The Columbia City Council conducted a Public Hearing on Monday, July 1, 2013 at
the Eau Claire Print Building, 3907 Ensor Avenue, Columbia, South Carolina. The
Honorable Stephen K. Benjamin called the meeting to order at 2:38 p.m. and the
following members of Council were present: The Honorable Sam Davis, The
Honorable Tameika Isaac Devine, The Honorable Brian DeQuincey Newman, The
Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable
Leona K. Plaugh was absent. Also present were Ms. Teresa B. Wilson, City Manager
and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with
the Freedom of Information Act.

**BULL STREET CAMPUS DEVELOPMENT AGREEMENT**

**ORDINANCES – FIRST READING**

1. **Ordinance No.: 2013-072** – An Ordinance to approve pursuant to Section 6-31-
   30 of the Code of Laws for South Carolina, 1976 as amended, a Development
   Agreement between the City of Columbia, South Carolina and Hughes
   Development Corporation, as equitable owner and developer, of approximately
   165 acres of land within the City of Columbia, commonly known as the
   Department of Mental Health's "Bull Street Campus" – *Approved on first
   reading by a vote of four (4) to three (3).*

Mayor Benjamin presented the Bull Street, a historic partnership for a historic project;
a project 10 years into the making since 2005. He outlined the economic development
benefits of Bull Street as derived by the Miley report. He outlined staff's comparison of
the development to BMW and Boeing. He outlined the plan and what the project
brings to Columbia. He reviewed the city’s commitment to infrastructure for the
project along with other benchmarks. The development agreement protects 74% of the
property’s historic structures. He acknowledged the fact that everyone is not totally
satisfied with this provision. The agreement protects the city’s waterways and
wetlands. He outlined the concessions/donations being made by Hughes Development.
*Click here to view Mayor Benjamin’s presentation.*

- **Council opened the public hearing at 2:36 p.m.**

Ms. Cathy Hearn said that her father worked at the State Hospital for 40 years and they
lived in Cottontown. She said it is great that someone is going to finally develop it; it
has sat there for too long. She said that the ballpark is a good idea and maybe a couple
of hotels, but she is not sure about all the houses.
Dr. John Ruoff, said that as an owner of a research and policy analysis consulting firm, he is active in baseball and baseball research. He said that public funding of baseball stadiums is a terrible public investment based on a large body of academic research that concludes that this is a poor public investment. He said that minor league baseball is not a destination and you may be lowering total income because the teams tend to be owned by outsiders. He said that researchers are clear that there is no positive discernible effect on income, economic growth; it just doesn’t work as an economic development thing.

Mr. George McMaster, Esq., Tompkins and McMaster Law Firm said that neither the firm nor his family has a financial interest in this project. He said that a long process went into this exceptional contract and Bob has the capacity and track record of a brilliant development that revitalized downtown Greenville. There has been criticism about the city putting in the infrastructure, it will be done in phases and we will need it anyway. If the first phase doesn’t work then Mr. Hughes can go back to Greenville. The Mayor is being criticized, but somebody has to take the lead on this. Whatever we do is better than having that magnificent piece of property sitting there doing nothing. I endorse this project wholeheartedly.

Mr. Ike McLeese, President of the Greater Columbia Chamber of Commerce said this is a game changer for Columbia. He urged Council to support this agreement. He noted that 74% of the total square footage on the property is protected by this agreement. There isn’t another developer standing in the wings to come forward with either the reputation or the financial wherewithal to achieve this project. He said if this doesn’t happen there are rumblings that the Legislature will take this property off the market and mothball it for future use, leaving it off the tax rolls and the historic buildings to rot. He urged the Council to move forward with this project and the agreement, as is.

Mr. Tom Felder, Banker said that on behalf of the Small and Minority Business Council, they continue to serve as an advisor to the Chamber leadership on an umbrella of issues concerning growth and development throughout this region. The long awaited agreement spells out Columbia’s public investment as over a billion dollars in annual economic impact, millions of dollars in additional revenue for the city and thousands of new jobs; this is a game changer for our city. This is a phased development, which defers costs over several years. It gives small and minority businesses in our region ample time to make adjustments, because of the dynamics of this project. This agreement makes for a public private partnership, which promotes economic growth. This is a boost for small and minority businesses, retail and people living, working and visiting in downtown Columbia. This very important project affects the entire region. Based on how our policy makers structure the financial systems to allocate city money to this project will provide for sustained growth; it will solidify the project; and it will help make this project a success. An enhanced tax base will provide increased revenue for Richland School District One as well as local governments. Look at downtown Greenville to see what Bob Hughes does. This is good for our city, our region, the preservationists and certainly all of us.
Mr. Dave Almeida, former Executive Director and current volunteer of the National Alliance on Mentally Ill (NAMI) said the organization is dedicated to advocating on behalf of people with mental illnesses and their families. He called upon Council to act and not be hijacked. He said the SC Supreme Court cleared the way for the sale of the State Hospital property. He noted that the court also made it very clear that the property is a charitable trust; therefore, the proceeds from the sale must go back to the Department of Mental Health to be reinvested into services for people with mental illnesses. He said nearly 200 years ago South Carolina was one of two states to truly embrace its moral obligation to provide services, treatment and care for our citizens with mental illnesses. He said that Col. Samuel Farrow and Maj. William Crafts successfully argued their colleagues in the legislature to appropriate money to create and fund what is now the State Hospital on Bull Street. Robert Mills did an exceptional job building this refuge and therein is the problem. He said the dreams of those champions have now become hijacked by preservationists who care more about the wellbeing of buildings than the wellbeing of people. Nearly two centuries ago we were a very progressive state and before you is an opportunity to help move us forward again. He called upon Council to move forward with the sale of the Bull Street property; to make good on the court’s ruling, which will provide much needed funding for the underfunded Department of Mental Health; and to place people before buildings, because it is the right thing to do.

Mr. Terry Williams, C.P.A., said he has the closet business to the State Mental Hospital property at the corner of Bull and Calhoun Street. He told the Hughes Development Company that they need to be down there after 5:00 p.m. to see the prostitution, public drunkenness and drug deals that go on outside his window every night. He told them to do their due diligence and spend a weekend with him during the warm weather. He said twenty years ago, their firm saw the vision of the Bull Street property being developed and he wants to see this project happen. He said in the past five to ten years, there has been a constant deterioration of that corridor. He told Council you are either for economic development and put more businesses there or become the homeless center for the southeast. He said we want economic development, but we have to decide what we want.

Mr. Michael Kahn, Architect said that he served on Duany’s design team during the first go round and he knows about the land, its potential and size. He said his interest is as a property owner and as a designer that wants the right thing done. He wants the project to be built, because it is great for the city and the Midlands. He expressed concerns about the baseball park. He thought the baseball park was being pitted against preserving the Babcock Building and would argue for keeping the building because it has a lot of historic value. He said that he would stand to benefit from the ballpark, but he is concerned about parking, traffic and how it would be positively integrated into the community. He said a much better land use would be developing trails and things that could be tucked in and around that don’t take us as much land or require as much parking and can be used by everybody, all day year round.
Mr. Nathaniel B. Land, Jr., said he spent 31 years as a Planning and Zoning staff person for the City and he lived and breathed the Duany Plan. He attended 90% of the public meetings; participated in the subsequent review and approval of the Duany Plan; and he was part of the annexation and development of the Harbison area which included hundreds and thousands of acres. He said that he hasn’t seen a generalized land use plan to explain the form based codes; the Duany Plan had a lot of that spelled out. He said there is a lack of specificity of the role of the DDRC and Planning staff in reviewing this. He doesn’t agree that 17 buildings should be saved. He doesn’t see a role for the DDRC in reviewing demolitions or changes to other buildings. He is concerned about the lack of openness and accountability for the developer. He said the size, timing and nature of the subsidies are a concern. He is concerned about the city providing infrastructure. He asked if we have to buy the property that we are putting the park on. He hopes that Mr. Hughes is successful; I want him to go forward with his proposal. He proposed that Council take the first vote tonight, but put a specific timeframe for a second vote, but not July 9th for a second and final vote. He asked Council to post all documents pertaining to Bull Street on the web and give people an opportunity to review and comment on all of those documents. He suggested that they defer a final vote for at least two weeks.

Mr. Chester DePratter, Ph.D., Archaeologist for the South Carolina Institute of Archaeology and Anthropology at the University of South Carolina expressed concerns about Camp Asylum, the Civil War Prison Camp on the Bull Street property. He said that plan takes no notice of Camp Asylum and that is a grave error. He asked Council to amend the development agreement to include preservation or excavation of Camp Asylum. He said that a survey project needs to be completed to determine what remains in the Camp. He said that the SC Institute of Archaeology and Anthropology stands ready to assist in this work in any way necessary.

Mr. Jim Pagett thanked the members of Council for making this project a reality. He expressed concerns about the city investing $60 to $70 million over a period of time; then stating that they value public opinion, but scheduled the public hearing during the week of July 4th and at 2 p.m. while many concerned citizens are at work or on vacation. He respectfully suggested that Council schedule another public hearing possibly on a Saturday morning in September or at 6 p.m. He wants to see the project succeed, but the citizens of Columbia have the right to understand what we are getting into. He said that public private partnerships don’t always mean equal partners with equal risks; public entities should help facilitate deals and the private sector can help to bring in capital.

