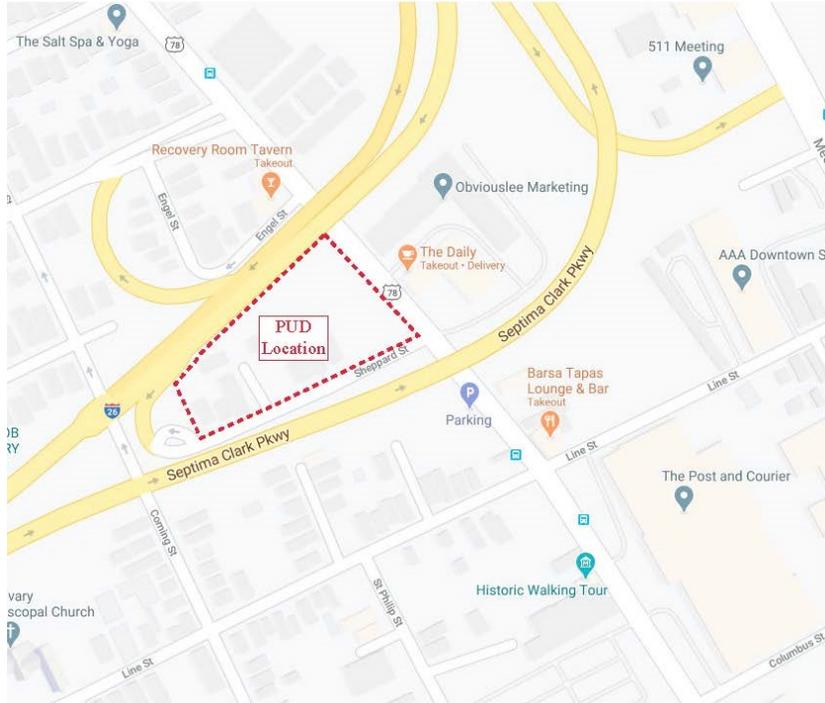


**SHEPPARD STREET
PLANNED UNIT DEVELOPMENT (PUD)
DEVELOPMENT GUIDELINES**



OWNERS:

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

PREPARED BY:

**Womble Bond Dickinson (US) LLP
Bello Garris Architects
Forsberg Engineering and Surveying, Inc.**

Development Guidelines for Sheppard Street PUD

1. Relationship to the Official Zoning Ordinance

The Development Guidelines and Land Use Plan attached hereto and made a part hereof for the Sheppard Street Planned Unit Development (“**Sheppard Street PUD**”) are part of the PUD Conditional Use Master Plan Application submitted in accordance with the Zoning Ordinances of the City of Charleston, Article 2, Part 7, Sections 54-250, et seq. The Zoning Ordinance of the City of Charleston is incorporated herein by reference, except as amended herein.

No person shall erect or alter any building, structure or sign on any tract of land or use any tract of land within the Sheppard Street PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Sheppard Street PUD Development Guidelines shall follow definitions listed in the Zoning Ordinances of the City of Charleston, as amended from time to time. Administration and enforcement of the adopted The Sheppard Street PUD Development Guidelines shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Sheppard Street PUD was approved by Charleston City Council on _____, 2020, Ordinance Number _____.

2. Introduction

2.1 *Project Location*

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

2.2 *Area*

The property contains in aggregate approximately 1.386 acres.

2.3 *TMS No.s* 460-04-04-074 (known as 677 King Street, owned by King and Sheppard Partners, LLC), 460-04-04-078 and 460-04-04-080 (known as 82, 86, and 88 Sheppard Street and 264 and 266 St. Philip Street, owned by Sheppard Parking LLC), 460-04-04-086 (known as 90, 92 and 94 Sheppard Street and 285 and 287 St. Philip Street, owned by Lowcountry Marketing Group, LLC), and a portion of St. Philip Street.

2.4 *Owners and Developers* are King and Sheppard Partners, LLC, Sheppard Parking LLC, and Lowcountry Marketing Group, LLC.

Development Guidelines for Sheppard Street PUD

2.5 *Current Zoning*

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

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

2.6 *Background Information*

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

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

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

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

2.7 *Development Summary*

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

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

The older buildings along Sheppard Street and St. Philip Street are in need of extensive repairs and restoration. These older buildings are intended to be restored, and one of the existing buildings may be relocated on-site as part of a cluster of buildings with a central driveway alley and area for parking or private open space. These buildings are intended to be used for accommodations use with up to thirty

Development Guidelines for Sheppard Street PUD

(30) units, or longer term residential or other permitted use. To allow for this accommodations use, the portion of the site fronting on King Street which is currently within the Accommodations Overlay Zone permitting a fifty (50) room hotel would be removed from the Accommodations Overlay Zone, and the portion of the site at the west end would be permitted to have not more than thirty (30) accommodations units.

