

February 13, 1996

COUNCIL CHAMBER

Regular Meeting.

February 13, 1996

The fourth meeting of the City Council of Charleston was held this date convening at 7:20 p.m., in City Hall.

A notice of this meeting and an agenda were mailed to the news media February 9, 1996. A notice of this meeting appeared in The Post and Courier February 11, 1996.

PRESENT

The Honorable Joseph P. Riley, Jr., Mayor, and Councilmembers Hagerty, Kinloch, Lewis, Washington, Scott, Waring, Evans, Ader, Shirley, and Thomas -- 11.

Councilmember Jefferson was unable to attend the meeting due to illness. Councilmember Hart had attended the Ways and Means meeting, but he was unable to stay for the City Council meeting because he had to travel for business. Councilmember Thomas left during the meeting due to illness.

Councilmember Lewis opened the meeting with a prayer.

Councilmember Lewis led City Council in the Pledge of Allegiance.

The Mayor apologized for the delay in beginning the meeting and explained the business of the Committee on Ways and Means ran longer than expected.

The meeting began with the recognition of Firefighters Darryl Mitchell, Mark Davis, Charles Wheeler and Reginald Westcott for their heroic efforts during a house fire on Perry Street.

At the invitation of the Mayor, Chief Russell Thomas, Chief of "the best fire department in the world", the City of Charleston Fire Department, joined the Mayor at the podium. The Mayor also invited Firefighters Darryl Mitchell, Mark Davis, Charles Wheeler, and Reginald Westcott to the podium. A round of applause followed.

The Mayor called on Chief Thomas to relate the story of "a miracle caused by extraordinary skill, courage, excellent training, first rate equipment, and an absolute commitment to risk their lives to save the lives of our citizens".

Chief Thomas read a letter from Captain William Franklin Finley, Jr., Engine Co. 8, about the events that occurred on December 28, at 10 Perry Street by Mitchell School off Fishburne Street.

To: Chief R. B. Thomas, Jr.
Charleston Fire Department

On December 28th at 11:35 a.m. we received a call for a fire at 10 Perry Street. Upon our arrival heavy smoke was pushing out the second floor windows and doors on the second floor porch. The fire was on the first floor in the living room, hallway and stairwell. It was extending to the dining room and second floor hall.

The first hose line was taken in the front door half way up the stairwell and back down to the living room. One elderly man was rescued off the second floor porch by a ground ladder put up by Firefighter D. Mitchell of Engine Co. 8. A search was started by firefighters for a thirteen month old child on the second floor with fire still burning. He was found in the hall at the top of the stairs by Firefighter Charles Wheeler and Firefighter R. Wescott of Engine Co. No. 6. Firefighter Wescott picked up the child and carried him down the stairs and gave him to Firefighter Mark Davis of Engine Co. 15. He worked on the child and went with EMS to the hospital.

These firefighters have been cited for their actions at this fire, but without everyone else at the fire doing their job none of this would have been possible.

Without the daily training and equipment in the Charleston Fire Department none of this would have ever been possible.

Respectfully,

Capt. William Franklin Finley, Jr.
Engine Co. 8

F.F. Mark Davis

F.F. Darryl Mitchell

F.F. Reginald Wescott

F.F. Charles Wheeler

Chief Thomas said the only thing that was not burned on the child was his diaper and his tee shirt. He invited the parents of Duane Jenkins, Jr., Donna Johnson and Duane Jenkins, and his grandmother, Mildred Simmons, to the podium.

The mother thanked all the firemen who had worked to save her child. She said "he still has a long way to go, but he's made it this far and he has the doctors kind of puzzled. He's breathing, his pressure is stable, his skin grafts are about 95% complete, he has already had cosmetic surgery". She thanked the firemen again and said God had brought him through. He has some bad days, but he is still holding on.

His grandmother thanked the firemen for saving her grandchild from the fire. She also thanked God. And, she expressed her gratitude to everyone for all of their prayers and wished God's blessing on everyone.

Mayor Riley said he had a token of the City's admiration and appreciation, but he felt their reward was that "marvelous little boy, still alive at the Medical University". He then read the following letters to "each of these brave firemen":

February 13, 1996

Firefighter Darryl Mitchell
Charleston Fire Department
262 Meeting Street
Charleston, South Carolina 29401

Dear Firefighter Mitchell,

On December 28th, 1995, the Charleston Fire Department received a call for a fire at 10 Perry Street. Upon arrival, heavy smoke was coming out of the second floor windows. Obviously, this was a serious fire and lives were at stake.

Your actions in rescuing an elderly man who was trapped on the second floor porch by the fire were exemplary. Without your skill and dedication, he might have been lost in that fire. I am very proud of you and your fellow firefighters for their conduct at 10 Perry Street.

On behalf of all the citizens of Charleston, Charleston City Council, and myself I offer my sincere appreciation and gratitude and commend your courage and determination.

Most sincerely yours,

JOSEPH P. RILEY, JR.
Mayor, City of Charleston

February 13, 1996

Firefighter Mark Davis
Charleston Fire Department
262 Meeting Street
Charleston, South Carolina 29401

Dear Firefighter Davis,

On December 28th, 1995, the Charleston Fire Department received a call for a fire at 10 Perry Street. Upon arrival, heavy smoke was coming out of the second floor windows. Obviously, this was a serious fire and lives were at stake.

Your actions in reviving the thirteen month old child who was found seriously burned on the second floor were exemplary. The heroic performance of your job saved his life. I am very proud of you and your fellow firefighters for their conduct at 10 Perry Street.

On behalf of all the citizens of Charleston, Charleston City Council, and myself, I offer my sincere appreciation and gratitude and commend your courage and determination.

Most sincerely yours,

JOSEPH P. RILEY, JR.
Mayor, City of Charleston

February 13, 1996

Firefighter Charles Wheeler
Charleston Fire Department
262 Meeting Street
Charleston, South Carolina 29401

Dear Firefighter Wheeler,

On December 28th, 1995, the Charleston Fire Department received a call for a fire at 10 Perry Street. Upon arrival, heavy smoke was coming out of the second floor window. Obviously, this was a serious fire and lives were at stake.

Your courage in entering the burning building to rescue the thirteen month old child who was still inside was exemplary. Your search in the smoke and fire showed your dedication and determination to save his life. I am very proud of you and your fellow firefighters for their conduct at 10 Perry Street.

On behalf of all the citizens of Charleston, Charleston City Council, and myself I offer my sincere appreciation and gratitude and commend your courage and determination.