Ms. Lee Ann Kornegay, local filmmaker and chief advocate of 701 Whaley said she is excited about this project; this is going to be incredibly important for our city. She expressed faith in Mr. Hughes, even though she has never seen him. She wished Mr. Hughes was at the meeting and the press conference that was held to announce the deal. She said her father was an employee of the Department of Mental Health and her aunt was a patient there from 1951 to 1970. She wants to see something awesome happen there. She said one of the unique things about the property is the village feel
that it has with all the different buildings. She expressed concerns about the developer being able to offer the Ensor, Bakery or Laundry Building to the city for relocation as long as the relocation occurs within the developer’s schedule. She said that it doesn’t seem to make sense that we would buy and relocate those buildings and it would certainly jeopardize their physical integrity if we tried to move them and it would certainly diminish their historical significance with the property. She asked Council to amend the agreement by listing these buildings as precedent structures, setting them up to be reused rather than relocated or demolished.

**Mr. Todd Stuart** sought to dispel the myth that if you are preservationist you are not for economic development. He said that preservationists truly believe that the historic buildings add to the project. He acknowledged that he hasn’t read the development agreement. He asked Council to postpone the vote on this and have more public hearings. He is concerned about not seeing a plan before the development agreement is signed; we should know what we are buying before we buy it. He said that Council’s job is to make sure that the developer doesn’t do something to decrease the future value of the property. He said that the PUD will allow the developer to survey the trees and then cut them down if it’s in his best interest. He stated that he wants a great Columbia.

**Ms. Elizabeth Marks**, Robert Mills Historic District resident said that the Bull Street development is their northern boundary and what happens on that development affects them profoundly. She asked Council to take it to the next step; don’t rush into a vote today; review the development agreement more carefully; make it more favorable to the city; and put more balance in it. She said there has been a lot of citizen input, but not enough of it has found its way into this development agreement; none of the Duany Plan is included in the PUD or the development agreement; the Bull Street Committee met for a year and produced a document that was never approved by Council or acknowledged by the developer. She recalled that City Council, staff and many others spent two years putting together the Comprehensive Plan for Columbia, which clearly states many open minded things that should be done in implementing a PUD, but the Bull Street PUD and development agreement trump the city’s Comprehensive Plan (Section Q Hierarchy of Documents). She said there is no language in the PUD that gives leverage to the city in planning and there is no master plan; we don’t have a clue as to what the developer is going to do with the property; and we need to put daylight on top of the development agreement and the PUD.

**Mr. Eric Dickey** said he came back from vacation for this meeting. He is tired of Columbia wanting to be like Greenville and Charleston. He said it is time to act; we’ve been planning for this for years; Mr. Hughes is renowned and he’s not leading you down a primrose path for nothing; he wants to make a profit and the time is now.

**Ms. Rebecca Haynes**, President of the Earlewood Community Citizens Organization appeared on behalf of the Conservation Voters of South Carolina. She expressed an interest in the environmental aspects of this. She said we talk a lot about the buildings and the people, but we are not talking about the footprint of this development and the
potential environmental impact of this development, which is on top of Smith Branch, which is the stream that feeds into our drinking water source. She said it is important to do this right. She said that she enjoyed reading that they will daylight Smith Branch and initiate stream restoration, but then she read about storm water ponds. She said we need to look at progressive storm water management on this site. She said they are still working out the kinks of the storm water management ordinance, but she wants to make sure that has a play in this development. She said why take up useful acreage with storm water retention ponds when we could use green infrastructure. She said this is our opportunity and we need more specifics; we have a little bit to be hopeful about. She hopes to be a voice for Smith Branch.

Mr. Andy Whitfield, Columbia Tree and Appearance Commission member thanked Council for listening to some of their suggestions. He acknowledged that some of their language was written into the agreement. He said they are alarmed that the current language will allow for a net loss of tree canopy on the site. On behalf of the committee, he suggested that they refer back to the current city landscape ordinance that offers protection to mitigate and replace trees.

Ms. Gareth Fenley said that she loves to travel and she loves cities and downtowns. She supports this project and feels that there has been enough light and process. She agreed that it’s time. She doesn’t have any particular nostalgia for the buildings on the campus. She said tear them down.

Mr. Richard Burts said that no one is trying to stop any kind of development on this site. He hopes that everyone who wants to act understands that we are taking a look from the public eye and making sure it looks good. He said that the cost per acre appears to be $90,000 and he would like for staff to put those figures out there to include the city’s contribution at $140,000 per acre. He said we are paying a high price if we don’t keep the historic section of the Mental Hospital intact. He noted that there is no mention as to when the historic structures will be addressed. He said the public money should be partially used as a trigger mechanism for when the Babcock and its wings get a plan for development. He said that the contract between the developer and the Department of Mental Health provides that the Department holds the parcels until the developer decides to purchase or assign his interest. He noted that the contract also says that the Department will maintain the buildings and the grounds. He asked who will maintain the parcels if the developer doesn’t buy them. He said the Department doesn’t have the funds to stabilize or mothball the historic structures and the structures are not afforded the necessary protections. He said if the development is signed now, it’s like pooling a demolition permit for these buildings, because they can’t be easily moved and if you do move them, they will lose historic significance of where they sit on the parcel. He asked that Council allow more time for citizens to speak; it’s happening too fast.
Ms. Kathryn Fenner, Esq., asked Council to delay this, because it is very hurried. She recalled working on the Market Common Project in Myrtle Beach for the attorneys that are representing Bob Hughes and they knew who the retailers were going to be and they knew what the buildings were going to look like. She said the idea behind the Enabling Act was that developers would have the right to know that Council wouldn’t change zoning on them. She cited Section 6-31-60. She said she spent a lot of time trying to figure out from various people within and without City Hall, what uses are permitted. She said there are concerns about how the PUD was legally passed. She said this is a meta-agreement and we need to know more about what’s going in there.

Ms. Susan Creed, Cottontown resident asked why this is being hurried and if they will ever get answers to their concerns. She asked how you can make a final decision about something we know nothing about; so many of us don’t know what we are getting. Please postpone this. She said that her major consideration is the city I live in and the way my elected officials relate to me.

Ms. Wendy Wells said there are so many different projects being done in so many areas of this city and public money is being given without the proper consideration or interest due back to the city. She said she has only given to the city, but she hasn’t been given any consideration. She urged Council to slow this process down.

Mr. Carlos Anrich said that he lived at the State Hospital in 1968 where his dad was the first Cuban doctor. He said there is a lot of history for first generation Americans in this place; it is a little town in the City of Columbia. He said that the place is deteriorating and by the time we make a decision, the trees will be gone. He wants to see something done here and he wants money to go to NAMI. He urged the city to do something to make it beautiful and preserve as many trees as you can along with some of the buildings.

Mr. Bill Chamblin, Conley Development said they met with Hughes Development and generally support their idea. He hopes in negotiations with Mr. Hughes that the city has considered incentives and caveats that give advantages to using local businesses. He also hopes that Council is comfortable with the succession plan for Hughes Development.

Ms. Cynthia South, President of the South Company, Sustainable Midlands Board Member and a former member of the Columbia Tree and Appearance Commission said this is the most exciting project she has ever seen. She suggested that the project needs to have a very good school in order to be successful, because she has seen families move out of Columbia in search of better schools.

Ms. Rosie Craig said she makes money on historic preservation and we all believe in doing what is in the best interest for our city. She said this is the only state in the union with three capitals and she is ready for Columbia to own its wonderfulness with the good, bad and the ugly. She insisted that this makes us know who we are and allows us to step into the future. She asked the Mayor to tell Mr. Hughes that the Planning
Commission, the Design Development Review Commission and other nice people are counting on those 17 buildings being saved, because they keep the story of our people. She expressed her admiration for Mr. Hughes, because of the Greenville development. She noted that Greenville wishes they had kept more of their historic architecture; once it’s gone, it’s gone.

Ms. Robin Waites, Executive Director of the Historic Columbia Foundation explained that before Bull Street was offered for sale by the State of South Carolina, there were various groups in this community that made serious attempts to encourage the protection and preservation of the historic core of the campus. She said the community has long held this site to be important in defining the character of this city and this state. She recalled that in 1993, the city sponsored a citywide architectural survey and historic preservation plan by Dr. John Bryan, which recommended expanding the number of national register and local landmarks listed sites on the SC State Hospital grounds to include all of those that have been listed in the subsequent plans. She further recalled that renowned urban designer Andres Duany offered a plan that called for the preservation of thirteen (13) historic and significant buildings. In 2009, the Planning Commission and the DDRC recommended that City Council approve a historic overlay for the Bull Street Campus; this proposal was withdrawn by Council in October 2009. She cited the minutes wherein this action was taken along with the appointment of a citizen’s advisory committee to develop guiding principles for the development agreement. The recommendations were completed in August 2012. She said that conversations on how to protect this unique campus have been going on for two decades. She asked how those conversations have been incorporated in the development agreement. She insisted that the buildings selected are the easiest to reuse; they are not the most significant architecturally or the most compelling culturally. She said we are allowing the developer to tell us what the most important buildings are. She said they want the site to be developed and are excited about what’s to come. She urged Council to provide protection for the historic assets of the Bull Street Campus and amend Section 17(h) to expand the list of precedent buildings to those that were in the 2009 proposed overlay.

