CITY COUNCIL

A. Roll Call

B. Invocation – Councilwoman Jackson

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation recognizing Nigel Redden Day

2. Proclamation recognizing Emma Navarro Day

3. Proclamation recognizing Caribbean American Heritage Month and Charleston Carifest Days

4. Proclamation recognizing World Elder Abuse Awareness Day

5. Proclamation recognizing National Collector Car Appreciation Day *(Requested by Councilmember Kevin Shealy)*

6. Proclamation recognizing National Home Ownership Month

E. Public Hearings

*Any person who speaks at a City Council 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.*

Citizens may sign-up to speak in person at the Council meeting until 5:00 p.m. at the meeting location.

If participating virtually, citizens may use one of the following methods to request to speak at the meeting or provide comments for City Council. **Requests to speak at the meeting and comments must be received by 12:00 p.m., Monday, June 14th:**

1. Request to speak (via Zoom or telephone) or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;
2. Request to speak (via Zoom or telephone) or leave a comment for City Council by completing the form at [http://innovate.charleston-sc.gov/comments/](http://innovate.charleston-sc.gov/comments/).

3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1505 Greenleaf Street (Peninsula) (approximately 1.42 acre) (TMS #464-10-00-120, 124 and 006) (Council District 4), be rezoned from Heavy Industrial (HI) and 2.5 Old City Height District classifications to Upper Peninsula (UP) and 4-12 Old City Height District classifications. The property is owned by Cooper River Corporation, LLC.

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is part thereof, so that property located at 84 Sheppard Street (Peninsula) (approximately 0.067 acres) (TMS #460-04-04-079) (Council District 4) be rezoned from General Business (GB) Classification to Planned Unit Development (PUD) classification (Sheppard Street PUD), and by amending the Sheppard Street Planned Unit Development (PUD) Development Guidelines, PUD 2020-000013 (Ordinance Number 2020-125) to allow up to an aggregate of three (3) accommodations use units on 84 and 86 Sheppard Street.

3. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines (originally adopted by Ordinance #2015-078 and last amended by Ordinance #2018-095) located off Clements Ferry Road (Cainhoy) (approximately 36.09 acres) (original TMS# 267-00-00-004, 005, 010, 050 through 057, 069 and 071) and by changing the Zone Map to include property located on Clements Ferry Road (Cainhoy) (Berkeley County) (approximately 0.15 acre) (TMS# 271-00-02-153) (Council District 1), in the PUD. The property is owned by Marshes at Cooper River Homeowners Association et al. (SECOND READING)

4. An ordinance to amend Section 54-604 (Developments that require TRC approval) of Article 6 (Land Development Plan Review) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance) to update the list of development project types that require the approval of the Technical Review Committee

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 807 Savage Road (West Ashley) (approximately 0.193 acre) (TMS #309-15-00-053) (Council District 7), annexed into the City of Charleston May 11, 2021 (#2021-071), be zoned Diverse Residential (DR-12) classification. The property is owned by Andrew Dufresne and Grace duFresne.

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 1453 S Edgewater Drive (West Ashley) (approximately 0.47 acre) (TMS #349-13-00-008) (Council District 11), annexed into the City of Charleston May 25, 2021 (#2021-078), be zoned Single-Family Residential (SR-1) classification. The property is owned by Constantine D and Cherie A Liollio.

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. May 25, 2021
H. Citizens Participation Period

*Any person who speaks at a City Council 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.*

Citizens may sign-up to speak in person at the Council meeting until 5:00 p.m. at the meeting location.

If participating virtually, citizens may use one of the following methods to request to speak at the meeting or provide comments for City Council. Requests to speak at the meeting and comments must be received by 12:00 p.m., Monday, June 14th:

1. Request to speak or leave a comment via voice mail at 843-579-6313. If requesting to speak, please provide your name and telephone number;

2. Sign-up to speak or leave comments for City Council by completing the form at [http://innovate.charleston-sc.gov/comments/](http://innovate.charleston-sc.gov/comments/) by Monday, June 14th at 12:00 p.m.

3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

I. Petitions and Communications:

1. Appointments:
   a. Design Review Board:
      - Erica Chase (Reappointment)
      - Dinos Liollio (Reappointment)
      - James (Andy) Smith (Reappointment)
      - Ashley Jackrel (New Appointment)
      - Stephanie Tillerson (New Appointment)
      - Ben Whitener (New Appointment)
   b. Board of Zoning Appeals (Zoning):
      - John Bennett (Reappointment)
      - Allison Grass (Reappointment)
      - Walter Jaudon (Reappointment)
   c. Board of Zoning Appeals (Site Design):
      - Paula Murphy (Reappointment)
      - Jeff Webb (Reappointment)
      - Jennifer DeCiantis (New Appointment)
d. Bicycle and Pedestrian Advisory Committee:
   Adriana Lopez Hernandez (New Appointment)

e. Minority and Women Business Enterprise Advisory Board:
   Dr. Shawn Gathers (New Appointment)
   Joan Berry Robinson (Reappointment)

2. Appointment of Susan Herdina -- Administrative Judge, Municipal Court

3. Appointment of Wilbur Johnson -- Corporation Counsel, City of Charleston

4. Emergency Ordinance Extending Certain Emergency Ordinances related to COVID-19

J. Council Communications:

   1. Resolution in support of Peace in the Holy Land and the City of Charleston *(Requested by Councilmember Ross Appel)*

K. Council Committee Reports:

   1. Committee on Community Development: *(Meeting was held Thursday, May 26, 2021 at 4:30 p.m.)*
      a. New Business:
         (i) Update and presentation – Rental Assistance Demonstration Program – Charleston Housing Authority
         (ii) Presentation – Charleston Redevelopment Corporation
         (iii) Presentation – Homeless to Hope Center
         (iv) Laurel Island Workforce Housing
         (v) Update – Laurel Island Development Agreement and Infrastructure Agreement
         (vi) Director’s Report: Department of Housing & Community Development
      b. Old Business

   2. Committee on Human Resources: *(Meeting was held Thursday, June 3, 2021 at 12:00 p.m.)*
      a. New Business:
         (i) Review – COVID Update
         (ii) Employee Demographics Report
         (iii) Employee Turnover Update
         (iv) New Recruitment Applicant Management System
         (v) Employee Compensation
         (vi) Healthcare and Supplemental Insurance plans
         (vii) Employee Leave / Family Leave Discussion
         (viii) Transgender Equality Resolution
      b. Old Business
      c. Other Business
Give first reading to the following Resolution:

A Resolution of the Mayor and the City Council of Charleston, South Carolina, in support of the transgender community; and directing the City Clerk to transmit this Resolution to the Governor, the Senate President, and the House Speaker

3. Committee on Public Safety: (Meetings were held Thursday June 10, 2021 at 2:00 p.m. and Monday, June 14, 2021 at 1:00 p.m.)

Thursday, June 10th:

(Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to interview candidates for Municipal Judge

Monday, June 14th:

a. Notice of submission of a Letter of Support for MUSC’s application to the OJJDP FY21 Comprehensive Youth Violence Prevention and Reduction Program to provide hospital based violence intervention services as well as community level street outreach mentorship services through Youth Advocate Programs. (To be sent under separate cover by the Police Department)

b. Presentation of proposal by Lens Foundation. Lens Foundation is a non-profit that will provide funds to community members and organizations in need that are identified by CPD to strengthen CPD’s relationship with community.

c. Amended Street Vendor Ordinance (See also City Council Agenda, Second Readings, Item #L-6)

d. An ordinance to amend the Code of City of Charleston, South Carolina, Chapter 3, Article II: Wine and Beer, Section 3-16: hours of sale restricted to add alcoholic liquors and alcohol-infused products and update list of commercial establishments.

Give first reading to the following bills from Public Safety:

An ordinance to amend the Code of City of Charleston, South Carolina, Chapter 3, Article II: Wine and Beer, Section 3-16: hours of sale restricted to add alcoholic liquors and alcohol-infused products and update list of commercial establishments.

4. Committee on Traffic and Transportation: (Meeting was held Monday, June 14, 2021 at 2:30 p.m.)

a. King St Road Safety Study (Line to Huger) (Information Only)

b. An ordinance to amend Chapter 19 of the Code of the City of Charleston by amending Article XVII, Section 19-493, to update dumpster permit fees; to add a new Article XX providing an amended definition for Right-of-Way Obstructions, a new fee for full street closures and partial street obstructions, and other right-of-way obstruction fees such as metered parking space and non-metered parking space permit fees; and adopting a fee schedule therefore, attached hereto and incorporated herein by reference as Exhibit 1.
c. Pedicab Ordinance and Contract Renewals  
   (Information Only)

d. Director’s Update

e. Discussion

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

An ordinance to amend Chapter 19 of the Code of the City of Charleston by amending Article XVII, Section 19-493, to update dumpster permit fees; to add a new Article XX providing an amended definition for Right-of-Way Obstructions, a new fee for full street closures and partial street obstructions, and other right-of-way obstruction fees such as metered parking space and non-metered parking space permit fees; and adopting a fee schedule therefor, attached hereto and incorporated herein by reference as Exhibit 1.

5. Committee on Public Works and Utilities: (Meeting was held Monday, June 14, 2021 at 4:30 p.m.)

a. Stormwater Management Department Update:

   (i) Spring Fishburne/US17 Tunnel Project – Approval of a professional services contract with Salmons Dredging Corp. in the amount of $181,875.00 for providing access support to the 1-year warranty inspection of the deep tunnel system installed in Phase 3 of the project.

   (ii) Forest Acres – Update on 5th Ave water quality/bulk object screen replacement.

   (iii) King/Huger – Update on Project Construction Activity

6. Committee on Ways and Means:

(Bids and Purchases
(Human Resources Department: Approval to submit the CDC Closing the Gap with Social Determinants of Health Accelerator Plan Grant in the amount of $125,000 to address health disparities and chronic diseases. No City match is required.
(Recreation Department: Approval to submit a grant application to offer the USDA Summer Foods Service Program. The effective date will be June 21, 2021. Funding is provided through the SC Department of Education to the City of Charleston as the local sponsoring agency. Due to time constraints, this grant was submitted on June 1st. No City match is required. This is an after-the-fact approval.
(Budget Finance and Revenue Collections: An ordinance to amend the Public Infrastructure Improvements Agreement dated as of September 15, 2015, as amended, between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto.
(Budget Finance and Revenue Collections: An ordinance providing for and approving a Public Infrastructure Improvements Agreement between the City of Charleston and Morrison Yard Owner, LLC, a Delaware Limited Liability Company and TKC-ODP
Morrison LLC, a South Carolina Limited Liability Company; and other matters relating thereto.

(Police Department: Approval of an application to the FY21 Paul Coverdell Forensic Science Improvement Grants Program to fund $55,512 for two (2) indirect contact narcotic and pharmaceutical drug identification instruments to be used in the field and in the forensics lab. This application is due on July 8, 2021. This project does not require a match.

(Police Department: Approval of an application to the FY21 Comprehensive Opioid Stimulant and Substance Abuse Site-based Program to embed a Peer Recovery Specialist in law enforcement. The grant is for three years. Positions will be eliminated at the end of the grant period. This application is due on June 21, 2021. This project does not require a match.

(Stormwater Management: Approval of a professional services contract with Salmons Dredging Corp. in the amount of $181,875 for the 1-year warranty inspection of the Spring-Fishburne stormwater deep tunnel system. Approval of the professional services contract will obligate $181,875 of the $49,103,759.50 project budget. The funding sources for this project are: State Infrastructure Bank ($49,000,000), Capital Contribution ($61,759.50), and Drainage Fund ($42,000).

(Parks-Capital Projects: Approval of a Construction Contract with ICC Commonwealth in the amount of $575,884 for the disassembly of the interior liners of the St. Julian Devine Smokestacks. 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 Construction Contract will obligate $575,884 of the project budget $3,098,069.36. Funding sources for this project are: 2015 General Fund Reserves ($250,000), 2016 General Fund Reserves ($400,000), Cooper River Bridge TIF ($2,340,000), and Charleston Parks Conservancy Contribution ($108,069.36).

(Parks-Capital Projects: Approval of West Ashley Greenway Improvements (Stinson to Parkdale) Fee Amendment #2 with Jon Guerry Taylor & Associates, Inc., in the amount of $20,500 for permitting and engineering services, design, coordination and construction administration services for the Phase 2 foot-bridge replacement portion of the project. Approval of Fee Amendment #2 will increase the professional services contract by $20,500 (from $34,800 to $55,300). Funding sources for this project are: 2013 General Fund Reserves ($214,016.57), 2016 General Fund Reserves ($100,000) and 2018 General Fund Reserves ($235,000).

(Parks-Capital Projects: Approval of International African American Museum GMP Change Order #12 with Turner Construction Company in the amount of $345,414 for the installation of the new Sony Display Walls, adding additional data infrastructure, adding additional exhaust fans, changes to the millwork and countertops to quartz, addition of 24 lockers, changing the height of toilet partitions and adding pocket doors. Funding is coming from the IAAM. Approval of Change Order #12 will increase the Guarantee Maximum Price (GMP) Contract by $345,414 (contract total $59,829,652). Funding sources for this project are: Accommodations Tax ($13,200,000), Charleston County Accommodations Tax ($12,500,00), State Funding ($14,000,000), IAAM Contributions ($53,000,000).

(Parks-Capital Projects: Approval of CPD Forensic Services Building Change Order #9 with Hill Construction Services of Charleston, Inc., in the amount of $166,052.296 for the addition of a door release/lock button and aiphone master station/pc station, additional rubber base for the vehicle bays, data drops in the mechanical rooms and to upfit the PRT room. Change Order #9 will add 259 days to the substantial completion date. Approval of Change Order #9 will increase the construction contract by
$166,052.29 (from $9,537,486.76 to $9,703,539.07). Funding sources for this project are: 2015 IPRB ($7,392,186) and 2017 IPRB ($5,000,000).

(An ordinance to authorize the Mayor to execute a General Agreement between the U.S. Department of Interior; National Park Service; Fort Sumter and Fort Moultrie National Historic Parks; The South Carolina Aquarium and City of Charleston Department of Parks for Joint Operations at Liberty Square. (Liberty Square/Aquarium Site). The property is owned by the City of Charleston. [Ordinance]

(Request for approval authorizing the Mayor to execute on behalf of the City an easement to Dominion Energy in order to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a lot of land containing 4.42 acres, more or less, and being the same lands conveyed to Grantor by deed of 1776, LLC, dated and recorded 6/11/2020, and filed in the Register of Deeds office for Charleston County in Deed Book 0889 at Page 478. The property is owned by City of Charleston. (River Road and Maybank Highway) (TMS No. 346-00-00-813)

(Request for approval authorizing the Mayor to execute on the behalf of City an easement to Dominion Energy in order to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract of land containing 11.73 acres, more or less, and being the same lands conveyed to Grantor by deed of 1776, LLC, dated or recorded 6/11/2020, and filed in the Register of Deeds office for Charleston County in Deed Book 0889 at Page 475. The property is owned by the City of Charleston. (River Road and Maybank Highway) (TMS No. 346-00-00-04)

(Request approval for the Mayor to execute a Memorandum of Understanding with Transdev Services, Inc. regarding non-exclusive use of a parking lot for CARTA driver training purposes. The property is owned by the City of Charleston. (14 Sumar Street Parking Lot)

(Request authorization for the Mayor to execute a Temporary Access Agreement between the City of Charleston and GMS Cannon, LLC, granting the City access to 144 and 146 Cannon St. as a temporary construction easement and laydown area to facilitate portion(s) of the Spring/Fishburne stormwater project. The property is owned by GMS Cannon, LLC. (144 Cannon St. and 146 Cannon St.) (TMS Nos. 460-11-04-150 and 460-11-04-151)

(Request authorization for the Mayor to execute the attached Easement Agreement between the City of Charleston and the Charleston Area Regional Transportation Authority (CARTA) for the installation and maintenance of a bus bench. The property is owned by the City of Charleston. (44 America St.) (TMS No. 459-09-04-025)

(Request that the City of Charleston City Council authorize the Mayor to execute the necessary documents for the City’s acceptance of 1.1 acres of donated land on Heriot Street from HR Charleston VI, LLC, in exchange for 48 housing credits. The property will be used for the development of rental workforce or for sale (homeownership) housing. (2112-2114 Heriot Street, Charleston, SC 29401) (TMS Nos. 464-13-00-008, 464-13-00-011, 464-13-00-012, 464-13-00-013, and 464-13-00-023) [Ordinance]

(Consider the following annexations:
-- 1351 Ashley River Road (0.25 acre) (TMS# 418-05-00-001), West Ashley, (District 7). The property is owned by Shubh Labh of Charleston, LLC.
-- 1349 Ashley River Road (0.28 acre) (TMS# 418-05-00-002), West Ashley, (District 7). The property is owned by Graphic Glamour Holdings LLC.
-- 420 Arlington Drive (0.25 acre) (TMS# 310-12-00-083), West Ashley, (District 5). The property is owned by Olivia L. Vedad.
-- 2147 and 2151 River Road (4.78 acres) (TMS# 315-00-00-110; 315-00-00-048), Johns Island, (District 5). The property is owned by Abbi Lake Beckford.

(Request approval for the Mayor to execute a Memorandum of Understanding with Middle Street Partners regarding the continued use of an area under the I-26 overpass for construction storage)

(Executive Session pursuant to Section 30-4-70(a)(2) of the South Carolina Code, to discuss contractual negotiations for the purchase of a Greenbelt grant property.

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

An ordinance to amend the Public Infrastructure Improvements Agreement dated as of September 15, 2015, as amended, between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto.

An ordinance providing for and approving a Public Infrastructure Improvements Agreement between the City of Charleston and Morrison Yard Owner, LLC, a Delaware Limited Liability Company and TKC-ODP Morrison LLC, a South Carolina Limited Liability Company; and other matters relating thereto.

An ordinance to authorize the Mayor to execute a General Agreement between the U.S. Department of Interior; National Park Service; Fort Sumter and Fort Moultrie National Historic Parks; The South Carolina Aquarium and City of Charleston Department of Parks for Joint Operations at Liberty Square. (Liberty Square/Aquarium Site). The property is owned by the City of Charleston.

An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston ("City"), a Donation Agreement under which HR Charleston VI, LLC will convey to the City approximately 1.1 acres of real property on Heriot Street, designated as Charleston County TMS Nos. 464-13-00-008, 464-13-00-011, 464-13-00-012, 464-13-00-013, and 464-13-00-023, for the development of Workforce Housing Units to satisfy a land donation requirement in the Magnolia Development Agreement, adopted by Ordinance No. 2015-162, as amended by Ordinance No. 2018-005, and to receive forty-eight (48) credits toward the workforce housing requirement in the Magnolia Development Agreement.

An ordinance to provide for the annexation of property known as 2147 and 2151 River Road (approximately 4.78 acres) (TMS# 315-00-00-110; 315-00-00-048), 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 Abbi Lake Beckford.

An ordinance to provide for the annexation of a portion of the property known as 420 Arlington Drive (approximately 0.25 acre) (TMS# 310-12-00-083), 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 5. The property is owned by Olivia L. Vedad.
An ordinance to provide for the annexation of property known as 1349 Ashley River Road (approximately 0.28 acre) (TMS# 418-05-00-002), 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 Graphic Glamour Holdings LLC.

An ordinance to provide for the annexation of property known as 1351 Ashley River Road (0.25 acre) (TMS# 418-05-00-001), 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 Shubh Labh of Charleston LLC.

L. Bills up for Second Reading:

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

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2012 Meeting Street Road (Peninsula) (approximately 0.32 acre) (TMS #466-16-00-012) (Council District 4), be rezoned from General Business (GB) classification to Light Industrial (LI) classification. The property is owned by Myron H. Herron.

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 1908 2nd Drive (West Ashley) (approximately 0.20 acre) (TMS #350-05-00-006) (Council District 7), annexed into the City of Charleston April 13, 2021 (#2021-054), be zoned Single-Family Residential (SR-2) classification. The property is owned by John H. and John J. Tecklenburg.

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 738 Saint Andrews Boulevard (West Ashley) (approximately 0.26 acre) (TMS #418-15-00-081) (Council District 3), annexed into the City of Charleston April 13, 2021 (#2021-053), be zoned General Office (GO) classification. The property is owned by Robert A. Limehouse, IV.

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 3919 Savannah Highway (West Ashley) (approximately 1.83 acres) (TMS #285-00-00-205) (Council District 5), annexed into the City of Charleston April 27, 2021 (#2021-058), be zoned General Business (GB) classification. The property is owned by Lillie and Carl Smalls.

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 a portion of Floyd Drive (West Ashley) (approximately 0.22 acre) (previously unzoned right-of-way) (Council District 5), be zoned General Business (GB) classification. The property is owned by City of Charleston.

6. An ordinance to amend the Code of City of Charleston, South Carolina, Chapter 17, Article V, Division 8-Vending, Section 17-121 to add a new Section 17-121 (b), Rules and Regulations for mobile street vendor vehicles operating on private property in the Central Business District. (AS AMENDED)

7. An ordinance amending Ordinance No. 2020-007 by authorizing the Mayor to execute, on behalf of the City of Charleston ("City"), the First Amendment to the Transfer Agreement between the City and JJR Development, LLC, to permit the closing on the transfer of
property located at 67 America Street and currently designated as Charleston County TMS No. 459-09-02-132 from the City to JJR Development, LLC to occur on or before September 30, 2021, and by authorizing the Mayor to execute all documents necessary to consummate the transaction described in the Transfer Agreement, as amended.

8. An ordinance authorizing the Mayor to execute on behalf of the City of Charleston a Permanent Easement between the City of Charleston and the Commissioners of Public Works of the City of Charleston whereby the City grants to the Charleston Water System (CWS) a Permanent Utility/Access Easement attached to this Ordinance and incorporated herein for property owned by the City on Murray Boulevard in the City of Charleston, as shown on attached Exhibit A, and subject to the permitted exceptions set for in attached Exhibit B, for consideration of the sum of one million and no/100 dollars.

