



CITY OF CHARLESTON

Planning Commission Agenda Package

FOR THE MEETING OF :

July 15, 2020 2 George St, Charleston, SC
5:00PM - Regular Meeting

CITY OF CHARLESTON



DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF JULY 15, 2020

A meeting of the Planning Commission will be held **Wednesday, July 15, 2020, at 5:00 p.m.**, virtually via Zoom Webinar. Use the following link for online access:

https://us02web.zoom.us/webinar/register/WN_qb8CCVjxTcWo8DughRZDRQ. To access via phone, dial 1 (301) 715-8592. When prompted, enter meeting ID# 853 0771 7064. **Call (843) 724-3788 if you are experiencing technical difficulties.** The meeting will be recorded.

Information on each application, including documents submitted by the applicant, will be available online at www.charleston-sc.gov/agendacenter the Friday prior to the meeting. Meeting slides will be posted to www.charleston-sc.gov/pc the day of the meeting.

Public Comment Instructions:

Please use **one** of the following methods to request to speak at the meeting or provide comments for the Commission. Requests to speak at the meeting and comments must be received by 12:00 p.m., Wednesday, July 15th:

1. Request to speak or leave a comment by calling 843-724-3765. If requesting to speak or leaving a comment, please provide your name, address, and telephone number;
2. Sign up to speak or leave comments for the Planning Commission by completing the form at <http://innovate.charleston-sc.gov/comments/>;
3. Request to speak or leave a comment via email to Boards@charleston-sc.gov. If requesting to speak or leaving a comment, **you must provide the meeting date and project, your name, address, and telephone number;**
4. Mail comments to: Department of Planning, Preservation and Sustainability, 2 George Street, 3rd floor, Charleston, SC 29401.

The following applications will be considered:

APPROVAL OF MINUTES

Commission approval of minutes from the Planning Commission June 2020 meeting.

CITY PLAN UPDATES

Updates and discussion regarding the Charleston City Plan.

REZONINGS

1. **Lochaven Dr (off Glenn McConnell Pkwy – West Ashley) TMS # 3060000090** – approx. 3.0 ac. Request rezoning from General Office (GO) to Business Park (BP).
Owner: The Whitfield Company
Applicant: Jonathan L. Yates
2. **Sheppard St PUD (Peninsula) TMS # 4600404074, 078, 080, 086** – approx. 1.386 ac. Request rezoning from General Business (GB), Limited Business (LB) and Accommodations Overlay to Planned Unit Development (PUD) (Sheppard St).
Owner: King and Sheppard Partners, LLC; Sheppard Parking LLC; and Lowcountry Marketing Group, LLC
Applicant: Womble Bond Dickinson (US) LLP

3. **Laurel Island (Peninsula) TMS # 4640000006, 002, 023, 038, 4590200013, and 4611303024** – approx. 196.1 ac. Request rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island). **FOR INFORMATION ONLY, NO ACTION REQUESTED.**

Owners: Charleston County and LRA Promenade North LLC
Applicant: Reveer Group

ORDINANCE AMENDMENTS

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by replacing Part 16 (Cluster Development) of Article 2 (Land Use Regulations) with a new Part 16 (Conservation Development) and by adding relevant definitions to Sec. 54-120 of the Zoning Ordinance.
2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of single affordable housing as a conditional use within multiple base zoning districts. **(As amended)**
3. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the definitions for half story, accessory building, and accessory dwelling unit, and incorporate provisions to permit accessory dwelling units within all base zoning districts in the City of Charleston.

ZONINGS

1. **416 Riverland Dr (Green Acres – James Island) TMS # 3431000002** – approx. 0.26 ac. Request zoning of Single-family Residential (SR-1) Zoned Single-family Residential (R-4) in Charleston County.
Owner: W. Coleman and Christina M. Lawrimore
2. **450 Riverland Dr (Green Acres – James Island) TMS # 3431000019** – approx. 0.5 ac. Request zoning of Single-family Residential (SR-1) Zoned Single-family Residential (R-4) in Charleston County.
Owner: Whitney and Alexander Pasquini
3. **Property on Savannah Highway (West Ashley) TMS # 3070500015** – approx. 6.68 ac. Request zoning of General Business (GB). Zoned Single-family Residential (R-4) in Charleston County.
Owner: John McLeod Bradham et al
4. **2118 and 2120 Saint James Dr (Riverland Terrace – James Island) TMS # 3430200072** – approx. 0.23 ac. Request zoning of Single-family Residential (SR-1). Zoned Single-family Residential (R-4) in Charleston County.
Owner: Claire Witbeck
5. **1720 Pinecrest Rd (Pinecrest Gardens – West Ashley) TMS # 3511200038** – approx. 0.22 ac. Request zoning of Single-family Residential (SR-2). Zoned Single-family Residential (R-4) in Charleston County.
Owner: Elizabeth White
6. **Summerville Ave (Peninsula Neck) TMS # 4640200107** – approx. 1.40 ac. Request zoning of General Business (GB). Previously unzoned right-of-way.
Owner: 1834 Summerville Ave LLC
Applicant: City of Charleston
7. **Portion of right-of-way at southeast corner of Fishburne St & Coming St (Westside - Peninsula) TMS # to be assigned** – approx. 0.14 ac. Request zoning of Mixed-Use/Workforce Housing (MU-1/WH). Currently unzoned right-of-way.

Owner: SCDOT
Applicant: City of Charleston

ELECTION OF CHAIR AND VICE-CHAIR

Commission selection of a chairperson and vice-chairperson to serve until January 2021.

CONTINUING EDUCATION REQUIREMENTS

Review of continuing education requirements and upcoming opportunities.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc.

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.

**CITY OF CHARLESTON
PLANNING COMMISSION**

July 15, 2020

Rezoning 1:

**Lochaven Dr
(off Glenn McConnell Pkwy – West Ashley)**

BACKGROUND

The applicant is requesting a rezoning from General Office (GO) to Business Park (BP). The subject property is located at the end of the publicly-maintained portion of Lochaven Drive just south of Glenn McConnell Parkway. Surrounding zoning districts include GO, Limited Business (LB), and Diverse Residential (DR-9, DR-1). Most of the area's residential zoning districts have been built-out with multi-family units but the adjacent commercial zoning districts have yet to be developed. The property is undeveloped aside from a powerline easement occupying about half of the southern portion of the parcel. The rest of the property consists of wetlands and trees making the property unlikely to be developed with a commercial use. The purpose of the rezoning request is to allow a communications tower on the small portion of the property that is yet developable. While the GO zoning district does not permit communications towers the BP zoning district does and is the most similar compatible zoning category for this area. The GO allows very limited single-family uses but the BP zoning district would eliminate the possibility of any residential uses from being developed on this site. The GO and BP zonings have similar setback, lot occupancy and height limitations.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject property is designated in the Century V Plan as **Job Center** which can contain a wide variety of commercial uses in various urban and suburban contexts. Given the existing zonings, existing pattern of development in the surrounding area and the plan recommendation the proposed BP zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL

REZONING 1

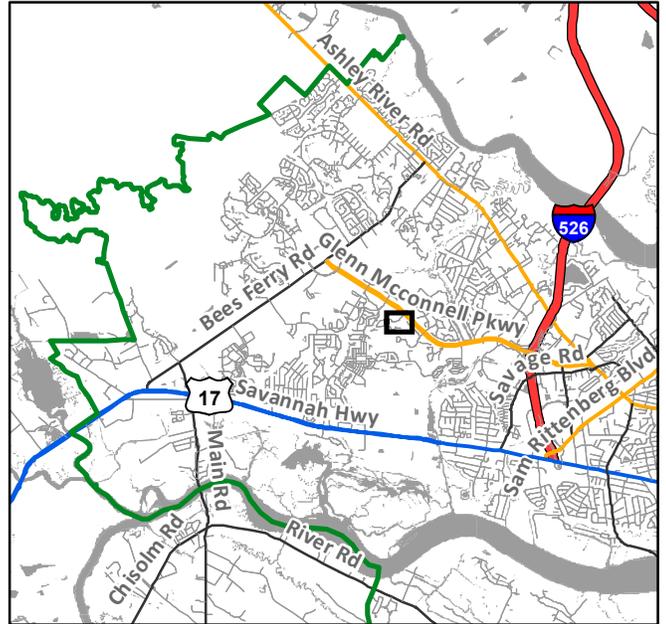
Lochaven Dr
(off Glenn McConnell Pkwy – West Ashley)

TMS # 3060000090

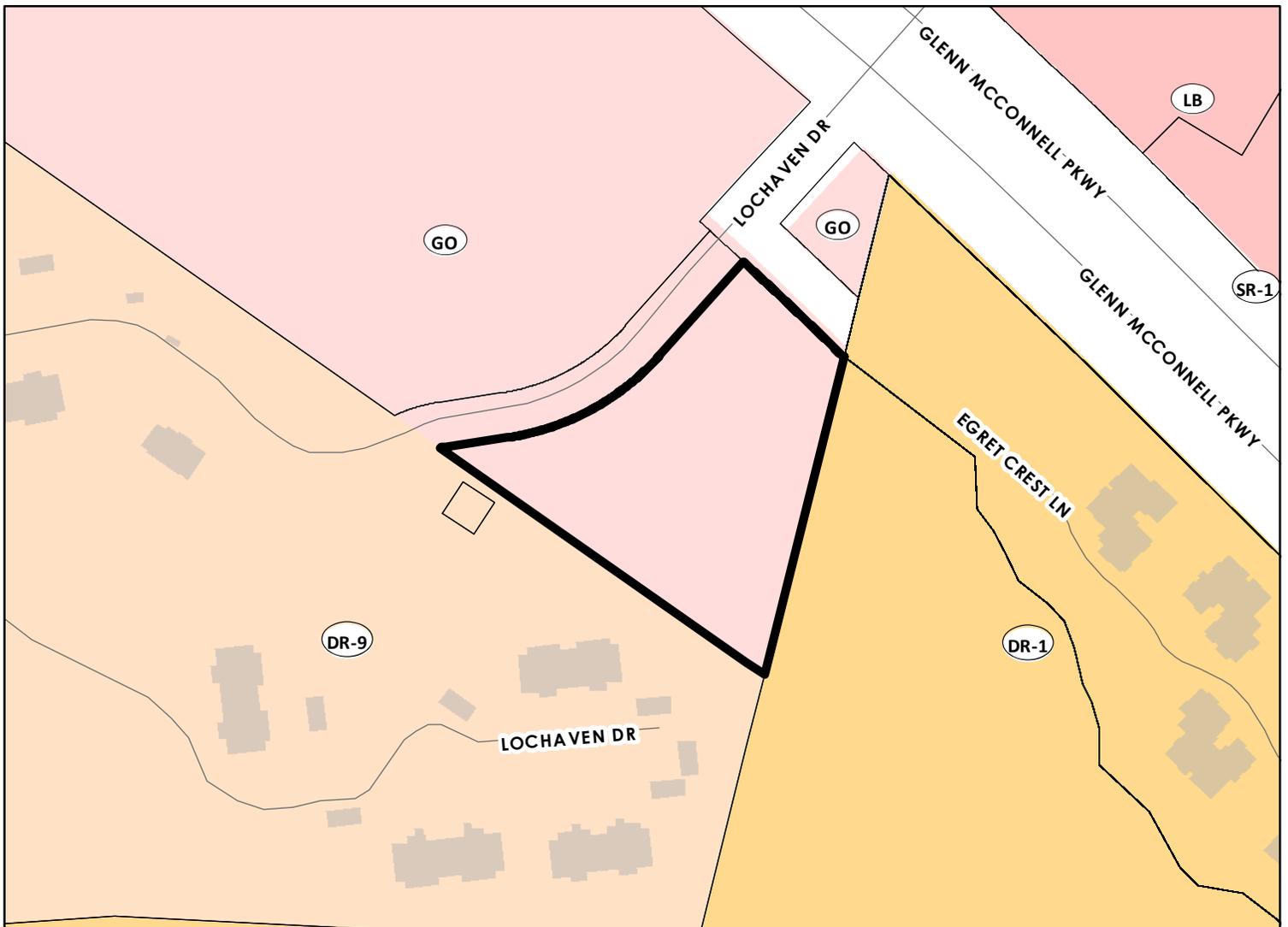
approx. 3.0 ac. Request rezoning from
General Office (GO) to Business Park (BP).

Owner: The Whitfield Company
Applicant: Jonathan L. Yates

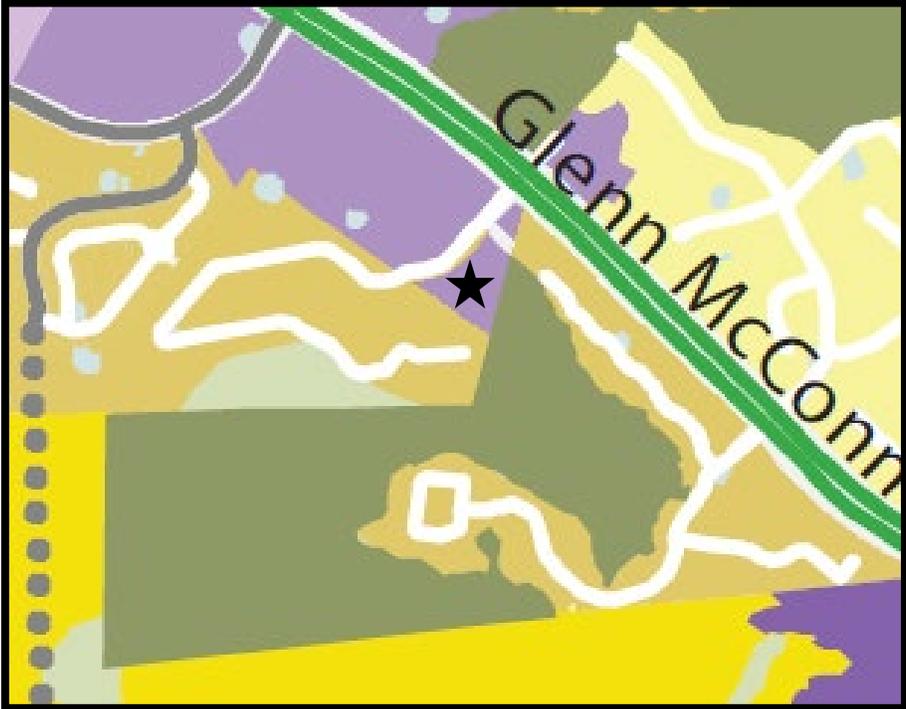
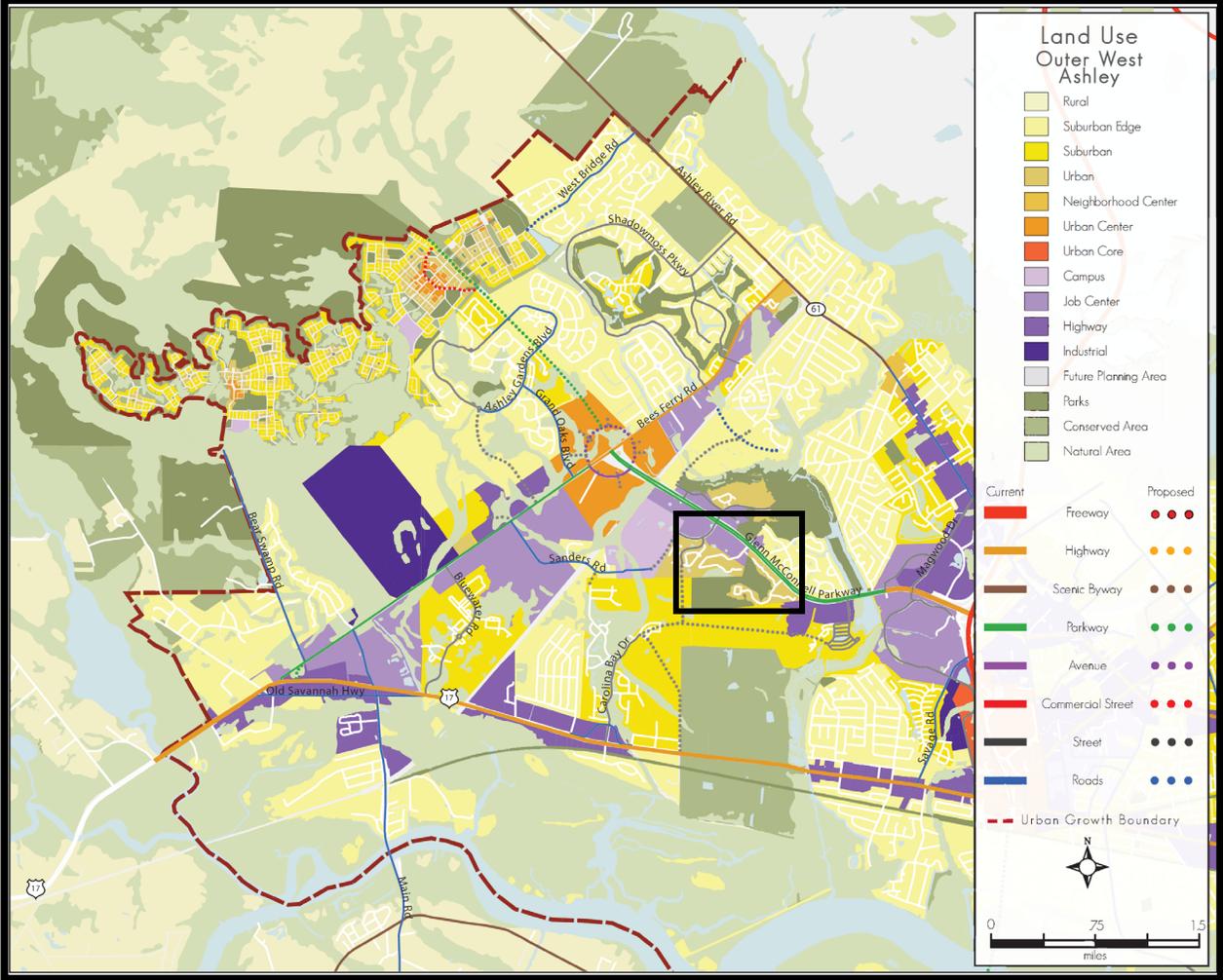
Area



Location



LOHAVEN DR CENTURY V PLAN – JOB CENTER



CITY OF CHARLESTON PLANNING COMMISSION

July 15, 2020

Rezoning 2:

Sheppard St PUD (Peninsula)

BACKGROUND

The applicant is requesting a rezoning from General Business (GB), Limited Business (LB) and Accommodations Overlay to Planned Unit Development (PUD) (Sheppard St). The site is located in the middle of the junction of the Septima P. Clark Parkway (US Hwy 17) and the beginning of Interstate 26. It is straddled on both sides by the ramps leading to the elevated portions of highway and is effectively cut off from the neighborhoods to the south, north, and west. A half-block portion of St. Philip Street extends northwards from Sheppard Street within the site but does not connect to any other street.

The property within the proposed PUD consists of about 1.38 acres and is surrounded by mainly General Business (GB), Mixed Use/Workforce Housing (MU-1/WH & MU-2/WH) and Diverse Residential (DR-1F & DR-2F) zoning districts. A portion of the subject property (along King St) is in the Accommodations Overlay Zone allowing a hotel use of up to 50 rooms. The buildings on the site are currently vacant. They were most recently used as rental housing and some are in need of repair. 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.

The proposed PUD includes a mix of uses including new buildings along King Street for office and retail uses and a residential/accommodations area. Permitted commercial uses will be the same as those allowed under the City's GB zoning district. Accommodations uses would be limited to 30 units unless used as long-term residential rental. This would effectively eliminate the potential for a 50-room hotel allowing for the removal of a portion of the Accommodations Overlay Zone in this area.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject properties span both **Urban Core** and **Urban** designations. Urban Core areas are typified by the City's most dense urban areas with a wide variety of uses in an urban setting consisting of mostly multi-story buildings, small blocks and multi-modal streets. Urban areas also have a mix of uses but with lower building height and massing and lower intensity of uses and street activity. Given the opportunity for redevelopment of a small under-utilized area to a vibrant mixed-use niche, rezoning to a PUD designation is appropriate.

STAFF RECOMMENDATION

APPROVAL

REZONING 2

Sheppard St PUD (Peninsula)

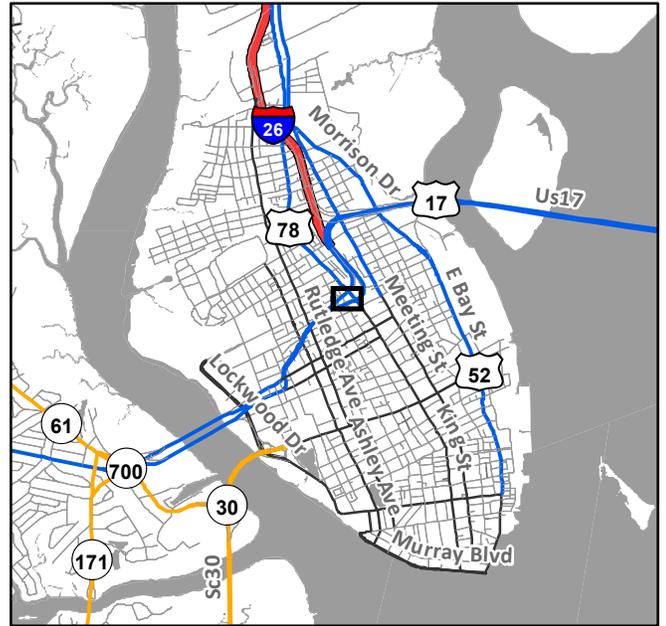
TMS # 4600404074, 078, 080, 086

approx. 1.386 ac.

Request rezoning from General Business (GB), Limited Business (LB) and Accommodations Overlay to Planned Unit Development (PUD) (Sheppard St).

Owner: King and Sheppard Partners, LLC;
Sheppard Parking LLC; and Lowcountry Marketing Group, LLC

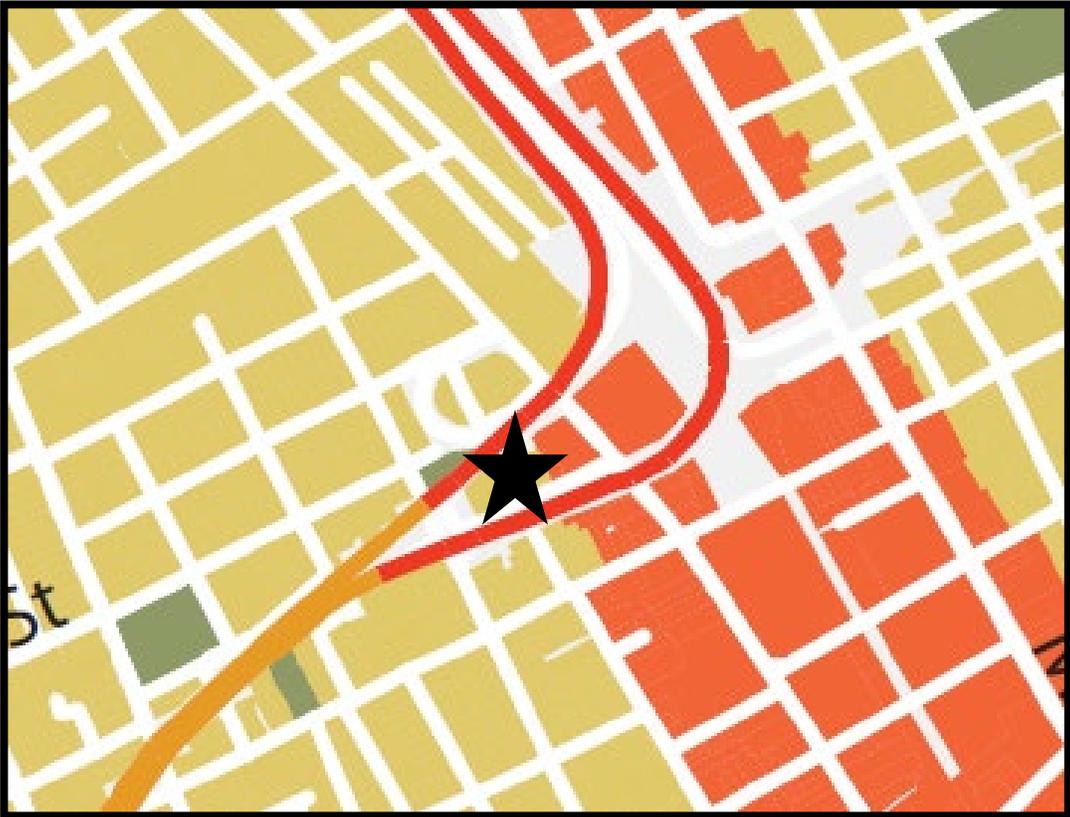
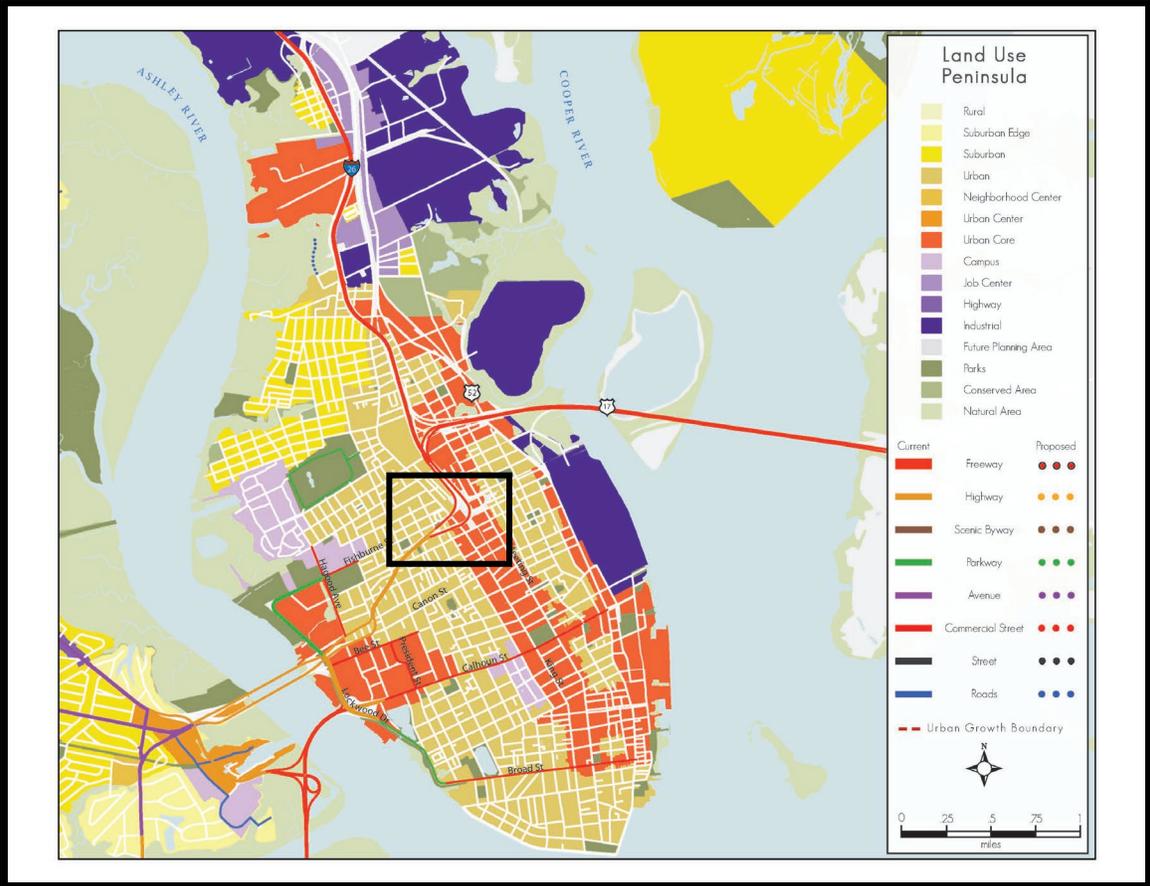
Area



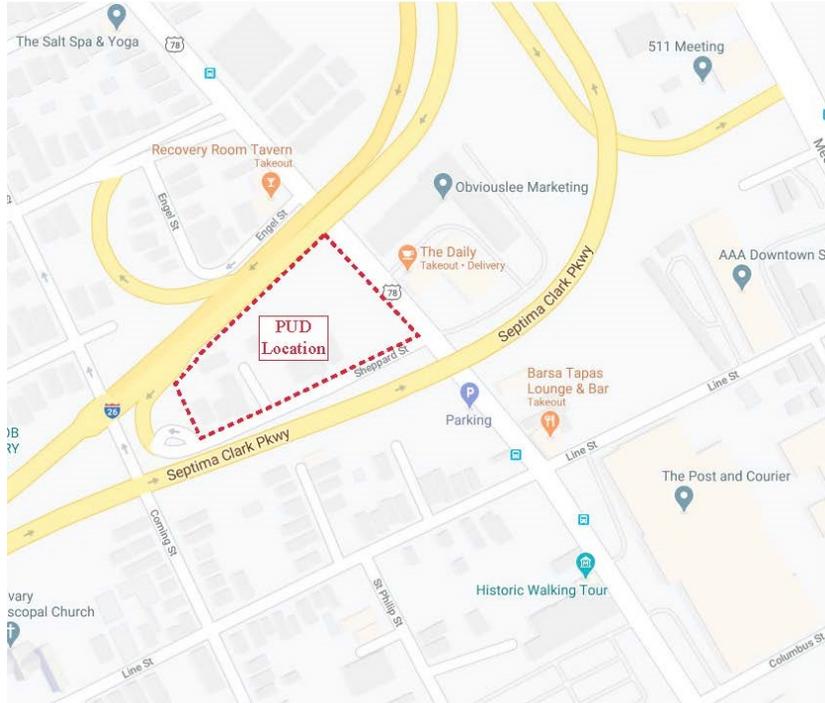
Location



SHEPPARD ST PUD CENTURY V PLAN – URBAN & URBAN CORE



**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
Accommodations/Residential Area	0.325 Ac
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

