

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

Section 2. The property to be rezoned is described as follows:
Ashley River Road (West Ashley) (1.53 acres) (TMS #354-12-00-004)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 4

Ashley River Rd (West Ashley)

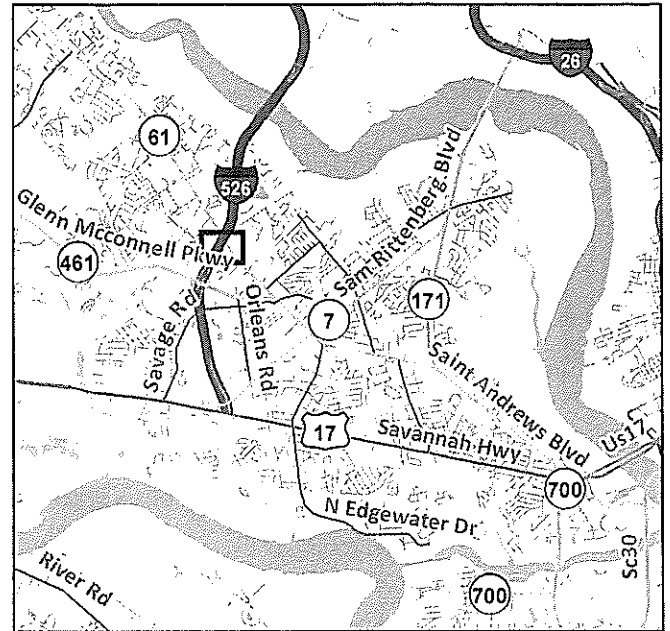
TMS # 3541200004

approx. 1.53 ac.

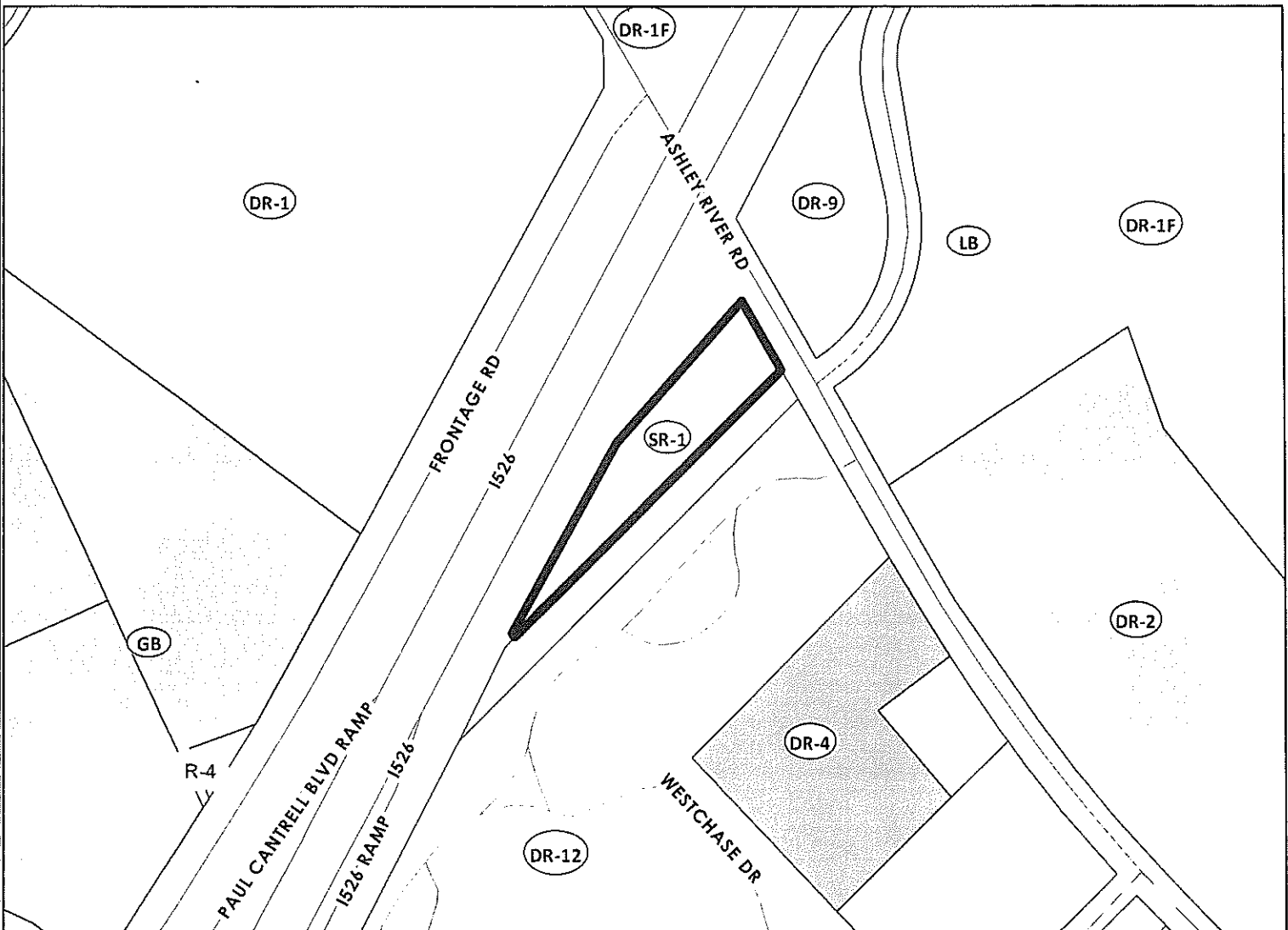
Request rezoning from Single-Family Residential (SR-1)
to Limited Business (LB).

Owner and Applicant: Laura M. Smith

Area



Location



M3.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1970 DELANEY DRIVE (JAMES ISLAND) (0.303 ACRE) (TMS #340-00-00-099) (COUNCIL DISTRICT 6), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO SINGLE-FAMILY RESIDENTIAL (SR-4) CLASSIFICATION. THE PROPERTY IS OWNED BY JESSE J. RICHARDSON III.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Single-Family Residential (SR-1) classification to Single-Family Residential (SR-4) classification.

Section 2. The property to be rezoned is described as follows:
1970 Delaney Drive (James Island) (0.303 acre) (TMS #340-00-00-099)

Section 3. This ordinance shall become effective upon ratification.

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

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

Attest: _____
Vanessa Turner Maybank
Clerk of Council

REZONING 7

1970 Delaney Rd (James Island)

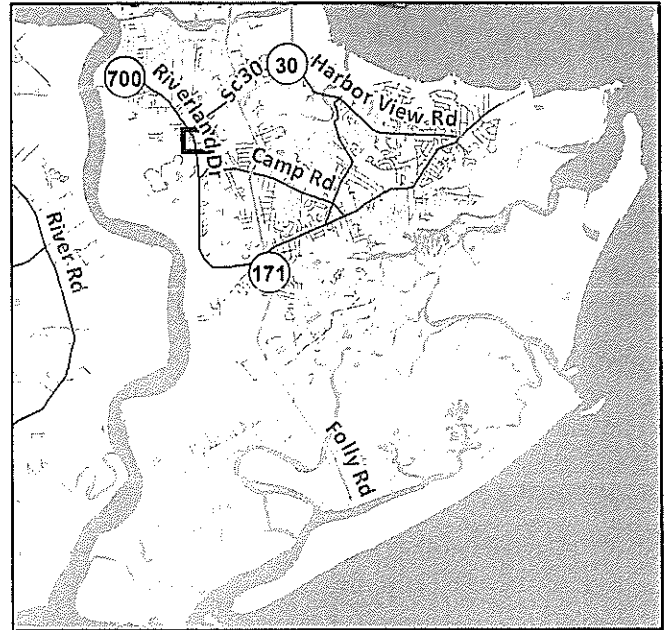
TMS # 340000099

approx. 0.303 ac.

