

City Hall
80 Broad Street
September 24, 2019
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Gregorie

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Recognition of Judge Joseph S. Mendelsohn

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. August 20, 2019
2. August 26, 2019

H. Citizens Participation Period

I. Petitions and Communications:

- a. Appointments to the Citizen Police Advisory Council
- b. Report from the West Ashley Revitalization Commission

J. Council Communications:

- a. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 245 Huger Street (Peninsula) (0.50 acre) (TMS# 459-01-03-048) (Council District 4), be rezoned so as to be included in the Accommodations Overlay Zone (A). The property is owned by Chase Furniture Company Inc. *(Requested by Councilmember Robert Mitchell)*
- b. Discussion and resolution about future STIB applications for flooding and transportation projects *(Requested by Councilmember Michael Seekings)*
- c. Discussion of Internal Auditor's summary of charges paid to Mr. Willey from January 2016 to June 2017 be turned over to SLED *(Requested by Councilmember Perry K. Waring)*
Executive session may be needed to receive legal advice on the above matter pursuant to

S.C. Code Section 30-4-70 (a) (2).

K. Council Committee Reports:

1. Audit Committee: (Meeting was held on September 24, 2019 at 4:00 p.m.)

- External Auditor's Report
- Internal Auditor's Report
- Discussion regarding Internal Auditor reporting structure

2. Committee on Public Works and Utilities: (Meeting was held on September 23, 2019 at 4:00 p.m.)

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

- (i) Quit Claim a portion of Hanover Street (.06 of a mile between Romney and Center Streets)
 - Quit claim deed
- (ii) Quit Claim a portion of Nassau Street (.007 of a mile between Romney and Center Streets)
 - Quit claim deed
- (iii) Quit Claim a portion of Romney Street (.06 of a mile between Nassau and Hanover Streets)
 - Quit claim deed
- (iv) Acceptance and Dedication of Daniel Island, Parcel S, Tract 2- a portion of Farr Street (50' R/W, 1679 LF)
 - Title to Real Estate
 - Affidavit for Taxable or Exempt Transfers
 - Exclusive Stormwater Drainage Easement Agreement
 - Plat

b. Stormwater Management Department Update

- (i) Stormwater Fee – Assistance Program Discussion
- (ii) Stormwater Design Standard Manual Update Discussion
- (iii) Dupont Wappoo Project Area Recommendations Discussion
- (iv) An ordinance amending Chapter 27, Stormwater Management and Flood Control, of the Code of the City of Charleston, by amending the definitions in the Flood Hazard Prevention and Control Requirements in Article II, Division 3, Section 27-103 to add a new definition for "Market Value" for the purpose of making final determinations of substantial damage and substantial improvement under this

division allowing the appraised value of a structure to be used in place of the assessed value. **(AS AMENDED)** *(Requested by Councilmember Perry K. Waring)*

- (v) Church Creek Task Force Discussion
- (vi) Project Update
- (vii) Floodplain Management Update
- (viii) Update on Spring/Fishburne and Low Battery STIB grant applications

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

An ordinance amending Chapter 27, Stormwater Management and Flood Control, of the Code of the City of Charleston, by amending the definitions in the Flood Hazard Prevention and Control Requirements in Article II, Division 3, Section 27-103 to add a new definition for "Market Value" for the purpose of making final determinations of substantial damage and substantial improvement under this division allowing the appraised value of a structure to be used in place of the assessed value. **(AS AMENDED)**

3. Committee on Recreation: (Meeting was held on September 24, 2019 at 3:00 p.m.)

- a. Naming of the Carr-Richardson Park;
 - b. Naming of the Mary Watson Park;
 - c. Naming of the Fallen Oak Park;
- (Action may or may not be taken on any of the below items):*
- d. Update: 1099 Meeting Street, the Reverend Alma Dungee Building;
 - e. Update: Renovations at the Municipal Golf Course;
 - f. Update on the Charleston Battery;
 - g. Additional Items for Discussion:
 - (i) City property on Woodland Road;
 - (ii) Golf Course Commission and Recreation Commission (citizen advisory boards);
 - (iii) Brantley Park;
 - (iv) Longborough Exchange Agreement;
 - (v) Waring Senior Center;
 - (vi) Stoney Field;
 - (vii) WPAL;
 - (viii) Status of the ongoing Cultural Planning Process;
 - (ix) Status of Cannon Street Arts Center (134 Cannon);
 - (x) Corrine Jones Community Garden proposal;
 - (xi) Daniel Island Neighborhood Park #4;
 - (xii) Ferguson Village;
 - (xiii) Wellness and Aquatics Center Complex;
 - (xiv) Mrs. Tee

4. Committee on Ways and Means:

(Bids and Purchases

(Police and Fire Departments: Approval to accept the 2019 Port Security Grant award in the amount of \$324,435 for equipment with a cash match of \$108,145 for 2020.

(Parks-Capital Projects: Approval of the International African American Museum Professional

Services Contract with S&ME in the amount of \$62,060 for pre-construction condition surveys, vibration recording, and pile installation testing and observation services. Approval of the Professional Services Contract will obligate \$62,060 of the \$92.7 million budget. The funding sources for this project are City of Charleston Accommodations Tax Revenue Bond (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Appropriations (\$14,000,000), IAAM Contributions (\$53,000,000).

(Parks-Capital Projects: Approval of CFD Savannah Highway Fire Station #11 Professional Services Contract Fee Amendment #2 with Liollo Architecture, Inc. in the amount of \$61,410 for the extension of construction administration services beyond their original contract of 365 calendar days. The additional days cover additional days for the substantial completion in the general contractor's contract, awarded change orders, and anticipated future change orders and delays. This fee amendment approves an additional 268 days to the contract. The approval of Fee Amendment #2 will increase the Professional Services Contract by \$61,410 (from \$623,715 to \$685,125). The funding sources for this project are: 2015 Installment Purchase Revenue Bond (\$8,369,524), proceeds from sale of real estate (\$1,135,607) and Hospitality Fund (\$380,000).

(Housing and Community Development: Mayor and City Council approval is requested to execute an Agreement between the City of Charleston and the Charleston Redevelopment Corporation for the use of \$3,000,000 to acquire Sea Island Apartments from Humanities Foundation (HF). The \$3,000,000 would be awarded by granting the CRC \$2,000,000 and lending the balance of \$1,000,000 based on the terms outlined in the agreements attached. The funding would be released contingent upon a commercial appraisal validating the value of the property and a physical inspection of the units by an independent agent. The apartments consist of 48 units of rental housing for persons earning 50% and below the Area Median Income. Sea Island is located at 3672 Maybank Highway, Johns Island, SC. Currently owned by HF, the affordability restrictions expire at the end of 2019 and the purchase of the apartment complex will ensure the properties remain affordable for perpetuity.

(External Auditor's Report

(Internal Auditor's Report

(Discussion regarding Internal Auditor reporting structure

(Request approval of an easement agreement under which the City will grant an easement for the right to construct, extend, replace, perpetually maintain and operate an underground electric line or lines to Dominion Energy for the Daniel Island Recreation Center at Governor's Park. (Fairbanks Drive and Fairbanks Oak Alley; TMS: 271-00-00-006)

(Consider the following annexations:

- 2988 Bolton Road (TMS# 307-10-00-037) 0.5 acre, West Ashley (District 5). The property is owned by Sandra Lynn Mixson.
- 3894 Savannah Highway and 711 & 715 Hughes Road (TMS#287-00-00-139; and 287-00-00-140, 142, 178) 28.85 acres, West Ashley (District 5). The property is owned by Colson Jean R Saltwater Breeze LLC.
- 333 and 335 Wappoo Road (TMS# 350-10-00-144) 0.46 acre, West Ashley (District 5). The property is owned by Robert J. Suli.

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

An ordinance to provide for the annexation of property known as 2988 Bolton Road (0.5 acre) (TMS# 307-10-00-037), 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 Sandra Lynn Mixson.

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.

An ordinance to provide for the annexation of property known as 333 & 335 Wappoo Road (0.46 acre) (TMS# 350-10-00-144), 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 Robert J. Suli.

L. Bills up for Third Reading:

1. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by deleting Section 54-220 Accommodations Overlay Zone, and replacing said section with a new Section 54-220, Accommodations Overlay Zone, to, among other things: provide for the preservation or creation of Mixed-Use Districts; limit the displacement of housing by accommodations uses and consider the effects of dwelling units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the dwelling units should be attached to an accommodations special exception approval; establish conditions on the displacement or reduction of office space by accommodations uses; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on the property; to include a minimum and maximum size for accommodations facilities; to provide regulations for the design and location of guest drop off and pick up areas; to require the incorporation of meeting and conference space; to establish a limit on the number of full-service hotels; to provide for a contribution to the City of Charleston Affordable/Workforce Housing Account; and to subject violators of the provisions of this Section 54-220 to having their business license or certificate of occupancy revoked. (AS AMENDED)*
2. *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 close and abandon Kinloch Court, also known as 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 Kinloch Court, conveying to each owner one-half of the width of Kinloch Court as said Kinloch Court abuts each owner's property, subject to any and all easements or other matters of record. (AS AMENDED)

2. *An ordinance providing for the issuance of \$12,500,000 Accommodations Tax Revenue bonds of the City of Charleston, South Carolina, and other matters relating thereto.*
3. *An ordinance amending Article V of Chapter 14 of the Code of the City of Charleston pertaining to environmentally acceptable packaging and products to provide clarification on exemptions to assist businesses in the implementation of the requirements of Article V.*
4. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Section 92 to extend the period of time permitted, for the Police Department and the Traffic and Transportation Department to study scooters as a transportation option in the City, by sixty days.*
5. *An ordinance authorizing the Mayor to execute on behalf of the City the Second Amendment of Restrictive Covenants with the American College of the Building Arts to amend the Restrictive Covenants pertaining to property located at 649 Meeting Street, commonly known as the Trolley Barn, to include all documents as contemplated by the amendment to effectuate its terms.*
6. *An ordinance to provide for the annexation of property known as 838 Playground Road (0.3 acre) (TMS# 418-05-00-045), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by City of Charleston.*
7. *An ordinance to provide for the annexation of property known as Playground Road (0.06 are) (TMS# 418-05-00-337), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by City of Charleston.*
8. *An ordinance to provide for the annexation of property known as Rushland Landing Road (3.76 acre) (TMS# 311-00-00-309), 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 Martin S. Roache, Reico Harris, and Herb Fraser.*
9. *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)*
10. *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)

