

COUNCIL CHAMBER

Regular Meeting

June 21, 2016

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

A notice of this meeting and an agenda were mailed to the news media June 15, 2016 and appeared in The Post and Courier June 19, 2016 and are made available on the City's website.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams(<i>by phone</i>)	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:00 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Note that Councilmember Williams is present by telephone. He is on the speakerphone here. Councilmember Waring, could I ask you to please say an invocation for us and lead us in the Pledge?"

Councilmember Waring opened the meeting with an invocation.

Councilmember Waring then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "Thank you very much. First, I would like to invite Garrett Budds. Is Garrett in the room? Please come forward, along with Ben Towill, Persis Buffum, Natalie Wheeler, Alex Opoulos, and Keith Sauls."

This amazing group of fearless adventurers went on a trip called the Charleston Antarctic Expedition earlier this year, and they're going to make a brief presentation to Council. They're back from Antarctica. Welcome."

Garrett Budds said, "Thank you very much. I'll start by saying, while my colleagues make their way down from the balcony, that I'm glad to see how many people turned out for the flag presentation this evening."

There was laughter in the Chamber.

Mr. Budds said, "Thank you, thank you for that. It's a great turnout. If you don't mind just a moment of commentary. I really appreciate your administration and the City's leadership on the sea level rise issue, appreciate your adoption of the Sea Level Rise Strategy, and would like to encourage you on behalf of the team here to continue to provide resources for that strategy to come to fruition going forward. I know how important it is for myself, I know how important it is for the team here on this stage and for our families, and it's particularly important for one member of the team who is not here tonight, Isabel Gray. She is 11 years old. She is the youngest member of our team, and she is one of the youngest individuals to ever step foot on the continent of Antarctica."

Mayor Tecklenburg said, "Wow!"

Mr. Budds continued, "To take a phrase from young Isabel, she loved intoxicating folks with her repetitious, 'I can save the world, and so can you'. So, we're taking a page from her playbook and encouraging the City to lead on the issue of resiliency going forward. As a father of two young children myself, I know how important it is, and now they're going to judge our actions today in the Charleston that they inherit. So, thank you for your leadership there."

Mayor Tecklenburg said, "So, from your personal observation, is Antarctica melting?"

Mr. Budds said, "Not to dispute the times or all of the scientists around the world, but it's absolutely melting. I think one of the most impactful scenes we all saw collectively was the Larsen Ice Shelf, which you will recall in the mid-2000s was reported on breaking off of the Antarctic continent. We actually witnessed the Larsen Ice Shelf floating by our ship as we were circling the Antarctic Peninsula, So, it's now circling the southern ocean and slowly melting over time and with that, that's a direct example of the water that will one day visit our shores right here in Charleston going forward. It's a very real issue that I appreciate you taking leadership on, and hopefully we can make some progress together. If you don't mind me reading, I have a proclamation here."

Mayor Tecklenburg said, "Go ahead. I normally get to do the proclamations. I'm glad somebody else is doing one."

Mr. Budds said, "This is a reverse proclamation. 'On March 14, 2016, the Charleston Antarctic Expedition set sail from Busia, Argentina en route to the Antarctic continent. This flag made its first official Antarctic continental landfall at Brown Bluff on the Trinity Peninsula, March 18, 2016, 63 degrees 32 minutes South, 56 degrees 52 minutes West. The Charleston Antarctic Expedition hopes to provide a platform from which our region can better understand global connectivity and the impacts of a changing climate, particularly as they relate to coastal communities. We hope this voyage begins a dialogue around how can we can create a more resilient future for our region, our people, and our environment. The expedition team proudly presents this flag to Mayor John Tecklenburg and the City of Charleston June 21, 2016.' The team members are here with the flag."

Mayor Tecklenburg said, "Then, we have a lovely photo of Antarctica."

Mr. Budds said, "There we go. That's a photo of Brown Bluff where the flag made landing."

Mayor Tecklenburg said, "Terrific."

Mr. Budds said, "There's the flag at the City of Charleston that the Mayor was kind enough to provide us before we made our journey. Thank you."

Mayor Tecklenburg said, "A flag of the City of Charleston has been to Antarctica. Thank you very much."

There was applause in the Chamber.

Mayor Tecklenburg said, "Did you all have a great time?"

Natalie Wheeler said, "It was. It was nice and cold."

Mayor Tecklenburg said, "Terrific. So, nice and cold, it would have been there?"

Mr. Budds said, "Just three months ago."

Mayor Tecklenburg said, "Three months ago would have been their fall?"

Mr. Budds said, "That's right."

Mayor Tecklenburg said, "That's right."

Mr. Budds said, "Yes, it was their fall, summer into fall. We hope we can be a resource to the City."

Mayor Tecklenburg said, "You can."

Mr. Budds said, "Thank you."

Mayor Tecklenburg said, "Thank you. Alright. Next, it's not really on the agenda, but I just wanted to make a very special recognition to City staff and community members who participated in this week's commemorative events to the tragedy at Mother Emanuel Church and a special shout-out to Chief Greg Mullen and Chief Brack for their extraordinary leadership, to Mark Wilbert, who is in our Emergency Management Team, Scott Watson in Cultural Affairs, Rick Jerue, and Mike Whack in my office. They all pitched in, along with Jane Baker and the Charleston Police Fund, Mark Ruppel, but in particular, I want to recognize before everyone tonight the extraordinary effort and participation of our Councilmember William Dudley Gregorie in this week's commemoration."

There was applause in the Chamber.

Councilmember Gregorie said, "Thank you."

Mayor Tecklenburg said, "So, next, we have six public hearings this evening and in the interest of time, what I would like to do is include all six together when we get to the public comment portion. I'm going to ask our Planning staff to go through all the public hearing matters and advise you of what is here available for public hearing tonight, and then we'll open the floor. So, if you're here tonight to speak on any of these six matters after Mr. Morgan's presentation, then I will call you and you can come forward and be heard."

Anthony G. Bryant said, "What about the (Edward) Byrne Memorial Grant."

Mayor Tecklenburg said, "The (Edward) Byrne Memorial, correct. Yes, sir. It's not a Planning matter. The first public hearing I'll go ahead and cover is approval to submit a grant. It's a 2016 Edward Byrne Memorial Grant Application in the amount of \$21,387.00. It will require a match from the City of \$4,511.00, and the grant will be to purchase automated license plate readers. These are devices where when your car goes by, they'll be able to take a picture and will be able to pick up the license plate I.D. on your car as it goes by. I believe the location will be on Cosgrove Avenue, where these readers will be placed. If we get the grant, the grant required that we have a public hearing so that the public would know that these readers would be out there. So, that's number one. Mr. Morgan will cover the remaining. Sir?"

Anthony G. Bryant said, "May I comment on that and get my three minutes to speak?"

Mayor Tecklenburg said, "We're going to do everybody together, if you don't mind. Mr. Morgan, please proceed, and then you will have an opportunity to speak. Yes, sir."

Christopher Morgan said, "Item E-2 is an ordinance to amend the Zoning Ordinance by changing the Zone Map at 28 F Street on the Peninsula from DR-1 to DR-2F, and we have the images here on the screen. This property backs up to I-26. The property is across the street from other properties that are zoned DR-2F that are across F Street. Staff, when we reviewed this area came to the conclusion that . . ."

Mayor Tecklenburg said, "We lost our image. Mr. Morgan, can you proceed while he is trying to pull that up?"

Mr. Morgan continued, "Well, the situation is, and I wanted to point this out on the map that one side of F Street is DR-2F, as is the rest of the kind of H, F, and (streets) I neighborhood. Then, another side of the street is DR-1, and we feel it's appropriate that that other side of the street could morph over to the DR-2F, as well. This is the first application that would come in requesting that, and staff and the Planning Commission recommend for approval. Here is the image in front of you of the site. There we go. There's an aerial of the image of the property (referring to the electronic presentation). This is a street view of the property and another across the street view of the property from the property.

The next public hearing is Item E-3 to amend the Zoning Ordinance by changing the Zone Map at 3201 Maybank Highway on Johns Island, approximately 1.5 acres. It would be rezoned from Light Industrial to General Business. To orient you to the map here, here is Maybank Highway, roughly mid-way down through the middle of Johns Island. The Builders First Source shopping area is over here. There is some other office and Light Industrial-type business park development over here. There are new houses being built to the rear, here, and this is a request to take this parcel that's kind of in the middle of all this from Light Industrial, which some of these other parcels were in the past, as well, to General Business, which would match what is up to the front. I think we have an aerial image here. I think it will pop up in a second.

Then, we have Item E-4, which is a request to rezone 7 Wesley Drive in Old Windermere. It's .26 of an acre. Here we go. So, here we are on 7 Wesley Drive, which is a request to go from just the basic SR-1 that it's zoned now to also include the Savannah Highway Overlay District on the property. As you see, the property is at a corner here of Wesley Drive and a side street that goes into the neighborhood here and because of the corner,

it has frontages really essentially on two sides, and it acts as somewhat of an unusual piece of property due to this triangular-shaped piece of property. Because of the triangular-shaped piece of property, it's a little bit more into the neighborhood than some of the other properties that front, say on Savannah Highway or on Wesley and these locations here. Staff has looked at the area plans which call for the Savannah Highway Overlay to not be on this location and also heard from the neighborhood who had a lot of concerns about this and asked that it not be rezoned. It's also been up for rezoning on several different occasions in the past, and it's not been recommended for and has been turned down, so we are not recommending for it in this instance either. The Planning Commission also recommended against it. I'm going to try to turn to the pictures here. Here you see an aerial image. Again, the property is up towards the front, but the parcel actually goes back onto the residential street, as well as onto Wesley Drive here, and here is a view from Wesley Drive looking north and looking south on Wesley, another view from Wesley. I think we have one more, maybe. There we go, and that's from the rear from the side residential street there. We may have yet one more. That's the view from Stocker Drive there."

Councilmember Moody said, "Mr. Morgan."

Mr. Morgan said, "Yes, sir."

Councilmember Moody said, "How old are those pictures?"

Mr. Morgan said, "They are within the last few months. Some of them are Google Earth. I know if there is one that shows that there is not a metal roof on it, that might be about six months old or so because I believe they put a new roof on it. That's a little bit older. That's a newer one (referring to the electronic presentation). So, that's 7 Wesley Drive.

Then Item E-5 is an ordinance to amend Chapter 54 of the Zoning Ordinance to make a change in the Table of Permitted Uses to Establish Permitted Uses for microbreweries and fresh fruits and vegetables in the GB, UC, MU-2, MU-2/WH, LI, HI, GP and UP districts, and to establish conditional uses for microbreweries and fresh fruits and vegetables in the BP district. Now, what this does is, essentially, when we put together the Upper Peninsula Zoning District, we used these phrases 'microbreweries' and 'fresh fruits and vegetables' in that district. So, now we're going back and cleaning up these other districts that used older terms and older interpretations to allow these uses in all those districts. They already are allowed in those districts. It's just that they were allowed under different terminology, and this is just cleaning it up so everybody understands. Of course, 'microbreweries' is a term that is much more in use today than it was 20 or 30 years ago and that's one of the reasons that we had to make that change.

Then, the final public hearing, Item E-6, is an ordinance to amend the Zoning Ordinance to change the landscape buffer requirements for properties on the Peninsula of Charleston. What it essentially would do is allow the properties that are developed north of Mt. Pleasant Street to have the same buffer requirements as those properties that are developed south of Mt. Pleasant Street on the Peninsula, and staff and the Planning Commission both recommend approval."

Mayor Tecklenburg said, "Great. Thank you very much, Mr. Morgan. So, we have these six matters up for public hearing that you can now be heard on, Mr. Bryant. Would you like to be heard first?"

1. Anthony G. Bryant said, "Thank you, Mr. Mayor. I appreciate it. I wanted to make public comment on just one item. We did make a public comment on June 18, 2013 on the Byrnes (Edward Byrne Memorial Grant). In the interest of time, I would just submit this for the record for the Mayor's approval. You can refer it to Chief Mullen. It came from William Nettles, as well, Postal Service, IRS, Social Security Administration, and we did an external complaint regarding that based upon census track data. Since 1970, I've been working on these external complaints, and I hope that you could forward that information to Chief Mullen for correction. Thank you."

Mayor Tecklenburg said, "Would anyone like to be heard on any of these six matters? Yes, ma'am. Please state your name and address."

2. Marian Askins said, "Mayor, members of the Council, Marian Askins. I am a member of the Old Windermere Neighborhood Association, and I am on the Board. The Neighborhood Association is strongly opposed to rezoning 7 Wesley. We have met a number of times with members of our neighborhood. The Board has met several times, and we have carefully considered this issue. We have discussed the issue with the Ashley Bridge District President, and we all are opposed to rezoning this piece of property. We are certainly not unsympathetic to Mr. Horowitz's concerns about the value of his property, about the placement of his property on a heavily-traveled Wesley Drive. However, we don't believe those concerns trump the concerns of the neighborhood. This piece of property, as you've probably noticed, is the gateway to Old Windermere. Wesley Drive turns onto Stocker Drive, which is a purely residential street. A large piece of this property is residential, and our concern is allowing limited commercial use. Professional businesses here will add traffic to our neighborhood. I'm sure many of you have been into Old Windermere. It's a beautiful old neighborhood. It's one of the oldest neighborhoods in Charleston. Part of the reason for the Overlay District for the Ashley Bridge Plan was to protect the neighborhoods from commercialization, traffic, and we think to allow this rezoning would be to reject the ideas of both the Overlay District and the Ashley Bridge District. Mr. Horowitz, when he purchased this piece of property in 2003, purchased it knowing that it was residential. The prior owner had tried to get this piece of property rezoned. That was turned down by the City. Mr. Horowitz, after he purchased it, attempted to get this property rezoned. The Planning Commission said they didn't think it was proper, the Commission said it's not proper, and it came before you all, and you all said 'no'. In 2011, the Overlay District was amended, and some additional properties were added to the Overlay District on Wesley. This property was specifically not added. It should be and should remain residential. Like I said, this is the gateway into our community. We are very concerned about maintaining it as a residential neighborhood. We're very concerned about additional traffic. I know that there are other members in our neighborhood who are here that are opposed to it, if any of them would like to stand or raise their hand to show that they are opposed. Many of these people came to the Planning Commission, and I believe a couple of them also want to speak, as well."

Mayor Tecklenburg said, "Note that about 15 or 20 members have stood in support of this and maybe more. Thank you so much. Yes, ma'am."

3. Donna Jacobs said, "Thank you, Mayor. My name is Donna Jacobs. I live in Byrnes Downs, but I'm the current President of the Ashley Bridge District Board, and I have a statement here. The current owner of 7 Wesley Drive has requested that this property be included into the Savannah Highway Overlay District, and I would like to go on record as not supporting this request. Over the last many years of various owners of this property have attempted several different styles and requests to convert this residential property into a

commercial office or a business property. There has never been support for any of these requests from the neighbors, the Old Windermere Neighborhood Association, nor the Ashley Bridge District Board. It could be argued that similar properties along Wesley Drive are in the Savannah Highway Overlay, however, the property is on the corner of Stocker Drive and Wesley with one of the two driveways accessing Stocker. The natural law of convenience would tell us that patrons would use the residential access from Stocker to patronize whatever commercial endeavor occupied the property. One of the main reasons that the Ashley Bridge District Plan came to be was a grassroots effort to maintain the residential livability of the neighborhoods and a village concept to commerce. One of the strong points was to protect the existing residential border of each neighborhood. The Savannah Highway Overlay was designed to address the unique situation along Savannah Highway and not to be a model for all of the other borders. I would also like to point out that one of the first actions of this City Council after they adopted the plan was to close Stocker Drive to cut-through traffic that had plagued this residential street, thus restoring it to a former true quiet neighborhood street. It would be a shame to set back the 20 years of work that has restored this neighborhood street. Thank you."

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard on any of these matters? Yes, sir."

4. Mohammed Idris said, "Mayor Tecklenburg, ladies and gentlemen. Mohammed Idris. It's so nice to see the people in Windermere fighting to keep their neighborhood a residential neighborhood. We have tried on the Eastside in our own neighborhood but we just didn't have the money or the political persuasion to do so. I'm hearing people crying about a corner in an area where there is nothing but businesses in that area. Why can't this be there? Because it is a Jewish neighborhood, and when Ackerman speaks, everybody moves. I don't think that is right. Thank you."

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on any of these matters? Yes, sir."

Forrest Norvell said, "Can I speak from back here?"

Mayor Tecklenburg said, "Please come forward, so you can speak in the microphone. Thank you. We can't pick it up for the record otherwise. Thank you."

5. Forrest Norvell said, "Councilmembers, Forrest Norvell, 4 Stocker Drive. My property is the only adjacent property to Mr. Harbit and just wanted to note my objection to any rezoning of this property. Thank you."

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard on any of these six matters? Yes, sir. Please come forward."

6. Rivers Jenkins said, "Hello, my name is Rivers Jenkins. My wife, Cathy, and I live at 10 Beverly Road, right around the corner from 7 Wesley Drive. We both oppose the rezoning. This rezoning may be fairly debatable, but let me assure you over the many years and through many court cases, including with the Court of Appeals, it has been fairly debated, and we just want to thank you for giving it again your due consideration today."

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard? Seeing none, we now take these matters to Council."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, Mr. Mayor, I move that we approve the recommendation of the Planning Commission on these six items."

Mayor Tecklenburg said, "Which one?"

Councilmember Lewis said, "All six. I move that we approve the recommendation of the Planning Commission."

Mayor Tecklenburg said, "Could I ask that we hold Item E-4 out and vote on it separately because of the way it's worded?"

Councilmember Lewis said, "Okay."

Councilmember Moody said, "That was my objection."

Mayor Tecklenburg said, "Okay."

Councilmember Riegel said, "I second Councilmember Lewis's motion on E-1, E-2, E-3, E-4, and E-6."

The Clerk said, "No. E-1, E-2, E-3, E-5, and E-6."

Mayor Tecklenburg said, "Items E-1, E-2, E-3, E-5, and E-6 together. Is that acceptable, Councilmember Lewis?"

Councilmember Lewis said, "Yes, sir."

Mayor Tecklenburg said, "Okay. We have a motion and a second. Is there any discussion?"

On a motion of Councilmember Lewis, seconded by Councilmember Riegel, City Council voted unanimously to approve to submit the 2016 Edward Byrne Memorial Grant Application (Item E-1) and give first reading to the following bills:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 28 F Street (Peninsula) (0.11 acre) (TMS# 463-16-03-048) (Council District 4), be rezoned from Diverse Residential (DR-1) classification to Diverse Residential (DR-2F) classification.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of 3201 Maybank Highway (Johns Island) (approximately 1.50 acres) (TMS #313-00-00-248) (Council District 5), be rezoned from Light Industrial (LI) classification to General Business (GB) classification.

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Article 2, Part 3, Table of Permitted Uses to Establish Permitted Uses for microbreweries and fresh fruits and vegetables in the "GB, UC, MU-2, MU-2/WH", "LI", "HI", "GP" and "UP" districts, and to establish conditional uses for microbreweries and fresh fruits and vegetables in the "BP" district, to wit:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-347 to change the landscape buffer requirements for properties on the peninsula of Charleston

Mayor Tecklenburg said, "Now, for Item E-4 on this item we're asking for the rezoning, so if you want to support the rezoning, of course, you would vote aye, but if you agree with the neighborhood, you would say 'no'."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Mr. Mayor. I wanted to be sure we had that right, you said the Planning Commission voted it down, that it requires ten votes. This is in my district, and I want to speak in opposition, I do not want it rezoned. I want to agree with the neighborhood, and quite frankly, one of the things that's going on there right now that I would like to have corrected. I know that Mr. Riccio has looked into it, but there is a commercial operation going on there in violation of the current zoning. There are cars parked there. That's why I ask how old those pictures were because if you went there today, yesterday, or recently, you would see five or six cars parked around that building. It doesn't look like that. It looks like a commercial operation. So, I don't think we're being dealt with fairly here by the owner of the property. So, when you start off on that foot, in my opinion, everything else is bad. That's one reason, in addition to the several good reasons that the homeowners in that area gave, but basically what's being used now is all that traffic is going and coming in on Stocker Drive and driving through the neighborhood. That's what they don't want, and so I'm going to vote against this, and I hope my colleagues will join me in voting against this rezoning. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "I would like to point out. I don't think we need ten votes to disapprove it. You would need ten votes to approve it to overturn the Planning Commission. I think, in this instance, we're going to be in agreement with the Planning Commission. Yes, sir."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Mr. Mayor, that's why I made the motion to accept the recommendation of the Planning Commission because the Planning Commission recommended disapproval. So, that's why I made that motion. For the rezoning, the Planning Commission said 'no', so it's 'no'. I just wanted to clarify that."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "I will second if that was a motion, but the question I have is, frankly, what is the status relative to the Planning Commission's approval and disapprovals relative to the three-fourths vote by City Council to overrule their decisions? I've had a lot of folks ask me that question. I've had fellow Councilmembers ask me that question and, if you have any idea, you should maybe share that with us, sir. Thank you."

Councilmember Moody said, ""Let's deal with this issue."

Mayor Tecklenburg said, "Right."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mayor. I just want to thank all of the residents and citizens of West Ashley, particularly South Windermere and Byrnes Downs, that have come out to speak tonight about the gateway to their neighborhood. I want to talk a lot tonight about gateways to neighborhoods. You all spoke very eloquently about how important gateways to neighborhoods are on the people who live in those neighborhoods. So, one of the things that you learned, and we've all learned tonight, is that your participation works. We listen to you and we are going to listen to you tonight, I think, in unanimous voice, and there are others around here who have gateways that are going to be talked about tonight. So, as we think about the City as a whole and the residents that live in it and the manner in which we get in and out and what we hold important to the places we live, the word 'gateway' strikes up 'home', right? Where we live and so, we're going to, I think, tonight vote to protect your homes, to protect your neighborhoods, and we thank you for coming out and doing that for yourselves and for your neighbors. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just one point of clarification, Mr. Morgan, if you could help us. There was a comment made that the surrounding area, and I did not see this on the pictures that you presented, but there is not commercial activity around this property or is there?"

Mr. Morgan said, "I'll turn back to it. I think what Councilmember Moody was referring to is some activity that has been investigated that isn't happening in the house itself."

Councilmember Shahid said, "No, I'm not concerned about the house itself, but in the surrounding area."

Mr. Morgan said, "Alright. There are other properties that have the Savannah Highway Overlay. The Savannah Highway Overlay is the crosshatched item. Just the regular residential is in the yellow and then, of course, up at Savannah Highway at the intersection, there are some commercial properties that are in the pink or in the red."

Councilmember Shahid said, "This property abuts residential structures behind it."

Mr. Morgan said, "That is correct. There are residential structures to the rear. Yes, sir."

Councilmember Moody said, "I just wanted to have that clarified."

Mr. Morgan said, "Yes, sir."

Councilmember Moody said, "Okay. Thank you very much."