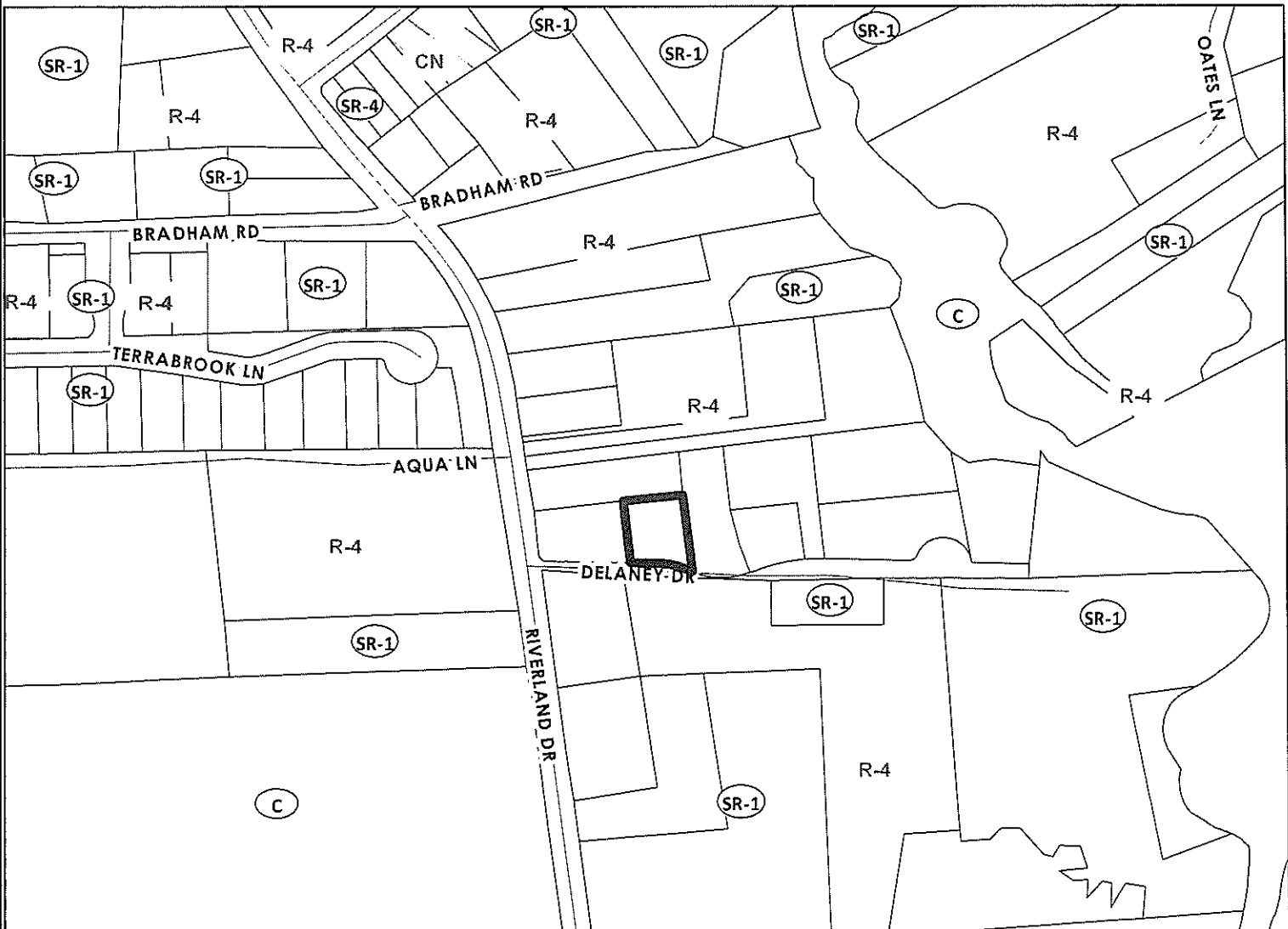
Request rezoning from Single-Family Residential (SR-1)
to Single-Family Residential (SR-4)

Owner and Applicant: Jesse J. Richardson III

Area



Location



AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING APPLICABLE SECTIONS RELATED TO THE DESIGN REVIEW BOARD IN ORDER TO ESTABLISH BOARD MEMBER ALTERNATES, PRIORITIZE PLACEMENT OF AFFORDABLE/WORKFORCE HOUSING PROJECTS ON AGENDAS, AND LIMIT THE NUMBER OF AGENDA ITEMS.

Section 1. That Section 54-269 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

“Sec. 54-269. - Design Review Board created; composition, appointment and terms of members.

a. A Design Review Board is hereby established. Such board shall consist of seven (7) board members ~~and two (2) alternates~~ who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance who may be non-citizen owners or principals of a business within the City of Charleston. These members and alternates shall have a demonstrated interest in, and a competence and knowledge of architecture, landscape architecture and urban design. ~~The Board, and~~ shall include four (4) design professionals including at least one (1) registered architect, one registered landscape architect, one (1) professional engineer, and one (1) realtor/development professional. The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. ~~The board shall appoint a secretary who may be an officer of the governing authority.~~ The board shall adopt rules of procedure.

b. Board members and alternates shall serve staggered terms of four (4) years or until their successors are appointed as described in the Code of the City of Charleston Sec. 2-152. The initial terms of three (3) of seven (7) members first

~~appointed shall expire on the date of the first regular City Council meeting in January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four years.~~ No member shall serve more than two successive four-year terms. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

c. Alternate members, when seated, have all the powers and duties of regular members. Alternate members may always attend meetings but shall only participate in Board deliberations and debate, make motions and vote in the absence or voting disqualification of a regular member or the vacancy of a regular member's seat."

Section 2. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to revise the section title and first paragraph by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

~~"Sec. 54-273. - Approval procedures. Application and review procedures.~~

The procedures outlined below are to be followed for all projects seeking approval by the Board or administrative officer. Submittals must be complete and shall be received by the ~~Urban Design and Preservation Division~~ Department of Planning, Preservation and Sustainability, or its successor department, in accordance with the published schedule of deadlines and meeting dates and submittal requirements. ~~at least eight (8) days prior to the date of the next scheduled Board meeting.~~ "

Section 3. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to inserting new subsection g. in alphabetical order as shown below:

“g. Affordable/Workforce Housing Projects: Projects which include affordable or workforce housing units that are submitted by the application deadline and which comply with all submittal requirements shall be placed on the agenda of the next regularly scheduled meeting of the Board, subject to Rules of the Board if any, that limit the number of items on agenda. This does not apply to projects that opt to pay fee in lieu of workforce housing.”

Section 4. That Appendix K, Article I, Section 1 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below adding text shown below with double underline:

“Section 1. - Rules.

These rules of procedure are adopted pursuant to S.C. Code 6-29-870 for the City of Charleston Design Review Board, which consist of seven (7) members and two (2) alternates appointed by City Council.“

Section 5. That Appendix K, Article I, Section 4 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with ~~strikethrough~~ and adding text shown below with double underline:

“Section 4. - Terms of Members Office.

The Chairman and Vice-Chairman shall serve for one year or until he is re-elected or his successor is elected and qualified. ~~The initial terms of three (3) of seven (7) members first appointed shall expire on the date of the first regular City Council meeting January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four (4) years. No member shall serve more than two successive four-year terms. An appointment to fill a vacancy shall only be for the unexpired portion of the term.”~~

Section 6. That Appendix K, Article II, Section 3 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with double underline:

“Section 3. - Agenda.

A written agenda shall be furnished by the secretary staff to each member of the Board and the news media and shall be posted at least five (5) days prior to each regular meeting, and at least twenty four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by a majority vote. An agenda for the Board shall contain no more than ten (10) applications. The Board may waive these limitations, upon request of the staff.”

Section 7. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2020,
and in the _____ Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	CASE NO: 2020-CP-10-00145
)	
THE CITADEL, THE MILITARY COLLEGE)	
OF SOUTH CAROLINA,)	
)	
)	
APPELLANT,)	
)	
vs.)	SETTLEMENT AGREEMENT
)	
CITY OF CHARLESTON AND BOARD OF)	
ARCHITECTURAL REVIEW,)	
)	
)	
RESPONDENTS.)	

FACTUAL AND PROCEDURAL BACKGROUND

The following statements are included in this Settlement Agreement (this "Agreement") for background purposes only. They do not constitute admissions by any parties to this appeal for purposes of any subsequent proceedings.

1. Appellant The Citadel, the Military College of South Carolina ("The Citadel") is a state-supported institution of higher education organized and existing under the laws of the State of South Carolina.

2. Respondent City of Charleston (the "City") is a South Carolina municipality that has adopted a Zoning Ordinance (the "CZO"), including but not limited to zoning regulations governing the preservation and protection of historic and architecturally valuable buildings or structures.

3. Respondent Board of Architectural Review, formally described as the Board of Architectural Review-Large ("BAR" or "Board"), is an appointed board charged with responsibilities imposed by statutes and ordinances, including but not limited to the review of requests for the construction, renovation, and demolition of certain buildings within the City.

4. In November 2019, The Citadel applied to the BAR to demolish Capers Hall and the Public Safety Building, which are both located on the campus of The Citadel. The Citadel's application,

a copy of which is on file with the City's Zoning Division, is hereby incorporated into this Agreement by reference.

5. On December 11, 2019, the BAR denied The Citadel's demolition application.

6. Pursuant to section 6-29-915(A) of the South Carolina Code, The Citadel timely served and filed a notice of appeal of the BAR's decision, together with a request for pre-litigation mediation.

7. Pursuant to section 6-29-915(B) of the South Carolina Code, when a timely request for pre-litigation mediation is filed, the City is required to be represented by at least one person for purposes of the mediation. There is no similar provision applicable to the BAR.