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 584 Meeting Street (Peninsula) (approximately 1.623 acres) (TMS #459-01-03-045) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2WH) classification. The property is owned by 584 Meeting Street LLC. (DEFERRED FOR PUBLIC HEARING) (Expires May 25, 2022)

10. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to create a Special Parking District Overlay Zone for the purpose of eliminating minimum off-street parking requirements applicable to certain uses within the district and to change the Zone Map, which is a part thereof, so that properties designated as Charleston County TMS Nos. 457-04-02-007 to 012, 457-04-02-014 to 033, 457-04-02-035 to 041, 457-04-02-081, 457-04-02-111, 457-04-02-113 to 134, 457-04-02-157 to 172, 457-04-02-175 to 182, 457-04-02-184 to 191, 457-04-02-193 to 194, 457-04-04-009 to 023, 457-04-04-039, 457-04-04-041 to 047, 457-04-04-092, 457-04-04-094 to 105, 457-04-04-107 to 111, 457-04-04-117, 457-04-04-129 to 130, 457-04-04-150 to 154, 457-04-04-157 to 160, 457-04-04-163, 457-04-04-167 to 201, 457-04-04-258 to 269, 457-04-04-271 to 277, 457-04-04-307 to 320, 457-04-04-322, 457-08-01-039 to 044, 457-08-01-046, 457-08-01-048 to 064, 457-08-01-072, 457-08-01-078, 457-08-01-080, 457-08-01-088 to 090, 457-08-01-095 to 117, 457-08-01-125 to 127, 457-08-01-141 to 156, 457-08-01-163, 457-08-02-020 to 026, 457-08-02-032 to 038, 457-08-02-135, 457-08-02-159 to 161, 457-08-04-003, 457-08-04-015 to 017, 457-08-04-019, 457-08-04-0191, 457-08-04-020 to 032, 457-08-04-035 to 040, 457-08-04-42, 457-08-04-088, 457-08-04-091, 457-08-04-131, 457-08-04-133 to 134, 457-08-04-137 to 143, 457-08-04-148 to 149, 457-08-04-154 to 156, 457-08-04-184 to 188, 457-12-02-009 to 010, 457-12-02-041, 457-12-02-046 to 049 and 457-12-04-015 be included within the Special Parking District (SPD) Overlay Zone. (DEFERRED FOR PUBLIC HEARING) (Expires May 25, 2022)

11. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Article 2, Part 3, Table of Permitted Uses to add Utility-Scale Battery Storage Facilities as a principal use category and make this use a permitted use within the Light Industrial and Heavy Industrial Zoning Districts. (DEFERRED)(Expires March 23, 2022)

12. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 114 Magnolia Road (West Ashley) (approximately 0.20 acre) (TMS #418-13-00-166) (Council District 3), pending annexation into the City of
Charleston, be zoned Single-Family Residential (SR-2) classification. The property is owned by Matt Prendergast. (DEFERRED) (Expires March 23, 2022)

13. An ordinance to provide for the annexation of property known as 114 Magnolia Road (0.20 acre) (TMS# 418-13-00-166), 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 3. The property is owned by Matt Prendergast. (DEFERRED)

14. An ordinance to amend Sec. 2-23(b) of the Code of the City of Charleston to provide for keeping summary minutes and video recordings of its proceedings. (DEFERRED)

15. An ordinance to provide for the annexation of property known as 3338 Maybank Highway (approx. 1.1 acre) (TMS# 279-00-00-035), 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 Consultants, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)

16. An ordinance to provide for the annexation of property known as 3328 Maybank Highway (approx. 4.588 acre) (TMS# 279-00-00-031), 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 Kulick Properties, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)

17. An ordinance to provide for the annexation of property known as 3320 Maybank Highway (approx. 2.278 acre) (TMS# 279-00-00-029), 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 1108 St Gregory St, LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)

18. An ordinance to amend Chapter 29, Article V1, Sec. 29-240 of the Code of the City of Charleston pertaining to the procedure of accident reporting. (DEFERRED)

19. An ordinance to amend Article III (Stormwater Management Utility) of Chapter 27 (Stormwater Management and Flood Control) of the Code of the City of Charleston, South Carolina, by eliminating the “Homestead Exemption” in Sec. 27-140(a), applicable to the payment of Stormwater Utility Fees; by deleting Sec. 27-132(j), (k), and (l), which contain certain findings associated with the adoption of the “Homestead Exemption” with respect to Stormwater Utility Fees; and to provide that the elimination of the “Homestead Exemption” in Sec. 27-140(a) shall not apply until January 1, 2020. (DEFERRED FOR PUBLIC HEARING)

M. Bills up for First Reading:

1. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1349 Ashley River Road (West Ashley) (approximately 0.28 acre) (TMS #418-05-00-002) (Council District 7), to be annexed into the City of Charleston, be zoned General Business (GB) classification. The property is owned by Graphic Glamour Holdings LLC.

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1351 Ashley River Road (West Ashley) (approximately 0.25 acre) (TMS #418-05-00-001) (Council District 7), to be annexed into the City of Charleston, be
zoned General Business (GB) classification. The property is owned by Shubh Labh of Charleston LLC.

N. Miscellaneous Business:

1. The next regular meeting of City Council will be Tuesday, July 20, 2021 at 5:00 p.m.

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.
PROCLAMATION

WHEREAS,  NIGEL REDDEN was born in Cyprus to well-traveled parents, his father an American diplomat and his mother a citizen of New Zealand, and later lived with his family in Israel, Toronto, England, Washington, DC and Naples, Italy, ultimately attending boarding school in Rome from the age of 12; and

WHEREAS,  it was during those years in Rome, spent exploring the ruins and old tombs, that a young NIGEL REDDEN first began to develop what became a lifelong appreciation of world history and culture; and

WHEREAS,  NIGEL REDDEN later attended Yale University, where he studied art history and continued practicing the Italian language. It was through the school’s Italian Department that he landed a summer job as an interpreter at Gian Carlo Menotti’s Festival Dei Due Mondi; and

WHEREAS,  through that summer job, and the opportunity it provided to attend the festival’s performances for free, NIGEL REDDEN was introduced to figures such as Merce Cunningham, John Cage, Ezra Pound, and Willem de Kooning, and began to imagine the impact the arts could have on his life and career; and

WHEREAS,  NIGEL REDDEN went on to work at the Brooklyn Academy of Music and Walker Art Center, and later led the dance program for the National Endowment of the Arts and worked as executive director of the Santa Fe Opera; and

WHEREAS,  it was 1986 when NIGEL REDDEN once again teamed up with Menotti at the Spoleto Festival USA and, through two extraordinary terms of service, Redden not only proved himself to be an impressive fundraiser and financial steward of the festival, but a visionary leader and an internationally acclaimed champion of the arts; and

WHEREAS,  having successfully steered the festival through the recession of 2008-2009 and the first full program cancelation in 2020, which was necessitated by the coronavirus pandemic, NIGEL REDDEN’s name has become synonymous with steady leadership and astute fiscal management; and

WHEREAS,  this year’s festival marks the 35th and final season under NIGEL REDDEN’s leadership as general director. During his impressive tenure, Redden has managed each season’s 17 straight days of performances from wide-ranging genres. He has raised millions of dollars each year to bring the festival to the public and dutifully administered its multi-million-dollar budget. And he has won the trust and esteem of artists and performers around the world who, year after year, welcome his invitation to travel to Charleston to perform; and

WHEREAS,  on behalf of the citizens of Charleston and all who have enjoyed the fruits of his labor of love, I would like to sincerely thank NIGEL REDDEN, not just for the more than 4,500 performances staged during his time as general director, but for the lasting impression his passion for the arts has left on a community so deeply rooted in history and culture, and on those around the world.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim June 15, 2021 as:

NIGEL REDDEN DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in the year of 2021.

John J. Tecklenburg, Mayor
PROCLAMATION

WHEREAS, EMMA NAVARRO was born in New York and moved to Charleston South Carolina with her family when she was four; and

WHEREAS, EMMA NAVARRO began playing tennis on the courts at MUSC, and later played with her father and siblings at Hazel Parker Playground in Charleston; and

WHEREAS, EMMA NAVARRO is an Ashley Hall graduate and was selected as the High School Player of the year by the Post and Courier; and

WHEREAS, EMMA NAVARRO was the top tennis recruit in the nation and chose to play at the University of Virginia; and

WHEREAS, EMMA NAVARRO was named the ACC Player of the Year for her freshman season; and

WHEREAS, EMMA NAVARRO competed in the NCAA Singles Championship and won the title on May 28, 2021 and will now receive a wildcard entry into the US Open in 2021; and

WHEREAS, EMMA NAVARRO continues to represent her city and state well both on and off the tennis courts, and we are proud to honor her for all of her hard work, ultimately earning her the impressive title of NCAA Champion.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim June 15, 2021 as:

EMMA NAVARRO DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in the year of 2021.

John J. Tecklenburg, Mayor
PROCLAMATION

WHEREAS, during Caribbean American Heritage Month, we celebrate the tremendous contributions of Caribbean Americans to the fabric of our Nation, and we pay tribute to the common culture that unites the United States and Caribbean countries; and

WHEREAS, for centuries, Caribbean Americans have enriched our society and added to the strength of America, and they have been leaders in government, sports, entertainment, the arts, and many other fields; and

WHEREAS, during the month of June, we also honor the friendship between the United States and the Caribbean countries. We are united by our common values and shared history, and I join all Americans in celebrating the rich Caribbean heritage and the many ways in which Caribbean Americans have helped shape this Nation;

WHEREAS, I encourage all our citizens to learn more about the history of Caribbean Americans and their remarkable contributions to our communities.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor, City of Charleston, do hereby proclaim the month of June 2021 as:

CARIBBEAN AMERICAN HERITAGE MONTH

and June 17-20, 2021 as:

CHARLESTON CARIFEST DAYS

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in year of 2021.

John J. Tecklenburg, Mayor
PROCLAMATION

WHEREAS, older adults in the City of Charleston, South Carolina are valued members of society and it is our collective responsibility to ensure that they live safely and with dignity; and

WHEREAS, elder abuse is a public health crisis in our society that crosses all cultures and socioeconomic boundaries; and

WHEREAS, abuse of older adults is often under-identified and under-reported; and

WHEREAS, older adults in the City of Charleston deserve to be treated with respect and compassion in order to enable them to serve as leaders, mentors, volunteers, and important and active members of this city; and

WHEREAS, preventing abuse will help improve the quality of life for all older adults in the City of Charleston and will allow them to continue to contribute to the vibrancy of our city; and

WHEREAS, we are all responsible for building safer communities that support long and healthy lives for older adults; and

WHEREAS, we must lift up our older adults by advancing policies of inclusion and by combating abuse in every form; and

WHEREAS, we are committed to protecting and empowering our older adults so they can continue to live their lives freely and with as much independence as they desire; and

WHEREAS, I encourage all citizens to observe this day by learning the signs of elder abuse, neglect, and exploitation and by raising awareness about this important public health issue.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim Tuesday, June 15, 2021 as:

WORLD ELDER ABUSE AWARENESS DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in the year of 2021.

John J. Tecklenburg, Mayor
PROCLAMATION

WHEREAS; beginning in 2009, the United States Congress declared National Collector Car Appreciation Day to recognize the collection and restoration of historic and classic cars as an important part of preserving the technological achievements and cultural heritage of the United States; and

WHEREAS; for more than 100 years, the history of the automobile has impacted economic progress and the City of Charleston recognizes the activities involved in the restoration and exhibition of classic automobiles; and

WHEREAS; the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society, through thousands of car clubs and related businesses; and

WHEREAS; automotive restoration provides well-paying, high-skilled jobs for citizens of the Charleston community and beyond; and

WHEREAS; automobiles have provided inspiration for music, photography, cinema, fashion and other artistic pursuits that have become part of popular culture; and

WHEREAS; I encourage the citizens of our community to engage in the events and commemorations of National Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including the collection, restoration and preservation of collector cars.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim Saturday, July 10, 2021 as:

NATIONAL COLLECTOR CAR APPRECIATION DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in the year of 2021.

John J. Tecklenburg, Mayor
PROCLAMATION

WHEREAS, National Homeownership Month provides the opportunity for communities to recognize the impact of homeownership on our daily lives; and

WHEREAS, for millions of Americans, homeownership is the cornerstone of a life with security, with dignity and with hope; and

WHEREAS, a home is more than four walls and a roof; it is a place where we can celebrate triumphs and weather the trials of life – a place where we can watch our families grow and prosper; and

WHEREAS, the aspiration to own a home is deeply rooted in the American dream and has driven generations of Americans to search for a place to call their own; and

WHEREAS, the U.S. Department of Housing and Urban Development and City of Charleston have partnered for decades to provide the people of Charleston opportunities to become homeowners; and

WHEREAS, the City of Charleston’s Mayor and City Council have prioritized the creation and preservation of affordable housing as critical to the long-term success of the city; and

WHEREAS, the city’s First Time Homeownership Initiative provides a combination of newly constructed and rehabilitated homes for sale to low-and moderate-income families. Thanks to the initiative, numerous residents throughout Charleston have been provided the opportunity to purchase their first home.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor, City of Charleston, do hereby proclaim June 2021 as:

HOMEOWNERSHIP MONTH

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 15th day of June in year of 2021.

John J. Tecklenburg, Mayor
PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, June 15, 2021 beginning at 5:00 p.m. at Bees Landing Recreation Center, 1580 Ashley Gardens Boulevard, and via Conference Call # 1-929-205-6099. Access Code 912 090 416, on the request that the Zoning Ordinance of the City of Charleston be changed in the below respects. The public may participate by signing-up to speak in person at the meeting, or by using one of the following options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Monday, June 14th.

1. Request to speak (via Zoom or telephone) or leave a comment for City Council via voice mail at 843-579-6513. If requesting to speak, please provide your name and telephone number.
2. Request to speak (via Zoom or telephone) or leave a comment for City Council by completing the form at http://www.charleston-sc.gov/comments/
3. Mail comments to: Clerk of Council, 88 Broad Street, Charleston, SC 29401

Rezoning

1. To rezone 1505 Greenleaf Street (Silver Hill/Magnolia - Peninsula) (Approx 1.42 acres) (TMS # 441-10-00-120-124 and 006) from Heavy Industrial (HI) classification and 2.5 story Old City Height District classification to Upper Peninsula (UP) classification and 4-12 story Old City Height District classification.

Rezoning/Zoning and Planned Unit Development (PUD) Amendment

1. Sheppard Street PUD (Camdenborough-Elliotborough - Peninsula) (TMS # 460-04-04-074, 078, 079, 080, 086) and a portion of previous Saint Philip Street right-of-way (Approx 1.453 acre). To rezone 84 Sheppard Street (Approximately 0.057 acre) (TMS # 460-04-04-075) from General Business (GB) classification to Planned Unit Development (Sheppard Street PUD) classification and to amend the Sheppard Street PUD development guidelines to allow up to an aggregate of three (3) accommodations use units on 84 and 86 Sheppard Street.

2. Clements Ferry Road (The Marshes at Cooper River PUD - Cainhoy) (Approx. 38.99 acres) (Original TMS# 267-00-00-000, 005, 010, 050-007, 069 & 071). To amend the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Guidelines and to zone property on Clements Ferry Road (Approximately 0.15 acres) (TMS # 271-00-02-153) to be included in the PUD (Marshes at Cooper River).

Ordinance Amendment

1. To amend section 54-604 (Developments that require TRC approval) of Article G (Land Development Plan Review) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance) to update the list of development project types that require the approval of the Technical Review Committee (TRC).

Zonings

1. 807 Savage Road (Castellow - West Ashley) (Approx. 0.193 acre) (TMS # 309-05-00-033) Diverse Residential (SR-12).

2. 1453 S Edgewater Drive (Edgewater Park - West Ashley) (Approx. 0.47 acre) (TMS # 349-13-00-003) Single-Family Residential (SR-1)

JENNIFER 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) 577-1399 or email schumacherj@charleston-sc.gov three business days prior to the meeting.
CITY OF CHARLESTON
PLANNING COMMISSION
MEETING OF MAY 19, 2021

REZONINGS

1. 3 and 5 Charleston Center Dr (Medical Complex - Peninsula) TMS # 4601400019 – approx. 2.678 acres. Request rezoning of subject property from Limited Business (LB) to Mixed-Use/Workforce Housing (MU-2/WH) and to rezone a portion of the subject property from 85/30 Old City Height District Classification to 85/200 Old City Height District Classification.

2. 1505 Greenleaf St (Silver Hill/Magnolia - Peninsula) TMS # 4641000120-124 and 006 – approx. 1.42 acre. Request rezoning of the subject property from Heavy Industrial (HI) to Upper Peninsula (UP) and to be included in the 4-12 story Old City Height District classification.

Motion: APPROVAL (8-0)

<table>
<thead>
<tr>
<th>Jimmy Bailey</th>
<th>FAVOR</th>
<th>Charlie Karesh</th>
<th>FAVOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erika V. Harrison</td>
<td>FAVOR</td>
<td>Sunday Lempesis</td>
<td>FAVOR</td>
</tr>
<tr>
<td>Donna Jacobs</td>
<td>FAVOR</td>
<td>Harry Lesesne</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Angie Johnson</td>
<td>FAVOR</td>
<td>Chaun Pflug</td>
<td>FAVOR</td>
</tr>
</tbody>
</table>

REZONING/ZONING AND PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT

1. Sheppard Street PUD (Cannonborough-Elliottborough - Peninsula) TMS # 4600404074, 078, 079, 080, 086 & a portion of previous Saint Philip Street right-of-way – approx. 1.453 acre. Request rezoning of 84 Sheppard Street (TMS # 4600404079), approximately 0.067 acre, from General Business (GB) classification to Planned Unit Development (Sheppard Street PUD) classification and to amend the Sheppard Street PUD development guidelines to allow up to an aggregate of three (3) accommodations use units on 84 and 86 Sheppard Street.

Motion: APPROVAL (8-0)

<table>
<thead>
<tr>
<th>Jimmy Bailey</th>
<th>FAVOR</th>
<th>Charlie Karesh</th>
<th>FAVOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erika V. Harrison</td>
<td>FAVOR</td>
<td>Sunday Lempesis</td>
<td>FAVOR</td>
</tr>
<tr>
<td>Donna Jacobs</td>
<td>FAVOR</td>
<td>Harry Lesesne</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Angie Johnson</td>
<td>FAVOR</td>
<td>Chaun Pflug</td>
<td>FAVOR</td>
</tr>
</tbody>
</table>
2. Clements Ferry Rd (The Marshes at Cooper River PUD – Cainhoy) original TMS# 2670000004, 005, 010, 050-057, 069 & 071 – approx. 36.09 ac. Request to amend the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Guidelines and to zone property on Clements Ferry Rd (TMS # 2710002153), approximately 0.15 acre, to be included in the PUD (Marshes at Cooper River).

Motion: **APPROVAL (7-0)**

1st: **HARRISON**  2nd: **BRYANT-JENKINS**

<table>
<thead>
<tr>
<th>Jimmy Bailey</th>
<th>FAVOR</th>
<th>Charlie Karesh</th>
<th>FAVOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erika V. Harrison</td>
<td>FAVOR</td>
<td>Sunday Lempesis</td>
<td>FAVOR</td>
</tr>
<tr>
<td>Donna Jacobs</td>
<td>FAVOR</td>
<td>Harry Lesesne</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Angie Johnson</td>
<td>ABSENT</td>
<td>Chaun Pflug</td>
<td>FAVOR</td>
</tr>
</tbody>
</table>

**ORDINANCE AMENDMENT**

1. To amend section 54-604 (Developments that require TRC approval) of Article 6 (Land Development Plan Review) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance) to update the list of development project types that require the approval of the Technical Review Committee (TRC).

Motion: **APPROVAL (8-0)**

1st: **BAILEY**  2nd: **JACOBS**

<table>
<thead>
<tr>
<th>Jimmy Bailey</th>
<th>FAVOR</th>
<th>Charlie Karesh</th>
<th>FAVOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erika V. Harrison</td>
<td>FAVOR</td>
<td>Sunday Lempesis</td>
<td>FAVOR</td>
</tr>
<tr>
<td>Donna Jacobs</td>
<td>FAVOR</td>
<td>Harry Lesesne</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Angie Johnson</td>
<td>FAVOR</td>
<td>Chaun Pflug</td>
<td>FAVOR</td>
</tr>
</tbody>
</table>

**SUBDIVISION**

1. Sanders Rd (Rhodes Crossing – West Ashley) a portion of TMS # 2860000001 – approx. 22.377 acres. 57 one-family attached lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-9).

Motion: **APPROVAL (7-0)**

1st: **LEMPESIS**  2nd: **JOHNSON**

<table>
<thead>
<tr>
<th>Jimmy Bailey</th>
<th>ABSENT</th>
<th>Charlie Karesh</th>
<th>FAVOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erika V. Harrison</td>
<td>FAVOR</td>
<td>Sunday Lempesis</td>
<td>FAVOR</td>
</tr>
<tr>
<td>Donna Jacobs</td>
<td>FAVOR</td>
<td>Harry Lesesne</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Angie Johnson</td>
<td>FAVOR</td>
<td>Chaun Pflug</td>
<td>FAVOR</td>
</tr>
</tbody>
</table>
1. 807 Savage Rd (Castlewood - West Ashley) TMS # 3091500053 – approx. 0.193 acre. Request zoning of Diverse Residential (DR-12). Zoned Mixed Style Residential (M-12) in Charleston County.

Motion: APPROVAL (7-0)

1st: LEMPESE  2nd: HARRISON

Jimmy Bailey  ABSENT  Charlie Karesh  FAVOR
Erika V. Harrison  FAVOR  Sunday Lempesis  FAVOR
Donna Jacobs  FAVOR  Harry Lesesne  ABSENT
Angie Johnson  FAVOR  Chaun Pflug  FAVOR

2. 1453 S Edgewater Dr (Edgewater Park – West Ashley) TMS # 3491300008 – approx. 0.47 acre. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Motion: APPROVAL (7-0)

1st: LEMPESE  2nd: JACOBS

Jimmy Bailey  ABSENT  Charlie Karesh  FAVOR
Erika V. Harrison  FAVOR  Sunday Lempesis  FAVOR
Donna Jacobs  FAVOR  Harry Lesesne  ABSENT
Angie Johnson  FAVOR  Chaun Pflug  FAVOR
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1505 GREENLEAF STREET (PENINSULA) (APPROXIMATELY 1.42 ACRE) (TMS #464-10-00-120, 124 AND 006) (COUNCIL DISTRICT 4), BE REZONED FROM HEAVY INDUSTRIAL (HI) AND 2.5 OLD CITY HEIGHT DISTRICT CLASSIFICATIONS TO UPPER PENINSULA (UP) AND 4-12 OLD CITY HEIGHT DISTRICT CLASSIFICATIONS. THE PROPERTY IS OWNED BY COOPER RIVER CORPORATION, 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 Heavy Industrial (HI) and 2.5 Old City Height District classifications to Upper Peninsula (UP) and 4-12 Old City Height District classifications.