Dr. Lydia Brandt, Professor of Art and Architectural History at the University of South Carolina said that she leads a group of graduate and undergraduate students in ongoing research on the history of the Bull Street site. She has overseen considerable research and documentation of this site in the past two years. She said that Columbia has an opportunity to bring to life one of the most fully intact asylum villages in the country. She said the Bull Street Campus as it stands today is significant to national, state and local history according to the standards of the National Register of Historic Places. She said once buildings are demolished or moved to another site, the integrity of the whole will be seriously jeopardized. She asked Council to expand the list of precedent structures in the proposed development agreement to include all of those recognized in the overly district deferred by Council in 2009. She described how the myriad of buildings tell stories of the ways in which Americans have understood and treated mental illness from the early 19th century until the end of the 20th century. She said that the preservation of these buildings is not incompatible with the development of
the campus. She asked Council to defer a decision until they decide to include the buildings identified in 2009.

Ms. Erin Holmes, American History Doctoral Student at the University of South Carolina said that she documented the architectural history of the Bull Street site along with Dr. Brandt. She said the demolition of the buildings included in the 2009 proposed overlay district would severely limit our understanding of the Bull Street Campus. She said the Parker Annex was built in 1910 behind Babcock to house African American patients and it is the only building representing the history of segregation on the site. She described how the buildings served the campus and the community while allowing patients to work as part of their treatment and as a means of gaining skills for lives outside of the asylum. She said that in the 1930s Bull Street sought to reshape public opinion through architecture and developed an oppositional campus centered on the Williams Building. She described how the buildings were used throughout the campus over the years. She said in determining the fate of Bull Street, it is imperative that we consider the pieces of the historical narrative that might be lost because they were deemed unimportant, too complicated or simply not in line with what we wanted at a given moment. She asked Council to defer approval of the development agreement until it addresses these buildings and considers how their potential loss will shape Columbia’s legacy as a place that preserves and celebrates its past.

Mr. Mike Bedenbaugh, Palmetto Trust for Historic Preservation said that preservation of our places creates the reason for development to happen and it creates the reason for people to want to come to a place. He doesn’t understand where 74% comes from; he said that it appears to be 50%. He said all of this misses the point of what we are trying to do when we talk about preservation. He said the spirit embedded in the landscape is what makes a place. He said the city adopted a Comprehensive Plan to set the foundation for new projects. He said that under the community and facilities matrix the city is advised to require the adaptive reuse of existing buildings before new community facilities are constructed. He said the economic development matrix advises the city to maintain historically significant buildings that can be redeveloped for economic activities. He further noted that in the Comprehensive Plan, 100% of the Bull Street property is designated as a landmark parcel. He said that preservation is all about the human element and he asked Council to consider that in the development agreement.

Mr. Bill Manley said he and his wife have been a part of the city and the Eau Claire Community for 61 years. He said that $31,250,000 to $70 million is the expected investment from the city. He asked where the citizens fit into this plan. He said that the Columbia City Council has ignored the citizens of Columbia. He asked if property taxes and water and sewer rates will increase. He asked Council to ride up Main Street to Elmwood Avenue where there is a lot of vacant commercial space and land. He referenced a January 23, 2013 article in the State Newspaper that said that City Council will hire a lawyer against its own Board of Zoning Appeals. He asked Council to hire a lawyer for the citizens of Columbia to understand what this plan does to us.
He said it’s not what you see, it’s what you don’t see; it’s not what you hear; it’s what you don’t hear.

**Mr. Floyd Brown** as an owner of a local startup company, he said he would like to participate in the recycling efforts within the project and would like to be a protégé to Bob Hughes. He recommended that the property contain a museum to preserve the history of the property. He said a major league team would be more economically feasible for Columbia.

**Ms. Valerie Marcil** said that she has a background in historic preservation and archaeology and she supports developing the Bull Street property as a vibrant and urban cluster. She said a lot of the elements are in place, but we need more time. She is concerned about historic properties and the baseball stadium. She asked Council to remain cognizant about what makes a vibrant community, which includes maintaining human scale; maintaining historic properties; and making people feel safe to walk, live and work. She said that we have a gold mine potential in the historic properties; it’s not just about the buildings; it’s about the people that use to be there and those that will come. She said she would not want to live next to a stadium; it will cause traffic congestion and discourage people from living there. She urged Council to think carefully about what we want Bull Street to look like and what it will take to make that happen; let’s not rush into things and be sloppy about it.

**Ms. Jeannie Eidson,** Member of the Livable Links Initiative said that she attended every meeting, hearing and workshop related to the Bull Street property and was instrumental in bringing in a consultant to educate the Council on form based codes; and she obtained a grant that would provide additional consultation if needed. She agreed with the Mayor in that Bull Street Project is unparalleled in its size, scope and the potential that it holds for our city; it is the largest project of its kind east of the Mississippi and probably in the nation; a true game changer and will fundamentally reshape our city for the better of our generations to come. She said she has no more tangible insight on the vision of Bull Street than when she attended the first Planning Commission hearing. She said we need to know the details of the plan, if there is a plan. She said that the city and the citizens have asked Mr. Hughes to provide details from the very first Planning Commission hearing. She said this has been a long process and it is time for Mr. Hughes to share his vision. She said the Council has shown great support for its citizens on various issues. She said that the level of detail on the preservation, protection and visioning of those sites should also apply to the Bull Street property. She is supportive of form based codes, but the true use of the code concentrates on community visioning; it works by doing the hard work upfront and building consensus. She said they want the site to be developed; the agreement is a good first draft; but Council needs to postpone voting until they incorporate the concerns voiced in this public hearing.

**Ms. Jan Gilligan** said she is here today to jog the conscience of the Mayor and the developer. She said this capital city can provide state of the art research with mental health therapies. She said it was the wish of the donor of the Bull Street property, to
always remain for the use of mental health. She said that Robert Mills built a state of the art facility for people with brain illnesses in the late 1800s and we can far exceed his innovative ideas for providing a mental treatment center as outpatient services. She said that many mental health professionals are accepting a no cure for most mental illnesses, but this can be proved wrong. She urged Council to think of preventing criminal behaviors and other illnesses. She said this beautiful property is intended to be used for the treatment of mental illness. She hopes that Merci, NAMI and all other mental health providers will cooperate fully with providing services at this site through the Hughes Development in state of the art mental health research.

Rev. Wiley Cooper said he saw an article in the State Newspaper that he hopes was inaccurate. He noted that there will be two hearings on this, but if we don’t hear something radical we will move ahead no matter what. He asked City Council if they heard something that they need to research or listen to further or might cause a revision in this plan. He said that everybody here wants this to go forward and soon. He asked if the information about the failure of baseball stadiums or the need for archaeological research on the war site or is there anything to give you pause that would cause you to delay this vote past tonight. He urged Council to act on the questions and get this right for the city of Columbia, its future, its integrity and for the sake of us moving forward together.

Ms. Ryan Nevius, Sustainable Midlands agreed with Rebecca Haynes about our storm water and best management practices; we have a chance to have a model in our city. She urged Council to take the Columbia Tree and Appearance Commission’s words into consideration and make the suggested changes. She said that everyone here today has hopes and dreams for a world class addition to our city, but that takes a lot of hard work. She quoted the director of Place Makers as saying that the biggest Achilles heel possible for form based code is failing to articulate a vision. She recalled that Nathan Morris from Place Makers said that a concrete common vision is not expressed in the Bull Street PUD and he expressed concerns about a vast amount of special purpose districts that were undefined and did not fall under the form based codes that were in the PUD. She suggested that the Bull Street PUD is not a plan for development; it serves mainly as a mechanism to consider development projects as they are proposed. She noted that the developer added student housing and manufacturing to the accepted uses, but she was told by the Planning Director that there isn’t a definition within the PUD of manufacturing; it is permitted within the T5 zones, which can be applied anywhere except along Calhoun Street and in the Calhoun Street overlay. She asked if each Council member is comfortable as stewards of our city and its resources with the ambiguity of this plan. She asked if they would commit to buying property when undefined manufacturing could be next door. She asked Council to reconsider moving forward today and have more concrete discussions; she wished that Mr. Hughes was present to hear what we care about.

Mr. Toby Ward, Esq. said this is really big and you get to decide in large measure how that project will proceed. He spoke about honesty to citizens and fiscal responsibility to taxpayers. The enabling legislation requires the developer to show you a proposed
use that you buy into. He agreed with the comments made by Mr. Land. He said it is premature for you to buy into this at this time. He said that the PUD is not attached to the documents that refer to it and the public is unable to discern what the proposed use is. He said that more work needs. He suggested that the city use the development agreement as the funding mechanism it is and to get what the citizens want. He said that serious issues of public policy are called into play by this development agreement and the PUD. He said the ordinance would have the effect of legitimizing mandatory real estate commissions to the developer. He said that it is a serious policy issue to allow a developer the right of first refusal when we are providing the funding. He noted that nowhere in this agreement are we demanding local small business and minority participation. He said when we read this we don’t know what is going to happen to the historic buildings. He said that Council is not telling the citizens where you are getting the money from to pay for this; you are creating a liability by entering into this contract that requires funding. He urged Council to not go any further in approving this development agreement until you can tell us how you are going to pay for it.