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

2.8 *Goals for the Project*

The Sheppard Street PUD is designed to re-establish a vibrant, mixed use development area within a block of the city that was effectively cut off from surrounding neighborhoods long ago by the interchange of Highway 17 and Interstate 26. Among other benefits, the proposed project would restore historic buildings, add new office and other commercial space on a vacant portion of King Street, and reduce the allowed number of accommodations/hotel units on the overall site from fifty (50) to thirty (30) units. Because of the location, surrounding highway ramps, size, shape, and other constraints of the site, the Sheppard Street PUD is an appropriate zoning designed to provide the flexibility to achieve these goals.

3. Land Use

3.1 *Development Pods*

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

3.2 *Area Breakdown (approximate calculations)*

Mixed Use Area	1.061 Ac
<u>Accommodations/Residential Area</u>	<u>0.325 Ac</u>
Gross Area	1.386 Ac

Development Guidelines for Sheppard Street PUD

3.3 Net Density and Maximum Number of Units Allowed

Mixed Use Area:

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

Maximum Residential Dwelling Units Allowed: 46
(Approximate Density: $46,217 \text{ SF} \div 46 = 1005 \text{ SF/unit}$)

Accommodations/Residential Area:

Maximum Accommodations Units Allowed: 30

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

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

4. Zoning Criteria

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

4.1 *Permitted Uses:* All uses permitted under the base General Business (GB) zoning district shall be permitted in the Sheppard Street PUD. In addition, accommodations uses, not to exceed thirty (30) units in aggregate, shall be permitted within the Accommodations/Residential Area. Sections 54-204.3 and 54-220 of the Zoning Ordinance of the City of Charleston shall not apply to the Accommodations/Residential Area. No accommodations use shall be permitted within the Mixed Use Area. The primary intended uses within each area shall be as provided in the Land Use Plan attached hereto, provided that ancillary uses shall not be prohibited, and provided that all uses permitted under the base General Business (GB) zoning district shall be permitted in the Accommodations/Residential Area.

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

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

Development Guidelines for Sheppard Street PUD

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

4.5 *Minimum setbacks*: None.

4.6 *Maximum lot occupancy*: None.

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

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

4.9 *Parking requirements*:

- i. Parking for commercial uses as provided under base General Business (GB) zoning district regulations.
- ii. One (1) off-street parking space per residential dwelling unit.
- iii. Two (2) off-street parking spaces per every three (3) accommodations units (rounded up to nearest whole number).

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

5. Open Space

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

6. Buffers

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

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

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

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

Development Guidelines for Sheppard Street PUD

7. Tree Summary

7.1 *Summary of existing conditions:*

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

7.2 *Protection Standards / Plan:*

Development of the site will comply with City tree protection requirements or variances and any conditions imposed thereto.

8. Right-of-Way

8.1 *Public Right-of-Way:* King Street and Sheppard Street, existing public rights of way, provide vehicular street access and pedestrian sidewalk access to all parcels within the site. No new public or private streets are planned for the site.

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

9. Drainage Basin Analysis

9.1 *Flood Zone:*

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

9.2 *Topography:*

Please see the Topographic Survey, attached hereto.

9.3 *Stormwater Drainage:*

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

Development Guidelines for Sheppard Street PUD

9.4 *Wetlands Verification:*

No wetlands are located on the property.

10. **Traffic Study:**

The Traffic Study for the property is attached hereto.

11. **Cultural Resources:**

11.1 *Site History and Cultural Resources:*

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

11.2 *Redevelopment Plan and Preservation:*

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

12. **Utilities/Services/Letters of Coordination**

Water & Sewer	Water and sewer are presently available at the site boundaries, provided by Charleston Water System. Please see letter attached.
Electricity & Gas	Electric and gas service are presently available at the site boundaries, provided by Dominion Energy. Please see letter attached.
Communications	Telephone, cable, and internet service are presently available at the site boundaries, provided by AT&T. Please see letter attached.

