

City Hall  
80 Broad Street  
November 22, 2016  
5:00 p.m.

## **CITY COUNCIL**

### **A. Roll Call**

### **B. Invocation – Councilmember White**

### **C. Pledge of Allegiance**

### **D. Presentations and Recognitions**

### **E. Public Hearings**

1. An ordinance establishing the West Ashley Redevelopment Project Area; making certain findings of blight within the Redevelopment Project Area; designating and defining redevelopment projects consisting of public improvements within the Redevelopment Project Area; designating appropriate redevelopment project costs; approving an overall redevelopment plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto
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 Coburg Road (Overture PUD) (West Ashley) (approximately 6.15 acres) (TMS# 349-08-00-001) (Council District 11), be rezoned from General Business (GB) classification to Planned Unit Development (PUD) classification. The property is owned by St. Andrews Parish LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1040 & 1042 5th Avenue (West Ashley) (10.481 acres) (TMS# 418-06-00-028 and 418-06-00-115) (Council District 3), be rezoned from Single-Family Residential (SR-2) and Diverse Residential – Mobile Home Park (DR-3) classifications to Single-Family Residential (SR-1) classification. The property is owned by Thomas C. Campbell, III and Campbell Knuppel Trailer Park LLC.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Nabors Drive and Affirmation Boulevard (James Island) (approximately 3.95 acres) (a portion of TMS# 428-16-00-013 and TMS# 428-16-00-046, 428-16-00-047, 428-16-00-048 and 428-16-00-052) (Council District 12), be rezoned from General Business (GB) and Single-Family Residential (SR-1) classifications to Diverse Residential (DR-9) classification. The property is owned by Anne Doscher Read & James Island Plantation Services Inc.
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 1099 Playground Road (West Ashley) (0.698 acre) (TMS# 350-04-00-139) (Council District 7), be rezoned from Limited Business (LB) classification to General Business (GB) classification. The property is owned by Dr. Helen Ross. ***(The Planning Commission recommends disapproval; requires ¾ vote of Council).*** ***(WITHDRAWN BY APPLICANT)***

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 221 Spring Street & 194 Cannon Street (Peninsula) (approximately 1.58 acres) (TMS# 460-10-04-011 and 460-10-04-013) (Council District 6), be rezoned from General Business (GB) classification to Planned Unit Development (PUD) classification. The property is owned by Jem Management Co and Calfran properties.
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 14 Shadowmoss Parkway (West Ashley) (0.36 acre) (TMS #358-07-00-007) (Council District 10), annexed into the City of Charleston October 11, 2016 (#2016-128), be zoned Single-Family Residential (SR-1) classification. The property is owned by Paula and Chris Iannuccilli.
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 7 Arcadian Park (West Ashley) (0.25 acre) (TMS #418-15-00-069) (Council District 3), annexed into the City of Charleston October 11, 2016 (#2016-129), be zoned Single-Family Residential (SR-1) classification. The property is owned by Kathleen and Josh Bell.
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 property located on Magnolia Road (West Ashley) (0.125 acre) (TMS #418-10-00-005) (Council District 9), annexed into the City of Charleston November 10, 2016, be zoned Single-Family Residential (SR-2) classification. The property is owned by William G. Niemeyer.

**F. Act on Public Hearing Matters**

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

1. November 10, 2016

**H. Citizens Participation Period**

**I. Petitions and Communications:**

**J. Council Committee Reports:**

1. **Committee on Community Development: (Meeting was held on Monday, November 14, 2016 at 4:00 p.m.)**

- (i) Presentation: The Low Line (INFORMATION ONLY)
- (ii) Presentation: Financing Affordable Housing with Bond Deals (INFORMATION ONLY)

**2. License Committee: (Meeting was held on Monday, November 22, 2016 at 3:30 p.m.)**

An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance Number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154, and 2015-189 to adopt said ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2017.

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

An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance Number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154, and 2015-189 to adopt said ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2017.

**3. Committee on Ways and Means:**

(Bids and Purchases

(Police Department: Approval to accept the FFY2017 Highway Safety Grant award of \$226,158 to fund and outfit two new officers for the Traffic Enforcement Team. No City match is required.

(Police Department: Approval to submit FY16 Special Solicitation VOCA Application for a Victim Resource Coordinator salary, supplies, training, and two vehicles for a total of \$109,467. A cash match of \$21,893 will derive from the 2017 CPD General Fund.

(Mayor's Office for Children Youth and Families: Approval to accept the Youth Service America Grant award in the amount of \$500 for the Global Youth Service Day. This award will engage 500 youth throughout the Charleston Community in service-learning, community service and volunteerism. No City match is required.

(Fire Department: Approval to submit a FY16 Assistance to Firefighters Grant for funding to be used to implement a Community Paramedicine/SWAT Medic program. Total cost for project is \$95,000 with a local match of \$9,500. If awarded, this will be budgeted in FY18. This is an after the fact request.

(Fire Department: Approval to submit a FY16 Assistance to Firefighters Grant for

funding to be used for replacement of existing firefighter escape systems, which are reaching end of life expectancy. The total cost for the project is \$143,980 with a local match of \$14,398. If awarded, this will be budgeted in FY18. This is an after the fact request.

- (Fire Department: Approval to submit a FY16 Assistance to Firefighters Grant for funding to be used to equip, train and implement a swift water rescue team. The total cost for the project is \$225,000 with a local match of \$22,500. If awarded, this will be budgeted in FY18. This is an after the fact request.
- (Parks-Capital Projects: Approval of a Construction Contract with Chambers and Associates, Inc. in the amount of \$67,703 for the renovation of the Moultrie Park Building. The project consists of improvements to the existing 1,250 square foot playground building at 41 Ashley Avenue including replacement of windows, flooring, ceilings, and lighting, ADA upgrades, and painting along with some limited asbestos abatement. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council approved budget. Approval of this action will institute a \$76,000 project budget of which the \$66,703 construction contract will be funded. The funding source for this project is the 2016 Capital Projects, Structural Repairs in the General Operating Budget (\$301,000).
- (Parks-Capital Projects: Approval of the Charleston Police Department Team 4 Office Building Construction Contract with J. Musselman Construction, Inc. in the amount of \$570,313 for the interior upfit and mechanical replacement for office spaces in the existing building at 3545 Mary Ader in West Ashley. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council approved budget. Approval of this action will institute a \$2,272,584 project budget, of which the \$570,313 Construction Contract will be funded. The funding source for this project is the 2015 Installment Purchase Revenue Bond (\$1,750,000) and 2015 General Fund Reserves (\$522,584).
- (Public Service: Approval for B&C Land Development to perform emergency repairs/replacement of tidal check valve at the Battery in the amount of \$48,625. The work was performed as an emergency repair due to the need to replace a failed check valve.
- (Public Service: Approval for Anson Construction Company, Inc. to construct drainage improvements in the amount of \$216,200 at Greenleaf Street.
- (Police Department: Approval of a Mutual Aid Agreement with the City of Isle of Palms. The mutual aid agreement was amended in June, 2016. New agreements have been drafted to ensure compliance with the amended statute. The new agreements are replacing the old agreements.
- (An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance Number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154, and 2015-189 to adopt said ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2017.
- (Request authority for Mayor to execute the attached Amendment to the

Management Agreement between the Old Exchange Building Commission and the City, extending the term of the Agreement from November 23, 2016 to November 23, 2017.

(Consider the following annexations:

- 2319 Savannah Highway (TMS# 310-06-00-114) 1.06 acres, West Ashley (District 7). The property is owned by Hag Re Cdt LLC.
- 771 Longbranch Drive (TMS# 310-01-00-115) 0.33 acre, West Ashley (District 2). The property is owned by Keith Gordon and Janet Wagner-Gordon.
- 2947 Maybank Hwy (TMS# 313-00-00-088) 2.97 acres, Johns Island (District 5). The property is owned by Oak Family Properties LLC.
- Property located on Ashley Hall Plantation Road (TMS# 353-00-00-003 and TMS# 353-00-00-004) 44.59 acres, West Ashley (District 2). The property is owned by the Estate of Rosina Kennerty Siegnious.

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

An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina, Ordinance Number 1991-153, as amended by Ordinance Numbers 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154, and 2015-189 to adopt said ordinance, as amended, as the Business License Ordinance for the City of Charleston, South Carolina, for the fiscal year commencing January 1, 2017.

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. The property is owned by Hag Re Cdt LLC.

An ordinance to provide for the annexation of property known as 771 Longbranch Drive (0.33 acre) (TMS# 310-01-00-115), 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 2. The property is owned by Keith Gordon and Janet Wagner-Gordon.

An ordinance to provide for the annexation of property known as 2947 Maybank Hwy (2.97 acres) (TMS# 313-00-00-088), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Oak Family Properties LLC.

An ordinance to provide for the annexation of property known as property located on Ashley Hall Plantation Road (44.59 acres) (TMS# 353-00-00-003 and 353-00-00-004), 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 2. The property is owned by the Estate of Rosina Kennerty Siegnious.

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

1. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 31, Section 31-212 to extend the restrictions for the “no pick-up zones” to include the holidays of Memorial Day, Labor Day, New Year’s Eve, Fourth of July, Halloween, and Saint Patrick’s Day and during special concerts or promotions that take place within the Late Night Entertainment District.*
2. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, 399 (e) to require that towing business that perform nonconsensual tows be required to return vehicles to their owners 24 hours a day.*
3. *An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement with the Gaillard Management Corporation pertaining to Suite 2200 in the Gaillard Center.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Maybank Highway at Promenade Vista Street (James Island) (approximately 10.57 acres) (TMS #424-00-00-001) (Council District 6), be rezoned from Gathering Place (GP) classification to Planned Unit Development (PUD) classification. The property is owned by CPC James Island, LLC. **(AS AMENDED)** (DEFERRED)*
5. *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)*
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 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)*
7. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-208.1 Bed and Breakfasts not located within the Old and Historic District, to clarify where Bed and Breakfasts are permitted in areas outside the Old and Historic District. (DEFERRED FOR PUBLIC HEARING)*
8. *An ordinance to amend the Old and Historic District and Old City District Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the definition of structure, to provide definitions for height, scale, mass and immediate surroundings, immediate surrounding area and neighborhood, to clarify the authority of the Board of Architectural Review as it pertains to its review of height, scale and mass of new construction to achieve compatibility and proper form and proportion between new structures and those in its immediate surroundings, and to codify certain*

*policy statements for the use in evaluation applications. (DEFERRED FOR PUBLIC HEARING)*

#### **L. Bills up for First Reading**

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the Peninsula designated "A-1" on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; prohibit an overconcentration of accommodations units within areas on the Peninsula designated "A-1" on the Accommodations Overlay Zoning Map; amend revised Subsection B. 1. (g) by deleting wording regarding pedestrian activity and transit system usage and inserting language regarding the location and design of guest drop off and pick up areas; and amend revised Subsection B. 1. (h) 15 to require additional information on parking and public transit provisions for employees **(AS AMENDED)** *(DEFERRED)*
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 off North Westchester Road (West Ashley) (2.225 acres) (TMS #309-15-00-070) (Council District 7), be rezoned from Light Industrial (LI) classification to General Business (GB) classification. *(DEFERRED)*
3. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 12 – Gathering Place to change district name and specific details within, by amending Article 2, Part 3, Table of Permitted Uses to change district name, by amending Sec. 54-301, Table 3.1: Height, Area and Setback Regulations adding a new row, by amending Sec. 54-201, Base Zoning Districts to change district name, by amending Article 2, Part 11, Sec. 54-268 designation of Design Review District, Review Authority, Scope of Authority and Exemptions to change district name, by amending Article 3, Part 8, Sec. 54-347 landscape buffer requirements to change district name. *(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 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)*

5. 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)

**M. Miscellaneous Business:**

1. The next regular meeting of City Council will be December 6, 2016 at 5:00 p.m. at City Hall, 80 Broad Street.

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, November 22, 2016, at 5:00 p.m. in the City Council Chambers at 80 Broad Street, Charleston, South Carolina, the City Council of the City of Charleston will conduct a public hearing on the approval of the Tax Increment Financing Plan for the Redevelopment of the West Ashley Redevelopment Project Area under the provisions of Chapter 6 of Title 31 of the Code of Laws of South Carolina 1976, as amended.

The proposed West Ashley Redevelopment Project Area shall be that area more particularly described as follows:

The general boundaries of the West Ashley Redevelopment Project Area may be described as beginning at Savannah Highway at Arlington Drive; Arlington Drive extending south to Rondo Street; Rondo Street to a line extending east then north to the intersection of Savannah Highway and I-526; Savannah Highway extending east to just beyond Skylark Drive then south to a line extending to abandoned railroad right-of-way; the abandoned railroad right-of-way extending east to Dunbar Street; Dunbar Street extending west and to a line returning to Savannah Highway; Savannah Highway to a line extending north and generally parallel to Orleans Road and connecting to Sam Rittenberg Boulevard ; Sam Rittenberg Boulevard extending northeast to Orleans Road; Orleans Road extending south to Dulsey Road; Dulsey Road extending east to Dupont Road; Dupont Road extending north to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north and continuing to a line extending south to Amy Elsey Drive; Amy Elsey Drive extending to Wappoo Road; Wappoo Road extending north to Ashley River Road; Ashley River Road extending northwest to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast Trailee Drive; Trailee Drive extending southwest to Trailmore Drive; Trailmore Drive returning to Trailee Drive and Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast to Charlestowne Drive; Charlestowne Drive extending east to Old Towne Road; Old Towne Road extending north to Southgate Drive and where Old Towne Road merges into Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north to Gamecock Circle; Gamecock Circle extending west then south to Orange Grove Road; Orange Grove Road extending just west then south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending southwest to just before Ashley Hall Road and to a line connecting northward and westward to Ashley Hall Road; Ashley Hall Road extending to a line running generally parallel to Sam Rittenberg Boulevard and to Akers Road; Akers Road extending west to Ashley River Road; Ashley River Road extending north to the intersection of Ashley River Road and Ancrum Road then connecting to a line extending west then south to Wallace School Road; Wallace School Road extending south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending west to Orleans Road; Orleans Road extending north to Hazelwood Drive; at the intersection of Orleans Road and Hazelwood Drive connecting to a line extending west to I-526 and beyond I-526 to Ashley Town Center Drive; Ashley Town Center Drive extending northwest to Savage Road; Savage Road extending south to N Westchester Drive; N Westchester Drive extending east to its termination then south to a line that extends just beyond Burris Road and then turns east to a line connecting back to Ashley Town Center Drive; Ashley Town Center Drive extending north and to a line extending east to I-526; I-526 extending south to Savannah Highway; Savannah Highway extending west and returning to the point of origin at Arlington Drive.

The West Ashley Redevelopment Plan is intended to reverse conditions of blight existing within the West Ashley Redevelopment Project Area in order to promote economic development which will increase the tax base and improve the quality of life within the area. Redevelopment projects included in the West Ashley Redevelopment Plan consist of various public infrastructure improvements within the area described above as follows:

Creation of new public open spaces and parks and the improvement to existing park facilities; construction of civic buildings, cultural facilities and recreation/sport facilities; improvements to streetscaping including installation of street lighting, street trees, landscaped median and utility improvements; improvements to the transportation infrastructure including the construction of pedestrian, bicycle and transit facilities; improvements to the street/highway network, including improvements to existing streets, the creation of new connecting streets and intersection improvements; improvements to stormwater management infrastructure; and construction of parking structures.

It is anticipated that the investment of public money to provide these facilities will make the area attractive for private investment and it is further anticipated that as a result of the public investment in the redevelopment area, blight, deterioration and other problems will be ameliorated. Underutilized and vacant buildings and properties will be rehabilitated and new buildings will be built.

The maximum estimated term of obligations to be issued under the redevelopment plan shall not exceed the duration of the Redevelopment Plan of 25 years. All interested persons will be given an opportunity to be heard at the public hearing.

/s/ Vanessa Turner-Maybank  
Clerk, Charleston City Council

## AN ORDINANCE

ESTABLISHING THE WEST ASHLEY REDEVELOPMENT PROJECT AREA; MAKING CERTAIN FINDINGS OF BLIGHT WITHIN THE REDEVELOPMENT PROJECT AREA; DESIGNATING AND DEFINING REDEVELOPMENT PROJECTS CONSISTING OF PUBLIC IMPROVEMENTS WITHIN THE REDEVELOPMENT PROJECT AREA; DESIGNATING APPROPRIATE REDEVELOPMENT PROJECT COSTS; APPROVING AN OVERALL REDEVELOPMENT PLAN; PROVIDING FOR NOTICE AND PUBLIC HEARING IN CONNECTION WITH THE FOREGOING; AND OTHER MATTERS RELATED THERETO

WHEREAS, Chapter 6 of Title 31 of the Code of Laws of South Carolina 1976, as amended (the "Tax Increment Financing Law") is intended, as described at Section 31-6-20(4) to promote and protect the health, safety, morals and welfare of the public by providing a mechanism to allow municipalities to respond to the challenges posed by blighted conditions within its boundaries to encourage private investment and restore the tax base in areas where blight is present; and

WHEREAS, Section 31-6-30 of the Tax Increment Financing Law describes the qualities present in an area which permit establishment of a Redevelopment Project Area; and

WHEREAS, the improved lands located in the area of West Ashley, generally known as Sam Rittenberg Boulevard, as hereinafter designated, are predominantly characterized by certain of those qualities set forth at Section 31-6-30(1)(a) of the Tax Increment Financing Law including obsolescence; deterioration; excessive vacancies; lack of necessary transportation infrastructure; lack of storm drainage facilities; and static or declining land values; and

WHEREAS, the sound growth of vacant lands located in the area generally known as West Ashley is impaired by obsolete platting of the vacant land; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; lack of necessary transportation infrastructure; presence of or potential environmental hazards; and lack of storm drainage facilities; and

WHEREAS, the City Council of the City of Charleston ("City Council") has acknowledged the need to redevelop this area in a manner that will create new economic development opportunities and improve the quality of life in neighborhoods located in and adjacent to the redevelopment project area hereinafter designated (the "Redevelopment Project Area"), and hereby determines that the revitalization of the Redevelopment Project Area through public investment in infrastructure improvements is necessary to reverse the existing conditions of blight and encourage private investment and is in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Charleston (the "City"); and

WHEREAS, pursuant to Section 31-6-80(A)(7)(a) of the Tax Increment Financing Law, City Council finds that the Redevelopment Project Area is a "Blighted Area" as described at Section 31-6-30 of the Tax Increment Financing Law because it contains the characteristics described above and that private initiatives are unlikely to alleviate these conditions without substantial public assistance; and

WHEREAS, City Council specifically finds that the Redevelopment Project Area contains vacant lands that impair sound growth due to obsolete platting of the vacant land; deterioration of structures or site improvements in neighboring areas adjacent to the vacant land; lack of necessary transportation infrastructure; presence of or potential environmental hazards; and lack of storm drainage facilities; and

WHEREAS, pursuant to Section 31-6-80(A)(7)(b) of the Tax Increment Financing Law, City Council finds that property values in the Redevelopment Project Area would remain static or decline without public intervention; and

WHEREAS, in order to promote the health, safety, morals and welfare of the public, such blighted conditions need to be eradicated and redevelopment of the Redevelopment Project Area be undertaken; to remove and alleviate adverse conditions it is necessary to encourage private investment and to restore and enhance the tax base of the overlapping taxing entities, including the City, Charleston County, Charleston County School District, Charleston County Aviation Authority and Charleston County Parks and Recreation District in such areas by the redevelopment of the Redevelopment Project Area; and

WHEREAS, pursuant to Section 31-6-80(A)(7)(c) of the Tax Increment Financing Law, City Council finds the eradication of blight and the improvement of the Redevelopment Project Area by the redevelopment projects herein authorized is declared to be in the interest of the health, safety and general welfare of the citizens of the City; and

WHEREAS, as described at Section 31-6-20(5) of the Tax Increment Financing Law, the use of incremental tax revenues to be derived from the tax rates of the City, Charleston County, Charleston County School District, Charleston County Aviation Authority and Charleston County Parks and Recreation District in the Redevelopment Project Area for the payment of redevelopment project costs to be incurred by the City solely for public improvements is of benefit to the taxing districts inasmuch as such taxing districts would not derive the benefits of an increased assessment base without the benefits of tax increment financing and all such districts benefit from the removal of blighted conditions; and

WHEREAS, City Council is now minded to avail itself of the authorization contained in the Tax Increment Financing Law in order to accomplish redevelopment of the Redevelopment Project Area and adjoining areas which threaten to become blighted; and

WHEREAS, City Council is now minded to defray the cost of the redevelopment project herein authorized and/or fund the debt service of indebtedness to be incurred for such purposes from the added increment of tax revenue to result from such redevelopment as authorized in Subsection 10 of Section 14 of Article X of the Constitution of this State as implemented by the Tax Increment Financing Law; and

WHEREAS, the West Ashley Redevelopment Plan hereinafter described will afford maximum opportunity for the redevelopment of the Redevelopment Project Area by private enterprise in a manner consistent with the needs of the City; and

WHEREAS, action must be taken immediately to prevent further blight and deterioration in the Redevelopment Project Area; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that (i) a redevelopment project area be designated and (ii) a redevelopment plan be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHARLESTON, SOUTH CAROLINA:

SECTION 1. City Council confirms all the findings of fact contained in the recitals of this Ordinance.

SECTION 2. City Council, based upon evidence presented to it and in the public record, does hereby expressly find that "blighted areas" as defined in Section 31-6-30 of the Code of Laws of South Carolina 1976, as amended, exist within the redevelopment project area designated below.

SECTION 3. For the purpose of this ordinance and any "redevelopment project" to be undertaken pursuant hereto, the "redevelopment project area" shall be that area described as follows which shall be known as the "West Ashley Redevelopment Project Area":

The general boundaries of the West Ashley Redevelopment Project Area may be described as beginning at Savannah Highway at Arlington Drive; Arlington Drive extending south to Rondo Street; Rondo Street to a line extending east then north to the intersection of Savannah Highway and I-526; Savannah Highway extending east to just beyond Skylark Drive then south to a line extending to abandoned railroad right-of-way; the abandoned railroad right-of-way extending east to Dunbar Street; Dunbar Street extending west and to a line returning to Savannah Highway; Savannah Highway to a line extending north and generally parallel to Orleans Road and connecting to Sam Rittenberg Boulevard ; Sam Rittenberg Boulevard extending northeast to Orleans Road; Orleans Road extending south to Dulsey Road; Dulsey Road extending east to Dupont Road; Dupont Road extending north to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north and continuing to a line extending south to Amy Elsey Drive; Amy Elsey Drive extending to Wappoo Road; Wappoo Road extending north to Ashley River Road; Ashley River Road extending northwest to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast Trailee Drive; Trailee Drive extending southwest to Trailmore Drive; Trailmore Drive returning to Trailee Drive and Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast to Charlestowne Drive; Charlestowne Drive extending east to Old Towne Road; Old Towne Road extending north to Southgate Drive and where Old Towne Road merges into Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north to Gamecock Circle; Gamecock Circle extending west then south to Orange Grove Road; Orange Grove Road extending just west then south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending southwest to just before Ashley Hall Road and to a line connecting northward and westward to Ashley Hall Road; Ashley Hall Road extending to a line running generally parallel to Sam Rittenberg Boulevard and to Akers Road; Akers Road extending west to Ashley River Road; Ashley River Road extending north to the intersection of Ashley River Road and Ancrum Road then connecting to a line extending west then south to Wallace School Road; Wallace School Road extending south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending west to Orleans Road; Orleans Road extending north to Hazelwood Drive; at the intersection of Orleans Road and Hazelwood Drive connecting to a line extending west to I-526 and beyond I-526 to Ashley Town Center Drive; Ashley Town Center Drive extending northwest to Savage Road; Savage Road extending south to N Westchester Drive; N Westchester Drive extending east to its termination then south to a line that extends just beyond Burris Road and then turns east to a line connecting back to Ashley Town Center Drive; Ashley Town Center Drive extending north and to a line extending east to I-526; I-526 extending south to Savannah Highway; Savannah Highway extending west and returning to the point of origin at Arlington Drive.

SECTION 4. Pursuant to Section 31-6-80(A)(1) of the Tax Increment Financing Law, City Council does hereby expressly approve the West Ashley Redevelopment Plan attached hereto and incorporated herein as Exhibit A, which plan contains a statement of the objectives of the City with regard to the plan.

SECTION 5. Pursuant to Section 31-6-80(A)(2) of the Tax Increment Financing Law, City Council finds that tax increment financing is needed to help reverse the existing conditions of abandoned and blighted property in the West Ashley Redevelopment Project Area through the funding sources described herein which will be used for the redevelopment projects consisting of public improvements as more particularly described in the West Ashley Redevelopment Plan attached hereto as Exhibit A.

SECTION 6. Pursuant to Section 31-6-80(A)(3) of the Tax Increment Financing Law, City Council does hereby approve the cost estimates of the redevelopment plan and redevelopment projects and the projected sources of revenue to be used to meet the cost including estimates of tax increments and estimates of the total amount of indebtedness to be incurred all as set forth in the West Ashley Redevelopment Plan attached hereto as Exhibit A.

SECTION 7. Pursuant to Section 31-6-80(A)(4) of the Tax Increment Financing Law, City Council does hereby approve the list of all real property in the Redevelopment Project Area to be included in the West Ashley Redevelopment Plan and more fully set forth as Exhibit B attached hereto and incorporated herein, which Exhibit includes for illustration purposes only a map of the area affected.

SECTION 8. Pursuant to Section 31-6-80(A)(5) of the Tax Increment Financing Law, City Council hereby determines the duration of the West Ashley Redevelopment Plan to be 25 years.

SECTION 9. Pursuant to Section 31-6-80(A)(6) of the Tax Increment Financing Law, City Council hereby specifically finds and determines that, inasmuch as the taxing districts in which this Redevelopment Project Area is located will continue to receive tax revenues resulting from the parcels in the Redevelopment Project Area as currently assessed, there will be no adverse impact caused by the tax increment financing plan upon the revenues of Charleston County, Charleston County School District, Charleston County Aviation Authority, Charleston County Parks and Recreation District and the City and all other taxing districts which have taxable property included in the Redevelopment Project Area and that the long term impact will be beneficial following the inducement by the City of substantial private investment.

SECTION 10. Pursuant to Section 31-6-80(A)(7) of the Tax Increment Financing Law, City Council specifically finds that (i) the redevelopment project area above defined is a "blighted area" and that private initiatives are unlikely to alleviate the blighted conditions without substantial public assistance, (ii) property values in the area would remain static or decline without public intervention, and (iii) redevelopment is in the interest of the health, safety and general welfare of the citizens of the City.

SECTION 11. Pursuant to Section 31-6-90(1)(a) of the Tax Increment Financing Law, there will be no displacement of persons by the redevelopment projects set forth in the West Ashley Redevelopment Plan.

SECTION 12. Pursuant to Section 31-6-80 of the Tax Increment Financing Law, prior to giving final reading to the West Ashley Redevelopment Plan and this ordinance, the City shall conduct a public hearing thereon after publishing notice thereof in *The Post and Courier* in form substantially as set forth at Exhibit C. Such public hearing and final readings will be held at a regularly scheduled meeting of the City Council. Such notice shall be published in at least one of the two publications above not less than 15 nor more than 30 days prior to the date fixed for the hearing.

SECTION 13. Further pursuant to Section 31-6-80 of the Tax Increment Financing Law, not less than 45 days prior to the date set for the public hearing, notice shall be given by copy of this ordinance and its exhibits to representatives of Charleston County, Charleston County School District, Charleston County

Aviation Authority, Charleston County Parks and Recreation District and all other taxing districts which have taxable property included in the Redevelopment Project Area.

DONE IN MEETING DULY ASSEMBLED on December 6, 2016.

CITY OF CHARLESTON, SOUTH CAROLINA

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

Attest:

\_\_\_\_\_  
Clerk

First Reading and Public Hearing Conducted: November 22, 2016  
Second Reading: December 6, 2016

**WEST ASHLEY REDEVELOPMENT PLAN  
SETTING FORTH INFORMATION REQUIRED BY  
SECTION 31-6-80 OF THE TAX INCREMENT FINANCING LAW**

One of the great challenges facing cities in the 21<sup>st</sup> century, including the City of Charleston, is revitalizing older suburban commercial districts to better align with contemporary demands for greater personal engagement and creating a sense of place in areas with high automobile dependence, lower densities and a lack of people-friendly infrastructure that have left otherwise stable neighborhoods without healthy, vibrant community centers. A prime example of such an area is West Ashley's Sam Rittenberg Corridor.

The West Ashley Redevelopment Plan, set forth herein (the "Redevelopment Plan") and established pursuant to the State's Tax Increment Financing Law (the "Tax Increment Financing Law"), is a robust suburban revitalization plan keenly focused on the Sam Rittenberg Corridor area (the "Redevelopment Project Area"), one of the primary commercial districts in the heart of West Ashley. The Redevelopment Plan promotes a new vision for the area and establishes a revitalization framework for creating public spaces, recreational facilities and parks; streetscaping improvements; mobility options, improved transportation infrastructure and drainage and mixed-use developments including commercial, office and residential. Funding public investments within the Redevelopment Project Area through tax increment financing will enable the City of Charleston to make the necessary infrastructure and public realm improvements that will, in turn, catalyze private reinvestment in the area. Certain capitalized terms used herein and not otherwise defined shall have the meaning ascribed thereto in the Tax Increment Financing Law.

**BACKGROUND INFORMATION & DESCRIPTION OF WEST ASHLEY REDEVELOPMENT PROJECT AREA**

West Ashley, steeped in a history of farming, community and enterprise, experienced tremendous residential and commercial growth in the latter half of the 20<sup>th</sup> century largely due to increased accessibility with the construction of I-526 and other infrastructure improvements. Today, conventional suburban development occupies most of West Ashley and the area is home to many older large-scale, auto-oriented, single-use strip malls and underutilized retail centers.

The Redevelopment Project Area is illustrated on the attached map "Proposed West Ashley Redevelopment Project Area (TIF District)" (Exhibit B). The Redevelopment Project Area is comprised of 155 parcels and approximately 425 acres. Sixty one percent (61%) of the Redevelopment Project Area is commercial, ten percent (10%) is office, ten percent (10%) percent is vacant and the remaining is residential, institutional or other uses. The Redevelopment Project Area includes Citadel Mall, numerous underused strip retail centers, aging office buildings, expansive parking lots, and commercial corridors which should be enhanced.

The backbone of the Redevelopment Project Area is the Sam Rittenberg Corridor which includes over 1 million square feet of commercial space. Nearly 10,000 employees work in the area and approximately 10,000 residents live in nearby neighborhoods just outside of the boundaries of the Redevelopment Project Area. However, the corridor has very limited pedestrian facilities, lacks bicycle and transit facilities, and landscaping is either inconsistent in appearance or nonexistent.

Recently, several issues impacting West Ashley's commercial landscape led residents, business owners, public officials and other stakeholders to voice public concern regarding the future of West Ashley. Key issues included high retail vacancy rates, the uncertain future of many underutilized retail centers and the inconsistent quality and appearance of key corridors, including Sam Rittenberg Boulevard. A 2014 economic development study of West Ashley identified the following:

- The Redevelopment Project Area has an oversupply of retail inventory and lacks the residential density to support such retail – with retail per capita nearly double the national average. Regional competition has contributed to the fact that West Ashley has an excess of retail square footage.
- The Redevelopment Project Area has a disproportionate retail-to-office ratio compared to other regional cities.
- Redevelopment efforts in the Redevelopment Project Area should be economically diverse and future retail should be part of mixed-use projects incorporating office, multi-family and civic spaces that provide local residents and workers with quality goods, services and experiences.

Responding to community concerns and realizing the importance of West Ashley to the City of Charleston's future growth and development, the City hired a market research firm to develop a market-driven strategy to address West Ashley opportunities. The result was the West Ashley Strategic Plan which included mixed use revitalization plans and public realm improvements for the Sam Rittenberg Corridor and adjacent areas as well as strategies to reactivate civic spaces, strengthen West Ashley's image, and facilitate the evolution of West Ashley's greenspaces.

The Redevelopment Plan herein embodies and further expands upon the strategies identified in the West Ashley Strategic Plan. However, in order to implement the Redevelopment Plan and inspire private investment within the Redevelopment Project Area, significant public investment must be made in the form of infrastructure and public realm improvements. A multitude of examples across the nation have demonstrated that public investment in strategic projects can successfully result in the revitalization of distressed areas, additional jobs, an improved quality of life, the creation of new vibrant places to live, work and play and increased tax revenues.

The City of Charleston sees incredible revitalization opportunities within the Redevelopment Project Area and has established a strong vision for the future of West Ashley. The City will provide leadership and direction by making critical public realm improvements as a means to bolster private investment in the area. However, successful implementation of the West Ashley Redevelopment Plan is dependent upon the City's ability to secure adequate funding through Tax Increment Financing.

## **CONDITIONS OF BLIGHT WITHIN THE REDEVELOPMENT PROJECT AREA**

Within the Redevelopment Project Area certain conditions of blight currently exist. Examples include poorly maintained, vacant and obsolete properties, unattractive corridors and lack of necessary infrastructure. In its current state, the Redevelopment Project Area will not attract the investment anticipated to occur if the Redevelopment Plan is implemented. The following specific conditions of blight threaten within the Project Area:

### **DETERIORATION OF STRUCTURES AND SITE IMPROVEMENTS**

A significant characteristic of this area is the presence of deficient and deteriorating structures and deficient and deteriorating site improvements. Deficient structures exhibit damaged exterior materials and need for maintenance; deteriorating structures exhibit defects such as missing elements, rotten exterior components, and roofs or windows in need of replacement. Deficient site improvements exhibit damaged parking areas, driveways, signage, site lighting or landscaping or site elements not meeting City of Charleston standards; deteriorated site improvements exhibit the aforementioned site elements that are missing or in need of complete replacement. A land use survey by the City of Charleston Department of Planning, Preservation and Sustainability found thirty five percent (35%) of the properties within the Redevelopment Project Area have buildings or site improvements that are either deficient or deteriorating.

### **OBSOLETE LAND USES AND STRUCTURES**

Many buildings and land uses throughout the Redevelopment Project Area are aging and obsolete and in need of substantial investment. Single-use retail strip retail centers, underutilized office buildings and expansive desolate parking lots are scattered throughout the Redevelopment Project Area - including prominent intersections. These single-use antiquated properties have failed to keep up with market trends and consumer preferences for walkable, activated environments that include a mixture of uses. These outdated properties also fail to meet architectural design and landscaping standards now required by the City of Charleston.

### **EXCESSIVE VACANCIES**

Commercial and office vacancies exist throughout the Redevelopment Project Area contribute to the lack of investment in the revitalization of the area. Retail demand for regional anchor stores has been displaced elsewhere in the Charleston region and many underused strip centers are either unable to fill vacancies due to the obsolete nature of the property or they re-tenant with lower quality uses. A land use survey conducted by the City of Charleston Department of Planning, Preservation and Sustainability found highly visible retail centers with twenty three to thirty five percent (23-35%) of their storefronts vacant. Stand-alone commercial buildings and office buildings also exhibited vacancies. Additionally, the Redevelopment Project Area contains seventy eight acres (78 ac) vacant or undeveloped parcels.

### **LACK OF NECESSARY TRANSPORTATION INFRASTRUCTURE**

Key corridors within the Redevelopment Project Area are unattractive and lack transportation infrastructure needed for healthy vibrant mixed use communities. Sidewalks, bicycle routes and public transportation infrastructure are limited or absent from area streets and intersections. The existing transportation infrastructure is obsolete, designed primarily to accommodate vehicle travel, and does not provide sufficient opportunities for other modes of transportation needed to support a diverse community or activated retail

environments. Commercial streets along key corridors lack sidewalks, curbs, landscaping, street lighting, and modern transit stops.

#### **LACK OF STORM DRAINAGE FACILITIES**

The existing drainage infrastructure within the Redevelopment Project Area cannot adequately accommodate significant storm events and properties within the vicinity of the area are subject to flooding. Existing drainage infrastructure is insufficient, antiquated, and fails to meet water quantity needs and modern water quality standards. The drainage needs for this are complex as there are approximately twenty drainage basins that are within or immediately adjacent to the Redevelopment Project Area.

The designation of this area as the West Ashley Redevelopment Project Area pursuant to the Tax Increment Financing Law is needed to help reverse blighted conditions. Investment in public infrastructure is a key initiative in this effort. Without public investment improvements to spur private redevelopment, area properties will likely decline or remain as they are at best. Public investment to alleviate blight conditions will serve as a catalyst for renewed private interest and investment.