Ms. Katie Riley, Jump Start University Two said that as a reading interventionist she comes in contact with parents, local businesses and neighborhoods. She said the Bull Street project is very important to them and they want to be involved at the grassroots level. She said there is an opportunity for the community to be involved; there are many job opportunities in those 17 buildings; and the grassroots organizations have the capability to come up with a grand plan as well. She told Council, if you can get the money for Mr. Hughes, you can get the money for us, too. She sought clarification on the number of acres and the 26% that is not covered in the contract. She asked that one-third of the jobs created from this project be reserved for the common use of the diverse residents here.

Mr. Dwight James, Member of the Columbia Branch NAACP submitted a letter on behalf of Dr. Lonnie Randolph acknowledging the city’s role in advancing the Bull Street Redevelopment Project. He asked that the city’s procurement code overarch the development agreement; implement the city’s current programs; incorporate ensures of the same in writing prior to signing the agreement. He implored Council to not to try to be Charleston; we can be better than Charleston. He recalled the major development on Daniel Island and urged Council to not replicate that experience for the people in this community. He said the NAACP is concerned about inclusion, fairness and opportunities for everybody. He urged the Council to hold fast to those distinctions and ensure that everyone in the community has an opportunity to participate.

- Council closed the public hearing at 4:55 p.m.

Mayor Benjamin said there were a lot of great comments, ideas and thoughts. He acknowledged that good ideas were laid out and those ideas will require further consideration and inclusion.
Councilor Davis recalled that there were discussions about the advisory group, its authority and the recommendations. He suggested that staff clarify the definition and authority of the advisory committee.

Ms. Teresa Wilson, City Manager said the agreement proposes that we would appoint a point of contact for the developer. She said that she will work with them phase by phase.

Ms. Krista Hampton, Director of Planning and Development Services recalled that at the beginning of the process, the CRC was a developer led committee, but staff felt that it vested a lot of power with the development led committee. She reported that the revised PUD establishes the same CRC as a city staff led committee. She further reported that there is a design review board, which is a developer led board and we are required to receive notice of their approval prior to acting on any application.

Councilor Davis said as discussions move forward we need to be as clear as possible on that going forward, because people don’t clearly understand how that works.

Ms. Krista Hampton, Director of Planning and Development Services explained that the current landmarks to include the central portion of Babcock and the historic wall will be reviewed by the Design Development Review Commission, because they are individual landmarks. She said the other structures that are designated as precedent structures will be reviewed by the Design Review Board, which is the development group.

Councilor Plaugh said that the developer will review the structures with his committee and they will make a decision.

Ms. Krista Hampton, Director of Planning and Development Services said that process would be used for any building designated as a precedent building.

Councilor Plaugh asked if buildings being added would be reviewed.

Ms. Krista Hampton, Director of Planning and Development Services said that the covenants and restrictions indicate that all new construction and anything that goes on within the Bull Street Development will be reviewed by the DRB first.

Councilor Newman said the biggest part of the project is the economic impact aside from the cultural impact. He asked staff to identify how the procurement process will go in terms of small, minority and women owned businesses and what the city will control in terms of minorities, protégés and how the dollars will be spent.

Ms. Teresa Wilson, City Manager said she has discussed assurances in writing with Mr. Hughes and he has committed to endeavor to ensure that there will be minority, women owned, small, local business preference. She said that should be followed regardless of the city’s policy; however, she also asked him to strongly consider
including triggers and benchmarks. She recalled that the city is reviewing its Mentor Protégé Program and she would certainly like to see what we can get in writing.

Councilor Plaugh sought clarification on the amount of acreage.

Mayor Benjamin explained that if you subtract the Hall Institute and the surrounding property, you get the smaller number; the entirety of the property is 181 acres, but if you subtract the Hall Institute it leaves 165 acres of developable land. He said the Hall Institute will maintain the current use of the property for a period of time.

Councilor Plaugh asked if the city will end up buying the park property and what does that include. She said the agreement refers to the city buying the park and the tree allee at $90,000 an acre.

Ms. Teresa Wilson, City Manager explained that the tree allee is where you enter the property off of Bull Street going towards the Babcock Building.

Ms. Krista Hampton, Director of Planning and Development Services said they have requested more specificity on the park, but it would be in the vicinity of Babcock.

Councilor Devine recalled from previous discussions, due to the nature and size of this development with residential, a park would be desirable. She said that they details may not have been worked out, but there was a desire for there to be a city park on the property.

Councilor Plaugh asked if that is part of the day lighting of Smith Branch.

Councilor Devine said that the day lighting of Smith Branch will be incorporated into our overall Greenway Plan. She said the intent is for there to be an opportunity for a public right of way along Smith Branch to connect to the Greenway.

Councilor Plaugh asked if we need to acquire that property.

Ms. Teresa Wilson, City Manager said they discussed a public park and the city is best equipped to add to our park infrastructure and that begins to take into account the phased approach, which requires specificity for each. She said they discussed a park on the site; no specifics as to where at this time.

A motion was made by Ms. Plaugh and seconded by Mr. Baddourah to continue this public hearing until August 6, 2013 to give citizens of Columbia an ample opportunity to continue to review the draft development agreement; to post the Planned Unit Development document online for review; and to re-advertise for the second public hearing.

A motion was made by Mayor Benjamin and seconded by Mr. Runyan to table the motion made by Ms. Plaugh.
Mr. Kenneth E. Gaines, City Attorney advised that the ordinance passed by Council and state statute requires two hearings on a development agreement. The ordinance says that seven days’ notice should be given for the first public hearing and 14 days’ notice for the second public hearing. He said you must have the public hearing next week as advertised or we will have to start the process over again with two notices. You could certainly have a third public hearing and not give second reading to the ordinance at the July 9th meeting.

Councilor Plaugh asked Mr. Gaines what would happen if her motion should pass and the public hearing is carried into August.

Mr. Kenneth E. Gaines, City Attorney said we will have to republish the notice.

Mayor Benjamin withdrew his motion to table Ms. Plaugh’s motion.

Councilor Plaugh said she made the motion, because many citizens felt that this hearing was rushed and the public hearing on the 9th at 2 p.m. would be continuing this process that doesn’t work. She said her effort to continue this public hearing is to get out of the cycle of the majority of our citizens don’t want us to be in.

Mayor Benjamin stated that he knows that we are at a critical point for this deal and time is of the essence. In order to get this deal done and secure for the next 10, 20, 30, 40 years, the time to act is now. We have been discussing and deliberating for many years now. We heard good ideas today; nothing that can’t we resolve between now and the next public hearing. At the end of the day when this is resolved, there will be folks who want more and some who want less. It is important to understand that everyone had a voice, everyone was heard; the public input and conversation has been ongoing for a significant period of time and some point we have to decide to move forward. We must build this city and we must make a commitment to move it forward boldly and aggressively and I am prepared to do that.

Councilor Plaugh said we all want to see Mr. Hughes be our developer and to see this move forward, but to tell us that we must come back on the 9th at 2 p.m. for our second and final public hearing is just not right.

Mayor Benjamin said some of the issues raised are general and some are very specific and require our attention, but I am never sure why when the tough issues hit us, we are always so quick to throw up our hands and say we can’t get this done. We can get this done and it’s time for us to decide that we’re going to move forward. If we sleep and if we miss this opportunity, we will regret it as a community for decades to come.

Councilor Davis said we all agree that there was a need to make sure we do have copious notes regarding the discussions and questions both the general and specifics. It is important that we isolate the general and specific questions; show and prove that we can resolve those issues to the satisfaction of the individuals and the groups whom we
are familiar with so that they do feel that we heard them; we listened; and deals go, we
forth the best effort to ensure that we do in fact deliver the best deal we have for the
city.

Ms. Teresa Wilson, City Manager said that it may be helpful for them to see the
negotiations that have gotten us this far; there are some negotiations that weren’t in
there before; and precedent buildings such as the Bakery have been added. It has been
a work in progress and we will work to address other concerns presented here.

Councilor Devine agreed that the document has evolved and this document has
additional things from the document brought to us three weeks ago. We need to look at
the critical things that were discussed today; those are things that we cannot ignore and
attempt to see if there can be an additional meeting of the minds. Everyone wants this
deal to happen and for the most part, 99% believe that Bob Hughes is the guy to do it.
We agree on the major issues. The problem is that we have a very lengthy document
with several issues that may have gotten lost. I do believe that Mr. Hughes agreed to
an archaeological dig, but we need to go back and put that into place. We received
public input today and we will continue to do so. We will have to move forward and
get this deal done. I would like to see us work hard over the next week to pull our
notes together; go back to Mr. Hughes to see if some of those things can be
incorporated; and at that point see where we are on the final document. I don’t feel
comfortable voting today to move forward with this document, because I would like to
see additional language on some of the things that we would like to see. She suggested
that they set July 9th as a deadline to get some of the things we want to see
incorporated. If we feel comfortable after the public hearing then there may be a desire
to move forward at that time. If we don’t move forward today, there needs to be a clear
message sent to Mr. Hughes that we are just fine tuning some details; it is not the city
saying that we don’t want to move forward.