Most sincerely yours,

JOSEPH P. RILEY, JR.
Mayor, City of Charleston

February 13, 1996

Firefighter Reginald Wescott
Charleston Fire Department
262 Meeting Street
Charleston, South Carolina 29401

Dear Firefighter Wescott,

On December 28th, 1995, the Charleston Fire Department received a call for a fire at 10 Perry Street. Upon arrival, heavy smoke was coming out of the second floor windows. Obviously, this was a serious fire and lives were at stake.

Your actions in rescuing an elderly man who was trapped on the second floor porch by the fire were exemplary. Without your skill and dedication, he might have been lost in that fire. I am very proud of you and your fellow firefighters for their conduct at 10 Perry Street.

On behalf of all the citizens of Charleston, Charleston City Council, and myself, I offer my sincere appreciation and gratitude and commend your courage and determination.

Most sincerely yours,

JOSEPH P. RILEY, JR.
Mayor, City of Charleston

A lengthy standing ovation followed.

Next on the agenda was a presentation by Ray Huff, distinguished architect, practitioner-professor, and the City of Charleston's representative on the Charleston Trident Regional Economic Alliance. The Mayor noted this group has worked very hard and been quite successful in bringing new business and industrial opportunities as well as causing expansions.

At the invitation of the Mayor, Mr. Huff was joined by Graham Edwards, Chairman of the Alliance and head of Santee-Cooper, and Ben Cole, Executive Director of the Alliance and former Chairman of Dorchester County Council.

Mr. Huff reported there was a tremendous amount of good news on the economic front, and he felt a lot of the credit was due to the stewardship of the chair, Graham Edwards. He noted Mr. Edwards has supplied a lot of his know-how and guidance to the Alliance.

Mr. Huff went on to comment on the good job done by Ben Cole as Executive Director of the Alliance.

Mr. Edwards said he had distributed a newsletter to the Mayor and Councilmembers called "*Momentum*" and also a copy of 1995 Results in Review. He reported the Charleston region had outperformed the rest of the state of South Carolina. He noted the state had a banner year for economic development, and so did the Charleston region. He said by any measure each of the three counties was in the top fifteen of all forty-six counties throughout the state in areas such as number of new companies, amount of investment, in new jobs created.

Mr. Edwards went on to say that in Charleston County the Alliance had eight announcements of new industry coming into the area. He clarified the importance of the spin-off impact. With the new industry in Charleston County, there was approximately \$23« million of

capital investment which means an increase in the tax base and about 1,325 new direct jobs. He pointed out the billboard placed on the highway by the Charleston Metro Chamber of Commerce which says about 7,800 new jobs have been created in the Charleston Region. He noted these jobs included spin-off jobs created along with the 1,325 direct jobs.

Mr. Edwards commended the efforts and leadership of Mr. Huff and Mr. Cole. He expressed appreciation for all Mayor Riley had done and his support, not only in 1995, but for many years in support of economic development and recognizing it as a major component of the infrastructure - the creation of jobs and capital investment.

Mr. Edwards said in 1995 there had been over \$910,000,000 in capital investment in the tri-county area. He said the Alliance is working and this can be attributed to the leadership of Mayor Riley and Ben Cole. He further commented on the assistance and participation of the Mayor and his staff, and, in particular, Lawrence Thompson, in showing what the City of Charleston and Charleston County have to offer new businesses.

He said in surveying why businesses choose to locate in a region. There are many attributes for Charleston including the port and the medical community. One thing that always surfaces is the quality of life in the Charleston Region.

A round of applause followed. The Mayor thanked Messrs. Huff, Edwards, and Cole for their participation.

Next, the Mayor introduced David Agnew, his new executive assistant, who will be working along with Mary Ann Sullivan. He succeeds Lewis Hudgins.

The next item of business was a public hearing called for by the following advertisement which appeared in the Post & Courier on January 14, 1996, and in The Chronicle January 31, 1996.

CITY OF CHARLESTON
NOTICE OF PUBLIC HEARING
AND COMMENT PERIOD

The City of Charleston will conduct a PUBLIC HEARING on Tuesday, February 13, 1996 at 6:00 p.m. in City Council Chambers at City Hall, 80 Broad Street, Charleston, South Carolina.

The purpose of this public hearing is to receive public comments on the City of Charleston's **"1996 ADA Paratransit Plan Update."** The ADA Update is a document which describes Tel-A-Ride, the current system of demand-response paratransit service for persons with disabilities who are unable to utilize the local public bus service. The Update has been developed in accordance with the Americans With Disabilities Act of 1990.

Copies of the City of Charleston's ADA Update and applicable federal regulations can be obtained from the Transit Administration Office, 36 John Street, beginning Wednesday, January 17, 1996 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. Copies of the Update will be available in large print and on audio cassette.

Persons who are unable to attend the public hearing may provide written comments on any aspect of the ADA Update. Comments should be addressed to the Transit Administration Office, 36 John Street, Charleston, SC 29403 and will be received until 4:00 p.m. on Wednesday February 14, 1996.

Transportation to and from the public hearing will be available to certified Tel-A-Ride patrons. An interpreter will be present at the public hearing for the hearing impaired. City Hall is accessible through the ground floor entrance.

For more information on this public hearing, please call the Transit Administration Office at 724-7420.

The Mayor called on Howard Chapman, Director, Department of Traffic and Transportation. Mr. Chapman referred Council to the update in their agenda packets and called on Ms. Ward.

Leslie A. Ward, Contract Administrator for the Tel-A-Ride Program operated in the City's Transit Division, briefed City Council on the public hearing matter. Linda Janey acted as translator for the hearing impaired who attended the meeting.

Ms. Ward noted changes include a new contract beginning March 1, 1996. As of March 3, 1996, the service will run seven days a week. Four additional vehicles have been ordered, increasing the fleet to thirteen vehicles. Those should arrive the end of February or beginning of March. She commented she hoped that would be good news for those who had come out to the meeting.

The Mayor invited comments from the members of the public. The following persons addressed City Council regarding the Tel-A-Ride Program:

- (1) Scott Hall, 16 Lamboll Street, asked if the drivers will be the same with the new company. He commented that on several occasions drivers had not shown up. He expressed appreciation for Tel-A-Ride and said he had his share of complaints.

Mr. Chapman replied it was the intent of the new company to retain the drivers who were helpful and the good drivers. The company will look into this.

Mr. Hall went on to explain problems with reservations for pickup and return to his home and waiting for the driver only to learn the driver had gone to the place he was to be delivered rather than the place he was to be picked up.

