

**AMENDED**

City Hall  
80 Broad Street  
January 26, 2016  
5:00 p.m.

**State of the City Address**  
**7:30 p.m.**

**CITY COUNCIL**

**A. Roll Call**

**B. Invocation – Councilmember Shahid**

**C. Pledge of Allegiance**

**D. Presentations and Recognitions**

1. Proclamation recognizing Charleston STEM Festival Day

**E. Public Hearings**

1. An ordinance to amend the City of Charleston Century V 2010 Comprehensive Plan update, adopted by Charleston City Council on February 22, 2011, to incorporate the Rethink Folly Road Plan into said Century V Plan as hereinafter provided.
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 61 Cannon Street (Cannonborough-Elliottborough - Peninsula) (0.38 acre) (TMS #460-12-01-008) (Council District 4), be rezoned from Limited Business (LB) classification to Mixed-Use Workforce Housing (MU-1/WH) classification. **(Planning Commission recommends disapproval; requires ¾ vote of Council.) (DEFERRED)**
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 Bees Ferry Road (West Ashley) (approximately 1.80 acres) (a portion of TMS #301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. **(SECOND READING)**
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 1065 Jenkins Road (West Ashley) (1.06 acres) (TMS #351-14-00-011 and 351-14-00-068) (Council District 7), be rezoned from Single-Family Residential (SR-1) classification to Business Park (BP) classification.
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 1708 Brantley Drive (James Island) (0.46 acre) (TMS #425-03-00-035) (Council District 6), annexed into the City of Charleston

May 2, 2006 (#2006-151), be rezoned from Single-Family Residential (SR-1) classification to General Business (GB) classification. **(SECOND READING)**

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 1847 Eley Drive (West Ashley) (0.44 acre) (TMS #350-01-00-083) (Council District 7), annexed into the City of Charleston December 1, 2015 (#2015-182), be zoned Single-Family Residential (SR-1) classification.
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 1140 San Juan Avenue (Maryville-Ashleyville - West Ashley) (0.18 acre) (TMS #418-06-00-043) (Council District 3), annexed into the City of Charleston December 15, 2015 (#2015-193), be zoned Single-Family Residential (SR-1) classification.
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 2112 Saint James Drive (Riverland Terrace – James Island) (0.24 acre) (TMS #343-02-00-074) (Council District 11), annexed into the City of Charleston December 15, 2015 (#2015-194), be zoned Single-Family Residential (SR-1) classification.
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 1119 Wappoo Road (West Ashley) (4.94 acres) (TMW #351-15-00-005) (Council District 7), be zoned General Business (GB) classification. **(SECOND READING)**
10. 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 6 providing for a temporary moratorium until January 27, 2016, on the processing of development applications and issuing of permits for properties zoned Gathering Place (GP). **(SECOND READING)**
11. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-207 to permit landscape buffer and building setback requirements along street rights-of-way for mini-storage/self-storage facilities to be reduced or eliminated if the reduction or elimination is deemed appropriate by the Board of Architectural Review or Design Review Board.

**F. Act on Public Hearing Matters**

**G. Approval of City Council Minutes:**

1. January 12, 2016

**H. Citizens Participation Period**

**I. Petitions and Communications:**

**J. Council Committee Reports:**

**1. Committee on Traffic and Transportation: (Meeting was held on January 26, 2015 at 3:45 p.m.)**

- (i) Application for Original Certificate of Public Convenience and Necessity:  
-- Charleston Downtown Taxi, LLC (Taxi)
- (ii) An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Sections 418(3), 419(a), and 292(c) to change the maximum charge for a nonconsensual boot from \$35.00 to \$50.00. (As Amended)

*Give first reading to the following bill coming from Traffic and Transportation:*

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Sections 418(3), 419(a), and 292(c) to change the maximum charge for a nonconsensual boot from \$35.00 to \$50.00. (As Amended)

**2. Committee on Public Works and Utilities: (Meeting was held on January 26, 2015 at 3:15 p.m.)**

**(i) (Acceptance and Dedication of Rights-of-Way and Easements)**

- a. Sea Island Farms – acceptance and dedication of Sea Island Road (50-foot right-of-way), Thoroughbred Boulevard (50-foot right-of-way), and Grants Passage (50-foot right-of-way).
- b. Daniel Island Parcel BB Phase I – acceptance and dedication of Judge Johnson Lane (20-foot right-of-way), Canecutter Lane (20-foot right-of-way), a portion of Oak Leaf Street (right-of-way width varies), a portion of Josiah Street (50-foot right-of-way), a portion of Willtown Street (50-foot right-of-way), and a portion of Village Crossing (66-foot right-of-way).

**3. License Committee: (Meeting was held on January 26, 2015 at 4:00 p.m.)**

- (i) An ordinance to amend the Business License Ordinance for the City of Charleston to change the due date for the payment of the City's Business License Fee from January 31<sup>st</sup> to February 19<sup>th</sup>, and to change the penalty dates to coincide with the amended due date.

*Give first reading to the following bill coming from the License Committee:*

An ordinance to amend the Business License Ordinance for the City of Charleston to change the due date for the payment of the City's Business License Fee from January

31<sup>st</sup> to February 19<sup>th</sup>, and to change the penalty dates to coincide with the amended due date.

#### **4. Committee on Ways and Means:**

(Bids and Purchases

(Police Department: Approval to submit the FFY2017 SC Department of Public Safety Grant in the amount of \$231,998 to fund and outfit 2 new traffic officers for the Traffic Enforcement Team. No City match is required.

(Fire Department: Approval to submit a FEMA grant application in the amount of \$860,682 to purchase a heavy rescue vehicle. Due to time constraints, this grant was submitted on January 15, 2016. A City match in the amount of \$86,068 will be budgeted in 2017.

(Office of Cultural Affairs: Approval to submit a grant application to Arts Midwest Big Read in the amount of \$10,000 for the 2016 MOJA Arts Festival. A City match in the amount of \$10,000 is required. The match will come from paid admissions, SCAC grant aid, and foundation grants.

(Police Department: Approve an extension to the Agreement between Bayside Apartments, L.P. and the Charleston Police Department which allows the Police Department to provide patrol services and a liaison officer to the property.

(Traffic and Transportation: Approve a Resolution between the South Carolina Department of Transportation and the City of Charleston for Clements Ferry Road Advance Clearing and Resurfacing Project

(Request approval of the Resolution granting the Mayor discretion not to terminate the Purchase and Sale Agreement dated December 15, 2015, between the City of Charleston and 99 WestEdge Developer, LLC (TMS: a portion of 460-00-00-013; 99 WestEdge)

(Request approval of the Resolution expressing the City's intention to reimburse from the first available TIF bond proceeds both the City and MUSC for any costs incurred on account of either party's agreement to guaranty certain costs for public improvements supporting WestEdge relating to the infrastructure payment required in the Purchase and Sale Agreement dated December 15, 2015 for the sale of a portion of 180 Lockwood [TMS: a portion of 460-00-00-013; Horizon Redevelopment Project Area (the "TIF District"), 99 WestEdge]

(Authorize Mayor to execute the attached Lease Amendment between the City (Landlord) and Member II, Inc. (Tenant) whereby the City agrees to allow Tenant, as part of a restaurant kitchen improvement project, to install an above ground grease trap and a vent-less hood with a fire suppression system. (TMS: 459-09-03-147; Ann Street – Visitor's Center Parking Garage – Retail Space) [Ordinance]

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

Resolution granting the Mayor discretion not to terminate the Purchase and Sale Agreement dated December 15, 2015, between the City of Charleston and 99 WestEdge Developer, LLC

Resolution expressing the City's intention to reimburse from the first available TIF bond proceeds both the City and MUSC for any costs incurred on account of either party's agreement to guaranty certain costs for public improvements supporting WestEdge relating to the infrastructure payment required in the Purchase and Sale Agreement dated December 15, 2015 for the sale of a portion of 180 Lockwood

An ordinance authorizing the Mayor to execute on behalf of the City an Amendment to the Lease Agreement dated April 16, 1996 originally between the City and Ann Street Associates, L.L.C., subsequently assigned to Member II, Inc., pertaining to approximately 8,640 square feet of space located in an area commonly known as the visitor's reception and transportation center.

**K. Bills up for Second Reading:**

1. *An ordinance to affirm Sec. 2-28 and Sec. 2-36 through Sec. 2-72 of the Code of the City of Charleston as the Rules of Order and Procedure at meetings of the City Council of the City of Charleston, South Carolina, and as the procedures for the enactment of Ordinances and Resolutions.*
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Concord Street & Laurens Street (Gadsden Wharf - Peninsula) (approximately 7.87 acres) (TMS #458-01-02-027, 062, 063, & 066) (Council District 1), be rezoned from Mixed-Use (MU-2) classification to Planned Unit Development (PUD) classification.*
3. *An ordinance authorizing the Mayor to execute on behalf of the City of Charleston the necessary documents to close and abandon a portion of Norman Street in the City and County of Charleston, State of South Carolina, running generally in a northerly direction from the northern corner of TMS #463-16-04-027 to its terminus as defined by points K,G,F,L,M,N,O,P,K as shown on a plat entitled "Plat showing the Creation of a New Subsurface Utility Easement & a New Utility Easement for an Existing Light Pole for the City of Charleston and also showing a portion of Norman Street currently maintained by the City of Charleston to be conveyed by the City of Charleston to Crosstown Development Partners, LLC", said plat being more fully shown on Exhibit A, attached hereto and incorporated by reference herein, subject to the City of Charleston and CPW having overlapping, separate, non-exclusive utility easements over the entirety of the portion of Norman Street being closed, abandoned and conveyed to Crosstown Development Partners, LLC in accordance with this ordinance; and authorizing the Mayor to execute on behalf of the City of Charleston the necessary documents to convey that portion of Norman Street closed and abandoned in accordance with this ordinance to Crosstown Development Partners, LLC. (AS AMENDED)*
4. *An ordinance authorizing the Mayor to execute on behalf of the City a First*

*Amendment to Parking Agreement pertaining to a Parking Agreement for spaces at the Aquarium Garage, said Agreement being dated July 21, 1998, originally between the City and Rivers Enterprises, Inc., Charleston Gateway Center, LLC and John M. Rivers, Jr., said Agreement subsequently being assigned in part to Mazyck Holdings, LLC. (AS AMENDED)*

5. *An ordinance authorizing the Mayor to execute on behalf of the City a First Amendment to Parking Agreement pertaining to a Parking Agreement for spaces at the Gaillard Complex, said Agreement being dated July 20, 1999, originally between the City and Rivers Enterprises, Inc., Charleston Gateway Center, LLC and John M. Rivers, Jr., said Agreement subsequently being assigned in part to Mazyck Holdings, LLC and collaterally assigned to Transamerica Financial Life Insurance Company, as lender. (AS AMENDED)*
6. *An ordinance to provide for the annexation of property known as 2116 Saint James Drive (0.24 acre) (TMS# 343-02-00-073), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11.*
7. *An ordinance to provide for the annexation of property known as Clements Ferry Road (19.02 acres) (a portion of TMS# 271-00-01-031), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. (DEFERRED)*
8. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Clements Ferry Road (Cainhoy) (approximately 19.02 acres) (a portion of TMS #271-00-01-031) (Council District 1), be zoned General Business (GB) classification. (DEFERRED)*
9. *An ordinance to provide for the annexation of property known as 2319 Savannah Highway (1.06 acres) (TMS# 310-06-00-114), 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. (DEFERRED)*
10. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2319 Savannah Highway (West Ashley) (approximately 1.06 acres) (TMS #310-06-00-114) (Council District 7), be zoned General Business (GB) classification. (AS AMENDED) (DEFERRED)*
11. *An ordinance to provide for the annexation of property known as Savannah Highway (1.49 acres) (TMS# 350-05-00-039; 350-05-00-040 and 350-05-00-160), West Ashley, Charleston County, to the City of Charleston, and includes all public rights-of-way shown within the area annexed upon a map attached hereto and make it part of District 7. (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 Savannah Highway (West Ashley) (approximately 1.49 acres) (TMS #350-05-00-039, 040 and 160) (Council District 7), be zoned General Business (GB) classification. (DEFERRED FOR PUBLIC HEARING)

#### 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 595 & 601 King Street & 32 & 34 Spring Street (Cannonborough-Elliottborough - Peninsula) (0.60 acre) (TMS #460-08-02-018, 019, 020 & 022) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification and to be rezoned from the 55/30 Old City Height District classification to the 80/30 Old City Height District classification and to include 34 Spring Street (TMS #460-08-02-022) in the Accommodations Overlay Zone (A-1) classification. **(The Planning Commission recommended denial for the rezoning from the 55/30 Old City District to the 80/30 Old City Height District; requires ¾ vote of Council.)**
2. An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 115 to provide regulations for the operation of unmanned aerial vehicles. (DEFERRED)
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 975 King Street and 6 Cleveland Street (North Central - Peninsula) (0.132 acre) (TMS #463-15-04-084) (Council District 3), be rezoned from General Business (GB) classification to Mixed Use/Workforce Housing (MU-1/WH) classification. (DEFERRED)
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 76 Columbus Street (East Side - Peninsula) (approximately 0.229 acre) (TMS #459-05-04-093) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to General Business (GB) classification. **(Requires ¾ vote of City Council; Planning Commission recommended Limited Business (LB).)** (DEFERRED)
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Murraywood Road (Johns Island) (approximately 1.80 acres) (a portion of TMS #312-00-00-026) (Council District 5), be rezoned from Single-Family Residential (SR-1) classification to Single and Two Family Residential (STR) classification. (DEFERRED)

#### M. Miscellaneous Business:

1. The next regular meeting of City Council will be February 9, 2016 at 5:00 p.m. at City Hall, 80 Broad Street.

## **PUBLIC HEARING**

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, January 26, 2016 beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the following matter:

An ordinance to amend the City of Charleston Century V 2010 Comprehensive Plan update, adopted by Charleston City Council on February 22, 2011, to incorporate the Rethink Folly Road Plan into said Century V Plan.

Interested parties are invited to attend the public hearing and express their views. Extended presentations should be submitted in writing.

**VANESSA TURNER MAYBANK**  
Clerk of Council

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](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, December 20, 2015. Charge account PC103190. Blanket PO# PR150036

Please insert in the Chronicle as a Display Ad on Wednesday, December 23, 2015. Please provide an affidavit of publication for all public hearings. PR Number PR156067

## PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, January 26, 2016 beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

### REZONINGS

1. To rezone 61 Cannon Street (*Cannonborough-Elliottborough - Peninsula*) (0.38 acre) (TMS# 460-12-01-008) from Limited Business (LB) classification to Mixed-Use Workforce Housing (MU-1/WH) classification. **Planning Commission recommends disapproval.**
2. To rezone Bees Ferry Road (*West Ashley*) (Approx. 1.80 acres) (A portion of TMS# 301-00-00-027) from Gathering Place (GP) classification to General Business (GB) classification.
3. To rezone 1065 Jenkins Road (*West Ashley*) (1.06 acres) (TMS# 351-14-00-011 & 068) from Single-Family Residential (SR-1) classification to Business Park (BP) classification.
4. To rezone 1708 Brantley Drive (*James Island*) (0.46 acre) (TMS# 425-03-00-035) from Single-Family Residential (SR-1) classification to General Business (GB) classification.

### ZONINGS

To zone the following properties annexed into the City of Charleston:

1. 1847 Elsey Drive (*West Ashley*) (0.44 acre) (TMS# 350-01-00-083) Single-Family Residential (SR-1).
2. 1140 San Juan Avenue (*Maryville-Ashleyville - West Ashley*) (0.18 acre) (TMS# 418-06-00-043) Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
3. 2112 Saint James Drive (*Riverland Terrace - James Island*) (0.24 acre) (TMS# 343-02-00-074) Single-Family Residential (SR-1).
4. 1119 Wappoo Road (*West Ashley*) (4.94 acres) (TMS# 351-15-00-005) General Business (GB).

### ORDINANCE AMENDMENTS

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new Part 6 providing for a temporary moratorium until January 27, 2016, on the processing of development applications and issuing of permits for properties zoned Gathering Place (GP).
2. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-207 to permit landscape buffer and building setback requirements along street rights-of-way for mini-storage/self-storage facilities to be reduced or eliminated if deemed appropriate by the Board of Architectural Review or Design Review Board.

VANESSA TURNER MAYBANK  
Clerk of Council

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Please insert as a Display Ad in the Post Courier on Sunday, January 10, 2016. Charge account PC103190. Blanket PO# 160071

Please insert in the Chronicle as a Display Ad on Wednesday, January 13, 2016. Please provide an affidavit of publication for all public hearings. PR Number PR160207

**CITY OF CHARLESTON  
PLANNING COMMISSION MEETING REPORT**

**MEETING OF DECEMBER 16, 2015**

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, December 16, 2015** in the Public Meeting Room, 1<sup>st</sup> Floor, 2 George St. The following applications were considered:

**PLAN PRESENTATION**

1. Presentation and request for recommendation to City Council of the multi-jurisdictional Vision for the Folly Road Corridor known as the **Rethink Folly Road Plan**.

**RECOMMENDED APPROVAL**

**MEMORANDUM OF UNDERSTANDING**

1. Request approval of the **Rethink Folly Road Plan** Memorandum of Understanding.

**RECOMMENDED APPROVAL**

**REZONINGS**

1. **61 Cannon St (Cannonborough-Elliottborough - Peninsula) TMS# 4601201008** – 0.38 ac. Request rezoning from Limited Business (LB) to Mixed-Use Workforce Housing (MU-1/WH).

**RECOMMENDED DISAPPROVAL**

2. **Bees Ferry Rd (West Ashley) a portion of TMS# 3010000027** – approx. 1.80 ac. Request rezoning from Gathering Place (GP) to General Business (GB).

**RECOMMENDED APPROVAL**

3. **498 & 502 King St & 86 Mary St (Peninsula) TMS# 4601202018, 019 & 021** – 0.28 ac. Request rezoning from General Business (GB) and Light Industrial (LI) to Mixed-Use Workforce Housing (MU-2/WH).

**DEFERRED BY APPLICANT**

4. **1065 Jenkins Rd (West Ashley) TMS# 3511400011 & 068** – 1.06 ac. Request rezoning from Single-Family Residential (SR-1) to Business Park (BP).

**RECOMMENDED APPROVAL**

5. **1708 Brantley Dr (James Island) TMS# 4250300035** – 0.46 ac. Request rezoning from Single-Family Residential (SR-1) to General Business (GB). Previously zoned Community Commercial (CC) in Charleston County.

**RECOMMENDED APPROVAL**

**SUBDIVISION**

1. **Riverland Oaks (James Island) TMS# 3430000002 & 3430400082** – 27.8 ac. 118 lots. Zoned Diverse Residential (DR-6) & General Business (GB). Request subdivision concept plan approval.

**DEFERRED BY APPLICANT**

**ZONINGS**

1. **1847 Elsey Dr (West Ashley) TMS# 3500100083** – 0.44 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

2. **1140 San Juan Ave (Maryville-Ashleyville - West Ashley) TMS# 4180600043** – 0.18 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

3. **2112 Saint James Dr (Riverland Terrace – James Island) TMS# 3430200074** – 0.24 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

4. **1119 Wappoo Rd (West Ashley) TMS# 3511500005** – 4.94 ac. Request zoning of General Business (GB). Zoned Ashley River Road Corridor Overlay – Commercial Core Area (ARRC-O-CCA) in Charleston County.

