

Bishop Gadsden
Blackmer Hall
1 Bishop Gadsden Way
September 25, 2018
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Seekings

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation recognizing International Literacy Day and National Adult Education and Family Literacy Week
2. Proclamation recognizing Roberta Williams, Women's Basketball Hall of Fame Inductee
3. Proclamation recognizing Mesothelioma Awareness Day

E. Public Hearings

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

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 47½ Line Street (Peninsula) (0.05 acre) (TMS #459-05-03-109) (Council District 4), be rezoned from Light Industrial (LI) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by East Line Partners LLC.
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of Hayne Street Right-of-Way (Peninsula) (approximately 0.13 acre) (Unzoned Right-of-Way) (Council District 1), be rezoned from Unzoned Right-of-Way to General Business (GB) classification. The property is owned by SCM Charleston Market Investors LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 182 Church Street and a portion of Hayne Street Right-of-Way (Peninsula) (1.20 acres) (TMS #458-05-03-005, 458-05-03-017 and a portion of Hayne Street Right-of-Way) (Council District 1), be rezoned to include a portion of Unzoned Right-of-Way in the Accommodations Overlay Zone (A-5: 150 room max.) and rezone property from Accommodations Overlay Zone (A-1: 50 Room Max.) to

Accommodations Overlay Zone (A-5: 150 room max.). The property is owned by SCM Charleston Market Investors LLC.

4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 182 Church Street and a portion of Hayne Street Right-of-Way (Peninsula) (1.20 acres) (TMS #458-05-03-005, 458-05-03-017 and a portion of Hayne Street Right-of-Way) (Council District 1), be rezoned to include a portion of Unzoned Right-of-Way in the 4 Old City Height District, rezone a portion of property from the 3.5 Old City Height District to the 4 Old City Height District and rezone a portion of property from the 3 Old City Height District to the 3.5 Old City Height District. The property is owned by SCM Charleston Market Investors LLC.
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Sheppard Street and Saint Philip Street (Peninsula) (approximately 0.69 acre) (TMS #460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned to include it in the Short Term Rental Overlay Zone (ST) classification. The property is owned by Lowcountry Marketing Group LLC.
6. An ordinance to amend the zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1904 Woodland Road (West Ashley) (0.49 acre) (TMS #355-10-00-004) (Council District 2), be zoned Single-Family Residential (SR-1) classification. The property is owned by Eric Vogt and Stephanie Gray. **(SECOND READING)**
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1716 Houghton Drive (James Island) (0.34 acre) (TMS #424-09-00-059) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Terri Aiken. **(SECOND READING)**
8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 324 Woodland Shores Road (James Island) (0.52 acre) (TMS #343-11-00-116) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Evan Diamant. **(SECOND READING)**
9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that former Pryor Court Right-of-Way (West Ashley) (0.422 acre) (portions of TMS #349-01-00-005 and TMS #349-01-00-030) (Council District 7), be zoned General Business (GB) classification. The property is owned by the City of Charleston to be conveyed to adjacent property owners.

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. September 18, 2018

H. Citizens Participation Period

I. Petitions and Communications:

1. A Resolution expressing the intention to establish the Church Creek Drainage Redevelopment Project Area; authorizing staff to prepare an overall Redevelopment Plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto
2. Appointments:
 - (i) West Ashley Revitalization Commission
 - (ii) Resiliency & Sustainability Advisory Committee

J. Council Committee Reports:

1. **Committee on Community Development: (Meeting was held on Monday, September 17, 2018 at 3:00 p.m.)**
 - a. Future Strategy for the Cooper River Bridge Redevelopment Area
2. **License Committee: (Meeting was held on Tuesday, September 18, 2018 at 3:00 p.m.)**
 - a. The appeal of A. Williams Roberts, Jr. & Associates
3. **Committee on Human Resources: (Meeting was held on Tuesday, September 18, 2018 at 4:00 p.m.)**
 - a. New Business:
 - Discussion of the Employee Survey (*Deferred*)
 - Discussion of the 2019 Budget and non-sworn pay plan (*Deferred*)
 - b. Old Business:
 - Approval of the CIGNA disability and life insurance
4. **Committee on Recreation: (Meeting was held on Tuesday, September 25, 2018 at 3:00 p.m.)**
 - a. Update – Johnson Controls Energy Performance Work

5. Committee on Public Works and Utilities: (Meeting was held on Tuesday, September 25, 2018 at 3:30 p.m.)

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

Gadsdenboro- Acceptance and Dedication of Gadsdenboro Street (320LF) All infrastructure with the exception of sidewalks has been completed. The Sidewalks have been bonded.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plat

**b. Miscellaneous or Other New Business
(Action may or may not be taken)**

- (i) An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-103, Section 27-105, Section 27-116, Section 27-119, Section 27-120, and Section 27-121
- (ii) Church Creek Drainage Basin
- (iii) FEMA Buyout Status
- (iv) Update on the Ravenel Bridge Site Mitigation Agreement
- (v) Update on Huger Street Drainage Issues

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

An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-103, Section 27-105, Section 27-116, Section 27-119, Section 27-120, and Section 27-121

6. Committee on Ways and Means:

(Bids and Purchases)

(Police Department: Approval of the attached independent contractor agreement in the amount of \$10,000 with Kylon Middleton Ministries, LLC to perform consulting services in connection with the 2018 Illumination Project.