Development Guidelines for Sheppard Street PUD

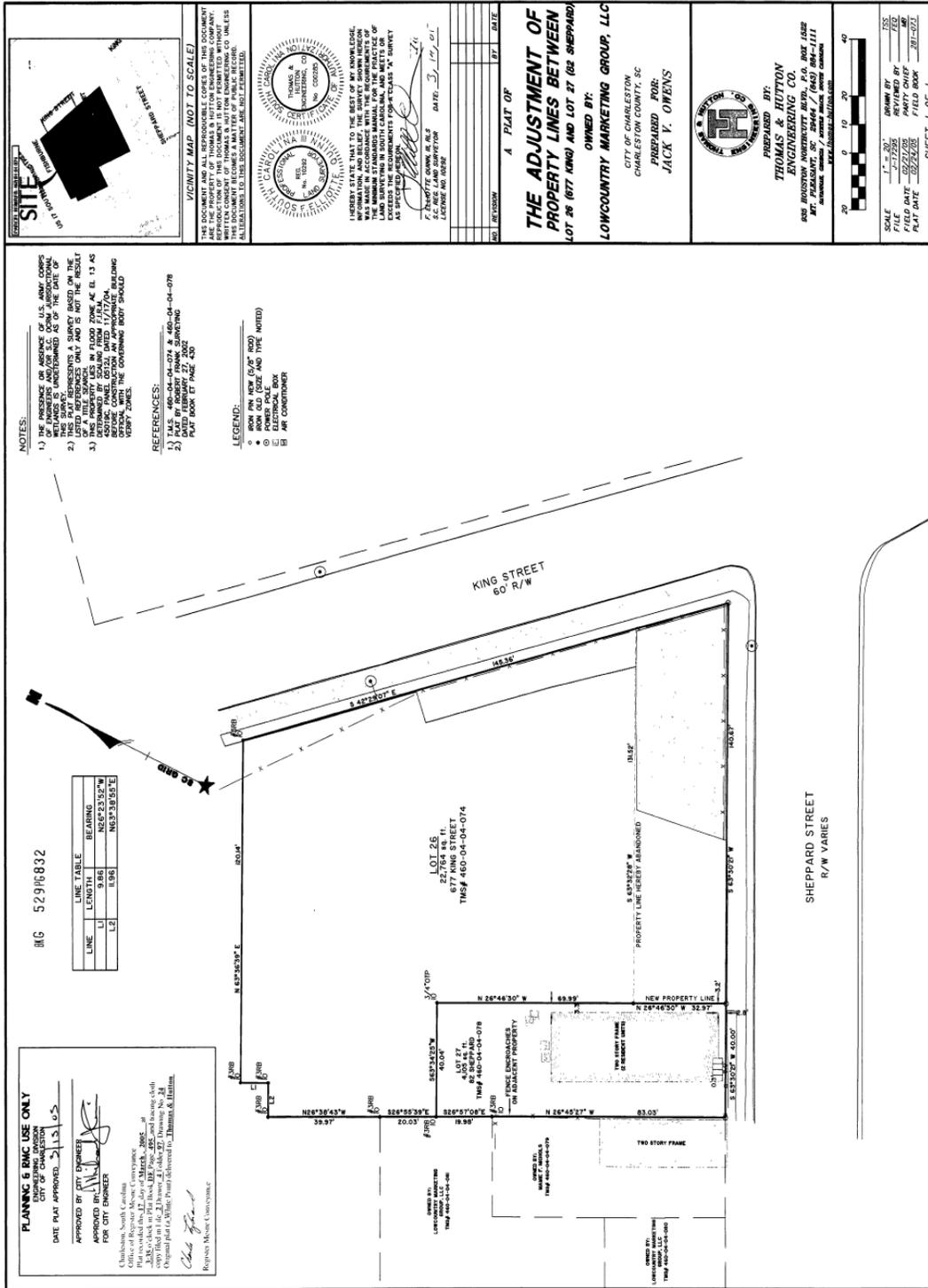
Exhibits:

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

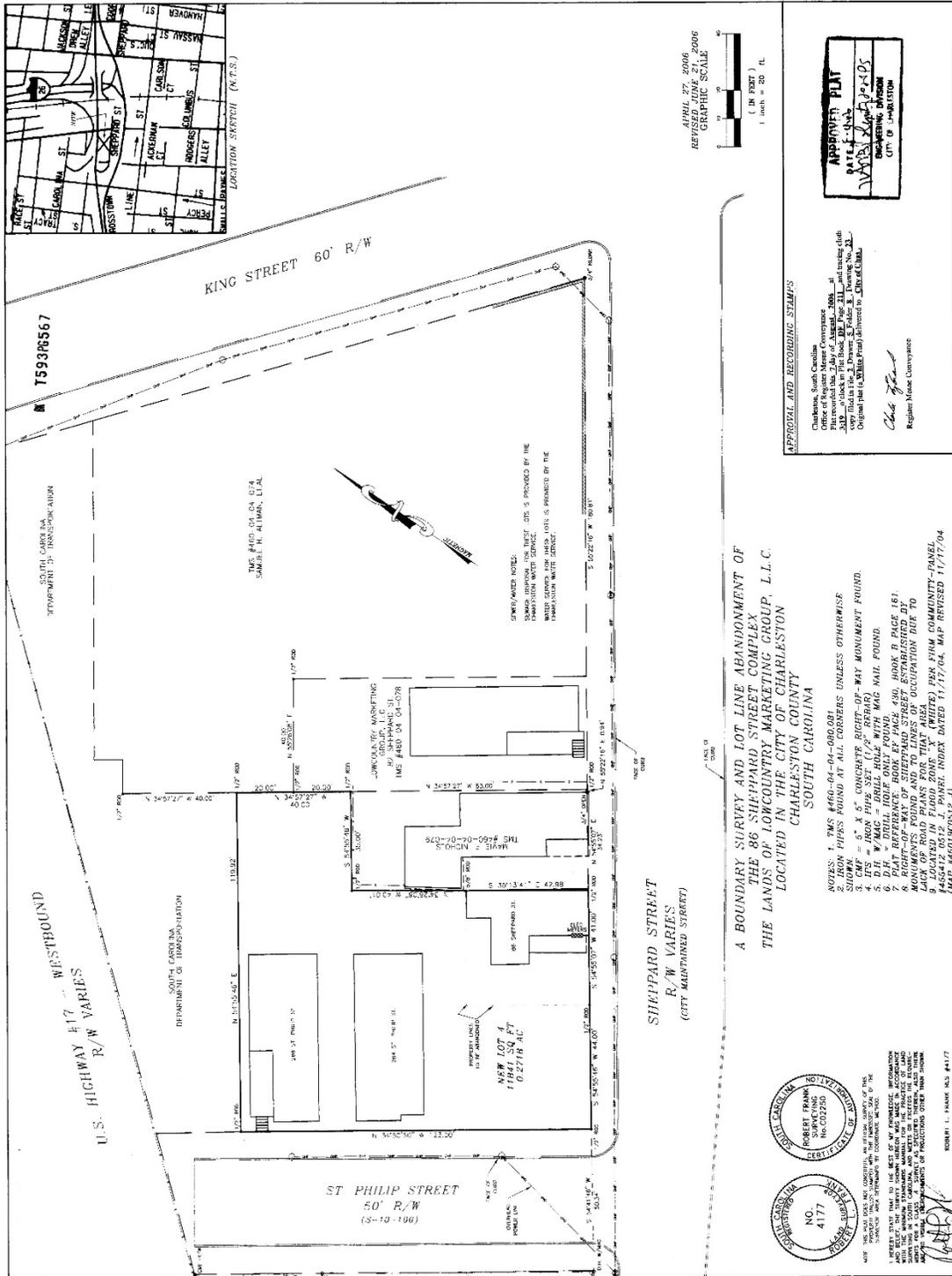
Exhibit 1 – Aerial Photograph



Exhibit 2 – Recorded Plats



Development Guidelines for Sheppard Street PUD



APRIL 27, 2006
 REVISED JUNE 21, 2006
 GRAPHIC SCALE
 1 inch = 20 ft
 (IN FEET)

APPROVED PLAN
 DATE: 06/21/06
 WALTER J. FRANK
 REGISTERED PROFESSIONAL SURVEYOR
 CITY OF CHARLESTON

APPROVAL AND RECORDING STAMPS

Charleston, South Carolina
 I, _____, County Clerk,
 do hereby certify that this plat was duly recorded in the
 Office of the County Clerk, Charleston, South Carolina, on the
 _____ day of _____, 2006.
 Original plat is being filed in the Office of the
 City of Charleston.