**RECOMMENDED APPROVAL**

**ORDINANCE AMENDMENTS**

1. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **adding to Article 9 thereof a new Part 6 providing for a temporary moratorium until January 27, 2016, on the processing of development applications and issuing of permits for properties zoned Gathering Place (GP).**

**RECOMMENDED APPROVAL**

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-207 to permit landscape buffer and building setback requirements along street rights-of-way for mini-storage/self-storage facilities to be reduced or eliminated if deemed appropriate by the Board of Architectural Review or Design Review Board.**

**RECOMMENDED APPROVAL**

## **REPORT OF THE TECHNICAL REVIEW COMMITTEE**

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

### **PRELIMINARY & FINAL PLATS**

1. **Fleming Park (James Island) TMS# 3400300017.** 14.1 ac. 49 lots. SR-1. Final subdivision plat under review.
2. **Carolina Bay, Phase 21 (West Ashley) TMS# 3070000009.** 34.2 ac. 103 lots. PUD. Preliminary subdivision plat pending approval.
3. **Parkshore Row (West Ashley) TMS# 4150900011.** 0.6 ac. 6 lots. Final subdivision plat pending approval.

### **ROAD CONSTRUCTION PLANS**

1. **Grand Oaks, Phase 4 (West Ashley) TMS# 3010000694.** 11.3 ac. 9 lots. PUD. Road construction plans under review.
2. **Grand Oaks, Phases 5 & 6 (West Ashley) TMS# 3010000695.** 10.9 ac. 30 lots. PUD. Road construction plans under review.
3. **The Crossings at West Ashley (West Ashley) TMS# 3090000003.** 7.2 ac. PUD. Road construction plans under review.
4. **Carolina Bay, Phase 21 (West Ashley) TMS# 3070000009.** 34.2 ac. 103 lots. PUD. Road construction plans pending approval.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting [www.charleston-sc.gov/pc](http://www.charleston-sc.gov/pc).

D1.)



# City of Charleston

**John J. Tecklenburg**

**Mayor**

## PROCLAMATION

WHEREAS, the Third Annual **Charleston STEM** (science, technology, engineering, and mathematics) **Festival** will be held at Brittlebank Park, Charleston on Saturday, February 6, 2016; and

WHEREAS, the goal of the **Charleston STEM Festival** is to increase public awareness, interest, and understanding about STEM by offering more than 50 fun, family-friendly, hands-on activities and shows; and

WHEREAS, through the various activities and shows, the **Charleston STEM Festival** will increase engagement and participation in STEM learning opportunities among students and the public, showcasing the diversity of STEM occupations and offering a direct connection to our vibrant community of STEM professionals; and

WHEREAS, it is important to recognize that **STEM** is essential for modern society. Every day, each of us benefit from **STEM** knowledge through the food we eat, the air we breathe, and the water we drink. **STEM** powers our world, protects us from natural disasters, improves our health, and entertains us; and

WHEREAS, the citizens of the Lowcountry will have the opportunity to see how **STEM** is an economic engine for not only Charleston, Dorchester, and Berkeley counties, but also the State of South Carolina; and

WHEREAS, the citizens of our greater community will have the opportunity to celebrate **STEM**, much like we celebrate sports, food, art and music, integrated into our culture as a community tradition;

NOW, THEREFORE, I, John J. Tecklenburg, Mayor, City of Charleston, do hereby proclaim February 6, 2016 as:

### **Charleston STEM Festival Day**

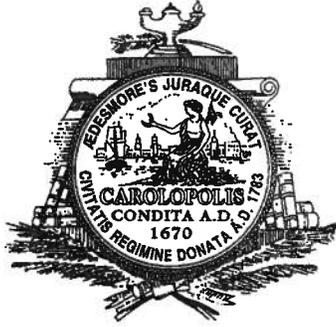
in the City of Charleston, and ask all citizens to join us in celebrating STEM and participating in the **Charleston STEM Festival**.

IN WITNESS WHEREOF, I have hereunto set my Hand and caused the Seal of the City of Charleston to be affixed this 26<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
John J. Tecklenburg, Mayor



E1.)



Ratification Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND THE CITY OF CHARLESTON CENTURY V 2010 COMPREHENSIVE PLAN UPDATE, ADOPTED BY CHARLESTON CITY COUNCIL ON FEBRUARY 22, 2011, TO INCORPORATE THE RETHINK FOLLY ROAD PLAN INTO SAID CENTURY V PLAN AS HEREINAFTER PROVIDED.

Whereas, the City of Charleston, desires to establish a multi-jurisdictional Vision for the Folly Road Corridor known as the Rethink Folly Road Plan (the "Plan"); and

Whereas, the Vision of the Plan is to be accomplished through implementation actions identified in the Plan that address issues related to improving safety and operational efficiency of all modes of travel, to include storm evacuation, facilitation of multimodal transportation conversions along the corridor (walking, biking, and transit), coordination and cooperation among various governmental bodies with regard to zoning, land development and design standards, and the preparation of standards for new development along the corridor that provide clear guidance to state and local agencies, community stakeholders, the general public, and the private sector; and

Whereas, goals of the Plan include reversing negative physical and environmental impacts of the transportation infrastructure and future development; improving the transportation network as it relates to transportation facilities and proposed residential and non-residential development; producing quality urban design that enhances livability for both the established residential neighborhoods and newly proposed development; and

Whereas, the Plan builds on and coordinates with previous and ongoing planning and development activities from the public and private sectors, and community-based organizations; and

Whereas, the Plan identifies strategies and provides the basis for setting priorities to achieve desired outcomes that can protect and enhance the Folly Road Corridor area towards a more safe, connected, green, valuable, and synced corridor for all residents and visitors of the Charleston Region; and

Whereas, Charleston City Council approved a Memorandum of Understanding on December 15, 2015 that established a multi-jurisdictional approach to the implementation of the vision for the Folly Road Corridor. Now, therefore,

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

Section 1. That Ordinance Number 2011-016, which provided for the adoption of the Century V Comprehensive Plan, be amended to incorporate the Rethink Folly Road Plan: A Complete Street Study, being marked as Exhibit A and attached hereto and incorporated by reference herein.

Section 2. This ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord 2016, 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

**Memorandum of Understanding Among  
The City of Charleston, the City of Folly Beach, the Town of James Island, and Charleston  
County, The Charleston Area Transportation Study (CHATS) Metropolitan Planning  
Organization (MPO), and the Berkeley Charleston Dorchester Council of Governments  
(BCDCOG)**

**WHEREAS**, the City of Charleston, the City of Folly Beach, Charleston County, the Town of James Island, the Charleston Area Transportation Study (CHATS) Metropolitan Planning Organization (MPO), and the Berkeley Charleston Dorchester Council of Governments (BCDCOG), herein referred to as the “Parties,” collectively desire to establish a multi-jurisdictional Vision for the Folly Road Corridor known as the Rethink Folly Road Plan (the “Plan”); and

**WHEREAS**, the Vision of the Plan is to be accomplished through implementation actions identified in the Plan that address issues related to improving safety and operational efficiency of all modes of travel, to include storm evacuation, facilitation of multimodal transportation conversions along the corridor (walking, biking, and transit), coordination and cooperation among various governmental bodies with regard to zoning, land development and design standards, and the preparation of standards for new development along the corridor that provide clear guidance to state and local agencies, community stakeholders, the general public, and the private sector; and

**WHEREAS**, goals of the Plan include reversing negative physical and environmental impacts of the transportation infrastructure and future development; improving the transportation network as it relates to transportation facilities and proposed residential and non-residential development; producing quality urban design that enhances livability for both the established residential neighborhoods and newly proposed development; and

**WHEREAS**, the Plan builds on and coordinates with previous and ongoing planning and development activities from the public and private sectors, and community-based organizations; and

**WHEREAS**, the Plan identifies strategies and provides the basis for setting priorities to achieve desired outcomes that can protect and enhance the Folly Road Corridor area towards a more safe, connected, green, valuable, and synced corridor for all residents and visitors of the Charleston Region;

**NOW, THEREFORE, IN RECOGNITION OF THE FOREGOING**, the Parties hereby jointly understand, agree and commit as follows:

A. To formally establish the *Rethink Folly Road Planning Committee* as an ongoing forum for communication and collaborative planning and implementation activities among local, regional and state agencies for the long-term health and vitality of the Folly Road Corridor. The *Rethink Folly Road Planning Committee*, as through the support of the BCDCOG, shall develop an operating agreement for communication and coordination protocols and establish a regular meeting schedule and means of affirming commitments, sharing information, reporting progress and celebrating accomplishments.

B. That the *Rethink Folly Road Planning Committee* membership shall include, at a minimum, the City of Charleston, City of Folly Beach, Charleston County, Town of James Island, James Island Public

Services District, BCDCOG, South Carolina Department of Transportation, with coordination and convening responsibility lying with the BCDCOG.

C. To work in partnership to improve economic opportunity and quality of life, and protect and maintain the cultural resources and environmental conditions for the benefit of everyone in the Folly Road Corridor area.

D. To supplement the vehicular road network in the Folly Road Corridor area with an interconnected non-motorized transportation network offering clearly defined, convenient and safe travel options linking origins and destinations within the Folly Road Corridor area and to adjacent areas.

E. To enhance and establish attractive and safe transportation options serving the Folly Road Corridor area and increasing travel choices available to people of all means and abilities.

F. To continue working to improve neighborhood safety and expand opportunities for residents' access to open space, parks and natural resources in order to promote a healthy living environment and high quality of life in the area.

G. That this Memorandum of Understanding may be revised from time to time as circumstances warrant, and may be amended only in writing and signed by all Parties to indicate concurrence of the City of Charleston, City of Folly Beach, Charleston County, the Town of James Island, CHATS, and the BCDCOG.

I. That any party may withdraw unilaterally and without cost or expense from the MOU by giving sixty days (60) advance notice to all other signatory parties.

\_\_\_\_\_  
Name (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title  
**City of Charleston**

\_\_\_\_\_  
Name (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title  
**City of Folly Beach**

---

Name (signature)

---

Date

---

Title

**Town of James Island**

---

Name (signature)

---

Date

---

Title

**Charleston County**

---

Name (signature)

---

Date

---

Title

**Charleston Area Transportation Study (CHATS)**

---

Name (signature)

---

Date

---

Title

**Berkeley Charleston Dorchester Council of Governments**

E2)  
(Deferred)



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 61 CANNON STREET (CANNONBOROUGH-ELLIOTTBOROUGH - PENINSULA) (0.38 ACRE) (TMS #460-12-01-008) (COUNCIL DISTRICT 4), BE REZONED FROM LIMITED BUSINESS (LB) CLASSIFICATION TO MIXED-USE WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION.

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

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

Section 2. The property to be rezoned is described as follows:  
61 Cannon Street (Cannonborough-Elliottborough - Peninsula) (0.38 acre) (TMS #460-12-01-008)

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

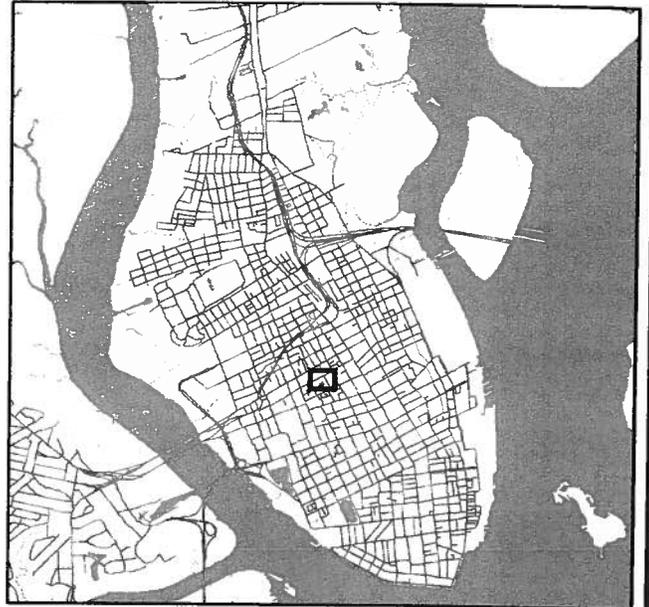
61 Cannon St  
(Cannonborough-Elliottborough - Peninsula)

TMS# 4601201008

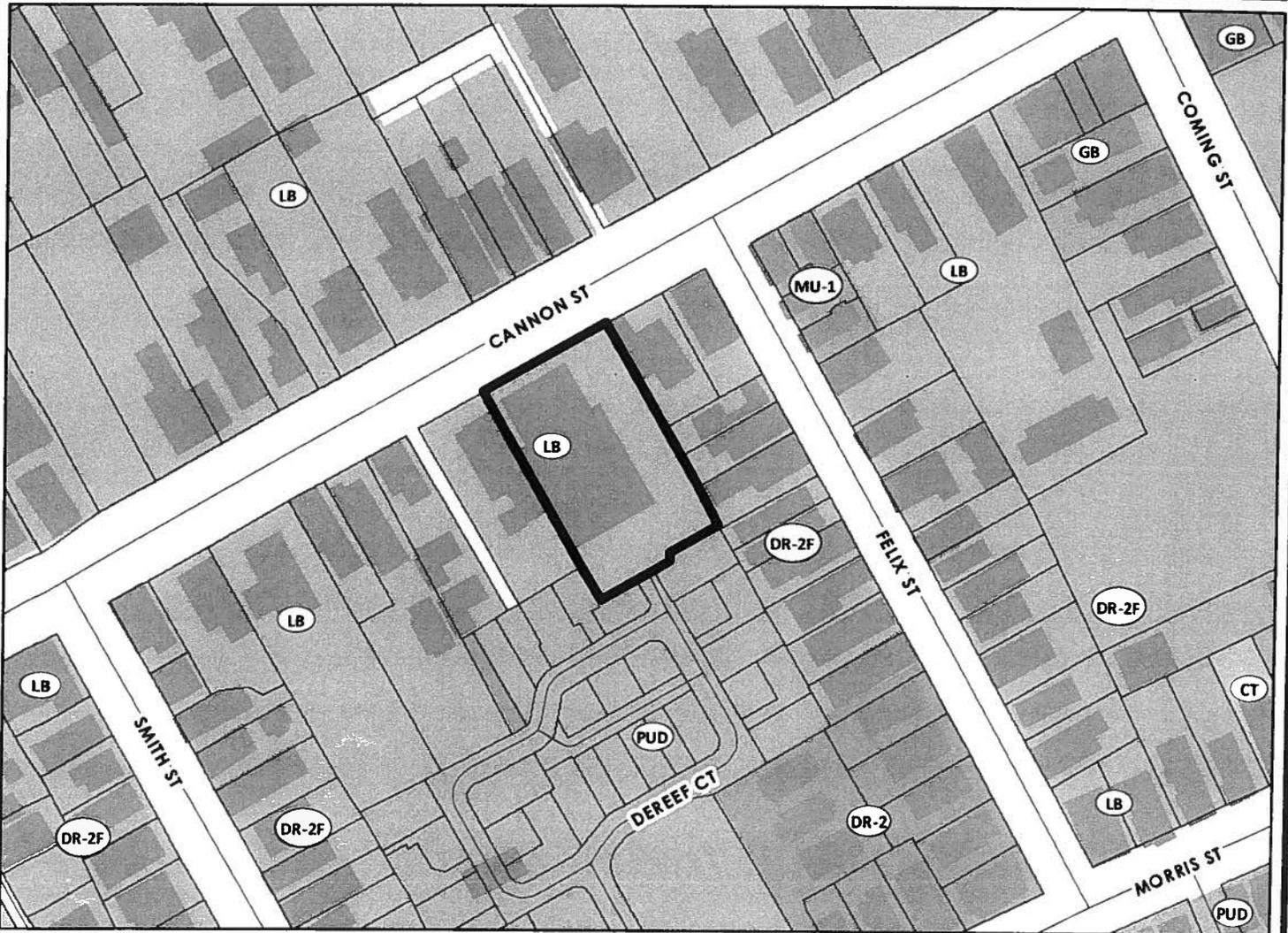
0.38 ac.

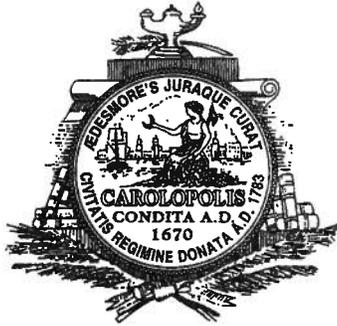
Request rezoning from Limited Business (LB) to  
Mixed-Use Workforce Housing (MU-1/WH).

Owner: Cannon Street YMCA  
Applicant: Erika V. Harrison, Atty.



### Location





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 PROPERTY LOCATED ON BEES FERRY ROAD (WEST ASHLEY) (APPROXIMATELY 1.80 ACRES) (A PORTION OF TMS #301-00-00-027) (COUNCIL DISTRICT 5), BE REZONED FROM GATHERING PLACE (GP) CLASSIFICATION TO GENERAL BUSINESS (GB) CLASSIFICATION.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Gathering Place (GP) classification to General Business (GB) classification.