11. An ordinance establishing the Morrison Drive Redevelopment Project Area; making certain findings of blight within the Redevelopment Project Area; designating and defining redevelopment projects consisting of public improvements within the Redevelopment Project Area; designating appropriate redevelopment project costs; approving an overall redevelopment plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto. (DEFERRED FOR PUBLIC HEARING)
12. 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 at Sam Rittenberg Boulevard and Orleans Road (Epic Center PUD – West Ashley) (approximately 53.029 acres) (TMS #310-04-00-009, 351-05-00-043, 351-05-00-044, 351-09-00-015 and 351-09-00-053) (Council District 7), be rezoned from General Business (GB) classification to Planned Unit Development (PUD) classification. The property is owned by TMP SRE I LLC, TMP SRE II LLC, and TMP SRE III LLC. (DEFERRED FOR PUBLIC HEARING)
13. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Planned Unit Development (PUD) Master Plan and Development Guidelines for property located on River Road and Maybank Highway (the Village at Fenwick PUD – Johns Island) (approximately 44.891 acres) (TMS# 346-00-00-004, 076 and portions of 346-00-00-258 and 259). (DEFERRED)
13. An ordinance to amend Part 15 (Mixed Use 1 - Workforce Housing District Mixed Use 2 - Workforce Housing District) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance), to implement the Federal Opportunity Zone Program, by creating certain incentives to encourage the development of "Opportunity Units" for households with incomes less than or equal to 60% of the Area Median Income (AMI). (DEFERRED)
14. 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)
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 1415 South Edgewater Drive (West Ashley) (00.72 acre) (TMS #349-13-00-095) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Robert F. Kauffmann. (DEFERRED FOR PUBLIC HEARING) **Expires 11.27.19**

16. 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)
17. 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

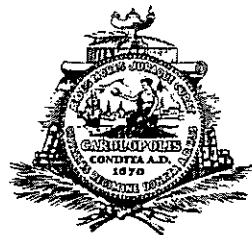
1. An ordinance amending Chapter 2, Administration, of the Code of the City of Charleston, by amending the provisions in Article II, Division 1, Section 2-23, related to the rules for telephonic attendance by Councilmembers at Committee Meetings.
2. An ordinance to amend Chapter 54 of the Code of the 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.
3. An ordinance to amend Chapter 29, Article V, Sec. 29-212 (e) (1) (f) of the Code of the City of Charleston to update the requirements for the introduction of touring stock, and bi-annual inspections.
4. An ordinance to amend Chapter 29, Article V, Sec. 29-220 of the Code of the City of Charleston to update the language and process related to the certificate of appropriateness application and inspection to add the requirement of a certified vehicle weight and to remove references to the Manager of Arts and History/Tourism Commissions.
5. An ordinance to amend Chapter 2, Section 168, to expand the membership of the City of Charleston's Commission on Women to include women who work for a business, non-profit, or other entity in the City.
6. An ordinance to provide for the annexation of property known as 0 Oakville Plantation Road (10.47 acre) (TMS# 317-00-00-007), 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 Keith W. Lackey. (DEFERRED)
7. An ordinance to provide for the annexation of property known as 2495 River Road (4.75 acre) (TMS# 317-00-00-012), 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 Gail Grimball (DEFERRED)

8. An ordinance to provide for the annexation of property known as 2493 Summerland Drive (9.91 acre) (TMS# 317-00-00-075), 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 Gary S. Worth. (*DEFERRED*)
9. An ordinance to provide for the annexation of property known as 0 Summerland Drive (8.70 acre) (TMS# 317-00-00-076), 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 Gary S. Worth. (*DEFERRED*)
10. 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*)
11. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 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*)
12. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 217 Ashley Avenue (Peninsula) (0.33 acre) (TMS #460-11-04-080) (Council District 6), be rezoned from Diverse Residential (DR-2F) classification to Limited Business (LB) classification. The property is owned by Trust of Robert J. Lowe, Jr. & Trust of Gwendolyn M. Lowe. (***The Planning Commission recommends disapproval.***) (*DEFERRED*) ***Expires 11.27.19***
13. An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits building construction operations during certain hours. (*DEFERRED*)

O. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, October 8, 2019 at 5:00 p.m. at City Hall, 80 Broad Street.

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



City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: September 24, 2019
RE: Citizen Police Advisory Council

The Citizen Police Advisory Council serves to facilitate the involvement of the residents representing neighborhoods and communities in our city in order to improve policing and strengthen the connection between citizens and the Charleston Police Department.

Members will be selected by the mayor and members of City Council. Each City Councilmember will select one member of the Advisory Council, and the mayor will select four members of Advisory Council, along with two high school seniors to represent the city's youth.

With the exception of the high school senior, who shall serve a one-year term, all other members of the Advisory Council will serve three-year terms. Initial members may be asked to serve for one- or two-year terms in order to create a sustainable level of membership. Members may serve up to two consecutive terms for a total of up to six years of service before having to leave the Council.

I am recommending the following individuals for the Citizen Police Advisory Council:

- Kevin Smith – **Councilmember Waring** – term expires 6/30/2022
- J. Robert Haley – **Councilmember Moody** – term expires 6/30/2022
- Sydney Clinton – **High school senior** – term expires 6/30/2020
- Chris Russo – **Mayor's selection** – term expires 6/30/2022
- Joe Lysaght – **Mayor's selection** – term expires 6/30/2022

J(a)



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 245 HUGER STREET (PENINSULA) (0.50 ACRE) (TMS# 459-01-03-048) (COUNCIL DISTRICT 4), BE REZONED SO AS TO BE INCLUDED IN THE ACCOMMODATIONS OVERLAY ZONE (A). THE PROPERTY IS OWNED BY CHASE FURNITURE COMPANY INC.

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 to include the property in the Accommodations Overlay Zone (A) classification.

Section 2. The property to be rezoned is described as follows:
245 Huger Street (*Peninsula*) (0.50 acre) (TMS# 459-01-03-048)

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 1

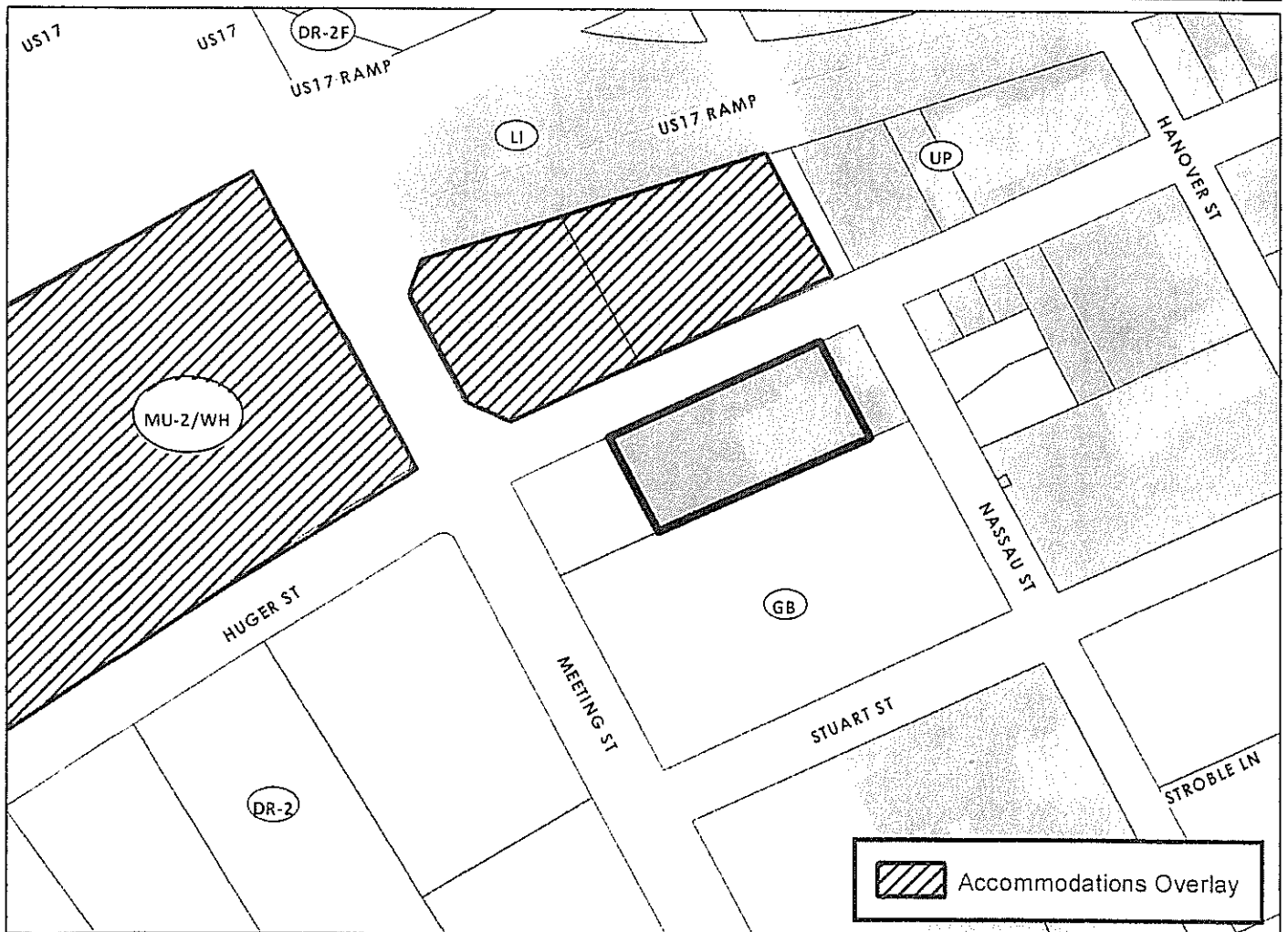
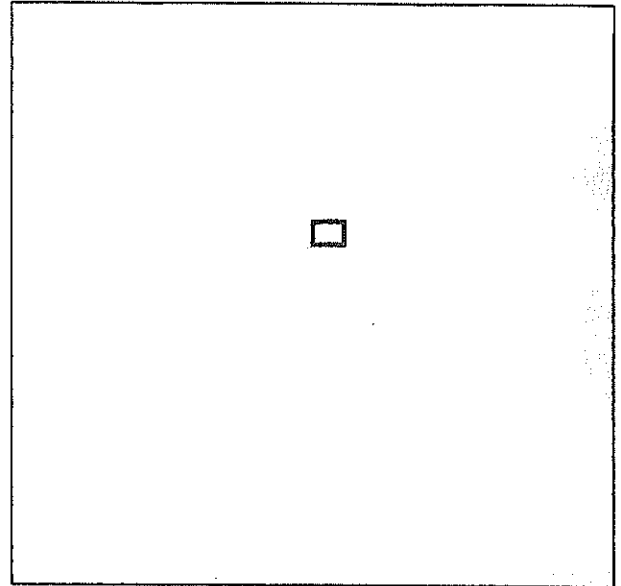
245 Huger St (Peninsula)