Section 2. The property to be rezoned is described as follows:
1505 Greenleaf Street (Peninsula) (approximately 1.42 acre) (TMS #464-10-00-120, 124 and 006)

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:

______________________________
Jennifer Cook
Clerk of Council
REZONING 2

1505 Greenleaf St
(Silver Hill/Magnolia - Peninsula)

TMS # 4641000120-124 and 006

approx. 1.42 acre.

Request rezoning of the subject property from Heavy Industrial (HI) to Upper Peninsula (UP) and to be included in the 4-12 story Old City Height District classification.

Owner: Cooper River Corp, LLC
Applicant: LS3P
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS PART THEREOF, SO THAT PROPERTY LOCATED AT 84 SHEPPARD STREET (PENINSULA) (APPROXIMATELY 0.067 ACRES) (TMS #460-04-04-079) (COUNCIL DISTRICT 4) BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION (SHEPPARD STREET PUD), AND BY AMENDING THE SHEPPARD STREET PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT GUIDELINES, PUD2020-000013 (ORDINANCE NUMBER 2020-125) TO ALLOW UP TO AN AGGREGATE OF THREE (3) ACCOMMODATIONS USE UNITS ON 84 AND 86 SHEPPARD STREET.

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

Section 1. Section 2.2 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in bold double underline):

"2.2 Area The property contains in aggregate approximately 0.386 1.453 acres."

Section 2. Section 2.3 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in bold double underline):

"2.3 TMS No.s 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC), 460-04-04-078 and 460-04-04-080 (known as 82, 86, and 88 Sheppard Street and 264 and 266 St. Philip Street, owned by Sheppard Parking LLC),
460-04-04-079 (known as 84 Sheppard Street, owned by Al Thaddeus Thompson, Titus Sherod Thompson and Asia Rachal Thompson), 460-04-04-086 (known as 90, 92 and 94 Sheppard Street and 285 and 287 St. Philip Street, owned by Lowcountry Marketing Group, LLC SSR Investors, LLC), and a portion of St. Philip Street.”

Section 3. Section 2.4 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in bold double underline):

“2.4 Owners and Developers are King and Sheppard Partners, LLC, Sheppard Parking LLC, Al Thaddeus Thompson, Titus Sherod Thompson and Asia Rachal Thompson, and Lowcountry Marketing Group, LLC SSR Investors, LLC.”

Section 4. Sections 2.7 and 2.8 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to replace all references therein to “thirty (30) units” or “thirty (30) accommodations units” with “thirty-three (33) accommodations units”.

Section 5. Section 3.2 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in bold double underline):

“3.2 Area Breakdown (approximate calculations)

Mixed Use Area 1.061-1.128 Ac
Accommodations/Residential Area 0.325 Ac
Gross Area 4.386 1.453 Ac

”

Section 6. Section 3.3 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in bold double underline):

“3.3 Net Density and Maximum Number of Units Allowed
Mixed Use Area:

Commercial Uses: As allowed under General Business (GB) zoning.

Maximum Accommodations Units Allowed: 3
(84 Sheppard Street: 1 Accommodations Unit)
(86 Sheppard Street: 2 Accommodations Units)

Maximum Residential Dwelling Units Allowed: 46-47
(84 Sheppard Street: 1 Residential Unit)
(Remainder of Mixed Use Area: 46 Residential Units)
(Approximate Density: $46,217 \times 49,135 \text{ SF} \div 46-47 = 1,005 \text{ SF/unit}$)

Accommodations/Residential Area:

Maximum Accommodations Units Allowed: 30

Maximum Residential Dwelling Units Allowed: 11
(Approximate Density: $14,157 \text{ SF} \div 11 = 1,287 \text{ SF/unit}$)

Any and all conveyances of any portion of the Mixed Use Area or Accommodations/Residential Area subject to the unit density limitations set forth above shall, within the deed of conveyance or other instrument running with the land, assign a precise whole number of permitted residential dwelling units and accommodations units. The owner shall record the same in the office of the Charleston County Register of Deeds.”

Section 7. Section 4.1 of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby amended to read as follows (deleted text in strikethrough, new text in **bold double underline**):

“4.1 Permitted Uses: All uses permitted under the base General Business (GB) zoning district shall be permitted in the Sheppard Street PUD. In addition, accommodations uses (as defined in the Zoning Ordinance), not to exceed thirty (30) thirty-three (33) units in aggregate (which accommodations units may have attributes of a typical dwelling unit including cooking, living, sanitary and multiple bedroom sleeping facilities), shall be permitted (thirty (30) units within the Accommodations/Residential Area, and three (3) units within the Mixed Use Area). Sections 54-204.3 and 54-220 of the Zoning Ordinance of the City of Charleston shall not restrict or require approval of the Board of Zoning Appeals for accommodations uses within the Accommodations/Residential Area or Mixed Use Area. Accommodations uses within
the Accommodations/Residential Area **or Mixed Use Area** shall not be restricted or required to obtain an STR permit pursuant to Section 54-227 of the Zoning Ordinance. Any accommodations use shall be required to comply with applicable City of Charleston business license requirements. No **more than three (3) units for** accommodations use shall be permitted within the Mixed Use Area **(not more than one (1) unit on the 84 Sheppard Street property, and not more than two (2) units on the 86 Sheppard Street property)**. The primary intended uses described herein and in the Land Use Plan attached hereto shall not restrict or prohibit ancillary uses that are otherwise permitted under the base General Business (GB) zoning district, and all uses permitted under the base General Business (GB) zoning district shall be permitted in the Accommodations/Residential Area.”

Section 8. Exhibit 4 – Land Use Plan of the Sheppard Street Planned Unit Development (PUD) Development Guidelines is hereby replaced with Exhibit 4 attached hereto.

Section 6. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_________ in the Year of Our Lord, 2021,
and in the_____ Year of the Independence of
the United States of America

____________________________________
John J. Tecklenburg, Mayor

ATTEST:

Jennifer Cook
Clerk of Council
REZONING & PUD AMENDMENT 1

Sheppard Street PUD (Cannonborough-Elliottborough - Peninsula)

TMS # 4600404074, 078, 079, 080, 086 & a portion of previous Saint Philip Street right-of-way

approx. 1.453 acre

Rezoning of 84 Sheppard St (TMS# 4600404079), approx. 0.067 ac., from General Business (GB) to PUD and amending the Sheppard St PUD guidelines

Owner: Al Thaddeaus Thompson, Titus Sherod Thompson et al.
Applicant: Titus Thompson

Location

Property to be rezoned from GB to PUD
SHEPPARD STREET
PLANNED UNIT DEVELOPMENT (PUD)
DEVELOPMENT GUIDELINES
PUD2020-000013

OWNERS:
King and Sheppard Partners, LLC, Sheppard Parking LLC, and Lowcountry Marketing Group, LLC

PREPARED BY:
Womble Bond Dickinson (US) LLP
Bello Garris Architects
Forsberg Engineering and Surveying, Inc.
1. Relationship to the Official Zoning Ordinance

The Development Guidelines and Land Use Plan attached hereto and made a part hereof for the Sheppard Street Planned Unit Development (“Sheppard Street PUD”) are part of the PUD Conditional Use Master Plan Application submitted in accordance with the Zoning Ordinances 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 Sheppard Street PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Sheppard Street PUD Development Guidelines shall follow definitions listed in the Zoning Ordinances of the City of Charleston, as amended from time to time. Administration and enforcement of the adopted The Sheppard Street PUD Development Guidelines shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Sheppard Street PUD was approved by Charleston City Council on September 22, 2020, Ordinance Number 2020-125.

2. Introduction

2.1 Project Location

The site is located in downtown Charleston bounded by Sheppard Street to the South, King Street to the East, and the Septima Clark Parkway to the North and West. The property is located within areas designated as Urban and Urban Core under the Century V Update to the City’s Comprehensive Plan.

2.2 Area

The property contains in aggregate approximately 1.45386 acres.

2.3 TMS No.s 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC), 460-04-04-078 and 460-04-04-080 (known as 82, 86, and 88 Sheppard Street and 264 and 266 St. Philip Street, owned by Sheppard Parking LLC), 460-04-04-079 (known as 84 Sheppard Street, owned by Al Thaddeus Thompson, Titus Sherod Thompson and Asia Rachal Thompson), 460-04-04-086 (known as 90, 92 and 94 Sheppard Street and 285 and 287 St. Philip Street, owned by Lowcountry Marketing Group SSR Investors, LLC), and a portion of St. Philip Street.
2.4 Owners and Developers are King and Sheppard Partners, LLC, Sheppard Parking LLC, and Lowcountry Marketing Group. Al Thaddeus Thompson, Titus Sherod Thompson and Asia Rachal Thompson, and SSR Investors, LLC.

2.5 Current Zoning

The current zoning is General Business (GB) District (other than one building site zoned Limited Business (LB) District), which is intended to permit a broad range of commercial uses and activities in urban areas of the city.

The parcel identified as TMS No. 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC) is also within the Accommodations Overlay Zone, A-1, allowing for a fifty (50) room hotel.

2.6 Background Information

The site is located in the middle of the junction of the Septima Clark Parkway (Highway 17) and the beginning of Interstate 26. It is straddled on both sides by the ramps leading to the elevated highway and is effectively cut off from the neighborhoods to the south, north, and west.

The City of Charleston ("City") is nearing completion of its drainage system project at the western end of the site. This drainage shaft area will remain open as an access point for maintenance of the drainage facilities.

A half-block stub portion of St. Philip Street extends northwards from Sheppard Street within the site but does not connect to any other street.

The buildings on the site have been vacant for the past two years. They were most recently used for student rentals. Some of the buildings are in need of extensive repair to be habitable again. Several of the buildings date from the early 1900’s, when Sheppard Street was first developed. The historic building at 94 Sheppard Street is in a severely deteriorated condition and will require a complete restoration.

2.7 Development Summary

The proposed initial redevelopment plan for the site includes (1) construction of a new mixed use building fronting on King Street with parking in the rear, and (2) restoration of the older residential buildings currently located along Sheppard Street and St. Philip Street.

The proposed new building fronting on King Street is intended for office, retail, or other uses as allowed in the General Business (GB) zoning district. This portion of the site is currently a vacant lot.
Development Guidelines for Sheppard Street PUD

The older buildings along Sheppard Street and St. Philip Street are in need of extensive repairs and restoration. These older buildings are intended to be restored, and one of the existing buildings may be relocated on-site as part of a cluster of buildings with a central driveway alley and area for parking or private open space. These buildings are intended to be used for accommodations use with up to thirty-three (303) accommodations units, or longer term residential or other permitted use. To allow for this accommodations use, the portion of the site fronting on King Street which is currently within the Accommodations Overlay Zone permitting a fifty (50) room hotel would be removed from the Accommodations Overlay Zone, and the portion of the site at the west end would be permitted to have not more than thirty-three (303) accommodations units.

In connection with re-orienting the existing buildings, property lines within the site would be adjusted, and the stub portion of St. Philip Street would be abandoned by the City (after the SC Department of Transportation conveys its interest to the City) as it would no longer be needed for access to individual lots and will allow for more efficient access and parking.

Sheppard Parking LLC has entered into a lease agreement with the SC Department of Transportation (DOT) for the use of a portion of the adjacent DOT property for parking.

2.8 Goals for the Project

The Sheppard Street PUD is designed to re-establish a vibrant, mixed use development area within a block of the city that was effectively cut off from surrounding neighborhoods long ago by the interchange of Highway 17 and Interstate 26. Among other benefits, the proposed project would restore historic buildings, add new office and other commercial space on a vacant portion of King Street, and reduce the allowed number of accommodations/hotel units on the overall site from fifty (50) to thirty-three (303) accommodations units. Because of the location, surrounding highway ramps, size, shape, and other constraints of the site, the Sheppard Street PUD is an appropriate zoning designed to provide the flexibility to achieve these goals.

3. Land Use

3.1 Development Pods

The Sheppard Street PUD consists of two development pods: (1) the Mixed Use Area and (2) the Accommodations/Residential Area, as set forth on the Land Use Plan attached hereto.
Development Guidelines for Sheppard Street PUD

3.2 Area Breakdown (approximate calculations)

<table>
<thead>
<tr>
<th>Area</th>
<th>Ac</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use Area</td>
<td>1.06128</td>
</tr>
<tr>
<td>Accommodations/Residential Area</td>
<td>0.325</td>
</tr>
<tr>
<td>Gross Area</td>
<td>1.45386</td>
</tr>
</tbody>
</table>

3.3 Net Density and Maximum Number of Units Allowed

**Mixed Use Area:**

Commercial Uses: As allowed under General Business (GB) zoning.

- **Maximum Accommodations Units Allowed:** 3
  - (84 Sheppard Street: 1 Accommodations Unit)
  - (86 Sheppard Street: 2 Accommodations Units)

- **Maximum Residential Dwelling Units Allowed:** 4647
  - (84 Sheppard Street: 1 Residential Unit)
  - (Remainder of Mixed Use Area: 46 Residential Units)

  (Approximate Density: 469,217.35 SF, 4647 = 1,0045 SF/unit)

**Accommodations/Residential Area:**

- **Maximum Accommodations Units Allowed:** 30

- **Maximum Residential Dwelling Units Allowed:** 11

  (Approximate Density: 14,157 SF, 11 = 1,287 SF/unit)

Any and all conveyances of any portion of the Mixed Use Area or Accommodations/Residential Area subject to the unit density limitations set forth above shall, within the deed of conveyance or other instrument running with the land, assign a precise whole number of permitted residential dwelling units and accommodations units. The owner shall record the same in the office of the Charleston County Register of Deeds.

4. Zoning Criteria

All applicable regulations of the Zoning Ordinance for the base General Business (GB) zoning district shall remain in effect except as modified by these Development Guidelines.

4.1 Permitted Uses: All uses permitted under the base General Business (GB) zoning district shall be permitted in the Sheppard Street PUD. In addition, accommodations uses (as
defined in the Zoning Ordinance), not to exceed thirty-three (303) accommodations units in aggregate (which accommodations units may have attributes of a typical dwelling unit including cooking, living, sanitary and multiple bedroom sleeping facilities), shall be permitted (thirty (30) units within the Accommodations/Residential Area, and three (3) units within the Mixed Use Area). Sections 54-204.3 and 54-220 of the Zoning Ordinance of the City of Charleston shall not restrict or require approval of the Board of Zoning Appeals for accommodations uses within the Accommodations/Residential Area or Mixed Use Area. Accommodations uses within the Accommodations/Residential Area or Mixed Use Area shall not be restricted or required to obtain an STR permit pursuant to Section 54-227 of the Zoning Ordinance. Any accommodations use shall be required to comply with applicable City of Charleston business license requirements. No more than three (3) units for accommodations use shall be permitted within the Mixed Use Area (not more than one (1) unit on the 84 Sheppard Street property, and not more than two (2) units on the 86 Sheppard Street property). The primary intended uses described herein and in the Land Use Plan attached hereto shall not restrict or prohibit ancillary uses that are otherwise permitted under the base General Business (GB) zoning district, and all uses permitted under the base General Business (GB) zoning district shall be permitted in the Accommodations/Residential Area.

4.2 Types of dwelling units allowed: Single-family detached, single-family attached, duplex, two-family, townhouse, or multi-family.

4.3 Minimum lot size per dwelling unit: No minimum lot size per dwelling unit, but see maximum aggregate number of residential units above.

4.4 Minimum lot frontage requirements: No change to base General Business (GB) zoning district regulations.

4.5 Minimum setbacks: None.

4.6 Maximum lot occupancy: None.

4.7 Maximum and minimum height (height district): No change to existing Old City Height Districts (Height District 5 and Height District 2.5) as applicable to respective portions of the site.

4.8 Accessory buildings: No change to base General Business (GB) zoning district regulations.

4.9 Parking requirements:

i. Parking for commercial uses as provided under Article 3, Part 4, Sections 54-315, et seq., of the Zoning Ordinance.

ii. One (1) off-street parking space per residential dwelling unit.

iii. Two (2) off-street parking spaces per every three (3) accommodations units (rounded up to nearest whole number).
Development Guidelines for Sheppard Street PUD

4.10 *Loading dock requirements for commercial uses:* No change to base General Business (GB) zoning district requirements.

4.11 *ADA Compliance:* Development projects within the property will be required to comply with applicable laws and regulations with respect to public accommodations and fair housing under the Americans with Disabilities Act and similar legislation to the extent applicable.

5. **Open Space**

The existing site does not include any dedicated open space and is less than ten (10) acres, therefore not required to include a percentage of open space.

6. **Buffers**

6.1 *Required Landscape Buffers:* No change to base General Business (GB) zoning district regulations for any required landscape buffers.

6.2 *Critical Line Buffer:* There is no critical line on the property.

6.3 *Elective Buffers:* No elective landscape buffers are contemplated for this urban site.

6.4 *Ownership and Maintenance:* Any applicable landscape buffer areas will be owned and maintained by the owner of the applicable parcel.

7. **Tree Summary**

7.1 *Summary of existing conditions:*

There are a number of trees on the site as shown on the attached survey of existing conditions.

7.2 *Protection Standards / Plan:*

Article 2, Part 6, Sections 54-325, et seq., of the Zoning Ordinance of the City of Charleston, or variances and any conditions imposed thereto, will govern the protection of any grand or protected trees on the property.

8. **Right-of-Way**
8.1 Public Right-of-Way: King Street and Sheppard Street, existing public rights of way, provide vehicular street access and pedestrian sidewalk access to all parcels within the site. No new public or private streets are planned for the site. Sight distance visibility at all exits and intersections will be maintained in accordance with applicable requirements of the SC Department of Transportation (DOT) manual on Access and Roadside Maintenance Standards. Right of way pavement markings for crosswalks, centerlines, arrows, bicycle and pedestrian markings, and the like may be required where applicable, as determined in accordance with the City’s site plan review process for improvements to any parcel.

8.2 Driveways. Internal driveways will be owned and maintained by the owner of the applicable parcel and, if applicable, will comply with any requirements to accommodate emergency vehicles and public service vehicles.

9. Drainage Basin Analysis

9.1 Flood Zone:

Flood Zone X (per flood map # FM 45019C0512J). [The preliminary FIRM proposes a Flood Zone X utilizing the NA VD88 datum as opposed to the currently utilized NGVD29 datum. Per FEMA, preliminary data, including new or revised FIRMs, are not final. Preliminary data are for review and guidance purposes only. Preliminary data and maps are subject to change.]

9.2 Topography:

Please see the Topographic Survey, attached hereto.

9.3 Stormwater Drainage:

Stormwater will drain from the site into the existing drainage system running along Sheppard Street and King Street. Plans for internal stormwater detention systems for development of the initial proposed building and parking lot within the Mixed Use Area have been approved by the City for the building and submitted for the parking lot and will be implemented in accordance with applicable City of Charleston and DHEC/OCRM guidelines.

9.4 Wetlands Verification:

No wetlands are located on the property.

10. Traffic Study:

The Traffic Study for the property is attached hereto.
Development Guidelines for Sheppard Street PUD

11. Cultural Resources:

11.1 Site History and Cultural Resources:

This portion of Sheppard Street was originally developed in the early 1900’s, principally as rental housing. The existing structures at 86, 90, and 94 Sheppard Street all date from this time period. The portion of the site fronting on King Street was used at that time for commercial purposes, with stores, groceries, and the like. Construction of the surrounding highways began in the 1960’s, effectively isolating Sheppard Street from the adjacent neighborhoods from that point onward.

11.2 Redevelopment Plan and Preservation:

The proposed redevelopment of the site pursuant to the Sheppard Street PUD is intended to allow for the restoration of several older structures within the site and to re-establish a vibrant, mix of uses in the area.

12. Utilities/Services/Letters of Coordination

<table>
<thead>
<tr>
<th>Service</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water &amp; Sewer</td>
<td>Water and sewer are presently available at the site boundaries, provided by Charleston Water System. Please see letter attached.</td>
</tr>
<tr>
<td>Electricity &amp; Gas</td>
<td>Electric and gas service are presently available at the site boundaries, provided by Dominion Energy. Please see letter attached.</td>
</tr>
<tr>
<td>Communications</td>
<td>Telephone, cable, and internet service are presently available at the site boundaries, provided by AT&amp;T. Please see letter attached.</td>
</tr>
</tbody>
</table>
Exhibits:

1. Aerial Photograph with tax map parcel boundaries
2. Recorded Plats
3. Topographic Survey
4. Land Use Plan
5. Traffic Study
6. Utility Letters
Exhibit 1 – Aerial Photograph
Exhibit 2 – Recorded Plats
Exhibit 3 – Topographic Survey
Exhibit 4 – Land Use Plan
Exhibit 5 – Traffic Study

Submitted under separate cover.
Exhibit 6 – Utility Letters
November 1, 2019

Marcy Nichols
Haynsworth Sinkler Boyd, P.A
Via email: mnichols@hsblawfirm.com

Water and Sewer Availability to TMS460-04-04-074
Re: Commercial Multi Unit

This letter is to certify our willingness and ability to provide water and sewer service to the above referenced site in Charleston County, South Carolina. CWS currently has a 6” cast iron water main in the right of way on Sheppard St, a 10” ductile iron water main in the right of way on King St., an 8” vitrified clay gravity sewer main in the right of way on Sheppard St., and an 8” vitrified clay gravity sewer main in the right of way on King St.

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water/flow and not negatively impact the existing developments. It will also be a developer’s responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer’s expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System's water 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 as far as its rights allow. Should access to our existing mains 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 me at (843) 727-7118.

Sincerely,

Kendra Smith
Charleston Water System

Supporting public health and protecting the environment.
November 1, 2019

Mercy Nichols
Haynsworth Sinkler Boyd, P.A
Via email: mnichols@hsbdlawfirm.com

Water and Sewer Availability to TMS: 460-04-04-078 and 080
Re: Commercial Single Unit

This letter is to certify our willingness and ability to provide water and sewer service to the above referenced site in Charleston County, South Carolina. CWS currently has a 6” cast iron water main in the right of way on Sheppard St, a 6” cast iron water main in the right of way on St. Philips St., an 8” vitrified clay gravity sewer main in the right of way on Sheppard St., and an 8” vitrified clay gravity sewer main in the right of way on St. Philip St.

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water/fire flow and not negatively impact the existing developments. It will also be a developer’s responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer’s expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System’s water 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 main/main 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) 727-7118.

