

Committee on Real Estate

April 11, 2022

A meeting of the Committee on Real Estate was held this date at 4:05 p.m. via Zoom Webinar.

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

PRESENT

Committee members: Councilmember Appel, Chair, Mayor Tecklenburg, Councilmember Shahid, and Councilmember Waring.

City Staff: Leigh Bailey, Philip Clapper, Julia Copeland, Melissa Cruthirds, Rick Jerue, Jason Kronsberg, Christopher Morgan, Geona Shaw Johnson, Velvett Simmons, and Amy Wharton.

Chair Appel called the meeting to order.

The meeting was opened with an invocation provided by Councilmember Shahid.

Approval of Minutes

- March 21, 2022

On the motion of Councilmember Shahid, seconded by Councilmember Waring, the Committee voted unanimously to approve the minutes of the March 21, 2022 meeting.

a. An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement to lease six parking spaces at 2150 Milford Street to the City of Folly Beach, South Carolina.

Ms. Cruthirds said Folly Beach had approached the City of Charleston asking for a lease to park six of their garbage trucks at Milford, which the City itself leased. Folly Beach had previously leased from JIPSD, but that lease had expired. The new lease would be for a term of one year with four one year renewal terms. The rent would be \$1,200/month. The attorney for the City's landlords indicated that there were no issues with the arrangement. It had also been approved by Folly Beach's attorney, and it would be on their agenda the following day.

Chair Appel thanked Ms. Cruthirds.

On the motion of Councilmember Waring, seconded by Councilmember Shahid, the Committee voted unanimously to approve Item A.

b. An ordinance authorizing the Mayor to execute on behalf of the City a utility easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City's real property designation as Charleston County TMS No. 463-16-02-039, commonly known as 645 Meeting Street, within the right of way shown on drawing D-84391, to permit installation and maintenance of underground electrical lines in order to create an electrical loop servicing 645, 649, and 651 Meeting Street and to allow for the conversion of overhead to underground cables north of 651 Meeting Street as shown on drawing D-84391.

Ms. Cruthirds said there was significant construction work going on at 651 Meeting Street. She indicated the building on a map. They would be building commercial space to the south of the map, and then a four story multifamily residential building at the back, towards the north of the map. As part of that, they were burying overhead lines underground. In conjunction with that, Dominion was going to create a loop system for the entire block, which would allow power to come in from two directions. If someone hit a telephone pole at 651, power at 649 would not go out.

649 Meeting Street was currently leased to the South Carolina Research Authority. She said Dominion would be reaching out to them to coordinate. Dominion would install a new duct bank, bore underground to connect two lines, and replace a transformer at another connection. They therefore needed the easement on the right of way.

Chair Appel asked if the Item would entail any non-standard service funding from the City.

Ms. Cruthirds said it would not.

On the motion of Councilmember Waring, seconded by Councilmember Shahid, the Committee voted unanimously to approve Item B.

- c. **An ordinance to close and abandon Ackerman Court and authorizing the Mayor to execute on behalf of the City one or more quitclaim deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to quitclaim equal portions to the adjacent property owners, subject to any and all easements and utilities.**

Ms. Copeland said there had been a public hearing about the Item at the last Council meeting, so it was in its final step before finishing the process and quitclaiming the pieces to the surrounding landowners.

On the motion of Councilmember Waring, seconded by Councilmember Shahid, the Committee voted unanimously to approve Item C.

- d. **Request approval of a Resolution to authorize the use of \$514,870 of the City of Charleston's Urban Greenbelt Funds to provide for a conservation easement for the Oakville Tract.**

Mr. Kronsberg said City Council had previously voted to approve a resolution in support of a Greenbelt application from the Lowcountry Land Trust to secure a conservation on the Oakville Tract, which was now owned by the Aviation Authority. Subsequent to that resolution, the Land Trust secured a State Bank grant of \$500,000 to match the other portion that the Land Trust had asked the Greenbelt for, so it was a total of \$1 million for the conservation easement, which took all development rights away from the land known as Oakville, which was slated for a residential development. In summary, it was a conservation easement in perpetuity on Aviation Authority land.

Councilmember Shahid asked if the land had been a part of a larger tract that was an existing subdivision. He asked if it would be like a buffer between the neighborhood and the airport.

Mr. Kronsberg said it was not. There were a few residential properties in that area. The land in question was around 240 lots. The Dutch Dialogues process recommended against such development. The Aviation Authority then purchased the land and worked with the Land Trust to secure a conservation easement to eliminate the development potential. It was not a part of any other development.

Councilmember Shahid said they were essentially using their allotment of Greenbelt funds to help with the easement.

Mr. Kronsberg said Council's original resolution was merely in support of the Land Trust's application to the Greenbelt for funding, and did not identify a specific dollar amount. The Land Trust then came back and asked for the money to match the State Bank's 500,000, to combine to \$1 million to be paid to the Aviation Authority.

Councilmember Shahid thanked Mr. Kronsberg.

Mayor Tecklenburg said there were many good reasons to support the Item, one of them being that it would create a buffer along the airport on Johns Island. There were plans to expand the airport, and economic development was happening on the other side of the airport with the City's friends from Qatar.

There had been a proposed development for most of the site, and in looking at the recommendations in the City Plan, specifically at elevation and future development, and at the Dutch Dialogues, one could see that the site ought not to be developed. It was very low and subject to flooding, and could have an impact on the drainage basin. 90% of the property was in the City of Charleston. He understood it seeped into the Greenbelt funding a little bit, but there were healthy projections in the coming years, and he felt it was an appropriate use of the funds.

Councilmember Waring said he couldn't agree with the Mayor more. When the initial subdivision came before Council, there was a lot of protest against the building of more houses there. He felt it was a wonderful compromise. He said some had predicted that if roads were built, the lots would actually be lower than the roads. He hoped everyone was in favor.

Chair Appel said he was fully supportive, as well.

He said there was a strong national precedent for adopting overlay ordinances relative to airports, in order to limit density factors. He said it was the first thing he had worked on when he had joined a firm out of law school. They would go around the Country and set up such overlay zones around Air Force bases. It turned out that some of the most famous Air Force bases in the Country had had to minimize operations and sometimes close entire runways down because the bases were economic engines. There would be a lot of desire to develop in and around such areas. He thought it would be a good idea to have the Planning department take a preliminary look at such concepts. Down-zoning around airports was primarily for safety, and if they had had such a thing prior, then perhaps the current item would not have been needed. They might be able to get ahead of a similar situation happening again.

Councilmember Waring asked if the area was close to an Urban Growth Boundary line.

Mr. Kronsberg said that was correct. Most of the property was in the City limits, and it was just inside the UGB.

He said the full Greenbelt Advisory Board had recommended approval pursuant to the current meeting, after which it would go to the County Council Finance Committee, and then full County Council.

Councilmember Waring said Chair Appel had a good point, an overlay was not a bad idea. He was a big fan of overlay districts.

Chair Appel said he believed the City of North Charleston had one by the Air Force Base, so there was precedent for it in the area.

On the motion of Mayor Tecklenburg, seconded by Councilmember Waring, the Committee voted unanimously to approve Item D.

e. Please consider the following annexations:

- (i) **1890 and 1886 Ashley River Road and 1407 Adele Street (0.35 acre) (TMS #351-07-00-027, 028, and 048), West Ashley, (District 7). The properties are owned by the Charleston Redevelopment Corporation.**

On the motion of Councilmember Shahid, seconded by Councilmember Waring, the Committee voted unanimously to approve Item E(i).

There being no further business to discuss, the meeting was adjourned at 4:24 p.m.

Philip Clapper
Clerk of Council's Office