

Suggested Amendments to Bull Street Development Agreement
Submitted to Teresa Wilson and members of City Council
Revised, Wednesday, July 3, 2013

Let's not leave history behind in this "historic" partnership for a "historic" project.

With this Development Agreement the City of Columbia is committing significant resources, both financial and operational to the redevelopment of the Bull Street Campus. It stands to reason that with this investment, the City of Columbia has the opportunity to ensure that the most significant historic elements of the site are protected. The City Council should utilize the framework established by the Bull Street Property Advisory Committee which established in a report dated August 12, 2012: ***A Master Plan and associated Design Guidelines establishing a unified vision must be created by the developer in order to establish mutual expectations and cooperative engagement with the City of Columbia and its citizens. This plan should ensure that the integrity of the historic district is maintained.*** (p2)

With that in mind we suggest the following Amendments to the Development Agreement that was distributed June 24, 2013.

1. Amendment that design approvals to Precedent Structures are reviewed by an independent party to ensure that the changes meet the Secretary of Interior Standards. In Section XVII, H. Historic Structures (pp11-12). Regarding Precedent Structures it reads, "The DRB will use the Standards of the Secretary of the Interior as a guide in the issuance of design approvals. Records of any DRB actions associated with this Section shall be transmitted to the Consolidated Review Committee (CRC)."
2. Amendment that the Ensor, Bakery and Laundry building be added as Precedent Structures. Section XVII, H. Historic Structures (pp12) reads: "If the Developer determines, in its sole and exclusive discretion, that the Ensor, the bakery or the laundry building will not be retained on the site, the Developer will offer such buildings to the City for relocation..."

In May, these three buildings were found by the City's Design/Development Review Commission to be eligible for Local Landmark Designation. They should therefore be recognized in this document as historic buildings. Their place on the site – just like their historic functions – are integral to the historic and physical fabrics of Bull Street. Moving them would seriously jeopardize their physical integrity and forever diminish their historic significance. By listing these buildings as precedent structures you set them up to be re-used rather than relocated. In addition the reference that the City of Columbia would have to purchase the buildings to relocate should be removed.

3. Amendment removing the following statement: "The City agrees to impose no further restrictions on these or other buildings or lands within the Bull Street Project." Section XVII, H. Historic Structures (pp12) This statement prevents the City from creating any overlay districts or future landmarking. This basically means that you are not only handing the buildings over to the Developer, but also the determination of their significance. This implies that a National Register nomination could never be initiated by anyone other than the Developer. (It is important to

note that a building owner has the right to refuse historic designation) With this action we sell the right of the community to determine what is historically significant.

4. Amendment removing from Section XIX. B. 15.(n) "No additional overlays, districts or Landmarks." See explanation in Amendment 3 above.
5. Amend Section XIX.B.2(a) to remove Calhoun Street as a "Near Site Road" so that the Developer can use this Street to "allow direct access onto the Property," which could have a negative impact on the contiguous Robert Mills Historic District.
6. Amend the document to include the Parker Annex and the Auditorium/Library as Precedent Structures.
7. Amend the document to include the recognition of Camp Asylum as a Civil War prison camp located on the grounds of the Bull street Campus. The exact location of the site needs to be confirmed through archaeological testing, and then major excavations need to be conducted based on the findings of the testing.
8. Amendment for Section XX, to replace the 2nd sentence in the 2nd paragraph: Any liability of the City of Columbia under this Development Agreement shall be limited to that payment or performance actually due under this Development Agreement, and in no event shall the City of Columbia be liable for any 'lost profits', consequential damages or special damages, and Hughes Development hereby expressly waives any right that may hereafter arise to claim against the City of Columbia for any 'lost profits', consequential damages or special damages under this Development Agreement.

We respectfully request that these amendments be included in the draft of the Development Agreement that will be presented to City Council at the July 9 Public Hearing. Please inform Robin Waites (803.252.7742 ext 14; rwaites@historiccolumbia.org) by COB July 5, 2013 as to whether or not they are accepted.