Mayor Tecklenburg said, "Is there any other discussion? Alright."

On a motion of Councilmember Lewis, seconded by Councilmember Riegel, City Council voted unanimously to disapprove the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 7 Wesley Drive (Old Windermere – West Ashley) (0.26 acre) (TMS #421-06-00-110) (Council District 11), be rezoned so as to be included in the Savannah Highway Overlay Zone (SH) classification.

Mayor Tecklenburg said, "Were there any 'aye' votes? Let the record show it was a unanimous 'no' vote."

The Clerk said, "It was unanimous."

Mayor Tecklenburg said, "Alright."

Councilmember Lewis said, "I got you all on track that time."

Mayor Tecklenburg said, "So, thank you very much, all you citizens that came forward on this matter. It happens to be my neighborhood, as well, and I appreciate that. So, next, we have the matter of approving our City Council minutes."

Councilmember Mitchell said, "Move for approval."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Is there any discussion, additions, or corrections?"

On a motion of Councilmember Mitchell, seconded by Councilmember Gregorie, City Council voted unanimously to approve the minutes of the May 24, 2016 City Council meeting.

Mayor Tecklenburg said, "Next is Citizens Participation, and I see we have a great turnout of citizens. We're excited to have you with us here tonight. How many folks would like to speak tonight to City Council? Okay. We normally do a 30-minute period. With the great interest we have here tonight, I'm going to ask if we could limit your remarks to 90 seconds. From the count I see, that will probably run us about 40 to 45 minutes worth of Citizens Participation. We're glad to have you here this evening. Who would like to go first? Yes, ma'am."

1. Kitty Robinson said, "Mayor Tecklenburg and members of City Council, I'm Kitty Robinson, President and CEO of The Historic Charleston Foundation representing our trustees and numerous constituents. In accordance with our preservation mission and for the community, we respectfully ask the Council to deny the adoption of the proposed Gateway Overlay Zoning Ordinance. Obviously, this zoning is to allow for the development of the Sergeant Jasper site, a proposed plan that the Foundation cannot support. It is in direct conflict with the Comprehensive Plan and decades of historic preservation and urban planning. We have three primary concerns. One, the footprint of the building. This is not only a huge structure, the same size as the existing building."

A citizen asked, "Can you get a little bit closer to the microphone?"

Ms. Robinson continued, "I will. Thank you. Our three concerns are the footprint of the building. This is not only a huge structure of the same size as the existing building, but also a series of other buildings. The overall footprint could be up to four times the size of the existing footprint. We fought to ensure that the public was included in the process, as was intended by the ordinance of the City of Charleston. Instead, important public business is being conducted behind closed doors. We are extraordinarily worried that this precedent opens the door to future developers who wish to circumvent the public process, undermine the BAR of the City, and decades of adopted planning policy. Our hope in joining with the City and the Sergeant Jasper lawsuit was to have the Sergeant Jasper project evaluated by the established procedures . . ."

The Clerk called time.

Ms. Robinson continued, “. . . and written standards that have concerned and governed every other development in the City of Charleston. We do ask that you respectfully allow that this fast-tracked process not be a fast track prospect that’s being conducted behind closed doors. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Yes, sir, Mr. Idris.”

2. Mohammed Idris said, “Mayor, City Council, ladies and gentlemen, good evening. Mayor Tecklenburg humiliated me worse than (Mayor) Riley and his administration ever did. (Mayor) Riley did not do it to me personally. He did it to the poor people of the City as a whole, and he got exposed with the killing of the nine people in Mother Emanuel Church on Calhoun Street. Plus, a flood came on the day that he had set aside to thank him for 40 years of mistrust. It was said that it was the worst flood in a thousand years, although Charleston was not here a thousand years, but it gave former Mayor Riley the washing he needed, when the roof came off on June 17, 2015 at a Bible study. John, however, did it to me personally. Also, John hired a person of my nationality by the name of ‘Whack’ to work for the City, but what he did to me on May 28th, 29th was very disturbing. He had me wait for almost 20 hours for an answer, and he told me after I called him back he could not just let anyone use the City gym. However, he said he could let me use a shed on James Island, so that my family could be out of the rain. It sounds to me like he was saying you cannot ride on the front of the bus, very humiliating. Do re me fa so la ti.”

The Clerk called time.

Mr. Idris continued, “Look backwards, and Charleston with this Mayor and a piano player. The reason that I pass out that flier is to show you all just one of the major things of help that I have done for this City.”

The Clerk called time.

Mr. Idris continued, “The City that I have loved with body, mind and soul. Also, the flier shows my respect for authority and the Jewish community as a whole, plus how long that I have been doing community work in this City. Also, John’s wife came to me and asked for my help, and I gave him my help, yet he kicked me in my behind. I will be doing the same to him for the next four years. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Yes, sir.”

3. Kurt Cavanaugh said, “Mr. Mayor, members of Council, good evening. My name is Kurt Cavanaugh, Executive Director of Charleston Moves. Two months ago, I stood in this Chamber and delivered 1,200 handwritten postcards in support of the Legare Bridge Bike and Pedestrian Lane. At that time, you told me two things. One, it’s a County project, and two, that you’re going to wait until the traffic study results were in. Well, the traffic study results are in, and the worst of it is 48 seconds. Forty-eight seconds to give equity and equitable transportation options to the City of Charleston. Right now, we don’t have that. There is no safe convenient way to cross the Ashley River. So, this is not about traffic. It’s not about a bike lane. It’s not about someone’s fancy race bike. It’s about transportation. It’s about those who choose to or have no other choice but to walk and ride a bike for transportation getting to their jobs, getting to school safely. We shouldn’t fear for our lives commuting, and right now, we are,

unless we live on the Peninsula, and that is not acceptable for a world-class city. So, tonight, we simply ask you stay open-minded, that you keep your word about waiting until the study results were in, and now that they are in and the numbers are so good, to just let the County do the job. Let's bridge the Ashley now and not wait until 2020. Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "I've got to ask the Chamber to please refrain from such outbursts. It's acceptable if you want to ask your supporters to show us a show of hands of who's supporting your point of view, but please refrain from those outbursts. Thank you very much. Yes, ma'am."

4. Ann Marie Hagood said, "Thank you. Mr. Mayor and Councilmembers, my name is Ann Marie Hagood. I'm a resident of the City of Charleston, and I live on James Island. I, too, am here about the bike lane on the opposite side. Honestly, I'm here because I can't get a definitive answer from anyone about who will make the final decision on the bike lane, so I figured it was best to show up tonight. I think it's safe to say everyone here, myself included, as I've told this nice young man, everyone would love to have a nice bike lane and a way to get into the City. Unfortunately, I think, the proposal of taking an entire lane of traffic is completely unfeasible. We need to go back to the drawing board and explore other options, whatever those may be. I have a 10-year old daughter, and we have lots of conversations about wants versus needs. She wants an iPhone to wake her up in the morning. She needs an alarm clock. There's something similar going on here. We all want this, but it's not what the City and the majority of the people in the City need. We need a safe way to take our children to school. I can't fit her in my bike basket. I need a safe way to take my mother downtown to the doctor in a timely fashion. We simply cannot do that with an entire lane of traffic of ingress into the City being taken away. The study that's been referenced is, in my opinion, laughable. It certainly provides no empirical evidence. Four hours of study on two days provided no measurement whatsoever on the impact on Maybank Highway, which was backed up for miles and added an average of 50 minutes to people's commute. They also did not measure any impact on the (James Island) Connector. Why not study how long it would take the bikers . . ."

The Clerk called time.

Ms. Hagood continued, ". . . to cross over to the southbound lane and walk their bike across? Maybe that's a four-minute addition to a bike. So, again, this is an idea of wants versus needs. The wants of a small group, no matter how vocal and well-funded, cannot outweigh the needs of the many. Thank you."

Mayor Tecklenburg said, "Thank you. Thank you very much. Yes, sir."

5. Daniel Milner said, "Hello. Thank you, Mayor. My name is Daniel. I'm the owner of Affordabike Bicycle Shop, downtown at Cannon and King. I've owned my business for seven or eight years now, and I've been able to grow to have nine full-time employees downtown in a place where a lot of people have to leave town because they cannot find full-time work. The reason that I've been able to do that is because of Charleston's demand for more cycling products and more services. I think it is amusing that people who are not in the profession of traffic study have a better understanding of people who do it for a living. I've heard an argument frequently which says that the needs of the many outweigh the needs of the few. I understand what that means, but that's not a blanket argument that we can use to cover every issue in our society. In our society, we actually include the needs of everyone. At my store, for instance, I

had to install, first of all, a handicap bathroom and two water fountains, one that was tall and one that was shorter. I actually thought that one was enough, but I had to do this to accommodate the needs of everyone in our society. This bridge and this bike lane is the exact same thing. Thank you. Please consider this. When you see a handicap parking space at the grocery store that's not being used I want you to say to yourself that you wish you were one step closer to getting to that door one step faster. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

6. Luke Daniels said, "Thank you, Mayor. My name is Luke Daniels. I'm the President of Harleston Place and on the Board of Harleston Village, and I am speaking regarding traffic, as well. A year ago, I could look out my window and see Lockwood Boulevard, and it was rare to see a traffic jam, maybe once a month. Now, it happens every week, actually that happens multiple times a week, and every morning and every evening. To add more traffic and density might work in Boston, Chicago, New York. Charleston doesn't have the infrastructure for the high-rise density development that Sergeant Jasper might bring. That kind of development does not belong in our neighborhood. Thank you."

Mayor Tecklenburg said, "Thank you very much. Let me rotate to this side of the room. Yes, ma'am."

7. Ms. Newman said, "My name is Sally Newman. I'm a lawyer. I live in Wagener Terrace here, and I have been bike commuting and walking around Charleston for the last five years. One of the things that really made me fall in love with this City is that it's flat. The weather is beautiful. We have flowers everywhere. The most gorgeous and most pleasurable way to get around here is on a bike. I'm probably not the first person to point out that traffic is generally made up of cars, so when you're at a standstill and there are six blocks or two miles of traffic backed up, those are all people in cars. When you move them into bikes, they take up less room, and they're able to move more efficiently. There are seven lanes of traffic right now devoted solely to car traffic, and the only way that you can get across the bridge is by scooching down. It's not even a sidewalk. It's like a maintenance walkway. It's extremely dangerous. I have this vision of a world in which bicyclists and pedestrians have seven lanes devoted solely to their use and the car drivers all had to like, you know, scooch along the shoulder worried for their safety, worried they were going to fall into the river. They had to come to City Council and beg for one lane of traffic to be devoted to their safe transportation, and all of the cyclists would look at each other and go like 'hmm, I don't know, that's not that convenient for us'. We don't live in that world, and I don't want to, but we need at least just a little bit of space to get from one place to another safely. We're doing all the same things you're doing. We're transporting ourselves, we're going to dinner, we're getting groceries . . ."

The Clerk called time.

Ms. Newman continued, ". . . we're going to school. We're not asking for anything better than what the majority has, just the same access that you have. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

Councilmember Moody said, "Mr. Mayor, before he speaks, the people evidently are disregarding your admonition."

Mayor Tecklenburg said, "Well, the folks inside are doing a great job. It's outside the door. David, if you would let everyone know I would appreciate it."

Councilmember Moody said, "Maybe if they're not going to stand by our rules of decorum, maybe they should be asked to leave the building."

Mayor Tecklenburg said, "We'll let them know right now. Thank you."

Councilmember Moody said, "Go ahead."

Mayor Tecklenburg said, "Yes, ma'am."

8. Beatrice Bernier said, "Hello. I'm Beatrice Bernier, 9 Savage Street. Here to speak about the Sergeant Jasper and the bike lane, all in one. The City population has increased 30% since 2010 and physically grown over 1,600 acres just the past five years as a result of annexations. While the tri-county area is booming with a diverse economy that most around the Country would kill for, the Peninsula, from South of Broad to the Neck is about to miss this opportunity of a diverse workforce and economy, as downtown has been cast as a tourism mecca, overcome by hospitality economy, limiting its potential to become a thriving livable City core for its residents, as a consequence of years of costly annexation.

New people and development are not the issue, but the annexation of low-density areas combined with unmanaged development is. Low-density areas are not in character with an urban city and have already undermined the identity of Charleston. We are about to lose the brand. Uncontrolled annexation and development policy over past several years are not only changing the character of the historic Peninsula, but also the surrounding areas of natural and rural landscapes from James to Johns Islands. Annexation is a key issue that impacts decision of our leaders as the City is now a vast expanse of low-density communities mashed together with miles of roadways, infrastructure, and City services that are more expensive per household in less dense areas. Police and fire safety services are more difficult and expensive as seen in today's proposal for additional funds to monitor crime in West Ashley. Yet annexation continues with no respite, new properties are added at most every Council meeting and blindly accepted. Annexation should be stopped until analysis and projection of capital cost and investment over time are provided to residents to make an informed judgment. Annexation should be stopped because it impacts zoning and development policy that affect all.

The negative impact can be seen on zoning where low-density area communities can now impose their view on zoning as far as future development types (market rate housing, hotels development are privileged over all other developments especially workforce/affordable housing), density (single housing over multi-family), transportation policy (car-oriented development). To pay for all of these, the current and primary answer is for more hotels or luxury apartments to be occupied by short-term renters and second homes on the Peninsula. Current and new planning tools are inadequate in face of annexation policies, hospitality development pressure, and market rate housing development (whether 411 Meeting Street hotel proposal or Sergeant Jasper, no affordable housing is requested or will ever be requested), affordable or workforce housing development incentives for people working for the service industry and other Peninsula employers like MUSC are weak (hotel, restaurant, retail employees on minimum wage cannot afford the Peninsula, less than 5% of MUSC staff can afford to live on the Peninsula, etc.) Transportation policies are inadequate for a growing region and center around car use, are often hostile to bikeways, pedestrian and mass transit CARTA service is cut down.

Annexation results in the fragmentation of the City. We are ending up with a divided Council, a fractured City with on one side 'the Peninsula' and on the other the 'West of Ashley and its suburbs'. If we are two cities with different goals in life why do we stay together?

If the Peninsula was on its own, hotel development would be tamed as residents would be heard if they opposed. Mixed-Use/Mixed Housing Developments would be feasible because neighborhood residents would want to host its workers and preserve its workforce and services. Public transportation would become a reality as the City would expand toward the Neck and the north with new businesses and improved neighborhood along its greenway, bikeway, and rapid transit system.

If West Ashley was on its own, it would accept some hotels and desire denser Mixed-Use Development to grow revenue around Windermere and Avondale to keep a share of the economy, and preserve its residents and workforce because it would become a necessity as they would no longer be able to impose dense luxury housing development and hotels and other hospitality services on Peninsula to generate income.

Annexation should be stopped and reevaluated. Memphis and San Antonio are looking into this as they found the long-term cost of annexing low density communities as more than dollars but of also identify lost."

The Clerk called time.

Mayor Tecklenburg said, "Merci beaucoup. Yes, ma'am."

9. Courtney Spear said, "Hi. I'm Courtney Spear. I'm a resident of Byrnes Downs in West Ashley. This is my first time doing this. I'm a little nervous."

Mayor Tecklenburg said, "Relax. There's nothing to it."

Ms. Spear continued, "But I did want to make it known that I, too, see Charleston as a world-class city and a world-class city is filled with options. It's filled with connectivity, and I know that many of my neighbors in West Ashley would certainly use a bike lane if it brought us into the City. We would use it because we have beautiful weather. We have a beautiful climate. I know that my daughter would benefit from seeing that kind of connectivity, that same kind of continuity from one area to the next. I will also report that having commuted into town, I work downtown, during the experiment, I certainly experienced fewer than 48 seconds of delay in my personal opinion. So, I would love to see this happen. I would to see this for the quality of life of this world-class City. That's all."

Mayor Tecklenburg said, "Thank you very much. Yes, sir. Did you speak? Would anyone like to be heard? Yes, ma'am."

Mayor Tecklenburg said, "I'll come back over here next. Yes, ma'am. Please come forward."

10. Stacy Green said, "Hi. My name is Stacy Green, and I'm a cyclist as you can see. I'm also a paramedic. I work downtown. My district is Downtown Charleston. During the City, as I was traversing the bridge with the lane blocked off, the impact to us traveling back and forth between West Ashley and Downtown was minimal. Having worked down here, I've been with EMS 20 years, we need a safe way for people to get across the bridge. That maintenance

walkway is not safe. I cannot tell you how many times I have transported people who were hit, through no fault of their own, and it is extremely important whether it's this way or another way. I don't have the answer. I'm certainly not a planner. We need to access this to everybody, pedestrians, bicyclists, everybody, because it is unsafe the way that we're doing it now. I take my life in my hands. I don't go that way. So, thank you very much for your time."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

11. Jordan Amaker said, "Thank you, Mayor Tecklenburg and Councilmembers. My name is Jordan Amaker. I live in the North Central neighborhood, and I'm here most excitedly for the next agenda item, but would be remiss to not stand in support of the bike and pedestrian lane on the Legare Bridge. There are so many discussions happening in our City right now around housing, around congestion, around hiring and retaining talent that will support our booming industries, and all of these issues depend on our streets and what we do with them. They depend on who our streets serve, and how we serve them. It's my sincere hope and request that our streets be treated as public spaces for all, including the immediate opening of that lane, and I'm excited for that. I'm going to throw the biggest party in Charleston the day that we get to cross that river safely. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

12. Katie Zimmerman said, "Hello, Mayor, Councilmembers. Thank you so much. My name is Katie Zimmerman and I'm here wearing two hats. I direct the Air, Water and Public Health Program for the Coastal Conservation League and I'm also I'm speaking as a citizen of West Ashley. I live at 45 Sycamore Avenue, Unit 531, Charleston, South Carolina, and I'm here as are many of my friends and colleagues to speak in support of moving forward with the bicycle, pedestrian and running lane on the Ashley River Bridge. I just want to make two points really clear because I keep hearing these arguments against the lane, and they're not factual. I want to make sure you all have the facts, just as you requested when you asked for the traffic study and got the facts of that. One, if you actually read the traffic study, which is great, it does address the James Island Connector. It does address Maybank Highway. Both of those things were measured. Absolutely, so, make sure you check that part out which is awesome information to have. Two, the other thing that I've been hearing a lot about is that bicyclists don't pay their fair share. We don't deserve this lane because we're freeloaders. Actually, me, as a carless individual, I'm subsidizing everyone who has a motor vehicle because my impact on the roadways is not as heavy as vehicles are, and all of my taxes or the majority of my taxes are still going to roadways. I'm not sure that everybody knows that's where their taxes are going, but that's where they're going, most of them. So, even if you don't have a car, you're paying for road maintenance."

The Clerk called time.

Ms. Zimmerman continued, "We are absolutely paying our way. So, thank you so much. I appreciate it."

Mayor Tecklenburg said, "Could I ask for a show of hands of how many are here in support of the bike lane over the Ashley River Bridge. David, could you ask outside in the hallway as well? We've got a good crowd out there. Could I ask everyone who is here that would not support the bike lane over the bridge to raise your hand? Just out of curiosity."

Mayor Tecklenburg said, "I see about four. Alright. I appreciate you all being here. I do want to share with you. It's not on our agenda tonight to address that matter, but I appreciate you all coming out, and we hear you. Yes, sir."

13. Frank Clasby said, "Mr. Mayor and Council, thank you for all your service. He stole my line. I was going to ask for a show of hands."

Mayor Tecklenburg said, "Oh, I'm sorry."

Mr. Clasby continued, "That's okay. Just to introduce myself. I'm Frank Clasby, and I have 80,000 miles of commute on my bicycle. I work at MUSC and yesterday, Dr. Cole and the Chief Executive Officer came out in support of the bike lane. There was a lot of doubt in the bicycle community about the completion of that. I've been here in front of the microphone campaigning for a Hampton Park recreation lane and for the lane on the Cooper River Bridge, and thank you for those."

Councilmember Moody said, "Where do you live, sir?"

Mr. Clasby said, "I live on Riverside Drive Downtown."

Mayor Tecklenburg said, "Wagener Terrace. Yes, ma'am."

14. Katherine Lundy said, "Good afternoon. I'm Katherine Lundy. I've lived in Charleston for 26 years presently at 1989 Wild Wing Lane on James Island, 29412. I'm concerned that Charleston is rapidly becoming the most beautiful, uninhabitable city in the world. I oppose high-density development unless and until we have the infrastructure, buses, light rail and bike lanes to support it. Having been dragged by a bus on the West Ashley Ashley River Bridge several years ago, I feel I'm in the unique position to speak to the bike lane issue and the equity issue. South Carolina has one of the highest rates of pedestrian and bicyclists deaths in the United States. It's outrageous. We have to do something about it. Charleston must offer commuters safe and efficient ways to traverse the City. I first support reopening the Connector. I think it's the best of all choices. If motorcyclists can ride without helmets in the State, bicyclists should be able to choose to ride across the Connector with or without helmets. Failing that, I support protected bike lanes on the West Ashley bridge and the Ellis Cut Bridge. You haven't lived until you've tried to walk or ride a bike across that Ellis Cut Bridge, and I would point out that the bridge tenders on both the drawbridges . . ."

The Clerk called time.

Ms. Lundy continued, "and often close down the bridges so that they get off and on the bridge for their work shift."

Mayor Tecklenburg said, "Please wrap up your comments, please."

Ms. Lundy continued, "Thank you."

Mayor Tecklenburg said, "Oh, okay. Thank you. Yes, sir."

15. Charlie Ladson said, "Good evening, Mayor. Good evening, Council. My name is Charlie Ladson. I'm a resident of North Central neighborhood Downtown Charleston. I have spoken with some of you Councilmembers in regards to the Ashley River Pedestrian and Bike

Lane, but I'm here to encourage all of you to please support that. The City has a big divide when it comes to transportation options, and I'm encouraging all of you to support a way to unify the City so that people of all aspects can get to and from various parts of the City safely. I want to remind everyone of the Century V Plan, which is adopted by the City and is to encourage you in your decision making for City planning. One of the goals specifically states that we need more transportation options to ensure people can get across different regions of the City safely. It says to encourage less suburban-oriented automobile traffic and to encourage more bike lanes. I want to remind everyone of that when looking at this issue. I think it's a very important issue. I think that's it's something that needs to be done. It will be done at some point in time and I think all of you have a chance to be the leaders and visionaries to get this done now rather than postponing it for years to come. It's a fact that you cannot build more roads to get traffic to improve. Traffic is vehicles on the road, and the only way that it's going to get better is to provide other options so people can get out of their vehicles. So, you've asked for data, you've asked for information."

The Clerk called time.

