

COMMITTEE ON REAL ESTATE

September 26, 2016

A meeting of the Committee on Real Estate was held this date beginning at 4:35 p.m. at City Hall, 80 Broad Street, First Floor Conference Room.

Notice of this meeting was sent to all local news media.

PRESENT

Councilmember White, Chair; Councilmember Moody, and Councilmember Riegel (arrived at 4:39 p.m.) and Mayor Tecklenburg **Staff:** Colleen Carducci, Director of Real Estate Management; Christopher Morgan, Director of Planning; Frances Cantwell, Corporation Counsel, Jennifer Cook, Assistant Clerk of Council **Also Present:** Fred Whittle, Vice President and Chief Operating Officer of Jupiter Holdings, LLC

The meeting was opened with a moment of silence provided by Councilmember White.

APPROVAL OF MINUTES

On a motion of Councilmember Moody, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve the minutes of the September 12, 2016 meeting.

Councilmember Riegel was not present for the vote.

REQUEST APPROVAL FOR THE MAYOR TO EXECUTE THE ATTACHED LEASE AGREEMENT WHEREBY THE CITY LEASES TO MUSC 80 PARKING SPACES LOCATED AT CHARLESTON RIVERDOGS VIP LOT. THE PROPERTY IS OWNED BY THE CITY OF CHARLESTON.

Colleen Carducci, Director of Real Estate Management, stated that this agreement was similar to the Stoney Field Agreement that had been brought before the Committee previously. This agreement will have a few more restrictions and opportunities for the City and the Riverdogs to provide notice to clear the lot for special events. The parking will end before baseball season starts.

Councilmember Moody said he noticed there were five or six special events that were planned and asked about people who park and go to work there every day if it's closed. Colleen Carducci responded that MUSC did a great job managing their parkers and distributed notices in advance and accommodated the parkers elsewhere on campus. MUSC would also have someone at the lot telling employees where to park in case they missed the communication. Councilmember Moody asked when baseball season began, if one parked in the morning and wanted to work until 5:00 p.m., would they have to leave before 5:00 p.m. and how was this handled. Ms. Carducci stated that the first people who arrive in the morning are pushed into lots that have to be vacated, but the people who park there all know they have to be off of the lot by 5:00 p.m. On the large lot, up to 150 can be parked after 5:00 p.m. until 1:00 a.m. when they all have to be off of the lot. She reiterated that MUSC had someone in the lot the entire day monitoring and working with parkers. Mayor Tecklenburg stated that the City was trying to give MUSC every space that it could because they lost spaces due to construction. Ms. Carducci

stated that the City will come back soon to the Committee with another parking agreement for 99 WestEdge, and the agreement will become effective when the garage is completed and the City receives a Certificate of Occupancy for the garage. Councilmember Moody asked if the cars could be moved into the garage, and Ms. Carducci confirmed. She stated that this garage will open as soon as possible, but there are shared easements into the garage where the City has to cross under the apartment building being constructed around it, so they won't be able to access the garage until the building officials allow drive-under access. Councilmember Moody asked if the City could access and use the parking spaces until the apartments were completed. Ms. Carducci said that the City will have space in the garage for just over 300 MUSC vehicles, and they will shift everyone who is parking in the VIP and Stoney lots into the garage. MUSC also has a lot they are constructing with the closing of 10 WestEdge. Chairman White asked if MUSC would be able to deliver the garage before the apartment building was completed. Ms. Carducci stated that this was the goal, and the City was hoping for a temporary Certificate of Occupancy that will allow that. She said it was just a matter of whether or not the apartment building was sufficient to allow the passage of vehicles underneath.

Councilmember Riegel arrived to the meeting at 4:39 p.m.

On a motion of Councilmember Moody, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve the lease agreement whereby the City leases to MUSC 80 parking spaces located at Charleston Riverdogs VIP lot.

REQUEST APPROVAL FOR THE MAYOR TO EXECUTE THE ATTACHED AGREEMENT TO BUY AND SELL REAL ESTATE WHEREBY THE CITY AGREES TO PURCHASE A 1,699 SQUARE FOOT PARCEL LOCATED ON NASSAU STREET FOR \$75,000. [TMS# 459-05-03-005; NASSAU STREET (SOUTH OF LEE STREET AND WEST OF NASSAU STREET)] THE PROPERTY IS OWNED BY EDWARD K. PRITCHARD III.

Ms. Carducci stated that this property was just off of Nassau Street, north of Cooper Street and south of Lee Street. She stated it was in the Parcel A tract that was adjacent to the property that the City is under contract to transfer to the Housing Authority. She said this parcel was right in the center of Parcel A, and it currently had no street frontage. The property is slightly more than the City's appraised value, but it is a key parcel for putting together a more developable parcel for the Housing Authority

On a motion of Councilmember Moody, seconded by Councilmember Riegel, the Committee voted unanimously to approve the agreement to Buy and Sell Real Estate whereby the City agrees to purchase 1,699 square foot parcel located on Nassau Street for \$75,000.