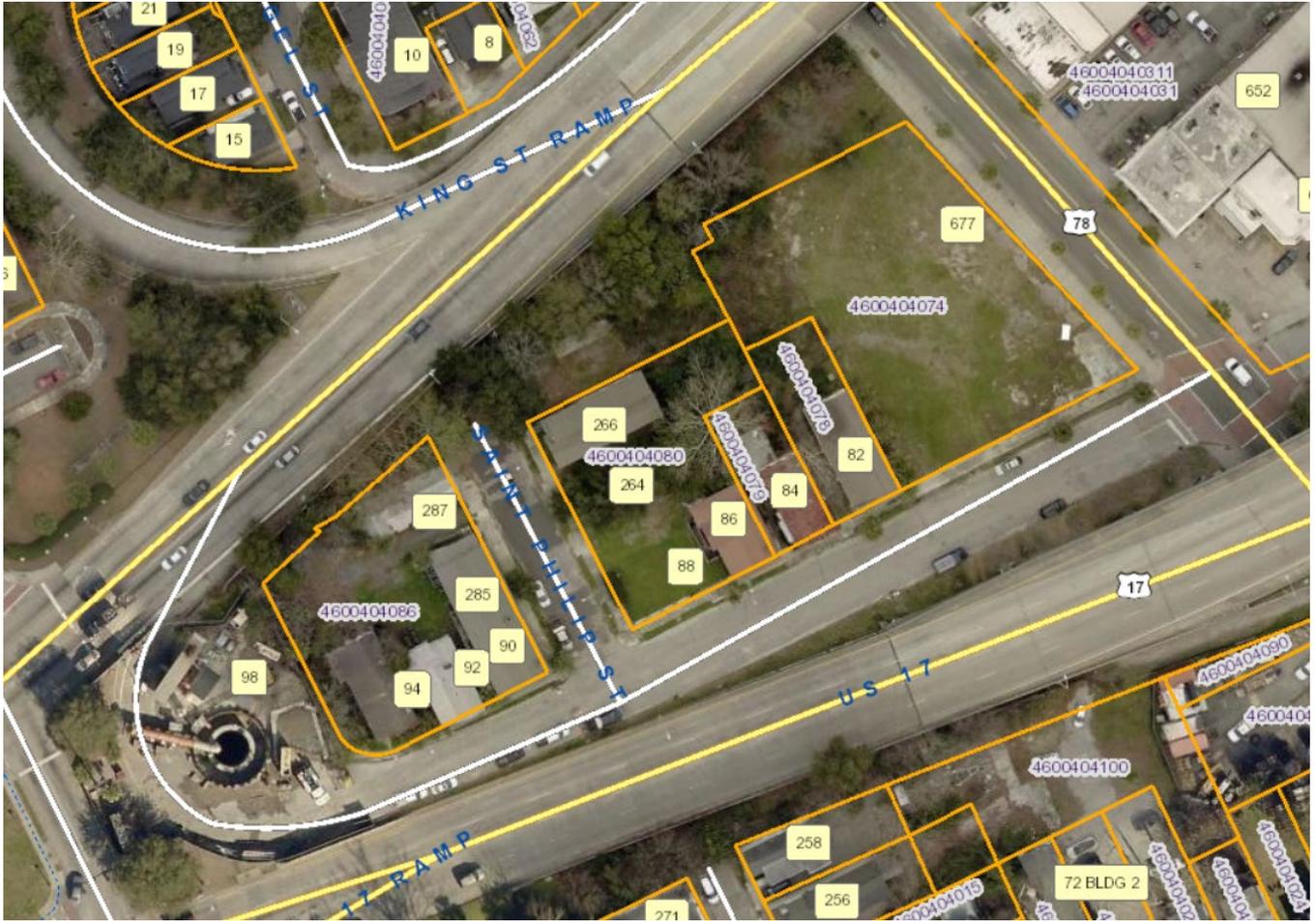
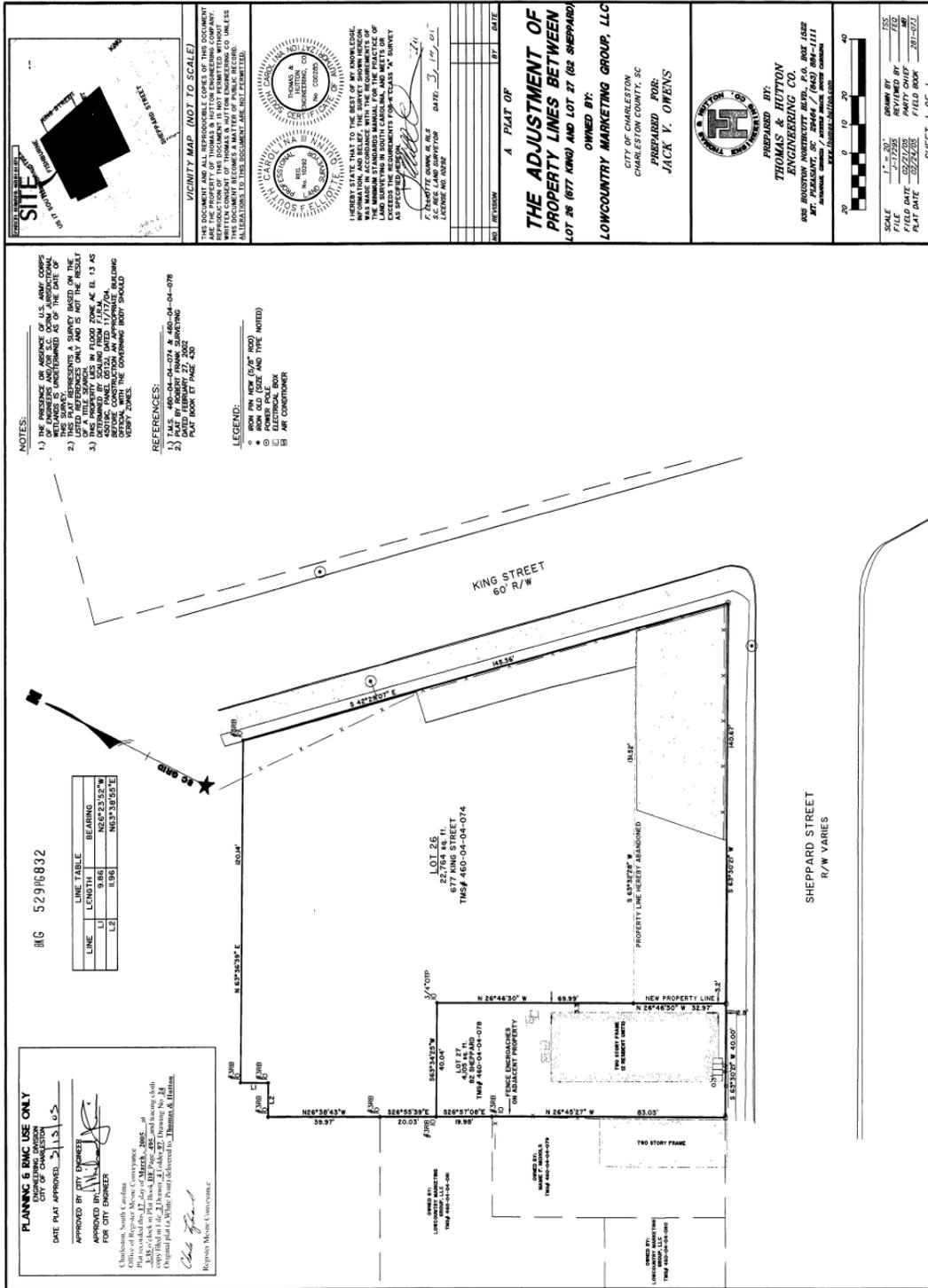


Exhibit 2 – Recorded Plats



Development Guidelines for Sheppard Street PUD

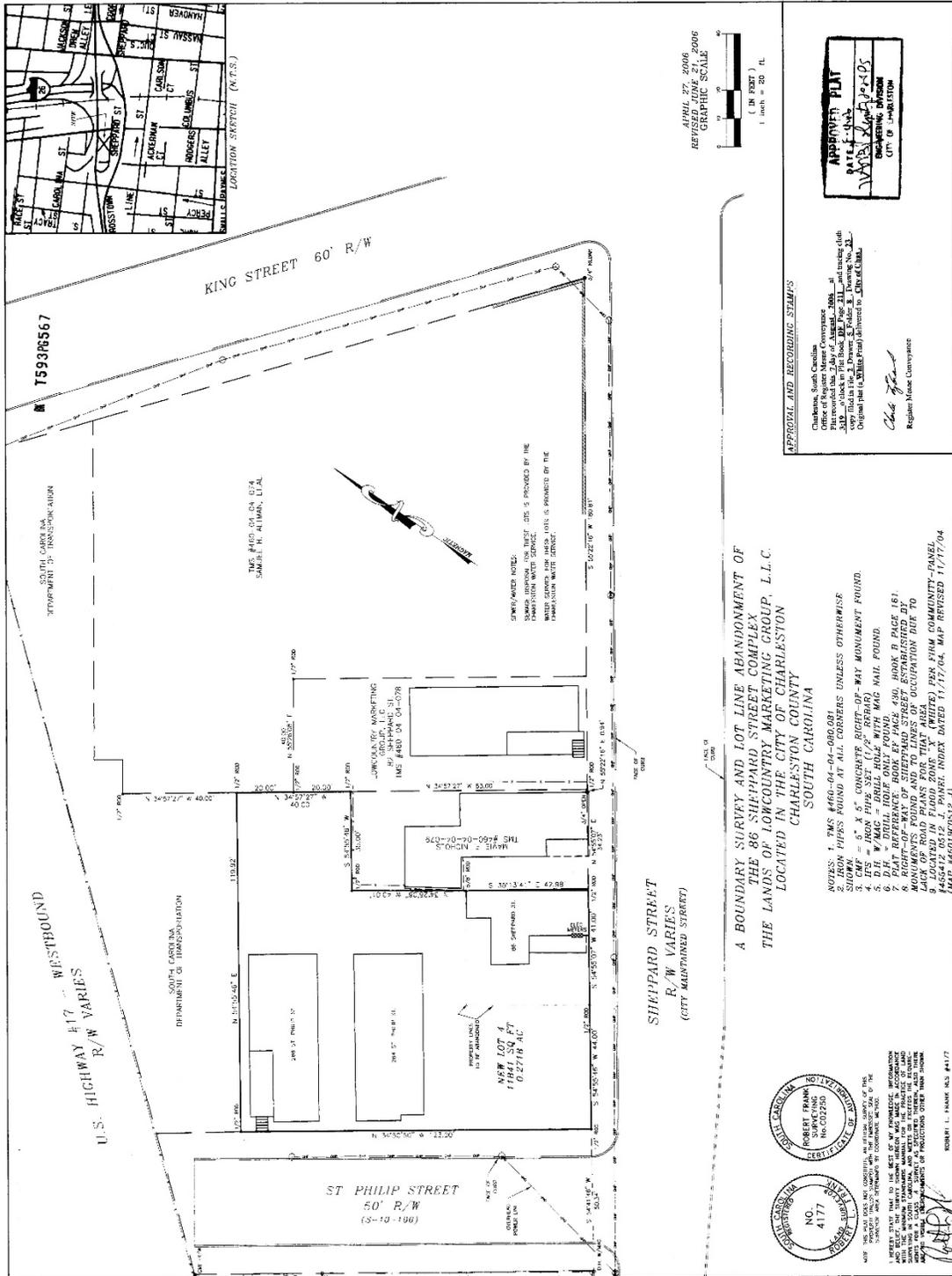


Exhibit 5 – Traffic Study

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
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 TMS: 460-04-04-078 and 080
Re: Commercial Single Unit

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

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

The Charleston Water System certifies the availability of service only insofar as its rights allow. Should access to our existing main/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 that appears 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".

Henry Domingo
OSP Design Engineer
AT&T Southeast

CITY OF CHARLESTON PLANNING COMMISSION

July 15, 2020

Rezoning 3:

Laurel Island (Peninsula)

BACKGROUND

Note: This item is presented as information only during this meeting and is intended to provide the opportunity for discussion, comments and feedback. No action will be taken at this time.

The applicant is requesting a rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island). The application consists of six properties located on and to the east of Morrison Drive and Romney Street. The bulk of the property consists of a former landfill site bounded by the Cooper River and Charleston Harbor on the east and South Carolina State Railway on the west. The application also consists of the recycling center and magistrate court facilities owned by Charleston County located on Romney Street and Morrison Drive, respectively.

The proposed Laurel Island PUD is approximately 196 acres in size making up a considerable portion of the upper peninsula. Typical of PUDs, the proposal consists of a mix of uses with a large number of residential units (including 10% workforce housing units), retail, office, entertainment, accommodations and parks. As required by Zoning Code, the PUD will include open space (39.2 acres), 25% of which be usable open space such as parks, paths, trails, public piers and docks.

The site is currently accessed by public roadway via Romney Street but the PUD plan proposes two new roads to the north and south of Romney Street and bridging the existing railroad and marsh areas to provide appropriate levels of access to the development.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject properties span both **Urban Core** and **Industrial** designations. Urban Core areas are typified by the City's most dense urban areas with a wide variety of uses in an urban setting consisting of mostly multi-story buildings, small blocks and multi-modal streets. Industrial areas typically contain the City's most intense uses without the variety one would see in the urban core but can often evolve into more urban forms as has been happening on the peninsula over the past several decades. The former landfill site and publicly-owned lands provide a unique chance to extend the City's urban pattern in this area to meet growth demands and provide housing, jobs and recreation opportunities for existing and new residents. Given the potential benefits to the public for development of this underdeveloped corner of the City, a rezoning to a PUD designation is appropriate.

STAFF RECOMMENDATION

NO ACTION TO BE TAKEN AT THIS TIME

REZONING 3

Laurel Island

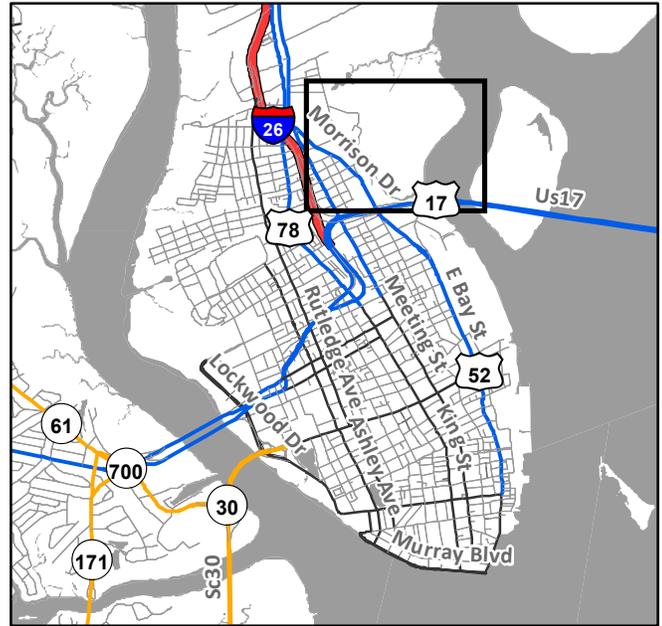
TMS # 4640000006, 002, 023, 038,
4590200013, & 4611303024

approx. 196.1 ac.

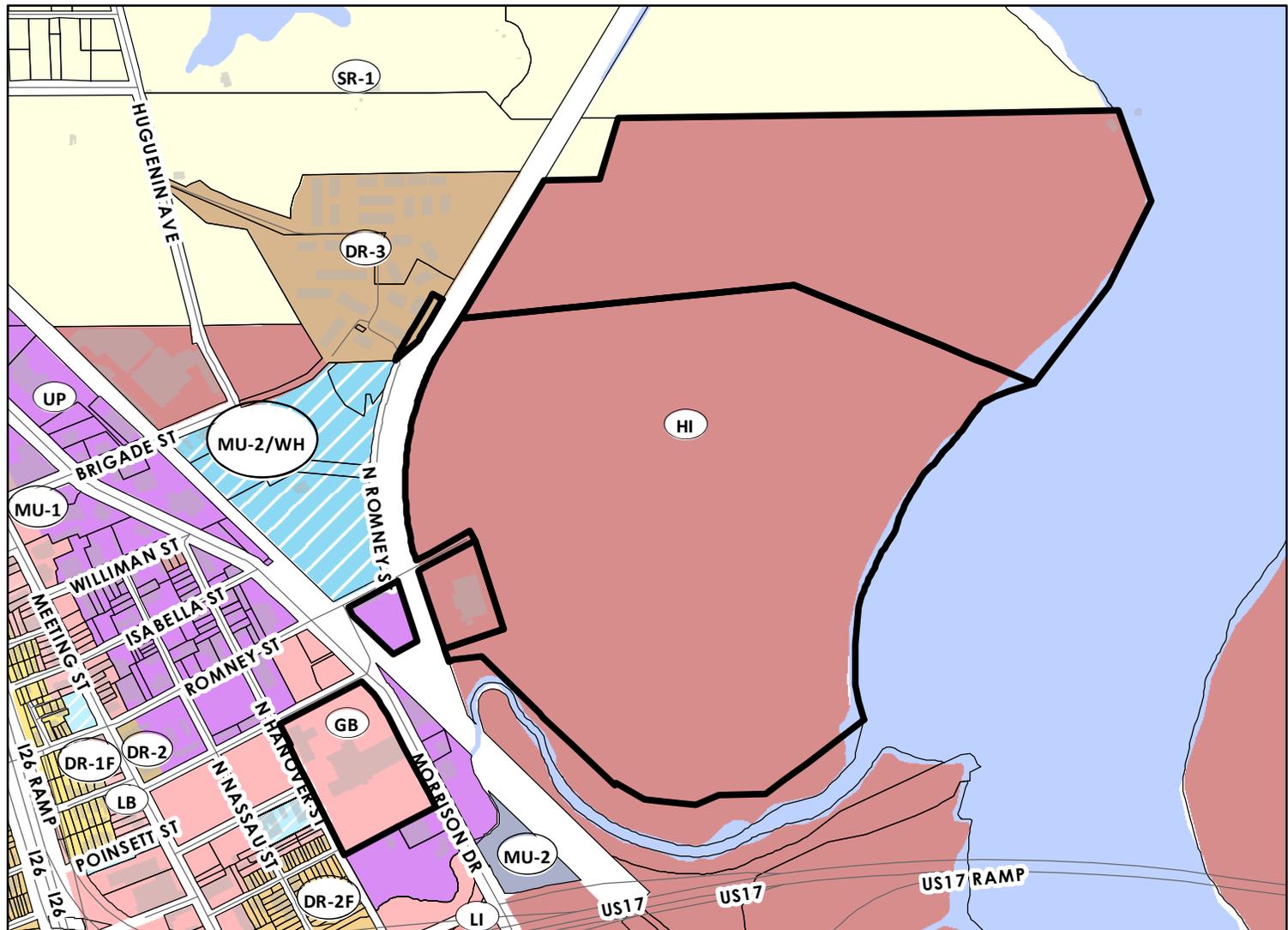
Request rezoning from General Business (GB), Heavy Industrial (HI), Upper Peninsula (UP) and Diverse Residential (DR-3) to Planned Unit Development (PUD) (Laurel Island).

Owners: Charleston County and LRA Promenade

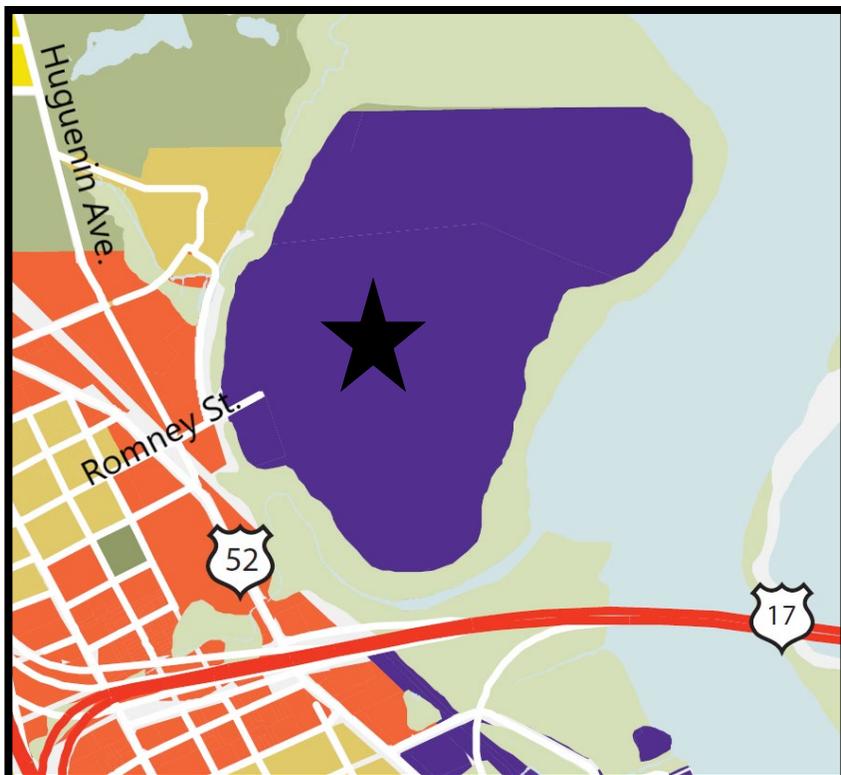
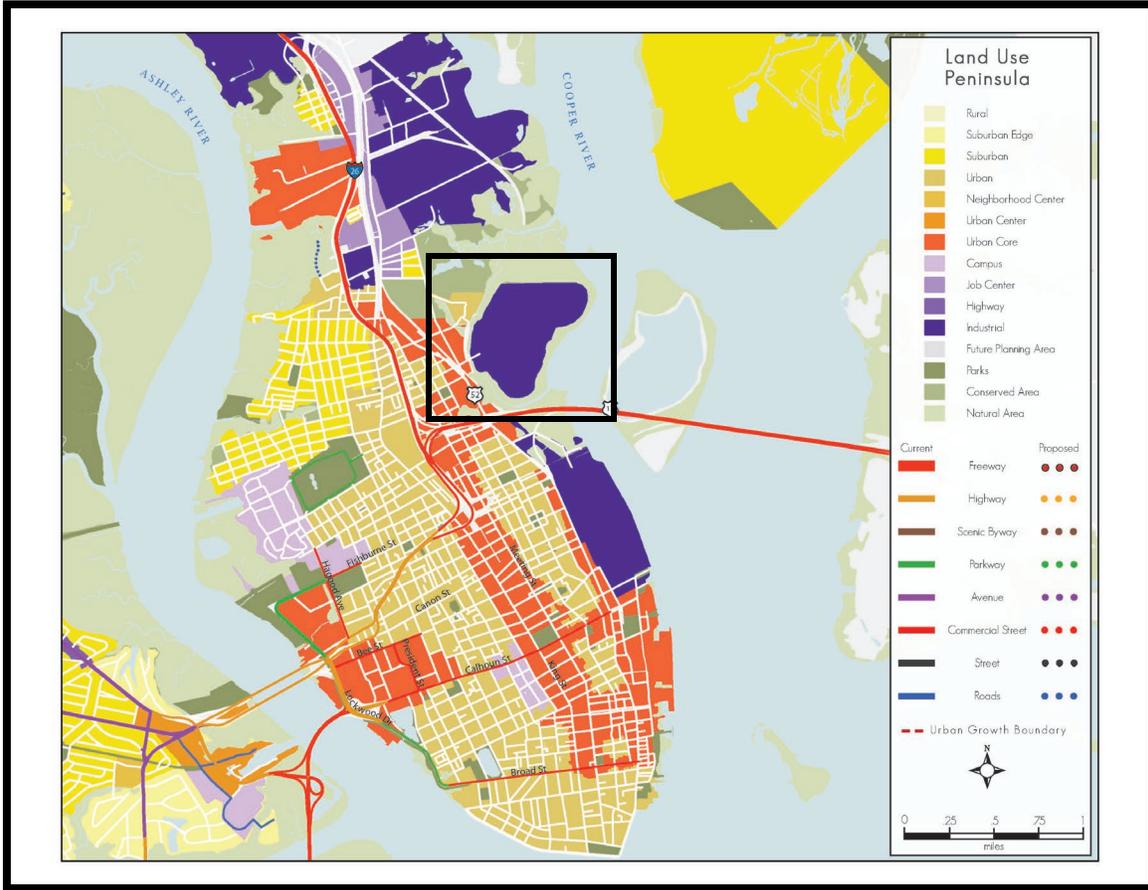
Area



Location



LAUREL ISLAND CENTURY V PLAN – INDUSTRIAL & URBAN CORE



LAUREL ISLAND

PLANNED UNIT DEVELOPMENT Charleston, South Carolina

Applicants:

Reveer Group, LLC
2971 W. Montague Ave., Ste. 101
North Charleston, SC 29418

Owners:

LRA Promenade, LLC
LRA Promenade North, LLC
171 17th Street, Ste. 1575
Atlanta, GA 30363

Charleston County
995 Morrison Drive
Charleston, SC 29403

February 24, 2020

Application#: PUD2019-000010

Prepared by: Hellman Yates & Tisdale and Reveer Group

Laurel Island
Planned Unit Development
Charleston, South Carolina

1. Relationship to Zoning Ordinance
2. Introduction and Background Information
 - 2.1. Background and Ownership
 - 2.2. Current Zoning
 - 2.3. Development Goals
 - 2.4. Workforce Housing
3. Land Use
 - 3.1. Area Breakdown
 - 3.2. Net Density and Calculations
 - 3.3. Adequate Public Facilities
4. Zoning Criteria
 - 4.1. Development Standards
 - 4.2. Permitted Uses; Hours
 - 4.3. Parking Standards
5. Outdoor Space
 - 5.1. Outdoor Space Requirements
 - 5.2. Outdoor Space Types
6. Buffers
7. Tree Summary
8. Right-Of-Way
9. Drainage Basin Analysis
 - 9.1. Flood Zone
 - 9.2. Existing Topography and Drainage
 - 9.3. Wetlands Verification
 - 9.4. Preliminary Stormwater Techniques
10. Traffic Study
11. Cultural Resources Study
12. Letters of Coordination
13. Additional Information
 - 13.1. Design Review and Modifications
 - 13.2. Laurel Island Conceptual Master Plan

Appendix

A. Figures

1. Conceptual Land Use Plan
2. Conceptual Height District Plan
3. Conceptual Open Space Plan
4. Roadway Descriptions and Sections

B. Traffic Models

1. Land Intensity Conversion Matrix
2. Traffic Study

C. Cultural Resources Study

D. Letters of Coordination

E. Survey

F. Additional Drawings

Exhibit 1: Location Map

Exhibit 2: Aerial

Exhibit 3: Project Parcels

Exhibit 4: Existing Conditions

Exhibit 5: Wetland and Critical Lines

Exhibit 6: Existing Drainage

Exhibit 7: FEMA Flood Maps

Section 1: Relationship to Zoning Ordinance

The Development Guidelines and Land Use Plan for the Laurel Island Planned Unit Development (PUD), attached hereto and made a part hereof, are part of the PUD 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.

- a. Consistency with the City's Century V Plan, as the underlying property is designated Peninsula;
- b. Better achieving the goals of the Century V Plan and all adopted plans for the subject property than the current zoning, as the PUD tailors the uses and plans to better meet the community's input and serve its needs;
- c. Consistency with the City's adopted master road plan as modeled herein;
- d. Better protecting and preserving natural and cultural resources, if any, than the existing primarily Heavy Industrial zoning resulting in more green space and more compatible uses with neighboring properties;
- e. Compatibility with the density and maximum building height of adjacent developed neighborhoods, by adjusting the height from the maximum currently allowed and considering the height of the Ravenel Bridge and other nearby uses, heights, and densities;
- f. Creating connectivity with the existing network of public streets in adjacent neighborhoods and areas by including provisions for public and private connections;
- g. Providing for adequate parking for residents and users;
- h. Confirming accommodation by existing and planned public facilities including but not limited to, roads, sewer, water, schools, and parks as is evidenced by the included traffic study, coordination letters, and newly proposed usable open space;
- i. Providing for new public facilities, including open space and recreational amenities as well as locations for other governmental services;
- j. Adequately providing for the continued maintenance of common areas, open space, and other public facilities not dedicated to the City by making the foregoing an obligation of the current and any future property owner; and
- k. Providing for a mixture of residential, commercial, conservation, and other uses.

No person shall erect or alter any building, structure, or sign on any tract of land or use any tract of land within the Laurel Island PUD except in conformance with these guidelines and regulations. Unless modified herein, definitions of terms used in the Laurel Island 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 Laurel Island PUD Master Plan shall follow Article 9 of the Zoning Ordinance of the City of Charleston.

The Laurel Island PUD Master Plan was approved by Charleston City Council on _____, Ordinance Number _____.

Section 2: Introduction and Background Information

2.1 Background and Ownership

Laurel Island’s PUD includes six (6) parcels totaling 196.1 acres and composed of 165.3 acres of highland (84%) and 30.8 acres of wetlands and marsh. Three of the parcels are contiguous (I, II, and VI), hereinafter, the Laurel Island Site, and described collectively. The remaining three parcels (III, IV, and V) are described individually, as further set forth in the table below.

The Laurel Island Site has a robust history, notably serving as the Rumney Distillery in the 1790’s, leading to its main access point of “Rumney Street”. It later served as the Armory for the State of South Carolina, containing gun powder magazines during the Civil War, before ultimately becoming the Romney and Holston Landfills in the 1970’s.

The landfills ceased operating in the 1980’s and were purchased by Lubert Adler in 2003. Lubert Adler began working to create a full-service resort on the site, but was ultimately unsuccessful due to several factors, including the Great Recession of 2008 and the site’s environmental conditions. In 2013, the Port of South Carolina began looking to use the site as a new port facility but has since decided to not build a new terminal facility.

Given the significant increase in the cost of housing across Charleston, we believe the best use of this site will be a mixed-use community, comprised with a heavy component of workforce housing. The current Heavy Industrial zoning on the majority of the site does not allow for this use, and as such, the property is proposed to be re-zoned as a Planned Unit Development.

Current ownership of the property is as follows:

Laurel Island PUD Project Parcels			
Parcel ID	TMS#	Owner	Acreage
I	4640000006	LRA Promenade North LLC	69.04
II	4640000002	LRA Promenade LLC	114.22
III	4590200013	LRA Promenade North LLC	1.42
IV	4640000038	LRA Promenade North LLC	0.40
V	4611393924	Charleston County (995 Morrison)	8.01
VI	4640000023	Charleston County (Recycling Center)	3.01
Total Acreage			196.1

2.2 Current Zoning



The current Zoning for the parcels is set forth below, and allows a broad range of residential, commercial, and industrial uses and activities.

Parcel ID	TMS Number	Current Zoning	Height Limits
I	4640000006	Heavy Industrial	W Height District
II	4640000002	Heavy Industrial	W Height District
III	4590200013	Upper Peninsula	4-12 Story Height District
IV	4640000038	Diverse Residential 3	50' / 3 stories
V	4611303024	General Business	85' (Tech Corridor Overlay)
VI	4640000023	Heavy Industrial	W Height District

The Laurel Island Site is bounded by roadways and railways on three sides of the site, with the fourth side being bounded by Town Creek and the Cooper River.

2.3 Development Goals

The Laurel Island Site and adjoining properties form a development site that can accommodate a mix of uses and is designed to create a walkable, pedestrian-oriented neighborhood enabling the creation of a vibrant public realm including water related public uses such as a fishing pier and a transient dock. With unparalleled access to the Cooper River and Charleston Harbor, enhancing public access to the riverfront and marsh area is the focal point of this plan.

The Laurel Island PUD is based on the following development principles:

- Providing workforce housing (approximately 10% of all housing on Laurel Island)
- Providing active public access to Town Creek and the Cooper River waterfront
- Creating flexible development blocks subject to change over time
- Encouraging sustainable design and development strategy
- Enhancing pedestrian and bicycle connectivity
- Enabling creation of vibrant public realm
- Accommodating a diverse range of use
- Respecting the neighboring historic parcels and structures in the design of the Laurel Island Community.

2.4 Workforce Housing

Upon completion of the development, at least 10% of all housing on Laurel Island shall be Workforce Housing in perpetuity. During the development of Laurel Island, the percentage of Workforce Housing may be less or more than 10% during the development of Laurel Island, but Workforce Housing shall mean housing for families and individuals earning, at the time of occupying such housing, no more than 80% of the AMI for the City of Charleston. Nothing herein shall prevent or prohibit the relocation, replacement, or reduction (of the overall percentage) of Workforce Housing within Laurel Island from time to time, provided the overall percentage of Workforce Housing shall not, upon completion of the development of Laurel Island, be less than 10%.

Section 3: Land Use

3.1 Area Breakdown

Below is a breakdown of the Laurel Island PUD's total project acreage, open space and rights-of-way. The development of the Total Developed Area, Total Open Space Area, and Total Usable Open Space Area may occur over the course of many years and in many phases and in differing proportions than the final developed proportions set forth in the Area Breakdown below, but never falling below the minimum requirements set forth in the Zoning Ordinance in effect as of the date hereof.

Total Project Area	196.1 ac.	
Total Developed Area (Blocks, Parks, & R/W)	165.3 ac.	84.3% of Total Area
Total Marsh/Wetland/Open Water Area	30.8 ac.	15.7% of Total Area
	Sum = 196.1 ac.	100% of Total Area
Total Open Space Area (Parks, Marsh, River, Creeks, etc.)	39.2 ac	20% of Total Area
Total Usable Open Space Area (Parks, Paths, and Trails, Including all Walking and Cycling Trails, Public Piers and Docks)	9.8 ac	25% of Total Open Space

NOTE: Any change in the area breakdown in the future shall be a Minor PUD Amendment pursuant to the Ordinance, although never below minimums.

