

City Hall
80 Broad Street
October 23, 2018
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Griffin

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation recognizing Breast Cancer Awareness Month

E. Public Hearings

1. Receive input from the public regarding the proposed 2019 City Budget
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Meeting Street Road and Cunnington Avenue (Peninsula) (0.231 acre) (TMS #464-14-00-121) (Council District 4), be rezoned from Light Industrial (LI) classification and the 2.5 Old City Height District classification to Upper Peninsula (UP) classification and the 4-12 Old City Height District classification. The property is owned by Rutledge Center Development Partners LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 510 King Street (Peninsula) (0.554 acre) (TMS #460-12-02-017) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Vanderking 510 LLC.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 84, 86, 88, 90 and 92 Reid Street and 33, 35 and 37 Woolfe Street (Peninsula) (approximately 0.56 acre) (TMS #460-12-02-002, 003, 004, 013, 015 and 140) (Council District 4), be rezoned from General Business (GB) and Light Industrial (LI) classifications to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Vanderking 510 LLC.
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 535 King St and 166 Saint Philip St (Peninsula) (approximately 0.55 acre) (TMS #460-12-02-057 and 460-12-02-080) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Vanderking 535 LLC.

6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Sam Rittenberg Boulevard (West Ashley) (1.32 acres) (TMS #310-04-00-017) (Council District 7), be rezoned so as to be included in the Accommodations Overlay Zone (A) classification. The property is owned by Braxton SC LLC.
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 810 Meeting St (Peninsula) (0.46 acre) (TMS #461-09-01-010) (Council District 4), be rezoned so as to be included in the Accommodations Overlay Zone (A) classification. The property is owned by MAR Real Estate LLC.
8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 547 Meeting St (Peninsula) (0.26 acre) (TMS #459-05-01-016) (Council District 4), be rezoned so as to be included in the Accommodations Overlay Zone (A) classification. The property is owned by TMG 547 Meeting Street LLC.
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 6 Tovey Road (West Ashley) (0.17 acre) (TMS #418-10-00-020) (Council District 9), annexed into the City of Charleston September 25, 2018 (#2018-127), be zoned Single-Family Residential (SR-2) classification. The property is owned by Julia Harlow.
10. 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. **(SECOND READING)**

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. September 25, 2018
2. October 9, 2018

H. Citizens Participation Period

I. Petitions and Communications:

- a. Appointment of Paul Multani to the Accommodations Tax Advisory Committee

J. Council Committee Reports:

1. Committee on Recreation: (Meeting was held on Monday, October 22, 2018 at 3:30 p.m.)

a. An ordinance to amend Chapter 2, Section 50, to change the name of the Recreation Commission to the Recreation Committee.

b. New Business:

Action may or may not be taken on any of the below matters:

(i) Discussion on Johns Island Recreation Center needs

(ii) Discussion regarding Economic Impact of Wellness and Aquatics Center Complex

Give first reading to the following bills from Recreation:

An ordinance to amend Chapter 2, Section 50, to change the name of the Recreation Commission to the Recreation Committee.

2. Committee on Public Safety: (Meeting was held on Monday, October 22, 2018 at 4:30 p.m.)

a. Discussion regarding fire stations in Cainhoy. Action may or may not be taken.

3. Committee on Traffic and Transportation: (Meeting was held on Monday, October 22, 2018 at 5:15 p.m.)

a. Application for Original Certificate of Public Convenience and Necessity:
-Charleston Taxi, LLC (Taxi)

b. Traffic Calming Speed Humps for Approval (Information Only)
- Barfield Street, Daniel Island

c. Line Street Update (Information Only)

d. SCDOT Pedestrian Enhancement Project (Information Only)

e. Parking Study Update (Information Only)

f. Charleston County US 17 Corridor Study (Information Only)

4. Committee on Public Works and Utilities: (Meeting was held on Tuesday, October 23, 2018 at 2:30 p.m.)

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

(i) Abandonment of a 20 ' COC Drainage Easement and Acceptance of a new 20'

COC Drainage Easement in Oakfield, Phase 5A. (report out to Council)

(ii) Letter of Notification to SCDOT of City's intent to accept maintenance responsibility for granite curb, sidewalk and street trees for the project located at 577 Meeting Street.

b. Miscellaneous or Other New Business

(Action may or may not be taken on any of the below matters.)

- (i) Update on Huger Street Drainage issues
- (ii) Update on Outfall at South Windermere
- (iii) Update on Church Creek Drainage Basin
- (iv) Report on the drainage for the cul-de-sac at 1311 Gilmore Road

5. Committee on Ways and Means:

(Bids and Purchases

(Police Department: Approval of the FY18 DOJ Edward Byrne Memorial Justice Assistance Grant for a Forensic Light Source and Multi-Spectral Camera used in screening and recovery of forensic evidence. The award funds \$26,618 for forensic equipment. This grant does not require a City match.

