

# FACT SHEET: 106 COMING STREET

Prepared by Protect and Respect the Bodies coalition

## **BACKGROUND:**

*Charleston City Council will soon be asked to provide a key approval as part of the College of Charleston's project to build a new residence hall on an approximately 3.5-acre public burial ground. City leaders established and operated the 'Strangers and Negroes' cemetery, as it was known, from 1794-1807, collecting fees for interment of the deceased. The City of Charleston sold the property outright in 1842. The burial ground is believed to hold as many as 12,000 human remains, including enslaved Africans, children, and indigent people of all ethnicities. S.C. state law requires local approval to remove remains for any abandoned cemetery if "it is necessary and expedient in the opinion of" the municipality.*

## **POSITION:**

We respectfully ask that City Council defer decisions regarding the authorization of burial removal until the College of Charleston demonstrates that no feasible alternatives exist. The scale and complexity of this undertaking are truly without precedent, making it incumbent on city leaders to exercise extreme caution and care to ensure all alternative scenarios are explored to avoid the last-resort choice to disturb a historic burial ground.

## **LOCAL AUTHORITY CLEAR IN STATE CODE:**

The City of Charleston (City Council) has the discretion to authorize the removal of burial grounds per state law (SC Code §§ 27-43-10 through 27-43-40) and the conditions provided by DES.

"A person who owns land on which is situated an abandoned cemetery or burying ground may remove graves in the cemetery or ground to a suitable plot in another cemetery or suitable location if: It is **necessary and expedient** in the opinion of the governing body of the county or municipality in which the cemetery or burying ground is situated to remove the graves..."

**Discretionary authority:** While permits and conditions may be issued by the South Carolina Department of Environmental Services (DES), **City Council retains its own discretionary authority and responsibility** to determine whether this legal standard has been met.

Beyond this local legal framework, preservation and ethical standards emphasize that burial grounds should be avoided and preserved in place whenever possible. [The Advisory Council on Historic Preservation's Policy Statement on Burial Sites, Human Remains, and Funerary Objects](#) states that disturbing or disinterring burial sites should not be pursued unless no reasonable alternatives exist and only after meaningful consultation with affected communities and full consideration of

***These legal and ethical principles place the responsibility on the College of Charleston to not simply state project objectives, but to demonstrate that disturbing a historic burial ground is necessary and that no feasible alternatives exist.***

This responsibility is particularly significant in the case of the former Strangers and Negroes Burying Ground. Unlike many previous burial-ground cases in Charleston, this site is distinguished by the extraordinary number of individuals (12,000+) recorded to be interred there, its direct association with the trans-Atlantic slave trade, the likelihood of intact archaeological deposits and human remains, and the extensive prior documentation of its existence and significance. Given these factors, the City should require a clear and compelling demonstration that burial removal is absolutely necessary before exercising its authority to permit disturbance of the site.

## **HISTORY:**

The City of Charleston purchased the block bounded by Calhoun, Coming, and St. Philip streets in 1792. From 1794-1807, a city-operated public burial ground operated on the site, serving those who could not afford or access other cemeteries, including impoverished adults, children, enslaved individuals, and captured Africans who did not survive the trans-Atlantic voyage to Charleston. Demand surged in advance of the 1808 constitutional prohibition on the importation of enslaved people. Records indicate that the municipal burial ground was used more extensively after new ordinances required the burial of the deceased in response to the practice of casting bodies into the harbor.

The cemetery reached capacity in just 13 years, closing in 1807.

Despite its use as a cemetery and with no record of excavation, the City began subdividing the property into 11 residential lots by 1817 and leasing them for development. The lots were sold outright by 1842, and the burial ground largely faded from public memory for generations. Advertisements for the lease or sale

mention the presence of the burial ground, and records of names of those buried that could aid in determining descent have been lost.

Today, 60% of the original site is covered by surface parking, including most of that acquired by the College of Charleston. On the remaining 40%, there is no documented evidence of reinterments or other removal of human remains.

It is important to note that inconclusive ground penetrating radar (GPR) results should not be interpreted as evidence that human remains are absent from the site.

### **STATEMENT OF SIGNIFICANCE:**

A cultural resources investigation commissioned by the College of Charleston and prepared by BVL Historic Preservation Research estimated that 4,600-12,000 individuals may be buried within the former cemetery and found that portions of the CofC project area appear to have experienced the least subsurface disturbance despite some redevelopment ([BVL 19-22](#)). The historic report concluded that these areas may retain a high degree of historic integrity and have the potential to yield significant archaeological data and human remains associated with the city's use of the site as a public burial ground.

The burial ground is considered by historians to be a rare archaeological and cultural representation of the experiences and mortality of Africans during the final phase of the trans-Atlantic slave trade in America. There is no comparable site in North America that has been identified.

Put simply: The site's direct association with the final years of the trans-Atlantic slave trade as well as the realities of public life and cultural circumstances in Charleston at the turn of the 19<sup>th</sup> century make it significant not only at the local and state levels but could likely be a site of international significance.

### **REGULATORY LANDSCAPE:**

**S.C. Dept. of Environmental Services (DES):** The College is currently undergoing Coastal Zone Consistency review, and a permit may soon be issued with very specific conditions. As proposed, the conditions require a comprehensive, highly coordinated planning and review process to ensure preservation, respectful treatment of human remains, and ongoing stakeholder engagement throughout the project. Under the proposed state conditions, ***before*** any demolition or ground

disturbance can occur, the applicant must develop and implement multiple plans – including a Professional Examination Plan, a Cemetery and Commemoration Work Plan, and a detailed Archaeological Work Plan – in consultation with the State Historic Preservation Office (SHPO), DES, the City of Charleston, and community stakeholders.

Throughout the state appropriations process, Charleston City Council and Charleston County School District have declined to sign letters of support to have the property removed from tax rolls.

**Work cannot proceed without necessary approvals, including from the City regarding cemetery disturbance and reinterment.**

### **PROJECT TIMELINE:**

**July 19, 2023** - Rezoned to College Support District PUD (private developer)

**June 6, 2024** - Mayor Cogswell sends letter indicating no objection to removing property from the tax roll

**January 2025** - CofC purchases property

**April 16, 2025** - Height rezoning from 4 stories to 5 & 8 stories

**May 29, 2025** - Public announcement of “Coming Street Commons” project

**June 2025** - CofC receives BAR-L approval to demolish YWCA

**June 3, 2025; August 4, 2025; September 22, 2025** - CofC public informational meetings

**November 12, 2025** - First Community Engagement Council meeting

**November 2025** - Commission on History resolution adopted

**November 18, 2025** - DES public hearing

**December 11, 2025** - HARCC resolution adopted

**July 8, 2026** - CofC asks BAR-L for conceptual design approval