3.2 Net Density and Calculations

The Laurel Island PUD is a mixed-use property incorporating flexibility to accommodate appropriate development over time. The Laurel Island PUD is based on the Mixed-Use Zoning defined in Section 4.2. The table below summarizes the overall net density for the Laurel Island PUD*:

Zoning	Land Use	Area	Units
Mixed Use	Retail	276,500 sf	-
Mixed Use	Office	2,200,000 sf	-
Mixed Use	Park	9.8 acres	
Mixed Use	Hotel	-	400 rooms
Mixed Use	Residential	-	4,260 dwelling units
Mixed Use	Movie Theatre		8 screens

*These densities/intensities represent the anticipated square footages or unit counts anticipated in the Laurel Island PUD. Should it be desired for one or more land use densities or intensities to increase, a corresponding reduction in densities or intensities for other uses shall be required pursuant to the Land Intensity Conversion Matrix provided in Appendix B, or, at the Laurel Island Internal Architectural Review Board's (LIBAR) option and upon approval of the City, an updated traffic study addressing so much of Laurel Island deemed relevant by the traffic engineer to determine. An updated traffic study shall be based on factors deemed relevant by such engineer to determine the amount permissible for such land use densities or intensities increase and corresponding decrease, if any. In addition, to enable flexibility over the duration of development, the net densities or intensities of a specific Land Use may be converted to a

different specific Land Use utilizing the Institute of Traffic Engineer’s Handbook, 10th edition (the “ITE”) equivalence.

As an example of the flexibility of using the ITE equivalence, suppose a use change is proposed from 10,000 sf of retail to a residential use. Based on the ITE equivalence, 87 residential dwelling units (DU) could be added in place of the 10,000 sf of retail space. The calculations based on the ITE Conversion Matrix are shown below:

$$10,000 \text{ sf} / 1,000 \text{ sf} = 10 \quad 10 * 8.659 = 87 \text{ residential DU substitution for 10,000 sf of retail space}$$

As parcels are platted, the City shall be notified by the LIBAR of the specific land use density/intensity assigned under each conveyance and whether such density/intensity may be converted using the ITE Conversion Matrix by a licensed engineer.

To reach the development density identified above, three access points are required. In addition to an existing access point from Romney Street, construction of a bridge from Cool Blow Street as well as an access from Brigade Street will occur. The following table summarizes the development threshold required for each access point.

Development Threshold by Access Point Provided Schedule*	
Access Point	Percentage of development before subsequent access point is required (%)^{3,4}
1. Romney Street ¹	0-30%
2. Cool Blow Street ²	30-60%
3. Brigade Street	60+%

¹ Analysis of development threshold for Romney Street access was based on point of unacceptable LOS E, per HCM 2010 methodology of the Morrison Drive & Romney Street intersection (with proposed improvements, per the traffic study).

² Analysis of development threshold for Cool Blow Street access was based on point of unacceptable LOS E, per HCM 2010 methodology of the intersection of Meeting Street & Cool Blow Street (with proposed improvements, per the traffic study).

³ Percentage of development corresponds to the percentage of development required to produce said percentage of PM peak hour trips, assuming a 1:1 ratio of development percentage to PM peak hour trip generation percentage. In other words, 40% of development is assumed to produce 40% of the total projected PM peak hour generated trips given the full buildout condition. PM peak hour trips were used in this analysis as the generation of trips is higher in the PM peak hour than the AM peak hour, generally causing worse delay throughout the study area.

⁴ Percentage of development indicates the percentage at which the access point (and any previous access points) are acceptable. So, Romney Street as the sole access to the site is acceptable (according to the methodology described in footnotes 1 and 3 above) for up to 40% of the planned development on the site. Beyond 40% development, the intersection of Morrison Drive & Romney Street becomes over capacity, requiring the subsequent access point along Cool Blow Street to be available to patrons of the site. The Romney Street and Cool Blow Street access points to the site provide acceptable levels of delay at the entrance intersections until 70% development is reached, beyond which the third access point, along Brigade Street, is needed to mitigate delay at the other access point intersections.

* This table assumes that other improvements throughout the study area, as indicated in the traffic study, are completed as needed and warranted throughout the development of the site.

Special event uses such as athletic and performance venues shall not be deemed to create and shall be excluded from any calculations of new, external trips and shall instead be subject to a traffic management plan.

3.3 Adequate Public Facilities

No infrastructure is currently present on the Laurel Island Site. Coordination with public facility providers is provided in Appendix D. New infrastructure shall be constructed in a timeframe such that adequate public facilities are provided for new development.

Section 4. Zoning Criteria

The development of the property must maintain flexibility to accommodate specific soil conditions, environmental concerns, physical constraints, market conditions, and design parameters. As such, the exact locations of boundary lines between development tracts, the locations and sizes of land uses in the development areas and the preliminary planning concepts for the tracts and uses are not indicated on the Conceptual Land Use Plan.

4.1 Development Standards

Below is a breakdown of development standards in the Laurel Island PUD. All amenity areas, facilities and public streets shall be subject to ADA requirements, as applicable. More details will be provided in the Design Principles as approved by the process outlined in Section 13:

Development Standards Summary	
Lot Requirements	
Lot Size	No minimum
Accessory Building	NA: addressed in private design principles
Loading Docks	NA: addressed in private design principles
Minimum Setbacks*	
Setbacks and Frontage	Street Side: 0 feet Side Yard: 0 feet Rear Yard: 0 feet
Maximum Height**	
Building Height District	Height District 2.5-3.5 (See Sec. 54-306.C.) Height District 5 (See Sec. 54-306.F.) Height District 8 (See Sec. 54-306.H.)

See Appendix A for the Conceptual Height District Plan. Height district locations may be adjusted to abut future rights-of-way, whether inward or outward.. Such district adjustments and any references in the height district text of the Zoning Ordinance to the BAR shall be approved by the LIBAR.

* Encroachments such as canopies, arcades, and awnings may project into the right-of-way but must be minimum 2'-0" clear of any parking or travel lane, and must be 8'-0" minimum above grade to the underside of the encroachment. Design Principles shall address front setbacks.

** Parcels in the Laurel Island PUD are outside the Old City Height District

- Non habitable structures are not subject to height limits
- Usable ground floor to second floor height shall be in excess of 12 feet for non-residential structures
- Architectural features and roof structures (screening elements, spires, cupolas, elevator penthouses, HVAC, etc) are excluded. Design Principles shall address individual story height based on use.
- All future structures shall have a fire protection plan in accordance with the Charleston Fire Department, Fire Marshal site plan review standards.

4.2 Permitted Uses; Hours

Permitted uses in the Laurel Island PUD (hereinafter, “Mixed-Use Zoning”), shall be any and all permitted, conditional, and special exception uses provided for in the General Business and Upper Peninsula zoning classifications and any overlay districts thereon, set forth in the City of Charleston Zoning Ordinance Article 2, Part 3 as amended through approval date of _____ with the exception of the excluded uses listed below. Hours of Operation shall not be restricted by zoning and uses, but shall be determined by the Laurel Island Property Association (“LIPA”). Any outdoor concert venue on Laurel Island shall be permitted to play amplified music until 11:30 pm.

Excluded Uses:

- Dairy farms
- Mobile home dealers
- Motor vehicle dealers
- Automotive repair shops
- Fish hatcheries and preserves
- Recreational and utility trailer dealers
- Cemeteries
- Stables
- Sewage treatment systems
- Crematories
- Tattooing services
- Mining/Quarrying of nonmetallic minerals, except fuels
- Gas Production and Distribution
- Petroleum and petroleum products wholesalers
- Gasoline service stations
- Shipping container storage
- Indoor shooting range
- Firearm sales
- Adult Uses, as defined in the City of Charleston Zoning ordinance
- Casinos, as defined in the City of Charleston Zoning ordinance

4.3 Parking Standards

There will be no minimum or maximum parking standards for the properties included in the Laurel Island PUD. Parking standards shall be addressed in the Design Principles (see Section 13).

Section 5. Outdoor Space and Buffers

5.1 Outdoor Space Requirements

The Laurel Island PUD envisions a minimum 9.8 acres of public open space throughout the site. The majority of this acreage will be found on the waterfront, creating a continuous park that stretches into the marsh around the development.

Total Open Space Area:	39.2 ac. (Minimum 20% gross area)
Total Usable Open Space Area:	9.8 ac. (Minimum 25% gross open space area)

Ownership and Maintenance: Open spaces that are, in whole or in part, improved and/or maintained with Tax Increment Finance revenue, may be owned by the City of Charleston (as approved by the City). Open spaces not dedicated to the City of Charleston will be owned and/or maintained by LIPA.

5.2 Outdoor Space Types

Open space types at Laurel Island may be designed using the following City definitions as stipulated in Section 54-284 of the City of Charleston Zoning Ordinance:

Neighborhood Greens—Open green spaces intended to serve as the social center of the community and provide a location for civic activities and outdoor community functions.

Neighborhood greens shall:

- Be predominantly planted areas, but may have some paved surfaces; and
- Be centrally located within the gathering place.

Plazas/Squares—Enclosed spaces that are urban in nature and designed to serve as meeting places for area residents and workers. Plazas and squares shall:

- Be predominantly paved surfaces, but may have some planted areas;
- Include pedestrian lighting and pedestrian-level details, such as variations in paving types;
- Be landscaped and incorporate amenities such as benches, fountains, monuments, and formal or informal gardens;
- Be located within denser, more urban areas of the gathering place, either at the intersection of streets or within a developed block;
- Be mostly enclosed by building frontages;

Neighborhood Parks—Large open areas designed to provide recreational facilities and spaces for the entire gathering place, or smaller green spaces designed to serve smaller areas within the

gathering place. These parks may be designed as part of a Neighborhood Green, and shall:

- Contain grassy fields, playground equipment, designated sports facilities, or picnic areas;
- Be landscaped throughout;
- Be designed for active and passive recreational purposes; and
- Be directly connected to any bicycle and pedestrian network

See Appendix A for the Conceptual Open Space Plan.

Section 6. Buffers

Buffers are not required internal to the Laurel Island PUD between land uses. There shall be a 40' buffer from the critical line and 10' additional building setback. Section 54-347 of the City of Charleston Zoning ordinance shall govern the landscape buffer adjacent to the OCRM critical line. Pedestrian amenities may be located within buffers and setbacks. Refer to Appendix F, Exhibit 5.

Section 7. Tree Summary

There is minimal tree cover on the Laurel Island Site – refer to Appendix F, Exhibit 2: Aerial. Existing trees are primarily located in the critical line buffer zone. Tree protection shall be in compliance with the City of Charleston Zoning Ordinance. Due to the nature of Laurel Island previously being a landfill, the planting of trees on Laurel Island shall be determined by the LIBAR and shall not follow or be bound by the requirements of the Ordinance. Within City owned and maintained property, plantings shall be approval by the City of Charleston Parks Department. Parcels not on the Laurel Island Site (Parcels III, IV, and V) shall be subject to City tree planting requirements.

Section 8. Right-Of-Way

Within the Laurel Island Site there are plans to establish a new roadway network with typical street types (see Appendix A). Roadways constructed to City standards shall be dedicated public streets unless it is in the best interest of the developer to privately maintain. Any roadways not dedicated as a public street shall be permitted to utilize gravel, dirt and boardwalk surfaces. East-west streets shall have view corridors extending to Town Creek.

As stated in Section 4.1, ADA compliance shall be provided, by providing, at a minimum, accessible routes between right-of-way, parking, public transportation, amenities, and entrances. Vehicles, public transportation, bicycles, and pedestrians will be accommodated by the new roadway infrastructure. Public facilities such as new sidewalks on Romney Street (5-foot wide on the north and 10-foot wide on the south side) are proposed as a part of the project. Transit infrastructure will be required and shall be approved as part of site plan review based on requirements set forth in the Zoning Code. Sight distance visibility at all exits and/or intersections will be maintained in accordance with SCDOT's Access and Roadside Management Standards Manual.

Section 9. Drainage Basin Analysis

9.1 Flood Zone

A copy of the 2004 FEMA flood maps as well as the 2016 Preliminary Maps can be found in Appendix F. The 2004 FIRM (Flood Insurance Rate Map) identifies the Laurel Island Site within Flood Zones X, AE-13, and AE-14 (NGVD-29). The existing elevation of the Laurel Island Site ranges from 12 to 22 NAVD 88 (see Appendix F, Exhibit 4). While the outer edges of the Laurel Island Site within or near the critical line will be subjected to the base flood elevation, the developable highland of the site is above the surrounding base flood elevation. Parcels III, IV, and V are in Zone AE-13. All construction will comply with the current City of Charleston Building Code.

9.2 Existing Topography and Drainage

The Laurel Island Site currently is a pervious landform with existing drainage conveyed by overland flow and swales to its release to adjacent marshland of Town and Newmarket Creeks as illustrated on Appendix F, Exhibit 6. Parcel V (995 Morrison / County parcel) is primarily impervious with existing ground at approximately elevation 6 with runoff collected by existing stormwater infrastructure maintained by the City or the SCDOT. Parcel III (railroad parcel) is primarily impervious with ground elevations of approximately 7 and drained by overland flow by an adjacent drainage ditch contributory to Newmarket Creek. The Brigade Street access parcel (parcel IV) is currently a compacted gravel roadway. Runoff is currently drained by a swale that runs through the property.

9.3 Wetlands Verification

The existing wetlands, critical line, and required buffers are identified on Appendix F, Exhibit 5. The Ocean Coastal Resource Management (ORCM) critical line and wetlands have been delineated by a professional natural resources consultant and identified on a plat by a licensed surveyor (see Appendix E). The delineations shall be submitted to regulatory agencies for review and approval.

9.4 Preliminary Stormwater Techniques

The proposed stormwater management system on the Laurel Island Site will be developed in consultation with the City of Charleston MS4. Drainage infrastructure on parcels I, II, and VI, as identified above, will include new conveyance piping, quality treatment practices, and outfalls to Town Creek/Cooper River. For stormwater quantity peak rates and volumes, proposed development will retain natural drainage features where possible and deploy lower-impact techniques to control and promote reductions to a practical extent; however, stormwater detention ponds will not be part of the management plan. Should rates and or volumes exceed pre-development conditions, variance to this requirement within the City Design Manual will be proposed on the grounds that 1) excavation for detention ponds into the landfill cap and underlying municipal solid waste or within any part of the perimeter containment dike is not authorized by DHEC's Bureau of Land and Waste Management and 2) the downstream receiving

waterbody is Town Creek and Charleston Harbor which does not present a flooding risk or create adverse conditions to adjacent properties.

Coordination with the City shall be required to determine design requirements in relation to the City of Charleston's Stormwater Design Standards Manual. Primary water quality treatment will be accomplished with engineered devices that do not rely on infiltration and will minimize leaching into the existing underlying municipal solid waste layer. Proposed road rights-of-way will include trees and streetscape planted within filtration enclosures that are connected to the main conveyance system. Additionally, to maintain compliance with the City's Flooding & Sea Level Rise Strategy, which suggests designing for sea level rise of 2 to 3 feet in the next 50 years, outfalls shall be located at an elevation such that they are not tidally influenced and allow for energy dissipation and additional quality treatment through vegetation prior to release from the Site.

Stormwater management on the other three properties included in this PUD (Parcels, III, IV, and V) shall be subject to the stormwater requirements of the City that are current at the time of project submission, absent a separate agreement between the Property Owner and City specifying the required improvements for development of the Property.

Storm drainage during construction shall be designed to meet or exceed local, state and federal regulations involving stormwater flows, siltation, erosion control and water quality which are prevailing at the time. Appropriate best management practices (BMPs) shall be installed and maintained to preserve water quality of adjacent water bodies as a part of the Stormwater Pollution Prevention Plan.

Section 10. Traffic Study

A traffic impact analysis was conducted for the Laurel Island project in accordance with SCDOT and The City of Charleston guidelines. Access to the development is provided through one existing intersection along Morrison Drive via Romney Street, one proposed entry/exit via Brigade Street (upon completion of a proposed bridge over the existing parallel rail tracks), and one proposed entry/exit via Cool Blow Street (upon completion of a proposed Cool Blow Bridge over Morrison Drive and the existing parallel rail tracks).

The results of the intersection analyses indicate that thirteen of the study intersections currently experience or are projected to experience undesirable delay during the peak periods with or without the Laurel Island project. Therefore, improvements were evaluated. Recommended improvements can be found in Appendix B.

Section 11. Cultural Resources Study

A cultural resources reconnaissance survey of Laurel Island has been conducted. The Historic Resources Impact Assessment includes a visual impact analysis to identify potential adverse effects of the proposed development. The analysis examined potential impacts to the William Enston Home, Magnolia Cemetery, the Immigration Center, and the Charleston City Railway Car House. Please refer to Appendix C for the full report.

Section 12. Letters of Coordination

North Charleston Sewer District
Charleston Water System
Dominion - Gas
AT&T
Dominion-Electric
Charleston County School District

Section 13. Additional Information

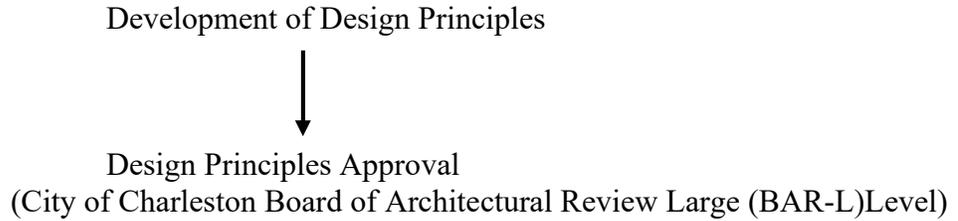
13.1 Design Review and Modifications

Design Principles shall be established by the developer and administered by the POA in the form of an internal architectural review board (the “LIBAR”), which shall be established prior to the first conveyance of property. Design Principles shall be approved by the City of Charleston Board of Architectural Review (BAR-L) and these guidelines shall be used for evaluation of individual projects and signage by the LIBAR and City staff. City staff shall review and approve all projects for design principle compliance prior to a project receiving final TRC (Technical Review Committee) approval. Any appeal by an individual property owner of any decision of the LIBAR shall be appealed to the BAR-L or BAR-S, as determined by Section 54-233, for approval. Any further appeal from the BAR-L or BAR-S shall be as provided by the Ordinance and the South Carolina Code. Design Principles shall cover the following elements in Laurel Island:

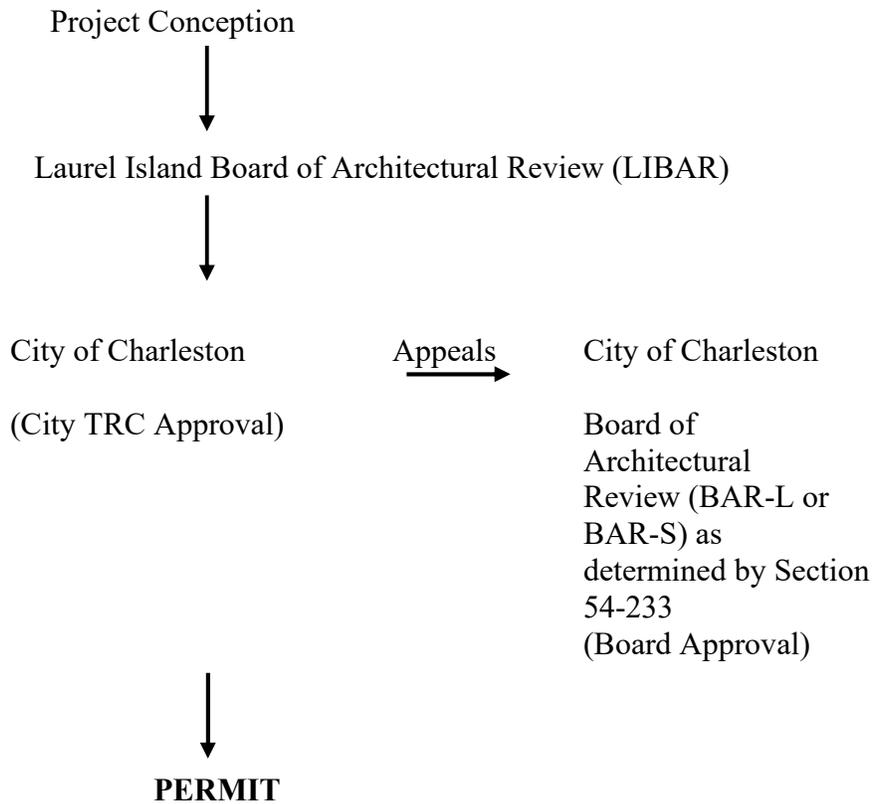
- Building Placement
- Architectural Design
- Site and Exterior Building Lighting
- Exterior Signage
- Landscape Design
- Parking Standards

Laurel Island Design Review Process

1. Design Principles/Architectural Guidelines Approval Process



2. Project Approval Process



13.2 Laurel Island Conceptual Master Plan

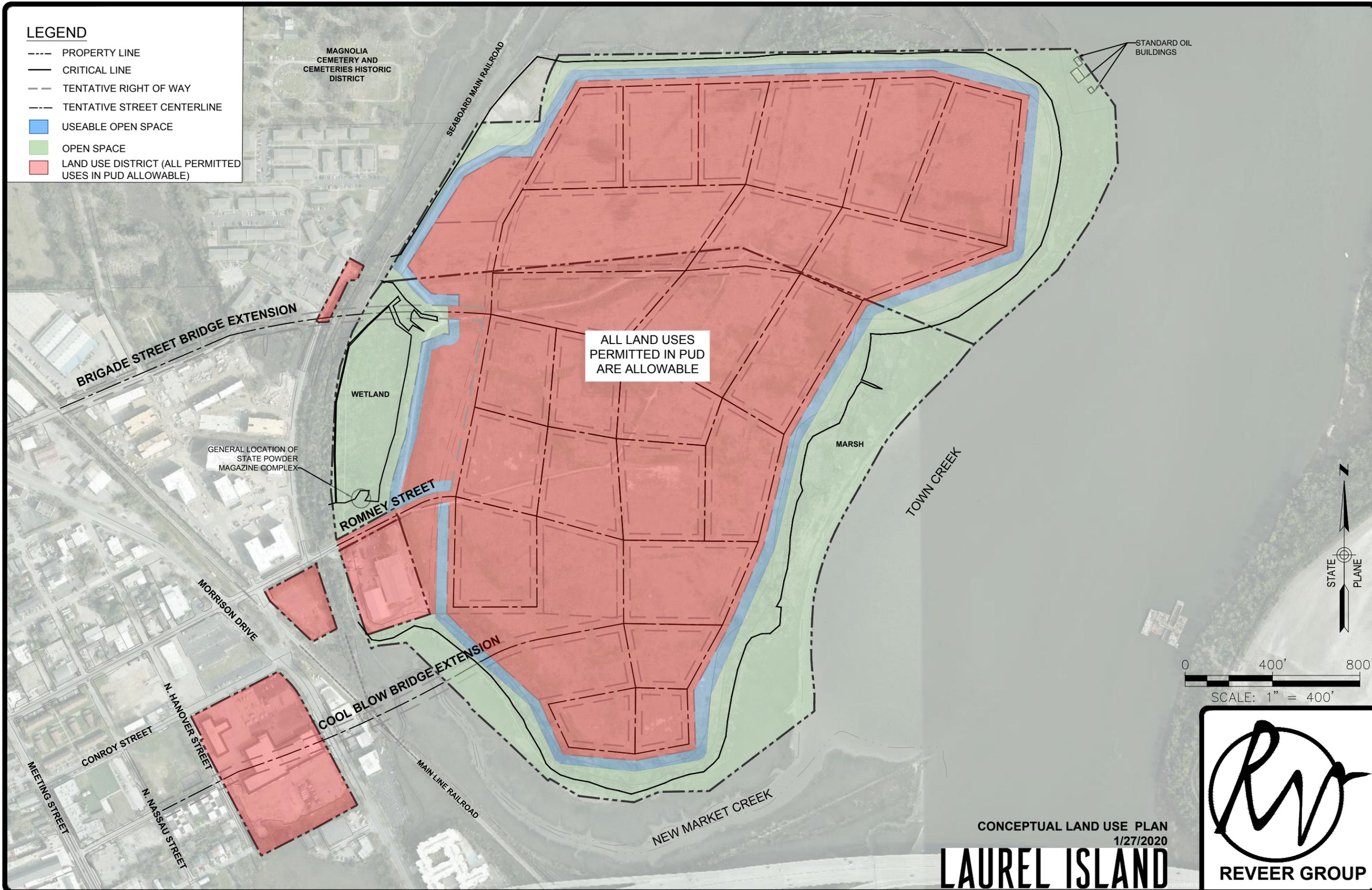
See Appendix A for Laurel Island Conceptual Land Use Plan.

APPENDIX A

Figures

LEGEND

- PROPERTY LINE
- CRITICAL LINE
- - - TENTATIVE RIGHT OF WAY
- - - TENTATIVE STREET CENTERLINE
- USEABLE OPEN SPACE
- OPEN SPACE
- LAND USE DISTRICT (ALL PERMITTED USES IN PUD ALLOWABLE)



ALL LAND USES
PERMITTED IN PUD
ARE ALLOWABLE

CONCEPTUAL LAND USE PLAN
1/27/2020
LAUREL ISLAND



LEGEND

- PROPERTY LINE
- CRITICAL LINE
- - - TENTATIVE RIGHT OF WAY
- - - TENTATIVE STREET CENTERLINE
- 2.5-3.5 STORY HEIGHT DISTRICT
- 5 STORY HEIGHT DISTRICT
- 8 STORY HEIGHT DISTRICT
- USEABLE OPEN SPACE
- OPEN SPACE



CONCEPTUAL HEIGHT DISTRICT PLAN
2/19/2020

LAUREL ISLAND



REVEER GROUP

LEGEND

- PROPERTY LINE
- CRITICAL LINE
- - - TENTATIVE RIGHT OF WAY
- - - TENTATIVE STREET CENTERLINE
- USEABLE OPEN SPACE
- OPEN SPACE
- ↔ MULTI-USE PATH
- EXISTING/FUTURE BICYCLE ROUTE

MAGNOLIA
CEMETERY AND
CEMETERIES HISTORIC
DISTRICT

CSX SEABOARD MAIN RAILROAD

BRIGADE STREET BRIDGE EXTENSION

WETLAND

ROMNEY STREET

MARSH

TOWN CREEK

MULTIPLE CONNECTIONS
TO EXISTING AND
PROPOSED BICYCLE
INFRASTRUCTURE (SEE THE
CITY OF CHARLESTON
PEOPLE PEDAL PLAN)

MORRISON DRIVE

COOL BLOW BRIDGE EXTENSION



SCALE: 1" = 400'



LOWLINE

METING STREET

CONROY STREET

N. HANOVER STREET

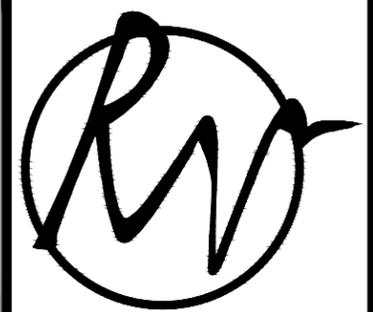
N. NASSAU STREET

CSX MAIN LINE RAILROAD

NEW MARKET CREEK

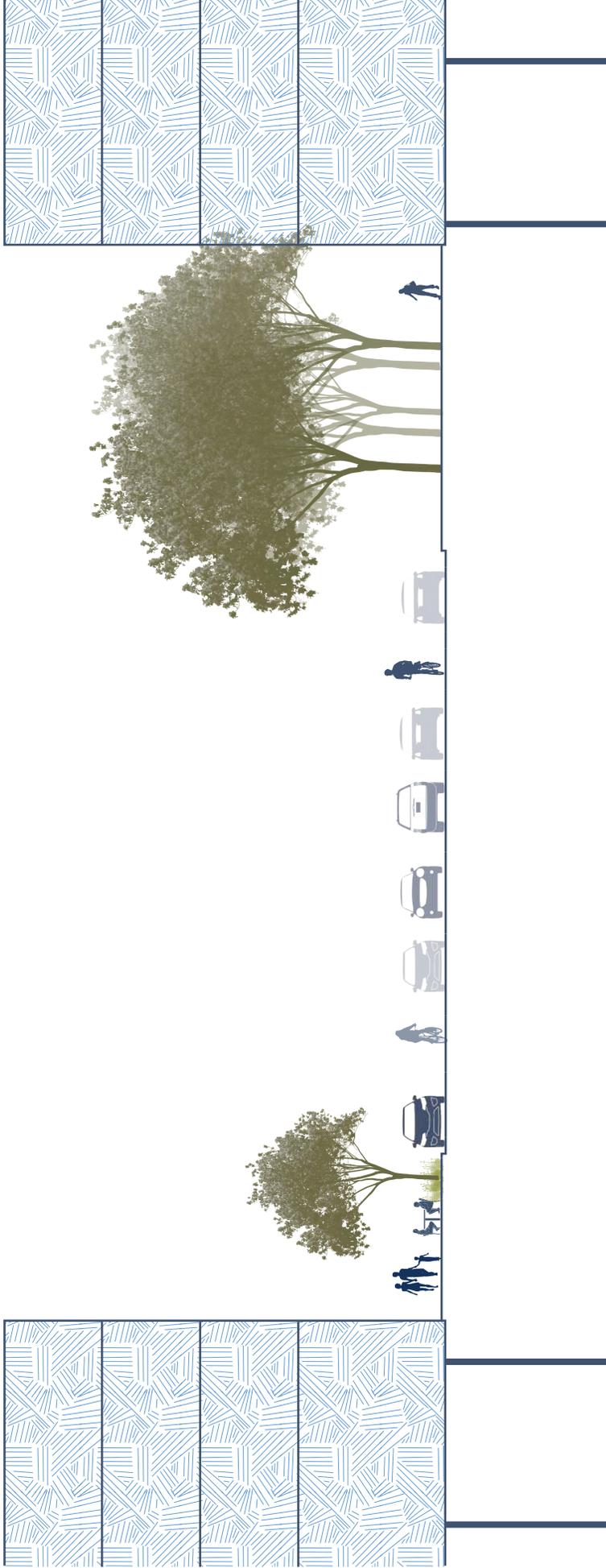
CONCEPTUAL OPEN SPACE PLAN
1/27/2020

LAUREL ISLAND



REVEER GROUP

street type a-2:



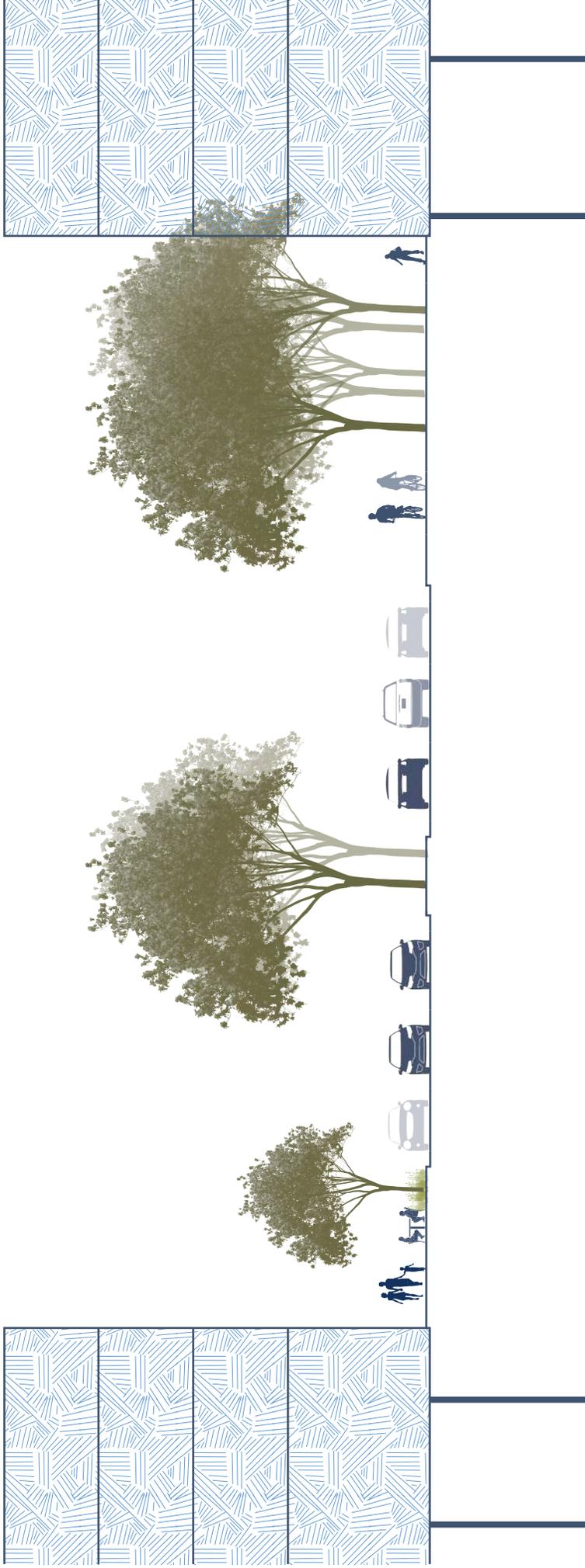
sidewalk zone	varies, min. 10'	planting zone*	varies, min. 6'-0"	curb / gutter	1'-6"	on-street parking	8'-0"	bike lane buffer	2'-0"	bike lane	5'-0"	drive lane	10'-0"	bike lane buffer	2'-0"	bike lane	5'-0"	on-street parking	8'-0"	curb / gutter	1'-6"	planting zone*	varies, min. 6'-0"	sidewalk	varies, min. 6'-0"						
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scale: 1"=20'-0"