Walter J. Frank
 Register-Recorder

**A BOUNDARY SURVEY AND LOT LINE ABANDONMENT OF
 THE 86 SHEPPARD STREET COMPLEX
 THE LANDS OF LOWCOUNTRY MARKETING GROUP, L.L.C.
 LOCATED IN THE CITY OF CHARLESTON,
 CHARLESTON COUNTY
 SOUTH CAROLINA**

- NOTES:**
1. TMS #460-04-04-000,001
 2. TMS #460-04-04-000,001
 3. CMP = 5" x 5" CONCRETE RIGHT-OF-WAY MONUMENT FOUND.
 4. D.H. = DRILL HOLE WITH MAG NAIL FOUND.
 5. D.H. = DRILL HOLE WITH MAG NAIL FOUND.
 6. D.H. = DRILL HOLE ONLY FOUND.
 7. D.H. = DRILL HOLE ONLY FOUND.
 8. RIGHT-OF-WAY OF SHEPPARD STREET ESTABLISHED BY MONUMENTS FOUND AND TO LINES OF OCCUPATION DERIVED FROM THE SURVEY.
 9. LOCATED IN FLOOD ZONE - (X) WHITE PER FIRM COMMUNITY-PANEL #456412 0512 J. PANEL INDEX DATED 11/17/04. MAP REVISED 11/17/04. MAP #4564120512 J.

LOWCOUNTRY MARKETING GROUP, L.L.C.
 REGISTERED PROFESSIONAL SURVEYOR
 CERTIFICATE NO. 4177

NO. 4177
 WALTER J. FRANK
 REGISTERED PROFESSIONAL SURVEYOR

NOTE: THE SURVEYOR HAS CONSULTED AN OFFICIAL MAP OF THE CITY OF CHARLESTON AND HAS DETERMINED THAT THE SURVEYED LOTS ARE IDENTICAL TO THE LOTS SHOWN ON SAID MAP. THE SURVEYOR HAS THEREFORE RECORDED THIS SURVEY AS A CORRECTIVE SURVEY.

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED IN THIS SURVEY IS TRUE AND CORRECT AND THAT I AM A duly Licensed and Registered Professional Surveyor in the State of South Carolina.