#### **REDEVELOPMENT PLAN PRINCIPLES**

The following principles are intended to serve as a guide for innovative revitalization and inspired redevelopment within the Redevelopment Project Area. These principles should also serve as guidance for public infrastructure improvements to be made within the Redevelopment Project Area.

#### **DIVERSIFY THE ECONOMY AND REDEVELOP UNDERUTILIZED RETAIL CENTERS INTO MIXED USE DESTINATIONS WITH RETAIL, WORKPLACES AND RESIDENCES**

Within the Redevelopment Project Area there are numerous underutilized single-use retail centers. Located at prominent intersections and along key corridors with high traffic counts, these properties have the potential to redevelop into economically diverse mixed-use centers of higher value with retail, residential, office, and civic places. More specifically, key centers could be redeveloped to include a mixture of local and regional retail, services, office space, structured parking, hotel uses, civic or recreational uses and a variety of residential uses. Redevelopment could occur over time in phases or happen all at once. Complete redevelopment would include higher density mixed-use development with two to four-story buildings, interior public park space and hidden parking structures lined with other uses. Redevelopment of existing dated retail centers into vibrant mixed-use centers would provide opportunities for a more diverse economic base which benefits all residents of West Ashley. A few key redevelopment projects in the area will spark additional revitalization and better position West Ashley regionally.

#### **CREATE AN IMPROVED AND INTEGRATED PUBLIC REALM**

Parks and activated civic spaces are powerful economic tools that help create attractive locations for recruiting businesses, retail development, office uses and residential development. Redevelopment within the Redevelopment Project Area should incorporate new public spaces including parks, plazas, squares, outdoor dining, civic buildings, and places for recreation. These public spaces are essential elements in creating appealing locations where people want to live, work and play.

Although West Ashley has many parks and green spaces and additional civic spaces will be created with redevelopment, there is currently a lack of connectivity amongst these areas. Sam Rittenberg Boulevard and other area streets should be improved to include new infrastructure for pedestrian and bicycle travel in order to provide safe connections between West Ashley neighborhoods, existing green spaces and future public spaces.

#### IMPROVE THE APPEARANCE AND FUNCTION OF EXISTING STREETS/HIGHWAYS TO INCLUDE STREETSCAPING AND MOBILITY OPTIONS

Investments in streetscaping, walkability and other improvements to transportation infrastructure are key to helping elevate commercial corridors to a position to take advantage of market trends and redevelopment opportunities. The more attractive the corridor, the more appealing it is for private investment and public activity. Existing commercial streets within the Redevelopment Project Area such as Sam Rittenberg Boulevard, Orleans Road, Dupont Road, Ashley River Road, Ashley Hall Road, and Old Towne Road lack landscaping, lighting, transit shelters and infrastructure for pedestrians and cyclists and include a myriad of overhead utility wires. Through unique design treatments, there is opportunity to beautify these and other area streets and highways with enhanced streetscaping to include sidewalks, street trees, landscaped medians, appropriately scaled street lighting, mast arm signals and curb and gutter.

Plans for the Redevelopment Project Area should also incorporate specific strategies to encourage safe means of utilizing alternative transportation systems, including bike lanes and improved transit facilities, all of which must be integrated into the overall mobility system.

Within the Redevelopment Project Area, and particularly Sam Rittenberg Boulevard, there are a number of intersections that present design and other challenges. Each intersection should be studied and redesigned to accommodate pedestrians and bicyclists with new landscaping, signalization and mast arm signals where necessary.

#### IMPROVE THE STREET/HIGHWAY NETWORK BY CREATING OPPORTUNITIES FOR CONNECTIVITY

New street/highway connections within the Redevelopment Project Area should be created to link existing neighborhoods, schools, park spaces, retail and services as well as to provide alternate routes for travel. As existing sites redevelop, new streets within those developments should also be built to create a street network and new developable blocks. All new streets /highways should incorporate the necessary elements to provide for a variety of mobility options.

#### PROVIDE HOUSING OPPORTUNITIES

Rather than simple single-use retail redevelopment within the Redevelopment Project Area, a variety of new housing opportunities should be built including townhouses, standalone multi-family apartments, and apartments over retail. Infill housing within mixed use developments will provide the density needed support new retail and office uses and will provide opportunities to meet the broader housing needs, including workforce housing, of West Ashley and the City of Charleston.

#### **PROVIDE ADEQUATE PARKING FOR REDEVELOPMENT OPPORTUNITIES**

In order for redevelopment to occur within the Redevelopment Project Area and, specifically within the existing dated and underutilized retail centers, increases in parking capacity will need to be provided and parking structures will be needed to replace existing surface parking. Parking structures hidden within new redevelopment projects can be added to support mixed-use development at higher densities and can be wrapped with retail, office or residential uses.

#### **INVEST IN IMPROVED STORMWATER DRAINAGE SYSTEMS**

Stormwater drainage issues exist in several locations within the Redevelopment Project Area and have consistently resulted in flooding during storm events. An active approach to addressing this issue, including coordination with other governing entities, will be a significant component of the Redevelopment Plan. Creative and innovative stormwater drainage solutions for water quantity and water quality will be integrated into the Redevelopment Project Area. An improved system of canals, piped infrastructure, new and/or increased retention areas, improved outfalls, low impact development techniques and inventive water quality methods will be employed. Drainage standards will be revised as necessary.

#### **CREATE NEW ZONING STANDARDS TO ENCOURAGE REDEVELOPMENT**

Improving the zoning and entitlement process is a key strategy to facilitate suburban redevelopment. To encourage inventive mixed use redevelopment, new height and zoning regulations will be necessary in order to permit and encourage projects of appropriate scale and density. While designing new and progressive zoning standards may be necessary, applying existing innovative zoning techniques and incentives similar to those incorporated in the City of Charleston's Upper Peninsula Eco-District should be employed to achieve revitalization goals for the Redevelopment Project Area.

#### **SPECIFIC PUBLIC INVESTMENTS**

To help steer the evolution of West Ashley's future, the City of Charleston outlined the need to make the following public investments to help facilitate the transformation of obsolete land uses and aging corridors into vibrant redevelopment opportunities.

#### **CREATION OF NEW PUBLIC OPEN SPACES AND PARKS, AND THE IMPROVEMENT TO EXISTING PARK FACILITIES**

New public open spaces such as parks, squares, town greens large enough for community events, trails and pathways could be incorporated in the mixed-use redevelopment of some of the underutilized commercial centers within the Redevelopment Project Area. These public amenities will benefit the redevelopment area by providing community enhancement, open green space and recreational opportunities. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for design, property acquisition and construction.

#### **CONSTRUCTION OF CIVIC BUILDINGS, CULTURAL FACILITIES, AND RECREATION/SPORT FACILITIES**

West Ashley currently lacks centrally located public facilities. Within the Redevelopment Project Area there is a demonstrated need for civic buildings, cultural facilities and regional recreation/sport facilities. Investments in this category may include civic meeting space, cultural event space, public safety facility, performance space, wellness facility, and recreation/sports facility. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for design, property acquisition and construction.

#### IMPROVEMENTS TO STREETSCAPING INCLUDING INSTALLATION OF STREET LIGHTING, STREET TREES, LANDSCAPED MEDIANS, AND UTILITY IMPROVEMENTS

In association with corridor enhancements and new street construction within the Redevelopment Project Area, new investments will be made in streetscaping amenities that enhance the public realm. These improvements will include pedestrian scaled street lighting, street trees, landscaped medians, and possibly relocating and burying overhead utility lines. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for design, construction and installation.

#### IMPROVEMENTS TO THE TRANSPORTATION INFRASTRUCTURE INCLUDING THE CONSTRUCTION OF PEDESTRIAN, BICYCLE, AND TRANSIT FACILITIES

The Redevelopment Project Area provides opportunities to link key corridors, public spaces and community destinations. Pedestrian improvements may include new sidewalks, reconstructed sidewalks, walkways, protected crossings. Bicycle facilities may include an enhanced network of bicycle routes, on-street bike lanes, bike paths, shared multi-use paths and crossings. Public transit enhancements may include new sheltered transit stops with trash receptacles and benches, transit pull-off locations, and park-and-ride facilities. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for right-of-way evaluation, design, construction and installation.

#### IMPROVEMENTS TO THE STREET/HIGHWAY NETWORK, INCLUDING IMPROVEMENTS TO EXISTING STREETS, THE CREATION OF NEW CONNECTING STREETS, AND INTERSECTION IMPROVEMENTS

The construction of new streets and associated improvements will provide new opportunities for connectivity that will enhance the long-term advancement of the overall Redevelopment Project Area. Street/highway connections will be provided to link neighborhoods to commercial and business areas. New streets will also be constructed as part of site specific redevelopment projects. All streets/highways will incorporate streetscaping and opportunities for mobility options.

Where necessary, new or enhanced traffic control and signalization will be added to the street network in the Redevelopment Project Area. The specific intersections that act as major access points to the redevelopment area will be the focus for the investment, with particular emphasis on providing for safe interfaces between vehicular traffic, transit routes, bicycle paths and pedestrian walkways.

Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for right-of-way studies, design, right-of-way acquisition and construction.

#### **IMPROVEMENTS TO STORMWATER MANAGEMENT INFRASTRUCTURE**

Improvements to the stormwater drainage system within and adjacent to the Redevelopment Project Area are needed, particularly within the western portion of the area, to address drainage and flooding issues. This will include the need for a drainage basin study and implementation of study recommendations. Additionally, new investments to address stormwater management and water quality improvements will be necessary for redevelopment to occur. In addition to more traditional stormwater management practices, the redevelopment will advance forward-thinking technologies that demonstrate more sustainable approaches to collecting, transporting and filtering stormwater runoff. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for drainage studies, design, land and/or easement acquisition and construction.

#### **CONSTRUCTION OF PARKING STRUCTURES**

Within the Redevelopment Project Area there will be need for parking facilities, including structured parking garages, to support future redevelopment projects – particularly active mixed use centers. Investments in this category may include public parking improvements, new parking facilities, and other strategies for meeting needs for additional parking capacity and transit connections. Funding derived in part from sources permitted under the Tax Increment Financing Law, including the proceeds of obligations as well as the direct payment of Redevelopment Project costs from the Special Tax Allocation Fund, may be necessary for design, land acquisition and construction.

#### **DURATION OF PLAN**

From this date, the duration of the West Ashley Redevelopment Plan is 25 years.

#### **PROJECT COSTS AND FUNDING SOURCES**

Redevelopment project costs are estimated to be \$130,832,000. These costs would be funded from a variety of sources, including but not limited to Community Development Block Grants; economic development grants; local, state and federal transportation funds and other appropriations; incremental tax revenues; as well as from the proceeds of borrowings by the City of Charleston including several series of tax increment bonds, the first of which may be issued at a date no later than ten years from the date of establishment of the West Ashley Redevelopment Project Area. It is anticipated that the total amount of tax increment indebtedness that will be incurred to implement this plan will in an amount sufficient to meet the tax increment obligations incurred will be approximately \$69,312,000

The most recent equalized assessed valuation of all property within the West Ashley Redevelopment Project Area is approximately \$18,216,020. The estimated equalized assessed valuation of the Project Area after redevelopment is \$55,911,344, which would be expected to increase by approximately 3% each year thereafter.

## **CONCLUSION**

The Tax Increment Financing District is one of several available mechanisms for enabling the City of Charleston to make necessary infrastructure and public realm investments that will substantially improve the physical image of West Ashley and catalyze private investment in the West Ashley Redevelopment Project Area. A successful redevelopment of key underutilized commercial centers within the Redevelopment Project Area - introducing human scale and a creative mix of uses with residential, retail, work place and civic space components - will inspire suburban revitalization and propel new, innovative redevelopment solutions with the West Ashley Redevelopment Project Area.

EXHIBIT B

TAX PARCELS IN THE WEST ASHLEY REDEVELOPMENT PROJECT AREA  
TO BE INCLUDED IN THE WEST ASHLEY REDEVELOPMENT PLAN

TMS NUMBER	STREET ADDRESS	
3091500001	2228	WESTCHESTER DR
3091500002		WESTCHESTER DR
3091500059	2232	WESTCHESTER DR
3091500060	2234	WESTCHESTER DR
3091500069		WESTCHESTER DR
3091500070		WESTCHESTER DR
3091600001		SAVAGE RD
3091600042	3221	ASHLEY TOWN CENTER DR
3091600043		SAVAGE RD
3091600046	3201	ASHLEY TOWN CENTER DR
3091600047	3133	ASHLEY TOWN CENTER DR
3100300028		BURRIS RD
3100300029		BURRIS RD
3100400001	1	SOUTH PARK CIR
3100400004		SOUTH PARK CIR
3100400007	2048	SAM RITTENBERG BLVD
3100400008	2030	SAM RITTENBERG BLVD
3100400009	2068	SAM RITTENBERG BLVD
3100400011	2080	SAM RITTENBERG BLVD
3100400012		SOUTH PARK CIR
3100400017		SAM RITTENBERG BLVD
3100700096	2097	SAVANNAH HWY
3100800001	615	SKYLARK RD
3100800002	2050	SAVANNAH HWY
3100800003	2051	SAM RITTENBERG BLVD
3100800004	2079	SAM RITTENBERG BLVD
3100800010	2049	SAVANNAH HWY
3100800013	2058	SAVANNAH HWY
3100800020	2039	SAVANNAH HWY
3100800021	625	SKYLARK DR
3100800033		SAVANNAH HWY
3100800034		SAVANNAH HWY
3500500045	1963	SAVANNAH HWY

3500500046		SAVANNAH HWY
3500500047	1943	SAVANNAH HWY
3510500043		ORLEANS RD
3510500044		ORLEANS RD
3510700002	1798	ASHLEY RIVER RD
3510700003	1820	ASHLEY RIVER RD
3510700010	1828	ASHLEY RIVER RD
3510700011	1836	ASHLEY RIVER RD
3510800001	1602	SAM RITTENBERG BLVD
3510800003	1630	SAM RITTENBERG BLVD
3510800005	1610	SAM RITTENBERG BLVD
3510800012	1744	SAM RITTENBERG BLVD
3510800013	1610	SAM RITTENBERG BLVD
3510800014	1624	SAM RITTENBERG BLVD
3510800015	1640	SAM RITTENBERG BLVD
3510800016	1646	SAM RITTENBERG BLVD
3510800017	1654	SAM RITTENBERG BLVD
3510800018	1660	SAM RITTENBERG BLVD
3510800019	1704	SAM RITTENBERG BLVD
3510800020	1734	SAM RITTENBERG BLVD
3510800022	1710	SAM RITTENBERG BLVD
3510800023		N WOODMERE DR
3510900015	2070	SAM RITTENBERG BLVD
3510900053		ORLEANS RD
3510900054	2062	ORLEANS RD
3510900056	946	ORLEANS RD
3510900062	2070	SAM RITTENBERG BLVD
3510900063	2064	SAM RITTENBERG BLVD
3511000001		SAM RITTENBERG BLVD
3511000036	1885	ASHLEY RIVER RD
3511000037		ASHLEY RIVER RD
3511000040	1830	WALLACE SCHOOL RD
3511000049	1804	SAM RITTENBURG BLVD
3511000068	1930	SAM RITTENBERG BLVD
3511000069	1940	SAM RITTENBERG BLVD
3511000089	1808	SAM RITTENBERG BLVD
3511000090		ASHLEY RIVER RD
3511100005	1755	SAM RITTENBERG BLVD
3511100050	1599	SAM RITTENBERG BLVD
3511100052	1595	SAM RITTENBERG BLVD
3511100053	1591	SAM RITTENBERG BLVD

3511100116	1739	SAM RITTENBERG BLVD
3511100118	1721	SAM RITTENBERG BLVD
3511100123	1715	SAM RITTENBERG BLVD
3511100126	1745	SAM RITTENBERG BLVD
3511100127		MARGINAL RD
3511300020	852	DUPONT RD
3511300030	873	ORLEANS RD
3511300038	834	ORLEANS RD
3511300047	813	DUPONT RD
3511300063	716	ORLEANS RD
3511300064	1989	DULSEY RD
3511300067	804	ORLEANS RD
3511300068	808	ORLEANS RD
3511300069	828	ORLEANS RD
3511300073	827	ORLEANS RD
3511300074	821	ORLEANS RD
3511300085	2026	SAVANNAH HWY
3511300091		SAM RITTENBERG BLVD
3511300097	832	ORLEANS RD
3511300099	2037	SAM RITTENBERG BLVD
3511300143	2027	SAM RITTENBERG BLVD
3511400001	1859	SAM RITTENBERG BLVD
3511400004	1893	SAM RITTENBERG BLVD
3511400006	1075	JENKINS RD
3511400007	1077	JENKINS RD
3511400062		SAM RITTENBERG BLVD
3511400063		SAM RITTENBERG BLVD
3511400067	1945	SAM RITTENBERG BLVD
3511400076	1881	SAM RITTENBERG BLVD
3511400078	1897	SAM RITTENBERG BLVD
3511400081	1909	SAM RITTENBERG BLVD
3511400087	1863	SAM RITTENBERG BLVD
3511500003	1109	WAPPOO RD
3511500005	1119	WAPPOO RD
3511500051	1811	SAM RITTENBERG BLVD
3511500053	1829	SAM RITTENBERG BLVD
3511500054	1833	SAM RITTENBERG BLVD
3520800002	1140	SAM RITTENBERG BLVD
3520800006	43	SUMAR ST
3520800008	1280	SAM RITTENBERG BLVD
3520800014	1124	SAM RITTENBERG BLVD

3520800015	1114	SAM RITTENBERG BLVD
3520800017	1104	SAM RITTENBERG BLVD
3521100098	1495	SAM RITTENBERG BLVD
3521100099	1301	SAM RITTENBERG BLVD
3521100100	5	SUMAR ST
3521100101	1401	SAM RITTENBERG BLVD
3521100102	1313	SAM RITTENBERG BLVD
3521100103	1141	SAM RITTENBERG BLVD
3521200001	1517	SAM RITTENBERG BLVD
3521200008	1276	CAMERTON ST
3521200009	1280	CAMERTON ST
3521200010	1284	CAMERTON ST
3521200011	1288	CAMERTON ST
3521200012	1597	SPENCER ST
3521200013	1296	CAMERTON ST
3521200014	1298	CAMERTON ST
3521200015	1300	CAMERTON ST
3521200016	1519	SAM RITTENBERG BLVD
3521200017	1525	SAM RITTENBERG BLVD
3521200146	1527	SAM RITTENBERG BLVD
3521200147	1529	SAM RITTENBERG BLVD
3521200148	1531	SAM RITTENBERG BLVD
3521400210		ASHLEY HALL RD
3521400211		ASHLEY HALL RD
3521400212	1632	ASHLEY HALL RD
3521400213	1622	ASHLEY HALL RD
3521400214	1568	SAM RITTENBERG BLVD
3521400216	1566	SAM RITTENBERG BLVD
3521500001	1528	SAM RITTENBERG BLVD
3521500002	1535	SAM RITTENBERG BLVD
3521500004	1551	SAM RITTENBERG BLVD
3521500005	1565	SAM RITTENBERG BLVD
3521500006	1573	SAM RITTENBERG BLVD
3521500054	1551	SAM RITTENBERG BLVD
4150300128	1660	INGRAM RD
4150400136	1664	OLD TOWNE RD
4150400137	1668	SAM RITTENBERG BLVD
4150400139	1217	SAM RITTENBERG BLVD
4150400206	1164	NORTHBRIDGE DR
4150400208	1209	SAM RITTENBERG BLVD



## NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, November 22, 2016, at 5:00 p.m. in the City Council Chambers at 80 Broad Street, Charleston, South Carolina, the City Council of the City of Charleston will conduct a public hearing on the approval of the Tax Increment Financing Plan for the Redevelopment of the West Ashley Redevelopment Project Area under the provisions of Chapter 6 of Title 31 of the Code of Laws of South Carolina 1976, as amended.

The proposed West Ashley Redevelopment Project Area shall be that area more particularly described as follows:

The general boundaries of the West Ashley Redevelopment Project Area may be described as beginning at Savannah Highway at Arlington Drive; Arlington Drive extending south to Rondo Street; Rondo Street to a line extending east then north to the intersection of Savannah Highway and I-526; Savannah Highway extending east to just beyond Skylark Drive then south to a line extending to abandoned railroad right-of-way; the abandoned railroad right-of-way extending east to Dunbar Street; Dunbar Street extending west and to a line returning to Savannah Highway; Savannah Highway to a line extending north and generally parallel to Orleans Road and connecting to Sam Rittenberg Boulevard ; Sam Rittenberg Boulevard extending northeast to Orleans Road; Orleans Road extending south to Dulsey Road; Dulsey Road extending east to Dupont Road; Dupont Road extending north to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north and continuing to a line extending south to Amy Elsey Drive; Amy Elsey Drive extending to Wappoo Road; Wappoo Road extending north to Ashley River Road; Ashley River Road extending northwest to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast Trailee Drive; Trailee Drive extending southwest to Trailmore Drive; Trailmore Drive returning to Trailee Drive and Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending northeast to Charlestowne Drive; Charlestowne Drive extending east to Old Towne Road; Old Towne Road extending north to Southgate Drive and where Old Towne Road merges into Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending north to Gamecock Circle; Gamecock Circle extending west then south to Orange Grove Road; Orange Grove Road extending just west then south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending southwest to just before Ashley Hall Road and to a line connecting northward and westward to Ashley Hall Road; Ashley Hall Road extending to a line running generally parallel to Sam Rittenberg Boulevard and to Akers Road; Akers Road extending west to Ashley River Road; Ashley River Road extending north to the intersection of Ashley River Road and Ancrum Road then connecting to a line extending west then south to Wallace School Road; Wallace School Road extending south to a line connecting to Sam Rittenberg Boulevard; Sam Rittenberg Boulevard extending west to Orleans Road; Orleans Road extending north to Hazelwood Drive; at the intersection of Orleans Road and Hazelwood Drive connecting to a line extending west to I-526 and beyond I-526 to Ashley Town Center Drive; Ashley Town Center Drive extending northwest to Savage Road; Savage Road extending south to N Westchester Drive; N Westchester Drive extending east to its termination then south to a line that extends just beyond Burris Road and then turns east to a line connecting back to Ashley Town Center Drive; Ashley Town Center Drive extending north and to a line extending east to I-526; I-526 extending south to Savannah Highway; Savannah Highway extending west and returning to the point of origin at Arlington Drive.

The West Ashley Redevelopment Plan is intended to reverse conditions of blight existing within the West Ashley Redevelopment Project Area in order to promote economic development which will increase the tax base and improve the quality of life within the area. Redevelopment projects included in the West Ashley Redevelopment Plan consist of various public infrastructure improvements within the area described above as follows:

Creation of new public open spaces and parks and the improvement to existing park facilities; construction of civic buildings, cultural facilities and recreation/sport facilities; improvements to streetscaping including installation of street lighting, street trees, landscaped median and utility improvements; improvements to the transportation infrastructure including the construction of pedestrian, bicycle and transit facilities; improvements to the street/highway network, including improvements to existing streets, the creation of new connecting streets and intersection improvements; improvements to stormwater management infrastructure; and construction of parking structures.

It is anticipated that the investment of public money to provide these facilities will make the area attractive for private investment and it is further anticipated that as a result of the public investment in the redevelopment area, blight, deterioration and other problems will be ameliorated. Underutilized and vacant buildings and properties will be rehabilitated and new buildings will be built.

The maximum estimated term of obligations to be issued under the redevelopment plan shall not exceed the duration of the Redevelopment Plan of 25 years. All interested persons will be given an opportunity to be heard at the public hearing.

/s/ Vanessa Turner-Maybank  
Clerk, Charleston City Council

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

I, the undersigned, Clerk of City Council of Charleston, South Carolina, DO HEREBY CERTIFY:

That the foregoing is a true, correct and verbatim copy of an Ordinance unanimously adopted by the said City Council, having been read at two duly called and regularly held meetings at which a quorum attended and remained throughout on each of November 22 and December 6, 2016.

That the said Ordinance is now in full force and effect and has not been modified, amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand this \_\_\_\_ day of December, 2016.

\_\_\_\_\_  
Clerk of City Council of the City of Charleston, South  
Carolina

## PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, November 22, 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 Coburg Road (*West Ashley*) (6.15 acres) (TMS# 349-08-00-001) from General Business (GB) classification to Planned Unit Development (PUD) classification.
2. To rezone 1040 & 1042 5<sup>th</sup> Avenue (*West Ashley*) (10.481 acres) (TMS# 418-06-00-028 & 115) from Single-Family Residential (SR-2) and Diverse Residential-Mobile Home Park (DR-3) classifications to Single-Family Residential (SR-1) classification.
4. To rezone Nabors Drive and Affirmation Boulevard (*James Island*) (Approx. 3.95 acres) (A portion of TMS# 428-16-00-013, 046, 047, 048 & 052) from General Business (GB) and Single-Family Residential (SR-1) classifications to Diverse Residential (DR-9) classification.
5. To rezone 1099 Playground Road (*West Ashley*) (0.698 acre) (TMS# 350-04-00-139) from Limited Business (LB) classification to General Business (GB) classification. (**The Planning Commission recommends disapproval.**)
6. To rezone 221 Spring Street & 194 Cannon Street (*Peninsula*) (Approx. 1.58 acre) (TMS# 460-10-04-011& 013) from General Business (GB) classification to Planned Unit Development (PUD) classification.

### ZONINGS

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

1. 14 Shadowmoss Parkway (*West Ashley*) (0.36 acre) (TMS# 358-07-00-007) Single-Family Residential (SR-1).
2. 7 Arcadian Park (*West Ashley*) (0.25 acre) (TMS# 418-15-00-069) Single-Family Residential (SR-1).
3. Property located on Magnolia Road (*West Ashley*) (0.125 acre) (TMS# 418-10-00-005) Single-Family Residential (SR-2).

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, November 6, 2016. Charge account PC103190.

Please insert in the Chronicle as a Display Ad on Wednesday, November 9, 2016.  
**Please provide an affidavit of publication for all public hearings.**

# CITY OF CHARLESTON PLANNING COMMISSION MEETING REPORT

## MEETING OF OCTOBER 19, 2016

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, October 19, 2016** in the Public Meeting Room, 1<sup>st</sup> Floor, 2 George St. The following applications were considered:

### REZONINGS

1. **Coburg Rd (West Ashley) TMS# 3490800001** – 6.15 ac. Request rezoning from General Business (GB) to Planned Unit Development (PUD).

**RECOMMENDED APPROVAL WITH CONDITIONS**

2. **1040 & 1042 5<sup>th</sup> Ave (West Ashley) TMS# 4180600028 & 115** – 10.481 ac. Request rezoning from Single-Family Residential (SR-2) and Diverse Residential-Mobile Home Park (DR-3) to Single-Family Residential (SR-1).

**RECOMMENDED APPROVAL**

3. **1645 Raoul Wallenberg Blvd (West Ashley) TMS# 3510400001 (a portion)** – approx. 3.66 ac. Request rezoning of property from Diverse Residential Elderly Housing (DR-4) to Single-Family Residential (SR-1).

**DEFERRED BY APPLICANT**

4. **Nabors Dr and Affirmation Blvd (James Island) TMS# 4281600013 (a portion), 046, 047, 048 & 052** – approx. 3.95 ac. Request rezoning from General Business (GB) and Single-Family Residential (SR-1) to Diverse Residential (DR-9).

**RECOMMENDED APPROVAL**

5. **1099 Playground Rd (West Ashley) TMS# 3500400139** – 0.698 ac. Request rezoning from Limited Business (LB) to General Business (GB).

**RECOMMENDED DISAPPROVAL**

6. **221 Spring St & 194 Cannon St (Peninsula) TMS# 4601004011 & 013** – approx. 1.58 ac. Request rezoning from General Business (GB) to Planned Unit Development (PUD).

**RECOMMENDED APPROVAL WITH CONDITIONS**

### SUBDIVISION

1. **Farr St Right-of-Way Extension (Daniel Island) TMS# 2750000182** – 12.66 ac. 3 lots. Request subdivision concept plan approval. Zoned Daniel Island Residential (DI-R).

**APPROVED WITH CONDITIONS**

### ZONINGS

1. **14 Shadowmoss Pkwy (West Ashley) TMS# 3580700007** – 0.36 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

2. **7 Arcadian Park (West Ashley) TMS# 4181500069** – 0.25 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

3. **472 Woodland Shores Dr (James Island) TMS# 3431600040** – 0.30 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

**RECOMMENDED APPROVAL**

4. **336 Folly Rd (James Island) TMS# 4240500029** – 0.42 ac. Request zoning of General Business (GB). Zoned Folly Road Corridor Overlay District (OD-FRC) in Charleston County.

**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**

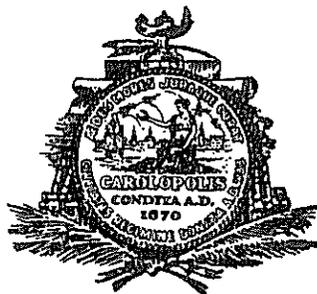
1. **Parcel Q-5-2 (Daniel Island) TMS# 2750000155** – 8.97 ac. 2 lots. DI-TC. Preliminary subdivision plat approved; final subdivision plat pending approval.
2. **Grand Oaks – Barons Drive (West Ashley) TMS# 3010000696** – 72.84 ac. R/W. PUD. Preliminary subdivision plat approved.
3. **Maybank Village, Tract D (Johns Island) TMS# 3130000248** – 10.33 ac. 2 lots. GB. Preliminary subdivision plat pending approval; final subdivision plat pending approval.
4. **Old Towne Road (West Ashley) TMS# 4150000002** – 4.0 ac. 2 lots. SR-1. Preliminary subdivision plat pending approval.
5. **Harmony (West Ashley) TMS# 3060000003** – 166.39 ac. 215 lots. PUD. Preliminary subdivision plat pending approval.
6. **Church Creek Landing (West Ashley) TMS# 3550700003, 004** – 10.77 ac. 43 lots. PUD. Final subdivision plat pending approval.
7. **Hollyberry Road (James Island) TMS# 3431500120** – 0.64 ac. 2 lots. SR-1. Preliminary subdivision plat approved; final subdivision plat pending approval.
8. **Lawton Park, Phase 2 (James Island) TMS# 4260900136** – 2.78 ac. 10 lots. SR-1. Final subdivision plat recorded.
9. **Whitney Lake, Phase 2B (Johns Island) TMS# 3120000334** – 6.51 ac. 51 lots. DR-6(ND). Final subdivision plat recorded.
10. **16 Strawberry Lane (Peninsula) TMS# 4600302069** – 0.08 ac. 2 lots. DR-2F. Preliminary subdivision plat approved; final subdivision plat pending approval.
11. **Hopewell Drive (Cainhoy) TMS# 2620000008** – 11.5 ac. R/W. PUD. Preliminary subdivision plat pending approval.
12. **The Marshes at Cooper River (Cainhoy) TMS# 2670000004, 005, 010, 050-057, 069** – 34.58 ac. 128 lots. PUD. Preliminary subdivision plat approved.
13. **Fenwick Hills, Phase 3 (Johns Island) TMS# 2790800202** – 16.74 ac. 49 lots. SR-1. Preliminary subdivision plat approved; final subdivision plat pending approval.
14. **Carolina Bay, Phase 21A (West Ashley) TMS# 3070000009** – 34.23 ac. 39 lots. SR-6. Final subdivision plat pending approval.
15. **287 Huger Street (Peninsula) TMS# 4631604017** – 2.9 ac. 2 lots. MU-2/WH. Preliminary subdivision plat pending approval.
16. **Stefan Dive Townhomes (James Island) TMS# 3430700146-148** – 0.7 ac. 8 lots. DR-12. Preliminary subdivision plat under review.
17. **Maybank Village, Phase 2B (Johns Island) TMS# 3130000056, 057** – 33.7 ac. 101 lots. SR-6. Final subdivision plat pending approval.
18. **Parcel FF, Phase 1 (Daniel Island) TMS# 2750000092** – 28.4 ac. 47 lots. DI-RI. Preliminary subdivision

plat approved.

19. **Shade Tree, Phase 1 (Johns Island) TMS# 2780000040** – 44.61 ac. 86 lots. PUD. Preliminary subdivision plat approved.
20. **Shade Tree, Phase 4 (Johns Island) TMS# 2780000043** – 37.9 ac. 59 lots. PUD. Preliminary subdivision plat approved.
21. **Grand Oaks, Phases 7A, 7B, 9A (West Ashley) TMS# 3010000697** – 69.25 ac. 144 lots. PUD. Preliminary subdivision plat approved.
22. **Whitney Lake, Phase 4 (Johns Island) TMS# 3120000143** – 24.56ac. 53 lots. DR-6(ND). Preliminary subdivision plat approved.

#### **Road Construction Plans**

1. **Grand Oaks – Barons Drive (West Ashley) TMS# 3010000696** – 72.84 ac. R/W. PUD. Road construction plans pending approval.
2. **Hopewell Drive (Cainhoy) TMS# 2620000008** – 11.5 ac. R/W. PUD. Road construction plans under review.
3. **The Marshes at Cooper River (Cainhoy) TMS# 2670000004, 005, 010, 050-057, 069** – 34.58 ac. 128 lots. PUD. Road construction plans pending approval.



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

# A N O R D I N A N C E

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 COBURG ROAD (OVERTURE PUD) (WEST ASHLEY) (APPROXIMATELY 6.15 ACRES) (TMS# 349-08-00-001) (COUNCIL DISTRICT 11), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY ST. ANDREWS PARISH LLC.

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 General Business (GB) classification to Planned Unit Development (PUD) classification.

Section 2. The property to be rezoned is described as follows:  
Property located on Coburg Road (Overture PUD) (West Ashley) (approximately 6.15 acres) (TMS #349-08-00-001)

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

Coburg Rd (West Ashley)

TMS# 3490800001

6.15 ac.

Request rezoning from General Business (GB) to  
Planned Unit Development (PUD).

Owner: St. Andrews Parish LLC  
Applicant: Seamon, Whiteside & Assoc. Inc



### Location



# OVERTURE | WEST ASHLEY PLANNED UNIT DEVELOPMENT

CITY OF CHARLESTON, SOUTH CAROLINA

City of Charleston Project ID #160906-CoburgRd-1

Project Location:  
175 Coburg Road  
Charleston, South Carolina 29407  
TMS # 3490800001

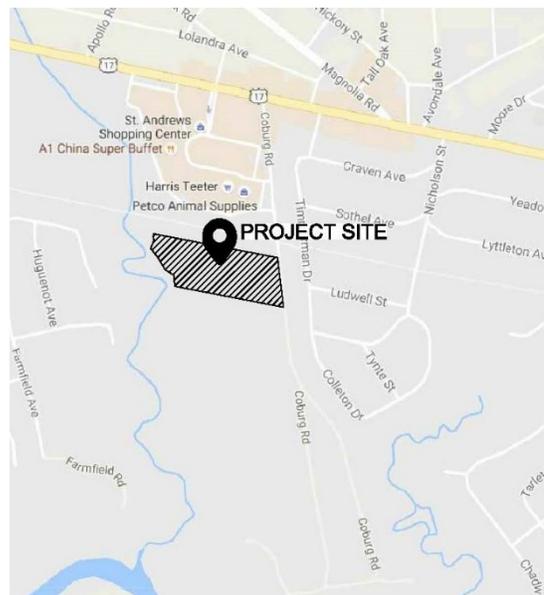
Current Property Owner:  
**St. Andrews Parish LLC**  
175 Coburg Road  
Charleston, SC 29407

Developer:  
**Greystar GP II, LLC**  
18 Broad St., Suite 300  
Charleston, SC 29401

Architect:  
**Meeks + Partners**  
16000 Memorial Drive, Suite 100  
Houston, TX 77079

Landscape Architects + Civil Engineers:  
**Seamon Whiteside (SW+)**  
501 Wando Park Boulevard, Suite 200  
Mount Pleasant, South Carolina 29464  
843-884-1667

October 14, 2016



# OVERTURE | WEST ASHLEY | PLANNED UNIT DEVELOPMENT CITY OF CHARLESTON, SOUTH CAROLINA

## Section 1 | RELATIONSHIP TO THE CITY OF CHARLESTON ZONING ORDINANCE

The Development Guidelines and Land Use Plan for the Overture West Ashley Planned Unit Development (PUD), attached hereto and made a part hereof, are part of the PUD conditional use Master Plan application submitted in accordance with the Zoning Ordinance of the City of Charleston, Article 2, Part 7 Sections 54-250, et seq. The Zoning Ordinance of the City of Charleston is incorporated herein by reference, except as amended herein. No person shall erect or alter any building, structure, or sign on any tract of land or use any tract of land within the Overture West Ashley PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Overture West Ashley PUD Development Guidelines shall follow definitions listed in the Zoning Ordinance of the City of Charleston, as amended from time to time. Administration and enforcement of the adopted Overture West Ashley PUD Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston. The Overture West Ashley PUD Master Plan was approved by Charleston City Council on (date), Ordinance Number \_\_\_\_\_.

