A meeting of the Community Development Committee will be held at 3:00 pm, Thursday, May 19, 2022 at 80 Broad Street, City Hall Council Chamber and via Conference Call at 1-929-205-6099, Access Code: 759694505. The agenda will be as follows:

- **Invocation**

- **Public Participation**

  *Any person who speaks at a Community Development meeting shall conduct himself or herself in a manner appropriate to the decorum of the meeting and is asked to observe Section 2-28(a) of the Code of the City of Charleston, Rules of Decorum. Violation of the Rules of Decorum may result in the forfeiture of audience before the Committee and/or removal from the meeting.*

  Citizens may request to speak in person at the meeting or can participate virtually by telephone or leave comments for the Committee by completing the form at [http://innovate.charleston-sc.gov/comments/](http://innovate.charleston-sc.gov/comments/). If requesting to speak by telephone, please provide your name and telephone number. Requests to speak at the meeting and comments must be received by 12:00 p.m., Wednesday, May 18th.

- **Approval of Minutes**
  1. April 21, 2022

- **Old Business**
  None

- **New Business:**
  1. Certification of Abandoned Building Site – 95 Line Street/267 Coming Street

  2. Request for funds to support Affordable Housing
     a. Gateway at Charleston Senior Housing, West Ashley
     b. Archer School Senior Housing, Humanities Foundation, Peninsula Charleston

  3. Hope Center Budget and Amendment to Lease Agreement for use of the building at 529 Meeting Street

  4. Funding to Support current & future Affordable and Workforce Housing in the City of Charleston (Electronic Presentation)
5. Board of Architectural Review (BAR) Small Policy Amendments property (Discussion only)

6. Initiative to establish a program for the preservation of heirs property (Discussion only)

Miscellaneous Business

Adjourn

JENNIFER B. COOK
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 three business days prior to the meeting.
October 6, 2021

Abandoned Building Credit Notice
Research and Forms Development
South Carolina Department of Revenue
Columbia, SC 29214-0019

RE: Notice of Intent to Rehabilitate
95 Line Street and 267 Coming Street, Charleston SC – Unit 1

Dear Sir/Madam,

I am writing on behalf of my client, 95 Line Street, LLC (the “Taxpayer”), with respect to the above-noted abandoned building site in Charleston County (the “Building Site”). Unit 1 (the Building Site) consists of a 4,400 square foot existing building located on the real property located at 95 Line Street (Charleston County TMS # 460-08-01-049) and 267 Coming Street (Charleston County TMS #460-08-01-049). Pursuant to S.C. Code Sections 12-67-140(B)(1) and 12-67-120(7), this letter shall serve as my client’s notice of intent to rehabilitate the Building Site in a manner that qualifies for state tax credits under the Abandoned Building Revitalization Act of 2013 (the “Act”).

The Taxpayer intends to renovate the existing building on the Building Site.

The following specific information regarding the rehabilitation is provided pursuant to S.C. Code Section 12-67-120(7):

• Statement of Intent: The Taxpayer, or an affiliate thereof, intends to rehabilitate the Building Site in a manner that qualifies for state income tax credits under the Act.

• Location: 95 Line Street (Charleston County TMS # 460-08-01-049) and 267 Coming Street (Charleston County TMS #460-08-01-049). Unit 1 will comprise the existing 4,400 square foot building located on the real property located at 95 Line Street and 267 Coming Street, and will be commercial space.

• New construction: Two new 2,000 square foot buildings will be constructed at 267 Coming Street as part of the rehabilitation of the entire project, but neither of these buildings will be part of the Building Site for Unit 1.

• Acreage: The Building Site is the property located at 95 Line Street (Charleston County TMS # 460-08-01-049), which is approximately 0.07 acres, more or less, in size, and a
portion of 267 Coming Street (Charleston County TMS #460-08-01-049), which is approximately 0.11 acres, more or less, in size.

- Square footage of Existing Buildings: The existing building on the Building Site contains approximately 4,400 square feet.

- Buildings to be Renovated: The Taxpayer intends to renovate the existing building on the Building Site, with Unit 1 comprising the existing 4,400 square foot building located on the real property located at 95 Line Street and 267 Coming Street.

- Estimated Rehabilitation Expenses: $1,309,439.

The taxpayer elects to receive the income tax credit in the amount of 25% of actual rehabilitation expenses allowed under S.C. Code Section 12-67-140(A)(1).

Please do not hesitate to contact me if you have any questions or need any additional information.

