

April 27, 2004

COUNCIL CHAMBER

Regular meeting.

The ninth meeting of the City Council of Charleston was held this date convening at 5:00 p.m. in City Hall.

A notice of this meeting and an agenda were mailed to the news media April 23, 2004 and appeared in The Post and Courier April 25, 2004 and is made available on the City's website.

PRESENT

The Honorable Joseph P. Riley, Jr., Mayor; Councilmembers Fishburne, Morinelli, Lewis, Campbell, Gallant, Gilliard, Evans, Tinkler, Shirley, Bleecker, and George --- 12.

Councilmember Waring was absent because of family illness.

The meeting was opened with prayer by Councilmember Lewis.

Councilmember Lewis led City Council in the Pledge of Allegiance.

There were no presentations at this meeting.

The first item on the agenda was public hearings called for by the following advertisement, which appeared in The Post and Courier on April 8, 2004 and in The Chronicle on April 14, 2004.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, April 27, 2004, beginning at 5:00 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:

REZONINGS

1. To rezone property located on Concord Street and Cumberland Street (*French Quarter*) (.409 acre) (TMS# 458-09-02-068) from General Business (GB) classification to Mixed-Use (MU-2) classification.
2. To rezone 1105 Meadowlawn Drive and other properties on Meadowlawn Drive, Meadowlawn Lane, and Belgrade Court (*West Ashley*) (1.8 acres) (TMS# 351-15-00-022, 019, 023, 024, and 021) from Single-Family Residential (SR-1) classification to Business Park (BP) classification.
3. Request amendment to PUD (Planned Unit Development) for 1875 Fort Johnson Road (*Eaglewood Retreat*) (16.54 acres) (TMS# 428-00-00-023, 037 and 038) to reduce the density and revise the site plan.
4. To rezone property located on Maybank Highway (*The Shores at Fenwick Plantation*) (28.69 acres) (Part of TMS #346-00-00-002) from Rural Residential (RR-1) and Diverse Residential (DR-1) classifications to Planned Unit Development (PUD) classification.

ZONINGS

To zone the following properties annexed into the City of Charleston February 24, 2004:

5. Property located on Bees Ferry Road (*West Ashley*) (104.92 acres)(TMS# 286-00-00-002 and 042) Single-Family Residential/Neighborhood District (SR-1/Neighborhood District). 6. 1212 Brody Avenue (*Maryville/Ashleyville*) (.12 acre) (TMS# 418-05-00-139) Single-Family Residential (SR-2).

To zone the following property annexed into the City of Charleston April 13, 2004:

7. Property located on Clements Ferry Road (*Cainhoy*) (40 acres) (TMS #269-00-00-009) Single-Family Residential (SR-6) and Diverse Residential (DR-1).

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

VANESSA TURNER-MAYBANK

Clerk of Council

The following is the report of the City Planning Commission regarding the public hearing matters:

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

The Planning Commission met on March 17, 2004 and presents the Mayor and Council with the following recommendations:

Rezoning

1. Concord Street and Cumberland Street (French Quarter) TMS# 458-09-02-068 - .409 acre. Request rezoning from GB (General Business) to MU-2 (Mixed Use).

Recommendation: APPROVAL

2. 1105 Meadowlawn Drive and other properties on Meadowlawn Drive, Meadowlawn Lane, and Belgrade Court (West Ashley) TMS# 351-15-00-022, 019, 023, 024, and 021 – 1.8 acres. Request rezoning from SR-1 (Single-Family Residential) to BP (Business Park).

Recommendation: APPROVAL

3. 1875 Fort Johnson Road (Eaglewood Retreat) TMS# 428-00-00-023, 037, and 038 – 16.54 acres. Request amendment to of PUD (Planned Unit Development) to reduce the density and revise the site plan.

Recommendation: APPROVAL, WITH THE FOLLOWING CONDITIONS:

Prior to first reading at City Council, revisions and/or clarifications will be made for the following:

Keeping the allowed two larger lot single-family detached units with the original larger lot criteria

Work with staff on proposed setbacks

Ensuring that proposed units will meet the City's off-street parking requirements Ensuring that the portion of Eaglewood Trail north of the residential area and adjacent to the James island Soccer Club's property will not have on-street parking

Verifying right-of-way ownership and cross sections **Subdivisions**

1. Berryhill Road (Johns Island) TMS# 277-08-00-015 - 2.449 acres. Request final subdivision approval for 6 lots. Zoned SR-1 (Single-Family Residential).

Recommendation: APPROVAL

2. 1669 Pearlott Street (West Ashley) TMS# 350-06-00-087 - .679 acre. Request final subdivision approval for 2 lots. Zoned STR (Single and Two-Family Residential).

Recommendation: APPROVAL

3. 1553 King Street Extension (Silver Hill/Magnolia) TMS# 464-10-00-106 - 2.652 acres. Request final subdivision approval for 2 lots. Zoned HI (Heavy Industrial).

Recommendation: APPROVAL

4. 1505 Greenleaf Street and 1540 and 1590 Meeting Street (Silver Hill/Magnolia) Part of TMS# 464-10-00-006 – 5.321 acres. Request final subdivision approval for 2 lots. Zoned HI (Heavy Industrial).
Recommendation: APPROVAL
5. 2 and 5 Peecksens Court and 59, 61, and 63 Bogard Street (Cannonborough/Elliotborough) TMS# 460-08-03-084, 195, 196, 197, and 198 – .51 acre. Request preliminary subdivision approval for 12 lots. Zoned PUD (Planned Unit Development).
Recommendation: APPROVAL WITH CONDITIONS
6. 1813 Scudder Lane (James Island) TMS# 334-05-00-017 - .985 acre. Request final subdivision approval for 2 lots. Zoned SR-1 (Single-Family Residential).
Recommendation: APPROVAL
7. 24, and 26 Felix Street and 55 Cannon Street (Cannonborough/Elliotborough) TMS# 460-12-01-031 – .11 acre. Request final subdivision approval for 4 lots. Zoned MU-1 (Mixed Use).
Recommendation: APPROVAL
8. 165 and 171 Ashley Avenue (MUSC) TMS# 460-15-01-043 – 18.76 acres. Request final subdivision approval for 2 lots. Zoned LB (Limited Business).
Recommendation: APPROVAL
9. 122 Bee Street (MUSC) TMS# 460-10-04-028 – 3.95 acres. Request final subdivision approval for 2 lots. Zoned GB (General Business).
Recommendation: APPROVAL
10. Bee Street and Courtenay Street (MUSC) TMS# 460-14-00-004 – 5.98 acres. Request final subdivision approval for 2 lots. Zoned LB (Limited Business).
Recommendation: APPROVAL
11. Calhoun Street and McClennan Banks Court (Charleston Memorial Hospital) TMS# 460-14-00-020 – 2.31 acres. Request final subdivision approval for 2 lots. Zoned LB (Limited Business).
Recommendation: APPROVAL
12. 326 Calhoun Street (Charleston Memorial Hospital) TMS# 460-14-00-005 – 5.74 acres. Request final subdivision approval for 2 lots. Zoned LB (Limited Business).
Recommendation: APPROVAL
13. 2365 Daniel Island Drive (Daniel Island) TMS# 275-00-00-116 – 16.24 acres. Request preliminary subdivision approval for 1 lot and a new right-of-way. Zoned DI-R (Daniel Island Residential).
Recommendation: APPROVAL
14. Morris Street (Smith/Morris Neighborhood - Radcliffeborough) TMS# 460-12-03-082 – 1.09 acre. Request preliminary subdivision approval for 22 lots. Zoned PUD (Planned Unit Development).
Recommendation: APPROVAL WITH CONDITIONS
15. 140 Coburg Road (West Ashley) TMS# 349-12-00-005 – 4.363 acres. Request final subdivision approval for 2 lots. Zoned SR-1 (Single-Family Residential).
Recommendation: APPROVAL WITH CONDITIONS
16. Bees Ferry Road and Glenn McConnell Parkway (West Ashley Circle) TMS# 301-00-00-027 – 246.903 acres. Request final subdivision approval for 4 lots and a residual.

Zoned GB, LI, GO, LB, and CT (General Business, Light Industrial, General Office, Limited Business, and Commercial Transitional).

Recommendation: APPROVAL

17. 1489 Greenleaf Street and Meeting Street (Silver Hill/Magnolia) TMS# 464-00-00-033 – 11.748 acres. Request final subdivision approval for 2 lots. Zoned HI (Heavy Industrial).

Recommendation: APPROVAL

Zonings

1. Bees Ferry Road (West Ashley) TMS# 286-00-00-002 and 042 - 104.92 acres. Request zoning of SR-1/Neighborhood District (Single-Family Residential/Neighborhood District). This property was zoned I (Industrial) in Charleston County.

Recommendation: APPROVAL

2. 1212 Brody Avenue (Maryville/Ashleyville) TMS# 418-05-00-139 – .12 acre. Request zoning of SR-2 (Single-Family Residential). This property was zoned RSL (Low-Density Suburban Residential) in Charleston County.

Recommendation: APPROVAL

Minutes

Review of minutes from the February 18, 2004 meeting.

Recommendation: APPROVAL

Council considered the public hearing pertaining to property located on Concord Street and Cumberland Street (*French Quarter*) (.409 acre) (TMS #458-09-02-068). Director of Planning and Neighborhoods Tim Keane directed Council's attention to a large exhibit map to indicate the location of the subject property. He commented that the property is City-owned and had previously been referred to as Parcel B.

He stated that mixed-use zoning was proposed for the site including residential with perhaps some small-scale neighborhood commercial or office for the right combination of uses for the site. He noted the current zoning to be general business, which is a commercial district that really would not contemplate a neighborhood mix of uses. He said that both staff and the Planning Commission recommended approval of the requested rezoning.

The Mayor invited comments from the public on the subject rezoning. No member of the public wished to speak for or against this matter. The Mayor declared this public hearing concluded. In response to a question from Councilmember Fishburne, the Mayor responded that the parking garage is included just because that is all in that zoning district. He said that this is really for the site that is known as Parcel B to make it easier for housing to be achieved there.

Councilmember Fishburne then asked if the subject property was the same property that had been discussed previously in connection with property on Hagood Avenue. Mayor Riley responded affirmatively.

Continuing, the Mayor said that in working on that matter staff had realized that variances would have been needed to allow this housing to go there. He said that the requested zoning designation would make it easier to produce housing.

When Councilmember Fishburne asked how many housing units could go on the site, Mr. Keane responded that he would estimate 20 to 30.

Councilmember Fishburne then asked about the height. Mayor Riley said he believed that it was 55 feet and he believed the parking garage to be that height.

When Councilmember Fishburne asked if the height and mass would be somewhat similar to the hotel on the corner, Mayor Riley replied affirmatively.

