

July 19, 2022
5:00 p.m.
City Hall
80 Broad Street
Conference Call: 1-929-205-6099
Access Code: 912096416

CITY COUNCIL

- A. Roll Call**
- B. Invocation – Councilmember Mitchell**
- C. Pledge of Allegiance**
- D. Presentations and Recognitions**

1. Proclamation recognizing Ashley Pennington, Ninth Circuit Public Defender (**Requested by Councilmember Stephen Bowden**)
2. Proclamation recognizing Dr. Thomas Godfrey Quattlebaum (**Requested by Councilmember Mike Seekings**)

- E. Public Hearings**

(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.)

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. Violation of the Rules of Decorum may result in losing the opportunity to speak before Council and/or removal from the meeting.

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, July 18th:

- 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/>.**

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

1. Public Hearing to receive comments on the proposed use of the 2022 Justice Assistance Grant Funds and submit a 2022 Justice Assistance Grant application for the amount of \$42,980. The proposed use is for the purchase of iBase software which combines data stored in CPD's Records Management System, Computer Aided Dispatch system, criminal investigations, and ongoing investigations.
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 24 Market St (Downtown- Peninsula) (approximately .67 acre) (TMS #458-05-04-023, 031 and 029) (Council District 1), be rezoned from 3 Story and WP Old City Height District classification to 4 Story Old City Height District classification. The properties are owned by Carroll Building LLC.
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 properties on Travis Lane (Honey Hill- Cainhoey Peninsula) (approximately 11.4 acres) (TMS #268-00-00-005 and 039) (Council District 1), be rezoned from Single Family Residential (SR-1) classification to Diverse Residential (DR-9) classification. The properties are owned by Coles Emily Barnes.
4. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending the Planned Unit Development (PUD) Master Plan and Development Guidelines (Barre/Halsey PUD – Harleston Village) by rezoning the property located at 65 Barre Street (approximately 0.19 acre) (TMS# 457-02-04-025) from Single-Family Residential (SR-2) to PUD and by increasing the maximum number of dwelling units allowed in the PUD.
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 2157 Fort Pemberton Drive (Riverland Terrace- James Island) (approximately 0.23 acre) (TMS #343-01-00-104) (Council District 11), annexed into the City of Charleston May 24, 2022 (#2022-076), be zoned Single Family Residential (SR-1) classification. The property is owned by Jennifer Moggenberg and Jack Narusevich.

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. May 17, 2022 Special Meeting
2. June 21, 2022

H. Citizens Participation Period

PLEASE NOTE THAT THE CITIZENS' PARTICIPATION PERIOD IS 30 MINUTES AND WILL BE LIMITED TO THE FIRST 30 SPEAKERS. SPEAKERS RESIDING IN OR MAINTAINING A BUSINESS LICENSE WITH THE CITY OF CHARLESTON SHALL SPEAK FIRST.

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. Violation of the Rules of Decorum may result in losing the opportunity to speak before Council and/or removal

from the meeting.

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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. Sign-up to speak or leave comments for City Council by completing the form at <http://innovate.charleston-sc.gov/comments/> by Monday, July 18th at 12:00 p.m.
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

I. Petitions and Communications:

1. Appointment of Code Enforcement Officers:
 - a. Travis Galli -- BAR/DRB Enforcement Officer
 - b. Isabella Gordineer -- Preservation Planner
 - c. Ernest Muhammad -- Zoning Associate Planner
2. Boards and Commissions Appointments:
 - a. Human Affairs and Racial Conciliation Commission:
 - (i) Councilmember Mike Seekings
 3. Update on Sumar Street Redevelopment – *Eric Pohlman, City of Charleston West Ashley Projects Manager, and Jonathan Oakman, Landmark Enterprises*
 4. Final decision by City Council on objections raised to the King Street Business Municipal Improvement District

J. Council Communications:

1. Discussion regarding City's Plan to Address Abandoned and Neglected Structures (**Requested by Councilmember Jason Sakran**)

K. Council Committee Reports:

1. Committee on Traffic and Transportation: (Meeting was held Monday, July 18, 2022 at 2:00 p.m.)
 - a. Ladiaonelimo, LLC -- Application for Certificate of Public Convenience and Necessity, Limousine
 - b. South Carolina Lowcountry Limousine, LLC

Application for Certificate of Public Convenience and Necessity, Limousine

- c. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice related to contract discussions for the provision of electric vehicle charging services. Action may or may not be taken after coming out of Executive Session.
- d. Discussion

2. Committee on Public Works and Utilities: (Meeting was held Monday, July 18, 2022 at 4:00 p.m.)

a. Public Service Updates:

- (i). Discussion of Encroachment request for 5 ½ Alexander Street

b. Stormwater Management Department Updates:

- (i). Low Battery Phase 3 – Recommend approval of Change Order #1 with Gulf Stream Construction Company, Inc., in the amount of \$221,680.00 for additional polyurethane injection needed to fill more voids found in the ground compared to previous phases of the project. These funds are available in the project budget of Hospitality Funds, Municipal Accommodations Tax Funds, Charleston County Accommodations Tax Fees, CWS Contributions, and the 2022 Hospitality Revenue Bond.
- (ii). Low Battery Phase 4 – Recommend approval of Fee Amendment #11 with Johnson, Mirmiran, & Thompson in the amount of \$48,718.00 for the conceptual study development of Phase 4 from King St to South Battery. These funds are available in the project budget of Hospitality Funds, Municipal Accommodations Tax Funds, Charleston County Accommodations Tax Fees, CWS Contributions, and the 2022 Hospitality Revenue Bond.
- (iii). Wappoo Creek Place Drainage Improvement – Recommend approval of a construction contract with First Construction Management, LLC in the amount of \$43,890 for the improvement of road drainage at the intersection of Wappoo Creek Drive and Wappoo Creek Place. Funds are available in the FY 2022 Small Project Allocation.
- (iv). Barberry Woods Drainage Improvement – Recommend approval to apply for a South Carolina Conservation Bank Grant in the amount of \$300,960 in grant funding with a City match of \$75,240 to acquire property for the Barberry Woods Drainage Improvement Project on Johns Island. Funds are available within the current project allocation from the Drainage Fund.
- (v). James Island Creek – Information Only – The City is participating in the Charleston County led Contract with Woolpert for Water Quality Sampling and Analysis work. This contract operates under the previously approved MOU between the Town of James Island, Charleston County, and the City of Charleston. The City contribution for the next year of monitoring is \$39,382 with funds available in the Stormwater Operations Budget.

3. Committee on Ways and Means:

(Bids and Purchases

(Approval of the CARTA-FY23 Budget

(Resiliency and Sustainability: Approval to accept the 2023 SC DHEC Solid Waste Reduction and Recycling Grant in the amount of \$12,000 to purchase composting equipment, supplies, and public outreach materials to support the City's composting program. There is no match required for this grant.

(Office of Cultural Affairs: Approval to accept a grant award of \$5,685 from SC PRT Tourism Advertising Grant Program to support the 2022 MOJA Festival. The match amount was waived by South Carolina Department of Parks, Recreation and Tourism.

(Office of Cultural Affairs: Approval to apply for a grant in the amount of \$50,000 from the National Endowment for the Arts to support public art initiatives in the second half of 2023 and the first half of 2024. This grant application will be submitted on July 19, 2022, as access to the NEA online portal is not yet available and the agenda has been set for City Council's July meeting. A 1:1 City match is required. Funding to meet the match requirement has been included in the FY23 budget request.

(Stormwater Management: Approval of the Low Battery Seawall Repairs-Phase III Change Order #1 in the amount of \$221,680.00 with Gulf Stream Construction Company, Inc., for additional polyurethane injection needed to fill more voids found in the ground compared to previous phases of the project. Approval of Change Order #1 will increase the construction contract by \$221,680.00 (from \$21,496,256.00 to \$21,717,936.00). Funding sources for this project are: Hospitality Funds (\$17,077,901.53), Municipal Accommodations Tax Funds (\$15,651,479.68), Charleston County Accommodations Tax Fees (\$400,000.00), CWS Contributions (\$4,874,746.00) and 2022 Hospitality Revenue Bond (\$37,417,402.35).

(Stormwater Management: Approval of the Low Battery Seawall Repairs-Phase IV Fee Amendment #11 with Johnson, Mirmiran & Thompson in the amount of \$48,718.00 for the conceptual study development relevant to the next phase of the Low Battery Seawall from King St. to South Battery (~1,200 lf). Approval of Fee Amendment #11 will increase the professional service contract by \$48,718.00 (from \$3,705,852.36 to \$3,754,570.36). Funding sources for this project are: Hospitality Funds (\$17,077,901.53), Municipal Accommodations Tax Funds (\$15,651,479.68), Charleston County Accommodations Tax Fees (\$400,000.00), CWS Contributions (\$4,874,746.00) and 2022 Hospitality Revenue Bond (\$37,417,402.35).

(Stormwater Management: Approval to submit the SCCB grant application requesting \$300,960.00 in grant funds and a City match of \$75,240.00 for a total grant budget of \$376,200 to support property acquisition activities of the Barberry Woods Drainage Improvement Project on Johns Island. The application is due by July 31, 2022. The match is not required, but it is recommended to be competitive. The proposed City match is an 80/20 cost-share and is available from the Drainage Fund.

(Stormwater Management: Approval of a construction contract for Wappoo Creek Dr. in the amount of \$43,890.00 with First Construction Management, LLC. Funds are available within the FY22 Small Project Allocation. The \$43,890.00 is available within the Stormwater Operations Budget.

(Parks – Capital Projects: Approval of a Memorandum of Agreement with Charleston County to reimburse the County for the installation of conduit and power line to the Susie Jackson Memorial Garden fountain. Approval of this MOA will obligate \$6,700.00 of the \$100,000.00 project budget. Funding sources for this project are: 2018 General Fund Reserves (\$100,000.00).

(Parks – Capital Projects: Approval of the Johns Island Fire Station #23 Construction Manager at Risk Contract with Hill Construction Services of Charleston in the amount of \$71,390.00 for preconstruction services including schematic design, design development, and construction documents for the construction of a 3-bay fire station located at Maybank Highway at Johns Island. Approval of the CMAR Contract will obligate \$71,390.00 of the \$8,951,156.00 project budget. Funding sources for this project are: 2021 IPRB Bond (\$8,951,156.00).

(Police Department: After-the-fact approval to apply for the FY22 Field Initiated: Encouraging Innovation – DOJ, OJP, BJA Grant to enhance and enlarge CPD's Electronic Monitoring Program. The grant will fund \$999,999 for a Violent Offender Electronic Monitoring Program. Due to time constraints, this application was submitted on July 11, 2022. This project does not require a City match.

(Police Department: After-the-fact approval to apply for the FY23 Paul Coverdell Forensic Science Improvement Grants Program for technological enhancements to the Charleston Police Department Forensic Science Division. The grant will fund \$37,050 for a portable laser investigation device. Due to time constraints, this application was submitted on July 7, 2022. This project does not require a City match.

(Police Department: Approval to apply for the FY22 Edward Byrne Memorial Justice Assistance Grant for technologic improvements to CPD information, identification and investigation efforts. The grant will fund \$42,980 for data-link software. This application is due on August 8, 2022. This project does not require a City match. (See also City Council Public Hearings – Agenda Item E-1)

(Planning, Preservation & Sustainability: Approval of the NPS URC grant application submission requesting \$75,000 in grant funds with an optional City match of \$25,000 to support community education and outreach; and historic surveys of African American settlement communities interested in pursuing National Register nomination or other state/local historic designations. The application deadline is August 10, 2022. The requested match of \$25,000 has been included in the PPS 2023 Budget Request to support the larger project for which this grant would provide additional support.

