

City Hall
80 Broad Street
February 11, 2020
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Mitchell

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation recognizing League of Women Voters Centennial Month

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. January 14, 2020

H. Citizens Participation Period

I. Petitions and Communications:

1. Housing Authority of City of Charleston Appointments:

Sharon D. Wigfall – Reappointment

Herb Partlow – Reappointment

2. Resolution in opposition to SC Business License Tax Reform Act H4431

J. Council Communications:

K. Council Committee Reports:

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

a. Presentation of the Plan: Housing for a Fair Charleston

b. Resolution and Grant Agreement between the City of Charleston and the Charleston Redevelopment Corporation

- c. Presentation from the Bond Recipient: Humanities Foundation
- d. Presentation from the Bond Recipient: Rea Ventures (*Deferred*)
- e. Discussion of an Accessory Dwelling Ordinance

2. Committee on Public Safety: (Special Meeting was held Thursday, February 6, 2020 at 8:30 a.m.)

- a. Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to interview candidates for Municipal Judge

3. Committee on Traffic and Transportation: (Meeting was held Monday, February 10, 2020 at 3:00 p.m.)

- a. Charleston County CTC/TST Projects and Resurfacing (information only)
- b. Maybank/Riverland Presentation and Recommendation
- c. Brigade Street Bikeway (information only)
- d. Director's Update

4. Committee on Public Works and Utilities: (Meeting was held Monday, February 10, 2020 at 4:00 p.m.)

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

(i) Approval to notify SCDOT that the City intends to accept maintenance of 753 LF concrete curbing, 4658SF of concrete sidewalk and street lights at Morrison Drive (S-52) in conjunction with the project at Morrison Yard Apartments.

(ii) Approval to notify SCDOT that the City intends to accept maintenance of 323LF concrete curbing, 2000SF of concrete sidewalk street lights at Morrison Drive (S-52) in conjunction with the office at the Morrison Yard project.

b. Stormwater Management Department Update:

(i) Stormwater Design Standards Manual – Professional Services Work Authorization #5 on the Stormwater Program Management Contract with AECOM for Technical Education Workshops and Preparation of Technical Memoranda for \$100,655.00. These funds are available in the Stormwater Management Department Operations Account.

(ii) Stormwater Design Standards Manual – Discussion of Requested Public Meetings and Chairperson Waring's Requests for Additional Information

(iii) East Side Drainage Evaluation Update

(iv) Dupont Wappoo Drainage Improvement Projects Update

(v) Stormwater Management Project Updates

(vi) Floodplain Management Project Updates

- c. Authorize staff to prepare amendments to the Construction Noise Ordinance adopted by the Public Works and Utilities Committee

5. Committee on Special Facilities: (Meeting was held on Tuesday, February 11, 2020 at 2:00 p.m.)

- a. Alicia Paolozzi Plaque – Dock Street Theater Courtyard
- b. Special Facilities Update

6. Committee on Recreation: (Meeting was held on Tuesday, February 11, 2020 at 3:00 p.m.)

- a. Lowline Presentation
- b. Naming of the all purpose room at the Arthur Christopher Center after Mrs. Tee, proposed date of May 15, 2020
- c. Naming and approval of signage for “Brenda Scott Way” at the corner of President and Fishburne Streets *(Recommended by Arthur Lawrence and Burke High School Class of 1967)*
- d. Update on Parks and Recreation Master Plan
- e. Additional items for discussion as requested: *(Action may or may not be taken on any of the below items)*
 - Update: 1099 King Street, the Reverend Alma Dungee Community Center;
 - Update: Renovations at the Municipal Golf Course;
 - Update on the Charleston Battery;
 - City property on Woodland Road;
 - Golf Course Commission and Recreation Commission (citizen advisory boards);
 - Brantley Park;
 - Longborough Exchange Agreement;
 - Stoney Field;
 - WPAL;
 - Status of the ongoing Cultural Planning Process;
 - Status of Cannon Street Arts Center (134 Cannon);
 - Corrine Jones Community Garden proposal;
 - Fallen Oak Park;
 - Ferguson Village;
 - Wellness and Aquatics Center Complex;

7. Committee on Ways and Means:

(Bids and Purchases

(Police Department: Approval to submit the FFY21 SCDPS Highway Safety Grant application. The grant will fund one officer salary and mileage. The officer will focus on impaired driving enforcement. The application for this grant is due 02/21/20. This grant does not require a City match. The grant will not require retention of the position once the grant is over.

(Police Department: Approval to submit the FFY21 SCDPS Highway Safety Grant application. The grant will fund one officer salary and mileage. The officer will focus on speed enforcement. The application for this grant is due 02/21/20. This grant does not require a City match. The grant will not require retention of the position once the grant is over.