There were no further questions or comments of Council.

On motion of Councilmember Evans, seconded by Councilmember Tinkler, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON CONCORD STREET AND CUMBERLAND STREET (*FRENCH QUARTER*) (.409 ACRE) (TMS #458-09-02-068) BE REZONED GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED USE (MU-2) CLASSIFICATION.

The next matter before Council was the public hearing to rezone 1105 Meadowlawn Drive and other properties on Meadowlawn Drive, Meadowlawn Lane and Belgrade Court (*West Ashley*) (1.8 acres) (TMS #351-15-00-022, 019, 023, 024 and 021).

Mr. Keane pointed out the location of the subject property on a large exhibit map and reported that the proposal before Council would take the group of lots from SR-1 zoning to BP zoning. Continuing, he noted that the business part zoning is intended to accommodate service-type commercial, warehouse uses such as the light manufacturing that was taking place on the site. He noted that substantial buffering is required between the business park and surrounding residential uses. He commented that currently the mixture included residential densities, commercial, office and light industrial uses.

He further noted that the property owners would like to extend the business park. He stated that both staff and the Planning Commission recommended approval of the requested rezoning. The Mayor stepped out of the Chamber at 5:08 p.m. and Councilmember Bleecker assumed the Chair as Mayor Pro tem.

The Mayor Pro tem invited public comment on this matter. No one expressed a desire to speak for or against this proposed rezoning. Mayor Pro tem Bleecker declared this public hearing concluded.

Councilmember Gilliard stated that he would like to know, as a point of information, the Council district of the subject property. Mr. Keane responded that he believed the subject property to be located in City Council District 7, Councilmember Waring's district.

There were no further questions or comments of Council.

On motion of Councilmember Tinkler, seconded by Councilmember Evans, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1105 MEADOWLAWN DRIVE AND OTHER PROPERTIES ON MEADOWLAWN DRIVE, MEADOWLAWN LANE AND BELGRADE COURT (*WEST ASHLEY*) (1.8 ACRES) (TMS #351-15-00-022, 019, 023, 024 AND 021) BE REZONED FROM SINGLE-FAMILY

RESIDENTIAL (SR-1) CLASSIFICATION TO BUSINESS PARK (BP) CLASSIFICATION.

Next, Council considered the public hearing pertaining to the rezoning of property located at 875 Fort Johnson Road (Oyster Point/Eaglewood Retreat Planned Unit Development) (16.85 acres) (TMS #428-00-00-023, 037 and 038). Mr. Keane directed Council's attention to a large exhibit map and reported that the PUD had been created and approved by Charleston County for the subject property in 1984.

Continuing, he explained that the county had approved a density of 136 residential units in 1984. He went on to say that part of the site was soccer fields and there had been an area for parking. He commented that the subject property had been annexed into the City and had been given the density that the Charleston County had approved in 1984.

He remarked that the property developer was now preparing to move forward with development. In doing so, Mr. Keane said the developer had proposed some changes to the PUD that would result in the reduction of the number of units. He noted that the developer had proposed 64 units for the site. He further noted that the proposed change to the PUD would also allow the use of allees and some different setbacks to work with the smaller single-family lots they would be using.

He commented that staff recommended approval and noted that the report to Council had included several conditions. He said that the Planning Commission had addressed those conditions included in the report and those conditions no longer needed to be attached to the PUD approval.

Mayor Riley resumed the chair at 5:11 p.m.

Councilmember George expressed his concern about an access road into the soccer fields. He directed attention to the yellow area on the left hand side of the exhibit map and noted that the road is not paved. He commented that he had received complaints about high-speed traffic on the road. He asked if there would be any attempt to do any kind of traffic calming.

Mr. Keane responded that the traffic had not been discussed at this point.

Councilmember George also spoke of complaints about dust from the soccer fields and said the nearby residents had to get their houses sprayed frequently.

Mr. Keane noted that in this case the road would be paved.

Councilmember George responded that he understood that, but he was concerned that with a very long and straight access road, there would be even more of a temptation for people to move out.

Mayor Riley added that this could also create noise and Councilmember George agreed. He recommended looking at the design process to address the traffic concerns.

Councilmember Fishburne commented that this appeared to be a drop in density. Mr. Keane said that he was correct.

Councilmember Fishburne then referred to the plans that had been included in Council's agenda packets. He spoke of two roads that come out of the yellow area on the map and said that this area would be awfully close together. He asked if there had been any safety consideration about what would happen when people are coming out of there.

Mr. Keane replied that it was not the ideal location, but he said that there were curb cuts and the location of that street was already set.

When Councilmember Fishburne asked if it was just two lanes or if there was a turn lane to the right, Mr. Keane replied that it was just two lanes.

Councilmember Fishburne asked if there just was no room. Mr. Keane said no and asked Councilmember Fishburne if he was just looking for a place to stack cars. Councilmember Fishburne replied for someone trying to turn right. Mr. Keane did not feel that would be a concern in the development of the PUD.

He added that there was no question that the spacing was not perfect, but "it is where it is."

Councilmember George then referred to the turn going into Lighthouse Point and said that it had always been a dangerous turn. He felt that Councilmember Fishburne had a good point and he felt that this might make a bad situation worse. He stated his understanding that there would not be a lot of alternatives, but he again spoke of his concerns about the road and the flat turn. He stressed the need to really look at this thing during the design and take care not to create a problem.

Mr. Keane asked Councilmember George if he was perhaps suggesting a decel lane.

Councilmember George responded that this is a small subdivision and said that he did not know if Traffic and Transportation had looked at it or not. He described Fort Johnson as really narrow and spoke of a deep ditch. He noted the location of one or two single-family homes and said that it is just a dangerous area.

Mr. Keane assured him that careful consideration would be given to all of these things to try to achieve a balance between absolute safety and taking out trees. He said that staff would be looking at all of these issues very carefully.

Councilmember George commented that this was a classic example of what happens when there are no interconnecting streets.

There were no further comments or questions of Council.

The Mayor invited comments from the public on the subject bill. No member of the public wished to speak for or against this matter. The Mayor declared this public hearing concluded. On motion of Councilmember Tinkler, seconded by Councilmember Bleecker, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED AT 875 FORT JOHNSON ROAD (OYSTER POINT/EAGLEWOOD RETREAT PLANNED UNIT DEVELOPMENT) (16.85 ACRES) (TMS #428-00-00-023, 037 AND 038), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 21, 2000 (#2000-275), BE REZONED TO AMEND THE APPROVED PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN.

Council then considered the public hearing pertaining to the rezoning of property located on Maybank Highway (*The Shores at Fenwick Plantation*) (28.69 acres) (Part of TMS #346-00-00-002). Mr. Keane referred Council's attention to a large exhibit map and reported the subject property to be undeveloped at this time. He noted the location of the subject property adjacent to Fenwick Plantation and to office zoned property on Maybank Highway. Mr. Keane said that the developer of the site had been working on a residential development for the subject property. He commented that the proposal is to develop 66 single-family lots on the almost 30 acres of property. He noted that the proposed density was substantially less than what could be

done in the existing districts. He remarked that the developer had come up with a low-density development for this area.

Continuing, Mr. Keane explained that the requested PUD would allow for more flexible design standards on the lots such as setbacks. He noted that the developer had also been working with the City on street design matters. He spoke of discussions with public services and recommendations had been made as to how this should be handled. Both staff and the Planning Commission recommended approval of the requested rezoning.

The Mayor invited comments from the public on the subject bill. The following persons addressed Council:

1) A gentleman asked about the zoning and the number of houses per acre. Mr. Keane responded that the property was zoned RR-1, which would allow about three houses per acre. He said he that he believed the gentleman was thinking of the SR-7 district.

2) Chris Cannon, Chair of the Johns Island Council, spoke in opposition to the rezoning. He said that the Johns Island Council had voted at its last meeting to oppose this because they felt they would like to see more about what the development would be. He said that the property is in a flood zone right next to a marsh on a river.

He expressed concern about the new bridge coming down in the area and said too much development could create more traffic into this area, which would be essentially more dangerous. He stated that the Johns Island Council's main concern had been that this issue should get more research and more public exposure.

No one else expressed a desire to speak for or against this matter. The Mayor declared this public hearing concluded.

Councilmember Shirley expressed his appreciation to Mr. Cannon for his comments. He referred to the approximately 28 acres of property and asked how much of the subject property could be developed. Mr. Keane indicated that he would find out.

He compared the plans for the subject property with plans for property on Ashley River Road (Highway 61), which he noted would be located to the south of his home. He commented there would be some 200 units on that same amount of acreage. He expressed understanding for Mr. Cannon's concerns, but he said that he would love to have that same problem with the development on Ashley River Road.

Councilmember Fishburne referred to Page 3 of the PUD documents and said that it stated densities to maximums of 66 units or gross densities of 2.3 units per acre. He then said "that density is 5.8 units per acre so that does not sound too unreasonable."

He asked Mr. Keane if this matter had been before the Planning Commission, if everybody had been notified and if people had been given a chance. Mr. Keane replied that this matter had gone before the Planning Commission a couple of times because of the access at Maybank Highway and the location where the Mark Clark Expressway would be coming through. He noted that this has resulted in some changes.

Continuing, Mr. Keane commented that the subject project had been in the works for a couple of years. He said that he was sorry if it had not been before the Johns Island Council because it had gone before the City's Planning Commission at least twice. He remarked that the feeling had been that every effort was being made to try to be sensitive about the environment, doing more cluster on the site, using smaller lot single-family and flexible setbacks so more trees could be saved. He commented that this had been pretty well received.

Councilmember Fishburne stated if he was reading the plan correctly, there would be one access coming out of the tract that ends on Maybank Highway roughly near the curve. Mr. Keane referred to the street coming out towards Maybank Highway and said that it looked like it was intersecting to Maybank Highway and said that was not actually so. He pointed out that it was intersecting with a frontage road that would lead to the existing driveway and accesses, etc. Councilmember Fishburne said he could see that.

Councilmember Fishburne directed his remarks to Mr. Cannon and asked him if he understood that. Mr. Cannon rose to respond affirmatively.

Councilmember George described the accessway as a roadway that parallels Maybank Highway and said that it comes to a tee intersection. He commented that it looked like it comes past the point of curvature and stops. He then asked Mr. Keane what happens to that road.

Mr. Keane replied that it accesses an office-zoned property on the north side. Councilmember George said he recalled zoning the property. He then asked if that was going to be the office park and Mr. Keane responded that it would be one office building.

Councilmember George remarked that it would be helpful in dealing with this area in the future to see where the Mark Clark Expressway right-of-way would be in relation to this curve. He then asked if there was a master dock plan, Mr. Keane noted that the developer was present and could answer questions.