(Planning, Preservation & Sustainability: Approval of a MOU with the Charleston Downtown Alliance for the administration of the King Street BID. (Final action will be taken at City Council on July 19, 2022.) (To be distributed under separate cover by the Planning, Preservation, and Sustainability Department)

(Fire Department: Approval of the form Acquired Structures Agreement between the City of Charleston and homeowners.

(Executive Department: Approval of the James Lewis, Jr. affordable housing project undergrounding, Other Work in Progress (OWIP) Agreement in the amount of \$739,512 with Dominion Energy. \$500,00 of this amount will be paid from the Copper River Bridge TIF fund, as previously allocated and approved by Council. \$119,756 will be funded from the Non-Standard Service Fund. The remaining \$119,756 will be funded by Dominion. (To be distributed under separate cover by the Legal Department)

(Approval of a Second Amendment to Memorandum of Understanding and Agreement between the City of Charleston, South Carolina, and TMP Epic Center, LLC. (2070 Sam Rittenberg Blvd., Charleston, SC 29407) (TMS# 310-04-00-009, TMS# 351-05-00-043 & 044, TMS# 351-09-00-015 & 053)

(Approval of a Third Amendment to the Management Agreement between the City of Charleston and Charleston Digital Corridor Foundation for the lease space at 22 West Edge on a month-to-month basis for no more than 12 months.

(A Resolution to approve Amendment of the Agreement for Development of a Joint County Industrial Park, by and between Charleston County, South Carolina and Colleton County, South Carolina, so as to include additional property in the City of Charleston as part of the Joint Industrial Park.

(A Resolution to approve Amendment of the Agreement for the Establishment of a Multi-County Industrial/Business Park for properties located in a redevelopment project area, by and between Charleston County, South Carolina and Colleton County, South Carolina, so as to include additional property in the City of Charleston as part of the Joint County Industrial Park.

(Authorization for the Mayor to execute a Lease Agreement between Marina Variety Store, Inc., and City of Charleston.

(Approval of the permit with National Parks Service for the First Day Festival, scheduled for Sunday, August 7, 2022.

(Approval of a Second Amendment to the Memorandum of Understanding between the City of Charleston and Landmark Enterprises Services, LLC., extending the August 1, 2022 deadline to October 15, 2022. (14 Sumar Street, Charleston, SC 29407) (Final action will be taken at City Council on July 19, 2022.)

(Please consider the following annexations:

- 1989 Maybank Highway (1.52 acres) (TMS# 343-03-00-208), James Island, (District 11). The property is owned by Maywood, LLC.
- 1978 Maybank Highway (0.38 acre) (TMS# 343-03-00-198), James Island, (District 11). The property is owned by Brian Tanner and George Vasilos.
- 22 Oakdale Place (0.24 acre) (TMS# 418-10-00-104), West Ashley, (District 9). The property is owned by Kayley Seawright.
- 5 Oakdale Place (0.22 acre) (TMS# 418-15-00-042), West Ashley, (District 3). The property is owned by Allison and James Lutz.
- 31 Avondale Avenue (0.35 acre) (TMS# 418-14-00-029), West Ashley, (District 9). The property is owned by James and Ashley Mackintosh.
- 4 Tovey Road (0.17 acre) (TMS# 418-10-00-109), West Ashley, (District 9). The property is owned by John Bouvette.

Give first reading to the following resolutions and bills from Way and Means:

A Resolution to approve Amendment of the Agreement for Development of a Joint County Industrial Park, by and between Charleston County, South Carolina and Colleton County, South Carolina, so as to include additional property in the City of Charleston as part of the Joint Industrial Park.

A Resolution to approve Amendment of the Agreement for the Establishment of a Multi-County Industrial/Business Park for properties located in a redevelopment project area, by and between Charleston County, South Carolina and Colleton County, South Carolina, so as to include additional property in the City of Charleston as part of the Joint County Industrial Park.

An ordinance to provide for the annexation of property known as 1989 Maybank Highway (1.52 acre) (TMS# 343-03-00-208), James Island, Charleston County, to the City of Charleston, shown

within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Maywood, LLC.

An ordinance to provide for the annexation of property known as 1978 Maybank Highway (.38 acre) (TMS# 343-03-00-198), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Brian Tanner and George Vasilos.

An ordinance to provide for the annexation of property known as 22 Oakdale Place (.24 acre) (TMS# 418-10-00-104), 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 9. The property is owned by Kayley Seawright.

An ordinance to provide for the annexation of property known as 5 Oakdale Place (0.22 acre) (TMS# 418-15-00-042), 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 Allison and James Lutz.

An ordinance to provide for the annexation of property known as 31 Avondale Avenue (0.35 acre) (TMS# 418-14-00-029), 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 9. The property is owned by James and Ashley Mackintosh.

An ordinance to provide for the annexation of property known as 4 Tovey Road (0.17 acre) (TMS# 418-10-00-109), 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 9. The property is owned by John Bouvette.

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 Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending a portion of the Essex Farms Village Center Planned Unit Development Master Plan and Development Guidelines to amend sections related to land use and permitted uses and to change the property bearing TMS # 309-00-00-483 (approx. 2.39 acres) so as to be included in the area on the PUD plan map designated as PUD-EFVC-LI (Essex Farms Village Center PUD – West Ashley).*
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 1804 Able Street (Trotty Woods- West Ashley) (approximately 0.25 acre) (TMS #351-02-00-035) (Council District 7), annexed into the City of Charleston May 10, 2022 (#2022-070), be zoned Single Family Residential (SR-1) classification. The property is owned by Lanita Brown.*
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 2506 Birkenhead Drive (Shaftesbury- West Ashley) (approximately 0.34 acre) (TMS # 309-13-00-051) (Council District 2), annexed into the City of Charleston May 10, 2022 (#2022-071), be zoned Single Family Residential (SR-1) classification. The property is owned by Christopher R. Jefferies.*

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 1940 Capri Drive (Capri Isles- West Ashley) (approximately 0.69 acre) (TMS #350-14-00-039) (Council District 5), annexed into the City of Charleston May 10, 2022 (#2022-072), be zoned Single Family Residential (SR-1) classification. The property is owned by Jeffery and Meredith Fox.
5. An ordinance to amend Chapter 13-Fire Prevention and Protection; Article III-Codes; Section 13-76-adopted to reference the latest edition of the South Carolina Fire Code, as adopted by the State of South Carolina and published by the International Code Council, Inc.
6. An ordinance to designate 91 Hanover Street as a Non-Standard Service District in accordance with Sec. 30-171 through 30-178 of the Code of the City of Charleston, said district being located in the City and County of Charleston, State of South Carolina, and being more particularly described in Exhibit A, attached hereto and incorporated herein by reference.
7. An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, as Grantor, a Quit Claim Deed conveying the City's interest in a square within the Hampstead Mall located in the City of Charleston to the Charleston County School District, as Grantee, pursuant to that certain Joint Use Agreement adopted by the City and the Charleston County School District.
8. An ordinance authorizing the Mayor to execute on behalf of the City an Amended and Restated Lease between the City of Charleston and Charleston Water System regarding the use of the recreational greenway.
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 Clements Ferry Road (Jack Primus - Cainhoy Peninsula) (approximately 105.11 acres) (a portion of TMS# 268-00-00-133) (Council District 1), be rezoned from Light Industrial (LI) classification to Single-Family Residential (SR-2) classification. The property is owned by McAlister Togrant Clements LLC et al.
10. An ordinance to provide for the annexation of property known as 820 East Estates Boulevard (0.26 acre) (TMS# 310-02-00-152), 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 Leroy E. Waring, Sr. and Shelia W. Waring.
11. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2863 Maybank Highway (Johns Island) (approximately 1.83 acres) (TMS #313-00-00-135 and 138) (Council District 5), be zoned General Business (GB) classification. The property is owned by Maybank Group LLC. (DEFERRED FOR PUBLIC HEARING)
12. An ordinance to provide for the annexation of property known as 1766 Ashley River Road (.49 acre) (TMS# 351-11-00-003), 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 9. The property is owned by Irmgard S. Titus. (DEFERRED)

13. An ordinance to provide for the annexation of property known as 1776 Ashley River Road (.56 acre) (TMS# 351-11-00-004), 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 9. The property is owned by Morris N. and Nancy B. Harper Revocable Trust. (DEFERRED)
14. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1776 and 1766 Ashley River Road (West Ashley) (approximately 1.05 acres) (TMS #351-11-00-003 and 351-11-00-004) (Council District 9), be zoned General Business (GB) classification. The property is owned by Morris N. and Nancy B. Harper Revocable Trust and Irmgard S. Titus. (DEFERRED FOR PUBLIC HEARING)
15. An ordinance to authorize the Mayor to execute on behalf of the City an Amended and Restated Lease between the City of Charleston and Charleston Water System regarding the use of the recreational Greenway. (DEFERRED)
16. An ordinance to provide for the annexation of property known as 1851 Old Folly Beach Road (0.702 acre) (TMS# 334-05-00-055), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 12. The property is owned by Battery Island Community LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)
17. An ordinance to provide for the annexation of property known as 3255 Maybank Highway (1.64 acre) (TMS# 279-00-00-206), 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 GANB LLC. (DEFERRED AT THE REQUEST OF THE APPLICANT)
18. 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)
19. 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)

M. Bills up for First Reading:

1. An ordinance to amend Chapter 29, Article V., Section 29-212 of the City of Charleston Code of Ordinances amending a Section 29-212 (g) (8), setting forth the address of the City of Charleston's designated thermometers.
2. An ordinance to authorize the Mayor to execute a deed and any other necessary documents, approved as to form by the Office of Corporation Counsel, Quit-claiming to Children's Museum of Charleston the City of Charleston's right, title, interest, if any, to that certain portion of property bearing Tax Map Number: 460-16-02-010, and subject to certain exceptions and other matters to be approved by the Office of Corporation Counsel. (DEFERRED)
3. An ordinance to amend Chapter 16, Article IV, Section 16-18 of the Code of the City of Charleston; to delete and replace with new language Sections 16- 20, 16-22, 16-23, and 16-24 of the Code of the City of Charleston; and to create Sections 16-24.01, 16-24.02, 16-24.03, 16-24.04, 16-24.05, 16-24.06, 16-24.07, 16-24.08, 16-24.09, 16-24.10, and 16-

24.11 of the Code of the City of Charleston, the purpose of which is to adopt a City of Charleston Fair Housing Act which is substantially equivalent to the Federal Fair Housing Act. **(AS AMENDED) (DEFERRED)**

N. Miscellaneous Business:

1. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice regarding proposed settlement of outstanding appeals regarding Dewberry Hotel. Action may or may not be taken after coming out of Executive Session.
2. The next regular meeting of City Council will be Tuesday, August 16, 2022 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.