Ms. Teresa Wilson, City Manager said that staff can reduce paper; fine tune some
details; and make sure from a staff perspective that we are clear on what we want to
spend the time addressing, because we have already attempted to address some of
these things.

Councilor Baddourah said that everybody knows how important this development
agreement is; everybody has been waiting and anticipating how much this can mean
for the city. I have concerns about this development agreement. Being on the
conservative part of this and listening to the taxpayers and their concerns about how
we are going to fund this, it has become a number one problem. How are we going to
fund this? The risk reward for the city is greater is greater than the risk reward for the
developer. The paragraph where the city will give the developer $15 million for $81
million worth of private investment does not add up. The contract doesn’t say where
he is liable to build anything. He said $81 million in taxable property will probably
generate $480,000 in city taxes per year; it will take a long time to get our return on
investment. There are a lot of unanswered questions and I am not sure that today is a
good day to take a vote on this. We can go back and fine tune the agreement. I am
okay with coming back on July 9th and August 6th to address issues. The developer had 2½ years on the contract, but he can’t wait 2½ weeks. It’s too important of a document for us not to take our time to bring everybody’s wishes to the table. We’ve heard concerns about preserving the trees and the buildings. We heard concerns from a few people about how we are going to pay for it. What is the best interest for the city? Go back to the drawing board to fine tune the development agreement. It could cost more to build a road and to build the water and sewer; it is going to add costs and more responsibility for this city. If we vote on this today, we are liable to give the developer all of our money whether we find a funding source or not. I am not comfortable with that until we fine tune some of the details. Preservation is a strong word; we need to study it and bring it to the table as much as we can; we can’t assume that he is going to do things. That’s why we need a master plan; it would resolve a lot of the issues we have in front of us today. We would know where the park, dormitories and pump station would be. The pump station for Bull Street is not in the CIP for next year; we need to find money for it.

Ms. Teresa Wilson, City Manager said that staff presented several funding options, but did not want to assume what the Council want to do. She said most of things said here today are things that we have attempted to address. It is not an oversight that they are not in the CIP; it was quite purposeful and I discussed that during the budget process. Councilor Baddourah said we are rushing it; slow down; let’s not vote today; delay it until July 9th or August 6th. We want Bull Street to be developed, but we want to be smart about it; we want to be cautious and represent every single city resident. We want all resident’s voices to be heard. We have to open our ears and hearts for the people that live in the city.

Mayor Benjamin recalled that Mr. Baddourah mentioned in the paper that he was told that he could not attend the sessions with Mr. Hughes. He asked Mr. Baddourah who told him that.

Councilor Baddourah said the Mayor did.

A substitute motion made by Ms. Devine and seconded by Ms. Plaugh, to schedule a third public hearing on July 23, 2013 and to send correspondence to Mr. Hughes advising him of the 3rd public hearing and that proposed amendments are forthcoming, failed by a vote of three (3) to four (4). Voting aye were Ms. Devine, Ms. Plaugh and Mr. Baddourah. Voting nay were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin.

A motion made by Ms. Plaugh and seconded by Mr. Baddourah to continue this public hearing until August 6, 2013 in order to give citizens ample opportunity to review the development agreement; to direct staff to post the PUD online; and re-advertise the public hearing failed by a vote of three (3) to four (4). Voting aye were Ms. Devine, Ms. Plaugh and Mr. Baddourah. Voting nay were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin.
A motion made by Mayor Benjamin to give first reading approval of the development agreement and come back with amendments, failed for the lack of a second.

Upon a motion made by Mr. Davis and seconded by Mayor Benjamin, Council voted unanimously to enter into executive session for the receipt of legal advice at 6:01 p.m.

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to adjourn the executive session at 6:09 p.m.

Mayor Benjamin made a motion to proceed with first reading approval of the development agreement with Hughes Development while understanding that there were several issues raised by this Council, staff and our citizens that we will need to present in discussions with the developer over the next week before the second public hearing and that we endeavor as many Council people, everyone is invited to participate in those discussions. The motion was seconded by Mr. Runyan.

Councilor Plaugh – The Bull Street property offers the community a once in a lifetime opportunity to protect and preserve a significant part of our city and our state’s heritage while utilizing the sites natural beauty and central location to attract businesses and residents into downtown Columbia. In the proposed Bull Street Development Agreement, the city is contributing $31.25 million to the developer’s public infrastructure fund for his use in installing and maintaining public facilities. The definition is Public facilities such as but not limited to site preparation, demolition, asbestos abatement, contamination remediation, grading, landscaping, tree planting and removal, traffic signalization, utilities, public roads and all associated work, storm water ponds, day lighting Smith Branch, stream restoration. But, this definition does not include parking facilities or the ball stadium. The developer could use public funds provided to him by the city to remove trees, to do road work, asbestos abatement or demolish buildings. These funds appear to be provided to the developer with very little or no oversight. The agreement does refer to another agreement that is called a public funding agreement in which the terms and conditions would be spelled out. We have an agreement referring to another agreement that doesn’t exist. The public has some difficulty understanding the nuances of this document. I’m not sure how you approve an agreement committing millions of tax payer or water and sewer customer dollars without knowing where the money will come from; specifically the money will be used for what; and where; on public improvements and facilities that will be built and maintained with this developer public infrastructure fund that we provide with public funds. There is no development plan. There is no master plan. The only schedule included in this document is a schedule of how we would spend our public money. Perplexing for me is how you turn over public dollars to a private developer and saddle future city councils with these millions of dollars in obligation. The city is committed to providing the developer $16 million for two parking garages; each one about 800 parking spaces in the first twelve months of the agreement, but I’m not sure when those first 12 months begin and end. I’m not sure where these millions of dollars will come from. As of May 31st, if you look at our financial report, you will see that our parking fund is in a deficit. On page 21 of the development agreement, the city is
agreeing that a new ball stadium is needed to facilitate and move to bring a minor baseball league to Columbia. The Bombers did struggle in the Columbia market over the years and before someone to agree to spend $20 million or indicate that they might spend $20 million in public investment; I suggest that we might want to get the private business interest to step forward and fund a market study that can be provided to us. I don’t think the city should be advancing this deal; we should work collectively with the private sector. I do not want anyone, including my Mayor to misunderstand my comments. I am in no way suggesting that I want to kill this deal, but we need to take time and the time has been offered by the Department of Mental Health to do a couple of things; we need to clean up the language and the typos in the proposed ordinance. The ordinance provides two weeks to clean up typos, but we can’t get two weeks to act on the ordinance. Consult with our legal counsel about how we commit future Councils. Determine the source of funds for the required $47 million and understand why, how and should we turn over $47 million to a developer who is going to guide the expenditure of public funds with little or no oversight and a broad definition about what he can do with the money. We need to provide City Council and the public with information on our ongoing maintenance and operating costs. When will those costs hit our budget? We need details on what the developer will do particularly in the first 3 years of this document. We need to understand the impact of the Bailey Bill. We need a development plan that outlines the phases of the development. The developer has a plan, because he had to provide it to the Department of Mental Health. We need to clarify what breaches this agreement by either party.

Councilor Baddourah said that he understands business and he wants to be a part of a legacy that we can build, but we have to do it responsibly; we owe it to our children and the residents of this city. I don’t think this document is balanced. As a representative of District Three, I understand what historic preservation and fiscal responsibility is all about, because my district is 50/50. By making these comments I want to make sure we understand that we are moving forward, but we have to move forward responsibly and we have to bring balance to this document.

Councilor Devine said this document is a good first draft; there are some things that have been brought to our attention over the last week and tonight that require additional consideration. She prefers not to vote for a document that is not substantially completed. She expressed concerns about sending a message that we are not serious about the amendments we are going to be proposing. She believes that we have a good partner in Mr. Hughes and this is going to be a tremendous development. She committed to work every day to build language that incorporates our citizen’s comments. She said with another week, they could get a better document.

Mayor Benjamin committed to having a better document next week. He said it’s important to move forward today.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted four (4) to three (3) to give first reading approval to Ordinance No.: 2013-072 – An ordinance to approve pursuant to Section 6-31-30 of the Code of Laws for South
Carolina, 1976, as amended, a Development Agreement between the City of Columbia, South Carolina and Hughes Development Corporation, as equitable owner and developer, of approximately 165 acres of land within the City of Columbia, commonly known as the Department of Mental Health's "Bull Street Campus". Voting aye were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Ms. Devine, Ms. Plaugh and Mr. Baddourah.

A motion made by Ms. Plaugh and seconded by Ms. Devine to adjourn the meeting at 6:24 p.m. was not voted upon.

**EXECUTIVE SESSION**

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to enter into executive session at 6:25 p.m. for the discussion of **Items 2 and 3** as outlined.

2. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*

3. Discussion of negotiations incident to the settlement of legal claims – *This item was discussed in Executive Session. No action was taken.*

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to adjourn the executive session at 6:56 p.m.