The developer rose and stated that there would be two common docks for small boats such as johnboats because it would not be possible to get under the existing Maybank Highway. Mayor Riley spoke of the highway access. He commented that consideration had been given and there had been a request for the street to access onto Maybank Highway, but he said that the City's Departments of Traffic and Transportation, Planning and Neighborhoods, and Design, Development and Preservation had all resisted that and required it to come through.

He pointed out that it had to come through an area where it had been necessary to deal with some wetland issues. The Mayor added that the City staff had felt collectively and unanimously that it would be unsafe to have a curb cut entry onto Maybank Highway nearer that curve, nearer where the Mark Clark would come in. He noted that this had been a very carefully thought out issue.

In response to a question from Councilmember Campbell, Mr. Keane indicated that traffic worries are always relative. He noted that the subject area is one that is developing and spoke of the need to be careful about the way the intersections are handled as well as how the flow through the intersections is handled. He stressed that that City staff is constantly monitoring these issues. He also spoke of the concerns about growing traffic on Johns Island and some of the needs that exist there at some of the other intersections like River Road and Maybank Highway. He said that traffic impact on each project assists staff on some of the details. Mr. Keane noted that he was not concerned about the specifics in this instance because they had been looked at carefully. He said that constant thought is given to whatever improvements are needed and how to address them.

Councilmember Morinelli referred to Page 7 regarding trash collection and noted that the document indicated that it might or might not be handled by the City. She stated that this should be spelled out a little better. She said that it should say that there would be service or that there would not be service. She expressed her opinion that this should not be wishy-washy.

Mayor said that was a very good point and agreed that this should be addressed.

There were no further questions or comments of Council.

On motion of Councilmember Bleecker, seconded by Councilmember Evans, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON MAYBANK HIGHWAY (*THE SHORES AT FENWICK PLANTATION*) (28.69 ACRES) (PART OF TMS #346-00-00-002), ANNEXED INTO THE CITY OF CHARLESTON APRIL 8, 1986 (#1986-24), BE REZONED FROM RURAL RESIDENTIAL (RR-1) AND DIVERSE RESIDENTIAL (DR-1) CLASSIFICATIONS TO PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION.

The next public hearing matter pertained to the zoning of property located on Bees Ferry Road (*West Ashley*) (104.92 acres) (TMS #286-00-00-002 and 042). Mr. Keane directed Council's attention to a large exhibit map. He noted the location of the subject property on Bees Ferry Road near the Savannah Highway.

He commented that the owners had annexed the property with the intention of putting it into the plans for what would ultimately be a new neighborhood in this location. He reported that the subject property had annexed in February and the owners were requesting zoning to the Single-Family Residential/Neighborhood District designation.

Mr. Keane commented that the feeling had been that this would be the right use for the subject property and would provide for a much better neighborhood because it would include more property in existing plans for adjacent property. He stated that both staff and the Planning Commission recommended approval of the requested zoning.

The Mayor invited comments from the public on the subject zoning. The following person addressed Council:

1) Dirk Kuznik, owner of a piece of adjoining property, expressed concern that water flows to his property. He commented that a big drainage canal comes into it. Mr. Kuznik stated that his attorney had addressed this, but there had been no feedback since then.

He explained with all of the paved streets all of the drainage would flow onto his property. He stated that two 42-inch culverts go under Highway 17 (Savannah Highway) and flow into a marshland that is diked off by railroad tracks that has one 36-inch culvert. He commented that the water currently backs up to his property during heavy rains. He expressed concern that when the neighborhoods are built unless something is underneath the railroad tracks so that water could escape the water will back up even more onto his property.

Mr. Kuznik commented that he had expressed these concerns when the first piece of property was obtained for the neighborhood. He said that since the subject property had been added to that something must be addressed. He reiterated that his attorney was waiting for information that had been requested but there had been no response to the request.

Councilmember Morinelli recalled that when this matter had been discussed in February there had been plans for two different ways to get in and get out. When she asked Mr. Keane to indicate the location of the second entrance, he responded that it would be accessed to Highway 17. He indicated the location on the large exhibit map and said there would be at least one, and probably two, access points on Bees Ferry Road.

Mr. Keane also responded to Mr. Kuznik's comments. He said that he believed that possibly Mr. Kuznik had not received a response as quickly as he had hoped because the developer had intended to go forward with just the first piece of property and then the subject property became available. He remarked that the developer would be starting from scratch in the planning and he anticipated Mr. Kuznik would be able to respond within the next six months.

When Councilmember Shirley asked about the number of units, Mr. Keane said that he was not sure how many units would be planned. When he noted that the developer was present, Mayor Riley recognized Mr. Vaughn.

Mr. Vaughn rose to say that he was not sure how many units there would be. He commented that he planned to have a mix of single-family, townhouses and possibly some neighborhood multi-family along with the required mixed neighborhood commercial. He directed Council's attention to the tract colored in orange on the large exhibit map, which he said would be used for the neighborhood commercial. He noted that it would probably be located closer to the access road that can be seen on Bees Ferry Road. He added that both tracts meet that requirement. He stated that he was not the developer of the orange tract and said that tract would be developed by a multi-national builder. He said that developer had agreed to give his company the funds that were allocated for their entrance road on Bees Ferry, and allocate these funds for the road, which he said would come to what he termed the Guitar Tract. He said that he would then connect in the middle and go on through the other property at Highway 17 South.

Mr. Vaughn said there would only be one set of accel and decel lanes and one entrance off of Bees Ferry Road to minimize the impact on Bees Ferry Road. He stated that it would be connected and that he did intend to use roundabouts to minimize the stream of traffic inside the subdivision.

Councilmember Shirley asked Mr. Vaughn for a rough estimate of the number of units based on the City's regulations. Mr. Vaughn responded that he did not know the qualifications on the neighborhood multi-family, which he said requires proximity to the streets from the rear. He said that he intended to have at least 170 single-family units and to the rear of the property there would be 70 townhouse units adjacent to the common property line and whatever balance of multi-family property could be located behind the parcel that fronts onto Bees Ferry Road. Continuing, Mr. Vaughn stated that the people he had under contract do not own the entry road coming across from Bees Ferry Road to this tract. He added that it was still in the county. When Councilmember Shirley asked Mr. Vaughn if he had said this would be less than 200 units, he replied that was incorrect. He restated that there would be 170 single-family units, 70 townhouses and the balance of whatever was allowable in a multi-family zone under the neighborhood ordinance.

In response to a question from Councilmember Shirley, Mr. Keane responded that the density would be about four units per acre. He explained that the units would be calculated on the highland acres and he did not know that figure. He pointed to the large exhibit map and noted the location of 100 acres as well as another 100 acres next door to it.

Councilmember Shirley asked Mr. Keane to help him with the mathematics to calculate the number of units. Mr. Keane responded if the property consisted of all highland, there could be up around 800 units. When Councilmember Shirley asked if he could estimate somewhere between 500-800 units, Mr. Keane responded that he thought that would be reasonable.

Councilmember Shirley compared the flow of traffic to the flow of water saying that both follow

or run in the path of least resistance. When he asked if there would be an effort to address these traffic concerns, Mr. Keane responded affirmatively.

Mr. Keane then stressed that several things would be done. He spoke of trying to capture as many car trips as possible within the neighborhoods so that they are not even going out to Bees Ferry Road or Highway 17, wherever possible. He commented that every effort would also be made to make it as easy as possible at multiple intersections on Bees Ferry Road and Highway 17 to come in and out of the neighborhood.

He went on to say that he hesitated to get too far into design because this was so early in the process. He added that every effort would be made to disperse it as much as possible.

Councilmember Shirley noted that the subject property is located in Councilmember Morinelli's district and said that he intended to vote in favor of this matter. He commented that he shares a common problem with Councilmember Morinelli regarding growth in this area.

He stated his understanding that most of the members of Council were experiencing growth in their districts because so many people want to move to the Charleston area. He remarked that it still not seem that the City had been able to get a handle on the explosion in development. He spoke briefly of a traffic problem that had occurred recently on Bees Ferry Road and Highway 61 (Ashley River Road). He commended Major Herbert Whetsell and the Police Department for correcting the problem by informing construction workers that cones could not be placed on the road(s) prior to 9:00 a.m.

He spoke of the need for the City's traffic staff to coordinate with the county's traffic staff. He expressed concern about the continuing explosion and recommended including discussion the coordinating issues like these. He said these are concerns that should be part of the City's long range planning.

Mayor Riley realized that he had not concluded the public hearing and observed that Mr. Kuznik had indicated a desire to speak again. The Mayor recognized Mr. Kuznik.

Mr. Kuznik spoke of the planned exit onto Highway 17 (Savannah Highway). He said this would be a decel/accel lane and most of the people in the neighborhood would be travelling to the City of Charleston to go to work. He said that would mean using Bees Ferry Road to get out or making a u-turn onto Highway 17 to get out. He remarked that this would create another problem.

Continuing, he talked about the heavy traffic on Bees Ferry Road and the difficulty in getting out of the Bees Ferry Landfill. He asked about the progress in making Bees Ferry Road a four-lane highway.

No one else expressed a desire to speak for or against this matter. The Mayor declared this public hearing concluded.

Mayor Riley responded to Mr. Kuznik's question regarding the widening of Bees Ferry Road. He commented that the City had asked and Charleston County had accepted this as a top priority for the proposed one-half cent sales tax. He said if the one-half cent sales tax referendum passed, the four-laning of Bees Ferry Road would be one of the first projects. He said that everyone knew how badly this was needed and the State of South Carolina did not have the money for it.

Councilmember George recalled that the subject area had some old phosphate mines running through it. He said that prior to getting to another approximate 250-acre development of this

size, he would like to think that with the current TRC revisions that the City had put in place, there would not only be a master drainage plan but a master traffic study as well.

Continuing, he indicated that he was particularly concerned about the drainage study because he said that this is a very flat basin. He stated his familiarity with this matter because he had done design work in the area. He commented that this must be well thought out and spoke of the need to look at the cumulative effects of the development of all of it. He remarked that this would not be just one little patchwork on a quilt at a time.

He then referred to an Internet site for additional information about a new concept regarding no adverse impact. He stated that this basically amounts to looking at quantitative issues such as storm drainage and the cumulative impact that has on downstream properties. He noted that there had been a lot of recent litigation about this. He reiterated the need to do a better job of looking at the cumulative impacts of development on stormwater management. He stated that this development would be big enough to be a sewerage problem unless it is managed properly. He did not feel that the City should get involved in straightening something out after the fact and said that these things should be considered early in the process.

When Councilmember Morinelli asked if the property next to the subject property was in the county, Mr. Keane replied affirmatively. She wanted to know if there was any way to work with the county to do a drainage study. Mr. Keane responded that the City requires both traffic and drainage studies at the time of the submission for final approval. He assured everyone that both studies would be done.