D-1

City of Charleston

JOHN J. TECKLENBURG
MAYOR

PROCLAMATION

WHEREAS;

the City of Charleston is proud to recognize Charleston County Public Defender **ASHLEY PENNINGTON** as he retires on August 2 – 14 years after he began work as the 9th Circuit Public Defender; and

WHEREAS;

after being admitted to the South Carolina Bar in 1980, **ASHLEY PENNINGTON** began his career as a public defender in Richland County (Columbia), South Carolina and later in Chicago, Illinois; and

WHEREAS;

ASHLEY PENNINGTON was named the director of the Charleston County Public Defender's Office in 1991 and served in that role until 2002, when he went into private practice and set up a non-profit focused on local issues surrounding ex-offender re-entry and recidivism; and

WHEREAS;

in 2007, **ASHLEY PENNINGTON** returned to his role as director of the Charleston County Public Defender's Office, and, a year later was selected as the 9th Circuit Public Defender. He has served in this position with great fortitude strength of character, and has upheld the standard his position requires of him – that all indigent residents in Charleston County have access to representation in criminal cases; and

WHEREAS;

ASHLEY PENNINGTON is admired and respected by his colleagues and by this community. His numerous awards and recognitions give insight not only into his work ethic but also his character. He was awarded the Order of the Palmetto by Governor Jim Hodges in 2002, was named in "The Best Lawyers in America" in 2005 – 2007, was awarded the 1996 Gedney M. Howe, Jr. Award by the Charleston County Bar Association and the 1998 President's Award of SC Criminal Defense Lawyers; and

WHEREAS;

ASHLEY PENNINGTON has been a true servant to the community. While he will be missed in his current position, we know that his work is never complete and that he will continue to sound the alarm for systemic issues and advocate for change within criminal justice system. It is our honor to recognize him today, to thank him for his many years of service as the 9th Circuit Public Defender, and wish him all the best in the future.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim Tuesday, July 19, 2022 as:

ASHLEY PENNINGTON DAY

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 19th day of July in the year of 2022.



D2.)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

PROCLAMATION

WHEREAS;

the City of Charleston is proud to recognize one of its most dedicated citizens, **DR. THOMAS GODFREY QUATTLEBAUM**, a patron of the arts, an accomplished pianist, a former board member of the Spoleto USA Festival and a member of the Vestry at Grace Church Cathedral; he is a beloved father, husband, grandfather and doctor; and

WHEREAS;

DR. THOMAS GODFREY QUATTLEBAUM is a graduate of Davidson College with a degree in Economics and graduated from Clemson University and UNC Chapel Hill with degrees in Engineering and in Economics before pursuing a career in medicine. Before pursuing a career in medicine, he received his medical degree from the Medical University of South Carolina where he became a member of Alpha Omega Alpha Honor Medical Society, and completed his internship and residency in Pediatric Medicine at Johns Hopkins University; and also served as a lieutenant commander in the United States Public Health Service Commissioned Corps in Atlanta, Georgia, where he ran a clinic for low income families; and

WHEREAS;

DR. THOMAS GODFREY QUATTLEBAUM was a faculty member at the Medical University of South Carolina and trained more than 100 future doctors, developed the medical records software program Oversite, which was used for a dozen years by MUSC, and published 20 scholarly and scientific articles contributing to furthering pediatric medicine all before opening a private practice called Charleston Pediatrics; and

WHEREAS;

DR. THOMAS GODFREY QUATTLEBAUM has cared for three generations of pediatric patients in Charleston, South Carolina since 1978 and is widely known and loved by patients, staff, and citizens as Doctor Q; and

WHEREAS;

on May 13, 2022, **DR. THOMAS GODFREY QUATTLEBAUM** officially retired from the practice of medicine. The City of Charleston extends its sincere appreciation for his years of service to this community; the citizens of Charleston benefitted from his kind and observant nature, his intelligent diagnoses, and his dedication to the pursuit of life-long scholarship, love of the arts and faith. It is our great honor to recognize him today and to wish him all the best in the future.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim Tuesday, July 19, 2022 as:

DR. THOMAS GODFREY QUATTLEBAUM

IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of Charleston to be affixed, this 19th day of July in the year of 2022.

John J. Tecklenburg, Mayor

P.O. BOX 652, CHARLESTON, SOUTH CAROLINA 29402
843-724-3737 FAX 843-720-3872

Public Hearing Notice

The City of Charleston will hold a public hearing on Tuesday, July 19, 2022 at City Hall, 80 Broad Street and via Conference Call # 1-929-205-6099, Access Code **912 096 416**, to receive comments on the proposed use of the 2022 Justice Assistance Grant Funds and submit a 2022 Justice Assistance Grant application for the amount of \$42,980. The proposed use is for the purchase of iBase software which combines data stored in CPD's Records Management System, Computer Aided Dispatch system, criminal investigations, and ongoing investigations. The public may participate by signing-up to speak in person at the meeting or by using one of the following virtual options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Monday, July 18th:

1. Request to speak (via Zoom or telephone) or leave a comment for City Council 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/>
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

The City of Charleston Police Department is not required to provide a match for this grant. The complete grant application is available for the public to view at the Police Department, 180 Lockwood Blvd.

Jennifer Cook
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher at (843) 577-1389 or mail to schumacherj@charleston-sc.gov three days prior to the meeting.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, July 19, 2022 beginning at 5:00 p.m. at City Hall, 80 Broad Street and via Conference Call #1-929-205-6099, Access Code 912 096 416, 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 virtual options:

Requests to speak at the meeting and comments must be received by 12:00 p.m., Monday, July 18th:

1. Request to speak (via Zoom or telephone) or leave a comment for City Council 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/>
3. Mail comments to: Clerk of Council, 80 Broad Street, Charleston, SC 29401

REZONINGS

1. To rezone 24 North Market Street (Downtown – Peninsula) (Approx. 0.67 acre) (TMS # 458-05-04-023, 031 and 029) from 3 Story and WP Old City Height District classification to 4 Story Old City Height District classification.
2. To rezone properties on Travis Lane (Honey Hill- Cainhoy Peninsula) (Approx. 11.4 acres) (TMS # 268-00-00-005 & 039) from Single Family Residential (SR-1) classification to Diverse Residential (DR-9) classification.

PLANNED UNIT DEVELOPMENT (PUD) AMENDMENTS

1. 65 Barre Street (Harleston Village - Peninsula) (Approx. 0.19 acre) (TMS# 457-02-04-025) To amend the Barre/Halsey Planned Unit Development (PUD) Master Plan and Development Guidelines by rezoning the subject property from Single-Family Residential (SR-2) to Single-Family Residential Barre/Halsey PUD (SR-5, B/H PUD) and by increasing the maximum number of dwelling units from 21 to 23.

ZONINGS

1. 2157 Fort Pemberton Drive (Riverland Terrace - James Island) (Approx. 0.23 acre) (TMS # 343-01-00-104) 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) 577-1389 or email schumacherj@charleston-sc.gov three business days prior to the meeting.

Planning
Commission
Report

| | | | |
|-------------------|--------|-----------------|--------|
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

4. Request approval of minutes from the **May 18, 2022** Planning Commission meeting.

Motion: APPROVAL (6-0)

1st: JACOBS 2nd: JOHNSON

| | | | |
|------------------------|--------|-----------------|--------|
| Jimmy Bailey | ABSENT | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

REZONING

1. **24 N Market St (Downtown – Peninsula) TMS # 4580504023, 031 and 029** – approx. 0.67 ac. Request rezoning from 3 Story and WP Old City Height District to 4 Story Old City Height District.

Motion: APPROVAL (6-0)

1st: LEMPESIS 2nd: JOHNSON

| | | | |
|------------------------|--------|-----------------|--------|
| Jimmy Bailey | ABSENT | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

2. **810 Meeting St (East Central - Peninsula) TMS # 4610901010** - approx. 0.45 ac. Request rezoning from the 6 Story Old City Height District to the 4-12 Story Old City Height District.

Motion: APPROVAL (6-0)

1st: JACOBS 2nd: JOYCE

| | | | |
|------------------------|--------|-----------------|-------|
| Jimmy Bailey | ABSENT | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |

| | | | |
|---------------|-------|---------------|--------|
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

3. **179 & 181 Fishburne St (Westside- Peninsula) TMS # 4600702173, 175 and 242** - approx. 0.23 ac. Request rezoning from the 2.5 Story Old City Height District to the 3 Story Old City Height District.

Deferred by Applicant

4. **313 Ashley Ave (Westside - Peninsula) TMS # 4600702053**- approx. 0.13 ac. Request rezoning from the 2.5 Story Old City Height District to the 3 Story Old City Height District.

Deferred by Applicant

5. **20 Orrs Ct (Westside - Peninsula) TMS # 4600702069**- approx. 0.12 ac. Request rezoning from the 2.5 Story Old City Height District to the 3 Story Old City Height District.

Deferred by Applicant

6. **properties on Travis Ln (Honey Hill- Cainhoy Peninsula) TMS # 2680000005 & 039** - approx. 11.4 ac. Request rezoning from Single Family Residential (SR-1) to Diverse Residential (DR-9).

Motion: APPROVAL (7-0)

1st: JOHNSON 2nd: BRYANT-JENKINS

| | | | |
|------------------------|--------|-----------------|--------|
| Jimmy Bailey | FAVOR | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

PLANNED UNIT DEVELOPMENT (PUD) AMENDMENTS

1. **65 Barre St (Harleston Village - Peninsula) TMS# 4570204025** - approx. 0.19 ac. Request an amendment to the Barre/Halsey Planned Unit Development (PUD) Master Plan and Development Guidelines by rezoning the subject property from Single-Family Residential (SR-2) to Single-Family Residential Barre/Halsey PUD (SR-5, B/H PUD) and by increasing the maximum number of dwelling units from 21 to 23.

Motion: APPROVAL (7-0)

1st: JOHNSON 2nd: LEMPESIS

| | | | |
|--------------|-------|---------------|-------|
| Jimmy Bailey | FAVOR | McKenna Joyce | FAVOR |
|--------------|-------|---------------|-------|

| | | | |
|------------------------|--------|-----------------|--------|
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

2. **0 Castlereagh Rd (Hemmingwood - West Ashley) TMS# 3530200167** - approx. 0.28 ac. Request reconsideration of the Planning Commission's recommendation on May 18, 2022 of disapproval of an ordinance to amend the Zoning Ordinance of the City of Charleston, by amending Ordinance 2006-187, which adopted the Hemmingwood Planned Unit Development (HW-PUD) Master Plan and Development Guidelines for a property located on Castlereagh Road (TMS# 3530200167) as Appendix L of the Zoning Ordinance, to delete references to a park common area, including subsection "VIII. Park Area" in its entirety, and increase the total number of single-family lots within the Hemmingwood PUD to 64 lots from 63 lots, to permit TMS# 3530200167 to be used for a single-family detached home.

Deferred by Applicant

SUBDIVISION PROPERTY CONVERSION

1. **0 Castlereagh Rd (Hemmingwood - West Ashley) TMS# 3530200167** – approx. 0.28 ac. Request reconsideration of the Planning Commission's recommendation on May 18, 2022 under Section 54-815 of the Zoning Code of disapproval to convert the parcel from common area/park parcel (reserve parcel) to a building site for a single-family residence.

Deferred by Applicant

ORDINANCE AMENDMENT

1. **To amend Article 3 (Site Regulations), Part 2 (Old City Height Districts and View Corridor Protection) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend Sec. 54-306.L. - Height District 85/200, Sec. 54-306.M. - Height District 85/125, and Sec. 54-306.N. - Height District 85/30.**

Motion: APPROVAL (7-0)

1st: BAILEY

2nd: JOHNSON

| | | | |
|------------------------|--------|-----------------|--------|
| Jimmy Bailey | FAVOR | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |

ZONING

1. **2157 Fort Pemberton Dr (Riverland Terrace - James Island) TMS # 3430100104** – approx. 0.23 ac. Request zoning of Single Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Motion: APPROVAL (7-0)

1st: LEMPESIS 2nd: JOHNSON

| | | | |
|------------------------|--------|-----------------|--------|
| Jimmy Bailey | FAVOR | McKenna Joyce | FAVOR |
| Loquita Bryant-Jenkins | FAVOR | Charlie Karesh | FAVOR |
| Erika V. Harrison | ABSENT | Sunday Lempesis | FAVOR |
| Donna Jacobs | FAVOR | Harry Lesesne | ABSENT |
| Angie Johnson | FAVOR | | |



City of Charleston

JOHN J. TECKLENBURG
Mayor

South Carolina

LUTHER T. REYNOLDS
Chief of Police

POLICE DEPARTMENT

MEMORANDUM

To: Mayor John J. Tecklenburg
City Councilmembers
From: Luther Reynolds, Chief of Police
Subject: FY22 Edward Byrne Memorial Justice Assistance Grant Submission
Date: 19 July 2022

The purpose of this memorandum is to request approval to submit an Application for the FY22 Edward Byrne Memorial Justice Assistance Grant. The Program is designed to further the DOJ's mission by assisting local criminal justice efforts to prevent or reduce crime and violence and to improve the administration of the criminal justice system.