Sincerely,

Kendra Smith
Charleston Water System

Supporting public health and protecting the environment.
Commercial Letter of Availability

October 15, 2019

Taylor Norville
Atlantic South Development
1708-C Augusta St. #322
Greenville, SC 29605

Re: 677 King St. Charleston, SC 29403

Dear Mr. Norville:

I am pleased to inform you that Dominion Energy will be able to provide electric and gas service to the above referenced location. Electric and gas service will be provided in accordance with Dominion Energy General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the company's standard operating policies and procedures. In order to begin engineering work for the project, the following information will need to be provided:

1.) Detailed utility site plan (AutoCAD format preferred) showing water, sewer, and storm drainage as well as requested service point/transformer location.
2.) Additional drawings that indicate wetlands boundaries, tree survey with barricade plan and buffer zones (if required), as well as any existing or additional easements will also be needed.
3.) Electric load breakdown by type with riser diagrams.
4.) Signed copy of this letter acknowledging its receipt and responsibility for its contents and authorization to begin engineering work with the understanding that Dominion Energy intends to serve the referenced project.

Dominion Energy construction standards and specifications are available upon request. For more information or questions, contact me by phone at (843) 576-8447 or at steven.morillo@dominionenergy.com.

Sincerely,

Steven M. Morillo
Account Manager

AUTHORIZED SIGNATURE: [Signature] DATE: 10-16-19
TITLE: Project Manager PHONE: 703-282-4777
King and Sheppard Properties LLC
May 15, 2020

Taylor Norville
Atlantic South Development
170B-C Augusta St. #322
Greenville, SC 29605

Mr. Norville:

This letter is in response to your request for information on the availability of service at the proposed development at 82 Sheppard St in Charleston, SC 29403 (TM# 460-04-04-078) by AT&T.

This letter acknowledges that the above referenced address is located in an area served by AT&T. Any service arrangements for the new building will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service, but an acknowledgement that we have service in this area.

Please contact me at 843-745-4440 with any questions.

Thank you for contacting AT&T.

Sincerely,

Henry Domingo
OSP Design Engineer
AT&T Southeast
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING THE MARSHES AT COOPER RIVER PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES (ORIGINALLY ADOPTED BY ORDINANCE #2015-078 AND LAST AMENDED BY ORDINANCE #2018-095) LOCATED OFF CLEMENTS FERRY ROAD (CAINHOY) (APPROXIMATELY 36.09 ACRES) (ORIGINAL TMS# 267-00-00-004, 005, 010, 050 THROUGH 057, 069 AND 071) AND BY CHANGING THE ZONE MAP TO INCLUDE PROPERTY LOCATED ON CLEMENTS FERRY ROAD (CAINHOY) (BERKELEY COUNTY) (APPROXIMATELY 0.15 ACRE) (TMS# 271-00-02-153) (COUNCIL DISTRICT 1), IN THE PUD. THE PROPERTY IS OWNED BY MARSHES AT COOPER RIVER HOMEOWNERS ASSOCIATION ET AL.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS 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 amending the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines, as more fully described in the document, Exhibit “A”, with the Planned Unit Development Guidelines attached hereto and incorporated herein by reference to serve as the development plan for such property.

Section 2. The Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines be amended for property described as follows:

Property located off Clements Ferry Road (Cainhoy) (approximately 36.09 acres) (original TMS# 267-00-00-004, 005, 010, 050 through 057, 069 and 071).

Section 3. The Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines be amended to include recently annexed property described as follows:

Property located off Clements Ferry Road (Cainhoy) (approximately 0.15 acre) (TMS# 271-00-02-153).
Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of 
____________ in the Year of Our Lord, 2021, 
and in the ____ Year of the Independence of 
the United States of America

By: 

John J. Tecklenburg 
Mayor, City of Charleston

Attest: 

Jennifer Cook 
Clerk of Council
DEVELOPMENT GUIDELINES

FOR

THE MARSHES AT COOPER RIVER

City of Charleston, South Carolina

Original Master Plan Approved 7/21/15 Ordinance # 2015-078

October 13, 2014
Revised: December 15, 2014
Revised: January 11, 2015
Revised: January 29, 2016
Revised: May 21, 2018

Prepared for:
Beazer Homes, LLC
4401 Belle Oaks Drive, Ste. 120
Charleston, SC 29405

Prepared by: Christopher D. Donato, Jr. PE
Project #: 7120.00
City ID – 160113-ClementsFerryRd-1

SITECAST
ENGINEERING PLANNING CONSULTING

1250 Fairmont Avenue
Mount Pleasant, SC 29464
(843)224-4264
cdonato@sitecastsc.com
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING THE MARSHES AT COOPER RIVER PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES LOCATED OFF CLEMENTS FERRY ROAD (CAINHOY) (APPROXIMATELY 33.57 ACRES) (TMS# 267-00-00-004, 005, 010, 050 THROUGH 057, 069 AND 071) AND BY CHANGING THE ZONE MAP TO INCLUDE PROPERTY LOCATED ON CLEMENTS FERRY ROAD (CAINHOY) (BERKELEY COUNTY) (TMS# 267-00-00-049) (COUNCIL DISTRICT 1), AS PUD CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS 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 amending the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines as more fully described in the document, Exhibit “A”, which is attached hereto and made part of hercelf:

Section 2. The Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines be amended for property described as follows:

Property located off Clements Ferry Road (Cainhoy) (approximately 33.57 acres) (TMS# 267-00-00-004, 005, 010, 050 through 057, 069 and 071).

Section 3. The Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines be amended to include recently annexed property described as follows:

Property located off Clements Ferry Road (Cainhoy) (approximately 1.01 acres) (TMS# 267-00-00-049).
Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this 23rd day of February in the Year of Our Lord, 2016, and in the 240th Year of the Independence of the United States of America

By: [Signature]
John J. Tecklenburg
Mayor, City of Charleston

Attest: [Signature]
Vanessa Turner Maybank
Clerk of Council
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 HABAKKUK LANE (CAINHOY) (1.5 ACRES) (TMS #267-00-00-015, 267-00-00-016 AND 267-00-00-017) (COUNCIL DISTRICT 1), ANNEXED INTO THE CITY OF CHARLESTON JUNE 19, 2018 (#2018-077), BE ZONED PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY MSR CLEMENTS FERRY LAND 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 that the below described property shall become a part thereof:

property located on Habakkuk Lane (Cainhoy) (1.5 acres) (TMS #267-00-00-015, 267-00-00-016 and 267-00-00-017)

Section 2. That the said parcel of land described above shall be zoned Planned Unit Development (PUD) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this 21st day of August, 2018, in the Year of Our Lord 2018, in the 243rd Year of Independence of the United States of America.

By:

[Signature]
John J. Tecklenburg
Mayor, City of Charleston

Attest:
Vanessa Turner Maybank
Clerk of Council
Zoning 1
Habakkuk Ln (Cainhoy)
TMS# 2670000015, 016 & 017
1.5 ac.

Request zoning of Planned Unit Development (PUD).
Zoned Manufactured Residential District (R2)
in Berkeley County.

Owner: MSR Clements Ferry Land LLC
Ordinance Amendment & Zoning 1
Clements Ferry Rd (Cainhoy)

TMS# 2670000004, 005, 010, 049, 050 through 057, 069 & 071

34.58 ac.

Request amendment to the Marshes at Cooper River Planned Unit Development (PUD) and to zone TMS# 2670000049 (approx. 1.01 ac.) as PUD and include it in the existing PUD (zoned Manufactured Residential (R-2) in Berkeley County).

Owner: Various Owners

Department of Planning, Preservation & Sustainability
www.charleston-sc.gov 2 George St. Charleston, SC 29401 843.724.3765
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING THE MARSHES AT COOPER RIVER PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES FOR PROPERTY LOCATED OFF CLEMENTS FERRY ROAD (CAINHOY) (APPROXIMATELY 36.08 ACRES) (TMS# 267-00-00-004, 015, 016, 017 AND 071 AND 267-15-03-001 THROUGH 087) (COUNCIL DISTRICT 1). THE PROPERTY IS OWNED BY MSR CLEMENTS FERRY LAND LLC

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS 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 amending the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines as more fully described in the document, Exhibit “A”, which is attached hereto and made part of hereof:

Section 2. The Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines be amended for property described as follows:

Property located off Clements Ferry Road (Cainhoy) (approximately 36.08 acres) (TMS# 267-00-00-004, 015, 016, 017 and 071 and 267-15-03-001 through 087).

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this 21st day of August in the Year of Our Lord, 2018, and in the 243rd Year of the Independence of the United States of America

By: John J. Tecklenburg
Mayor, City of Charleston

Attest:
Vanessa Turner Maybank
Clerk of Council
Ordinance Amendment 1

Clements Ferry Rd
(The Marshes at Cooper River PUD – Cainhoy)

TMS# 2670000004, 015, 016, 017 & 071 & 2671503001 through 087

approx. 36.08 ac.

Request an amendment to the Planned Unit Development Master Plan and Development Guidelines for this property.

Owner/Applicant: MSR Clements Ferry Land LLC
# TABLE OF CONTENTS

1. DEVELOPMENT GUIDELINES
   1.1. Relationship to the Zoning Ordinance Page 3
   1.2. Project Location and Description Page 3
   1.3. Land Use Summary Page 4
   1.4. Zoning Districts Page 5
   1.5. Open Space Page 9
   1.6. Buffers Page 9
   1.7. Tree Summary Page 9
   1.8. Right of Ways Page 10
   1.9. Drainage Basin Analysis Page 11
   1.10. Cultural Resources Page 11
   1.11. Docks Page 11
   1.12. Model Homes Page 11
   1.13. Alternative Site Access Page 11

2. TRAFFIC STUDY

3. CULTURAL RESOURCES
   3.1. Brockington & Associates Report

4. LETTERS OF COORDINATION
   4.1. Charleston Water System

5. APPENDIX
   5.1. Survey with Trees
   5.2. Master Plan
   5.3. Trail and Open Space Plan
   5.4. Project Location Map
   5.5. Aerial
   5.6. Letter Explaining Changes
1

DEVELOPMENT GUIDELINES
1.1(A) Relationship to the Zoning Ordinance

The Development Guidelines and Land Use Plan for The Marshes at Cooper River Planned Unit Development (PUD) District, 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 or structure on any tract of land or use any tract of land within The Marshes at Cooper River PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in The Marshes at Cooper River 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 The Marshes at Cooper River Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Marshes at Cooper River PUD Master Plan was approved by Charleston City Council on 6/21/2015 Ordinance Number 2015-078.
Revised PUD was approved by City Council on 8/21/2018 by Ordinance Number 2018-095

1.1(B) Criteria for Review

The design guidelines for The Marshes at Cooper River subdivision:

a) Are consistent with the City’s adopted comprehensive plan, and all adopted sub-areas of the City;
b) Better achieves the goals of adopted plans allowing for the development of this property due to existing grades and trees and cultural/historical value than would develop under the zoning district regulations;
c) Is consistent with the City’s adopted master road plan;
d) Better protects and preserves natural and cultural resources than would development under other zoning district regulations, allowing for development with reduced impact to existing conditions;
e) Is compatible with the density and maximum building height of adjacent developed neighborhoods and the zoning of adjacent undeveloped areas.
f) Is compatible with the existing network of public streets in adjacent neighborhoods and areas;
g) provides adequate parking for residents and users of the PUD;
h) can be accommodated by existing and planned public facilities including but not limited to, roads, sewer, water, schools and parks;
i) provides adequate public facilities, open space and recreational amenities; and
j) adequately provides for the continued maintenance of common areas, open space, and other public facilities not dedicated to the city.

1.2 Project Location and Description

The project site is comprised of multiple properties in Berkeley County, South Carolina. The parcel with tax map numbers (TMS) 267-00-00-004, 267-00-00-071, 267-15-03-001 thru -086, 267-00-00-015, 267-00-00-016 and 267-00-00-017 are located within the limits of the City of Charleston. The project site consists of approximately 36.24 gross acres.
The property is bounded to the north by the Jessen Lane commercial park, to the south by residential development along Yellow House Road, to the east by Clements Ferry Road and to the west by marsh and the Cooper River. A project location map is located in the Appendix (Appendix #5.3)

1.3 Land Use Summary

The purpose of the (PUD) District is to provide for the creation of a planned, integrated community incorporating a broad range of residential types and commercial uses serving the inhabitants of the district and adjacent developments. This project meets the requirements for a PUD by providing several different uses which are listed below:

Single Family Residential - There are two different types of residential uses in this development: single family detached and single family attached (townhouses). The single family detached houses will primarily favor alley-fed, rear-loaded lots, with some traditional front-loaded lots. The single family attached lots will mostly be alley-fed with the opportunity for on-street parking in many locations. The variety of single family home types and lot configurations will attract a diversity of price points that will equally benefit from a modern, amenitized neighborhood.

Commercial - The commercial component of this development will follow the General Business (GB) Zoning set forth in the City of Charleston Zoning Code. The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, storage yards (except for vehicles and boats), and warehouses including self-storage mini-warehouses. Automotive repair shops, veterinary clinics, and stables are permitted only as special exceptions subject to the approval of the Board of Zoning Appeals.

Open Space – The open space for this project centers around a freshwater wetland that bisects the property. This will be a great gathering place for the community as it serves as the central point along the interconnected walking trail between the town square and the amenity center. The concept of this system is that a resident can travel from one end of the subdivision to the other without having to walk along a road.

The proposed land use is as follows:
(All acreages are approximate and subject to change)

Gross Land Area: 36.09 Ac.
Critical (Salt Water) Marsh: 0.85 Ac.
Total Wetlands: 2.10 Ac.
Maximum Dwelling Units: 160 DU
Net Density (High Ground Only): 4.71 DU/Ac.
Net Developable Land: 33.99 Ac.

36.24
36.09 Ac.
0.85 Ac.
2.10 Ac.
160 DU
4.71 DU/Ac.
33.99 Ac.
34.14
1.4 **Zoning Districts**

1.4.1a **Single Family Residential Detached (Type A, B, & C Single Family)**

Permitted Uses:


2. Park, playground or athletic field, not operated as a business for profit, except that outdoor lighting shall be permitted only as an exception where the Board of Appeals shall find that the lights will not adversely impact adjacent residential areas.

3. Non-commercial horticultural activity, including garden or greenhouse.

4. Home occupations may be established in a dwelling unit as per the City of Charleston Zoning Ordinance

5. Signs or bulletin boards - see City of Charleston Zoning Ordinance

6. Family day care homes subject to permitting procedures and restrictions for family day care homes in single family residential districts as specified in the City of Charleston Zoning Ordinance.

7. Sales Office – A temporary sales office will be allowed and located in a Model Home. See Section 1.12
<table>
<thead>
<tr>
<th>Zone District Area</th>
<th>Setbacks for Principal Buildings *see note</th>
<th>Minimum Lot Area Per Family Type of Dwelling Unit</th>
<th>Accessory Bldgs. To Residence Setback Required *see note</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Front</td>
<td>Rear</td>
</tr>
<tr>
<td>SFR District A,B,C</td>
<td>15'</td>
<td>10'</td>
<td>5'</td>
</tr>
</tbody>
</table>

*Note - Critical Line Buffer and Building Setback supersedes the above

i. Maximum Driveway width of 12 ft within the front 10 ft of the lot
ii. Dwelling units or heated living space are allowed in accessory buildings (i.e. Mother-in-law Suites on a shared meter with the main house.)
iii. Front-loaded garages must be setback a minimum of 10 ft from the principal building frontage.
iv. For alley served lots, no front driveway will be permitted
v. Porches and/or stairs can encroach into the front setback up to 5 ft.
vi. Lot width shall be a minimum of 20 ft at the road right of way.

1.4.1b Single Family Residential Detached (Type C2 Single Family)

Permitted Uses:

1. **Single-family detached dwellings.**

2. **Park**, playground or athletic field, not operated as a business for profit, except that outdoor lighting shall be permitted only as an exception where the Board of Appeals shall find that the lights will not adversely impact adjacent residential areas.

3. **Non-commercial horticultural activity**, including garden or greenhouse.

4. **Home occupations** may be established in a dwelling unit as per the City of Charleston Zoning Ordinance

5. **Signs or bulletin boards** - see City of Charleston Zoning Ordinance

6. **Family day care homes** subject to permitting procedures and restrictions for family day care homes in single family residential districts as specified in the City of Charleston Zoning Ordinance.
<table>
<thead>
<tr>
<th>Zone</th>
<th>Setbacks for Principal Buildings</th>
<th>Minimum Lot Area Per Family Type of Dwelling Unit</th>
<th>Accessory Bldgs. To Residence Setback Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>District C2</td>
<td>Total 15' Front 10' Rear 5' Total Side 6' Min. Side 3'</td>
<td>Single Fam. 3,000 N/A N/A</td>
<td>Max. % Lot Occup for All Bldgs 65% Max. Height Limits Structures 42' Max. Height Limits Fences 6' From Rear 5' From Side (total) 3'</td>
</tr>
</tbody>
</table>

*Note - Critical Line Buffer and Building Setback supersede the above

i. Maximum Driveway width of 12 ft in the first 10' from behind the curb to the right-of-way line.

ii. The garages will be drive-under homes

iii. Dwelling units or heated living space are allowed in accessory buildings (i.e. Mother-in-law Suites on a shared meter with the main house.)

iv. Porches and/or stairs can encroach into the front setback up to 5 ft.

v. Lot width shall be a minimum of 20 ft at the road right of way.

### 1.4.2 Single Family Residential Attached

Permitted Uses:

1. **Single-family attached (townhouse) dwellings.**

2. **Park,** playground or athletic field, not operated as a business for profit, except that outdoor lighting shall be permitted only as an exception where the Board of Appeals shall find that the lights will not adversely impact adjacent residential areas.

3. **Non-commercial horticultural** activity, including garden or greenhouse.

4. **Home occupations** may be established in a dwelling unit as per the City of Charleston Zoning Ordinance.

5. **Signs or bulletin boards** - see City of Charleston Zoning Ordinance.

6. **Family day care homes** subject to permitting procedures and restrictions for family day care homes in single family residential districts as specified in the City of Charleston Zoning Ordinance.
<table>
<thead>
<tr>
<th>Zone District Area</th>
<th>Setbacks for Principal Buildings <strong>see note</strong></th>
<th>Minimum Lot Area Per Family Type of Dwelling Unit</th>
<th>Accessory Bldgs. To Residence Setback Required <strong>see note</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Front</td>
<td>Rear</td>
</tr>
<tr>
<td>SFR District D</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
</tbody>
</table>

*Note - Critical Line Buffer and Building Setback supersede the above.

** Side setbacks shall be from exterior units. 10 ft Setbacks from Public Rights of Way, 6 ft from Property Line with adjacent buildings.

i. Maximum Driveway width of 12 ft within the front 10 ft of the lot
ii. Dwelling units or heated living space are allowed in accessory buildings (i.e. Mother-in-law Suites on a shared meter with the main house.)
iii. Front-loaded garages must be setback a minimum of 10 ft from the principal building frontage.
iv. For alley served lots, no front driveway will be permitted
v. Porches and/or stairs can encroach into the front setback up to 5 ft.
vi. Lot width shall be a minimum of 18 ft at the road right of way.

1.4.3 Commercial District

The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, storage yards (except for vehicles and boats), and warehouses including self-storage mini-warehouses. Automotive repair shops, veterinary clinics, and stables are permitted only as special exceptions subject to the approval of the Board of Zoning Appeals.

Permitted uses: The permitted uses are detailed in the City of Charleston Zoning Code.
1.5  Open Space

20% of the gross project acreage must be set aside as permanent open space. Of this open space, 25 percent must be set aside as usable/open space. The purpose of this section is to describe the characteristics of open space land and uses allowed within permanent open space.

By using minimum height and area requirements and variations in unit types, lots and units may be clustered to create additional open space within neighborhoods.

Open spaces and parks designated on the Master Plan or identified during Site Plan approval shall be improved or conveyed as adjacent development phases are developed. Potential uses that may be located within individual parks are listed within this section.

The developers/owner shall be responsible for the maintenance of the open space. This may be transferred by means of the establishment of a homeowner’s association or neighborhood regime.

1.5.1  Shared Use Open Space

Shared Use Open space is designed to have either an enclosed amenity center or an open air pavilion that can be used for event such as an oyster roast or community gathering.

1. We envision The Marshes at Cooper River to be a biking/walking community and have attempted to minimize Open Space parking to consist of up to two on-street or off-street parking spaces, including one designated ADA parking space. The Open Space site plan will have to be approved by the City of Charleston.

2. No setbacks, buffers, minimum lot size, building occupancy are required. Critical line buffer and setbacks apply.

3. Maximum building height will be 42’ measured from the base flood elevation.

1.5.2  Open Space Requirement

A total of 7.05 acres of open space (20 percent) is required with the PUD districts, of which 1.76 acres (25 percent) is required to be Active /Usable open space. Open space is provided as follows.

<table>
<thead>
<tr>
<th>Total Upland Usable Open Space</th>
<th>5.63 ac.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Usable/Active Open Space</td>
<td>2.56 ac. (1.76 ac. required)</td>
</tr>
<tr>
<td>2. Community Amenity Open Space</td>
<td>0.37 ac.</td>
</tr>
<tr>
<td>3. Natural Upland Open Space</td>
<td>2.60</td>
</tr>
<tr>
<td>Wetlands/Salt Marsh</td>
<td>2.10 ac</td>
</tr>
<tr>
<td>Total Open Space Provided</td>
<td>7.05 ac. (7.05 ac. required)</td>
</tr>
</tbody>
</table>
1.6 Buffers

Buffers within the PUD District shall meet or exceed requirements of the City of Charleston Zoning Ordinance and/or any applicable deed restrictions or agreements which ever is more stringent.

Buffer areas should be preserved and protected during the construction process and existing vegetation should be augmented with new plant material as necessary to provide a consistent sense of spatial separation and effectively screen different land uses, zoning designations or roads visually.

Landscaping should meet or exceed requirements of the City of Charleston Zoning Ordinance, Section 54-110. Landscape regulations apply specifically to:

1. Street Frontage
2. Parking Lots
3. Buffers and Screening
4. Refuse Collection Facilities

Critical Line buffer to be a minimum of 25 ft plus a 10 ft building setback.

All projects affected by the landscape and screening requirements shall submit a plan for review and approval by the Zoning Division. The plan shall be consistent with the requirements outlined in the City of Charleston Zoning Ordinance. Buffers are not required between the different Districts in the PUD.