Councilmember Fishburne referred Mr. Keane to the area colored in orange on the large exhibit map and said that it had already been annexed into the City and zoned the same as the requested zoning for the subject property.

Continuing, he recalled that the presentation at that time indicated there would be some neighborhood shopping and that should cut down on some of the traffic. He also expressed the belief that there would be some affordable housing. He noted that hopefully that would mean less cars and less traffic because he assumed that those folks would not have three or four cars per household. He stated his understanding that this would not be a large lot subdivision with cul-de-sacs, etc.

He went on to say that he thought the Department of Planning and Neighborhoods had come up with this zoning had been developed to allow flexibility that would hopefully address some of the concerns that Council had been discussing. When Councilmember Fishburne expressed his understanding that the requested zoning could net better results than it would be otherwise, Mr. Keane agreed.

Mr. Keane added that there would be a mix of housing that would include affordable housing as well as some more expensive housing. He commented that part of the purpose of this district is to bring people closer to the area where they work and shop. He said that one of the goals is to get the number of trips reduced.

He then directed Council's attention to the exhibit map and spoke of previous discussions regarding an area most often identified as Poplar Grove. He noted the subject property to be in an area where the City wants to have the type of development that had been requested. He expressed understanding that there would be more things to work on and said he believed the developer would be using the district to develop the City's planning ideas.

Councilmember Fishburne stated that he knew the location of West Ashley High School and asked about the locations of the nearest elementary and middle schools. Mr. Keane responded that C. E. Williams Middle School is located on Highway 17 and Mayor Riley stated his understanding that Drayton would become a middle school. Mr. Keane estimated Springfield to be the closest elementary school.

Mr. Keane stated understanding that there would be a need for additional schools in this district and said that this would be part of the plan.

There were no further comments or questions of Council.

On motion of Councilmember Tinkler, seconded by Councilmember Evans, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON BEES FERRY ROAD (*WEST ASHLEY*) (104.92 ACRES) (TMS #286-00-00-002 AND 042), ANNEXED INTO THE CITY OF CHARLESTON FEBRUARY 24, 2004 (#2004-18), BE ZONED SINGLE-FAMILY RESIDENTIAL/NEIGHBORHOOD DISTRICT (SR-1/NEIGHBORHOOD DISTRICT) CLASSIFICATION.

Council then considered the public hearing pertaining to the zoning 1212 Brody Avenue (*Maryville/Ashleyville*) (.12 acre) (TMS #418-05-00-139). Mr. Keane reported the subject property to be an individual home lot. He commented that the homeowner had petitioned for annexation in order to work with the City on some programs. He said the proposed zoning would zone the property the same as the surrounding neighborhood. Both staff and the Planning Commission recommended approval of the propose zoning.

The Mayor invited comments from the public on the proposed zoning. No member of the public expressed a desire to speak for or against this matter. The Mayor declared this public hearing concluded.

There were no questions or comments of Council

On motion of Councilmember Evans, seconded by Councilmember Gilliard, City Council voted to adopt the City Planning Commission's recommendation and to give first reading to the subject bill.

First reading was given to a bill entitled:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1212 BRODY AVENUE (*MARYVILLE/ASHLEYVILLE*) (.12 ACRE) (TMS #418-05-00-139), ANNEXED INTO THE CITY OF CHARLESTON FEBRUARY 24, 2004 (#2004-19), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION.

The remaining public hearing matter on Council's agenda pertained to the zoning of property located on Clements Ferry Road (*Cainhoy*) (40 acres) (TMS #269-00-00-009). Mr. Keane noted that this bill was before Council for second reading. It had received first reading at Council's April 13, 2004 meeting.

Continuing, Mr. Keane directed Council's attention to the location of the subject property on the large exhibit map and identified it as the Chandler Tract. He reminded Council that MaRee

Skinner's family owned the property and said that the proposed zoning had been part of an overall deal that had been worked out with the current property owner to actually preserve the area along Cainhoy Village Road.

He went on to describe the subject property as a large single-family tract, which he estimated to be 10 acres in size. He stated that part of this had been to take the Chandler Tract and incorporate it into The Peninsula development that DL Horton was doing. He said that the proposed zoning would be consistent with The Peninsula development, which includes the combination of single-family and diverse residential zoning.

Mr. Keane commented that the overall net effect would drastically reduce the density right around Cainhoy Village while adding to The Peninsula development off River Reach Road. Both staff and the Planning Commission recommended approval. There were no questions or comments of Council.

The Mayor invited comments from the public on the proposed zoning. No member of the public expressed a desire to speak for or against this matter. The Mayor declared this public hearing concluded.

On motion of Councilmember Campbell, the bill received second reading. It passed second reading on motion of Councilmember Evans and third reading on motion of Councilmember Gallant. On the further motion of Councilmember George, the rules were suspended and the bill was immediately ratified as:

RATIFICATION NUMBER

2004-40

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON CLEMENTS FERRY ROAD (*CAINHUY*) (40 ACRES) (TMS# 269-00-00-009), ANNEXED INTO THE CITY OF CHARLESTON APRIL 13, 2004 (#2004-35), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-6) AND DIVERSE RESIDENTIAL (DR-1) CLASSIFICATIONS.

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

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

Property located on Clements Ferry Road (*Cainhoy*)
(40 acres) (TMS# 269-00-00-009)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-6) and Diverse Residential (DR-1) classifications.

Section 3. This ordinance shall become effective upon ratification.

Next on the agenda was the approval of the minutes of City Council's March 23 and April 13, 2004 meeting. The minutes of the March 23, 2004 meeting were approved as published on motion of Councilmember Evans.

Approval of the April 13, 2004 minutes was *deferred*.

Without objection, Mayor Riley took this opportunity to recognize and welcome a Boy Scout troop to this Council meeting.

Also without objection, Mayor Riley noted that former City Councilmember Robert Mitchell was present at this meeting and welcomed him back to the Chamber.

The Citizen Participation Period followed. The following persons addressed City Council: 1) Marc Knapp, West Ashley resident, stated that his sources had told him that some of the teams had been running with zero people during shifts and one team had run its shift with only two people.

He then expressed his concern that the sanitation employees had been working on Saturday. He said that a lot of money had been spent on equipment and now it was not maintained.

He stated that his comments at the previous meeting regarding that battleground had been more of indictment of the incompetence that he sees around him. He said that it had been there 140 years and now it had become a problem. He spoke of the need to look ahead.

Mr. Knapp also talked about traffic issues and said that three or four roundabouts at Bees Ferry Road would be more cost effective. He further stated that there had been money to complete the Mark Clark but Mayor Riley had turned it down 10-12 years ago. He said that this would relieve a lot of the congestion on Highway 17, Folly Road and Bees Ferry Road.

2) Chris Cannon, 1572 Castlewick Avenue on Johns Island and Chair of the Johns Island Council, said that the City Department of Planning and Neighborhoods does a very good job of trying to keep them informed. He said he did not know how the earlier public hearing matter pertaining to a Johns Island matter had been missed.

Next, he mentioned that the Johns Island Bridge over the Stono River was approaching completion. He referred to plans for a pedestrian tunnel to the City's municipal golf course. He noted that there would be flat road to the pedestrian crosswalk. He felt that some of the concerns about speeding the safety of having people cross at this point were not really a problem.

Mr. Cannon said that public policy could not be based on the assumption that people are going to break the law. He felt that if it were a problem, placing police officers at the pedestrian traffic light would encourage people to stop at the traffic light. He also suggested a delay on the light before the pedestrian would be able to cross.

He recommended Council consider trying this for a period of three to four months, perhaps during the summer season when golfing is at its peak, before \$750,000 is spent to build a tunnel. He said this would be an alternative to see if it would work or not. If it does not work, Mr. Cannon said that the tunnel could still be constructed, but he felt serious consideration should be given to trying to save hundreds of thousands of dollars by putting in a pedestrian crosswalk. He asked Council to give serious consideration to this matter.

No one else expressed a desire to address Council. The Mayor declared the Citizen Participation period concluded.

Councilmember Lewis had requested the next item on the agenda, Residential Parking Permits. He commented that he was concerned about the continued growth of residential parking, particularly in his district. He noted that more consideration should be given on the impact that residential parking has on small businesses. He spoke of the hardship that mom and pop businesses, such as the small beauty shops, restaurants, etc., experience.

He talked about businesses that had been in existence 20-25 years that have no off-street parking and depend on on-street parking. He pointed out that a visit to the beauty shop takes more than

one hour. He commented that the City's Traffic and Transportation Committee really needed to look at this matter to try to come up with a solution. He offered the suggestion of charging the businesses a fee for parking and said that he was only asking for these small businesses to have enough parking to be able to conduct their business.

Without objection and at the request of Councilmember Lewis, this matter was referred to Traffic and Transportation.

Council was in receipt of, and accepted as information, the following Livability Court/Property Standards Enforcement Report:

Quarterly Report

Livability Court/Property Standards Enforcement (**Sgt. Dan Riccio/Debbi Rhoad**)

April 21, 2004

I. Buildings Demolished *(The neighborhood location follows each address)*

73 America Street (EastSide)

1875 Ferguson Road (Ferguson Village)

76 Fishburne Street (WestSide)

280 Hanover Street (East Central)

3657 Hilton Drive (Johns Island)

842 Minnie Street (Ashleyville)

373 North Nassau Street (East Central)

53 Nunan Street (WestSide)

589 Rutledge Avenue (WestSide)

Three of these structures were demolished by City-hired contractors when the property owners failed to respond to proper notice regarding their condition. Liens will be placed against those properties to recover the cost of demolition. The remaining structures were demolished by their owners after receiving citations. **II. Vacant Open Buildings**

A. Warnings sent

51 Cooper Street (EastSide) 113 Drake Street (EastSide)

235 Huger Street (East Central) 0 Jenkins Road (West Ashley)

36 Kennedy Street (WestSide) 515 Rutledge Avenue (WestSide)

1 Todd Street (Cannonborough/Elliotborough)

73 Washington Street (none) 75 Washington Street (none)

77 Washington Street (none) 21 Reid Street (EastSide)

1122 Gunn Avenue (Maryville) 61 Congress Street (North Central)

1019 Magnolia Road (Maryville) 36 Line Street (none)

10 Larnes Street (WestSide) 18 Line Street (EastSide)

B. Tickets issued

34 Blake Street (EastSide) 51 Cooper Street (EastSide)

113 Drake Street (EastSide) 24 F Street (WestSide)

1916 Ferguson Road (Ferguson Village)

25 H Street (WestSide) 0 Jenkins Road (West Ashley)

515 Rutledge Avenue 1 Todd Street

(WestSide) (Cannonborough/Elliotborough)