*can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type a-3:



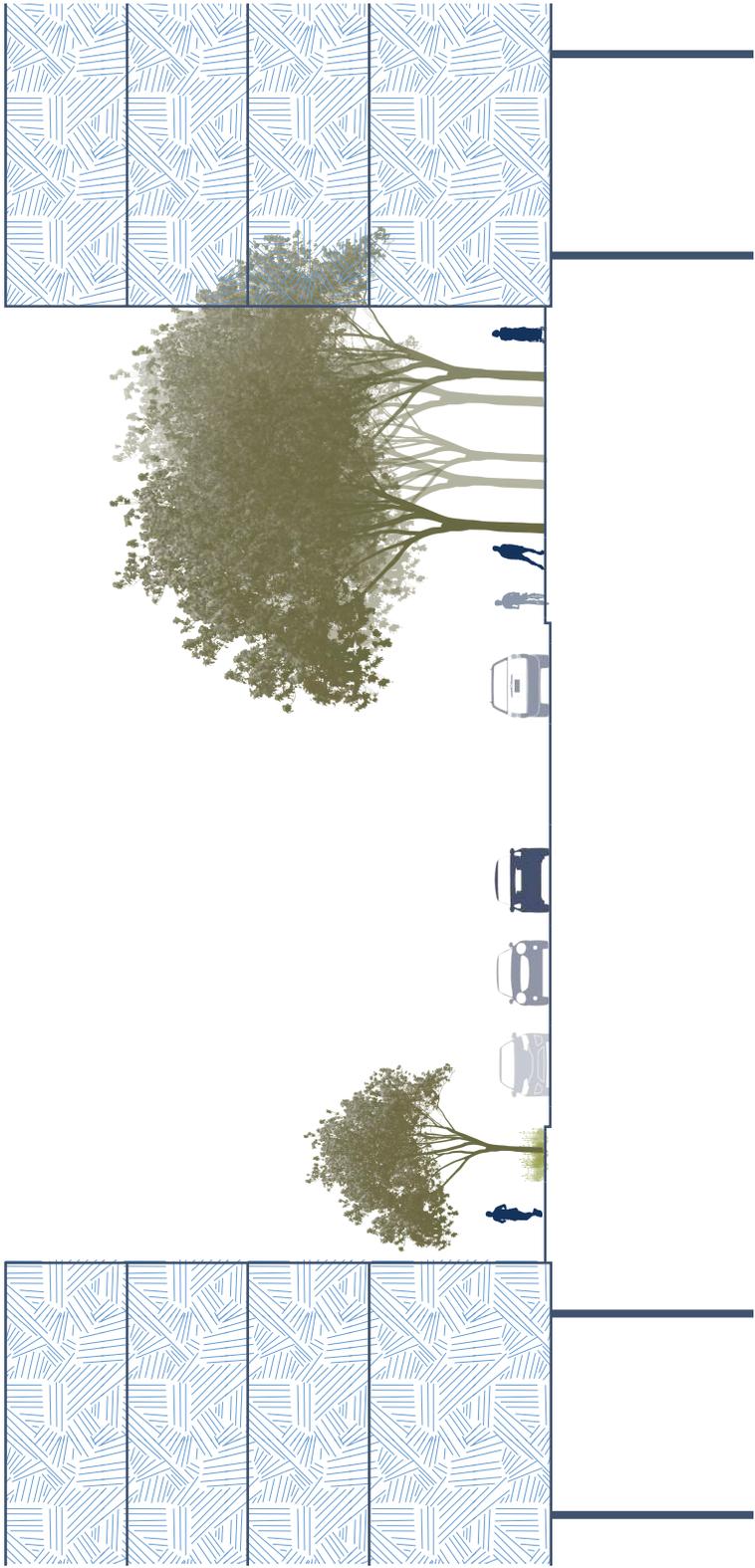
sidewalk zone	varies, min. 10' clear zone	planting zone*	varies	curb / gutter	1'-6"	on-street parking	8'-0"	drive lane	10'-0"	drive lane	10'-0"	median	varies	drive lane	10'-0"	drive lane	10'-0"	on-street parking	8'-0"	curb / gutter	1'-6"	sidewalk	min. 6'-0"	two-way bike lane	8'-0"	planting zone*	varies	sidewalk	min. 6'-0"
---------------	-----------------------------	----------------	--------	---------------	-------	-------------------	-------	------------	--------	------------	--------	--------	--------	------------	--------	------------	--------	-------------------	-------	---------------	-------	----------	------------	-------------------	-------	----------------	--------	----------	------------

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type b-1:



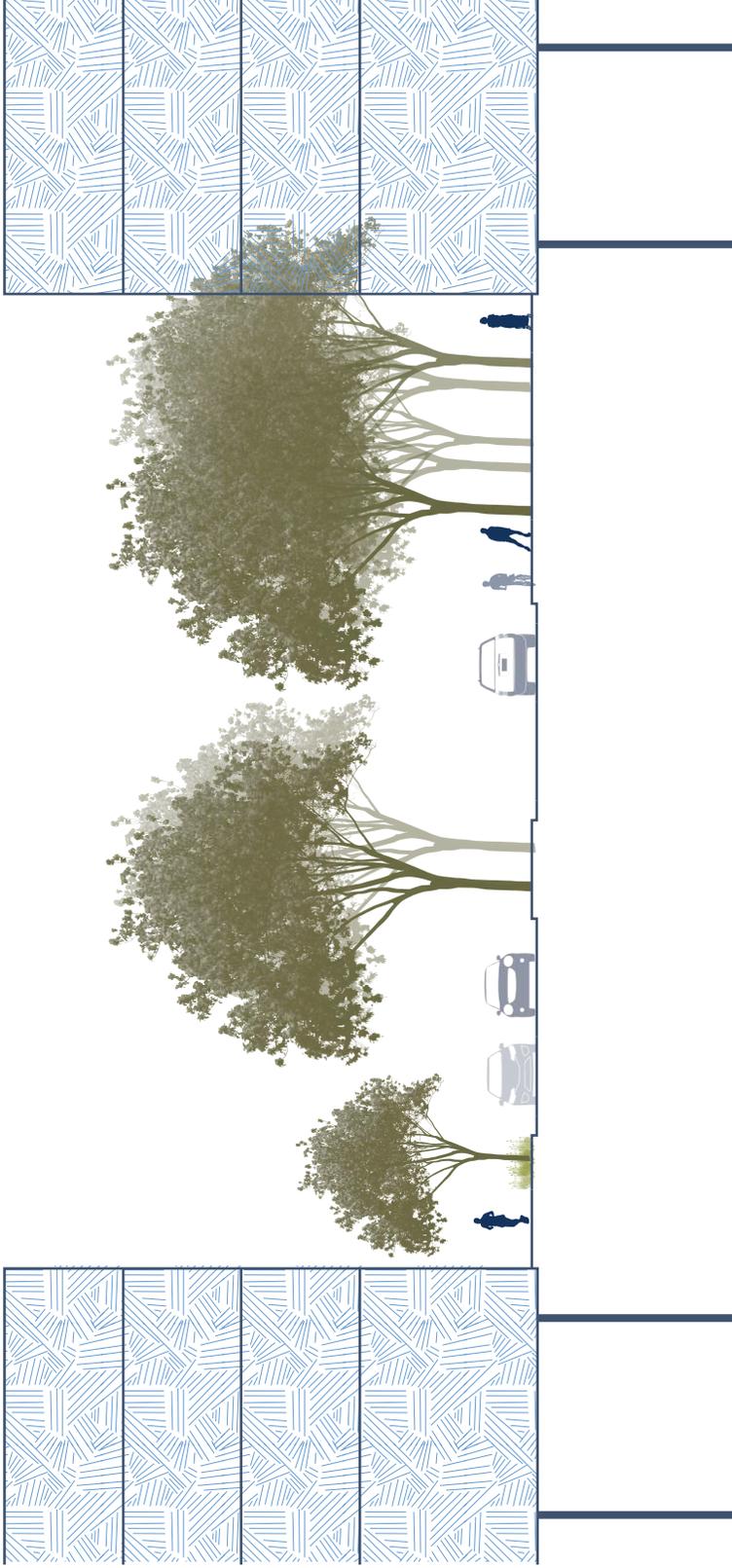
varies 6'-0" min.	sidewalk	varies, min. 10' clear zone	planting zone*	8'-0"	curb / gutter two-way bike lane	1'-6"	on-street parking	10'-0"	drive lane	10'-0"	drive lane	10'-0"	turn lane	10'-0"	drive lane	1'-6"	on-street parking	8'-0"	on-street parking	1'-6"	curb / gutter	planting zone*	varies	varies 6'-0" min.	sidewalk
-------------------------	----------	-----------------------------------	----------------	-------	---------------------------------------	-------	-------------------	--------	------------	--------	------------	--------	-----------	--------	------------	-------	-------------------	-------	-------------------	-------	---------------	----------------	--------	-------------------------	----------

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type b-2:



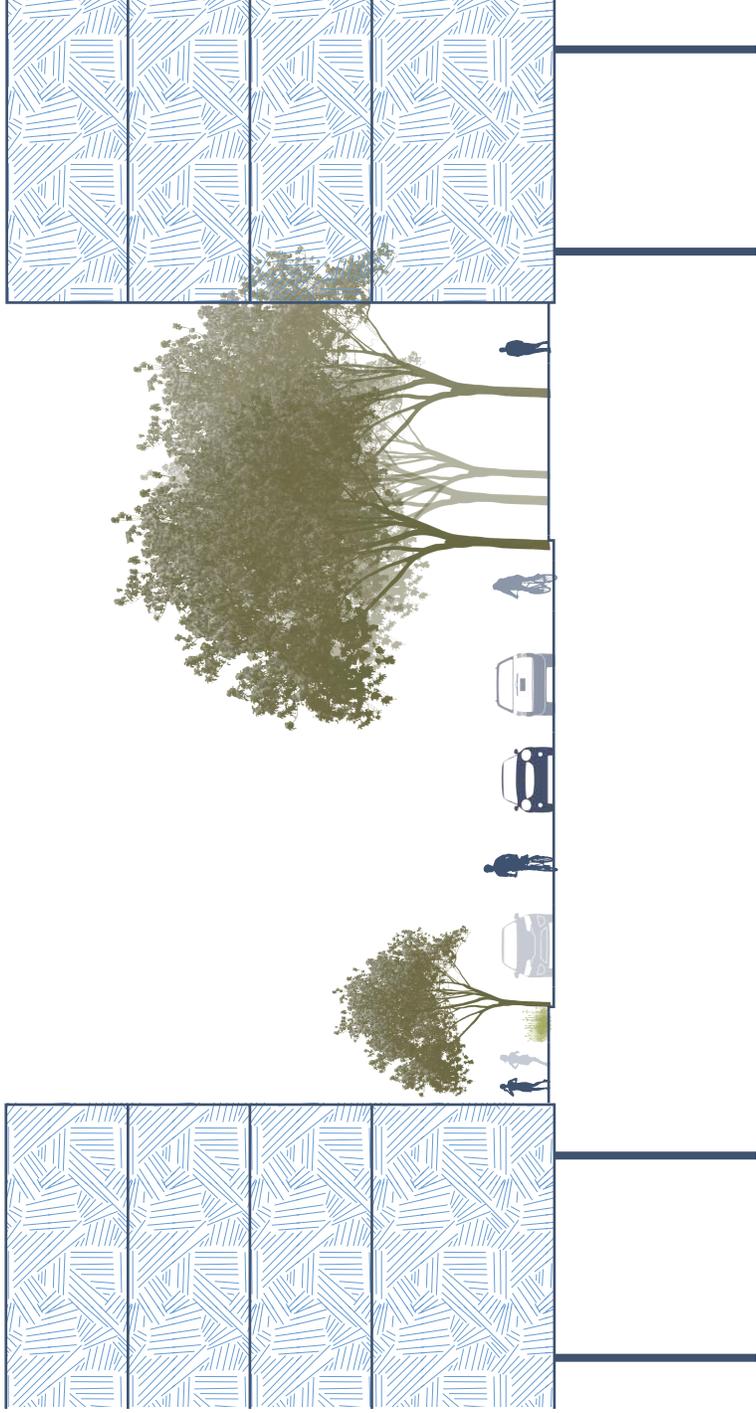
varies 6'-0" min.	varies min. 10' clear zone*	8'-0"	10'-0"	varies	10'-0"	8'-0"	1'-6"	8'-0"	10'-0"	varies 6'-0" min.
sidewalk	planting zone*	two-way bike lane	drive lane ←	median	drive lane →	on-street parking	curb / gutter	on-street parking	drive lane	sidewalk

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type c-1:



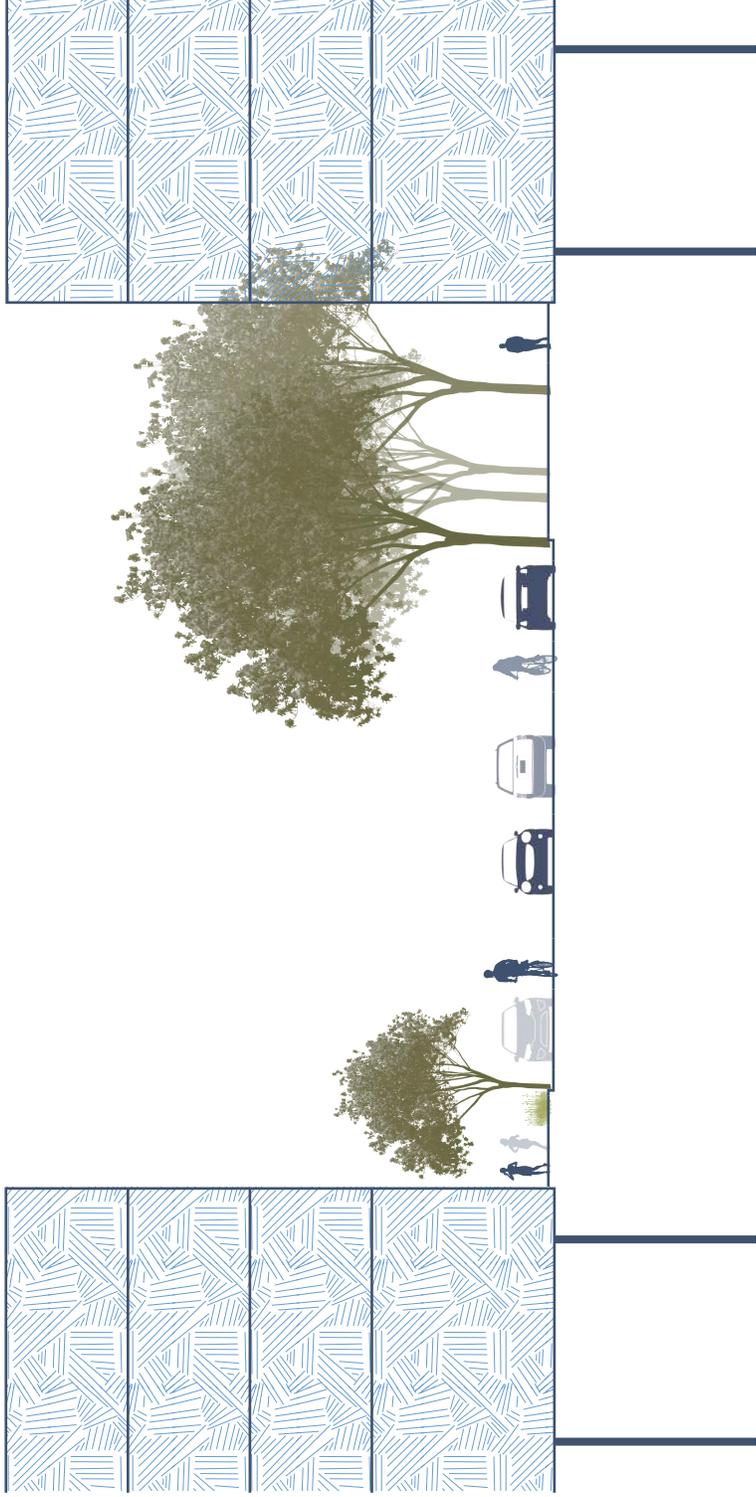
varies	6'-0"	min.	sidewalk zone
varies	6'-0"	min.	planting zone*
varies	6'-0"	min.	curb / gutter
8'-0"			on-street parking
5'-0"			bike lane
2'-0"			bike lane buffer
10'-0"			drive lane →
10'-0"			drive lane ←
2'-0"			bike lane buffer
5'-0"			bike lane
2'-0"			bike lane buffer
1'-6"			curb / gutter
varies	6'-0"	min.	planting zone*
varies	6'-0"	min.	sidewalk zone

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type c-2:



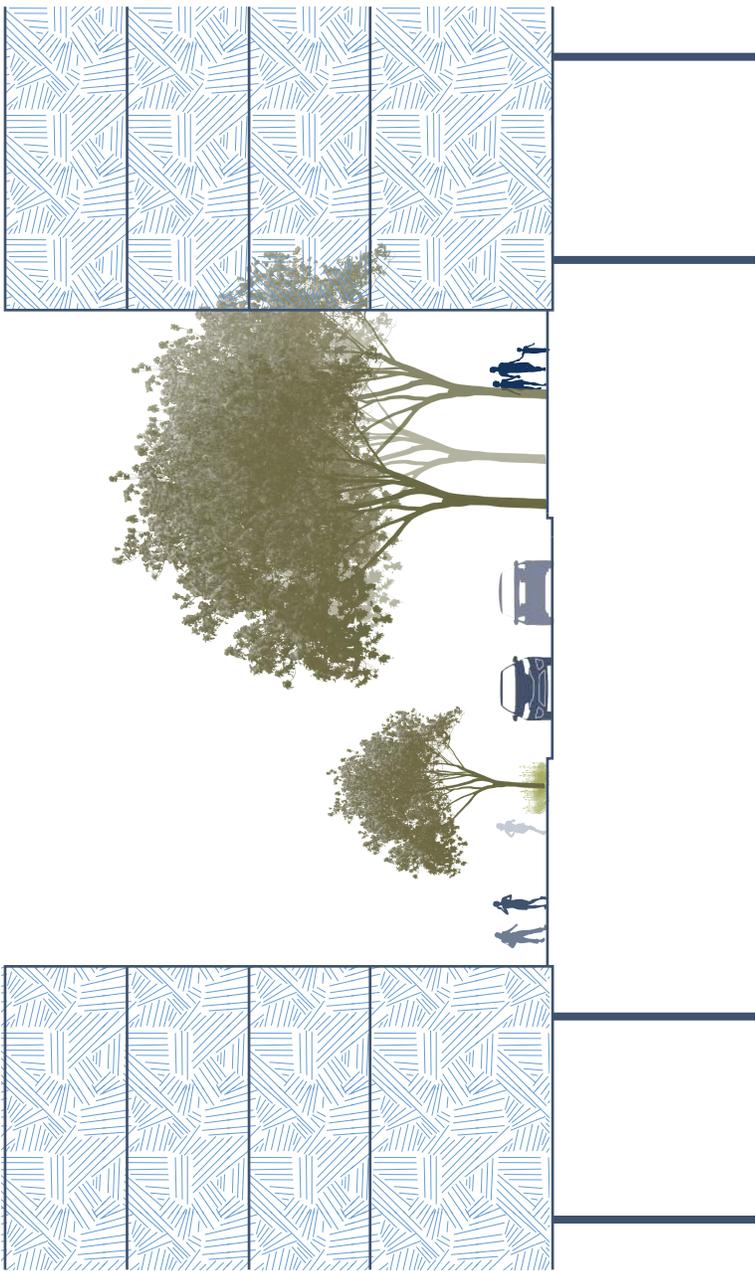
sidewalk zone	varies	6'-0" min.	sidewalk	varies	6'-0" min.
planting zone*	varies		planting zone*	varies	
curb / gutter		1'-6"	curb / gutter		1'-6"
on-street parking		8'-0"	on-street parking		8'-0"
bike lane		5'-0"	bike lane		5'-0"
bike lane buffer		2'-0"	bike lane buffer		2'-0"
drive lane		10'-0"	drive lane		10'-0"
drive lane		10'-0"	drive lane		10'-0"
bike lane buffer		2'-0"	bike lane buffer		2'-0"
bike lane		5'-0"	bike lane		5'-0"
on-street parking		8'-0"	on-street parking		8'-0"
curb / gutter		1'-6"	curb / gutter		1'-6"
planting zone*	varies		planting zone*	varies	
sidewalk zone	varies	6'-0" min.	sidewalk	varies	6'-0" min.

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type e-1:



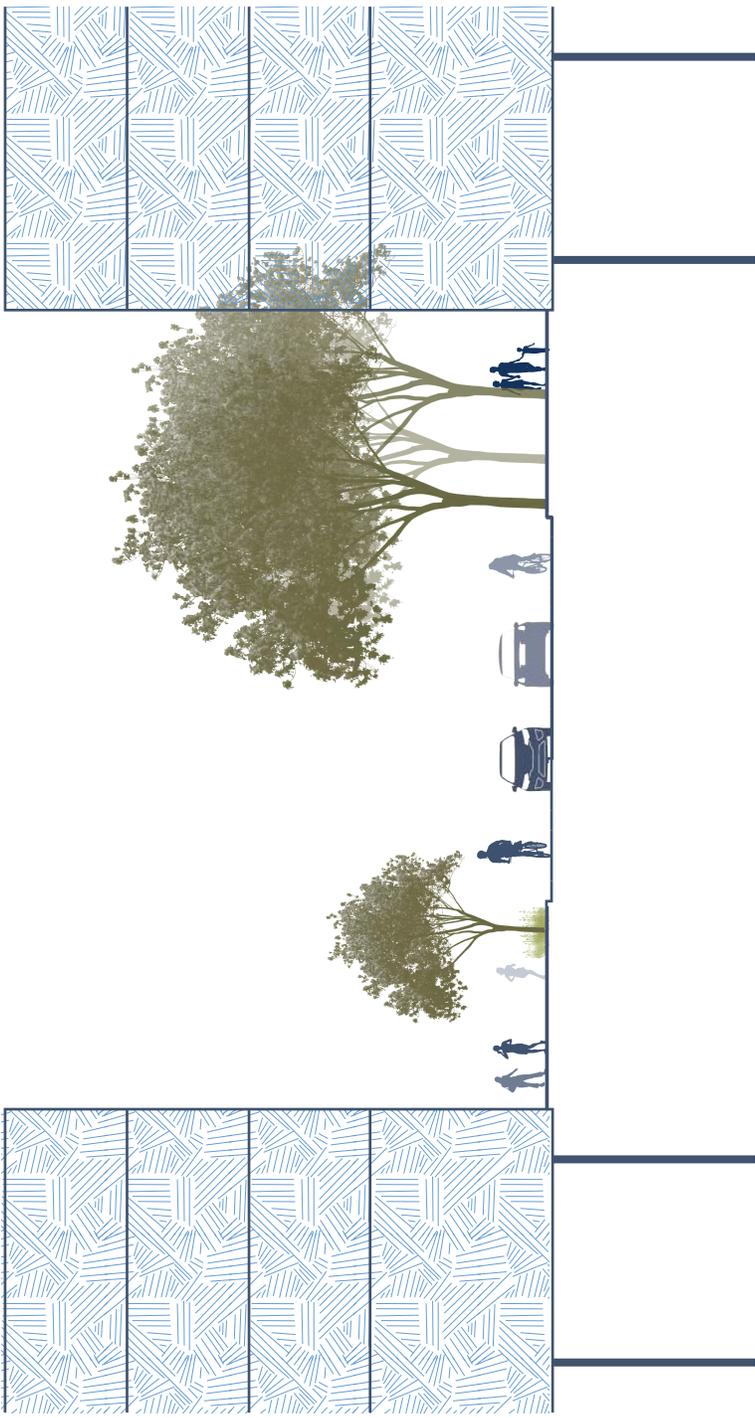
varies 6'-0" min.	sidewalk
varies	planting zone*
1'-6"	curb / gutter
10'-0"	drive lane ←
10'-0"	drive lane →
1'-6"	curb / gutter
varies	planting zone*
varies 6'-0" min.	sidewalk

scale: 1"=20'-0"



* can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

street type e-2:



varies	sidewalk	varies	planting zone*	varies	sidewalk
6'-0"		1'-6"	curb / gutter	2'-0"	
min.		5'-0"	bike lane	5'-0"	
		10'-0"	bike lane buffer	10'-0"	
		10'-0"	drive lane ←	10'-0"	
		2'-0"	drive lane →	2'-0"	
		1'-6"	bike lane buffer	1'-6"	
		varies	bike lane	varies	
			curb / gutter		
			planting zone*		
			varies		
			6'-0"		
			min.		

scale: 1"=20'-0"



*can be hardscape w/tree grates where appropriate
 ** street lights shall be provided on both sides of the street

APPENDIX B

Traffic Models

APPENDIX C

Cultural Resources Study

APPENDIX D

Letters of Coordination



Safeguarding today, preserving tomorrow
7225 Stall Road /P.O. Box 63009 North Charleston, SC 29419 843.764.3072

September 18, 2019

Reveer Group
2971 West Montague Avenue
Suite 101
North Charleston, SC 29418

Attn: Mr. Rhett Reidenbach

Re: Sanitary Sewer Service for Proposed Laurel Island P.U.D.

Dear Mr. Reidenbach,

Please be advised that North Charleston Sewer District has the means and will to accept sanitary sewer flow from the proposed Laurel Island P.U.D. NCSW has the capacity to accept the overall project proposed flow of 1,378,170 GPD for the development. However, it is noted that projected Phase 1 flows will have to connect at our existing sanitary sewer infrastructure located near the intersection of King Street Extension and Monrovia Street. Future flows beyond those of Phase 1 will need to be routed directly to our Felix C. Davis Wastewater Treatment Plant located at 1000 Herbert Street. The property owner is responsible for any sewer line modifications including but not limited to pump station upgrade/relocation, gravity extension, force main installation, etc. to serve the proposed P.U.D.

If you have any questions, please let me know.

Sincerely,

Phillip T. Sexton

Phillip T. Sexton, PE
Capital Projects Director

Cc: Jarred R. Jones
file



September 10, 2019

Reever Group/Jennilee Covucci
2971 W Montague Ave, Ste 101
North Charleston, SC
(843) 297-4103

Jennilee,

This letter is in response to your request for information on the availability of service at the proposed development of Laurel Island (TM# 4640000006, 4640000002, 4590200013, 4640000038, 4611303024, 4640000023, 4640000007,) in Charleston, SC 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.

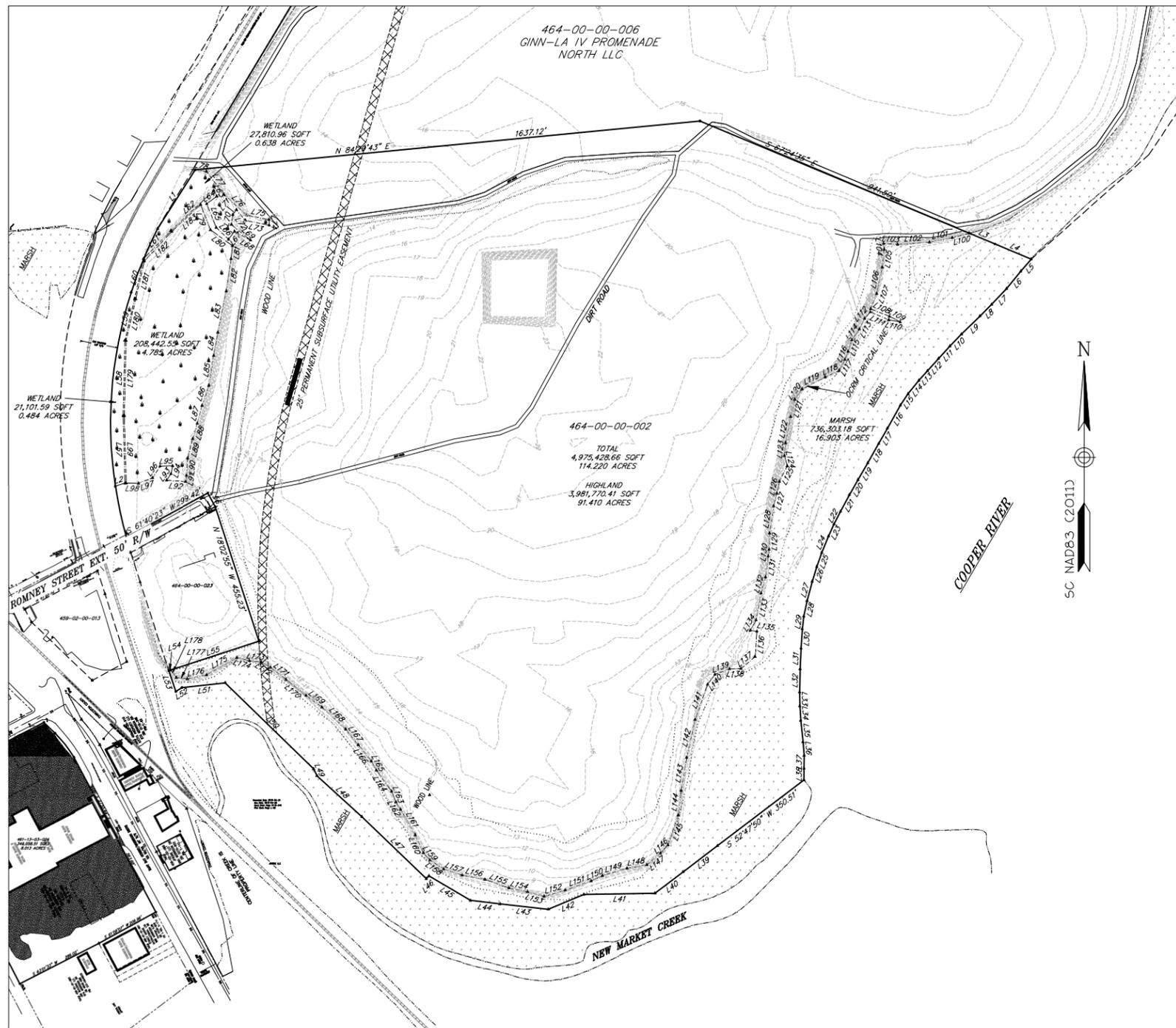
Sincerely,

A handwritten signature in cursive script that reads "Henry Domingo".