Upon a motion made by Ms. Plaugh and seconded by Mr. Newman, Council voted unanimously to adjourn the meeting at 6:56 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk
<table>
<thead>
<tr>
<th>Meeting Dates</th>
<th>Type of Meeting</th>
<th>Meeting Times</th>
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| July 9, 2013      | **Bull Street Campus Public Hearing – Ordinance 2\textsuperscript{nd} Reading Work Session**  
Earlewood Community Center - 1113 Parkside Drive | 2:00 p.m.     |
|                   | **District I Evening Meeting**  
Earlewood Community Center - 1113 Parkside Drive | 6:00 p.m.     |
|                   | **Zoning Public Hearing**  
Earlewood Community Center - 1113 Parkside Drive | 7:00 p.m.     |
| August 6, 2013    | **Work Session**  
Eau Claire Town Hall – 3905 Ensor Avenue | 2:00 p.m.     |
|                   | **Council Meeting**  
Eau Claire Print Building – 3907 Ensor Avenue | 6:00 p.m.     |
| August 20, 2013   | **Work Session**  
Eau Claire Town Hall – 3905 Ensor Avenue | 2:00 p.m.     |
|                   | **Council Meeting**  
Eau Claire Print Building – 3907 Ensor Avenue | 6:00 p.m.     |
General
After ten years on the market and two and a half years of negotiation we have a historic partnership for a historic project.

The Project
This project is absolutely unparalleled in its size, scope and the potential it holds for our city.
- 181 acres of undeveloped downtown property makes it the largest project of its kind east of the Mississippi and probably in the nation.

The Partnership
This agreement creates a true partnership between the City of Columbia with one of the most well respected and visionary developers in South Carolina.
- Strikes a balance that gives the developer the latitude he needs while providing clear expectations and benchmarks that protect the city's investment, the public interest and ensure a quality project.
- Benchmark Examples:
  - City is committing to funding $31.25 million for infrastructure improvements over four development phases. But, in order to get that full amount, developer has to demonstrate an $81.25 million return on that investment.
  - City is committing to providing two parking decks totaling 1,600 spaces. But there are conditions that apply.
    - For first facility the developer has to develop 120,000 square feet of property, rehabilitate the Babcock Building or build a baseball stadium.
    - For the second facility the developer must have purchased half of the total property or secured $75 million in private investment.
- Furthermore, he's agreed to donate land to the city for a pump station, build a police substation and conduct a tree survey for each section of the property before it's developed. Never mind the fact that he's putting 181-acres of downtown property back on the tax roll.

The Plan
This Development Agreement was created with significant input from across our community. Listening to everyone including preservationists and our own tree and appearance commission has been critical to helping this agreement and this project reach its potential.
- Timing: This is a phased development which defers the cost over several years.
  - Full buildout expected to take 20 years
- Infrastructure: Provides $31.25 million in total infrastructure investment over four phases.
  - First $15.4 million invested over Phase One, Two and Three.
Second $15.8 million invested in Phase Four with Benchmarks
  - Hughes has committed to $5 in economic development for every $1 we invest in Phase Four
  - Public funds are only used for public projects.
  - No tax breaks. No sweetheart deals.

- **Historic Preservation**: Development Agreement recognizes Bull Street’s unique position of historic significance and leverages that significance for everyone’s benefit.
  - Protects:
    - The Babcock Building (including North and South wings)
    - Male and Female dining halls
    - The Williams Building
    - The Chapel of Hope
    - Tree Allee
  - Provides unique protection to the bakery, the laundry and the Ensor building
    - If developer is not able to utilize these facilities in the redevelopment plan, then the buildings cannot be demolished without first giving City Council the opportunity to relocate them.

- **Public Safety**: The Development Agreement provides for the public safety securing the highest level of police service provided by the City including
  - A new police substation provided by Hughes and staffed by CPD.
    - This benefits the surrounding neighborhoods as well.
  - A new partnership between CPD and the Department of Mental Health to provide coordinated patrols while the property is being developed.

- **Environment**: The Development Agreement protects the city’s waterways and wetlands and requires that all development on the property comply with the city’s new and stronger stormwater ordinance.
  - The Development Agreement also allows for stream restoration, the daylighting of Smith Branch and provides a framework for creating a storm water master plan for the development.
  - The Development Agreement also protects grand trees with a 12-inch caliper and requires the developer to conduct a tree survey for each section of the property before it’s developed.
    - This is an improvement on the previously approved PUD which only protected grand trees with a 24-inch caliper. At the request of the tree and appearance commission, we extended that requirement to include 12-inch trees as well.

**The Funding**
The City has a number of different funding mechanisms available for this project including a "Pay As You Go" structure and a final determination as to which option or combination of options to use will be made by Council.
CITY OF COLUMBIA
BULL STREET PROPERTY ADVISORY COMMITTEE

Summary Report & Guiding Principles
August 12, 2011

Background

The Bull Street Property Advisory Committee was created to establish Guiding Principles for the Columbia City Council to use to guide development of the Bull Street Campus, the former home of the SC Department of Mental Health. This 165 acre tract in downtown Columbia owned by DMH is under contract to Hughes Development, a Greenville SC based company with a proposal for a mixed-use development of the site. Before the project can proceed, Hughes and the City of Columbia will craft a development agreement to define issues including zoning, planning, land-use, design, and public participation.

The Advisory Committee consists of a diverse array of stakeholders who have provided broad vision and guidance in the development of these Guiding Principles. Once adopted, the City Council and staff of the City of Columbia will utilize the principles to guide development of the historic Bull Street property. A list of the committee is provided as Appendix A of this document.

The Bull Street Advisory Committee met on five occasions. Copies of meeting agendas and staff reports are attached in Appendix B of this document. The committee reviewed and considered a number of existing resources:

- The History of the SC Department of Mental Health
- The Duany Plan, a 2005 planning study and design charrette that included extensive community input.
- Proposed Design Guidelines for the Bull Street Mental Health Campus, City of Columbia, 2009
- City of Columbia staff briefings on Land Use and Cultural and Natural Resources
- A review of SC Development Agreement Law and examples of similar agreements from around the state.

The Advisory Committee prioritized three broad areas for creation of the Guiding Principles: Land Use, Infrastructure and Connectivity, and Cultural and Natural Resources.

The Guiding Principles that follow were agreed upon by the committee and should guide how all involved parties work together to assure successful development of the Bull Street property.
Bull Street Development
Guiding Principles

The Committee established a single guiding principal as the definitive foundation for a binding agreement between the City and Hughes Development as well as every effort relating to the property:

*A Master Plan and associated Design Guidelines establishing a unified vision must be created by the developer in order to establish mutual expectations and cooperative engagement with the City of Columbia and its citizens. This plan should ensure that the integrity of the historic district is maintained.*

Land Use

1. Property development should use the tenets of Smart Growth.
   a. Pedestrian and bicycle friendly development patterns should be incorporated;
   b. The community should have a balanced mix of commercial and residential uses;
   c. It is important to maintain the overall sense of community, using roads and buildings that already exist; and,
   d. The entire development should be a leader in sustainable development practices.

2. Buildings in close proximity to the Babcock Building (the principle and most recognizable building on the historic campus) should be limited in height to assure that views of the building are maintained and so that the building cupola can be seen.

3. Parking should be provided to serve maximum density and be as invisible as possible.
   a. Creation of surface parking should be discouraged in an effort to increase density of the built environment;
   b. Any parking garages developed should be very discrete; and
   c. City of Columbia requirements for parking in the development should be limited.

4. The entire development must maximize economic impact; land use should be tied with maximum development and creation of tax base appropriate for the site.

Infrastructure & Connectivity

1. The Bull Street campus should be integrated into and become a part of the City of Columbia and not be treated as a gated community. The property should not be treated as a gated community and should have easy access on foot, bicycle and by vehicle, including public transportation.

2. Traffic calming techniques, intended to slow or reduce motor-vehicle traffic in order to improve the living conditions for residents as well as to improve safety for pedestrians and cyclists, should be used in the development of roadways as well as bike and pedestrian facilities.
a. Whenever possible, through street development impact on surrounding neighborhoods should be discouraged; and
b. The development should plan for transit access; and
c. Access by pedestrians, bicycles and vehicles should be easy.

3. Adequate planning should be conducted to limit negative impacts of new development on surrounding areas including traffic and infrastructure planning and development.

4. To the extent possible, the development should contain park space and public spaces open to the community.
   a. Include provisions for daylighting Smith’s Branch for use as a public amenity;
   and
   b. The developer should set aside space for possible future public use.

**Cultural & Natural Resources**

1. Preserve and enhance old growth trees and green space, including the current tree canopy, grand trees and specimen plants that were used as a part of the campus.

2. Historic buildings should be preserved whenever possible and feasible; adaptive reuse of the historic buildings is strongly encouraged.

3. Design guidelines should be created by the developer that provide for development patterns that are consistent with existing historic buildings on the property with particular attention paid to new development that is in close proximity to historic buildings.

4. Identify and acknowledge the portion of the campus used as a civil war encampment in the planning and ultimate development.

5. Preserve or mitigate natural resources to the extent possible; when trees and other resources are lost to the development process, they should be replaced on the property or in the surrounding city.
July 1, 2013
Statement Prepared for Public Hearing
Bull Street Development Agreement

There has been significant public input on the Bull Street Project and it has mostly been mothballed.

The Duany Plan of 2005, which included hundreds of participants in multiple charrettes, was discarded in 2011, and no parts of it are included in the proposed Development Agreement or the PUD.

The Bull Street Committee met for a year and produced a significant document that was never approved by Council or acknowledged by the Developer.