- (Planning Preservation and Sustainability/Business Neighborhood Services: Approval to renew a Strategic Alliance Memorandum with the United States Small Business Administration to help start, maintain, and expand small businesses. There is no fiscal impact.
- (Parks-Capital Projects: Approval of Stoney Field Concrete Repairs Change Order #2 with Volunteer Restoration, Inc., in the amount of \$28,830 to repair an additional 4,800 linear feet of concrete cracks and coat the interior walls and vomitoria not included in the original contract. Approval of Change Order #2 will increase the construction contract by \$28,830 (from \$241,012 to \$269,842). Funding sources for this project are: 2005 GO Bond (\$399,048), 2018 GO Bond (\$2,600,000), Hospitality Funds (\$1,250,000) and Capital Contribution (\$19,432.50).
- (Parks-Capital Projects: Approval of CPD Forensic Services Building – LED Lighting Agreement with Dominion Energy for the installation and maintenance of 6 lights. This agreement sets the monthly fee at \$179.50 per month for the full initial term of the agreement (10 years). Approval of the lighting agreement will obligate \$179.50 per month (\$2,154 per year) for 10 years which will be paid from the Street Light operating budget (170000-52115).
- (Housing and Community Development: Mayor and City Council are requested to approve a Resolution and Grant Agreement in the amount of \$20,000,000 authorizing the Charleston Redevelopment Corporation authority to administer proceeds from the General Obligation Bonds to development corporations previously approved by Charleston City Council. The Bond funds shall be used to facilitate the development of affordable rental housing in the City of Charleston. The CRC will provide deferred, forgivable loans to the approved entities as previously determined by the Mayor and City Council and provide inspection and oversight to ensure long-term compliance with the affordability requirements. This request was coordinated with the Community Development Committee of City Council at their meeting held January 30, 2020.
- (Budget Finance and Revenue Collections: An ordinance providing for the issuance and sale of a not exceeding \$7,900,000 Special Obligation Redevelopment Bond (Charleston Neck Redevelopment Project Area), Series 2020, of the City of Charleston, South Carolina, and other matters relating thereto.
- (Police Department: Approval of a contract between the City and Turning Leaf Project. Turning Leaf provides a post release reentry program for recently released inmates. The amount to be paid by the City is \$85,000.
- (Budget Finance and Revenue Collections: Request approval of a resolution expressing the City's intention to make a loan to the WestEdge Foundation, Inc. supporting WestEdge's obligation pursuant to the Infrastructure Development Agreement to pay certain costs incurred by Charleston Horizon Devco, LLC for the installment of public improvement supporting the redevelopment of the WestEdge District, such loan to be secured by a Promissory Note in the form attached to the Resolution in the amount of \$600,000 which loan shall be repaid by TIF Revenues, and further, all outstanding principal and accrued interest shall be due five years after the date of the Note.
- (Office of Cultural Affairs: Approval to apply for funding from the South Carolina Arts Commission to support Office of Cultural Affairs General Operations/Programs for time period 7/1/2020 to 6/30/2023. A 3:1 City match is required. Matching funds will come from foundation support and paid admissions.
- (Stormwater Management: Approval of AECOM Program Management Work Authorization #5 with AECOM in the amount of \$100,655 to provide technical education workshops and prepare technical memoranda to support the regulated community in utilizing the revised Stormwater Design Standards Manuals.
- (Budget Finance and Revenue Collections: Request approval to contribute \$100,000 to the Theodora Park Endowment Fund to be used for the maintenance of the Park. The

- income from this fund will be directed to the Charleston Parks Conservancy who will perform the ongoing maintenance. This will be funded with 2018 General Fund Reserves.
- (Authorization for the Mayor to execute a MOU between the City and the Gaillard Management Corporation which sets out the agreement between the parties related to the installation of pipe penetration in the Gaillard Center complex to allow for cabling related to the Democratic National Committee debate to be held at the Gaillard Center on February 25, 2020. There is no cost to the City. (TMS: 458-01-01-001)
- (Discussion regarding Greenbelt funding application for the purchase of approximately 11.25 acres adjacent to the Johns Island Park for the purpose of expanding park facilities and improving pedestrian/bicycle connectivity on Johns Island

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

Resolution and Grant Agreement in the amount of \$20,000,000 authorizing the Charleston Redevelopment Corporation authority to administer proceeds from the General Obligation Bonds to development corporations previously approved by Charleston City Council.

Resolution expressing the City's intention to make a loan to the WestEdge Foundation, Inc. supporting WestEdge's obligation pursuant to the Infrastructure Development Agreement to pay certain costs incurred by Charleston Horizon Devco, LLC for the installment of public improvement supporting the redevelopment of the WestEdge District, such loan to be secured by a Promissory Note in the form attached to the Resolution in the amount of \$600,000 which loan shall be repaid by TIF Revenues, and further, all outstanding principal and accrued interest shall be due five years after the date of the Note.

An ordinance providing for the issuance and sale of a not exceeding \$7,900,000 Special Obligation Redevelopment Bond (Charleston Neck Redevelopment Project Area), Series 2020, of the City of Charleston, South Carolina, and other matters relating thereto.