Henry Domingo
OSP Design Engineer
AT&T Southeast

APPENDIX E

Survey



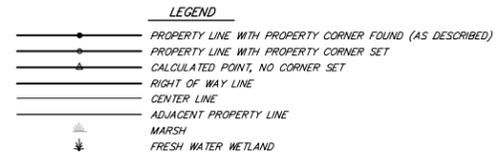
LINE	BEARING	LENGTH
L1	S 32°32'16" W	217.89'
L2	S 32°32'16" W	7.35'
L3	N 67°24'35" W	89.72'
L4	N 67°24'35" W	127.26'
L5	N 40°32'59" E	51.63'
L6	N 39°21'45" E	23.01'
L7	N 43°38'43" E	69.30'
L8	N 45°01'32" E	53.11'
L9	N 45°35'24" E	83.58'
L10	N 44°10'07" E	54.06'
L11	N 42°56'07" E	53.53'
L12	N 42°04'15" E	53.82'
L13	N 41°32'01" E	41.59'
L14	N 38°48'14" E	55.61'
L15	N 34°02'53" E	43.75'
L16	N 29°22'23" E	85.68'
L17	N 29°43'57" E	56.13'
L18	N 29°42'46" E	72.45'
L19	N 30°20'59" E	62.02'
L20	N 29°53'03" E	55.91'
L21	N 28°15'58" E	60.73'
L22	N 26°47'24" E	46.17'
L23	N 24°37'41" E	42.06'
L24	N 22°34'03" E	57.58'
L25	N 19°28'21" E	48.17'
L26	N 17°26'40" E	49.76'
L27	N 14°50'05" E	64.08'
L28	N 12°07'16" E	50.96'
L29	N 06°58'18" E	40.97'
L30	N 03°41'33" E	62.99'
L31	N 02°12'40" E	66.95'
L32	N 01°25'33" E	74.32'
L33	N 00°42'08" W	45.08'
L34	N 04°04'40" W	46.60'
L35	N 05°57'07" W	69.14'
L36	N 04°47'16" W	44.13'
L37	N 00°46'28" E	41.09'
L38	N 00°20'41" E	37.56'
L39	S 52°48'39" W	139.04'
L40	S 52°48'33" W	114.50'
L41	S 89°03'41" W	229.31'
L42	S 67°37'21" W	125.01'
L43	N 83°43'43" W	156.21'
L44	N 83°11'17" W	86.05'
L45	N 59°30'12" W	155.65'
L46	S 43°47'36" W	12.18'
L47	N 46°14'32" W	288.33'
L48	N 47°43'29" W	195.64'
L49	N 25°53'33" W	24.93'
L50	N 45°50'29" W	397.99'
L51	S 83°46'30" W	140.48'
L52	S 57°34'24" W	23.57'
L53	N 18°43'41" W	70.75'
L54	N 71°54'25" E	5.80'
L55	N 71°54'25" E	300.41'
L56	S 28°21'57" E	59.02'
L57	N 45°42'01" W	90.86'
L58	N 27°22'12" W	18.25'
L59	N 53°14'11" E	40.39'
L60	N 21°54'36" W	81.85'
L61	N 45°52'24" W	55.50'
L62	N 31°24'57" W	24.11'
L63	S 54°03'01" E	87.12'
L64	S 21°32'39" E	87.42'
L65	N 47°10'56" E	126.98'
L66	N 42°44'58" E	130.36'
L67	N 12°48'39" E	125.46'
L68	N 13°01'35" E	137.26'
L69	N 01°23'16" E	242.55'
L70	N 01°37'16" W	216.98'
L71	N 89°27'39" W	39.30'
L72	S 68°57'03" W	48.80'
L73	S 33°21'51" W	45.27'
L74	S 88°27'19" W	40.26'
L75	N 12°01'51" E	40.14'
L76	N 33°02'59" E	25.40'
L77	N 85°57'18" W	61.30'
L78	S 07°24'46" W	19.45'
L79	S 04°20'23" W	56.49'
L80	S 14°30'13" W	64.32'
L81	S 16°42'27" W	51.86'
L82	S 14°47'15" W	39.22'
L83	S 18°52'18" W	68.93'
L84	S 09°08'42" W	97.27'
L85	S 10°22'26" W	75.48'
L86	S 11°32'23" W	136.53'
L87	S 08°23'42" W	104.31'
L88	S 07°16'12" W	89.30'
L89	N 61°28'28" W	58.80'
L90	S 51°06'40" W	79.59'
L91	S 08°02'40" W	32.57'
L92	S 36°57'08" W	19.89'
L93	N 39°42'49" W	43.90'
L94	N 78°03'55" W	79.54'
L95	S 02°36'36" E	18.48'
L96	S 78°41'29" E	74.67'
L97	S 47°25'15" E	98.60'
L98	S 37°20'03" E	92.83'
L99	S 81°06'36" E	36.56'
L100	N 75°28'28" E	56.50'
L101	N 78°34'51" E	74.80'
L102	N 85°55'02" E	103.37'
L103	S 85°50'53" E	44.95'
L104	N 05°16'05" W	18.88'
L105	N 06°16'35" E	57.89'
L106	N 11°50'11" E	86.57'
L107	N 21°32'52" E	52.68'
L108	N 67°32'14" W	65.38'
L109	N 62°40'53" W	38.93'
L110	S 79°50'51" E	37.21'
L111	S 66°25'35" E	65.14'
L112	N 41°02'41" E	28.16'
L113	N 28°22'41" E	38.30'
L114	N 34°51'54" E	42.75'
L115	N 18°04'17" E	38.97'
L116	N 21°30'33" E	28.08'
L117	N 27°15'15" E	39.75'
L118	N 65°04'55" E	49.96'
L119	N 62°45'49" E	83.77'
L120	N 35°09'24" E	41.02'

- REFERENCES:
- PLAT SHOWING THE RELEASE OF PORTIONS OF A PERMANENT SUBSURFACE UTILITY EASEMENT PREPARED FOR THE COMMISSIONERS OF PUBLIC WORKS THROUGH THE PROPERTY OF S.C. STATES PORTS AUTHORITY, CHARLESTON COUNTY, CITY OF CHARLESTON, SOUTH CAROLINA, DATED OCTOBER 16, 2006 BY JODDIE R. PORTH SCPLS NO 16820. RECORDED IN PLAT BOOK EK, PAGE 199.
 - PLAT SHOWING THIS NO. 464-00-00-002 CONTAINING 116.653 ACRES, CSXPROPERTY ID NO. 45019-0037, OWNED BY HOLSTON LAND COMPANY, INC., LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, DATED NOVEMBER 20, 2002 BY RICHARD D. LACEY SCPLS NO. 16126. RECORDED IN PLAT BOOK EG, PAGE 619.
 - PLAT OF A 25' PERMANENT SUBSURFACE UTILITY EASEMENT PREPARED FOR THE COMMISSIONERS OF PUBLIC WORKS THROUGH THE PROPERTY OF GINN-LA IV PROMENADE, LLC, CHARLESTON COUNTY, CITY OF CHARLESTON, SOUTH CAROLINA, DATED NOVEMBER 30, 2005 BY JODDIE R. PORTH SCPLS NO 16820. RECORDED IN PLAT BOOK EK, PAGES 177-179.
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 - AREA DETERMINED BY COORDINATE METHOD.
 - THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
 - TOPOGRAPHIC INFORMATION SHOWN IS BASED ON NAVD 88 DATUM AS WAS PROVIDED BY OTHERS.

CURVE	LENGTH	RADIUS	CURVE TABLE		
			TANGENT	DELTA	DIRECTION
C1	801.91'	1357.86'	413.03'	33°50'14"	S 01°09'55" W 790.31'
C2	221.49'	1396.20'	110.99'	9°21'27"	S 22°43'54" W 221.25'

LINE	BEARING	LENGTH
L121	N 13°32'03" E	56.94'
L122	N 10°49'45" E	87.00'
L123	N 05°13'57" E	41.11'
L124	N 15°52'59" W	34.00'
L125	N 27°13'55" E	56.31'
L126	N 11°42'45" E	39.01'
L127	N 14°03'10" E	41.89'
L128	N 08°33'22" E	88.45'
L129	N 01°56'39" E	52.96'
L130	N 07°23'15" E	21.42'
L131	N 07°16'13" E	68.40'
L132	N 15°36'09" E	52.91'
L133	N 10°36'09" E	88.01'
L134	N 29°19'55" E	38.90'
L135	N 81°00'07" W	22.07'
L136	N 04°27'03" E	81.70'
L137	N 49°38'32" E	59.40'
L138	N 89°15'34" E	37.29'
L139	N 69°06'56" E	48.76'
L140	N 36°46'49" E	40.14'
L141	N 19°23'46" E	120.53'
L142	N 12°33'59" E	125.28'
L143	N 09°40'08" E	107.62'
L144	N 06°38'31" E	79.88'
L145	N 18°59'23" E	101.71'
L146	N 42°40'08" E	35.63'
L147	N 49°20'39" E	58.04'
L148	N 80°19'20" E	65.33'
L149	N 73°01'55" E	82.93'
L150	N 65°11'43" E	39.93'
L151	N 70°17'17" E	88.82'
L152	N 74°00'31" E	71.41'
L153	S 74°28'00" E	54.99'
L154	S 78°16'34" E	61.37'
L155	S 70°22'50" E	82.39'
L156	S 79°38'24" E	74.69'
L157	S 71°41'46" E	63.17'
L158	S 56°36'13" E	52.95'
L159	S 43°11'05" E	31.20'
L160	S 23°48'05" E	63.58'
L161	S 30°18'07" E	94.62'
L162	S 32°51'04" E	28.43'
L163	S 21°14'15" E	37.46'
L164	S 36°05'22" E	83.30'
L165	S 28°55'00" E	33.81'
L166	S 39°02'13" E	62.31'
L167	S 38°41'49" E	64.71'
L168	S 47°12'12" E	104.51'
L169	S 53°40'41" E	63.68'
L170	S 51°27'37" E	82.54'
L171	S 52°02'19" E	63.67'
L172	S 60°07'43" E	34.19'
L173	S 83°36'08" E	38.69'
L174	S 75°55'47" E	41.37'
L175	N 60°30'43" E	112.75'
L176	N 78°08'34" E	64.07'
L177	S 82°24'03" E	35.41'
L178	S 38°19'46" E	30.37'



THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE OFFICE IN NO WAY WAIVES THE RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREIN OR NOT.

SIGNATURE _____ DATE _____

The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

ANDREW C. GILLETTE

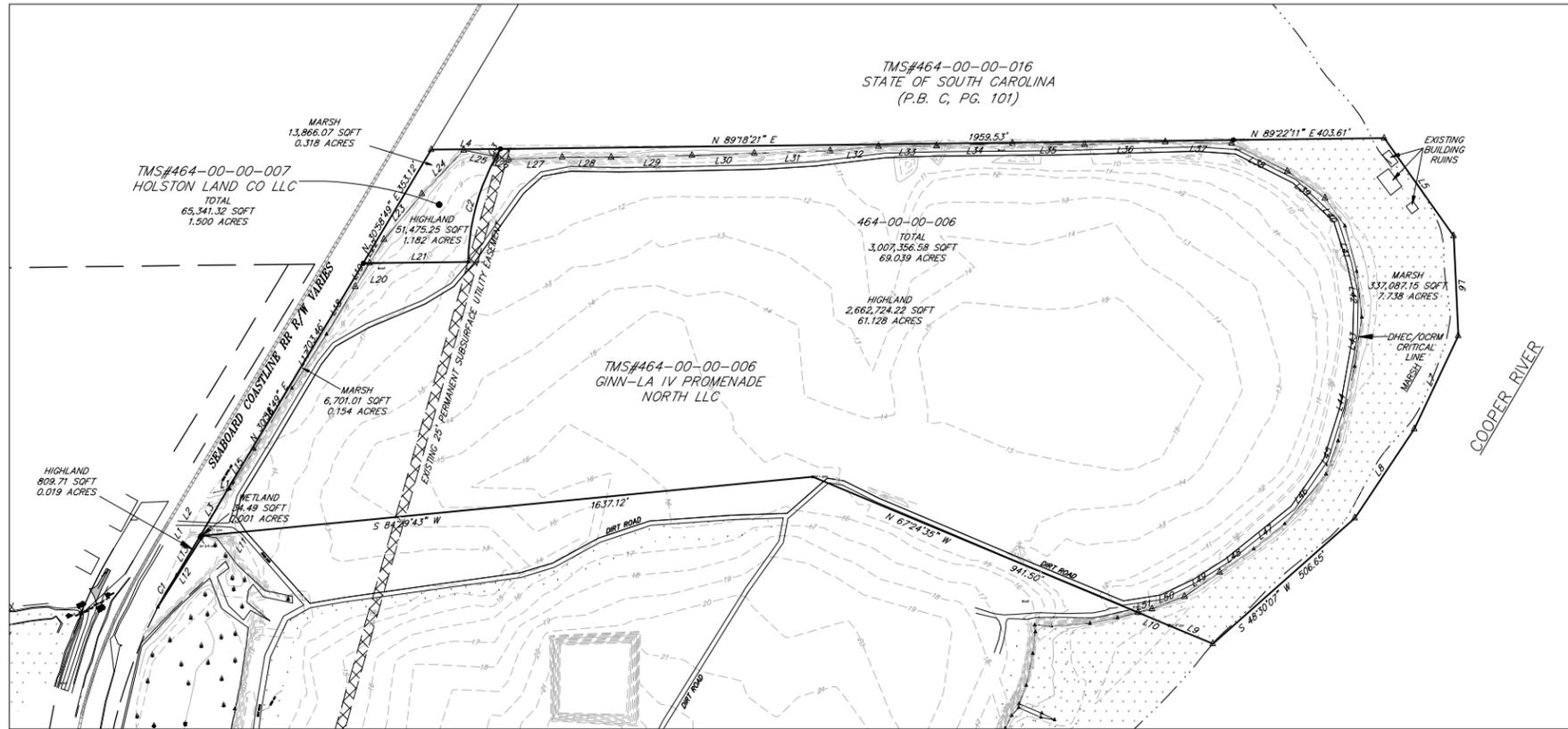
 P.L.S. 5933-B

TITLE: AN EXHIBIT SHOWING 4TMS 464-00-00-002 PROPERTY OF GINN-LA FUND IV PROMENADE NORTH LLC LOCATED IN THE CITY OF CHARLESTON CHARLESTON COUNTY, SOUTH CAROLINA

DESIGNED: CAC
 DRAWN: CAC
 CHECKED: ACC
 APPROVED: ACC
 SCALE: 1" = 200'
 DATE: 3/29/2019
 PROJECT NO.: 19-021
 SHEET 1 OF 1

REVISIONS: NO. DATE

PERKINS & WILL
 CERTIFICATE OF LICENSED SURVEYOR
 ANDREW C. GILLETTE
 LICENSE NO. 5933-B

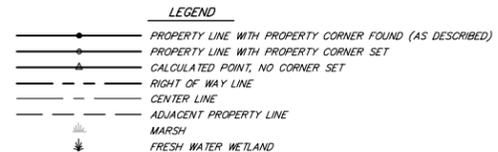


- REFERENCES:
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 3. PLAT OF A 25' PERMANENT SUBSURFACE UTILITY EASEMENT PREPARED FOR THE COMMISSIONERS OF PUBLIC WORKS THROUGH THE PROPERTY OF GINN-LA IV PROMENADE, LLC, CHARLESTON COUNTY, CITY OF CHARLESTON, SOUTH CAROLINA, DATED NOVEMBER 30, 2005 BY JODDIE R. PORTH SCPLS NO 16820. RECORDED IN PLAT BOOK EK, PAGES 177-179.
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 2. AREA DETERMINED BY COORDINATE METHOD.
 3. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
 4. TOPOGRAPHIC INFORMATION SHOWN BASED ON NAVD 88 DATUM AND WAS PROVIDED BY OTHERS.

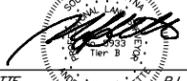
LINE	BEARING	LENGTH
L1	N 30°58'49" E	3.87'
L2	N 30°58'49" E	3.09'
L3	N 30°58'49" E	142.51'
L4	N 89°19'01" E	184.09'
L5	S 32°52'14" E	319.28'
L6	S 02°39'51" E	266.53'
L7	S 25°22'11" W	274.81'
L8	S 33°49'52" W	285.13'
L9	N 67°24'35" W	127.26'
L10	N 67°24'35" W	89.72'
L11	S 32°32'16" W	7.35'
L12	S 32°32'16" W	212.89'
L13	N 30°58'49" E	112.36'
L14	S 77°09'12" W	5.89'
L15	S 31°55'06" W	125.12'
L16	S 31°34'38" W	191.02'
L17	S 32°50'53" W	170.92'
L18	S 31°03'35" W	148.34'
L19	S 31°18'54" W	73.19'
L20	N 89°19'01" E	16.52'
L21	N 89°19'01" E	263.31'
L22	S 31°18'54" W	74.20'
L23	S 40°01'15" W	158.11'
L24	S 43°39'16" W	161.96'
L25	N 78°21'52" W	97.12'
L26	N 78°21'52" W	35.34'
L27	S 87°51'45" W	143.25'
L28	N 89°54'48" W	130.95'
L29	S 88°42'18" W	216.34'
L30	S 87°53'52" W	166.52'
L31	S 88°18'31" W	206.41'
L32	S 84°24'41" W	130.11'
L33	S 89°45'39" W	155.42'
L34	S 87°56'53" W	202.63'
L35	N 88°43'10" W	193.37'
L36	S 88°00'31" W	215.54'
L37	N 88°54'59" W	172.69'
L38	N 63°55'30" W	165.91'
L39	N 54°27'51" W	123.96'
L40	N 35°34'06" W	91.25'
L41	N 147°50'02" W	125.33'
L42	N 06°26'23" W	122.67'
L43	N 08°19'02" E	132.98'
L44	N 12°31'11" E	202.83'
L45	N 19°51'22" E	94.67'
L46	N 39°39'44" E	172.36'
L47	N 51°09'30" E	106.52'
L48	N 55°37'52" E	109.97'
L49	N 55°34'06" E	114.04'
L50	N 69°17'38" E	92.92'
L51	N 75°26'26" E	39.22'

CURVE	LENGTH	RADIUS	TANGENT	DELTA	DIRECTION	CHORD
C1	98.13'	1335.37'	49.09'	412°17"	S 30°37'51" W	98.10'
C2	283.42'	600.00'	149.73'	281°26"	S 14°46'50" W	290.55'
C3	23.85'	600.00'	11.93'	276°40"	S 29°55'53" W	23.85'



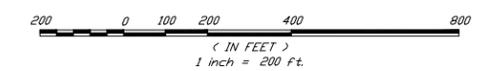
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ANDREW C. GILLETTE P.L.S. 5933-B

SIGNATURE _____ DATE _____
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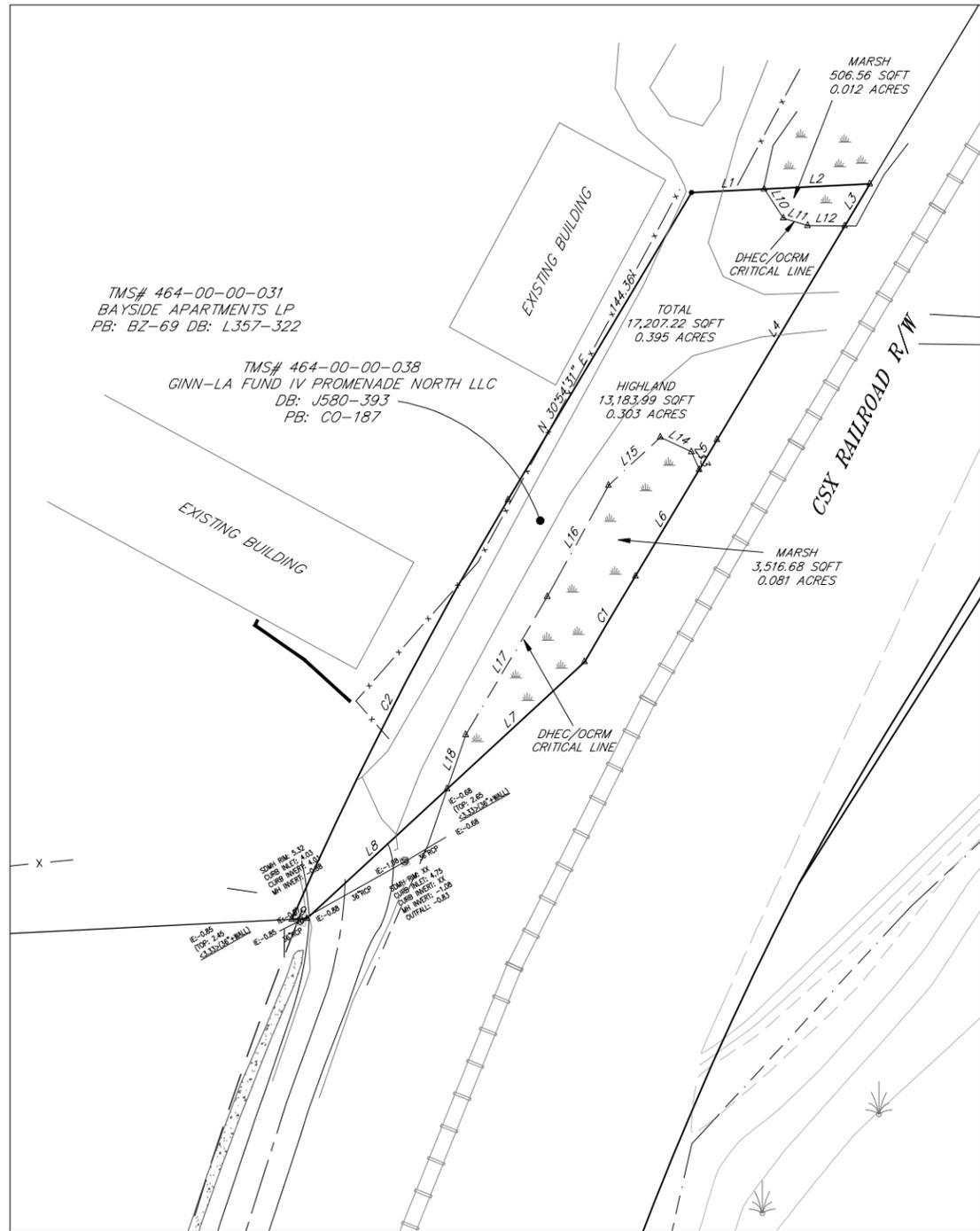
SC NAD83 (2011)

DESIGNED : CAC	NO. _____	DATE _____
DRAWN : CAC	REVISIONS	
CHECKED : ACC		
APPROVED : ACC		
SCALE : 1" = 200'		
DATE : 3/30/2019		
PROJECT NO. : 19-021		
SHEET 7		OF 7

TITLE
AN EXHIBIT SHOWING
TMS 464-00-00-007
PROPERTY OF HOLSTON LAND CO INC &
TMS 464-00-00-006
PROPERTY OF GINN-LA IV PROMENADE NORTH LLC
LOCATED IN THE CITY OF CHARLESTON
CHARLESTON COUNTY, SOUTH CAROLINA

CAROLINA
NON-RESIDENT
SURVEYOR
NO. 111
CERTIFICATE OF
QUALIFICATION

Parker Land Surveying, LLC
5910 Clifton Street
Hannahan, SC 29410
Phone: (843) 554-7777
Fax: (843) 554-7779

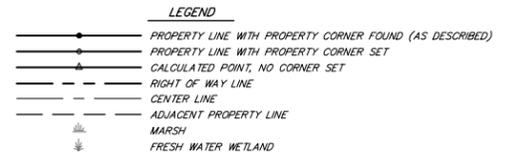


LINE	BEARING	LENGTH
L1	S 87°15'42" W	29.46'
L2	S 87°15'42" W	42.66'
L3	S 30°54'31" W	19.76'
L4	S 30°54'31" W	100.36'
L5	S 30°54'31" W	14.03'
L6	S 30°54'31" W	50.14'
L7	N 47°18'24" E	75.51'
L8	N 47°18'24" E	77.07'
L9	N 87°09'46" E	6.09'
L10	S 33°06'14" E	14.02'
L11	S 22°48'15" E	10.31'
L12	S 89°31'06" E	14.95'
L13	N 23°51'26" W	7.29'
L14	N 64°43'46" W	13.84'
L15	S 47°15'22" W	28.60'
L16	S 28°48'46" W	51.15'
L17	S 30°41'02" W	64.71'
L18	S 18°56'44" W	23.09'

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 - PLAT OF 0.407 ACRES (AREA A,B,C,D,E,F & G) PROPERTY OF BAYSIDE GARDENS (A PARTNERSHIP) ABOUT TO BE RELEASED FROM MORTGAGE HELD BY FEDERAL NATIONAL MORTGAGE ASSOCIATION, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, DATED AUGUST 20, 1991 BY H EXO HILTON SCPLS NO. 2552. RECORDED IN PLAT BOOK CO PAGE 187.

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CURVE	LENGTH	RADIUS	TANGENT	DELTA	DIRECTION	CHORD
C1	40.15'	1455.37'	20.08'	1°34'51"	S 30°50'40" W	40.15'
C2	190.38'	1515.37'	85.31'	7°11'53"	S 27°18'34" W	190.25'

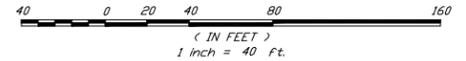


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(Signature)
 ANDREW C. GILLETTE
 P.L.S. 5933-B

SIGNATURE _____ DATE _____
 The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.



DESIGNED : CAC	NO. _____	DATE _____	REVISIONS _____
DRAWN : CAC	AN EXHIBIT SHOWING		
CHECKED : ACC	TMS 464-00-00-038		
APPROVED : ACC	PROPERTY OF GINN-LA FUND IV PROMENADE NORTH LLC		
SCALE : 1" = 40'	LOCATED IN THE CITY OF CHARLESTON		
DATE : 4/1/2019	CHARLESTON COUNTY, SOUTH CAROLINA		
PROJECT NO. : 19-021			
SHEET 7			



Parker Land Surveying, LLC
 5910 Clifton Street
 Charleston, SC 29410
 Phone: (843) 554-7777
 Fax: (843) 554-7779



APPENDIX F

Additional Drawings



**LAUREL
ISLAND**

Exhibit 1: Location Map

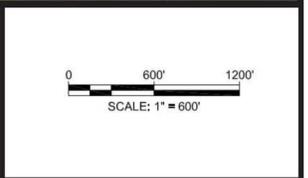
Owner/Developer: Laurel Island Development, LLC
 Prepared by: Reveer Group, LLC
 September 10, 2019

**not to
scale**



**LAUREL
ISLAND**

Exhibit 2: Aerial
Owner/Developer: Laurel Island Development, LLC
Prepared by: Reveer Group, LLC
January 15, 2020

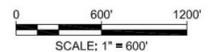


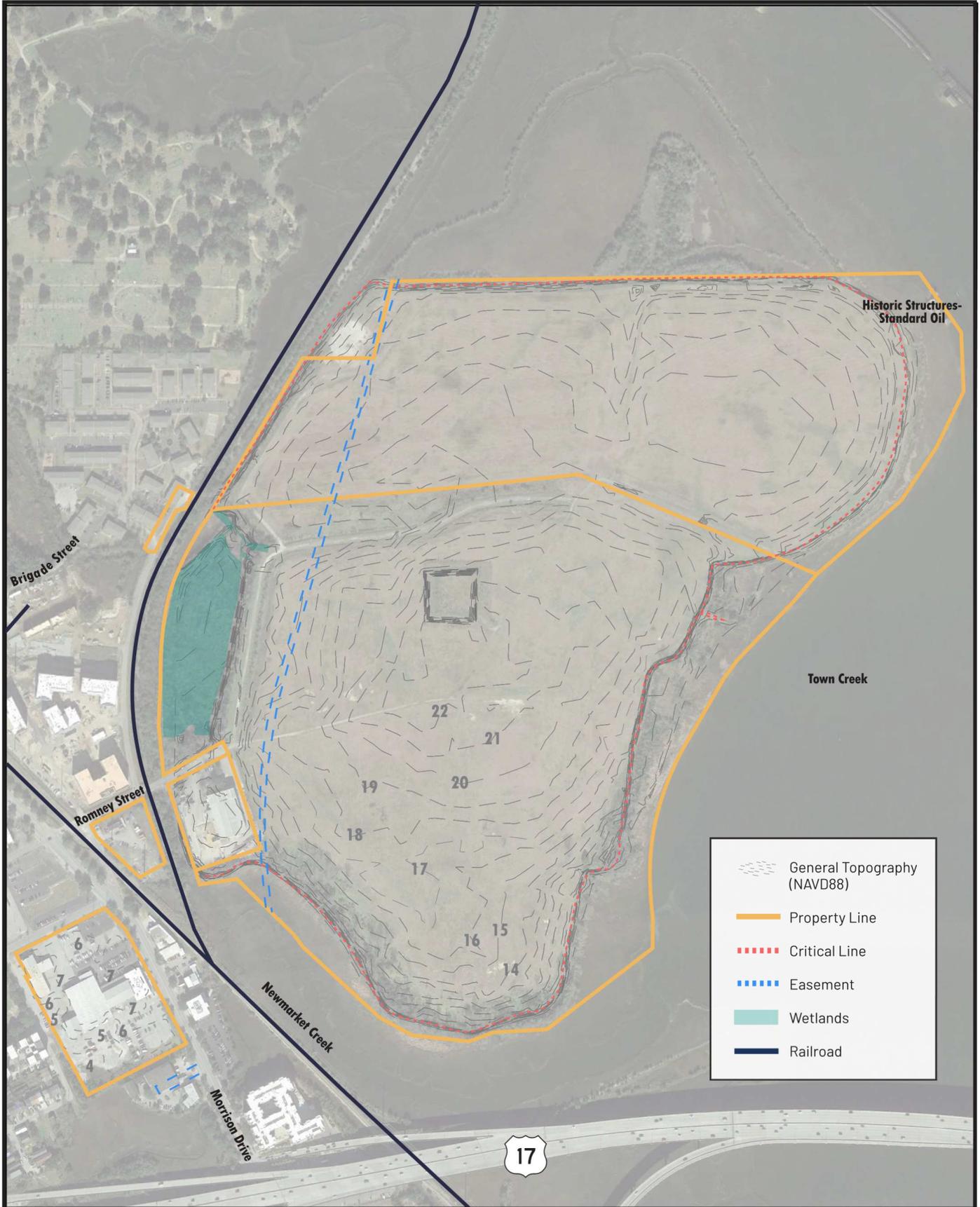


**LAUREL
ISLAND**

Exhibit 3: Project Parcels

Owner/Developer: Laurel Island Development, LLC
 Prepared by: Reveer Group, LLC
 January 15, 2020

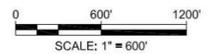




LAUREL ISLAND

Exhibit 4: Existing Conditions

Owner/Developer: Laurel Island Development, LLC
 Prepared by: Reveer Group, LLC
 January 23, 2020

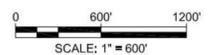




**LAUREL
ISLAND**

Exhibit 5: Wetlands and Critical Lines

Owner/Developer: Laurel Island Development, LLC
 Prepared by: Reveer Group, LLC
 January 15, 2020





LAUREL ISLAND

Exhibit 6: Drainage

Owner/Developer: Laurel Island Development, LLC
 Prepared by: Reveer Group, LLC
 January 15, 2020

APPROXIMATE SCALE
 MAP SCALE 1" = 500'
 0 500 1000
 FEET METERS

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP
 CHARLESTON COUNTY,
 SOUTH CAROLINA
 AND INCORPORATED AREAS

PANEL 504 OF 855
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:	NUMBER	PANEL	SUFFIX
COMMUNITY	45542	0504	J
CHARLESTON CITY OF	45542	0504	J
CHARLESTON COUNTY	45543	0504	J
NORTH CHARLESTON CITY OF	45542	0504	J

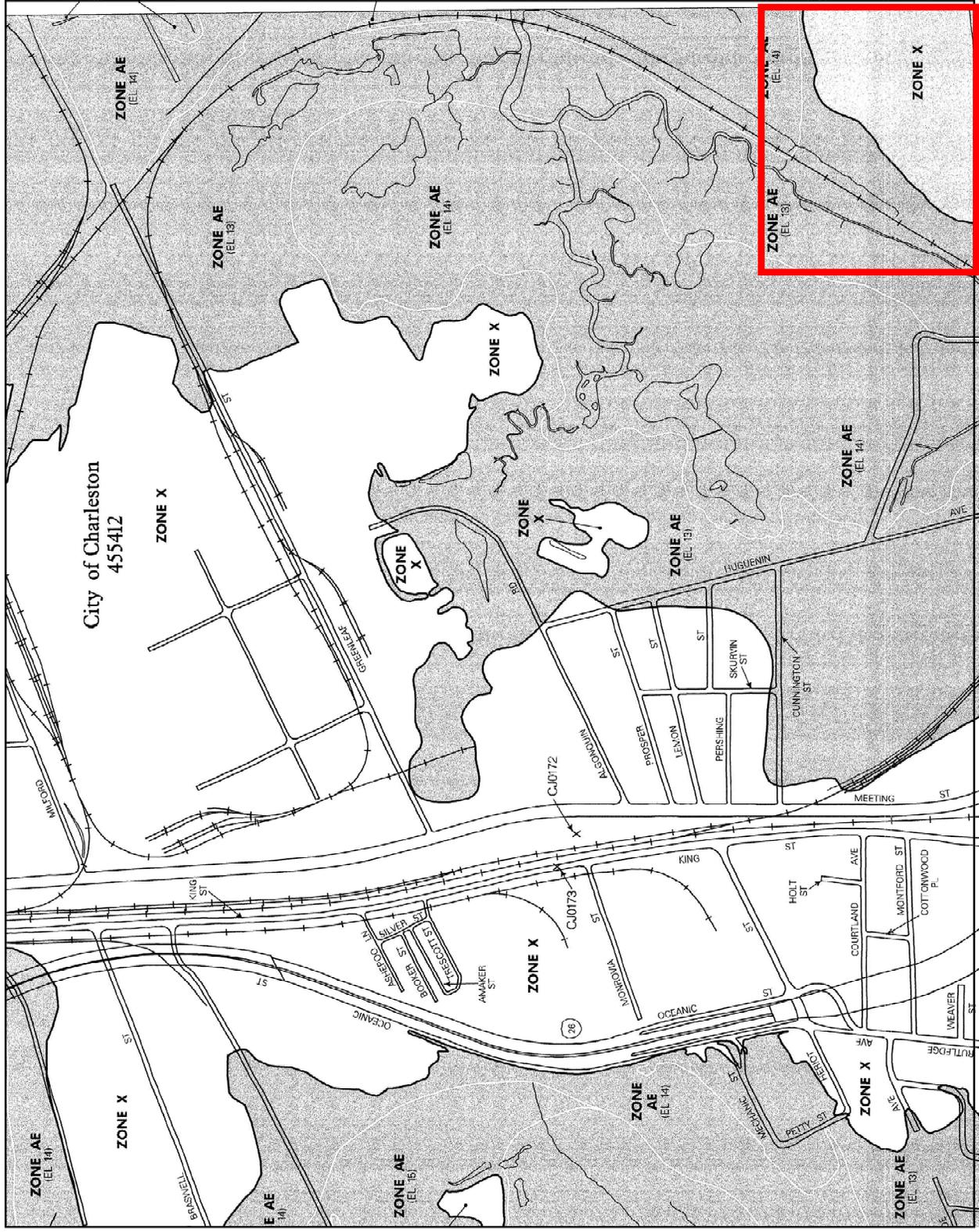
MAP NUMBER
450190504J

EFFECTIVE DATE:
NOVEMBER 17, 2004

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was created using FIRM Online. This map does not reflect changes to the data since the last update. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov



APPROXIMATE SCALE
 MAP SCALE 1" = 500'
 0 500 1000 FEET
 0 150 300 MET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
 CHARLESTON COUNTY,
 SOUTH CAROLINA
 AND INCORPORATED AREAS

PANEL 508 OF 855

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
CHARLESTON, CITY OF	45412	0608	2
CHARLESTON COUNTY	45413	0608	2
MOUNT PLEASANT, TOWN OF	45417	0608	2
NORTH CHARLESTON, CITY OF	45002	0608	2

Notes to User: The MAP NUMBER shown above should be used in all correspondence with the Community. This map does not represent an insurance policy. For more information on the insurance program, please contact your insurance agent or the Federal Emergency Management Agency.