- (2) Sandra Hodges, Dorchester Road, said she had similar experiences to the ones Mr. Hall described. She explained she was recently widowed, has two children, one of whom is handicapped, and she is visually impaired. She also spoke against the prior reservation requirement, particularly in health emergencies, and the five-minute requirement to get to the van when it arrived. She explained the difficulties in getting to the van with two children in such a short period of time. She spoke of some of the rude comments that had been made to her.
- (3) Ms. Rosina Diaz said the Tel-A-Ride lacked organization, was poorly managed and poorly planned. She also asked if the company was an equal opportunity employer. She commented that people with disabilities could answer telephones.
- (4) Mrs. Joan Dubose addressed Council on behalf of her son, Robert DuBose, regarding the treatment of people in wheelchairs. She said straps are left on the floor which can flip a wheelchair. She suggested a ticket service, expanding the areas of service, and better wheelchair access in the Market Area.
- (5) Dolly Mims, Remount Road, said she had experience problems with drivers regarding the allergies of her seeing-eye dog. She suggested dropping the no show fee.
- (6) Edward Greene, Sequoia Street in Ardmore, expressed his gratitude for the service. As a dialysis patient, he has used the service often. He suggested using two vans as floaters.

- (7) Kristina Krosee suggested that passes be available for purchase so it would not be necessary to have exact change. She said the horns are very low and difficult to hear.
- (8) Mildred Kirkland expressed appreciation for the service. She suggested the driver state: "This is Tel-A-Ride." so the visually impaired would know they were boarding the right vehicle. Currently, the driver sounds the horn, but is difficult for the visually impaired to differentiate between the Tel-A-Ride horn and other horns. She suggested a five-minute waiting period, saying the the thirty-minute wait was too long.
- (9) David Payne, 8608 River Oaks Drive, expressed concern about management problems.

No one else indicated a desire to speak during the public hearing on the 1996 ADA Paratransit Plan Update. The Mayor declared this public hearing concluded.

The Mayor thanked everyone for attending the public hearing and for their patience. He told them their comments had been very helpful and constructive.

The next public hearing was called for by the following advertisement which appeared in the Post & Courier on Friday, January 12, 1996, and Friday, January 26, 1996 and in The Chronicle on Wednesday, January 21, 1996.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, February 13, 1996 beginning at 6:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

To zone properties annexed November 28, 1995:

1. 3298 Maybank Highway (0.8 acre) (TMS# 279-00-00-010) Commercial Transitional (CT). Annexation Ordinance 1995-538.
2. 3666 Hilton Drive (0.25 acre) (TMS# 285-10-00-086) Single-Family Residential (SR-1). Annexation Ordinance 1995-539.
3. 3657 Hilton Drive (0.25 acre) (TMS# 285-10-00-106) Single-Family Residential (SR-1). Annexation Ordinance 1995-540.
4. 2931 Bolton Road (0.25 acre) (TMS# 307-10-00-014) Single-Family Residential (SR-1). Annexation Ordinance 1995-541.
5. 2438 Thaxton Street (0.25 acre) (TMS# 310-02-00-057) Single-Family Residential (SR-1). Annexation Ordinance 1995-542.
6. 2253 South Dallerton Circle (0.25 acre) (TMS# 310-07-00-054) Single-Family Residential (SR-1). Annexation Ordinance 1995-543.
7. 358 Arlington Drive (0.25 acre) (TMS# 310-12-00-053) Single-Family Residential (SR-1). Annexation Ordinance 1995-544.
8. 1625 Pierpont Avenue (0.25 acre) (TMS# 353-03-00-061) Single-Family Residential (SR-1). Annexation Ordinance 1995-545.
9. 1808 Gun Club Road (0.25 acre) (TMS# 354-03-00-055) Single-Family Residential (SR-1). Annexation Ordinance 1995-546.

10. 2004 Saint Davids Lane (0.25 acre) (TMS# 354-03-00-066) Single-Family Residential (SR-1). Annexation Ordinance 1995-547.
11. 2102 Glen Oaks Court (0.25 acre) (TMS# 355-08-00-058) Canterbury Woods-Planned Unit Development (CW-PUD). Annexation Ordinance 1995-548.
12. 1210 Forbes Avenue (0.25 acre) (TMS# 418-05-00-258) Single-Family Residential (SR-2). Annexation Ordinance 1995-549.
13. To rezone 1757 Main Road (.33 acre) (TMS# 279-14-00-053) from Single-Family Residential (SR-1) classification to Commercial Transitional (CT) classification.
14. To rezone Glenn McConnell Boulevard (73 acres) (TMS# 306-00-00-001 and part of 009): 35.706 acres from General Office (GO) or Limited Business (LB) classification to Diverse Residential (DR-1) classification; 21.159 acres from Diverse Residential (DR-1) classification to Limited Business (LB) classification; 1.8 acres from General Office (GO) classification to Limited Business (LB) classification; 9.28 acres from Diverse Residential (DR-12) classification to General Business (GB) classification; and 4.64 acres from Single-Family Residential (SR-1) classification to General Business (GB) classification.
15. Request approval to amend Section 54-55, Design Standards for New Lots (Schedule of Business and Industrial Lot Frontage, Driveway Widths and Spacing), Chapter 54, Zoning to exclude commercial property located to the south of Mount Pleasant Street from street setback requirements relating to speed limits.
16. Request approval to amend Chapter 54, Zoning, Article 12, Section 54-86, Penalty, to delete the reference to specific penalties and to add a reference to Section 1-16 of the Code of the City of Charleston for penalties for violations.
17. Request approval to amend Chapter 54, Zoning, Section 54-8, Off-Street Loading Spaces for Business, Trade or Industry, to exempt existing buildings used for business, wholesale industry, or terminal uses with the Old and Historic and Old City Districts in Peninsula Charleston from the off-street loading requirement; and to clarify language regarding what uses are subject to this requirement.
18. Request approval to amend Chapter 54, Zoning, Section 54-36 Height and Area Regulations, of the City of Charleston to amend wall height requirements for areas under Board of Architectural Review jurisdiction.
19. Request approval to amend Section 54-43, Exceptions to Yard Requirements, of the Zoning Ordinance of the City of Charleston to include an exception to required north and east side yard setbacks for rear additions to existing buildings.
20. Request approval to amend Section 54-110, Tree Protection. *Planning and Zoning Commission recommends approval with Section 3 withdrawn.*
21. Affirmation Boulevard, 600 feet south of Harborview Road (13.48 acres) (TMS# 428-00-00-032). Request amendment to the approved Master Plan and Development Guidelines (approved August 16, 1994, Ordinance 1994-260) for the above referenced property. The property is zoned Planned Unit Development.