**Statement of Purpose and Compatibility:** Per the City of Charleston's Criteria for Review, Sec. 54-254, there are eleven requirements for all PUD Master Plans. This project meets all of these requirements and they are as follows:

- a) Is consistent with the City's adopted comprehensive plan and sub-areas for the City, especially sections of the Century V Plan that addresses walkable neighborhoods, compatible mixing of building types, infill and redevelopment, easy access of residents to recreational opportunities and providing a full spectrum of housing types within neighborhoods
- b) Better achieves the goals of adopted plans than would development under other zoning district regulations by introducing another residential type, such as a Work Force Housing component, instead of a commercial or office use in such close proximity to existing neighborhoods and open space
- c) Is consistent with the City's adopted master road plan in that it utilizes the existing street network.
- d) Better protects and preserves natural and cultural resources than would development under other zoning district regulations by increasing the open space percentage to 20%, which is above the base zoning and keeps areas adjacent to the marsh as open vistas.
- e) Is compatible with the density and maximum building height of adjacent developed neighborhoods and the zoning of adjacent undeveloped areas in that existing zoning allows 26.4 units per acre and a 55' building height. Additionally, the building steps down to two stories where it fronts Byrnes Downs and is located to the rear of a large shopping center.
- f) Is compatible with the existing network of public streets in adjacent neighborhoods and areas by formally addressing Coburg Road, but is set-back consistent with other nearby buildings.
- g) Provides adequate parking for senior residents, guests, and users of the PUD for this project type and use, reduces stormwater impacts, and reduces urban heat island effects.
- h) Can be accommodated by existing and planned public facilities including but not limited to, roads, sewer, water, schools and parks. All utility services are available. Traffic will be impacted significantly less due to senior housing use as compared to base zoning. Schools

will not be impacted and additional users to the adjacent West Ashley Greenway will be a positive attribute.

- i) Provides adequate public facilities, open space, and recreational amenities. The community will provide exceptional amenity space, both interior and exterior, to the resident population base. Visitors will also be able to enjoy these abundant resources.
- j) Adequately provides for the continued maintenance of common areas, open space, and other public facilities not dedicated to the City. This will be a professionally managed residential community with appropriate budget and reserves to maintain a high-level of curb appeal.
- k) Provides for a mixture of uses. The community will have a salon that is open to the public, as well as a community gathering room, fitness center, movie room, and game room.

## Section 2 | INTRODUCTION

This project is an age restricted multi-family development located on a 6.15 acre site in the West Ashley area of the City of Charleston, SC (TMS # 3490800001 – 175 Coburg Road). The site's current zoning is General Business (GB). The Project Site abuts Coburg Road (a private road) to its east; the marshes of Wappoo Creek to its West; and property currently zoned SR-1 to its south -- which has historically been called the Coburg Property. On the north, the site abuts the West Ashley Greenway, which stretches for over 10 miles, providing a major amenity for the residents.

The current property owner is St. Andrews Parish, LLC, 175 Coburg Road, Charleston, SC 29407. The project is being developed by Greystar GP II, LLC, 18 Broad St., Suite 300, Charleston, SC 29401. The target market for this project are Baby Boomers that remain active and have a desire to age-in-place within their existing community. The site is located in an area of West Ashley known to be very diverse and walkable. There are coffee shops, a major grocer, banks, restaurants, and many other destinations within a five minute walk of the site. Within a 10-minute walk are churches, a school, a tennis center, a major health food grocer (planned), and other amenities. Within a 15-minute walk there is a library, a bakery, another health food grocer, more restaurants, and other amenities. The site also is adjacent to Byrnes Downs, a single family neighborhood developed in the early 1940s that is made up of small brick homes on tree lined streets. The project will have a mix of 1 bedroom and 2 bedroom units. Units will be served by conveniently located surface parking. See *Context Map, Neighborhood Map and Conceptual Master Plan*.

## Section 3 | LAND USE

3.1 Highland Acres:	6.15
3.2 Wetland Acres:	0.00
3.3 Net Acres:	6.15
3.4 Maximum Net Allowable Density:	32.20 Units per Acre (198 maximum units)

## Section 4 | ZONING CRITERIA

Approved Land Uses include the following:

**4.1 Age Restricted Multi-Family Residential**

- A. All leaseholders will be 55 years of age or older.
- B. Leases shall not be reassigned and units shall not be sub-leased.
- C. 5% of the residential units (rounded up) shall be “80% AMI Workforce Housing Units” and 5% of the residential units (rounded up) shall be “120% AMI Workforce Housing Units” and defined as follows:
  - 1. 80% AMI Workforce Housing Unit:
    - a. *If rental*, a dwelling unit, where occupants have, in the aggregate, having a household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
    - b. *If owner-occupied*, A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
  - 2. 120% AMI Workforce Housing Unit:
    - a. *If rental*, a dwelling unit, where occupants have, in the aggregate, having a household income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
    - b. *If owner-occupied*, A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred fifty (150%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
  - 3. Workforce Housing status shall remain in effect for twenty (20) years from time of completion.
  - 4. Owner shall enter into restrictive covenants with the City to further define this use.
- D. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner thereof shall identify, in writing, to the City of Charleston Department of Housing

and Community Development, or its successor, the units designated as owner occupied workforce housing units and/or rental workforce housing units.

- E. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner shall execute covenants identifying the owner occupied workforce housing units and/or rental workforce housing units and restricting such units to occupancy, and if applicable ownership, by qualified households for a period of no less than twenty (20) years, and submit a copy of the recorded covenants to the City of Charleston Department of Housing and Community Development, or its successor.
- F. As for the owner occupied workforce housing units, the covenants shall identify the initial maximum allowable sales price, and provide that the initial maximum allowable sales price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of household income of all members of the household. The covenants shall require notice to the City of Charleston Department of Housing and Community Development, or its successor, of any transfer of the owner occupied workforce housing units and verification that the purchaser is a qualified household. Owner occupied workforce housing units shall be subject to resale restrictions for no fewer than twenty (20) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.
- G. As for rental workforce housing units, the covenants shall require the owner to provide proof to the City of Charleston Department of Housing and Community Development, or its successor, at inception and on an annual basis, that no more than fair market rent is being charged for the unit(s), and verified income reports of household income of all rental occupants. Rental workforce housing units shall be subject to these restrictions for no fewer than twenty (20) years from the initial occupancy as workforce housing.
- H. The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events be subject to approval by corporation counsel.

**4.2 Support Uses:** Support uses are allowed within the development. These are uses that serve the residential uses, including but not limited to meeting rooms, leasing offices, exercise rooms, activity rooms, dining areas, a catering kitchen, and common spaces.

**4.3 Commercial Uses:** Commercial Uses are allowed within the development. These are in support of the residential use but are open to the general public. Commercial uses shall be restricted to operating hours of 8:00 AM to 7:00 PM. Examples of possible commercial uses may include a nail salon, hair salon, or gift shop.

**4.4 Maximum Commercial Space:** The maximum allowable square footage of commercial space shall be 5,000 SF. There are no maximum allowable square footage for Support Uses.

**4.5 Parking Requirements:** There shall be a minimum of 1.2 parking spaces per residential unit, regardless of unit type. There are no specific requirements for parking for Employees, Support Uses, or Commercial Land Uses. The unit of measure used to calculate parking includes allowances for anticipated employee and visitor parking. Parking shall comply with ADA. See *Site Plan*.

**4.6 Other Allowed Uses:** Should the Age Restricted Residential project not be built, the uses allowed on the parcel would be those uses allowed within the City of Charleston within General Business are also allowed on this parcel. In that case, parking requirements would also follow those that apply to General Business.

**4.7 Setbacks:** There are no building setback requirements except for the 10'-0" building setback off the OCRM critical line buffer (as per City of Charleston requirements).

**4.8 Building Heights:** The maximum building height shall be 55', measured from the edge of pavement on Coburg Road to the eave and a maximum of four habitable floors. The four habitable floors allowance does not include elevator, stairwell, or foyer spaces at grade.

**4.9 Loading Docks:** Loading docks shall not be required. Loading and unloading will be accommodated in regular parking spaces and in drop off areas.

**4.10 Maximum Lot Occupancy:** There are no maximum lot occupancy restrictions, other than meeting the open space requirements for the project.

## Section 5 | OPEN SPACE

There shall be a minimum of 20% Open Space on the site. This may include landscape buffers, plazas, courtyards, swimming pool, swimming pool deck areas, outdoor amenity areas, sidewalks, and dog walk areas. 25% of the Open Space shall be improved so as to be useable by the residents of the development. This may include walking trails, connections to the Greenway, swimming pool areas, courtyards, overlooks, etc. Open Space shall be maintained by the property management organization. See *Open Space Plan*.

## Section 6 | BUFFERS

There shall be a minimum 5'-0" landscaped buffer along the north, south, and east property lines. There shall also be a minimum 40' buffer along the OCRM critical line (as per City of Charleston requirements). Landscape Buffers may include fences, walls, gates, paths, trees, shrubs, groundcover, lawns, or mulch areas. The OCRM Buffer may include pervious walking paths, benches, mulch, and native plantings. See *Open Space Plan*.

## Section 7 | TREE SUMMARY

The survey has identified all existing trees on the parcel. The Grand Trees have been evaluated by Natural Directions, LLC. The project will comply with all Tree Protection Requirements of the City of Charleston, Article 3 Part 6.

## Section 8 | RIGHT-OF-WAY

The project fronts Coburg Road, a privately maintained road. There shall be no public Rights-of-Way internal to the project site. Vehicular ingress and egress shall be from Coburg Road. A 5' wide concrete sidewalk will be constructed across the frontage of the project on one side of Coburg Road, within the private right-of-way.

## Section 9 | DRAINAGE BASIN ANALYSIS

The project site is on FEMA map 45019C0513J, effective on 11/17/2004 and is in Zone AE 11. The existing grades on the site vary but the average is approximately at elevation 8 to 10 feet MSL. The site is relatively flat but there is some grade change along the OCRM critical line. There are no wetlands on the site but the property is adjacent to the OCRM critical line and has frontage along the marsh and tributaries of Wappoo Creek.

Due to proximity of the site to the marshes of Wappoo Creek, the project will seek a stormwater detention variance per Section 2.10 of the City of Charleston Stormwater Design Standards Manual (SWDSM), provided that the release rates will have no significant adverse impact on the receiving natural waterway or downstream properties. The stormwater quality standards outlined in Section 3 of the SWDSM shall be met by the utilization of accepted water quality BMP's for this development. A portion of the stormwater facilities shall be located off site, on adjacent property south of the parcel. The project shall comply with all requirements of the City of Charleston and SCDHEC/OCRM. See Conceptual Grading and Drainage Plan.

## Section 10 | TRAFFIC STUDY (under separate cover)

A traffic study has been completed by Bihl Engineering, LLC. No off-site roadway improvements are recommended as intersections will continue to operate acceptably after construction.

## Section 11 | CULTURAL RESOURCES (N/A)

Archaeological Studies have not been conducted for the site at this time. The property has a long history of use as a dairy farm and more recently for low density residential use, although no structures are on this parcel. No known archaeological sites have been found on the property. A review of the SHPO website yielded no results of known historic or cultural sites, and a copy of the SHPO Map is attached for reference Appendix.

## Section 12 | LETTERS OF COORDINATION

Water and Sanitary Sewer Service shall be provided by Charleston Water System. Electrical and Gas Service shall be provided by SCE&G. Police and Fire Protection will be provided by the City of Charleston. Waste management, including recycling services, shall be privately contracted. Due to the age restriction, it is not anticipated that school age children will be residents of the project. Coordination letters are attached as part of this document.

## Section 13 | ADDITIONAL INFORMATION/CRITERIA

**Greenway Contribution:** Developer shall provide a \$ \_\_\_\_\_ contribution to the West Ashley Greenway.

**Signage:** The project will conform to signage regulations as they pertain to the General Business (GB) zoning classification.

**Other Regulations:** For all regulations not specifically listed herein, the project shall follow provisions found in the City of Charleston Zoning code for General Business (GB).

#### **Section 14 | AMERICANS WITH DISABILITIES ACT**

This project will meet all FHA requirements and all public right-of-ways will be ADA Compliant.



LINE	BEARING	LENGTH
L1	S 12° 30' 14" W	21.26'
L2	S 16° 36' 59" E	23.90'
L3	S 22° 33' 47" W	60.64'
L4	S 28° 33' 29" E	62.70'
L5	S 30° 18' 27" E	93.59'
L6	S 57° 47' 22" E	69.44'
L7	S 05° 42' 05" E	65.93'
L8	S 12° 35' 17" E	10.79'



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I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

F. ELLIOTTE QUINN III  
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 10292

**TOPOGRAPHIC SURVEY**  
**PARCEL G**  
**CONTAINING 6.15 Ac.**  
**COBURG DAIRY TRACT**

ST. ANDREWS PARISH, CITY OF CHARLESTON  
CHARLESTON COUNTY, SOUTH CAROLINA

prepared for  
**GREYSTAR**

No	Revision	By	Date



682 Jahnies Dadds Boulevard • Suite 100  
Mt. Pleasant, SC 29464 • 843.849.0200

www.thomasandhutton.com



plot	drawn	reviewed	field	crew
07/20/16	faq	JP	07/06/16	oba/cnh

- NOTES**
- TAX MAP NO. : 549-08-00-001 CURRENT OWNER: ST. ANDREWS PARISH, LLC
  - ACCORDING TO F.I.R.M. MAP NO. 4509C, COMMUNITY No. 4554I2, PANEL 0513A, REVISED NOVEMBER 17, 2004, THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONE AE WITH A BASE FLOOD ELEVATION OF 8 FT. NAVD83 (NGVD83 + NAVD83+0.90)
  - COORDINATES AND DIRECTIONS SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD83). DISTANCES SHOWN ARE GROUND DISTANCES, NOT GRID DISTANCES.
  - ELEVATIONS LISTED ARE BASED ON NAVD83 DATUM AND REFERENCED TO S.C.G.S. STATION 10 049 (PD C0470).
  - A TITLE SEARCH WAS NOT PERFORMED BY THOMAS & HUTTON ENGINEERS CO. AT THE TIME OF THIS SURVEY.
  - THE PROPERTY PLATTED HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  - THE POSITION OF UNDERGROUND UTILITIES SHOWN ON THIS DRAWING IS BASED UPON THE LOCATION OF SURFACE APPURTENANCES AND/OR SURFACE MARKINGS AND SHOULD BE CONSIDERED APPROXIMATE.



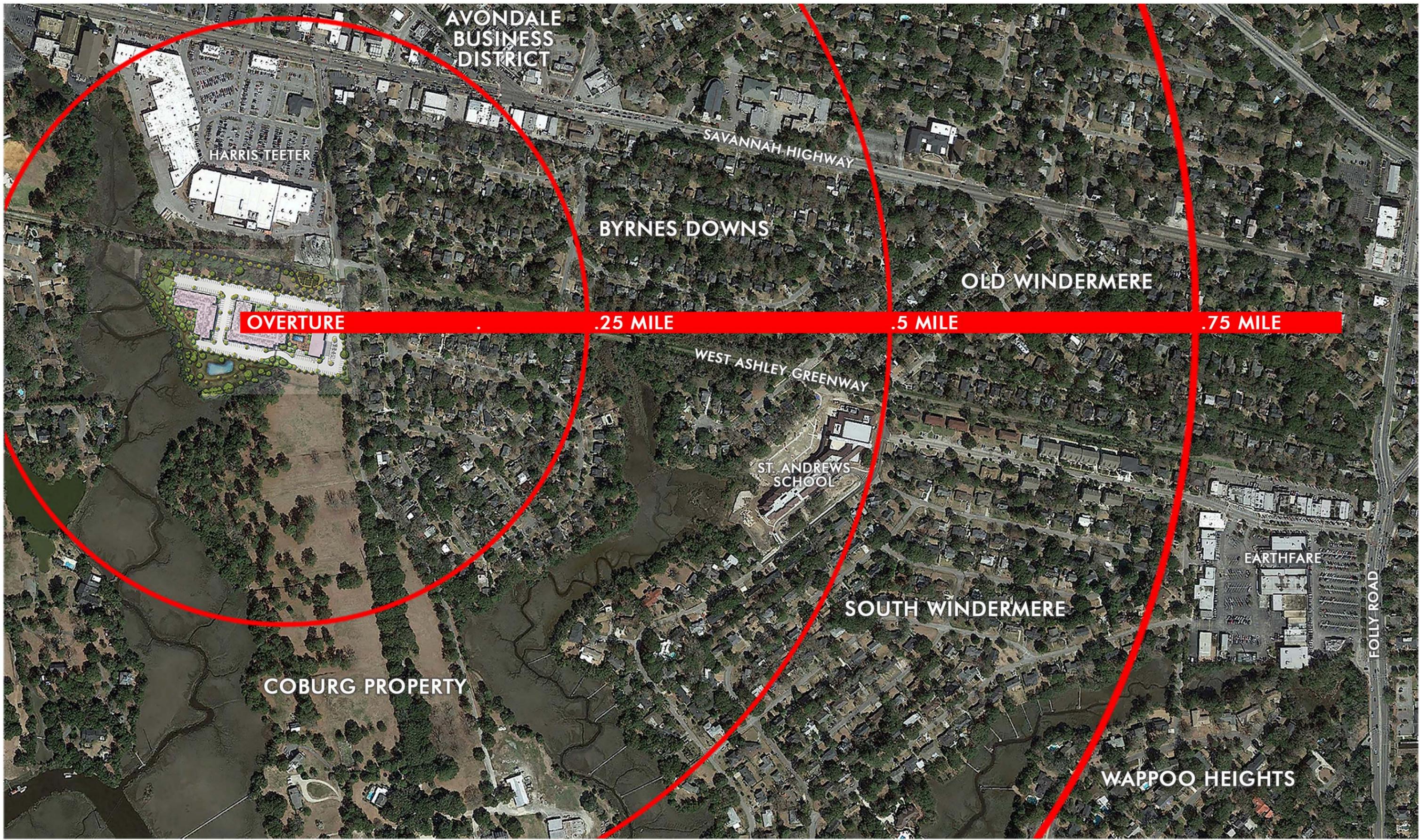
**PROJECT SITE  
NOT TO SCALE**

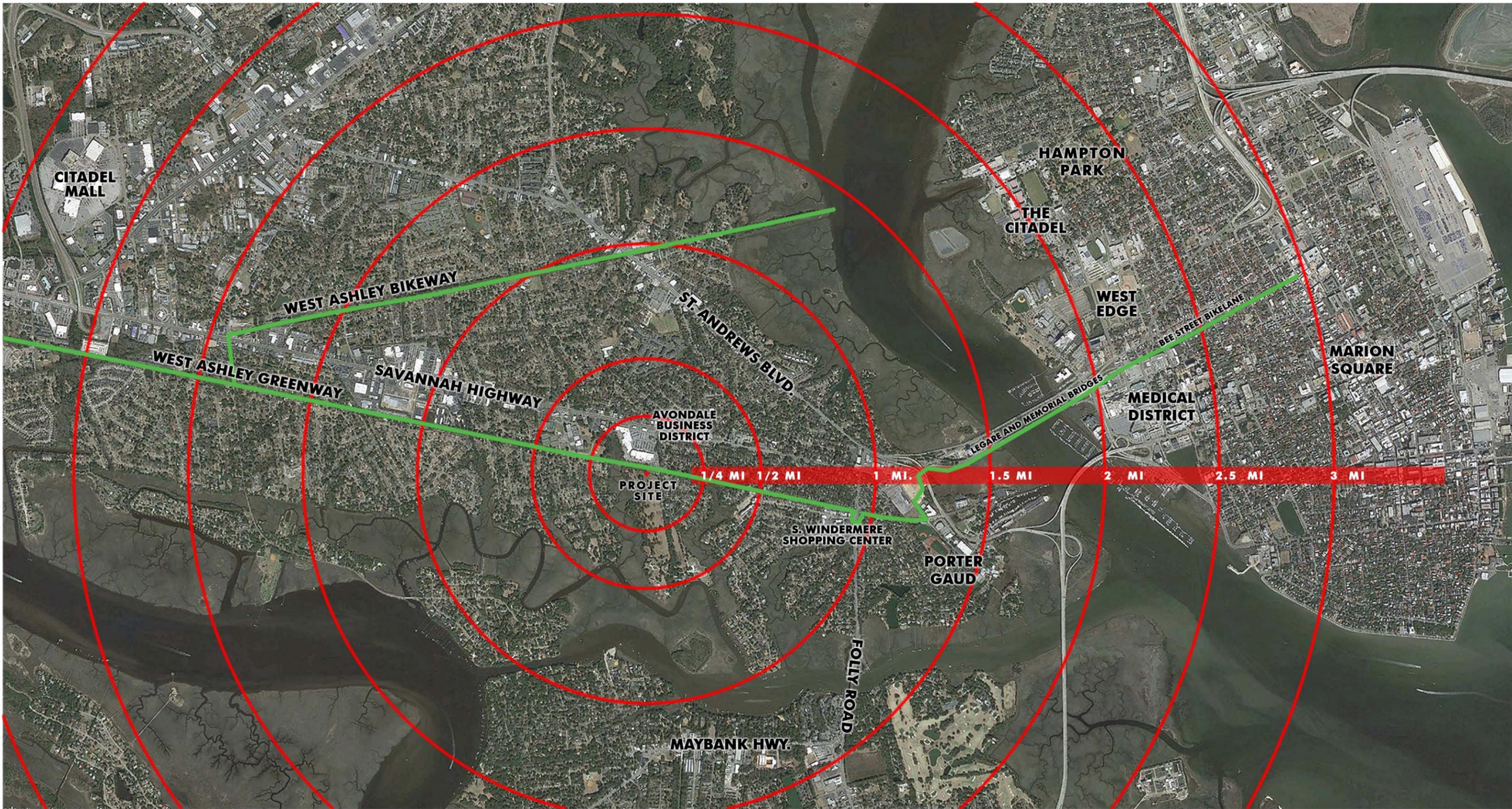
NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.



**OVERTURE WEST ASHLEY**

Greystar | 18 Broad Street | Suite 300 | Charleston, SC 29401  
CITY OF CHARLESTON, SOUTH CAROLINA  
22 JULY 2016





WEST ASHLEY BIKEWAY / "CROGHAN SPUR"  
THE COMMISSIONERS OF PUBLIC WORKS

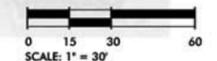
### OPEN SPACE REQUIREMENTS

TOTAL ACRES: 6.15  
 REQUIRED OPEN SPACE: 20% OR 1.23 ACRES  
 PROVIDED OPEN SPACE: 31% OR 1.91 ACRES  
 ACTIVE OPEN SPACE: 25% OF TOTAL OR .31 ACRES  
 ACTIVE OPEN SPACE PROVIDED: 1.55 AC.



#### LEGEND

- ACTIVE OPEN SPACE
- BUFFER / PASSIVE OPEN SPACE



MOUNT PLEASANT, SC  
 843.884.1667  
 GREENVILLE, SC  
 864.298.0534  
 WWW.SEAMONWHITESIDE.COM



**OVERTURE COBURG**  
 GREYSTAR GP II, LLC  
 CITY OF CHARLESTON, SOUTH CAROLINA

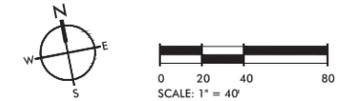
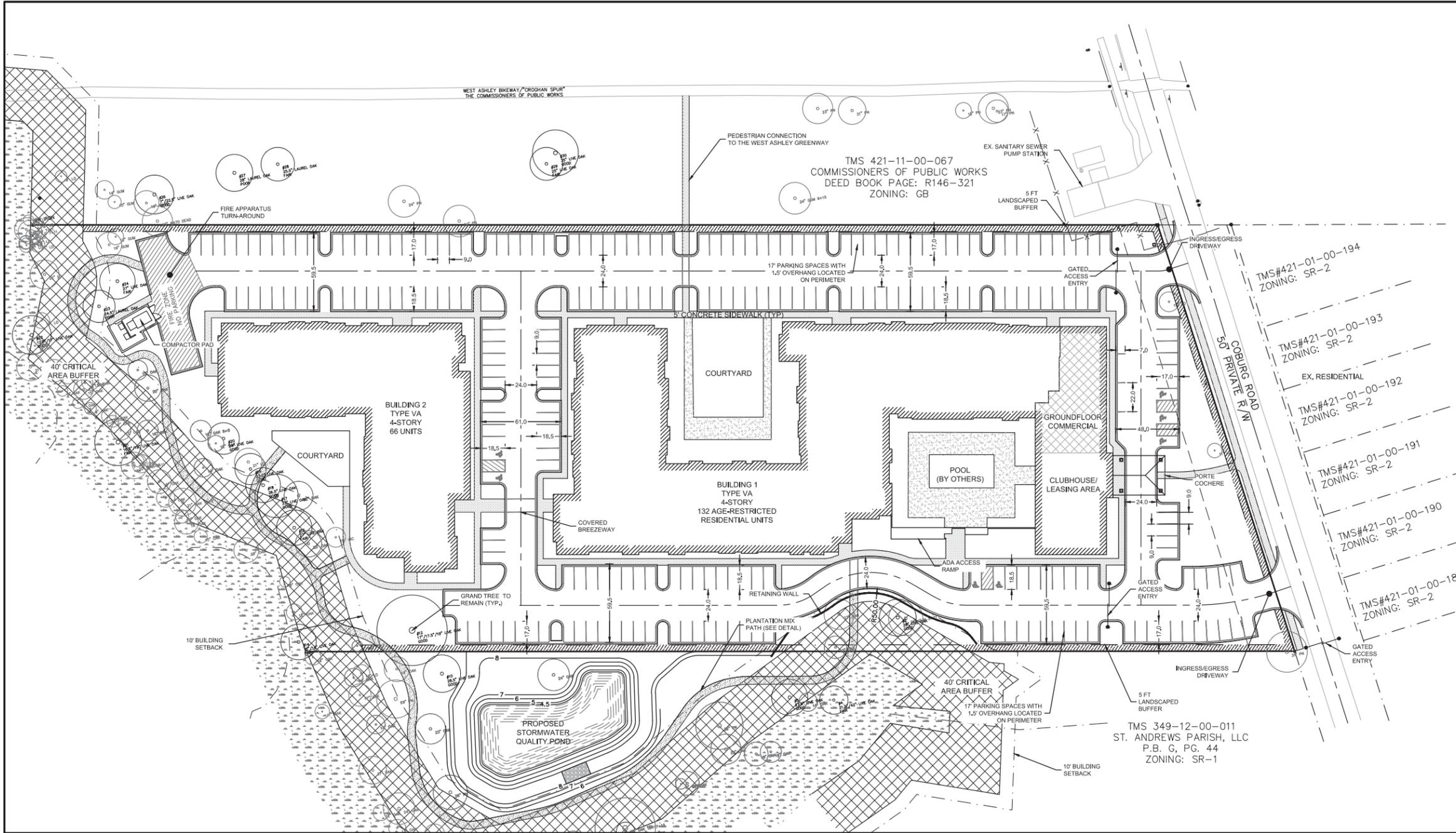
SW+ PROJECT: 7265  
 DATE: 8/29/2016  
 DRAWN BY: XXX  
 CHECKED BY: XXX

REVISION HISTORY	

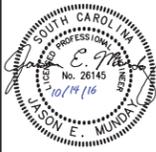
THIS DRAWING SHALL NOT BE REPRODUCED IN ANY MANNER OR USED FOR ANY PURPOSE WITHOUT WRITTEN PERMISSION.

501 WANDO PARK BOULEVARD, SUITE 200 | MOUNT PLEASANT, SC 29464 | 508 RHETT STREET, SUITE 101 | GREENVILLE, SC 29601

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MOUNT PLEASANT, SC  
843.884.1667  
GREENVILLE, SC  
864.298.0534  
WWW.SEAMONWHITESIDE.COM



**OVERTURE PLANNED UNIT DEVELOPMENT**  
**GREYSTAR DEVELOPMENT**  
WEST ASHLEY  
CITY OF CHARLESTON, SOUTH CAROLINA

THE PROPERTY IS LOCATED WITHIN FLOOD ZONE AE11 AS SHOWN ON FEMA FIRM PANEL #45019C0513J DATED NOVEMBER 17, 2004. THE PROPOSED OVERTURE COBURG DEVELOPMENT MUST COMPLY WITH APPLICABLE FEMA AND CITY OF CHARLESTON REQUIREMENTS RELATED TO FLOOD ZONES.

**ZONING DISTRICT:**  
THE PARCEL TO BE DEVELOPED IS CURRENTLY ZONED GB (GENERAL BUSINESS) PER THE CITY OF CHARLESTON.

**NOTE:** THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE

**SITE DENSITY:**  
33 DU/AC

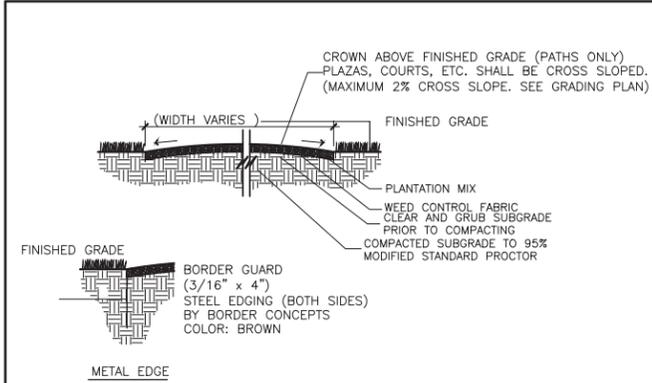
ACREAGE CHART	
USE	AREA
OPEN SPACE	+/- 1.91 AC
WETLAND BUFFERS	+/- 0.46 AC
PROPERTY LINE BUFFERS	+/- 0.19 AC
DEVELOPABLE AREA	+/- 3.59 AC
<b>TOTAL</b>	<b>6.15 AC</b>

NOTE: THESE ACREAGES ARE CONCEPTUAL AND SUBJECT TO CHANGE PER P.D. GUIDELINES

DEVELOPMENT CRITERIA	
	MULTI-FAMILY
MIN. FRONT YARD SETBACK	0 Ft
MIN. SIDE YARD SETBACK	0 Ft
MIN. REAR YARD SETBACK	0 Ft
MAX HEIGHT	55 Ft

NOTE: SEE P.D. FOR ADDITIONAL DEVELOPMENT CRITERIA

PARKING CHART					
USE	RATIO	AMOUNT PROPOSED	SPACES REQUIRED	SPACES PROVIDED	PROVIDED RATIO
MULTI-FAMILY	1.2 SPACES PER UNIT	198 UNITS	198 SPACES	255 SPACES	1.28 SPACES PER UNIT



**PLANTATION MIX PATH - SECTION**  
(NOT TO SCALE)

SW+ PROJECT: 7265  
DATE: 8/29/2016  
DRAWN BY: RPF  
CHECKED BY: JEM

REVISION HISTORY	

LAND USE PLAN





PO Box B  
Charleston, SC 29402  
103 St. Philip Street (29403)  
  
(843) 727-6800  
www.charlestonwater.com

**Board of Commissioners**  
Thomas B. Pritchard, Chairman  
David E. Rivers, Vice Chairman  
William E. Koopman, Jr., Commissioner  
Mayor John J. Tecklenburg (Ex-Officio)  
Councilmember Perry K. Waring (Ex-Officio)

**Officers**  
Kin Hill, P.E., Chief Executive Officer  
Dorothy Harrison, Chief Administrative Officer  
Wesley Ropp, CMA, Chief Financial Officer  
Andy Fairey, Chief Operating Officer  
Mark Cline, P.E., Capital Projects Officer

8/4/2016

Ms. Kellie Tillman  
Seamon, Whiteside & Associates, Inc.  
501 Wando Park Boulevard, Ste 200  
Mount Pleasant, SC 29464

Re: Sewer Availability to TMS #349-08-00-001 to serve 11,000sf of mixed use commercial & 198 multi family residential units

Dear Ms. Tillman,

This letter is to certify our willingness and ability to provide wastewater collection to the above referenced site in Charleston County, South Carolina. Wastewater collection to this site may be made available via the existing 12" gravity main in the right of way of Coburg Rd. Any subdividing of the property subsequent to this correspondence will require a review process of the civil engineering plans to ensure compliance with the Charleston Water System minimum standards. Any extensions and/or modifications to the infrastructure to serve this site will be a developer expense. Please be advised that wastewater impact fees, wastewater tap fees, change-in-use fees, and/or cost to extend fees will be due prior to connection of any Charleston Water System's sewer system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing sewer main/mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-6870.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl Boyle".

Cheryl L. Boyle  
Engineering Assistant  
Charleston Water System

cc: file



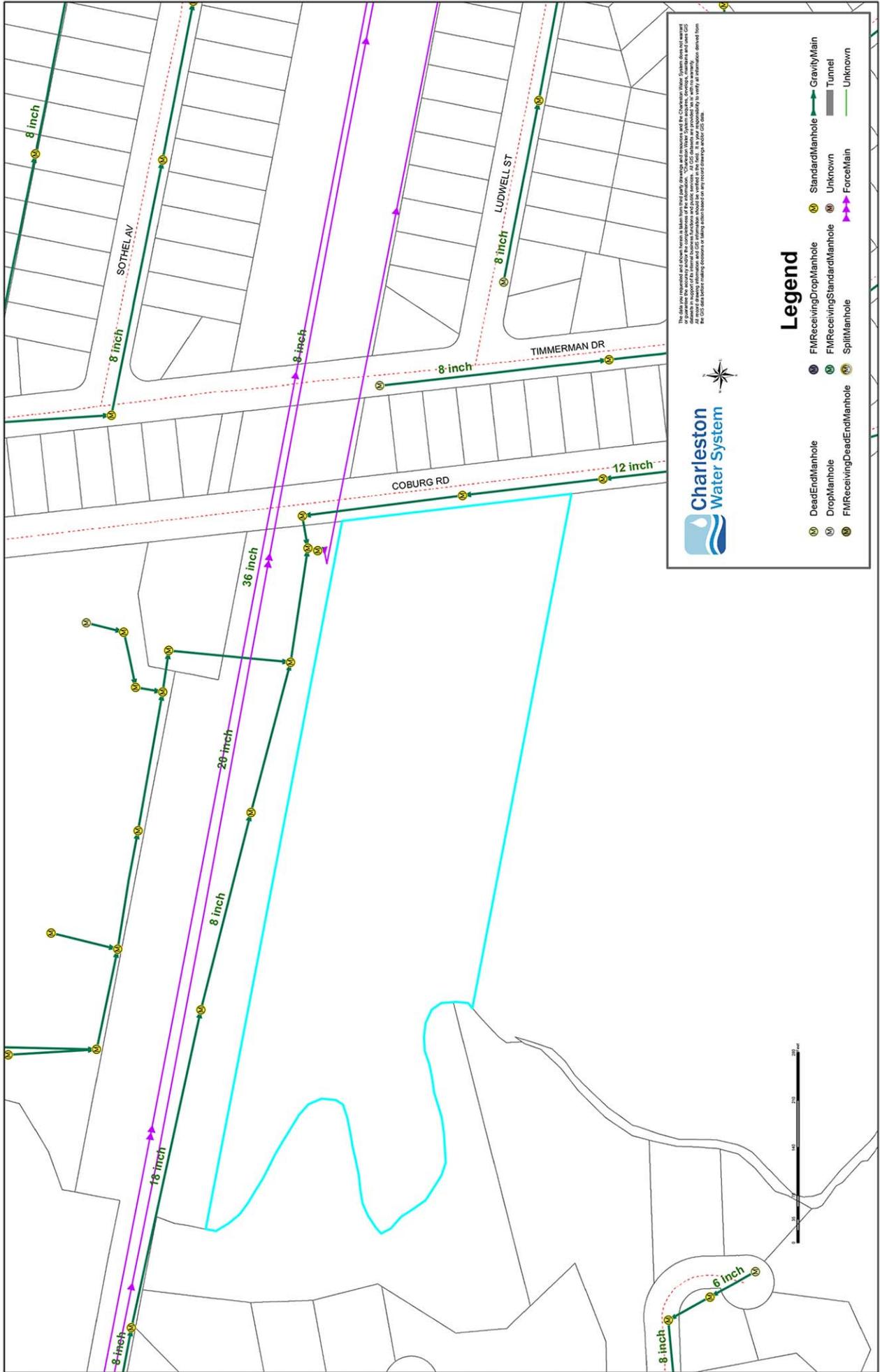
### Sewer System

Charleston Water System acquires, develops, maintains and uses GIS datasets in support of its internal business functions and public services. All GIS datasets are provided 'as is' with no warranty. It is your responsibility to verify all information derived from the GIS data before making decisions or taking actions based on the information.