Council, City Staff and countless interested groups and individuals spent more than 2 years creating the Comprehensive Plan, released in 2008, and yet the proposed Development Agreement clearly states that the Bull Street PUD and Development Agreement trump the City’s Comprehensive Plan. (See Section Q Hierarchy of Documents, in the DA)

Once the Development Agreement is signed, the PUD becomes the controlling document for the site. And in the PUD, all POWER, at every level, except the financial level, rests with the Developer. (See DA, Section X, Applicable Land Use Regulations, and Section XXI, Modifications of Agreement, Parts A and B)

There is no language in the Development Agreement or PUD that gives the City any leverage in the planning, design or character of the Bull Street project in return for a minimum of $30,000,000, $15,000,000 of which is due before commercial construction even begins. (See Section XVIII, City Contributions and Commitments, Parts D, E, )
The draft Ordinance attachment to the Development Agreement, 2013-072, in its opening page, states that “the Development Agreement is consistent with the Comprehensive Plan for the City.” This statement says that the provisions of the Comprehensive Plan are incorporated by reference as additional findings. (also see Section VII, the DA, Consistency with the City’s Comprehensive Plan and Land Development Regulations)

The Comprehensive Plan deals with specific land uses and development guidelines.

In the Comprehensive Plan, under Policy Matrix 9.4, it states that the City should require a transportation Master Plan as part of any redevelopment, PUD, Subdivision, or Master Planned projects and comparable, major land-use developments. No Transportation Master Plan is required in this Agreement, and yet the property covers 1/4 of the downtown landmass.

Under the Comprehensive Plan, relating to Future Land Use, it states that the City should work to ensure that new development fits with the character of the neighborhoods and Design Districts to create the atmosphere desired for these locations. There are no Design Guidelines attached or referred to in the Development Agreement, or any timeline for providing them to the City.

Under the Community Facilities Matrix in the Comprehensive Plan, the City is advised to “Require the Adaptive Reuse of existing buildings before new community facilities are constructed.” Yet the footprint for the proposed publically-financed Piazza, is also the apparent site of two historic buildings, The Bakery and the Laundry, which would have to be relocated at the City’s additional expense, or demolished. The cost of the Piazza is hard to determine, because it’s lumped in with other infrastructure costs over a 3-year period, but it will never generate tax income, since it will be a public space.

100% of the Bull Street property is designated a Landmark Parcel in the Comprehensive Plan. Yet the Development Plan, deferring to the PUD, only protects only 5 buildings, under subsection (n) NO ADDITIONAL OVERLAYS, DISTRICTS OR LANDMARKS.

The Comprehensive Plan’s Economic Development Matrix, advises the City to “maintain historic and significant buildings that can be redeveloped for economic activities, and also to create incentives encouraging the revitalization of historic commercial districts.”
No Development Site Plan or Design for the Bull Street property has been provided, or will be provided, prior to the signing of the Development Agreement. (See Section XVII Developer Contributions and Commitments, Part A, Master Developer of Property)

There is literally to way to know whether the eventual Development Site Plan will include any of the recommendations in the Comprehensive Plan.

If the City signs this proposed agreement, it has to come up with $15,000,000 very soon.

*Then* the Developer will show the City a Master Plan. (See Section IV, Condition Precedent, paragraph 2, and Section XVI, Development of the Property)

Nowhere is this cart-before-the-horse development-precedent discussed in the Comprehensive plan.

These are just a few examples of the opposing goals of the Comprehensive Plan and the Development Agreement.

There are even *more* egregious discrepancies between the Comprehensive Plan and the Bull Street PUD.

Please go back to work on the Development Plan. It's the only hope for fixing the problems in the PUD. I know you're concerned about the expiration of the contract and that some potential purchasers will walk away.

But we have to get this right. And we can't put a clock on the City's future.
Highlights

Economic Impact

The development of the Bull Street property will have a tremendous impact on the greater Columbia metropolitan economy.

Economy: More than $1.2 Billion economic activity per year

Jobs:

- More than 11,000 on-going new jobs when completed
- More than 1,200 construction jobs

Labor:

More than $581 million in labor income

Property Taxes:

More than $20 million/year for local government/schools

The benefits will be generated from the construction phases, and the permanent on-going phase of the development project.

Historic Considerations

- Many historic buildings will be re-used (74% of the existing square footage)
- Worked with local historic organizations to share preservation ideas

Development Plan Components

The preliminary Hughes plan includes:

- Substantial re-use of many of the historic structures on the property
- 3,558 residential dwelling units,
- including apartment/condominium units, townhomes and single-family homes of a variety of sizes and levels of affordability
- Approximately 1.7 million square feet of commercial and office areas
- A 70-room hotel
- Church location
- Recreational spaces
- Hiking and biking trails
- Preserved and open spaces
- Community facilities
- Major off-site roadway improvements

Future Development Considerations

Finally, Columbia could further enhance and speed up these impacts occurring by including a minor league baseball park in the development plan. Cities such as Charleston, Myrtle Beach, and Greenville are examples of cities in South Carolina where minor league baseball is thriving and stimulating additional development. Durham, N.C. and Ft Wayne, I.N. are two additional cities that have benefited from minor league parks.

Columbia is ripe for minor league baseball and may even be at a competitive disadvantage with other South Carolina cities in terms of attractive places to live since it does not have a minor league team. According to the Central SC Alliance, more than 1.3 million people live within a 50-mile radius of Columbia. Columbia is the largest metropolitan area east of the Mississippi River that does not have a minor league baseball franchise.
Executive Summary

THE ECONOMIC IMPACT OF THE TRANSFORMATION OF THE BULL STREET PROPERTY

Prepared for the Greater Columbia Chamber of Commerce

GREATER COLUMBIA CHAMBER OF COMMERCE

Prepared by Miley & Associates LC
Columbia, SC
June 2013
Executive Summary

Introduction

This report evaluates the economic impacts of the development of the Bull Street property in Columbia, S.C. on the Columbia metropolitan economy. This analysis is intended to provide the Greater Columbia Chamber of Commerce and local governments an estimate of the level of economic activity and jobs that will result from the development of the Bull Street property. These impacts are estimated to occur within the multi-county Columbia metropolitan area during the construction of the Bull Street property as well as the ongoing permanent economic impacts of the residential and commercial and recreational activity that is anticipated once the project is completed.

Background

The potential development of the Bull Street property has been an ongoing topic of interest of the City of Columbia for many years. The property was once home to the South Carolina Department of Mental Health (SCDMH) and is the largest single, unused tract of land in the City. The property covers approximately 180 acres.

The potential build-out plan of the property has evolved over the last eight years and in 2010, the owner of the property, the SCDMH, signed a contract for sale to Hughes Development of Greenville, S.C.

Project Description – The Hughes Development Plan

The most recent master plan for the proposed development of the Bull Street property has been developed for Hughes Development by Duany Plater-Zyberk & Company (DPZ) and Copper Carry, a nationally recognized architectural planning firm with offices in Atlanta, G.A., Washington, D.C. and New York, N.Y.

The preliminary Hughes plan includes substantial re-use of many of the historic structures on the property along with 3,558 residential dwelling units, including apartment/condominium units, townhomes and single-family homes of a variety of sizes and levels of affordability. In addition, the plan incorporates approximately 1.7 million square feet of commercial and office areas and a 70-room hotel. The plan also includes churches locations; recreational spaces; hiking and biking trails; preserved and open spaces, community facilities; and major off-site roadway improvements.

The preliminary Hughes plan includes substantial re-use of many of the historic structures on the property along with 3,558 residential dwelling units, including apartment/condominium units, townhomes and single-family homes of a variety of sizes and levels of affordability.
Executive Summary (continued)

Economic Impact of the Bull Street Project

The development of the Bull Street property will have positive impacts on the greater Columbia metropolitan economy in at least four phases. Many of the impacts would occur during the construction of the residential, commercial and other components of the development. Once the residential and commercial construction is completed, the permanent residents living and working in the development would have additional impacts on an ongoing basis on the local economy. The four phases are listed below:

- Construction of the Residential/Office/Retail buildings (annual for 20 years)
- One time construction of Hotel and Civic facilities
- Infrastructure construction (ongoing for 20 years)
- Permanent Employment of businesses in Bull Street (ongoing)

When all of these impacts are combined, the economic impacts of the development of Bull Street are impressive. As seen in Table 1A, the total impacts of Bull Street will generate tremendous economic activity in the Columbia area.

As seen in Table 1A, the development of Bull Street will generate more than $714 million of direct economic activity. The indirect and induced impacts of the project would add another $495 million in economic activity in the region -- for a total impact of $1.2 billion per year.

Finally, the development of Bull Street would generate a substantial number of jobs in the Columbia area. It is estimated to directly create and support 6,142 jobs. The activity supports another 3,900 jobs indirectly for a total employment impact on the region of 10,040 jobs. These jobs are relatively high wage jobs, averaging well above $59,000 a year per employee. Thus, at the project's build-out, it is estimated that there will be an annual income impact of almost $1.2 billion.