III. Environmental Issues/Sanitation

A. Warnings issued/complied

Alycia Alley 1 Anita Drive
5 Anita Drive 181 Ashley Avenue (Cannonborough/Elliotborough)
256 Ashley Avenue 911 Ashley Avenue Wagener Terrace)
(Cannonborough/Elliotborough) 40 Athens Court (North Central)
63 Boardman Road 15 Bossis Drive (Washington Park)
(Northbridge Terrace)
52 Briarcliffe Street (Sherwood Forest) 0 Burnham Court (Shadowmoss)
1949 Campion Hall Road (Sandhurst) 21 Chapel Street (Mazyck/Wraggborough)
166 Church Street 142 Coming Street (Radcliffeborough)
(Central Business District)
161 Coming Street (Radcliffeborough) 187 Coming Street
(Cannonborough/Elliotborough)
203 Coming Street 213 Coming Street
(Cannonborough/Elliotborough) (Cannonborough/Elliotborough)
2 Commercial Row (Oyster Point) 1837 Debbenshire Drive (none) 46
Cooper Street (EastSide) 58 Cooper Street (EastSide)
285 East Bay Street (Ansonborough) 53 Eastshore Lane (Air Harbor)
25 Edinburgh Drive (Sandhurst) 47 Elizabeth Street (Mazyck/Wraggborough)
46 F Street (WestSide) 3432 Farmers Market Drive (Village Green)
224 Gordon Street (Wagener Terrace) 6 H Street (WestSide)
45 H Street (WestSide) 47 H Street (WestSide)
0 Hanover, SW corner Line Street (EastSide)
4 Hanover Street (EastSide) 8 Hanover Street (EastSide)
9 Hanover Street (EastSide) 2212 Heriot Street (Silver Hill/Magnolia)
2214 Heriot Street (Silver Hill/Magnolia) 2 Homel Place (North Central)
383 Huger Street (North Central) 385 Huger Street (North Central)
387 Huger Street (North Central) 0 Humphrey Court (Cannonborough/Elliotborough) 2
Humphrey Court (Cannonborough/Elliotborough)
305 Jean Street (West Ashley) 235 King Street (CBD)
126 Logan Street (Harleston Village) 24 Nassau Street (EastSide)
61 Nassau Street (EastSide) 67 Nassau Street (EastSide)
81 Nunan Street (WestSide) 0 Reid, SE corner Nassau Street (EastSide)
10 Rutledge Avenue (CharlesTowne)
193 Rutledge Avenue (Cannonborough/Elliotborough)
235 St. Philip Street (Cannonborough/Elliotborough)
1522 Salisbury Street (Ashley Hall Manor)
1508 Sea croft Drive (Westchester)
1525 Secessionville Road (James Island)
193 Shadowmoss Parkway (Shadowmoss)
1420 North Sherwood (Sherwood Forest)
7-B Sires Street (Cannonborough/Elliotborough)

35 South Street (EastSide)
42 South Street (EastSide)
162 Tradd Street (CharlesTowne)
3 Trapman Street (Harleston Village)
1433 Westway Drive (Westchester)

B. Tickets issued

19 Allway Street (WestSide)
2317 Birdie Garrett Street (Rosemont)
174 Broad Street (Harleston Village)
885 Castlewood Blvd. (Castlewood)
219 Coming Street (Cannonborough/Elliotborough)
4-B Franklin Street (Harleston Village)
48 Kennedy Street (WestSide)
353 King Street (CBD)
1635 Mulberry Street (Ardmore)
1152 Northbridge Drive (Northbridge Terrace)
44 Poinsett Street (North Central)
838 Playground Road (West Oak Forest)
0 Reid, SE corner Nassau Street (EastSide)
103 Spring Street (Cannonborough/Elliotborough)
1586 Sam Rittenberg Blvd. (none)
1586 Wabeek Way (Providence Commons)

IV. Abandoned Vehicles

A. Warnings issued/ complied

68 Amherst Street (EastSide)
377 Ashley Avenue (Hampton Park Terrace)
1630 Carterett Street (Charles Towne Estates)
5 Chairmaker Court (Ashley Towne Landing)
19 Diana Street (Maryville)
159 Hester Street (Wagener Terrace)
6 Inverary Court (Shadowmoss)
13 Inverary Court (Shadowmoss)
2741 Jobee Drive (Ashley Towne Landing)
84 King Street (CharlesTowne)
138 Line Street (Cannonborough/Elliotborough)
189 Orange Grove Road (none)
Monrovia Street (Silver Hill/ Magnolia)
517 Mutual Drive (Sylvan Shores)
2½ Orange Street (CharlesTowne)
8 Riverside Drive (Wagener Terrace)
22 Rosemont Street (WestSide)
San Souci at Ashley Avenue (Wagener Terrace)
212 St. Margaret Street (Wagener Terrace)

71 Shadowmoss Parkway-three vehicles (Shadowmoss)
119 Smith Street (Radcliffeborough)
67 Society Street (Ansonborough)
129 Tenth Avenue (Wagener Terrace)
1636 Timothy Street (Rotherwood)
968 Travers Street (Referred to County of Charleston)
16 Wagener Avenue (Wagener Terrace)
2133 Weaver Street (Wagener Terrace)
1501 Westmoreland (Westchester)
65 Wolk Drive (Hickory Hill)

B. Tickets issued

2310 Birdie Garrett Street (Rosemont)
133 Darlington Avenue--two summons (Wagener Terrace)
1837 Chelwood Circle--three vehicles (Northbridge Terrace)
1851 Doscher Avenue (Rosemont)
144 Gordon Street (Wagener Terrace)
158 Grove Street (Wagener Terrace)
1152 Northbridge Drive (Northbridge Terrace)
2216 Peonie Street (Rosemont)
1212 Ravenel Drive (West Oak Forest)
716 Rutledge Avenue (Wagener Terrace)

V. Demolition by Neglect

A. Warnings issued

373 Ashley Avenue (Hampton Park Terrace)
70½ Bogard Street (Cannonborough/Elliotborough)
12 Carolina Street (WestSide)
52 Church Street (CharlesTowne)
9 F Street (WestSide)
34 F Street (WestSide)
6 Hampden Court (EastSide)
78 Hanover Street (EastSide)
264 Huger Street (East Central)
50 Kennedy Street (WestSide)
21 Pitt Street (Harleston Village)
40 Poinsett Street (North Central)
58 Reid Street (EastSide)
133 Spring Street (Cannonborough/Elliotborough)
1413 Tara Road (Lenevar)
2216 Heriot Street (Silver Hill/Magnolia)
2210 Heriot Street (Silver Hill/Magnolia)

B. Tickets issued

69 Ashe Street 70½ Bogard Street
(Cannonborough/Elliotborough) (Cannonborough/Elliotborough)

6 Hampden Court (EastSide) 264 Huger Street (East Central)
50 Kennedy Street (WestSide) 487 Meeting Street (none)
58 Reid Street (EastSide) 590-592 Rutledge Avenue (WestSide)

VI. Noise

A. Warnings

1308 Kruger Drive (West Oak Forest) 1253 Lakefront Drive (Seaside Plantation)
5 Maiden Lane (Ansonborough) 80-B Pitt Street (Radcliffeborough)
17 Poulnot Lane (Harleston Village) 15 Poulnot Lane (Harleston Village)
11 Radcliffe Place (Radcliffeborough) 13 Radcliffe Place (Radcliffeborough)
119-C Smith Street (Radcliffeborough) 119-D Smith Street (Radcliffeborough)
75-B Spring Street 153 Spring Street
(Cannonborough/Elliotborough) (Cannonborough/Elliotborough)
65 Vanderhorst Street (Radcliffeborough) 67-C Vanderhorst Street (Radcliffeborough)
69 Warren Street (Radcliffeborough)

B. Tickets issued

11 Harleston Place (Harleston Village) 1015 King Street (North Central)
1327 Linden Circle (Parkwood) 77 Maple Street--three (North Central)
3 Marion Street 75-B Pitt Street--three
(Radcliffeborough) (Radcliffeborough)
3 Poulnot Lane (Harleston Village) 2049 Savannah Hwy. (none)
107-A Smith Street-two 107-B Smith Street
(Radcliffeborough) (Radcliffeborough)

VII. Other Violations

A. Demolition

58 Hanover Street (EastSide) -- *warning*
3657 Hilton Drive (Johns Island) -- *warning*
348 North Nassau Street (East Central) -- *warning; subsequent summons*
195 St. Philip Street (Cannonborough/Elliotborough) -- *warning*

B. Tourism

Carolina Polo #108 -- impeding flow of traffic -- *warning*
Charleston Tours #203 -- failure to maintain traffic flow -- *summons*
Classic Carriage #101 -- careless driving -- *warning*
Doing the Charleston Tours -- littering— *summons*
Grayline Tours #28 -- unlawful parking -- *warning*
Grayline #181 -- failure to maintain the traffic flow -- *warning*
Gullah Tours -- disregarding a traffic signal -- *warning*
Old South Carriage #27 -- failure to maintain traffic flow -- *warning*
Palmetto Carriage #123 -- improper display of tour medallion -- *warning*
Palmetto Carriage #151 -- careless driving -- *warning*

C. Street Numbering

1000 Herbert Street (Four Mile)
1802 Meeting Street Road (Four Mile)

Councilmember Lewis first remarked that this was a good report and said that he could see that a lot of work had been done about abandoned buildings and abandoned cars, overgrown lots, etc. He then spoke of two his concerns in his district, which he said that he had he voiced months ago.

Continuing, he expressed his understanding that the City had acquired property at 739 King Street and he said nothing had been done with it. He commented that there had been a timeframe and he felt that another look should be given to this.

He went on to that his other concern pertained to a piece of property on the corner of Cleveland and King Streets across from the building previously known as County Hall. He described this property as a big eyesore and said that something should be done with it.

Councilmember Lewis commended everyone on the job that they had been doing in addressing code enforcement and expressed his appreciation to them.

Councilmember Evans commented that she felt the subject report was one of the most effective tools the City has come up with. She spoke briefly about how well the code enforcement was working with the college students and said that the problems with the students had been cut dramatically.

Councilmember Fishburne added that he thought Judge Michael Molony and Sgt. Dan Riccio were doing a terrific job and said that he had heard a lot of good comments from the people in his neighborhood. He also commented that Officer Michael Lamont had been doing a good job and stated his understanding that a new tourism enforcement officer was in training. He referred to 10 tourism violations, which had been included in the report and stated that obviously the job was being done on those. He expressed his understanding that everybody knew the rules and that they were being enforced. He said that he really appreciated this and he felt that the people in the neighborhoods also appreciated it.