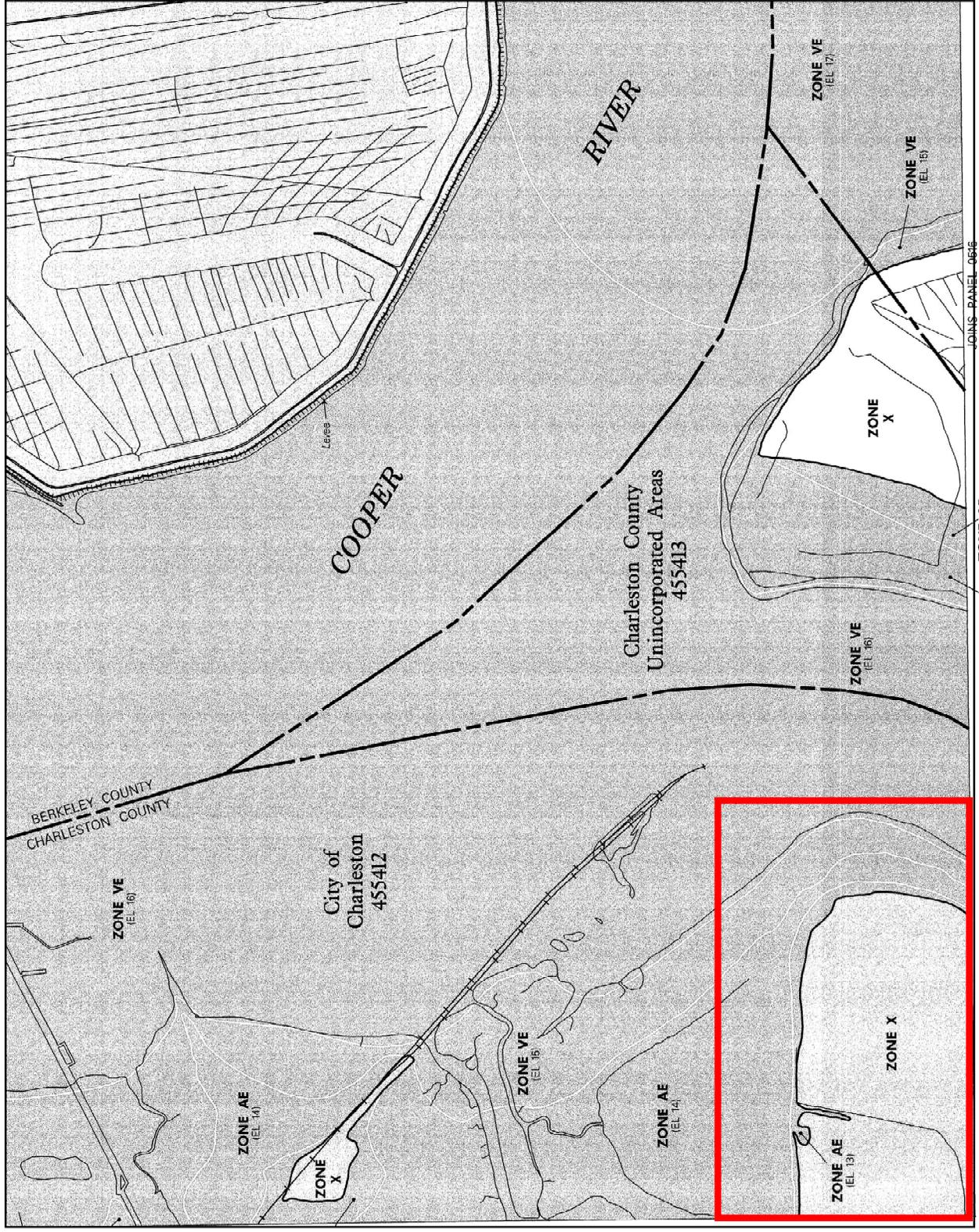
MAP NUMBER
45019C0508J

EFFECTIVE DATE:
NOVEMBER 17, 2004



Federal Emergency Management Agency

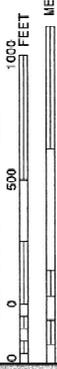
This is an official copy of a portion of the above referenced flood map. It was created using FIRM Online. This map does not represent an insurance policy. For more information on the insurance program, please contact your insurance agent or the Federal Emergency Management Agency. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.fema.gov



JOINS PANEL 0605

APPROXIMATE SCALE

MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM
FLOOD INSURANCE RATE MAP
CHARLESTON COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS**

PANEL 516 OF 855

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHARLESTON CITY OF	45542	0516	3
CHARLESTON COUNTY	45543	0516	3
MOUNT PLEASANT TOWN OF	45547	0516	3

Notes to Users: The MAP NUMBER, MAP INDEX, and PANEL NUMBER shown above should be used on insurance applications for the subject community.

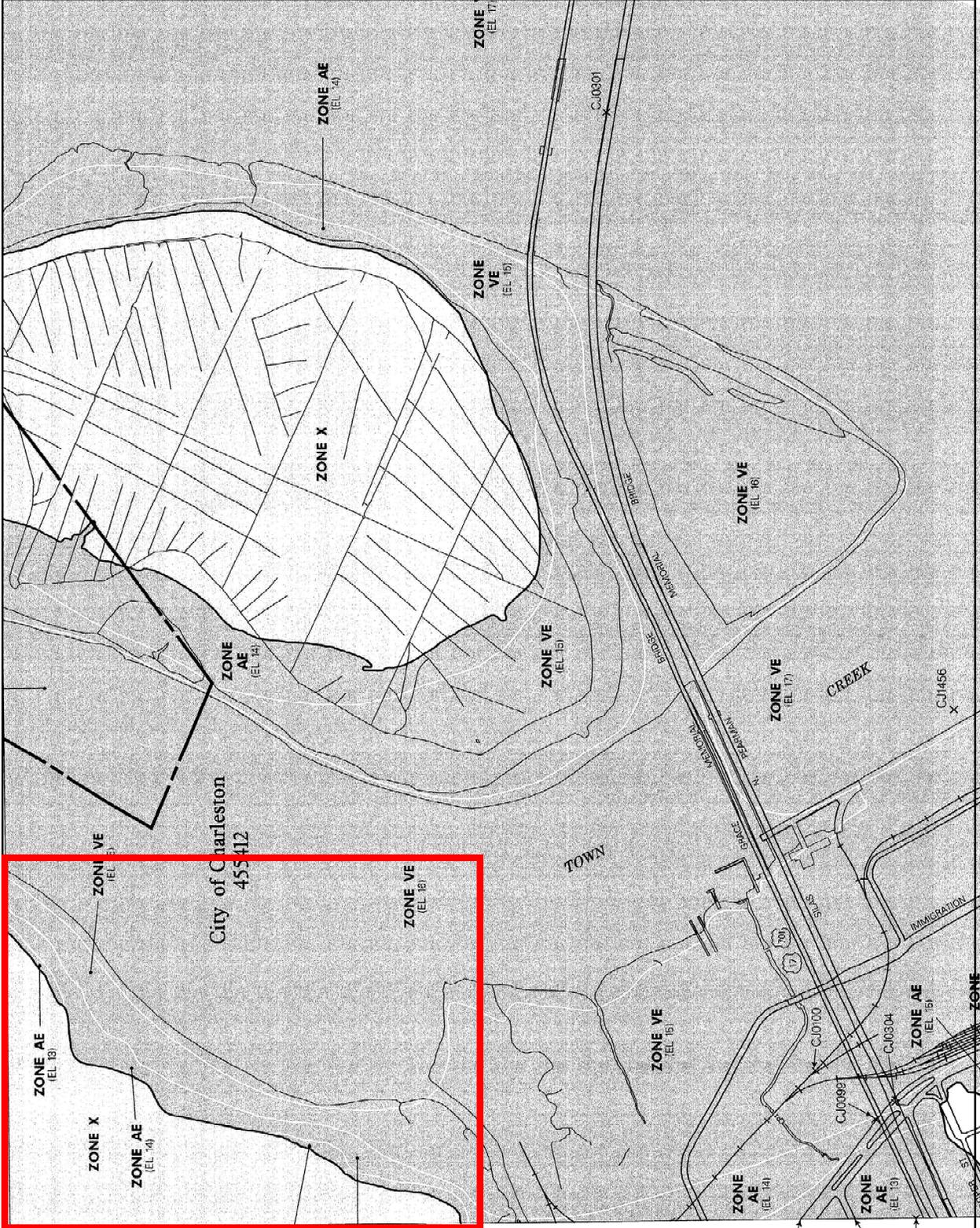
**MAP NUMBER
45019C0516J**

**EFFECTIVE DATE:
NOVEMBER 17, 2004**



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was corrected using FIRM Online. This map does not reflect changes made to the map since the last update. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov



CITY OF CHARLESTON PLANNING COMMISSION

July 15, 2020

Ordinance Amendment 1:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by replacing Part 16 (Cluster Development) of Article 2 (Land Use Regulations) with a new Part 16 (Conservation Development) and by adding relevant definitions to Sec. 54-120 of the Zoning Ordinance.

BACKGROUND

The ordinance was reviewed by the Community Development Committee of Charleston City Council on April 30, 2020 and was recommended for approval as it was presented with questions. Questions included:

1. Can the ordinance be applied to additional base zoning categories?
2. Can affordability levels of lower than 120% AMI be required?
3. Can affordability be required in perpetuity, with no provisions for conversion to market rate?
4. Request to return with a recommendation for an additional level of approval with public hearing beyond Planning Commission.

Provisions to convert affordable units to market rate were removed but no other changes have been made at this time. Staff will present recommendations in response to the other questions at the Planning Commission meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY REPLACING PART 16 (CLUSTER DEVELOPMENT) OF ARTICLE 2 (LAND USE REGULATIONS) WITH A NEW PART 16 (CONSERVATION DEVELOPMENT) AND BY ADDING RELEVANT DEFINITIONS TO SEC. 54-120 OF THE ZONING ORDINANCE.

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

Section 1. That Sec. 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is amended to delete the introductory sentence and replace it with the following new introductory clause:

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning or when the word, term, or phrase is specifically defined to apply to a particular Article, Part, or Section of this Chapter:

Section 2. That Sec. 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is amended to include the following new defined terms, to be inserted in alphabetical order with the remaining definitions in Sec. 54-120:

AMI. See Area Median Income.

Area Median Income. “Area Median Income” or “AMI” shall mean and have reference to the median family income, based upon applicable family size of a qualified household for the Charleston-North Charleston metropolitan statistical area as published by the United States Department of Housing and Urban Development (together with its successors, “HUD”), as adjusted for household size by the City of Charleston Department of Housing and Community Development (together with its successors, “DHCD”). If HUD should no longer compile and publish such statistical information, the most similar information compiled and published by HUD, or any other branch or department of the federal government or the State of South Carolina, or the City of Charleston shall be used for the purpose of determining AMI. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

Building Line. A line parallel to the street right-of-way touching that part of the principal building on a lot closest to the street right-of-way.

Common Open Space. Common open space means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for the use and enjoyment of the public generally or for the use or enjoyment of the residents of the development and their guests. Without limiting the foregoing, common open space may include such complementary structures and improvements as are necessary and appropriate, in addition to wetlands, critical areas, water bodies, agricultural lands, wildlife habitat, historical or cultural features, archaeological sites, easements for underground public utilities, or other elements to be protected from development. Common open space shall not include streets, alleys, or cul-de-sacs; drives; off-street parking and loading areas; areas so located or of such size or shape to have no substantial aesthetic or recreational value; or any area within the property lines of residential lots.

Conservation Tree. Any tree with a DBH of sixteen inches (16”) or greater and of the following species: Live oak, White Oak, Willow Oak, Blackgum, Southern Magnolia, Bald Cypress, American Holly, Dogwood, Pecan, Hickory, Southern Red Oak, Chestnut Oak, and Sawtooth Oak.

Development Plan. Development plan means a preliminary plat and, to the extent public improvements are required, construction drawings, for subdivision of any property that includes all information described on the development plan submittal checklist for subdivision applications available from the Zoning Division.

Impervious Surface. A surface that does not allow water to penetrate. Examples of impervious surfaces include asphalt, rooftops and concrete. For purposes hereof, all other surfaces shall be considered pervious surfaces.

Household Income. All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance welfare programs, other sources of income regularly received, including Veterans’ (VA) payments, unemployment compensation and alimony, and awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the household members’ families for medical, personal or educational needs.

Low Impact Development or LID. Low impact development (LID) is a set of principles and design components used to manage stormwater runoff by mimicking natural conditions and limiting pollutant transport through source control. Nothing in this definition amends, modifies, abrogates, or repeals the Stormwater

Regulations, and applicants must comply with all applicable Stormwater Regulations and obtain approval under such Stormwater Regulations for the use of any LID.

Owner Occupied Workforce Housing Unit. See Workforce Housing Unit, Owner Occupied.

Pervious Surface. A surface that permits full or partial infiltration of water. Notwithstanding the foregoing, a pervious surface shall include any surface which is not an impervious surface.

Qualified Households. Households in which occupants have, in the aggregate, a household income (1) less than or equal to 120% of AMI for owner occupied workforce housing units; or (2) less than or equal to eighty percent (80%) of AMI for rental workforce housing units.

Rental Workforce Housing Unit. See Workforce Housing Unit, Rental.

Stormwater Regulations. Those federal, state, or local regulations governing stormwater management and drainage, including without limitation Chapter 27 (Stormwater Management and Flood Control) of the Code of Ordinances of the City of Charleston and the City's Stormwater Design Standards Manual. Stormwater Regulations additionally include any amendments, supplements, or modifications to the existing Stormwater Regulations.

Technical Review Committee. The Technical Review Committee or TRC established by Sec. 54-602 and Sec. 54-816.2.

TRC. See Technical Review Committee.

Workforce Housing Unit. An owner occupied workforce housing unit or a rental workforce housing unit.

Workforce Housing Unit, Owner Occupied. A dwelling unit in which at least one (1) occupant is an owner and in which all occupants have, in the aggregate, household income less than or equal to 120% of AMI.

Workforce Housing Unit, Rental. A dwelling unit in which occupants have, in the aggregate, household income less than or equal to eighty percent (80%) of AMI.

Section 3. That Part 16 (Cluster Development) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting said Part in its entirety and by substituting in its place and stead the following:

PART 16 – CONSERVATION DEVELOPMENT

Sec. 54-299.11. - Purpose.

(1) Intent. City Council intends for Conservation Developments to facilitate innovative residential developments that:

- (a) Utilize creative and flexible site design compatible with surrounding development patterns;
- (b) Accommodate and preserve features of historical, cultural, archeological, and/or environmental significance;
- (c) Provide common open space of high quality with multiple access points;
- (d) Decrease stormwater runoff and nonpoint source pollution by reducing the amount of impervious surface in the development and incorporating LID;
- (e) Reduce infrastructure costs by integrating predevelopment site hydrology into the stormwater management design for the development; and
- (f) Maintain unobstructed scenic views or vistas, especially from street rights-of-way.

(2) Definition. A Conservation Development is a development utilizing innovative site planning techniques to concentrate buildings, structures, and impervious surfaces in specific areas within the development and to allow the remaining land to be used for common open space. Such techniques may include, but shall not be limited to, any or all of the following:

- (a) reduction or, when appropriate, elimination of (i) minimum lot areas per family; (ii) minimum setbacks; and/or (iii) minimum lot frontage; and/or
- (b) increase or, when appropriate, elimination of maximum lot occupancy;

but only to the extent such techniques facilitate the preservation and use of the remainder of the development as common open space.

(3) Conservation Site. “Conservation Site” or “Site” means all properties, lots, parcels, waterbodies, watercourses, wetlands, and other areas included within a Conservation Development, whether or not such properties, lots, parcels, waterbodies, watercourses, wetlands, or other areas will be developed.

Sec. 54-299.12. - Applicability and general provisions.

(1) Base Zoning: Conservation Developments may be permitted only on properties entirely located within one or more of the following base zoning districts: SR-1, SR-7, RR-1 or C.

(2) Minimum acreage: Conservation Developments may be permitted only on developments with a minimum of ten (10) contiguous gross acres.

(3) Net Density: Net Density shall comply with the standards set forth in the base zoning district for each property or portion thereof included in the Conservation Site, as set forth in Table 3.1 in Sec. 54-301, except as follows:

- (a) When an accessory dwelling unit is permitted, such accessory dwelling unit shall not count toward Net Density; and
- (b) Workforce housing units meeting the conditions in Sec. 54-299.12(4)(b) shall not count toward Net Density.

(4) Allowed Uses: All principal and accessory uses permitted in the base zoning district for each property or portion thereof included within a Conservation Development also shall be permitted on such property or portion thereof, subject to the same conditions, special exceptions, limitations, and terms applicable to such principal or accessory uses within the base zoning district; provided, however, the following terms, conditions, and exceptions shall apply:

- (a) Accessory dwelling units. Accessory dwelling units may be permitted as part of a Conservation Development, whether or not permitted in the applicable base zoning district, only when each of the following conditions is met:
 - (i) The accessory dwelling unit is an accessory use to a principal, one-family detached or attached dwelling unit;
 - (ii) The accessory dwelling unit is located within the same building or on the same lot as the principal, one-family detached or attached dwelling unit;
 - (iii) The accessory dwelling unit is the only accessory dwelling unit on the lot;
 - (iv) The accessory dwelling unit is the only accessory building on the lot;
 - (v) If the accessory dwelling unit is located within an accessory building, the building height shall be limited to one and one-half (1½) stories and a parking level shall count as one (1) story;
 - (vi) The accessory dwelling unit shall not exceed 600 square feet of conditioned space; and
 - (vii) The accessory dwelling unit shall have one (1) additional off-street parking space.
- (b) Workforce housing units. Workforce housing units included as part of a Conservation Development shall comply with each of the following conditions in order to qualify as such for purposes of Sec. 54-299.12(3)(b) and Sec. 54-299.12(4)(c):

- (i) The workforce housing unit is a one-family detached dwelling unit; a one-family attached dwelling unit; or an accessory dwelling unit.
 - (ii) The workforce housing unit has been approved by the City's Department of Housing and Community Development in conformity with the criteria applicable to such workforce housing unit; and
 - (iii) Once approved, a workforce housing unit shall be maintained as such in perpetuity as part of the zoning regulations applicable to the property.
- (c) One-family attached dwelling units. One-family attached dwelling units may be permitted as part of a Conservation Development, whether or not permitted in the applicable base zoning district, only when each of the following conditions is met:
- (i) There are no more than six (6) one-family attached dwelling units located within a single row;
 - (ii) At least twenty percent (20%) of the one-family attached dwelling units on the Conservation Site have been set aside as workforce housing units complying with the conditions in Sec. 54-299.12(4)(b);
 - (iii) The required workforce housing units shall be integrated throughout the Conservation Site, such that they are not concentrated together within a single row.

(5) Stormwater Regulations: Notwithstanding any other provision of this Part which may be interpreted to the contrary, all Conservation Developments shall comply with the Stormwater Regulations in effect at the time a complete application for a development plan is submitted, and nothing in this Part amends, modifies, abrogates, or repeals the Stormwater Regulations.

Sec. 54-299.13. - Conservation Development Approval and Design Criteria.

Properties satisfying the criteria of Sec. 54-299.12 may be developed as a Conservation Development as set forth in an approved development plan, upon compliance with the procedures and regulations governing subdivisions in Article 8 of the Zoning Ordinance, subject to the following supplemental terms and conditions:

(1) Pre-Application Site Review.

- (a) Purpose. The purpose of the pre-application site review is to identify the features and resources on the proposed Conservation Site that should be preserved, and to determine potential site layouts that will best meet the criteria of a Conservation Development.

- (b) Request. The applicant for approval of a Conservation Development shall submit a Request for Pre-Application Site Review on a checklist available from the Zoning Division, together with the following exhibits (collectively, the “Request”):
 - (i) Graphic exhibits at the same scale as the existing conditions survey with all existing features on the parcel(s) clearly identified and labeled to include: all Conservation Trees; wetlands; OCRM critical areas; man-made and natural water bodies or watercourses, including without limitation ditches; phosphate mines; logging, farm and forest roads; structures; archeological sites; scenic views or vistas (into and out from the parcel); topographical features; elevation; floodplain; significant groves/plots of vegetation; and unique environmental characteristics; and
 - (ii) A preliminary stormwater volume calculations table.
 - (c) Pre-Application Site Review Meeting. Upon submission of a Request, the Zoning Administrator shall determine if the Request is complete. If the Zoning Administrator determines that the Request is complete, the Zoning Administrator will schedule a pre-application site review meeting with a representative of the applicant; designated staff of the City’s Department of Planning, Preservation and Sustainability (the “Planning Department”); and designated staff of the City’s Department of Stormwater Management (the “Stormwater Department”).
 - (d) Diagram. Following the pre-application review meeting, the applicant shall submit a bubble diagram showcasing the proposed land use plan, including where and how stormwater will be managed.
 - (e) Determination. Designated staff from the Planning Department and the Stormwater Department shall determine that the Request complies, in concept only, with the standards for Conservation Development before the applicant may submit a concept plan to TRC.
 - (f) Amendment. To the extent the area or location of the proposed Conservation Site changes at any time prior to approval of a development plan, the applicant shall be required to submit a new Request.
- (2) Site Analysis. With respect to a Conservation Development, each application for concept plan approval shall include a site analysis presented in graphic form at the same scale as the existing conditions survey and shall provide the same information as required for the pre-application site review conducted prior to concept plan submission (the “Site Analysis”). The Site Analysis shall also include the following:

- (a) Narrative. A narrative as to how the concept plan aligns with the intent, purpose, and definition of a Conservation Development as delineated in Sec. 54-299.11.
 - (b) Vegetation. An exhibit demonstrating that existing vegetation will be preserved as much as reasonably feasible.
 - (c) Conservation Trees. A survey of all Conservation Trees within the Conservation Site, together with a tree risk assessment by a Certified Arborist for the Conservation Trees identified on the survey.
 - (d) Other Information. All information required to show that the Conservation Site will comply with the requirements of this Part.
- (3) Streets. The following standards shall apply to streets within a Conservation Development:
- (a) All streets shall be public.
 - (b) All streets shall be designed in a manner to allow for visitor parking inside or outside the public right-of-way at the rate of one (1) parking space per three (3) dwelling units.
 - (c) LID shall be incorporated into the street design and approved by TRC.
 - (d) A twenty foot (20') clear zone must be provided in a street design to accommodate emergency response vehicles.
 - (e) If lots front on an access easement, other than a public right-of-way, the access surface material may be constructed with pervious paving material.
 - (f) Street trees are required for all street types, except alleys.
 - (g) The location, species and spacing of street trees shall comply with the City's Street Tree Manual.
 - (h) In all other respects, street design must meet the standards set forth in Sec. 54-821 and other provisions in this Chapter; provided, however street design and cross-sections may be modified upon the review and approval of TRC.
- (4) Lots. The following standards shall apply to lots within a Conservation Development:
- (a) There shall be no minimum lot area requirement, maximum lot occupancy requirement, or minimum building setback requirement.
 - (b) There shall be no minimum lot frontage requirement provided that each lot shall have a platted access easement a minimum of ten (10) feet wide to a public or private right-of-way. Such access easement may be shared with other lots.

- (c) In all other respects, the standards for lots set forth in this Chapter shall apply.
- (5) Height. Except as set forth in Sec. 54-299.12(4)(a)(v), the height requirements, exceptions, terms, and conditions applicable to the base zoning district for each property within the Conservation Development continue to apply to such property.
- (6) Parking. The following parking standards shall apply to a Conservation Development:
 - (a) The number of required off-street parking spaces shall meet the standards in Sec. 54-317, unless specifically provided otherwise.
 - (b) The required off-street parking for each lot shall be provided (1) on the lot; or (2) in a community parking lot; provided, however, the community parking lot shall have a pervious surface. Upon approval of TRC, required off-street parking spaces may also be provided on-street.
- (7) Garage Doors. Garage doors must be flush with or set back further than the building line.
- (8) Wetland Buffer. Existing wetlands shall be protected by an undisturbed buffer, at least twenty-five feet (25') wide, adjacent to the delineated boundary of the wetlands. Without limiting the foregoing, existing vegetation and Conservation Trees within such buffer shall be preserved within the buffer area.
- (9) Open space. The following open space requirements shall apply within a Conservation Development:
 - (a) At least fifty percent (50%) of the gross acreage within the Conservation Site shall qualify as common open space (the "Required Open Space").
 - (b) Notwithstanding subsections (c) through (e), at least twenty-five percent (25%) of the Required Open Space shall be designed for active recreational uses, such as play fields, playgrounds, greenways, and/or agricultural uses. To qualify as an active recreational use under this subsection and to be considered as part of the Required Open Space, a greenway shall have (i) a pervious surface; (ii) a minimum total width of at least twenty-five feet (25'); and (iii) a minimum pathway for pedestrian and/or bike trails of eight feet (8').
 - (c) Subject to subsection (b), when a Conservation Site includes existing or proposed water bodies or watercourses, only fifty percent (50%) of the area of such water bodies and/or watercourses shall qualify as part of the Required Open Space.
 - (d) Subject to subsection (b), when a Conservation Site includes existing wetlands, only seventy-five percent (75%) of the area of such wetlands shall qualify as part of the Required Open Space.

- (e) Subject to subsection (b), if the Conservation Site is forested at the time of the Site Analysis, then the lesser of (i) at least seventy percent (70%) of the Required Open Space; or (ii) the gross acreage of the Conservation Site which is forested at the time of the Site Analysis, shall be maintained in an undisturbed canopy.
 - (f) All common open space shall comply with Sec. 54-299.114.
 - (g) The improvement or development of common open space shall incorporate LID techniques.
 - (h) To the extent reasonably feasible, common open space shall be contiguous and not divided into unconnected small parcels located in various parts of the Conservation Site.
- (10) Stormwater Management. Without limiting, amending, abrogating, or repealing the Stormwater Regulations, the following stormwater standards shall apply to a Conservation Development:
- (a) Conservation Developments shall demonstrate limited impacts on the natural features and pre-development hydrology.
 - (b) LID shall be utilized in the stormwater management design.
 - (c) Roof drainage and gutter downspouts shall be hydraulically disconnected from impervious surfaces and properly drained so as to prevent erosion within the Conservation Site or on offsite properties.
 - (d) Pervious surfaces shall be used when reasonably feasible.
 - (e) Impervious surfaces shall not exceed forty percent (40%) of the net acreage within the Conservation Site; provided, however, the calculation of impervious surface for residential lots shall be fifty percent (50%) of the lot area, regardless of the actual impervious surface area of the lots.
 - (f) Each residential lot shall have a minimum of two (2) native canopy trees, which shall be trees existing on the pre-developed Site, when reasonably feasible. To the extent the use of an existing tree or trees are not reasonably feasible, only native species commonly found in the associated Inland Atlantic Maritime Forest shall be utilized, per list provided in Appendix B.
- (11) Other Requirements. Unless specifically provided otherwise herein, all other requirements of this Chapter shall apply to the Conservation Development.
- (12) Standard Codes. The City's standard codes, including without limitation the City's building code and fire code, apply to a Conservation Development, notwithstanding any other

provision herein to the contrary. Without limiting foregoing, the minimum clearance requirements for fire apparatus access routes shall apply to Conservation Developments.

Sec. 54-299.14 – Management of Common Open Space.