REQUEST APPROVAL FOR THE MAYOR TO EXECUTE THE ATTACHED MEMORANDUM OF AGREEMENT WHEREBY THE CITY AGREES TO ABANDON A PORTION OF ITS EASEMENT INTEREST ON MEETING AND HUGER PLACE, LLC'S PROPERTY. [TMS#459-01-01-017] THIS PROPERTY IS OWNED BY MEETING AND HUGER PLACE, LLC.

Ms. Carducci stated that the City had abandoned Nassau Street north of Huger Street and gave half to each property owner on adjacent sides. When the City did this, it reserved an easement for stormwater and other things that are in this right-of-way, but the City transferred the parcel. The design of the new

development encroaches just over 900 square feet of a triangular portion of the building into the easement area. She stated they had worked with Laura Cabiness, Director of Public Services, her department, and engineers regarding the effect of this, and they could live without it, but preferred to have it. A parking ramp was being built for the development, and in order to get the slope needed for the parking garage, a few extra feet into the right of way were required. Ms. Carducci referred the Committee to a diagram in the agreement displaying the actual easement area, which ran along the dotted line on the inside of the building. It is 12 feet at its widest, and then goes down to three feet at the southern end. The property owner is agreeable to either work with the church on the other side to provide an equal amount of square footage to the east, or if they are not successful in working with the church in order to provide this by the end of this year, then they will pay the City based on the per square footage value of what they purchased their property for. They will assign that to the square footage of the wedge area, which is just over 900 square feet of land. Councilmember Moody asked how they would be moving the wedge. Ms. Carducci explained that the wedge went into the easement area of the City. Councilmember Moody asked about working with the church, and Ms. Carducci said they would acquire a separate wedge or straight line. Ms. Carducci said the owner would be relocating SCE&G electric underground, so they would have the cost of this relocation to facilitate the new development.

Fred Whittle, representing the owner, stated that they had a letter of permission from SCE&G stating they would allow this. Chairman White asked what would be placed on the site. Mr. Whittle responded it would be the parking garage component of the hotel, office, and restaurant that would be on the whole piece, which included this parcel, plus the frontage on Meeting Street. Mayor Tecklenburg asked Mr. Whittle how they were working with the church. Mr. Whittle said they had a great relationship with the church, and the church had been bombarded with requests to sell. Mr. Whittle said he had spoken with the church's attorney who stated that the property was very valuable to the church, and they actually wanted more land if they could get it on the other side because there was another similar easement or right of way that had been abandoned. Mr. Whittle stated they had committed to allowing the church's patrons to park in their garage on Sunday. Mayor Tecklenburg asked what the value would be of the square footage to the City, and Mr. Whittle respond that it was \$22,000. He said the City agreed to value it as of the time the owner purchased it, and he explained they were essentially buying back the easement. Mayor Tecklenburg asked if Public Service had made a determination that, if necessary, they could make do without the 900 square feet on the other side. Colleen Carducci confirmed. Councilmember Riegel stated that as he recalled, they were looking for easements and laydown area for equipment.

On a motion of Councilmember Moody, seconded by Councilmember Riegel, the Committee voted unanimously to approve the attached Memorandum of Agreement whereby the City agrees to abandon a portion of its easement interest on Meeting and Huger Place, LLC's property.

CONSIDER THE FOLLOWING ANNEXATIONS:

- (i). 14 Shadowmoss Parkway (TMS# 358-07-00-007) 0.36 acre, West Ashley (District 10). The property is owned by Paula and Chris Iannuccilli.
- (ii). 7 Arcadian Park (TMS# 418-15-00-069) 0.25 acre, West Ashley (District 3). The property is owned by Kathleen and Josh Bell.
- (iii). 472 Woodland Shores (TMS# 343-16-00-040) 0.30 acre, James Island (District 11). The property is owned by Rolina Homes, LLC.
- (iv). 336 Folly Road (TMS# 424-05-00-029) 0.42 acre, James Island (District 11). The property is owned by George Smythe and David Smythe.

Christopher Morgan, Director of Planning, stated that the first two annexations were single family residences. The third annexation was a single family lot, and the fourth annexation was a commercial building.

On a motion of Councilmember Moody, seconded by Councilmember Riegel, the Committee voted unanimously to approve the four annexations listed above (14 Shadowmoss Parkway, 7 Arcadian Park, 472 Woodland Shores, and 336 Folly Road).

MISCELLANEOUS BUSINESS

Frances Cantwell provided an update on the Flournoy apartment complex stating that it was almost finished, and they were putting irrigation into the park that the City will own. She said they probably would not close by the end of this month, but they would close sometime in October. She was not recommending any action by the Committee because she felt like they had the right to not 'call time' if they wanted to.

Councilmember Moody asked if the park was located from the bridges back towards the Old Turkey's site. Frances Cantwell confirmed and stated that it was about an acre, but it was attached to a much larger area that was under the control of the highway department, and she was sure the City would be asking them to incorporate that land into the park. Councilmember Moody said he was just trying to get a sense of the acreage. He said he knew there was a piece of land there, but the City didn't own most of it. Ms. Cantwell clarified that the land the City received may have been closer to 1.5 acres.

There being no further business, the meeting was adjourned at 4:50 p.m.

Bethany Whitaker
Council Secretary

Jennifer Cook
Assistant Clerk of Council