8. On March 12, 2020, the parties mediated the matter, with representatives of The Citadel and the City attending.

9. The BAR was also represented at the mediation by its attorney of record, but all parties understand that BAR consent would not be required as part of any mediated settlement agreement.

Settlement Agreement

10. The City and The Citadel have resolved this appeal according to the terms of this Agreement, conditioned upon approval by the City Council of Charleston and the circuit court, as required by section 6-29-915(D) of the South Carolina Code.

11. Upon the circuit court entering a final order approving this Agreement, The Citadel shall be permitted to demolish Capers Hall and the Public Safety Building in accordance with its November 2019 application.

12. City staff is directed to issue the demolition permit upon receipt of written notice of entry of the circuit court's order approving this Agreement.

13. The Citadel agrees to make reasonable, good faith efforts to construct a replacement building such that the exterior architectural appearance will generally conform to the Academic

Replacement Building (Capers Hall) Schematic Design Phase, Final Review, dated July 17, 2018, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

14. The Citadel and the City understand and agree that deviations from the general exterior architectural appearance of the building and structures shown on Exhibit A are likely, given changing conditions, financial considerations, requirements or conditions imposed in obtaining governmental approvals, and other factors. Such deviations shall not require any further approval from the BAR or the City.

15. Notwithstanding any other provision of this Agreement, nothing herein shall exempt or except The Citadel from obtaining any other necessary approvals, unrelated to the demolition permit, from the City or any other governmental entity if required by federal, state, or local laws, to construct the replacement building generally shown on Exhibit A.

16. This Agreement arises from a good faith compromise of the underlying matter in an effort to avoid unnecessary and expensive litigation. Nothing in this Agreement constitutes an admission as to the validity of the underlying claims by any of the parties.

17. The Citadel hereby releases any and all claims, including without limitation costs and attorneys' fees, against the City and/or the BAR arising from or relating to the issues involved in this appeal; the BAR's underlying decision; and/or any real or purported delay arising from or relating to the BAR's decision.

18. The City hereby releases any and all claims, including without limitation costs and attorneys' fees, against The Citadel arising from or relating to the issues involved in this appeal; the BAR's underlying decision; and/or any real or purported delay arising from or relating to the BAR's decision.

19. In accordance with section 6-29-915(D) of the South Carolina Code, this Agreement, including but not limited to the releases set forth in Paragraphs 17 and 18 of this Agreement, shall not be effective until this Agreement is approved by the City Council of Charleston and the circuit court.

20. To the extent this Agreement is not approved by the City Council of Charleston or the circuit court, neither the existence of this Agreement nor such disapproval shall be permitted to be used as evidence in any subsequent proceedings; the parties jointly agree not to raise the issue of this Agreement or disapproval thereof in any subsequent proceedings; and the parties shall be entitled to proceed with any subsequent proceedings permitted by law. Neither party waives any claims, defenses, or rights in any subsequent proceedings if this Agreement is not approved.

21. The Citadel and the City's representative at the mediation have executed this Agreement prior to its presentation to the City Council of Charleston or the circuit court. No further signature from The Citadel shall be required to the Agreement, it being understood that the Agreement shall be binding when signed, subject only to approval by the City Council of Charleston and the circuit court. City Council's approval shall be indicated by the signature of the Mayor to this Agreement.

22. Pursuant to section 6-29-915(E) of the South Carolina Code, any land use or other change agreed to herein which affects existing law is effective only as to the buildings which are the subject of this Agreement.

23. Pursuant to section 6-29-915(E) of the South Carolina Code, this Agreement sets no precedent as to other building or parcels of real property in the City.

[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGES, COURT APPROVAL, AND EXHIBIT TO FOLLOW]

[THE CITADEL'S SIGNATURE PAGE]

On behalf of The Citadel, the Military College of South Carolina, I hereby consent to the Agreement:

A handwritten signature in blue ink, appearing to read 'Mark C. Brandenburg', written over a horizontal line.

Mark C. Brandenburg

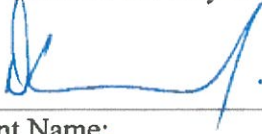
Title: General Counsel

Date: March 12, 2020

**[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGES, COURT
APPROVAL, AND EXHIBIT TO FOLLOW]**

[CITY'S SIGNATURE PAGE]

On behalf of the City of Charleston, I hereby consent to the Agreement:



Print Name:

Title: *Assistant Corporation Counsel*

Date: March 13, 2020

On behalf of the City of Charleston, I hereby consent to the Agreement, which was approved by the City Council of Charleston during public session on March 24, 2020:

By: John J. Tecklenburg

Its: Mayor

[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGES, COURT APPROVAL, AND EXHIBIT TO FOLLOW]

[BAR'S SIGNATURE PAGE]

As counsel of record for Respondent Board of Architectural Review, formally known as the Board of Architectural Review-Large (the "BAR"), I hereby confirm only that I appeared at the mediation of this matter. My signature hereto does not constitute the BAR's consent or approval or disapproval of the terms of this Agreement.



Timothy A. Domin
Counsel for Respondent Board of Architectural Review

**[REMAINDER OF PAGE INTENTIONALLY BLANK; COURT APPROVAL AND EXHIBIT
TO FOLLOW]**

[COURT APPROVAL]

Based on the information presented and representations made by the parties in the above-referenced Settlement Agreement (the "Agreement"), the Court hereby finds and concludes as follows:

1. Pursuant to section 6-29-915(G) of the South Carolina Code, the Agreement has a rational basis in accordance with the standards set forth in Chapter 29 of Title 6 of the South Carolina Code.

2. Pursuant to section 6-29-915(D)(2) of the South Carolina Code, the Agreement is accepted and approved.

3. This appeal is hereby dismissed with prejudice, and judgment shall be entered accordingly.

4. The parties shall bear their respective costs and attorneys' fees.

AND I SO HOLD!

_____, 2020
Charleston, South Carolina

[EXHIBIT A]

[SCHEMATIC DESIGN PHASE DATED JULY 17, 2018]



ACADEMIC REPLACEMENT BUILDING (CAPERS HALL)