Sincerely,

ROGERS LEWIS JACKSON MANN & QUINN, LLC

[Signature]

Christian L. Rogers

cc: Cameron Glaws
October 6, 2021

Abandoned Building Credit Notice
Research and Forms Development
South Carolina Department of Revenue
Columbia, SC 29214-0019

RE: Notice of Intent to Rehabilitate
95 Line Street and 267 Coming Street, Charleston SC – Unit 2

Dear Sir/Madam,

I am writing on behalf of my client, 95 Line Street, LLC (the “Taxpayer”), with respect to the above-noted abandoned building site in Charleston County (the “Building Site”). Unit 2 (the Building Site) consists of two new 2,000 square foot buildings to be constructed on the real property located at 267 Coming Street (Charleston County TMS #460-08-01-049). Pursuant to S.C. Code Sections 12-67-140(B)(1) and 12-67-120(7), this letter shall serve as my client’s notice of intent to rehabilitate the Building Site in a manner that qualifies for state tax credits under the Abandoned Building Revitalization Act of 2013 (the “Act”).

The Taxpayer intends to renovate the existing building on the Building Site.

The following specific information regarding the rehabilitation is provided pursuant to S.C. Code Section 12-67-120(7):

• Statement of Intent: The Taxpayer, or an affiliate thereof, intends to rehabilitate the Building Site in a manner that qualifies for state income tax credits under the Act.

• Location: 95 Line Street (Charleston County TMS # 460-08-01-049) and 267 Coming Street (Charleston County TMS #460-08-01-049). Unit 2 will comprise two newly constructed 2,000 square foot buildings to be built on the real property located at 267 Coming Street, and will be short term residential space.

• New construction: Two new buildings, each approximately 2,000 square feet, will be constructed at 267 Coming Street as part of the rehabilitation of the entire project, and together these buildings will comprise the Building Site for Unit 2.

• Acreage: The Building Site is a portion of the property located at 95 Line Street (Charleston County TMS # 460-08-01-049), which is approximately 0.07 acres, more or less, in size,
and 267 Coming Street (Charleston County TMS #460-08-01-049), which is approximately 0.11 acres, more or less, in size.

- Square footage of Existing Buildings: The existing building on the Building Site contains approximately 4,400 square feet.

- Buildings to be Renovated: The Taxpayer intends to renovate the existing building on the Building Site, with Unit 2 comprising the two newly constructed 2,000 square foot buildings located on the real property located at 267 Coming Street (Charleston County TMS #460-08-01-049).

- Estimated Rehabilitation Expenses: $1,600,000.

The taxpayer elects to receive the income tax credit in the amount of 25% of actual rehabilitation expenses allowed under S.C. Code Section 12-67-140(A)(1).

Please do not hesitate to contact me if you have any questions or need any additional information.

Sincerely,

ROGERS LEWIS JACKSON MANN & QUINN, LLC

Christian L. Rogers

cc: Cameron Glaws
95 Line Street Record of Abandonment

Prepared By Cameron Glaws, November 16 2021

Photo 1 - 2007 - Plywood Boards secure the empty building, visible inside then then-intact storefront glass doors. Plywood covers the first floor windows on the first floor. (Somewhat obscured in photo.)

Photo 2 - 2011 - Boarding from 2007 Photo Remains on first floor. At this time, a portion of the second floor was lined in (approx 10% of the entire structure). Whether this was a squatter or rent paying tenant is unknown.

Photo 3 - 2013 - Replacement window units appear to have ben installed don the second floor. This was presumably to done to combat severe water intrusion from the physical evidence we have discovered on site.

Photo 4 - 2015 - Floor floor plywood remains, debris now visible though second floor windows, accumulated from vagrants. We removed this debris when we began our controlled demolition of the home’s interior after acquisition. Vagrancy was a problem for years inside this building, and after acquisition, we had the vagrants removed from the property. By this time, no persons legally inhabited the property, or ever would again up to the present day (other than transient vagrancy/ homelessness.)

Photo 5 - 2016 - First floor plywood is now painted in order to cover graffiti. Storefront doors have been painted. Debris from vagrants can be seen situated in the same fashion inside the second story windows.

According to the previous owners, vagrancy remained a problem from the point they acquired the property in 2018 until sold to us in 2021. The glass storefront doors had been vandalized sometime before 2018 and replaced with plywood.
RESOLUTION

Regarding Two (2) Building Sites located at 95 Line Street (Charleston County TMS #460-08-01-049) and 267 Coming Street (Charleston County TMS #460-08-01-199)

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the "Act") was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) "Abandoned Building" means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a "Notice of Intent to Rehabilitate". For purposes of this item, a building or structure that otherwise qualified as an "abandoned building" may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned.