Interested persons are invited to attend the hearing and express their views. Extended presentations should be made in writing.

MARY R. WRIXON
Clerk of Council

Please insert as a Display Ad in the Post Courier on Friday, January 12, 1996 and Friday, January 26, 1996. Charge to Account C-163580.

Please insert as a Display Ad in the Chronicle on Friday, January 26, 1996.

The following is the report of the City Planning and Zoning Commission relative to the public hearing matters:

The City Planning and Zoning Commission met on December 20, 1995 and reports the following:

TO THE MAYOR AND COUNCILMEMBERS,

THE CITY COUNCIL OF CHARLESTON:

The City Planning and Zoning Commission has studied the following requests and recommends the following:

ZONINGS

The following annexations were be ratified November 28, 1995:

1. 3298 MAYBANK HIGHWAY (0.8 ACRE) (TMS# 279-00-00-010)

APP. NO. 9512-20-1

Request zoning of CT (Commercial Transitional). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

2. 3666 HILTON DRIVE (0.25 ACRE) (TMS# 285-10-00-086)

APP. NO. 9512-20-2

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

3. 3657 HILTON DRIVE (0.25 ACRE) (TMS# 285-10-00-106)

APP. NO. 9512-20-3

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

4. 2931 BOLTON ROAD (0.25 ACRE) (TMS# 307-10-00-014)

APP. NO. 9512-20-4

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

5. 2438 THAXTON STREET (0.25 ACRE) (TMS# 310-02-00-057)

APP. NO. 9512-20-5

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

6. 2253 SOUTH DALLERTON CIRCLE (0.25 ACRE) (TMS# 310-07-00-054)

APP. NO. 9512-20-6

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

7. 358 ARLINGTON DRIVE (0.25 ACRE) (TMS# 310-12-00-053)

APP. NO. 9512-20-7

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

8. 1625 PIERPONT AVENUE (0.25 ACRE) (TMS# 353-03-00-061)

APP. NO. 9512-20-8

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

9. 1808 GUN CLUB ROAD (0.25 ACRE) (TMS# 354-03-00-055)

APP. NO. 9512-20-9

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

10. 2004 SAINT DAVIDS LANE (0.25 ACRE) (TMS# 354-03-00-066)

APP. NO. 9512-20-10

Request zoning of SR-1 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

11. 2102 GLEN OAKS COURT (0.25 ACRE) (TMS# 355-08-00-058)

APP. NO. 9512-20-11

Request zoning of CW-PUD (Canterbury Woods-Planned Unit Development). The property was zoned P.U.D. in the county.

RECOMMENDATION: Approval.

12. 1210 FORBES AVENUE (0.25 ACRE) (TMS# 418-05-00-258)

APP. NO. 9512-19-12

Request zoning of SR-2 (Single-Family Residential). The property was zoned RS-10 in the county.

RECOMMENDATION: Approval.

REZONINGS

13. 1757 MAIN ROAD (TMS# 279-14-00-053) .33 ACRE

APP. NO. 9512-19-13

Request rezoning from SR-1 (Single-Family Residential) to CT (Commercial Transitional).

RECOMMENDATION: Approval.

14. GLENN MCCONNELL BOULEVARD (TMS# 306-00-00-001 AND PART OF 009) 73 ACRES)

APP. NO. 9512-20-14

Request rezoning of 35.706 acres from GO (General Office) or LB (Limited Business) to DR-1 (Diverse Residential); 21.159 acres from DR-1 to LB; 1.8 acres from GO to LB; 9.28 acres from DR-12 (Diverse Residential) to GB (General Business); and 4.64 acres from SR-1 (Single-Family Residential) to GB.

RECOMMENDATION: Approval.

ZONING ORDINANCE AMENDMENTS

19. SECTION 54-55, DESIGN STANDARDS FOR NEW LOTS CHAPTER 54, ZONING

APP. NO. 9512-20-19

Request approval to amend Section 54-55, Design Standards for New Lots (Schedule of Business and Industrial Lot Frontage, Driveway Widths and Spacing), Chapter 54, Zoning, to exclude commercial property located to the south of Mount Pleasant Street from street setback requirements relating to speed limits.

RECOMMENDATION: Approval.

20. CHAPTER 54, ZONING, ARTICLE 12, SECTION 54-86, PENALTY

APP. NO. 9512-20-20

Request approval to amend Chapter 54, Zoning, Article 12, Section 54-86, Penalty, to delete the reference to specific penalties and to add a reference to Section 1-16 of the Code of the City of Charleston for penalties for violations.

RECOMMENDATION: Approval.

21. CHAPTER 54, ZONING, SECTION 54-8, OFF-STREET LOADING SPACES

APP. NO. 9512-20-21

Request approval to amend Chapter 54, Zoning, Section 54-8, Off-Street Loading Spaces for Business, Trade or Industry, to exempt existing buildings used for business, wholesale industry, or terminal uses within the Old and Historic and Old City Districts in Peninsula Charleston from the off-street loading requirement; and to clarify language regarding what uses are subject to this requirement.

RECOMMENDATION: Approval.

22. CHAPTER 54, ZONING, SECTION 54-36, HEIGHT AND AREA REGULATIONS
APP. NO. 9512-20-22

Request approval to amend Chapter 54, Zoning, Section 54-36 Height and Area Regulations, of the City of Charleston to amend wall height requirements for areas under Board of Architectural Review jurisdiction.

RECOMMENDATION: Approval.

23. SECTION 54-43, EXCEPTIONS TO YARD REQUIREMENTS
APP. NO. 9512-20-23

Request approval to amend Section 54-43, Exceptions to Yard Requirements, of the Zoning Ordinance of the City of Charleston to include an exception to required north and east side yard setbacks for rear additions to existing buildings.

RECOMMENDATION: Approval.

24. SECTION 54-110, TREE PROTECTION
APP. NO. 9512-20-24

Request approval to amend Section 54-110, Tree Protection.

RECOMMENDATION: Approval with Section 3-withdrawn.

Lee Batchelder, Zoning Administrator, reported items listed as number two through fourteen were zonings comparable to what the zoning had been in Charleston County.

Mr. Batchelder reported that item one, 3298 Maybank Highway, was zoned RS-10 in the county and the request was for zoning to CT (Commercial Transitional).

No questions were asked by the Councilmembers. No member of the public indicated a desire to address City Council. The Mayor declared this portion of the public hearing concluded.