Section 2. The property to be rezoned is described as follows:

Property located on Bees Ferry Road (West Ashley) (approximately 1.80 acres) (a portion of TMS #301-00-00-027)

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

**Bees Ferry Rd (West Ashley)**

**a portion of TMS# 301000027**

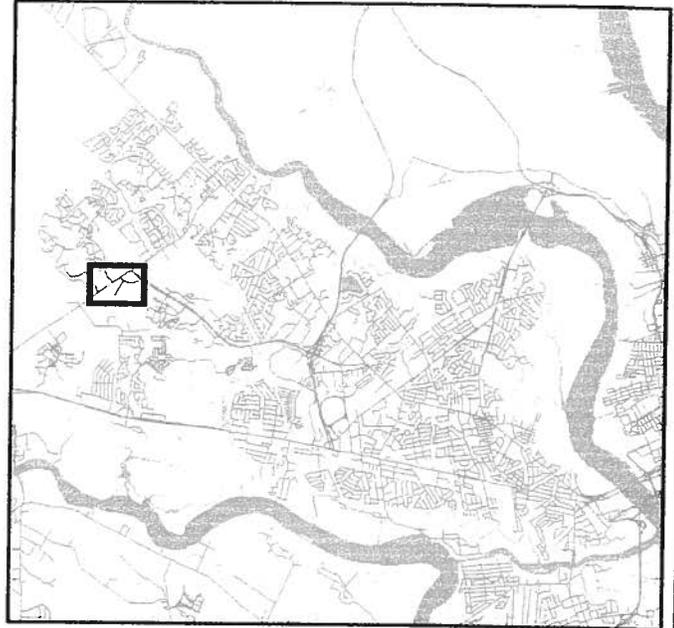
**approx. 1.80 ac.**

**Request rezoning from Gathering Place (GP)  
to General Business (GB).**

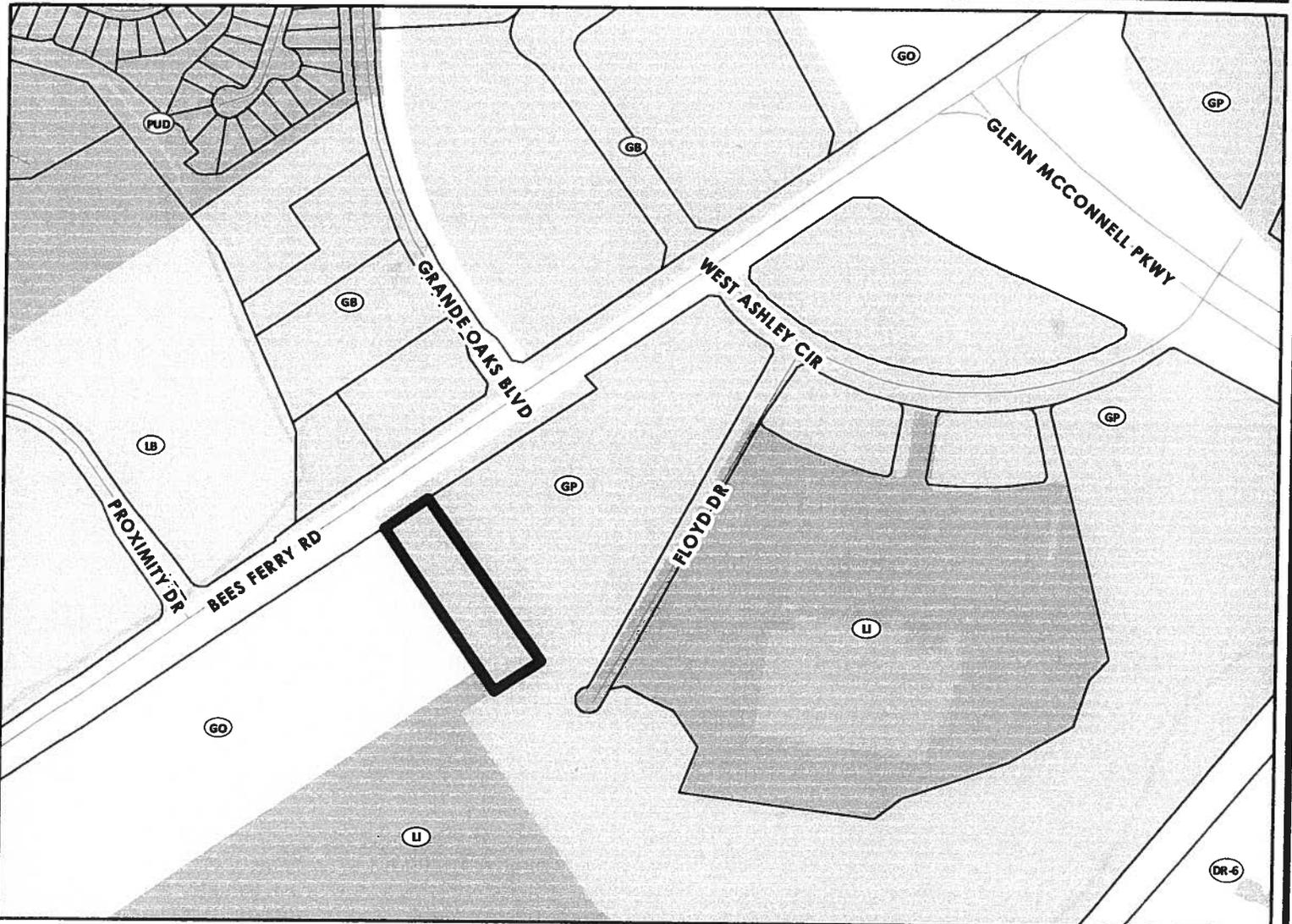
**Owner: Whitfield Construction Company**

**Applicant: White Point Partners, LLC**

Area



Location



E4)



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 1065 JENKINS ROAD (WEST ASHLEY) (1.06 ACRES) (TMS #351-14-00-011 AND 351-14-00-068) (COUNCIL DISTRICT 7), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO BUSINESS PARK (BP) CLASSIFICATION.

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

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

Section 2. The property to be rezoned is described as follows:  
1065 Jenkins Road (West Ashley) (1.06 acres) (TMS #351-14-00-011 and 351-14-00-068)

Section 3. This ordinance shall become effective upon ratification.

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

By: \_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

Attest: \_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

## Rezoning 4

1065 Jenkins Rd (West Ashley)

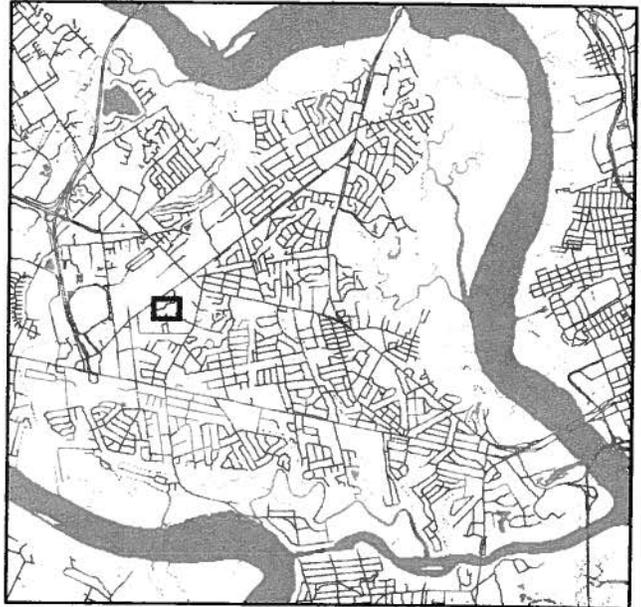
TMS# 3511400011 & 068

1.06 ac.

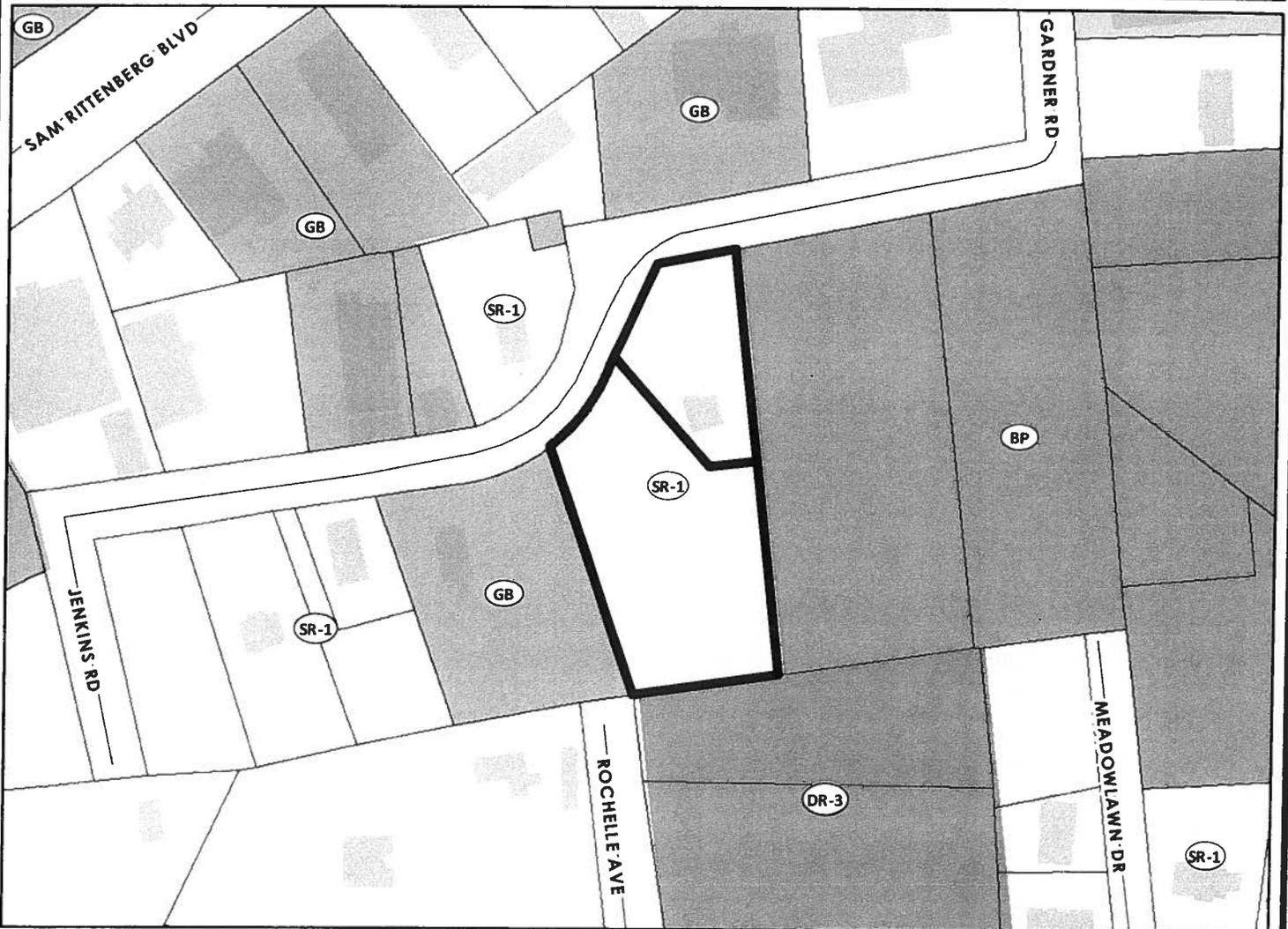
Request rezoning from Single-Family Residential (SR-1)  
to Business Park (BP).

Owner: Harold Craig Jackson  
Applicant: Kevin Molony

Area



Location



ES.)



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 1708 BRANTLEY DRIVE (JAMES ISLAND) (0.46 ACRE) (TMS #425-03-00-035) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MAY 2, 2006 (#2006-151), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO GENERAL BUSINESS (GB) CLASSIFICATION.

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

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

Section 2. The property to be rezoned is described as follows:  
1708 Brantley Drive (James Island) (0.46 acre) (TMS #425-03-00-035)

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

1708 Brantley Dr (James Island)

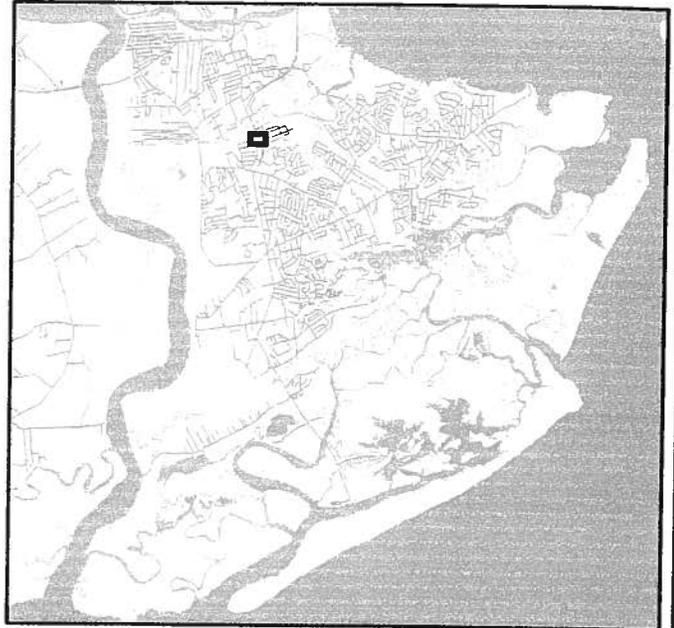
TMS# 4250300035

0.46 ac.

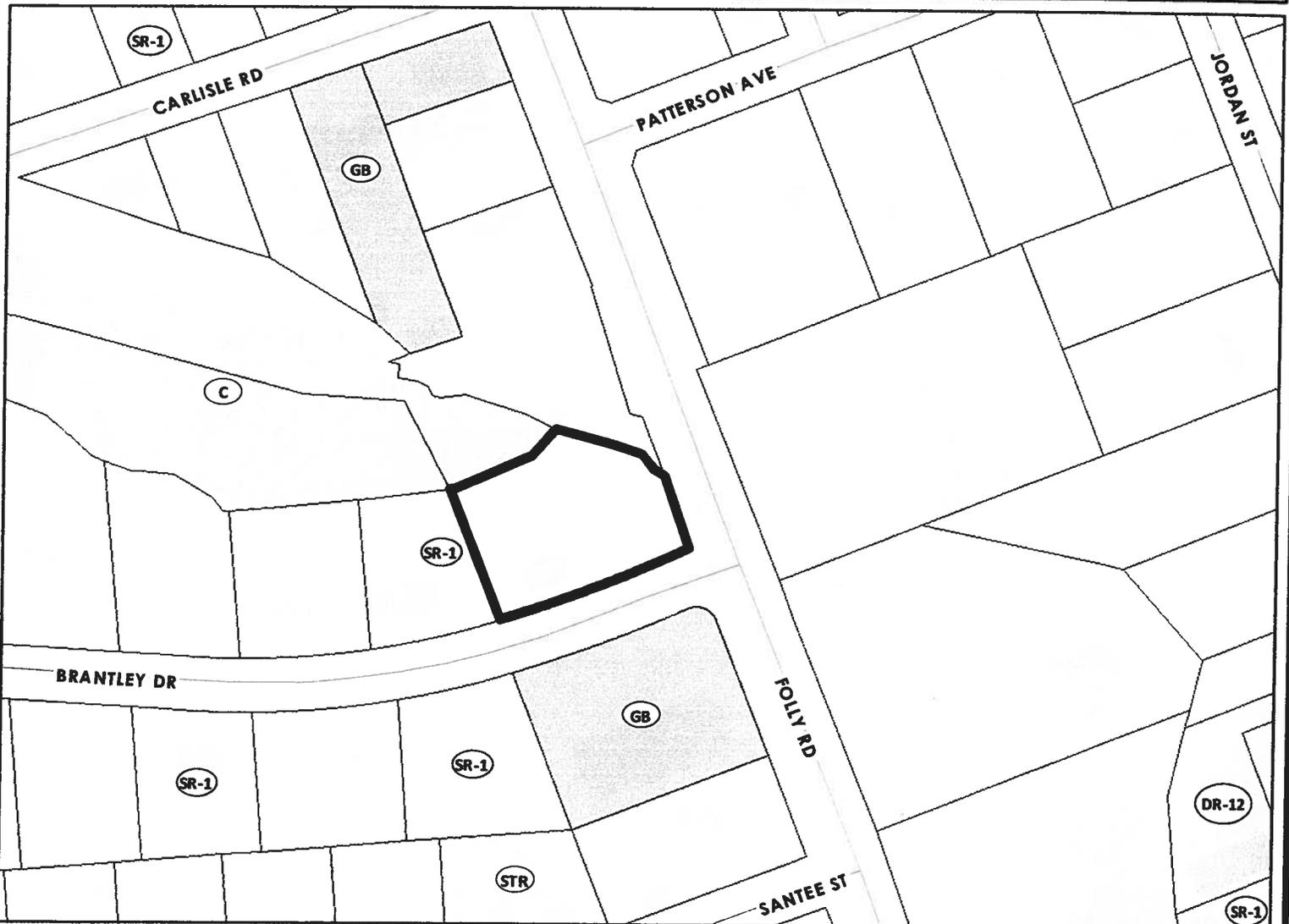
Request rezoning from Single-Family Residential (SR-1)  
to General Business (GB). Previously zoned  
Community Commercial (CC) in Charleston County.

Owner: William P. Brantley  
Applicant: City of Charleston

Area



Location



E6.)



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 1847 ELSEY DRIVE (WEST ASHLEY) (0.44 ACRE) (TMS #350-01-00-083) (COUNCIL DISTRICT 7), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 1, 2015 (#2015-182), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

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 that the below described property shall become a part thereof:

1847 Elsey Drive (West Ashley) (0.44 acre) (TMS #350-01-00-083)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 1

1847 Elsey Dr (West Ashley)

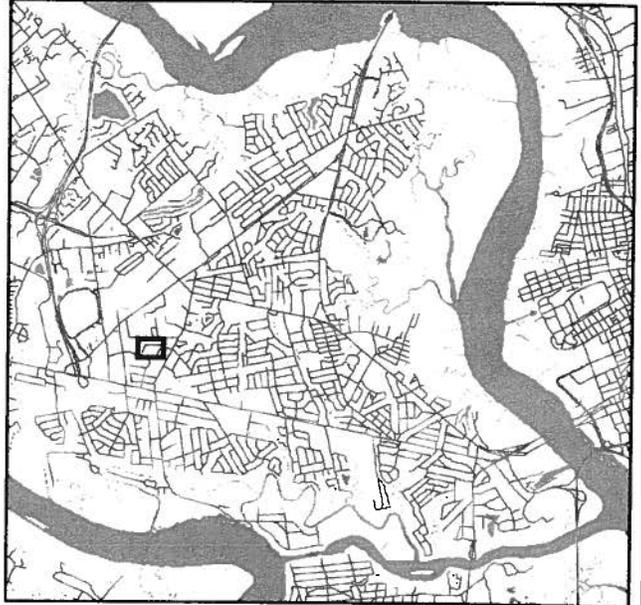
TMS# 3500100083

0.44 ac.

Request zoning of Single-Family Residential (SR-1).  
Zoned Single-Family Residential (R-4)  
in Charleston County.

Owner: Bernie and Nancy Miller

Area



Location



E7.)



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 1140 SAN JUAN AVENUE (MARYVILLE-ASHLEYVILLE - WEST ASHLEY) (0.18 ACRE) (TMS #418-06-00-043) (COUNCIL DISTRICT 3), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 15, 2015 (#2015-193), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

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 that the below described property shall become a part thereof:

1140 San Juan Avenue (Maryville-Ashleyville - West Ashley) (0.18 acre) (TMS #418-06-00-043)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

## Zoning 2

1140 San Juan Ave  
(Maryville-Ashleyville - West Ashley)

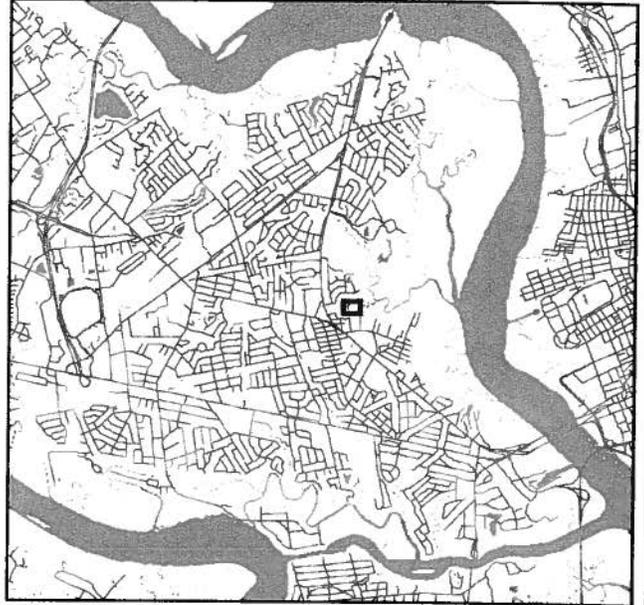
TMS# 4180600043

0.18 ac.