1 inch = 250 feet

- |                |              |                   |
|----------------|--------------|-------------------|
| ● Manhole      | Force Main   | County Parcel     |
| ○ Valve        | Gravity Main | Street Centerline |
| ■ Pump Station | Tunnel       | Abandoned Main    |



The data was researched and shown herein is taken from field data, drawings and records and the Charleston Water System does not warrant or provide any accuracy or guarantee of the information. The GIS data was prepared by the Charleston Water System and the GIS data is for informational purposes only. All information should be verified on the field. It is the user's responsibility to verify all information derived from the GIS data.

**Charleston Water System**

**Legend**

- DeadEndManhole
- DropManhole
- FMRReceivingDeadEndManhole
- FMRReceivingDropManhole
- FMRReceivingStandardManhole
- SplitManhole
- StandardManhole
- Unknown
- ForceMain
- Unknown
- GravityMain
- Tunnel
- Unknown



PO Box B  
Charleston, SC 29402  
103 St. Philip Street (29403)  
(843) 727-6800  
www.charlestonwater.com

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Andy Fairey, Chief Operating Officer  
Mark Cline, P.E., Capital Projects Officer

7/29/2016

Ms. Kellie Tillman  
Seamon, Whiteside & Associates, Inc.  
501 Wando Park Boulevard, Ste 200  
Mount Pleasant, SC 29464

Re: Water Availability to TMS #349-08-00-001 to serve 11,000sf of mixed use commercial & 198 multi family residential units

Dear Ms. Tillman,

This letter is to certify our willingness and ability to provide water to the above referenced site in Charleston County, South Carolina. We currently have a 16" water main in the right-of-way of Coburg Rd. that your property may be served from. Please be advised that the proposed development cannot adversely affect the existing downstream customers. This review does not supplant any other review as required by governing authorities and municipalities. It will of course be a developer responsibility to ensure there are adequate pressures and quantities on this line to serve this site with domestic water/fire flow and not negatively impact the existing developments. Please be advised any extensions or modification to the infrastructure as well as any additional fire protection will be a developer expense. All fees and costs associated with providing water service to this site will be a developer expense. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing main/mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-6870.

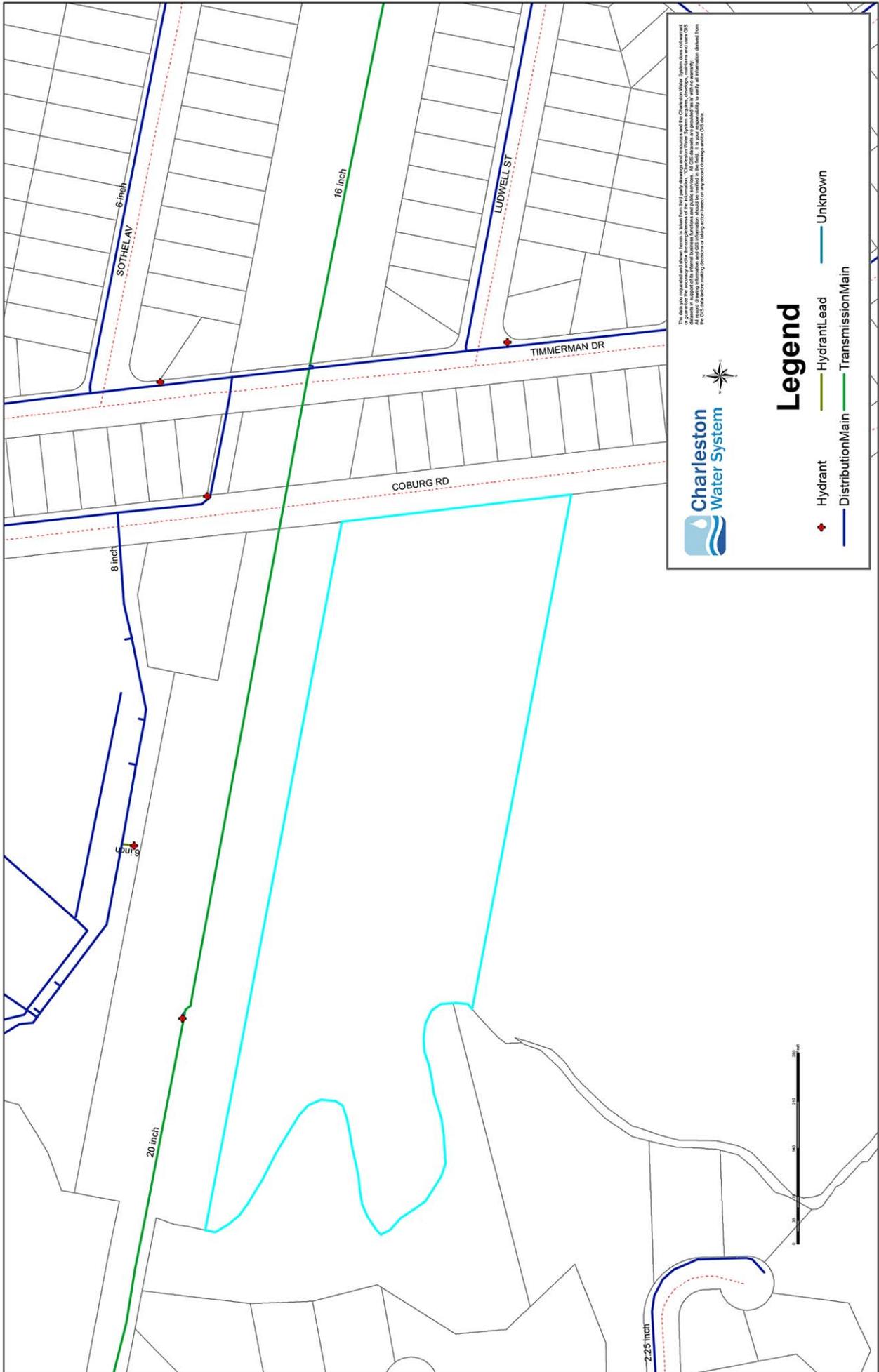
Sincerely,

A handwritten signature in blue ink that reads "Cheryl L. Boyle".

Cheryl L. Boyle  
Engineering Assistant  
Charleston Water System

cc: file





The data has been prepared and shown herein to be true and correct. The Charleston Water System and its employees warrant the accuracy and completeness of the information. The Charleston Water System assumes no liability for any errors or omissions. All data are subject to change without notice. The information should be verified in the field. It is the user's responsibility to verify all information derived from the GIS data before making any decisions or taking any actions based on the information.



### Legend

- Hydrant
- HydrantLead
- DistributionMain
- TransmissionMain
- Unknown





July 21, 2016

Kellie Tillman  
Seamon Whiteside & Associates  
501 Wando Park Blvd., Ste. 200  
Mt. Pleasant, SC 29464

Re: TMS # 349-08-00-001 located in Charleston County, SC 29407

Dear Ms. Tillman:

This letter will verify that South Carolina Electric and Gas Company has sufficient electric capacity to serve the referenced tract above. Electric service will be provided in accordance with SCE&G's General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the Company's standard operating policies and procedures.

Please contact me at 843-576-8447 if you have any questions or if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven M. Morillo". The signature is written in a cursive style with a large initial "S" and "M".

Steven M. Morillo  
Customer Service Engineering

---

BellSouth Telecommunications, Inc.  
2600 Meeting Street Road  
Charleston, SC 29405-8307

July 22, 2016

Kellie Tillman  
501 Wando Park Blvd., Ste. 200  
Mt. Pleasant, SC 29464

Re: Service Availability for Telephone

To: Kellie Tillman

This is to confirm that AT&T will be able to provide telephone service to the property of and around Charleston County Tax Map #349-08-00-001 in the West Ashley area. The property will be for mixed retail and approx. 198 multi-family units. Service is contingent upon our receiving detailed plans of the development with utility easements granted, proper lead-time to install these services (16 months), and the correct 911 street addresses. One 10'x10' easements would have to be provided to AT&T for equipment (if needed). This tract of land would be served with fiber cable to provide TV, Internet, and phone services to the multi-family units and copper to the retail. The placement of the fiber/copper cable would be at no cost to the land owner. The cost of the 30" insert boxes would be at owners' expense but there is another option to do without boxes. Plans should be submitted to Alan Squires (tel.# 843-522-4067) at the following address 3246 Fortune Drive North Charleston, SC 29418-3422 or email to [js0590@att.com](mailto:js0590@att.com) CAD files need to be sent in 04 version. Build time is about 10 to 12 months in most cases for orders to flow in all systems.

Should you have any questions or concerns, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Alan Squires". The signature is written in a cursive, flowing style.

Alan Squires  
Designer-AT&T

# XFINITY Communities™

July 26, 2016

RE: TMS Parcels 349-08-00-001

To Whom It May Concern:

This letter is to confirm that Comcast Cable is the franchised video service provider for the new location off in Charleston, SC 29407 including up to 199 multifamily units. Upon execution of a property-specific agreement, the terms of which will be negotiated separately, Comcast can and will extend its fiber rich cable plant to the property so that the residents there will have access to Xfinity Video, High-Speed Data, and Digital Voice services including eventually 1Gbps internet speeds.

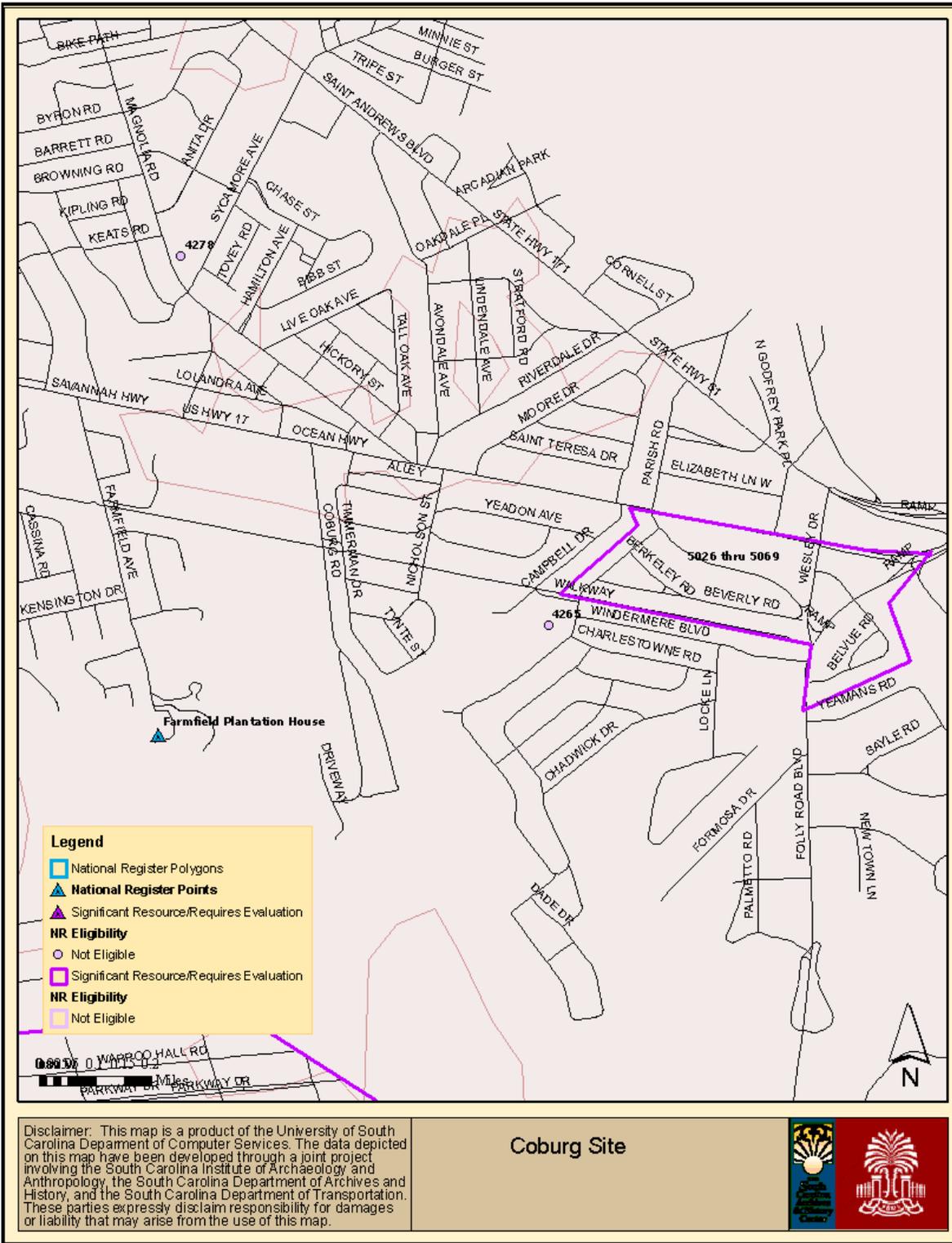
Depending on cost to extend the plant, the owner may be asked to bear some of the cost of cable plant construction.

Should you have any additional questions, please contact me at 843-266-3094.

Best Regards,



Andy Mcilwain  
Account Executive  
Comcast of South Carolina, Inc.  
4400 Bell Oaks Drive  
North Charleston, SC 29405  
(843) 266-3094 office  
[Andrews\\_mcilwain@cable.comcast.com](mailto:Andrews_mcilwain@cable.comcast.com)





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

# A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1040 & 1042 5TH AVENUE (WEST ASHLEY) (10.481 ACRES) (TMS# 418-06-00-028 AND 418-06-00-115) (COUNCIL DISTRICT 3), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-2) AND DIVERSE RESIDENTIAL – MOBILE HOME PARK (DR-3) CLASSIFICATIONS TO SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY THOMAS C. CAMPBELL, III AND CAMPBELL KNUPPEL TRAILER PARK LLC.

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-2) and Diverse Residential – Mobile Home Park (DR-3) classifications to Single-Family Residential (SR-1) classification.

Section 2. The property to be rezoned is described as follows:  
1040 & 1042 5th Avenue (West Ashley) (10.481 acres) (TMS# 418-06-00-028 and 418-06-00-115)

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 2

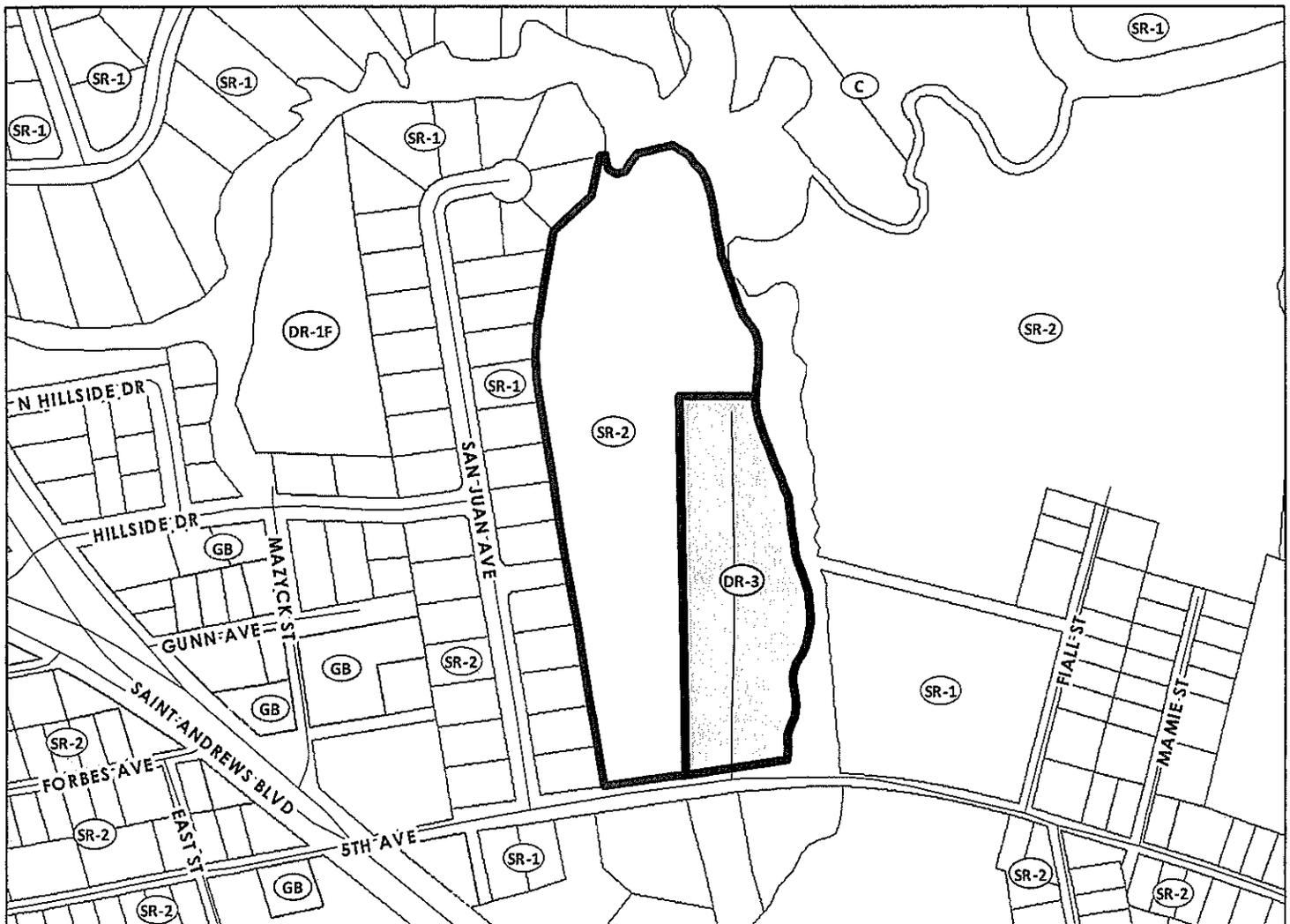
1040 & 1042 5th Ave (West Ashley)

TMS# 4180600028 & 115

10.481 ac.

Request rezoning from Single-Family Residential (SR-2)  
and Diverse Residential-Mobile Home Park (DR-3)  
to Single-Family Residential (SR-1).

Owner: Thomas C. Campbell, III;  
Campbell Knuppel Trailer Park LLC  
Applicant: Seamon, Whiteside & Assoc. Inc



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 PROPERTY ON NABORS DRIVE AND AFFIRMATION BOULEVARD (JAMES ISLAND) (APPROXIMATELY 3.95 ACRES) (A PORTION OF TMS# 428-16-00-013 AND TMS# 428-16-00-046, 428-16-00-047, 428-16-00-048 AND 428-16-00-052) (COUNCIL DISTRICT 12), BE REZONED FROM GENERAL BUSINESS (GB) AND SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATIONS TO DIVERSE RESIDENTIAL (DR-9) CLASSIFICATION. THE PROPERTY IS OWNED BY ANNE DOSCHER READ & JAMES ISLAND PLANTATION SERVICES INC.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) and Single-Family Residential (SR-1) classifications to Diverse Residential (DR-9) classification.

Section 2. The property to be rezoned is described as follows:  
Property on Nabors Drive and Affirmation Boulevard (James Island) (approximately 3.95 acres) (a portion of TMS# 428-16-00-013 and TMS# 428-16-00-046, 428-16-00-047, 428-16-00-048 and 428-16-00-052)

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

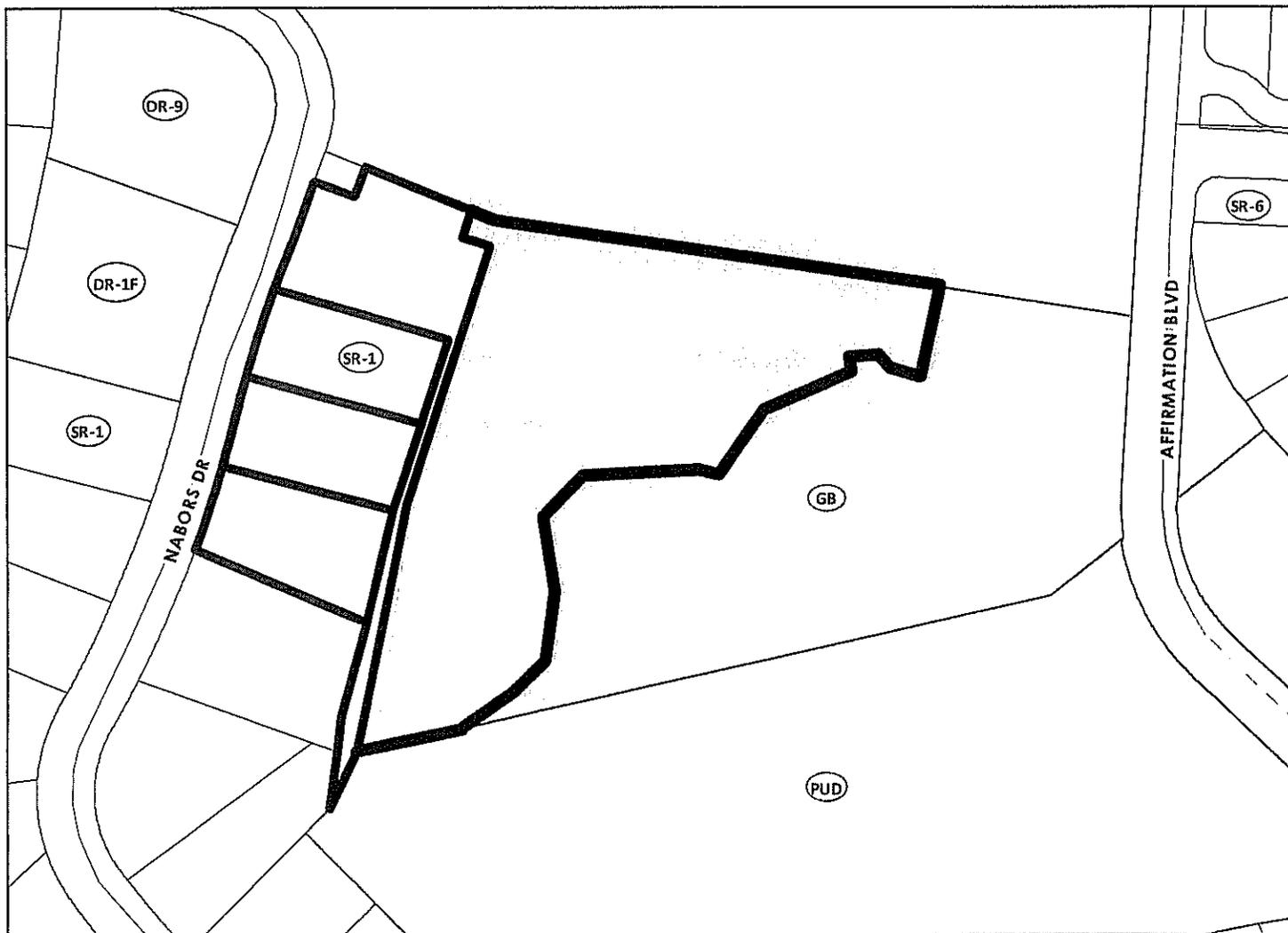
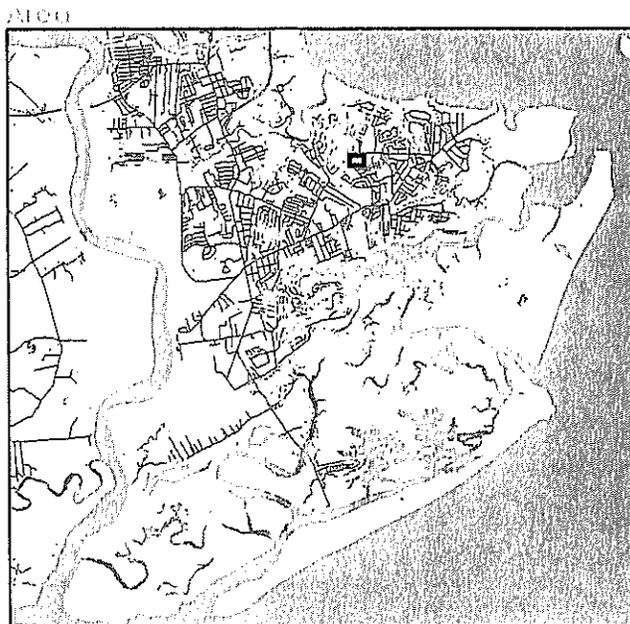
Nabors Dr and Affirmation Blvd (James Island)

TMS# 4281600013 (a portion), 046, 047, 048 & 052

approx. 3.95 ac.

Request rezoning from General Business (GB) and  
Single-Family Residential (SR-1)  
to Diverse Residential (DR-9).

Owner: Anne Doscher Read & James Island  
Plantation Services Inc  
Applicant: ADC Engineering



Eq.)



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

# A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 221 SPRING STREET & 194 CANNON STREET (PENINSULA) (APPROXIMATELY 1.58 ACRES) (TMS# 460-10-04-011 AND 460-10-04-013) (COUNCIL DISTRICT 6), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY JEM MANAGEMENT CO AND CALFRAN PROPERTIES.

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 General Business (GB) classification to Planned Unit Development (PUD) classification.

Section 2. The property to be rezoned is described as follows:  
221 Spring Street & 194 Cannon Street (Peninsula) (approximately 1.58 acres) (TMS# 460-10-04-011 and 460-10-04-013)

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 6

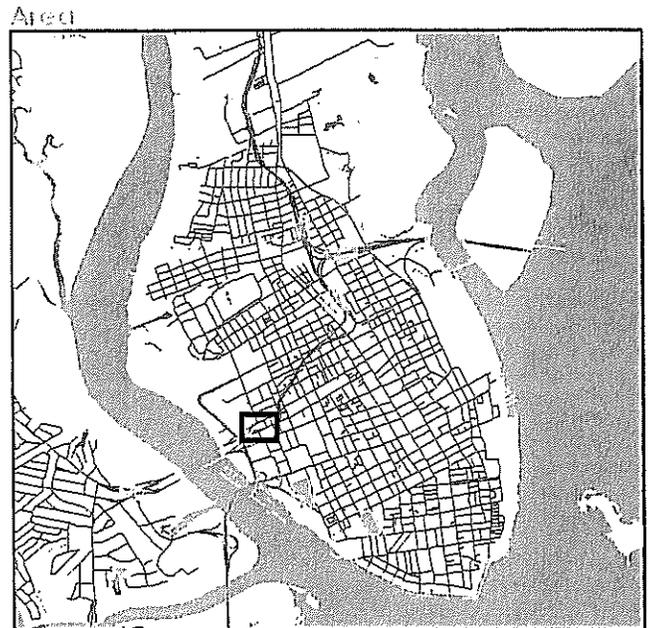
221 Spring St & 194 Cannon St (Peninsula)

TMS# 4601004011 & 013

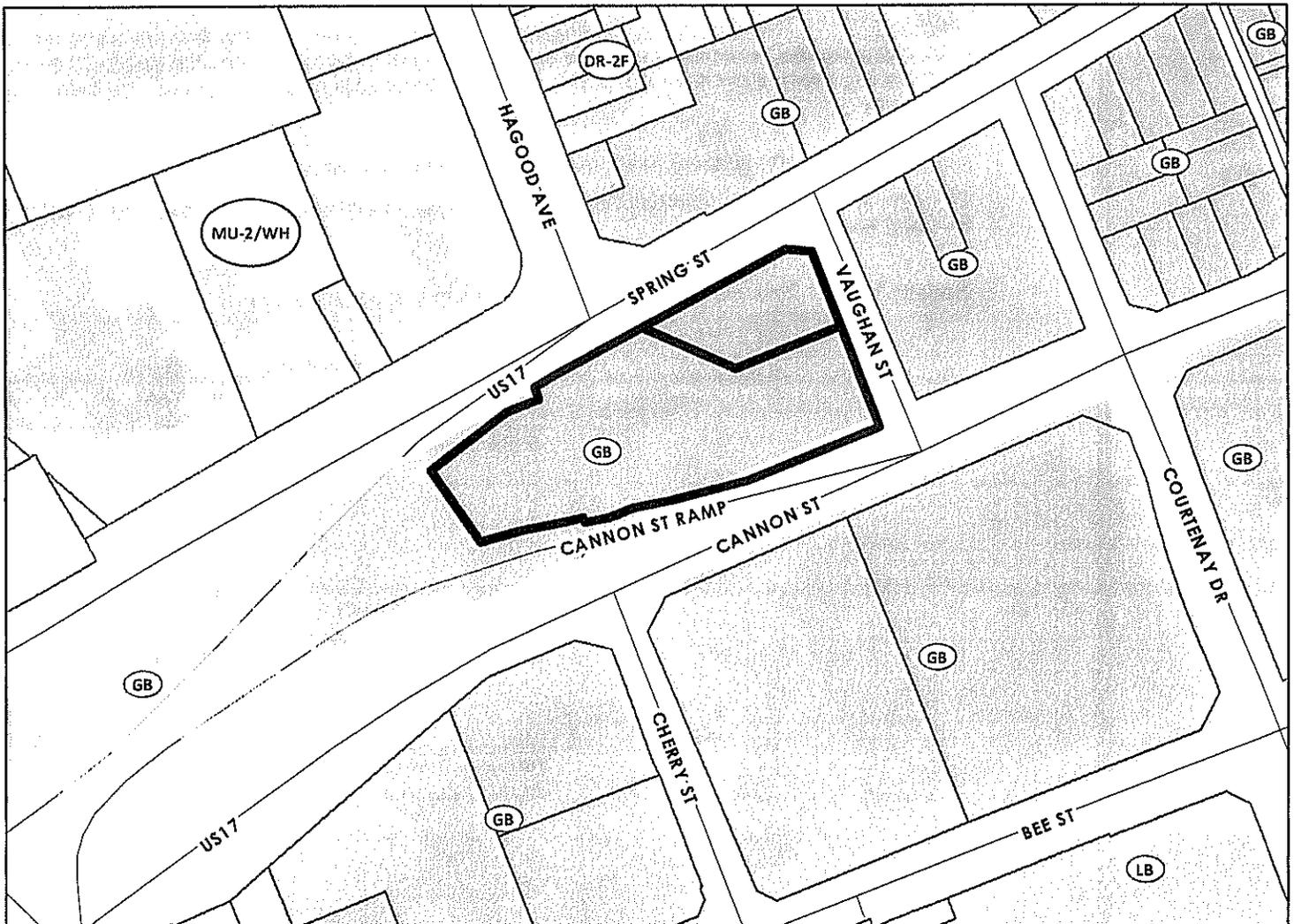
approx. 1.58 ac.

Request rezoning from General Business (GB) to  
Planned Unit Development (PUD).

Owner: Jem Management Co; Calfran Properties  
Applicant: Jonathan L. Yates - Hellman Yates & Tisdale



### Location





# 194 Cannon Street PUD

Mixed-Use Plan Unit Development

194 Cannon Street, Charleston SC

Applicant: TCal, LLC

Architect: McMillan Pazdan Smith Architecture

10.31.2016

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**Appendix**

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Planning Commission Compliance Response	App I
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# Project Overview

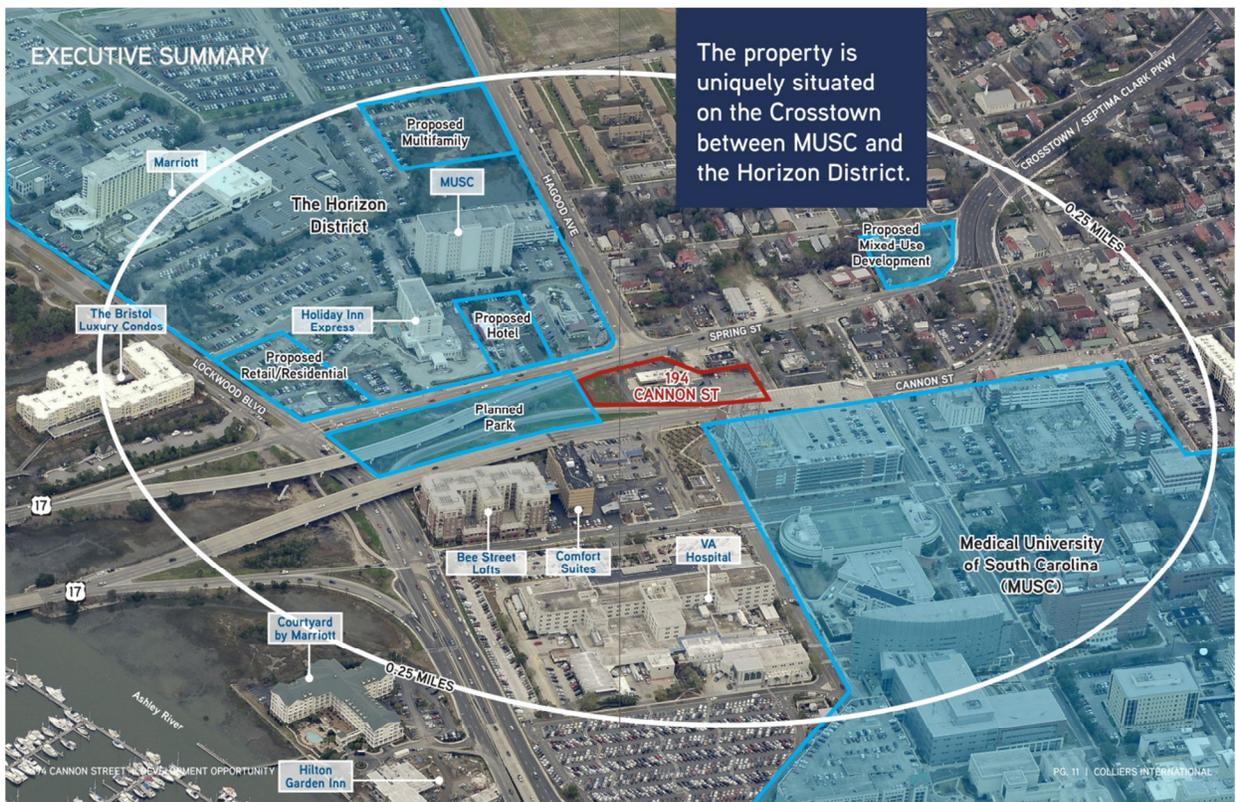
McMillan Pazdan Smith Architects, along with Hellman Yates & Tisdale, was retained to explore and illustrate potential development strategies for the properties at 194 Cannon Street in consideration, and accommodating, a proposed re-alignment and connection of Hagood Avenue to Bravo Street. This new connection would serve as a link between the Medical District and the WestEdge. The analysis includes regulatory opportunities and constraints, zoning strategies and building envelope massing studies. The project examines the development of a PUD in a conceptual scenario for a mixed use development with a hospitality anchored use, appropriate for the size, location and gateway context of the property.

## Project Information:

Address - 194 Cannon Street, Charleston SC

TMS - 460-10-04-011, 013

Flood Zone - AE 13



## Relationship to the City of Charleston Zoning Ordinance

The Development Guidelines and Land Use Plan, attached herein, for the 194 Cannon Street Planned Unit Development (PUD) are part of the PUD Master Plan application submitted in accordance with the Zoning Ordinance of the City of Charleston, Article 2, Part 7, Section 54-250. The Zoning Ordinance of the City of Charleston has been incorporated as the basis for the proposed zoning language, except as modified in the PUD.

The 194 Cannon Street PUD is based on, and meets, the following criteria:

- a. It is consistent with the City's Century V Plan, as the underlying property is designated for redevelopment.
- b. It better achieves the goals of the Century V Plan, and all adopted plans for subject property, than the current General Business zoning as the PUD narrowly tailors the uses and densities.
- c. It is consistent with the City's adopted Master Road Plan with the addition of the connective Right of Way.
- d. It better protects, preserves and adds to the natural resources with landscaping in the Right of Way and the Parkway Improvements currently underway. There are no culturally sensitive sites identified on the property.
- e. It is compatible with, and reflects, the densities and maximum building heights of the adjacent properties at WestEdge and the Medical District.
- f. It is compatible with the existing network of public streets in the adjacent neighborhoods and area. The PUD will provide for a new Right of Way that reconnects the neighborhoods previously disconnected by the construction of the Parkway.
- g. It provides for adequate parking for users of the PUD under the City's current parking requirements and as outlined herein.
- h. It confirms the area can accommodate the development through existing and planned public facilities including, but not limited to, roads, sewer, water, schools and parks and is evidenced by the attached traffic study, coordination letters and open space shown as part of the Septima Parkway Improvements.
- i. It provides for new and adequate public facilities through a new sixty (60) foot Right of Way for landscaping, pedestrian and vehicular connectivity between WestEdge and the Medical District shown in the attached ROW and Massing diagrams.