On motion of Councilmember Scott, seconded by Councilmember Ader, City Council voted to adopt the City Planning and Zoning Commission's recommendations and to give first reading to the following bills:

First reading was given to bills entitled:

- 1.) To amend the Zoning ordinance of the city of Charleston by changing the zone map, which is a part thereof, so that 3298 Maybank Highway (0.8 acre) (TMS# 279-00-00-010), annexed into the City of Charleston November 28, 1995 (#1995-538), be zoned Commercial Transitional (CT) classification.
- 2.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 3666 Hilton Drive (0.25 acre) (TMS#

285-10-00-086), annexed into the City of Charleston November 28, 1995 (#1995-539) be zoned Single-Family Residential (SR-1) Classification.

- 3.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 3657 Hilton Drive (0.25 acre) (TMS# 285-10-00-106), annexed into the City of Charleston November 28, 1995 (#1995-540), be zoned Single-Family Residential (SR-1) classification.
- 4.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2931 Bolton Road (0.25 acre) (TMS# 307-10-00-014), annexed into the City of Charleston November 28, 1995 (#1995-541), be zoned Single-Family Residential (SR-1) Classification.
- 5.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2438 Thaxton Street (0.25 acre) (TMS# 310-02-00-057), annexed into the City of Charleston November 28, 1995 (#1995-542), be zoned Single-Family Residential (SR-1) classification.
- 6.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2253 South Dallerton Circle (0.25 acre) (TMS# 310-07-00-054), annexed into the City of Charleston November 28, 1995 (#1995-543), be zoned Single-Family Residential (SR-1) classification.
- 7.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 358 Arlington Drive (0.25 acre) (TMS# 310-12-00-053), annexed into the City of Charleston November 28, 1995 (#1995-544), be zoned Single-Family Residential (SR-1) Classification.
- 8.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 1625 Pierpont Avenue (0.25 acre) (TMS# 353-03-00-061), annexed into the City of Charleston November 28, 1995 (#1995-545), be zoned Single-Family Residential (SR-1) Classification.
- 9.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 1808 Gun Club Road (0.25 acre) (TMS# 354-03-00-055), annexed into the City of Charleston November 28, 1995 (#1995-546), be zoned Single-Family Residential (SR-1) classification.
- 10.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2004 Saint Davids Lane (0.25 acre) (TMS# 354-03-00-066), annexed into the City of Charleston November 28, 1995 (#1995-547), be zoned Single-Family Residential (SR-1) classification.
- 11.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2102 Glen Oaks Court (0.25 acre) (TMS# 355-08-00-058), annexed into the City of Charleston November 28, 1995 (#1995-548), be zoned Canterbury Woods-Planned Unit Development (CW-PUD) classification.
- 12.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 1210 Forbes Avenue (0.25 acre) (TMS# 418-05-00-258), annexed into the City of Charleston November 28, 1995 (#1995-549), be zoned Single-Family Residential (SR-2) classification.

- 13.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 1757 Main Road (.33 acre) (TMS# 279-14-00-053), be rezoned from Single-Family Residential (SR-1) classification to Commercial Transitional (CT) classification.
- 14.) To amend the zoning ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that Glenn McConnell Parkway (73 acres) (TMS# 306-00-00-001 and part of 009) be rezoned as follows: 35.706 acres from General Office (GO) or Limited Business (LB) classification to Diverse Residential (DR-1) classification; 21.159 acres from Diverse Residential (DR-1) classification to Limited Business (LB) classification; 1.8 acres from General Office (GO) classification to Limited Business (LB) classification; 16 acres from Diverse Residential (DR-12) classification to General Business (GB) classification.

Mr. Batchelder distributed a revised map of the Glenn McConnell Parkway property.

Council then considered the next six bills which were code amendments. Mr. Batchelder gave a brief report on these amendments.

No one asked to be heard on the matter of the six bills before Council.

On motion of Councilmember Ader, seconded by Councilmember Shirley first reading was given to the following bills:

- 15.) To amend Section 54-55, Design Standards for New Lots (Schedule of Business and Industrial Lot Frontage, Driveway Widths and Spacing), Chapter 54, Zoning to exclude commercial property located to the south of Mount Pleasant Street from setback requirements relating to speed limits.
- 16.) To amend Chapter 54, Zoning, Article 12, Section 54-86, Penalty, to delete the reference to specific penalties and to add a reference to Section 1-16 of the Code of the City of Charleston for penalties for violations.
- 17.) To amend Chapter 54, Zoning, Section 54-8, Off-Street Loading Spaces for Business, Trade or Industry, to exempt existing buildings used for business, wholesale industry, or terminal uses within the Old and Historic and Old City Districts in Peninsula Charleston from the off-street loading requirement; and to clarify language regarding what uses are subject to this requirement.
- 18.) To amend Chapter 54, Zoning, Section 54-36, Height and Area Regulations, of the City of Charleston to amend wall height requirements for areas under Board of Architectural Review jurisdiction.
- 19.) To amend Section 54-43, Exceptions to Yard Requirements, of the Zoning Ordinance of the City of Charleston to include an exception to required north and east side yard setbacks for rear additions to existing buildings.
- 20.) Amending Section 54-110, Tree Protection, of the City of Charleston zoning ordinance.

The Mayor called on Mr. Batchelder to report on the bill to amend the Master Plan and Development Guidelines. Mr. Batchelder noted this request concerns property on James Island. The property had a master plan adopted previously for higher density development. This change will be for approximately one-half of the property, about 6.2 acres of the property.

The change will affect the configuration of the building on the property. Instead of many smaller units, there would be one building, a two-story building with fifty-one residential units.

He said the parking requirements would also be changed to lower the actual number of parking spaces for this development.

Mr. Batchelder noted the Planning Commission recommended approval of this request.

No one asked to be heard on this matter.

On motion of Councilmember Shirley, seconded by Councilmember Ader, first reading was given to a bill:

21.) To amend to the Master Plan and Development Guidelines which were originally adopted on August 16, 1994 by Ordinance 1994-260, for 13.48 acres zoned DR-9 pud (diverse residential planned unit development) located on Affirmation Boulevard, 600 feet south of Harborview Road (TMS# 428-00-00-032).

On motion of Councilmember Scott, the minutes of City Council's January 23, 1996, meeting were approved as published.

The Citizen Participation Period followed.

No one else indicated a desire to speak during the Citizen Participation Period. The Mayor declared this portion of the meeting concluded.