L. Bills up for Third Reading:

1. *An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019 (AS AMENDED)(DEFERRED)*

M. Bills up for Second Reading:

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

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 32 Line Street (Peninsula) (0.07 acre) (TMS #459-05-03-025) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to Residential Office (RO) classification. The property is owned by Michael George.*
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 101 Sycamore Avenue (101 Paula Drive) (West Ashley) (0.26 acre) (TMS #418-09-00-075) (Council District 9), be rezoned from Single-Family*

Residential (SR-2) classification to Residential Office (RO) classification. The property is owned by David Nauheim.

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 1565 Hutton Place (West Ashley) (0.49 acre) (TMS #353-11-00-003) (Council District 7), annexed into the City of Charleston November 26, 2019 (#2019-122), be zoned Single-Family Residential (SR-1) classification. The property is owned by Natasha Chisolm and Tanya Chisolm.*
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 758 Arcadian Way (West Ashley) (0.33 acre) (TMS #418-15-00-063) (Council District 3), annexed into the City of Charleston November 26, 2019 (#2019-121), be zoned Single-Family Residential (SR-1) classification. The property is owned by John and Chantal Byrne.*
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 1440 Dorset Lane (West Ashley) (0.3 acre) (TMS #352-09-00-081) (Council District 9), annexed into the City of Charleston December 3, 2019 (#2019-130), be zoned Single-Family Residential (SR-1) classification. The property is owned by Shelia D. Pace.*
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 1249 Wisteria Road (West Ashley) (0.19 acre) (TMS #351-12-00-111) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-139), be zoned Single-Family Residential (SR-2) classification. The property is owned by Rachel Carson Holling.*
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 1701 Woodcrest Avenue (West Ashley) (0.25 acre) (TMS #351-11-00-021) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-140), be zoned Single-Family Residential (SR-1) classification. The property is owned by Gregory R. Thomas.*
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 1623 Woodcrest Avenue (West Ashley) (0.24 acre) (TMS #351-11-00-027) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-138), be zoned Single-Family Residential (SR-1) classification. The property is owned by Kristen and Eric Chappell.*
9. *An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days.*
10. *An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against the watercraft and that the City may bring an action to recover these costs from the owner.*
11. *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)*

12. An ordinance amending the Stormwater Design Standards Manual as set forth in "Exhibit I," attached hereto and incorporated herein by reference, to provide updates reflecting advances in technology and experience related to stormwater management and to increase the fees associated with stormwater plan review, stormwater inspections, and transfers. (DEFERRED)
13. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that previously unzoned right-of-way located at the north end of Bender Street (West Ashley) (approximately 0.13 acre) (Council District 3), be zoned Single-Family Residential (SR-2) classification. The property is owned by the City of Charleston. (DEFERRED FOR PUBLIC HEARING)
14. 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)
15. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that previously Unzoned Rail Right-of-Way located at 1320 King Street Extension (Peninsula) (approximately 1.50 acres) (TMS #464-14-00-191) (Council District 4), be zoned Upper Peninsula District (UP) classification. The property is owned by the BCDCOG. (DEFERRED FOR PUBLIC HEARING)
16. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of 1320 King Street Extension (Peninsula) (approximately 0.94 acre) (a portion of TMS# 464-14-00-191) (Council District 4), be rezoned from 8 and 2.5 Old City Height District classifications to 4-12 Old City Height District classification. The property is owned by the BCDCOG. (DEFERRED FOR PUBLIC HEARING)
17. 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 certain building construction operations during stated hours. **(AS AMENDED)** (DEFERRED)
18. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add to Sec. 54-299.4.b of the Zoning Ordinance a requirement for the installation of a twelve foot (12') wide multi-use path along the frontage of parcels within the Folly Road, FR, Overlay Zone; to authorize the Zoning Administrator to reduce the minimum required buffer plantings adjacent to a right-of-way and/or reduce the minimum required width of the multi-use path in certain circumstances, with appeal to the Board of Zoning Appeals-Site Design; and to amend Sec. 54-120 of the Zoning Ordinance to add definitions for the terms "bikeway" and "multi-use path." **(AS AMENDED)** (DEFERRED)
19. 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)
20. 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)

21. *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)*
22. *An ordinance to provide for the annexation of property known as 3894 Savannah Highway, and 711 & 715 Hughes Road (28.85 acres) (TMS# 287-00-00-139; and 287-00-00-140, 142, 178), 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 5. The property is owned by Colson Jean R Saltwater Breeze LLC. (TO BE WITHDRAWN AT THE REQUEST OF THE APPLICANT)*
23. *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)*
24. *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)*
25. *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)*
26. *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)*

N. 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 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)*
2. *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)*

3. 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)*
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a 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)*

O. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, February 25, 2020 at 5:00 p.m. at City Hall, 80 Broad Street.

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