TMS# 4590103048

0.50 ac.

Request rezoning to include the property
in the Accommodations Overlay Zone (A).

Owner: Chase Furniture Company Inc
Applicant: Ben Chase



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 City of Charleston, its successors and assigns, forever.

WITNESS the hand and seal of the South Carolina Department of Transportation this 21st day of May, in the year of our Lord Two Thousand Nineteen.

Signed, sealed and delivered in the presence of

Mae A. Johnson-Young
Catherine L. Brooks

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

By: [Signature] (L.S.)
Christy A. Hall, P.E., Secretary of Transportation

By: [Signature] (L.S.)
Justin P Powell, Deputy Secretary for Finance and Administration

THE STATE OF SOUTH CAROLINA)

)

ACKNOWLEDGEMENT

COUNTY OF RICHLAND)

)

Personally appeared before me the above named Grantors on behalf of South Carolina Department of Transportation and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 21st day of May, 2019.

[Signature]
Notary Signature

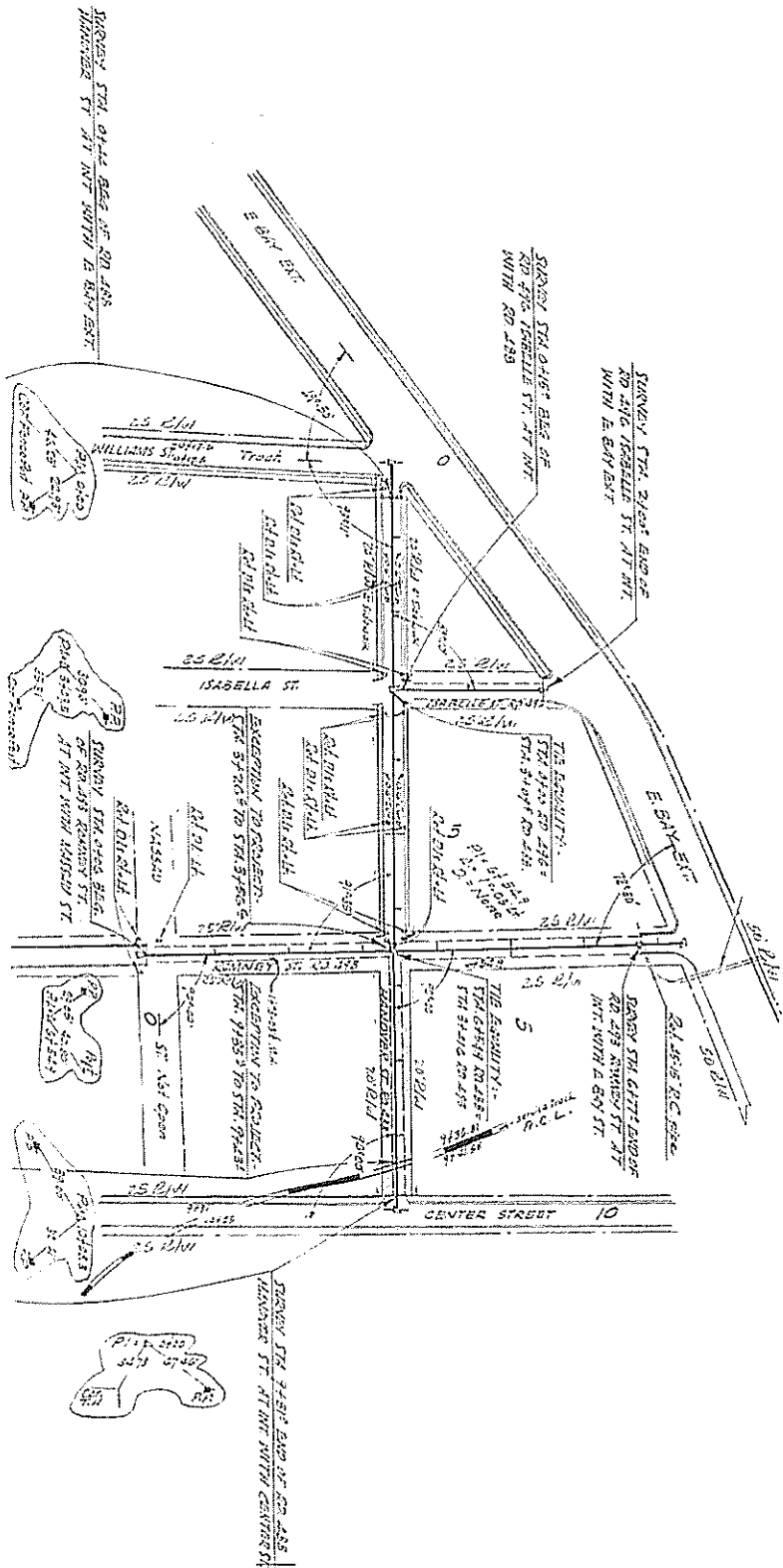
Catherine L. Brooks
Printed Name of Notary

NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: 2/18/26
(Affix Seal if outside SC)

EXHIBIT "A"

THIS EXHIBIT IS A PART OF A REPORT MADE BY THE ENGINEER IN CHARGE OF THE PROJECT AND IS NOT TO BE USED AS A BASIS FOR ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE.



Charleston County
 File 10.383
 Road S-488
 Portions of Sheet 9

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 PROJECT NO. 100-1000
 SHEET NO. 100-1000
 ROAD S-488
 CHARLESTON COUNTY

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 City of Charleston, its successors and assigns, forever.

WITNESS the hand and seal of the South Carolina Department of Transportation this 1st day of May, in the year of our Lord Two Thousand Nineteen.

Signed, sealed and delivered in the presence of

Mae W. Johnson Young
Catherine L. Brooks

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

By: Christy A. Hall (I.S.)
Christy A. Hall, P.E., Secretary of Transportation

By: Justin P. Powell (L.S.)
Justin P. Powell, Deputy Secretary for Finance and Administration

THE STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

)
) ACKNOWLEDGEMENT
)

Personally appeared before me the above named Grantors on behalf of South Carolina Department of Transportation and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 1st day of May, 2019.

Catherine L. Brooks
Notary Signature

Catherine L. Brooks
Printed Name of Notary

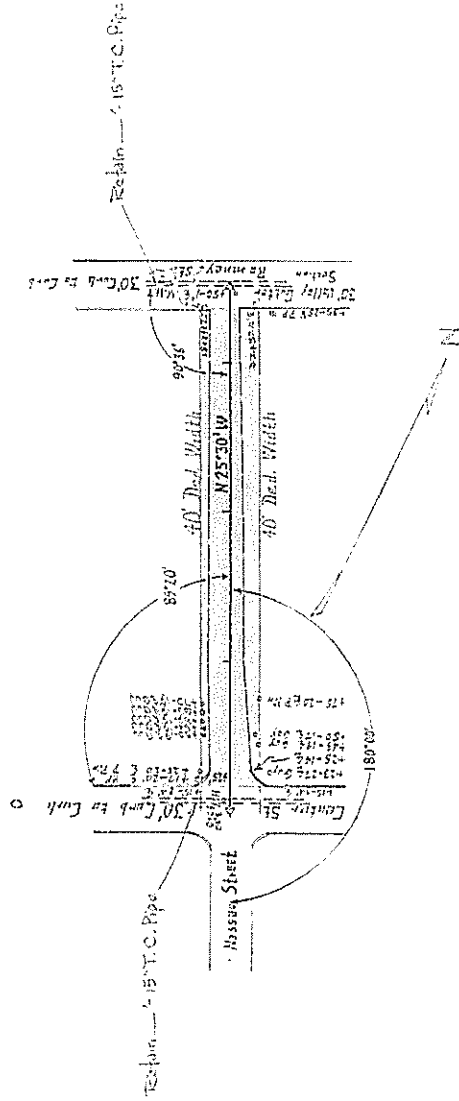
NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: 2/3/26
(Affix Seal if outside SC)

EXHIBIT "A"

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE QUITCLAIM AREA AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCOTT DE WILKINSON, 955 PARK STREET, COLUMBIA, SC 29201.