- j. It adequately provides for the continued maintenance of common areas, open space and other public facilities not conveyed to the city by making the foregoing an obligation of the current and any future property owner; and
- k. It provides for a mixture of uses designated herein.

No person or entity shall erect or alter any building or structure on any tract of land, or use any tract of land within the 194 Cannon PUD unless it conforms to these guidelines and regulations. Unless modified in the PUD, definitions of terms used in the 194 Cannon PUD shall follow definitions listed in the Zoning Ordinances of the City of Charleston. Administration and enforcement of the adopted 194 Cannon PUD Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The 194 Cannon Street PUD Master Plan was approved by the Charleston City Council on

\_\_\_\_\_, Ordinance number \_\_\_\_\_.

# Executive Summary

This PUD application is the result of nearly a year’s worth of work by planners, traffic engineers, City staff and a host of stakeholders in an effort to provide a surface level pedestrian and vehicular connection between the WestEdge Development and Charleston’s medical district. The 194 Cannon Street property owner was engaged in a development analysis and discussions with the City for the entire parcel when it became known that a right of way through the center of the property would help facilitate this connection. The owner put their plans on hold to study the feasibility of this idea and the ramifications to the parcel when bisected.

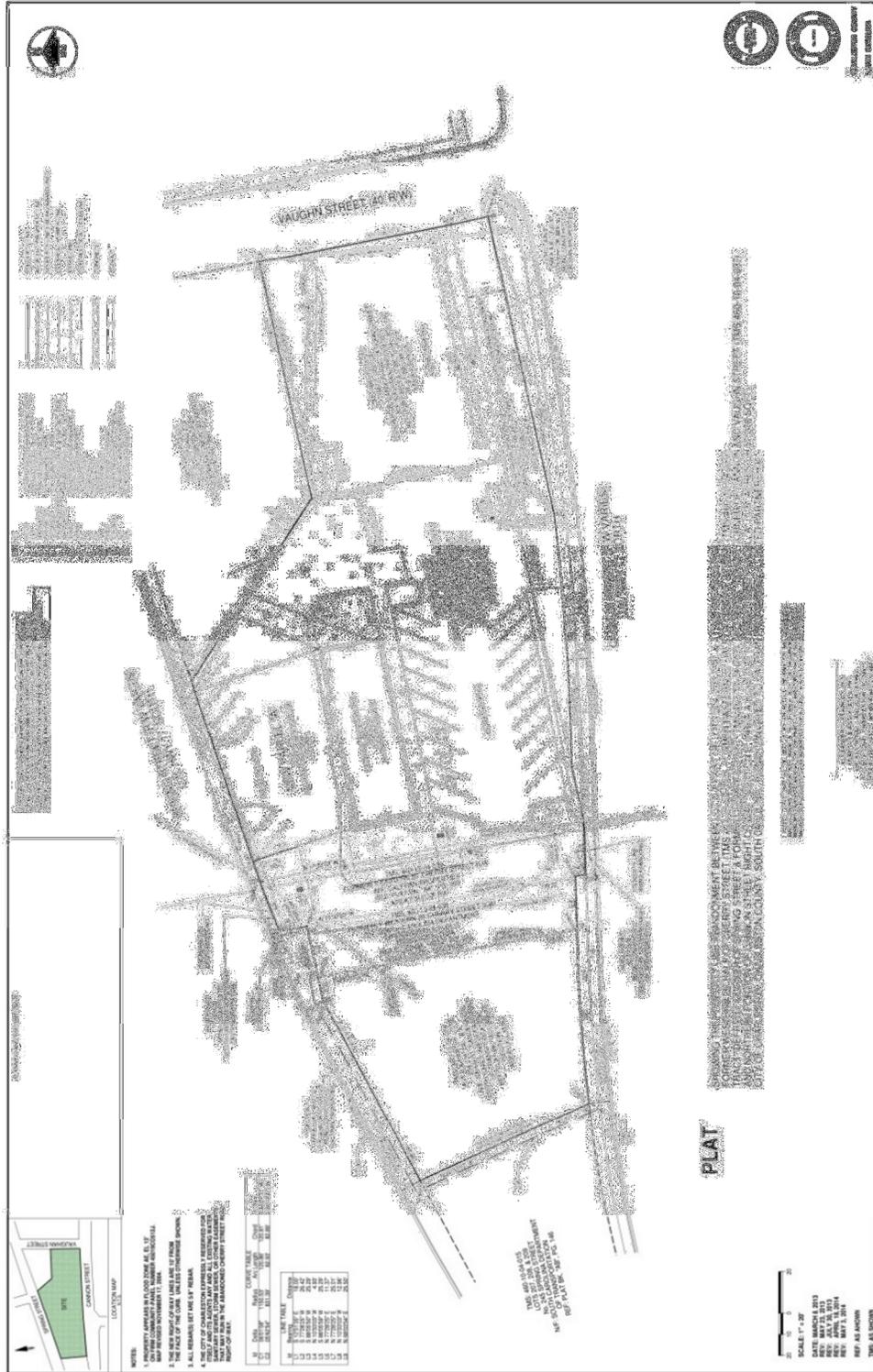
The property owner became interested in partnering with the City and the major stakeholders in making this connection a reality. The City analyzed the feasibility of pedestrian and vehicular traffic along with conceptual adjustments to the road and infrastructure, determining that this can indeed be done. Once it was determined by the City’s study that the resulting intersections created by the new ROW were viable, the property owner then studied the development opportunities for the split parcels, suggesting that a zoning and height change would be required, and an accommodations allowance necessary, to mitigate the effect of bisecting the property.

Having explored the feasibility of the surface connection, the development opportunities and the constraints of the property, the City staff suggested a PUD approach would best facilitate the process to make all this work and agreed to the zoning approach, height change and the accommodations request, all of which are outlined in this application.

Allowing for market flexibility and phasing the densities represented are as follows for the total of both parcels:

Accommodations	Max. 175 Rooms
Multi-family / Residential	No Max Density
Parking	Per requirements of PUD Sec. 01-102.3
Commercial/Office/Retail	Up to total allowable built SF

Survey:



Context Photos:



*From Spring Street (looking South)*



*From Cannon Street (looking Northwest)*



*From Hagood Avenue (looking South)*



*Septima Clark Parkway Landscape Improvements*

*(highlighted intersection at Hagood Ave. is located at northwest corner of PUD property)*



*Rendering of proposed WestEdge development (Horizon District)*



*Septima Parkway looking West (proposed WestEdge Development adjacent to PUD)*

# Site Analysis / Drainage Strategy:





### Water System

- |                |                      |                     |
|----------------|----------------------|---------------------|
| ◆ Hydrant      | - - - Abandoned Main | □ County Parcel     |
| ● Valve        | — Distribution Main  | — Street Centerline |
| — Hydrant Lead | — Transmission Main  | — Tunnel            |

Charleston Water System acquires, develops, maintains and uses GIS datasets in support of its internal business functions and public services. All GIS datasets are provided 'as is' with no warranty. It is your responsibility to verify all information derived from the GIS data before making decisions or taking actions based on the information.



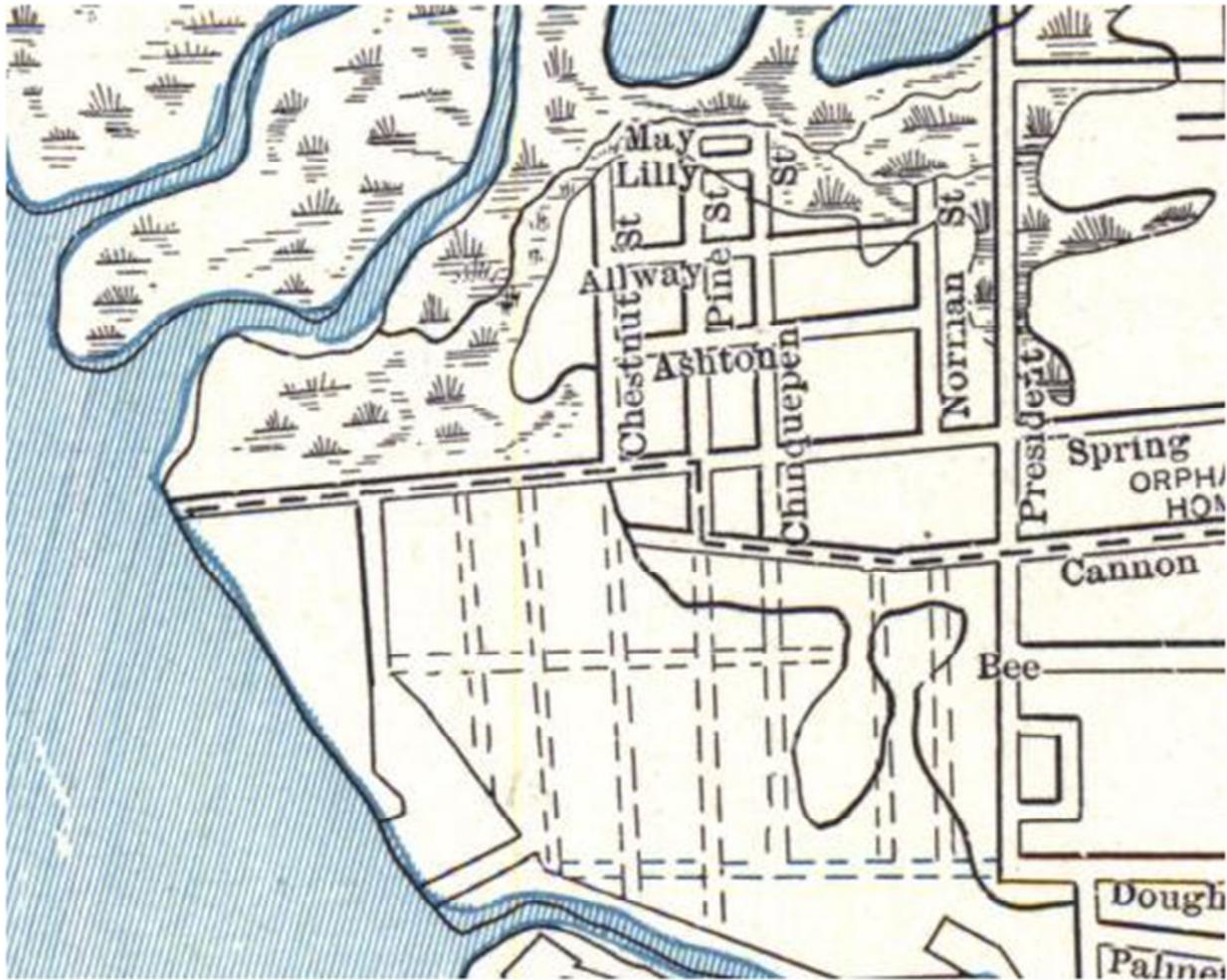
1 inch = 100 feet

## Site History:

1855 – Spring Street terminated at the Ashley River and the current site was under water, located under what was Mill Pond. This area was residential in nature with the commercial district just to south.



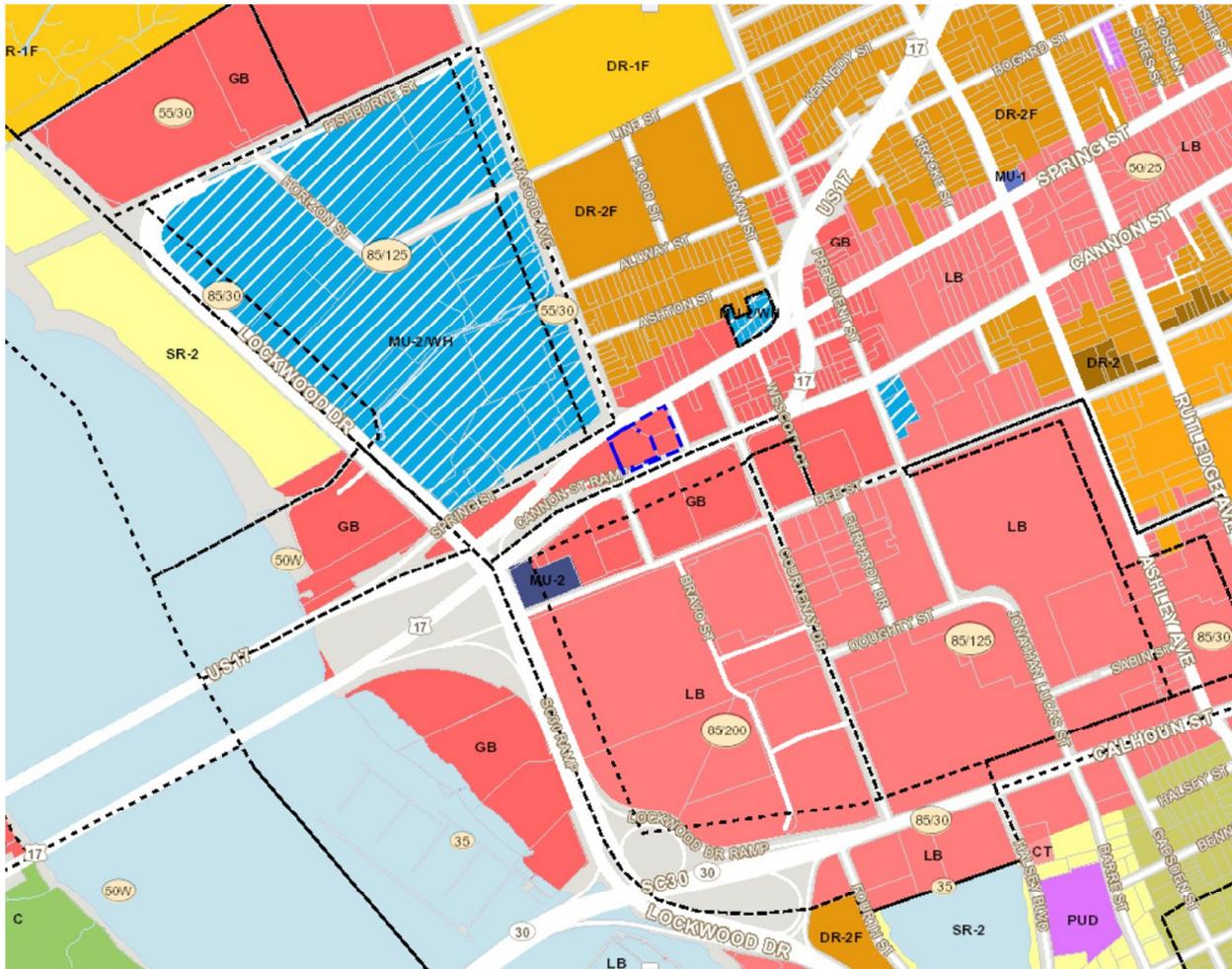
The Sanborn Maps (see below) show that sometime prior to 1898 Mill Pond was filled in to allow development to extend further west. Chestnut Street (as indicated on the sanborn map) is located where Vaughn Street sits and would later extend to Cannon street as that road would eventually extend to the Ashley River.



*Historic Map of Charleston*

This area has transitioned throughout the course of the city's history from a residential neighborhood in the mid-1800s to a commercial corridor and gateway to the city. Due to the site's proximity to the WestEdge development, medical district and the mixed uses proposed for this area, the 194 Cannon street property, designed as a mixed use development, will act as an anchor the proposed public park at the base of the Ashley river bridge, and serve as a gateway to the Septima Clark Parkway as traffic enters the city.

## Current Zoning:

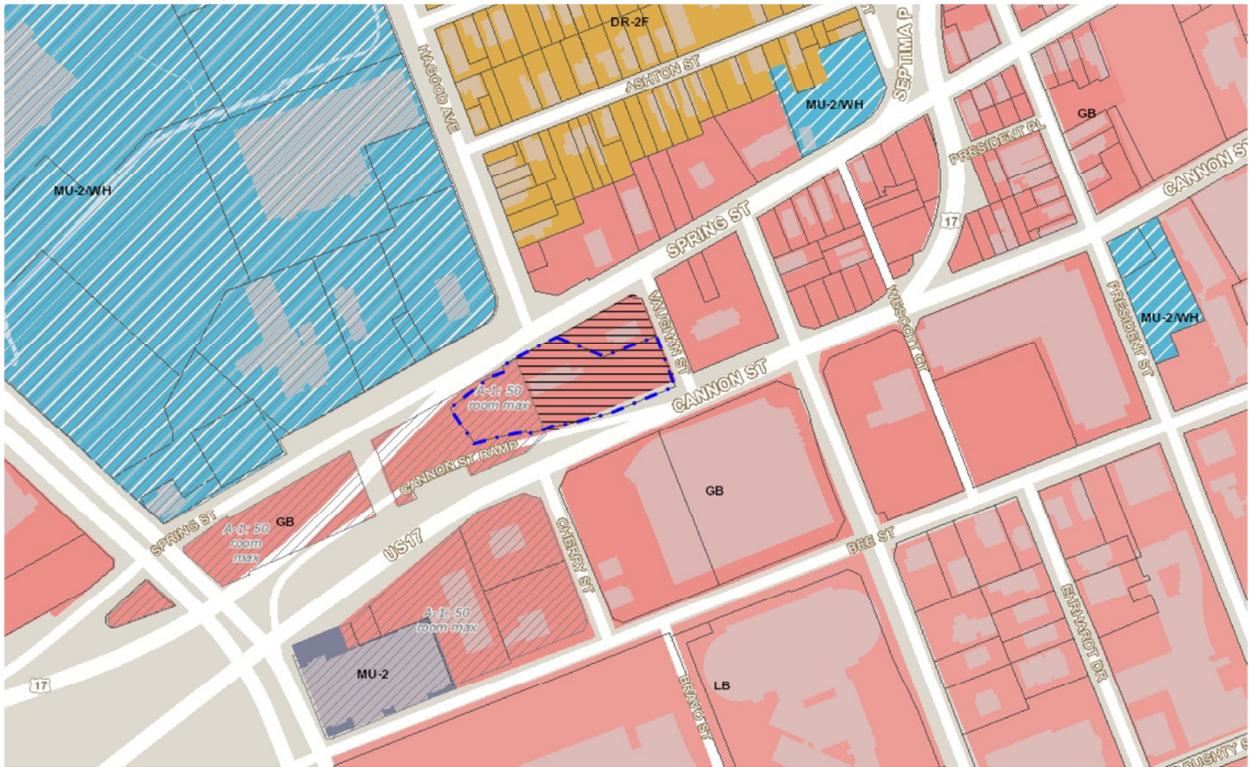


*Zoning Map around 194 Cannon Street*

The current Zoning for the parcel is General Business (GB), which allows a broad range of commercial uses and activities. It is, as defined by Charleston Zoning, the most intensive commercial zoning district.

The site is bounded by road ways on three sides of the site, with the fourth side being planned as a community park as part of the Septima Clark Parkway Landscape Improvements.

The current height districts to the north (WestEdge) and the south (Medical District) are 85/125 and 85/200 respectively. The PUD property is currently located in a much lower height district between these two areas at 50/25.



*Zoning Map (showing Accommodations Overlay)*

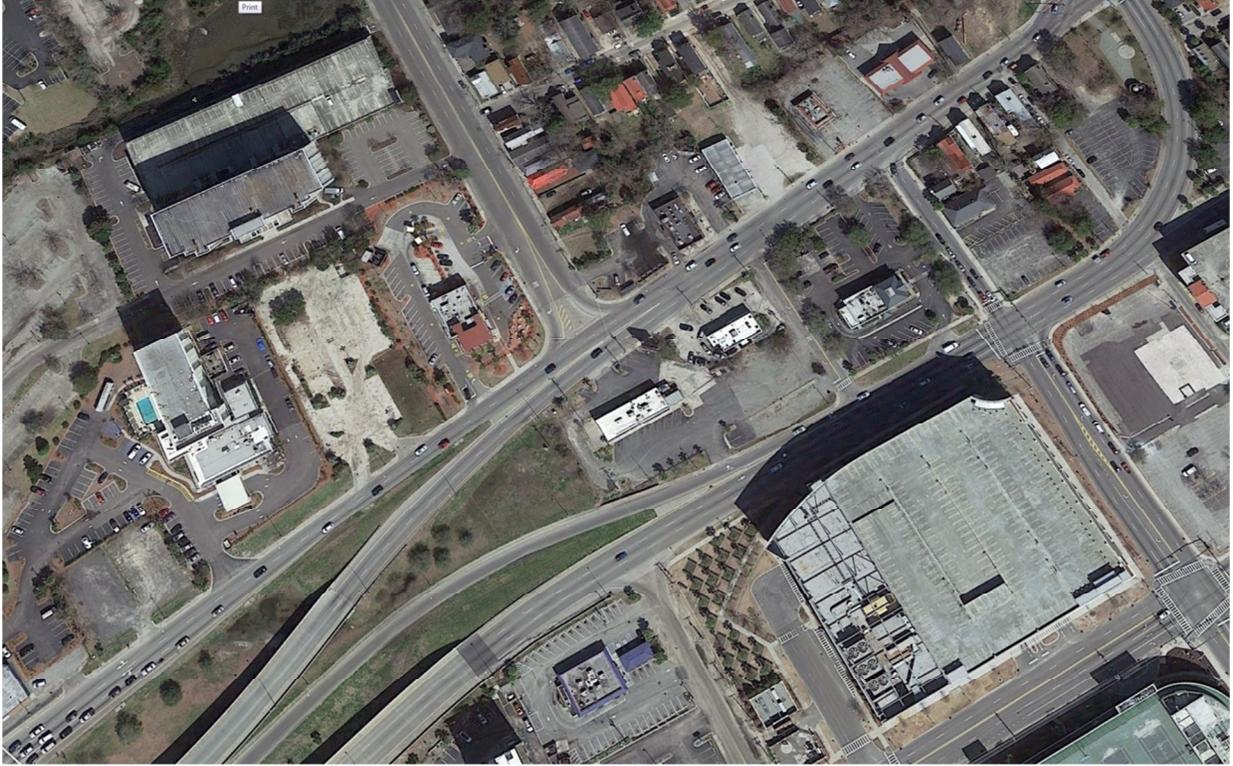
The Accommodations Overlay District currently extends from the WestEdge development across Septima Clark Parkway to Bee Street. This results in only half of the site being under the overlay district. This PUD will extend the Accommodations Overlay zone to encompass all PUD properties up to Vaughan Street (see dark hatched area).

## Development Concept:

The conceptual development of the property focuses on the inclusion of a new right of way that will divide the site into two parcels. The connection of the WestEdge to the Medical District is one of the main goals in conveying to the City a new sixty (60) foot Right of Way through the site.

The development of the two parcels on either side of the new right of way may include a mix of multi-family residential units above ground floor commercial and office spaces that would serve to activate the street level, promoting greater vehicular and pedestrian circulation between the two neighborhoods to the north and south of the Parkway and may also include uses such as residential, commercial, office or retail spaces. All parking for the development will be accommodated on site by either surface parking or in a parking structure. The accommodations space, if provided, shall be separate from the residential units, with parking and commercial space on the ground floor.

The mix of transient hotel guests and long term residents of the multi-family units will ensure constant activity on the site, provide housing options within walking distance of the WestEdge and medical district, and reinforce and support the viability of the commercial spaces on the street. The multi-family units will be designed to incorporate a mixture of unit types. All parking will be accommodated on site.



*Aerial of Site*

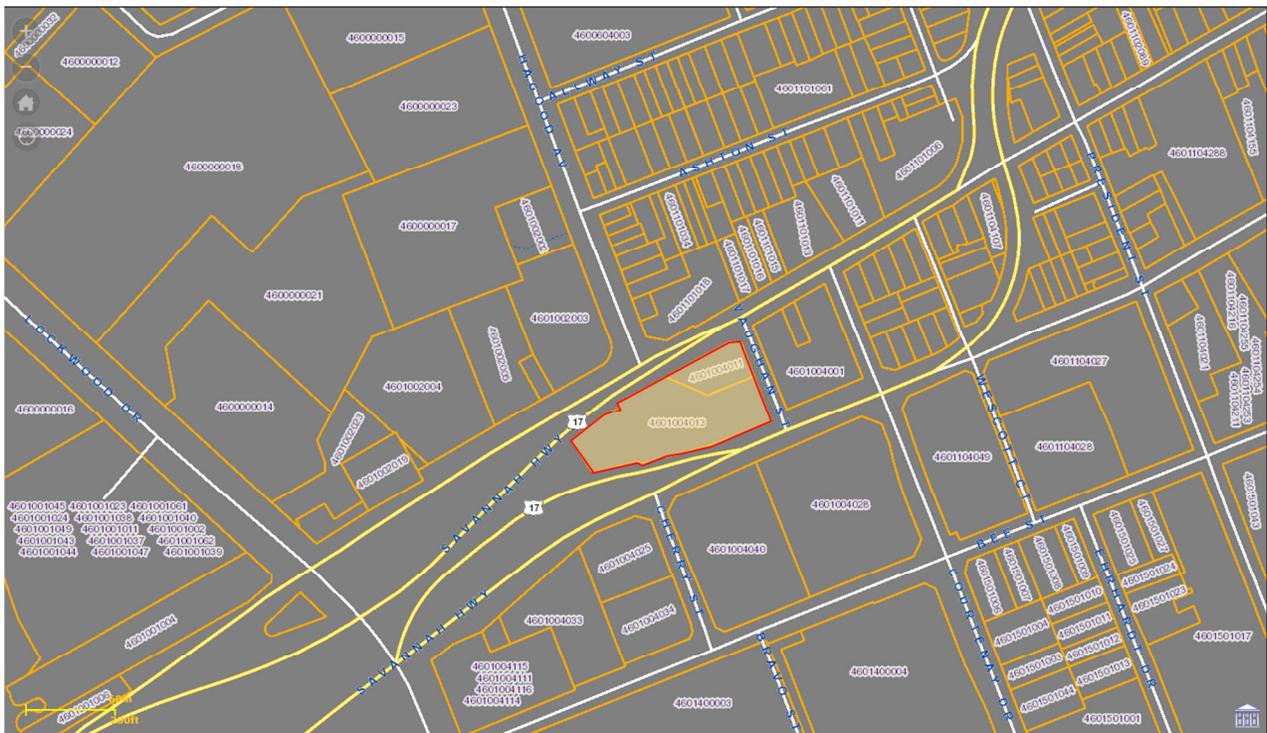
### Summary of Proposed Modification of Current Zoning:

This PUD application outlines the request for each parcel, including the allowance of MU-2/WH, the modification of the current height district from a 50/25 to an 85/125 height district, and the extension of the Accommodations Overlay to include all tracts in the PUD allowing for the possibility of a hotel without requiring a special exception. Currently, the existing zoning allows for accommodations up to 50 rooms.

Under the Accommodations Overlay, the current City Zoning allows for for the construction of any building or structure to be used for any purpose allowed by the underlying zoning district and to allow Accommodations uses when certain conditions are met; which will not require a special exception from the Board of Zoning Appeals - Zoning.

The following outlines how the PUD meets the requirements for an Accommodations Overlay under the current Zoning Ordinances:

1. No housing is being eliminated as the result of the development of the PUD. To the contrary, the PUD allows for the development of new housing to support the current market needs.
2. There would be no increase in traffic in any adjacent residential neighborhoods as the PUD properties are bounded by major arteries into the City.
3. An Accommodations Use would be in keeping with the scale and character of the medical district and the development of the WestEdge.
4. One of the main features of the PUD is the conveyance of a new ROW through the property that would promote pedestrian traffic and connection from the medical district to the WestEdge development. The CARTA Medical Loop and MUSC/Calhoun Circulator routes already have stops in the immediate area and would make transportation into the city using current public transportation routes a viable option.
5. Access to the site may be accommodated along the new ROW to alleviate traffic stops along Spring and Cannon streets.
6. All parking for the PUD shall be provided on site through the use of surface, off-street and structure parking regardless of developed use.



*PUD tracts*

This PUD's request for additional height is consistent with the City's Comprehensive Plan's Urban Growth recommendation to encourage compact development. It is also consistent with adjacent height districts to the north and south as noted in the zoning map in the previous section.

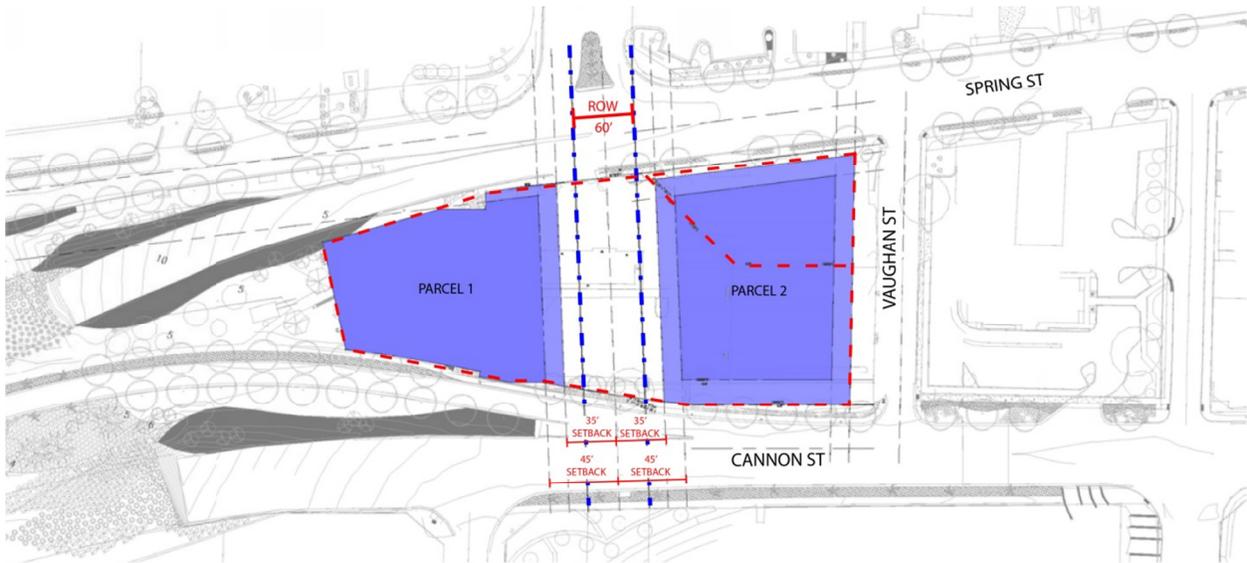
The mixed use nature of the PUD also supports the City Plan's focus on neighborhood development by providing a mixture of residential, commercial and work spaces adjacent to planned green space being developed as part of the Septima Clark Parkway improvements. The location of residential and work spaces within walking distance of CARTA stops also supports basic urban design principles and provides transportation options for both residents and businesses.

Another focus of the City's Plan is on Infill and Redevelopment. This PUD seeks to take advantage of previously under-developed tracts of land to provide greater diversity and density in an area of the city that is focused on a work-live environment.

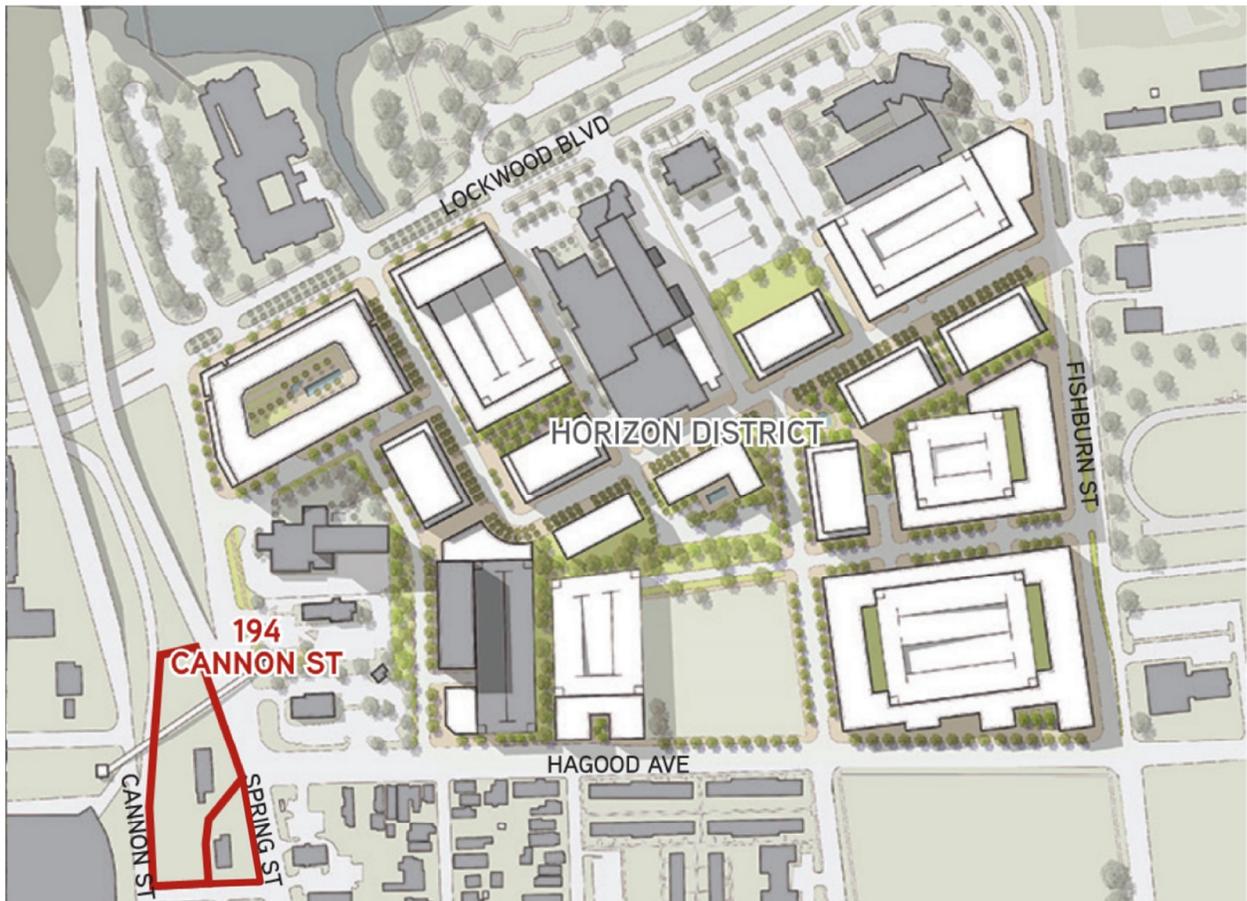
This PUD is in keeping with the City's Master Road Plan and, as previously mentioned, further encourages the connectivity of the WestEdge and Medical district. The developer, no later than issuance of a Certificate of Occupancy for the development of the property and the City's obtaining all necessary approvals for the roadway, will convey a sixty (60) foot Right of Way through the PUD property connecting Spring and Cannon Streets. The Right of Way is graphically shown in the PUD exhibits and is representative of the approximate location based on initial massing studies. The City shall be responsible for the design and construction in the Right of Way. Until such time as the roadway is designed, approved and constructed, the property owners may utilize the Right of Way and existing access points to the site from Cannon and Spring Streets or any other approved SCDOT curb cut relocation. Neither the design, approval or denial, nor the construction of the proposed ROW shall prohibit the development of the PUD parcels.

Please refer to the Right of Way Conveyance Document provided under separate cover.

While there are no density limits under the MU-2/WH zoning, the Development Plan and Executive Summary outline the maximum accommodations density for the extended accommodations overlay zone.