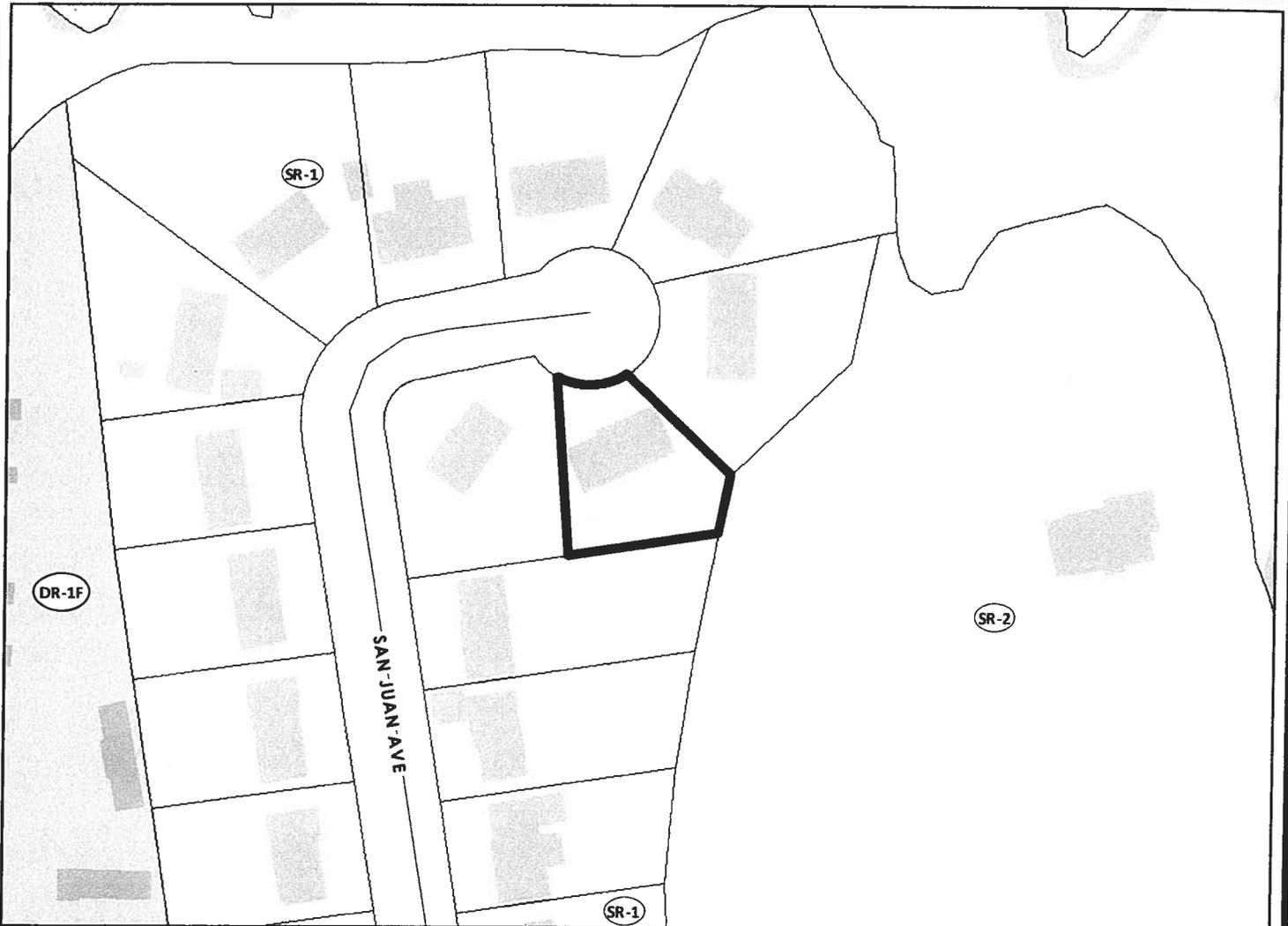
Request zoning of Single-Family Residential (SR-1).  
Zoned Single-Family Residential (R-4)  
in Charleston County.

Owner: □ Delores Smalls

Area



Location



58.)



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 2112 SAINT JAMES DRIVE (RIVERLAND TERRACE – JAMES ISLAND) (0.24 ACRE) (TMS #343-02-00-074) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 15, 2015 (#2015-194), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

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 that the below described property shall become a part thereof:

2112 Saint James Drive (Riverland Terrace – James Island) (0.24 acre) (TMS #343-02-00-074)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

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

Zoning 3

2112 Saint James Dr  
(Riverland Terrace – James Island)

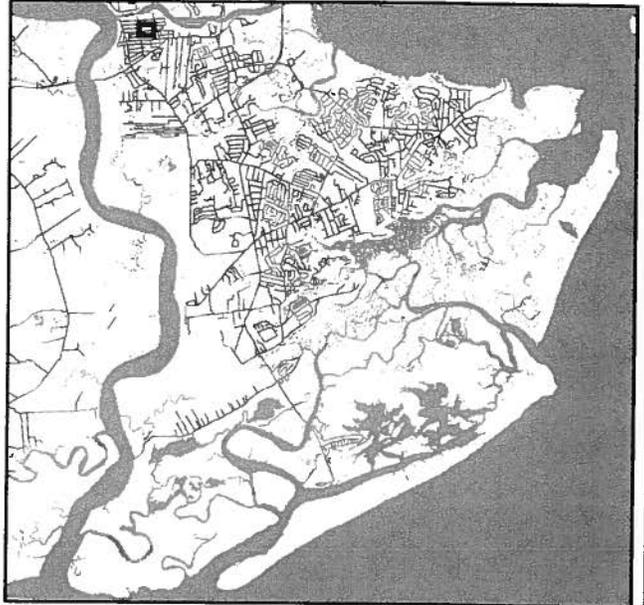
TMS# 3430200074

0.24 ac.

Request zoning of Single-Family Residential (SR-1).  
Zoned Single-Family Residential (R-4)  
in Charleston County.

Owner: Cameron and Kimberly Glaws

Area



Location



E9.)



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 1119 WAPPOO ROAD (WEST ASHLEY) (4.94 ACRES) (TMS #351-15-00-005) (COUNCIL DISTRICT 7), BE ZONED GENERAL BUSINESS (GB) CLASSIFICATION.

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 that the below described property shall become a part thereof:

1119 Wappoo Road (West Ashley) (4.94 acres) (TMS #351-15-00-005)

Section 2. That the said parcel of land described above shall be zoned General Business (GB) classification.

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

## Zoning

1119 Wappoo Rd (West Ashley)

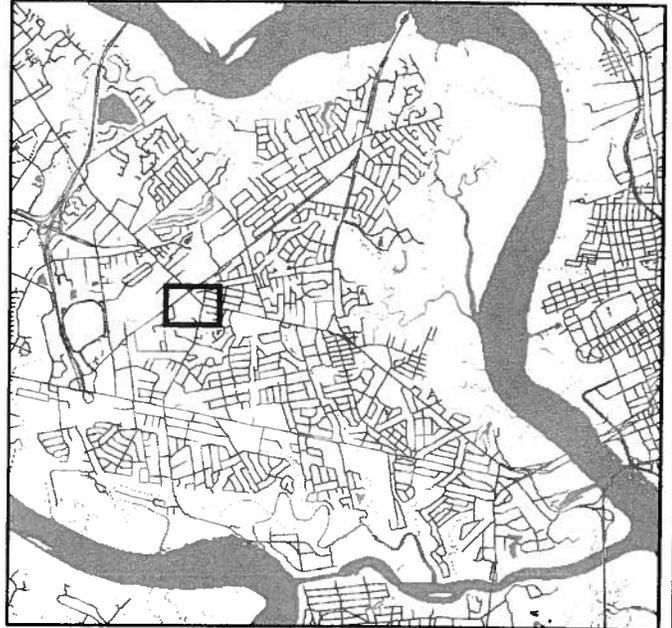
TMS# 3511500005

4.94 ac.

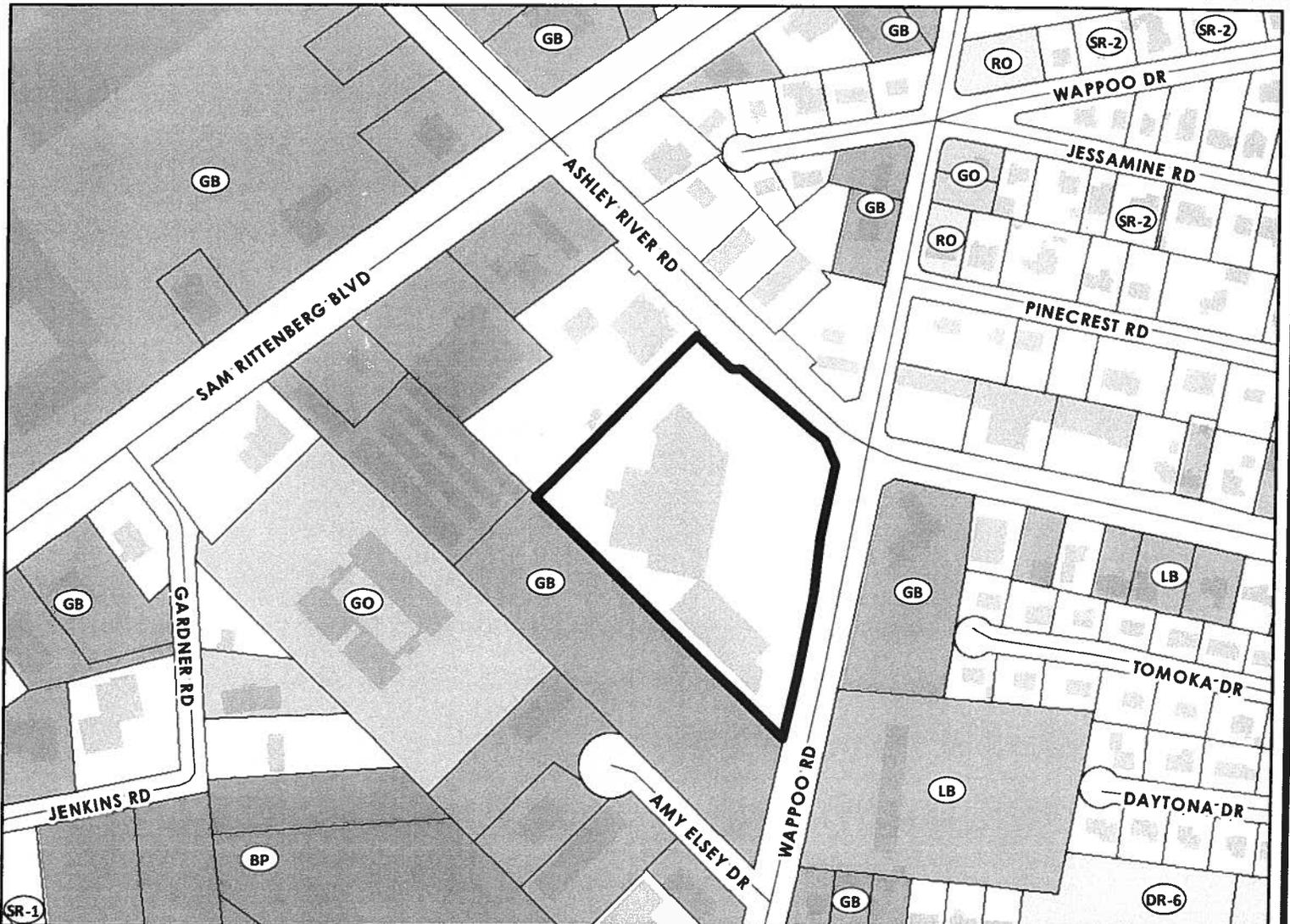
Request zoning of General Business (GB).  
Zoned Ashley River Road Corridor Overlay –  
Commercial Core Area (ARRC-O-CCA)  
in Charleston County.

Owner: Ashley Oaks SC, LLC

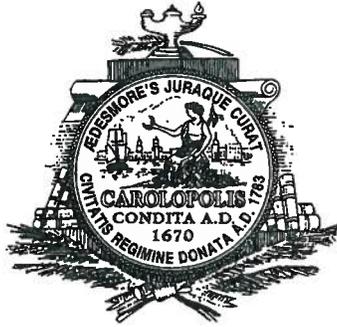
Area



Location



E10)



Ratification  
Number \_\_\_\_\_

# 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 6 PROVIDING FOR A TEMPORARY MORATORIUM UNTIL JANUARY 27, 2016, ON THE PROCESSING OF DEVELOPMENT APPLICATIONS AND ISSUING OF PERMITS FOR PROPERTIES ZONED GATHERING PLACE (GP).

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

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Article 9 thereof a new Part 6 providing for a temporary moratorium on the processing of development applications and issuing of permits for properties zoned Gathering Place (GP), which Part 6 shall read as follows:

“Part 6: Temporary Moratorium

Sec. 54-970 Findings.

City Council makes the following findings of fact:

The Gathering Place (GP) District is designed to accommodate mix-use town, village and neighborhood centers at major intersections and along traditional commercial streets in the city to encourage diverse housing opportunities, with supporting pedestrian-oriented development to create an environment conducive to walking and biking. The GP District is intended to allow density, and to be sited at locations accessible to public transportation, to encourage an increased use of public transit and car-pooling opportunities, and a decrease in the use of individual automobiles. City Council endorses the principals behind, and intent of, the GP District.

In times recent, it has become apparent to Council that provisions of the GP District require study and a thoughtful vetting to assure that they are tailored to effectuate the purpose and intent of the District, and that they are fully understood by the development community and the public at large. City Council deems it in the

interests of the public, and in furtherance of the health, safety and welfare of its citizenry that the provisions of the GP District undergo review, with input from property owners, residents the business and development community, urban planning specialists and other interested stakeholders. As this review is occurring, City Council deems it appropriate to maintain the status quo with respect to properties zoned GP so that the review can proceed in an orderly, fair and meaningful manner.

City Council deems it necessary and proper, in order to sustain the peace, good order and success of the properties zoned GP being desirable places to live, work and recreate, and in furtherance of the powers of home rule devolved upon it by S. C. Code Ann. §5-7- 10 *et seq* and the land use, planning and zoning authority devolved upon it by S. C .Code Ann. § 6-29-310 *et seq* (South Carolina Local Government Comprehensive Planning Act) to enact a temporary moratorium, until January 27, 2016, on processing development applications and issuing permits for properties in the City zoned GP.

Sec. 54-971. Temporary Moratorium.

A temporary moratorium until January 27, 2016, is hereby imposed on the processing of development applications and issuing permits for properties in the City zoned GP.

Sec. 54-972. Purpose, Study and Interim Reports.

The purpose of the temporary moratorium is to allow the Department of Planning, Preservation and Sustainability, in consultation with other City departments, affected property owners and residents, the business and development community, urban planning specialists and other interested stakeholders, a discrete period of time to study the provisions of the GP District to assure that those provisions not just further the goals and objectives of the District, but also appropriately protect the quality of life of those living and working in the vicinity of the Districts, and to make such recommendations to Council as may be necessary to achieve these ends.

Sec. 54-972. Expiration.

The provisions of this Part 6 shall expire on January 27, 2016.”

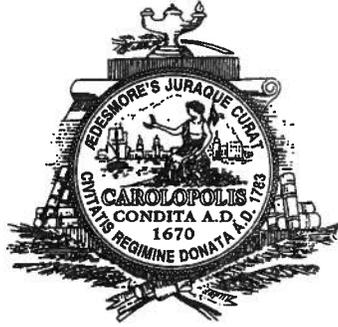
Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2016, and in the \_\_\_\_<sup>th</sup> Year of the Independence of the United States of America

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

E11.)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-207 TO PERMIT LANDSCAPE BUFFER AND BUILDING SETBACK REQUIREMENTS ALONG STREET RIGHTS-OF-WAY FOR MINI-STORAGE/SELF-STORAGE FACILITIES TO BE REDUCED OR ELIMINATED IF THE REDUCTION OR ELIMINATION IS DEEMED APPROPRIATE BY THE BOARD OF ARCHITECTURAL REVIEW OR DESIGN REVIEW BOARD

Section 1. Subsection "m." of Section 54-207, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold**):

"m. Mini-warehouse/self-storage facilities consisting of separate, enclosed spaces for the storage of personal property and belongings shall be permitted within the GB and UC district if the proposed facility satisfies the following conditions:

1. Each storage space must have its own private entrance;
2. There shall not be any commercial or personal sale of any goods, products, or services on the premises by tenants;
3. The site provides a twenty-five foot Type C buffer, as specified in Section 54-348, along all streets adjacent to the site, or satisfies the buffer requirements of Article 3, Part 8, whichever requirement is greater; **except that for properties within the jurisdiction of the Board of Architectural Review (BAR) or the Design Review Board (DRB), the BAR or DRB may reduce or eliminate this buffer requirement if they deem the reduction or elimination to be appropriate;**
4. All buildings maintain a minimum setback from street rights-of-way of fifty feet (50') or satisfy setback requirements of Section 54-311, whichever is greater; **except that for properties within the jurisdiction of the Board of Architectural Review (BAR) or the Design Review Board (DRB), the BAR or DRB may reduce or eliminate this setback requirement if they deem the reduction or elimination to be appropriate.**
5. The site satisfies all other applicable regulations of this Chapter.

Outdoor boat and boat trailer storage shall be permitted in connection with mini-warehouse/self-storage facilities if the above conditions are met."

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of  
\_\_\_\_\_ in the Year of Our Lord 2016,  
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



Ratification Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 19, SECTIONS 418(3), 419(a), AND 292(c) TO CHANGE THE MAXIMUM CHARGE FOR A NONCONSENSUAL BOOT FROM \$35.00 TO \$50.00. (AS AMENDED)

**Section 1.** Chapter 19, Section 418(3) of the Code of the City of Charleston is hereby amended by deleting the following struck through text and adding thereto the following underlined words, which shall read as follows:

**“Sec. 19-418. - Booting from private property.**

(3) The posted signs contain a clear warning that: 1) violators' vehicles will be booted, at the vehicle owner's expense; 2) the telephone number to call for release of the vehicle; 3) that the maximum price for release of the vehicle is ~~thirty five dollars (\$35.00)~~ fifty dollars (\$50.00); and 4) that the booting operator must arrive to release the vehicle within thirty (30) minutes of calling for release of the vehicle or there can be no charge for the release of the vehicle.”

**Section 2.** Chapter 19, Section 419(a) of the Code of the City of Charleston is hereby amended by deleting the following struck through text and adding thereto the following underlined words, which shall read as follows:

**“Sec. 19-419. Maximum charge for nonconsensual boot.**

(a) The maximum rate that may be charged for a nonconsensual boot of a vehicle on commercially zoned private property shall be ~~thirty five~~ fifty dollars (~~\$35~~50.00) inclusive of any and all additional fees. Notwithstanding the provisions of any other law, when a vehicle has been booted on commercially zoned private property and subsequently towed from such property, no additional charge may be imposed for the towing of such vehicle.”

**Section 3.** Chapter 19, Section 292(c) of the Code of the City of Charleston is hereby amended by adding the following underlined words, which shall read as follows:

**Sec. 19-292. - Consequences of failure to comply with parking citation.**

(c) Any vehicle identified as a public nuisance may be impounded and/or immobilized by the city. The city may also give authorization to a commercial towing or wrecker service to tow the vehicle away to store in a safe place until claimed by the owner. The fee for immobilization and impoundment shall be that amount set forth by City Council, as amended from time to time.

**Section 4.** This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_\_ day of \_\_\_\_\_ in  
the Year of Our Lord, 2016, in the 240<sup>th</sup> Year of  
Independence of the United States of America.

By: \_\_\_\_\_  
John Tecklenburg  
Mayor, City of Charleston

ATTEST: \_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

J2(1)(a)

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

KNOW ALL MEN BY THESE PRESENTS, that Ashton Charleston Residential, LLC ("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 the of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, located in Sea Island Farms Subdivision as shown and designated on a plat entitled "FINAL SUBDIVISION PLAT OF SEA ISLAND FARMS AT JOHNS ISLAND, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, TMS 280-00-00-172"

prepared by Atlantic Surveying, Inc , dated January 28, 2014 , revised July 14, 2015, and recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ in the RMC Office for CHARLESTON County. Said property butting and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantor herein by deed of the TMS 280-00-00-172 dated Feb 4, 2015 and recorded Charleston County in Book 0455 at Page 419 in the RMC Office for CHARLESTON County, South Carolina.

Grantee's Mailing Address: City of Charleston  
Department of Public Service  
Engineering Division  
75 Calhoun Street  
Third Floor  
Charleston, South Carolina 29401

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.



STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON ) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

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

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Dennis A. Avery, as Trustee of The Avery Company, Inc. 401 (K) Plan to Ashton Charleston Residential, L.L.C. on April 3, 2014.
3. Check one of the following: The deed is

- KAC (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.
- KPC (C)  exempt from the deed recording fee because (See Information section of affidavit): \_\_\_\_\_ (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):

- KAC (A)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$560,000.00
- (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: \$560,000.00
- (B) Place the amount listed in item 5 above here: 00.00  
(If no amount is listed, place zero here.)
- (C) Subtract Line 6(b) from Line 6(a) and place the result here: \$560,000.00

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is \$2,082.00 *KAC*.
8. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as Legal Representative.
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

John W. Farrell, Esq.

Print or Type Name Here

Sworn this 28th day of July 2015

*Cynthia A. Smith*  
Notary Public for South Carolina

My Commission Expires: March 29, 2025





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

This Agreement is made and entered into this \_\_\_ day of \_\_\_\_\_ 2015 , 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  
Ashton Charleston Residential, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining a storm water drainage ditch and appurtenances ("Storm Water System") across a portion of Sea Island Farm designated by Charleston County tax map number 280-00-00-172 and to accomplish this objective, the City must obtain an easement from the Owner permitting the maintenance of the Storm Water System through a 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 an exclusive easement 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 a **NEW EXCLUSIVE 12-FOOT WIDE PERMANENT STORM DRAINAGE EASEMENT CONTAINING 0.04 ACRE(S) OR 1,680 SQ. FT.** more fully shown on a plat entitled "FINAL SUBDIVISION PLAT OF SEA ISLAND FARMS AT JOHNS ISLAND, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA TMS 280-00-00-172"

prepared by Atlantic Surveying, Inc, dated Jan 28, 2014, executed by Covert Nelson, on Jan 28, 2014 \* , and recorded in Plat Book \_\_\_ at page \_\_\_ in the R. M. C. Office for Charleston County, South Carolina (herein the "Plat"). A copy of said plat is attached heretofore and incorporated herein.  
 \* 11-6-2013

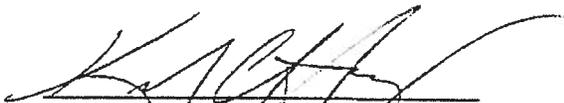
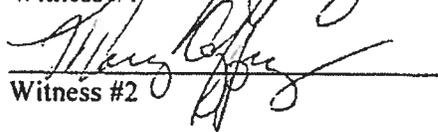
SAID EXCLUSIVE STORM DRAINAGE EASEMENT having such size, shape, location, and butting, and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive 12-Foot Wide Permanent Stormwater Drainage Easement for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. This Exclusive 12-Foot Wide Permanent Stormwater Drainage Easement shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 12-Foot Wide Permanent Stormwater Drainage Easement during the conduct of its allowable activities as described above.

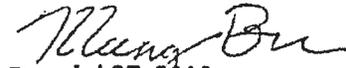
TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

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

  
\_\_\_\_\_  
Witness #1  
  
\_\_\_\_\_  
Witness #2

OWNER

Name: Ashton Charleston Residential

  
Date: Jul 27, 2015

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: Laura S. Cabiness, P.E.

Its: Director of Public Service

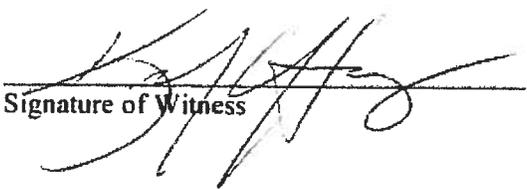
Date: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

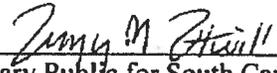
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Morgan Bryan sign, on behalf of Ashton Charleston Reside, the within Exclusive Permanent Stormwater Drainage Easement, and seal said Exclusive Permanent Stormwater Drainage Easement, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

  
Signature of Witness

SWORN to before me this  
27th day of July, 2015.

  
Notary Public for South Carolina  
My Commission Expires: 2/3/2021



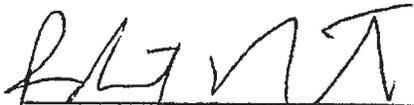




The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 24-Foot Wide Permanent Stormwater Drainage Easement during the conduct of its allowable activities as described above.

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

  
\_\_\_\_\_  
Witness #1

  
\_\_\_\_\_  
Witness #2

OWNER  
Name:   
\_\_\_\_\_

Date: 6 NOV 2015

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

By: Laura S. Cabiness

Its: Director of Public Service

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

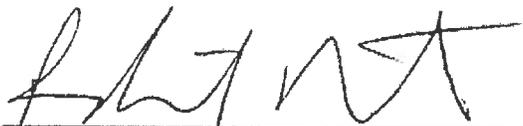
STATE OF SOUTH CAROLINA

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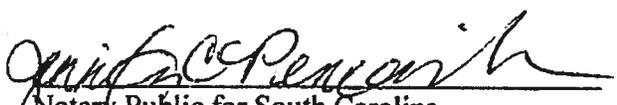
PROBATE

COUNTY OF CHARLESTON

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Ryan B. Lewis sign, on behalf of, Ashton Charleston Residential, LLC, the within Exclusive Permanent Stormwater Drainage Easement, and seal said Exclusive Permanent Stormwater Drainage Easement, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

  
\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
6 day of Nov, 20 15.

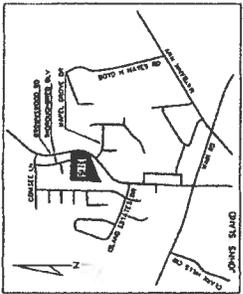
  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 11/19/19



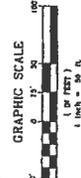
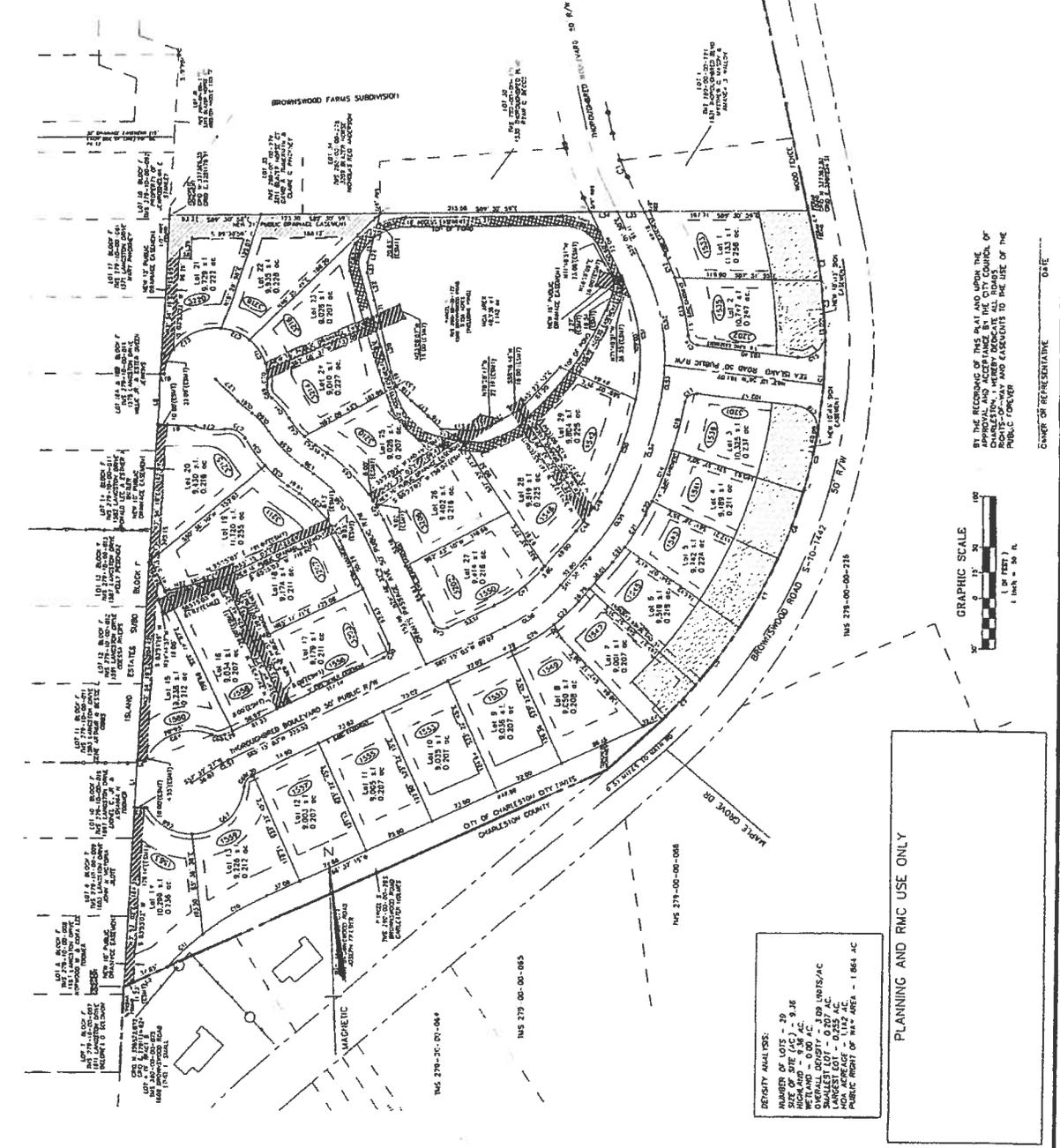


FINAL SUBDIVISION PLAN OF SEA ISLAND FARMS AT JOHNS ISLAND, CITY OF CHARLESTON, SOUTH CAROLINA

Table with columns: SHEET NO., DATE, SCALE, etc.



- NOTES: 1. BOUNDARIES WERE ESTABLISHED BY RE-TREATMENT OF RECORDS AND... 2. CITY THOSE WORKMANSHIP ON THIS PROPERTY AND ADJOINING PROPERTIES... 3. NO BURIED OR ENVIRONMENTAL INVESTIGATIONS OR SURVEYS WERE... 4. METEOROLOGICAL DATA FOR ACCE LETTER #SAC-2367 11.8-23.4... 5. THIS PROPERTY IS LOCATED IN FLOOD ZONE X AS DETERMINED BY... 6. ALL SET PROPERTY CORNERS ARE 5/8" REBAR UNLESS OTHERWISE... 7. PUBLIC SEWER IN THE AREA IS PROVIDED BY CHARLESTON WATER... 8. THIS PROPERTY IS OWNED BY AMVET COMPANY, INC. 887 JOHNS... 9. HORIZONTAL DATUM SOUTH CAROLINA STATE PLANE COORDINATE... 10. THE PUBLIC DRAINAGE EVENTS SHOWN ARE DEDICATED TO THE CITY... 11. THE ACCESS EASEMENT SHOWN IS DEDICATED TO THE CITY...



DENSITY ANALYSIS: NUMBER OF LOTS = 29, WETLAND = 0.00 AC, HIGHLAND = 5.16 AC, etc.

PLANNING AND RMC USE ONLY

THE GRAPHICS AND DESIGN HEREON ARE THE PROPERTY OF ATLANTIC SURVEYING AND MAY NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT OF THE SURVEYOR AND PARTY INSTRUMENT. THIS SHALL BE SUBJECT TO LOCAL ACTS.

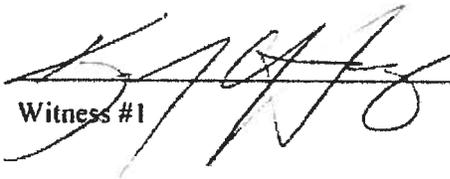


The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 10-Foot Wide Permanent Stormwater Drainage Easements during the conduct of its allowable activities as described above.

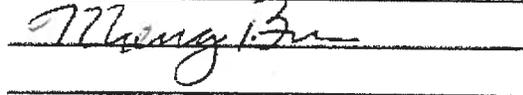
TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

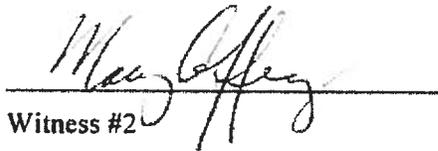
IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

OWNER

  
Witness #1

Name: Ashton Charleston Residential, LLC

  
\_\_\_\_\_  
\_\_\_\_\_

  
Witness #2

Date: Jul 27, 2015

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: Laura S. Cabiness, P.E.

Its: Director of Public Service

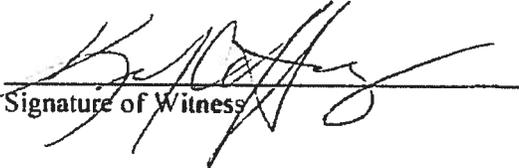
\_\_\_\_\_  
Witness #2

Date: \_\_\_\_\_

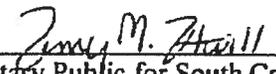
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Morgan Bryan sign, on behalf of Ashton Charleston Residential, LLC, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

  
\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
27th day of July, 2015.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 2/3/2021

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Laura S. Cabiness, P.E. sign, on behalf of the City of Charleston, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

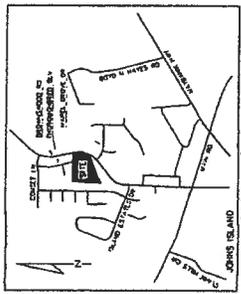
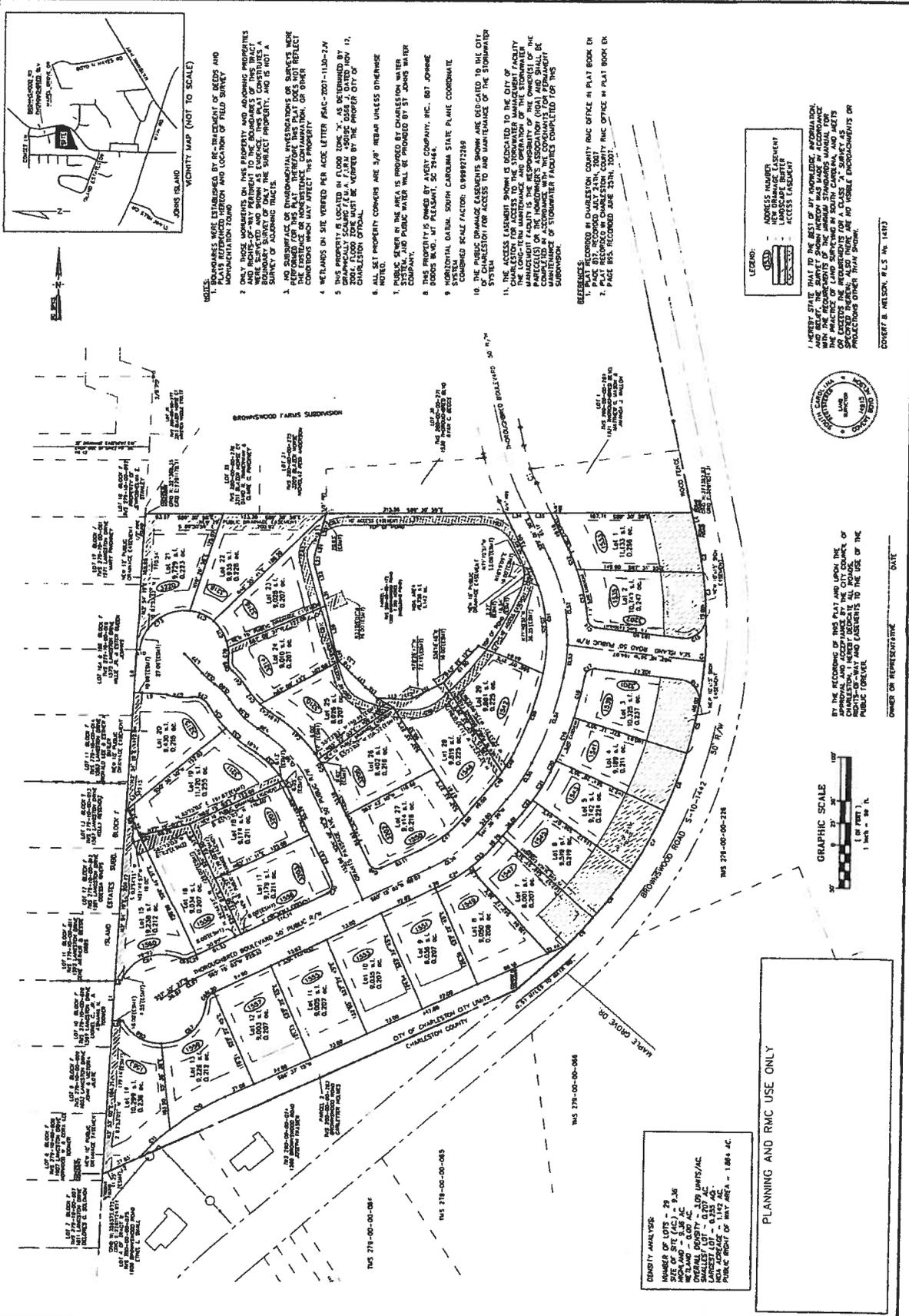
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_



**Atlantic Surveying, Inc.**  
 1145 BERRY STREET  
 CHARLESTON, SOUTH CAROLINA 29403  
 PHONE 781-2345

**FINAL SUBDIVISION PLAT OF SEA ISLAND FARMS**  
 AT JOHNS ISLAND, CITY OF CHARLESTON  
 CHARLESTON COUNTY, SOUTH CAROLINA  
 THIS 28th-00-00-172

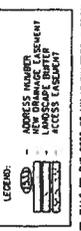
DATE	28-00-00-172
BY	Atlantic Surveying, Inc.
FOR	Atlantic Surveying, Inc.
RECORDING OFFICE	Charleston County RMC Office
RECORDING DATE	06-23-2007
RECORDING PAGE	172



- NOTES:**
1. DIMENSIONS WERE ESTABLISHED BY RE-TRIEVAL OF RECORDS AND INDICATIONS FOUND.
  2. ONLY THOSE MONUMENTS ON THE PROPERTY AND ADJOINING PROPERTIES WERE SURVEYED AND SHOWN AS EVIDENCE. THIS PLAT CONSTITUTES A SURVEY OF ADJOINING TRACTS.
  3. NO SUBSURFACE OR PROCESSIONAL INVESTIGATIONS OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE, THIS PLAT DOES NOT REFLECT CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
  4. WETLANDS ON SITE VERIFIED PER ADE LETTER #RAC-2007-1130-214.
  5. THIS PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND IS NOT A SPECIAL FLOOD HAZARD ZONE AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
  6. ALL SET POINTS OWNERS ARE 3/4" REBAR UNLESS OTHERWISE NOTED.
  7. PUBLIC SEWER IN THE AREA IS PROVIDED BY CHARLESTON WATER SYSTEM, AND PUBLIC WATER WILL BE PROVIDED BY ST. JOHNS WATER COMPANY.
  8. THIS PROPERTY IS OWNED BY AVERY COMPANY, INC., 807 JONHNE ROAD, CHARLESTON, SOUTH CAROLINA.
  9. HORIZONTAL DATUM: SOUTH CAROLINA STATE PLATE COORDINATE COMBINED SCALE FACTOR: 0.999972589.
  10. THE PUBLIC DRAINAGE EASEMENTS SHOWN ARE DE-DICATED TO THE CITY OF CHARLESTON FOR ACCESS TO AND MAINTENANCE OF THE STORMWATER SYSTEM.
  11. THE ACCESS EASEMENT SHOWN IS DE-DICATED TO THE CITY OF CHARLESTON FOR ACCESS TO THE STORMWATER MANAGEMENT FACILITY.

**REFERENCES:**

1. PLAT RECORDED IN CHARLESTON COUNTY RMC OFFICE IN PLAT BOOK BK 172, PAGE 172.
2. PLAT RECORDED IN CHARLESTON COUNTY RMC OFFICE IN PLAT BOOK BK 172, PAGE 172.