SCHEMATIC DESIGN PHASE

FINAL REVIEW

17 JULY 2018

CREECH & ASSOCIATES



WOOLPERT

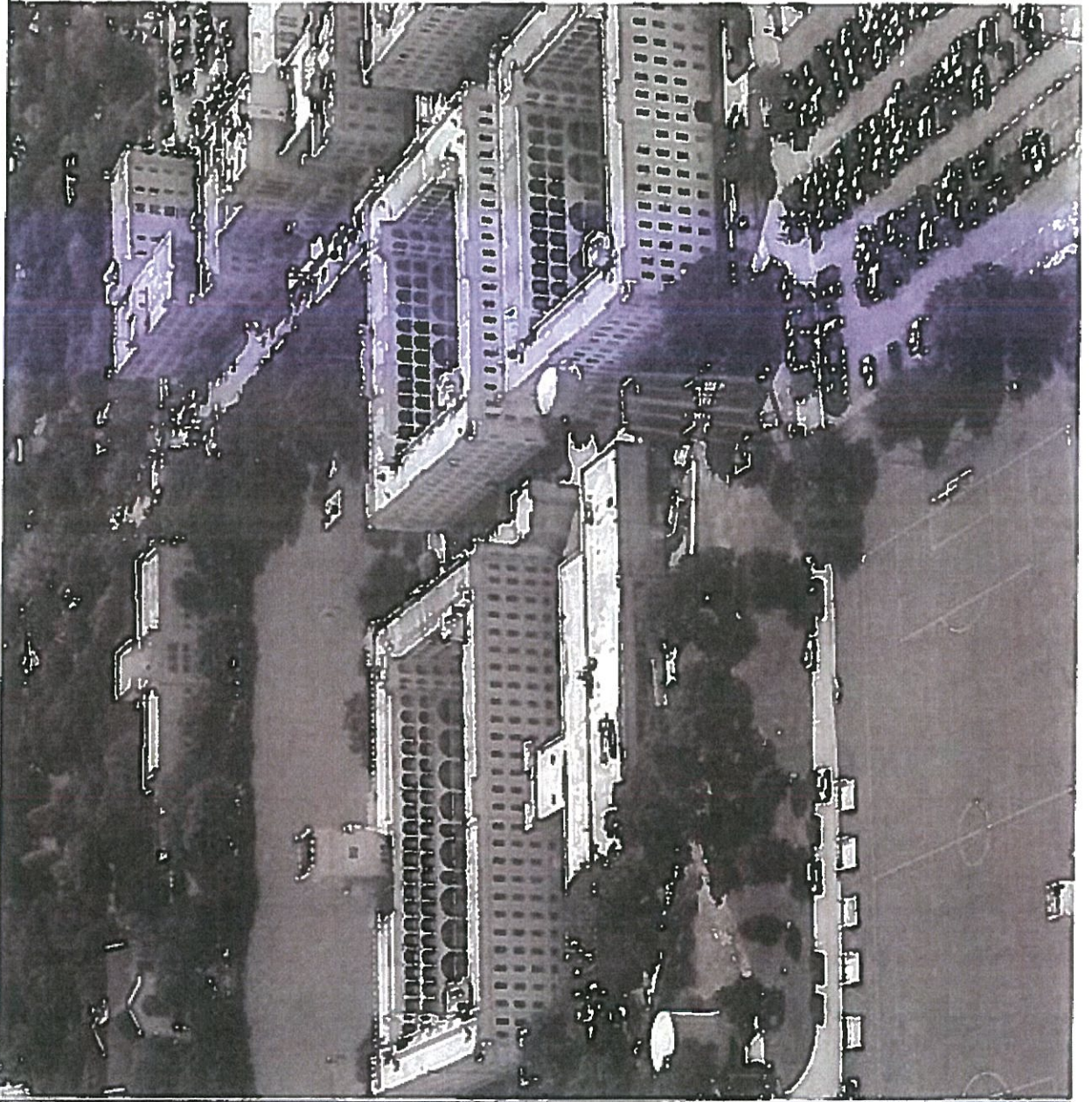
AGENDA

DESIGN DRIVERS

SITE PLAN

FLOOR PLANS

RENDERINGS

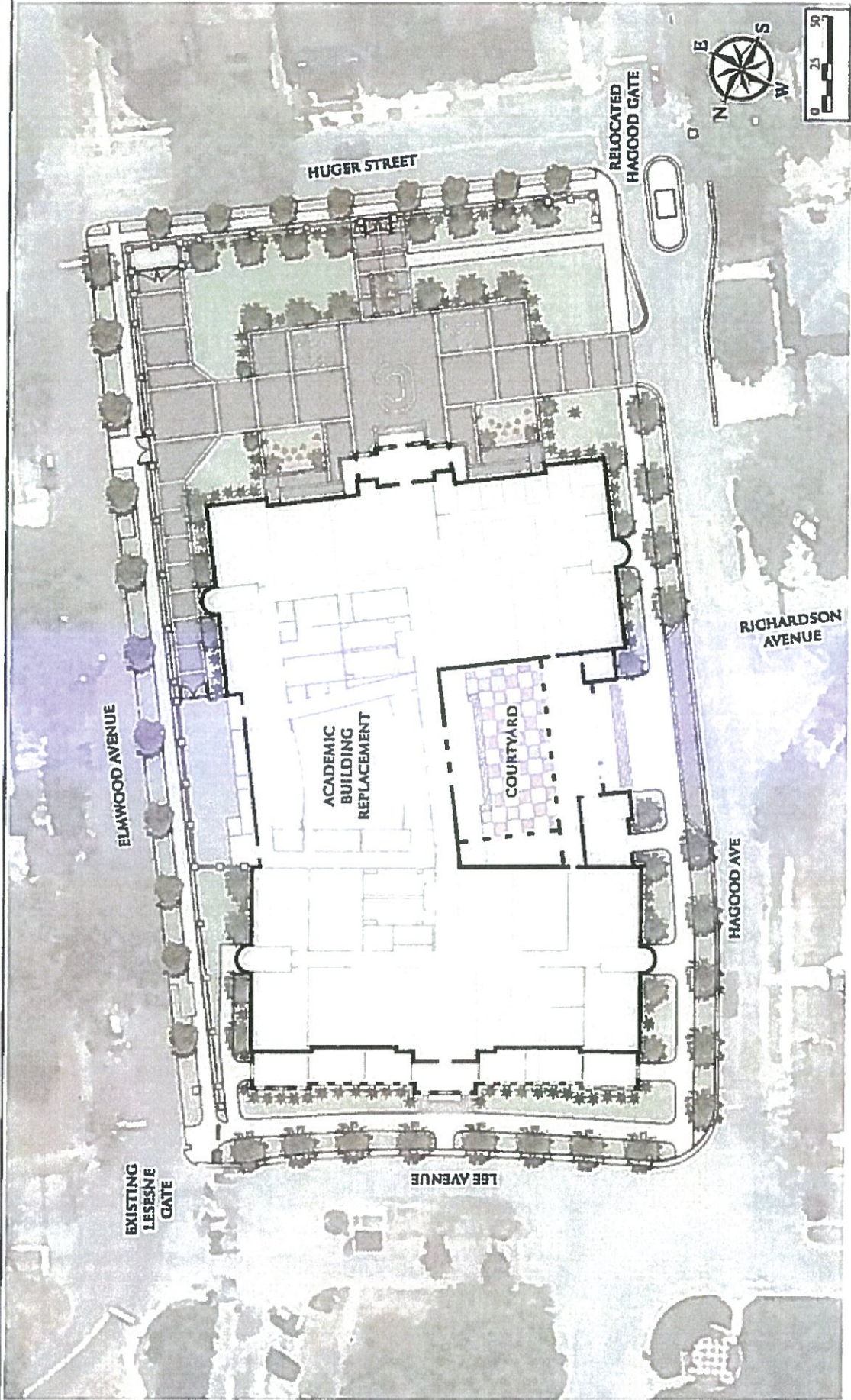


DESIGN DRIVERS

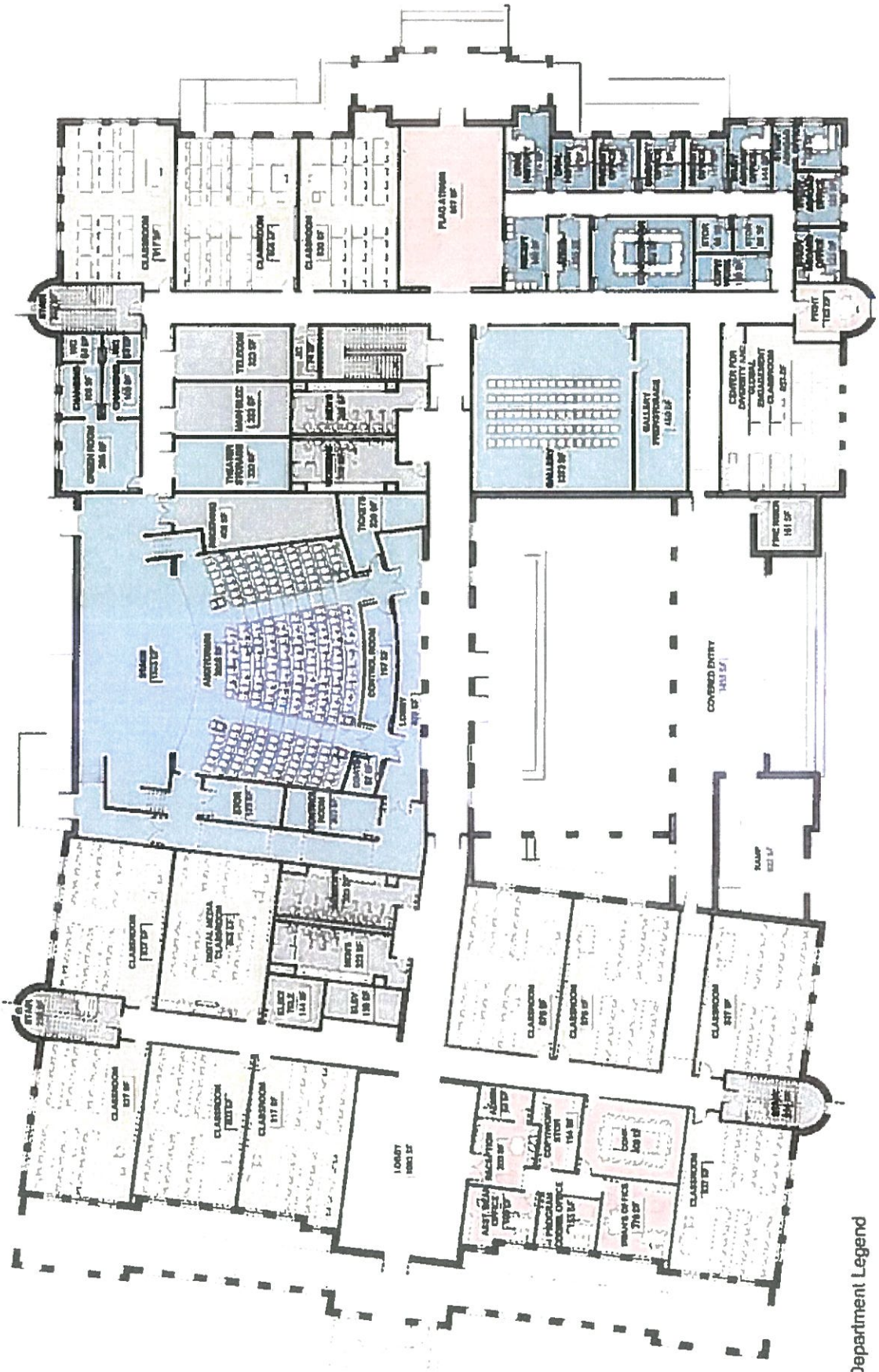
- 3 STORY 104,000 SF COURTYARD CONCEPT
- CONTRIBUTE TO THE ARCHITECTURAL EDGE THAT BORDERS THE PARADE GROUNDS
- AUDITORIUM WITH STAGE AND TIERED SEATING FOR 250 WITH SUPPORT SPACES
- ART GALLERY
- 3 STORY FLAG ATRIUM LOCATED ON HUGER (SOUTH) SIDE OF DIAGRAM
- FLEXIBLE EDUCATIONAL SPACES