(Police Department: Approval of the award of \$155,746 for the 2019 SCDPS Highway Safety Grant. This grant will provide funding for the salaries of two Officers dedicated to speed enforcement on highways/interstates. The award acceptance is due by October 31st. This grant does not require a City match.

(Police Department: Approval to submit the FY18 Combating Opioid Overdose through Community-Level Intervention application for \$350,000 to the University of Baltimore Center for Drug Policy and Enforcement. The application for this grant is due 10/31/2018. This grant does not require a City match.

(Parks-Capital Projects: Approval of JPR Ballpark Field Improvements Professional Services Contract Fee Amendment #1 with Millennium Sports Technologies, Inc. in the amount of \$12,600 for additional site visits and consulting due to the project becoming more than a maintenance project. The project now requires OCRM/DHEC approval which has delayed the start date. Approval of Fee Amendment #1 will increase the Professional Services Contract by \$12,600 (from \$39,995 to \$52,595). The funding source for this work is the general maintenance line item in the JPR Ballpark division.

(Public Service: Approval of a Guerin Creek Mitigation Project Construction Contract with Gibbs Construction Group, LLC in the amount of \$194,000 to harvest all industrially planted timber and remove the stumps. The existing tree planting beds and furrows will be leveled within the restoration area, and the area graded to an elevation below mean high water to allow the natural reestablishment of the tidal salt marsh environment. Tidal flows will be minimized during grading by temporary berms and two stone outfall structures. The Construction Contract will obligate \$194,000 of the \$49,000,000 project budget within the Spring/Fishburne Drainage Improvement Project – Phase 3. The funding sources for this work is the SIB.

(Parks-Grounds Maintenance: Approval of program support for the Charleston Parks

Conservancy in the amount of \$70,000 for beautification, maintenance, and programming at various public parks. This item was budgeted for in the 2018 general operation budget.

(Budget, Finance and Revenue Collections: Approval for payment for the City's contribution to the West Ashley Greenway/Bikeway Master Plan and Public Art Plan in the amount of \$105,000. Payment will come from 2017 General Fund Reserves. The amount will be included in a future budget amendment.

(Request authorization for the Mayor to execute:

- The South Carolina Electric and Gas Company Other Work in Progress (OWIP) Agreement to facilitate the relocation of the transmission line adjacent to 999 Morrison Drive; and
- The Agreement between the City of Charleston, the Digital Corridor and Charleston Technology Center, LLC, relating CTC agreeing to pay for the transmission line relocation as part of the 999 Morrison Drive construction costs.

(999 Morrison Drive; TMS: 461-13-01-038)

The property is owned by the City of Charleston.

(Request approval for the Mayor to execute the Sublease Agreement whereby the City subleases office and storage space located within the Charleston City Arts Center located at 134 Cannon Street to PURE Theatre for a period of three years with two additional one year options. (TMS: 460-11-04-155)

(An ordinance establishing requirements in the City of Charleston for Small Wireless Facility/Permitting and Placement in Rights of Way

(Consider the following annexation:

- Clements Ferry Road (TMS# 275-00-00-005) 16.40 acres, Cainhoy (District 1). The property is owned by IVO SANDS, LLC.

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

An ordinance establishing requirements in the City of Charleston for Small Wireless Facility/Permitting and Placement in Rights of Way

An ordinance to provide for the annexation of property known as Clements Ferry Road (16.40 acres) (TMS# 275-00-00-005), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by IVO Sands LLC.

**6. Committee on Ways and Means and Committee on Public Works and Utilities:
(Joint Meeting was held on Tuesday, October 23, 2018 at 4:00 p.m.)**

(Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss contractual negotiations related to the FEMA buy-out program. Upon returning to open session, Council may take action on matters discussed in Executive Session.

K. Bills up for Second Reading:

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

1. *An ordinance to provide for the issuance and sale of \$15,000,000 General Obligation Bonds of 2018 of the City of Charleston, South Carolina, to prescribe the purposes for which the proceeds of the several series of bonds shall be expended, to provide for the payment thereof, and other matters relating thereto.*
2. *An ordinance to provide for the annexation of property known as 1621 Donnie Lane (0.54 acre) (TMS# 427-00-00-029), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 6. The property is owned by Gregory Payton & Donna W. Payton.*
3. *An ordinance to amend Section 54- 943(c) of the Code of the City of Charleston (Zoning Ordinance) to modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to Council to a simple majority of a quorum of the City Council. **(City Council voted to send this ordinance back to the Planning Commission with a recommendation of a 60% override at the December 19, 2017 City Council meeting.)**(Councilmember Perry K. Waring) (DEFERRED)*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton. (DEFERRED)*
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 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton. (DEFERRED)*
6. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke. (DEFERRED)*
7. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke. (DEFERRED)*

8. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that portions of three parcels on Hanover, Lee, Nassau, and Aiken Streets (East Side - Peninsula) (approximately 2.25 acres) (TMS #459-05-04-197, 459-05-04-208, and 459-05-04-209) (Council District 4), be rezoned from the Old City Height District 4 Classification to the Old City Height District 5 Classification. The property is owned by the City of Charleston. (DEFERRED FOR PUBLIC HEARING)*
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 141 Meeting Street and 174 King Street (Peninsula) (1.061 acres) (TMS #457-08-04-003) (Council District 1), be rezoned from General Business (GB) classification to Urban Commercial (UC) classification. The property is owned by SCE&G. (DEFERRED)*
10. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. (DEFERRED)*
11. *An ordinance authorizing the Mayor to execute on behalf of the City a Memorandum of Agreement ("MOU") with South Carolina Electric & Gas Company ("SCE&G"), under which the City will grant to SCE&G the following easements under or across Hampton Park (TMS No. 460-00-00-002): (a) a 70' easement for the expansion of an overhead electrical transmission line; (b) a 12' easement for the installation of a new underground electrical distribution line; and (c) a variable width easement memorializing an existing underground gas line; with SCE&G granting to the City, in exchange for the foregoing, the following lease, license, and easements on SCE&G's property located to the northeast of Hampton Park (TMS No. 463-15-01-061) (the "SCE&G Property"): (a) a 10-year lease for parking, vehicular access, and pedestrian access to and from Hampton Park; (b) a permanent, thirty foot (30') access easement for vehicular access between Grove Street and Hampton Park; (c) a license to use a portion of the SCE&G Property for a dog park; (d) a permanent easement to use a portion of the SCE&G Property for parking and access to and from Hampton Park; (e) a permanent stormwater drainage easement for Hampton Park; and (f) a permanent sanitary sewer easement for Hampton Park. (DEFERRED)*
12. *An ordinance to close and abandon Kinlock Court, a City right-of-way, said right-of-way running westerly approximately 200 feet from meeting street to the Interstate 26 right-of-way; and to further authorize the Mayor to execute Quit Claim Deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Kinlock Court, conveying to each owner one-half of the width of Kinlock Court as said Kinlock Court abuts each owner's property, subject to any and all easements or other matters of record. (DEFERRED)*

L. Bills up for First Reading

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Clements Ferry Road (Cainhoy) (approximately 16.40 acres) (TMS #275-00-00-005) (Council District 1), be zoned Rural Residential (RR-1) classification. The property is owned by IVO Sands LLC.
2. An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits building construction operations during certain hours.
3. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to modify the existing regulations applicable to Short Term Rental uses in the City of Charleston by creating a new Short Term Rental Overlay Zone called the King Street Corridor, KSC Overlay Zone; by permitting Commercial Short Term Rentals as a conditional use on large lots in certain Residential Zoning Districts; by permitting nearby public parking lots and public garages to satisfy the additional off-street parking requirements applicable to Residential Short Term Rentals; by removing any maneuverability requirements for these additional off-street parking spaces; by eliminating the requirement that residents in Category 1, 2 and 3 Short Term Rentals remain on the property while guests are present; and by eliminating the requirement that Category 1 Short Term Rentals be located within an existing structure or accessory building that is individually listed on the National Register of Historic Places **(Requested by Councilmember Perry K. Waring)**
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Sheppard Street and Saint Philip Street (Peninsula) (approximately 0.69 acre) (TMS #460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned to include it in the Short Term Rental Overlay Zone (ST) classification. The property is owned by Lowcountry Marketing Group LLC. (DEFERRED)
5. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; and prohibit an overconcentration of accommodations units within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map (DEFERRED)

6. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to incentive options and particularly strengthening Workforce Housing; and by amending Sec. 54-201 (V), Base Zoning Districts to correct Upper Peninsula District; and by amending Article 3, Part 2, Sec 54-305 (B) pertaining to Upper Peninsula District; and by amending Article 3, Part 1, Sec. 54-301, Table 3.1 Height, Area and Setback Regulations, footnote 24, pertaining to correcting the Section number; and by amending Article 4, Part 4, Sec. 54-420, Table 1.2 allowed sign types by Zoning District to add Upper Peninsula District; and by amending Article 1, Part 1, Sec. 54-102 (b), Base Zoning District Classifications to add Upper Peninsula District. (*DEFERRED*)
7. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 8 providing for a Temporary Moratorium on the issuance of development permits for Residential (Single Family and Multi-Family) Development on John's Island (*DEFERRED*)

M. Miscellaneous Business:

1. Discussion regarding current ordinances related to panhandling
2. The next regular meeting of City Council will be Tuesday, November 13, 2018 at 5:00 p.m. at TBA.

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.