Council then received a brief Oral Presentation regarding Operation Neighborhood. Mr. Keane briefly reported that Mayor Riley had announced the creation of this new initiative in October 2002. He explained that the purpose of Operation Neighborhood to be to immerse the full array of City services in specific neighborhoods where residents feel their safety is threatened by crime, vacant dilapidated buildings, unkempt property, dirty streets and/or other problems. Continuing, Mr. Keane commented that the Mayor had started this effort after hearing from residents of the Cannonborough/Elliotborough neighborhood that they thought their neighborhood had lost its sense of safety on the sidewalks.

He noted that program started in Cannonborough/Elliotborough and then in April 2003 the program began in the Ardmore and Sherwood Forest neighborhoods in the West Ashley area of the City. He told of a bus tour that had included the Mayor, neighborhood residents and City staff. He added that staff from police, fire, public service, building inspections, livability court, zoning, traffic and transportation had participated.

Mr. Keane went on to say that residents had led the tour showing Mayor Riley and City staff the specific problems that needed fixing. He said that those problems had been addressed no matter how small they were.

He said that Operation Neighborhood started in Ashleyville/Maryville on April 16, 2004. He noted that this community is located in the West of the Ashley area of the City across Magnolia Road.

He talked about the tour and said that a full group of City staff had participated with residents.

He stated that the goal had been set to wrap this one up by June 12th in time for the June neighborhood meeting.

Mr. Keane stated that this program can only work if the residents lead in this effort and if a lot of City staff from many City departments really focus on the neighborhood to work hard on responding to the concerns of the residents. He noted that the program had been successful so far and said that they were striving to be able to possibly do four neighborhoods per year. He commented that three neighborhoods had been addressed since the inception of the program in 2002. He stressed that everyone was working to get better and more efficient with the program so that more neighborhoods could be reached. He remarked that a lot of neighborhoods had expressed interest in this program.

When Mayor Riley asked how many tires had been picked up, Fire Chief Rusty Thomas rose to respond that 106 tires had been removed from the neighborhood.

Mayor Riley explained that area along the old railroad trestle that had been using as a dumping ground for many years. He spoke of working with the neighborhood at the *Day of Caring* approximately a year and one-half ago. He noted that residents and members of the Clean City Sweep had probably removed 700 tires then.

The Mayor described the area saying that there had been a couple of burned cars, a lot of refrigerators, ranges, etc. He spoke of the terrific job that had been done the previous Saturday when more than 100 tires were removed.

Councilmember Gilliard spoke of an illegal drug deal that had prevented and Mayor Riley agreed that this had been great. The Mayor added that the neighborhood leaders knew what was going on and walked staff right up to the drug deal.

There were no further questions or comments of Council on this matter.

Council accepted the report on Operation Neighborhood as information.

Without objection, Councilmember Bleecker directed Council's attention to a green flyer pertaining to the Mayor's Office on Aging that had been distributed to their desks. She explained that the flyer listed all of the forums that Janet Schumacher had been conducting in April. She pointed out that the locations of the upcoming events. She spoke briefly of the incredible job that Ms. Schumacher had been doing in gathering data to assemble senior information.

Also without objection, Councilmember Bleecker questioned the use of political signs, particularly the ones at Lockwood Boulevard and Broad Street.

Mayor Riley said that he does not talk to anyone about this and commented that he did not ever want to appear to be showing any favoritism. He noted that the Department of Traffic and Transportation oversees improper sign usage and picks up any signs that they see in the rights-of-way and they respond to any calls they receive about signs.

The Mayor stated that a letter would be going out on this issue. He went on to say that staff had picked up signs and taken them to Milford Street. He said that some campaign staff people would then go retrieve them from the pile at Milford Street and put them back out.

He commented that employees had put a mark on some of the signs when they picked them up so that they could determine that someone was putting the same signs back out. He noted that this had not resulted in very good use of taxpayers' dollars. The Mayor stated that everyone would be sent notice that when the signs are picked up, they would also be disposed of so that they are not put back into the public right-of-way.

Director of Traffic and Transportation Hernan Pena rose to say that the letter would be going out to all of the political candidates on April 28th. He stated that the letter would inform them of the policy that City Council had approved of several years ago and would advise them that the signs would be disposed of immediately. He commented further that individual candidates are not contacted personally.

Mayor Riley commented that the City's people know which signs are in the public right-of-way and would pick them up. He remarked that no one wanted to be heavy handed in this matter and said that freedom of speech in campaigning is certainly very important. He noted that the City does have an ordinance that addresses this matter and he said that the citizens have expressed a lot of interest in this issue.

Council received the following report of the Committee on Public Works and Utilities, which had met earlier this date prior to the meeting of the Committee on Ways and Means. The Committee on Public Works and Utilities reports: 4-27-04

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

The Committee on Public Works and Utilities recommends that City Council:

1. Approve the acceptance and dedication of streets and adopt the attached (see Resolutions below) Resolutions to do so.
 - A. Meridian Place Phase III-Brianna Lane (50' R/W), Dexter Lane (50' R/W), Basset Court (50' R/W).
 - B. Sea Island Place, Phase II – a portion of Island Estates Drive (50' R/W)
 - C. Pierpont Cove – Coffey Court (50' R/W)
 - D. Lawton Harbor, Phase V – portions of Affirmation Blvd (50' R/W) and Allison Cove Drive (50' R/W)
 - E. Mt. Royall, Phase 8-portions of Bent Hickory Road (50' R/W).
 - F. Peninsula Phase II Townhomes – Island Club Drive (R/W Varies)
 - G. Peninsula, Phase IV – Palm Cove Drive (50' R/W)(and Harbor Mist Court (50' R/W)
 - H. Peninsula, Phase 1B and 2-Portions of Peninsula Cove Drive (50'R/W) and Waters Edge Drive (50' R/W)
 - I. Sienna, Phase 3-Portions of Hainsworth Drive (50' R/W)) and Rose Marie Drive (50' R/W)
2. Accept a Drainage Easement at 6 Palmetto Road
3. Accept a Drainage Easement at Mulberry Place Apartments
4. Accept the abandonment of a Drainage Easement at 2 Laurens Place.

Councilmember Paul E. Tinkler

Councilmember Jimmy S. Gallant, III

Councilmember Larry Shirley Mayor

Joseph P. Riley, Jr.

Councilmember Evans expressed her appreciation to public works for the drainage easement at 6 Palmetto Road.

There were no further questions or comments of Council.

On motion of Councilmember Tinkler, seconded by Councilmember Shirley, Council voted to adopt the report of the Committee on Public Works and Utilities, which included the adoption of eleven (11) Resolutions.

The following Resolutions were adopted:

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, State of South Carolina, shown and designated as Brianna Lane (50' R/W), Dexter Lane (50' R/W), and Basset Court (50' R/W), shown on a plat entitled "A FINAL SUBDIVISION PLAT OF PHASE III MERIDIAN PLACE OWNED BY EAST BAY CONSTRUCTION, LLC LOCATED ON JAMES ISLAND, CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" dated December 18, 2003 prepared by Southeastern Surveying, Inc. recorded in Plat Book --, at Page--, in the RMC Office of Charleston County, and conveyed by deed dated February 6, 2004, recorded in Book --, at Page --, in the RMC Office of Charleston County, be and the same are hereby dedicated and accepted as public right-of-way.

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Charleston County, State of South Carolina, and designated a as a portion of Island Estates Drive (50' R/W), shown on a plat entitled "SUBDIVISION PLAT OF LOTS 28-52, SEA ISLAND PLACE, PHASE II" dated November 20, 2002, prepared by Southeastern Surveying, Inc., recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, conveyed by deed dated January 2, 2004 recorded in Plat Book --, at Page --, be and the same is hereby dedicated and accepted as public right-of-way.

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives, and cul-de-sacs, situate, lying and being in the City of Charleston, Charleston County, State of South Carolina, designated as Coffey Court (50' R/W), shown on a plat entitled "PLAT SHOWING SUBDIVISION OF LOT 21 TO FORM LOTS 3-7 PIERPONT COVE", dated November 2002, prepared by Joseph O. Eelman, recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, and conveyed by deed dated January 28, 2004 recorded in Plat Book --, at Page---, be and the same is hereby dedicated and accepted as public right-of-way.

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT

ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Charleston County, State of South Carolina, designated as apportion of Affirmation Boulevard (50' R/W) and Allison Cove Drive (50' R/W), shown on a plat entitled "LAWTON HARBOR, LAWTON BLUFF SECTION, JAMES ISLAND, CITY OF CHARLESTON, SOUTH CAROLINA, FINAL PLAT OF THE SUBDIVISION OF A 3.87 ACRE PORTION OF PHASE 5 INTO LOTS 120-134A AND 134B-138" Dated August 20, 2003 prepared by E. M. Seabrook, Jr., Inc. and recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, conveyed by deed dated December 10, 2003 recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, be and the same are hereby dedicated and accepted as public right-of-way. _____

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Charleston County, State of South Carolina, designated as portions of Bent Hickory Road (50' R/W) shown on a plat entitled "FINAL SUBDIVISION PLAT SHOWING MT. ROYALL, PHASE 8, A 9.534 ACRE TRACT OF LAND, A PORTION OF LOT 8, PROPERTY OF BEAZER HOMES, INC., LOCATED IN BEES LANDING, IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" Dated May 2, 2003 prepared by Richard A. Aldridge, PLS, of Trico Engineering Consultants Inc., recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, conveyed by deed dated July 23, 2003, recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, be and the same are hereby dedicated and accepted as public right-of-way.

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Berkeley County, State of South Carolina, shown and designated as Island Club Drive (42' R/W) and Island Club Drive (R/W Varies) on a plat entitled "Conditional Subdivision Plat of Phase 2 Townhomes, prepared for D. R. Horton, Inc. by Thomas and Hutton Engineering Company" Dated May 29, 2003, prepared by Thomas and Hutton Engineering Company, and recorded in the ROD Office for Berkeley County in Plat Book --, at Page--, and conveyed by deed dated June 4, 2003, recorded in the ROD Office for Berkeley County in Plat Book--, at Page --, be and the same is hereby dedicated and accepted as public right-of-way.

RESOLUTION

DEDICATION AND ACCEPTANCE OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston Berkeley County, State of South Carolina shown and designated as Palm Cove Drive (50' R/W) and Harbor Mist Court (50' R/W) on a plat entitled "Conditional Subdivision Plat of

Phase 4 The Peninsula Prepared for D. R. Horton, Inc., by Thomas and Hutton Engineering Company” Dated April 24, 2003, prepared by Thomas and Hutton Engineering Company, and recorded in the ROD Office for Berkeley County in Plat Book --, at Page --, and conveyed by deed dated June 4, 2003, recorded in the ROD Office for Berkeley County in Plat Book --, at Page --, be and the same are hereby dedicated and accepted as public right-of –way.