Mr. Ladson continued, "There's plenty of data and information out there that says that a pedestrian and bike lane that's dedicated will be a benefit to the City. Thank you all very much."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

16. Matt Martin said, "Yes, Mr. Mayor and City Council. I guess I'm one of the only ones opposed to the bike lane as it's now proposed. It's not that I don't feel that we need to have a safe way to get bicyclists across the road from West Ashley. I love the passion from people from Summerville and people from Sullivan's Island telling us what we need to do down here. They don't sit in my traffic in West Ashley. Now, the biggest problem I have with this HDR study, I'm trying to go as quick as I can, is they moved the pinch point past Albemarle Road. Now, that's great, but, now, what's going to happen with that bicyclist when they get across and they have to hit that traffic at Albemarle coming south. So, now, we're going to, all of a sudden, we're sitting here talking about just doing this little bridge and taking one lane away but, now, we're going to have to take away the whole lane on Folly Road going up to Wesley Drive. We already have a problem on Wesley Drive, which I'm so glad that we haven't had a problem with Wesley Drive. The people don't want commercial up there, so I just think, at this time, now, do we need a new bridge and all of that, I don't know, and the other thing this engineering study."

The Clerk said, "What is your name?"

Mr. Martin said, "Matt Martin. Oh, I thought I said that. Matt Martin, West Ashley, Farmfield."

Mayor Tecklenburg said, "Thank you, Mr. Martin."

Mr. Martin said, "Thank you."

Mayor Tecklenburg said, "Appreciate it. Yes, ma'am."

17. Pat Sullivan said, "Pat Sullivan and I live in Mt. Pleasant, and you probably wonder why I am here. I was on the Board of Charleston Moves for over five years, and I have spoken about this issue with hundreds and hundreds and hundreds and hundreds of people."

About two years ago, I turned in a petition that had almost 1,700 names on it saying we want the bike lane. It seems that traffic is one of the biggest issues that people in this whole area have and here we have a perfect opportunity to get cars off the road and bicycles instead. When that one lane was closed for the test, I would love to have seen that open lane available for cyclists, but they didn't ride on it. So, I think, it was a very unfair test in that people who might have ridden their bike had to keep taking their cars over and over and over again. People told me they were concerned about safety. We have the Charleston County Traffic Engineer who can tell you all about the studying of how can we make this safe."

The Clerk called time.

Ms. Sullivan continued, "There is going to be a barrier between the traffic and the cyclists and the pedestrians, so there is no way that they can cross. So, I hope that addresses some safety concerns. Thank you."

Mayor Tecklenburg said, "Thank you so much. Yes, sir."

18. Neal Hart said, "Yes, my name is Neal Hart, and I had a speech all planned up for you, two-pages, everything, but just get right to the point. My father's name is Samuel E. Hart, which he dove over the Ashley River Bridge to save a lady; that can be annotated, documented everything. I had the pleasure of that same thing in July of 2015, yes, the 12th, helped pull a young 28-year old lady with her child out of the marsh on the right hand side of the Holiday Inn to where I work. There are no traffic lights or any lights at all around that little sharp curve that comes around. She went straight into the marsh, and like I said, I had the pleasure of actually pulling her out of that marsh and pulling her to safety and calling Chief Mullen to provide help with that. I think that bicycle lane is very important for bicyclists to get to and from, along with the tourists that are coming here, to get over that area and safely across to get over to the Bee Street exit to get to the hospitals and things where they need to be."

Mayor Tecklenburg said, "Thank you, sir."

Mr. Hart said, "You're welcome."

Mayor Tecklenburg said, "Thank you for helping that citizen out of her car. Yes, ma'am."

19. Asimona Alissandrados said, "My name is Asimona Alissandrados, and I will spell it for you later. I'm on Wentworth Street, and I am going to comment about Sergeant Jasper and forgive me if my information is incomplete or inaccurate, but the whole process has gone behind closed doors, so I can only rely on what I read in the paper. According to the paper today, there is an either/or choice, either this new proposal with The Beach Company or rehabilitating the Sergeant Jasper building as it is. That's impossible because two years ago The Beach Company told us that building was so beyond any rehabilitation that it needed to be emptied out. It was unsafe for people. So, what we have is not either/or, but this. My main complaint is the process. It has gone behind closed doors. There are a few people making these decisions. They're disregarding the opinions of the people in the area who come out repeatedly in large numbers at meetings and by now have gotten their own form of fatigue. We need to make it democratic. We need to listen to the people. We have the same issue that these people on Wesley Drive have and there are a lot more of us than there are there. So, whoever is making these decisions, open the doors and open the thinking and the thought process, and let's get something really good for Charleston."

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

20. Whitney Powers said, "My name is Whitney Powers. Six years ago on July 21st this year, my husband, Edwin Gardner, was killed while riding his bicycle from the City Marina to our home near Colonial Lake, but that episode did not stop my daughter, who at the time was 10, and myself, from continuing to ride our bicycles. In fact, my daughter, at ages 11, 12, 13, 14 and 15 had more freedom than many adolescents that were her peers. She actually has been able to establish a certain independence that has been of benefit to her in her adolescent development. That's what I see in this bike lane as one possibility of offering our young people and children the opportunities for freedom and independence that is disallowed to them at this point and time. Furthermore, adding this bicycle and pedestrian infrastructure, including a bike and pedestrian lane across the Northbridge I would say, would provide a loop that would embrace multiple and diverse populations throughout the region and that this lane is one critical piece in a much larger civil rights issue. I hope that you want, I hope that you will consider this as a support."

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

21. Susan Lyons said, "Good evening. My name is Susan Lyons. I live on Gadsden Street Downtown, and my driveway is two blocks from the alleged gateway that is being proposed, and I'm here to object to it. I have spent untold hours in public meetings in the last three to four years listening to The Beach Company make its presentation of the proposed redevelopment there and I have watched while neighbors, friends, officials and just a broad swath of Charlestonians come out and oppose the size, the scale, the scope, the height of this project. I was amazed to pick up the paper and read that a decision had been made, again, echoing the previous speaker, behind closed doors and that there are three things on the agenda, and that you all are ready to vote and make this happen. I just want to say that every member of the public I've spoken to opposes this. It is not good for our neighborhood. It is not going to make us more livable at all. I just wanted to take this opportunity to ask to at least defer your vote on this new Overlay Zone. Thanks."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

22. Conner Locke said, "Hello, Mayor Tecklenburg. My name is Conner Locke. I live in Wagener Terrace. I've recently done a little bit of my own study/campaign, helping out, documenting all the people who actually are crossing over that bridge using it every single day to commute to work and recreation, or anything. I spent two weeks from 6:30 a.m. to 9:30 a.m. sitting out there with my camera talking to people, who a lot of times are so, you know, on their way to work they don't have time to talk. Then the other gentleman, like Neal Hart, I actually met him and brought him in to speak about this issue. One of the reasons we ran this campaign and the study was to, in this argument of cars, you know, versus bicycles, it's about humans. So, why don't we humanize this issue and realize that Charleston is a City split by a river? Why don't we connect that City and build our community first and have a diverse crowd that's able to access all aspects of Charleston. I feel like that opening up this safe access lane, everybody calls it a bike lane, but I feel like it's a safe access lane, would be not only beneficial for people's safety but also helping out businesses, get more traffic going in and out of West Ashley, people shopping Downtown, or Downtown going to West Ashley, and also just helping out people who do not have the means to actually get across there with an automobile. So, please, consider working this into your budget."

Mayor Tecklenburg said, "Thank you so much. Yes, ma'am."

23. Ginny Bush said, "Mayor, City Council, my name is Ginny Bush. I'm President of the Charlestowne Neighborhood Association, and, no, that's not my phone ringing."

Mayor Tecklenburg said, "Please cut all the phones off. Thank you."

Ms. Bush continued, "I'm here tonight to say a few words about Sergeant Jasper, as well. If we all live through this very long night and agenda, we may see a little history made here. The City Council is being asked to agree to end a lawsuit challenging the BAR and its authority when it denied what many, many of us feel is an inappropriate project. More troubling is that it is being settled, or you will be asked to settle it, on terms that will validate litigation as an alternative for developers to follow rather than complying with our ordinances, notions of compatibility with neighborhoods or the City's Comprehensive Plan. But wait, there's more. You will also be asked to approve a Gateway Overlay Zone that will actually provide more than the developer even requested in its litigation in terms of number of dwelling units which . . ."

The Clerk called time.

Ms. Bush continued, ". . . far exceeds the current zoning. The irony is that you are the body who approved the ordinances, who approved the Comprehensive Plan, and now it appears you're poised to replace all those public notions with political influence. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

24. Teresa Smythe said, "Thank you, Mayor Tecklenburg, Clerk of Council, City Council Woman and Gentlemen. My name is Teresa Smythe. I live Downtown. I am a member of the Charlestowne Neighborhood Association. I'm particularly addressing my remarks to the West Ashley and James Island Councilmembers, City Councilmembers, Mr. Moody and Mr. Riegel and Ms. Wilson. I'm sorry if I slighted you all on the left. I kind of don't know where all of you all are from. Mr. Moody, at the February 9th meeting of City Council, you said that you've done your research when you get here and your mind is usually made up, and I'm hoping that's not the case tonight and that you will be listening to all of the comments from all of the public. The West Ashley residents have spoken so eloquently about their bike lane but the travel issue is really one that is going to affect them most of all if the Sergeant Jasper is constructed as is proposed. They are the people that are moving into town, driving into town, either in their cars or on their bikes to work. My husband and I can walk to work. This is not just a Downtown issue. This is a Citywide issue that is going to affect everybody traveling in on Lockwood and on Broad Street. So, the gridlock on Broad Street, I couldn't have asked for a better visual if I'd made it up myself than the picture in the paper today of the I-526 when the Port did a little something messing with a gate and there you go, I-526 is at a dead standstill. That is what will happen on Broad Street. Mark my words and on Lockwood. It's already happening today. You put 500 more residences there. It'll be ten times worse, so it's not a Downtown problem."

The Clerk called time.

Ms. Smythe continued, "Thank you. Can I just add one thing? Can I have a show of hands from everybody who is here against the Sergeant Jasper, please? Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

25. Randy Pelzer said, "Thank you, Mr. Mayor. Thank you members of Council. I'm Randy Pelzer. I live on South Battery. I'm the Chair of the Charlestowne Neighborhood Association Zoning Committee, and I've been involved with all of the negotiations and around this proposed settlement. We have not seen the settlement. We don't know what the terms are, and, yet, we understand that part of this settlement is this zoning change. It's ironic that the zoning change that is being suggested and pushed by certain Councilmen is so a variance with what they say about the gateway to the West Ashley area at Wesley Drive. It's also a variance with what they say about the traffic on the Ashley Bridge. People are going to be getting over the Ashley Bridge and then faced with gridlock on Lockwood Boulevard, if The Beach Company is allowed to build the boulevard on Broad Street, which is exactly what this Sergeant Jasper project is. It's like the boulevard on Coleman Boulevard, except bigger. It says six stories, on Coleman Boulevard is 14 stories. It's four times as big as the current Sergeant Jasper, and it sits at a point where the Lockwood Boulevard goes from two lanes really to one lane because they have to merge. It's a terrible location to allow this kind of dense development. So, I think, that what will happen if and when this project is built is the same thing . . ."

The Clerk called time.

Mr. Pelzer continued, ". . . that will happen in Mt. Pleasant with regard to the reaction of the Senator seat, to the quality of life, and including, particularly, the quality of life of West Ashley residents. Thank you."

Mayor Tecklenburg said, "Thank you very much. Could I ask because I feel like many people who raised their hand have already spoken. How many people still would like to address Council? That's about as many as I saw when I asked about 45 minutes ago. I'm going to have to ask that we cut the time in half to 45 seconds and, particularly, if you're speaking on an issue that's already been addressed. Maybe you could just say ditto. Yes, ma'am."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Please come forward."

26. Virginie Ternisien said, "Good evening. My name is Virginie Ternisien, and I am an avid bike commuter. I commute from Mt. Pleasant, where I live, to North Charleston. Just several facts in the City if you do take the time to look around in Charleston Downtown, you have guests but you have cars, you have, as well, bikes and, usually, you have lots of hotels. That will bring lots of tourists and as well MUSC that brings lots of students and all of those people. So, we have these opportunities for people, more and more people to come but we don't have the opportunities for those people to actually commute here. I'm not sure like a student, I'm not sure like a single person would take out his car it would be actually a very likable City."

The Clerk called time.

Mayor Tecklenburg said, "Time. Thank you very much."

Ms. Ternisien continued, "Okay. Can I add something else? As well, it's not affordable to live Downtown so people move in West Ashley and wherever so please give, you know, the right for people to come back safely. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

27. Mike Dodd said, "Okay, real quick. Thank you, Mayor. I'm Mike Dodd, and thank you, ladies and gentlemen. I live and work Downtown in the City of Charleston, and I've been here several years. I actually lived for many years in the Sergeant Jasper building which has come up. I spent a lot of nice years there. I was able to walk to work which was great. I still live Downtown. I still work Downtown. I live further up in a northern Charleston neighborhood now, and I now bike ride to work and it's great. At the rate of affordable housing vanishing in the City of Charleston, at this rate, in a few years, I probably won't be able to live on the Peninsula. So, I really think that there is a need and there is a demand for that bike lane allowing people to run, walk, jog, bike to cross the Ashley. It's just going to be a bigger need in the future. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

28. Nick Smith said, "My name is Nick Smith. I live at 46 Spring, and I'm in favor of the bike lane. I just want you all to think about another aspect of this that I don't feel has really been touched on. What we heard earlier about wants and needs, well, I've always enjoyed commuting by bike. Up until three weeks ago for the past year, I've always commuted by bike because I didn't have a car, not because I didn't want a vehicle, but because where I was at in my life I literally could not afford a car. I had to commute by bike, and there are many more in our City that are a lot less advantaged or haven't been as blessed as I am, and they have to commute by bike. One lane that is all we are asking. The study showed less than 60 seconds. Set your alarm 60 seconds earlier and you've accounted for the time."

The Clerk called time.

Mr. Smit continued, "We need one lane to safely commute in our City."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

29. Russell Guerard said, "Hello. My name is Russell Guerard. I live and own a house on Tradd Street with my wife, Tara, and three children and have for the past 12 years. I'm also a candidate for the State House and the district I'm running for, the area covers Downtown Charleston as well as Mt. Pleasant. I oppose disproportionate development that is slowly eroding our quality of life here in Charleston, and I would also like to move the cruise ships further up river, and I would be a proponent for shore power. Thank you."

30. Latonya Gamble said, "My name is Latonya Gamble. I'm the President of the Eastside Neighborhood Association. I am here to enlist the Mayor's help and Council's help. We need drains repaired in our neighborhood. We need to know the schedule of our street sweeping. It does no good to have street sweeping and everybody's asleep and all the cars are parked and they're sweeping in the middle of the street. We also have been fighting for this lady, a handicapped lady, to have the bus stop removed. You have handicapped parking and a bus stop at the same location. How does that work? We're enlisting your help. We've been very patient and very tolerant to get our streets fixed. We would like to request a map telling us which streets are City streets and what streets are DOT streets so that we can inform the right people to get our streets fixed. I thank you for your time. I will be sending you a letter to put on record."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am. Yes, sir."

31. Ethan Fignet said, "Honorable Mayor, esteemed Councilmembers and citizens of Charleston. My name is Ethan Fignet. My wife and I are avid cyclists. We own a home in West Ashley on Wappoo Road. Whether or not the access lane in question is built, I will continue commuting from West Ashley to the Medical Center of South Carolina five days a week all year long by bicycle. In this, I am as inevitable as the sun. Unlike the sun, however, I am mostly invisible despite my loudest colors, despite the facts of a traffic study, despite it all. No one sees me. Many would pretend I don't exist. I do exist. Multitudes of us exist and multitudes more wait . . ."

The Clerk called time.

Mr. Fignet continued, ". . . in potential for the gate to swing open for the chance to walk, to safely walk, to run, to safely run, to ride, to safely ride across the Ashley River Bridge. A chance afforded to those in cars without so much as a second thought. Vote yes on the lane and see us."

Mayor Tecklenburg said, "Thank you. Yes, sir."

32. David Engle said, "Mr. Mayor, Council. My name is David Engle. I'm a lifelong resident of Charleston. I live in Riverland Terrace now. I'm absolutely opposed to the lane. What I would like to see happen is you all get out with County Council. Let's get to work on building a new bridge across the Ashley River just like we did on the Cooper River Bridge. Build a beautiful lane for the people to get across safely but to take a lane away from the citizens that live across the Ashley River Bridge just is not right. It doesn't work. I've been in traffic when the lane study was going on. It is ineffective. It's a poor decision. There are not many people here speaking on the way I'm speaking tonight, but I can tell you we are mobilizing. We will be heard, and we'll be here when the vote is taken. Thank you very much."

Mayor Tecklenburg said, "Thank you. Yes, sir."

33. Timmy Finch said, "Thank you, Mayor and Council. My name is Timmy Finch. I live on Bull Street Downtown. I've lived in Charleston for 21 years. I've lived on Johns Island, James Island and the Peninsula. When I lived on Johns Island, there were the same kinds of traffic issues. I would commute by bike into town to attend the law school. When I lived on James Island, I attended and I rode my bike in to open my business that I maintained in Charleston. You may have heard of it, Theater 99. I am also employed as an attorney representing cyclists in the City of Charleston and in Washington, DC and throughout the State of South Carolina. We need safe passage across the Ashley. People are going to keep continuing to commute across the bridge, walk across the bridge, and it has to happen safely. We can't solve a problem of taking cars off the street without giving people an opportunity to use something other than a car. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

34. Wayne Faulkritz said, "Mayor and Council, thank you. Wayne Faulkritz of Paddlecreek Avenue, Cross Creek, James Island. I understand you're not voting on the lane tonight, but in case I can't be back to be heard the next time that you are, would just like to make it short and sweet and say I do favor safe access across the river. Thank you."

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

35. Margaret O'Brien said, "My name is Margaret O'Brien. I live at 36 Chapel Street. There are two bills up for first reading tonight: L-2, which is the gateway rezoning and L-4, which is 176 Concord rezoning. I think we all know that L-2 has not been through the process. L-4 was on the Planning Commission agenda last week. They did not approve it as it is requested. I would ask all of you to consider three questions for each of these. Will it improve affordable housing, will it improve livability for those of us who live on the Peninsula and beyond, and will it increase congestion? When you consider the answers to those questions, I think you will vote the way I would like you to, which is to disapprove all of them."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

36. David Trant said, "Yes, my name is David Trant, 411 Meeting Street. I would just like to bring you back to the beginning of the meeting. You had the Antarctica team that you're presenting the plaque to and talked about things we can do to address global warming and the climate change and rising sea levels. I choose to bicycle commute for health reasons and for our environment. I would challenge the City of Charleston to look at that angle of this. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

37. Mark Blume said, "Yes, my name is Mark Blume. I live on Gadsden Street, and every morning I go out, pick up the Post and Courier, look up, and I see the ugliest building in Charleston. So, I was thrilled a couple of years ago when I saw that it appeared that The Beach Company was going to demolish it. Then, I went to all of the meetings to see what the replacement might be, and everyone hated them. Everyone hated every idea, and now I see if the Post and Courier, if it's to be believed, which is a leap of faith, that perhaps everything The Beach Company ever wanted is going to be fulfilled. I, somehow, don't understand all this."

The Clerk called time.

Mayor Tecklenburg said, "Thank you, sir. Yes, ma'am."

38. Brigitte Wojnarowicz said, "Good evening, members of the City Council, Mayor Tecklenburg. My name is Brigitte Wojnarowicz. I am with my 11-year old son, Matusz Wojnarowicz. I am here to inform the Council that people ride the Downtown trolley in Charleston with four-legged standing wheeled and non-wheeled walkers, large baby strollers, 6-foot vendor tables folded in half all free of any harassment, torment or being yelled at. However, our 11-year old son has been tormented for months for riding with his little Razor scooter. In this photo, we have many photos and videos to show how it's stored. Just two weeks ago, the driver called the police on our 11-year old child, and when the police arrived, they said they couldn't even see the scooter. Please, we have been appealing to Councilman Seekings. We've been appealing to TransDev and to CARTA to cease the torment and harassment . . ."

The Clerk called time.

Ms. Wojnarowicz continued, ". . . of our minor child in regard to riding the trolley Downtown. At current, we are intimidated and banned from riding it at present. Thank you very much."

Mayor Tecklenburg said, "Thank you, too."

Ms. Wojnarowicz said, "Thank you, Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes, ma'am. Yes, sir. Please come forward."

39. Nick D'Allesandro said, "Thank you, Mayor. I'd like to say ditto on the safe passage route. I'd like to just remind all of the City Council people who we are as a community that is here speaking in support of the bike lane tonight. My name is Nick D'Allesandro. I've owned D'Allesandro's Pizza in Downtown Charleston for over ten years now. Everybody that has spoken before you tonight and everybody waiting in line here is a business owner, is a professional person. We're not punk kids that want this bike lane. We're not doing this illegally. We're abiding by the law. We're not going to shut up. We're not going to stop riding. I just want all of the City Councilmembers to remember that we are voters."

The Clerk called time.

Mr. DeAllesandro continued, "We're old Charleston, we're new Charleston. We are Charleston, and we will keep voting and keep riding."

Mayor Tecklenburg said, "Thank you, sir. Yes, sir."

Councilmember Riegel said, "Mr. Mayor, we're going to have a long night. I just wondered if you brought samples for Council tonight, sir?"

There was laughter in the Chamber.

Mr. DeAllesandro said, "I almost did."

40. Brian Wheat said, "Mayor Tecklenburg and members of the Council, my name is Brian Wheat, and I live in Wagener Terrace. Thank you for hearing all of us tonight. As a recent resident in Charleston, I appreciate the notion that we are a world-class City. Having lived in a couple of other world-class cities prior to here, I note one thing that they share in common and it is safe access to travel. I think that the lane is one great move in that direction among many to come, and I look forward to seeing all of that in the future. Thank you very much."

Mayor Tecklenburg said, "Thank you, sir. Yes, ma'am."

41. Hannah Holland said, "Hi my name is Hannah Holland. I live in Downtown Charleston, and I'm here because my father was killed on the James Island Connector in 2011. That will be six years next month, and, obviously, I'm here in support of the bike lane. I think everyone has already said it well enough and multiple times. I have, too, not here, but in different settings. I'm really just here to say that I'm tired of talking about it. We've talked and talked and talked about it. I think, this is at least the second time it's been brought to the courthouse, maybe more, and I'm just ready to see action. That's all I've got to say. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

42. Jeff Brickman said, "Hi. My name is Jeff Brickman. I live at 825 5th Avenue in West Ashley. I am here because I am in support of the bike lane and also because my wife made absolutely sure that I am here because every time I ride, she watches my blue dot on my

iPhone until I'm across that bridge. She worries constantly. It is terrible, and it is dangerous, and crossing other people that have to cross it is dangerous for us. It is dangerous for the cars, for the people who are crossing, and I just hope that we can get our lane. The study has been done and there's a mountain of empirical data that says this is doable. Thank you."

Councilmember Waring said, "Excuse me, Mr. Mayor. I'm just curious. What bridge do you ride across now?"

Mr. Brickman said, "Right now? The Legare bridges."

Councilmember Waring said, "What?"

Mr. Brickman said, "The two West Ashley bridges."