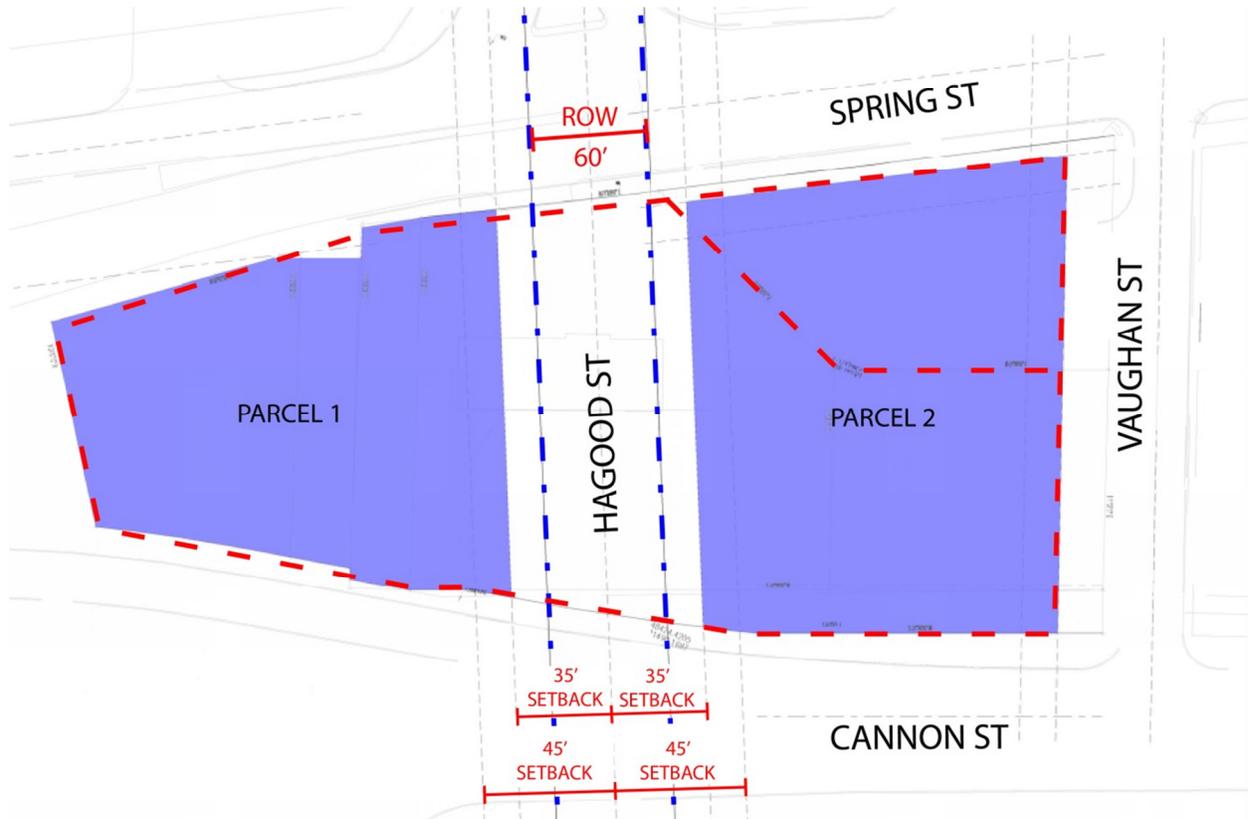


*Approximate location of proposed ROW – Hagood Extension*

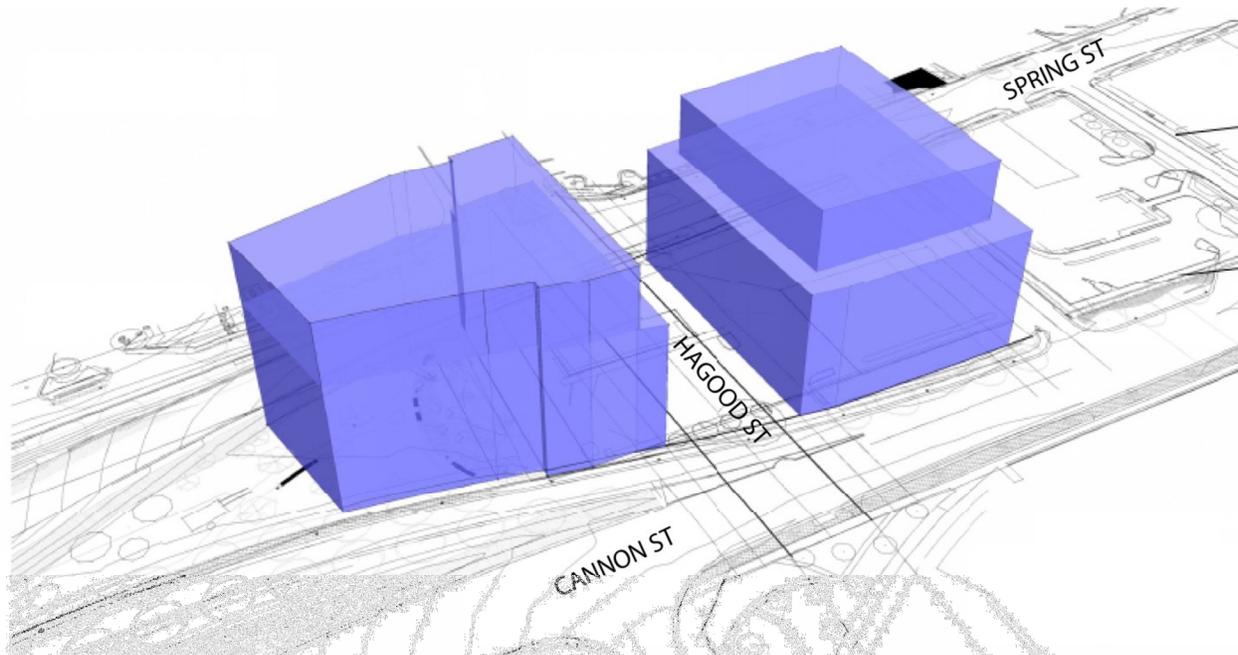


*Location of PUD to WestEdge development*

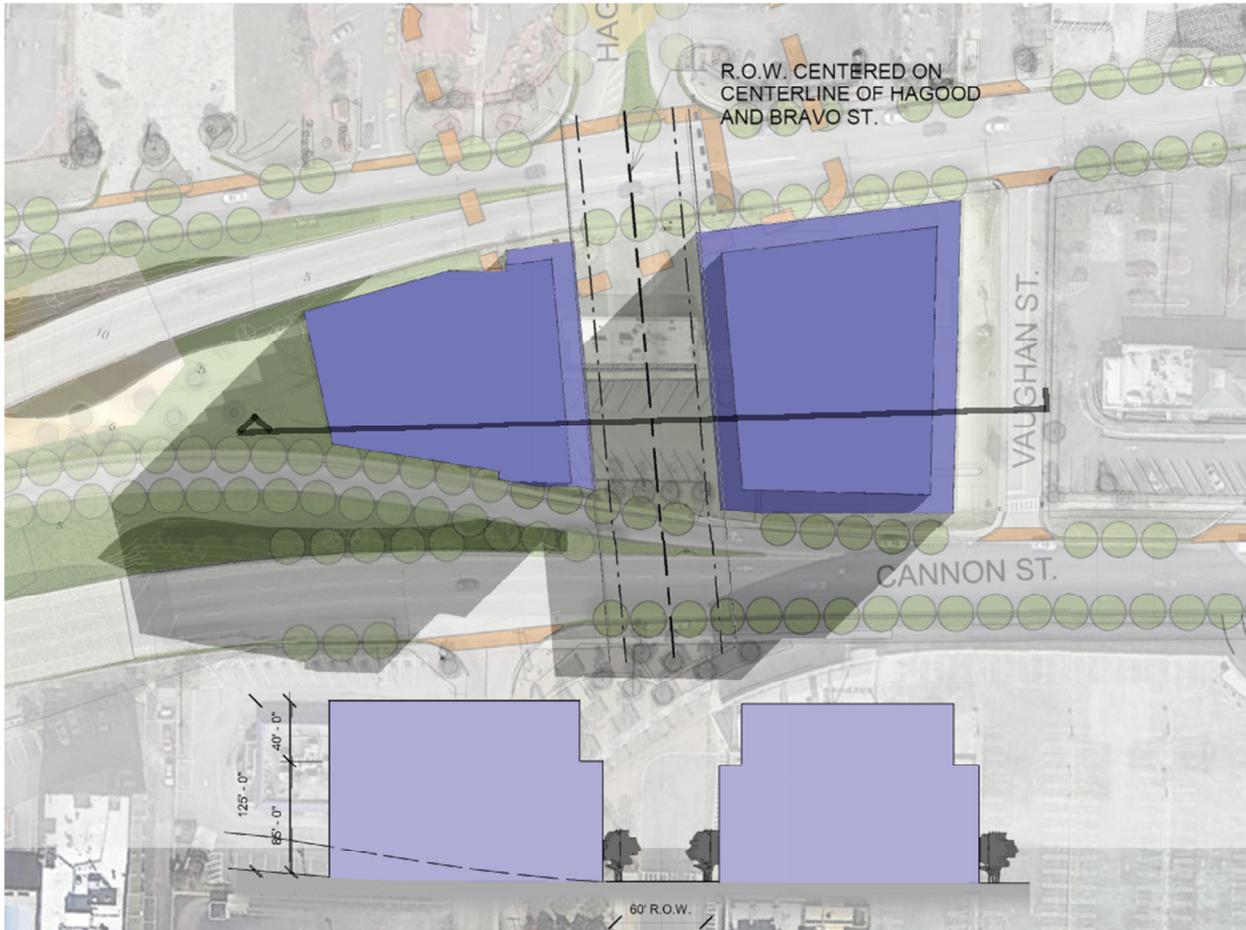
Building Envelope:



Maximum Building Envelope Plan Diagram (with proposed ROW & Bldg Setback – 85/125)



Maximum Building Envelope Massing Diagram (with proposed ROW)



*ROW Massing Plan and Cross Section Diagram*

**Sec. 01-001 (54-272) - Design review standards.**

The following standards shall be utilized by the Zoning Board and the Zoning administrative officer in reviewing the plans, drawings, sketches and other documents. These standards are intended to provide a frame of reference for the development of the site and building plans as well as a method of review for the board and the administrative officer. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation. The specification of one or more particular architectural styles is not included in these standards. These standards are not intended to affect the use of property or any by right entitlement of applicable zoning regulations.

1. Building features and appearance. The shape, configuration, design, color, and types of material of proposed buildings, and/or alterations and additions to existing buildings, must establish an identifiable character for the development and not detract from neighboring properties. To this end, all elevations of a building must be in harmony one with another in terms of scale, proportion, detail, material, color, and design quality, and all buildings and accessory structures within a proposed development, including gasoline canopies, must be designed to create a harmonious whole. The use of loud, garish colors must be avoided except when the use of colors so characterized is essential for creating a successful design which complies with all other standards.
  - a. Structures shall not dominate, in an incompatible way, any general development or adjacent building which is substantially in compliance with this article. This may be accomplished by the use of proper site design, architectural features, and/or landscaping to reduce the appearance of excessive and inappropriate height or mass of proposed structures. Long, monotonous facade designs including, but not limited to those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided. Excessive ornamentation shall be avoided to prevent visual clutter.
2. Site design. The relationship of structures to their environment, and the location and design of driveways, parking, and circulation areas shall be given special consideration. Proposed structures shall be sited to relate harmoniously to the terrain and to existing structures in the vicinity that have a visual relationship to the proposed structures. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings, and the creation of focal points with respect to avenues of approach, terrain features, or other buildings. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, in so far as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

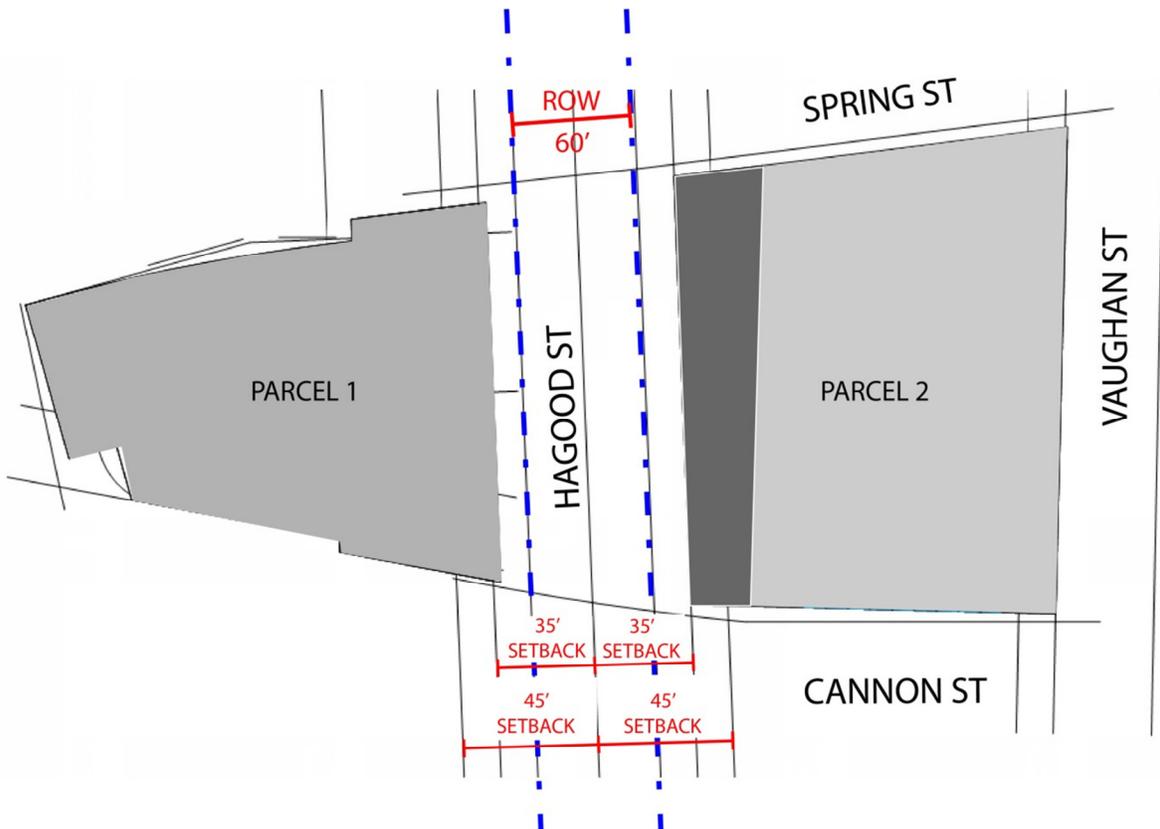
3. Utility service. Whenever feasible, on-site electric, telephone, and other utility lines shall be underground. Any utility installations remaining above ground shall be located so as to have a harmonious relation to neighboring properties and the site.
4. Special features and accessory structures. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings, and structures and similar accessory areas and structures shall be subject to such design standards, setbacks, screen plantings, or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
5. Signs. The shape, configuration, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features should not detract from the design of proposed or existing buildings and structures and the surrounding properties.
6. Application of design standards. The standards of review outlined in Sec. 01-001, 1-5, shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.
  - a. In reviewing a proposed structure, specific consideration shall be given to its compatibility with adjacent structures where such structures are substantially in compliance with Sec. 01-001 1 through 5.
7. Height, Scale and Mass. As the maximum building envelope is presented herein, it shall be understood that formal review of height, scale and mass shall not be required by any city agency or authority, and that approval of this PUD constitutes an approval of the height scale and mass based on the maximum building envelope with the understanding that achieving the maximum envelope will not be the primary goal of the development.

Possible Development Scenario:

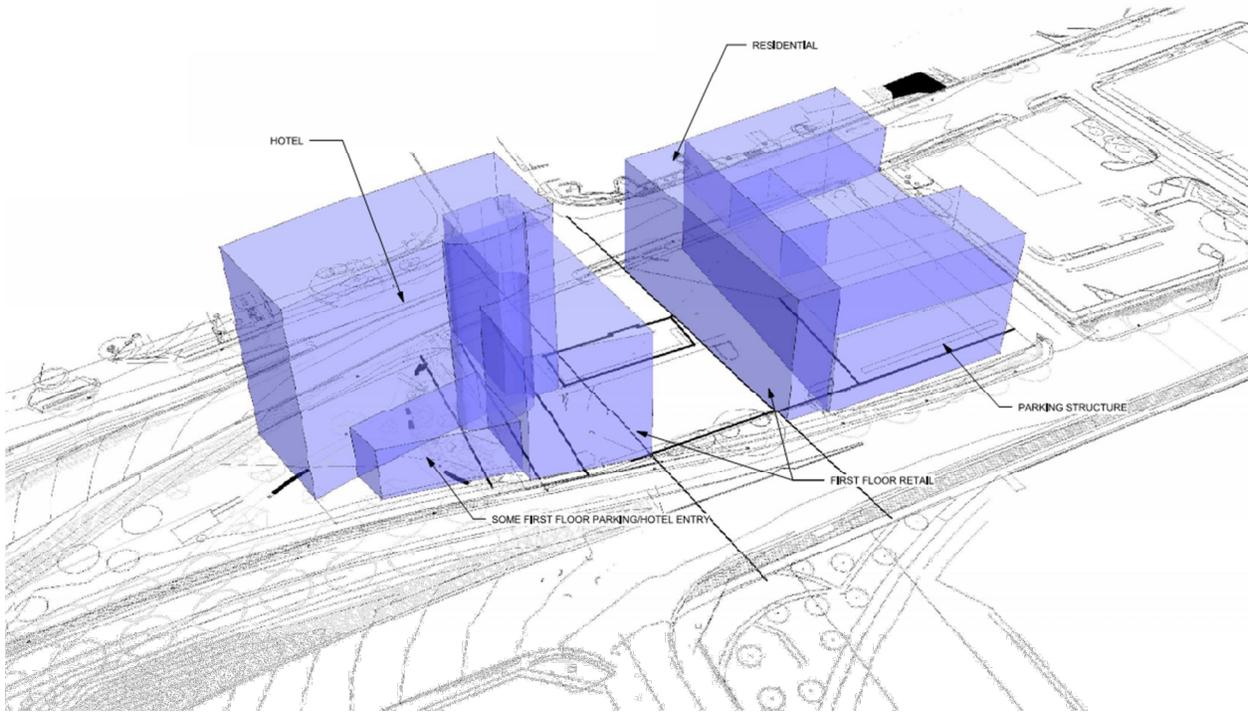
(within Building envelope)



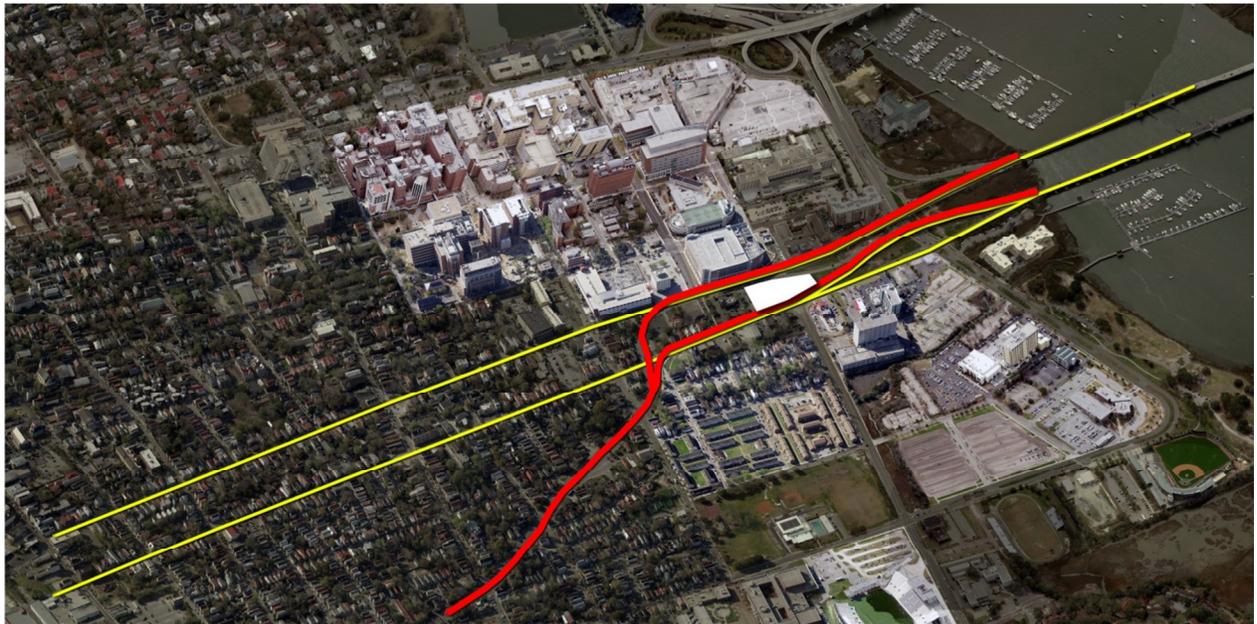
Site Plan



Sketch plan showing proposed 60ft ROW



*Potential Massing Scenario (see attached traffic study)*



*Traffic Patterns*

## Development Plan:

Property Address: 194 Cannon Street, Charleston, South Carolina

TMS#:	460-10-04-011, 013
Site Area:	TMS 011=0.84 acres / TMS 013=0.31 (total= 50,100 SF/1.15 acres)
Existing Zoning:	GB-A, 50/25
Existing Conditions:	Paved parking lots with existing food service structures
Proposed Use:	Mixed Use Development (Accommodations, Office, Multi-family (MU-2/WH), Retail & Parking Structure, 85/125
Proposed Density:	Accommodations - Max. 175 Rooms Residential - No Max Density Parking - Per requirements of PUD Sec. 01-102.3 Commercial - Up to total allowable built SF
Building Setbacks:	There are no required setbacks for MU-2 (front, side or rear)
Minimum Lot Size:	N/A
Maximum Lot Occupancy:	Total Project - Approximately 50,000 SF (100%) (Building enclosure)
Open Space:	The combination of all parcels included in the PUD is less than 10 acres, and as such, will be exempt from the Open Space requirements of the City Zoning Ordinances. The adjacency of the planned park area (Septima Clark Parkway Landscape Improvements) to the west of the site shall be considered when addressing pedestrian access to the site, especially as it relates to the overall connectivity of the parkway master plan.

- Bicycle Spaces:** Where residential units are provided, common space shall be allocated to accommodate one (1) space per 10% of the total unit count.
- Max. Building Height:** Building heights shall be permitted as outlined in the General Guidelines Section of the PUD and shall not be required to be less than allowed by the height district.
- Accessory Structures:** Any accessory structure to be included in the final design shall meet the requirements of, and standards for, accessory buildings in the City of Charleston Zoning Ordinance.
- Parking:** All parking for the project shall be provided on site by way of surface parking, off-street or parking structure. Parking requirements will be governed as outlined in the General Guidelines section of this PUD. Reference ULI (Urban Land Institute) parking guidelines where any discrepancies exist between City Zoning and this PUD.

## General Guidelines:

### PUD - WORKFORCE HOUSING DISTRICT MIXED USE 2 / GENERAL BUSINESS / PARKING

City Council finds that its urban areas have traditionally included mixed use developments that incorporate housing opportunities for persons of varying means and incomes, along with complementary nonresidential uses. City Council finds that these mixed use developments have contributed significantly to the economic success and unique fabric of its urban environment by enhancing diversity and providing job opportunities, and that it is in the public interest that incentive-driven districts be established to encourage the continued development of mixed use projects.

#### **Sec. 01-101 - Purpose.**

These districts are intended to promote a mixture of housing opportunities within a single development, along with appropriate nonresidential uses, by providing incentives for the creation of such developments in urban areas of the city where on street parking or other public parking is customary and can be reasonably accommodated.

#### **Sec. 01-102 - Availability.**

The MU-2/WH district, being incentive based, are only available to property owners who apply for the district designation.

#### **Sec. 01-102.1 - Definitions.**

For the purpose of this part, the following terms mean:

- (a.) Owner occupied workforce housing unit: A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred twenty (120) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
- (b.) Rental workforce housing unit: A dwelling unit, where occupants have, in the aggregate, household income less than or equal to eighty (80) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

- (c.) Qualified household: Households where occupants have, in the aggregate, a household income less than or equal to one hundred twenty (120) percent of the area median income (AMI) for owner occupied units, and a household income less than or equal to eighty (80) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.
- (d.) Initial maximum allowable sales price: An amount equal to three (3) times one hundred twenty (120) percent of the area median income (AMI), as determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors, plus any subsidy available to the buyer.
- (e.) Fair market rent: An amount calculated and published annually by the United States Department of Housing and Urban Development, or its successor, for the Charleston-North Charleston Metropolitan Statistical Area (eighty (80) percent of area median income (AMI)). In the absence of such information, the rents charged by the owner shall not exceed thirty (30) percent of the annual household income.
- (f.) Household income: All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance welfare programs, other sources of income regularly received, including Veterans' (VA) payments, unemployment compensation and alimony, awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the members' families for medical, personal or educational needs.

**Sec. 01-102.2 - Land uses.**

The permitted land uses in these districts are those listed in the City Zoning Ordinances under Article 2, Part 3, Table of Permitted Land Uses, in the column headings having the applicable district designation of: MU-2/WH, modified as follows:

- (a.) Every development in the MU-2/WH zoning district that has five (5) or more residential units must include owner occupied workforce housing units and/or rental workforce housing units.
- (b.) The number of owner occupied workforce housing units and/or rental workforce housing units per development shall be the greater of: (1) one (1) unit; or (2) fifteen (15) percent of the number of residential units in the development, rounded up to the next whole number, whichever is greater. Developments that do not include owner occupied

and/or rental workforce housing units must dedicate the greater of: (1) fifty (50) percent of the square footage of the ground level or one thousand five hundred (1,500) square feet for nonresidential uses. Nonresidential uses in the MU-2/WH district are the nonresidential uses allowable in the General Business (GB) district.

- (c.) Prior to the issuance of a certificate of occupancy for any portion of a development, the owner thereof shall identify, in writing, to the City of Charleston Department of Housing and Community Development, or its successor, the units designated as owner occupied workforce housing units and/or rental workforce housing units.
- (d.) Prior to the issuance of a certificate of occupancy for any portion of a development, the owner shall execute covenants identifying the owner occupied workforce housing units and/or rental workforce housing units and restricting such units to occupancy, and if applicable ownership, by qualified households for a period of no less than ten (10) years, and submit a copy of the recorded covenants to the City of Charleston Department of Housing and Community Development, or its successor.

As for the owner occupied workforce housing units, the covenants shall identify the initial maximum allowable sales price, and provide that the initial maximum allowable sales price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of household income of all members of the household. The covenants shall require notice to the City of Charleston Department of Housing and Community Development, or its successor, of any transfer of the owner occupied workforce housing units and verification that the purchaser is a qualified household. Owner occupied workforce housing units shall be subject to resale restrictions for no fewer than five (5) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.

As for rental workforce housing units, the covenants shall require the owner to provide proof to the City of Charleston Department of Housing and Community Development, or its successor, at inception and on an annual basis, that no more than fair market rent is being charged for the unit(s), and verified income reports of household income of all rental occupants. Rental workforce housing units shall be subject to these restrictions for no fewer than ten (10) years from the initial occupancy as workforce housing.

- (e.) The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events be subject to approval by corporation counsel.

**Sec. 01-102.3 - Parking and loading.**

Parking requirements for an owner occupied workforce housing units, rental workforce housing units, and nonresidential uses shall be as outlined below.

There are no off-street loading requirements for nonresidential uses.

Parking Requirements:

Accommodations	2 spaces : 3 Units
Office	1 space : 500 SF ( <i>excluding corridors, toilet rooms, storage rooms, elevator and stair shafts and mechanical rooms</i> )
Restaurant	1:150 SF (inside seating) & 1:200 SF (exterior seating)
Retail	1:400 SF Gross Area
MU-2/WH	1 space : 2 Units (Workforce Housing Only)
Standard Residential	1 space : 1 Unit

**Sec. 01-102.4 - Height, area and setback regulations.**

As is consistent with city Zoning Ordinances, there shall be no Front, Rear or Side Setback requirements for MU-2/WH, except as outlined in the height district requirements.

Height District 85/125:

- (1.) No part of a structure, including elevator penthouses and mechanical penthouses, shall exceed the height of one hundred and twenty-five (125) feet, nor shall the principal structure be lower than thirty (30) feet.
- (2.) All portions of a structure, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least thirty-five (35) feet from the center of the street right-of-way.
- (3.) All portions of a structure above eighty-five (85) feet including elevator penthouses and mechanical penthouses, except cornices, canopies, balconies, arcades and other non-habitable architectural elements, shall be set back at least forty-five (45) feet from the center of the street right-of-way.

### **Sec. 01-102.5 – Trees and Landscaping.**

All properties located on the peninsula of Charleston lying south of Mount Pleasant Street, and the extension thereof across the entire peninsula, shall not require installation of landscape buffers along street frontages.

There are no incompatible uses proposed in the PUD, so there shall be no requirement for landscape buffers required pursuant to Table 3.5: Schedule of Required Buffers, to separate and screen incompatible uses.

Landscaping provided as part of the site design will be considered in the context of the Septima Parkway improvements, and as deemed reasonable and necessary by the property owner(s) and design professional(s) charged with the project development.

### **Sec. 01-201 – Sidewalks general standards.**

Location: Generally, sidewalks shall be provided in the public right-of-way, and extend across the length of the right-of-way adjacent to the development. Sidewalks may abut the curb. Where there is no curb, sidewalks shall be offset at least three feet from the edge of the pavement.

Materials: Required sidewalks shall be constructed according to the specifications of the City Engineer.

#### Construction and Inspections:

1. Sidewalks shall be constructed by the TRC applicant prior to the issuance of a Certificate of Occupancy for the development requiring the sidewalk improvements.
2. Sidewalks constructed in the public right-of-way shall be inspected by the City Engineer for compliance with City standards.
3. For sidewalks to be constructed within a right-of-way that is not under the jurisdiction of the City of Charleston, the applicant shall provide a copy of the permit authorizing such work. For the South Carolina Department of Transportation (D.O.T.), a copy of the D.O.T. encroachment approval shall be submitted with a request for Final TRC approval.

- a. When the appropriate authority denies a request to construct a sidewalk in the public right of way:
  - b. Sidewalks may be placed outside of a public right-of-way if the applicant voluntarily agrees to record an easement for the safe movement of pedestrians and the maintenance of the sidewalk.
4. Sidewalks may also be placed outside of a public right-of-way when deemed appropriate for the preservation of a grand tree or for the accommodation of utilities or other necessary infrastructure provided that the applicant voluntarily agrees to record an easement for the safe movement of pedestrians and the maintenance of the sidewalk.



03.18.2016

Mr. Thomas Calcote  
c/o Tom Hund, AIA  
inSite Strategy + Architecture  
21 George Street, Suite 100  
Charleston, SC 29403

Re: 194 Cannon Street Proposals

Dear Thomas and Tom:

On behalf of the Horizon Project Foundation, I want to extend my appreciation for the briefing on your vision for the redevelopment of 194 Cannon Street. We concur that the redevelopment of the site presents a unique opportunity to make a significant improvement to the site itself while also bringing wide-ranging benefits to the surrounding context, including MUSC, the Medical District, the Westside Neighborhood and WestEdge.

Connectivity is a significant challenge in the vicinity, as the Septima Clark Parkway presents an unsafe impediment to pedestrian, bicycle and vehicular linkages from north to south. Your proposal to reserve a no-build zone that would be integrated into a planned development concept for the site could provide a safe multi-modal access route that would go a long way towards addressing this challenge. The construction of new building(s) that would replace the vacant restaurant would greatly improve the experience entering into the city, bringing additional vitality and activity with new uses, and providing additional tax base that could be put to work improving public infrastructure.

We are eager to continue collaborating with your team on bringing forth positive investment on the west side of the Charleston peninsula, and look forward to seeing the results of the zoning and development process and the benefits that the improvements to 194 Cannon Street can bring to the areas surrounding the property.

Very truly yours,

Michael T. Maher, CEO  
Horizon Project Foundation, Inc.  
P.O. Box 20549  
Charleston, SC 29413



**194 CANNON**

**TRAFFIC ASSESSMENT**

CHARLESTON,  
SOUTH CAROLINA

PREPARED FOR:  
T-CAL, LLC

J – 26262

**AUGUST 2016**



THOMAS & HUTTON

PREPARED BY:

**THOMAS & HUTTON**

[WWW.THOMASANDHUTTON.COM](http://WWW.THOMASANDHUTTON.COM)

## INTRODUCTION

This assessment is prepared as a part of the rezoning application for properties located at 194 Cannon Street in Charleston. The property is bound by Spring Street to the north, Cannon Street to the south, and Vaughn Street to the east. Existing driveways are located on each of these roadways. The project location is shown in **Figure 1**.

Currently, the site is envisioned to include 120 apartment units, 200 hotel rooms with roughly 20,000 square feet of associated commercial space, 40 surface level parking spaces, and 250 structured parking spaces. A conceptual drawing of the site is shown in **Figure 2**. As more detailed plans regarding the end users of the buildings are developed, these exact figures could change.

The property is currently the site of an existing Brueggers Bagel restaurant and a closed Wendy's restaurant.

## TRIP GENERATION

The main uses that will generate traffic to and from the site would include the 120 apartments and the room 200 hotel. The ITE land use category "Hotel" is described as: "Hotels are places of lodging that provide sleeping accommodations and supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops."

The anticipated 20,000 square feet of commercial space is currently undefined, it may be an accessory to the Hotel or may be a separate entity. For the purposes of this trip generation estimate, half of the retail space is assumed to be part of the Hotel and half is assumed to be a restaurant.

Trips generated by the proposed development are estimated using the standard rates and equations from the Institute of Transportation Engineers, Trip Generation, 9<sup>th</sup> Edition, 2012.

Table 1 – ITE Trip Generation – **proposed uses**

Land Use Code	Land Use	Daily Trips	AM In	AM Out	AM Total	PM In	PM Out	PM Total
223	120 Mid-Rise Residential Apartment Units	851*	11	25	36	27	20	47
310	200 Room Hotel	1,417	63	43	106	61	59	120
931	10,000 sq ft Quality Restaurant	900	4	4	8	50	25	75
Unadjusted Total Driveway Volume		<b>3,168</b>	78	72	<b>150</b>	138	104	<b>242</b>
Internal Capture trips			1	1	2	14	14	28
Pass by Trips			0	0	0	14	14	28
Volume added to adjacent Streets			77	71	<b>148</b>	110	76	<b>186</b>

\*Daily trips estimated using LUC 220 – Apartments; no daily data for LUC 223

It should be noted that a large percentage of the data that ITE uses to calculate trip generation estimates come from non-urban areas or areas where transit is not available and pedestrian use is relatively minor. With the proximity to the medical district, transit stops, and surrounding developments, it is likely that a significant portion of the trips shown in Table 1 may be made via methods other than the use of a personal vehicle.

The proposed development would replace two existing restaurants. The Brueggers Bagels adjacent to Vaughn Street is currently in operation; the Wendy's on the west side of the property is currently closed. As a comparison to the proposed uses, an ITE trip generation estimate for the existing uses (assuming the Wendy's were open) is shown in Table 2.

Table 2 – ITE Trip Generation – **existing uses**

Land Use Code	Land Use	Daily Trips	AM In	AM Out	AM Total	PM In	PM Out	PM Total
934	4,000 sq ft Fast Food Restrn't with Drv Thr - Wendy's	1,984	93	89	182	68	63	131
940	2,400 sq ft Bread/Donut/ Bagel shop with Drv Thr - Brueggers	1,240 <sup>1</sup>	58	57	115	23	24	47
Unadjusted Total Driveway Volume		<b>3,224</b>	151	146	<b>297</b>	91	87	<b>178</b>
Pass by trips <sup>2</sup>			75	73	148	45	43	89
Volume added to adjacent streets			76	73	<b>149</b>	46	44	<b>89</b>

<sup>1</sup>Daily trips estimated using LUC 934 – Fast food; ITE does not daily trip estimate for LUC 940

<sup>2</sup>Pass by trips for LUC 940 assumed to be the same as LUC 934; ITE does not provide pass by data for LUC 940

Based on the standard ITE trip generation estimates, the proposed uses will generate similar amounts of daily driveway trips to the existing restaurants (if both were operating). The trips generated in the afternoon peak hour would be slightly higher with the proposed uses.

## TRIP DISTRIBUTIONS

There are currently five existing driveways that provide access to the property. Future access points are planned on Spring Street, Cannon Street, and Vaughn Street.

To access the site, vehicles arriving from areas south of the Crosstown or from West Ashley will use Lockwood Blvd and the Cannon Street ramp. Vehicles arriving from the north will use westbound Spring Street. Areas on the south end of the peninsula will use both Lockwood and Spring Street. Departing vehicles will access Cannon Street for most destinations to the north and east, and Spring Street for most destinations to the south and west.

## HISTORICAL GROWTH IN THE AREA

Based on the SCDOT data, traffic on area roadways has remained relatively constant over the past 6 years. Historical volumes, obtained from SCDOT count station data, are shown in Table 3.

Table 3 – SCDOT Count station data

Count station # - Location	2010 ADT	2011 ADT	2012 ADT	2013 ADT	2014 ADT	2015 ADT
125 – Crosstown (US 17)	64,600	64,600	61,800	63,300	56,800	58,800
275 – Lockwood	9,000	10,500	11,300	9,300	10,100	9,300
430 – Ashley	3,200	3,500	3,600	2,900	2,900	2,900
560 – Hagood	4,900	4,900	5,400	4,100	4,000	4,700
585 – Bee	8,400	8,000	7,800	8,300	7,600	8,200
595 - Fishburne	8,800	9,000	9,600	7,700	9,100	7,800

## SURROUNDING DEVELOPMENT

The largest planned development in the immediate vicinity is WestEdge, located north of the site. The WestEdge Development is being planned in an area bound by Lockwood Blvd, Fishburne Street, Hagood Avenue, and Spring Street. Ultimately, the area could have up to 875,000 square feet of retail space, 300,000 square feet of office space, and 1,200 residential units. The initial phases of WestEdge anticipate construction of approximately 575 residential units, 150,000 square feet of office space, a 45,000 square foot grocery store, and 20,000 square feet of retail/ restaurant space.