The Grant Application seeks \$42,980 for software that will aggregate our disparate analysts' link charts and consolidate them into a central server. This analysis will link various data points, allowing CPD to find correlation among locations, persons, times, dates, crime types, etc. The goal of the project is to increase efficiencies which, in turn, will allow for identifying links in criminal cases that can lead to successful apprehension and prosecution.

Note: The amount of \$42,980 was set by the city's allocation share from the grant fund. There is no match required for this grant. This application is due August 08, 2022.

Should you have any questions regarding this project, please contact SPO David Plesich, Grants Coordinator at plesichd@charleston-sc.gov.



180 LOCKWOOD BLVD., CHARLESTON, SOUTH CAROLINA 29403, 843-577-7434
AN EQUAL OPPORTUNITY EMPLOYER

2022 South Carolina LOCAL JAG ALLOCATIONS

Listed below are all jurisdictions in the state that are eligible for FY 2022 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://bjs.ojp.gov/library/publications/justice-assistance-grant-jag-program-2021> and current JAG Frequently Asked Questions here: <https://bja.ojp.gov/program/jag/frequently-asked-questions>.

Finding your Jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

| State | Jurisdiction Name | Government Type | Direct Allocation | Joint Allocation |
|-------|-----------------------|-----------------|-------------------|------------------|
| SC | CHARLESTON COUNTY | County | \$24,025 | |
| SC | CHARLESTON CITY | Municipal | \$42,980 | |
| SC | NORTH CHARLESTON CITY | Municipal | \$96,020 | \$163,025 |
| SC | GREENWOOD COUNTY | County | \$14,589 | |
| SC | GREENWOOD CITY | Municipal | \$28,093 | \$42,682 |
| SC | AIKEN COUNTY | County | \$41,488 | |
| SC | AIKEN CITY | Municipal | \$15,321 | |
| SC | ANDERSON COUNTY | County | \$62,504 | |
| SC | ANDERSON CITY | Municipal | \$12,880 | |
| SC | BEAUFORT COUNTY | County | \$46,180 | |
| SC | BERKELEY COUNTY | County | \$31,672 | |
| SC | CHESTERFIELD COUNTY | County | \$12,148 | |
| SC | CLARENDON COUNTY | County | \$10,115 | |
| SC | COLLETON COUNTY | County | \$17,219 | |
| SC | DARLINGTON COUNTY | County | \$29,205 | |
| SC | DILLON COUNTY | County | \$13,992 | |
| SC | DILLON CITY | Municipal | \$11,525 | |
| SC | DORCHESTER COUNTY | County | \$25,598 | |
| SC | SUMMERTVILLE CITY | Municipal | \$14,453 | |
| SC | FAIRFIELD COUNTY | County | \$11,091 | |
| SC | FLORENCE COUNTY | County | \$44,688 | |
| SC | FLORENCE CITY | Municipal | \$37,367 | |
| SC | GEORGETOWN COUNTY | County | \$14,128 | |
| SC | GREENVILLE COUNTY | County | \$140,762 | |
| SC | GREENVILLE CITY | Municipal | \$34,357 | |
| SC | GREER CITY | Municipal | \$10,196 | |
| SC | HORRY COUNTY | County | \$74,842 | |
| SC | MYRTLE BEACH CITY | Municipal | \$37,475 | |
| SC | KERSHAW COUNTY | County | \$13,341 | |
| SC | LANCASTER COUNTY | County | \$23,673 | |
| SC | LAURENS COUNTY | County | \$18,982 | |
| SC | LEXINGTON COUNTY | County | \$47,563 | |
| SC | WEST COLUMBIA CITY | Municipal | \$12,230 | |
| SC | OCONEE COUNTY | County | \$14,779 | |
| SC | ORANGEBURG COUNTY | County | \$56,972 | |

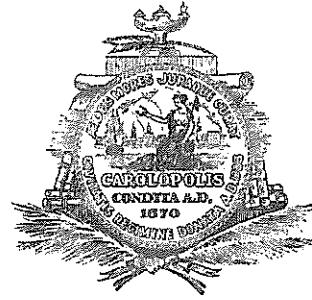
2022 South Carolina LOCAL JAG ALLOCATIONS

Listed below are all jurisdictions in the state that are eligible for FY 2022 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://bjs.ojp.gov/library/publications/justice-assistance-grant-jag-program-2021> and current JAG Frequently Asked Questions here: <https://bja.ojp.gov/program/jag/frequently-asked-questions>.

Finding your jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

| State | Jurisdiction Name | Government Type | Direct Allocation | Joint Allocation |
|--------------------|---------------------|-----------------|--------------------|------------------|
| SC | ORANGEBURG CITY | Municipal | \$14,779 | |
| SC | PICKENS COUNTY | County | \$20,663 | |
| SC | RICHLAND COUNTY | County | \$174,008 | |
| SC | COLUMBIA CITY | Municipal | \$83,953 | |
| SC | SPARTANBURG COUNTY | County | \$86,285 | |
| SC | SPARTANBURG CITY | Municipal | \$38,695 | |
| SC | SUMTER COUNTY | County | \$34,980 | |
| SC | SUMTER CITY | Municipal | \$34,628 | |
| SC | WILLIAMSBURG COUNTY | County | \$13,341 | |
| SC | YORK COUNTY | County | \$31,428 | |
| SC | ROCK HILL CITY | Municipal | \$37,909 | |
| Total | | | \$1,713,122 | |
| Local Total | | | \$1,713,122 | |



E2.)
Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 24 MARKET ST (DOWNTOWN- PENINSULA) (APPROXIMATELY .67 ACRE) (TMS #458-05-04-023, 031 AND 029) (COUNCIL DISTRICT 1), BE REZONED FROM 3 STORY AND WP OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 4 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTIES ARE OWNED BY CARROLL BUILDING 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 3 Story and WP Old City Height District classification to 4 Story Old City Height District classification.

Section 2. The properties to be rezoned are described as follows:

24 Market St (Downtown- Peninsula) (approximately .67 acre) (TMS #458-05-04-023, 031 and 029)

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

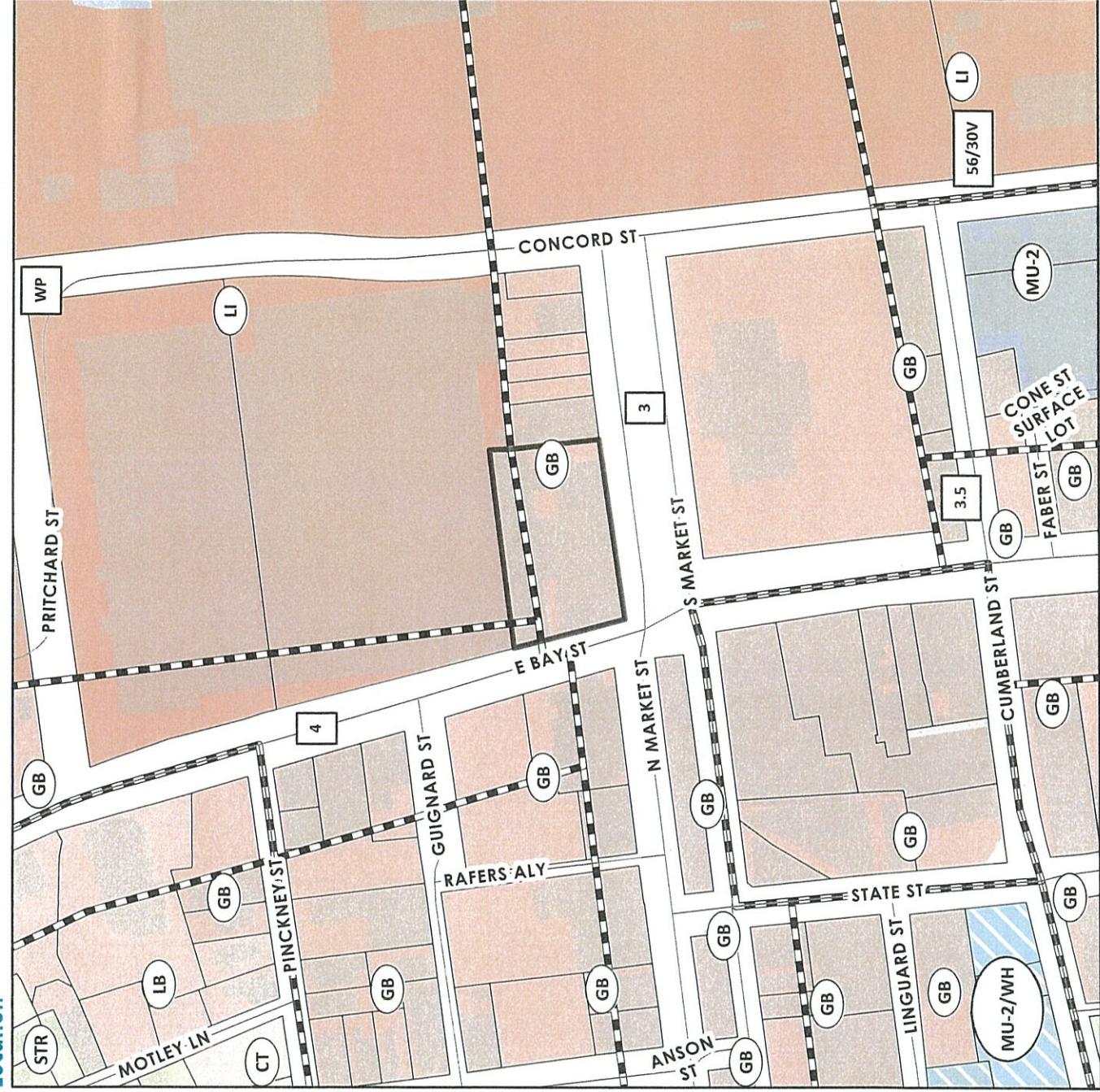
Attest:

Jennifer Cook
Clerk of Council

City of Charleston Zoning Map

June 15, 2022

Location



REZONING 1

24 N Market St (Downtown – Peninsula) TMS # 4580504023, 031 and 029 – approx. 0.67 ac.

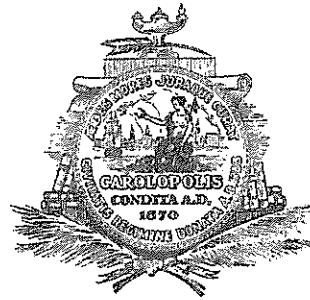
Request rezoning from 3 Story and WP Old City Height District to 4 Story Old City Height District.

Owner: Carroll Building, LLC
Applicant: K&L Gates LLP/City of Charleston

Area



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



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES ON TRAVIS LANE (HONEY HILL-CAINHOY PENINSULA) (APPROXIMATELY 11.4 ACRES) (TMS #268-00-00-005 AND 039) (COUNCIL DISTRICT 1), BE REZONED FROM SINGLE FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO DIVERSE RESIDENTIAL (DR-9) CLASSIFICATION. THE PROPERTIES ARE OWNED BY COLES EMILY BARNES.