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY OF THIS NEIGHBORHOOD WAS MADE IN ACCORDANCE WITH THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND THAT THE PLAT IS CORRECT AND ACCURATE. I AM A LICENSED SURVEYOR AND AM NOT PROVIDING OTHER THAN SHOWN.

COVERT B. NELSON, R.L.S. No. 1412



BY THE RECORDING OF THIS PLAT AND UPON THE COMPLETION AND ACCEPTANCE BY THE CITY COUNCIL OF CHARLESTON, SOUTH CAROLINA, THE RIGHTS OF WAY AND EASEMENTS TO THE USE OF THE PUBLIC FOREVER.

OWNER OR REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_



**DENSITY ANALYSIS:**  
 NUMBER OF LOTS - 29  
 SIZE OF SITE (AC) - 9.36  
 WETLAND - 0.00 AC  
 OVERALL DENSITY - 3109 UNITS/AC  
 LARGEST LOT - 0.233 AC  
 PUBLIC UTILITY OF 100' WIDE - 1.884 AC

PLANNING AND RMC USE ONLY

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

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2015 , 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 \_\_\_\_\_ Ashton Charleston Residential, LLC (herein the "Owner").

WHEREAS, THE CITY OF CHARLESTON, is desirous of maintaining a storm water drainage ditch and appurtenances ("Storm Water System") across a portion of Sea Island Farm designated by Charleston County tax map number 280-00-00-172 and to accomplish this objective, the City must obtain certain four easements from the Owner permitting the maintenance of the Storm Water System through a 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 four 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 **FIVENEW EXCLUSIVE 16-FOOT WIDE PERMANENT STORM DRAINAGE EASEMENTS CONTAINING 0.29 ACRE(S) OR 12821 SQ. FT.** more fully shown on a plat entitled

**"FINAL SUBDIVISION PLAT OF SEA ISLAND FARMS AT JOHNS ISLAND, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA TMS 280-00-00-172"**

prepared by Atlantic Surveying, Inc, dated Jan 28, 2014, executed by Covert Nelson, on 11-6-2015, and recorded in Plat Book \_\_\_\_ at page \_\_\_\_ in the R. M. C. Office for Charleston County, South Carolina (herein the "Plat"). A copy of said plat is attached heretofore and incorporated herein.

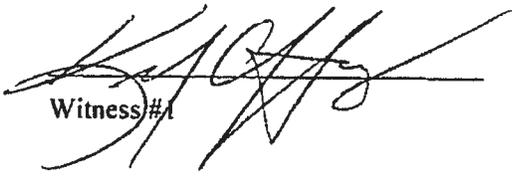
SAID EXCLUSIVE STORM DRAINAGE EASEMENT having such size, shape, location, and butting, and bounding as shown on said Plat, reference to which is hereby made for a more complete description.

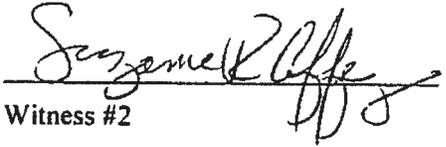
The City shall at all times have the right of ingress and egress to the land affected by the said Exclusive 16-Foot Wide Permanent Stormwater Drainage Easement for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. This Exclusive 16-Foot Wide Permanent Stormwater Drainage Easement shall be commercial in nature and shall run with the land.

The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 16-Foot Wide Permanent Stormwater 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 us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

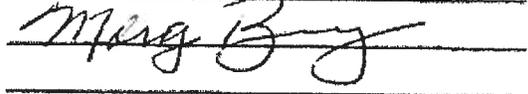
IN WITNESS WHEREOF, the parties have set the Hands and Seals the day and year above written.

  
Witness #1

  
Witness #2

OWNER

Name: Ashton Charleston Residential, LLC



Date: Jul 27, 2015

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: Laura S. Cabiness, P.E.

Its: Director of Public Service

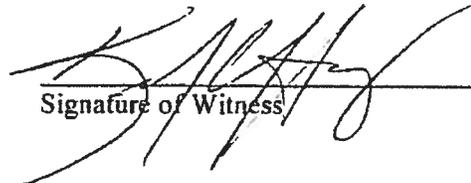
\_\_\_\_\_  
Witness #2

Date: \_\_\_\_\_

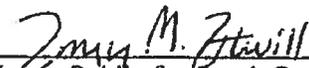
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Morgan Bryan sign, on behalf of Ashton Charleston Residential, LLC, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

  
\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
27th day of July, 2015.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 01/03/2021

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Laura S. Cabiness, P.E. sign, on behalf of the City of Charleston, the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

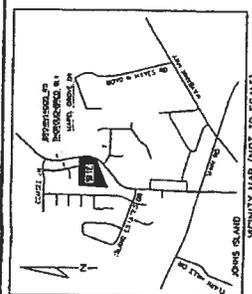
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_



**Atlantic Surveying, Inc.**  
 1711 SOUTH BAYVIEW BLVD  
 CHARLESTON, SOUTH CAROLINA 29405  
 TEL: 778-1000 FAX: 778-1012

**FINAL SUBDIVISION PLAN OF SEA ISLAND FARMS AT JOHNS ISLAND, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA**  
 THIS 288-00-00-172

NO.	DATE	DESCRIPTION
1	10/15/18	PRELIMINARY PLAN
2	11/01/18	REVISIONS
3	11/15/18	REVISIONS
4	12/01/18	REVISIONS
5	12/15/18	REVISIONS
6	01/01/19	REVISIONS
7	01/15/19	REVISIONS
8	02/01/19	REVISIONS
9	02/15/19	REVISIONS
10	03/01/19	REVISIONS
11	03/15/19	REVISIONS
12	04/01/19	REVISIONS
13	04/15/19	REVISIONS
14	05/01/19	REVISIONS
15	05/15/19	REVISIONS
16	06/01/19	REVISIONS
17	06/15/19	REVISIONS
18	07/01/19	REVISIONS
19	07/15/19	REVISIONS
20	08/01/19	REVISIONS
21	08/15/19	REVISIONS
22	09/01/19	REVISIONS
23	09/15/19	REVISIONS
24	10/01/19	REVISIONS
25	10/15/19	REVISIONS
26	11/01/19	REVISIONS
27	11/15/19	REVISIONS
28	12/01/19	REVISIONS
29	12/15/19	REVISIONS
30	01/01/20	REVISIONS
31	01/15/20	REVISIONS
32	02/01/20	REVISIONS
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46	09/01/20	REVISIONS
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141	08/15/24	REVISIONS
142	09/01/24	REVISIONS
143	09/15/24	REVISIONS
144	10/01/24	REVISIONS
145	10/15/24	REVISIONS
146	11/01/24	REVISIONS
147	11/15/24	REVISIONS
148	12/01/24	REVISIONS
149	12/15/24	REVISIONS
150	01/01/25	REVISIONS



- NOTES:**
- BOUNDARIES WERE ESTABLISHED BY RE-TRACING OF DEEDS AND MONUMENTATION TO ADJACENT TOWNS.
  - ONLY THOSE WORKSHEETS ON THIS PROJECT AND ADJACENT WORKSHEETS ARE REFERRED TO IN THIS PLAN. THE BOUNDARIES OF THIS TRACT ARE SHOWN BY A DASHED LINE. THIS PLAN CONSTITUTES A BOUNDARY SURVEY OF ONLY THE SUBJECT PROPERTY, AND IS NOT A SURVEY OF ADJACENT TRACTS.
  - NO SURFACE OR ENVIRONMENTAL INVESTIGATIONS OR SURVEYS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF CONTAMINATION OR OTHER CONDITIONS WHO MAY AFFECT THIS PROPERTY.
  - WEALANDS ON SITE WERE PER ADE LETTER #44-2007-110-24.
  - THIS PROPERTY IS LOCATED IN FLOOD ZONE "X", AS DETERMINED BY CHARTERED SURVEYOR J.P.A. PETERSON, ASHUC 0066, DATED NOV. 17, 2011. IT IS VERIFIED BY THE PROPER CITY OF CHARLESTON OFFICIAL.
  - ALL SET PROPERTY CORNERS ARE 5/8" IRON UNLESS OTHERWISE NOTED.
  - PUBLIC SEWER IN THE AREA IS PROVIDED BY CHARLESTON WATER COMPANY. PUBLIC WATER WILL BE PROVIDED BY ST. JOHNS WATER COMPANY.
  - THIS PROPERTY IS OWNED BY ASBRY COMPANY, INC. 887 JOHNS ROAD, BLDG. 101, PLEASANT SC 29464.
  - HORIZONTAL DATUM: SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM.
  - VERTICAL DATUM: NGVD 83.
  - THE PUBLIC RECORDS OFFICE IS LOCATED TO THE CITY OF CHARLESTON FOR ACCESS TO AND MAINTENANCE OF THE SUBDIVISION SYSTEM.
  - THE ACCESS EASEMENT SHOWN IS DEDICATED TO THE CITY OF CHARLESTON FOR THE LONG-TERM MAINTENANCE AND OPERATION OF THE CITY'S PUBLIC UTILITY FACILITY. THE RESPONSIBILITY OF THE OWNER(S) OF THE PROPERTY TO MAINTAIN AND OPERATE THE UTILITY FACILITY SHALL BE COMPLETED BY ACCORDANCE WITH THE CITY OF CHARLESTON'S SUBDIVISION SYSTEM.

**REFERENCES:**

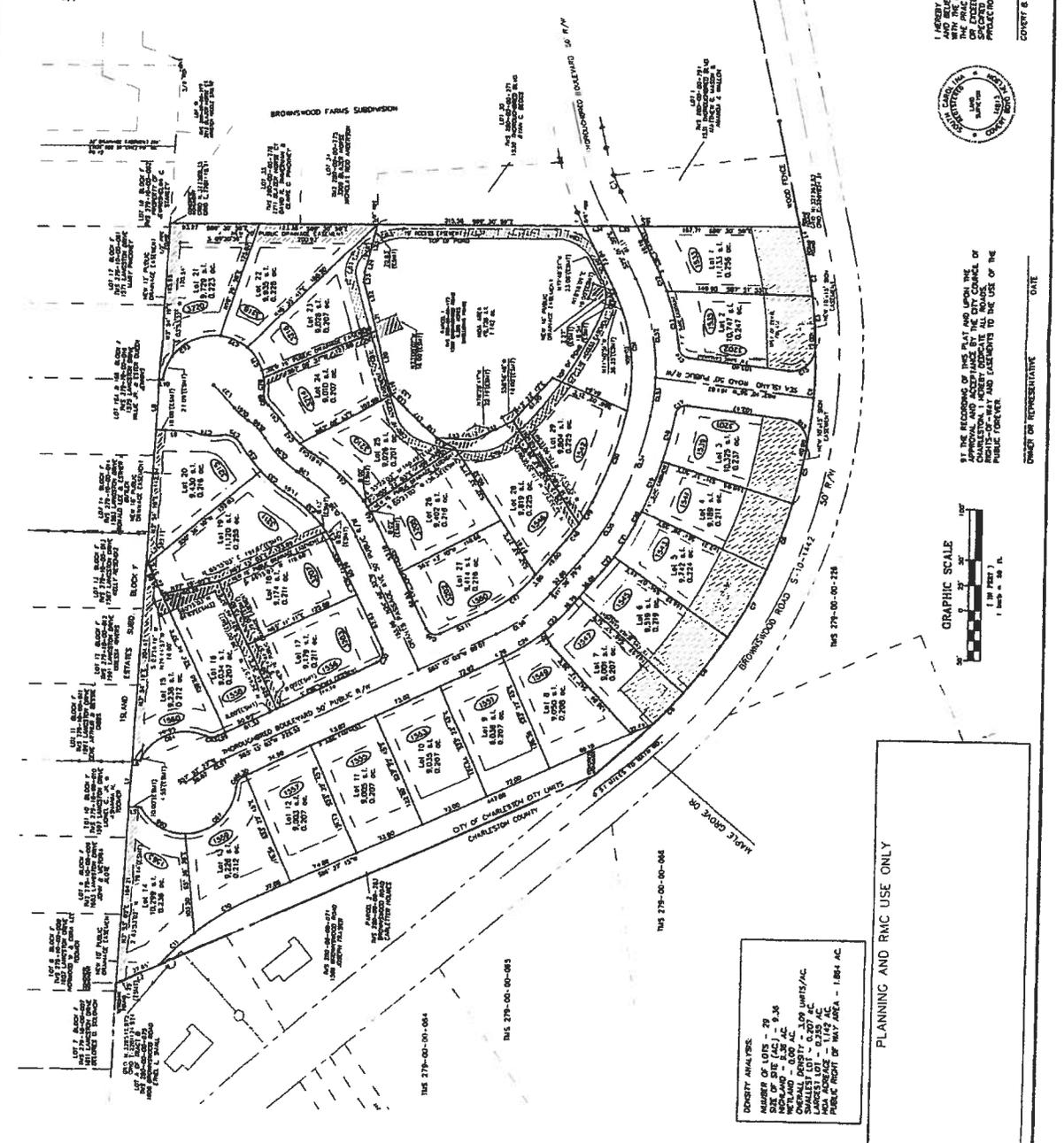
- PLAT 288-00-00-172, RECORDED IN CHARLESTON COUNTY RMC OFFICE IN PLAT BOOK EX 100, PAGE 005, RECORDED JUNE 25TH, 2011.
- PLAT 288-00-00-172, RECORDED IN CHARLESTON COUNTY RMC OFFICE IN PLAT BOOK EX 100, PAGE 005, RECORDED JUNE 25TH, 2011.

**LEGEND:**

- ADDRESS NUMBER
- NEW DRAINAGE EASEMENT
- EXISTING DRAINAGE EASEMENT
- ACCESS EASEMENT

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT, AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF SOUTH CAROLINA, AND MEETS THE REQUIREMENTS OF THE ANNUAL STANDARDS MANUAL FOR PROFESSIONAL ENGINEERS IN THE STATE OF SOUTH CAROLINA. I HAVE NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSES THAT WOULD DISQUALIFY ME FROM EXERCISING MY PROFESSIONAL ENGINEERING DUTIES. I HAVE NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSES THAT WOULD DISQUALIFY ME FROM EXERCISING MY PROFESSIONAL ENGINEERING DUTIES.

COVERT B. WELBY, P.E. No. 14813



**PLANNING AND RMC USE ONLY**

**DENSITY ANALYSIS:**

- NUMBER OF UNITS - 78
- SIZE OF SITE (AC) - 9.38
- NET AREA - 8.59 AC
- NET AREA - 8.59 AC
- OVERALL DENSITY - 9.09 UNITS/AC
- NET DENSITY - 9.09 UNITS/AC
- LANEWAY LOT - 0.250 AC
- AREA ADJACENT - 1.124 AC
- PUBLIC RIGHT OF WAY AREA - 1.884 AC

STATE OF SOUTH CAROLINA )  
COUNTY OF ~~CHARLESTON~~ BERKELEY )  
CITY OF CHARLESTON )

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that Daniel Island Associates 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 the of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, located in Parcel BB Phase 1 as shown and designated on a plat entitled "A Final Subdivision Plat of Daniel Island Master Plan Parcel BB to Create Parcel BB, Block A, Lots 4 through 12, Block C, Lots 7 through 15, Block D, Lots 6 through 16, Block F, Lot 25, Block H, Lots 1 through 10, Block I, Lots 1 through 19, and Parcel BB, (Residual), Daniel Island, City of Charleston, Berkeley County, South Carolina, prepared for Daniel Island prepared by Thomas & Hutton, dated September 3, 2015, revised \_\_\_\_\_, and recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ in the RMC 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 Daniel Island Residential Associates, LLC dated November 9, 1998 and recorded November 9, 1998 in Book 1478 at Page 264 in the RMC 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

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.

\* Said streets are known as Oak Leaf Street (Public R/W varies), Josiah Street (50' Public R/W), Village Crossing Drive (66' Public R/W), Canecutter Lane (20' Public R/W) and Willtown Street (50' Public R/W).

AND we do hereby bind ourselves and our 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 us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 30<sup>th</sup> day of September 2015.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

[Signature]  
Witness Number One

Audra Walters  
Printed Name

Grantor  
[Signature]

Matthew R. Sloan, its President  
Printed Name

[Signature]  
Witness Number Two

JR Caldwell  
Printed Name

\*\*\*\*

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON )

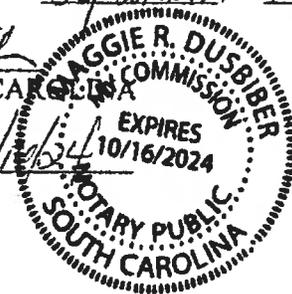
PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named Daniel Island Associates L.L.C., by its duly authorized officer Matthew R. Sloan, sign, seal and as its act and deed, deliver the within written Deed, and that (s)he with the other witness witnessed the execution thereof.

[Signature]

SWORN to before me this 30<sup>th</sup> day of September, 2015

[Signature]  
NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES: 10/16/24



STATE OF SOUTH CAROLINA )

COUNTY OF BERKELLY ) 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 Daniel Island Associates L.L.C.  
to City of Charleston on September, 2015.
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): Transfer to government entity (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 -0-.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Attorney for Grantor.
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

Cynthia Spieth Morton

Print or Type Name Here

Sworn this 16<sup>th</sup> day of September 2015  
Jennifer A Hayes  
Notary Public for South Carolina  
My Commission Expires March 13 2016

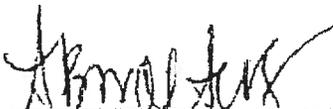
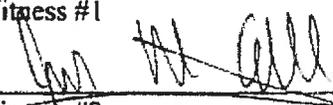




The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive 20-Foot Wide Permanent Stormwater Drainage Easement during the conduct of its allowable activities as described above.

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

  
\_\_\_\_\_  
Witness #1  
  
\_\_\_\_\_  
Witness #2

OWNER

Name: Daniel Island Associates L.L.C.  
By:   
Matthew R. Sloan, Its President  
Date: September 30<sup>th</sup> 2015

WITNESSES:

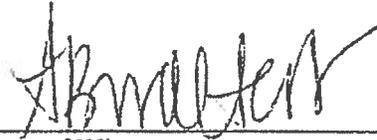
CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1  
\_\_\_\_\_  
Witness #2

By: Laura S. Cabiness  
Its: Director of Public Service  
Date: \_\_\_\_\_

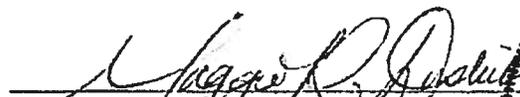
STATE OF SOUTH CAROLINA )  
 ) PROBATE  
 )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Matthew R. Sloan sign, on behalf of, Daniel Island Associates L.L.C., the within Exclusive Permanent Stormwater Drainage Easement, and seal said Exclusive Permanent Stormwater Drainage Easement, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.