Mayor Tecklenburg said, "Are you on the sidewalk or you ride in the lane?"

Mr. Brickman said, "Yes, sir. In the terrible maintenance area."

Mayor Tecklenburg said, "Yes, sir."

43. Richard von Werssowetz said, "Mr. Mayor and members of Council. I'm Richard von Werssowetz. About 15 years ago, I was President of the Charlestowne Neighborhood Association, and I realized that the battles in Charleston had to be fought every year, many of them at the same time to maintain the quality of life. I'm here to oppose the proposed changes that affect the Sergeant Jasper. One aspect of it is there seems to be a feeling that somehow these long delays are harming The Beach Company and Mr. Darby. He's a very sophisticated man. He decided to tear that place down or shut it down on the assumption that he could do what he wanted to do. Yet, he's very well-versed in the whole process this has to go through and I think any thinking person knows it's way too massive for that spot. I urge you not to rush into some settlement that doesn't make sense. Thank you."

Mayor Tecklenburg said, "Yes, sir. Please come forward."

44. Dan Kelly said, "Hi. My name is Dan Kelly. I'm a resident at 14 Sothel Avenue in Byrnes Downs. I'll keep this brief. I'm for the bridge being changed to allow bicyclists and pedestrians to cross safely. A quick anecdote that's on a similar transportation issue from my days in college at Clemson in 2007: My graduating professor in my Landscape Architecture program had moved from Germany with her 4-year-old and 6-year-old. The 6-year-old was clever enough at that age moving from Germany to ask his mother if the Americans were so poor that they could not afford underground', being a subway system. So, that is a 6-year-old's perspective of our transportation issues in the United States. Thank you."

The Clerk called time.

Councilmember Seekings said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "Can I, just for a second? I know the hour is late and my colleagues are probably going to hate me for this but the next four speakers were here at 4:15 p.m. They came to speak on things that are actually on our agenda items, and I would request

that they be given their full minute and 30 seconds to speak rather than be cut to 45 seconds. They were here early. They raised their hand and said they wanted to speak, and this is on our agenda tonight. I think we should give them full time.”

Councilmember Waring said, “I agree.”

Mayor Tecklenburg said, “Alright, sir.”

Councilmember Seekings said, “Thank you.”

Mayor Tecklenburg said, “Yes, sir.”

45. Tim Condon said, “Good evening, Mr. Mayor, members of Council. My name is Tim Condon. I’m with the Preservation Society. I would like to bring to your attention a few items before you tonight. Item 1 under Petitions and Communications, pardon me, Item 3-B. This study and the proposed changes to Section 54-220 are a step in the right direction. We appreciate the City’s effort to reassess the impact of accommodations on the community. We are particularly encouraged by the provisions that prohibit the elimination of housing stock. It helped preserve Mixed-Use Districts and retain existing office and retail uses and those that prohibit an overconcentration of hotels in the A-1 Accommodations Overlay Zone by preventing combinations uses on contiguous properties. Moving on to Council Committee Reports, we are pleased that Ways and Means spoke positively regarding moving the Trolley Barn forward, and we support amending the restrictive covenants. Lastly, under bills up for first reading, Items 3 and 4, on the matter of rezoning the height districts of 176 and 186 Concord Street, the Planning Commission elected not to approve 56/30v for these parcels. Rather it, as well as City staff, recommended that these parcels be in the 55/30v Old City Height District. This decision is in keeping with the Downtown Plan, which calls for lower heights on the edge of the Peninsula, and it is appropriate for the context. 56/30v would allow up to 75 percent of the building’s roof area to be built to a height of 70 feet if certain street-fronting ground-level activation occurs. This height district is intended to ensure quality public realm at the street level while . . .”

The Clerk called time.

Mr. Condon continued, “. . . building safely in high velocity flood zones in compliance with FEMA regulations. If you are voting to change it to 56/30v, we are in opposition. If you are voting to change to 55/30, we are in support. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Yes, sir.”

46. Winslow Hastie said, “Good evening. Thank you very much. Winslow Hastie with the Historic Charleston Foundation. I’m also here to speak on the two major issues related to hotels. Super excited that the City staff has been working on the hotel study. We have been working closely with them on amendments to the Accommodations Overlay. We are very supportive of that. We just request, should this get first reading tonight, that we continue to be able to work with City staff to further amend it because we think there is still some more work to be done, some tweaks, but it’s a step in the right direction. On the SPA Headquarters site, 176, 186 Concord, we also are in support of the Planning Commission and City staff recommendations to not rezone it to 56/30v, which would allow it to go up to 70 feet tall, but we do support its change per the recommendations of the Planning Commission to 55/30. It makes it constant with all the City Plans, Preservation Plan, Downtown Plan, Comp V, Century V,

excuse me. So, we request that you support the recommendations of the Planning Commission on those two building parcels. Thank you very much.”

Mayor Tecklenburg said, “Thank you. Yes, ma’am.”

47. Holland Williams said, “Mayor and members of City Council, my name is Holland Williams. I work Downtown at Historic Charleston Foundation. I’m also a property owner on Stefan Drive in West Ashley. Development in Charleston comes with known challenges. That’s what makes us such a unique place. All property owners must respect the adopted planning policies, the ordinances and the public process, all of which are in place to protect Charleston and its architectural character. Please do not make an exception in the case of the Sergeant Jasper. Excellent responsible development takes time, vigilance and perseverance. The deal over the development of the site has always been the City’s to make. We have entrusted the leadership to run our City, and we respect the difficulty of your charge and the importance of your responsibility. However, a fast-track deal executed behind closed doors is rarely a good deal.”

Mayor Tecklenburg said, “Thank you, ma’am. Yes, ma’am.”

48. Betsy Cahill said, “My name is Betsy Cahill. I am a resident of Ladson Street Downtown. I’m Chair of the Preservation Society Board, and I have also been a participant in what will go down in City lore as the museum talks in which the stakeholders around the Sergeant Jasper sat around multiple tables for multiple hours discussing the project. Charlestonians have always engaged with their built environment. We care about how our City looks, we care about how it feels. That has been amply demonstrated to you tonight. It was that care that led to the establishment of the BAR in 1931, and it was that care that has led the neighborhoods and preservation groups to persevere through long meetings to discuss the proposed redevelopment. We attended every meeting we were invited to, which it now appears was not every meeting that was held. In those meetings we have worked hard to uphold the right of the public to have a voice in this process, to have a voice in decisions that affect them. Those efforts now appear to have been in vain as decisions are going to be made tonight behind closed doors without citizen input or so the agenda indicates. We are deeply disappointed that the future of one of the most important redevelopment projects in the history of the City, a matter of public concern if ever there was one, will be determined in Executive Session after the citizens of Charleston have been ushered out of the building.”

The Clerk called time.

Ms. Cahill continued, “Please do not close the doors on us. We love this City. We care deeply about what happens here. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Yes, sir.”

49. Christopher King said, “Thank you. I’m Christopher King, a resident of Harleston Village, Executive Director of the Preservation Society of Charleston. I would like to thank Councilman Seekings for the consideration on the time. The Society is opposed to the Gateway Overlay ordinance. This ordinance has been drafted in haste and should not be approved. Copies were only provided to the public and to you, the Council, yesterday. This is not a result of a public meeting, a study, a plan. It has not been vetted by the Planning Commission. We don’t believe that you have the opportunity to make an informed decision on how this ordinance will impact the City with such little time and information. There are aspects that raise serious questions such as, ‘How is a gateway defined?’ Colloquially known districts and areas. Well,

how will that impact future development in areas such as Maybank Highway, Ashley Landing, Cainhoey or Windermere? Why is 80,300 square feet per acre the number? That seems arbitrary. The only reference point for that I can come up with is that the Chicago Plan that The Beach Company has produced is 334,000 square feet and that site is 4.12 acres. It's an exact match. Also, why 160 feet when our next highest height district is 100? Again, the Chicago Plan is 159 feet tall. Another troubling aspect is the density allowed at 50 to 78 units an acre. The current zoning is 19. The Comp Plan that you all approved calls for 8 to 12 units an acre for this site, so how do we arrive at 78 units, and is that appropriate? So, this ordinance has many problems."

The Clerk called time.

Mr. King continued, "It needs public review, and, lastly, I would say to the settlement, we urge you not to support it. As a community, we should expect and require better outcomes and we respectfully request that you not support this. We do not believe that you can defend the BAR by saying they made a mistake when we don't believe that they did . . ."

The Clerk called time.

Mr. King continued, ". . . and it will ensure any future iteration of the BAR as weaker than what we've experienced since 1931. We humbly ask you to please consider this. Thank you very much."

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

50. Corey Hitt said, "Hey, I'm Corey Hitt, Wentworth Street, Co-President of Harleston Place, which is 38 units, slightly north of the Sergeant Jasper development. Over the past year and specifically over the past six months, I've had to time my ingress and egress out of my neighborhood with the tides, especially in a full moon. It cannot handle the density of what is being proposed. We just really need to take that into mind. Luckily, we haven't had to evacuate but I have great concern what's going to happen. Luckily, I have a Forerunner, so I have a very large car that can just become a boat if it has to. I made that decision 20 years ago when I moved into my neighborhood. I took that risk or whatever, but I really do think you need to take into account the density and whether or not infrastructure can handle it."

Mayor Tecklenburg said, "Thank you. Yes, sir."

51. Peter Wilborn said, "Mayor. Hi. Peter Wilborn. I'm here to speak in favor of the bike lane. I am a lawyer. I live at Cannon Street and, from my friends on Council, you know, I love to talk, so here it goes. Ditto!"

Mayor Tecklenburg said, "Thank you. Yes, ma'am."

52. Lindsey Hamrick said, "Hi. My name is Lindsey Hamrick and I live on James Island. I'm here, I realize that we're up for a first reading for the Gathering Place area that we've renamed. Now, the new project is the Maybank Development Project. I'm here to encourage you all to vote against the revisions or to defer it for further study. The new numbers are 280 units per 10½ acres or 27 units per acre. The former number is for 340 units per the same or 32 units per acre. I don't see a whole lot of improvement. They're still trying to put 300 parking spaces there. I think it's an appropriate time for this to be on the same agenda as this whole bike lane discussion. Trying to add a whole cluster development right there, and then, on

the other end of the Connector, we're going to try to do the whole Sergeant Jasper thing. How are people supposed to come and go? I just think that these things are right in tow with each other."

The Clerk called time.

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

53. Nori Bregman said, "Good evening. My name is Nori Bregman, and I live in Riverland Terrace on James Island. I, too, would like to talk about the PUD proposal being put forward by Core Property. I believe that the number of apartments is still way too high. I think that adding 300 surface parking spaces is not prudent from a water absorption perspective. I would ask the Council and the Mayor what happened to the goals of Gathering Place such as greenspaces, walkability, shopping, public transit, and connectivity. I would also ask what about the trees? The whole front part of that property along Maybank, all those trees are going to be clear-cut. Are there no grand live oaks to be protected in that whole . . ."

The Clerk called time.

Ms. Bregman continued, "area to be clear-cut? Thank you."

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard? Oh, I'm sorry, I missed you, sir. Please step forward."

54. Rick Newton said, "Thank you."

Mayor Tecklenburg said, "Yes, sir."

Mr. Newton continued, "Mayor Tecklenburg, Council, I just wanted to take also this opportunity to cast my ditto for safe passage across the Ashley River. Also to request that if you choose not to approve this project, please don't blast your horn of irritation if you find me in front of you on the Legare Bridge because we're still going over the bridges whether or not, that is a reasonable and sensible alternative is given. Thank you."

The Clerk said, "Please state your name."

Mr. Newton continued, "Rick Newton. I live on the Peninsula."

Mayor Tecklenburg said, "We have more. Yes, sir. Please come forward."

55. Christopher Inglese said, "Good evening. Thank you, Mayor. Christopher Inglese. I know it's going to be a long night, so I'll keep it brief, but I am also here again on behalf of Citizens for Sensible Planning with regard to the Maybank PUD. We are encouraged by a couple of items. The reduction in density is certainly encouraging and bringing on Eddie Bello as the architect is also very encouraging. We think that will be helpful but there is a moratorium in place. I'm not sure that hearing and acting on a rezoning application while a moratorium is still in place would be appropriate, and we have a lot of issues with the traffic study. It still clearly shows an F there. That would warrant further reduction . . ."

The Clerk called time.

Mr. Inglese continued, “. . . in density and so many issues with this thing. We’ve tried again to meet with the developer. We would love an opportunity to work together and collaborate and get something before it goes to Planning Commission and encourage you to encourage the applicant to work with us and have a meeting at least. Thank you, Mayor.”

Mayor Tecklenburg said, “Thank you, sir. Yes, sir.”

56. Marc Knapp said, “Saved the best for last. Marc Knapp, 2258 Pristine View. A couple quick things, you know, we are now at a point in the Country and in this City where the hair on the tail of the dog is wagging the dog. I’m really kind of tired of it. If you saw this much enthusiasm for completing I-526 twenty years ago, we would have better transportation. I really am tired of it. I left and went to Johns Island at 6:00 one morning. At 7:15, trying to get off of James Island, took me over 15 minutes extra. I know, the traffic study, these clowns don’t, that’s why they work for the County because they’re too incompetent to work anywhere else. As for Sergeant Jasper, now I understand why the Founding Fathers only allowed people that owned property to vote.”

The Clerk called time.

Mr. Knapp continued, “These people want to take away somebody’s property rights. It’s ridiculous. Thank you.”

Mayor Tecklenburg said, “Thank you, sir. Yes, sir.”

57. John Lawrence Jolly said, “My name is John Lawrence Jolly. I’ll give you a foundation problems report. The dams on the river are the foundation of the problem. The reservoirs are almost full of mud. The dams are at the end of their service life period. The structures in this Country and around the world are all falling down from uncollected rainfall, and the flush toilet is a disease-causing disgrace in an environment of catastrophe. The solution to the problem is to undam the rivers. We can have the military do it and charge them for it, get out of national debt and save the world at the same time. We need to collect that which falls from the heavens with the structures that we build, replace the flush toilet with the urine-separating composting, no flush toilet with a squirt gun, the fertilizer machine and use the collected water and fertilizer to grow primarily fruits and nuts by the structure and solve the foundation of the problem, dam and ditch agriculture . . .”

The Clerk called time.

Mr. Jolly continued, “. . . and the GMO food.”

Mayor Tecklenburg said, “Thank you very much, sir.

Mayor Tecklenburg said, “Yes, ma’am.”

58. Susan Milliken said, “Good evening, Mayor Tecklenburg, members of City Council, my name is Susan Milliken. I live on James Island. I believe, before you tonight, you have a rezoning on a portion of the Gathering Place at Maybank from Gathering Place to PUD. We’re concerned as to the procedure with this. Will this have a public hearing? Will it go before the Planning Commission? We don’t feel like we know enough about the PUD. We haven’t had a chance to review the files, so we’re hoping to hear from City Planning staff to see what will happen from here on out, but we’re still concerned. We’re still looking it over 700 units on this

property. As you know, this intersection is very congested. It's F-rated. To have 280 plus 279 plus 160, all on about ten acres, is too much of an impact on James Island. Please defer this item tonight or look at it more closely and vote 'no'. Thank you so much."

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

59. Brian Hellman said, "Thank you. Mayor Tecklenburg, members of Council, Brian Hellman, 105 Broad Street. I'm here on behalf of my client, Core Property and the Gathering Place property that they've asked to be rezoned a PUD. I just wanted to clarify a couple points that were made tonight just so that the facts are straight before you. The density that's being proposed is about 26½ units per acre, which is down from what was allowed under the Gathering Place, which is effectively infinity, realistically 65 units an acre, so it's been reduced according to the PUD and limited by almost a two-third reduction. The property also includes about three and half acres of protected greenspace where most of the trees are protected. So, almost a third of the site, particularly along the back where there is significant grand oaks, those are being preserved. Lastly, the PUD . . ."

The Clerk called time.

Mr. Hellman continued, ". . . would . . . Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, sir. Mr. Hellman, would you like another 45 seconds?"

Mr. Hellman said, "Thank you. So, thank you, thank you. So, lastly, the PUD would limit one of the concerns, which was about the different uses. The PUD is based on DR-2 residential zoning density. DR-2 is a residential zoning density. There are, because it's a PUD, some commercial uses that are allowed. The commercial usage under what was planned by Core that was about 30,000 feet is being reduced to 7,500 square feet or less of commercial use. That commercial space is very limited in its use. We took General Business, and then put a bunch of restrictions based on the help that we got out of the Community Development Committee. Councilman Gregorie was very helpful in identifying a number of uses that would not be appropriate for that site, and those would be restricted under the PUD. I think when you took what was there, which about 650 units was, Core was planning initially 320. The second phase of that which were they planning only about 50 units could have been as much 150 units or for a total of almost 470 on the site. The PUD being proposed tonight would limit it to 270, and, of course, the first reading is very important tonight. Because of the moratorium, we can't go to Planning Commission, we can't go to TRC, we can't do anything with a PUD, but get a first reading. That would enable us to do that. Otherwise, we are limited to Gathering Place and just moving forward under what we've got there. So, hopefully Council will find it appropriate to move forward with the Gathering Place rezoning to PUD. Thank you."

Mayor Tecklenburg said, "Thank you. Yes, sir."

60. Neil Stevenson said, "Thank you, Mayor, Council. My name is Neil Stevenson. I'm an architect in Charleston for over 28 years. I live at 39 Gadsden Street. I'm here to comment on the proposed change for Section 54-220 on the wording to prevent the conversion of residential and office space into accommodations use. My comment is that as early as two weeks ago, my firm has been working on a project that falls into that category, and as early as two weeks ago, we were told by the City that we could move forward because the office was allowed to be converted to accommodations. So, the projects that are in the works, I would just

ask that there be some language that allows those kinds of projects to move forward before making a decision. Thank you.”

Mayor Tecklenburg said, “Thank you, sir. Would anyone else like to be heard? I think we’re good with our Citizens Participation Period. Thank you, everyone, for coming and sharing your thoughts and ideas and thank you for your patience. I’ll add my Citizens Participation that when we set the Council meetings at the beginning of the year it was kind of set in stone. We meet once during each month of the Summer. I’m going to rethink that for next year that jamming so much into one meeting does make it very difficult. So, I appreciate everybody’s patience and your coming out tonight.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Mayor, thank you. Just very briefly. I mean, obviously, we heard a lot about a lot of things tonight, not the least of which was the bike lane, which is not on our agenda. While we have everybody here and so this doesn’t go on in perpetuity, is there a way that we could let people know how this is going to come back before Council and when, so we can then keep people informed as to how this is going to go. It’s not on our agenda tonight. Will it be and when?”

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, “Thank you, Mr. Mayor. I had an answer, and I was going to make a motion to that. Given the recent letter that we all received from Charleston County Council Chairman, Elliott Summey, placing a 30-day time limit on us to respond to the County, which I think is somewhat unfair, but that’s my own personal comment, but for the Mayor and Council to respond to that letter. That 30-day limit expires before our next Council meeting which is on July 19th, a Tuesday, and I would like to make a motion that we go ahead given the plethora of information tonight about the bike lane closure that we put it on the agenda for tonight. Let’s move forward. Let’s get this behind us. We’ll respond to Councilman Summey, so I’d like to move that we place it on the agenda for discussion tonight.”

Mayor Tecklenburg said, “I believe I’d have to call that out of order. It’s not on the agenda for this evening. If you all wanted to have an emergency change of the agenda, you would have to vote for that.”

Councilmember Riegel said, “Yes.”

Mayor Tecklenburg continued, “So, first, but to answer Councilmember Seekings’ question, if I may, Councilmember Riegel, which may impact your thoughts about your motion is that we had contacted the folks that did this study, and even though the County and one of the consultants was local, another one was from Florida and they weren’t available to be here this evening, so we’ve already asked them to be present at our next regularly scheduled Council meeting on July 19th. We plan to have them here to answer any questions that Council may have about the study itself, and then have it on the agenda at the next meeting for a vote up or down. Yes, sir.”

Councilmember Riegel said, “Are you planning to reach out to Chairman Summey and communicate that to him because there was a 30-day time limit?”

Mayor Tecklenburg said, "I will reach out to Chairman Summey. I mean, with all due respect, the SIB gave him 90 days, and he didn't reply to them on time, so I presume he will be understanding with us. I guess he ended up liking the way he got treated by them, but I will reach out to him and let him know of our plan."

Councilmember Riegel said, "Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir. So, next, if I may, and I'm very apologetic, given the time, that I didn't handle this earlier in the meeting. You know, at a meeting or two ago, Council approved the ability for the Mayor to appoint a Poet Laureate for our City, and I can't think of a better person in our community to fill that role. I hereby present to you and appoint Marcus Amaker to be the City of Charleston's Poet Laureate. Marcus, do you just want to introduce yourself and say a word?"

There was applause in the Chamber.

Marcus Amaker said, "Thank you very much. I've prepared a 30-minute poem to read."

There was laughter in the Chamber.

Mr. Amaker continued, "Thank you all so much for this honor. I am very much overwhelmed and very much amazed, and I definitely am ready to be a voice for a lot of people and do a lot of outreach. I've really been involved with a lot of schools around the City everywhere talking to students who are really in love with literary art and I really thank you all for supporting the literary arts, as well. It's been thriving in this City for years and years and years. I promise to keep that up and put poetry in a lot of different places that you might not expect. So, thank you, Mayor, and thank you, City Council, and thank everyone for your support."

Mayor Tecklenburg said, "Thank you, Marcus, and let me share with you that, in addition to this announcement, next Wednesday evening, the 29th of June at 6:00 at our City Art Gallery, we'll have a reception, officially welcoming Marcus as our Poet Laureate, and, at that time, he will actually share some poetry with us. I would like to let you know that Marcus is a graduate of the University of South Carolina. He's also a musician and has released and recorded music for the past ten years. As an author, Marcus has released seven poetry books, performed for national TV and his poems can be found in several volumes including "Home is Where: an Anthology of African-American Poetry from the Carolinas", "Seeking: Poetry and Prose Inspired by the Art of Jonathan Green", "My South: A People, A Place, A World of its Own", and "Charleston Salt and Iron". We really look forward to the work that we'll be able to do with Marcus to outreach particularly to our schools and the youth and our community. Next week, next Wednesday, Council, and it's open to the public, please join us at the City Art Gallery. Again, a hand for Marcus Amaker, our new Poet Laureate."

Mr. Amaker said, "Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "So, the next item on the agenda is the appointment of the West Ashley Revitalization Commission members. I had sent Council a memo with those proposed members. I had taken the recommendations from all of the Councilmembers. I understand in some conversations that some Councilmembers might not be satisfied with the overall selection. I would offer that anyone who would like to change your recommendation, I'd

certainly be open to a change from each one of you, but I didn't feel like it was appropriate for us to that as a body."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor."

Councilmember Williams said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "I'll come to you next, Councilmember Williams."