SITE PLAN

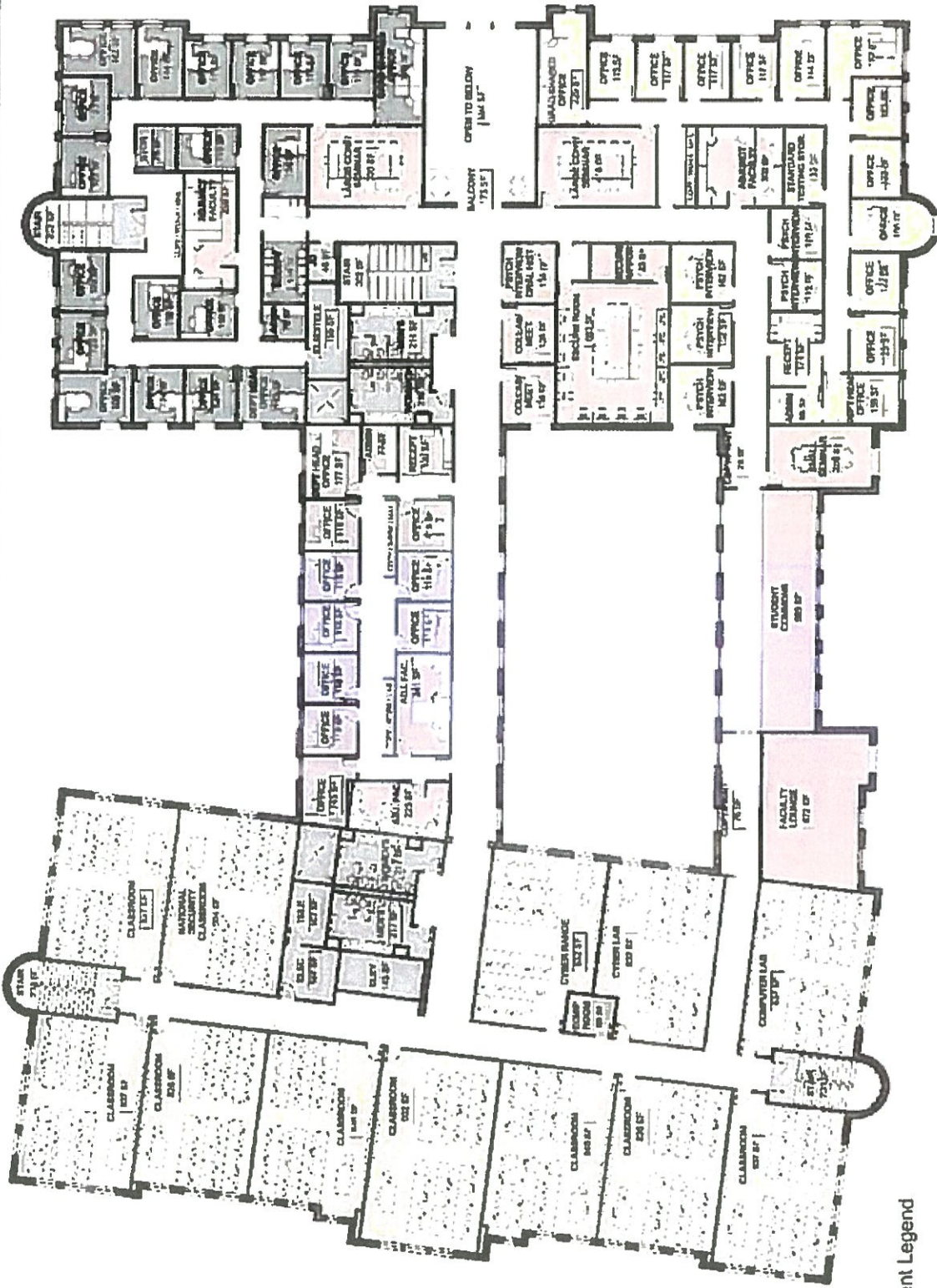


FIRST FLOOR PLAN



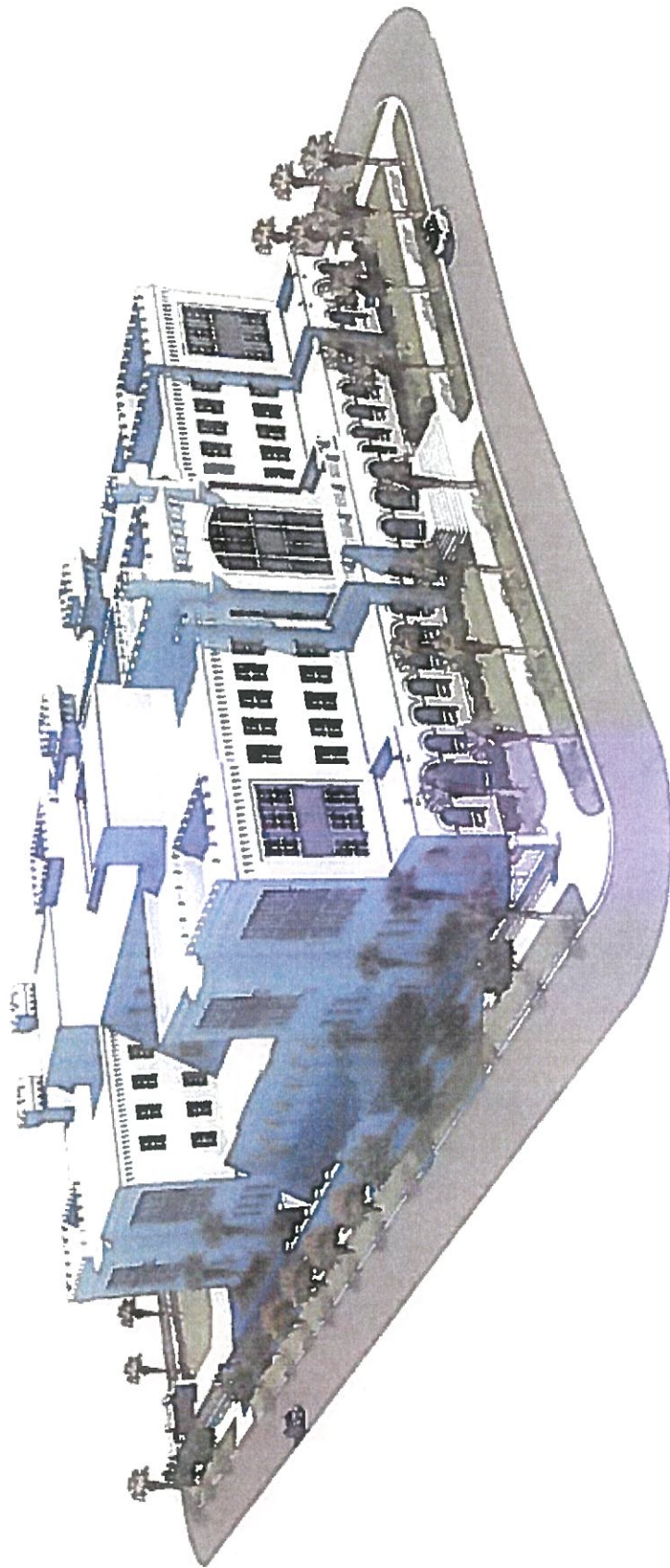
- Department Legend
- CENTER FOR DIVERSITY AND GLOBAL ENGAGEMENT
 - CLASSROOM
 - CORE
 - ENGLISH FINE ARTS, AND COMMUNICATIONS
 - SHARED PROGRAM

THIRD FLOOR PLAN DIAGRAM



- Department Legend
- CLASSROOM
 - CORE
 - CENTER FOR CYBER, INTELLIGENCE, & SECURITY STUDIES
 - HISTORY
 - PSYCHOLOGY
 - OPEN TO BELOW
 - SHARED PROGRAM