RESOLUTION

DEDICATION AND ACCEPTANCE OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Berkeley County, State of South Carolina, shown and designated as portions of Water Edge Drive (50’ R/W) and Peninsula Cove Drive (50’ R/W) on a plat entitled “Conditional Subdivision Plat of PH 1B & 2 The Peninsula ”Dated February 12, 2003, prepared by Thomas and Hutton Engineering Company, and recorded in the ROD Office for Berkeley County in Plat Book --, at Page --, conveyed by deed dated April 28, 2003, recorded in the ROD Office for Berkeley County in Plat Book --, at Page--, be and the same are hereby dedicated and accepted as public right-of-way.

RESOLUTION

ACCEPTANCE AND DEDICATION OF STREETS

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT ALL, those certain streets, roads, drives and cul-de-sacs, situate, lying and being in the City of Charleston, Charleston County, State of South Carolina, shown and designated as portions of Hainsworth Drive (50’ R/W) and Roes Marie Drive (50’ R/W) on a plat entitled “Subdivision Plat showing Sienna, Phase 3, Lots 1A-44A, 17.579 acres, Property of Sienna at Grande Oaks, LLC, located at Bee’s Landing, the City of Charleston, Charleston County, South Carolina.” Dated June 26, 2002, prepared by Charles W. Shaver, PLS, and recorded in the RMC Office of Charleston County in Plat Book --, at Page --, conveyed by deed dated December 3, 2003, recorded in the RMC Office of Charleston County in Plat Book --, at Page --, be and the same are hereby dedicated and accepted as public right-of-way.

RESOLUTION

DEDICATION AND ACCEPTANCE OF DRAINAGE EASEMENT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT, the non-exclusive 20’ wide drainage easement shown on Exhibit A, entitled “Drainage Easement, Lot 19, Wappoo Heights” dated November 15, 2003, prepared by J. Frank Newham, recorded in Plat Book--, at Page --, in the RMC Office of Charleston County, be and the same is hereby dedicated and accepted as a public drainage easement.

RESOLUTION

DEDICATION AND ACCEPTANCE OF DRAINAGE EASEMENT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF CHARLESTON THAT, the non-exclusive 15' wide drainage easement shown on a plat entitled "Plat Showing A New 30' Drainage Easement And A New 15' Drainage Easement On TMS # 350-02-0-018 and -021 Located in the St. Andrews Parish Area of Charleston County, South Carolina, prepared by the Charleston County Public Works Department". Dated, May 19, 2003. Recorded in Plat Book --, at Page --, in the RMC Office of Charleston County, be and the same is hereby dedicated and accepted as a public drainage easement.

Next, City Council received the following report of the Committee on Ways and Means:

The Committee on Ways and Means Reports: 4/27/04

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.) **CITY HALL: RENOVATION ARCHEOLOGICAL INVESTIGATION CONTRACT, CHANGE ORDER #1 - \$19,640 - CHARLESTON MUSEUM - ACCOUNT #050832-52238:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, Change Order #1 in the amount of \$19,640 with the Charleston Museum for additional archeological studies under City Hall during the demolition and removal of the floor as part of the renovation process. Funds will come from account #050832-52238.

2.) **DANIEL ISLAND MUNICIPAL CENTER: CONSTRUCTION CONTRACT, CHANGE ORDER #2 - \$66,720 - QUERY-PRITCHARD CONSTRUCTION - ACCOUNT #050857-52240:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, Change Order #2 in the amount of \$66,720 with Query-Pritchard Construction for additional brick and shelf angle above the apparatus bay; various changes to the emergency generator; panel changes; and addition of the Fire Department alert system ground and emergency generator and pad. The contract time is increased by 33 days. Funds will come from account #050857-52240.

3.) **WESTCHESTER PARK: APPROVAL OF PROJECT BUDGET AND ROAD PAVING CONSTRUCTION CONTRACT - \$29,780 - HOWELL AND SIMMONS CONSTRUCTION AND PAVING - ACCOUNT #051003-52240 AND #520000-52245:**

The Committee on Ways and Means recommends City Council approve a project budget, and authorize the Mayor to sign, a contract in the amount of \$29,780 to Howell and Simmons Construction and Paving for grading, paving and installing bollards for the driveway and parking areas of Westchester Park. Funds will come from account #051003-52240 and #520000-52245. *With approval of the budget, staff is authorized to award and/or amend contracts below \$25,000, to the extent contingency funds exist in the Council-approved budget.*

4.) **ALBEMARLE ROAD SIDEWALKS: GRANT APPLICATION FOR 2005 TEA-21 GRANT SUCCESSOR FUNDS - \$80,000 (LOCAL MATCH-\$20,000) - SOUTH**

CAROLINA DEPARTMENT OF TRANSPORTATION: The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, a grant application requesting \$80,000 of 2005 TEA-21 Grant Successor funds from the South Carolina Department

of Transportation for Albemarle Road Sidewalks. The total project is project at \$100,000 with a 20% match provided from the City. The project scope comprises installation of sidewalks from the West Ashley Greenway to Ashley Pointe Drive on Albemarle Road.

5.) **WEST ASHLEY BIKEWAY RIVERVIEW: GRANT APPLICATION FOR 2005 TEA-21 GRANT SUCCESSOR FUNDS - \$100,000 (LOCAL MATCH-\$25,000) - SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, a grant application requesting \$100,000 of 2005 TEA-21 Grant Successor funds from the South Carolina Department of Transportation for the West Ashley Bikeway Riverview project. The total project is projected at \$125,000 with a 20% match provided from the City. The project scope will be the final half-mile of an existing 2.5-mile multi-purpose trail in West Ashley. The paved trail will terminate in a picnic/scenic overlook on a high bluff above the Ashley River.

6.) **LOCKWOOD POLICE STATION: RENOVATION SPACE PLANNING CONTRACT - \$21,625 - GLICK/BOEHM & ASSOCIATES, INC. - ACCOUNT #051109-52238:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, a contract in the amount of \$21,625 with Glick/Boehm & Associates, Inc. for space planning on the Lockwood Police Station renovation project. The contract includes basic services in the amount of \$20,625 and reimbursable expenses not-to-exceed \$1,000. Funds will come from account #051109-52238.

7.) **HOUSING AND COMMUNITY DEVELOPMENT: CONTRACT AMENDMENT - \$14,404 - TRIDENT URBAN LEAGUE, INC. - ACCOUNT #442905-57144:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, a contract amendment in the amount of \$14,404 with the Trident Urban League increasing the total amount of the contract to \$31,117.94. The Trident Urban League has begun managing the services of the Fair Housing Hotline, previously administered by the Charleston Trident Community Housing Resource Board (CHRB). Funds will come from account #442905-57144.

8.) **HOUSING AND COMMUNITY DEVELOPMENT: CONSTRUCTION CONTRACT - \$40,022 - SEA ISLAND HABITAT FOR HUMANITY - ACCOUNT #470010-57047:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, a contract in the amount of \$40,022 with Sea Island Habitat for Humanity to pay expenses related to the acquisition of property known as 3396 Island Estates Drive and construction materials for the building of the residence. Sea Island Habitat worked with the City of Charleston employees in the construction of this home for a low-income family.

Funds will come from account #470010-57047 (29th Year Reprogrammed HOME Investment Partnership Funds).

9.) **CITY COMPUTER NETWORK: SUPPORT & MAINTENANCE AGREEMENT - \$60,500 - TRIKATE, INC. - ACCOUNT #161000-52206:**

The Committee on Ways and Means recommends City Council approve, and authorize the Mayor to sign, an agreement in the amount of \$60,500 with Trikate, Inc. to provide support and maintenance for the City's computer network. Funds will come from account #161000-52206.

10.) **GIS SOFTWARE: MAINTENANCE AGREEMENT - \$25,440 - ESRI, INC. - ACCOUNT #162000-52206:**

The Committee on Ways and Means recommends City

Council approve, and authorize the Mayor to sign, an agreement in the amount of \$25,440 with ESRI, Inc. for maintenance of the GIS software. Funds will come from account #162000-52206. 11.) **2004 STREET VENDOR FRANCHISE**

ORDINANCE: The Committee on Ways and Means recommends City Council give first reading to the following bill:

“An ordinance authorizing the Mayor to execute on behalf of the City of Charleston a Franchise Agreement with All That’s Good, Inc., and Shao Ling Ouyang, certain designated spaces within the City of Charleston from which food or drink or reading material sold in conjunction with the sale of food or drink may be sold from stationary carts or other devices.”

12.) **ANNEXATIONS:**

1. **2376 Ashley River Road (0.83 acres) (TMS #353-02-00-005)**
2. **1102 Meadowlawn Lane (0.13 acres) (TMS #351-15-00-020)**

The Committee, based on the recommendations of the Committee on Real Estate, recommends City Council give first reading to the following bills:

“An ordinance to provide for the annexation of property known as 2376 Ashley River Road (0.83 acres) (TMS #353-02-00-005), St. Andrews Parish, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 10.”

“An ordinance to provide for the annexation of property known as 1102 Meadowlawn Lane (0.13 acres) (TMS #351-15-00-020), St. Andrews Parish, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 7.”

LARRY SHIRLEY, Vice-Chair HENRY B. FISHBURNE, JR.

DEBORAH MORINELLI JAMES LEWIS, JR.

KWADJO CAMPBELL JIMMY S. GALLANT, III

WENDELL G. GILLIARD YVONNE D. EVANS

PAUL E. TINKLER ANNE FRANCES BLEECKER

G. ROBERT GEORGE JOSEPH P. RILEY, JR., Mayor _____

The following list of properties requested annexation into the City of Charleston:

- 1) Property known as 2376 Ashley River Road (0.83 acres) (TMS #353-02-00-005), St. Andrews Parish, Charleston County. The petition was signed by John Robert Elsey.
- 2) Property known as 1102 Meadowlawn Lane (0.13 acres) (TMS #351-15-00-020), St. Andrews Parish, Charleston County. The petition was signed by Keith and Alicia D. Brown. Mayor Riley asked for the record to reflect that Councilmember Shirley had done a great job chairing the meeting of the Committee on Ways and Means. He noted that although he had been late, which caused the meeting to start late, Councilmember Shirley had finished the meeting on time.

Councilmember Shirley moved for adoption of the report of the Committee on Ways and Means, which included giving first reading to a bill pertaining to vendor franchise agreements, the acceptance of two (2) annexation petitions, and giving first reading to bills to annex the subject property. Councilmember Gallant seconded the motion. The motion carried.

First reading was given to three (3) bills entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON A FRANCHISE AGREEMENT WITH ALL THAT’S GOOD, INC.

AND SHAO LING OUYANG, CERTAIN DESIGNATED SPACES WITHIN THE CITY OF CHARLESTON FROM WHICH FOOD OR DRINK OR READING MATERIAL SOLD IN CONJUNCTION WITH THE SALE OF FOOD OR DRINK MAY BE SOLD FROM STATIONARY CARTS OR OTHER DEVICES.