(Parks-Capital Projects: Approval of an increase to the JPR Ballpark Field Improvements Change Order to Purchase Order #152799 with AECOM Technical Services, in the amount of \$10,000 for additional engineering and permitting which was unforeseen after the initial communications with the City. The cost of the additional engineering and permitting is \$8,100, in accordance with the attached proposal dated 9/5/18 from AECOM Technical Services. We request that this amount be added to the existing purchase

order along with an additional \$1,900 contingency to cover other possible changes. The change order will result in a \$10,000 increase to the AECOM Technical Services Purchase Order from \$37,750 to \$47,750. The funding source for this work is the general maintenance line-item in the JPR Ballpark division.

(Public Service: Approval of the Church Creek 2017 Flood Reduction Study Fee Amendment #1 with Weston & Sampson Engineering, Inc., in the amount of \$73,000 for the design, permitting, preparation of bid documents, bidding assistance and construction administration for the Hickory Farms Stormwater Diversion. Approval of Fee Amendment #1 will increase the Weston & Sampson Engineering, Inc. contract by \$73,000 (from \$300,000 to \$373,000). Funding for this project is the Drainage Fund.

(Traffic and Transportation: Approval for Bihl Engineering to develop a microsimulation model in the amount of \$98,000 for the area around Hagood Ave. to determine the feasibility of extending the road across the Septima P. Clark Parkway into the Medical District. While the total project cost is \$98,000, it will be divided equally between the City, West Edge Foundation and the Medical University of South Carolina.

(Approval of the CIGNA disability and life insurance

K. Bills up for Second Reading:

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

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton.*
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton.*
3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke.*

5. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 113 to amend the appeal process for a public property or property open to the public trespass notice.*
6. *An ordinance to provide for the annexation of property known as 6 Tovey Road (0.17 acre) (TMS# 418-10-00-020), 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 9. The property is owned by Julia Harlow.*
7. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 141 Meeting Street and 174 King Street (Peninsula) (1.061 acres) (TMS #457-08-04-003) (Council District 1), be rezoned from General Business (GB) classification to Urban Commercial (UC) classification. The property is owned by SCE&G. (DEFERRED)*
8. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. (DEFERRED)*
9. *An ordinance authorizing the Mayor to execute on behalf of the City a Memorandum of Agreement ("MOU") with South Carolina Electric & Gas Company ("SCE&G"), under which the City will grant to SCE&G the following easements under or across Hampton Park (TMS No. 460-00-00-002): (a) a 70' easement for the expansion of an overhead electrical transmission line; (b) a 12' easement for the installation of a new underground electrical distribution line; and (c) a variable width easement memorializing an existing underground gas line; with SCE&G granting to the City, in exchange for the foregoing, the following lease, license, and easements on SCE&G's property located to the northeast of Hampton Park (TMS No. 463-15-01-061) (the "SCE&G Property"): (a) a 10-year lease for parking, vehicular access, and pedestrian access to and from Hampton Park; (b) a permanent, thirty foot (30') access easement for vehicular access between Grove Street and Hampton Park; (c) a license to use a portion of the SCE&G Property for a dog park; (d) a permanent easement to use a portion of the SCE&G Property for parking and access to and from Hampton Park; (e) a permanent stormwater drainage easement for Hampton Park; and (f) a permanent sanitary sewer easement for Hampton Park. (DEFERRED)*
10. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of Single Family Detached Affordable Housing as a conditional use within multiple base zoning districts. (DEFERRED FOR PUBLIC HEARING)*
11. *An ordinance to amend Ordinance No. 2017-060 that established a Temporary Moratorium on the acceptance or processing of applications for new construction on properties located in the 100 year floodplain within the Church Creek Drainage Basin, as*

amended by Ordinance No. 2018-078, extending the moratorium until August 29, 2018, to extend the moratorium for an additional period of fourteen days until September 12, 2018 or the day following the ratification of the Stormwater Design Standards Manual Amendment for the Church Creek Drainage Basin. (DEFERRED FOR PUBLIC HEARING).

12. *An ordinance to amend Section 54- 943(c) of the Code of the City of Charleston (Zoning Ordinance) to modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to Council to a simple majority of a quorum of the City Council. **(City Council voted to send this ordinance back to the Planning Commission with a recommendation of a 60% override at the December 19, 2017 City Council meeting.)**(Councilmember Perry K. Waring) (DEFERRED)*
13. *An ordinance to close and abandon Kinlock Court, a City right-of-way, said right-of-way running westerly approximately 200 feet from meeting street to the Interstate 26 right-of-way; and to further authorize the Mayor to execute Quit Claim Deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Kinlock Court, conveying to each owner one-half of the width of Kinlock Court as said Kinlock Court abuts each owner's property, subject to any and all easements or other matters of record. (DEFERRED)*

L. Bills up for First Reading

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that portions of three parcels on Hanover, Lee, Nassau, and Aiken Streets (East Side - Peninsula) (approximately 2.25 acres) (TMS #459-05-04-197, 459-05-04-208, and 459-05-04-209) (Council District 4), be rezoned from the Old City Height District 4 Classification to the Old City Height District 5 Classification. The property is owned by the City of Charleston.
2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; and prohibit an overconcentration of

accommodations units within areas on the peninsula designated "A-1" on the Accommodations Overlay Zoning Map (*DEFERRED*)

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

M. Miscellaneous Business:

1. A City Council Budget Workshop will be held Tuesday, October 9, 2018 at 4:00 p.m. at City Hall, 80 Broad Street.
2. The next regular meeting of City Council will be Tuesday, October 9, 2018 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.