### TABLE 1A

<table>
<thead>
<tr>
<th>Impact Type</th>
<th>Employment</th>
<th>Labor Income</th>
<th>Output</th>
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<tr>
<td>Indirect Effect</td>
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<td>Induced Effect</td>
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<td>Total Effect</td>
<td>11,020</td>
<td>$581,137,308</td>
<td>$1,208,944,062</td>
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</table>

The development of Bull Street will generate more than $714 million of direct economic activity. The indirect and induced impacts of the project would add another $495 million in economic activity in the region -- for a total impact of $1.2 billion per year.
Executive Summary (continued)

Economic Impact of the Bull Street Project (continued)

<table>
<thead>
<tr>
<th>TABLE 2A</th>
<th>Estimated Annual Property Tax Revenues (At Buildout)</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Year 5</td>
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<tr>
<td>Estimated Assessed Value</td>
<td>$19,451,308</td>
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<tr>
<td>City Incremental Tax Revenues</td>
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<td>County Incremental Tax Revenues</td>
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<td>County Bond Incremental Tax Revenues</td>
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<td>School Incremental Tax Revenues</td>
<td>$3,453,993</td>
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<tr>
<td>School Bond Incremental Tax Revenues</td>
<td>$773,189</td>
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<tr>
<td>Total Incremental Tax Revenue</td>
<td>$6,506,652</td>
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</table>

Local Property Taxes in Richland County

The development of the Bull Street property will also generate substantial local property taxes. At build-out, the project is estimated to generate almost $20 million in local property taxes per year. These would be generated for the various local governments as indicated in Table 2A.

As seen in Table 2A, the property taxes for the school district would be substantial, increasing to more than $13 million a year. The City taxes would grow to about $4.4 million a year while County taxes would increase to about $2.6 million a year at the project's completion.

The development of the Bull Street property will also generate substantial local property taxes. At build-out, the project is estimated to generate almost $20 million in local property taxes per year.
Executive Summary (continued)

**Summary**

As outlined in this analysis, the development of the Bull Street property clearly will have a tremendous impact on the greater Columbia metropolitan economy.

The benefits outlined here will be generated from the construction phases, and the permanent on-going phase of the development project. If the property is developed as outlined in the Hughes Development plan and successfully implemented within the 20-year build-out, the impacts as outlined in this analysis can be reasonably expected to be realized in the greater metropolitan area of Columbia.

**As described in this report, the total economic impacts of the development of Bull Street would generate more than $1.2 billion of economic activity per year, $581 million in labor income and more than 11,000 new jobs when completed.**

And the project will generate substantial property taxes in the region. At build-out, Bull Street is estimated to generate almost $20 million a year in property taxes for the local governments and school district.

An additional benefit from the proposed development of the Bull Street project is that many of the additional costs to the City, Richland County and Richland One School District that result from new residential development would most likely be relatively modest. Since the project is located in a well-established area within the City, a great deal of the off-site infrastructure — such as regional water and sewer capacity, connecting traffic arteries and school capacity -- already exists to serve the area.

Finally, Columbia could further enhance and speed up these impacts occurring by including a minor league baseball park in the development plan. Cities such as Charleston, Myrtle Beach, and Greenville are examples of cities in South Carolina where minor league baseball is thriving and stimulating additional development. Durham, N.C. and Ft Wayne, I.N. are two additional cities that have benefited from minor league parks.

Columbia is ripe for minor league baseball and may even be at a competitive disadvantage with other South Carolina cities in terms of attractive places to live since it does not have a minor league team. According to the Central SC Alliance, more than 1.3 million people live within a 50-mile radius of Columbia. Columbia is the largest metropolitan area east of the Mississippi River that does not have a minor league baseball franchise.

Columbia is ripe for minor league baseball and may even be at a competitive disadvantage with other South Carolina cities in terms of attractive places to live since it does not have a minor league team...
Miley & Associates is one of the Southeast's leading economic and financial consulting firms. The firm specializes in economic impact analyses, fiscal impact analyses, feasibility reports, impact fee studies and benefit/cost modeling. Our clients include national and prominent local real estate developers, school districts, local governments, regional development agencies, and other private sector development firms. Miley & Associates partners appear regularly before decision-makers at all levels of government and understand the values, needs and desires of the clients they represent. With offices located in Columbia, South Carolina, the firm is well positioned to provide clients with hands-on service for projects throughout the entire Southeast region.

Miley & Associates appreciates that every research project is unique and deserves a custom solution. Public policy decisions are not made overnight, and we excel at providing advice and counsel along the way. We represent our clients. Our business plan is simple: we focus on exceeding our client's expectations and building long-term relationships.

Miley & Associates, Inc. was founded in 1993 by Harry W. Miley, Jr. Ph.D. The Company is an economic and financial consulting firm providing a range of analytical services to public and private sector clients. Miley & Associates conducts fiscal and economic impact analyses of proposed new developments and has extensive experience in assisting clients with their economic development and community revitalization projects.

Dr. Miley served as Chairman of the South Carolina Board of Economic Advisors (BEA) under two Governors. The BEA is responsible for estimating the State's revenues for the Governor and the General Assembly to use in formulating the State's annual budget. Dr. Miley was originally appointed as Chairman by Governor Carroll Campbell and continued to serve as Chairman for Governor David Beasley.

Dr. Miley was the Senior Executive Assistant for Economic Development to Governor Campbell from 1987 to 1989. Dr. Miley served as principal advisor to Governor Carroll Campbell on the state's policies for economic development, employment and training, work force and adult illiteracy, technical education and transportation issues.

Prior to joining the Governor's Office, Dr. Miley was on the faculty of the Moore School of Business at the University of South Carolina and Associate Director of the Division of Research at the School.
Remarks delivered before Columbia City Council, July 1, 2013
Chester B. DePratter, Ph. D.
South Carolina Institute of Archaeology and Anthropology
Phone: (803) 240-1427

I am here today to address the City Council in regard to the Civil War prison that was located on the grounds of the Bull Street property that Mr. Hughes proposes to develop. Concerns about the preservation of buildings and trees and other landmark features have already been addressed by others, and I heartily endorse their concerns.

My own concern has to do with Camp Asylum, a prison camp on the Bull Street property where more than 1200 captured Union officers were held from December 12, 1864, to February 14, 1865. In the face of Gen. Sherman’s rapid approach, the evacuated prisoners were transported by train to Charlotte and beyond. The hard evidence regarding their stay in Columbia is buried in the soil, preserved for posterity, awaiting discovery by archaeologists like me. The current Bull Street development plan takes no notice of Camp Asylum, and that is, in my mind, a grave error.

We are in the midst of the Civil War Sesquicentennial, the 150th anniversary of that war. As we meet today, tens of thousands are gathered in Gettysburg, Pennsylvania, for a recreation of that battle. It does not matter if your ancestor fought on the Union or Confederate side or was a slave or a civilian living in South Carolina, it is our shared history. We each are connected to that war, and it is our duty to study and understand that conflict so the lessons learned can guide us in the future. The war freed the slaves and brought the Union back together, and we are a stronger country now for having fought that great war that killed more than 650,000 soldiers, black and white, on both sides.

As residents of Columbia, we are caretakers of part of the history of that war. Camp Asylum on the Bull Street property is a tangible remnant of that conflict, and it was different from all other Civil War prisons. Only one person died in the prison at a time when every other prison, north and south, had death rates of 10 to 25%. Thus Camp Asylum has a special story to tell. Even in ordinary times it would be irresponsible to ignore the important history beneath our feet, but on the 150th anniversary of the Civil War we should all be working together to study, preserve, and protect sites that relate to that difficult time in our nation’s history. There is not only national, but international, interest in this part of our history, and if we choose to bulldoze it away without proper study, then we should be judged harshly by the citizenry of not only South Carolina but of the rest of the Nation.

The story of Camp Asylum is preserved in the diaries and letters of the prisoners themselves, in the documents left by Confederate officials and ordinary citizens, and by the archaeological remains preserved in the ground. The story of the prison will not be complete until the archaeological remains have been studied and preserved. Based on my 45 years of studying archaeology, I see Camp Asylum as one of the two most important archaeological sites I have studied. I ask that the City Council make an amendment to the Development Agreement to include preservation or excavation of Camp Asylum. A survey project needs to be completed to determine what remains of the camp, with follow-up work to be determined based on the survey results. The South Carolina Institute of Archaeology and Anthropology stands ready to initiate this work.

Drawings of Camp Asylum available at Google Images
July 1, 2013

Members of Council
City Of Columbia
1737 Main Street
Columbia, South Carolina 29201

Re: Bull Street Redevelopment Project

Dear Members of Council:

We would like to acknowledge the City of Columbia’s role in advancing the Bull Street Redevelopment Project, a game changing initiative and significant opportunity for Richland County.

Furthermore, we are optimistic about its potential to increase the tax base for Richland County School District One, and the student population that would flow into the existing system of quality public schools.

Since the development agreement requires millions of dollars in public investment, we would like a firm commitment that the city’s procurement code would over arch the infrastructure contract. Considering that the Hughes Development Corp. of Greenville will develop the property, we urge that local developers and local contractors be included to strengthen the impact on the local economy and employment.

We request that the city’s current programs are implemented and monitored to ensure participation of small, minority and women-owned businesses with this opportunity. We understand that the development agreement has not been approved, and request that the city incorporates assurances of the same, in writing, prior to signing the agreement.

Sincerely,

Lonnie Randolph, Jr.
President