1.7 Tree Summary

The trees depicted on the Master Plan (Appendix 5.2) shall adhere to Article 16 of the City of Charleston Zoning Ordinance.

It is of utmost importance to the PUD District that significant existing vegetation be preserved whenever possible. All structures and other improvements should be planned in such a manner that existing vegetation, particularly healthy and viable Grand trees, are preserved and protected where possible.

1.8 Right of Ways

Street types as indicated on the Master Plan will be subject to review and approval during the Technical Review Committee (TRC) process and may be substituted with another listed street type from the chart below. Minor changes to the design standards below may be approved by staff during the TRC review of the construction drawings. Private roads are allowed and should meet the design standards of the similar public roads in the development. The site distance visibility at all exits and/or intersections will be maintained in accordance to the SCDOT’s Access and Roadside Management Standards manual. Directional and traffic signage must conform to the MUTCD standards.
<table>
<thead>
<tr>
<th>Street Type</th>
<th>R-O-W</th>
<th>Travel Lanes*</th>
<th>On-street Parking</th>
<th>Curb</th>
<th>Curb/Intersection Radii</th>
<th>Street trees 2-Sides</th>
<th>Street tree spacing</th>
<th>Sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Street 1</td>
<td>50' min.</td>
<td>Two-ways 10' min. travel lane</td>
<td>7' (1 side) Vert.</td>
<td>15</td>
<td>Tree Well (1) or Planting Strip (2)</td>
<td>30'-50'</td>
<td>5' min. (1 side)</td>
<td></td>
</tr>
<tr>
<td>Residential Street 2</td>
<td>50' min.</td>
<td>Two-ways 10' min. travel lane</td>
<td>n/a Vert.</td>
<td>15</td>
<td>Tree Well (1) or Planting Strip (2)</td>
<td>50'-60'</td>
<td>5' min. Sidewalk or Trail (1 side)</td>
<td></td>
</tr>
<tr>
<td>Residential Road</td>
<td>35' min.</td>
<td>Two-ways 11' min. travel lane</td>
<td>n/a Vert.</td>
<td>15</td>
<td>Tree Well (1) or Planting Strip (2)</td>
<td>30'-50'</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Alley</td>
<td>20' min.</td>
<td>One-way 14' min. travel lane</td>
<td>n/a n/a</td>
<td>25'</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>One Way Street</td>
<td>35' min.</td>
<td>One-way 14' min. travel lane</td>
<td>7' (1 side) Vert.</td>
<td>15'</td>
<td>Tree Well (1) or Planting Strip (2)</td>
<td>30'-50'</td>
<td>5' min. (1 side)</td>
<td></td>
</tr>
</tbody>
</table>

- All Travel Lanes and Parking Lanes do not include the width of the gutter.
- No gates are permitted
- Street lights will be required on all roads and alleys
- No Parking will be permitted on any of these streets that do not provide the adequate width necessary for on-street parking. The City of Charleston’s Department of Traffic and Transportation has the authority to alter or restrict parking on any of these streets as necessary to provide safe and efficient travel lanes and parking areas

(1) — Tree Wells to be a minimum of 4' by 6'
(2) — Planting Strip to be a minimum of 4' in width

1.9 Drainage Basin Analysis

The Marshes at Cooper River subdivision will be developed within the current stormwater management guidelines of the City of Charleston and South Carolina Department of Health and Environmental Control for water quality and quantity. Due to the existing soil types, a detention waver may be necessary to meet certain storm water events in the post-developed condition.

The existing drainage patterns for this parcel drain to the existing wetlands in the center of the parcels and Yellow House Creek to the northwest. The wetlands and critical area have been certified by OCRM and ACOE SAC 2008-00577-2JD. The majority of the land is wooded. The majority of the site does drain to the central wetland which ultimately leads to Yellow House Creek. The topography has elevations ranging from approximate 4.0 to 46.0 Mean Sea Level (NAVD 29). The proposed project will include a drainage plan in accordance with the City requirements.
The proposed drainage for the development will maintain the existing drainage pattern through a series of drainage boxes, pipes, swales and ponds. Conceptual stormwater management designs may call for the use of ponds and individual lot drainage systems to achieve adequate control of run-off quality. Subsequent stormwater management plans will include appropriate best management practices for stormwater control.

1.10 Cultural Resources

No cultural resources were found on this site. Please see Section 3 for Brockington & Associates report.

1.11 Docks

Community dock may be constructed as part of the Shared Use Community Open Space. A master dock plan will be developed that meets OCRM and City of Charleston requirements.

1.12 Model Homes

There will be a maximum of three Model Homes allowed in each Residential District (per Phase) of the development. A sales office can be located inside a model home (see section 1.4.1)

1.13 Alternative Site Access

The City of Charleston is currently in discussions with one or more nearby property owners and the South Carolina Department of Transportation to allow for the installation of a traffic signal at the intersection of Clements Ferry Road and Heidie Lane. The construction of a traffic signal, in combination with the realignment and improvement of Heidie Lane, would create an alternative means of ingress/egress to The Marshes at Cooper River thereby providing a potential benefit to its residents. As such, the developer/owner does not object to the City of Charleston's construction of a traffic signal or the "Possible Alternative Entrance" as approximately depicted on the Master Plan in the Appendix.
2

TRAFFIC STUDY
December 15, 2014

Mr. Jack Daniels  
Middle Street Partners, LLC  
2113 Middle St., Suite 309  
Sullivan's Island, SC 29482

RE: Traffic Impact and Access Study  
The Marshes at Cooper River  
Charleston, SC

Dear Mr. Daniels:

As requested, SRS Engineering, LLC (SRS) has completed an assessment of the traffic impacts associated with the proposed mixed-use development to be known as The Marshes at Cooper River to be located along the north side of Clements Ferry Road opposite the existing SPARC campus within the municipal limits of the City of Charleston, South Carolina. The following provides a summary of this study’s findings:

**PROJECT DESCRIPTION**

The project site (31.5-acres) is generally located the north side of Clements Ferry Road, opposite the SPARC campus, between Heidie Lane and Jessen Lane and is currently undeveloped. The project proposal is to develop the project with the following uses/densities:

- 135 Single-Family Residences;
- 25 Residential Townhomes; and
- an estimated 10,000 square-feet (sf) of commercial space assumed as office space.

As scheduled, this project is planned to be constructed fully and operational within approximately three years. For purposes of this report, a 2017 horizon/completion year has been utilized.

There is an existing access drive for the project that connects with Clements Ferry Road that is paved for approximately 50-feet and is then gated. This existing access is located approximately 250-feet east of Heidie Lane and 250-feet west Jessen Lane and is offset approximately 100-feet west of the existing SPARC access on the south side of Clements Ferry Road. The current plan is to utilize this existing access drive for access for the project. Details regarding this access drive an additional future connectivity are discussed in the Mitigation section of this report.

A general site location map is provided as Figure 1. The proposed site plan is shown in Figure 2.
EXISTING CONDITIONS

A comprehensive field inventory of the project study area has been conducted. The field inventory included a collection of geometric data, traffic volumes and traffic control within the study area. The following section details the current traffic conditions and includes a description of the roadway serving the site and traffic flow in close proximity to the project site.

Study Area Roadway

Clements Ferry Road (S-8-33) - is currently a two-lane divided east/west oriented roadway within the study area. Throughout the study area, this roadway provides one travel lane in each direction generally separated by a center two-way left-turn lane (TWLTL). This roadway has a posted speed limit of 45 miles-per-hour (mph) and is under the jurisdiction of the South Carolina Department of Transportation (SCDOT).

Traffic Volumes

In order to determine the existing traffic volume flow patterns along site frontage, weekday morning (7:00-9:00 AM) and evening (4:00-6:00 PM) peak period count data was gathered for Clements Ferry Road at the point of the existing access that will be utilized for the project. It should be noted that the existing access is currently not servicing traffic volumes.

Figure 3, located in the appendix of this report, graphically depicts the Existing AM and PM peak-hour traffic volumes for Clements Ferry Road fronting the site.

FUTURE CONDITIONS

Traffic analyses for future conditions have been conducted for the proposed access intersection with Clements Ferry Road for Future Build Conditions.

Annual Growth Rate

Growth in the area was investigated via a nearby SCDOT (Berkeley County) permanent count station (Station #269) along Clements Ferry Road as well as growth rate information utilized in recent traffic studies. Based on this information, a generalized 3-percent per year growth rate was developed for the study area.

Planned Roadway Improvements

Based on conversations with City/SCDOT staff, Clements Ferry Road (S-8-33) will be widened from a point east of Interstate 526 to SC 41 to provide two travel lanes in each direction separated by a striped center median treatment. This project is fully funded and is currently in the planning/design phase. It is scheduled to be completed by 2016 and has therefore been assumed to be complete for future year analyses contained within this report.

Furthermore, it is understood that there are ongoing discussions regarding a potential future traffic signal along this segment of Clements Ferry Road although a formal plan has not been selected/approved. One option that has been reviewed in the past is a re-alignment of Deanna Lane such that it would intersect Clements Ferry Road directly opposite Wambaw Creek Road to create a formal four-legged intersection with the installation of traffic signal control. Another option that has been discussed is a potential signal
at Rebellion Farms Place. Recent correspondence with SCDOT indicates that the Clements Ferry Road widening plans are to a point where no changes are being made.

**Site-Generated Traffic**

Traffic volumes expected to be generated by the proposed project were forecasted using the Eighth Edition of the ITE *Trip Generation* manual, as published by the Institute of Transportation Engineers. Land-Use Codes #210 (Single Family Residential), #230 (Residential Condominium/Townhome) and #710 (General Office) were used to estimate the specific site-generated traffic. Table 1 depicts the anticipated site-generated traffic.

<table>
<thead>
<tr>
<th>Time Period</th>
<th>135 Lots Single-Family Residences² (a)</th>
<th>25 Residential Townhomes³ (b)</th>
<th>10,000 sf General Office⁴ (c)</th>
<th>Total Development Trips (a+b+c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekday Daily</td>
<td>1,370</td>
<td>190</td>
<td>110</td>
<td>1,670</td>
</tr>
<tr>
<td>AM Peak-Hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter</td>
<td>26</td>
<td>3</td>
<td>14</td>
<td>43</td>
</tr>
<tr>
<td>Exit</td>
<td>78</td>
<td>14</td>
<td>2</td>
<td>94</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>17</td>
<td>16</td>
<td>137</td>
</tr>
<tr>
<td>PM Peak-Hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter</td>
<td>87</td>
<td>13</td>
<td>3</td>
<td>103</td>
</tr>
<tr>
<td>Exit</td>
<td>51</td>
<td>6</td>
<td>12</td>
<td>69</td>
</tr>
<tr>
<td>Total</td>
<td>138</td>
<td>19</td>
<td>15</td>
<td>172</td>
</tr>
</tbody>
</table>

2. ITE Trip Generation manual - LUC 210 (Single-Family Detached Housing)
3. ITE Trip Generation manual - LUC 230 (Residential Condominium/Townhouse)
4. ITE Trip Generation manual - LUC 710 (General Office)

As shown, the project as a whole can be expected to generate a total of 1,670 two-way vehicular trips on a weekday daily basis, of which a total of 137 trips (43 entering, 94 exiting) can be expected during the AM peak-hour. During the PM peak-hour, 172 trips (103 entering, 69 exiting) can be expected.

As shown, the commercial component (office space) is a relatively small component of project trips.

**Distribution Pattern**

The directional distribution of site-generated traffic on the study area roadways has been based on an evaluation of existing travel patterns within the study area and the proximity of the project to I 526. The distribution pattern utilized for this project is shown in Table 2.
Table 2  
TRIP DISTRIBUTION PATTERN  
The Marshes at Cooper River

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Direction To/From</th>
<th>Enter/Exit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clements Ferry Road</td>
<td>East (toward SC 41)</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>West (toward Interstate 526)</td>
<td>75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Note: Based on the existing and projected future traffic patterns.

This distribution pattern has been applied to the site-generated traffic volumes from Table 1 to develop the site-generated specific volumes for the study area intersections illustrated in Figure 4.

**Build Traffic Conditions**

The site-generated traffic, as depicted in Figure 4, has been combined with the projected volumes for Clements Ferry Road for 2017 (Existing volumes grown at 3-percent annually). This results in the peak-hour 2017 Build traffic volumes, which are graphically depicted in Figure 5. These volumes were used as the basis to determine potential improvement measures needed at the proposed site access intersection.

**TRAFFIC OPERATIONS**

**Analysis Methodology**

A primary result of capacity analysis is the assignment of Level-of-Service (LOS) to traffic facilities under various traffic flow conditions. The concept of Level-of-Service is defined as a qualitative measure describing operational conditions within a traffic stream and their perception by motorists and/or passengers. A Level-of-Service designation provides an index to the quality of traffic flow in terms of such factors as speed, travel time, freedom to maneuver, traffic interruptions, comfort, convenience, and safety.

Six Levels-of-Service are defined for each type of facility (signalized and unsignalized intersections). They are given letter designations from A to F, with LOS A representing the best operating conditions and LOS F the worst.

Since the Level-of-Service of a traffic facility is a function of the traffic flows placed upon it, such a facility may operate at a wide range of Levels-of-Service depending on the time of day, day of week, or period of a year.

**Capacity Analysis Results**

As part of this traffic study, capacity analyses have been performed for the site access intersection under Future conditions, which account for normal background growth in traffic and specific traffic related to the project. The results of these analyses are summarized in Table 3.
Table 3
LEVEL-OF-SERVICE SUMMARY
The Marshes at Cooper River

<table>
<thead>
<tr>
<th>Unsignalized Intersection</th>
<th>Time Period</th>
<th>2017 BUILD CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clements Ferry Road at Site Access</td>
<td>AM</td>
<td>19.1</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>19.3</td>
</tr>
</tbody>
</table>

a. Delay in seconds-per-vehicle.
b. LOS = Level-of-Service.

GENERAL NOTES:
1. For unsignalized intersections, Delay is representative of critical movement/approach.

As shown in Table 3, the site access intersection with Clements Ferry Road is expected to operate acceptably during both peak hours with the incorporation of recommended geometry and traffic control detailed in the next section of this report. It should be noted that this analysis assumes the widening of Clements Ferry Road to a four-lane divided cross-section as currently proposed.

MITIGATION

The final phase of the analysis process is to identify mitigating measures which may either minimize the impact of the project on the transportation system or tend to alleviate poor service levels not caused by the project. The following section describes measures necessary to mitigate the project’s impact.

Proposed Site Access

As planned, access to/from the site will be provided via a single access drive to Clements Ferry Road at an existing access drive that is located approximately 250-feet east of Heidie Lane and 250-feet west Jessen Lane. It should be noted that this access is offset approximately 100-feet west of the existing SPARC access on the south side of Clements Ferry Road. The proposed project access is an existing paved connection to Clements Ferry Road that is shown to remain in the SCDOT widening plans for Clements Ferry Road.

Left-turns into the project will be accommodated via the center striped median within Clements Ferry Road, which will allow left-turns to store and minimize impacts on eastbound Clements Ferry Road through volumes. The volume of right-turns entering the site during peak hours (11 during AM; 26 during PM) do not warrant a dedicated right-turn lane for westbound Clements Ferry Road.

With regards to the access road approach, consideration should be given to providing two lanes exiting (separate left and separate right) with one lane for entrances. This will allow for right-turns exiting the project to maneuver around a queued left-turning vehicle. The access road approach should be placed under STOP sign control.

Provisions for future interconnectivity to the east and west should be planned so as to allow potential future connectivity to a future traffic signal location along Clements Ferry Road.
SUMMARY

SRS has completed a Traffic Impact and Access Study relative to a proposed mixed-used development along the north side of Clements Ferry Road to be known as The Marshes at Cooper River. A total of 160 residential units are proposed along with a small commercial component planned as office space. The site is currently undeveloped but does have an existing paved access to Clements Ferry Road approximately half way between Heidie Lane and Jessen Lane, offset with the existing SPARC access on the south side of Clements Ferry Road.

Clements Ferry Road is scheduled to be widened for an additional through lane in each direction. This widening project is expected to begin in the near future, and is expected to be completed by the time The Marshes at Cooper River project is completed. The widening project will result in a striped median at the point of site access that will service eastbound left-turns into the site. A dedicated westbound right-turn deceleration lane is not recommended based on projected right-turn volumes. The site access road approach should be improved to provide for two exiting lanes (separate left and separate right) with one entering lane.

It is understood that there are ongoing discussions regarding a potential future traffic signal along this segment of Clements Ferry Road. One option that has been reviewed in the past is a re-alignment of Deanna Lane such that it would intersect Clements Ferry Road directly opposite Wambaw Creek Road to create a formal four-legged intersection with the installation of traffic signal control. Another option that has been discussed is a potential signal at Rebellion Farms Place. It is understood that a formal decision has not been made with regards to this future signalized intersection location. SCDOT has indicated that the Clements Ferry Road plans are to a point where significant changes are not being made. It is recommended that provisions for interconnectivity be provided within the site to allow for potential connectivity to a future traffic signal either to the east or west of the site.

If you have any questions or comments regarding any information contained within this report, please contact me at (803) 252-1799.

Regards,

SRS ENGINEERING, LLC

Mike Ridgeway, P.E.
Principal

Attachments
APPENDIX

- Figures
- Capacity Analyses
Figure 3
EXISTING TRAFFIC VOLUMES
The Marshes at Cooper River: Charleston, SC
Figure 4
SITE-GENERATED TRAFFIC VOLUMES

The Marshes at Cooper River: Charleston, SC
AM PEAK-HOUR

SITE

Clements Ferry Rd.

PM PEAK-HOUR

SITE

Clements Ferry Rd.

Note: These volumes include 3% annual background growth for Clements Ferry Road.

Figure 5

2017 BUILD TRAFFIC VOLUMES

The Marshes at Cooper River: Charleston, SC
CAPACITY ANALYSES
<table>
<thead>
<tr>
<th>Location</th>
<th>EB 1</th>
<th>EB 2</th>
<th>EB 3</th>
<th>WB 1</th>
<th>WB 2</th>
<th>WB 3</th>
<th>SB 1</th>
<th>SB 2</th>
<th>SB 3</th>
<th>VB</th>
<th>SB</th>
<th>OB</th>
<th>Designed Capacity (veh/h)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume (veh/h)</td>
<td>32</td>
<td>1051</td>
<td>1209</td>
<td>11</td>
<td>23</td>
<td>71</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Control</td>
<td>Free</td>
<td>Free</td>
<td>Stop</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grade</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peak Hour Factor</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hourly flow rate (vph)</td>
<td>36</td>
<td>1188</td>
<td>1343</td>
<td>12</td>
<td>26</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrians</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lane Width (ft)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walking Speed (ft/s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Blockage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right turn flare (veh)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Median type</td>
<td>TWLTL</td>
<td>TWLTL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Median storage veh</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upstream signal (ft)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>pX, platcon unblocked</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>tC, conflicting volume</td>
<td>1356</td>
<td>2004</td>
<td>678</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vC1, stage 1 confident</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vC2, stage 2 confident</td>
<td>655</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vCI, unblocked vol</td>
<td>1355</td>
<td>2004</td>
<td>678</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC, single (s)</td>
<td>4.1</td>
<td>6.8</td>
<td>6.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC, 2 stage (s)</td>
<td>6.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n0 queue free %</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CM capacity (veh/h)</td>
<td>503</td>
<td>186</td>
<td>395</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Direction</td>
<td>EB1</td>
<td>EB2</td>
<td>EB3</td>
<td>WB1</td>
<td>WB2</td>
<td>WB3</td>
<td>SB1</td>
<td>SB2</td>
<td>SB3</td>
<td>VB</td>
<td>SB</td>
<td>OB</td>
<td>Designed Capacity (veh/h)</td>
</tr>
<tr>
<td>Volume Total</td>
<td>36</td>
<td>534</td>
<td>594</td>
<td>866</td>
<td>460</td>
<td>26</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume Left</td>
<td>36</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>26</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume Right</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>12</td>
<td>0</td>
<td>79</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>oSH</td>
<td>503</td>
<td>1700</td>
<td>1700</td>
<td>1700</td>
<td>1700</td>
<td>186</td>
<td>395</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume to Capacity</td>
<td>0.07</td>
<td>0.34</td>
<td>0.34</td>
<td>0.53</td>
<td>0.27</td>
<td>0.14</td>
<td>0.20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Queue Length 50th (ft)</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Control Delay (s)</td>
<td>12.7</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lane LOS</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approach Delay (s)</td>
<td>0.4</td>
<td>0.0</td>
<td>19.1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approach LOS</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Delay</td>
<td>0.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersection Capacity Utilization</td>
<td>44.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Analysis Period (min)</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Baseline
### 2017 BUILD CONDITIONS
7: Clements Ferry & Site Access

#### PM PEAK HOUR
12/15/2014

<table>
<thead>
<tr>
<th>Movement</th>
<th>ESB</th>
<th>EB1</th>
<th>EB2</th>
<th>EB3</th>
<th>WBT</th>
<th>WB1</th>
<th>WB2</th>
<th>SBL</th>
<th>SBR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume (veh/h)</td>
<td>77</td>
<td>1367</td>
<td>1207</td>
<td>26</td>
<td>17</td>
<td>52</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Control</td>
<td>Free</td>
<td>Free</td>
<td>Stop</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grade</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peak Hour Factor</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td>0.90</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hourly flow rate (vph)</td>
<td>86</td>
<td>1619</td>
<td>1341</td>
<td>29</td>
<td>19</td>
<td>58</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrians</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lane Width (ft)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walking Speed (ft/s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Blockage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right turn flare (veh)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Median type</td>
<td>TWLTL</td>
<td>TWLTL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Median storage veh</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upstream signal (ft)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>pX, platoon unblocked</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vC, conflicting volume</td>
<td>1370</td>
<td>2286</td>
<td>585</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vC1, stage 1 conf vol</td>
<td>1356</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vC2, stage 2 conf vol</td>
<td>931</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>vCu, unblocked vol</td>
<td>1370</td>
<td>2286</td>
<td>585</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TC, single (s)</td>
<td>4.1</td>
<td>6.8</td>
<td>6.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TC, 2 stage (s)</td>
<td>5.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IF (s)</td>
<td>2.2</td>
<td>3.5</td>
<td>3.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>p0 queue free %</td>
<td>83</td>
<td>88</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CM capacity (veh/h)</td>
<td>497</td>
<td>162</td>
<td>391</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Direction Summary