Walter J. Frank
 WALTER J. FRANK, REG. #4177

Exhibit 4 – Land Use Plan

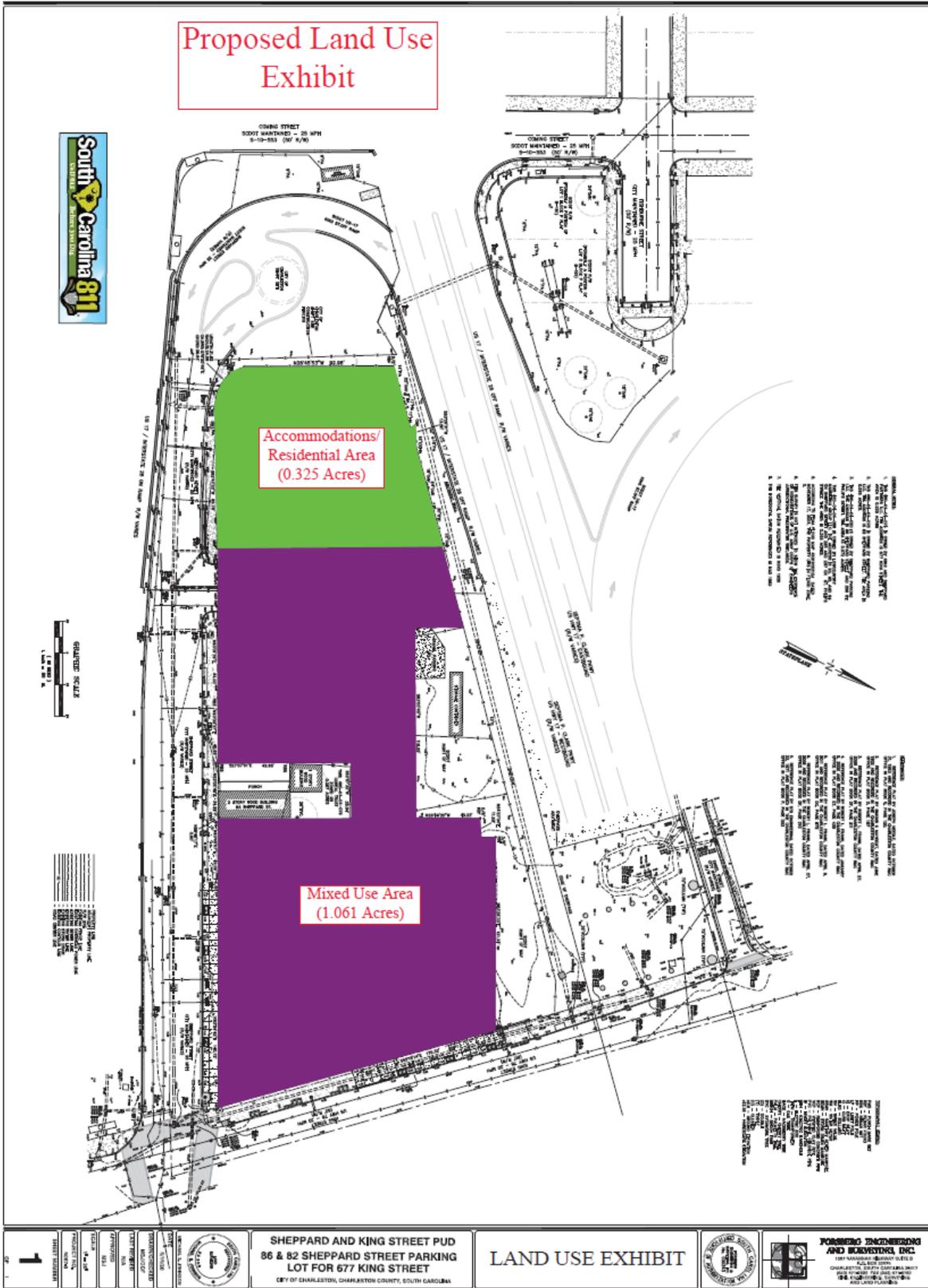


Exhibit 5 – Traffic Study

Submitted under separate cover.

Development Guidelines for Sheppard Street PUD

Exhibit 6 – Utility Letters

Development Guidelines for Sheppard Street PUD



PO Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6800
www.charlestonwater.com

Board of Commissioners
Thomas B. Pritchard, Chairman
David E. Rivers, Vice Chairman
William E. Koopman, Jr., Commissioner
Mayor John J. Tecklenburg (Ex-Officio)
Councilmember Perry K. Waring (Ex-Officio)

Officers
Kin Hill, P.E., Chief Executive Officer
Mark Cline, P.E., Assistant Chief Executive Officer
Dorothy Harrison, Chief Administrative Officer
Wesley Ropp, CMA, Chief Financial Officer
Russell Huggins, P.E., Capital Projects Officer

November 1, 2019

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

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

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

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water/fire flow and not negatively impact the existing developments. It will also be a developer's responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer's expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System's water system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing main/mains be denied by appropriate governing authorities, the Charleston Water System will have no other option than to deny service.

This letter is not to be construed as a letter of acceptance for operation and maintenance from the Department of Health and Environmental Control.

If there are any questions pertaining to this letter, please do not hesitate to call on me at (843) 727-7118.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kendra Smith".

Kendra Smith
Charleston Water System

Development Guidelines for Sheppard Street PUD



PO Box B
Charleston, SC 29402
103 St. Philip Street (29403)

(843) 727-6800
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November 1, 2019

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

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

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

It will of course be a developer responsibility to ensure there are adequate pressures and quantities on the existing mains to serve this site with domestic water/fire flow and not negatively impact the existing developments. It will also be a developer's responsibility to ensure there is sufficient capacity in the existing mains to receive the newly proposed sewer flow. Please be advised any extensions or modifications to the infrastructure as well as any additional fire protection will be a developer's expense. All fees and cost associated with providing service to this site will be a developer expense and will be due prior to connection of any Charleston Water System's water system. This letter does not reserve capacity in the Charleston Water System infrastructure and it is incumbent upon the developer or his agent to confirm the availability herein granted past 12 months of this correspondence.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Kendra Smith".

Kendra Smith
Charleston Water System

Development Guidelines for Sheppard Street PUD



Commercial Letter of Availability

October 15, 2019

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

Re: 677 King St. Charleston, SC 29403

Dear Mr. Norville:

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

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

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

Sincerely,

Steven M. Morillo

Account Manager

AUTHORIZED SIGNATURE: 

DATE: 10-16-19

TITLE: Managing Member

PHONE: 703-282-4777

King and Sheppard Partners LLC

Development Guidelines for Sheppard Street PUD



May 15, 2020

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

Mr. Norville:

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

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

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

Thank you for contacting AT&T.

Sincerely,

A handwritten signature in black ink that reads "Henry Domingo". The signature is fluid and cursive, with a long horizontal line extending to the right.

Henry Domingo
OSP Design Engineer
AT&T Southeast