Next on the agenda was the receipt of three (3) annexation petitions. In the petitions City Council was asked to annex the following properties and all adjacent rights-of-way:

- 1) 3681 Savannah Highway, (1.43 acre) (TMS# 285-00-00-137). The property is owned by Stephen and Sara Brush.
- 2) 1841 Houghton Drive, (0.25 acre) (TMS# 343-08-00-018). The property is owned by Stephen and Sara Brush.
- 3) 1842 Wilshire Drive, (0.25 acre) (TMS# 352-09-00-109). The property is owned by Thurmond and Flora Fowler.

Councilmember Ader moved for acceptance of the above-stated annexation petitions and for first reading to be given to bills to annex the subject properties. Councilmember Scott seconded the motion. The motion carried.

First reading was given to bills entitled:

To provide for the annexation of property known as 3681 Savannah Highway, (1.43 acre) (TMS# 285-00-00-137), St. Andrews Parish, Charleston County, to the City of Charleston and to make it part of District 10. The property is owned by John McKeever.

To provide for the annexation of property known as 1841 Houghton Drive, (0.25 acre) (TMS# 343-08-00-018), James Island, Charleston County, to the City of Charleston and to make it part of District 12. The property is owned by Stephen and Sara Brush.

To provide for the annexation of property known as 1842 Wilshire Drive, (0.25 acre) (TMS# 352-09-00-109), St. Andrews Parish, Charleston County, to the City of Charleston and to make it part of District 9. The property is owned by Thurmond and Flora Fowler.

The following report of the Committee on Ways and Means was received:

TO THE MAYOR AND COUNCILMEMBERS,
THE CITY COUNCIL OF CHARLESTON:

The Committee on Ways and Means recommends that City Council act on each of the following matters as stated below:

- 1.) APPROVAL OF FOUR (4) CONTRACTS FROM COMMUNITY DEVELOPMENT: The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, contracts a.) through d.) from Community Development.
 - a.) Contract with Preservation Consultants, Inc. with a grant from the National Trust for Historic Preservation for the study of barriers to affordable housing. Matching funds were provided by the Preservation Society, Historic Charleston Foundation and Charleston Affordable Housing. The City is responsible for \$1,138 of the total contract amount.
 - b.) Contract with Avery Research Center for \$25,000 in CDBG funds to be used to make repairs to the Avery Institute facility which will provide educational programs to low to moderate income children in those Enterprise Community neighborhoods. These funds will leverage other funds needed to complete the repairs.
 - c.) Contract with the Legal Aide Program for \$25,000 in 21st year CDBG funds which will be used to assist in the creation of a Community Development Corporation, the establishment of a Community Housing Development Organization within the Enterprise Community, and assistance with loan closings and title clearance for low to moderate income citizens in the target areas.
 - d.) Contract with Pratt-Thomas, Gumb and Company, P. A. for \$15,000 for audit services for the Enterprise Community subgrantees.
- 2.) JAMES ISLAND FIRE STATION CHANGE ORDER NO. 1 - REDUCTION OF \$9,500 (ACCOUNT CO-JSB-5419): The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, Change Order No. 1 with NBM Construction Company, Inc. for the James Island Fire Station. The contract sum will be reduced from \$802,024 to \$799,924, which is a reduction of \$9,500. The savings resulted from the acceptance of three value engineering items which do not significantly effect the quality of the facility.
- 3.) SOUTH CAROLINA AQUARIUM CHANGE ORDER NO. 1 - \$187,998: The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, Change Order No. 1 with Ellis-Don for Phase 1 of the South Carolina Aquarium construction in the amount of \$187,998, which will cover the additional cost for utility hook ups, tap fees, and any other additional costs required to construct the containment system. Funds will come from Account MS-HDI-5M32.
- 4.) QUIT-CLAIM DEED IN WAPPOO HALL SUBDIVISION: The Committee on Ways and Means, based on the recommendation of the Committee on Real Estate, recommends City Council approve a quit-claim deed in Wappoo Hall subdivision to Mr. Cohen for land that was of no use to the City.
- 5.) SALE OF 35 AND 35 1/2 CANNON STREET AND 183 SMITH STREET AND 101 LINE STREET: The Committee on Ways and Means, based on the recommendation of the Committee on Real Estate, recommends City Council approve the sale of 35 and 35 1/2

Cannon Street and 183 Smith Street by Charleston Housing Trust to Charleston Affordable Housing for \$57,300 and recommends City Council approve the sale of 101 Line Street to Ken and Mildred McDow for the tax assessed value of \$10,300, which was the City's cost of acquisition.

- 6.) ANN STREET RETAIL SPACE AT VRTC GARAGE: The Committee on Ways and Means deferred this matter.
- 7.) AQUISITION/EASEMENT - SOUTH WINDEMERE SHOPPING CENTER FOR LANDSCAPING: The Committee on Ways and Means, based on the recommendation of the Committee on Real Estate, recommends City Council approve the acquisition/easement at South Windermere Shopping Center for landscaping South Windermere Boulevard and Folly Road around the shopping center.
- 8.) STATUS OF NORTH AREA PROPERTIES: The Committee on Ways and Means took no action in this matter.
- 9.) MARITIME CENTER - JON GUERRY TAYLOR CONTRACT ADDENDUM - \$132,971.40 (ACCOUNT DR-FIR-5413): The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, the contract addendum with Jon Guerry Taylor, Inc. for the environmental permitting and dredging for the Charleston Maritime Center in the amount of \$132,971.40. Funds will come from Account No. DP-FIR-5413.
- 10.) JAMES ISLAND RECREATION CENTER GYMNASIIC ADDITION - \$268,700 (ACCOUNT CO-WJP-5322): The Committee on Ways and Means recommends City Council approve the bid for the addition to the James Island Recreation Center to the second lowest bidder, Infinger Associates, at \$251,700. The low Bidder dropped out after bids. To the base bid, Alternate No. 3 for the HVAC units was added at an additional cost of \$17,000 for a total of \$268,700. Funds will come from Account CO-WJP-5322.
- 11.) RECOMMENDATION OF AWARD OF THE OPERATION OF PARA TRANSIT SERVICE TO URBANIZED AREA: The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, the contract for the operation of thirteen Para Transit vans to TCT Transit Services located in Knoxville, Tennessee at an hourly cost of \$27.17. The contract is based on a maximum of 30,000 revenue service hours annually. Funds will come from the following accounts: 75% - TF-492-5626 and 25% -TF-SC5-5626.
- 12.) TRANSIT D/WBE GOALS FOR FEDERAL FISCAL YEAR 1996: The Committee on Ways and Means recommends City Council approve the goal statement from the Transit Division regarding projects funded by Federal Transit Administration (FTA) which are eligible for award to Disadvantaged and Women-owned Business Enterprises was approved.
- 13.) FUEL PRIVATIZATION CONTRACT: The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, an agreement with Charleston Oil and Propane Gas Company to provide fuel dispensing services to the City for all vehicles that currently use the 1950 Milford Street fuel pumps. The privatization of the fuel dispensing operation would save the City approximately \$80,000 per year.
- 14.) HOME RULE/ACCOMMODATION FEE ORDINANCE: The Committee on Ways and Means recommends City Council approve first reading of a bill entitled: *For the Purpose*

of Establishing a Municipal Accommodations Fee to Apply to All Lodging, Accommodations Located in the City of Charleston, South Carolina.