Councilmember Waring continued, "After reviewing the results of all of the influx you got from myself, as well as other Councilmembers, I believe we made a mistake. When I say 'we,' I'm talking about Council. I believe the process that you had in place prior to it being amended by Council at the last meeting would have provided a stronger representation of people who invest and open their checkbooks into a community. I'll give some examples. This is the first time most of my colleagues are hearing this. When I looked at the list of people, out of the 19, basically a third of them were politicians. Another third were community-based people. All are fine individuals. There's nothing there to impugn anybody's character there at all, but to revitalize West Ashley, we're talking about a major influx of revenue, primarily from the private sector that's going to be assisted by government. This is not something that will be funded primarily by government. When we look at Coleman (Boulevard), as well as the Highway 17 Bypass, prior to passage of the Half-Cent Sales Tax, and Councilmember Moody and myself were very involved, as you were as a business person, and the monies raised to help fund the passage of that Half-Cent Sales Tax, was funded, and the campaign was run by the Chamber. Mayor Riley raised the majority of the money. Those are parts of funding formulas. There's a funding formula in place for the Peninsula. We have about, I believe, five TIF districts. All those monies, as we know, geographically, have to be reinvested in those areas. I know you and your administration are working very hard, and it's just about ready. Hopefully, I think you told me next month, for the first TIF District in the history of West Ashley is to be proposed before this Council. That really starts the first funding leg. If this passes, and I know we have to have our allies, the County, as well as the School District, and I think maybe even the (Charleston County) Aviation Authority to join in with that. The most successful TIF district in the history of the State of South Carolina, we call it the Waterfront Park District, but it's been the Concord Street District, matured this year. It's tremendously successful. Look at the Waterfront Park area prior when it was the burned cinders of a pier, and look at what has blossomed today. That said, it is going to take from the private sector 250 or more million dollars to really revitalize West Ashley.

Look at the people who either are catalysts in doing that, the developers, the realtors, the attorneys that have clients that actually do that. For example, let's look at South Windermere. We all remember when South Windermere was virtually dead. Look at it today. The people that did that, none of them are on this Committee. That's not your fault. That's our fault. When I look at St. Andrew's Shopping Center, we remember when it wasn't much more than the Coburg Cow up there. Avondale was not as vibrant as it is currently, but the people who revitalized that shopping center, invested their dollars into that shopping center, are still engaged in West Ashley, and now they're doing a second shopping center, which is Westwood Plaza. Many people know where the Barnes and Noble is. The creative minds, the creative financing that are involved with that, those minds are not on this task force. Again, that's not the Mayor's fault. It sounded like a great idea, each of us having an appointment, but that did not result in a first-class, financial team that has the creativity, that has the know-how, and, quite frankly, the track record that has done something like this before. Now, we've been waiting for

years. In large part, this is why I ran for Council, to play a role in the revitalization of the place where I was born. When you look at the skill sets, and this is not something that I took lightly in coming here, I have had the pleasure of serving on the Board of the Metro Chamber. I had the pleasure of serving on the Regional Alliance Board. I had the pleasure of having served as the Chairman of the South Carolina Jobs and Economic Development Authority. It takes a team approach to bring the minds across the country to reinvest in this area. Sometimes we think we just need to get the local people to invest. It takes the combination of local, national, and in some cases, international. We've seen that certainly on the Peninsula. A third of that committee is represented basically by neighborhood presidents or association people. Again, fine people, well-suited for subcommittees, and we're going to need many subcommittees in this process. But, when it comes to those entrepreneurs, I don't know of a process where they sit down, quite frankly, with a neighborhood president, and say 'what's the formula that we come with to revitalize the largest footprint in the City of Charleston?' We're one of the oldest cities in the country. I haven't seen when that's been done. So, when I look at the results of the names that you were provided, the unintentional consequence was that we put a handcuff on you. That's my opinion. I hope we have some support in that. You had to write form letters saying 'give you some latitude,' and we never had the chance to even look at that. It was a knee-jerk reaction that we worked out on the floor of Council that in hindsight was mistake. Now, we can go along to get along, or we can try to put the process back in place to get it fixed. Thank you."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Yes, Mayor Tecklenburg. There is a correction to my appointment of David Hoffman."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Williams said, "If you could make that correction, I'd like to let this body remember on May 10th, I concur with Councilmember Waring, but I'm a little confused on when the first situation to make the West Ashley Commission, just like the Downtown Commission 25 years ago, we were on the right track. I think it's sort of disingenuous of you to make a statement that our hands are tied. Our hands are tied because on May 10th, the body, for over an hour, we changed the methodology in which we would have actually done what you're talking about. I believe we are not tied hands. This is what this body wanted to do because the first set-up was the correct one, in my opinion. I think we might just need to move on and get this show on the road. Thank you."

Mayor Tecklenburg said, "Thank you. Thank you very much."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Mr. Mayor. I couldn't disagree more with Councilmember Williams. What we did is exactly what Councilmember Waring said we did. You had a plan, we came in and overrode that plan, and we took a possible good plan, and we put it into a plan that is just mediocre, at best. I, like Councilmember Waring, accept Bill Moody's responsibility for that because I participated in that. So, I got caught up in that moment, too, but we made a mistake, and we can go forward with this recommendation here. Personally, I am going to vote against it. Quite frankly, I don't have a problem with anybody on this Commission. We kind of gave you this and said, 'you have to pick from these.' We didn't ask you to pick from the best of everything out there. We said, 'here are these,' and Councilmember Waring is correct in that these are all good people, and we need every single one of them to put their shoulder to the wheel. We're going to have to have a lot of

subcommittees to carry out, whether it be Traffic and Transportation or mass transit, or to help get the TIF going. We're going to need all of these people involved at some level, but we've got the wrong people leading this thing. We need to have these entrepreneurs, these investors, these developers, these attorneys, that have a vast amount of experience in this and have a worldwide reach. I just think we're making a mistake. I think we can vote this group in, and we can flounder out there and waffle and not get anything done. I'm ready to move on. I think we made a mistake, and I'm willing to correct that. So, I would vote against this, but I would vote to give the authority back to you."

Mayor Tecklenburg said, "Thank you. My confidence in me has been restored."

There was laughter in the Chamber.

Mayor Tecklenburg announced the order of speakers as Councilmember Riegel followed by Councilmember Shahid.

Councilmember Riegel said, "My confidence in you, Mr. Mayor, has never wavered. Let's put that on the record. As I reviewed the nominations to the (West Ashley) Revitalization Commission, I know most of these folks are all very talented, very well-rounded individuals, and I commend you for that. Of course, the exception is, I wasn't on the Commission as the senior Councilman from West Ashley. I need to put that in, but at the end of the day, as I look through these wonderful people, I won't get into names, but if I had to pick my Executive Board of Directors for my company, in excess of \$10 million and over 100 employees, I frankly, going down this list, am not sure, other than my good friend, (Councilmember) Peter Shahid, that I would select any of these folks. I'm having a problem with this, and I don't know how I'm going to vote. I'm going to listen to the arguments tonight, Mr. Mayor, but I did want to express, I look at this as a Corporation. This is the senior, Executive Board of a Corporation. All these other committees are going to be subcommittees, subdepartments. So, I'm having a little bit of a problem with this, sir, but thank you, Mr. Mayor."

Mayor Tecklenburg announced the order of speakers as Councilmember Shahid followed by Councilmember Lewis.

Councilmember Shahid said, "Mr. Mayor, when we met to have the second and final reading of this ordinance, which is now in effect, I'll be quite frank with you, I was confused as to what I thought we voted on and what we had in fact voted on. I actually sat down with the Clerk in her office to review the tape, and with other members of your staff to make sure we had the ordinance down right. The way the ordinance is written is what we voted on. I appreciate the comments of all three of my colleagues regarding the composition of this Commission. You're right that we wrote this ordinance, and gave it first reading approval to provide the Mayor the opportunity to put together, because we felt, at that time, that the Mayor and his staff would have the broad overview of looking at the entire forest instead of individual trees, as to how this Commission was going to be composed. It would be balanced to have a complete representation of different folks, of different talents, of different demographics, on this Commission because the importance of this Commission cannot be understated. This is a wonderful opportunity, and maybe the only opportunity, as to how we address the revitalization of West Ashley. The reason I ran for City Council, and the reason I got voted on City Council is because I pounded this particular issue, that West Ashley had been ignored and neglected, ignored and neglected, ignored and neglected. We needed to do something, and I came to you with the idea of creating this Commission because we needed this Commission to come together, to come up with the goals that are stated in this ordinance. We passed this ordinance with everybody having a voice on this Council, to select somebody who we wanted to put on

here. I understand the concern that we don't have all the talents that we need. However, the ordinance provides for the creation of committees to tap into those folks that we need that Councilmember Waring, Councilmember Moody, and Councilmember Riegel are addressing. It's important that we tap into those individuals and their talents, and their ideas on these subcommittees.

We all had an opportunity. I submitted, I think, three different names for consideration. I believe that Councilmember Riegel, to my left, had the record of introducing 17 different names. Then, Mayor, you picked out of that group who we wanted to have on there. We need to move forward. I'm not asking that this Council do anything out of expediency for the sake of expediency, but we've got a good group of people on here, and I think that the folks on here are representative of a broad, diverse group of folks with lots of talent, lots of ideas, and that's what we need to go on.

The way that this ordinance is written, and maybe somebody from the Legal Department can correct me if I'm wrong on this, the only issue before the Council tonight is the selection of the Chair. The way this ordinance is written states that 'the Chairperson shall also be appointed by the Mayor and approved by City Council.' Somebody correct me if I'm reading this incorrectly, but I don't think, beyond that, there's anything else to be approved. So, if we vote against anything, it's voting against who the Chairman is going to be, but we've made our appointments. You've made your appointments, Mr. Mayor. You had some discretion on who from Council is going to be on this Commission, and who you wanted to put who was not a Councilmember on this Commission. If I'm wrong, I stand corrected, but the only vote we take tonight is who is on the Chair."

Mayor Tecklenburg said, "Well, I'd like clarification on that. Our belief was that this Council was going to approve all of the members, including the Chair."

Councilmember Shahid said, "The last sentence of paragraph 'c' on page 2 says 'the Chairperson shall also be appointed by the Mayor and approved by City Council.' Nowhere else in that ordinance does it say any of the other appointees are to be approved by City Council. It doesn't say that. We made our nomination."

Mayor Tecklenburg said, "Isn't it on the prior page? I don't have it in front of me. He's got a copy right there."

Councilmember Shahid said, "I'll read it. 'The Commission shall consist of 19 voting members, one of whom shall be the Mayor, three members of City Council representing a district or portion thereof in West Ashley appointed by the Mayor, one member who shall be a representative of the St. Andrews Public Service District appointed by the Mayor, one member who shall be a representative of Charleston County Council, appointed by the Mayor, and the remaining 13 members who shall be representatives from the City of Charleston and nominees submitted by each Councilmember and the Mayor, to be appointed by City Council and the Mayor'."

Councilmember Riegel said, "No, 'to be approved' is what I'm reading."

Councilmember Shahid said, "No, it says 'to be appointed by City Council and the Mayor. The Chairperson shall also be appointed by the Mayor and approved by City Council.'"

Mayor Tecklenburg said, "Clerk of Council."

Councilmember Riegel said, "That's what my copy reads. I must have a different copy."

The Clerk said, "If you remember, there were several documents drafted until we clearly heard everything that Council said. So, the minutes will reflect verbatim what Council said. So, Councilmember Shahid, you might remember when we listened to that, there were so many things that were being said, that I clearly articulated that we needed to be clear on what we wanted to be the motion. So, in listening, and Rick Jerue, he's in here somewhere, also listened to the motion, the motion says that 'the appointees, as well as the person who will serve as Chair,' would come back and be approved by Council, which was what Councilmember Wilson asked for in her motion."

Councilmember Shahid said, "That's what I understand, that the first amendment came from Councilmember Wilson requesting that the Chairperson be approved by City Council. Then, the discussion went into the composition of the Commission, and then the general discussion was that each Councilmember would have the right to appoint one person."

The Clerk said, "That's correct."

Councilmember Shahid said, "I've got something that says 'Ratification #2016-064.'"

The Clerk said, "Jennifer's going to get the final draft of the ordinance."

Councilmember Shahid said, "If I'm wrong, I stand corrected, but I just wanted to make sure as a point of clarification, that we're on the right track here. There's another ordinance or version that says 'all the members have to be approved by City Council,' but that's what I'm reading from off of this ordinance."

The Clerk said, "At the very end of the meeting, it says that 'the Council would like for the Chairperson to be approved by the Council, as well as the membership, of the Commission'."

Councilmember Waring said, "I think I have something that may help. It says 'appointed by City Council.' We appoint people to the Planning Commission. We appoint people to the BAR. We appoint people to the Design Corridor Review Board, etcetera, etcetera. How does City Council appoint? We vote."

The Clerk said, "That's correct."

Councilmember Waring said, "One person doesn't appoint. The collective body appoints."

Councilmember Shahid said, "Well, I'm just reading from what the ordinance says. If there's a different version, we appointed one person."

Mayor Tecklenburg said, "If I may offer a couple of comments, Councilmember Waring. One comment that you made was that a third of the body is governmental officials, and that was by design. It includes the Mayor and three of you all and one member of the Public Service District, and one member of County Council. So, I asked the Chairman of the St. Andrews Public Service Commission if he would serve. He's a business person, was very honored and pleased to be a member of this Commission. Secondly, I did want to point out if it wasn't clear, the appointee or the Commission member from County Council is intended to be a sitting Councilmember, and I asked Ms. Condon to serve, but with the understanding that whoever holds her West Ashley seat on County Council will be the member of this Commission. So, she's not running for reelection, and whoever replaces her, would then become a member of this Commission, which I think it's good to have an active, sitting member of County Council."

Even though, with revitalization, you think of business and investment, it involves a holistic view of everything under the sun from recreation, to planning, to drainage, to many aspects of West Ashley life. So, it's not just about the business. I did as Council asked me to do, and I took a recommendation from each of you. I made mine last, and to tell you the truth, I made sure that my appointee was in fact a business person because it seemed that there was a preponderance to neighborhood presidents and those kind of folks. I have to tell you, I'd put my eggs in the basket of those leaders that you all have appointed. They are high-quality, thoughtful, caring individuals. There are some good business people on the list."

Councilmember Waring said, "Two of them."

Mayor Tecklenburg said, "Well, I consider myself one, and there's Mr. Gregorie and Mr. Palassis."

Councilmember Riegel said, "Three."

Mayor Tecklenburg said, "So, maybe there are three or four."

Councilmember Waring said, "I'm going to ask them for the backgrounds."

Mayor Tecklenburg said, "Let's have one meeting."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just as a point of clarification, people who serve in the business and legal profession or accounting profession or anything else are business people. Anne Frances Bleecker, who is a former Councilmember on this Council, is a lawyer whose got a shop right on Savannah Highway in Councilmember Moody's district. She's a business person as much as Mr. Gregorie is or Mr. Palassis is. She's a business person. She operates a business."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, sir. Thank you, Mr. Mayor. I hate to bring up the past, but we've had some very good working committees in this City on the Downtown Plan and everything else, but the former Mayor, himself, knew a lot of people, so he picked a lot of people. Mayor Tecklenburg has been here six months. Six months. He's trying hard to work with this Council. So, he gave us the opportunity to go out and find some people to serve on this Committee. I think if we're not satisfied, we ought to give him a list of business people that we know that can help move this West Ashley task force forward and ask them would they serve on this Committee, because this could be amended, to appoint some more people to the Committee. I think he's doing his best. He probably doesn't know as many people as Mayor Riley knew in order to pick the people that he used to pick to put on these different task forces. So, let's work with him and give him the opportunity. If this is what we gave him, this is what he's got to work with, but if there are more names that we think of, he has asked for engineers, he has asked for architects. When I made my recommendation, and then he went back and said what he wanted, I thought of someone that used to serve on the Planning Commission that's in my district, so I submitted two names, but he picked the first name that I gave him. So, let's give him his due diligence, but let's work with him. If we've got other people that we think could be of good assistance to him and could work either on this Committee or other committees, let's give it to him and move this thing forward. This gentleman, for six months, he's had a lot on his plate. He's had to deal with the Emanuel 9 and other things that he had to deal with, and now, trying to deal with this because everybody keeps saying that West Ashley

doesn't get what they deserve. So, the Mayor is trying to do his best for West Ashley. If we've got some other names to submit to him, I'm sure, if you wanted to amend this ordinance, I'll be the person to put it on the floor of Council to amend it. Let's let him work with what he has right here, and if we've got some other names, some good, hardworking deep pocket persons, that we'd like to see on the Committee, give them to him. Let's take what we've got here right now. You've got to start at some point, so this is a start. He asked for something. We gave him what we asked for, so if some of us are not satisfied, let's give him some more names and see what his thoughts are about them. If he agrees with them, we can always amend the ordinance. Thank you."

Mayor Tecklenburg announced the order of speakers as Councilmember Waring followed by Councilmember Williams.

The Clerk said, "Then, Mayor, I will need to explain to them what they have."

Mayor Tecklenburg said, "Maybe we should do that first."

The Clerk said, "I'd like to explain the ordinances that you have. The first ordinance came out right after we had our meeting, and Councilmember Shahid came to my office the very next day, and we listened to what we thought was the complete conversation about that. In transcribing the minutes, at the end of the meeting, there was a statement from, I believe Councilmember Wilson, that said that, when the Committee recommendations come back to Council, the City Council would have the opportunity to approve the Chairperson and the members of the Committee, and you were sent a copy that said it was revised."

Councilmember Waring said, "Thank you, Madam Clerk."

The Clerk said, "Did all of you get that? Councilmember Riegel had the correct copy."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. It was not the politicians that I was talking about. It was the two-thirds in the other direction. I really thought this Committee was going to be led by business. What I'm trying to do is get back to what you asked us for. We did not give you what you initially you asked for, and I am not confused, Councilmember Williams. The Mayor asked for a different approach, and at the last meeting, we changed it. It resulted in the talent pool that, I agree, when it comes to business, it's not even average. Madam Clerk, without calling names, could you read the background? We've got 19 people on this Committee. Can you read just the background of the suggested persons? I want everybody to think about the money that it's going to take to revitalize, from the private sector, West Ashley, and think of the backgrounds that we're bringing to lead that effort."

Mayor Tecklenburg said, "We don't have their background."

The Clerk said, "We don't actually have the backgrounds. I think you know who the people are by virtue of their names because it has the person's name, and then it has the Councilmember who appointed them or in some cases, there were multiple Councilmembers."

Councilmember Waring said, "I understand. There is no way, when we change from the process that the Mayor asked of us, to the process that we eventually approved, that at that moment we knew what kind of talent would be suggested. We saw the talent when we got our agenda, and that's when I looked to say, 'does that have the experience,' for example, 'to attract the people who will help revitalize Citadel Mall.' The probability is, those people are not going to

be in town to come to a subcommittee meeting that Councilmember Shahid is talking about. Those types of dollars come from out of town. Those people, oftentimes, are going to be contacted, as you know, by a commercial realtor or an attorney who represents people like that. In that particular case, that's not the majority of where that leadership is coming from, from the names that were given to you. Those are the handcuffs that I'm talking about."

Mayor Tecklenburg said, "Excuse me a minute. Councilmember Williams, did you want to be recognized again?"

Councilmember Williams said, "No, sir."

Mayor Tecklenburg said, "Would you mind putting your phone on mute until you're ready to speak to us?"

Councilmember Williams said, "Okay."

Mayor Tecklenburg said, "Yes, sir. I'm sorry to interrupt you."

Councilmember Waring continued, "So, you asked us, initially, for a process that gave you more latitude to appoint, and you used your two appointments to put a business person on it, literally, who had opened his checkbook, took a Rhodes that was in disrepair, old Rhodes Furniture Company, and turned it into one of the finer places on Sam Rittenberg Boulevard, but guess what? You had that one, and then you used a second one. You asked us for more. We made a mistake in changing that. We ended up with instead of those types of entrepreneurs that you used your flexibility to appoint, and we put neighborhood presidents. Now, you tell me a group of neighborhood presidents that have revitalized a mall the size of Citadel Mall. You tell me neighborhood presidents that have revitalized a commercial corridor like Sam Rittenberg Boulevard and all the strip shopping centers from St. Andrew's, from Savannah Highway, all the way up to Northbridge, left and right side. You tell me neighborhood presidents that have revitalized the area as large as the DuWap District. Those entrepreneurs, their representatives, and the people that have the economic reach, communication, and quite frankly, contacts that can span across the nation, and in some cases, internationally, aren't represented on this Committee. They didn't get there because of something you asked us for. You asked us for a process that would allow it. We changed it not realizing, collectively, we weren't putting the people on there with the talent that I think you would like to see. Certainly a committee like that should have some political influence because it's going to take government, as well as private sector dollars. In this particular case, those people, we have less than probably 30 percent. I hear you about former Councilmember Bleecker. I like her. I supported her campaign, but when it comes to the people who turned around the old Wal-Mart Shopping Center across from St. Frances Hospital that had laid in disrepair for a long period of time, those people came from out of town, represented by their attorneys here. Now, it's vibrant again with Kohl's and the new Marshall's, the new businesses that have come there to revitalize and are back on the tax rolls. We don't have that kind of skill sets on this Committee. That's what I'm saying. To ask entrepreneurs that invest millions of dollars to serve on a subcommittee, they're not going to come."

Mayor Tecklenburg said, "Well, I appreciate your comments. Councilmember Wagner, did you want to make a comment?"

Councilmember Wagner said, "Just a quick one."

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "I'm thinking that we've had a void for a very long time. We tried to fill it, starting with Councilmembers Moody, Waring, and me, meeting a gentleman with the potential for Citadel Mall redevelopment as early as the fall of 2013, well before the City got involved or the Planning Department got involved. I found those notes the other day. We've started pretty much grassroots trying to roll the ball forward. Now, we've got this ball at the top of the hill. This is just my personal opinion, and although I agree that maybe we should have set our sights a little bit higher, which is what Bill (Moody) and Keith (Waring) are saying, that we aimed a little bit low here, but you know what, coming from dead zero, I'll take a ten-degree shot, even though I'd really like to have a 45-degree one, if you understand. Charlie (Way) is over here. Maybe we could get him on here."

There was laughter in the Chamber.

Councilmember Wagner said, "No, sir. He doesn't need any controversy. He said something about controversy. He didn't like it."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Just for clarification, Mayor Tecklenburg, what was your original intent because I can't recall."

Mayor Tecklenburg said, "In a nutshell, I believe I was going to come up with the recommendation of the whole Committee and bring it to Council for your approval. I was certainly open to your suggestions, and I'm respectful of your analysis and comments. I feel these are fine individuals that you all have recommended. So, I don't feel like it's good etiquette on my part to support anything at this point, but what you directed me to do. I leave it at the pleasure of Council, and I'm open to a motion if you all want to come up with something."

Councilmember Mitchell said, "I think Councilmember Wilson wants to speak first, and then, I'll speak after."

Councilmember Wilson said, "I'm afraid to speak."