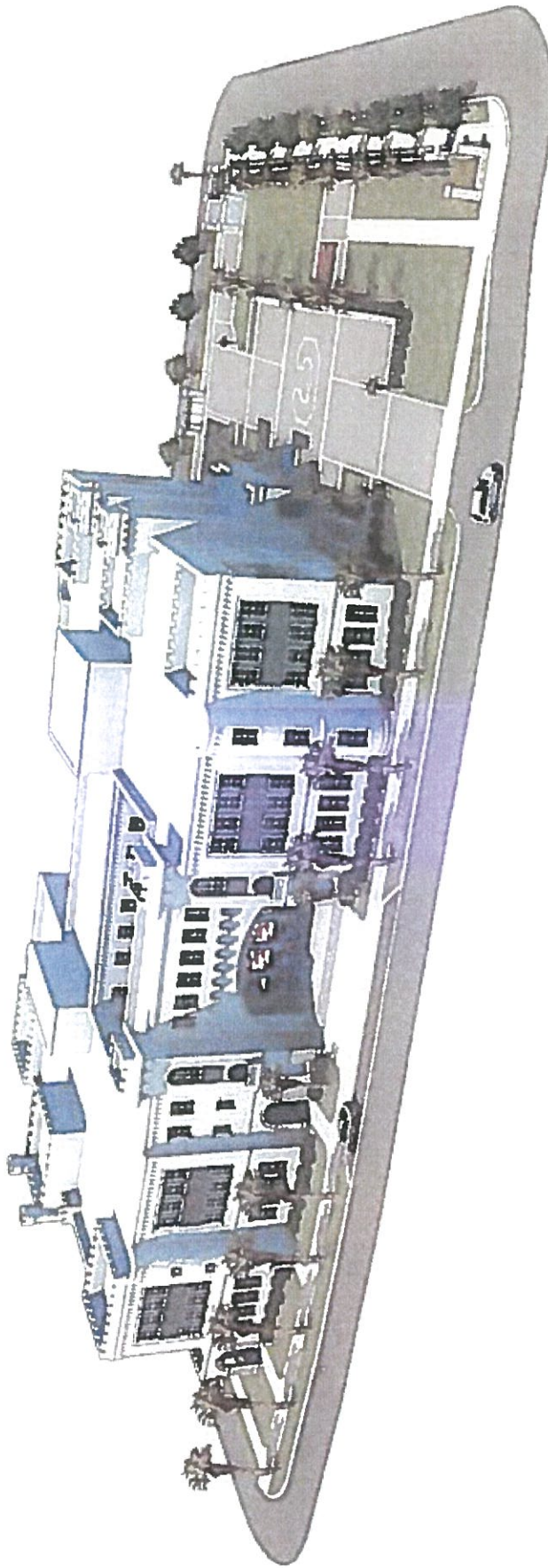
LEE AVENUE AERIAL VIEW



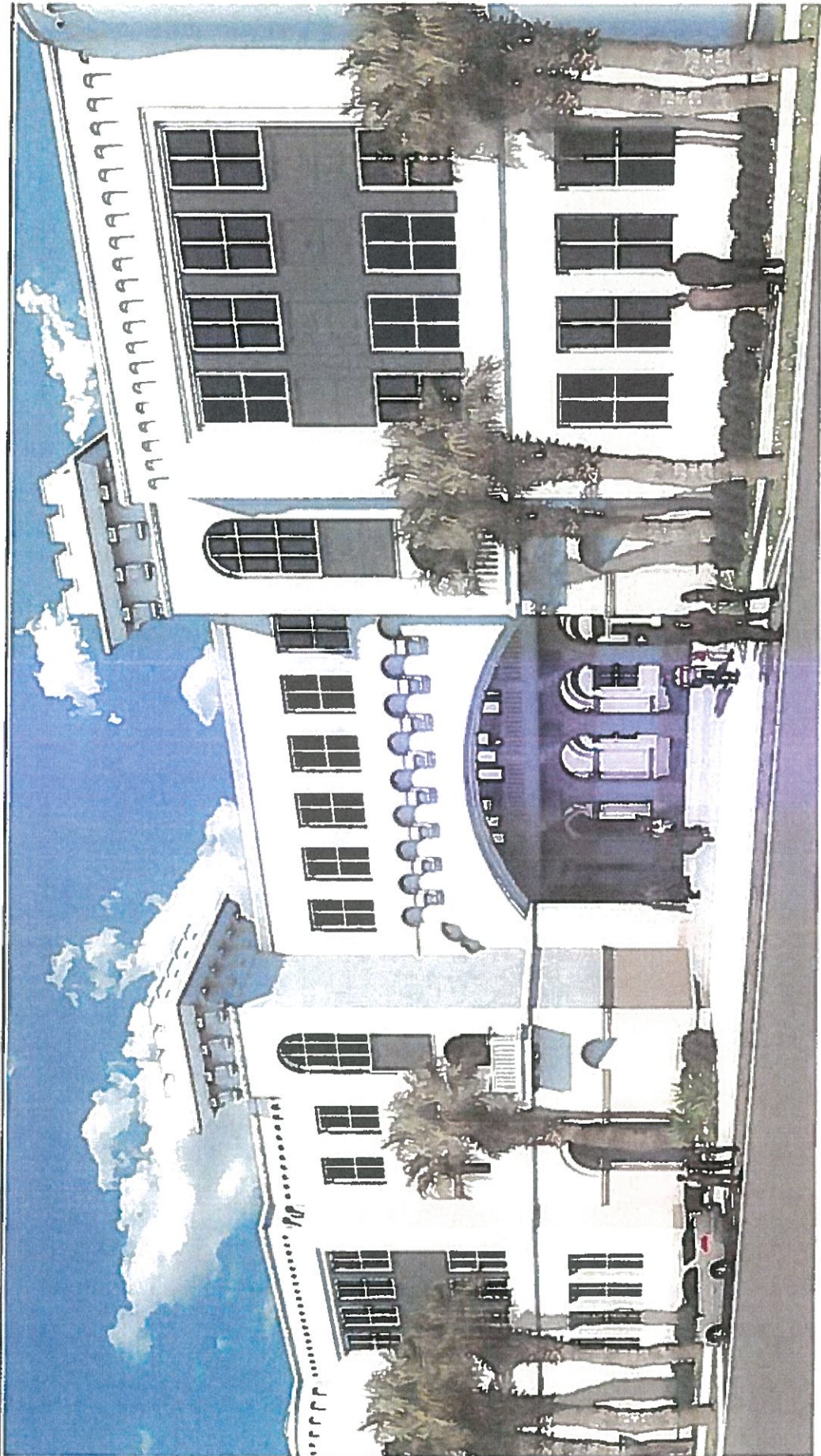
HUGER STREET AERIAL VIEW



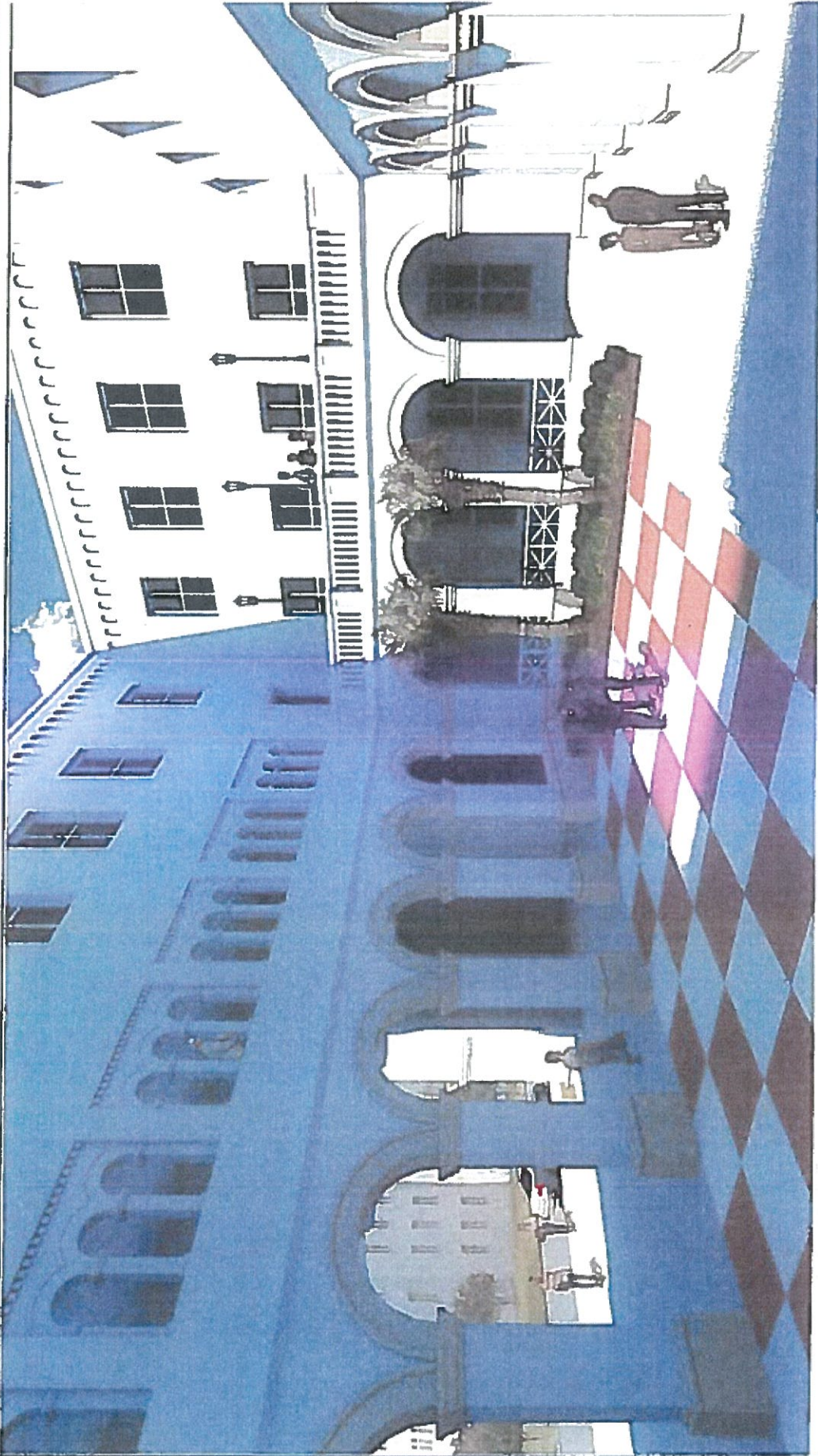
HAGOOD AVENUE AERIAL VIEW

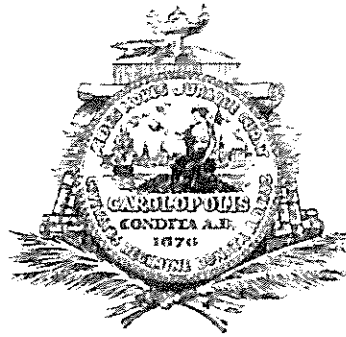


HUGER STREET LEVEL PERSPECTIVE



COURTYARD PERSPECTIVE





AN EMERGENCY ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING A NEW PART 4 – TEMPORARY PROCEDURES FOR PUBLIC HEARINGS TO ARTICLE 1 (GENERAL PROVISIONS) TO IMPLEMENT SECTION 5 OF EXECUTIVE ORDER NO. 2020-10 BY PERMITTING HEARINGS ON DEVELOPMENT APPROVALS BEFORE CERTAIN CITY BOARDS AND COMMISSIONS TO BE HELD VIRTUALLY OR BY REMOTE OR OTHER ALTERNATIVE MEANS AND TO URGE THE GENERAL ASSEMBLY TO ADOPT SIMILAR LEGISLATION.

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

Section 1. Findings. City Council finds as follows:

WHEREAS, to meet public emergencies affecting life, health, safety or the property of the people, City Council may adopt emergency ordinances by the affirmative vote of at least two-thirds of the members of City Council present;

WHEREAS, an emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements;

WHEREAS, emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;

WHEREAS, the COVID-19 pandemic has created a state of emergency in the City of Charleston, the State of South Carolina, and the nation, which has drastically impacted the life, health, safety, and property of the people;

WHEREAS, while the impact to the life, health, and safety of the people is of paramount concern, City Council finds it necessary to blunt, as much as reasonably feasible, the economic impact to the property of the people;

WHEREAS, on March 17, 2020, the Governor of South Carolina issued Executive Order No. 2020-10 (“EO-10”), which, among other things, prohibits and directs the postponement,

rescheduling or cancellation of any organized event or public gathering scheduled to be hosted or held at any location or facility owned and operated by the City, if any such event or gathering could or would involve or require simultaneously convening fifty (50) or more persons in a single room, area, or other confined or indoor space;

WHEREAS, EO-10 also provides that the prohibition does not apply to meetings of local government bodies or gatherings of government officials or employees or other personnel that may be required in connection with the performance of essential government functions, but that, to the greatest extent possible, local government bodies should utilize any available technology or other reasonable procedures to conduct such meetings and accommodate public participation via virtual or other remote or alternate means;

WHEREAS, due to the state of emergency caused by the COVID-19 pandemic, City Council finds that the City has a compelling interest in ensuring the continued predictability and stability of the local economy by continuing to process applications for development approvals in as orderly a manner as practical, while balancing such interest against the importance of ensuring that the general public and interested parties have a full and fair opportunity to voice their support or opposition to applications for development permits;

WHEREAS, the COVID-19 pandemic has had and will continue to have a substantial financial and economic impact on City residents, property owners, business owners, and others, such that the City's various boards and commissions charged with considering development applications, including but not limited to the Planning Commission, the Board of Zoning Appeals-Zoning, the Board of Zoning Appeals-Site Design, the Design Review Board, the Board of Architectural Review-Large, and the Board of Architectural Review-Small, provide essential government functions, as described in EO-10; and

WHEREAS, the economic consequences arising from the suspension of the consideration of applications for such development approvals for an indefinite period of time will substantially and adversely impact the development community, persons employed by the developer community, and, by extension, the local economy.

Section 2. That Article 1 (General Provisions) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is amended to include a new Part 4 (Temporary Procedures for Public Hearings), as follows:

PART 4 – TEMPORARY PROCEDURES FOR PUBLIC HEARINGS

Sec. 54-130 – Definitions.

Words and terms used in this Part shall be defined as follows:

1. "Development Approval" means an approval issued by the City of Charleston or any of its Boards, regardless of the form of the approval, that is for the development of land, including but not limited to an approval of concept plans, development plans, land development plans, final plats, special exceptions, variances, demolition permits, or a site specific development plan.

2. “Boards” refers to all City boards, commissions, committees, or other City bodies, however named, charged with hearing applications for Development Approvals, including but not limited to the Planning Commission, the Board of Zoning Appeals-Zoning, the Board of Zoning Appeals-Site Design, the Board of Architectural Review-Large, the Board of Architectural Review-Small, and the Design Review Board.

3. “Board Member” or “Board Members” means all persons serving on Boards.

4. “Virtual Attendance” means attendance by electronic means (e.g., conference call, GoToMeeting, or Skype); provided, however, all Board Members must be able to hear and be heard by all other Board Members, the member of City staff keeping minutes, the applicant, all interested parties, and members of the general public seeking to attend virtually throughout the hearing, subject to Sec. 54-132.

Sec. 54-131 - Procedures

Notwithstanding any other provisions of this Chapter to the contrary, the following procedures shall apply to meetings and public hearings before Boards for the period running between April 1, 2020 and May 22, 2020:

A. Virtual Attendance (Board Members). For purposes of calculating a quorum, voting, and in all other respects, only Virtual Attendance is permitted as to all Board Members.

B. Virtual Attendance (City Staff): For purposes of taking minutes and complying with other procedural requirements, only Virtual Attendance is permitted as to all members of City staff.

C. Virtual Attendance (Others): For purposes of public participation and the submission of evidence or testimony during a public hearing, only Virtual Attendance is permitted as to the applicant, other interested parties, and members of the general public.

D. Notice. Any required notice of a public hearing shall be provided in the same manner and according to the same time periods currently set forth in this Chapter; provided, however, the date, time, and the appropriate information for permitting Virtual Attendance shall be provided in any such notice. Notwithstanding the foregoing, the appropriate information for permitting Virtual Attendance may be changed or updated at any time by posting such updated information to the City’s website; provided, however, such information shall not be changed within twenty-four (24) hours of the date and time of the public hearing.

E. Testimony. Any testimony offered by City staff, the applicant, other interested parties, and members of the general public shall be taken only after the person testifying identifies him or herself by name and address and after the person is individually sworn in by the Board chairperson by oath or affirmation in accordance with the general rules applicable to taking such testimony under oath or affirmation. Testimony may be taken by virtual means, provided all the requirements for Virtual Attendance are met. All testimony must be taken during the public hearing.

F. Exhibits. Any and all exhibits should be submitted to City staff by electronic means as early as possible before the hearing so as to be included on the City’s website for review by Board Members, City staff, the applicant, other interested parties, and members of the general public. Any exhibits to be submitted at the public hearing must be provided electronically to a designated member of City staff and be available for viewing by all Board Members and other persons attending by Virtual Attendance simultaneously with the electronic submission of such exhibits.

G. Other Procedures. Unless inconsistent with the foregoing, all other procedures set forth in this Chapter for meetings and public hearings on development approvals shall continue to apply.

Sec. 54-132 – Disruption

To the extent reasonably necessary to avoid disruption of any public hearing, the chairperson of a Board may order that all persons attending by Virtual Attendance, except Board Members and members of City staff, be placed on mute; provided, however, the City must provide alternative means for individual participants to be recognized by the Board chairperson and taken off mute during the meeting; and, further provided, that all those participating shall at all times have the ability to hear what is being said by Board Members, City staff, the applicant, interested parties, and other persons who have been properly recognized during the meeting.