The motion for approval of the ordinance as proposed was voted on and carried. Councilmember Hart voted "Nay" and the vote was not unanimous.

- 15.) SOUTH CAROLINA AQUARIUM AMENDMENT TO RHODES/DAHL CONTRACT: The Committee on Ways and Means recommends City Council approve, and authorizes the Mayor to sign, a contract amendment with Rhodes/Dahl to provide owner's representation and project management services for the Charleston Baseball Park, the Charleston Maritime Center, the Lockwood Municipal Complex and the Aquarium Garage.

The Rhodes/Dahl contract for providing management services for the South Carolina Aquarium would be amended to include a not to exceed fee of \$290,200 for their services for the baseball stadium including reimbursable expenses and cost estimating services.

The amendment further provides for owner's representation and project management services for the other projects listed for a not to exceed fee of \$96,750 including reimbursable expenses and cost estimating services.

- 16.) SOUTH CAROLINA AQUARIUM PAYMENT OF INVOICE TO OPPENHEIM LEWIS-\$14,303.48 (ACCOUNT NO. MS-DEM-5M06): The Committee on Ways and Means recommends to City Council the approval of payment of an invoice to Oppenheim Lewis in the amount of \$14,303.48 for the South Carolina Aquarium. The funds will come from Account No. MS-DEM-5M06.

MAURICE WASHINGTON, Chair
RICHARD C. HAGERTY, M.D.
JEROME KINLOCH
JAMES LEWIS
BRENDA C. SCOTT
LOUIS WARING
YVONNE D. EVANS
MARY R. ADER
LARRY D. SHIRLEY
GREG HART
JOHN D. THOMAS, M.D.
JOSEPH P. RILEY, JR., Mayor

On motion of Councilmember Ader, seconded by Councilmember Washington, the Report of the Committee on Ways and Means was adopted.

Councilmember Washington further noted the Report of the Committee on Ways and Means would include first readings for bills to:

- 1) Authorize the Mayor to execute the necessary documents for Charleston Housing Trust to convey to Charleston Affordable Housing 35 and 35 1/2 Cannon Street, bearing TMS# 460-12-01-053.
- 2) Authorize the Mayor to execute the necessary documents for Charleston Housing Trust to convey to Charleston Affordable Housing 183 Smith Street, bearing TMS# 460-15-20-026.

- 3) Establish a municipal accommodations fee to apply to all lodging, accommodations in the City of Charleston, South Carolina.
- 4) Authorize the Mayor to execute a quit-claim deed for Wappoo Hall Subdivision, more specifically, all certain piece, parcel or lot of land, situate, lying and being to the east of the western boundary line of Lot 22-A, Wappoo Hall Subdivision and designated as Road 60' right-of-way . Also, all that piece, parcel or lot of land, situate, lying and being immediately to the north of the premises hereinabove referred to and being a portion of a park in Block D, Wappoo Hall Subdivision.
- 5) Authorize the Mayor to execute the necessary documents to convey to Ken and Mildred McDow, property located at 101 Line Street for \$10,300.00.

Third reading was deferred on a bill to promote competition in the cable television industry and to regulate certain actions of cable television services providers.

Consideration was given to the matter of giving second reading to seven (7) bills:

The Mayor noted the first bill providing for the annexation of property known as 3884 and 3879 James Bay Road, (10.6 acres) (TMS# 285-00-00-091), St. Andrews Parish, Charleston County, had been withdrawn by the applicant. The property is owned by Joseph Heyward, Jr.

The Mayor reported that the sixth bill up for second reading pertaining to authorizing the Mayor to execute a lease on behalf of the City of Charleston to Ann Street Associates, L.L.C. had been deferred.

Without objection and at the request of the Mayor, the bill pertaining to the Council Rules of Order and Procedure was separated for consideration.

The remaining four bills received second reading on motion of Councilmember Ader. They passed second reading on motion of Councilmember Shirley, and third reading on motion of Councilmember Scott. On the further motion of Councilmember Ader, the rules were suspended and the four (4) bills were immediately ratified as:

Ratification
Number 1996-14

AN ORDINANCE

TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 748 SWAN AVENUE (0.25 ACRE) (TMS# 310-02-00-186), ST. ANDREWS PARISH, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND TO MAKE IT PART OF DISTRICT 11.

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

Section 1. Findings of Fact

As an incident to the adoption of this Ordinance, CityCouncil of Charleston finds the following facts to exist:

- a) Section 5-3-150, Code of Laws of South Carolina(1976) as amended, provides a method of annexing property to a city or town upon a Petition by all persons owning real estate in the area requesting annexation.
- b) The City Council of Charleston has received aPetition requesting that a tract of land in CharlestonCounty hereinafter described be annexed to and made a partof the City of

Charleston, which Petition is signed by all persons owning real estate in the area requesting annexation.

- c) The area comprising the said property is contiguous to the City of Charleston.

Section 2.

Pursuant to Section 5-3-150, Code of Laws of South Carolina, (1976) as amended, the following described property be and hereby is annexed to and made a part of the City of Charleston and is annexed to and made a part of present District 11 of the City of Charleston, to wit:

SAID PROPERTY to be annexed, 748 Swan Avenue (0.25 acre) St. Andrews Parish is identified by the Charleston County Assessors Office as TMS# 310-02-00-186 (see attached map) and all adjacent public rights-of-way. **MAP IS ATTACHED TO ORIGINAL ORDINANCE.**

Section 3.

This ordinance shall become effective upon ratification.

Ratification
Number 1996-15

AN ORDINANCE

TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 400 ARLINGTON DRIVE (0.25 ACRE) (TMS# 310-12-00-054), ST. ANDREWS PARISH, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND TO MAKE IT PART OF DISTRICT 11.