Charleston County
 File #. 10,500
 Road S-119
 Portion of Sheet 18



SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
 QUITCLAIM AREA FOR ROAD REMOVAL TO THE CITY OF CHARLESTON
 0.07 MILES FILE 10,500

Prepared
 07/24/2019

SCALE 1" = 50' FEET

Charleston
 County

SCDOT

STATE OF SOUTH CAROLINA)
) QUITCLAIM DEED
 COUNTY OF CHARLESTON)

WHEREAS, pursuant to Section 57-5-340, Code of Laws of South Carolina, 1976, as amended, the South Carolina Department of Transportation has authority to dispose of the premises hereinbelow described, which premises are no longer required for purposes of the South Carolina Department of Transportation; Now Therefore,

KNOW ALL MEN BY THESE PRESENTS, that the South Carolina Department of Transportation ("Grantor"), for and in consideration of the sum of Five and no/100 Dollars (\$5.00) to it in hand paid, receipt of which is hereby acknowledged, does hereby remise, release and quitclaim unto the City of Charleston ("Grantee"), all its right, title, interest in or to the following described property:

All that certain piece, parcel, or tract of land, situate, lying, and being a portion of Road S-126 (formerly known as S-493) in the City of Charleston in Charleston County, State of South Carolina, containing approximately 0.06 of a mile of road right of way, and all improvements thereon, as shown on Exhibit A, attached hereto and made a part hereof, and being shown on the South Carolina Department of Transportation Plans for Road S-493 (now known as S-126), File 10.383, sheet 9, and being further described as follows:

Approximately 0.06 of a mile of road right of way and all improvements thereon, having a total width of approximately 50 feet of right of way, being approximately 25 feet on each side of the survey centerline of Road S-126 (f/k/a S-493), extending from the present right of way line of Road S-119 in a Easterly direction to Road S-488, as being shown on Exhibit A, attached hereto and made a part hereof.

A portion of Road S-126 (f/k/a as S-493) was removed from the SC State Highway System by approval of the Highway Commission on January 17, 2019.

This being a portion the right of way acquired by the South Carolina Department of Transportation from the City of Charleston by Letter of Dedication dated February 25, 1953, and being filed in the South Carolina Department of Transportation Deed Vault in Columbia, South Carolina under Road S-493 (n/k/a as S-126), File 10.383.

Grantee's Address: Post Office Box 652
 Charleston, SC 29402

This conveyance is being made subject to any and all existing public utility rights of user, reservations, easements, rights of way, control of access, zoning ordinances and restrictions or protective covenants that may appear on record or on the premises, other than those hereby released.

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 City of Charleston, its successors and assigns, forever.

WITNESS the hand and seal of the South Carolina Department of Transportation this 8th day of May, in the year of our Lord Two Thousand Nineteen.

Signed, sealed and delivered in the presence of

Mae O. Johnson Young
Catherine L. Brooks

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

By: Christy A. Hall (L.S.)
Christy A. Hall, P.E., Secretary of Transportation

By: Justin P. Powell (L.S.)
Justin P. Powell, Deputy Secretary for Finance and Administration

THE STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
) ACKNOWLEDGEMENT
)

Personally appeared before me the above named Grantors on behalf of South Carolina Department of Transportation and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 8th day of May, 2019.

Catherine L. Brooks
Notary Signature

Catherine L. Brooks
Printed Name of Notary

NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: 2/8/26
(Affix Seal if outside SC)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that CRP-GREP Overture Daniel Island Owner, L.L.C. ("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 Berkeley State of South Carolina, identified as (list street names) "Farr Street (Extension)"

as shown and designated on a plat entitled "Final Subdivision Plat of Parcel S, Tract 2 Containing 8.60 Ac to Create Parcel S, Tract 2 (6.66 Ac) & New Variable Width Public Right-Of-Way, Farr Street Extension (1.94 Ac) & Easements"

prepared by Phillip P. Gerard P.L.S. No. 26596 of Thomas & Hutton, dated January 14, 2019, revised n/a, and recorded on _____ in Plat Book _____ at Page _____ in the _____ Office for Berkeley 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 The Daniel Island Company, Inc., dated December 8, 2017 and recorded December 15, 2017 in Book 2634 at Page 837 in the ROD Office for Berkeley 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.:

275-00-00-286

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 11th day of July 2019.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Grantor

[Signature]
Witness Number One

[Signature]

ROBERT MORGAN
Printed Name

BEN LIEBETRAU
Printed Name V.P.

[Signature]
Witness Number Two

Leadi Cole
Printed Name

STATE OF SOUTH CAROLINA)
COUNTY OF Charleston)

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by Ben Liebetrau, the Vice President of CPD-GREP over time Danial Glass a Delaware LLC, on behalf of the Grantor on the 11 day of July, 2019.

Signature of Notary: [Signature]

Print Name of Notary: Lauren Flatie

Notary Public for South Carolina

My Commission Expires: 09/13/2023



STATE OF SOUTH CAROLINA)

COUNTY OF BERKELEY) 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 The Daniel Island Company, Inc.,
to CRP-GREP Overture Daniel Island Owner, L.L.C., on December 8, 2017.
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): transferring to City of Charleston (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?

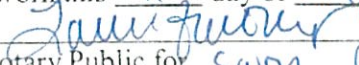
Check Yes _____ or No _____

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 BEN LIEBETRAU, VICE PRESIDENT.
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

BEN LIEBETRAU V. P.
Print or Type Name Here

Sworn this 11 day of July 2019

Notary Public for Sara Carolina
My Commission Expires: September 13, 2023



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

This Agreement is made and entered into this _____ day of _____ 2019, 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 CRP-GREP Overture Daniel Island Owner, L.L.C. (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 Berkeley County tax map number 275-00-00-286 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 of Parcel S, Tract 2 Containing 8.60 Ac to Create Parcel S, Tract 2 (6.66 Ac) & New Variable Width Public Right-Of-Way, Farr Street Extension (1.94 Ac) & Easements

Prepared and executed by by Phillip P. Gerard P.L.S. No. 26596 _____ dated January 4, 2019, revised on n/a, and recorded on _____ in Plat Book _____ at Page _____ in the _____ Office for Berkeley, 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 Cabiness~~ TOM O'BRIEN
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:

Witness #1

Ben Liebetrau
Name: BEN LIEBETRAU V. P.

Witness #2

STATE OF South Carolina)
)
COUNTY OF Charleston)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Ben Liebetrau, the Vice President of CSP-GRP vestline Daniel, a Delaware LLC, on behalf of the Owner on July 11, 2019
Island owner, LLC.

Signature: Lauren Plattey

Print Name of Notary: Lauren Plattey

Notary Public for South Carolina

My Commission Expires: 09/13/2023

SEAL OF NOTARY



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

This Agreement is made and entered into this ____ day of _____, 2019, 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 The Daniel Island Company, Inc. (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 Berkeley County tax map number 275-00-00-287 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 of Parcel S, Tract 2 Containing 8.60 Ac to Create Parcel S, Tract 2 (6.66 Ac) & New Variable Width Public Right-Of-Way, Farr Street Extension (1.94 Ac) & Easements

Prepared and executed by Phillip P. Gerard P.L.S. No. 26596 dated January 4, 2019,
 revised on n/a, and recorded on _____ in Plat
 Book _____ at Page _____ in the _____ Office for Berkeley, 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 Cabiness~~ TOM O'BRIEN
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: THE PAMEL ISLAND COMPANY, INC.

Wanda P. Ruckley
Witness #1

[Signature]
Name: Matthew R. Strain
Its: President

Mona P. Ruckley
Witness #2

STATE OF South Carolina)
)
COUNTY OF Berkeley)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me (the undersigned notary) by Matthew R. Strain, the President of the Pamel Island Company, Inc. a SC corporation, on behalf of the Owner on July 11th, 2019

Signature: [Signature]
Print Name of Notary: Maggie R. Susbiber
Notary Public for South Carolina
My Commission Expires: 10/16/24



SEAL OF NOTARY

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

This Agreement is made and entered into this ____ day of _____ 2019, 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 Daniel Island Town Association, Inc. (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 Berkeley _____ County tax map number 275-00-00-118 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 _____ property and which are more fully shown on that certain plat entitled;

" Final Subdivision Plat of Parcel S, Tract 2 Containing 8.60 Ac to Create Parcel S, Tract 2 (6.66 Ac) & New Variable Width Public Right-Of-Way, Farr Street Extension (1.94 Ac) & Easements

Prepared and executed by Phillip P. Gerard P.L.S. No. 26596 dated January 4, 2019,
 revised on n/a, and recorded on _____ in Plat
 Book _____ at Page _____ in the _____ Office for Berkeley, South Carolina (herein the "Plat").
 A copy of said plat is attached heretofore as "Exhibit A" and incorporated herein.