Councilmember Gregorie said, "That's not like you."

There was laughter in the Chamber.

Councilmember Wilson said, "I have to say, I will shoulder my share of the blame for what has transpired, but I have to agree wholeheartedly with Councilmember Waring, and I like Councilmember Lewis's suggestions very much. This Committee most likely should be augmented with some really substantial business people who can bring the heft to it that it may need to really lift off of the ground and get going. That's all I'm going to say."

Mayor Tecklenburg asked, "Do I hear a motion?"

Councilmember Gregorie said, "Mr. Mayor, in all due respect, after this discussion that's public, I'm on here, and it appears as though I'm not adequate enough to be on it. I'm with you with respect to etiquette at this point. I think it will send the wrong signal. I think we can expand, include, and strengthen it, so that we can have more business people on it. I think at this point, I just think it would be inappropriate since we all had made appointments here, and we have had discussions with people here. I think it would be inappropriate to do anything less than to approve these and perhaps augment it with business folks who could bring a little more to the table."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor and Councilmembers, since we have this here. The names are here. I don't have one. I didn't even send a name in, so I'm sitting in the back, and I don't even have to worry about what name is there or what name is not there. I would make a suggestion that since we have these names here, Mr. Mayor, let's go and vote on these names, vote on the Chairman who is there. Then also give the Mayor the opportunity, if you may, to go ahead and get other people to serve on there in the business aspect, and then this will be all over with."

Mayor Tecklenburg said, "Can I get a motion?"

Councilmember Mitchell said, "That's my motion."

Mayor Tecklenburg asked, "How many do you want me to add, four, six?"

Councilmember Mitchell said, "This would be just the business aspect of the people that can come to the table that bring money or whatever to the table. We're going to sit and spend all night on this when this has already been done, and this is what we asked for. We put it in place. There is no sense to keep talking about it, since we put it in place when the Mayor came to us with something else. Let's vote on this, move it on, and let's give the Mayor the opportunity to go on, and if we want to add others to the list, let's do it."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Mayor, could the Clerk provide us with a copy of the original ordinance?"

Mayor Tecklenburg said, "I thought we had given you one."

Councilmember Shahid said, "No, the one that was up for first reading before it was amended."

The Clerk said, "Before we did the minutes?"

Councilmember Shahid said, "The ordinance that was approved at first reading."

The Clerk said, "The original ordinance?"

Councilmember Shahid said, "The original ordinance that was approved at first reading. Is there any way to retract that?"

Mayor Tecklenburg said, "We can probably find that. Yes, sir. It may take a minute."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "May I make the following suggestion? As you might have heard, if you're sitting out there watching us debate this, the brain child of this in the first instance was Councilmember Shahid. This was a committee he suggested. We're now about to elect him the Chairman. Let's vote on those people whom we appointed and the people who are there, and the Chairman, Councilmember Shahid, can then report back to this Council, and the Mayor. You're going to sit on this Commission, if we need to augment it, change it, it's an

organic thing, it can change. Let's get this Commission going. In the time that we've debated it, there could have been great improvements to West Ashley."

There was laughter in the Chamber.

Councilmember Seekings continued, "I move that we vote on the slate that's before us, hand the baton off to the Chairman, and let's get going."

Mayor Tecklenburg said, "We have a motion on the floor. We had one on the floor over here. I'm sorry."

Councilmember Riegel said, "I need to make a comment."

Mayor Tecklenburg said, "We never got a second."

The Clerk said, "Councilmember Williams is trying to say something."

Councilmember Williams said, "I would second Councilmember Seekings' motion."

Mayor Tecklenburg said, "We've got a second to Councilmember Seekings' motion. Point of order, with respect to Councilmember Mitchell, you made a motion first. Did we have a second?"

Councilmember Gregorie said, "Yes."

Councilmember Lewis said, "I seconded it."

The Clerk said, "Councilmember Mitchell, can you repeat your motion. I was reviewing the line in the minutes of Councilmember Wilson's statement, which she just reviewed. What was your motion?"

Councilmember Mitchell said, "The motion I made is that we proceed with what we have here, with the names that the Councilmembers have selected, and the Chairman, and look at having the Mayor or the Councilmembers go back and submit other names that we can add later with business aspect if they want to do. Let's move on with this now since we already have this done."

Mayor Tecklenburg said, "It's very similar, Councilmember Seekings. So, we have a motion and a second to accept this Committee as is, and then the Committee can come back and ask Council if they want to, to add some more members. Is that what we're saying?"

The Clerk asked, "Who was the second?"

Councilmember Lewis said, "I seconded it."

Mayor Tecklenburg said, "Is there discussion of this motion on the floor? Yes, sir."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. I did misspeak earlier when I talked about my Board of Directors. I would include (Councilmember) Marvin Wagner, who does my taxes and is my accountant, so I don't want to alienate Councilmember Wagner because I don't want to be before the IRS. Having said that, we're talking about hundreds of millions dollars. This is extremely, extremely critical to West Ashley, and I think we, as West

Ashley Councilmembers, have a big dog in this fight, an old growling dog in this fight. I'm going to have a hard time supporting this, but that's okay, Mr. Mayor."

Mayor Tecklenburg said, "Councilmember Williams, do you want to be recognized?"

Councilmember Williams said, "No, sir."

Mayor Tecklenburg asked, "Is there any other discussion?"

Councilmember Waring said, "Madam Clerk, when it comes to this part of the minutes next month, I want it to be clearly stated in the minutes that this kind of committee does not have the economic skill sets to lead the hundreds in millions of development to take place West Ashley. They do not have, and I want that clearly stated, so when we vote three years from now on this Committee and its term, if it's not successful, I'm going to come back and hold some people accountable for that because we shouldn't rush this. This is exactly what we did last month. We worked it out on the floor of Council, and it turned out to be faulty work. It's too important to say, 'let's move on with this.' That sounds great as a campaign speech, but we need effective economic progress West Ashley. You don't rush that through. You don't move on with that. You fundamentally put the right talent in place, so you can get results. What I wanted to point out, which I did, neighborhood presidents haven't done that. We're going to move on and try to get business people to serve on a subcommittee, in some cases that capital is not even in town. So, I want it clearly stated that, when people vote against this one, when the people of West Ashley come up later on and say three years from now, when people rotate off of this Committee, and say 'what happened?' The leadership rushed it through. The ones who voted for that rush, I want the people of West Ashley to be able to know that. Thank you."

Mayor Tecklenburg said, "Thank you. Are there any other questions?"

Councilmember Shahid asked, "Can we wait for that ordinance to come back before we take a vote?"

Mayor Tecklenburg said, "Absolutely. We're still waiting for that to happen. In the meantime, it's now 7:54 p.m. 'And the remaining members who shall be representatives from West Ashley, appointed by the Mayor, all subject to approval by City Council. The Mayor shall also appoint the Chairperson of the Commission.' As I said, the nutshell of it was I was going to make the recommendations to you, and you were going to approve them."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I'm going to say again what I said back in our February meeting at Charles Towne Landing. For too long, the West Ashley area has accepted mediocrity. We can't have a new bridge. We have to close off one of our traffic lanes and give that to the bikers. We can't do anything around Northbridge, we've got to accept a gas station. We can't have I-526. It just goes on and on and on. What we have been working on West Ashley, long before Councilmember Shahid got on this Council, and I appreciate his service, but this is not just something that happened because he got on, and he wanted a revitalization. We've been working on this. We've been getting the TIF in place. We've had meetings with Citadel Mall. We've had design people that have been working on it. We've been working on this, but we haven't had the right people. The right people are these investors. These are people like Mr. Way. These are people like Mr. Zucker. These are people that have a reach way beyond our community that have been involved in development and redevelopment, and there is nobody of that caliber on this body. That's where we went awry. That's where I went and made my mistake last time when I took it out of your hands. I should have been giving you

suggestions like the two names I just mentioned, and there are others out there. I should have been doing that, not that you had to appoint them, but you could pull together, you could get the diversity, and you could get the right people at the table. There are a couple on here, but we need to quit looking at mediocrity, and look at excellence. That's what we want West of the Ashley, and I'm not going to stand for anything else. I'm going to vote against this, not because of Councilmember Shahid. He's a great guy. This concept is wrong, and we screwed it up, everybody, 12 members around this table screwed it up. You had it right. We screwed it up, and I'm sorry for that, but I'm trying to correct it. Thank you."

Councilmember Gregorie said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Mr. Mayor, just for the record, my appointment's not mediocrity."

There was laughter in the Chamber.

Councilmember Seekings said, "Ditto."

Mayor Tecklenburg said, "Absolutely. Understood. Yes, sir."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Mr. Mayor, I'm so sick of listening to this. I'll tell you. I'm going to make a motion. This motion is going to supersede any motion on the floor. I'm going to make a motion that we defer this until August, until some of these other Councilmembers can get together with you and make some suggestions and some other recommendations to City Council, the first meeting in August. So, that means we won't be rushing this. If we want to do it, we want to do it right. Let's take a couple of more months, and let's do it right. So, that's my motion."

Mayor Tecklenburg said, "Respectfully, we have a motion on the floor."

Councilmember Lewis said, "The motion to defer supersedes any other motion. If you go to Robert's Rules of Order, the motion to defer supersedes any other motion on the floor. If you want to go to Robert's Rules of Order, I'll go there with you."

There was laughter in the Chamber.

Councilmember Lewis said, "I'm not disrespecting you, Mr. Mayor, but the way this thing is going, you have done your very best. You have given all of us an opportunity that in some years we haven't had to put together something that you think is going to work, and for some reason, there's some division. So, let's defer this, give it some thought, and get the members of Council to work with you on it. That's all I'm asking."

Mayor Tecklenburg said, "We have a motion to defer. Is there a second?"

Councilmember Mitchell seconded the motion.

Councilmember Waring said, "I'd like to ask Councilmember Lewis a question. Can we go back to what the Mayor asked us originally to do because that would be the process that you are talking about."

Councilmember Lewis said, "If we defer this, we'll go back into discussion with the Mayor, and you all bring it all back up."

Councilmember Waring said, "The original ordinance that the Mayor asked us . . ."

Councilmember Lewis said, "I know he has asked for some business people, he's asked for engineers, he's asked for architects, so let's defer it."

Councilmember Waring said, "But the process he asked us for allowed him to do that. So, in other words, through your deferral, we would still have this lingering, what we have in front of us today. If we were to vote to go back to . . ."

Councilmember Lewis said, "When we come back afterwards, if it's the wish of Council that we don't take this up, we don't take it up."

Councilmember Waring said, "But then we have to take up his original ordinance again."

Councilmember Lewis said, "We can take up his original ordinance if it's something that will work."

Councilmember Waring said, "If his original ordinance would allow us to give suggestions to the Mayor, then the Mayor would have more flexibility to add to it."

Councilmember Lewis said, "I say give the members of Council time to sit down with him and work it out, and if he feels like this needs to be changed, then we could bring it back to Council to amend the ordinance."

Mayor Tecklenburg said, "We have a motion to defer and second."

Councilmember Waring said, "He's answered my question. Is there any further discussion?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir, Mr. Mayor and members of Council, I've asked for the Clerk's office, and we all should have a copy of the original ordinance that was presented to us, and I think was passed at first reading."

Mayor Tecklenburg said, "It did. I believe."

The Clerk said, "Yes, because it came back for a second reading."

Councilmember Shahid continued, "So, what we have in front of you, and I think Councilmember Waring and Councilmember Moody, your intent is to go back to this original ordinance?"

Councilmember Waring said, "That's what the Mayor asked us."

Councilmember Gregorie said, "Which says?"

Councilmember Shahid said, "If I could just read this to make sure that we are all on the same page because I'm trying to avoid any more confusion with this, so we get this ball rolling. 'The Commission shall consist of 18 voting members, one of whom shall be the Mayor, three members of City Council, who represent a district or portion thereof in West Ashley, appointed

by the Mayor, one member who shall be a representative of the St. Andrews Public Service District appointed by the Mayor, and the remaining members who shall be representatives from West Ashley appointed by the Mayor all subject to approval by City Council. The Mayor shall also appoint the Chairperson of the Commission.' So, I want to make sure that one of the concerns that have been expressed is that we provide that authority and ability to the Mayor to go back to the language I just read on this Commission. That's why I want to make sure we're clear on what we're doing here because we have several motions floating out here, including Councilmember Lewis's motion to defer. I just want to make sure we're in the right ballpark. That's all I'm asking to do."

Councilmember Waring said, "I follow you, Councilmember, and I tell you what, now what Councilmember Lewis says makes a little bit more sense. Let me tell you why. We like that, but if you remember, Councilmember Riegel came up with the suggestion of County Council, which you accepted. That ordinance does not allow for County Council. So, if the deferral would allow you to take some of the best suggestions and rework your original ordinance to include, for example, a member of County Council in that total, but I think the deferral makes sense. We can take some of the best suggestions. We shouldn't work this out on the floor. That's how we made the mistake the first time, and give you more latitude to do what you asked us to do."

Councilmember Gregorie said, "I don't think we made a mistake. I think we were pretty clear that we wanted Councilmembers to have the ability to appoint, and I think that's what made the change because, what we had done was, we had given the entire authority for the appointment of this Commission to the Mayor. Many of us thought that it would be a bit more democratic if all Councilmembers had the opportunity to appoint. Now, if we didn't appoint enough business people because we all had the opportunity to do that, and we didn't, I don't think it's appropriate for us to start backtracking. I'm not going to vote for the deferral because I do think that we did have extensive discussions on why we wanted Council to have the opportunity to have an appointment, and not to have the Mayor do all of that. I think we had extensive discussions on that matter. So, I won't support the deferral."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. Councilmember Gregorie, you know, I admire you tremendously. Here it comes, but just wait. At the end of the day, we're talking about hundreds of millions of dollars in West Ashley, which is critical. I don't think that the neighborhood representatives, who are good people, or the Coastal Conservation League are going to serve the best purposes of West Ashley. That's been my concern. I keep equating it to a Board of Directors of a Fortune 500 Company and the people that serve on this Board like a Jonathan Zucker. I see (General) Colby Broadwater who keeps raising his hand. I think Colby's volunteering for this Committee if I'm not mistaken."

There was laughter in the Chamber.

Councilmember Riegel continued, "I told you not to stay, General. Thank you, sir."

Councilmember Gregorie said, "Mr. Mayor, I don't want to belabor it, but I have to. I understand billions, not millions, in terms of handling dollars. I think that if you create the appropriate environment, the investments will come. Okay? Most of the investments that we have been a part of had more to do with creating the kind of environment so that investors will come and follow. I do think that the members of the Commission that we've recommended have the opportunity, I think most of them do, to try to create that kind of environment. I don't

necessarily think you have to be a business person to create an environment to invest. If there is a profit, they're coming."

Councilmember Riegel said, "They haven't come."

Councilmember Gregorie said, "Well, not yet. We're just developing this Commission, and I think it's very unfair to the people who have appointed folks on this Commission to start describing them the way some of us have been doing it. I think it's insulting, to say the least."

Mayor Tecklenburg said, "Councilmember Shahid, and then, can I please call for the question."

Councilmember Shahid said, "I was going to ask if Councilmember Lewis would accept an amendment to his motion for the deferral to take place until the July Council meeting as opposed to the August Council meeting, so that we can get this process moved along. I think we can get this thing knocked out within a month's time. Defer it to the July meeting as opposed to August."

Councilmember Lewis said, "You want me to amend my motion to defer it until July? That's fine. I just want to get all of our hearts and heads clear. So, if you all can do it in one month, that's fine."

Councilmember Shahid said, "Yes."

Councilmember Lewis said, "I'll amend my motion to defer it until July."

Mayor Tecklenburg said, "We've amended the motion to be July rather than August."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Yes, again, Councilmember Gregorie said the same thing I would say. I think it's an insult when on May 10th, we did exactly what this body asked us to do on who is qualified and not. I will not vote for deferment. I think it's an insult to the process to belabor this, and we'll be back with the same kind of thing. Each individual will be appointed by the individual Councilmember who asked for this. I think it's an insult. It's certainly an insult to my appointment, and I will not vote to defer this, not to July, now or never, I'm not going to do it."

Mayor Tecklenburg said, "I will count that as a 'no.' Can I call for the question, please? Are you all ready to vote? We are voting to defer this matter until next month."

The Clerk said, "Until July."

Mayor Tecklenburg said, "Until July."

On a motion of Councilmember Lewis, seconded by Councilmember White, City Council voted to defer voting on the West Ashley Revitalization Commission appointments until July 2016.

The vote was not unanimous. Mayor Tecklenburg and Councilmembers Williams, Gregorie, and Seekings voted nay.

The Clerk said, "What about a show of hands? I'm going to call out the names, Jennifer (Assistant Clerk of Council). Councilmembers White, Lewis, Mitchell, Wagner, Waring, Shahid,

Riegel, Moody, and Wilson. Those opposed would be Councilmembers Gregorie, Seekings, Williams, and (Mayor) Tecklenburg.”

Mayor Tecklenburg said, “Thank you. So, we took care of that matter in short order. Thank you very much.”

There was laughter in the Chamber.

Mayor Tecklenburg said, “In the meantime, the hour has passed. I’d like to call for a recess of this regular meeting of Council, and we are now calling to order a Special Meeting of Council.”

The June 21, 2016 regular meeting of City Council recessed at 8:09 p.m.

The June 21, 2016 regular meeting of City Council reconvened at 9:30 p.m.

Mayor Tecklenburg said, “Next, on the agenda, is a hotel study final report. I’m going to call on Jacob Lindsey to give us the report and recommendations on our hotel study.”

Mr. Lindsey said, “Thank you, Mr. Mayor. So, there should be on your desks two documents, one of which is an ordinance and one of which is the 2016 Peninsula Hotel Study Report.”

The Clerk said, “I believe that Mr. Lindsey is referring to an ordinance that was laid on the desks. Is that what you’re talking about, Jacob?”

Mr. Lindsey said, “That’s correct. This was laid on your desks.”

The Clerk said, “This is an ordinance that was laid on the desks this evening. Yes, this is the most recent copy.”

Mr. Lindsey said, “Are we a go?”

Mayor Tecklenburg said, “Mr. Lindsey, please proceed.”

Mr. Lindsey said, “I’m going to speak for five minutes here. There are two items on your desk, one of which is the 2016 Peninsula Hotel Study document, and the other, which is an ordinance. The Hotel Study document is not something that you are acting on tonight. You’ve been briefed on the contents of this document at the last Council meeting where I spoke to you and gave slides that summarized what’s in here. That is included in the appendix of this document. Now, this is more nuanced, it’s more thought through, but we are not going to discuss all of the details which are in this. This is supporting documentation which details what my staff, led by Amy Barrett, thoughtfully went through over a 90-day period, having engaged the public, having engaged professionals in the hospitalities industries, having engaged neighborhood groups, preservation groups, and working with all of those who are affected by any change with the hotel regulations. So, that’s what’s in this. It’s a summary of the process we went through, as well as our general findings. We can discuss the aspects of the report should Council see fit. I’m going to go straight to the ordinance, which you are being asked to take action on this evening, and to very briefly orient you to what this ordinance says. First and foremost, this is going to refer to an area labeled ‘A-1’. The area labeled ‘A-1’ is the L-shaped blue stripe down the center of the Peninsula on this map. That’s the urban core of the City. It’s King Street bounded by Meeting Street. It goes down and turns at The Market. That’s the area

A-1. That's the center core where we have hotels, and this is the Accommodations District Overlay on the Peninsula that you're looking at. All of the stuff in blue is where a hotel can be built presently. So, this is going to refer to area A-1.

The ordinance changes are going to be outlined in these slides very briefly, and what these amendments recommend are changes to the process by which a hotel is approved through the Board of Zoning Appeals for Zoning's Special Exceptions Test. If a hotelier wants to build, they have to go before that Board to obtain approval through a special exception. These are modifications to that Special Exceptions Test. Now, currently, this all relates to the issue of residential displacement. Presently, that Board must find that a hotel will not adversely affect the housing stock. The proposed ordinance says that a hotel may not displace housing units, and it also says that if they are to be altered and replaced, they will not adversely affect the stock. Furthermore, it says that the Board shall consider the number of units by type, rental rate, market price, relative to the medium area income. I'm going to go to the next slide. In addition to that, the Board must consider the condition of the units, and they may also require that a minimum percentage of the housing units on the property in the future remain affordable. This is a new provision that we have never had before. We have also added a provision to preclude the displacement of offices within Area A-1. We want offices in our urban core. We want a balance of uses, a vibrant district. So, this says that, within the Area A-1, the urban core itself, a hotel cannot displace an office use, and the Board has to consider the presence of office space that has also been there within the last five years. So, if a building was occupied as an office for five years previously, they have to consider that. If I can get this to advance, there is also a provision to limit the displacement. To limit the displacement of commercial spaces in Area A-1, and that's specifically there to protect to King Street, hotels should not be able to come in and put a lobby on the ground floor of what is our primary retail corridor. It also applies, of course, to Market Street, as well. There have been challenges to the 50-room limit currently in place. South of the Crosstown, there is a 50-room limit in place which Council voted on in 2013, and this provision prevents developers from being very sneaky and building two 50-room hotels adjoined to one another, effectively making it a single 100-room hotel. So, this says you can't do that. You can't be adjacent to one another and build to what is in effect a 100-room hotel. They have to be physically separated.

Finally, previously there existed the provision for a full-service hotel area on Upper King Street. If a developer built an area for conference use of a certain size, 8,000 square feet, the hotel had an unlimited number of rooms. That provision has been removed."

Mayor Tecklenburg said, "We went all the way to the beginning of the night, (referring to the electronic presentation.)"

There was laughter in the Chamber.

Mr. Lindsey said, "I don't want to go backwards either, (referring to the electronic presentation) so I'm going to verbally walk you through the final couple of provisions, which are related to transportation, and they are specifically that, first of all, a hotelier must account for employee parking. Where do the employees park? They either have to provide them onsite, or they have to give the employees free transit passes, and they have to present a believable plan to the Board of Zoning Appeals to get their employees to work. It also says that the Board shall consider the design of the pickup and drop-off area of the hotel. It was made known to us that the pickup and drop-off areas of hotels cause traffic issues on the streets that they front, so the Board now has to look at that prior to the approval and make sure that the valet pick-up/drop-off area is in the right location and is designed properly so as not to impede traffic. Finally, hotels

outside the A-1 Core District, if you're outside the A-1 core, somewhere at the periphery of the Peninsula or in a suburban location in the City, the hotel is required to provide a shuttle service to Downtown. The issue that we have identified in regards to traffic is not in fact the hotels which are located in the core of the City, it's the hotels that are in areas outside that because people come and stay in the hotels, and they drive into Downtown and create congestion and park in a parking structure. This requires those hotels to provide a shuttle service for the people who stay there. This is the briefest orientation that I can give you to the provisions which are in the ordinance before you."