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

Section 1. Findings of Fact

As an incident to the adoption of this Ordinance, City Council of Charleston finds the following facts to exist:

- a) Section 5-3-150, Code of Laws of South Carolina (1976) as amended, provides a method of annexing property to a city or town upon a Petition by all persons owning real estate in the area requesting annexation.
- b) The City Council of Charleston has received a Petition requesting that a tract of land in Charleston County hereinafter described be annexed to and made a part of the City of Charleston, which Petition is signed by all persons owning real estate in the area requesting annexation.
- c) The area comprising the said property is contiguous to the City of Charleston.

Section 2.

Pursuant to Section 5-3-150, Code of Laws of South Carolina, (1976) as amended, the following described property be and hereby is annexed to and made a part of the City of Charleston and is annexed to and made a part of present District 11 of the City of Charleston, to wit:

SAID PROPERTY to be annexed, 400 Arlington Drive (0.25 acre) St. Andrews Parish is identified by the Charleston County Assessors Office as TMS# 310-12-00-054 (see

attached map) and all adjacent public rights-of-way. **MAP IS ATTACHED TO ORIGINAL ORDINANCE.**

Section 3.

This ordinance shall become effective upon ratification.

Ratification
Number 1996-16

AN ORDINANCE

TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1147 SAN JUAN AVENUE (0.25 ACRE) (TMS# 418-06-00-047), ST. ANDREWS PARISH, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND TO MAKE IT PART OF DISTRICT 6.

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

Section 1. Findings of Fact

As an incident to the adoption of this Ordinance, City Council of Charleston finds the following facts to exist:

- a) Section 5-3-150, Code of Laws of South Carolina(1976) as amended, provides a method of annexing property to a city or town upon a Petition by all persons owning real estate in the area requesting annexation.
- b) The City Council of Charleston has received a Petition requesting that a tract of land in Charleston County hereinafter described be annexed to and made a part of the City of Charleston, which Petition is signed by all persons owning real estate in the area requesting annexation.
- c) The area comprising the said property is contiguous to the City of Charleston.

Section 2.

Pursuant to Section 5-3-150, Code of Laws of South Carolina, (1976) as amended, the following described property be and hereby is annexed to and made a part of the City of Charleston and is annexed to and made a part of present District 6 of the City of Charleston, to wit:

SAID PROPERTY to be annexed, 1147 San Juan Avenue (0.25 acre) St. Andrews Parish is identified by the Charleston County Assessors Office as TMS# 418-06-00-047 (see attached map) and all adjacent public rights-of-way. **MAP IS ATTACHED TO ORIGINAL ORDINANCE.**

Section 3.

This ordinance shall become effective upon ratification.

Ratification
Number 1996-17

AN ORDINANCE

TO AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS TO CONVEY TITLE TO 37 DRAKE STREET, IN THE CITY AND COUNTY OF CHARLESTON, STATE OF SOUTH CAROLINA, TO CHARLESTON AFFORDABLE HOUSING FOR THE SUM OF \$1.00

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

Section 1. The Mayor is authorized to execute the necessary documents to convey title to 37 Drake Street, in the City and County of Charleston, South Carolina, to Charleston Affordable Housing for the sum of \$1.00.

Section 2. This ordinance shall become effective upon ratification.

Council then considered the bill pertaining to the Council Rules of Order and Procedure at meetings. By unanimous consent, Council agreed Section XXIX of the Rules would be amended to reflect that the deadline for submitting items to be considered at the City Council and Ways and Means Committee shall be on the Wednesday prior to the meetings.

On motion of Councilmember Ader, seconded by Councilmember Shirley, second reading of the bill pertaining to the Council Rules of Order and Procedure at meetings (as amended) was deferred to the February 27, 1996, meeting of City Council.

First reading was given to the following bills entitled:

An ordinance to amend the Code of the City of Charleston, Chapter 2, Section 2-61 (a) by changing the number of members of Council to serve on the Committee on Recreation from four (4) members to five (5) members.

To amend Chapter 2, Article II, of the Code of the City of Charleston, realigning the order of standing committees.

To amend Chapter 2, Article II, Section 2-70, of the Code of the City of Charleston, to require the Public Works and Utilities to meet as necessary.

To amend Ordinance Number 1995-489, ratified by City Council October 10, 1995, by adding Article XV, Section 19-396, to Chapter, Code of the City of Charleston, in which 1995-489 shall stand.

An ordinance to authorize the Mayor to execute the necessary documents for Charleston Housing Trust to convey to Charleston Affordable Housing all that certain piece, parcel or tract of land, together with the buildings thereon, lying, being situate in the City and County of Charleston, State of South Carolina, and known in the present numbering system of the City of Charleston as number 35 and 35 1/2 Cannon Street, bearing TMS# 460-12-01-053.

An ordinance to authorize the Mayor to execute the necessary documents for Charleston Housing Trust to convey to Charleston Affordable Housing all that lot, piece or parcel of land, together with the buildings thereon, lying, being situate on the west side of Smith Street, in the City and County of Charleston, State of South Carolina, and known in the present numbering system of the City of Charleston as number 183 Smith Street, measuring and containing on Smith Street thirty (30') feet and the same on the back line and in depth one hundred fifty two (152') feet more or less, bearing TMS# 460-15-20-026.

An ordinance for the purpose of establishing a municipal accommodations fee to apply to all lodging, accommodations located in the City of Charleston, South Carolina.

An ordinance to authorize the Mayor to execute a quit-claim deed for Wappoo Hall Subdivision, more specifically, all that certain piece, parcel or lot of land, situate, lying and being to the east of the western boundary line of Lot 22-A, Wappoo Hall Subdivision

and designated as Road 60' right-of-way as shown on plat dated April 19,1989, revised June 21, 1989, revised August 2, 1989, and recorded in the RMC Office for Charleston County in Plat Book BX, page 167. Also, all that piece, parcel or lot of land, situate, lying and being immediately to the north of the premises hereinabove referred to and being a portion of a park in Block D, Wappoo Hall Subdivision, as shown on the aforesaid plat.

An ordinance authorizing the Mayor to execute the necessary documents to convey to Ken and Mildred McDow, property located at 101 Line Street in the City and County of Charleston, South Carolina, for \$10,300.

By unanimous consent, Council agreed to meet at the James Island Recreation Center March 26, 1996.

There being no further business, the meeting was adjourned at 8:25 p.m.

VANESSA TURNER-MAYBANK
Clerk of Council