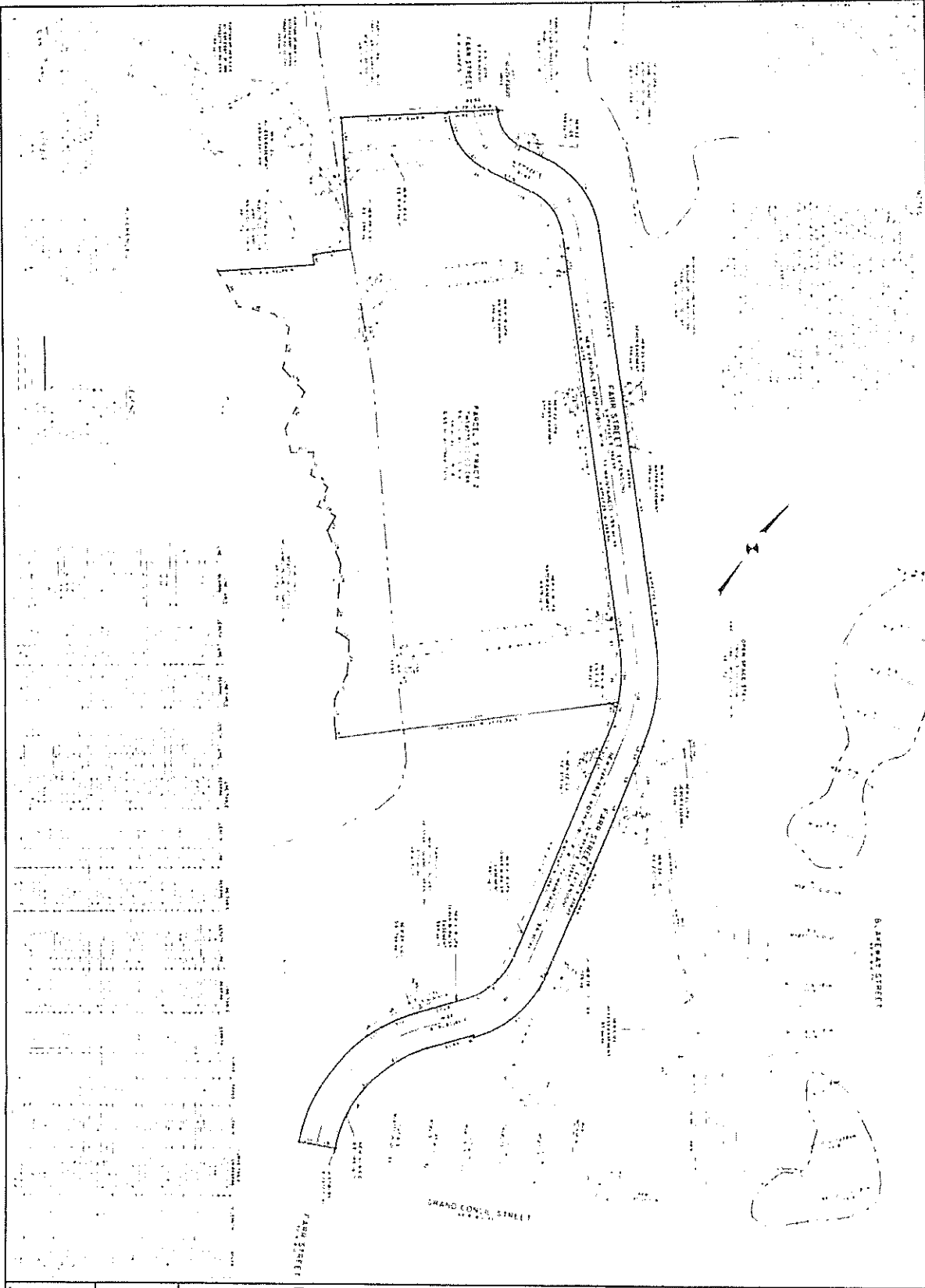
SAID EXCLUSIVE STORM WATER DRAINAGE EASEMENTS having such size, shape, location, and butting and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

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.

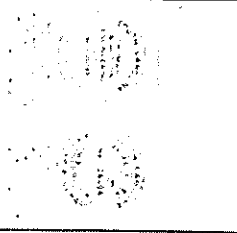
The City has no obligation to repair, replace or to compensate the Owner for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive and Permanent Storm Water Drainage Easements during the conduct of its allowable activities as described above.

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.

11.11.2013



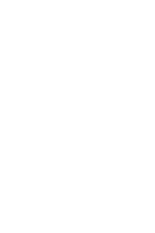
PLANNING DISTRICT
 VICINITY MAP



SUBJECT MATTER
 SHEETING OF PLAT OF
 PARCEL 5, TRACT 2
 CONTAINING 8.60 AC
 TO CREATE
 PARCEL 5, TRACT 2
 (6.66 AC) &
 NEW VARIABLE WIDTH
 PUBLIC RIGHT-OF-WAY,
 FARR STREET EXTENSION
 (1.94 AC) & EASEMENTS

APPROVED FOR THE CITY OF
 GRAND RAPIDS, MICHIGAN
 ON 08/28/2013

THOMAS & HUTTON
 10000 Grand Haven Road, Suite 100
 Grand Haven, Michigan 49424
 Phone: 616.941.1111
 Fax: 616.941.1112
 Email: thomas@thomas-hutton.com



K2(b)(iv)



Ratification
Number _____

A N O R D I N A N C E

AMENDING CHAPTER 27, STORMWATER MANAGEMENT AND FLOOD CONTROL, OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING THE DEFINITIONS IN THE FLOOD HAZARD PREVENTION AND CONTROL REQUIREMENTS IN ARTICLE II, DIVISION 3, SECTION 27-103 TO ADD A NEW DEFINITION FOR "MARKET VALUE" FOR THE PURPOSE OF MAKING FINAL DETERMINATIONS OF SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT UNDER THIS DIVISION ALLOWING THE APPRAISED VALUE OF A STRUCTURE TO BE USED IN PLACE OF THE ASSESSED VALUE. (AS AMENDED)

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

Section 1. Sec. 27-103 of the Code of the City of Charleston, is hereby amended by adding a new definition for "Market value," to be inserted in alphabetical order between the definitions for "Manufactured home park or subdivision" and "Mean sea level," to state as follows:

"*Market value* means, for the purpose of making determinations of substantial damage or substantial improvement pursuant to this division:

- (1) the current assessed building value as determined by the County's Assessor's Office; or
- (2) the appraised building value as determined by an appraisal performed by an independent, licensed professional appraiser in accordance with the laws of the State of South Carolina within the past six (6) months from the date of determination. An appraised value shall supersede an assessed value in making final determinations of substantial damage or substantial improvement."

Section 2.

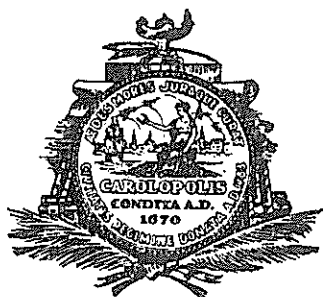
This ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year
of Our Lord, 2019, and in the ____ Year of the Independence of
the United States of America.

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY DELETING SECTION 54-220 ACCOMMODATIONS OVERLAY ZONE, AND REPLACING SAID SECTION WITH A NEW SECTION 54-220, ACCOMMODATIONS OVERLAY ZONE, TO, AMONG OTHER THINGS: PROVIDE FOR THE PRESERVATION OR CREATION OF MIXED-USE DISTRICTS; LIMIT THE DISPLACEMENT OF HOUSING BY ACCOMMODATIONS USES AND CONSIDER THE EFFECTS OF DWELLING UNITS TO BE ALTERED OR REPLACED ON THE HOUSING STOCK AND WHETHER REQUIREMENTS TO PROTECT THE AFFORDABILITY OF THE DWELLING UNITS SHOULD BE ATTACHED TO AN ACCOMMODATIONS SPECIAL EXCEPTION APPROVAL; ESTABLISH CONDITIONS ON THE DISPLACEMENT OR REDUCTION OF OFFICE SPACE BY ACCOMMODATIONS USES; PROHIBIT THE DISPLACEMENT OF MORE THAN 25 PERCENT OF GROUND FLOOR, STORE FRONT RETAIL SPACE BY ACCOMMODATIONS USES ON THE PROPERTY; TO INCLUDE A MINIMUM AND MAXIMUM SIZE FOR ACCOMMODATIONS FACILITIES; TO PROVIDE REGULATIONS FOR THE DESIGN AND LOCATION OF GUEST DROP OFF AND PICK UP AREAS; TO REQUIRE THE INCORPORATION OF MEETING AND CONFERENCE SPACE; TO ESTABLISH A LIMIT ON THE NUMBER OF FULL-SERVICE HOTELS; TO PROVIDE FOR A CONTRIBUTION TO THE CITY OF CHARLESTON AFFORDABLE/WORKFORCE HOUSING ACCOUNT; AND TO SUBJECT VIOLATORS OF THE PROVISIONS OF THIS SECTION 54-220 TO HAVING THEIR BUSINESS LICENSE OR CERTIFICATE OF OCCUPANCY REVOKED.

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

Section 1. That Section 54-220 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting said section in its entirety and by substituting in its place and stead the following:

“Sec. 54-220. - Accommodations overlay zone.

a. Intent. The A Overlay Zone is intended to identify those areas within the City limits where accommodations uses are allowed. Accommodation uses are prohibited except within the A Overlay Zone, with the exception of short term rentals and bed and breakfasts that are approved in accordance with the provisions of sections 54-208, 54-208.1, 54-208.2, 54-208.3, 54-224. b.1 or 54-227. The City places a high value on the preservation of the character of its residential districts. Outside of its residential districts, the City places a high value on the preservation and creation of a diverse mix of uses, containing a balance of uses comprised of retail uses, office uses, service industry uses, educational uses, cultural uses, and appropriate residential uses. Potential negative impacts of accommodations uses affecting residential districts shall be avoided or minimized to the greatest extent possible, and, outside residential districts, accommodations uses shall contribute to preservation or creation of diverse, mixed-use districts. The City places a high value on assuring that its residents have access to housing that is safe and decent and affordable to persons of all income levels. While accommodations uses are a source of jobs, many, if not most, of the jobs created are low-paying, with minimal benefits, heightening the need for housing that is attainable by those employed in the field of accommodations uses and rendering it necessary and proper for accommodations uses to reasonably contribute to the creation of housing affordable for its workforce. The City places a high value on maintaining a free and safe flow of traffic and the availability of parking spaces convenient to residents, patrons,

workers and visitors. As accommodations uses give rise to employees often having to drive to reach the workplace, to assist in the maintenance of a free and safe flow of traffic and convenient parking, it is necessary and proper and in furtherance of good order that accommodations uses provide a plan for parking employees and/or promoting the use of public transportation.

b. Permitted uses. In any Accommodations overlay zone, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the base zoning district as listed in Article 2: Part 3, and the following uses, subject to the approval of the Board of Zoning Appeals-Zoning:

1. Accommodations uses. The Board of Zoning Appeals-Zoning may permit accommodations uses as an exception where it finds that:

(a) the accommodations use will not result in a net loss of dwelling units that have been occupied within 5 years of the date of application for the exception; provided however, the BZA-Z may approve the alteration or replacement of such existing dwelling units on the same site as the accommodations use, or within a radius of one quarter (1/4) mile from the site if the proposed off site location does not result in an over concentration of low income households, as defined by the U. S. Department of Housing and Urban Development, as adjusted by the Department of Housing and Community Development; and provided

further, the BZA-Z shall require any such alteration or replacement to include dwelling units of substantially the same size and type of those being altered or replaced and shall require that no certificate of occupancy shall be issued for the accommodations uses until either a certificate of occupancy has been issued for all dwelling units being altered or replaced or irrevocable bonds or letters of credit in favor of the City in amounts equivalent to one hundred twenty-five (125%) per cent of the costs to complete construction or renovation of the dwelling units, as determined by the Chief Building Inspector, has been filed with the City .