## AREA IMPROVEMENTS

One lane of the westbound US 17 bridge over the Ashley River is planned to be converted to a bicycle lane. A test of the impacts to the vehicular delays associated with this project was recently conducted. As a part of this project, a turn lane to the US 17 off ramp approach to Lockwood Blvd was recently added.

Several intersection projects are in development as part of the WestEdge project. Improvements to the Lockwood Blvd / Spring Street intersection and the President Street / Spring Street intersection are being considered.

A new connection through the 194 Cannon Street project is being considered between Hagood Avenue and Charleston Center Drive. This connection, if completed, could provide a new access for pedestrians, bicycles, and vehicles between the medical district area, the 194 Cannon project, and new developments in and around Hagood Avenue.

As part of the 194 Cannon Street project, a new right of way would be set aside for future use, should the City pursue implementation of this connection.

## **TRAFFIC OPERATIONS**

A traffic impact study was completed for the WestEdge development in 2015. Based on the counts taken and the study done for WestEdge, most of the signalized intersections along the Crosstown function at adequate levels of service. Some relatively long delays are present on particular minor street approaches where timing plans favor the heaviest movement. At the time, the longest delays were observed at the Lockwood Blvd intersections with Bee Street and Spring Street. As mentioned, a turn lane was recently added to the Bee Street intersection and there are currently plans being developed to improve operational conditions at the Spring Street intersection.

Traffic generated by the 194 Cannon project is minor in comparison to existing volumes and is not likely to significantly impact the operational levels at the surrounding signals. With the current roadway network, all vehicles entering the site will arrive via a free-flowing movement and would not have to cross a conflicting flow. With an appropriately designed entry, there is not likely to be any significant congestion at the access points.

## **FUTURE STUDY**

As mentioned, a new right-of-way is planned to be donated to the City and/or SCDOT as part of the proposed development. This right-of-way could be used to implement a new connection between Hagood Avenue and Charleston Center Drive. This potential connection would likely require new signalized intersections at both Spring and Cannon Streets. Implementation of this vision will require additional study to determine feasibility and traffic operational implications.

This assessment is provided as a planning tool for an evaluation of the rezoning request. Additional study may be required once more detailed information regarding the final plans, time frames, and potential roadway connections are determined.

## **SUMMARY / CONCLUSIONS**

This assessment is prepared as a part of the rezoning application for properties located at 194 Cannon Street in Charleston. Currently, this conceptual plan envisions to include 120 apartment units, 200 hotel rooms with roughly 20,000 square feet of commercial space, 40 surface level parking spaces, and 250 structured parking spaces. The property is currently the site of an existing Brueggers Bagel restaurant and a closed Wendy's restaurant.

Based on the standard ITE trip generation estimates, the proposed uses would generate roughly similar amounts of traffic as the current uses (if both restaurants were operating). Traffic generated by the 194 Cannon project is minor in comparison to existing volumes and is not likely to significantly impact the operational levels at the surrounding signals or at the development access points.

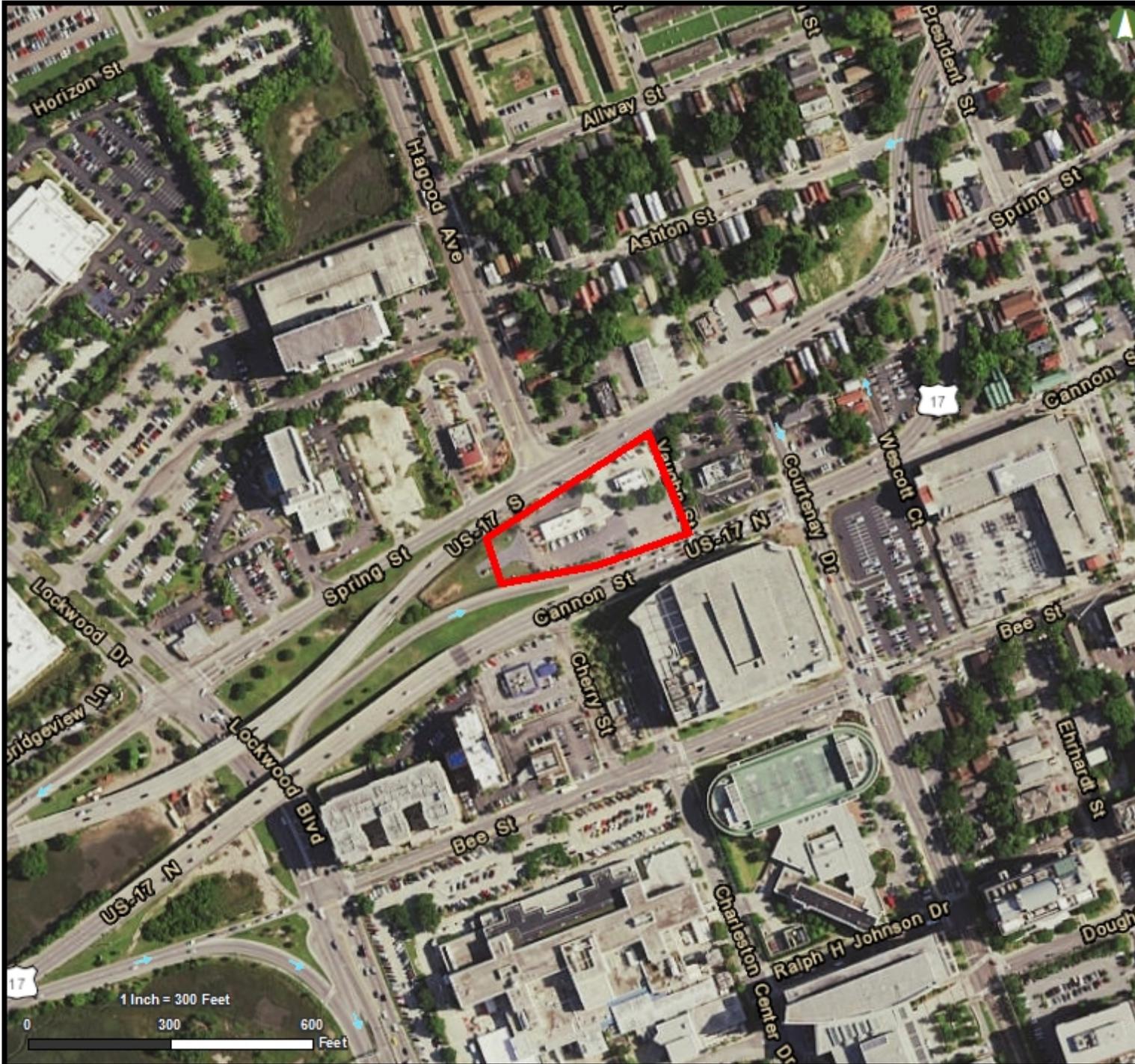
Consideration of new connections and changes to the surrounding roadway will require coordination with the City and SCDOT.

# Appendix

Figure 1 – Location Map

Figure 2 – Site Plan

ITE Trip Generation



THOMAS & HUTTON

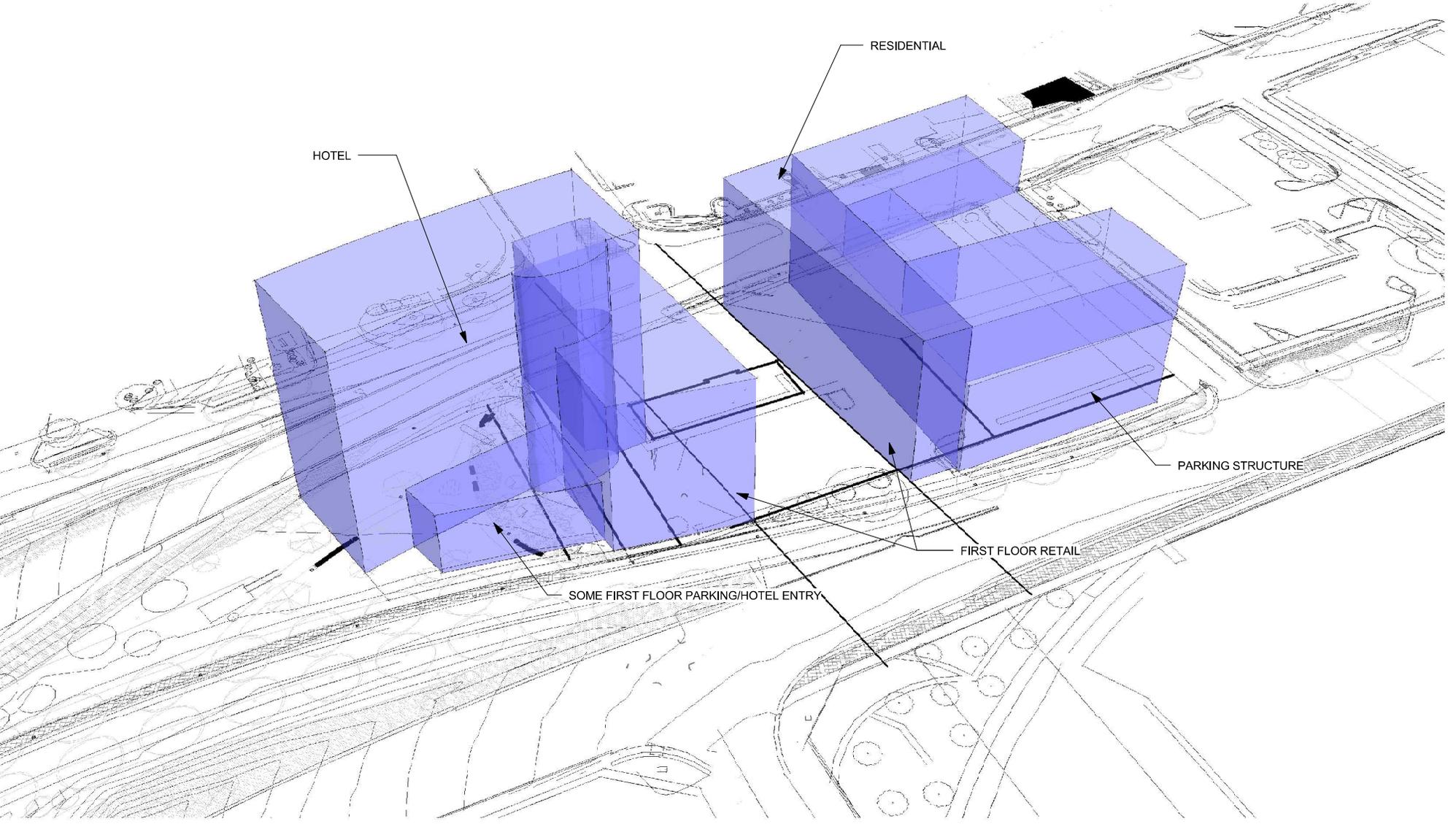
## Site Location

194 Cannon Street

8/1/2016

# Figure 1

# Figure 2: Preliminary Site Plan



## Trip Generation Summary

### Proposed Uses

Alternative: Alternative 1

Phase:

Open Date: 7/25/2016

Project: 194 Cannon

Analysis Date: 7/25/2016

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic					
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
223	MRAPT 1 120 Dwelling Units						11	25	36		27	20	47
310	HOTEL 1 200 Rooms		709	708	1417		63	43	106		61	59	120
931	RESTAURANTQ 2 10 Gross Floor Area 1000 SF		450	450	900		4	4	8		50	25	75
Unadjusted Volume			1159	1158	2317		78	72	150		138	104	242
Internal Capture Trips			0	0	0		1	1	2		14	14	28
Pass-By Trips			0	0	0		0	0	0		14	14	28
Volume Added to Adjacent Streets			1159	1158	2317		77	71	148		110	76	186

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 1 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 12 Percent

\* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 9th Edition, 2012

**TRIP GENERATION 2014, TRAFFICWARE, LLC**

## Trip Generation Summary

### Existing Uses

Alternative: Alternative 1

Phase:

Open Date: 7/25/2016

Project: 194 Cannon

Analysis Date: 7/25/2016

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic					
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
934	FASTFOODDT 1		992	992	1984		93	89	182		68	63	131
	4 Gross Floor Area 1000 SF												
940	DONUTDT 1						58	57	115		23	24	47
	2.5 Gross Floor Area 1000 SF												
Unadjusted Volume			992	992	1984		151	146	297		91	87	178
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		45	45	90		33	33	66
Volume Added to Adjacent Streets			992	992	1984		106	101	207		58	54	112

Total Weekday Average Daily Trips Internal Capture = 0 Percent

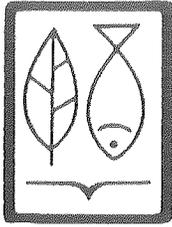
Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

\* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 9th Edition, 2012

**TRIP GENERATION 2014, TRAFFICWARE, LLC**



# SABINE & WATERS

ENVIRONMENTAL LAND MANAGEMENT CONSULTANTS

August 12, 2016

Mr. Danny Forsberg  
Forsberg Engineering & Surveying, Inc.  
PO Box 30575  
Charleston, SC 29417

**SUBJECT: Results of a preliminary wetland evaluation and preliminary cultural resources review on two parcels of property totaling approximately 1.58-acres and identified by TMS# 460-10-04-011 (0.27-ac) and TMS# 460-10-04-013 (1.31-ac) located south of the intersection of Hagood Avenue/Spring Street/US Highway 17S intersection, adjacent to and west of Vaughan Street and adjacent to and north of US Highway 17N in the City of Charleston, Charleston County, South Carolina.**

Dear Mr Forsberg:

On August 11<sup>th</sup> and 12th, 2016, personnel from Sabine & Waters, Inc. reviewed resource material, mapped soils, National Wetland Inventory (NWI) maps and aerial photographs as they related to the above referenced sites, and then conducted a preliminary site investigation to evaluate for the presence of freshwater wetland and/or critical area wetland (salt marsh) features on the above referenced property. We also reviewed the South Carolina Institute of Archaeology and Anthropology (SCIAA) State Historic Preservation Office (SHPO) public data base to determine if any sites eligible for inclusion in the federal register of historic places had been identified on the subject sites.

The sites were evaluated for the presence of freshwater wetlands using the **November 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)** methodology. This methodology/technique uses a multi-parameter approach, which under normal circumstances requires positive evidence of three criteria:

- o Hydrophytic vegetation
- o Hydric soils
- o Wetland hydrology

Areas exhibiting the above three wetland characteristics are typically considered to be freshwater wetlands. Critical area wetlands (salt marsh areas) typically experience routine ebb and flow of salt water during normal tidal cycles and are typically identified by the presence of salt marsh vegetation or vegetation adapted for surviving in saline environments.

A review of resource information revealed the soils on the subject site were not mapped, and a review of the NWI map indicated that the area was considered upland (U11-land use mapped as residential and U12-land use mapped as commercial/services). A review of available high-altitude aerial photography is as follows:

The 1994 high altitude false color infrared photograph shows the entire property developed. No typical wetland signature within the project area boundaries was identified.

The 1999 high altitude false color infrared photograph shows western portion of the site has been cleared of structures but the eastern two-thirds of the site is still developed. It appears that the interchange in the vicinity of Lockwood Boulevard and US Highway 17 has been upgraded and this upgrade necessitated the removal of structures in the vicinity of the modification. No typical wetland signature within the project area boundaries was identified.

The 2006 high altitude false color infrared photograph shows conditions similar to those shown on the 1999 aerial where the western portion of the site is still cleared of structures and the eastern two-thirds of the site is still developed. No typical wetland signature within the project area boundaries was identified.

The 2004 high altitude true color photograph is similar to the 1999 and 2006 infrared photographs where the western portion of the site is still cleared of structures and the eastern two-thirds of the site is still developed. No typical wetland signature within the project area boundaries was identified.

The 2013 high altitude true color photograph is similar to the 1999, 2004 and 2006 photographs where the western portion of the site is still cleared of structures and the eastern two-thirds of the site is still developed. No typical wetland signature within the project area boundaries was identified.

The 2015 high altitude true color photograph is similar to the 1999, 2004, 2006 and 2013 photographs but the western portion of the site appears to have an access corridor added but the site is still cleared of other structures and the eastern two-thirds of the site is still developed. No typical wetland signature within the project area boundaries was identified.

The subject property was visited on the afternoon of August 11<sup>th</sup> and the morning of August 12<sup>th</sup>, 2016 to evaluate site conditions and review for the potential occurrence of areas meeting the federal definition of freshwater wetland and for areas meeting OCRM's definition for critical area wetland within project area boundaries.

The field visit revealed that site conditions are similar to those indicated in the 2015 high altitude true color photograph. TMS# 460-10-04-011 is occupied by Brueggers Bagels, a commercial facility. The property surrounding Brueggers Bagels is paved parking facilities and vegetation, while sparse, appears to be mostly ornamentals with some native Live Oaks (*Quercus virginiana*) and palmettos (*Sabal palmetto*). Approximate two-thirds of TMS# 460-10-04-013 (the eastern two-thirds) is occupied by an abandoned Wendy's Restaurant surrounded by paved

Mr. Danny Forsberg

August 12, 2016

Page 3

parking. Vegetation is sparse and is again ornamentals, Live Oaks and Palmettos. The western third of TMS# parcel 460-10-04-013 is now being used as a staging area for construction equipment and is mostly unvegetated due to the placement of equipment and is sparsely vegetated with early successional herbaceous species such as golden rod (*Solidago sp*). The ground elevations in staging area appears to have been altered to a slightly higher elevation than the adjacent developed property to the east.

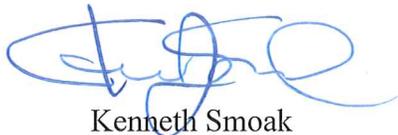
Soil sampling for hydric soils was not possible as the majority of the property houses structures or is paved. The soils on the portion of TMS parcel 460-10-04-013 appear to have been altered from previous commercial facilities or by the current construction staging activities. Based on past uses, we would not anticipate the soils would meet the hydric soil parameter.

Based on the review of available resource information and the findings of our field visit/investigation, it is our opinion that any areas that meeting the federal definition of wetlands or OCRM's definition for critical area are not present within the identified project limits of the subject property. Site photographs were taken to document site conditions and are attached. Please bear in mind that this is our opinion and the no wetland determination should be considered an **approximation**, and is subject to change by the US Army Corps of Engineers (USACE).

We also reviewed the South Carolina Institute of Archaeology and Anthropology (SCIAA) State Historic Preservation Office (SHPO) public data base to determine if any sites eligible for inclusion in the federal register of historic places had been identified on the subject sites. Based on our review no sites have been identified on the subject property. Five sites were identified to the east of Vaughan Street that were determined to be not eligible or requiring evaluation. Based on recent past usage of the subject parcels as commercial properties and adjacent surrounding development, cultural resource issues are not anticipated to be of concern with the subject properties; however, if something should be uncovered during any development activities, it is recommended that development activities cease until any findings can be appropriately evaluated.

Should you have questions or need additional information please call 843-871-5383.

Sincerely,

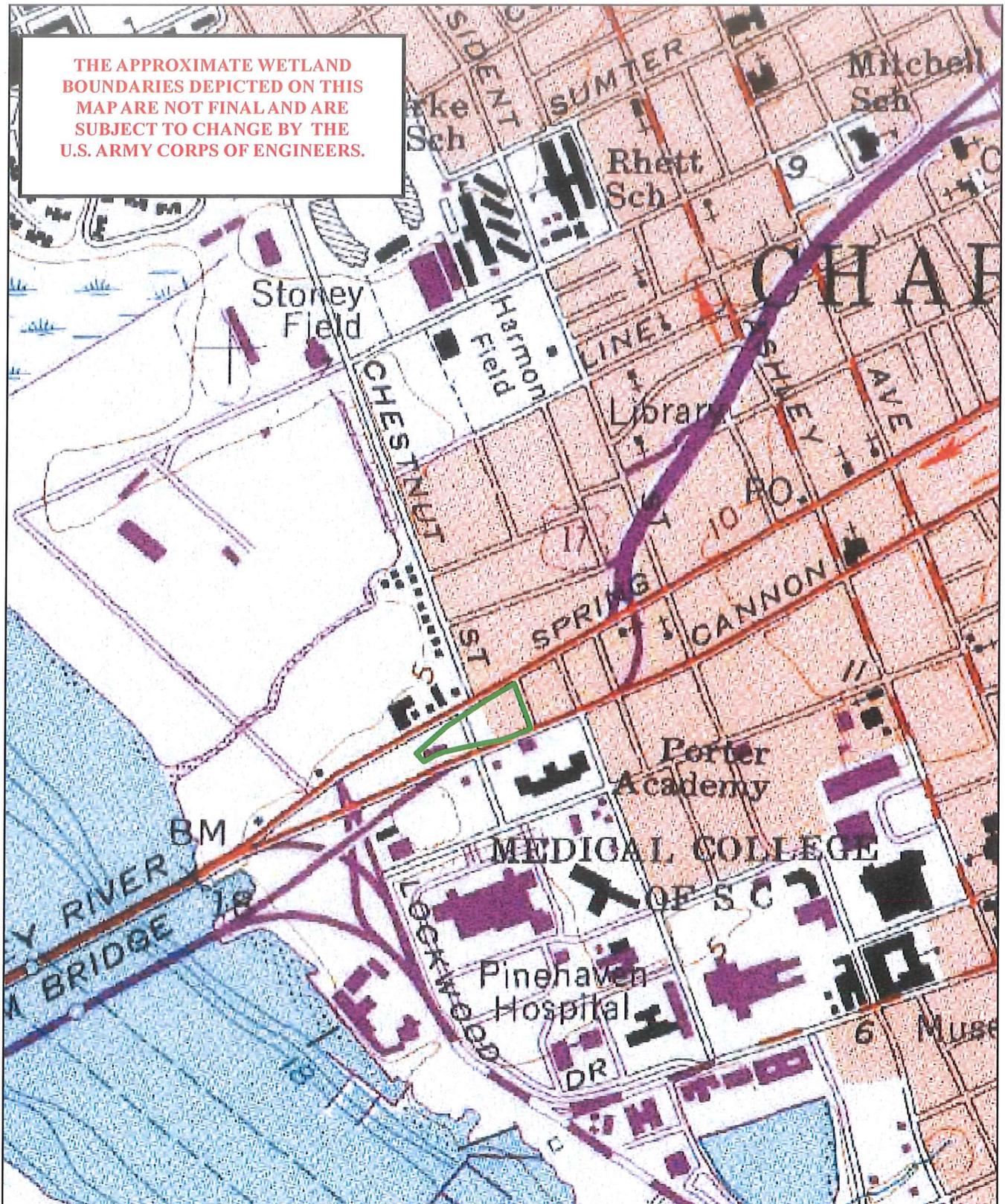


Kenneth Smoak  
Director Environmental services  
Sabine & Waters, Inc.

Attachments

Custdat/Forsberg/Crosstown/LetteroffFindings

**THE APPROXIMATE WETLAND BOUNDARIES DEPICTED ON THIS MAP ARE NOT FINAL AND ARE SUBJECT TO CHANGE BY THE U.S. ARMY CORPS OF ENGINEERS.**



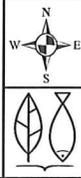
**EXTERNAL SOURCES:**  
 Created By: Kenneth Smeak  
 Date Created: August 12, 2016  
 Copyright 2016 Sabine & Waters, Inc.  
 R:\cusklat\Forsberg Crosstown LocationMap.mxd\943.871.5383 (phone) 843.871.2059 (fax)

Sabine & Waters, Inc.  
 Environmental Land Management Consultants  
 P.O. Box 1072 Summerville, SC 29484

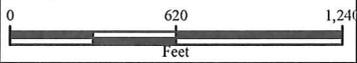
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**REVISED: 8/12/2016**

**SITE LOCATION MAP**  
**TMS#'s 460-10-04-011 & 013**  
**CHARLESTON, SC QUAD MAP**  
**CITY OF CHARLESTON**  
**CHARLESTON COUNTY, SC**

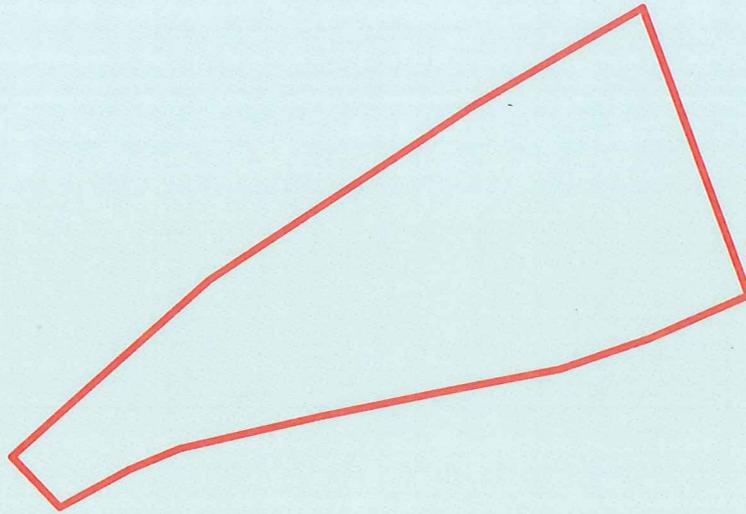


Approx Site   
 Lat. 32.786669° N  
 Long. -79.954055° W



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OUT



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Environmental Land Management Consultants  
P.O. Box 1072 Summerville, SC 29484  
843.871.5383 (phone) 843.871.2050 (fax)

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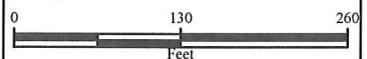
**REVISED: 8/12/2016**

**MAPPED SOILS  
TMS#'s 460-10-04-011 & 013  
CHARLESTON, SC QUAD MAP  
CITY OF CHARLESTON  
CHARLESTON COUNTY, SC**



Approx Site 

Lat. 32.786669° N  
Long. -79.954055° W



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U11



U12

**EXTERNAL SOURCES:**

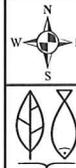
Created By: Kenneth Smoak  
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R:\cust\af\Forsberg\_Crosstown\NWMap.mxd

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Environmental Land Management Consultants  
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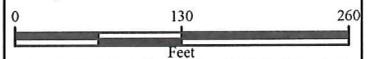
**REVISED: 8/12/2016**

**NWI MAP**  
**TMS#'s 460-10-04-011 & 013**  
**CHARLESTON, SC QUAD MAP**  
**CITY OF CHARLESTON**  
**CHARLESTON COUNTY, SC**



Approx Site 

Lat. 32.786669° N  
Long. -79.954055° W



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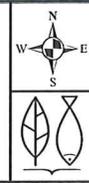
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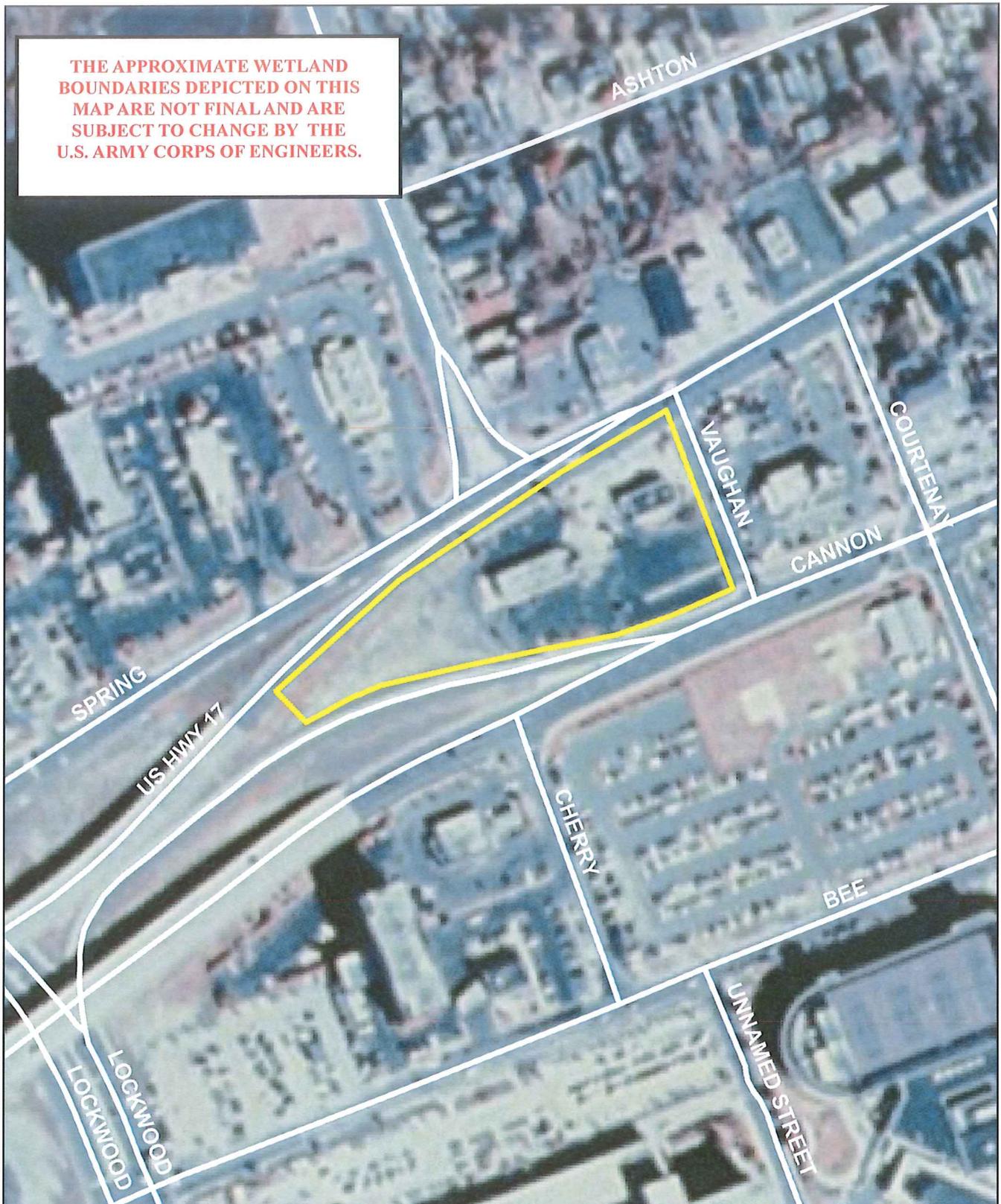
**1994 INFRARED AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



Approx Site   
 Lat. 32.786669° N  
 Long. -79.954055° W

0 150 300  
 Feet

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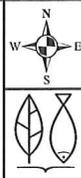
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**1999 INFRARED AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



**Approx Site**

Lat. 32.786669° N  
 Long. -79.954055° W

0 150 300  
 Feet

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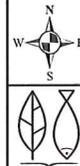
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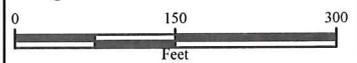
**REVISED: 8/12/2016**

**2006 INFRARED AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



Approx Site

Lat. 32.786669° N  
 Long. -79.954055° W



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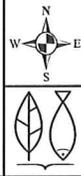
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**REVISED: 8/12/2016**

**2004 TRUE COLOR AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



Approx Site   
 Lat. 32.786669° N  
 Long. -79.954055° W

0 90 180  
 Feet

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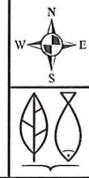
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**2013 TRUE COLOR AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



Approx Site   
 Lat. 32.786669° N  
 Long. -79.954055° W

0 90 180  
 Feet

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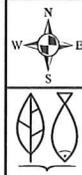


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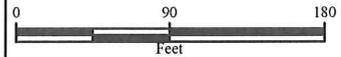
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**2015 TRUE COLOR AERIAL  
 TMS#'s 460-10-04-011 & 013  
 CHARLESTON, SC QUAD MAP  
 CITY OF CHARLESTON  
 CHARLESTON COUNTY, SC**



Approx Site   
 Lat. 32.786669° N  
 Long. -79.954055° W



August 11, 2016



1. Pan of site from near US Highway 17N mid property looking east.



2. Pan continues looking northeast

August 11, 2016



3. Pan continues looking NNE



4. Pan continues looking northwesterly

August 11, 2016



5. Pan continues looking west at construction staging area.



6. Looking WNWt at construction staging area

August 11, 2016



7. Looking west at construction staging area



8. Looking WSW at construction staging area

August 11, 2016



9. From US Highway 17S/Spring Street side of property looking easterly



10. From the US Highway 17S/Spring Street side of property looking westerly.

# City of Charleston

Prepared by the Department of Planning, Preservation & Sustainability  
January 2016

## LAND AREA

Peninsula land area	2016	approx. 8.0 sq miles
Total City area (excluding water)		approx. 112 sq miles
Total City area (including water)		approx. 131 sq miles

## CENSUS DEMOGRAPHICS

	2000	2010
City of Charleston Total Population	96,650	120,083
West Ashley	45,954	54,239
Peninsula	35,157	34,636
James Island	12,741	17,847
Johns Island	1,676	5,266
Daniel Island/Cainhoy	1,122	8,095
Charleston-North Charleston-Summerville MSA	549,033	664,607
City Racial Breakdown	34.0% Black 63.0% White	25.6% Black 68.6% White
City Per Capita Income	\$22,414	\$30,763
City Median Household Income	\$35,295	\$49,448
City Median Family Income	\$48,705	\$67,400
City Persons Per Household	2.23	2.18

(Source: U.S. Census Bureau, decennial census data & American Community Survey data)

## POPULATION ESTIMATES

	2015	2016
City of Charleston Total Population	133,579	137,447
West Ashley	59,889	60,878
Peninsula	35,882	35,972
James Island	20,247	20,416
Johns Island	7,116	8,119
Daniel Island/Cainhoy	10,445	12,062

(Source: City of Charleston building permit and annexation data)

## BUILDING PERMITS (residential)

	2014	2015
Total Single & Multi-Family Unit Permits Issued	2,580	2,055
West Ashley	873	518
Peninsula	264	61
James Island	812	89
Johns Island	437	535
Daniel Island/Cainhoy	194	852

(Source: City of Charleston building permit data)

## ANNEXATION

	2014	2015
Area Annexed	983.35 acres	291.41 acres
Persons Annexed	55	65
Housing Units Annexed	26	26



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

# A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 14 SHADOWMOSS PARKWAY (WEST ASHLEY) (0.36 ACRE) (TMS #358-07-00-007) (COUNCIL DISTRICT 10), ANNEXED INTO THE CITY OF CHARLESTON OCTOBER 11, 2016 (#2016-128), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY PAULA AND CHRIS IANNUCILLI.