<table>
<thead>
<tr>
<th>Direction</th>
<th>ESB</th>
<th>EB1</th>
<th>EB2</th>
<th>EB3</th>
<th>WBT</th>
<th>WB1</th>
<th>WB2</th>
<th>SBL</th>
<th>SBR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume Total</td>
<td>86</td>
<td>759</td>
<td>759</td>
<td>894</td>
<td>476</td>
<td>19</td>
<td>58</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume Left</td>
<td>86</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>19</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume Right</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>29</td>
<td>0</td>
<td>58</td>
<td></td>
<td></td>
</tr>
<tr>
<td>cSH</td>
<td>497</td>
<td>1700</td>
<td>1700</td>
<td>1700</td>
<td>1700</td>
<td>162</td>
<td>391</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume to Capacity</td>
<td>0.17</td>
<td>0.45</td>
<td>0.45</td>
<td>0.63</td>
<td>0.28</td>
<td>0.12</td>
<td>0.15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Queue Length 95th (ft)</td>
<td>15</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Control Delay (s)</td>
<td>13.7</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>30.1</td>
<td>15.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lane LOS</td>
<td>B</td>
<td>D</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approach Delay (s)</td>
<td>0.7</td>
<td>0.0</td>
<td>19.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approach LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Intersection Summary

- Average Delay: 0.9
- Intersection Capacity Utilization: 51.8%
- ICU Level of Service: A
- Analysis Period (min): 15
3

CULTURAL RESOURCES

(Full Report has been provided to the City of Charleston. The section included in this PUD is the results/recommendations of the report. Please contact our office if a pdf copy is desired.)
LETTERS OF COORDINATION
8/28/2014

Mr. Chris Donato
Sitecast, LLC
1250 Fairmont Avenue
Mt. Pleasant, SC 29464

Re: Water Availability to TMS #267-00-00-004, 005, 010, 049 - 057, 069 to serve 180 single family residential units and 10,000 sf of commercial units

Dear Mr. Donato,

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 30'' water main in the right-of-way of Clements Ferry Rd. that your property may be served from. Please be advised that it may be necessary to loop the proposed mains so that sufficient fire flow demands are met. 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,

Cheryl L. Boyle
Engineering Assistant
Charleston Water System

cc: file
8/28/2014

Mr. Chris Donato
Sitecast, LLC
1250 Fairmont Avenue
Mt. Pleasant, SC 29464

Re: Sewer Availability to TMS #267-00-00-004, 005, 010, 049 - 057, 069 to serve 180 single family residential units and 10,000 sf of commercial units

Dear Mr. Donato,

This letter is to certify our willingness and ability to provide wastewater collection service to the above referenced site in Charleston County, South Carolina. Wastewater collection service to this site may be made available via the existing 24" force main in the right of way of Clements Ferry 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. Please be advised that it is the policy of Charleston Water System that the proposed gravity sewer mains be designed and constructed at a depth that will allow future development to tie into the gravity mains. 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,

Cheryl L. Boyle
Engineering Assistant
Charleston Water System

cc: file
APPENDIX
May 18, 2018

Technical Review Committee Members
City of Charleston
75 Calhoun Street
Charleston, SC 29401

THE MARSHES AT COOPER RIVER PUD AMENDMENT

Dear TRC Members,

The following is a history of The Marshes at Cooper River Planned Urban Development:

- July 21, 2015 – Annexation and PUD zoning approved by City Council
- February 23, 2016 – Revised PUD approved by City Council
- December 6, 2016 – MS4 approval issued by the City
- March 20, 2017 – Request to divide the project into two phases approved by the City
- April 16, 2018 – Final Plat recorded for Phase 1
- Current – development of Phase 2 is nearing completion and final plat is being prepared for submittal to the City

Our currently proposed modifications to the PUD include the annexation and addition of 1.5 acres of unincorporated land and the introduction of a new residential zone to accommodate the substantial grade changes present at the rear of the property. These modifications to the PUD are described in more detail as follows:

- **Additional 1.5 acres**
  - Revised Master Plan and the Land Use Tables
  - Revised Open Space Plan and Open Space Calculations
  - The PUD was approved for 160 units. The total number of units to be platted in Phase 1 & Phase 2 will be 129. The additional 1.5 acres will add 18 units. This will put the total number of units at 147, which is still less than the amount approved by the original PUD.

- **New Section 1.4.1b**
  - This section will allow for elevated homes at the rear of the project where substantial grade changes are present
  - Maximum driveway width of 12 ft in the “first 10 ft of the lot” was shifted to apply to the “first 10 ft behind the curb” to accommodate a drive-under product
o Maximum building height was changed from 36 ft to 42 ft (same as the Type D townhouses). The base of these homes will be below the curb of the road so this change in height will be negligible in the field.

o Removed the note that front-loaded garages must be setback a minimum of 10 ft since these will be drive-under homes

- New Section 1.13 Alternative Site Access
  o This section was added at the request of City staff to assist in their efforts to obtain a traffic signal near the project and potentially provide an alternative means of access to the site.

The above changes constitute the entirety of proposed modifications to the PUD at this time. As the proposed new total number of units (147) is less than the number anticipated in the original traffic study (160 units), the recommendations contained therein remain valid. In addition, Cultural Resource and Endangered Species studies performed for the parcels subject to the original PUD also included surrounding parcels (including those currently proposed to be added to the PUD), so no changes to those studies are warranted at this time.

A thorough drainage analysis will be provided once the drawings moving into TRC review. Our preliminary look at the drainage system verified that there is enough capacity in the system for this project.

A fire plan showing the mobility of a 55’ fire truck will be provided once this project moves into TRC review.

If you have any questions or comments, please do not hesitate to contact our office.

Sincerely,

SITECAST, LLC

Christopher D. Donato, Jr. PE
Principal
ZONING & PUD AMENDMENT 2

Clements Ferry Rd
(The Marshes at Cooper River PUD – Cainhoy)

orig. TMS# 2670000004, 005, 010, 050-057, 069 & 071

approx. 36.09 ac.

Request to amend the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Guidelines and to zone property on Clements Ferry Rd (TMS #2710002153), approximately 0.15 acre, to be included in the PUD (Marshes at Cooper River).

Owner: Sweetwater Apartments SC Phase II LLC
AN ORDINANCE

TO AMEND SECTION 54-604 (DEVELOPMENTS THAT REQUIRE TRC APPROVAL) OF ARTICLE 6 (LAND DEVELOPMENT PLAN REVIEW) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA (ZONING ORDINANCE) TO UPDATE THE LIST OF DEVELOPMENT PROJECT TYPES THAT REQUIRE THE APPROVAL OF THE TECHNICAL REVIEW COMMITTEE

Section 1. Sec. 54-604 is hereby amended to read as follows (new text in bold and double underlined and deleted text with strikethrough):

Sec. 54-604. - Developments that require TRC approval.

a. TRC approval is required when:

1. any new building(s) construction or site improvement(s) is undertaken on land within the City of Charleston, save repairs or renovations not exceeding the requirements of 54-604.a.2.b, which follows; or

2. any construction or renovation results in the a building addition to an existing building where the footprint of the new building is of two thousand (2,000) or more square feet in area space to an existing structure; or

3. any construction or development results in changes to traffic circulation, internal or external, to the development site, specific to changes to or additions of curb cuts, site access, drive-thru lanes and/or stormwater drainage systems onto or off of a site; or

4. any construction, development, or redevelopment that requires a Type II or Type III Construction Activity Application as prescribed in the City’s Stormwater Design Standards Manual; or

5. TRC approval is required by the zoning classification of a given site, specific to a PUD, Neighborhood District, Gathering Place District and Upper Peninsula District; or
6. TRC approval is required by restrictive covenants applicable to a given site; or

7. any construction of a new building or building addition on the peninsula or in an area identified as a Special Protection Area by the Department of Stormwater Management results in a total of three or more dwelling units on a single lot;

8. single-family or two-family dwelling unit construction results in a total of four or more units on a single lot.

9. any linear construction project, specific to sidewalks, multi-use paths, utility lines, surface or subsurface drainage systems, exceeds a continuous length of 100 feet or requires the platting of a new easement; excluding construction projects in existing easements except that such projects may require a Construction Activity Application approval

b. The following development(s) are exempt from requiring TRC approval but shall still require the approval of the Zoning Administrator:

1. single-family dwelling(s) and two-family dwelling(s) that result in a total of three or less units on a lot dwelling unit construction not exceeding the requirements of Sec. 54-604.a.7. or 8;

2. small storage structures or garages that do not exceed five hundred (500) square feet in area; and

3. routine repairs and maintenance that do not exceed the provisions of 54-604.a.2. above.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ___ day of ___________ in the year of Our Lord, 2021, in the 245th Year of the Independence of the United States of America.

By: ___________________________

John J. Tecklenburg, Mayor

ATTEST: ___________________________

Jennifer Cook
Clerk of Council
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 807 SAVAGE ROAD (WEST ASHLEY) (APPROXIMATELY 0.193 ACRE) (TMS #309-15-00-053) (COUNCIL DISTRICT 7), ANNEXED INTO THE CITY OF CHARLESTON MAY 11, 2021 (#2021-071), BE ZONED DIVERSE RESIDENTIAL (DR-12) CLASSIFICATION. THE PROPERTY IS OWNED BY ANDREW DUFRESNE AND GRACE DUFRESNE.

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:

807 Savage Road (West Ashley) (approximately 0.193 acre) (TMS #309-15-00-053)

Section 2. That the said parcel of land described above shall be zoned Diverse Residential (DR-12) 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:

__________________________
Jennifer Cook
Clerk of Council
ZONING 1

807 Savage Rd
(Castlewood - West Ashley)

TMS # 3091500053
approx. 0.193 acre.

Request zoning of Diverse Residential (DR-12).
Zoned Mixed Style Residential (M-12)
in Charleston County.

Owner: Andrew duFresne and Grace duFresne
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1453 S EDGewater DRIVE (WEST ASHLEY) (APPROXIMATELY 0.47 ACRE) (TMS #349-13-00-008) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MAY 25, 2021 (#2021-078), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CONSTANTINE D AND CHERIE A LIOLLIO.

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:

1453 S Edgewater Drive (West Ashley) (approximately 0.47 acre) (TMS #349-13-00-008)

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:

Jennifer Cook
Clerk of Council
City of Charleston

Planning Commission
May 19, 2021

ZONING 2
1453 S Edgewater Dr
(Edgewater Park – West Ashley)
TMS # 3491300008
approx. 0.47 acre.

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

Owner: Constantine D. and Cherie A. Liollio

Location

Department of Planning, Preservation & Sustainability
www.charleston-sc.gov  2 George St, Charleston, SC 29401  843.724.3765
City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: June 15, 2021
RE: Design Review Board Appointments

The Design Review Board (DRB) consists of seven members who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance who may be non-citizen owners or principals of a business within the City of Charleston. These members shall have a demonstrated interest in, and a competence and knowledge of architecture, landscape architecture and urban design, and shall include four (4) design professionals including at least one (1) registered architect, one (1) registered landscape architect, one (1) professional engineer, and one (1) realtor/development professional. [Zoning Ord 54-269]

Erica Chase – Professional engineer seat. Ms. Chase is a licensed civil engineer with Stantec. She resides on the peninsula. Reappointment is for a second term.

Dinos Liollio – Architect seat. Mr. Liollio is a registered architect and principal of Liollio Architecture. He resides in West Ashley. Reappointment is for a second term.

James (Andy) Smith – Citizen seat. Mr. Smith is a registered landscape architect and director of design with Front Street Design and Consulting. He resides in West Ashley. Reappointment is for a second term.

Ashley Jackrel – Realtor seat. Ms. Jackrel is a licensed commercial realtor with Avison Young in West Ashley. She resides on the peninsula. New appointment is for a first term.

Stephanie Tillerson – Citizen seat. Ms. Tillerson has a background in city planning, town administration, economic development, and community engagement. She resides on Johns Island. New appointment is for a first term.

Ben Whitener – Citizen seat. Mr. Whitener is a registered architect with over twenty years of experience with Mosely Architects, a local firm in West Ashley. He also resides in West Ashley. New appointment is for a first term.
I am recommending three reappointments and three new appointments as noted below:

- Erica Chase – Reappointment – term expires 2/28/2025
- Dinos Liollio – Reappointment – term expires 2/28/2025
- Andrew Smith – Reappointment – term expires 2/28/2025
- Ashley Jackrel – New Appointment – term expires 2/28/2023
- Stephanie Tillerson – New Appointment – term expires 2/28/2023
- Ben Whitener – New Appointment – term expires 2/28/2023
City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: June 15, 2021
RE: Board of Zoning Appeals—Zoning Appointment

The Board of Zoning Appeals—Zoning comprises seven (7) citizens of the City of Charleston who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance whom may be non-citizen owners or principals of a business within the City of Charleston. Of the members appointed, one (1) shall be in real estate, one (1) an attorney, one (1) a merchant, and one (1) an engineer.

I am recommending the reappointment of John Bennett to the engineer seat. Mr. Bennett is a licensed engineer with Bennett Preservation Engineering PC and a resident of West Ashley. He was appointed to the Board in 2020 to fill an unexpired term.

I am recommending the reappointment of Allison Grass. Ms. Grass is a resident of the North Central neighborhood on the peninsula. She was appointed to the Board in 2017.

I am recommending the reappointment of Walter Jaudon. Mr. Jaudon is a resident of James Island. He was appointed to the Board in 2017.

The following is my recommendation for the Board of Zoning Appeals – Zoning:

- John Bennett – Reappointment – term expires 2/28/2024
- Allison Grass – Reappointment – term expires 2/28/2024
The Board of Zoning Appeals—Site Design shall consist of seven (7) citizens of the city of Charleston who do not hold any other public office or position in the city of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance whom may be non-citizen owners or principals of a business within the City of Charleston. Of the members appointed, one (1) shall be in real estate, one (1) an attorney, one (1) an engineer, one (1) a landscape architect and one (1) a horticulturist, forester or arborist.

I am recommending the reappointment of Paula Murphy. Ms. Murphy is a resident of West Ashley. She was appointed to the Board in 2017.

I am recommending the reappointment of Jeff Webb to the engineer seat. Mr. Webb is a licensed engineer with ADC Engineering and a resident of James Island. He was appointed to the Board in 2015.

I am recommending the appointment of Jennifer DeCiantis to fill the unexpired term of Andrew Hargett. Ms. DeCiantis is a Certified ISA Arborist and Landscape Architect, and a resident of James Island. She owns DeCiantis Design, LLC.

The following is my recommendation for the Board of Zoning Appeals – Site Design:

- Paula Murphy – **Reappointment** – term expires 2/28/2024
- Jeff Webb – **Reappointment** – term expires 2/28/2024
- Jennifer DeCiantis – **New Appointment** – term expires 2/28/2023
City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor

DATE: June 15, 2021

RE: Bicycle and Pedestrian Advisory Committee Appointments

Bicycle and Pedestrian Advisory Committee shall comprise twelve (12) members. These members shall include: citizens at large concerned with bicycle and pedestrian issues; members with specialized knowledge and experience regarding the transportation needs of persons with physical and/or sensory disabilities; neighborhood advocates concerned with traffic and safety issues; representatives of bicycling, running, or walking advocacy or membership organizations, representatives of organizations concerned with non-motorized and public transportation issues; representatives from the bicycle or recreation dealerships industry. Members who are neighborhood advocates or citizens at large shall be residents in the city throughout the terms of their positions.

An ordinance was passed that set the commencement date for terms of boards and commissions to March 1st and to establish staggered terms. Staggered terms are beneficial as they provide for a degree of continuity as members are replaced by new appointments.

The following are my recommendations for the Bicycle and Pedestrian Advisory Committee:

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor
DATE: June 15, 2021
RE: Minority and Women Business Enterprise Advisory Board

The Minority and Women Business Enterprise Advisory Board shall consist of at least 7 but no more than 11 individuals, representing minority business owners, lenders, government agencies, advocacy organizations, and critical stakeholders that represent the business interests of minority owned businesses. Committee members shall serve a two-year term. The purpose of the advisory committee is to provide recommendations to the Minority Business Enterprise Manager to support the goals and objectives of that office such as development strategies, policies, and operational procedures for the City of Charleston.

I am recommending the following 2 individuals for appointment to the Minority and Women Business Enterprise Advisory Board.

The following are my recommendations for the Minority and Women Business Enterprise Advisory Board:

- Dr. Shawn Gathers – New Appointment – term expires 2/28/2023
- Joan Berry Robinson – Reappointment – term expires 2/28/2023
TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor

DATE: June 15, 2021

RE: Municipal Judge and Corporation Counsel Appointments

I am proud to present to you my nomination for Administrative Judge to the Municipal Court, Susan Herdina, as well as my nomination for our city’s next Corporation Counsel, Wilbur Johnson.

As you know, Ms. Herdina has played a critical role in city operations since first accepting her position as Assistant Corporation Counsel back in 2001. In the years that followed, she consistently demonstrated a strong work ethic and mastery of municipal law, and was ultimately named Corporation Counsel in 2018. Ms. Herdina is a truly skilled attorney with a heart for public service, and I know that she is not only fully qualified to take on this next challenge, but that her years of experience will enable her to work within our court system to ensure that all our citizens are treated fairly and equally under the law.

With Ms. Herdina taking this next step, we have been afforded an exciting opportunity to welcome another remarkable legal mind – Wilbur Johnson – to the city team as our next Corporation Counsel. Mr. Johnson has served as Managing Partner of Clement Rivers, LLP since 2009 and previously worked in the office of the Attorney General of South Carolina as Assistant Attorney General. Mr. Johnson maintains an active legal practice, which largely focuses on matters of employment and labor law, and administrative and regulatory law, and he is currently involved in a number of civic and philanthropic efforts throughout the city, including serving as a member of the International African American Museum Board of Trustees. He is a graduate of Augusta State University and attended the University of South Carolina Law School, where he received the Earl Warren Legal Training Fellowship. As I’m sure you would all attest, Mr. Johnson’s legal background is most impressive, and he is as highly regarded an attorney as they come. We would be blessed to receive his guidance as our city’s next Corporation Counsel.

I hope you’ll join me in supporting each of these nominations and in congratulating both Ms. Herdina and Mr. Johnson on their impressive careers and on these exciting next steps.

JTT: bmp
EMERGENCY ORDINANCE
EXTENDING CERTAIN EMERGENCY ORDINANCES
RELATED TO COVID-19

Section 1. Findings. City Council does hereby make the following findings:

WHEREAS, on March 16, 2020, Mayor John J. Tecklenburg declared a local state of emergency in the City of Charleston based on a determination that in furtherance of public health and safety that the City take all necessary steps to protect the citizens from increased risk of exposure to COVID-19; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-038) to prohibit consumer price gouging on all commodities in the City of Charleston with limited exceptions; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-039) to prohibit gatherings of 50 people or more; amend on March 19, 2020, by temporary emergency ordinance, Ordinance No. 2020-39(a), reducing the size of public gatherings to less than 10 people; and,

WHEREAS, on March 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-040) suspending the requirements of Section 2-23(f) of the Code of the City of Charleston requiring the physical presence of Councilmembers at City Council meetings and committee meetings to permit participation by video conferencing or other virtual means to slow the spread of COVID-19; and,

WHEREAS, on March 20, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-041) to temporarily suspend the accrual of the City’s business license penalties for sixty days, to suspend enforcement of the City’s plastic bag ban for sixty days, and to suspend the City’s chauffer’s license renewal requirements issued between March 18, 2019 and April 1, 2019 for an additional sixty days; and,

WHEREAS, on March 24, 2020, City Council ratified a temporary emergency ordinance, “Stay at Home Ordinance” (Ordinance No. 2020-042) requiring individuals to stay in their homes and not travel or congregate in the streets of Charleston except for purposes of working at or conducting business with an essential business or engaging in individual outdoor recreational activities; and,
WHEREAS, on March 26, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-046), amending the Consolidated Plan for reallocation of CDBG funds to provide funding for public services and temporary living quarters to persons who are homeless or vulnerable due to COVID-19; and,

WHEREAS, on March 27, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-047), extending the due date for filing and remittance of hospitality taxes for February and March to May 13, 2020; and,

WHEREAS, on April 1, 2020, City Council repealed Stay at Home Ordinance No. 2020-042 and ratified a second Stay at Home Ordinance (Ordinance No. 2020-048) which included provisions contained in Governor McMaster’s Executive Orders regarding dispersing of crowds (Ex. Order 2020-13); quarantining of individuals from New York, New Jersey, and Connecticut (Ex. Order 2020-14); closing of beaches and boat landings (Ex. Order 2020-16); and closing of non-essential businesses (Ex. Order 2020-17); and,

WHEREAS, on April 6, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-049) to provide for temporary procedures for public hearings; and,

WHEREAS, on April 16, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-051) to prohibit open burning; and,

WHEREAS, on April 22, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-052) on decreasing the risk of exposure to COVID-19 in retail businesses; and,

WHEREAS, on April 30, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-056) to amend Chapter 54 of the Code of the City of Charleston (zoning ordinance) by amending design review district section 54-268.c to allow affordable housing developments to be approved by the administrative officer; and,

WHEREAS, on May 12, 2020, City Council readopted five of the temporary emergency ordinances, such ordinances which are now set to expire on May 31, 2020 (Ordinance No. 2020-59); and,

WHEREAS, on May 12, 2020, City Council ratified a temporary emergency ordinance (Ordinance No. 2020-060) to authorize the use of new or additional space for outdoor dining, and a temporary emergency ordinance (Ordinance No. 2020-061) urging, among other matters, for residents and visitors to stay in their homes, such ordinance to expire on May 31, 2020; and,

WHEREAS, on May 27, Governor McMaster issued an Executive Order (2020-38) declaring an additional sixth (6th) State of Emergency, extending the State of Emergency to control the spread of COVID-19 and lessen its impacts on portions of the State’s population; and,
WHEREAS, on May 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until June 30, 2020; and,

WHEREAS, on May 28, 2020, City Council passed an emergency ordinance extending certain emergency ordinances until June 30, 2020 (Ordinance No. 2020-068); and also amending the emergency ordinance on decreasing the risk of exposure to COVID-19 in retail businesses (Ordinance No. 2020-069) and replacing the stay at home ordinance with a new stay at home ordinance (Ordinance No. 2020-070); and,