(b) the accommodations use, if located in the Accommodations Overlay on the peninsula, will not reduce or displace more than 75% of office space that has been used for such purpose within 5 years of the application for the exception;

(c) the accommodations use, if located in the Accommodations Overlay on the peninsula, will not displace more than 25% of the linear frontage of existing ground floor storefront retail space on the property;

(d) the location of the accommodations use will not significantly increase automobile traffic on streets within residential districts;

(e) the location of the accommodations use will contribute to the maintenance, or creation, of a diverse mixed-use district;

(f) the total square footage of interior and exterior floor area for restaurant and bar space in the proposed accommodations use, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the accommodations use, except that each accommodations use shall be permitted to exempt from the calculation of total restaurant floor area one interior, ground floor restaurant tenant space if the total tenant space does not exceed 2,000 square feet, the restaurant tenant does not serve alcoholic beverages, and the exempt restaurant tenant space is clearly labeled with these restrictions on the floor plans submitted with the application for this zoning special exception;

(g) the accommodations use proposed guest drop off and pick up area(s) is located outside the public right-of-way and on the property utilized for the accommodations use if the accommodations use contains more than 50 sleeping rooms, and if 50 sleeping rooms or less, the proposed guest drop off and pick up area(s) are located outside the public right-of-way if feasible, and the location and design of the guest drop-off and pick-up area(s) has been reviewed by the Department of Traffic and Transportation and determined to be safe and not be an impediment to traffic and that every effort has been made to minimize traffic impacts;

(h) the total number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located is equal to or exceeds ten (10) sleeping units.

(i) within areas of the accommodations overlay zone designated as "A-1", "A-2", "A-3", "A-4", "A-5", "A-6", or "A-7" on the zoning map, the number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located shall not exceed 50 in areas designated "A-1"; 180 in areas designated "A-2"; 225 in areas designated "A-3"; 100 in areas designated "A-4"; 150 in areas designated "A-5"; 69 in areas designated "A-6"; and 175 in areas designated "A-7"; provided, however, that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north (the "Full-Service Corridor"), the number of sleeping units within the buildings or structures on the lot or parcel in which the accommodations use is located may exceed 50, but shall not exceed 250, if the accommodations use qualifies as a Full-Service Hotel, meaning that the accommodations use provides 20,000 or more square feet of meeting, conference and banquet space of which 15,000 square feet thereof is contiguous, an on-site restaurant that serves breakfast, lunch and dinner seven days a week and other services such as a concierge, a spa/health club, laundry, turndown service, newspaper delivery, security personnel and airport shuttle, and any accommodations use on the peninsula having in excess of 150 sleeping units shall be a

Full Service Hotel, as herein defined, and in no event shall any accommodations use on the peninsula exceed 250 sleeping units;

(j) the proposed accommodations use will not share any of its buildings, structures, facilities, or operations with another accommodations use;

(k) the proposed accommodations use incorporates meeting and conference space at a ratio of 400 square feet per 10 sleeping units, or fraction thereof, of which 75% thereof must be contiguous; provided that if the accommodations use contains more than 50 sleeping units and is located in the Full-Service Corridor, the provisions of subsection (j) hereof shall govern the square footage of required meeting and conference space;

(i) the proposed accommodations use will not result in there being more than eight (8) Full-Service Hotels on the peninsula, inclusive of those Full-Service Hotels existing on the peninsula and those with approved special exceptions as of the effective date of this ordinance; and

(m) to assist in providing affordable housing opportunities for its employees, the applicant for the accommodations use commits to contribute to the City of Charleston Affordable/Workforce Housing Account a fee payable upon the issuance of a Certificate of Occupancy, calculated as follows: \$5.10 per square foot of area used for sleeping units and the hallways adjacent to sleeping units, stairwells and elevators.

c. Application requirements. In making the findings required in subsection b.1, the Board of Zoning Appeals-Zoning shall consider the following information to be provided by the applicant in site plans, floor plan and building elevations that will govern the construction of the building in which the accommodations use is located, along with a detailed written assessment report to be submitted with the application:

(1) the number of existing dwelling units on the property, including units on the property that were occupied as dwelling units within 5 years of the date of the application for the exception, the type of unit (rental or owner-occupied; one-family detached; one-family attached; two-family or multi-family; occupied or unoccupied), by income range of the most recent occupant(s), the rental price for rental units and market price for owner occupied units relative to the area median income figures that are determined annually by the U.S. Department of Housing and Urban Development and adjusted by the City of Charleston Department of Housing and Community Development, or its successor, the physical condition of the units (sound, deficient, deteriorated or dilapidated), the square footage and number of bedrooms in each unit, and if the units are proposed to be physically altered or replaced, a description and plan showing the square footage and number of bedrooms in the altered or replaced units, and their location;

(2) the effect of the physical alteration or replacement or relocation of dwelling units on the housing stock of a particular type on the property and whether a condition should be

attached to a special exception approval for the accommodations use requiring a minimum percentage of the dwelling units on the property or replaced off-site to remain affordable based on the annually updated median area income values;

(3) the presence of office space on the property, or the presence of spaces on the property that were occupied as office spaces within 5 years of the date of application for the exception;

(4) the linear frontage of existing ground floor storefront retail space on the property;

(5) the location and design of guest drop off and pick up areas for the accommodations use;

(6) the cumulative number of vehicle trips generated by the proposed accommodations use and other accommodations uses that are either existing or approved within an area identified by the Department of Traffic and Transportation, the traffic circulation pattern serving the accommodations use and efforts made to minimize traffic impacts;

(7) the distance of the main entrance and parking entrance of the accommodations use from a road classified as an arterial or collector road;

(8) the land uses within five hundred feet (500') of the accommodations use, to include the location, square footage, and number of rooms in existing accommodations uses and accommodations uses that have been approved;

(9) the proximity of residential districts to the accommodations use;

- (10) the accessory uses proposed for the accommodations use, such as restaurants, spas, bars, pools and the like, in terms of their location, size, impact on parking, traffic generation, noise or odors in or to a residential district;
- (11) the demonstrated provision of off-street parking at the rate of two spaces that meet the design requirements of Sec. 54-318 for each three sleeping units, provided however, the utilization of mechanical or other means of parking that meet the ratio of two spaces for each three sleeping units shall be allowed;
- (12) the presence of industrial uses and uses which use, store, or produce toxic or hazardous materials in quantities in excess of those specified by the EPA listing of toxic and hazardous materials, within five hundred feet (500') of the accommodations use;
- (13) the commitment to environmental sustainability and recycling;
- (14) the distance of the accommodations use from major tourist attractions;
- (15) the distance of the accommodations use from existing or planned transit facilities;
- (16) the long term provision of on- or off-site parking for employees who drive vehicles to work, including an estimate of the number of employees that will drive to work during the maximum shift and the location of parking spaces to be provided, and the demonstrated provision of free transit passes or other incentives to encourage employee use of public transportation;

(17) the number of sleeping units proposed as part of the accommodations use;

(18) the provision of shuttle bus services to and from the Historic Districts by accommodations uses with more than 50 sleeping units located outside the area designated "A-1" through "A-6" on the zoning map;

(19) the commitment to make affirmative, good faith efforts to see that construction and procurement opportunities are available to MBEs (minority business enterprises) and WBEs (women business enterprises) as outlined in Section 2-268 (e)(1), (2), and (3) of the Code of the City of Charleston;

(20) the commitment to make affirmative, good faith efforts to hire personnel, representative of the population of the Charleston community, at all employment levels.

(d) Violations: In addition to any remedies otherwise available to the City under State law or the City Code, a violation by the owner or operator of the accommodations use of any provisions or conditions of an exception granted hereunder, to include any deviation from the plans and written assessment as required by subsection (c) hereof, shall subject the owner or operator of the accommodations use to having its business license and/or certificate of occupancy revoked.

(e) Applicability: The provisions of this Section 54-220 shall apply to special exceptions for accommodations uses granted by the Board of Zoning Appeals-Zoning after May 28, 2019,

it being the intent of City Council that special exceptions approved by the Board of Zoning Appeals-Zoning prior to May 28, 2019 be entitled to and governed by the vested rights provisions accorded by Article 9, Part 5 of this Chapter. The provisions of this Section 54-220 shall not apply to Planned Unit Developments that include accommodations uses as an authorized use that were approved as of May 28, 2019.

Section 2. This Ordinance shall become effective upon ratification.

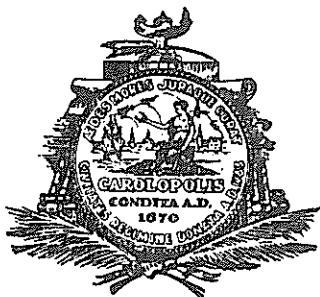
Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, and in the ____ Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

ml.)