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:

14 Shadowmoss Parkway (West Ashley) (0.36 acre) (TMS #358-07-00-007)

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

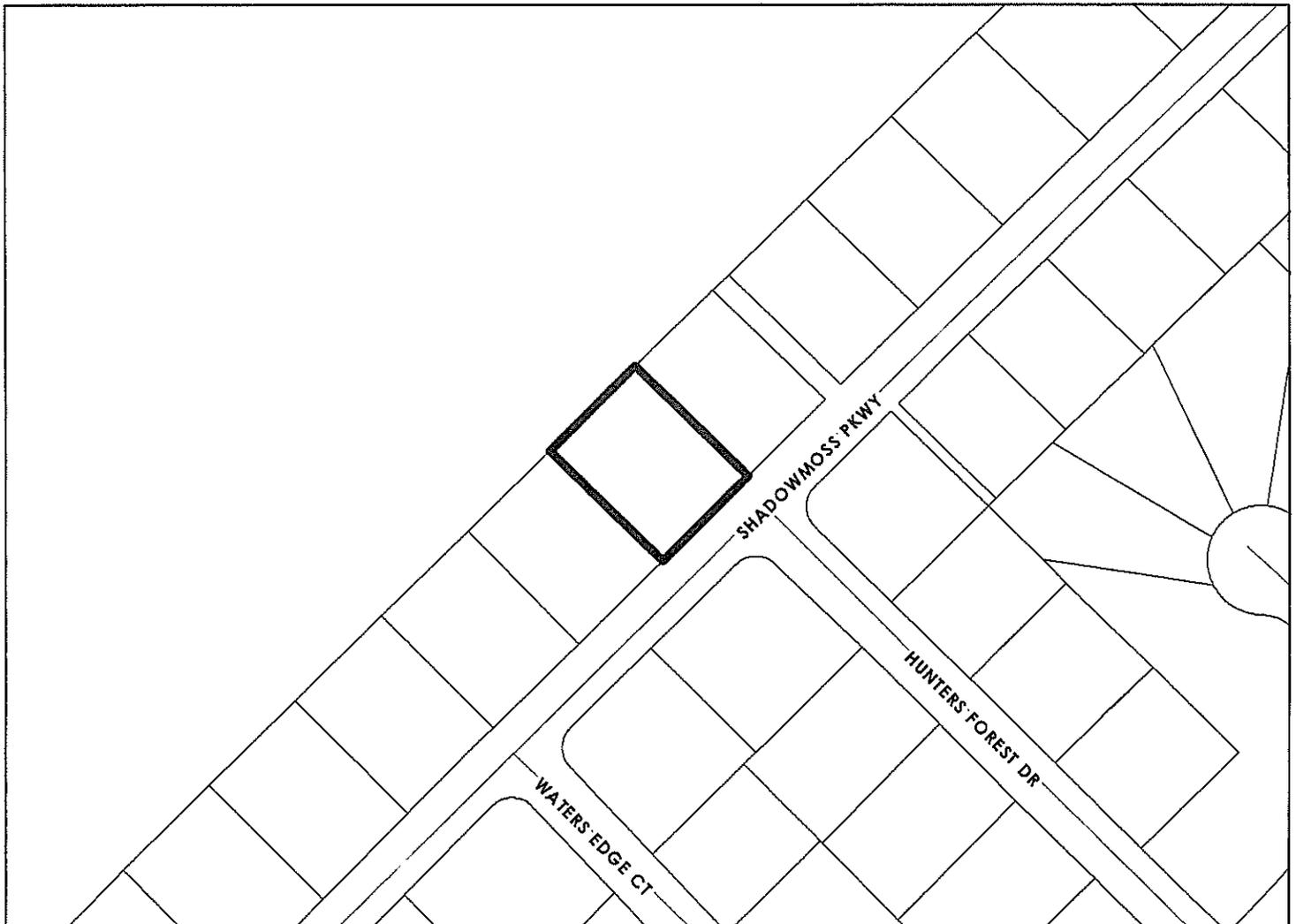
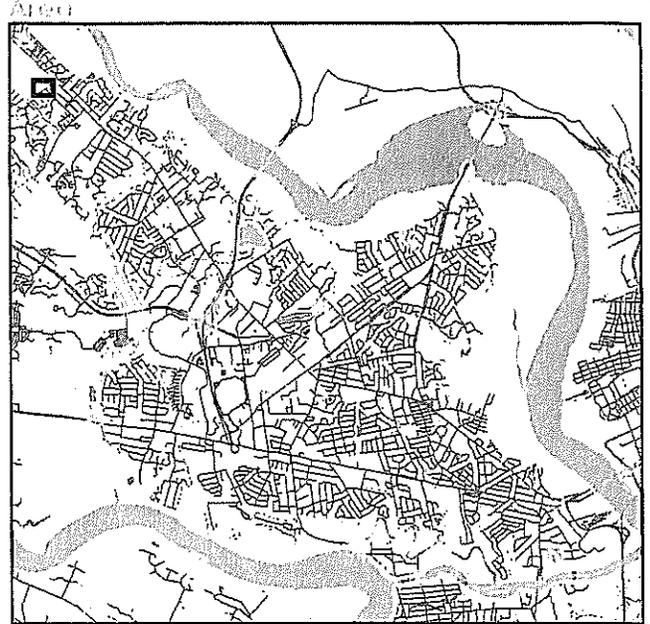
14 Shadowmoss Pkwy (West Ashley)

TMS# 3580700007

0.36 ac.

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

Owner: Paula & Chris Iannuccilli





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

# A N O R D I N A N C E

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 7 ARCADIAN PARK (WEST ASHLEY) (0.25 ACRE) (TMS #418-15-00-069) (COUNCIL DISTRICT 3), ANNEXED INTO THE CITY OF CHARLESTON OCTOBER 11, 2016 (#2016-129), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY KATHLEEN AND JOSH BELL.

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:

7 Arcadian Park (West Ashley) (0.25 acre) (TMS #418-15-00-069)

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

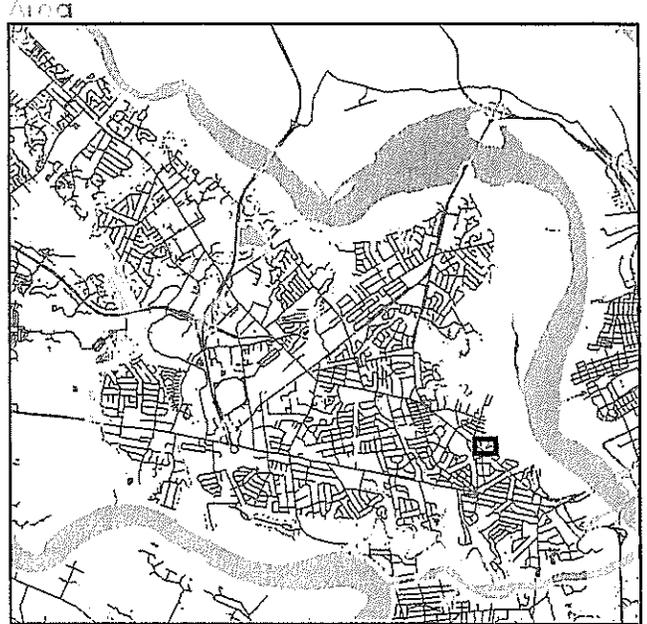
7 Arcadian Park (West Ashley)

TMS# 4181500069

0.25 ac.

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

Owner: Kathleen & Josh Bell





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

# A N O R D I N A N C E

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 MAGNOLIA ROAD (WEST ASHLEY) (0.125 ACRE) (TMS #418-10-00-005) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 10, 2016, BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY WILLIAM G. NIEMEYER.

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:

property located on Magnolia Road (West Ashley) (0.125 acre) (TMS #418-10-00-005)

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

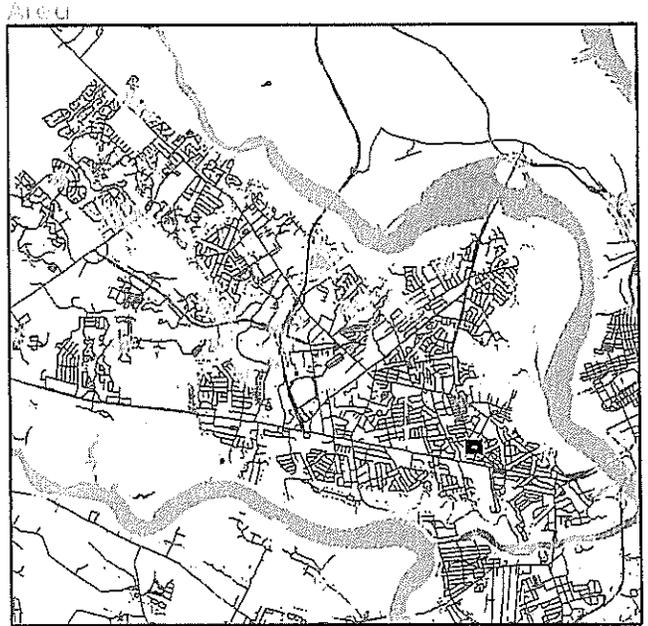
Magnolia Rd (West Ashley)

TMS# 4181000005

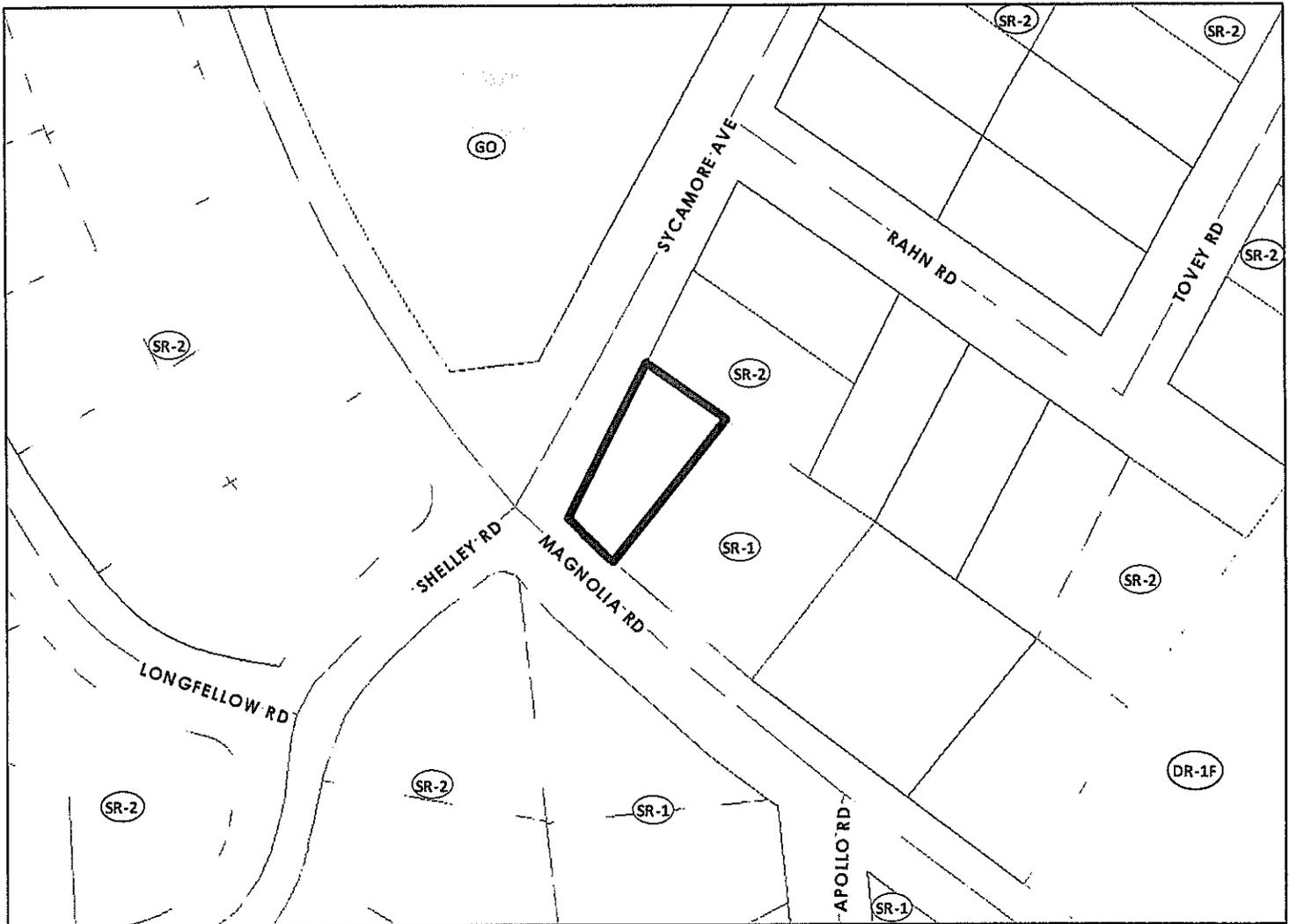
0.125 ac.

Request zoning of Single-Family Residential (SR-2).  
Zoned Single-Family Residential (R-4)  
in Charleston County.

Owner: William G. Niemeyer



Location





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

# AN ORDINANCE

TO ADOPT AND AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, ORDINANCE NUMBER 1991-153, AS AMENDED BY ORDINANCE NUMBERS 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, 2012-403, 2013-144, 2014-154, AND 2015-189 TO ADOPT SAID ORDINANCE, AS AMENDED, AS THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2017.

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

The City of Charleston Business License Ordinance is hereby amended by adding thereto the following underlined words and deleting the stricken text, which shall read as follows:

**"Section 1. License Required.**

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Charleston, South Carolina, is required to pay an annual license fee for the privilege of doing business and obtain a business license as herein provided.

**Section 2. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

*"Business"* means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

*"City"* means the City of Charleston.

*"Classification"* means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

*"Due Date"* means the date and year when the income is required to be reported to the Business License Official as provided herein.

*"Gross Income"* means the total income of a business, received or accrued, for one calendar year collected or to be collected from business done within the City, excepting therefrom income earned outside of the City of Charleston on which a license tax is paid to some other municipality

or county and fully reported to the City of Charleston. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax. Gross income for brokers or agents means gross commissions received or retained, unless otherwise specified. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party and held in escrow. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

*"License Official"* means the "Revenue Collections Division Director" or such other person designated by him or her to administer this ordinance.

*"Municipality"* means the City of Charleston, South Carolina.

*"Person"* means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

*"Real Estate Developer"* means an individual or entity who, for a fee, salary, commission, or other valuable consideration, or who, with the intent or expectation of receiving compensation, engages in any activity involving the sale, purchase, exchange or lease of land and otherwise holds himself or itself out to the public or another business entity as being engaged in any of the foregoing activities.

### **Section 3. Purpose and Duration.**

The business license levied by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by Council.

### **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, except that the due date for insurance companies shall be May 31<sup>st</sup>.

b. If the due date for payment falls on a Saturday or Sunday, or a Federal, State, or City of Charleston observed holiday then payment is considered timely on the following business day. Furthermore, if the due date for payment falls during the period of a natural disaster which directly precluded the responsible party from timely submitting the payment, an additional ten (10) day extension may be granted upon written request by the responsible party to the Director of the Revenue Collections Division. A natural disaster is defined as a hurricane, earthquake, flood, or tornado. The responsible party is considered directly precluded from timely submitting payment if their offices are deemed by emergency officials to be damaged to the extent of being unsafe or unavailable for use due to the disaster or postal service to the immediate area is suspended during the due date.

c. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license tax shall be computed on the combined gross income for the classification requiring the highest rate. Businesses that sell alcohol for on-premise consumption in addition to conducting other types of business activities are required to secure a 7-5813, a 2-5812, or a 2-5813 classification in addition to any other business license required for that place of business.

d. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business that is discontinued.

**Section 5. Registration Required.**

a. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality.

b. Application shall be on a form provided by the License Official which shall contain the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, South Carolina Sales Tax Number, if applicable, the applicant's Driver's License Number, and all information about the applicant and the business deemed appropriate to carry out the purpose of this ordinance by the License Official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

c. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes on business property due and payable to the Municipality have been paid.

d. Before a business license may be issued to a business physically located within the municipal limits of the City of Charleston, the owner, agent, or legal representative shall procure a certificate of occupancy, occupancy permit, or a certificate of operation for each location proposed to be operated by that business before commencing business operations.

e. Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Official. An insurance agent not employed by a company shall be licensed as a broker.

**Section 6. Collection of Insurance Fees.**

Pursuant to S.C. Code Ann. §§ 38-7-160 and 38-45-60, The Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The Mayor is hereby authorized to execute an agreement with the Municipal Association for the administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and the municipal broker's premium tax.

**Section 7. Collection of Telecommunication Fees.**

A. Notwithstanding any other provisions of the Business License Ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by amendment. The business license tax year shall begin on January 1 of each year. Declining rates shall not apply.

B. In conformity with S.C. Code Section 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality

regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.

C. The business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.

D. The delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.

E. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

F. Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31, 2003.

G. All fees collected under such a franchise or contractual agreement expiring after December 31, 2003, shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.

H. As authorized by S. C. Code Section 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code Section 58-9-2200 shall continue in effect.

**Section 8. Deductions, Exemptions, and Charitable Organizations.**

a. No deductions from gross income shall be made.

b. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof. It is the intent of this ordinance that the rule laid down by the Supreme Court of South Carolina in the case of **Triplet v. The City of Chester, 209 SC 3445, 40SE 2d 684 (1946)** shall be followed.

c. A separate itemized listing showing and explaining all deductions must accompany the license application, either new or renewal, or no deductions will be allowed.

d. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by State or federal law. The License Official shall determine the appropriate classification for each business in accordance with the latest issue of North American Industry Classification System code. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of liability for payment of any other tax by reason of application of this ordinance.

e. A Charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to a charitable purpose.

**Section 8. False Application Unlawful.**

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

**Section 9. Display and Transfer.**

a. All persons shall display the license issued to them on the original form provided by the License Official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person readily available for inspection by any authorized agent of the Municipality.

b. A change of address must be reported to the License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license.

c. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license. In the event of a sale or transfer of a business, the purchaser or new owner(s) may apply to the License Official for a credit for fees previously paid toward the new license fees. Upon determination by the License Official that the new business is the same as the previously licensed business, the License Official shall deduct from fees due a pro rated credit for license fees paid. The applicant for such credit shall pay an administrative fee of \$50.00, notwithstanding such credits. Such application shall be made within thirty (30) days of any transfer or sale. The transfer of any partial ownership shall be reported to the License Official.

#### **Section 10. Administration of Ordinance.**

The License Official shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

#### **Section 11. Inspections and Audits.**

a. The License Official shall make systematic inspections and periodic audits of businesses within the Municipality to insure compliance with the ordinance. All licensees and applicants under this ordinance hereby submit to the jurisdiction of the City, its License Official, or other authorized agents for the purposes of inspections or audits of books and records.

b. For the purpose of enforcing the provisions of this ordinance the License Official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. Failure to permit such inspections or audits shall be sufficient cause to deny, revoke, or suspend a license by the License Official.

c. In the event an audit or inspection reveals that the licensee has failed to pay the proper amount of fees, an audit notice shall be served by certified mail. An application of adjustment of the audit may be made to the License Official within fifteen (15) days after the notice is mailed or the audit will become final.

d. In the event an audit or inspection reveals that the licensee has filed false information or under reported its income, the costs of the audit may be added to the correct license fee. Additionally, penalties shall be added to the outstanding fees as provided herein and each day of failure to pay the proper amount of license fee and penalty shall constitute a separate offense.

e. Financial information obtained by inspections and audits shall not be deemed public records, and the License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee. The License Official may disclose gross incomes of licenses to the Internal Revenue Service, South Carolina Tax Commission or Charleston County Tax Appraiser for the purpose of assisting tax assessments,

tax collections and enforcement. Such disclosure shall be for internal, confidential and official use of these governmental agencies and shall not be deemed public records.

**Section 12. Assessments.**

a. If a person fails to obtain a business license or to furnish the information required by this ordinance or the License Official, the License Official shall examine such records of the business or any other available records as may be appropriate, and conduct such investigations and statistical surveys as the License Official may deem appropriate to assess a license tax and penalties as provided herein.

b. A notice of assessment shall be served by certified mail. An application for adjustment of the assessment may be made to the License Official within fifteen (15) days after the notice is mailed or the assessment will become final. The License Official shall establish the procedures for hearing an application for adjustment of assessment and issuing a notice of final assessment.

**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 and an additional twenty-five (25%) percent for the second month or portion thereof after the due date, for a total of thirty (30) percent, and an additional five (5%) percent per month or portion thereof for the third month, 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.

b. The penalty for delinquent insurance payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

c. Penalties shall not be waived.

d. Partial payment may be accepted by the License Official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

**Section 14. Notices.**

The License Official may, but shall not be required to, mail written notices that license fees are due. If notices are not mailed there shall be published a notice of the due date in a newspaper of general circulation within the municipality three (3) times prior to the due date in each year.

Additionally, the License Official may, but shall not be required to, mail a written reminder that license fees are due. The written reminder should state the due date for the business license fee, the penalties for failing to pay timely and contact information for the Revenue Collections Department.

Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax and penalties due.

**Section 15. Denial of Business License.**

a. The License Official may deny a business license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a business license is sought is unlawful or constitutes a public nuisance *per se or per accidens*. A denial shall be written with reasons therefore stated.

b. No business license shall be issued to a business physically located in the City of Charleston until a certificate of occupancy, occupancy permit, or a certificate of operation has been applied for and issued indicating approval of the Zoning Administrator, Fire Department and the Building Inspector for the operation of the applicant's business at the proposed location. Applicants shall purchase a business license within five (5) days after the certificate of occupancy, occupancy permit, or a certificate of operation has been issued.

c. No business license may be issued to a business if that business, or a principal officer of that business owes the City of Charleston for outstanding business license fees, unless a payment plan has been approved by the License Official.

d. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the City or in another jurisdiction.

e. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has had a business license for the business or for a similar business in another jurisdiction that has been denied, suspended, or revoked in the previous license year.

### **Section 16. Suspension or Revocation of License.**

When the License Official determines:

1. A license has been mistakenly or improperly issued or issued contrary to law; or
2. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or
3. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
4. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
5. A licensee has engaged in an unlawful activity or nuisance related to the business;

the License Official may take actions to suspend or revoke the business license by giving written notice to the licensee or the person in control of the business within the municipality by personal service or certified mail that the license is suspended or suspended pending a hearing before the Business License Committee for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Business License Committee meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension or suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

### **Section 17. Appeals and Appeal Procedure.**

a. A final assessment may be appealed to the Business License Committee only by payment in full of the assessment under protest within fifteen (15) business days of receiving the final assessment and by filing with the Clerk of Council and the License Official a written notice of appeal within fifteen (15) business days after payment setting forth plainly, fully, and distinctly why the decision is contrary to law. The Business License Official shall have the authority to grant a one time fifteen (15) business day extension for payment in full of the assessment in cases where hardship has been demonstrated by the business licensee. The business licensee must request a hardship consideration in writing before the original fifteen (15) business day

requirement for payment expires. The granting of a payment extension will automatically extend the time period for filling the appeal to fifteen (15) business days after the payment is tendered.

b. Any person aggrieved by a final decision of the License Official regarding a final audit may appeal the License Official's decision to the Business License Committee only by payment in full of the final audit under protest within fifteen (15) business days of receiving the final audit and by filing with the Clerk of Council and the License Official a written notice of appeal within three (3) years after payment setting forth plainly, fully, and distinctly why the decision is contrary to law.

c. A decision of the License Official shall be subject to appeal to the Business License committee.

d. Business License hearings requested pursuant to this section shall be scheduled within thirty (30) days after receipt of a proper request for an appeal unless continued by agreement.

e. Any person aggrieved by a final decision of the Business License Committee regarding a suspension or revocation of a business license, or a decision by the Business License Committee on a matter appealed to it in accordance with the procedures outlined in this section may appeal the decision of the Business License Committee to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the Business License Committee.

f. At a hearing held before the Business License Committee, all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The Business License Committee with a quorum of members in attendance shall by majority vote of members present render a written decision based on findings of fact and the application of the standards herein which shall be served upon all parties or their representatives.

**Section 18. Consent, franchise or business license fee required.**

The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided for by the franchise or consent agreement.

**Section 19. Confidentiality.**

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

**Section 20. Violations.**

Any person violating any provision of this ordinance shall be deemed guilty of the offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

**Section 21. Severability.**

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

**Section 22. Classification and Rates.**

a. The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the North American Industry Classification System code. The License Official shall determine the proper class for business according to the NAICS.

b. Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no fixed principle place of business in the City of Charleston. A construction site trailer or a structure in which the contractor temporarily resides is not deemed a fixed principal place of business."

**Section 23.** This Ordinance shall become effective January 1, 2017.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_, in the Year of Our Lord, 2016, and in the 241st 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



## City of Charleston Business License 2017 Rate Classification Index

### Sec. 24

NAICS  
Code

Industry Sector

#### RATE CLASS 1

22	Utilities
313	Textile and textile product mills
321	Wood products
331	Primary metal industries
42	Wholesale trade
441	Motor vehicle and parts dealers
443	Electronic and appliance stores
445	Food and beverage stores
447	Gasoline stations
451	Sporting goods, hobby, book, and music stores
452	General merchandise stores
454	Nonstore retailers
623	Nursing and Residential Care Facility
721	Accommodation

#### RATE CLASS 2

11	Agriculture, forestry, hunting and fishing
311	Food manufacturing
315	Apparel
316	Leather and allied products
322	Paper products
323	Printing and related support activities
324	Petroleum and coal products
327	Nonmetallic mineral products
332	Fabricated metal products
333	Machinery
335	Electrical equipment, appliances, and components



- 336 Transportation equipment
- 337 Furniture and related products
- 442 Furniture and home furnishing stores
- 444 Building material and garden equipment and supplies dealers
- 446 Health and personal care stores
- 448 Clothing and accessories stores
- 453 Miscellaneous store retailers
- 48 Transportation, except rail
- 493 Warehousing and storage facilities
- 524 Insurance agents, brokers, and related activities
- 532 Rental and leasing services
- 562 Waste management and remediation services
- 722 Food services and drinking places
- 811 Repair and maintenance
- 8111 Auto repair and maintenance

### **RATE CLASS 3**

- 325 Chemical manufacturing
- 339 Other miscellaneous manufacturing
- 51 Information
- 512 Motion picture and sound recording
- 515 Broadcasting (except internet) and telecommunications
- 517 Telecommunications
- 56 Administrative and support and waste management and remediation services
  
- 561 Administrative and support services
- 71 Arts, entertainment, and recreation
- 712 Museums, Historical Sites and similar institutions

### **RATE CLASS 4**

- 334 Computer and electronic products
- 511 Publishing industries (except 511210)
- 518 Internet service providers, web search portals, and data processing
- 62 Health care and social assistance



## **RATE CLASS 5**

<b>519</b>	Other Information Services
<b>522</b>	Credit intermediation and related activities
<b>53</b>	Real estate and rental and leasing
<b>54</b>	Professional, scientific, and technical services
<b>55</b>	Management of companies
<b>61</b>	Educational services
<b>812</b>	Personal and laundry services
<b>813</b>	Religious, grantmaking, civic, professional, and similar organizations

## **RATE CLASS 6**

<b>21</b>	Mining
<b>531</b>	Real estate

## **RATE CLASS 7**

<b>52</b>	Finance and insurance
<b>523</b>	Securities, commodity contracts, and other financial investments
<b>525</b>	Funds, trusts and other financial vehicles
<b>5311</b>	Lessors of real estate (including mini warehouses and self storage)
<b>5416-5419</b>	Other professional, scientific, and technical services

## **RATE CLASS 8**

<b>23</b>	Construction
<b>4411</b>	Automobile Dealers
<b>4412</b>	Other Motor Vehicle Dealers
<b>482</b>	Rail Transportation
<b>5241</b>	Insurance Carriers
<b>52421</b>	Insurance Brokers for non-admitted Insurance Carriers
<b>7131</b>	Amusement Parks and Arcades
<b>7132</b>	Nonpayout Amusement Machines
<b>71399</b>	All Other Amusement and Recreational Industries (pool tables)
<b>72241</b>	Drinking Places (Alcoholic Beverages) (After Midnight)
<b>72551</b>	Food Services (After Midnight)



## BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Code	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2
21	Mining	6
2211	Electric Power Generation, Transmission and Distribution	8
2212	Natural Gas Distribution	8
22	Utilities	1
23	Construction	8
311	Food manufacturing	2
313	Textile and textile product mills	1
315	Apparel	2
316	Leather and allied products	2
321	Wood products	1
322	Paper products	2
323	Printing and related support activities	2
324	Petroleum and coal products	2
325	Chemical manufacturing	3
327	Nonmetallic mineral products	2
331	Primary metal industries	1
332	Fabricated metal products	2
333	Machinery	2
334	Computer and electronic products	4
335	Electrical equipment, appliances, and components	2
336	Transportation equipment	2
337	Furniture and related products	2
339	Other miscellaneous manufacturing	3
42	Wholesale trade	1
42393	Recyclable Material Merchant Wholesalers (Junk)	1
44-45	Retail trade (see type)	
441	Motor vehicle and parts dealers	1
4411	Automobile Dealers	8
4412	Other Motor Vehicle Dealers	8
442	Furniture and home furnishing stores	2
443	Electronic and appliance stores	1
444	Building material and garden equipment and supplies dealers	2
445	Food and beverage stores	1
446	Health and personal care stores	2



447	Gasoline stations	1
448	Clothing and accessories stores	2
451	Sporting goods, hobby, book, and music stores	1
452	General merchandise stores	1
453	Miscellaneous store retailers	2
454	Nonstore retailers	1
45439	Other Direct Selling Establishments (Peddlers)	1
48-49	Transportation and warehousing (see type)	
482	Rail Transportation	8
486	Pipeline transportation	2
493	Warehousing and storage facilities	2
51	Information	3
511	Publishing industries (except 511210)	4
512	Motion picture and sound recording	3
515	Broadcasting (except internet) and telecommunications	3
517	Telecommunications	3
51711	Cable, DSL, VoIP, etc.	8
518	Internet service providers, web search portals, and data processing	4
519	Other Information Services	5
52	Finance and insurance	7
522	Credit intermediation and related activities	5
523	Securities, commodity contracts, and other financial investments	7
524	Insurance agents, brokers, and related activities	2
5241	Insurance Carriers	8
52421	Insurance Brokers for non-admitted Insurance Carriers	8
525	Funds, trusts and other financial vehicles	7
53	Real estate and rental and leasing	5
531	Real estate	6
5311	Lessors of real estate (including mini warehouses and self storage)	7
532	Rental and leasing services	2
54	Professional, scientific, and technical services	5
5416-5419	Other professional, scientific, and technical services	7
55	Management of companies	5
56	Administrative and support and waste management and remediation services	3
561	Administrative and support services	3
562	Waste management and remediation services	2



61	Educational services	5
62	Health care and social assistance	4
623	Nursing and Residential Care Facility	1
71	Arts, entertainment, and recreation	3
71119	Other Performing Arts Companies (Carnivals and Circuses)	3
712	Museums, Historical Sites and similar institutions	3
7131	Amusement Parks and Arcades	3
7132	Nonpayout Amusement Machines	8
71329	Bingo Halls	3
71399	All Other Amusement and Recreational Industries ( pool tables)	3
721	Accommodation	1
722	Food services and drinking places	2
72241	Drinking Places (Alcoholic Beverages)	8
72251	Food Services (After Midnight)	8
811	Repair and maintenance	2
8111	Auto repair and maintenance	2
812	Personal and laundry services	5
813	Religious, grant making, civic, professional, and similar organizations	5
812	Personal and laundry services	5
813	Religious, grant making, civic, professional, and similar organizations	5

**2017  
Schedule of License Fees - Section 25**

Class	INCOME 0-\$2,000.00	All over \$2,000.00 Rate per thousand or fraction thereof
1.....	\$ 32.00	\$ 1.55
2.....	\$ 37.00	\$ 1.95
3.....	\$ 43.00	\$ 2.35
4.....	\$ 49.00	\$ 2.80
5.....	\$ 55.00	\$ 3.15
6.....	\$ 60.00	\$ 3.50
7.....	\$ 64.00	\$ 3.90
8.....	See individual business in Class 8	

EXAMPLE OF BUSINESS LICENSE FEE CALCULATION		
Class 1 Business.....	Gross Income	\$100,000.00
First \$2,000.00.....	@ \$32.00	\$32.00
\$2,000.00 - \$100,000.00.....	@ \$1.55 per thousand	98 x \$1.55 =
		\$151.90
		+ \$ 32.00
		Total \$183.90

Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no permanent, principal place of business in the City of Charleston. For purposes of this section, Itinerant shall be defined as a person, company, firm, partnership, corporation or entity doing business in the City of Charleston, but having no permanent principal place of business in the City of Charleston." Trailers, model homes, structures, or office spaces occupied by Contractors, Subcontractors, and Construction Managers temporarily during construction shall not constitute a permanent, principal place of business.

"Declining Rate applies in all classes of gross income in excess of \$1,000,000.00  
- excepting where noted differently -

A. Amount (in Millions) Gross Income	Percent of Rate for each additional \$1,000
0 - 1 .....	100 percent
1 - 2 .....	95
2 - 3 .....	90
3 - 4 .....	85
4 - 5 .....	80
Over 5.....	75

**CLASS 8 / RATES**

**NAICS**

230000 – Contractors, Construction, Management, General-Contractor, and types –

The total fee for the amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal expiration date, except that itinerants performing State and Federal jobs in excess of five million dollars (\$5,000,000.00) may pay annually the business license fees equally over the terms of the contract with the first payment due prior to the commencement of work. The declining rate shall apply only to the amount of the contract reported each year.

- Itinerant (No permanent, principal place of business within the city) .....0 - \$2,000.00 .....\$80.00  
over \$2,000.00.....\$3.30 per Thousand
- Subcontractors Itinerant (No permanent, principal place of business within the city) – pays yearly using 1500 rates on previous years income from working in the City which doesn't require a separate permit and works under the General Contractors permit. If performing work that requires a separate permit each job must be updated before permit will be issued.
- Having place of business within the City..... 0 - \$2,000.00.....\$40.00  
.....over \$2,000.00 ..... 1.65 per Thousand

No contractor shall be issued a business license until all state and City qualifications, examination and trade license requirements have been met and all delinquent licenses paid. No contractor shall be issued a business license until all performance and indemnity bonds required by the City Building Code have been filed and approved. Zoning permits must be obtained when required by the City Zoning Ordinance with estimated cost of construction. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the License Inspector a list with the name, address and telephone numbers of all subcontractors.

Subcontractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general contractor for value of work performed by a sub-contractor.

482000 - Railroad Companies. For the first 1000 inhabitants.....\$35.51  
For each additional 1000 inhabitants according to the last Fed census of the city. Up to a maximum total of \$2,000.00 .....\$44.97

517200 – Radio Telephone Communications - ..... Maximum Authorized by SC. Code Sec 58-9-2220 .X gross revenues  
517100 – Telephone Communications – ..... Maximum Authorized by SC. Code Sec 58-9-2220 .X gross revenues

722410, 722511 - (a) - Night Clubs, Cabarets, Taverns, Restaurants, or other similar establishments, which sell or serve beer or wine or permit the consumption of alcoholic beverages on the premises after midnight and which derive thirty-five (35%) percent or more of their gross income from the sale of beer, wine and/or alcoholic beverages.  
On gross receipts not exceeding \$25,000.00 .....\$610.50  
On each additional \$1,000.00 or fraction thereof.....\$7.90 per Thou

**2017**  
**Schedule of License Fees - Section 25**

722410, 722511 (b) - Restaurants which derive less than thirty – five (35%) percent of their gross income from the sale of beer, wine and/or alcoholic beverages ..... and are open after midnight.	
On gross receipts not exceeding \$2,000.00 .....	\$46.26
On each additional \$1,000.00 or fraction thereof .....	\$2.30 per Thou

An addendum to the business license application with a breakdown of total gross income and gross income derived from the sale of beer, wine and/or alcoholic beverages is required to be filed by Class 7 – Section 5813 (a) and Class 8 – Section 722410 (a) establishments. If Class 8-722410 (b) establishments fail to submit an addendum or the addendum fails to separate total gross income from gross income derived from the sale of beer, wine and/or alcoholic beverages, the license fee shall be computed under the rate Class 8-722410 (a).

4412 – Other motor vehicles .....	0 - \$2,000.00 .....	\$32.00
	over \$2,000.00 .....	\$1.10 per Thousand
4411 – Automobile Dealers.....	0 - \$2,000.00 .....	\$32.00
	over \$2,000.00 .....	\$1.10 per Thousand

**Insurance Companies**

**Insurance Companies:** Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office's located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium. As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Solicitation for insurance, receiving or transmitting an application or policy, examination of risk, collection or transmitting an application of a premium, adjusting a claim, delivering a benefit or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not a an office is maintained in the municipality.

Gross premiums shall include all business conducted in the prior calendar year. Gross premiums shall include new and renewal business without deductions for any divided, credit, return premiums or deposit. Declining rates shall not apply.

524113, 524114 Life, Health and Accident .....	0.75% percent of gross Premiums
524126, 524128 Fire and Casualty .....	2% of gross premiums
524127 Title Insurance .....	2% of gross premiums
524210 Brokers for non-admitted insurance carriers .....	2% of gross premiums

Computer Programming Design, Prepackaged Software Design, 541511, 511210, 334611	
First - \$2,000.00 .....	\$10.00
\$2,000.00 - 1 Million .....	55¢ per Thou
1 Million - 2 Million.....	10¢ per Thou
2 Million - 10 Million.....	5¢ per Thou
Over 10 Million .....	2.5¢ per Thou

713200 – Amusements Machines, coin operated – Not included in gross income of businesses where located or not owned by business where located except video poker type machines.....	\$6.44
713990 – Billiard or Pool Tables, all types (Not to be prorated) .....	\$6.44

(Not to be prorated)  
List of machine locations required.

Taxi Decal, Vehicle for Hire Decals.....	\$6.44 per decal per year
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If you have any questions or need assistance with filling out your business license application, please call the Revenue Collections office at 724-3711. Please make checks payable to the City of Charleston.

**MAILING ADDRESS**  
City of Charleston Revenue Collections Office  
P.O. Box 22009  
Charleston, SC 29413-2009

**PHYSICAL LOCATION**  
Revenue Collections Office  
2 George Street, Suite 1700  
Charleston, SC 29401

**If your business closed before the end of 2016, please contact our office so we may update our files.**