\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
30<sup>th</sup> day of September, 20 15.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 10/16/24



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named \_\_\_\_\_ sign, on behalf of the City of Charleston the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_



STATE OF SOUTH CAROLINA )  
 )  
 )  
 )  
 COUNTY OF CHARLESTON (BERKELEY) ) CITY OF CHARLESTON

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 20 15 , 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 Associates 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 Parcel BB, Phase 1 designated by Berkeley County tax map number 277-00-00-011 and to accomplish this objective, the City must obtain certain easements from the Owner permitting the maintenance of the Storm Water System through a 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 three 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 three **NEW EXCLUSIVE 16 -FOOT WIDE PERMANENT STORM WATER DRAINAGE EASEMENTS**, more fully shown on a plat entitled "A Final

Subdivision Plat of Daniel Island Master Plan Parcel BB to Create Parcel BB, Block A, Lots 4 through 12, Block C, Lots 7 through 15, Block D, Lots 6 through 16, Block F, Lot 25, Block H, Lots 1 through 10, Block I, Lots 1 through 19, and Parcel BB (Residual), Daniel Island, City of Charleston, Berkeley County, South Carolina, prepared for Daniel Island Associates, LLC

prepared by Thomas & Hutton dated September 3, 2015, executed by Philip P. Gerard on November 17, 2015, and recorded in Plat Book \_\_\_\_ at page \_\_\_\_ in the RMC 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 16 -Foot Wide Permanent Stormwater Drainage Easements for purposes of periodic inspection, maintenance, repair and replacement of the Stormwater System. These

Exclusive 16 -Foot Wide Permanent Stormwater 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 Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of these Exclusive 16 -Foot Wide Permanent Stormwater 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 us and our 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

Its: Public Service Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

WITNESSES

OWNER

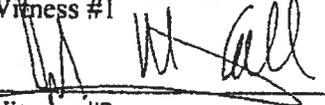
DANIEL ISLAND ASSOCIATES L.L.C.

  
\_\_\_\_\_  
Witness #1

By: 

Name: Matthew R. Sloan, Its President

Date: September 30<sup>th</sup>, 2015

  
\_\_\_\_\_  
Witness #2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

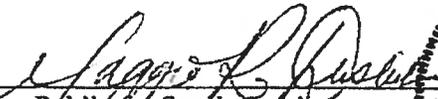
**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Matthew R. Sloan sign, on behalf of Daniel Island Associates L.L.C., the within Exclusive Permanent Stormwater Drainage Easements, and seal said Exclusive Permanent Stormwater Drainage Easements, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.



Signature of Witness

SWORN to before me this 30<sup>th</sup> day of September, 20 15.

  
Notary Public for South Carolina  
My Commission Expires: 10/16/24



STATE OF SOUTH CAROLINA                    )  
  )  
COUNTY OF CHARLESTON                    )

**PROBATE**

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named \_\_\_\_\_ sign, on behalf of, City of Charleston, the within Exclusive Permanent Stormwater Drainage Easement, and seal said Exclusive Permanent Stormwater Drainage Easement, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

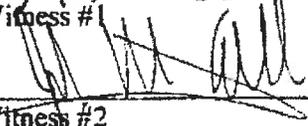




The City has no obligation to repair, replace or to compensate the Owners for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Exclusive variable-Foot Wide Permanent Stormwater Drainage Easement during the conduct of its allowable activities as described above.

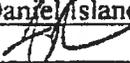
TO HAVE AND TO HOLD, all and singular, the said before mentioned unto the said CITY OF CHARLESTON, its successors and assigns, against us and our heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

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

  
\_\_\_\_\_  
Witness #1  
  
\_\_\_\_\_  
Witness #2

OWNER

Name: Daniel Island Associates L.L.C.

BY:   
Matthew R. Sloan, its President

Date: September 30<sup>th</sup>, 2015

WITNESSES:

CITY OF CHARLESTON

\_\_\_\_\_  
Witness #1

\_\_\_\_\_  
By: Laura S. Cabiness

Its: Director of Public Service

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness #2

STATE OF SOUTH CAROLINA )  
 ) PROBATE  
 )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me the above named witness, who, on oath, says that (s)he saw the within named Matthew R. Sloan sign, on behalf of, Daniel Island Associates L.L.C., the within Exclusive Permanent Stormwater Drainage Easement, and seal said Exclusive Permanent Stormwater Drainage Easement, and as its act and deed, deliver the same, and that (s)he with the other witness named, witnessed the execution thereof.

  
\_\_\_\_\_  
Signature of Witness

SWORN to before me this  
30<sup>th</sup> day of September, 20 15.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 10/16/24







J3(i)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

TO AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON TO CHANGE THE DUE DATE FOR THE PAYMENT OF THE CITY'S BUSINESS LICENSE FEE FROM JANUARY 31<sup>ST</sup> TO FEBRUARY 19<sup>TH</sup>, AND TO CHANGE THE PENALTY DATES TO COINCIDE WITH THE AMENDED DUE DATE.

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

**Section 1.** Section 4(a) of the Business License Ordinance of the City of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, which shall read as follows:

**"Section 4. License Fee.**

a. The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before ~~the 31<sup>st</sup> day of January in each year~~ February 19<sup>th</sup> 2016, except that the due date for insurance companies shall be May 31<sup>st</sup>."

**Section 2.** Section 13(a) of the Business License Ordinance of the City of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, which shall read as follows:

**"Section 13. Delinquent License Fees, Partial Payment.**

a. For non-payment of all or any part of the correct license fee, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid fee ~~for the first month or portion thereof after the due date~~ beginning February 20<sup>th</sup> 2016 and an additional twenty-five (25%) percent ~~for the second month or portion thereof after the due date~~ beginning March 1<sup>st</sup> 2016, for a total of thirty (30%) percent, and an additional five (5%) percent per month or portion thereof beginning April 1<sup>st</sup> 2016, and each subsequent month after the due date until paid or penalties reach a total of fifty-five (55%) percent of the correct license fee. If any license fee remains unpaid for sixty (60) days after its due date, the License Official may report it to the municipal attorney for appropriate legal action."

**Section 3.**

This Ordinance shall become upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_, in  
the Year of Our Lord, 2016, and in the 240<sup>th</sup> Year of the  
Independence of the United States of America.

BY:

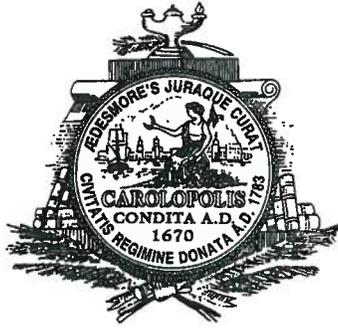
\_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

ATTEST:

BY:

\_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

K3.)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON THE NECESSARY DOCUMENTS TO CLOSE AND ABANDON A PORTION OF NORMAN STREET IN THE CITY AND COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, RUNNING GENERALLY IN A NORTHERLY DIRECTION FROM THE NORTHERN CORNER OF TMS #463-16-04-027 TO ITS TERMINUS AS DEFINED BY POINTS K,G,F,L,M,N,O,P,K AS SHOWN ON A PLAT ENTITLED "PLAT SHOWING THE CREATION OF A NEW SUBSURFACE UTILITY EASEMENT & A NEW UTILITY EASEMENT FOR AN EXISTING LIGHT POLE FOR THE CITY OF CHARLESTON AND ALSO SHOWING A PORTION OF NORMAN STREET CURRENTLY MAINTAINED BY THE CITY OF CHARLESTON TO BE CONVEYED BY THE CITY OF CHARLESTON TO CROSSTOWN DEVELOPMENT PARTNERS, LLC", SAID PLAT BEING MORE FULLY SHOWN ON EXHIBIT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN, PROVIDED, HOWEVER, ANY DEED OR OTHER DOCUMENTS NECESSARY TO CLOSE THE PORTION OF NORMAN STREET DESCRIBED ABOVE SHALL RESERVE TO THE CITY OF CHARLESTON AND THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF CHARLESTON PERMANENT, OVERLAPPING, SEPARATE, NON-EXCLUSIVE UTILITY EASEMENTS OVER THE ENTIRETY OF THE PORTION OF NORMAN STREET BEING CLOSED, ABANDONED AND CONVEYED TO CROSSTOWN DEVELOPMENT PARTNERS, LLC IN ACCORDANCE WITH THIS ORDINANCE; AND AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON THE NECESSARY DOCUMENTS TO CONVEY THAT PORTION OF NORMAN STREET CLOSED AND ABANDONED IN ACCORDANCE WITH THIS ORDINANCE TO CROSSTOWN DEVELOPMENT PARTNERS, LLC. (AS AMENDED)

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

Section 1. Authorizing the Mayor to execute on behalf of the City of Charleston the necessary documents to close and abandon a portion of Norman Street in the City and County of Charleston, State of South Carolina, running generally in a northerly direction from the northern corner of TMS #463-16-04-027 to its terminus as defined by Points K, G,F,L,M,N,O,P,K as

shown on a plat entitled "Plat showing the creation of a New Subsurface Utility Easement & a New Utility Easement for an Existing Light Pole for the City of Charleston and also showing a portion of Norman Street currently maintained by the City of Charleston to be conveyed by the City of Charleston to Crosstown Development Partners, LLC", said plat being more fully shown on Exhibit A, attached hereto and incorporated by reference herein, reserving to the City of Charleston and the Commissioners of Public Works of the City of Charleston permanent, overlapping, separate, non- Exclusive, utility easements over the entirety of the portion of Norman Street being closed, abandoned and conveyed to Crosstown Development Partners, LLC in accordance with this Ordinance; and authorizing the Mayor to execute on behalf of the City of Charleston the necessary documents to convey that portion of Norman Street closed and abandoned in accordance with this Ordinance to Crosstown Development Partners, LLC.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2016, and in the 240th Year of the Independence of the United States of America.

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John Tecklenburg  
Mayor, City of Charleston

ATTEST:

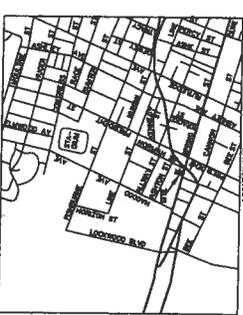
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Vanessa Turner-Maybank  
Clerk of Council

Attachment



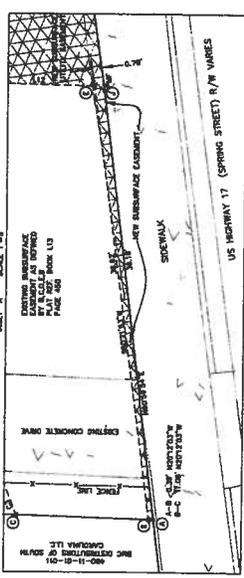
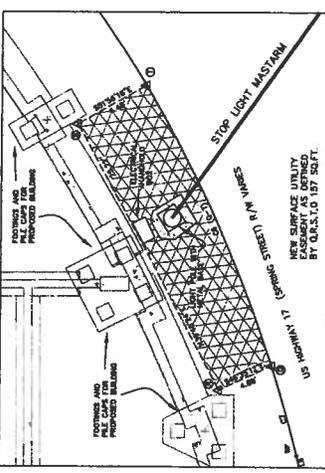
**"Exhibit A"**



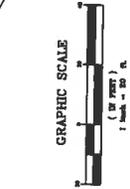
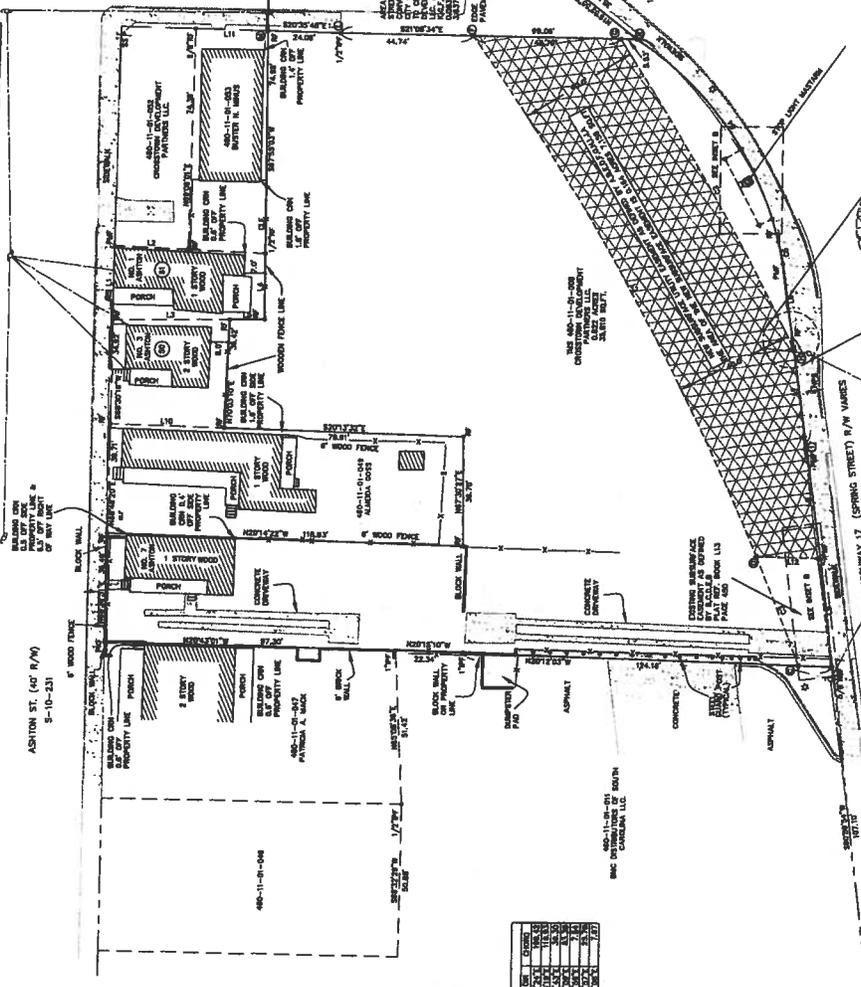
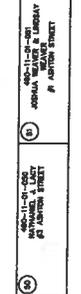
- LINE LEGEND**
- EXISTING FORCE LINE
  - ADJACENT FORCE LINE
  - ADJACENT PROPERTY LINE

**NOTES AND REFERENCES:**

1. PARTIAL UTILITY IS OWNED BY CROSTOWN DEVELOPMENT PARTNERS, LLC.
2. ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM NO. 17003C) THE PROPERTY LIES IN A FLOOD ZONE AE (AREA OF MINOR FLOODING).
3. REFERENCED PLAT IS RECORDED IN THE CHARLESTON COUNTY DEED BOOK 110 - SEPTEMBER 18, 2014.
4. DEED BOOK 110 - SEPTEMBER 18, 2014.
5. DEED BOOK 110 - SEPTEMBER 18, 2014.
6. DEED BOOK 110 - SEPTEMBER 18, 2014.
7. DEED BOOK 110 - SEPTEMBER 18, 2014.
8. DEED BOOK 110 - SEPTEMBER 18, 2014.
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11. DEED BOOK 110 - SEPTEMBER 18, 2014.
12. DEED BOOK 110 - SEPTEMBER 18, 2014.
13. DEED BOOK 110 - SEPTEMBER 18, 2014.
14. DEED BOOK 110 - SEPTEMBER 18, 2014.
15. DEED BOOK 110 - SEPTEMBER 18, 2014.
16. DEED BOOK 110 - SEPTEMBER 18, 2014.
17. DEED BOOK 110 - SEPTEMBER 18, 2014.
18. DEED BOOK 110 - SEPTEMBER 18, 2014.
19. DEED BOOK 110 - SEPTEMBER 18, 2014.
20. DEED BOOK 110 - SEPTEMBER 18, 2014.



- LEGEND**
- 1. EXISTING FORCE LINE
  - 2. ADJACENT FORCE LINE
  - 3. ADJACENT PROPERTY LINE
  - 4. EXISTING UTILITY
  - 5. NEW UTILITY
  - 6. EXISTING CONCRETE DRIVE
  - 7. NEW CONCRETE DRIVE
  - 8. EXISTING ASPHALT DRIVE
  - 9. NEW ASPHALT DRIVE
  - 10. EXISTING SIDEWALK
  - 11. NEW SIDEWALK
  - 12. EXISTING CURB
  - 13. NEW CURB
  - 14. EXISTING LIGHT POLE
  - 15. NEW LIGHT POLE
  - 16. EXISTING SIGN
  - 17. NEW SIGN
  - 18. EXISTING FENCE
  - 19. NEW FENCE
  - 20. EXISTING WALL
  - 21. NEW WALL
  - 22. EXISTING DOOR
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  - 32. EXISTING STAIR
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  - 34. EXISTING RAMP
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  - 36. EXISTING DRIVEWAY
  - 37. NEW DRIVEWAY
  - 38. EXISTING GARAGE
  - 39. NEW GARAGE
  - 40. EXISTING PORCH
  - 41. NEW PORCH
  - 42. EXISTING PATIO
  - 43. NEW PATIO
  - 44. EXISTING DECK
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  - 46. EXISTING STAIR
  - 47. NEW STAIR
  - 48. EXISTING RAMP
  - 49. NEW RAMP
  - 50. EXISTING DRIVEWAY
  - 51. NEW DRIVEWAY
  - 52. EXISTING GARAGE
  - 53. NEW GARAGE



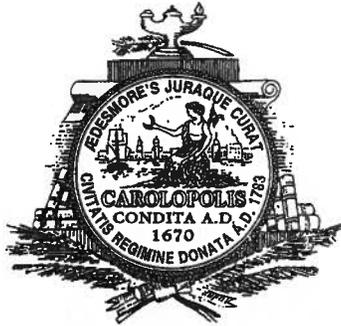
FOR CITY OF CHARLESTON AND CHARLESTON COUNTY USE ONLY

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L100	10.00	N 00° 00' 00" E

THE CITY OF CHARLESTON ENGINEERING DEPARTMENT HAS REVIEWED AND APPROVED THIS PLAT FOR THE CITY OF CHARLESTON AND CHARLESTON COUNTY. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT.

1. THESE PLANS HAVE BEEN PREPARED BY THE ENGINEER AND SURVEYOR AND ARE SUBJECT TO THE CITY OF CHARLESTON ENGINEERING DEPARTMENT REVIEW AND APPROVAL. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT. THE CITY OF CHARLESTON ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAT.

K4.)



Ratification Number \_\_\_\_\_

# AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A FIRST AMENDMENT TO PARKING AGREEMENT PERTAINING TO A PARKING AGREEMENT FOR SPACES AT THE AQUARIUM GARAGE, SAID AGREEMENT BEING DATED JULY 21, 1998, ORIGINALLY BETWEEN THE CITY AND RIVERS ENTERPRISES, INC., CHARLESTON GATEWAY CENTER, LLC AND JOHN M. RIVERS, JR., SAID AGREEMENT SUBSEQUENTLY BEING ASSIGNED IN PART TO MAZYCK HOLDINGS, LLC (AS AMENDED).

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

Section 1. The Mayor is hereby authorized to execute on behalf of the City a First Amendment to Parking Agreement pertaining to a Parking Agreement for spaces at the Aquarium Garage, said Agreement being dated July 21, 1998, originally between the City and Rivers Enterprises, Inc., Charleston Gateway Center, LLC and John M. Rivers, Jr., said Agreement subsequently being assigned in part to Mazyck Holdings, LLC, a copy of said First Amendment to Parking Agreement being attached to this Ordinance as Exhibit A and made a part hereof.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2016, and in the \_\_\_\_<sup>th</sup> Year of the Independence of the United States of America

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF CHARLESTON            )     **FIRST AMENDMENT TO  
  )     PARKING AGREEMENT**

This First Amendment to Parking Agreement entered this \_\_\_ day of \_\_\_\_\_, 2016 between the City of Charleston, a South Carolina municipal corporation (“City”), Rivers Enterprises, Inc., Charleston Gateway Center, LLC, Mazyck Holdings, LLC, and John M. Rivers, Jr. (“Rivers”).