Ratification
Number _____

A N O R D I N A N C E

TO CLOSE AND ABANDON KINLOCH COURT, ALSO KNOWN AS 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 KINLOCH COURT, CONVEYING TO EACH OWNER ONE-HALF OF THE WIDTH OF KINLOCH COURT AS SAID KINLOCH COURT ABUTS EACH OWNER'S PROPERTY, SUBJECT TO ANY AND ALL EASEMENTS OR OTHER MATTERS OF RECORD. (AS AMENDED)

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

Section 1. Kinloch Court, a City right-of-way also sometimes referred to as Kinlock Court ("Kinloch Court"), being more particularly shown and described as "KINLOCK COURT 20' R/W," on that certain plat entitled, "PROPERTY LINE ABANDONMENT, 741 MEETING STREET, CITY OF CHARLESTON," dated June 21, 2001, and recorded on September 6, 2001 in Plat Book DC at Page 918 in the Register of Deeds Office for Charleston County, South Carolina (the "Plat"), is hereby closed and abandoned. The Plat is attached hereto and incorporated herein by reference as Exhibit A.

Section 2. The Mayor is hereby authorized to execute on behalf of the City quit claim deeds and other necessary documents to the owners of properties abutting each side of Kinloch Court, conveying to such owners one-half of the width of Kinloch Court as said Kinloch Court abuts each owner's property, subject to any and all easements and other matters of record.

Section 3. The form of the quit claim deeds and other necessary documents referenced in Section 2 of this Ordinance shall be subject to the approval of the City's Office of Corporation Counsel.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord,
2019, in the 244th Year of the Independence of the
United States of America.

By:

John J. Tecklenburg
Mayor

Attest:

Vanessa Turner Maybank
Clerk of Court

Stantec Consulting Services Inc
900 Morrison Drive
Charleston SC USA
29403 843 577 4926
Fax 843 723 0440
www.stantec.com



Copyright Reserved
Stantec

The Contractor shall verify and be responsible for all dimensions, DO, and elevations shown on this drawing. The Contractor shall verify that all dimensions and elevations shown on this drawing are correct. The Contractor shall verify that all dimensions and elevations shown on this drawing are correct. The Contractor shall verify that all dimensions and elevations shown on this drawing are correct.

Consultants

Notes

- LEGEND
- IRON PIPE FOUND CRIMPED TOP
- IRON PIPE FOUND OPEN TOP
- IRON PIPE FOUND
- IRON ROD FOUND
- 5/8 REBAR SET
- POWER POLE/SPLIT POLE
- UTILITY POWER LINE

BY DEAN FERRELL REGISTERED MEASURER, S. RES. (LICENSE MAP DATED NOVEMBER 4, 1992) THIS PROPERTY IS LOCATED IN FLOOD ZONE A7 ELEVATION 13

Revision	By	App'd	Date

Issued	By	App'd	Date

File Name: 741M0213.DWG
AWN: dwg
TMS: tms
4-21-01 Date

Permit/Steel



Client/Project

PREPARED FOR 741 MEETING LLC

741 MEETING STREET
CITY OF CHARLESTON
CHARLESTON COUNTY, SOUTH CAROLINA

Title
PROPERTY LINE ABANDONMENT
741 MEETING STREET
CITY OF CHARLESTON

Project No: 78000732

Scale: 1" = 20'

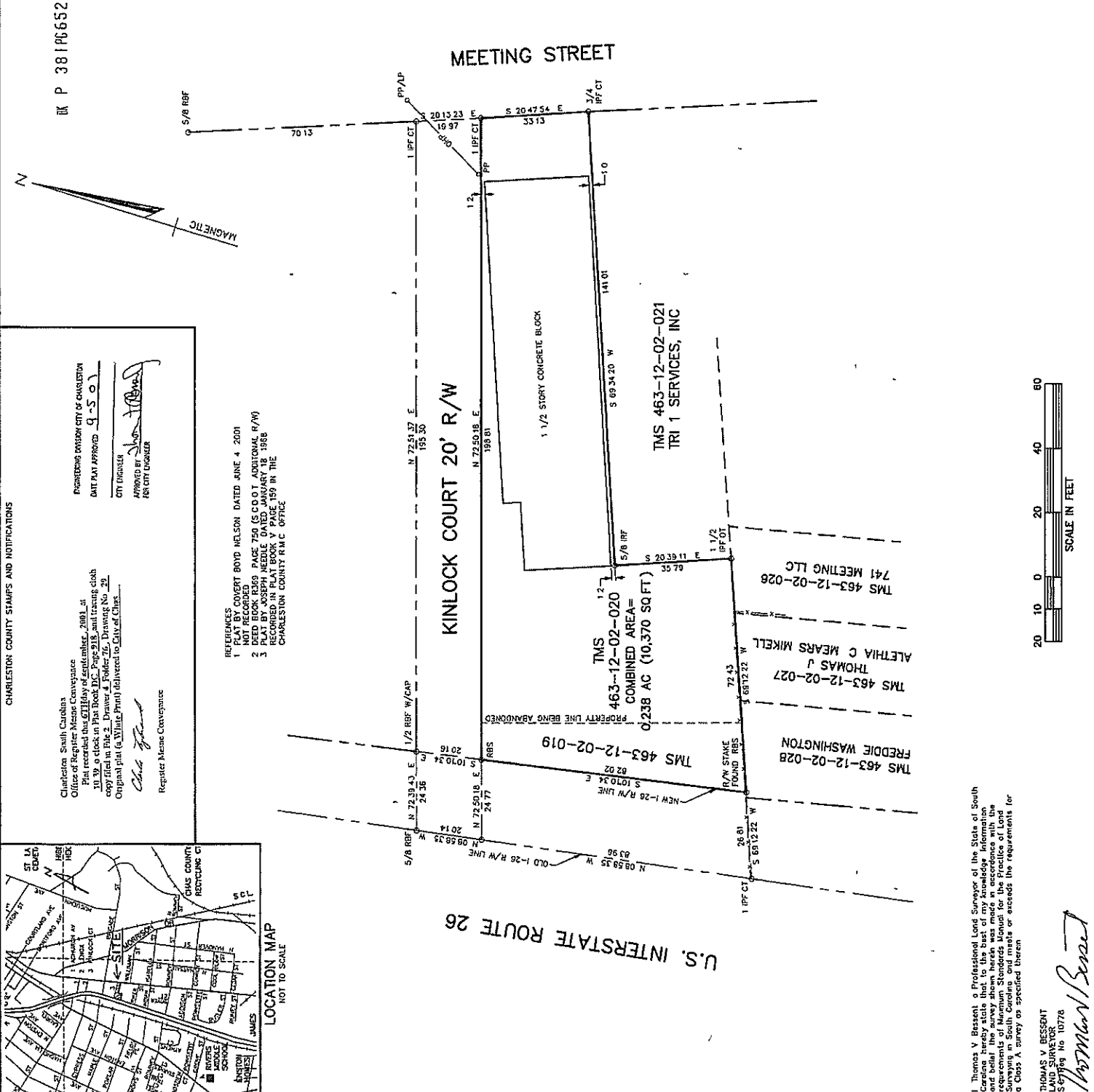
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LL-2372

1 of 1

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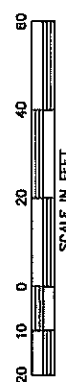
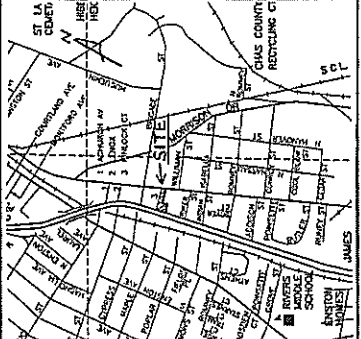
CHARLESTON COUNTY STAMPS AND NOTIFICATIONS

Charleston South Carolina
Office of Register Mease Conveyance
Print recorded this 07/11/11 at 10:39 a.m. in Plat Book 112, Page 215, and tracing club copy right in this 2-Drawee 2-Plat Book 112, Drawing No. 21
Original plat (a White Print) delivered to City of Charleston.

APPROVED BY: [Signature]
REG CITY ENGINEER

ENGINEERING DIVISION CITY OF CHARLESTON
DATE PLAT APPROVED: 9-5-11
CITY ENGINEER

- REFERENCES
- 1 PLAT BY COVERT BOYD NELSON DATED JUNE 4, 2001
 - 2 DEED BOOK 6369 PAGE 750 (S.C.O.I. ADDITIONAL R/W)
 - 3 PLAT BY JOSEPH NEEDLE DATED JANUARY 18, 1988
RECORDED IN PLAT BOOK V PAGE 150 IN THE CHARLESTON COUNTY R.M.C. OFFICE



I, Thomas V. Bessent, a Professional Land Surveyor of the State of South Carolina, hereby state that to the best of my knowledge, information and belief, the survey shown herein was made in accordance with the laws of the State of South Carolina, and that the same do not exceed the requirements for a Class A survey as specified therein.

THOMAS V. BESSENT
LAND SURVEYOR
S 07766 No 10778

[Signature]

NI.)



Ratification
Number _____

A N O R D I N A N C E

AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING THE PROVISIONS IN ARTICLE II, DIVISION 1, SECTION 2-23, RELATED TO THE RULES FOR TELEPHONIC ATTENDANCE BY COUNCILMEMBERS AT COMMITTEE MEETINGS.

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

Section 1. Sec. 2-23(f) of the Code of the City of Charleston, is hereby amended to state as follows (new text in **bold and underlined** and deleted text with ~~strike through~~):

“(f) Councilmembers may attend meetings of city council or the committee on ways and means by telephone only if such meetings are emergency or special meetings called because of exigent circumstances, and the telephonic attendance is approved by the mayor. Councilmembers may attend committee meetings, other than the committee on ways and means, by telephone **only in cases of emergency. When telephonic attendance is permitted in** accordance with **this subparagraph**, the following rules and procedures **shall apply**:

- (1) Notice of telephonic attendance shall be provided to the clerk of council's office and when possible, not less than twenty-four (24) hours before the scheduled start time for the meeting. The clerk of council shall advise the committee chair of the request.
- (2) For committee meetings where a councilmember is attending by telephone, the chair or his/her designee who is presiding over the meeting, a member of the clerk of council's office, and a member of the legal department shall be physically present.
- (3) At any meeting where a councilmember is attending telephonically, there shall be a telephone device that allows the voice of the councilmember on the telephone line to be heard by everyone present in the meeting room. A councilmember attending telephonically shall count as part of a quorum and the vote of the member shall be valid. The reason for attending the meeting by telephone shall be recorded in the minutes of the meeting.
- (4) Any meeting where a councilmember is attending telephonically shall be conducted in accordance with the requirements of the S.C. Freedom of Information Act.