WHEREAS, on June 11, 2020, Governor McMaster issued an Executive Order (2020-40) declaring an additional seventh (7th) state of emergency, extending the State of Emergency to authorize the continued use of extraordinary measure to meet the threat of COVID-19 and “the evolving nature and scope of this public health emergency....”; and further modifying prior orders relating to organized events or public gatherings on state or local government property and to retail stores required to follow certain emergency rules and restrictions; and further permitting previously deemed “non-essential” businesses operating as bowling alleys to re-open for access and use by the public; and,

WHEREAS, as of June 17, 2020, the total number of cases infected with COVID-19 in South Carolina was 19,990 with 607 deaths, including 1,230 cases in Charleston County with 16 deaths and 427 cases in Berkeley County with 19 deaths; and,

WHEREAS, on June 25, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 15, 2020; and,

WHEREAS, on June 25, 2020, City Council passed an emergency ordinance (Ordinance No. 2020-083), temporarily suspending the accrual of the City’s business license late fees; an emergency ordinance (Ordinance No. 2020-084), requiring persons to wear face coverings in certain circumstances in the city of Charleston to reduce the risk of exposure to COVID-19 during the public health emergency and recovery; and, an emergency ordinance (Ordinance No. 2020-086) extending certain emergency ordinances related to COVID-19; and,

WHEREAS, on June 26, 2020, Governor McMaster issued an Executive Order (2020-42) declaring a new state of emergency, which was the eighth (8th) state of emergency in our state; and,

WHEREAS, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a dramatic rate; the number of cases in South Carolina as of July 7, 2020 is 47,214 with 838 deaths, including 6,072 cases in Charleston County with 41 deaths and 1,703 cases in Berkeley County with 24 deaths; and,

WHEREAS, on July 11, 2020, the Governor issued Executive Order (2020-44) declaring the ninth (9th) state of emergency in South Carolina; and,
WHEREAS, on July 14, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until July 31, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19; and,

WHEREAS, acting in response to the continuing threat to public health and safety from COVID-19, City Council passed an emergency ordinance (Ordinance No. 2020-085) extending certain ordinances related to COVID-19 to July 31, 2020, and further amending the previously passed emergency ordinance on face coverings by clarifying the scope of the face covering requirements, limiting indoor occupancy for bars and restaurants, and prohibiting amplified music in bars and restaurants after 9:00 p.m. (Ordinance No. 2020-086); and,

WHEREAS, as of July 21, 2020, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a staggering rate; with 73,337 cases reported in the state with 1,221 deaths, including 9,785 cases in Charleston County with 103 deaths and 3,092 cases in Berkeley County with 37 deaths; and,

WHEREAS, acting in response to the continuing threat to public health and safety from COVID-19, City Council passed an emergency ordinance (Ordinance No. 2020-085) extending certain ordinances related to COVID-19 to July 31, 2020, and further amending the previously passed emergency ordinance on face coverings by clarifying the scope of the face covering requirements, limiting indoor occupancy for bars and restaurants, and prohibiting amplified music in bars and restaurants after 9:00 p.m. (Ordinance No. 2020-086); and,

WHEREAS, as of July 21, 2020, the number of cases of persons infected with COVID-19 in South Carolina continues to climb at a staggering rate; with 73,337 cases reported in the state with 1,221 deaths, including 9,785 cases in Charleston County with 103 deaths and 3,092 cases in Berkeley County with 37 deaths; and,

WHEREAS, on July 28, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until August 20, 2020 based on the continuing threat to our community from the risk of exposure to COVID-19 and City Council passed an emergency ordinance extending certain ordinances related to COVID-19 to August 20, 2020 (Ordinance No. 2020-090), and amending the face covering ordinance (Ordinance No. 2020-91); and,

WHEREAS, on August 10, 2020, the Governor issued Executive Order (2020-53) declaring the eleventh (11th) state of emergency in South Carolina; and,

WHEREAS, as of August 11, 2020, DHEC identified at least 101,000 confirmed cases of COVID-19 in South Carolina, including 2,049 deaths due to COVID-19; this includes 12,377 confirmed cases in Charleston County with 196 deaths and 4,186 confirmed cases in Berkeley County with 67 deaths; and,

WHEREAS, as of August 18, 2020, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the City of Charleston until September 25, 2020 based on the
continuing threat of COVID-19 to the community and City Council took steps to continue various emergency ordinances in response to COVID-19 (Ordinance Nos. 2020-099 and 2020-100); and,

WHEREAS, on August 25, 2020 and September 9, 2020, the Governor issued Executive Orders 2020-56 and 2020-59, respectively, declaring the 12th and 13th state of emergency in South Carolina; and,

WHEREAS, as of September 14, 2020, DHEC identified at least 132,680 confirmed cases of COVID-19 in South Carolina, including 3,077 deaths; this includes 15,167 confirmed cases in Charleston County with 253 deaths and 5,203 confirmed cases in Berkeley County with 87 deaths; and,

WHEREAS, on September 22, 2020, in response to the continuing public health emergency, Mayor Tecklenburg issued a declaration continuing the local state of emergency in the city and City Council approved amendments to the City’s Emergency Ordinance No. 2020-100 to prohibit amplified music in bars and restaurants after 11 pm and also extended certain emergency ordinances related to addressing COVID-19 and its impacts on the community (Ordinance Nos. 2020-129 and 2020-130); and,

WHEREAS, on September 24, 2020 and October 9, 2020, the Governor issued Executive Orders 2020-62 and 2020-65, respectively, declaring the 14th and 15th state of emergency in the state; and,

WHEREAS, on October 13, 2020, City Council amended Emergency Ordinance No. 2020-100 to incorporate the restrictions and conditions on bars and restaurant operations set forth in Governor McMaster’s Executive Order No. 2020-63 (Ordinance No. 2020-134) and extended Emergency Ordinance No. 2020-60 related to continuing outdoor dining areas and sidewalk dining by temporarily superseding and replacing conflicting provisions of the City’s zoning ordinances or regulations; and,

WHEREAS, as of October 19, 2020, DHEC identified at least 134,135 confirmed cases of COVID-19 in South Carolina, including 3,650 deaths; this includes 16,628 confirmed cases in Charleston County with 271 deaths and 5,815 confirmed cases in Berkeley County with 93 deaths; and,

WHEREAS, as of November 15, 2020, DHEC reported that there were at least 184,360 confirmed cases of COVID-19 in South Carolina, including 3,846 deaths and the positivity rate is 15.4% of individual test results; this includes 18,571 confirmed cases in Charleston County with 288 deaths and 6,693 confirmed cases in Berkeley County with 98 deaths; and,

WHEREAS, as of January 2, 2021, DHEC reported that there were at least 325,472 confirmed and probable cases of COVID-19 in South Carolina, including 5,484 deaths and the positivity rate is 15.9% of individual test results; this includes 25,041 confirmed and probable cases in Charleston County with 323 deaths and 9,533 confirmed and probable cases in Berkeley County with 113 deaths; and,
WHEREAS, as of March 1, 2021, DHEC reported there are at least 517,976 confirmed and probable cases of COVID-19 in South Carolina, including 8,562 deaths and the positivity rate is decreasing, with 4.1% of individual test results; this includes 38,212 confirmed and probable cases in Charleston County with 452 deaths and 14,986 confirmed and probable cases in Berkeley County with 168 deaths; and,

WHEREAS, notwithstanding the recent progress made in vaccinating persons in our community, according to public health data as stated in Gov. McMaster’s Executive Order No. 2021-15 (March 23, 2021), “all forty-six counties in South Carolina are experiencing substantial or high levels of community transmission of COVID-19, with approximately 87% of the State’s counties reporting high levels of community transmission.”

WHEREAS, on May 22, 2021, Governor McMaster issued Executive Order No. 2021-25 which extended the State of Emergency in South Carolina, finding that the State must continue to take any and all necessary and appropriate actions in confronting COVID-19, and to work to expedite the state’s ongoing recovery; and,

WHEREAS, the City is authorized to undertake and coordinate all necessary and reasonable activities for this emergency response, to take all appropriate actions required to alleviate the effects of the coronavirus disaster emergency, including action following the guidelines of the CDC and the DHEC, to and in the aid of essential public services, and to take any other lawful emergency response or action deemed necessary to protect the public health, safety, and welfare of the City of Charleston; and,

WHEREAS, due to the continued presence of COVID-19, the City of Charleston should take all necessary and appropriate steps designed to reduce community transmission of COVID-19 and to assist the city’s recovery efforts by ratifying certain emergency ordinances; and,

WHEREAS, City Council recognizes that emergency measures should be narrowly tailored to respond to the circumstances in our community and to assist in expediting and enhancing the City’s efforts to recover, to return to normal operations, and to help revitalize the community; and,

WHEREAS, based on the continuing nature of the pandemic and the need for City Council to respond with flexibility to the public health emergency as it evolves, it is necessary to extend certain temporary emergency ordinances, now set to expire.

Section 2. The following temporary emergency ordinances are ratified and shall remain in effect for a period of sixty (60) days unless terminated or replaced by the issuance of another temporary emergency or permanent ordinance on the same matter prior to the expiration date:

2020-040 - Emergency Ordinance suspending the requirement of physical presence of councilmembers at Council meetings/permitting telephone/virtual attendance.

2020-049 - Emergency Ordinance regarding temporary procedures for public hearings.
2020-056 - Emergency Ordinance on allowing affordable housing units to be approved by the Administrative Officer.

2020-092 - Emergency Order requiring parade permit for 25 or more persons.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
________________ in the Year of Our Lord,
2021, and in the _____th Year of the Independence
of the United States of America.

By: ________________________________

John J. Tecklenburg
Mayor, City of Charleston

ATTEST: ________________________________

Jennifer Cook
Clerk of Council
RESOLUTION
IN SUPPORT OF PEACE IN THE HOLY LAND AND THE CITY OF CHARLESTON

WHEREAS, the City of Charleston, known to the world as the Holy City, has for centuries treasured religious tolerance.

WHEREAS, the Charleston Jewish community traces its roots to 1695 and has played an important role in Charleston’s history.

WHEREAS, both Jews and non-Jews in Charleston have a deep and abiding connection to the State of Israel.

WHEREAS, the United States and Israel have long been close allies with strong bi-partisan support.

WHEREAS, the City of Charleston unequivocally rejects anti-Semitism and all other forms of racism, religious intolerance, and other prejudices both here in Charleston and around the world.

WHEREAS, the City of Charleston expresses strong support for Israel and its Jewish, Muslim, Christian, Druze, and other citizens.

WHEREAS, the City of Charleston also supports a peaceful future for the Palestinian people living in the West Bank and Gaza.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CHARLESTON, IN CITY COUNCIL ASSEMBLED THAT, Charleston, the Holy City, supports peace in the Holy Land and here in Charleston.

RESOLVED this _____ day of June 2021, in City Council Chambers.

________________________________________________________________________
John J. Tecklenburg
Mayor

ATTEST:

________________________________________________________________________
Jennifer B. Cook
Clerk of Council
WHEREAS the City of Charleston prides itself on being welcoming, affirming, and inclusive for all residents, including all members of the LGBTQ+ community; and

WHEREAS the City has resolved to be a leading community in the protection of civil rights and preventing discrimination; passing the Hate Crime Ordinance which punishes people for bias motivated crimes; launching the first in the state Safe Place Program designating locations as a secure refuge for LGBTQ victims to receive support; and

WHEREAS in 2020 Charleston received an 81 out of 100, its highest score ever, on the Human Rights Campaign Municipal Equality Index, an index value that evaluates how inclusive cities' laws, policies, and services are of lesbian, gay, bisexual, and transgender people; and

WHEREAS the transgender community is recognized as a valued, important segment of our city entitled to equal treatment in all facets of life; and

WHEREAS transgender youth are among the most misunderstood and marginalized within our community; and

WHEREAS legislation excluding or curtailing the rights of the transgender community has been filed in at least 25 states, including South Carolina, as part of a coordinated campaign; and

WHEREAS adopting state legislation curtailing the rights of the transgender community
has previously led to millions of dollars of economic losses, including from NCAA tournament relocations and boycotts; and

WHEREAS businesses with strong diversity and inclusion commitments, particularly in the sports and hospitality industry, may be forced to locate events outside the state to align with their values; and

WHEREAS the City has the responsibility to promote equality and prosperity for all members of the transgender community; and

WHEREAS the City is proud to stand against the discrimination of transgender people;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF CHARLESTON strongly supports the transgender community; and directs the City Clerk to send a copy of this Resolution to the Governor, the Senate President, and the House Speaker.

RESOLVED this _____ day of June 2021, in City Council Chambers.

________________________________
John J. Tecklenburg
Mayor

ATTEST:

________________________________
Jennifer B. Cook
Clerk of Council
AN ORDINANCE

TO AMEND THE CODE OF CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 3, ARTICLE II: WINE AND BEER, SECTION 3-16: HOURS OF SALE RESTRICTED TO ADD ALCOHOLIC LIQUORS AND ALCOHOL-INFUSED PRODUCTS AND UPDATE LIST OF COMMERCIAL ESTABLISHMENTS.

WHEREAS, in light of recent events of social upheaval in the late hours of the evening within the Central Business District in the City of Charleston;

WHEREAS, additional efforts are necessary to control the Central Business District in the late hours to protect the lives of residents, visitors, patrons and employees of restaurants and bars, and City staff and officers working within the District and to promote public safety overall on the peninsula;

WHEREAS, as a part of those efforts to manage crowd control after 1 a.m., the City needs authority to control the hours of sale of alcoholic beverages within the Central Business District;

WHEREAS, the City is authorized and desires to adopt amendments to its Ordinances to promote these goals; and

THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS IN CITYCOUNCIL ASSEMBLED:

Section 1. Chapter 3, Article II, Section 3-16 of the Code of the City of Charleston is hereby amended as follows:

ARTICLE II. – WINE, BEER, ALCOHOLIC LIQUORS AND ALCOHOL-INFUSED PRODUCTS

Sec. 3-16. – Hours of sale restricted.
It shall be unlawful within the city for the owner or person in charge of any store, beer-parlor bar, restaurant, or other place of business or commercial establishment to sell, give away or, in any manner, dispense or permit the consumption of any wine, beer, alcoholic liquors, or alcohol-infused products or malt liquors in such store, beer-parlor bar, restaurant, or other place of business or commercial establishment between the hours of 1:30 a.m. and 7:00 a.m., provided, however, that, any establishment licensed pursuant to S.C. Code 1976, section 61-5-10 et seq., shall be authorized to sell such products during those hours in which the sale of alcoholic beverages in containers of two (2) ounces or less is lawful.
**Section 2.** This ordinance shall become effective immediately upon ratification.

Ratified in City Council this ___ day of _____ in the Year of Our Lord, 2021 in the _____ Year of Independence of the United States of America.

By: ____________________________

John J. Tecklenburg
Mayor, City of Charleston

ATTEST: ____________________________

Jennifer Cook
Clerk of Council
AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 19 OF THE CODE OF THE CITY OF CHARLESTON BY AMENDING ARTICLE XVII, SECTION 19-493, TO UPDATE DUMPSTER PERMIT FEES; TO ADD A NEW ARTICLE XX PROVIDING AN AMENDED DEFINITION FOR RIGHT-OF-WAY OBSTRUCTIONS, A NEW FEE FOR FULL STREET CLOSURES AND PARTIAL STREET OBSTRUCTIONS, AND OTHER RIGHT-OF-WAY OBSTRUCTION FEES SUCH AS METERED PARKING SPACE AND NON-METERED PARKING SPACE PERMIT FEES; AND ADOPTING A FEE SCHEDULE THEREFOR, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT 1.

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

Section 1. Chapter 19, Article XVII, Section 19-493(c) of the Code of the City of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, to state as follows:

"Sec. 19-493. Dumpster permit required.

(c) The fee for a dumpster permit shall reflect actual costs of occupying a metered and/or non-metered parking space, as ten ($10.00) dollars, per day or as otherwise set from time to time by the department of traffic and transportation. In the event the dumpster is placed in a metered parking space, the fee shall include the additional cost of a daily meter bag fee for each parking space used."

Section 2. Chapter 19 of the Code of the City of Charleston is hereby amended by adding a new Article XX to state as follows:

"ARTICLE XX – RIGHT-OF-WAY OBSTRUCTION FEES

Sec. 19-520 - Authority.

This article is adopted pursuant to the authority conferred upon the city by the South Carolina Constitution, Act No. 194 of the Acts and Joint Resolutions of 1971 enacted by the General Assembly of the State of South Carolina, approved April 23, 1971, in 1976 South Carolina Code of Laws Sections 4-9-30, 4-9-40, 5-7-30, and 5-7-60."
Sec. 19-521. - Jurisdiction.

The jurisdiction and scope of this article shall encompass the corporate limits of the city, as they may be adjusted from time to time after the ratification of this article.

Sec. 19-522. - Purpose.

Right-of-Way Obstruction affects the quality of life and business operations within the City of Charleston. As such, the provisions of this article are promulgated pursuant to the city’s authority to safely ensure right-of-way obstructions are properly permitted.

Sec. 19-523. - Definitions.

Right-of-Way obstructions are temporary or permanent obstructions occurring in a public street or sidewalk and are defined as follows for the purpose of this article only:

*Full Street* shall be defined as the obstruction of a public street (curb to curb or EOP to EOP) such that no access is provided to the existing street for general vehicular traffic.

*Street Lane -Partial Closure* shall be defined as the obstruction along a street travel lane such that limited access is provided to the existing street for general vehicular traffic.

*Parking Space* shall be defined the obstruction along on-street parking such that limited access is provided to the space for general vehicular traffic.

*Sidewalk – Full Closure* shall be defined the obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic.

*Sidewalk – Auxiliary (AUX)* shall be defined as the obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic, but supplementary or alternative means such as cargo containers, scaffolding and temporarily constructed boardwalks/paths are provided to facilitate continued pedestrian movement through or adjacent to the obstructed sidewalk.

*Sidewalk – Partial Closure* shall be defined as the obstruction of a sidewalk such that limited, ADA- and PROWAG-compliant access is provided to the existing sidewalk utilizing means such as barricades and traffic cones.

*Major Street* shall be defined as Interstates, State and County Highways, primary collector streets as defined in the City’s GIS system and by SCDOT.

*Minor Street* shall be defined as neighborhood streets as defined in the City’s GIS system and by SCDOT.
Sec. 19-524. - Fees.

(a) Permits shall be required by the Department of Traffic and Transportation for the right-of-way obstructions defined in section 19-523 of this article and fees shall be instituted by the Traffic and Transportation Department Director as necessary to safely manage right-of-way obstructions.

(b) Fees shall be charged based on costs associated with permitting review and inspection in accordance with the fee schedule established and reviewed from time to time by the council. A schedule of right-of-way obstruction fees shall be made available to the public online at the city's website, at the clerk of council's office, or at the Department of Traffic and Transportation.

Section 3. The Traffic and Transportation Fee Schedule attached hereto and incorporated herein by reference as Exhibit 1 is hereby adopted for the referenced dumpster permit fees and right-of-way obstruction fees.

Section 4. This Ordinance shall become effective upon ratification; provided, however, the Fee Schedule shall become effective on August 16, 2021.”

Ratified in City Council this ___ day of ________________, in the Year of Our Lord, 2021, in the 246th Year of the Independence of the United States of America.

By:

__________________________
John J. Tecklenburg
Mayor

Attest:

__________________________
Jennifer Cook
Clerk of Court
CITY OF CHARLESTON, SC.

Construction Permit and Right-of-Way Obstruction Fees

Approved by Ordinance No. 2021-__

Effective August 16, 2021

APPLICABILITY

The following is a description of fees charged for permits issued by and for various services performed by the City of Charleston Traffic and Transportation Department. Fees herein are only applicable for Traffic and Transportation. Other fees may apply, but not limited to, the following: Fire Marshall Division, City of Charleston Business License; South Carolina Contractor’s License; City Engineering Services; and Building Inspection Division.

DEFINITIONS

Right-of-Way obstructions are temporary or permanent obstructions occurring in a public street or sidewalk. Below are definitions

<table>
<thead>
<tr>
<th>Description</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Street</td>
<td>The obstruction of a public street (curb to curb or EOP to EOP) such that no access is provided to the existing street for general vehicular traffic.</td>
</tr>
<tr>
<td>Street Lane - Partial Closure</td>
<td>The obstruction along a street travel lane such that limited access is provided to the existing street for general vehicular traffic.</td>
</tr>
<tr>
<td>Parking Space</td>
<td>The obstruction along on-street parking such that limited access is provided to the space for general vehicular traffic.</td>
</tr>
<tr>
<td>Sidewalk – Full Closure</td>
<td>The obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic.</td>
</tr>
<tr>
<td>Sidewalk – Auxiliary (AUX)</td>
<td>The obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic, but supplementary or alternative means such as cargo containers, scaffolding and temporarily constructed boardwalks/paths are provided to facilitate continued pedestrian movement through or adjacent to the obstructed sidewalk.</td>
</tr>
<tr>
<td>Sidewalk – Partial Closure</td>
<td>The obstruction of a sidewalk such that limited, ADA- and PROWAG-compliant access is provided to the existing sidewalk utilizing means such as barricades and traffic cones.</td>
</tr>
<tr>
<td>Major Street</td>
<td>Interstates, State and County Highways, primary collector streets as defined in the City’s GIS system and by SCDOT.</td>
</tr>
<tr>
<td>Minor Street</td>
<td>Neighborhood streets as defined in the City’s GIS system and by SCDOT.</td>
</tr>
</tbody>
</table>
**FEE CALCULATIONS**

Right-of-Way obstructions will be calculated using the following:
1. The review fee amount shall be the highest applicable individual review fee per request.
2. The inspection fee amount shall be the highest applicable individual inspection fee amount per obstructed right-of-way frontage.
3. An additional $18.00 per day fee per metered space will be applied to any permit that obstructs a parking metered space.
4. An additional $10.00 per day fee will be applied to any permit involving dumpsters or moving vehicles.

This fee structure would not apply to utilities that have an active franchise agreement with the City of Charleston. **Refunds** must be applied for before the permit expires and will only be given for future days and the original permit must be returned.