Mayor Tecklenburg said, "Thank you, Mr. Lindsey. In respect of time, let me ask Council if they would consider tonight giving first reading to this ordinance with the expectation that there may be some suggestions and tweaks by the time we get back here for second reading. I think these are all very thoughtful recommendations and, frankly, it would disallow what we've seen over the last couple of months with other hotel applications coming forward and not having to be subject to these additional requirements."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. As you know I was, certainly months ago, opposed to a moratorium, and I suggested a study and I tell you, Jacob, you've lived up to our expectations. This is a wonderful, wonderful study, and I would make the motion, as you've suggested, that we move forward with this, sir."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "We've got a motion and a second to approve the ordinance."

Councilmember Lewis said, "Hotel Study, first reading?"

Councilmember Riegel said, "It's a first reading, sir."

Mayor Tecklenburg said, "Councilmember Seekings, first."

Councilmember Seekings said, "Thank you, Mr. Mayor. Again, this was an ordinance, in its final version, on our desk tonight, right? The first time we saw it or can talk to our constituents about it or the Boards that we sit on . . ."

Councilmember Moody said, "I agree."

Councilmember Seekings continued, ". . . including the Convention and Business Bureau, we've had zero communication. We heard from a person who came and sat through hours of public hearing tonight and public comment, who has some interest in what's going on with this ordinance, who has not been able to advise his client about it because he didn't know what was going to happen. So, I would respectfully move that we defer this until the next time, so we can go talk to our respective constituents. There are some things in here that I think are great. There are some things in here that are super rigid, the absolute bar on displacing any and all housing. That is very rigid. We're changing the game on the Upper King Street Convention thought, and we worked three years ago very hard to get that. So, with all due respect to my fellow Councilmembers, I think this needs to be deferred, so we can go report back to those who we represent and get some input. The transportation stuff is great. The rigidity of the housing stock is something we need to think about because one of the things,

Jacob, that you showed us very clearly in your presentation on the Charleston area hotel market room inventory submarkets is what's gone on around us. Until we get a grip on what's gone on around us, I think we've got to be careful of what we do to people here. To me, the issues are Countywide, if not Tri-Countywide, and in your very report that you first gave to us, your key findings, the last one was regional impacts. In preparing this ordinance, have we talked to the Planning Director of North Charleston, the Planning Director over in Mt. Pleasant, or their City Manager? Have we talked to the Convention and Business Bureau? Have we gotten some input on the regional impacts of your study and of this proposed ordinance? So, it's something we can debate another day, but I would respectfully ask this Council and Mr. Mayor, with all due respect, that we defer this because there are lots of repercussions of this that go well beyond just a hotel study. I move to defer."

Councilmember Gregorie said, "Mr. Mayor, if can ask my colleague to amend his deferral, so that we can take this through the process. It is a zoning matter, and it should go to the Community Development Committee, and that committee then makes a recommendation to the whole, which will then give us some time to do what my esteemed colleague is suggesting."

Councilmember Lewis said, "I withdraw my second."

Councilmember Waring said, "He withdrew his second, Mr. Mayor."

Councilmember Moody said, "He withdrew his second to Councilmember Seekings' motion?"

Councilmember Lewis said, "Councilmember Riegel."

Councilmember Moody said, "Okay, because I was going to second the motion from Councilmember Seekings, and I would ask that I could come sit down with Amy (Barrett) and Jacob (Lindsey) and let them kind of explain some of this to me and the reasons behind what they're trying to accomplish. I have not read this."

There was laughter in the Chamber.

Councilmember Gregorie said, "But that's why we have these committees, I thought. According to the ordinance, it is required that any zoning matters go before the Community Development Committee. That's the law."

Mayor Tecklenburg said, "We now have a motion to defer and second."

Councilmember Riegel said, "Well, I will amend my original motion, Mr. Mayor, if you would allow me?"

Mayor Tecklenburg said, "Your second was withdrawn."

Councilmember Seekings said, "Motion to defer."

Councilmember Riegel said, "Okay, I was going to make a motion to defer, but with Councilmember Seekings, it's already been done. So, no problem."

Councilmember Seekings said, "Motion to defer, and whatever the process is for it, the process needs to be followed, but the motion is to defer any action by this Council tonight."

Councilmember Lewis said, "Send it to Community Development."

Mayor Tecklenburg said, "Well, if I may address the process, and, with all due respect to the Community Development Committee, if you go back, I think this was written in 1978. The language empowering that Committee is so broad, it hints about anything under the sun that could be called for going to that Committee. We brought this matter to Council, I believe it was in February, that we would have this study, and bring it back to Council, and we had your tacit approval to do so, and that's exactly what we've done. In this case, I would respectfully say, it's certainly fine to defer it and modify it and everything else, but it's been the intent and communicated to Council that this particular matter would come back to Council, and that's the process we followed. So, I think we should continue to follow it with the study."

Councilmember Gregorie said, "But in response, Mayor, with all due respect, even though the rule was written, and it's pretty general in 1978, it's still the rule. I think until such time as this body changes that rule, I think that we are required to follow it. I totally agree with you that it's pretty general. I kind of like its generalities, of course, because I think what it does, it does give the committees an opportunity to take things through, research it, discuss it and make a commitment to the whole. We do that with transportation, we do that with the real estate, and those are all 1970 laws. So, all I'm saying is, let's be consistent across the board, and if we're not going to use the 1978 rules for Community Development, we should not send anything to any other committee either. I think it's just that simple to me."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Jacob, if you could, Mr. Lindsey, I could just and inquire of you, if we defer this ordinance, are there any projects that are pending that would fall through the cracks if this ordinance is not passed? Is there any danger of anything coming down through the pipeline?"

Mr. Lindsey said, "We believe that there are projects that would be pending if you chose not to act, and if you did act for a first reading, there would be a pending ordinance. So, this would have effect if you were to act."

Councilmember Shahid said, "I'm sorry, that last part."

Mr. Lindsey said, "Yes, there are projects that we believe may come forward soon under the current rules."

Councilmember Shahid said, "So, the ordinance, then, if we defer this, this ordinance would not apply to those projects in the pipeline?"

Mr. Lindsey said, "That is correct."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. When we got this, as a matter of fact, when Mr. Morgan put it in my hand, it was actually warm. It actually just came off the copy machine. If we did send it to Community Development, in other words, if we defer this, it's going to be 30 days. It gives us plenty of time to send it to Community Development. That gives plenty of time for Mr. Lindsey and his staff to come and inform a good portion of Council. It

gives great time for Councilmember Riegel and Moody and everybody else to ask questions. Then, we'll be equipped to come back and vote on it. We just really got this tonight. So, I think it enables us to follow the process and come back in 30 days."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, sir. Thank you, Mr. Mayor. I think if we are not going to send it to Community Development because of the 1978 ordinance, I think we ought to look at the Rules of Council, other Standing Committees, and make sure that all of the Standing Committees are structured the way we want them to be. If not, then, we need to take a holistic look at it and change the other Standing Committees."

Councilmember Gregorie said, "Right."

Councilmember Lewis continued, "You can't just pick on one. We've got several Standing Committees here. Some things right now going to Real Estate should have been coming to Community Development, but it goes to Real Estate. We've got a lot of work to do."

Mayor Tecklenburg said, "We do. That's right."

Councilmember Mitchell said, "A lot of work to do."

Mayor Tecklenburg said, "On the floor right now, we have a motion to defer this and a second. Is there any other discussion?"

Councilmember White asked, "I was just going to ask whose projects were pending?"

Mr. Lindsey said, "There are no major hotel projects pending. We believe there is one smaller hotel project on Upper King Street which is an upper floor conversions-type project that may be come online soon, but I did want to point out that there are 731 rooms which have already received their special exceptions and accommodations. So, we have quite a number that have already been through the approvals process, including the Bennett Hotel at 411 Meeting Street which was recently approved by the BZAZ. So, there are a number that have just recently been approved."

Councilmember White said, "Okay, but pending. I guess they would not have an impact because they're already proceeding?"

Mr. Lindsey said, "That is correct. So, there are no major projects that we are aware of, but there is a minor project that would come through."

Mayor Tecklenburg said, "Alright. Is there any other discussion?"

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "Yes, I'm just going to make a quick general comment, nothing specific, but this is what we got last Wednesday (referring to his agenda packet). This is what we got tonight (referring to the ordinance). Take it any way you want it guys, but I think possibly, that, if there was something urgent in there, maybe we could get it just a day or two earlier. Thank you, sir."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Wagner said, "Thank you, sir."

Mayor Tecklenburg said, "Thank you."

Councilmember Shahid said, "Call for the question."

Councilmember Waring said, "Can you state the question? What is the motion?"

The Clerk said, "The motion is to defer."

Councilmember Waring said, "To defer and what else?"

Councilmember Gregorie said, "To follow the process."

Councilmember Seekings said, "Just follow the process."

The Clerk said, "Defer and follow the process. He initially said defer and follow the process."

Councilmember Lewis said, "The process is to send it to Community Development."

On a motion of Councilmember Seekings, seconded by Councilmember Moody, City Council voted to defer the following bill and follow the process:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; to prohibit the displacement of housing by Accommodations; prohibit the displacement or reduction of office space by Accommodations; prohibit the displacement of more than 25 percent of ground floor, store front retail space by Accommodations uses on streets with ground floor, store front retail as a dominant use; prohibit an overconcentration of Accommodations units within areas on the peninsula designated "a-1" on the Accommodations Overlay Zoning Map; amend revised subsection b. 1. (g) by deleting wording regarding pedestrian activity and transit system usage and inserting language regarding the location and design of guest drop off and pick up areas; and amend revised subsection b. 1. (h) 15 to require more information on parking and public transit provisions for employees. **(AS AMENDED)**
(DEFERRED)*

The vote was not unanimous. Councilmember Williams voted nay.

The Clerk said, "Councilmember Williams, I have you as a 'no'."

Mayor Tecklenburg said, "Now, we go to our Council Committee Reports. Committee on Public Safety."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Thank you, Mr. Mayor. The Committee on Public Safety met Tuesday, June 14th and, although I would love to give you a blow by blow of everything that

went on, we have time. It won't be daylight for hours yet. Things are going well in the Police Department, the Fire Department, and Emergency Services. If anyone wants any specifics, please see me. I would be happy to share with you the details of that meeting."

Councilmember Waring said, "Move for approval."

Councilmember Gregorie said, "Second for informational purposes."

Councilmember Wilson said, "Well, we have an ordinance."

Councilmember Lewis said, "They have an ordinance they have to get approved."

The Clerk said, "It's an ordinance."

Councilmember Wilson said, "We do have an ordinance that needs addressing by this Council. This is to extend the 90-day Pilot Program for allowing certain establishments that allow for on-premise consumption of alcohol, beer or wine, to remain open until 3:00 a.m. What this essentially says is, at 2:00 a.m. all alcoholic beverages are taken away, however, any establishment that has a full-service menu may remain open until 3:00 a.m. Those services have the ability to opt into this program and opt out at any time. So, they do have a certain amount of flexibility but, again, this is going back to that concept of soft closing during the late night study. We feel this is a method of allowing crowds to disperse without the big rush, the big push onto the street at 2:00 a.m., allowing them another hour to disperse. Then, of course, at 3:00 a.m., everything is shut down, and there are other provisions at 2:00 a.m. The lights come up and, as I said, alcohol is curtailed."

Councilmember Gregorie said, "This is extended, right?"

Councilmember Wilson said, "Yes."

Councilmember Mitchell said, "So, they can't sell alcohol. They're just going to be open."

Councilmember Wilson said, "Those properties may continue with their kitchen service. The Committee approved this unanimously and we're bringing it to you this evening."

Councilmember Gregorie said, "Second."

The Clerk said, "It's your motion to approve the Committee's report?"

Councilmember Wilson said, "Correct, yes."

The Clerk asked, "Councilmember Gregorie, you seconded?"

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

Councilmember Riegel said, "I just want to say that Chief Mullen, and I think he's gone, has done a marvelous job of working on this."

Councilmember Gregorie said, "That is very disturbing (referring to the Polycom system). He shouldn't do that."

Mayor Tecklenburg said, "Rodney."

Councilmember Gregorie said, "We were just saying how disruptive that is."

Mayor Tecklenburg said, "Councilmember Williams."

Councilmember Williams said, "Yes."

Mayor Tecklenburg said, "Can you put your phone on mute, again, please, sir? Thank you."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, sir. Chief Mullen has done a marvelous, marvelous job of working with the stakeholders and the Committee and their recommendations and providing this. Hats off to Chairman Wilson. The soft closing is a marvelous idea. Instead of putting several thousand people all out on the street at 2:00 a.m. in various states of celebration, this allows for that soft closing. To be clear, the 2:00 a.m. bar closing, that's a State law. All liquor, wine, and alcoholic beverages are off. I did want to mention lighting will go up to half lighting. There are allowances for music, however, lower music and, of course, then the full menu, a menu that they would normally have in a restaurant. So, we've already approved it, but I just wanted to compliment the Chairman on her work. Thank you."

Councilmember Lewis said, "This isn't a Late Night Ordinance anyhow. We're just extending it. So, you know, there's nothing to it. Thank you."

Councilmember Riegel said, "A modification."

Mayor Tecklenburg said, "It's a modification. Is there any discussion?"

On a motion of Councilmember Wilson, seconded by Councilmember Gregorie, City Council voted unanimously to adopt the report of the Committee on Public Safety.

--INSERT COMMITTEE ON PUBLIC SAFETY REPORT--

a. An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 17, Article 8, Section 135 to extend the 90 Day Pilot Program allowing for certain establishments that allow for the on-premise consumption of alcohol, beer, or wine to remain open until 3 a.m.

b. Updates:

- Chief Karen Brack, Fire Department
- Chief Greg Mullen, Police Department
- Mark Wilbert, Emergency Management Director

First reading was given to the following bill:

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 17, Article 8, Section 135 to extend the 90 Day Pilot Program allowing for certain establishments that allow for the on-premise consumption of alcohol, beer, or wine to remain open until 3 a.m.

Mayor Tecklenburg said, "Committee on Public Works and Utilities."

Councilmember Gregorie said, "Move for approval."

Councilmember White said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

On a motion of Councilmember Gregorie, seconded by Councilmember White, City Council voted unanimously to adopt the report of the Committee on Public Works and Utilities.

--INSERT PUBLIC WORKS AND UTILITIES REPORT--

(Acceptance and Dedication of Rights-of-Way and Easements

a. Daniel Island Parcel E Phase 2C - Acceptance and dedication of Fish Tale Road (50-foot right-of-way), a portion of Lesesne Street (50-foot right-of-way), a portion of black Powder Lane (50-foot right-of-way), a portion of Brailsford Street (50-foot right-of-way), and Daniel Island Parcel E Bridge Deck (30-foot right-of-way). All infrastructure is complete.

- i. Title to Real Estate
- ii. Affidavit for Taxable or Exempt Transfers
- iii. Plat (3)
- iv. Exclusive Storm Water Drainage Easement (6)

b. Abandonment of a 65-foot drainage easement on Lot 1B1 Daniel Island Subdivision TMS #275-00-00-260. Acceptance of two new 24-foot exclusive storm water drainage easements as noted on a plat entitled "A Final Subdivision and Property Line Adjustment Plat of TMS 275-00-00-260 – Daniel Island – Fairchild Street Owned by DIEC II, LLC Located in the City of Charleston, Berkeley County, South Carolina".

- i. Plat
- ii. Abandonment of Easement
- iii. Exclusive Storm Water Drainage Easements (2)

c. Wambaw Multi-Purpose Buildings – Acceptance and dedication of a new exclusive 10-foot stormwater drainage easement as noted on a plat entitled " Final Subdivision Plat for Beresford Hall Commerce Park, City of Charleston, Berkeley County, South Carolina" (TMS 271-04-03-006).

- a. Exclusive Storm Water Drainage Easement
- b. Plat

Mayor Tecklenburg said, "Committee on Traffic and Transportation."

Councilmember Lewis said, "Move that we approve the Committee Report."

Councilmember Gregorie said, "Second."

On a motion of Councilmember Lewis, seconded by Councilmember Gregorie, City Council voted unanimously to adopt the report of the Committee on Traffic and Transportation.

--INSERT TRAFFIC AND TRANSPORTATION REPORT--

i. Application for Original Certificate of Public Convenience and Necessity:

- Basic Black Limo, LLC (Limo)
- Comfort Limo, LLC (Limo)
- Michael Johnson, DBA Affordable Transit (Taxi)
- Alian Transportation LLC (Taxi)
- Nathaniel Frasier (Taxi)

Mayor Tecklenburg said, "Committee on Ways and Means."

Councilmember Lewis said, "Move for the adoption of the report."

Councilmember Mitchell said "Second."

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the report of the Committee on Ways and Means.

--INSERT WAYS AND MEANS REPORT--

(Bids and Purchases

(Police Department: Approval to submit the 2016 Edward Byrne Memorial grant application to OJP (FY16 Allocation: \$21,387) for Automated License Plate Readers (ALPR's). The ALPR cost is \$25,898. A match of \$4,511 will be budgeted for FY 2017. (See *City Council Agenda, Public Hearings – Agenda Item, E-1*)

(Office of Cultural Affairs: Approval to accept a grant from SCPRT in the amount of \$4,500 for the 2016 MOJA Arts Festival. A City match in the amount of \$13,636.36 is required. The match will come from A-Tax funds.

(Parks: Approval to submit the Keep America Beautiful Grant application for recycling bins for use in Public Spaces. Due to time constraints, this grant was submitted on June 10, 2016. No City match is required.

(Public Service: Approval of a lump sum work authorization #2 in the amount of \$94,300 under existing Master Agreement for Professional Services with URS for conversion of existing stormwater asset/inventory from hard files into GIS geodatabase. Drainage funds will be used to fund this contract.

(Public Service: Approval of a lump sum work authorization #3 in the amount of \$100,000 under existing Master Agreement for Professional Services with URS for providing third party Stormwater Pollution Prevention Plan (SWPPP) Inspections to meet compliance requirements of the City's MS4 Discharge Permit. Drainage funds will be used to fund this contract.

(Public Service: Approval for B&C Land Development to provide construction services in the amount of \$66,211 for the #7 Nashmor Drainage Project.

(An ordinance authorizing the Mayor to execute on behalf of the City an Amendment

of Restrictive Covenants with the American College of the Building Arts to amend the Restrictive Covenants pertaining to property located at 649 Meeting Street, commonly known as the Trolley Barn, to include all documents as contemplated by the Amendment to effectuate its terms. **(Councilmember Moody abstained from voting on this item. A signed Conflict of Interest Form is on file in the Office of the Clerk of Council.)**

- (Request approval of the Mayor to execute the attached Ground Lease between Bon Secours-St. Francis Xavier Hospital, Inc. and the City, where the City will lease 7.5 acres of land for the purpose of constructing a Senior Center to include a 16,000 sq. ft. building, parking lot, and related improvements.
- (Request approval of the Mayor to execute the attached Lease and Management Agreement for the Louis Waring, Jr. West Ashley Senior Center whereby upon completion of construction, Roper St. Francis Healthcare will sublease and manage the Louis Waring, Jr. West Ashley Senior Center (2095 Henry Tecklenburg Drive; TMS: 351-01-00-035, 351-01-00-021, 351-01-00-022, 351-01-00-023, 351-01-00-040)
- (Request after-the-fact approval for the Facilities Use Agreement with the Mother Emanuel AME Church whereby the City provides the Church access to the Civic Design Center for an artwork exhibit as part of the anniversary commemoration (85 Calhoun Street; TMS: 458-01-01-085)
- (Request approval of the Mayor to execute the attached Special Use Permit whereby the National Park service agrees to permit the City of Charleston's use of Liberty Square for the annual First Day Festival occurring on August 14, 2016 (Liberty Square Park, Concord Street)
- (Authorize the Mayor and City Council to execute the documents necessary to transfer 13 Boyers Court and 342 North Nassau Street to JJR Development, LLC for the sum of \$70,000 [13 Boyers Court \$40,000 and 342 North Nassau Street \$30,000] for the development of 5 affordable houses for persons earning up to 80 percent of the area median income (342 North Nassau Street; 13 Boyers Court; TMS: 463-12-02-070; 459-01-01-046/047/048) [Ordinance]
- (Request authorization of the Mayor to execute the attached Lease Agreement between the City of Charleston and Atlantic Housing Management. (1900 Hazelwood Drive; TMS: 351-06-00-122)
- (Consider the following annexations:
 - 5 Tovey Road (TMS# 418-10-00-012) 0.17 acre, West Ashley (District 9)

First reading was given to the following bills:

An ordinance authorizing the Mayor to execute on behalf of the City an Amendment of Restrictive Covenants with the American College of the Building Arts to amend the Restrictive Covenants pertaining to property located at 649 Meeting Street, commonly known as the Trolley Barn, to include all documents as contemplated by the Amendment to effectuate its terms.

An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Transfer Agreement between the City of Charleston and JJR Development, LLC, for the transfer of 13 Boyers Court bearing TMS No.: 463-12-02-070 and 342 North Nassau Street bearing TMS Nos.: 459-01-01-046, 459-01-01-047, 459-01-01-048 for the development of affordable housing, said Transfer Agreement being marked as Exhibit A, attached hereto and incorporated by reference herein.

An ordinance to provide for the annexation of property known as 5 Tovey Road (0.17 acre) (TMS# 418-10-00-012), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9.

Mayor Tecklenburg said, "Next, bills up for second reading."

Councilmember Mitchell said, "K-1 through K-6."

The Clerk said, "Correct."

Mayor Tecklenburg said, "We have K-1 through K-6; can we take those together?"

Councilmember Mitchell said, "No one has any opposition."

Councilmember White said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "It was moved and seconded. Is there any discussion on K-1 through K-6?"

On a motion of Councilmember White, six (6) bills (Items K-1 through K-6) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilmember Lewis. On further motion of Councilmember Wilson, the rules were suspended, and the bills were immediately ratified as:

2016-073 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2066 VESTRY DRIVE (CHURCH CREEK - WEST ASHLEY) (0.28 ACRE) (TMS #355-14-00-022) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON APRIL 12, 2016 (#2016-048), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-074 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2048 VESTRY DRIVE (CHURCH CREEK - WEST ASHLEY) (0.33 ACRE) (TMS #355-14-00-095) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON APRIL 26, 2016 (#2016-053), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-075 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1436 BATTLE GROUND ROAD (FORT LAMAR - JAMES ISLAND) (0.34 ACRE) (TMS #431-06-00-099) (COUNCIL DISTRICT 12), ANNEXED INTO THE CITY OF CHARLESTON APRIL 26, 2016 (#2016-052), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-076 AN ORDINANCE TO AMEND CHAPTER 17 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO MODIFY THE CITY'S PALMETTO ARTISAN RULES TO COINCIDE WITH RECENT/SIMULTANEOUS PALMETTO ARTISAN PROGRAM CHANGES.

2016-077 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1211 CAMELLIA ROAD (0.14 ACRE) (TMS# 351-12-00-050), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 9.

2016-078 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1643 SULGRAVE ROAD (0.30 ACRE) (TMS# 354-02-00-043), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 2.