Section 3. City Council hereby urges the General Assembly of South Carolina to enact legislation providing similar alternative procedures for meetings and public hearings with respect to development approvals, in the interest of protecting and preserving the state and local economies during the COVID-19 pandemic.

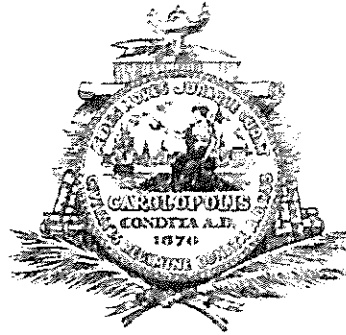
Section 4. This Ordinance shall become effective upon ratification and shall expire on May 22, 2020.

Ratified in City Council this ___ day of _____ in the year of Our Lord, 2020, in the ____ Year of the Independence of the United States of America.

By: _____
John J. Tecklenburg, Mayor

ATTEST:

By: _____
Vanessa Turner Maybank
Clerk of Council



**EMERGENCY ORDINANCE
ON STAY AT HOME**

Section 1. Findings. City Council does hereby make the following findings:

WHEREAS, in December 2019, an outbreak of respiratory illness due to a novel coronavirus (COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, across the world, including the United States; and,

WHEREAS, on January 23, 2020, the Center for Disease Control (“CDC”) activated its Emergency Response System to provide ongoing support for the response to COVID-19; and,

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the coronavirus, and,

WHEREAS, on March 13, 2020, Governor Henry McMaster declared a state of emergency in South Carolina; and,

WHEREAS, on March 16, 2020, Mayor John J. Tecklenburg declared a local state of emergency in the City of Charleston; and,

WHEREAS, Covid-19 is now aggressively spreading across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly increasing risk of exposure and infection to City of Charleston residents and creating an extreme public health risk; and,

WHEREAS, as of March 23, 2020, the total number of cases in the United States is well over 46,000 cases with at least 298 cases in the State of South Carolina and 31 cases in Charleston County with one death; and,

WHEREAS, if COVID-19 spreads in the City of Charleston at a rate comparable to the rate of spread in other countries, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively

impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and,

WHEREAS, it is vitally important that we all work together to decrease the widespread proliferation of Covid-19 among us all now rather than suffer the unfortunate and devastating consequences later; and,

WHEREAS, it is imperative that residents and non-residents of this great City shelter at home, unless providing or requiring an essential service, remain at a safe distance of at least six (6) feet from others while in public, seek medical attention, if sick, via a telehealth service provider such as MUSC, continue to be vigilant with hand-washing, remain calm, and only purchase necessary supplies for immediate use; and,

WHEREAS, by taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the people of Charleston, and limits the spread of infection in our communities and within the health care delivery system; and,

WHEREAS, in order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the City of Charleston is taking steps to try to protect the citizens and employees of the City of Charleston from increased risk of exposure; and,

WHEREAS, at this crucial time, it is necessary for the City to undertake and coordinate all necessary and reasonable activities for this emergency response, to take all appropriate action required to alleviate the effects of the coronavirus disaster emergency, including action following the guidelines of the CDC and the SCDHEC, to and in the aid of essential public services, and to take any other lawful emergency response or action deemed necessary to protect the public health, safety and welfare of the City of Charleston.

Section 2. Effective 12:01 am, Thursday, March 26, 2020, individuals shall stay in their homes and not travel through or congregate in the streets, sidewalks, waterways and/or public spaces in the City of Charleston, including establishments that hold a City of Charleston business licenses except for the purposes of working at or conducting business with the attached list of businesses (hereinafter “Essential Service” or “Essential Services”), such list to be modified by the Mayor as necessary for the health, safety and welfare of the City of Charleston or to engage in individual outdoor recreational activities as set forth in Section 3 herein. Further:

- A) Individuals, who must go out for purposes of working at or conducting business with any Essential Service business provider, shall practice social distancing of at least six feet with the exception of those traveling in the same vehicle to or from an Essential Service for purposes of work or to conduct business at an Essential Service.
- B) Pursuant to CDC guidelines, social gatherings of 10 or more people, for any reason other than working at or receiving Essential Services, is prohibited; however, pursuant to Gov. Henry McMaster’s Executive Order No. 2020-13, issued March 23, 2020 officers of the Charleston Police Department are authorized “to prohibit or disperse any congregation or gathering of people, unless authorized or in their homes, in groups of

three (3) or more people, if any such law enforcement official determines, in their discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health.”

- C) Places conducting Essential Service operations shall take all reasonable measures, including limiting the number of individuals in their businesses, to facilitate and ensure social distancing of at least six feet.
- D) Vendors that provide Essential Services or products, including logistics and technological support, shall use all reasonable means to ensure social distancing of at least six feet from others unless assisting another in traveling to or from work or obtaining goods and services.
- E) Bars and restaurants which prepare, produce, or otherwise offer or sell food or beverages, of any kind, shall be prohibited from permitting dine in or on premises consumption of food or beverages whether indoors or outdoors, however, they may continue to offer pickup, take out or delivery services for consumption off premises.

Section 3. Individuals should limit outdoor recreational activities to those that allow for social distancing of at least six feet, do not entail coming into close contact with other people or involve the sharing of equipment.

Section 4. The City of Charleston Fire Department, Office of the Fire Marshal, Police Department, Building Inspections Division, and their designees, and Livability Code Enforcement Officers are hereby authorized to inspect and determine whether Essential Operations are in compliance with this Emergency Ordinance. For the duration of this Ordinance, it is unlawful for a person to willfully fail or refuse to comply with any lawful order or direction of these individuals or their designees issued pursuant to this Ordinance.

Section 5. Ordinance No. 2020-39(a) is hereby repealed in its entirety and replaced by this Ordinance.

Section 6. This Ordinance shall become effective upon ratification and shall expire fourteen (14) days after the date thereof unless otherwise extended as necessary to protect the health, safety, and welfare of the City of Charleston.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2020, and in the ____th Year of the Independence of the United States of America.

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

ATTEST: _____
Vanessa Turner Maybank
Clerk of Council

ESSENTIAL SERVICES

1. Essential health care operations including, research and laboratory services, hospitals, walk-in-care health facilities, veterinary and livestock services, elder care, medical wholesale and distribution, home health care workers or aides, doctor and emergency dental, nursing homes, or residential health care facilities or congregate care facilities, medical supplies and equipment manufacturers and providers.
2. Essential infrastructure operations including utilities including power generation, fuel supply and transmission, public water and wastewater, telecommunications and data centers, airports/airlines, transportation infrastructure such as bus, rail, or for-hire vehicles, garages, hotels, and places of accommodation, the South Carolina Port Authority.
3. Essential manufacturing operations including food processing, manufacturing agents, including all foods and beverages, chemicals, medical equipment/instruments, pharmaceuticals, sanitary products, telecommunications, microelectronics/semi-conductor, agriculture/farms, household paper products, vehicle and aircraft manufacturing.
4. Essential retail operations including grocery stores and all food and beverage stores, big box stores or wholesale clubs that have in house grocery or pharmacy services, pharmacies, convenience stores, direct farm to consumer sales, gas stations, restaurants/bars (but only for take-out or/delivery), hardware and building material store and online retailers that deliver products and services to individual's homes or businesses.
5. Other essential service operations including garbage, trash and recycling collection, processing and disposal, mail and shipping services, laundromats and dry cleaning, building cleaning and maintenance, child care services, warehouse/distribution and fulfillment, funeral homes, crematoriums and cemeteries, storage for essential businesses, animal shelters, educational institutions, for purposes of facilitating distance learning, performing critical research, or performing essential functions
6. News media
7. Financial Institutions and Professional Services operations including banks, credit unions and check cashing services, insurance, payroll, accounting, services related to financial markets and legal services.
8. Providers of basic necessities to economically disadvantaged populations including, homeless shelters and congregate care facilities, food banks, human services providers whose function includes the direct care of patients in state-licensed or

funded voluntary programs, the care, protection, custody and oversight of individuals both in the community and in state-licensed residential facilities; those operating community shelters and other critical human services agencies providing direct care or support.

9. Construction including, skilled trades such as electricians, plumbers, other related construction firms and professionals for essential infrastructure or for emergency repair and safety purposes, other construction where the contractor can ensure social distancing.
10. Defense operations including defense and national security-related operations supporting the U.S. Government or a contractor to the US government.
11. Essential services necessary to maintain the safety, sanitation and essential operations of residences or other essential businesses including, law enforcement, fire prevention and response, building code enforcement, security, emergency management and response, building cleaners or janitors, general maintenance whether employed by the entity directly or a vendor, automotive repair, disinfection mail, post, shipping, logistics, delivery and pick-up services.