(2) "Building Site" means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes; and
WHEREAS, 95 Line Street, LLC (the "Taxpayer") is the owner and developer of certain real property located at 95 Line Street and 267 Coming Street (the "Property"), as referenced in that certain deed dated June 9, 2020 and recorded June 16, 2020 in the Charleston County Register of Deeds Office in Book 0890 at Page 468, which property is further identified on the Charleston County Tax Maps as TMS No. 460-08-01-049 and 460-01-199; and

WHEREAS, the Taxpayer has subdivided the structure into two separate units as follows:

Unit #1: Existing 4,400 square foot building located at 95 Line Street and 267 Coming Street
Unit #2: Two newly constructed 2,000 square foot buildings to be built on 267 Coming Street

WHEREAS, Unit 1 is being redeveloped for use as commercial space and Unit 2 is being redeveloped as short term residential space (as to each of the two such units, a "Building Site"); and

WHEREAS, on October 6, 2021, the Taxpayer filed a Notice of Intent to Rehabilitate Unit #1 of the Property with the South Carolina Department of Revenue; and

WHEREAS, on October 6, 2021, the Taxpayer filed a Notice of Intent to Rehabilitate Unit #2 of the Property with the South Carolina Department of Revenue; and

WHEREAS, the Property is located within the city limits of Charleston, South Carolina; and

WHEREAS, the Taxpayer has requested that the City certify that each of the Building Sites is abandoned as defined by Sections 12-67-120(1) and (2).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The Taxpayer has submitted to the City a request to certify each of the Building Sites pursuant to Section 12-67-160 of the Act (the "Request to Certify").

Section 2. The City has reviewed the Request to Certify, conferred with the Taxpayer and conducted a review of its records and the Property.
Section 3. The City hereby certifies that (i) each of the two Building Sites constitutes a separate abandoned building site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of each of the Building Sites is consistent with Section 12-67-120(2) of the Act.

RESOLVED this _____ day of [_______], 2022 in City Council Chambers.

________________________________________
John J. Tecklenburg
Mayor

ATTEST:

________________________________________
Jennifer Cook
Clerk of Council
AMENDMENT TO LEASE AGREEMENT
529 Meeting Street, Charleston SC

This Amendment to Lease Agreement ("Amendment") is entered into within intended effect as of the 1st day of May, 2022, by and between KQC INVESTORS, LLC, a North Carolina limited liability company ("Landlord"), and the CITY OF CHARLESTON (the "Tenant").

WHEREAS, Landlord and Tenant entered into a Commercial Lease dated May 10, 2018 (the "Lease"), pursuant to which Landlord leased to Tenant, and Tenant leased from Landlord, that certain land, together with a building thereon, with a street address of 529 Meeting Street, Charleston, South Carolina (the "Premises"); and

WHEREAS, Landlord and Tenant have agreed to amend the Lease to extend the lease term and otherwise as provided herein;

NOW, THEREFORE, in consideration of the foregoing premises and other valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. **Term.** Section 2 of the Lease is amended to provide that the Term shall be extended through April 30, 2023 (the "Expiration Date"), otherwise on the same terms and conditions provided in the Lease, as amended hereby; provided that either party shall have the right to terminate the Lease effective prior to the Expiration Date by giving at least one hundred twenty (120) days' prior written notice to the other party, and after the Expiration Date the Term of the Lease shall continue until either party gives sixty (60) days' prior written notice to the other party.

2. **Maintenance and Repairs.** Section 10 is modified to read as follows: Tenant shall not cause or permit any waste, damage, or injury to the Premises. Tenant agrees to perform major repair work on and replace, if necessary, the current HVAC systems on the Property at its sole cost of approximately $33,000. At the end of this Term, Tenant will have the right to remove these HVAC units prior to demolition of the Premises.

Tenant shall perform normal and routine maintenance to keep the Premises suitable for the comfort and safety of patrons and staff and free from hazardous conditions and deterioration, other than ordinary wear and tear; maintain the Premises in a clean and neat fashion, free of litter and debris, and perform minor (less than $500 in cost) maintenance and replacement of equipment including maintenance of HVAC system, and keep a monthly maintenance log of said repairs and improvements. Tenant’s maintenance and repair obligations described above, and detailed in Section 11, shall not exceed a total of $25,000 during the term of this Lease. Once Tenant has reached its cap, the financial obligation will be shared between Tenant and Landlord; provided, however, that Landlord shall have the option to terminate this Lease in lieu of performing any repairs in excess of Tenant’s cap upon 120 days’ notice.