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2376 ASHLEY RIVER ROAD (0.83 ACRES) (TMS #353-02-00-005), ST. ANDREWS PARISH, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND INCLUDES ALL MARSHES, PUBLIC WATERWAYS, AND PUBLIC RIGHTS-OF-WAY, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 10.

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1102 MEADOWLAWN LANE (0.13 ACRES) (TMS #351-15-00-020), ST. ANDREWS PARISH, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND INCLUDES ALL MARSHES, PUBLIC WATERWAYS, AND PUBLIC RIGHTS-OF-WAY, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 7.

The next matter before Council was four (4) bills up for second reading. Mayor Riley noted that second reading of the bill pertaining to the annexation of property located on Hughes Road (15.21 acres) (TMS #287-00-00-328), St. Andrews Parish, Charleston County (Item J-1 on the agenda) was *deferred*.

On motion of Councilmember Tinkler, the remaining three (3) bills received second reading. They passed second reading on motion of Councilmember Bleecker and third reading on motion of Councilmember Lewis. On the further motion of Councilmember George, the rules were suspended and the bills were immediately ratified as:

RATIFICATION NUMBER

2004-41

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2063 RIVER ROAD (61.5 ACRES) (A PORTION OF TMS# 345-00-00-077), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND INCLUDES ALL MARSHES, PUBLIC WATERWAYS, AND PUBLIC RIGHTS-OF-WAY, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED (MAP IS ATTACHED TO ORIGINAL ORDINANCE) HERETO AND MAKE IT PART OF DISTRICT 11.

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

Section 1. Finding 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 part of the City of Charleston and is annexed to and made part of present District 11 of the City of Charleston, to wit: SAID PROPERTY to be annexed, 2063 River Road (61.65 acres), Johns Island is identified by the Charleston County Assessors Office as a portion of TMS# 345-00-00-077 (see attached map) (map is attached to original ordinance) and includes all marshes, public waterways and public rights-of-way, shown within the area annexed upon a map attached (map is attached to original ordinance) hereto and made a part hereof.

Section 3. This ordinance shall become effective upon ratification.

RATIFICATION NUMBER

2004-42

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES KNOWN AS 2079 AND 2083 RIVER ROAD (4.99 ACRES) (TMS# 345-00-00-074 AND 345-00-00-073), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND INCLUDES ALL MARSHES, PUBLIC WATERWAYS, AND PUBLIC RIGHTS-OF-WAY, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED (MAP IS ATTACHED TO ORIGINAL ORDINANCE) HERETO AND MAKE THEM PART OF DISTRICT 11.

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

Section 1. Finding 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 areas requesting annexation.
- C) The areas comprising the said properties are 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 properties be and hereby are annexed to and made part of the City of Charleston and are annexed to and made part of present District 11 of the City of Charleston, to wit: SAID PROPERTIES to be annexed, 2079 and 2083 River Road (4.99 acres) Johns Island, are identified by the Charleston County Assessors Office as TMS# 345-00-00-074 and 345-00-00-073 (see attached map) (map is attached to original ordinance) and includes all marshes, public waterways and public rights-of-way, shown within the area annexed upon a map attached (map is attached to original ordinance) hereto and made a part hereof. Section 3. This ordinance shall become effective upon ratification.

RATIFICATION NUMBER

2004-43

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES KNOWN AS 2107 AND 2105 RIVER ROAD (62 ACRES) (TMS# 345-00-00-071 AND 345-00-00-072), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON AND INCLUDES ALL MARSHES, PUBLIC WATERWAYS, AND PUBLIC RIGHTS-OF-WAY, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED (MAP IS ATTACHED TO ORIGINAL ORDINANCE) HERETO AND MAKE THEM PART OF DISTRICT 11.

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

Section 1. Finding 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 areas requesting annexation.
- C) The areas comprising the said properties are 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 properties be and hereby are annexed to and made part of the City of Charleston and are annexed to and made part of present District 11 of the City of Charleston, to wit: SAID PROPERTIES to be annexed, 2107 and 2105 River Road (62 acres), Johns Island, are identified by the Charleston County Assessors Office as TMS# 345-00-00-071 and 345-00-00-072 (see attached map) (map is attached to original ordinance) and includes all marshes, public waterways and public rights-of-way, shown within the area annexed upon a map attached (map is attached to original ordinance) hereto and made a part hereof. Section 3. This ordinance shall become effective upon ratification.

Councilmember Lewis called attention to a memorandum from Police Cpl. Randall McBrayer to Corporation Counsel Charlton deSaussure and noted that Council had also received a copy. A copy of the referenced document is on file in the office of the Clerk of Council in the meeting folder of this date.

Continuing, he commented that Cpl. McBrayer had indicated that the City needed an ordinance that would address prostitution. Cpl. McBrayer indicated that he had researched ordinances from other governmental agencies and had combined them to create recommended changes to the City Code. Councilmember Lewis then expressed his hope that the City could come up with an ordinance that the vice squad would be able to deal with.

Councilmember Campbell asked the Director of the Department of Parks Steve Livingston about a contingency fund pertaining to the Cooper River Bridge. Mr. Livingston responded that he did

not have the figures with him, but he said that he would be happy to send them to Councilmember Campbell. Councilmember Lewis asked for a copy of the information to be sent to him also.

Councilmember Campbell then recognized Mrs. Ernestine Tobias Felder, longtime civil rights activist. Mayor Riley welcomed Mrs. Felder to the Chamber and thanked her for coming to the meeting. An extended round of applause filled the Chamber.

Councilmember Fishburne thanked Mayor Riley for indulging him and said that he hoped his colleagues would understand that he wanted to comment on the weekend of Saturday April 17, 2004, which he said had been a very unusual weekend for the City of Charleston. He then expressed his appreciation to Mayor Riley, City staff and particularly Major Herbert Whetsell and the Police Department.

He explained that several events had taken place that weekend and had attracted a large number of people to the City. He cited examples such as the Hunley Funeral, the Symphony Designer House, Historic Charleston's Spring House Tours, the motorcycle rally in Ladson and the Family Circle Tennis Tournament. Councilmember George added that the Cajun Festival on James Island had also taken place on this weekend.

Councilmember Fishburne noted that a lot of the activity had taken place in his district, either below Calhoun Street or on Daniel Island. He expressed his opinion that the City had done an amazing job in hosting all of these events. He said that to his knowledge they had all gone very well and he was not aware of any incidents, complaints or misbehavior.

He then read excerpts from letters to the editor of the Post and Courier in which visitors had expressed their appreciation to the residents of the City for their hospitality.

He also referenced an article in the newspaper, *Can Downtown Survive?*, written by Jason Hardin. He addressed Mr. Hardin saying that he thought the article was great. He said that the article made the point that people were buying houses but they did not live in them. He recalled that the article had also included information about the number of children that live in the district. He stated that this had been happening in other districts, not just his district. He added that he did not have a solution to this but he thought the article pointed out these problems and he told Mr. Hardin that he appreciated the article.

Mayor Riley thanked Councilmember Fishburne for his remarks and said that he would pass them on and congratulate City staff. He referred to the Police Chief Reuben Greenberg, Fire Chief Rusty Thomas, Director of Traffic and Transportation Hernan Pena, Director of Parks Steve Livingston, Director of Planning and Neighborhoods Tim Keane and the Director of Recreation Paul Wieters. He said that they and their staffs are an amazing group of dedicated public servants. The Mayor commented that all of these events had occurred with success, safety and enjoyment.

Councilmember Gilliard asked Major Whetsell if the number of officers working the City's narco squad would be increasing. Major Whetsell was not sure, but he believed that two new people had been added to that squad and that the process had begun to enlarge it. He commented that he believed everyone was aware that a new lieutenant had been put into that unit.

Continuing, Councilmember Gilliard stated that he was delivering the message "job well done" from the Maryville/Ashleyville neighborhoods.

Councilmember Gilliard then referred to the activities that Councilmember Fishburne had mentioned pertaining to the weekend of April 17th. He stated his understanding that the

festivities had brought a lot of money into the City, but he felt that the activities should have been more inclusive.

He spoke of the soldiers that had served on the Housatonic and said that they had actually represented the sovereign country. He commented that everyone should keep that in mind and stated for the record that history should be inclusive.

He talked about the need for everybody to show that they were trying to be fair.

Councilmember Gilliard remarked that everyone had discussed the Hunley a couple of weeks ago, but no one had even mentioned the Housatonic, how many soldiers had died or the fact that they had represented a sovereign country. He noted that a number of soldiers had lost their lives and they had families as well.

Councilmember Gilliard stated that more important to him as a black African American he had known what the Housatonic was standing for. He said that it was standing for the quarter of a million bones that are still in the ocean out there that they were trying to protect or trying to bring justice to. He remarked that they were also trying to protect the painful story that archeologists now believe that between Savannah and Charleston you talking almost 25-30 million enslaved people who were brought to this country.

He stressed his feelings that history should always be inclusive and not just discussion of one certain segment. Councilmember Gilliard said that his spirit nor his conscience could not rest until this was brought up and he had yet to hear anybody talk about it so he had to do it himself and he wanted to be sure that he did publicly.

Councilmember Campbell commended Councilmember Gilliard and told him that it was "well spoken."

Without objection, the Clerk of Council announced that Ann Post, granddaughter of the City's Clerk of Council from 1947-1968, August John Tamsberg, was opening a Krispy Kreme donut shop in the Market area and she had delivered a box of donuts for the Mayor and Councilmembers. The Clerk further noted that department heads could pickup the donuts that Council did not take.

The Mayor spoke of Mr. Tamsberg's long time service as the City's Clerk of Council and thanked his granddaughter for the donuts.

When Councilmember Shirley stated his understanding that renovations would begin at City Hall and asked when the Council meetings would be moved out of the Chamber, Mayor Riley responded that he expected Council's August meeting to be the last one in the Chamber. Councilmember Shirley then asked how long Council would meet outside the Chamber, and the Mayor said that he anticipated the meetings would resume at City Hall in approximately 18 months.

Mayor Riley commented further that although the expectation has been that the last meeting would be in August, he did not want the building to be vacated until work was ready to commence. He said if there was any change to this, Council might also meet in the Chamber in September. He commented that some offices would be moved sooner, but he planned to move out of City Hall after the August meeting.

The Mayor noted the next City Council meeting would be at 5:00 p.m., Tuesday, May 11, 2004 at City Hall. He further noted that the regularly scheduled meeting for Tuesday, May 25th would be held at Providence Baptist Church, 294 Seven Farms Drive, on Daniel Island at 5:00 p.m.

There being no further business the meeting adjourned at 6:45 p.m.
Vanessa Turner-Maybank Clerk
of Council