The following regulations shall apply to all common open space within the Conservation Site:

- (1) POA. Prior to obtaining final plat approval for all or any portion of the Conservation Site, the applicant shall establish a property owners’ association (“POA”) to provide for the maintenance of all common open space, BMPs (as defined in the City’s Stormwater Design Standards Manual), and other improvements, unless any such common open space and/or improvements are dedicated to and accepted by the City or other appropriate governmental entity for ownership and/or maintenance.
- (2) POA Requirements. The POA required under subsection (1) shall meet the following requirements:
 - (a) The POA shall include as members all owners of lots or parcels within the Conservation Site, except the City or other governmental entity as to any public improvements dedicated to and accepted by the public.
 - (b) The POA shall take title to and manage all common open space and improvements, other than public improvements dedicated to and accepted by the public.
- (3) Declaration. All lands, common open space, BMPs, and improvements shall be described as to the general location, size, use and control in a Declaration of Covenants, Conditions and Restrictions (“Declaration”) governing the Conservation Site and properly recorded with the Office of the Register of Deeds for Charleston or Berkeley County, as applicable. The Declaration shall set forth the method of assessment against all lots or parcels within the Conservation Site (other than areas dedicated to and accepted by the public and common areas) for maintenance of common areas, common open space, BMPs, and other improvements to be owned or maintained by the POA. The Declaration shall run with title to the Conservation Site and all privately-owned lots or parcels located therein. The Declaration shall indicate the properties included therein are part of a Conservation Development approved by the City of Charleston.
- (4) No Dissolution. Unless prohibited by applicable law, the requirements applicable to the Declaration shall perpetually run with title to the Conservation Site or any portion thereof as part of the zoning regulations applicable to the Site. The POA shall not be dissolved nor shall the POA dispose of any common open space except to (a) a conservation or similar organization established to own and maintain common open space; (b) to the City; or (c) to another appropriate governmental entity. Notwithstanding the foregoing, any such conveyance, to be complete, shall require acceptance by the grantee.

- (5) Restricted Use. Unless prohibited by applicable law, all common open space shall be restricted in perpetuity as part of the zoning regulations applicable to the Conservation Site. All such common open space shall be deed restricted and may not be developed for uses other than common open space. The applicant shall include the following notice on all deeds, mortgages, plats, or any other legal instruments used to convey any right, title or interest in the Conservation Site or any portion thereof:

NOTICE: THIS PROPERTY IS SUBJECT TO THE CITY OF CHARLESTON'S REQUIREMENTS FOR CONSERVATION DEVELOPMENTS AND MAY BE SUBJECT TO CERTAIN USE RESTRICTIONS AS SET FORTH IN THE REQUIREMENTS APPLICABLE TO CONSERVATION DEVELOPMENTS ON FILE WITH THE CITY'S ZONING DIVISION.

Sec. 54-299.15 – Appeal.

Any determination by staff and/or TRC under this Part 16 may be appealed to the Planning Commission by any party in interest if an appeal is filed with the Zoning Division within ten (10) business days after actual notice of the decision. The Planning Commission must act on the appeal within sixty (60) days, and the action of the Planning Commission is final.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the year of Our Lord, 2020, in the ____ Year of the Independence of the United States of America.

By: _____
John J. Tecklenburg, Mayor

ATTEST:

By: _____
Vanessa Turner Maybank
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

July 15, 2020

Ordinance Amendment 2:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to incorporate provisions to allow subdivision and development of single affordable housing as a conditional use within multiple base zoning districts. (As amended)

BACKGROUND

The ordinance was reviewed by the Community Development Committee of Charleston City Council on April 30, 2020 and was recommended for approval as presented. Previous versions of the ordinance were reviewed by Planning Commission in 2018 and 2019 and were recommended for disapproval. The revised ordinance includes provisions to maintain the historic character of the Maryville/Ashleyville are with a 50-ft minimum requirement; as well as provisions to allow for attached single-family units within multiple base zoning districts.

STAFF RECOMMENDATION

Provisions of the ordinance align with recommendations included in the 2020 Housing for Fair Charleston Report.

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO INCORPORATE PROVISIONS TO ALLOW SUBDIVISION AND DEVELOPMENT OF SINGLE FAMILY AFFORDABLE HOUSING AS A CONDITIONAL USE WITHIN MULTIPLE BASE ZONING DISTRICTS (**AS AMENDED**).

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

Section 1. Article 2, Part 2, Sec. 54-207, Conditional Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following new subsection in alphabetical order:

“z. Affordable Housing Conditional Use Subdivision and Lot Dimensional Standards for One-Family Detached Dwellings and One-family Attached Dwellings.

1. Intent: To promote ownership or occupancy of quality Affordable Housing, property within the SR-1, SR-2, SR-6, zoning district may be approved for subdivision and development for one-family detached dwellings, in accordance with the following conditional use standards in this section. Property within the STR, DR-1, DR-1F, DR-2, or DR-2F zoning districts may be approved for subdivision and development of one-family detached dwellings and one-family attached dwellings, in accordance with the following conditional use standards in this section. The use of the subject parcel shall be restricted to one-family detached dwellings or one-family attached dwellings, according to the zoning of the property, for the provision of Affordable Housing as certified by the City of Charleston Department of Housing and Community Development, or its successor.
2. Affordable Housing Conditional Use Requirements:
 - (a) The entity developing the subject parcel in accordance with the standards in this Sec. 54-207, z., shall restrict the use of each lot to a single, one-family detached dwelling or a single, one-family attached dwelling lot for the provision of Affordable Housing as certified by the City of Charleston Department of Housing and Community Development, or its successor.
 - (b) Ownership: As to owner occupied units, these units shall be sold to households earning no more than one hundred twenty (120) percent of the area median income. Each owner, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of household income of all members of the household. These

units shall be subject to resale restrictions for no fewer than ninety (90) years from date of initial sale of the property. Such restrictions will be recorded as deed restrictions.

- (c) Rental: As to rental units, these units shall be rented to households earning no more than eighty (80) percent of the area median income, and the rents charged by the owner shall be in accordance with the Fair Market Rents published annually by the U.S. Department of Housing and Urban Development or such entity that may be subsequently designated. In the absence of such information, the rents charged by the owner shall not exceed 30 percent of the household annual income. The owner shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, the rental rate to be charged and verified income reports of household income of all rental occupants at the inception of each tenancy and on no less than a yearly basis thereafter, as determined by the City of Charleston Department of Housing and Community Development, or its successor. These units shall be subject to these restrictions for no fewer than ninety (90) years from the initial occupancy as Affordable Housing.

- (d) The entity developing the subject parcel in accordance with this Sec. 54-207, z., shall execute a Memorandum of Use with the City as a party acknowledging the use of the property for Affordable Housing in accordance with the provisions of this Section, which Memorandum shall be in a form acceptable for recording in the record office of the applicable county and which shall be recorded in the record office of the applicable county. If a proposal meets the requirements of this section and the owner is willing to enter into the terms of a Memorandum of Use contained in this paragraph, the Mayor shall be authorized so sign the Memorandum of Use on behalf of the City.

3. Affordable Housing Conditional Use Lot Dimensional Standards For One-family Detached Dwellings: See Section 54-301, Table 3.1 Height, Area and Setback Regulations for standards not addressed in the table below.

ZONING DISTRICT	MINIMUM LOT FRONTAGE^{1,2,3}	MINIMUM HIGH GROUND LOT AREA IN SQ FT	MINIMUM BUILDING SETBACKS	MAXIMUM LOT OCCUPANCY OF BUILDINGS
SR-1	45'	7,000	Front 25', Rear 20', Sides 7'SW, 7'NE	35%
SR-2	40'	4,400	Front 25', Rear 15', Sides 6'SW, 6'NE	50%
SR-3	40'	4,400	Front NR', Rear 3', Sides 9'SW, 3'NE	50%
SR-4	40'	3,200	Front NR', Rear 3', Sides 9'SW, 3'NE	50%

SR-5	35'	2,500	Front-NR', Rear-3', Sides-7'SW, 3'NE	50%
SR-6	35'	4,000	Front 18', Rear 10', Sides 4'SW, 4'NE	50%
STR	40' or no frontage required	4,800	Front 25', Rear 15', Sides 5'SW, 5'NE	50%
DR-1	32' or no frontage required	2,800	Front NR', Rear 3', Sides 7'SW, 3'NE	50%
DR-1F	32' or no frontage required	2,800	Front 25', Rear 3', Sides 7'SW, 3'NE	65%
DR-2	32' or no frontage required	2,200	Front NR', Rear 3', Sides 7'SW, 3'NE	50%
DR-2F	32' or no frontage required	2,200	Front 25', Rear 3', Sides 7'SW, 3'NE	65%

Footnotes

¹ Requirement for averaging surrounding lot frontages per Section 54-824(c)(1) shall not apply.

² Lots in STR, DR-1, DR-1F, DR-2, or DR-2F zoning districts that front on a street may be subdivided to create one lot with no lot frontage provided that both lots meet all requirements in this subsection, both lots are used for Affordable Housing in accordance with the requirements of this Sec. 54-207, z., and a platted and recorded shared ingress/egress easement utilizing an approved driveway is furnished to the newly created lot without frontage.

³ See lot frontage exception noted below in this section 54-207, z.

4. Lot frontage exception for Maryville Ashleyville: Due to the unique history of the former town of Maryville and corresponding historic platting, parcels abutting the following rights-of-way, and any extensions thereof, shall have a minimum lot frontage of 50 feet:

5th Avenue
 Armstrong Avenue
 Battery Avenue
 Benada Street
 Bender Street
 Brody Avenue
 Brookfield Street
 Burger Street
 Carnegie Avenue
 Channing Street
 Chickadee Avenue

Davidson Avenue
Diana Street
East Street
Fiall Street
Forbes Avenue
Gunn Avenue
High Street
Hillsboro Dr
Hillside Dr
Hobart Avenue
Justin Avenue
Lula Street
Magnolia Road
Main Street
Mamie Street
Mazyck Street
Minnie Street
N Hillside Drive
San Juan Avenue
Sycamore Avenue
Tripe Street

5. Affordable Housing Conditional Use Lot Dimensional Standards for One-family Attached Dwellings: Property within the STR, DR-1, DR-1F, DR-2, or DR-2F zoning districts may be approved for subdivision and development of one-family attached dwellings, in accordance with the conditional use standards in this section and pursuant to the requirements in Article 3, Part 11 One-family Attached Dwellings, as modified herein. Modifications to the requirements in Sec. 54-353, are as follows:
- (a) The minimum side setback for the principal building listed in subsection d. shall be reduced to five (5) feet except when the conditions listed in Sec. 54-353, d. subsections 1, 2, 3 or 4 exist;
 - (b) The minimum rear setback for the principal building listed in subsection e. shall be reduced to ten (10) feet except when the conditions listed in Sec. 54-353, e. subsections 1 or 2 exist;
 - (c) The maximum percent lot occupancy of buildings listed in subsection g. shall be increased to sixty (60) percent; and
 - (d) Subsection j. shall include an additional special requirement that allows lots for one-family attached dwellings to be platted without any lot frontage on a street, if the lot or lots is provided with a suitable driveway access easement, the title to which runs with or is appurtenant to such lot(s).

6. Affordable Housing Conditional Use Court Standards: Notwithstanding the standards in subsection 3. above, lots in the DR-2 or DR-2F zoning districts with a minimum lot frontage of 56 feet and minimum lot area of 6,700 square feet may be developed to create a traditional “Charleston Court”, with a new street or “court” extending into the lot to provide access to lots, if all lots are restricted to one-family detached affordable housing pursuant to this Sec. 54-207, z. and the development satisfies the following requirements:
 - (a) The new street shall be constructed to meet City of Charleston road construction standards with a minimum right-of-way width of 24 feet, minimum pavement width of 20 feet and maximum length of 150 feet.
 - (b) All lots shall have lot frontage and all lots accessed exclusively from the new street shall have a minimum lot frontage of 15 feet and average lot frontage of 25 feet.
 - (c) All lots shall meet the lot dimensional standards in subsection 3., except that the minimum high ground lot area for each lot shall be 1,024 square feet, there shall be no minimum front building setback for lots accessed exclusively from the new street, and the minimum side setback for all side property lines adjacent to another lot accessed exclusively from the new street shall be three (3) feet.
 - (d) The dwelling on each lot with frontage on the existing street the new street connects to shall front on the existing street.

7. Affordable Housing Conditional Use Off-Street Parking Requirements: Each lot used for Affordable Housing in accordance with the requirements of this Sec. 54-207, z. shall provide two off-street parking spaces.”

Section 2. Article 2, Part 3, Table of Permitted Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding “or 54-207, z.” to principal use category 888. Affordable Housing 54-207, p. and by inserting the conditional use symbol “‡” in the columns for zoning districts, SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, and STR, which denotes this principal use is allowed as a conditional use in said zoning districts.

Section 3. Article 3, Part 1, Section 54-301, Table 3.1: Height, Area and Setback Regulations, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the number “21” as a superscript after the zone district designation listings for SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, and STR.

Section 4. Article 3, Part 1, Section 54-301, Table 3.1: Height, Area and Setback Regulations, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to revise footnote 21 to read as follows with new text shown in double underline:

“21. Minimum lot area, setbacks, frontage and maximum lot occupancy for Affordable Housing are set forth in Sec. 54-207, p. or 54-207, z.”

Section 5. Article 8, Part 3, Sec. 54-824, Design Standards for New Lots, subsection c. paragraph 1, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows with new text shown in double underline:

“Lot frontage for single-family and two-family residential. The following lot frontage requirements in Table 8.2.3 shall apply to all new single and two-family residential lots, except that residential lots within existing residential subdivisions may not be subdivided with lot frontages less than the average lot frontage of all abutting residential lots, residential lots across the street(s), and residential lots within five (5) lots on either side of the frontage of the subject lot, or the minimum lot frontage for that zoning district, whichever is greater. Lots subdivided and developed for one-family detached Affordable Housing per section 54-207, z. shall be subject to the frontage requirements of that section.”

Lot frontage for multi-family. Multi-family residential lots shall have a minimum lot frontage of fifty (50) feet on a street and parking shall be prohibited within the required setback within the district..”

Section 6. Article 2, Part 2, Sec. 54-207, Conditional Uses, subsection p. Affordable Housing, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting new text “on existing lots of record platted prior to August 21, 2018” after “Affordable Housing shall be permitted” to read as follows with new text shown in double underline:

“p. Affordable Housing shall be permitted on existing lots of record platted prior to August 21, 2018 within the DR-1, DR-1F, DR-2, DR-2F, LB, GB, LI, MU-1, MU-1/WH, MU-2 and MU-2/WH districts if the proposal satisfies the following conditions, except that there are no density limits in the MU-1, MU-1/WH, MU-2 and MU-2/WH districts.”

Section 7. Article 2, Part 2, Sec. 54-207, Conditional Uses, subsection p. Affordable Housing, paragraph (d.) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting “forty-seven (47) percent” and replacing in its place and stead “fifty (50) percent.

Section 8. Article 1, Part 3, Sec. 54-120, Definitions, is hereby amended by inserting the words “used exclusively for residential uses” after the words “dwelling units” in the first sentence and correcting a scrivener’s error so that the definition shall read as follows:

Affordable Housing. Single-family, two-family or multi-family dwelling units, used exclusively for residential uses, where occupants have, in the aggregate, household income of less than or equal to one hundred twenty (120) percent of median area income for owner occupied units, or eighty (80) percent of median area income for rental units. Median area income shall be determined annually by the U.S. Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or its successor. Household income shall include all sources of financial support, both cash and in kind, of adult members of the household, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security

income, Aid to Families with Dependent Children or other public assistance or public welfare programs, other sources of income regularly received, including Veterans' (VA) payments, unemployment compensation and alimony, awards, prizes, government or institutional or eleemosynary loans, grants or subsidies and contributions made by the members' families for medical, personal or educational needs.

Section 9. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord 2020,
in the ___ Year of Independence of the United States of
America.

By: _____
John Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner-Maybank
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

July 15, 2020

Ordinance Amendment 3:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the definitions for half story, accessory building, and accessory dwelling unit, and incorporate provisions to permit accessory dwelling units within all base zoning districts in the City of Charleston.

BACKGROUND

The ordinance was reviewed by the Community Development Committee of Charleston City Council on April 30, 2020 and was recommended for approval as presented, with the condition that an affordability requirement was added. The attached ordinance includes the addition of the affordability requirement.

STAFF RECOMMENDATION

Provisions of the ordinance align with recommendations included in the 2020 Housing for Fair Charleston Report.

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO AMEND THE DEFINITIONS FOR HALF STORY, ACCESSORY BUILDING, AND ACCESSORY DWELLING UNIT, AND INCORPORATE PROVISIONS TO PERMIT ACCESSORY DWELLING UNITS WITHIN ALL BASE ZONING DISTRICTS IN THE CITY OF CHARLESTON

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

Section 1. The definition for “Accessory Building” in Section 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~striketrough~~ and adding text shown below with a double-underline:

“**Half Story.** ~~A story~~The space under a gabled or hipped roof, where the wall plates, or knee walls, ~~of which~~ on at least two opposite exterior walls are not more than two feet above the finished floor of such story. The aggregate width of dormers on a half-story shall not exceed 50% of the width of the exterior wall below the dormer(s).”

Section 2. The definition for “Accessory Building” in Section 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~striketrough~~ and adding text shown below with a double-underline:

“**Accessory Building.** A subordinate building on the same lot as the principal building(s) or use. Accessory buildings may include but not be limited to pool houses, additional living space, storage sheds, garages, and additional dwelling units ~~in zoning districts that permit additional dwelling units,~~ if permitted by this Chapter. Accessory buildings in SR (Single-family Residential) zone districts shall not include kitchens unless the accessory building is permitted by this Chapter to have an accessory dwelling unit.”

Section 3. The definition for “Accessory Dwelling Unit” in Section 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with a double-underline:

“Accessory Dwelling Unit. A dwelling unit providing complete, independent living facilities for no more than two adults that is separate from and subordinate to the principal dwelling unit, and located in the same building as the principal dwelling unit or in an accessory building on the same lot. This definition includes garage apartments.”

Section 4. Article 2, Part 4 Accessory Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following sections in numerical order:

“Section 54-214. Accessory Dwelling Unit

An Accessory Dwelling Unit (ADU) may be approved in all base zoning districts, as an accessory use to a principal single-family dwelling unit, if all of the following conditions are met:

- a. A scaled site plan must be submitted which shall show all information listed on the Accessory Dwelling Unit Application and Site Plan Checklist and Application provided by the Department of Planning, Preservation and Sustainability, as may be amended from time to time;
- b. In conjunction with the site plan, a Recorded Covenant Affidavit must be submitted, which certifies that no covenants exist that prohibit the construction of an ADU;
- c. There shall be a limit of one ADU per lot, subject to meeting all other requirements contained in this section, and the total number of dwelling units, including the ADU, shall not exceed two dwelling units per lot. The ADU may be separately metered for electricity, gas, and water.
- d. Each ADU shall be limited to 850 square feet of conditioned floor area, except that:
 1. In the case of an ADU located above a detached garage approved utilizing setback exceptions listed in Sec. 54-506, f., footprint maximums described in Sec. 54-506, f. take precedence over the requirements of this section.
 2. In the case of an ADU located on the ground level and attached to or located within a detached accessory building approved utilizing setback exceptions listed in Sec. 54-506, f., the building footprint shall not exceed 600 square feet.

- e. One (1) off street parking space shall be provided for the occupants of the ADU on the subject property, in addition to providing, on the subject property, required off street parking for existing uses on the property. The parking space provided for the ADU may be situated in tandem with the required spaces for other uses.
- f. In the case of an ADU that is to be rented, wherein the occupant pays rent or other remuneration to the property owner(s) for use of an ADU, the ADU must meet Affordable Housing income and rental thresholds as defined in Sec. 54-120. and the requirements the below.
 - 1. Prior to receiving a building permit for the ADU, the owner thereof shall provide in writing, to the satisfaction of the City of Charleston Department of Planning, Preservation and Sustainability and the Department of Housing and Community Development, or their successors, information identifying that the ADU will be rented as Affordable Housing. The Department of Housing and Community Development shall verify this information.
 - 2. Prior to the issuance of a certificate of occupancy, the owner shall execute and record covenants satisfactory to the Department of Housing and Community Development, or its successor, which restricts the ADU rental threshold to occupancy by qualified households and requires that the owner provide proof of affordability to the Department of Housing and Community Development on an annual basis thereafter. A copy of the recorded covenants shall be provided to the Department of Housing and Community Development.
- g. In the case that the ADU will be occupied but not rented, the owner thereof shall provide this information in writing to the Department of Planning, Preservation and Sustainability, or its successor, prior to receiving a building permit and shall restrict the use in recorded covenants.
- h. The following conditions shall be memorialized in a recorded covenant to run with the property. Prior to the issuance of a certificate of occupancy, the owner shall provide a copy of the recorded covenants to the Department of Planning, Preservation and Sustainability.
 - 1. Either the principal structure or the accessory dwelling unit, hereinafter ADU, must be owner-occupied and serve as the owner's primary residence. If neither unit is owner-occupied, the ADU may not be rented separately from the principal dwelling unit. No subleases of the ADU are permitted;
 - 2. Occupancy of an ADU shall be limited to no more than two (2) adults with “adult” defined as any person eighteen years of age or older;

- 3. Under no circumstances shall the property be converted to a horizontal ownership regime;
- 4. Terms of occupancy per Sec. 54-214, f. or 54-214, g. above;
- 5. Neither the principal dwelling unit or ADU shall not be utilized for a Short Term Rental;
- 6. The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy.”

Section 5. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2020, and in the ____ Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST: _____
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

July 15, 2020

Zonings:

<u>Item #</u>	<u>Property Address</u>	<u>Approx. Acres</u>	<u>Land Use</u>	<u>Previous Zoning</u>	<u>Recommended Zoning</u>
1.	416 Riverland Dr (James Island)	0.26	Residential	Single-Family Residential (R-4)	Single-Family Residential (SR-1)
2.	450 Riverland Dr (James Island)	0.50	Residential	Single-Family Residential (R-4)	Single-Family Residential (SR-1)
3.	Savannah Highway (West Ashley)	6.68	Vacant	Single-Family Residential (R-4)	General Business (GB)
4.	2118/2120 St James Dr (James Island)	0.23	Residential	Single-Family Residential (R-4)	Single-Family Residential (SR-1)
5.	1720 Pinecrest Rd (West Ashley)	0.22	Residential	Single-Family Residential (R-4)	Single-Family Residential (SR-2)
6.	Summerville Ave (Peninsula Neck)	1.40	Right-of-way	Unzoned	General Business (GB)
7.	Fishburne St & Coming St (Peninsula)	0.14	Unused Right-of-way	Unzoned	Mixed-Use/Workforce Housing (MU-1/WH)

withdrawn
deferred

BACKGROUND

Zonings 1 & 2: The subject properties were recently annexed into the City of Charleston. The zoning district recommended in the City closely matches the zoning assigned to the property in Charleston County and it is compatible with the context of the existing development or lot sizes in the surrounding neighborhood.

Zoning 3: *Note: City Council gave first reading approval to GB zoning on this property on June 23.* The subject property is pending annexation into the City and is situated at the intersection of Savannah Highway and Carolina Bay Drive. Most of its frontage is on Marginal Road, a saddle-road specifically designed at the time of the Carolina Bay development approval process to handle traffic from a mix of uses including the adjacent multi-family units, the predominantly single-family Carolina Bay development and neighborhood compatible commercial that is intended to fill-in around this intersection. The Century V Plan designates the property as Highway District which is typified by a mix of uses in a suburban context. The property is currently a vacant, wooded tract. Any commercial development would be required to have approval by the City's Design Review Board (DRB) and Technical Review Committee (TRC).

Zoning 4: Withdrawn by the applicant

Zoning 5: Deferred by the applicant

Zoning 6: A portion of the southern end of Summerville Avenue and other right-of-way areas adjacent to Summerville Avenue were recently resurveyed and recorded as privately-owned land property. The City of Charleston is requesting a zoning designation of General Business (GB) for the previously unzoned area matching the surrounding zoning districts. The Planning Commission recommended approval of GB zoning in May 2019 but the item expired before Council could take action. It is being re-initiated by City Council on their July 14 agenda and must go through the typical zoning process again.

Zoning 7: A portion of SCDOT right-of-way adjacent to the Septima P. Clark Parkway is under negotiation to be deeded to the City of Charleston and used for affordable housing. The newly parceled property would form the southwest corner of the intersection of Fishburne Street and Coming Street. The proposed Mixed-Use/Workforce Housing (MU-1/WH) will give the property the flexibility it needs to contain housing units that fit into the character of the existing neighborhood.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the zoning of property. The proposed zonings are appropriate for the Century V Plan designations assigned to the subject properties.

STAFF RECOMMENDATION FOR ZONINGS 1-3, 6 & 7

APPROVAL

ZONING 1

416 Riverland Dr

(Green Acres – James Island)

TMS # 3431000002

approx. 0.26 ac.

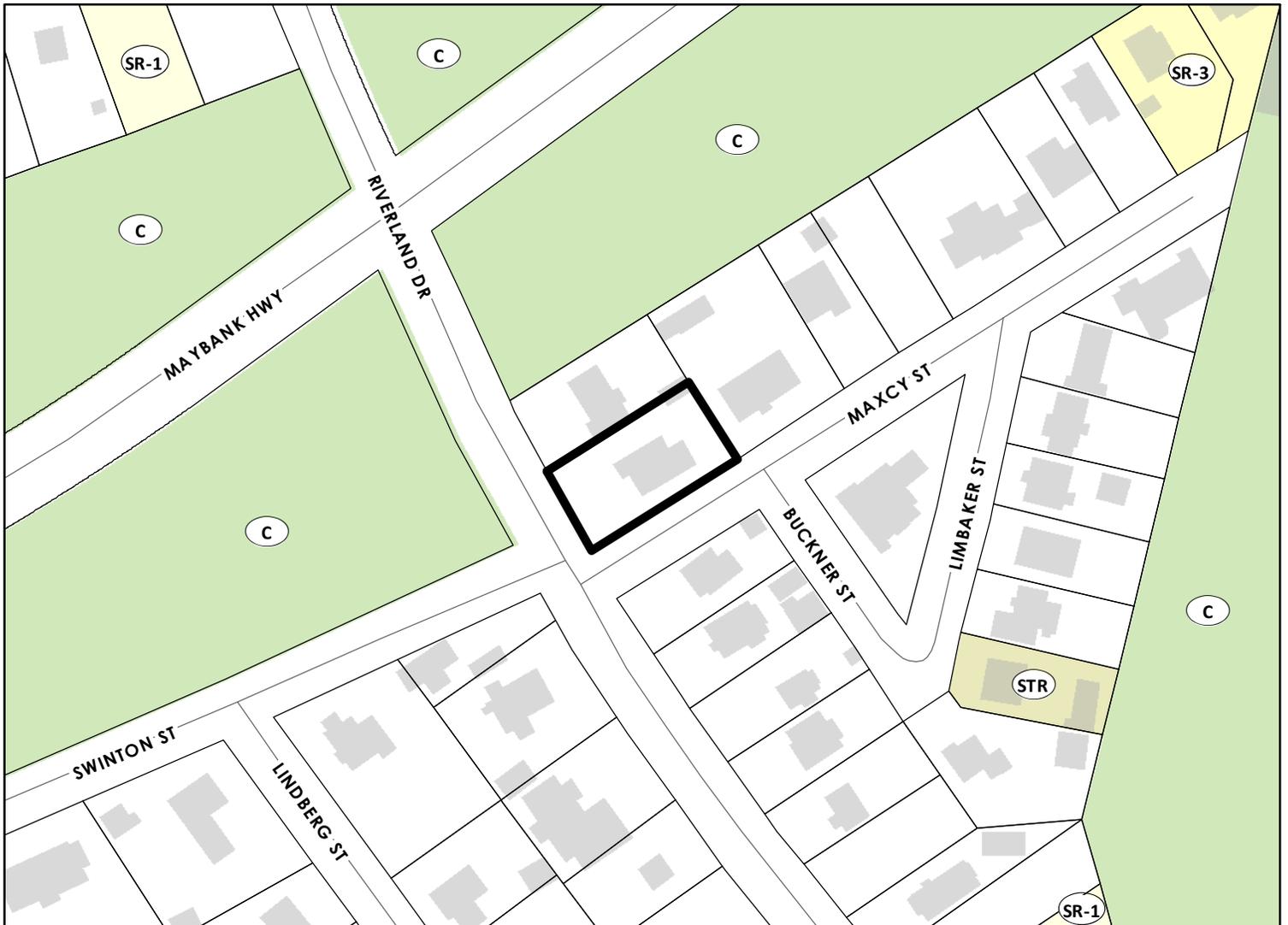
Request zoning of Single-family Residential (SR-1)
Zoned Single-family Residential (R-4) in Charleston
County.

Owner: W. Coleman and Christina M. Lawrimore

Area



Location



ZONING 2

450 Riverland Dr

(Green Acres – James Island)

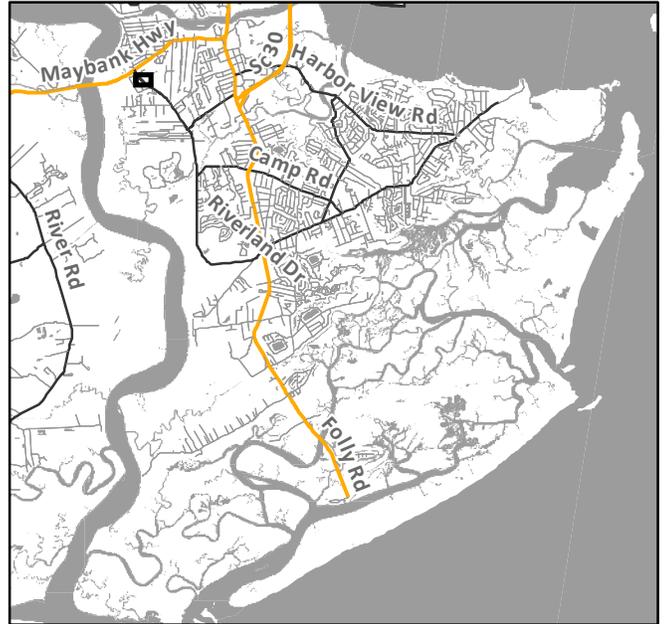
TMS # 3431000019

approx. 0.50 ac.