Mayor Tecklenburg said, "Now, we'll go to bills up for first reading. L-1, which is the matter on Maybank Highway."

Councilmember Lewis said, "Move for approval."

The Clerk said, "Okay. Is there a second?"

Councilmember Mitchell said, "L-2 and L-3."

Councilmember Lewis said, "L-1."

The Clerk said, "L-1, first reading."

Councilmember Mitchell said, "Bills up for first reading."

Councilmember Gregorie said, "The Gathering Place."

Councilmember Mitchell said, "We need to take this to the Community Development."

Councilmember Gregorie said, "We're on L-1, right, Mayor?"

Mayor Tecklenburg said, "L-1."

Councilmember Gregorie said, "Okay, the PUD."

Mayor Tecklenburg said, "We have a motion."

The Clerk said, "Yes, from Councilmember Lewis."

Mayor Tecklenburg said, "From Councilmember Lewis to approve. Do we have a second?"

The Clerk said, "Not yet."

Councilmember Waring said, "I'll second it."

The Clerk said, "Okay, Councilmember Waring."

Mayor Tecklenburg said, "Councilmember Waring has seconded it."

Mayor Tecklenburg said, "Okay, then we have a presentation from Mr. Lindsey regarding this matter."

Mr. Lindsey said, "Thank you, Mr. Mayor. This is an amendment. This is a zoning change from Gathering Place classification to Planning and Development classification on Maybank Highway. First of all, just to know the process, this, of course, is coming back to Council, per the request from the CD ("Community Development") Committee, so it is coming back to you, not to Planning Commission. This is a first read. Should you give it, it would then go to Planning Commission where it will receive a public hearing. Then it would come back to Council. It can go to any of the committees that you deem fit, and then it would come back to you where there would be a public hearing then. So, that's the public process this would go through, should you choose to move forward."

In terms of the details, the ordinance itself, in terms of the PUD, there are 279 dwelling units, which is equivalent to DR-2F density. The site plan is in your packet. It's on the 133rd page of your packet if you want to look at that. It allows commercial space of up to 7,500 square feet. It has a slightly lower parking ratio than the conventional per units, 1.4 per unit versus 1.5. It has all the required open space that would have existed previously. There is an included traffic study. To briefly address the traffic study, the light at Fleming does not meet DOT standards. It's not meeting the warrant, where it says there's enough traffic to have a traffic light at that location, primarily to due to the drop in density. The study says that the traffic from this project would comprise 1.8 percent of the total traffic at the Maybank/Folly/Country Club intersection, which is on page 3 of the traffic study. The important thing here is that with or without this project, that intersection is projected to go from a level of Service E to a level of Service F. So, it will go to a level of Service F at that intersection with or without this project being constructed. The PUD gives DRB review at staff level and all the previous commitments that have been discussed by the developer are included in this PUD. Finally, the site plan itself in regards to its parking is something that we consider to be flexible and can be modified as we move forward. We anticipate changes to the site plan itself going forward."

Councilmember Gregorie said, "Mayor, if I'm not mistaken, that did go through Community Development, and Community Development recommended that we could move for the PUD."

Mr. Lindsey said, "That is correct. If I omitted that or if I misspoke, that's my mistake. That is correct."

Councilmember Gregorie said, "Thank you."

Councilmember Waring said, "That's an important point. We came from Gathering Place, we came from General Business, now, to a PUD where everything is open, and I'm going to be quiet because I want to hear from, Councilmember Wilson, the lady of Council."

Councilmember Wilson said, "Thank you. I think we have made some progress. We have seen the density go down. I think, in general, we are moving in the right direction. My two concerns, actually three concerns, remain. First of all, when this went to Community Development, I don't think I was remembering falsely. I do remember this Council and those Councilmembers on that Committee specifically stating that Councilmembers, potentially Waring, Moody, Gregorie and Wilson were to be involved with the formulation of this PUD. The

first time I saw this PUD was Thursday morning when I cracked my packet. There was zero communication, no e-mails, no phone calls, no invitations to meet. In addition, I just saw these when I walked in. These are letters and e-mails back and forth from Core with a citizen group on James Island, and I will tell you I do not attend the citizen group meetings. You know, I have a certain level of detachment, but they have been asking since going back to April to meet. There's been no communication, and I'm just wondering, staff, you guys knew that you were supposed to involve us. We were not included. The neighbors were not included. No one has seen this until this week when it came out. That aside, that's one issue.

The second is, although we're moving in the right direction, we've got 279 units, and you can see there is no parking deck anymore. We have a tremendous amount of acreage absolutely leveled with 279 units times 1.3 parking spaces, 1.4. That's between 360 to 390 parking spaces. That is a vast sea of asphalt. That kind of reminds me of the K-mart on Savannah Highway where we had the vast acreage of parking. I think we can do better. I would invite discussions with Core as to how we can do better, and I will toss this out right now because I don't think I'm too far off the mark. I am willing to trade off a little height, especially in the back of that project, if we can get some of this surface parking up because right now, one of the key components that I asked for was greenspace, not necessarily open space, but greenspace, preserving some semblance of what has been there for generations in terms of the tree cover and protecting some beautiful live oaks that are on the property. That's great that we've got a tree-save area. It's substantial. That is good. That's also being done to pacify a neighborhood association adjoining that property, but there is nothing specific to the property itself or very, very little in terms of greenspace. By reducing the number of surface parking units by some means, be it, you know, further reducing the density or raising and giving some more height, I think that can be achieved. I would like to continue talking with them and seeing what we can do here.

In terms of Commercial, you know, quite honestly, the Commercial that we have right now is going to be germane to simply that apartment complex. It's not ever going to be anything. I mean, this is one of the great failings of Gathering Place. No matter how many variations of this we have been through, we're never going to get those nice little retail shops that I could have patronized, so I don't have to leave James Island. That just doesn't ever seem to be materializing throughout any of these plans. Again, that is a point to discuss. At this point, if we could do something with this surface parking, we can talk about the Commercial or lack thereof or what we want in Commercial, whether we want it to be strictly for the complex itself, or whether we want it to be more public oriented. All of those things, I think, are on the table. We currently have a moratorium in effect. That moratorium goes, Jacob, until July 8th?"

Mr. Lindsey said, "So, my understanding is that the moratorium does expire today so that if Council chooses not to adopt this zoning, then the moratorium would need to be extended."

Councilmember Wilson said, "Yes."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "What if we do it this way? Because I think that you make some pretty relevant points here that need to be considered, if we took this through first reading, it then gives us 30 days from our next Council meeting to sort of iron out and hash out some of the things that you are talking about in terms of making sure that there is discussion with us, with the developers, and, if need be, including the community to sort of discuss and

hash out your points. I do think that you have some good ones, especially with regard to the parking issue and how to sort of camouflage some of those 300 cars. When you look at the Standard, the Standard has comparable units, but they did build the garage and wrapped it. So, I do think that you have some relevant points that probably need further discussion with Core.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Councilmember Wilson is right. At Community Development, we did ask the developer to get in contact with you, Councilmember Moody, and Councilmember Gregorie. So, I’m saddened to hear that didn’t take place, but you have valid points, and I think this is the time, if the developer is smart, they won’t make that mistake twice, and your bullet points are well taken. I, too, agree that I hope we give it a first reading and, if those bullet points aren’t addressed in a satisfactory way, you will report that to us, and we’ll take that on second reading.”

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, “Thank you. I welcome comments from you, my colleagues. We can look at this, and you can see just the sheer amount of pavement everywhere, and I truly am not trying to be an obstructionist. I want to see this resolved, however, forever is a long time, and I don’t know of any time that we have ever ripped up asphalt in order to plant trees again. It’s always the reverse, and that’s why I’m being just such a pain, quite honestly, such a pain about this in trying to get it right because so many people are so badly affected on the island. I’m not going to get into traffic. It all plays into this but this is a work in progress. I want to thank Core for what they have done so far, their willingness to back away from what was really a truly awful ordinance with Gathering Place and begin to bring this into the realm of reality. I still think that we can continue to move forward and create a good project or a better project. Everyone’s probably going to walk away somewhat unhappy, but I need to know that I’m going to get a phone call or an e-mail inviting me to the table. That didn’t happen. I have letters here dated April 25th, which is two months ago essentially, and no one called.”

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, “In all fairness, I’ve been out of town until this past Sunday, and I did get a couple of calls from Brian saying that he wanted to meet with me. So, my e-mail said I was going to be gone, so I don’t know that he didn’t try. He did try to contact me, it was just the last day. I wasn’t available before that, so he may have tried earlier. So, I just wanted to be fair about that, but I agree with what Councilmember Wilson said about this parking. I also would like to, you know, I’d be willing to give up some height if we could put some of that asphalt under the bottom of the building and surrounding it.”

Mayor Tecklenburg said, “We’ll certainly sit down and intend for you all get together. Does the Council want to proceed by the way of giving first reading?”

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, “In all fairness, again, to the developer, I have had some discussions with them and more than once, just for the record.”

Mayor Tecklenburg said, "So, there has been some outreach, just not as much as we would have liked. Are there any other comments? We have a motion on the floor and a second to give this first reading. There has been some conversation that negotiations are going to take place before we go back to second reading. Are there any other comments or questions?"

On a motion of Councilmember Lewis, seconded by Councilmember Waring, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Maybank Highway at Promenade Vista Street (James Island) (approximately 10.57 acres) (TMS #424-00-00-001) (Council District 6), be rezoned from Gathering Place (GP) classification to Planned Unit Development (PUD) classification.

Councilmember Wilson was excused from the Chamber at 10:10 p.m.

Mayor Tecklenburg said, "Next, we have an ordinance regarding the Sergeant Jasper property to create an Overlay District to provide some more residential use of the property. Mr. Lindsey."

Mr. Lindsey said, "Thank you, Mr. Mayor. This is an Overlay Ordinance which you all should have in your packets. It provides for a dense mixed-use condition onsite. It caps density between 50 and 78 dwelling units per acre. It is predominantly residential in use. The Overlay is subject to the underlying standard parking requirements of the base district. It is also subject to the heights of the base district or a cap of 160 feet which effectively puts a height limit cap on 3-X Districts."

Councilmember Wilson returned to the Chamber at 10:12 p.m.

Mr. Lindsey continued, "Finally, it requires a maximum lot coverage of 55%, which is in effect an open space requirement of 45%. Those are the primary provisions of the Overlay Ordinance and this is, of course, an Overlay, and we have looked at other sites where we believe that it can apply. We think that it works in a number of locations around the City. For example, both sides of the foot of the Ashley Bridges, locations on Upper Morrison where the Arthur Ravenel, Jr. Bridge attaches, locations in the Neck that are not in the UP ordinance, I-526 locations at Paul Cantrell, I-526 at Clements Ferry, Clements Ferry at Cainhoy, Sam Rittenberg and Old Towne. A number of other Gateway sites in the City could be appropriate for this type of Overlay. So, that's the ordinance that is before you."

Mayor Tecklenburg said, "Alright. Do I hear a motion?"

Councilmember Shahid asked, "What number are we on?"

Councilmember Lewis said, "First reading, L-2."

Mayor Tecklenburg said, "L-2."

Councilmember Mitchell said, "That's the Gateway."

Councilmember Lewis said, "Are you finished?"

Mr. Lindsey said, "I'm done."

Councilmember Lewis said, "I move that we approve it."

The Clerk said, "Councilmember Lewis, you're moving for approval, seconded by, was it Councilmember Moody?"

Mayor Tecklenburg said, "Seconded by Councilmember Moody or Wagner, either one. Councilmember Waring, do you have a comment?"

Councilmember Waring said, "Just for clarification, is this affecting the State Ports Authority Building?"

Mayor Tecklenburg said, "No, sir."

Councilmember Lewis said, "That's L-3 and L-4."

The Clerk said, "Those are deferred."

Councilmember Riegel said, "They are? When did that happen?"

Councilmember Shahid said, "L-3 and L-4 are deferred."

The Clerk said, "We haven't voted on this but, yes, when we get to L-3 and L-4, are deferred."

Mayor Tecklenburg said, "Okay, I wasn't aware of that. We have a motion and a second to approve or give first reading to L-2, and did you mention this goes to the Planning Commission and then comes back to City Council?"

Mr. Lindsey said, "I did not mention that, but you are correct, sir. It goes to Planning Commission for consideration where there will be a public hearing, comes back here where there will also be a public hearing, and second reading."

Mayor Tecklenburg said, "So, it will receive more public review and process. Are there any questions or conversation?"

Mayor Tecklenburg said, "They're tired. I admit it. I'm sorry."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "It's late in the evening, but the irony of it, Mr. Mayor, was not lost on me when you introduced this ordinance. You said it's an ordinance regarding the Sergeant Jasper. With all due respect to Mr. Lindsey, it is. Nobody in this room, other than perhaps, Mr. Darby, and my constituents, want this thing to end more than I do. Nobody wants it to be residential, whatever it looks like in the end, more than I do, but if we go down this route, this is a guarantee that doesn't happen. Because with all due respect, whether we're right or not, and you read this ordinance, it is tailored to that spot, it is tailored to that site, and it is going to get challenged. If we want this property to be Residential, rezone it. This Overlay, I don't believe, in the end, will withstand scrutiny. I could be wrong, but it's going to get scrutinized. It's going to get scrutinized. So, you know, if you do the math on the number of units per square

feet and all that kind of stuff, it's just ultimately going to be a problem. So, we've approved the settlement, fine. If you really want this over, I don't think this is going to get you there. I'm going to vote against it, because I think it's going to set up the next round of fight on something that we don't need to be fighting about."

Mayor Tecklenburg said, "Well, I mentioned that because L-2 specifically mentions a couple of TMS Numbers, but it says so that certain properties bearing the following Charleston TMS Numbers be included in a 'Gateway Overlay Zone'."

Councilmember Seekings said, "Look, we're all adults around here. We know what this is about, and that's fine, but, if this is going to end, this isn't going to end it."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I disagree with my colleague if it's in the Overlay. Can we hear from our Counsel on this?"

Mayor Tecklenburg said, "Absolutely."

Councilmember Waring said, "Thank you, Ms. Cantwell."

There was laughter in the Chamber.

Ms. Cantwell said, "I was paying attention, but what was your question?"

There was laughter in the Chamber.

Councilmember Waring said, "The issue that Councilmember Seekings made mention of, and I won't ask him to repeat it, but he's referring to this being spot zoning, in effect, and not standing scrutiny, so I would like to hear your opinion on that."

Ms. Cantwell said, "I don't want to give my hand away, so to speak, but this is an Overlay Zone. It is applicable to other areas of the City. We have field tested it. It probably will be tweaked before it comes back as we do more fine tuning. It is being applied to the Sergeant Jasper tonight as a suggestion but, as Mr. Lindsey mentioned earlier, there are a number of other areas in the City, and some even closer than you think, where this would work. So, this is a legislative call for City Council and whether or not you think this is the right program for this site or for other sites as it comes forward. What I like about this ordinance, that we don't get on other ordinances, is a site plan, which is good."

Councilmember Waring said, "Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "If this is pertaining to Sergeant Jasper, we still have Mr. Darby with us. Can we have a quick word or two from him since it does apply to him? No?"

Mayor Tecklenburg said, "It can apply to more properties."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "In serving on the Planning Commission for almost 18 years, this City has used the Overlay District and it's tremendously successful. So, it has been tested, as Counsel says. As a matter of fact, a lot of times we use them for private schools, First Baptist, Mason Preparatory, to name a couple. We've used it over in, I believe, over in your area, Bill (Councilmember Moody), South Windermere, the Moreland area and all of that. So, that's been tested. I would like to move for approval on this, and hopefully we'll get a second, and we can continue the discussion."

The Clerk said, "Actually, we have a motion?"

Councilmember Waring said, "We do. I'm sorry."

Mayor Tecklenburg said, "It's already been moved and seconded."

Councilmember Waring said, "Okay, I'm good."

Mayor Tecklenburg said, "Councilmember Moody. Is there any other discussion or questions?"

On a motion of Councilmember Lewis, seconded by Councilmember Moody, City Council voted to give first reading to the following bill:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add a new Overlay Zoning district to be known as the Gateway Overlay Zone, add regulations to authorize specific land uses, building heights and lot occupancy requirements in the Gateway Overlay Zone, and change the Zone Map, which is part thereof, so that certain properties bearing the following Charleston County Tax Map Numbers, to wit: TMS# 457-07-01-029 and 457-07-01-061 (310 Broad Street) be included within the Gateway Overlay Zone. (AS AMENDED)

The vote was not unanimous. Councilmember Seekings voted nay.

Mayor Tecklenburg said, "So, I'm pleased to hear that Items #L-3 and #L-4 have been deferred. I would like to just make a couple of comments, even though it's been a long evening."

Councilmember Riegel said, "Sir, it was my impression, with all due respect, that they were actually withdrawn. Let's be correct on that."

Ms. Cantwell said, "The e-mail that I got from the attorney for the applicant asked that it be deferred."

Mayor Tecklenburg said, "We're deferring #L-3 and #L-4. So, I've got to share with you all a couple of things. You know, I was a chemistry major in college, and I kind of prided myself on being a pretty good problem solver. I must admit in my lifetime I don't know that I've ever encountered a more confounding conundrum than this whole matter of the Sergeant Jasper. To look back with 20/20 hindsight, I must say I don't want to lay the blame somewhere else unnecessarily. But, if zoning had been changed, particularly the height district, about 10 or 12 years ago when the City did a pretty comprehensive look at the height districts throughout the City, if the 3-X Zoning had been taken away at that point and time, I'm sure it would have been under protest of the owner. But, if it had been, we never would have been in this boat. We

would have gotten a product, I think, proposed to us that would have been smaller and more acceptable to the community at large. I, for one, even though I voted for the settlement agreement this evening, will be the first to admit that I would have liked to have seen a smaller development on this site. I think that would have been appropriate, and I've stated that a number of times. We've been in a legal matter, in litigation, but if you really look at the bottom line of what we have agreed to tonight to settle this matter, the only thing that we have 'given The Beach Company' is to say we're going to do what the Judge has ordered us to do, and that's to give them conceptual BAR approval that was denied to them a year ago. So, beyond that, they've got to come back and go through all the open BAR process. That is something we have been wanting in all of our meetings and discussions. We have preserved the process, and mostly importantly, when the Order is vacated, and the settlement agreement is contingent on the Judge agreeing to vacate the Order. So, if the Judge does not vacate the Order, this agreement becomes null and void, but when he vacates the Order, we protected the BAR. We protected the process, and I felt like that was one of the most important matters to come out of this whole conundrum. Additionally, at this point, if the Judge says you've got to give them conceptual approval, and we do that, they have to follow all of the processes. I felt that it was important for the public to benefit in some way, and it was an idea that Councilmember Waring came up with at one of our many meetings that St. Mary's Field become a park. Admittedly, given our legal journey, we did not end up getting the whole field, but we have a substantial portion of it, the portion that will be facing the waterfront, the portion that will be facing the marsh. It will be a wonderful public amenity that will connect with a park-like feature of the open space of the Sergeant Jasper development along Canal Street, which will connect with Moultrie Playground. It really will create a wonderful public mall, plaza-type of promenade all the way from the waterfront at the Ashley River to the Colonial Lake. Again, I'll say, I do not disagree that the ending product is bigger than what I and what many people would have liked, but I do believe, in the long term, that what we have chosen to do tonight will be in the best long-term interest of the City. I know some of my friends will respectfully disagree with that statement, but I have just come to the conclusion that that is true, and I feel it will be and we'll agree in the future on many other projects and things going forward. So, thank you all for your patience, again, this evening. Do we have any other business?"

The Clerk said, "We do."

Mayor Tecklenburg said, "We have one other item of business."

The Clerk said, "We still have one other thing we need to do."

Mayor Tecklenburg said, "Okay."

The Clerk said, "On Item #L-10, we need to have a motion to withdraw."

Councilmember White said, "Motion to withdraw."

The Clerk said, "Oh, I think I skipped one, too."

The Clerk said, "First, let's do Item #L-5. Item #L-5 is the Bed and Breakfast item that needs first reading."

Mayor Tecklenburg said, "This is a clarification of an ordinance. Maybe Mr. Lindsey can better explain it than I."

Mr. Lindsey said, "This is to close a loophole which, unknown to City staff, may inadvertently allow bed and breakfasts north of the Crosstown, north of the area that we intended it to be."

Councilmember Gregorie said, "Septima Clark Parkway."

Mr. Lindsey said, "Septima Clark Parkway. Thank you, Councilmember. So, the way that this came to be, very briefly, is that in February of 2011 this Council passed an amendment to allow bed and breakfasts to exist in Cannonborough - Elliottborough at the request of the neighborhood and it was done by saying that those types of bed and breakfasts can exist in the Old and Historic District. Then in 2012, we extended the Old City District, northward. This is the area where we said, 'you can be a bed and breakfast in this area in 2011'. Then in 2012, the areas which you see in orange, north of Line Street, all of these areas came into BAR jurisdiction. They were previously DRB. The way that we put them in BAR jurisdiction was by extending the Old City District. So, what happened was that inadvertently the ordinance that allowed these to happen through the Old City District now could, in fact, be interpreted to also exist in all of those areas. We were called on this. We were unaware that it is a loophole by omission. So, what this does is it closes that loophole, and it says, in fact, 'no, bed and breakfasts are not permitted north of Line Street' in the Old and Historic Districts. So, this is a provision to change that."

Councilmember Riegel said, "I move for approval then, Mr. Mayor."

Councilmember Wagner said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

On a motion of Councilmember Riegel, seconded by Councilmember Wagner, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-208.1 Bed and Breakfasts not located within the Old and Historic District, to clarify where Bed and Breakfasts are permitted in areas outside the Old and Historic District.

Mayor Tecklenburg said, "Now, do we have any other business?"

The Clerk said, "Yes, we have Item #L-10 that needs to be withdrawn."

Mayor Tecklenburg said, "Item #L-10."

The Clerk said, "That needs to be withdrawn. We need a motion to withdraw."

Councilmember White said, "Move to withdraw."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "A motion to withdraw Item #L-10. It's been moved and seconded."

On a motion of Councilmember White, seconded by Councilmember Lewis, City Council voted unanimously to withdraw the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Murraywood Road (Johns Island) (approximately 1.80 acres) (a portion of TMS #312-00-00-026) (Council District 5), be rezoned from Single-Family Residential (SR-1) classification to Single and Two Family Residential (STR) classification.

Mayor Tecklenburg said, "The next regular meeting of City Council will be July 19th. We are going to meet at the Gaillard Center Ballroom, and I look forward to seeing you then."

Councilmember Wilson asked, "Dinner and dancing?"

Mayor Tecklenburg said, "Excuse me?"

The Clerk said, "Dinner and dancing."

Mayor Tecklenburg said, "Dinner and dancing in the ballroom. If there is no further business, this meeting is adjourned, finally."

There being no further business, the meeting adjourned at 10:27 p.m.

Vanessa Turner Maybank
Clerk of Council