

## COMMITTEE ON REAL ESTATE

January 24, 2017

A meeting of the Committee on Real Estate was held this date beginning at 3:07 p.m. at Charles Towne Landing, 1500 Old Towne Road.

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

### PRESENT

Councilmember White, Chair, Councilmember Moody, and Councilmember Riegel **Staff:** Christopher Morgan, Collen Carducci, Chief Karen Brack, and Bethany Whitaker, Council Secretary

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

### APPROVAL OF MINUTES

On the motion of Councilmember Riegel, seconded by Councilmember Moody, the Committee voted unanimously to approve the minutes of the January 10, 2017 Committee on Real Estate Meeting.

### REQUEST APPROVAL OF THE FACILITY USE AGREEMENT FOR THE CITY OF CHARLESTON FIRE DEPARTMENT TO USE AN APPROXIMATELY 1500 SQUARE FOOT AREA OF LAND FOR UP TO 6 MONTHS FOR THE TEMPORARY STAGING OF A FIRE RESPONSE TRUCK AND MOBILE HOME. THIS PROPERTY IS OWNED BY COASTAL FIREARMS (J.W. INC). (1161 CAINHOY ROAD; TMS: 263-00-00-076) [AMENDED AT THE COMMITTEE ON REAL ESTATE MEETING]

Chairman White stated that he was going to shift things slightly and allow Ms. Carducci and Chief Brack to walk through the changes. They have had challenges with being able to provide adequate fire protection for the whole of Clements Ferry Road for a long period of time. With Chief Brack's help they had been working hard to fix the issue, and had found a temporary site. They were looking for a permanent site, but the temporary site wouldn't be available until July 2017. They had people whose policies were going up in premiums, and also had a woman whose policy had been dropped because of the lack of fire protection. Councilmember Moody stated that was because the rate went up, and the insurance agencies had changed their rates and premiums.

Chief Brack stated that throughout the City, with the exception of Cainhoy Road, they had gone from a class 3 to a class 1 which was the best they could do. The problem was, when they recalculated, Cainhoy Road went to a class 10, which was the worst that it could be. What this would do, was get everything in the City of Charleston to a class 1, because it would put them within 5 miles of anything they cover. She had no idea it was so hard to find a piece of land, and they had been diligently working for two and half years to get a contract or find a temporary location. They thought they had a temporary site nailed down for January of 2017, but they didn't get the lease finished in time because it was amended several times. Ms. Carducci stated it was amended to extend. Chairman White stated that they needed a motion to amend the agenda to reflect the correct address. The address originally for the Old Dominion Freight Line was accurate at one point, however, since the agenda was completed Chief Brack and Ms. Carducci were able to negotiate to put the temporary location starting immediately onto what would be the temporary fire station site, as opposed to that one. It was probably a more effective way to be

established prior to July, because that one would have been a different site altogether. Councilmember Moody stated that this was different site and if the motion needed to be made to amend the agenda he would make that motion.

On the motion of Councilmember Moody, seconded by Councilmember Riegel, the Committee voted unanimously to approve the amendment to the agenda.

Ms. Carducci stated that the site they had before in the agenda package had been offered by the owner of the property. That was very generous of them. This owner, which was the property adjacent to where the temporary fire station would be constructed, was allowing them to place the RV trailer on their site and the tent-like structure to place the fire truck in. They had what they needed for Chief Brack and her staff to work with the ISO rating agency to authorize this to be their site and increase the rating for them. She pointed to the parcel where the temporary fire station was going to be constructed, under the agreement that was approved last year that was a three year with two one year exceptions on it. They had that in place and it should be completed by July. In the meantime, in the site adjacent, there was an operating business and they would place their equipment there and then would be able to transfer to the temporary site. Coastal Firearms was the business that was in the building, and it was owned by John Whitley, but County Records showed the property as owned by J.W. Inc. They had put both names on the amended contract. Susan Herdina would verify that John Whitley was the owner and that the draft was okay. They believed that this was accurate and Ms. Herdina thought it would be fine as is. For purposes of the ISO Inspections, Amy Wharton had signed on behalf of Mayor Tecklenburg, but they still needed Council approval. Once that happened, they would have Mayor Tecklenburg sign as well.