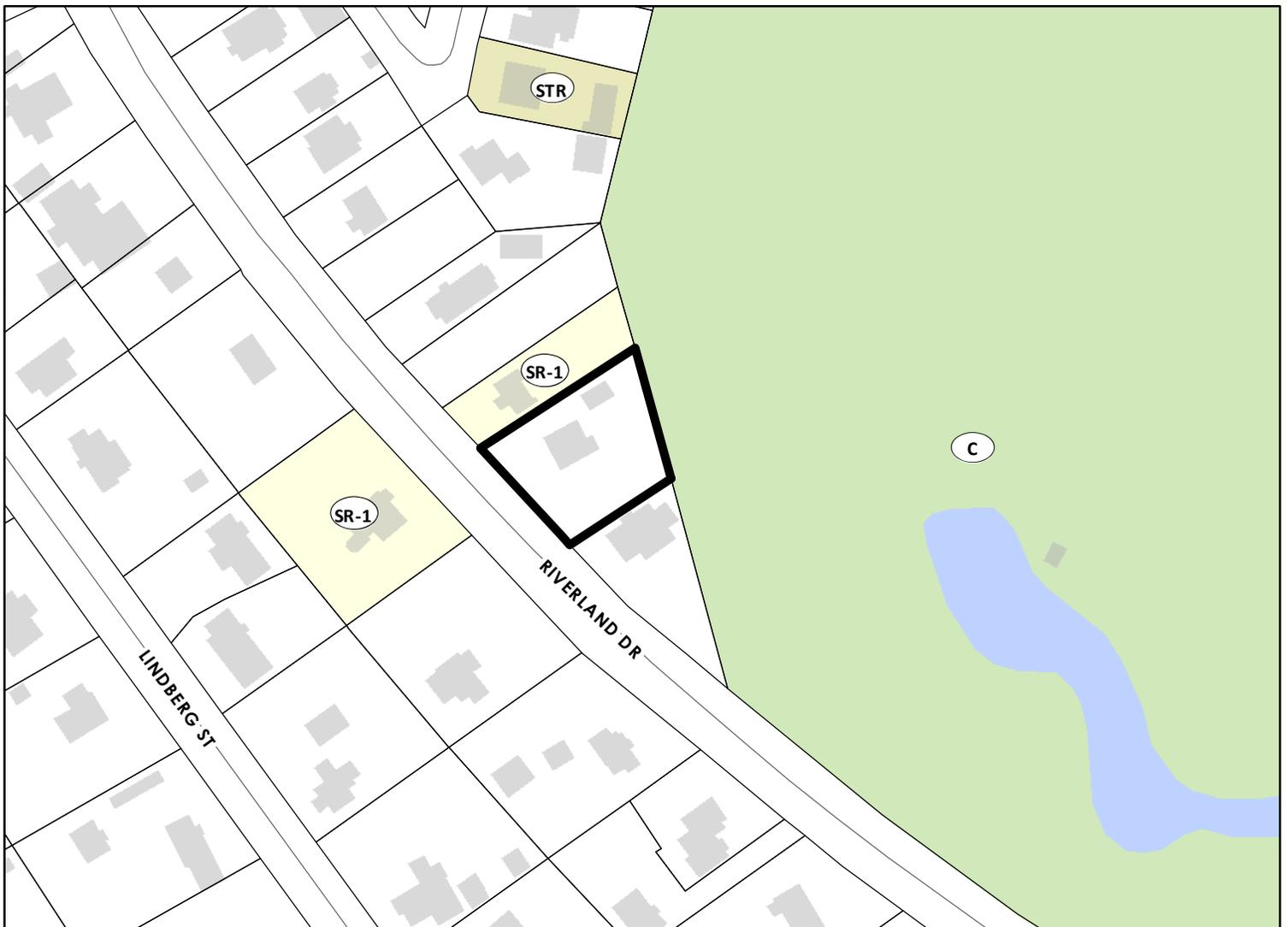
Request zoning of Single-family Residential (SR-1)
Zoned Single-family Residential (R-4) in Charleston
County.

Owner: Whitney and Alexander Pasquini

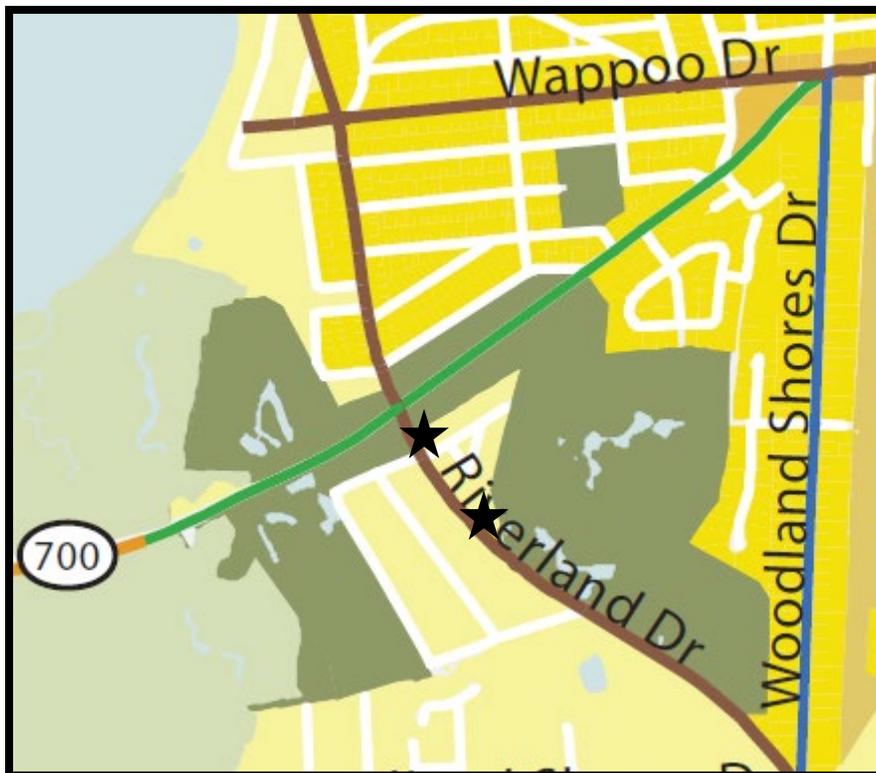
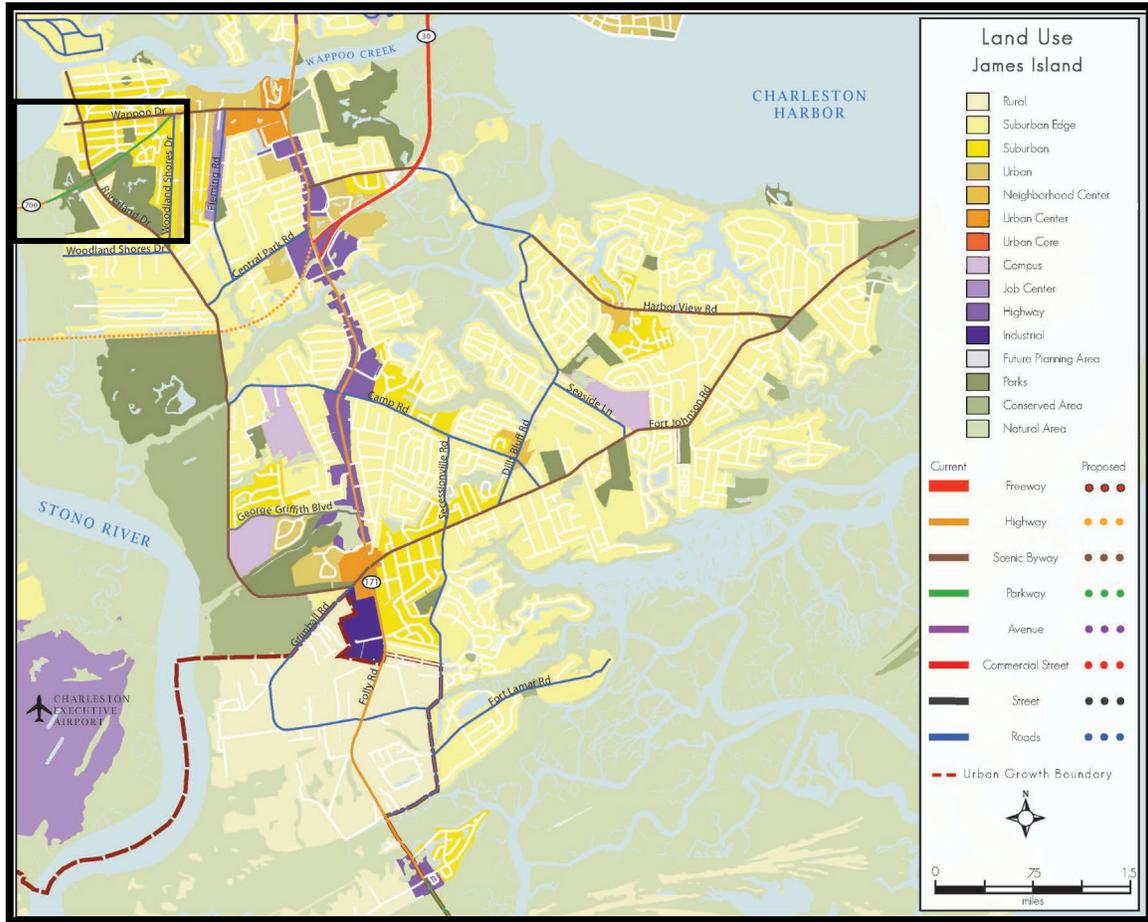
Area



Location



416 AND 450 RIVERLAND DR CENTURY V PLAN – SUBURBAN EDGE



ZONING 3

Property on Savannah Highway (West Ashley)

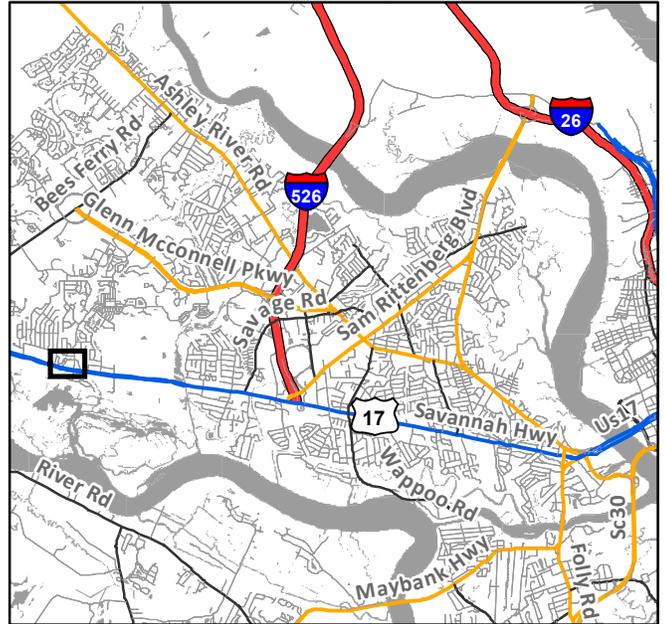
TMS # 3070500015

approx. 6.68 ac.

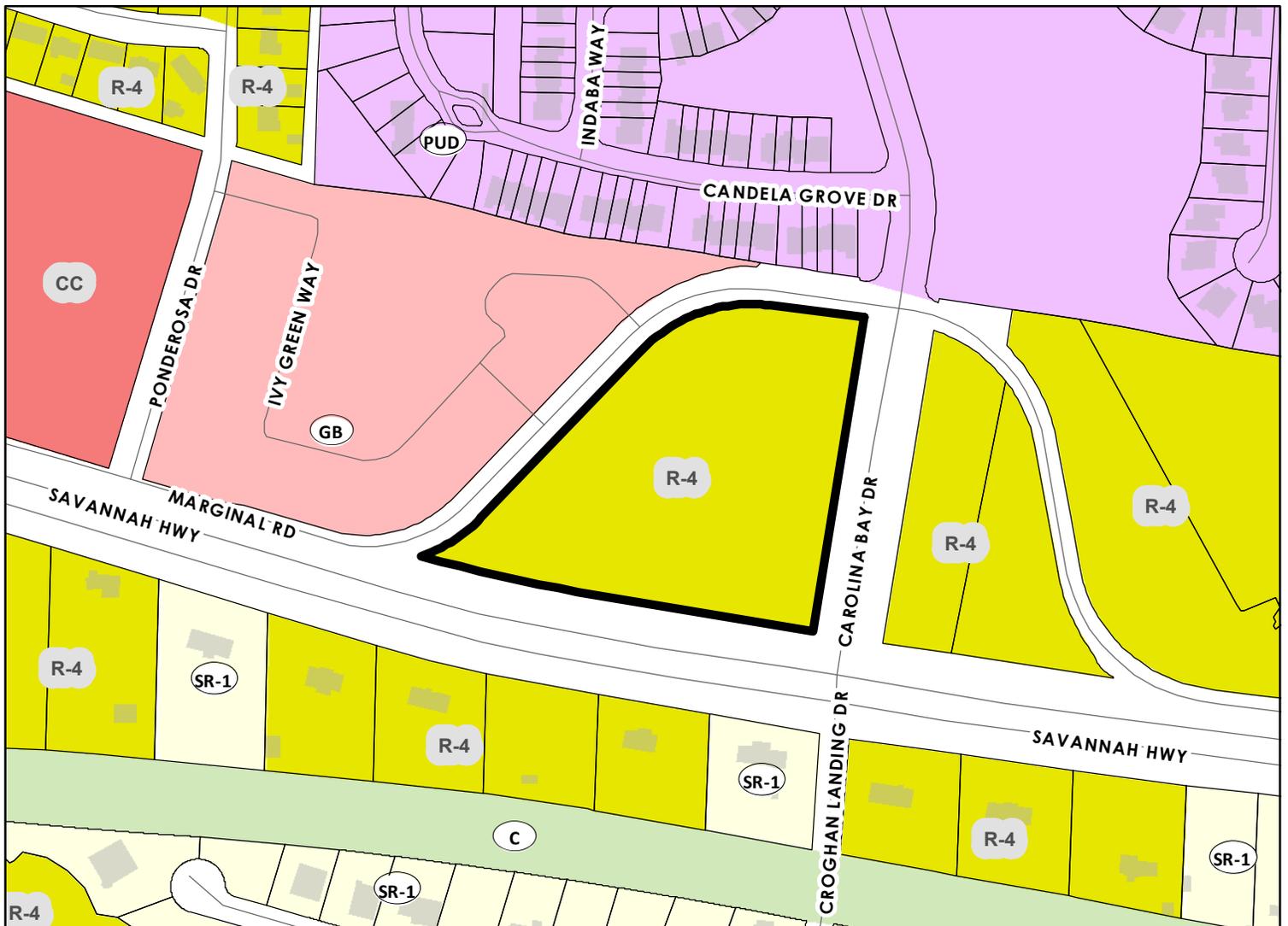
Request zoning of General Business (GB).
Zoned Single-family Residential (R-4)
in Charleston County.

Owner: John McLeod Bradham et al

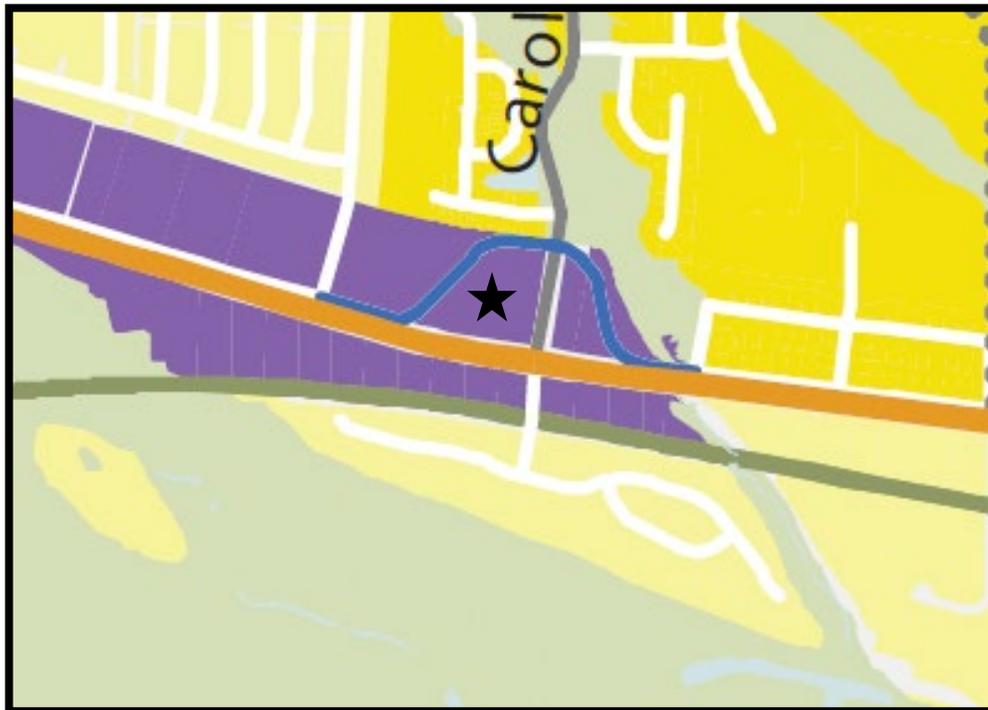
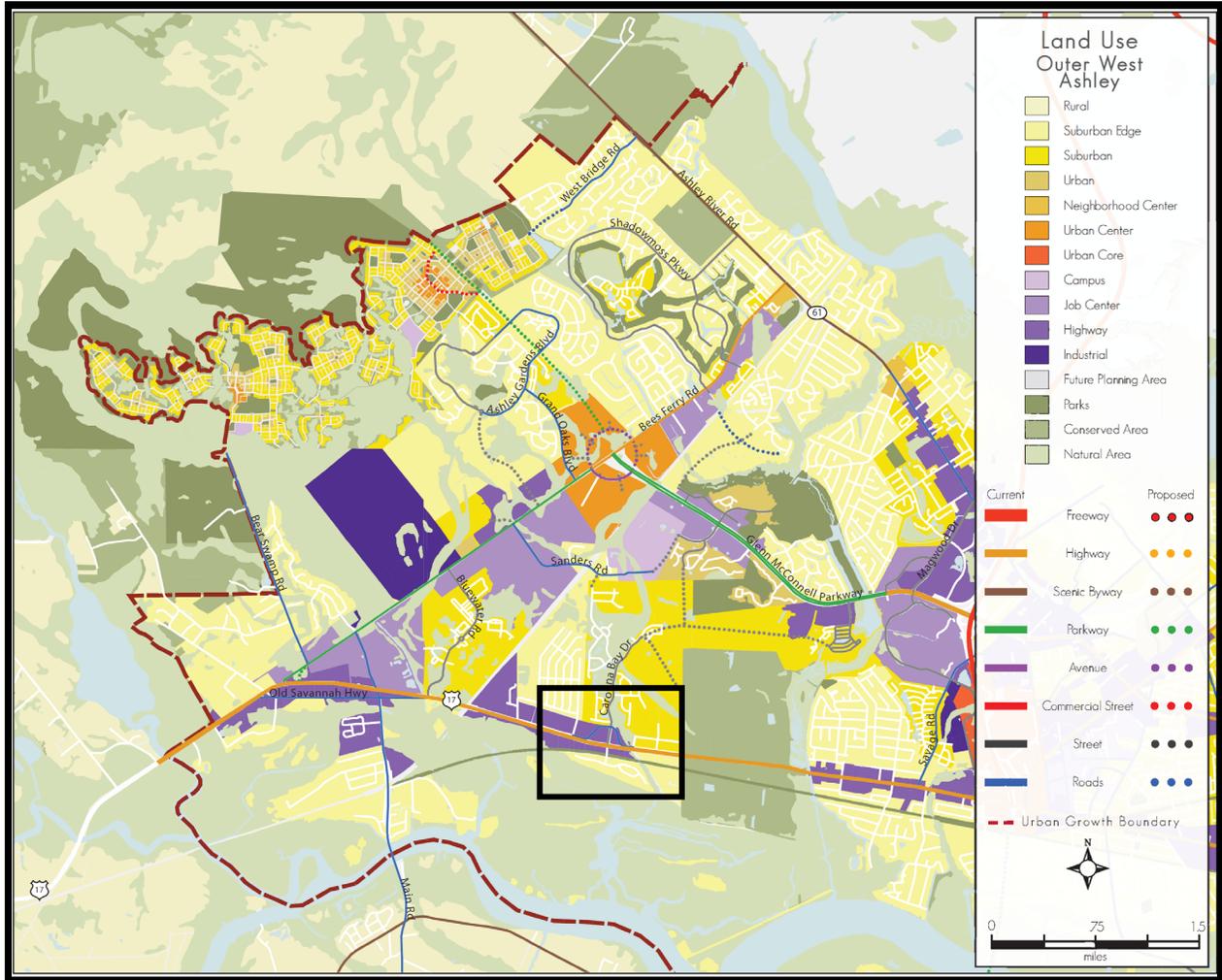
Area



Location



SAVANNAH HWY CENTURY V PLAN – HIGHWAY



ZONING 6

Summerville Ave Right-of-Way (Peninsula Neck)

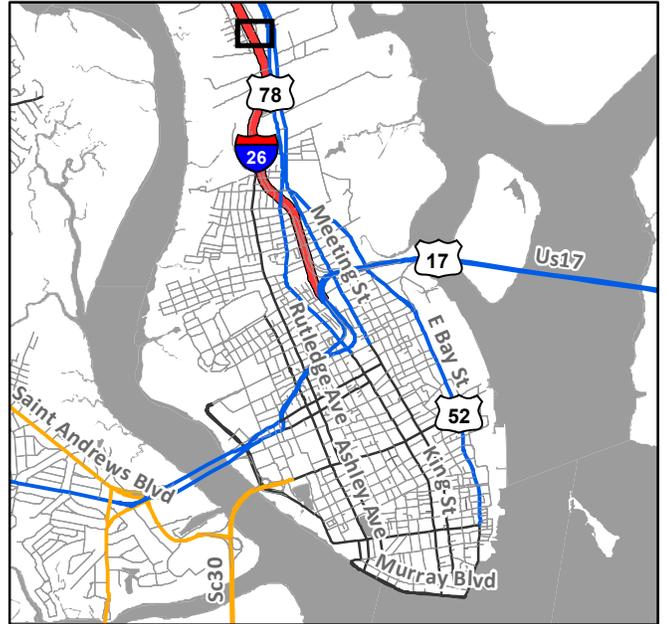
TMS # 4640200107

approx. 1.40 ac.

Request zoning of General Business (GB).
Previously unzoned right-of-way.

Owner: 1834 Summerville Ave LLC
Applicant: City of Charleston

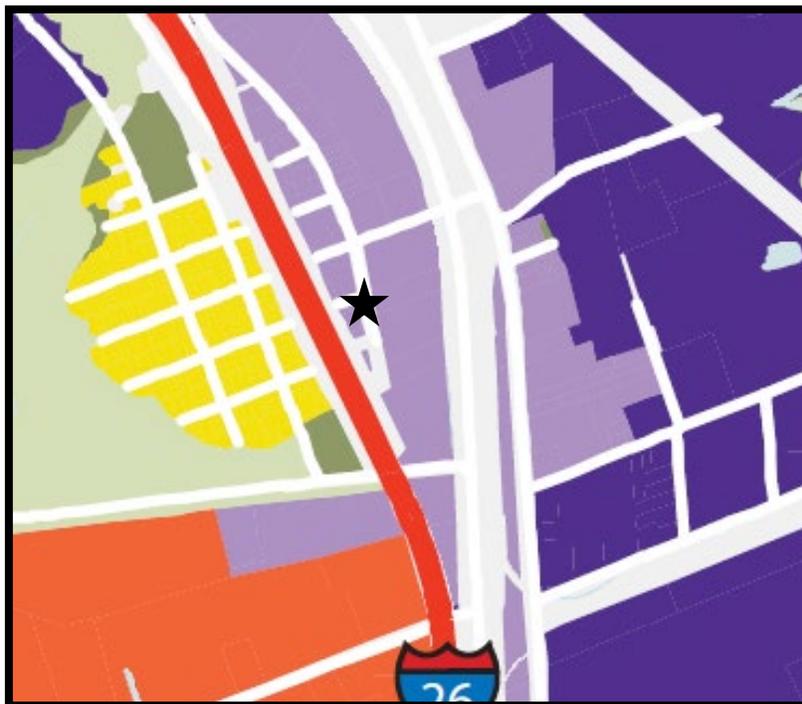
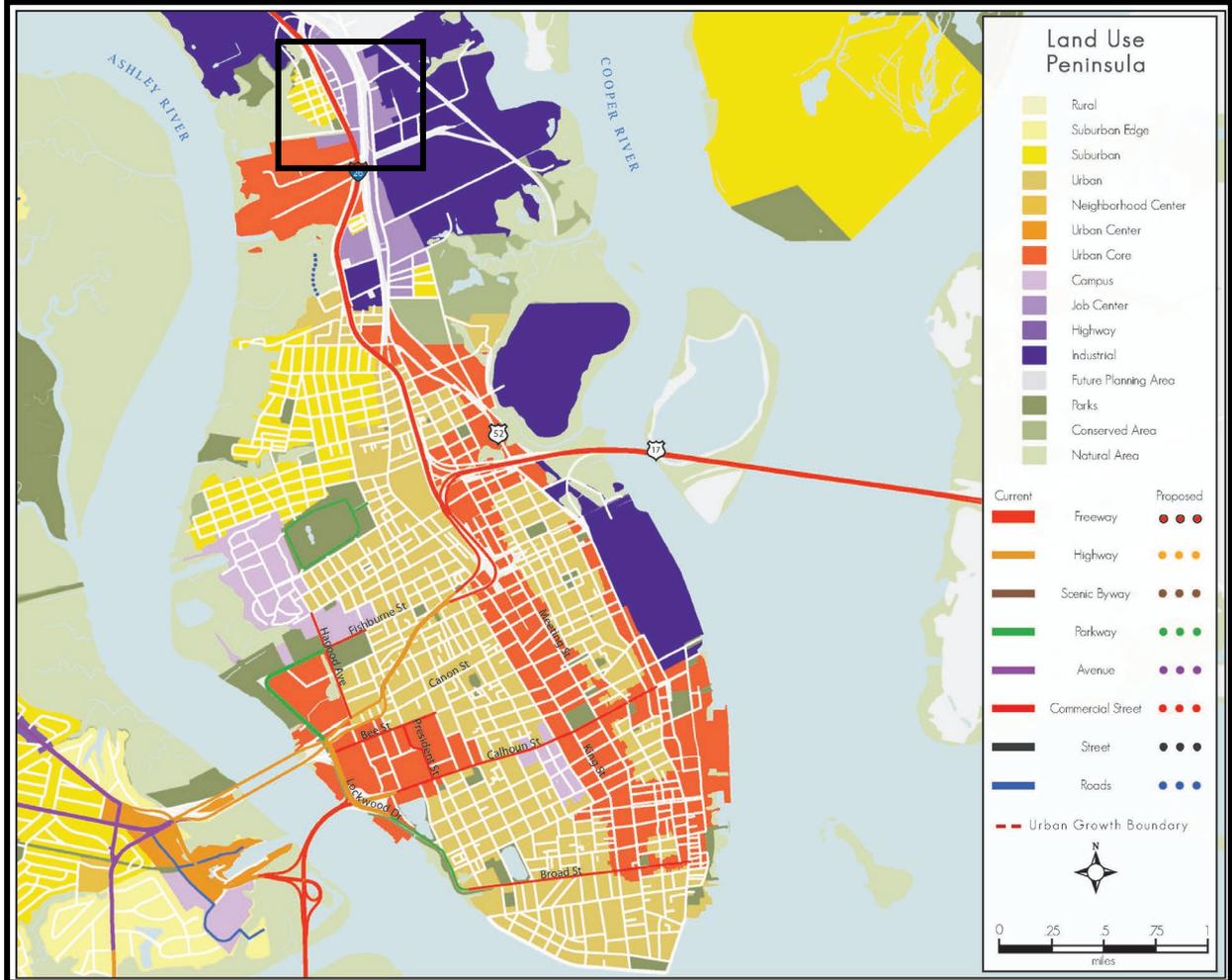
Area



Location



SUMMERVILLE AVE CENTURY V PLAN – JOB CENTER



ZONING 7

Southeast corner of Fishburne St & Coming St
(Westside - Peninsula)

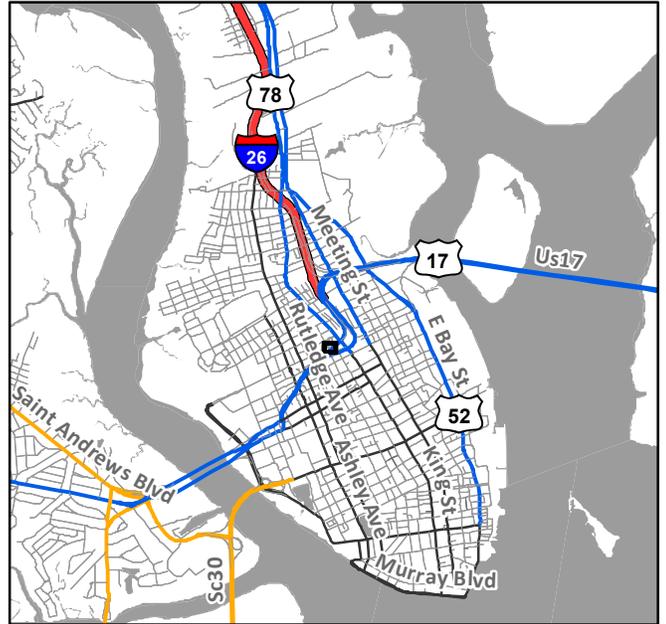
TMS # to be assigned

approx. 0.14 ac.

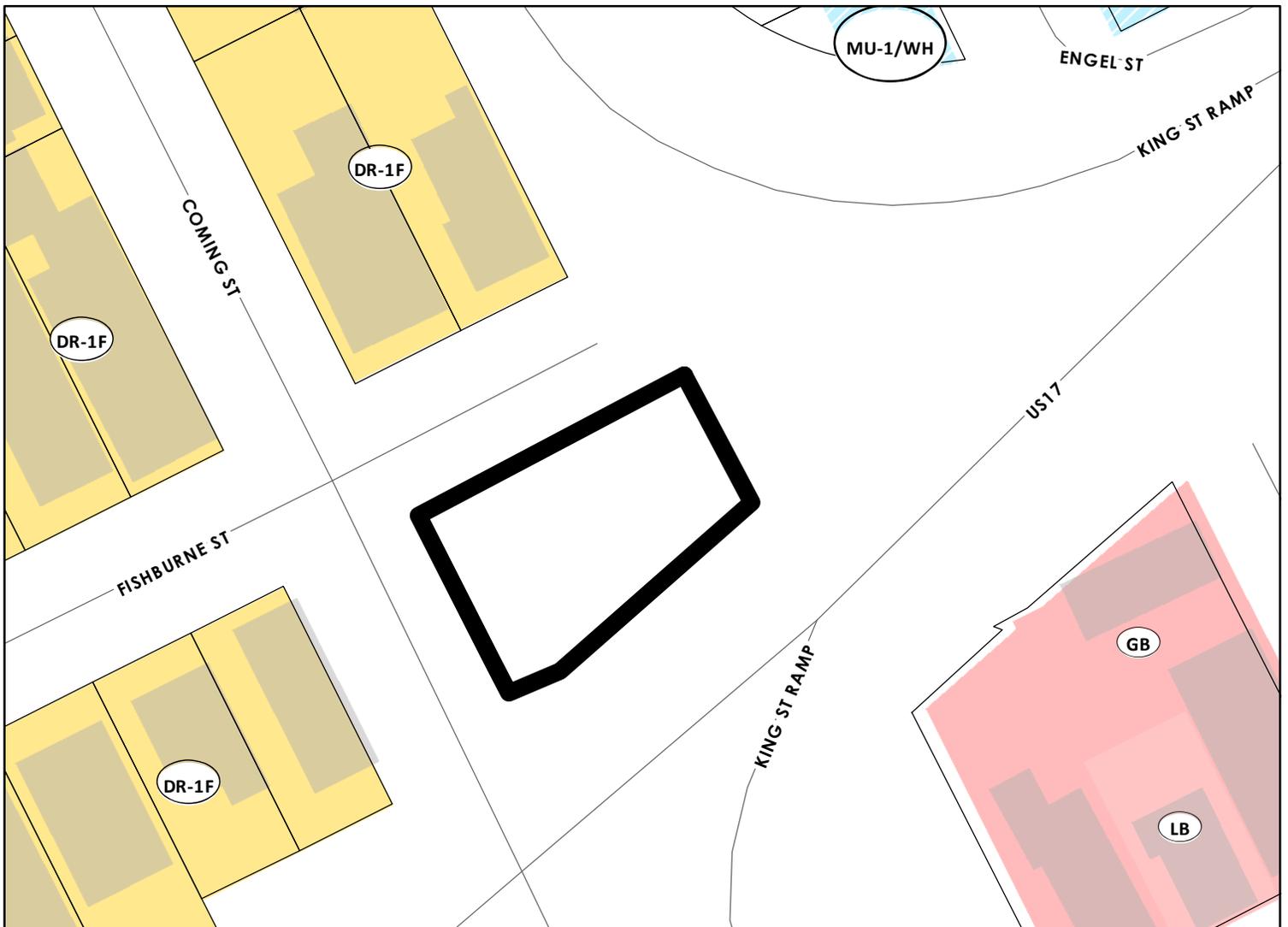
Request zoning of Mixed-Use/Workforce Housing
(MU-1/WH). Currently unzoned right-of-way.

Owner: SCDOT
Applicant: City of Charleston

Area



Location



FISHBURNE ST & COMING ST CENTURY V PLAN – URBAN