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 Single Family Residential (SR-1) classification to Diverse Residential (DR-9) classification.

Section 2. The properties to be rezoned are described as follows:

Properties on Travis Lane (Honey Hill- Cainhoys Peninsula) (approximately 11.4 acres) (TMS #268-00-00-005 and 039)

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 Zoning Map

June 15, 2022

REZONING 6

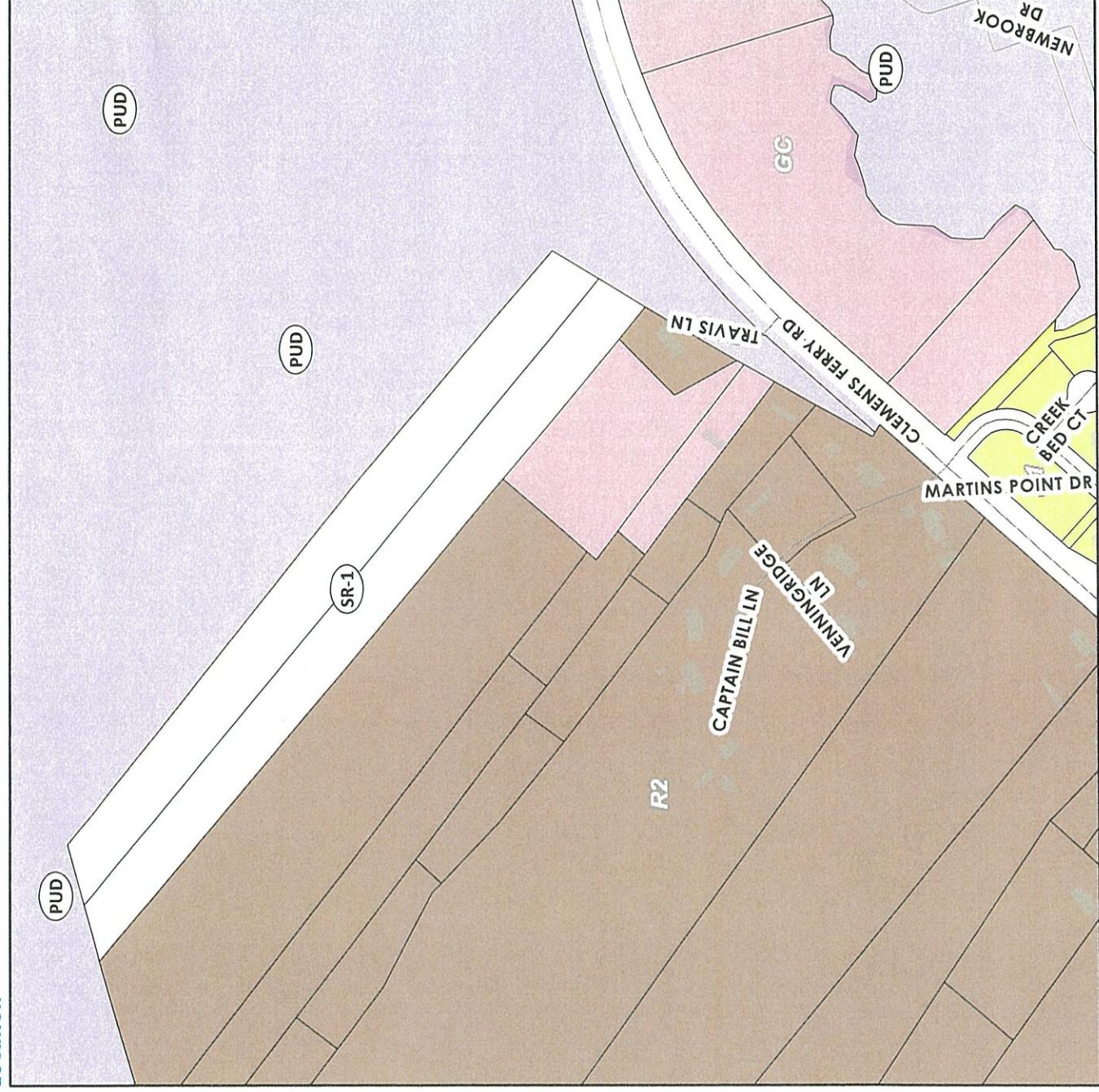
properties on Travis Ln (Honey Hill- Cainhoy Peninsula) TMS # 2680000005 & 039 - approx. 11.4 ac.

Request rezoning from Single Family Residential (SR-1) to Diverse Residential (DR-9).

Owner: Clements Ferry Land SC LLC

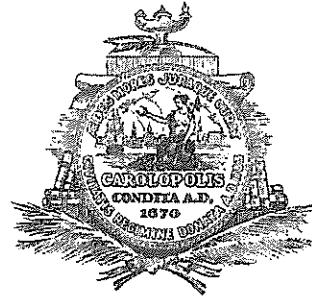
Applicant: Seamon Whiteside + Associates

Location



Area





Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING THE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES (BARRE/HALSEY PUD – HARLESTON VILLAGE) BY REZONING THE PROPERTY LOCATED AT 65 BARRE STREET (APPROXIMATELY 0.19 ACRE) (TMS# 457-02-04-025) FROM SINGLE-FAMILY RESIDENTIAL (SR-2) TO PUD AND BY INCREASING THE MAXIMUM NUMBER OF DWELLING UNITS ALLOWED IN THE PUD.

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 Barre/Halsey Planned Unit Development Master Plan and Development Guidelines as more fully described in the document titled “Barre/Halsey Planned Unit Development (PUD) Third Amendment” which is attached hereto and incorporated herein by reference to serve as the development plan for such property:

Section 2. The Barre/Halsey Unit Development Master Plan and Development Guidelines be amended for property described as follows:

Property located at 65 Barre Street (approximately 0.19 acre) (TMS# 457-02-04-025).

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord 2022, in the _____ Year of Independence of the United States of America.

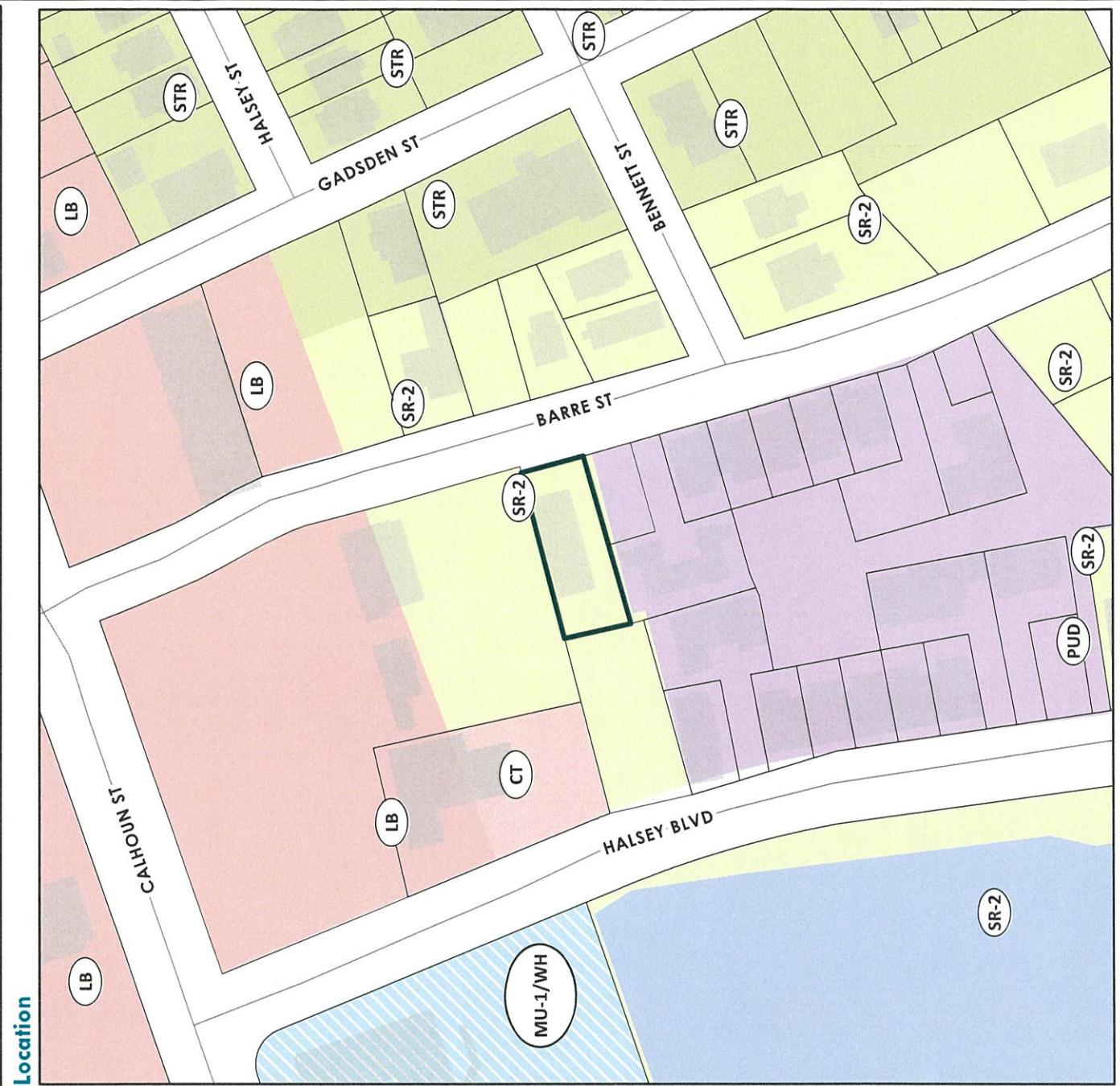
By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest:

Jennifer Cook
Clerk of Council

City of Charleston Zoning Map

June 15, 2022



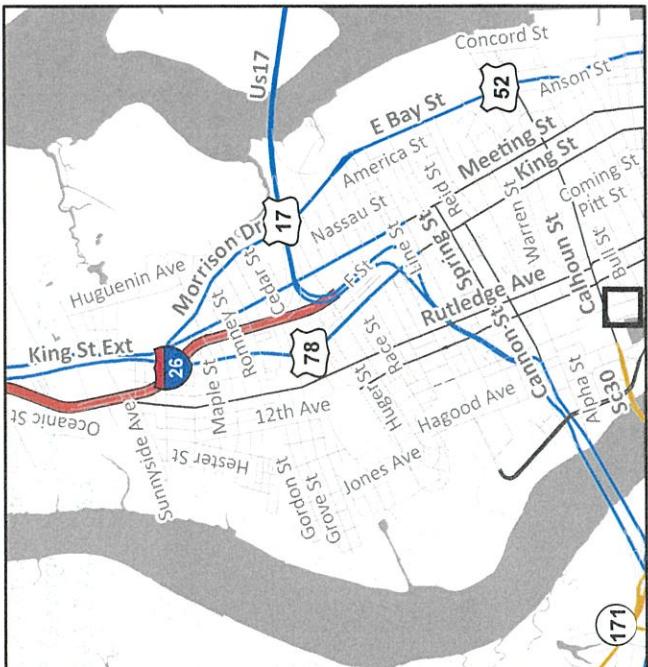
PUD 1

65 Barre St (Harleston Village - Peninsula) TMS#
4570204025 - approx. 0.19 ac.

Request an amendment to the Barre/Halsey Planned Unit Development (PUD) Master Plan and Development Guidelines by rezoning the subject property from Single-Family Residential (SR-2) to Single-Family Residential Barre/Halsey PUD (SR-5, B/H PUD) and by increasing the maximum number of dwelling units from 21 to 23.