Councilmember Moody asked what the ingress and egress was for the site and Chief Brack said it would be onto Cainhoy Road. Ms. Carducci stated that the temporary site that they were moving to in July would have a different exit, but the current one would have ingress and egress onto Cainhoy Road.

Councilmember Riegel asked who owned the Old Dominion property. Ms. Carducci stated it was the property themselves. They had a corporate office in Minneapolis. Chief Brack stated they were talking to them and someone in North Carolina about the actual lease. Councilmember Moody asked why they were having so much trouble out there and Ms. Carducci stated it was because most of the land was owned by Cainhoy Development. Councilmember Moody said this should make it easier. Chairman White stated that it could make it easier, but the resources they had to require land hadn't met with the resources they were looking for. Ms. Carducci said that the problem was the actual location, because it needed to be where it was right by a traffic signal. It would be perfect if they had the 2.5 acres that they needed for the facility that had no deed restrictions on it so they could control the easements. The way the property transfer negotiations had been working was that it came with their ability to put other infrastructure and easements on the property. That conflicted with the needs of the Fire and Police Department's. If they had the ability to get the property free and clear, that would be her recommendation, but it hadn't been easy to negotiate that. Councilmember Moody said that he found it unbelievable that the developer didn't provide insurance to the owners and asked how you would even sell the property with a 10 rating. Chairman White said that a middle school was operating on Clements Ferry Road and would soon have a full high school next to it. To have this in place was critical from a fire

protection standpoint. Councilmember Moody stated that they would be in the same situation in five years and Chief Brack responded that they hadn't stopped looking for a piece of property and that they wouldn't stop. They needed to build a permanent building or else they would end up in the situation they were already in at Cainhoy Road, with Station 20, where they've been leasing for 20 years. That was not the most effective way to do this.

Councilmember Moody asked what kind of equipment would be there. Chief Brack said for the temporary site, it would be the water tender with two people. That would be a very temporary situation. Every time the tender was dispatched, Station 20 would also respond, so it would be a dual response. When they got to the full implementation of the temporary station there would be an engine, a water tender, and a brush rig. There would be 6 personnel per day that would be in that area. Councilmember Moody asked what kind of temporary facility they were putting there. Chief Brack said it would be a butler building/metal structure. The tent would be at the temporary 6 month site.

Ms. Carducci said that they had multiple conversations about the best strategy and once they got this 5 year lease on Cainhoy Road, it might be a consideration to replace Station 20 with a permanent station and then as the Cainhoy development progresses, they could facilitate what they need there. Councilmember Riegel said that the developer would be kinder to the City and what we needed to approve in that area to make his deals work and go forward. Ms. Carducci said that they had everything they needed and eventually there would have to be a fire safety facility in that area. It was all a matter of what responsibilities the City needed to take on as part of that. Councilmember Riegel said we absolutely needed to and that he was disappointed that the developer was not willing to be more cooperative in his dealings with something that would enhance his selling of homes. Ms. Carducci said they had offered an alternative location and they hadn't seen the terms of that proposal. That one was problematic because it was near the schools so they would get the school traffic and curbs. That was not the right location. Chairman White said he hadn't had any conversations with the developer but he wanted to point out that they owned a big tract of land out there. That wasn't the only land though. The first property they had identified fell apart. Ms. Carducci said that it wasn't large enough. They had been willing to give them the land behind there. It didn't work ultimately because it had graves on it.

Councilmember Riegel asked what was best and Chief Brack said that the straightaway was best. Part of what was driving the discussion was that where they wanted to be would expand their response area. It would give them the overlap they were looking for. That was why they had been insistent on the area. It would give them an equal distance to go towards Daniel Island, and the City. They were trying to maximize what their response district was.

On the motion of Councilmember Moody, seconded by Councilmember Riegel, the Committee voted unanimously to approve the amended contract.

Having no further business, the meeting adjourned at 3:26 p.m.

Bethany Whitaker  
Council Secretary