(5) Any councilmember attending a committee meeting by phone where an executive session is held shall, after the vote to go into executive session is approved, but prior to the convening of the executive session, declare that no other person is on the phone or is within a range that would allow matters to be discussed or considered to be heard. The clerk of council shall enter such declaration into the minutes of the meeting.”

Section 2. This ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, and in the ____ Year of the Independence of the United States of America.

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

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

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

Section 1. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the use description under the "Principal Uses" column for 5812.1 to read "5812.1 Eating places without drive thru or drive up service and without rooftop patron use area 54-207, e."

Section 2. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the use description under the "Principal Uses" column for 5812.2 to read "5812.2 Eating places with drive thru or drive up service but without rooftop patron use area".

Section 3. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting "5812.3 Eating places with rooftop patron use area" in the "Principal Uses" column following "5812.2 Eating places with drive thru or drive up service but without rooftop patron use area", and by inserting "†" within the row for "5812.3 Eating places with rooftop patron use area", and under the "GB, UC, MU-2, MU-2/WH" column and the "UP" column, thereby making this use a special exception use within these base zoning districts.

Section 4. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the use description under the "Principal Uses" column for 5813 to read "5813 Drinking places (alcoholic beverages) without rooftop patron use area".

Section 5. Article 2, Part 3: Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting “5813.1 Drinking places (alcoholic beverages) with rooftop patron use area” in the “Principal Uses” column following “5813 Drinking places (alcoholic beverages) without rooftop patron use area”, and by inserting “†” within the row for “5813.1 Drinking places (alcoholic beverages) with rooftop patron use area”, and under the “GB, UC, MU-2, MU-2/WH” column and the “UP” column, thereby making this use a special exception use within these base zoning districts.

Section 6. Article 2, Part 2: Permitted Uses by Base Zoning District of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting a new section which shall read as follows:

“Sec. 54-204.4. Restrictions on eating and drinking places with rooftop patron use areas.

- a. Within the GB, UC, MU-2, MU-2/WH and UP base zoning districts, eating and drinking places with patron use area located on a rooftop shall only be permitted as a special exception pursuant to Sec. 54-206, z.
- b. Within all other base zoning districts, eating and drinking places with rooftop patron use area shall be prohibited.

Section 7. Sec. 54-206 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting a new subsection “z.” which shall read as follows:

“z. Rooftop eating and drinking places. Within the GB, UC, MU-2, MU-2/WH and UP base zoning districts, eating and drinking places with rooftop patron use area shall only be permitted as an exception where the Board of Zoning Appeals-Zoning, after review of an application that includes building plans prepared by an architect licensed in the State of South Carolina showing the proposed rooftop patron use area, finds that the application satisfies each of the following requirements:

1. No electrical loudspeakers or amplifiers of any type shall be installed or allowed with the rooftop eating and drinking place;
2. The building shall incorporate architectural features that are permanent and sufficient to minimize the spread of noise beyond the rooftop patron use area;
3. The use of strobes or flashing lights shall be prohibited and rooftop lighting levels shall not exceed five (5) footcandles; and
4. The rooftop patron use area shall not be located within 150 feet of a residential zoning district. Such distance shall be measured from the nearest point of the rooftop so used to the nearest boundary of a residential zoning district.”

Section 8. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2019,
and in the 244th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council



Ratification Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 29, ARTICLE V, SEC. 29-212 (e) (1) (f) OF THE CODE OF THE CITY OF CHARLESTON TO UPDATE THE REQUIREMENTS FOR THE INTRODUCTION OF TOURING STOCK, AND BI-ANNUAL INSPECTIONS.

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

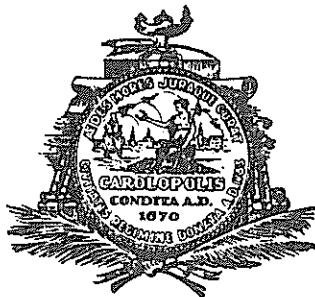
Section 1. Section 29-212 (e) (1)(f) of the Code of the City of Charleston is hereby amended so that hereafter said Section shall read as follows (amendatory language in **bold and double underlined** and a ~~strikethrough~~ for a deletion):

f. At introduction into the touring stock then bi-annually thereafter, the animal shall have had a physical inspection completed by and a certificate of serviceability for carriage work signed by a licensed equine veterinarian, with the results thereof provided to the City of Charleston Department of Livability and Tourism and made available for inspection on site. **Additionally, written documentation from a certified scale verifying the weight of the animal shall be provided at introduction into the touring stock. Written documentation from a certified scale may be required on an as needed basis;**

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, and in the ____th Year of the Independence of the United States of America

John Tecklenburg Mayor

ATTEST: _____
Vanessa Turner Maybank,
Clerk of Council



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 29, ARTICLE V, SEC. 29-220 OF THE CODE OF THE CITY OF CHARLESTON TO UPDATE THE LANGUAGE AND PROCESS RELATED TO THE CERTIFICATE OF APPROPRIATENESS APPLICATION AND INSPECTION TO ADD THE REQUIREMENT OF A CERTIFIED VEHICLE WEIGHT AND TO REMOVE REFERENCES TO THE MANAGER OF ARTS AND HISTORY/TOURISM COMMISSIONS.

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

Section 1. Chapter 29, Article V, Sec. 29-220 (a) of the Code of the City of Charleston is hereby amended so that hereafter said Sections shall read as follows (amendatory language in **bold and double underlined** and a ~~strike~~through for a deletion):

(a) An applicant for a certificate of appropriateness shall provide the **Department of Livability and Tourism** and ~~manager of arts and history/tourism commissions~~ with the following:

(1) Adequate identification of the applicant and animal-drawn vehicle and proof of ownership;

(2) Material setting forth the characteristics of the vehicle including its dimensions, weight, passenger capacity, maker, year built;

(3) An applicant must provide written documentation from a certified scale verifying the weight of the animal-drawn vehicle.

~~(3)~~ (4) Color photographs not less than eight (8) inches by ten (10) inches of all four (4) sides of the vehicle or, in the discretion of the Department of Livability and Tourism ~~manager of arts and history/tourism commissions~~, sketches of a similar make and model and samples of colors proposed for use on the vehicle;

(4) (5) Adequate proof of liability insurance with **at least the amount required for motor vehicles and also medical payments or PIP-coverage in an amount of \$5000.** ~~manager of arts and history/tourism commissions~~;

(5) (6) A fee as set forth by city council;

(6) (7) After approval but prior to the issuance, a current city business license.

(8) Any modifications, other than routine maintenance, to the animal-drawn vehicle that change the dimensions, weight, passenger capacity or other characteristics must be submitted to the Department of Livability and Tourism and shall be either approved or rejected by the Tourism Commission.

(b) Upon receipt of the information set forth in subsection (a)(1)—(4) and (6), ~~the Department of Livability and Tourism the manager of arts and history/tourism commissions~~ shall submit the application to the tourism commission for the commission's determination as to whether the application should be approved. In acting upon and evaluating any application, the tourism commission shall consider the design standards as set forth in section 29-207 of this chapter as well as the proposed color of the vehicle.

(c) Nothing herein shall be construed so as to prohibit the ~~Department of Livability & Tourism manager of arts and history/tourism commissions~~ or the commission from requiring visual inspection of the vehicle.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2019,
and in the _____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

N5.)



Ratification
Number _____

A N O R D I N A N C E

TO AMEND CHAPTER 2, SECTION 168, TO EXPAND THE MEMBERSHIP OF THE CITY OF CHARLESTON'S COMMISSION ON WOMEN TO INCLUDE WOMEN WHO WORK FOR A BUSINESS, NON-PROFIT, OR OTHER ENTITY IN THE CITY.

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

Section 1. Chapter 2, Section 168, Subsection (c) of the Code of the City of Charleston is hereby amended by renumbering said Subsection to become Subsection (m).

Section 2. Chapter 2, Section 168, Subsection (c) of the Code of the City of Charleston is hereby amended by adding thereto the following language which shall read as follows:

"Sec. 2-168. - Organization.

The organization of the City of Charleston Commission on Women shall be:

- (a) Membership. The commission shall be comprised of sixteen (16) members who shall be appointed by the mayor with the advice and consent of city council, one of whom shall be a member of city council.
- (b) The commission membership shall include: citizens at large concerned with women's issues; members with specialized knowledge and experience regarding the needs of women; neighborhood advocates concerned with women's issues; representatives of women's advocacy or membership organization.
- (c) Commission members who are citizens at large, neighborhood advocates, or representatives of women's advocacy or membership organizations shall be residents of the city and/or own or work for a business, nonprofit, or other entity within the city limits throughout the terms of their positions.
- (d) The city shall provide accommodations for the known physical, sensory, or mental disabilities of the commission members during its meetings, including, but not limited to assistance with reading, writing, communicating, and aides such as tape recorded. Braille or large print material. All meetings shall be held in a location that is wheelchair accessible.
- (e) The commission shall be chaired by a member appointed by the mayor and approved by city council, and annually one of its members shall be elected vice chairperson and one of its members shall be elected secretary.
- (f) The commission shall establish a regular time and place of meeting and shall hold one (1) regular meeting every month. Special meetings may be called by the chairperson, or by the majority of the members of the

commission, upon written notice received by each member at least twenty-four (24) hours prior to such meetings. For purpose of commission action, a quorum of the commission shall consist of nine (9) members of the commission in attendance.

(g) The commission shall make and alter rules governing its organization and procedures that are not inconsistent with any city ordinance or Roberts Rules of Order.

(h) The commission shall keep a record of its proceedings and transactions and shall submit an annual report to the city council.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2019, 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