**FEE SCHEDULE AS OF AUGUST 16, 2021**

<table>
<thead>
<tr>
<th>Review Type</th>
<th>Review Fee</th>
<th>Daily Inspection Fee</th>
<th>Daily fee per metered space</th>
</tr>
</thead>
<tbody>
<tr>
<td>FULL STREET CLOSURE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Streets - Major</td>
<td>$401.00</td>
<td>$35.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>Full Streets - Minor</td>
<td>$167.00</td>
<td>$17.50</td>
<td>$18.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Review Type</th>
<th>Review Fee (per lane)</th>
<th>Daily Inspection Fee</th>
<th>Daily fee per metered space</th>
</tr>
</thead>
<tbody>
<tr>
<td>STREET LANE OBSTRUCTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partial Street / Lane Closure – Major</td>
<td>$47.50</td>
<td>$17.50</td>
<td>$18.00</td>
</tr>
<tr>
<td>Partial Street / Lane Closure – Minor</td>
<td>$30.00</td>
<td>$17.50</td>
<td>$18.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Review Type</th>
<th>Review Fee</th>
<th>Daily Fee per space/vehicle</th>
<th>Daily Inspection Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>PARKING SPACE OBSTRUCTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metered space</td>
<td>$18.50</td>
<td>$18.00</td>
<td>$17.50</td>
</tr>
<tr>
<td>Non-metered space</td>
<td>$18.50</td>
<td>$0.00</td>
<td>$17.50</td>
</tr>
<tr>
<td>Review Type</td>
<td>Daily Inspection Fee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISC.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RIGHT-OF-WAY OBSTRUCTIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dumpster/POD</td>
<td>$17.50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moving</td>
<td>$17.50</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AN ORDINANCE

TO AMEND THE CODE OF CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 17, ARTICLE V, DIVISION 8-VENDING, SECTION 17-121 TO ADD A NEW SECTION 17-121 (B), RULES AND REGULATIONS FOR MOBILE STREET VENDOR VEHICLES OPERATING ON PRIVATE PROPERTY IN THE CENTRAL BUSINESS DISTRICT (AS AMENDED).

WHEREAS, in light of recent events of social upheaval in the late hours of the evening within the Central Business District in the City of Charleston;

WHEREAS, additional efforts are necessary to control the Central Business District in the late hours to protect the lives of residents, visitors, patrons and employees of restaurants and bars, and City staff and officers working within the District and to promote public safety overall on the peninsula;

WHEREAS, as a part of those efforts to manage crowd control after 1a.m., the City needs authority to control the operational hours of mobile food vendors operating on private property within the Central Business District after bars and restaurants close;

WHEREAS, the City is authorized and desires to adopt amendments to its Ordinances to promote these goals; and

THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS IN CITYCOUNCIL ASSEMBLED:

Section 1. Chapter 17, Section 17-121 of the Code of the City of Charleston is hereby amended by adding to the existing Section 17-121 a subsection titled “A. Vending of Food, Drink or Reading Material within Public Rights-of-Way” as follows:

“Sec. 17-121. - Vending of food, drink or reading material.

A. Vending of Food, Drink or Reading Material within Public Rights-of-Way.

(1) It shall be unlawful for any person to engage in the business of selling food or drink with any alcohol contained therein and reading material from a stationary cart or any other stationary vehicle or device that is placed, parked or stopped in or upon any city street or in any public parking space, public right-of-way or sidewalk next to any city street or on any other public...
property in the Old and Historic District of the City of Charleston except in such area as shall be
designated and marked by the department of traffic and transportation for such purpose and as
is approved by city council.

(2) The director of traffic and transportation shall survey the Old and Historic District and report
to city Council, on at least an annual basis, those areas in the nonresidential portions of the Old
and Historic District which are appropriate for accommodating the location of stationary vendors
selling food or drink with any alcohol contained therein and reading material, taking into
consideration factors such as vehicular and pedestrian circulation, access, availability of parking,
street and/or sidewalk width and such other factors as he may deem necessary to protect the
public health, welfare and safety; provided, however, that under no circumstances shall a vendor
space designated for the sale of food or drink with any alcohol contained therein and reading
material be located within one hundred (100) feet of the entrance to a church or within one
hundred (100) feet of a residentially designated district; and provided further that when the
director of traffic and transportation annually surveys the nonresidential portions of the Old and
Historic District to determine the appropriate location of any vendor space, he shall seek to avoid
locating stationary street vendors who sell food or drink with any alcohol contained therein and
reading material unreasonably close to existing restaurants or to other designated vendor spaces.

(3) Vendor spaces designated for the sale of food or drink with any alcohol contained therein
and reading material from stationary carts or other vehicles or devices shall be available to
interested vendors on a daily basis, 7:00 a.m. to 7:00 p.m., on a first come, first serve basis unless
such spaces are franchised or unless designated by city council as not being available to
interested vendors on a daily basis, 7:00 a.m. to 7:00 p.m. on a first come, first serve basis if not
franchised in accordance with this section.

(4) No person shall engage in the sale of food or drink with any alcohol contained therein and
reading material from a stationary cart or other vehicle or device from a vendor space unless:

(a) He has secured a business license, a peddler's permit for himself and any employee who
shall operate his stationary cart or other vehicle or device approved by the police department and
issued by the business license division, and a decal from the business license division displayed
as follows:
i. The decal shall be prominently displayed on the stationary cart or other vehicle or device from
which food or drink with any alcohol contained therein and reading material is dispensed; and
ii. The peddler's permit issued to the vendor or his employee operating the stationary cart or other
vehicle or device and the vendor's business license shall either be prominently displayed on the
vendor's stationary cart or other vehicle or device or available from the vendor or his employee
operating the stationary cart or other vehicle or device on demand; and

(b) He can and does confine all operations incident to the sale of food or drink with any
alcohol contained therein and reading material within the perimeter of the vendor space; and

(c) He has paid such fees as may be set by city council for the privilege of utilizing such
vendor space(s); and
(d) He has filed with the director of traffic and transportation a duly executed indemnification/hold harmless agreement with the city concerning the use of the designated vendor space.

(5) Nothing herein shall be construed to prevent the director of traffic and transportation, at the direction of city council, from designating vendor spaces on a temporary basis as and when city council may deem appropriate.

(6) Authority of the director of traffic and transportation regarding bidding and franchising procedures for all vendor spaces designated for the sale of food or drink with any alcohol contained therein and reading material is delineated as follows:

(a) The director of traffic and transportation shall have the authority to recommend to the committee on traffic and transportation that any or all vendor spaces designated for the sale of food or drink with any alcohol contained therein and reading material be made available only pursuant to a competitive bidding process and the execution of a franchise agreement with the successful bidder. The city may reject any or all bids.

(b) In determining whether such a recommendation is warranted, the director of traffic and transportation shall consider whether the demand for any vendor space from competing vendors is, or could be, disruptive to the public order or has resulted, or could result, in undue burden on enforcement officials.

(c) Upon the committee on traffic and transportation approving the franchising of certain vendor spaces, the director of traffic and transportation, with input from corporation counsel, shall draft bid specifications, which shall include, at a minimum:

(i) The location of the vendor space proposed to be franchised;

(ii) A requirement of such minimum bid as shall be approved by the ways and means committee;

(iii) A provision to allow for the payment of the franchise fee on at least a semiannual basis;

(iv) A limitation on the term of the franchise agreement to no more than one year;

(v) A requirement for the acquisition of public liability insurance in such amounts as shall be recommended by corporation counsel;

(vi) A prohibition against the assigning or subletting of any vendor space or franchise agreement;

(vii) A requirement that the successful bidder acquires and maintains a current City of Charleston business license;

(viii) A provision requiring the successful bidder to comply and maintain compliance with applicable rules and regulations as may be promulgated by the South Carolina Health Department; Except as prohibited by subsection 17-121(3) a limitation on the hours of operation from 7:00 a.m. to 7:00 p.m., with a provision allowing for the franchised vendor space to be available to other licensed vendors for any day during the term of the franchise agreement that the successful bidder is not open for business in the franchised vendor space by 11:00 a.m., or if he thereafter vacates the franchised vendor space during the day;

(ix) A requirement that the successful bidder remove all vending apparatus from the vendor space at the end of each day and to otherwise maintain the area in and around the vendor space in a clean condition, free of trash and rubbish;

(x) A requirement forbidding meter feeding or encroaching on any property outside the vendor space;

(xi) Provisions for the suspension or cancellation of the franchise agreement;
(xii) A provision requiring the use of recyclable or biodegradable containers; and
(xiii) A provision allowing the city to reject any or all bids not deemed by it to be in the best interest of the city.
(d) No bid specifications shall be put out for bid until they have first been approved by the committee on ways and means.
(7) Authority of the department of traffic and transportation regarding the lawful and/or appropriate placement of stationary carts for the sale of food or drink with any alcohol contained therein and reading material in areas outside of the Old and Historic District is delineated as follows:

(a) In areas outside the Old and Historic District, the sale of food or drink with any alcohol contained therein and reading material from stationary carts or other stationary vehicles that are placed, parked or stopped in or upon any other public property shall be unlawful, except in such areas as may be designated and marked by the department of traffic and transportation for such purposes.
(b) In determining whether a location outside the Old and Historic District is appropriate to accommodate a stationary cart or stationary vehicle selling food or drink with any alcohol contained therein and reading material, the director of traffic and transportation shall consider the vehicular and pedestrian circulation around the proposed space, the availability of parking, street and/or sidewalk width, access and such other factors as he may deem necessary to protect the public health, safety and welfare; provided however, that the director of traffic and transportation shall not designate a space for the sale of food or drink with any alcohol contained therein and reading material within one hundred (100) feet of the entrance to a church or within one hundred (100) feet of a residentially designated district; and provided further, the director of traffic and transportation shall seek to avoid having stationary street Vendors selling food or drink with any alcohol contained therein and reading material unreasonably close to existing restaurants or other designated street vending spaces.
(c) The director of traffic and transportation shall have the authority to recommend to the committee on traffic and transportation that any of the spaces designated for the sale of food or drink with any alcohol contained therein and reading material pursuant to the provisions of this section be made available only pursuant to a competitive bidding process and the execution of a franchise agreement with the successful bidder. The city may reject any or all bids. In determining whether such a recommendation is warranted, the director of traffic and transportation shall consider whether the demand for the space or spaces is, or could be, disruptive to the public order or has resulted, or could result, in undue burden on enforcement officials. If such a recommendation is made, and thereafter approved by the committee on traffic and transportation, the director of traffic and transportation, with input from corporation counsel, shall prepare bid specifications incorporating the provisions of this section.
(d) No bid specifications shall be put out for bid until they have first been approved by the committee on ways and means.

Any spaces not franchised shall be available to licensed vendors pursuant to the criteria set forth in this section except as prohibited by subsection 17-121(3).

Sec. 17-121. - Vending of food, drink or reading material.
A. Vending of Food, Drink or Reading Material within Public Rights-of-Way.

(1) It shall be unlawful for any person to engage in the business of selling food or drink with any alcohol contained therein and reading material from a stationary cart or any other stationary vehicle or device that is placed, parked or stopped in or upon any city street or in any public parking space, public right-of-way or sidewalk next to any city street or on any other public property in the Old and Historic District of the City of Charleston except in such area as shall be designated and marked by the department of traffic and transportation for such purpose and as is approved by city council.

(2) The director of traffic and transportation shall survey the Old and Historic District and report to city Council, on at least an annual basis, those areas in the nonresidential portions of the Old and Historic District which are appropriate for accommodating the location of stationary vendors selling food or drink with any alcohol contained therein and reading material, taking into consideration factors such as vehicular and pedestrian circulation, access, availability of parking, street and/or sidewalk width and such other factors as he may deem necessary to protect the public health, welfare and safety; provided, however, that under no circumstances shall a vendor space designated for the sale of food or drink with any alcohol contained therein and reading material be located within one hundred (100) feet of the entrance to a church or within one hundred (100) feet of a residentially designated district; and provided further that when the director of traffic and transportation annually surveys the nonresidential portions of the Old and Historic District to determine the appropriate location of any vendor space, he shall seek to avoid locating stationary street vendors who sell food or drink with any alcohol contained therein and reading material unreasonably close to existing restaurants or to other designated vendor spaces.

(3) Vendor spaces designated for the sale of food or drink with any alcohol contained therein and reading material from stationary carts or other vehicles or devices shall be available to interested vendors on a daily basis, 7:00 a.m. to 7:00 p.m., on a first come, first serve basis unless such spaces are franchised or unless designated by city council as not being available to interested vendors on a daily basis, 7:00 a.m. to 7:00 p.m. on a first come, first serve basis if not franchised in accordance with this section.

(4) No person shall engage in the sale of food or drink with any alcohol contained therein and reading material from a stationary cart or other vehicle or device from a vendor space unless:

(a) He has secured a business license, a peddler's permit for himself and any employee who shall operate his stationary cart or other vehicle or device approved by the police department and issued by the business license division, and a decal from the business license division displayed as follows:

1. The decal shall be prominently displayed on the stationary cart or other vehicle or device from which food or drink with any alcohol contained therein and reading material is dispensed; and

2. The peddler's permit issued to the vendor or his employee operating the stationary cart or other vehicle or device and the vendor's business license shall either be prominently displayed on the
vendor's stationary cart or other vehicle or device or available from the vendor or his employee operating the stationary cart or other vehicle or device on demand; and

(b) He can and does confine all operations incident to the sale of food or drink with any alcohol contained therein and reading material within the perimeter of the vendor space; and

(c) He has paid such fees as may be set by city council for the privilege of utilizing such vendor space(s); and

(d) He has filed with the director of traffic and transportation a duly executed indemnification/hold harmless agreement with the city concerning the use of the designated vendor space.

(5) Nothing herein shall be construed to prevent the director of traffic and transportation, at the direction of city council, from designating vendor spaces on a temporary basis as and when city council may deem appropriate.

(6) Authority of the director of traffic and transportation regarding bidding and franchising procedures for all vendor spaces designated for the sale of food or drink with any alcohol contained therein and reading material is delineated as follows:

(a) The director of traffic and transportation shall have the authority to recommend to the committee on traffic and transportation that any or all vendor spaces designated for the sale of food or drink with any alcohol contained therein and reading material be made available only pursuant to a competitive bidding process and the execution of a franchise agreement with the successful bidder. The city may reject any or all bids.

(b) In determining whether such a recommendation is warranted, the director of traffic and transportation shall consider whether the demand for any vendor space from competing vendors is, or could be, disruptive to the public order or has resulted, or could result, in undue burden on enforcement officials.

(c) Upon the committee on traffic and transportation approving the franchising of certain vendor spaces, the director of traffic and transportation, with input from corporation counsel, shall draft bid specifications, which shall include, at a minimum:

1. The location of the vendor space proposed to be franchised;

2. A requirement of such minimum bid as shall be approved by the ways and means committee;

3. A provision to allow for the payment of the franchise fee on at least a semiannual basis;

4. A limitation on the term of the franchise agreement to no more than one year;

5. A requirement for the acquisition of public liability insurance in such amounts as shall be recommended by corporation counsel;
6. A prohibition against the assigning or subletting of any vendor space or franchise agreement;

7. A requirement that the successful bidder acquires and maintains a current City of Charleston business license;

8. A provision requiring the successful bidder to comply and maintain compliance with applicable rules and regulations as may be promulgated by the South Carolina Health Department; Except as prohibited by subsection 17-121(3) a limitation on the hours of operation from 7:00 a.m. to 7:00 p.m., with a provision allowing for the franchised vendor space to be available to other licensed vendors for any day during the term of the franchise agreement that the successful bidder is not open for business in the franchised vendor space by 11:00 a.m., or if he thereafter vacates the franchised vendor space during the day;

9. A requirement that the successful bidder remove all vending apparatus from the vendor space at the end of each day and to otherwise maintain the area in and around the vendor space in a clean condition, free of trash and rubbish;

10. A requirement forbidding meter feeding or encroaching on any property outside the vendor space;

11. Provisions for the suspension or cancellation of the franchise agreement;

12. A provision requiring the use of recyclable or biodegradable containers; and

13. A provision allowing the city to reject any or all bids not deemed by it to be in the best interest of the city.

(d) No bid specifications shall be put out for bid until they have first been approved by the committee on ways and means.

(7) Authority of the department of traffic and transportation regarding the lawful and/or appropriate placement of stationary carts for the sale of food or drink with any alcohol contained therein and reading material in areas outside of the Old and Historic District is delineated as follows:

(a) In areas outside the Old and Historic District, the sale of food or drink with any alcohol contained therein and reading material from stationary carts or other stationary vehicles that are placed, parked or stopped in or upon any other public property shall be unlawful, except in such areas as may be designated and marked by the department of traffic and transportation for such purposes.

(b) In determining whether a location outside the Old and Historic District is appropriate to accommodate a stationary cart or stationary vehicle selling food or drink with any alcohol contained therein and reading material, the director of traffic and transportation shall consider the vehicular and pedestrian circulation around the proposed space, the availability of parking, street and/or sidewalk width, access and such other factors as he may deem necessary to protect
the public health, safety and welfare; provided however, that the director of traffic and transportation shall not designate a space for the sale of food or drink with any alcohol contained therein and reading material within one hundred (100) feet of the entrance to a church or within one hundred (100) feet of a residentially designated district; and provided further, the director of traffic and transportation shall seek to avoid having stationary street Vendors selling food or drink with any alcohol contained therein and reading material unreasonably close to existing restaurants or other designated street vending spaces.

(c) The director of traffic and transportation shall have the authority to recommend to the committee on traffic and transportation that any of the spaces designated for the sale of food or drink with any alcohol contained therein and reading material pursuant to the provisions of this section be made available only pursuant to a competitive bidding process and the execution of a franchise agreement with the successful bidder. The city may reject any or all bids. In determining whether such a recommendation is warranted, the director of traffic and transportation shall consider whether the demand for the space or spaces is, or could be, disruptive to the public order or has resulted, or could result, in undue burden on enforcement officials. If such a recommendation is made, and thereafter approved by the committee on traffic and transportation, the director of traffic and transportation, with input from corporation counsel, shall prepare bid specifications incorporating the provisions of this section.

(d) No bid specifications shall be put out for bid until they have first been approved by the committee on ways and means.

(e) Any spaces not franchised shall be available to licensed vendors pursuant to the criteria set forth in this section except as prohibited by subsection 17-121(3).

**B. Vending of Food or Drink or Reading Material within the Central Business District.**

(1) Any sale of food, drink or alcoholic beverages from a mobile food vendor from a mobile food vendor vehicle that is placed, parked or stopped on private property in the Central Business District of the City of Charleston shall be subject to the following regulations in their operation:

   (a) No mobile food vendor shall operate within 100 feet from the door of a lawfully established eating establishment that is actively open for business serving customers; unless the mobile food vendor provides documentation, which is signed by the restaurant owner, that the restaurant owner interposes no objection to a closer proximity. If a restaurant opens within the 100-foot zone after the mobile food vendor has their annual permit, the mobile food vendor may remain in that location until the following annual permit is due at which time they would have to obtain a written permission from the new restaurant owner. **Exceptions may be granted for activities that have obtained a Special Event Permit.**

   (a) **No person shall engage in a mobile food vendor operation unless they have obtained a valid business license, a peddler’s permit for himself and any employee operating at the location, and a current Mobile Food Vendor Operational Permit from the Fire Marshal Division.** Required documentation will be readily displayed and made available upon request, including written permission from landowner.
(c) A mobile food vendor operating under this division shall submit to the city an application that must include:

(i) The written permission from the private property owner for each location, and lease agreement, if any.
(ii) A list of all request sites to include the property owner and physical address.

(b) No mobile food vendor may operate outside the hours of 8:00 a.m. to 1:00 a.m. At the end of each business day's operation, the vendor shall remove from the parcel the mobile food vendor vehicle operation and all materials associated with the business.

(c) No mobile food vendor shall sound any device or play music which produces an offensive or loud noise to attract customers, and vendors shall not use any public address system on the vehicle to broadcast or advertise products. **All mobile food vendors to which this section applies shall also comply with the noise restrictions in the late night entertainment establishment operational regulations listed in Section 17-126.**

(d) It shall be the responsibility of the mobile food vendor to position their operation, vehicle, and equipment, in such a manner to reduce or eliminate interruptions of the public way. Operations shall not block or obstruct the public way, generate patron lines that obstruct sidewalks, streets, or public ways, or similar. The vendor shall locate at least 10' from the public way, or further, to reduce the potential for obstructions.

(e) for purposes of this section, mobile food vendor may include a truck, cart, trailer, vehicle or similar temporary configurations to provide food or beverage service.

**Section 2.** This ordinance shall become effective immediately upon ratification.

Ratified in City Council this ___ day of _____ in the Year of Our Lord, 2021 in the ______ Year of Independence of the United States of America.

By: ______________________________
John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Jennifer Cook
Clerk of Council
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1349 ASHLEY RIVER ROAD (WEST ASHLEY) (APPROXIMATELY 0.28 ACRE) (TMS #418-05-00-002) (COUNCIL DISTRICT 7), TO BE ANNEXED INTO THE CITY OF CHARLESTON, BE ZONED GENERAL BUSINESS (GB) CLASSIFICATION. THE PROPERTY IS OWNED BY GRAPHIC GLAMOUR HOLDINGS 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 that the below described property shall become a part thereof:

1349 Ashley River Road (West Ashley) (approximately 0.28 acre) (TMS #418-05-00-002)

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

Section 3. This ordinance shall become effective upon ratification.

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

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Jennifer Cook
Clerk of Council
ZONING

1349 Ashley River Rd
(Washington Park – West Ashley)

TMS # 4180500002

approx. 0.28 acre.


Owner: Graphic Glamour Holdings LLC
AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1351 ASHLEY RIVER ROAD (WEST ASHLEY) (APPROXIMATELY 0.25 ACRE) (TMS #418-05-00-001) (COUNCIL DISTRICT 7), TO BE ANNEXED INTO THE CITY OF CHARLESTON, BE ZONED GENERAL BUSINESS (GB) CLASSIFICATION. THE PROPERTY IS OWNED BY SHUBH LABH OF CHARLESTON 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 that the below described property shall become a part thereof:

1351 Ashley River Road (West Ashley) (approximately 0.25 acre) (TMS #418-05-00-001)

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

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _______________, in the Year of Our Lord ____________, in the ______ Year of Independence of the United States of America.

By:

______________________________
John J. Tecklenburg
Mayor, City of Charleston

Attest:

______________________________
Jennifer Cook
Clerk of Council
ZONING
1351 Ashley River Rd
(Washington Park – West Ashley)
TMS # 4180500001
approx. 0.25 acre.
Request zoning of General Business (GB).
Zoned St. Andrews Blvd. Overlay (OD_STA),
Community Commercial (CC) in Charleston County.
Owner: Shubh Labh of Charleston, LLC