**RECITALS**

WHEREAS, City, Rivers Enterprises, Inc., the Charleston Gateway Center, LLC, and Rivers entered a Parking Agreement on July 21, 1998 (the “Agreement”) that was approved by ordinance ratified by the council of the City on July 21, 1998, Ratification No. 1998-144; and,

WHEREAS, after the entry of the Agreement, by deed dated December 11, 2001, recorded on December 14, 2001, in Book Y 390 at page 436 in the RMC Office for Charleston County, Rivers conveyed to Mazyck Holdings, LLC certain real property benefited by the Agreement and Mazyck Holdings, LLC, in turn, entered a ground lease for the real property with Charleston Gateway Center, LLC; and,

WHEREAS, the parties to the Agreement desire to amend the Agreement in the particulars set forth below with the consent and concurrence of Mazyck Holdings, LLC.

NOW, THEREFORE, in consideration of the premises and the sum of One and 00/100 (\$1.00) Dollar paid by each of the parties to the others, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Paragraph 1 of the Agreement is amended by deleting the following sentences:

The City shall provide up to one hundred fifty (150) non-designated parking spaces to Rivers on a monthly basis in the Garage. The City shall guarantee the availability of no less than one hundred (100) parking spacing spaces on the same basis. The one hundred fifty (150) spaces provided to Rivers may be reduced to the guaranteed minimum of one hundred (100) but no less.

These sentences shall be replaced with the following:

The City shall provide up to two hundred (200) non-designated parking spaces to Rivers on a monthly basis in the Garage. The City shall guarantee the availability of the two hundred (200) spaces on the same basis; **provided however, upon the execution of this First Amendment and thereafter on or before January 1 of each year of the term of this Agreement, Rivers shall notify the City, in writing, of the number of spaces it anticipates using in the ensuing year.**

In all other respects, Paragraph 1 of the Agreement remains unchanged.

2. Paragraph 2 of the Agreement is amended by deleting the words “one hundred fifty (150)”, and substituting in their place and stead the words “two hundred (200).”

3. Paragraphs 3 and 6 of the Agreement are deleted.

4. In all other respects, all terms and conditions of the Agreement not specifically modified herein remain as stated in the Agreement and remain in full force and effect.

IN WITNESS WHEREOF, the City, John M. Rivers, Jr., Rivers Enterprises, Inc., Mazyck Holdings, LLC, and Charleston Gateway Center, LLC, as of the day and year first above written, have caused this Agreement to be executed under seal.

[Signature Pages to Follow]











K5.)



Ratification  
Number \_\_\_\_\_

# AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A FIRST AMENDMENT TO PARKING AGREEMENT PERTAINING TO A PARKING AGREEMENT FOR SPACES AT THE GAILLARD COMPLEX, SAID AGREEMENT BEING DATED JULY 20, 1999, ORIGINALLY BETWEEN THE CITY AND RIVERS ENTERPRISES, INC., CHARLESTON GATEWAY CENTER, LLC AND JOHN M. RIVERS, JR., SAID AGREEMENT SUBSEQUENTLY BEING ASSIGNED IN PART TO MAZYCK HOLDINGS, LLC AND COLLATERLALY ASSIGNED TO TRANSAMERICA FINANCIAL LIFE INSURANCE COMPANY, AS LENDER (AS AMENDED).

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

Section 1. The Mayor is hereby authorized to execute on behalf of the City a First Amendment to Parking Agreement pertaining to a Parking Agreement for spaces at the Gaillard Complex, said Agreement being dated July 20, 1999, originally between the City and Rivers Enterprises, Inc., Charleston Gateway Center, LLC and John M. Rivers, Jr., said Agreement subsequently being assigned in part to Mazyck Holdings, LLC and collaterally assigned to Transamerica Financial Life Insurance Company, as Lender, a copy of said First Amendment to Parking Agreement being attached to this Ordinance as Exhibit A and made a part hereof.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 2016, and in the \_\_\_\_<sup>th</sup> Year of the Independence of the United States of America

\_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF CHARLESTON            )     **FIRST AMENDMENT TO  
  )     PARKING AGREEMENT**

This First Amendment to Parking Agreement entered this \_\_\_ day of \_\_\_\_\_, 2016 between the City of Charleston, a South Carolina municipal corporation (“City”), Rivers Enterprises, Inc., Charleston Gateway Center, LLC, Mazyck Holdings, LLC, John M. Rivers, Jr. (“Rivers”), and Transamerica Financial Life Insurance Company (“Lender”).

**RECITALS**

WHEREAS, City, Rivers Enterprises, Inc., the Charleston Gateway Center, LLC, and Rivers entered a Parking Agreement on July 20, 1999 (the “Agreement”); and

WHEREAS, after the entry of the Agreement, by deed dated December 11, 2001, recorded on December 14, 2001, in Book Y 390 at page 436 in the RMC Office for Charleston County, Rivers conveyed to Mazyck Holdings, LLC certain real property benefited by the Agreement and Mazyck Holdings, LLC, in turn, entered a ground lease for the real property with Charleston Gateway Center, LLC; and,

WHEREAS, the Lender made a loan to Charleston Gateway Center, LLC in October 2012, and, as part of the loan transaction, Mazyck Holdings, LLC and Charleston Gateway Center, LLC granted certain security for the indebtedness that included, among other things, a collateral assignment of the Agreement to Lender of the rights under the Agreement of Rivers, Mazyck Holdings, LLC, Rivers Enterprises, Inc., and Charleston Gateway Center, LLC by Assignment of Parking Agreement dated October 24, 2012, recorded on October 26, 2012, in Book 0287 at page 152 in the RMC Office for Charleston County; and,

WHEREAS, the City, Mazyck Holdings, LLC, Charleston Gateway Center, LLC, and Rivers Enterprises, Inc. consented to the collateral assignment of the Agreement to Lender in a Consent to Assignment of Parking Agreement dated October 23, 2012, recorded on November 2, 2012, in Book 0288 at page 838 in the RMC Office for Charleston County; and,

WHEREAS, the parties to the Agreement desire to amend the Agreement in the particulars set forth below, with the consent and concurrence of Mazyck Holdings, LLC and Lender.

NOW, THEREFORE, in consideration of the premises and the sum of One and 00/100 (\$1.00) Dollar paid by each of the parties to the others, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The fourth "Whereas" clause of the Agreement is amended by deleting therefrom the words "one hundred fifty (150)" and substituting in their place and stead the words "eighty (80)".
2. Paragraph 2 of the Agreement is deleted and replaced with the following:

The City hereby grants to Rivers a license for the use of eighty (80) parking spaces in the Gaillard Complex for use by Rivers and related entities in accordance with the same terms and conditions as the 1998 Agreement.

3. Paragraph 4 of the Agreement is amended by deleting the following sentences:

The City shall provide up to one hundred fifty (150) non-designated parking spaces to Rivers on a monthly basis in the Gaillard Complex. The City shall guarantee the availability of no less than one hundred (100) parking spacing spaces on the same basis. The one hundred fifty (150) spaces provided to Rivers may be reduced to the guaranteed minimum of one hundred (100) but no less.

These sentences shall be replaced with the following:

The City shall provide up to eighty (80) non-designated parking spaces to Rivers on a monthly basis in the Gaillard Complex. The City shall guarantee the availability of the eighty (80) spaces on the same basis; **provided however, upon the execution of this First Amendment and thereafter on or before January 1 of each year of the term of this Agreement, Rivers shall notify the City, in writing, of the number of spaces it anticipates using for the ensuing year.**

In all other respects, Paragraph 4 of the Agreement remains unchanged.

4. Paragraph 5 of the Agreement is amended by deleting the words "one hundred fifty (150)", and by substituting in their place and stead the words "eighty (80)."

In all other respects, Paragraph 5 of the Agreement remains unchanged.

5. Paragraphs 6 and 9 of the Agreement are hereby deleted.
6. Paragraph 17 of the Agreement is deleted and replaced with the following:

This Agreement shall remain in full force and effect for a period of thirty (30) years, commencing on the date City Council ratifies the Ordinance approving this First Amendment, with Rivers being accorded the right to renew this Agreement for two additional 10-yr. terms; provided written notice of intent to renew being given to the City at least 180 days in advance of the expiration of the initial term or any renewal term.

7. In all other respects, the terms and conditions of the Agreement not specifically modified herein remain as stated in the Agreement and remain in full force and effect.

IN WITNESS WHEREOF, the City, John M. Rivers, Jr., Rivers Enterprises, Inc., Mazyck Holdings, LLC, Charleston Gateway Center, LLC, and Transamerica Financial Life Insurance Company, as of the day and year first above written, have caused this Agreement to be executed under seal.

[Signature Pages to Follow]





Witnesses

RIVERS ENTERPRISES, INC.

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

John M. Rivers, Jr., Its President

STATE OF SOUTH CAROLINA )

)

COUNTY OF CHARLESTON )

Before me, the undersigned Notary Public, personally appeared Rivers Enterprises, Inc. by John M. Rivers, Jr., its President, who executed the foregoing instrument this \_\_\_\_ day of \_\_\_\_\_, 2016, and acknowledged that he executed the same.

\_\_\_\_\_  
Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_

(Signatures continue on following page)

Witnesses

CHARLESTON GATEWAY CENTER,  
L.L.C.

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
John M. Rivers, Jr., its Manager

STATE OF SOUTH CAROLINA    )  
  )  
COUNTY OF CHARLESTON    )

Before me, the undersigned Notary Public, personally appeared Charleston Gateway Center, L.L.C. by John M. Rivers, Jr., its Manager, who executed the foregoing instrument this \_\_\_\_ day of \_\_\_\_\_, 2016, and acknowledged that he executed the same.

\_\_\_\_\_  
Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_

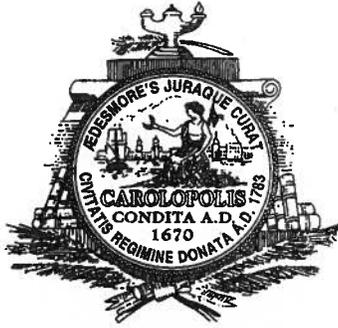
(Signatures continue on following page)





L.I.)

Applicant Request



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 595 & 601 KING STREET & 32 & 34 SPRING STREET (CANNONBOROUGH-ELLIOTTBOROUGH - PENINSULA) (0.60 ACRE) (TMS #460-08-02-018, 019, 020 & 022) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION AND TO BE REZONED FROM THE 55/30 OLD CITY HEIGHT DISTRICT CLASSIFICATION TO THE 80/30 OLD CITY HEIGHT DISTRICT CLASSIFICATION AND TO INCLUDE 34 SPRING STREET (TMS #460-08-02-022) IN THE ACCOMMODATIONS OVERLAY ZONE (A-1) CLASSIFICATION.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification and to rezone from the 55/30 Old City Height District classification to the 80/30 Old City Height District classification and to include 34 Spring Street (TMS #460-08-02-022) in the Accommodations Overlay Zone (A-1) classification

Section 2. The property to be rezoned is described as follows:  
595 & 601 King Street & 32 & 34 Spring Street (Cannonborough-Elliottborough - Peninsula) (0.60 acre) (TMS #460-08-02-018, 019, 020 & 022)

Section 3. This ordinance shall become effective upon ratification.

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

By: \_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

Attest: \_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

## Rezoning 7

595 & 601 King St & 32 & 34 Spring St  
(Cannonborough-Elliottborough - Peninsula)

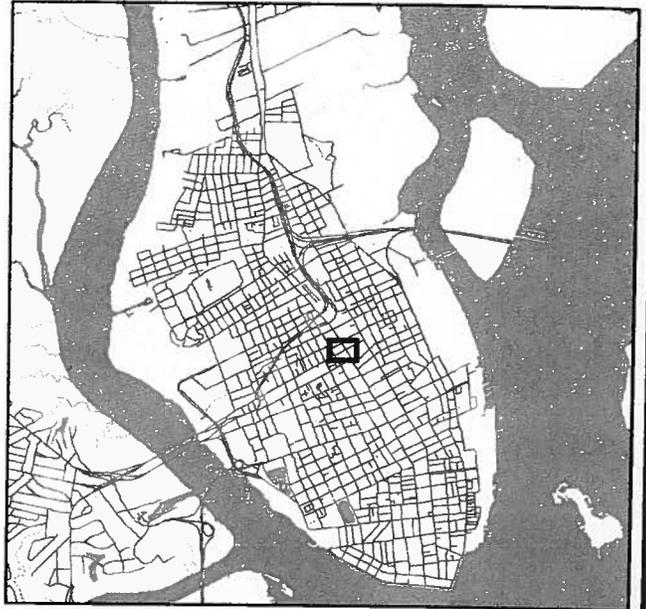
TMS# 4600802018, 019, 020 & 022

0.60 ac.

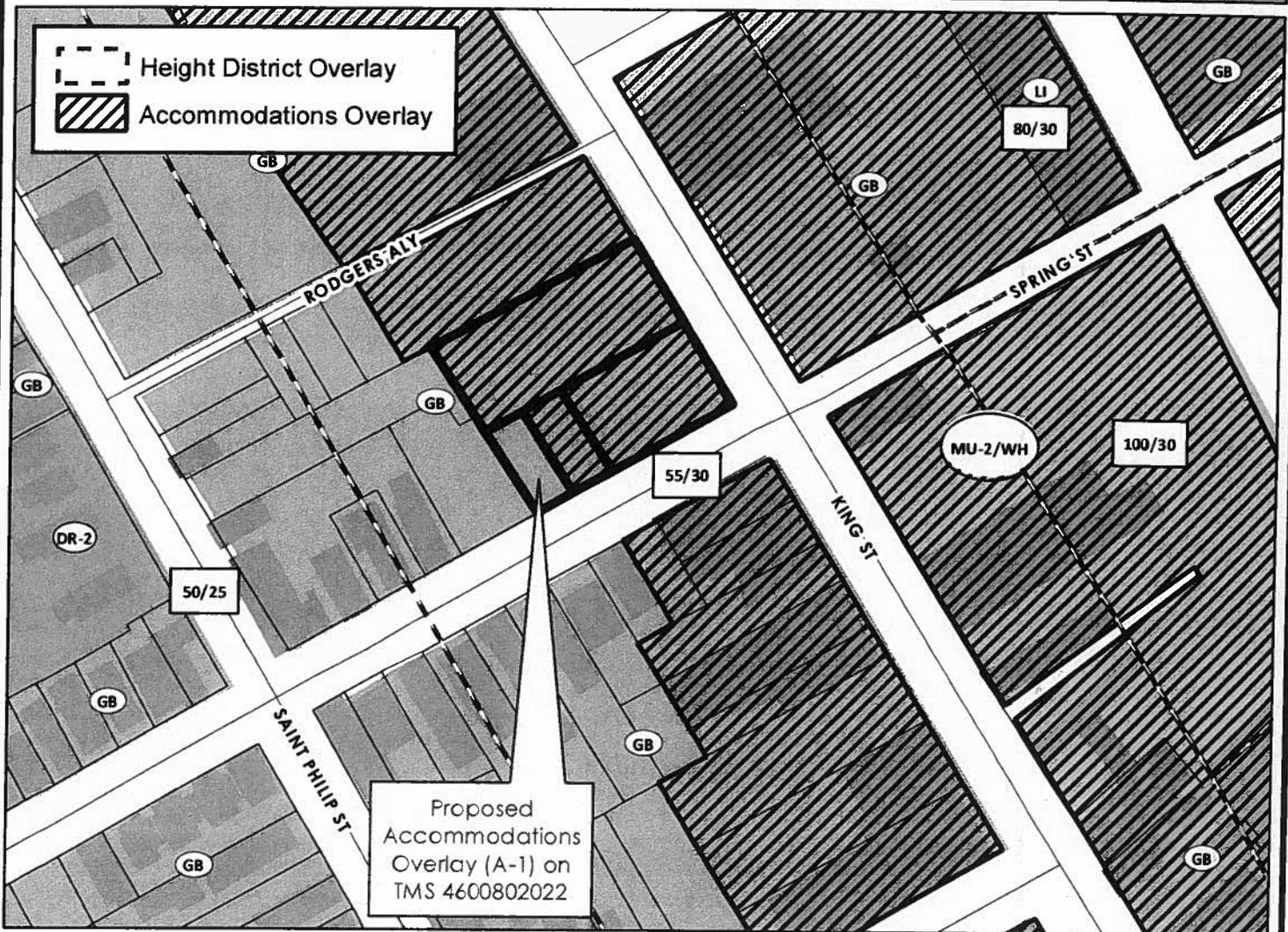
Request rezoning from General Business (GB)  
to Mixed-Use Workforce Housing (MU-2/WH)  
and rezoning from the 55/30 Old City Height District  
to the 80/30 Old City Height District and to include  
34 Spring St (TMS#4600802022) in the  
Accommodations Overlay Zone (A-1).

Owner: Uncle Sam's Real Estate, Inc.  
Applicant: LS3P - Richard Gowe

Area



Location



47)

Planning  
Commission  
Recommendation



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 595 & 601 KING STREET & 32 & 34 SPRING STREET (CANNONBOROUGH-ELLIOTTBOROUGH - PENINSULA) (0.60 ACRE) (TMS #460-08-02-018, 019, 020 & 022) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION AND TO INCLUDE 34 SPRING STREET (TMS #460-08-02-022) IN THE ACCOMMODATIONS OVERLAY ZONE (A-1) CLASSIFICATION.

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

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

Section 2. The property to be rezoned is described as follows:  
595 & 601 King Street & 32 & 34 Spring Street (Cannonborough-Elliottborough - Peninsula) (0.60 acre) (TMS #460-08-02-018, 019, 020 & 022)

Section 3. 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 4 hereof by changing the zoning designation so as to include it in the Accommodations Overlay Zone (A-1) classification.

Section 4. The property to be rezoned as defined in Section 3 is described as follows:  
34 Spring Street (Cannonborough-Elliottborough - Peninsula) (TMS #460-08-02-022)

Section 5. This ordinance shall become effective upon ratification.

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

By: \_\_\_\_\_  
John J. Tecklenburg  
Mayor, City of Charleston

Attest: \_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

## Rezoning 7

595 & 601 King St & 32 & 34 Spring St  
(Cannonborough-Elliottborough - Peninsula)

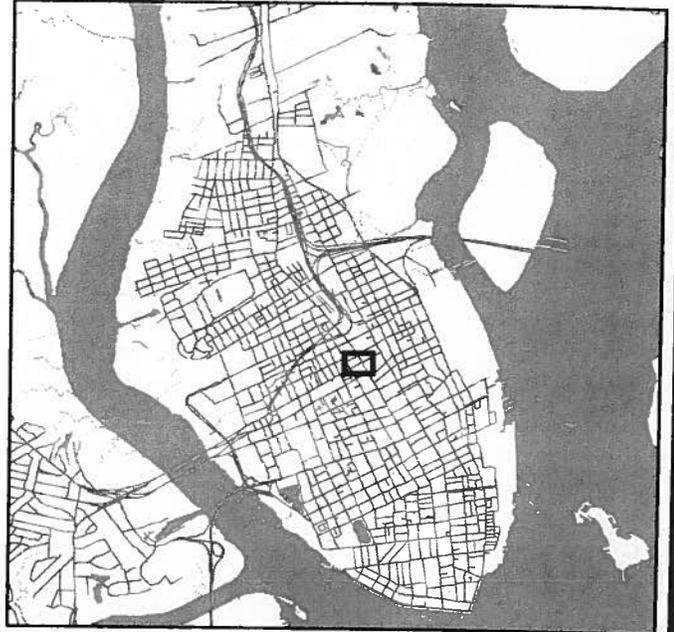
TMS# 4600802018, 019, 020 & 022

0.60 ac.

Request rezoning from General Business (GB)  
to Mixed-Use Workforce Housing (MU-2/WH)  
and to include 34 Spring St (TMS#4600802022)  
in the Accommodations Overlay Zone (A-1).

Owner: Uncle Sam's Real Estate, Inc.  
Applicant: LS3P - Richard Gowe

Area



Location