Owner: 221 Ashley LLC
Applicant: CKC Properties LLC

Area



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



BARRE/HALSEY

Planned Unit Development (PUD)

THIRD AMENDMENT

Original PUD was:
City Council Approved
September 9, 2008 - #2008-127

PUD First Amendment
City Council Approved
June 19, 2012 - #2012-278

PUD Second Amendment
City Council Approved
April 9, 2013 - #2013-39

Prepared By:
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Development Guidelines
For
BARRE/HALSEY
Planned Unit Development
(PUD)

June 19, 2008

Rev. June 30, 2008

Rev. July 10, 2008

Rev. August 7, 2008

Original PUD Approved September 9, 2008 - #2008-127
First Amendment to PUD Approved June 19, 2012 - #2012-278
Second Amendment to PUC Approved April 9, 2013 - #2013-39

Prepared for:
CKC Properties, LLC (the "Developer")
124 Spring Street
Charleston, SC 29403

Contact:
Colin Knight Colbert
Colin@ckcpropertiesllc.com

Prepared By:
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THIRD AMENDMENT TO PUD

May 12, 2022

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| | |
|------------------|---|
| A. TITLE: | BARRE/HALSEY PUD |
| DATE: | Rev. June 30, 2008 |
| | Rev. July 10, 2008 |
| | Rev. August 7, 2008 |
| | Approved September 9, 2008 |
| | First Amendment Approved June 19, 2012 |
| | Second Amendment Approved April 9, 2013 |

B. HISTORY OF BARRE/HALSEY PUD

The Barre/Halsey PUD was first approved by the City Council on September 9, 2008 and was subsequently amended on April 9, 2013. The Barre/Halsey PUD currently consists of nineteen (19) lots, of which seventeen (17) lots have been improved upon and now consist of twenty-one (21) single family detached, attached, or duplex dwellings (“Residential Units”).

C. EXISTING CONDITIONS:

1. Location: The Barre/Halsey PUD is located in the Harleston Village neighborhood of Charleston Peninsula, across from Alberta Long Lake, bordered to the west by Halsey Boulevard and to the east by Barre Street.
2. Size: The Barre/Halsey PUD currently consists of 2.58 acres, containing a total of nineteen (19) lots, as further depicted by that certain plat recorded on June 27, 2014 in Book L14, Page 0278, Charleston County Register of Deeds, and attached hereto as Exhibit B.

D. AMENDMENT TO PUD

1. Addition of Property: The purpose of this Third Amendment to the Barre/Halsey PUD (“Third Amendment”) is to annex the property located at 65 Barre Street (TMS: 457-02-04-025) into the Barre/Halsey PUD (the “New Property”), said New Property being situated adjacent to Lots 11 and 12 of the Barre/Halsey PUD.
 - a) Prior to submitting this Third Amendment, the Declarant and Board of Directors of the Halsey Park Homeowners Association each provided a letter of support to add the New Property into the Barre/Halsey PUD, attached hereto as Exhibit A-1 and Exhibit A-2.
 - b) Subsequent to and in accordance with this Third Amendment, the Declarant of the Halsey Park Homeowners Association (the “HOA”) will incorporate the New Property into the HOA.
 - c) The improvements now existing on the New Property consist of a single story brick home, which will be demolished.¹
 - d) Pursuant to the terms of this Third Amendment, the New Property has been or will be subdivided into two separate lots, each containing approximately 3,925 square feet of land, more or less, and shall be known as Lots 14-A and 14-B of the Barre/Halsey PUD, as depicted on that plat entitled *Property Line Adjustment of Lot 12 Halsey Park (0.07 Acre) 63 Barre Street to Create New Lot 12 Halsey Park (0.08 Acre) and Plat of Subdivision Lot 14 (0.19) Acre 63 Barre Street to Create New Lot 14-A (0.09 Acre) and New Lot 14-B (0.09 Acre) & 12' Access & Underground Utility Easement, City of Charleston* (the “Subdivision Plat”), together with the easements shown on the Subdivision Plat. The Subdivision Plat is attached hereto as Exhibit C.

¹ The City of Charleston Board of Architectural Review has approved demolition of the existing improvements.

- e) One (1) Single Family Detached or One (1) Single Family Attached residence may be constructed on each of Lot 14-A and Lot 14-B; said residences shall be constructed in a manner and with materials consistent with the design and density typical to Harleston Village, as provided by the Second Amendment to the Barre/Halsey PUD and subject to approval of the City of Charleston Board of Architectural Review (BAR) and the HOA, said approval shall not be unreasonably withheld by the HOA.
2. Right to Subdivide Lot 11: This Third Amendment reserves the right for the subdivision of Lot 11 the Barre/Halsey PUD into two (2), separate lots, to be known as Lot 11-A and Lot 11-B, with the point of separation being the midpoint of the shared wall for the Duplex (consisting of two residential units) now existing on Lot 11. Should the owners of Lot 11 exercise the Subdivision Right, the number of lots in the Barre/Halsey PUD will be twenty-two (22) lots.

E. AMENDMENT TO MISSION STATEMENT / PUD JUSTIFICATION:

The mission statement and PUD justification remains as set forth in the Second Amendment to the Barre/Halsey PUD, except that pursuant to the Subdivision Right, there may exist twenty-two (22) individual lots of record, with a maximum of twenty-three (23) Single Family Detached, Attached, or Duplex dwellings ("Residential Units") constructed in a manner and with materials consistent with the design and density typical to Harleston Village.

F. LAND USE:

1. Zoning: Remains as set forth in the Second Amendment to the Barre/Halsey PUD, pursuant to which Lot 14-A and Lot 14-B are zoned as SR-5 B/H PUD. To the extent the provisions of this Third Amendment to the Barre/Halsey PUD conflict or cannot be reconciled with the provisions of the zoning ordinance, including, but not limited to the requirements of the SR-5 base zoning, the provisions of the Barre/Halsey PUD, and any approved amendments thereto, shall prevail.
2. Maximum Number of Residential Units: 23.
3. Allowed Uses: Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

G. DEVELOPMENT CRITERIA:

1. Minimum lot area, minimum lot frontage, minimum setbacks, and maximum lot occupancy remain as set forth in the Second Amendment to the Barre/Halsey PUD, except for the addition of a 6' set back line on the southern property line of Lot 14-A.

The addition of Lots 14-A and 14-B shall conform with all development criteria set forth in the Second Amendment to the Halsey/Barre PUD and shall include the grant of the following easements, as further depicted on the Subdivision Plat:

- 12' Access & Underground Utility Easement along the western property line of Lot 12 (TMS No. 457-02-04-082) conveyed for the benefit of Lot 14-A and Lot 14-B.
- 12' Access & Underground Utility Easement along the western property line of Lot 14-A conveyed for the benefit of Lot 14-B.

2. Height Restrictions remain as set forth in the Second Amendment to the Barre/Halsey PUD.
3. Parking/Streets remain as set forth in the Second Amendment to the Barre/Halsey PUD.
4. Net Density: 23 units on 2.72 acres of high ground yields a net density of 8.46 units to the acre.

H. OPEN SPACE / COMMON AREA:

Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

I. BUFFERS:

Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

J. TREE SUMMARY:

Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

K. RIGHTS-OF-WAY:

Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

L. SITE UTILITIES / SERVICES:

All necessary utilities, water, sewer, power, phone and storm drainage are available and adjacent to the site. All on site utilities will be underground.

M. MATERIALS / DEMOLITION:

Remain as set forth in the Second Amendment to the Barre/Halsey PUD.

N. RELATIONSHIP TO ZONING ORDINANCE:

All requirements of the City of Charleston Zoning Ordinances shall apply to the project site with the following exceptions, as set forth in the Second Amendment to the Halsey/Barre PUD and which remain unchanged:

- a. Article 3, Part 1, Section 54-301. Table 3.1: Height, Area, and Setback Regulations shall be modified as per the requirements of Subpart E hereof.
- b. Article 3, Part 2, Section 54-306. Height restrictions shall be in accordance with Subpart E hereof.
- c. Article 3, Part 6, Section 54-232 (a) with respect to demolishing improvements may not apply.
- d. Article 3, Part 2, Section 54-307, view corridor protection shall not apply.
- e. Article 3, Part 6, Tree Protection Requirements shall not apply.
- f. Article 3, Part 8, Landscape Buffer Requirements shall not apply, except that a 10' building setback from critical area will apply.
- g. Article 8, Part 3, Subdivision Standards, Section 54-821: Specific standards established by this Barre/Halsey PUD shall govern where there is a conflict between those standards and those of Section 54-821.
- h. Article 8, Part 3, Section 54-823, Design Standards for Blocks: Specific standards established by this Barre/Halsey PUD shall govern where there is a conflict between those standards and those of Section 54-823. Block lengths will be as shown on the Concept and Master Plan.

- i. Article 8, Part 3, Section 54-824, Design Standards for New Lots: Specific standards established by this Barre/Halsey PUD shall govern where there is a conflict between those standards and those of Section 54-824.

The Development Guidelines and Land Use Plan for this Third Amendment to the Barre/Halsey Planned Unit Development (PUD) 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, structure, or sign on any tract of land or use any tract of land within the Barre/Halsey PUD except in conformance with the guidelines and regulations herein and the Declaration of Covenants Rules and Restrictions of the Halsey Park Homeowners Association of record at the Charleston County Register of Deeds Office. Unless modified herein, definitions of terms used in the Barre/Halsey 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 Barre/Halsey PUD Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Barre/Halsey PUD Master Plan was approved by Charleston City Council on September 9, 2008 - #2008-127; and amended and approved by Charleston City Council on June 19, 2012 - #2012-278, and amended and approved by Charleston City Council on April 9, 2013 - #2013-39.

EXHIBIT A-1
HOA LETTER OF SUPPORT



**Homeowner's Association
Board of Directors**

April 13, 2022

Mr. Christopher Morgan
Board Administrator, City of Charleston Planning Commission
Department of Planning, Preservation & Sustainability
2 George Street
Charleston, SC 29401

VIA EMAIL

Dear Mr. Morgan,

Thank you for the opportunity to provide input on the proposed amendment to the Halsey Park Planned Urban Development (PUD). We understand the applicant has proposed annexing 65 Barre Street into Halsey Park and plans to build up to two residential units on the property. The Homeowner's Association (HOA) fully supports amending the PUD to annex 65 Barre Street and the planned residence(s) into Halsey Park.

In conjunction with the PUD amendment process, the applicant is working with us to prepare a Supplemental Declaration to incorporate the property into Halsey Park. As part of Halsey Park, design plans for the residence(s) at 65 Barre Street would be subject to review and approval by the HOA. The applicant has already agreed to share and get our feedback on the plans for 65 Barre Street.

We appreciate the applicant's efforts to engage with the HOA, and we look forward to continued collaboration as the project moves forward. Please feel free to reach out to us should you have any questions or desire further comments.

Best regards,

Board of Directors, Halsey Park HOA

A handwritten signature in blue ink, appearing to read "Steve Bottcher".

Steve Bottcher

A handwritten signature in blue ink, appearing to read "Amy Novek".

Amy Novek

A handwritten signature in blue ink, appearing to read "Anna Hofford".