3. **Regulations and Sanitation.** Section 11 is modified to clarify that Tenant’s maintenance and sanitation obligations during the Term shall include normal maintenance and care for the grounds outside the building and on Premises.

4. **Effect of Modification.** Other than as expressly modified by this Amendment, the Lease shall continue in full force and effect, according to its original terms.
5. **Countersignatures.** This Amendment may be executed in two or more counterparts, each of which shall be deemed an original and together which shall constitute a single agreement.

IN WITNESS WHEREOF, an authorized representative of each of the parties has executed this Amendment effective as of the date first set forth above.
SEPARATE SIGNATURE PAGE TO
AMENDMENT TO LEASE AGREEMENT

529 Meeting Street, Charleston, SC

LANDLORD:

KQC INVESTORS, LLC

By: [Signature]
Matthew B. Marceron, Manager

TENANT:

CITY OF CHARLESTON

By: __________________________

Name: _________________________

Title: _________________________
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*Note: The cost for the initial part time contract is $20,000 and the remaining cost for the first year is $30,000.*
Re: BAR Purview North of Line Street and proposed Policy Statement

Mayor Tecklenburg and Members of the Community Development Committee,

Since the late 1990's, the Board of Architectural Review (BAR) has had demolition purview over buildings south of Mount Pleasant Street that are of a certain age and visible from the public right-of-way. In 2017, after a year and a half of discussions and public meetings, the City of Charleston Zoning Ordinance was amended to update height districts and BAR regulations. The approved amendment included an updated definition for demolition to mean "...the removal of an entire structure or a substantial portion of a structure visible from the public right-of-way or a substantial portion of features of a structure that are visible from the public rights-of-way that define its historic architectural character, such as roofs, columns, balustrades, chimneys, siding, windows, doors, shutters, site walls, fences and other architectural features, which if lost, would compromise the historic architectural character of the structure." Demolition refers to the outright removal, of a structure, partial structure or character-defining element.

The area north of Line Street and south of Mount Pleasant Street is a unique part of the peninsula, encompassing ten diverse historic neighborhoods, in which structures range in date of construction from the late 1800s to the 1940s. While different from the Old and Historic District and the Old City District, primarily due to age, the structures in this district feature Craftsman bungalows, American Foursquares, brick one-and-a-half stories, and period architecture of Italianate, Colonial Revival, Victorian, Queen Anne Revival, and, of course, vernacular styles refined in the city. The district also features civic, commercial, educational, and religious buildings and park spaces. These properties have a high level of integrity and rich detailing, and as evidenced in the 2004 Brockington and Associates, Inc. architectural inventory, many were recommended for the National Register of Historic Places.

In other cities, this district, and its vast range of historic resources, would have additional protections and review oversight. Recognizing the importance of this historic building fabric, BAR safeguards historic building material and features, but receives a large volume of applications pertaining to the demolition of historic building material and character-defining elements in this district. As outlined in the 2004 architectural survey, one of the biggest threats endangering the district, along with destruction of historic resources and new construction of visually incompatible structures, is the threat...

2 George Street • Suite 3100 • Charleston, South Carolina 29401 • Tel. (843) 724-3765 • Fax (843) 724-3772
...from historically inappropriate alterations and additions to historic architectural resources. Often small, these changes eventually can completely change a building and obscure its historic qualities. When enough historic resources are destroyed or altered, an area's historic character is lost.

Historic building material should always be repaired rather than replaced. The BAR is guided, per the Ordinance, by the Secretary of Interior's Standards for the Treatment of Historic Properties, which encourages retention and repair rather than replacement.

BAR recognizes the need for flexibilities to allow for staff-level review as well as the need for flexibilities for some property owners due to cost prohibitive repairs. Consequently, city staff have drafted a policy statement outlining materials that could be acceptable in lieu of repairing or restoring character-defining features on these buildings. In addition, the policy statement helps to explain BAR's work in this area of the city. It does not change or expand BAR purview.

The policy statement shares specific information on window, roof, column, siding, and shutter replacement. The city observes some projects which have significantly altered the character of an original structure, altered the character and nature of the streetscape, or are insensitive intrusions which do not harmonize with their surroundings. However, the policy statement does not address new construction, additions, alterations, and elevations in this, as BAR purview is only over historic materials' demolition.

Sincerely,

[Signature]

Tory J. Parish
City Architect & Preservation Officer
City of Charleston