Anna Hofford

CC: Colin Colbert (colin@ckcpropertiesllc.com)
Hank Hofford (hank@bennethhofford.com)

EXHIBIT A-2
DECLARANT LETTER OF SUPPORT

EXHIBIT B
EXISTING HALSEY PARK PLAT (Plat Book L14, page 0278)

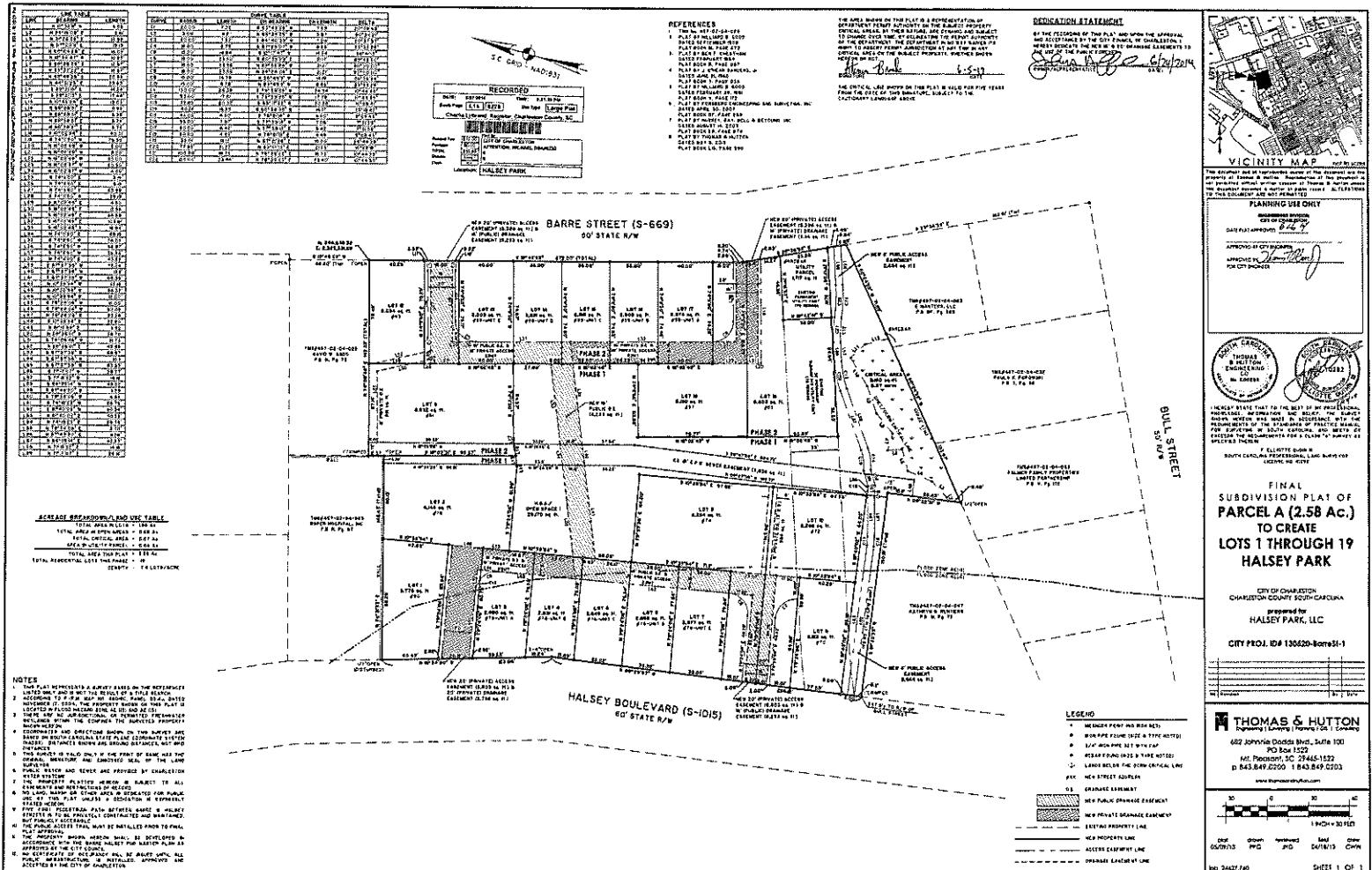
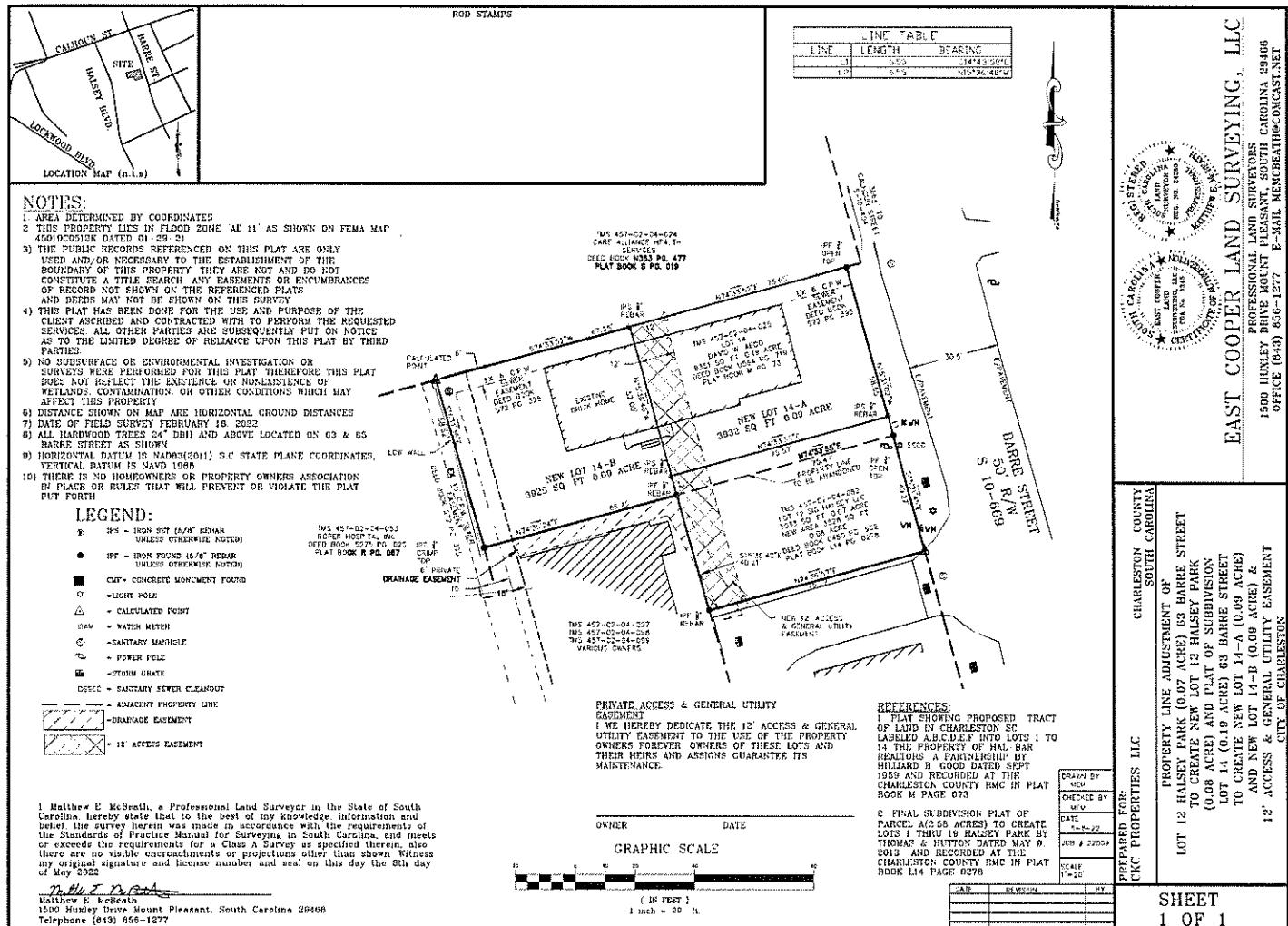
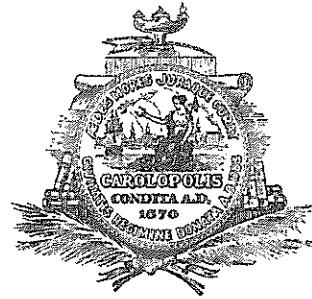


EXHIBIT C
PROPOSED SUBDIVISION PLAT TO CREATE NEW LOT 14-A AND NEW LOT 14-B





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2157 FORT PEMBERTON DRIVE (RIVERLAND TERRACE- JAMES ISLAND) (APPROXIMATELY 0.23 ACRE) (TMS #343-01-00-104) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MAY 24, 2022 (#2022-076), BE ZONED SINGLE FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JENNIFER MOGGENBERG AND JACK NARUSEVICH.

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:

2157 Fort Pemberton Drive (Riverland Terrace- James Island) (approximately 0.23 acre) (TMS #343-01-00-104)

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 Zoning Map

June 15, 2022



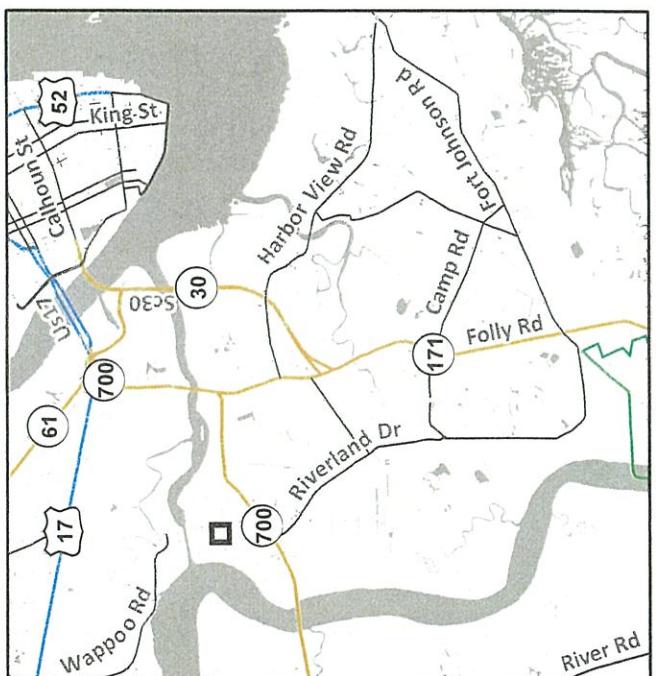
ZONING 1

2157 Fort Pemberton Dr (Riverland Terrace - James Island) TMS # 3430100104 - approx. 0.23 ac.

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

Owners: Jack Narusevich and Jennifer Moeggenberg

Area



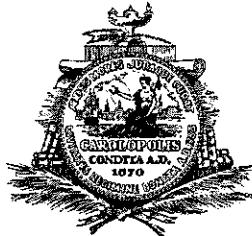
Department of Planning, Preservation & Sustainability

www.charleston-sc.gov

2 George St, Charleston, SC 29401

843.724.3765

II.1.)



JOHN J. TECKLENBURG
MAYOR

ROBERT SUMMERFIELD
DIRECTOR

City of Charleston
South Carolina

Department of Planning, Preservation and Sustainability

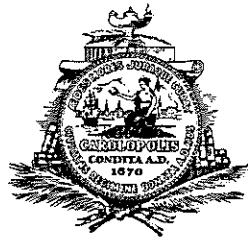
MEMORANDUM

To: Jennifer Cook, Clerk of Council
From: Mandi Herring, Operations Manager
RE: Code Enforcement Officers
Date: July 11, 2022

Robert Summerfield, Director of Planning, Preservation & Sustainability, endorses and requests that Mayor and City Council approve the following staff members from the Department to serve as Code Enforcement Officers:

- **Travis Galli**, BAR/DRB Code Enforcement Officer - Preservation & Urban Design Division
- **Isabella Gordineer**, Preservation Planner - Preservation & Urban Design Division
- **Ernest Muhammad**, Zoning Associate Planner – Zoning Division

cc: Robert Summerfield, Director
Tory Parish, City Architect/Preservation Officer
Lee Batchelder, Zoning Administrator
Mallory Scheer, Assistant Corporation Counsel

*City of Charleston*

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor *AAJ*

DATE: July 19, 2022

RE: Human Affairs and Racial Conciliation Commission

The Human Affairs and Racial Conciliation Commission (HARCC) is to promote equity, inclusion, and racial conciliation through meetings, presentations, and research regarding all forms of institutional and community discrimination and assist in implementing any recommendation from the Mayor and Council through its standing committees to the public, assist with education and implementation of any directive from Council. HARCC will act in an advisory role to the Mayor, City Council, and City Departments in the duties and responsibilities outlined.

I am recommending the following individual for the Human Affairs and Racial Conciliation Commission:

- Councilmember Mike Seekings

MEMORANDUM

TO: Mayor John J. Tecklenburg and City of Charleston Council

FROM: Robert Summerfield, Director of Planning, Preservation, & Sustainability

RE: Responses to Objections to King Street BID Assessments

DATE: July 19, 2022

1. BACKGROUND

On January 11, 2022, City Council adopted Ordinance 2022-008, which authorized the creation of the King Street Business Improvement District (BID). City staff then began finalizing the BID Assessment Roll pursuant to the state enabling statute, SC Code 5-37-10 (Municipal Improvements Act of 1999). In April 2022, property owners in the District were mailed Notices of Assessment which described the District and criteria for inclusion and the assessment fee structure, notified them of the Hearing of Objections to the Assessment to be held on May 17, 2022, and described the statutory requirements for filing a formal objection. On May 2, 2022, City staff held a virtual informational session for property owners to answer questions and provide additional information about the appeals process.

City staff also created a survey for property owners who planned to file an objection. 11 property owners responded to the survey. Staff and/or the Charleston Downtown Alliance followed up with each survey respondent. While City Staff do not believe that these survey responses meet the statutory requirements for an official objection, the survey respondents' objections were included in this memorandum with other objecting property owners.

2. BID OBJECTIONS HEARING

On May 17, 2022, City Council held a special meeting at City Hall to hear objections to inclusion in the official BID Assessment Roll. City Staff researched each received objection and provided a recommendation for or against removal from the Assessment Roll.

3. HOW OBJECTIONS WERE EVALUATED

When considering each objection, staff relied on the Municipal Improvements Act of 1999 and the criteria for inclusion in the BID that City Council approved by ordinance on January 11, 2022. Staff looked for errors or disqualifying factors for the parcel's inclusion into the District, weighing the following criteria established by City Council outlined in the Improvement Plan for the King Street Business Improvement District, Exhibit A to Ordinance 2022-008. Additionally, staff conferred with internal and external legal counsel for compliance with the South Carolina Municipal Improvements Act of 1999.

4. STAFF RECOMMENDATIONS FOR BID OBJECTIONS

1. TMS #: 4570402021

Name: Harris Cohen, on behalf of Cooper Barron's Properties, LLC

Summary of Objection: "Not receiving proper and minimal services from the City for all the taxes currently being paid."
(Quoted from survey response)

Staff Recommendation: Denial

2. TMS #: 4570804088, 4570804134, 4570804133

Name: Sue & Bob Prenner, on behalf of the Ben Silver Corporation

Summary of Objection:

- "We are opposed to a non-governmental organization, without accountability to the public, spending taxpayer revenue to purportedly serve the responsibilities of government, for which taxes are paid, namely safety, cleanliness, and maintenance." (Quoted from written objection)
- Many of the shop owners on King Street lease their properties from landlords. Most leases are triple net (NNN). Landlords will say you must pay this new assessment, just like you pay the insurance on the building, etc. There aren't any tenants here tonight – it's all about owners and property, but the owners aren't the ones who are going to be paying for this.

Staff Recommendation: Denial

3. TMS #: 4601202110

Name: Athan Fokas, on behalf of Zeus Investment

Summary of Objection: "I think we pay enough property tax and I do not want to have to pay a new assessment. I am also on the second floor of my building and feel that first floor tenants are much more valuable than second floor tenants." (Quoted from written objection)

Staff Recommendation: Denial

4. TMS #: 257-08-01-063

Name: Anthony Fokas

Summary of Objection: "I think we pay enough property tax and I do not want to have to pay a new assessment. My building is also currently vacant." (Quoted from written objection)

Staff Recommendation: Denial

5. TMS #: Unknown

Name: Morris Ellison, on behalf of "several properties that are going to be impacted". He was "not at liberty" to disclose which property owners his clients were.

Summary of Objection:

- MIDs and BIDs have mixed record. Some work; some don't.
- Basing this on assessed value rather fair market value makes a lot more sense. If it was based on fair market value, it would discourage actual improvements.
- Technology offers a lot of solutions to these problems.
- These taxes are an occupancy cost, and it is one of the major occupancy costs that a brick-and-mortar retailer must deal with. If the occupancy costs are increased on King Street disproportionately to other areas, these businesses will not be able to compete effectively with other brick-and-mortar retailers as well as online businesses.

Staff Recommendation: Denial

6. TMS #: Not provided.

Name: Tom Stockdale, on behalf of the Beach Company

Summary of Objection: This BID does not have a floor and caps to all buildings assessed. Our position is that many of the lower valued properties stand the most to gain, while many of the larger properties that this BID includes already have the BID's primary goals addressed and in place. We acknowledge the potential good this BID can do for King Street as a whole, but we must object on behalf of our tenants and our owners until these minimums and maximums are further vetted.

Staff Recommendation: Denial

7. TMS #: 4601602041

Name: Whit McGreevy (Womble Bond Dickinson), on behalf of the owners of Warren Place

Summary of Objection: We think this is a great initiative that we have supported since the beginning. However, the assessment on our specific property is being unfairly applied as compared to the bulk of the properties included in the BID. If you look at our property, it runs the entirety of the block from King all the way back to St. Philip. Most of the properties located in the BID have frontage on King Street and end about halfway through to the next city street. So, for this property, we end up with a much larger portion of an assessment than most of the properties included in the BID. We would submit, and our expectation was when we were supportive of the BID, was that the BID would be applied to frontage on King Street as opposed to the entirety of the parcel. What we're asking for, and we recognize that we're going to have to come back to Council with the request, is to potentially subdivide our property so that only the property that is fronting on King Street will be subject to the BID as opposed to the entirety of the parcel. Charleston Place is a good example. The portion of that property that is fronting on King Street is subject to the BID but the portion that is fronting Meeting Street is not.

Staff Recommendation: Denial

8. TMS #: 4570801108

Name: Tim McDermott

Summary of Objection: "Our residence is 4 Beaufain Street # 304. We have no access to King Street. 4 Beaufain Street has no access to King Street. That notwithstanding, we have received a letter stating that we will be taxed as thought we were a King Street business. This is not proper and not fair to the 16 residential units at 4 Beaufain Street, none of whom have access to King Street. Please remove 4 Beaufain Street residential properties from the taxable properties list. Thank you." (Quoted from written objection)

Staff Recommendation: Denial

9. TMS #: 4570402123

Name: Thomas Graham

Summary of Objection: "We object to the King Street Business Improvement District assessment fee for our property on King Street. We own a condominium unit and do not feel that the KSBID will be beneficial to us. We already pay property taxes and are satisfied with the services we receive. We do not believe we should pay extra taxes for the KSBID that we have not asked for or voted for. The KSBID will decide for all the businesses and property owners what they believe should be done and what we will have to pay. We are highly opposed to this expansion of taxation without elected representation." (Quoted from written objection)

Staff Recommendation: Denial

10. TMS #: 4601202094

Name: Jamiel Kadri

Summary of Objection: "We respectfully object to this proposed assessment for several reasons including that it does not specify the improvements to be made with the funds and it does not indicate how a special benefit is being received by those properties that are proposed to be assessed." (Quoted from written objection)

Staff Recommendation: Denial

11. TMS #: 4570801105

Name: Carol Popp

Summary of Objection: "My property is on Beaufain street, not King Street." (Quoted from survey response)

Staff Recommendation: Denial

12. TMS #: 4570802034, 4570802033

Name: Chris Peterson, on behalf of the Peterson Family Partnership

Summary of Objection: "City taxes are already extremely high. A special assessment is not required. The assessment proposes spending more than 50% on non-street required improvements including almost \$3 million alone on "marketing" and "overhead" when you've already allocated \$1.6 to program management and \$3.5 million to the program itself. Where is the actual detail on who/what companies and the justification? (Quoted from survey response)

Staff Recommendation: Denial

13. TMS #: 4600804059, 4600804060, 4600804063

Name: Charles Altman, Charles Realty Co., Inc.

Summary of Objection: "What I see as administrative costs, Management, Marketing/Promotion, Overhead and Economic Development are too high at 47.25% of the budget. The money needs to be spent on substantive work not self-promotion. If not corrected, we will oppose." (Quoted from survey response)

Staff Recommendation: Denial

14. TMS #: 4570801102

Name: Laura J. Isenstein

Summary of Objection: "While my property is a permanent residence and I am not being assessed, my neighbors in this 4 Beaufain St. condominium building are being assessed. No Short-Term Rentals are allowed in our building. The recorded address for all condo properties in this building is 4 Beaufain St. not King St. While some of the owners live in their units as second homes, they are already paying 6% of assessed property value in taxes to the City. This is double taxation for no direct benefit to these owners. Moreover, the zoning for 4 Beaufain St is incorrect as we are a residential building NOT business/mixed use! We will be seeking rezoning to correct this egregious error on the part of the original developers and Board of Directors!" (Quoted from survey response)

Staff Recommendation: Denial

15. TMS #: 4570402118

Name: David Burke

Summary of Objection: "it appears that this assessment is appropriate for retail streetside stores. This is an apt. rented out." (Quoted from survey response)

Staff Recommendation: Denial

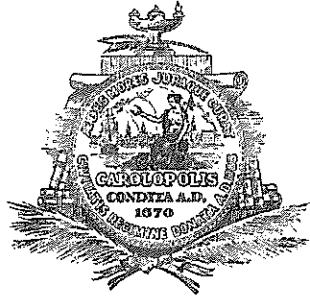
16. TMS #: 4570404308

Name: Rich Yessian, on behalf of Blue Ion, LLC

Summary of Objection: "We do not have frontage on King Street. Our only means of egress is outside of the King Street area. We currently do not get benefits of improvements in the area, and continue to request Livability and Code Enforcement on College of Charleston that has constantly devalued our property due to lack of maintenance on our adjacent alleyway egress. The city does not enforce or help improve, and this new 10 year fee we are having to pay will likely not do anything to improve our situation of the past 10+ years." (Quoted from survey response)

Staff Recommendation: Denial

MI.)



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 29, ARTICLE V., SECTION 29-212 OF THE CITY OF CHARLESTON CODE OF ORDINANCES AMENDING A SECTION 29-212 (g) (8), SETTING FORTH THE ADDRESS OF THE CITY OF CHARLESTON'S DESIGNATED THERMOMETERS.

Section 1. Chapter 29, Article V., Section 29-212 (g) (8), is hereby amended so that hereafter said Sections shall read as follows (with a ~~strike~~through for a deletion):

Section 2.

(8) The official thermometer used for determining the temperature and the heat index shall be located at the ~~Doubletree Hotel~~ located at 181 Church Street in the City and County of Charleston, South Carolina. In the event this thermometer is out of service, as determined by the department of livability and tourism or the police department, the back-up thermometer shall be the thermometer at the Dock Street Theater located at 135 Church Street in the City and County of Charleston, South Carolina, or as determined by the department of livability and tourism if the back-up thermometer is no longer available at the ~~said Dock Street Theater~~.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____, in the Year of Our Lord, 2022,
and in the _____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST: _____

Jennifer Cook, Clerk of Council