

## Committee on Real Estate

August 17, 2020

A meeting of the Committee on Real Estate was held this date beginning at 2:34 p.m. over video conference call.

Notice of this meeting was sent to all local news media.

### Present

Councilmember Shahid, Chair, Councilmember Appel, Councilwoman Jackson, Councilmember Waring, and Mayor Tecklenburg

**Also Present:** Susan Herdina, Jennifer Cook, Amy Wharton, Stirling Halversen, Leigh Bailey, Christopher Morgan, Jason Kronsberg, Chip McQueeney, Rick Jerue, and Bethany Whitaker

The meeting was opened with an invocation provided by Councilwoman Jackson.

### Approval of Minutes

On the motion of Councilwoman Jackson, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve the minutes of the July 27, 2020 Real Estate Minutes.

**Request approval of a Right of Way and Utility Easement granting the Commissioners of Public Works (CPW) a 15 ft. water line easement for the installation and maintenance of a new water line. (TMS: 271-00-00-006; 165 Fairbanks Dr., Charleston, SC – Daniel Island Recreation Center)**

Ms. Bailey stated this was for an easement for a new water main in relation to the Daniel Island Recreation Center and it was a very standard and straight-forward easement, nothing out of the ordinary.

On the motion of Councilwoman Jackson, seconded by Councilmember Appel, the Committee voted unanimously to approve the above item.

**Request approval to accept the donation of a clock from the Friends of the Muni for placement at the starting tee box at the Charleston Municipal Golf Course as part of the current renovation project (2110 Maybank Highway, Charleston, South Carolina 29412) (Amended)**

Mr. Kronsberg stated this was a clock that was being donated by the Friends of the Muni to the City of Charleston. It was a very nice looking timepiece that was used in many public settings around the Country. Chairman Shahid asked if it would be on par with where they would expect for a clock to be on a Municipal Golf Course. Mr. Kronsberg said he thought so.

On the motion of Councilwoman Jackson, seconded by Councilmember Appel, the Committee voted unanimously to approve the above item.

**Consider the following annexations:**

- (i) 2229 Weepoolow Trail (TMS# 353-12-00-017) 0.32 acre, West Ashley (District 2). The property is owned by John Everett McInnis.**
- (ii) 2444 Quail Hollow Court (TMS# 355-16-00-069) 0.09 acre, West Ashley (District 2). The property is owned by Douglas R. Wurster.**
- (iii) 1551 N. Pinebark Lane (TMS# 353-15-00-037) 0.22 acre, West Ashley (District 7). The property is owned by Roscoe L. Bolton, III and Joy L. Bolton.**
- (iv) 772 Yaupon Drive (TMS# 263-00-04-038) 2.3 acre, Cainhoy (District 1). The property is owned by Beverley D. and James P. Rardin.**

On the motion of Councilmember Waring, seconded by Councilmember Appel, the Committee voted unanimously to approve the above items.

### **Miscellaneous Business**

Chairman Shahid stated he and Ms. Cook had a miscommunication on two items he wanted to add to the agenda. One went back to what Councilmembers Waring and Sakran, and he had been dealing with on Ghost Island which was a discussion on an archaeology ordinance. He had talked to Ms. Herdina about that but he would like to go ahead and bring that back up at some point for full discussion which could be done at the next Committee meeting. He knew cost would be a huge issue with that, but he would like to first explore some options on that with what they could do. A city as old as Charleston celebrated and commemorated its 350<sup>th</sup> Anniversary and not having an archaeology ordinance seemed like they were missing the boat. He stated he would save his sermon for later but he would like to bring that back up and ask the Legal Department if they could give some time on that at the next Real Estate meeting.

Councilwoman Jackson said she appreciated Chairman Shahid initiating that as a serious matter they would take up. She thought it was the only time that she knew of where the City of Alexandria, Virginia was leading the pack over Charleston in protecting its historicity. She thought that they could use the word 'embarrassment' as it was an embarrassment to the City that they didn't already have such an ordinance in place. Councilmember Waring asked if it would be an ordinance that applied to the entire City. Chairman Shahid stated he thought that was something they would have to discuss. He thought it was something they needed to describe all of the parameters. Number one, should they do it and number two, what the jurisdiction would entail. They had uncovered graves around the community. During the Gaillard Reconstruction Project, they had to halt construction because of graves they found and they had to locate them and find out the history. When the Citadel did an expansion program at Johnson Hagood Stadium, they came across some. Councilmember Waring stated Chairman Shahid was right. In his mind, it was the Historic District, but that was what the discussion was for. For some reason, he didn't think James Island, Johns Island, and all of West Ashley needed to be caught up in something like that, but that was what the discussion was for. He certainly agreed with putting it on the agenda.

Mayor Tecklenburg added that they had actually tried to bring this forward for a few years and he thought there was good consensus to do it. It was just a matter of the budget. This matter might be better

positioned to move forward in the Ad Hoc Budget Committee than Real Estate because if they modeled Alexandria's ordinance, they would have to hire their own archaeologist. There was a platform for some investigation to occur under certain parameters through the State Historic Preservation Office. He would have to go back and look, but there were certain parameters under which a development did have to do archaeological studies. He would like to do more. He supported it, but they would have to fund it. Chairman Shahid stated for them to just see what was out there, as they had talked about the other states and cities having one of these ordinances. He stated for them to get the Legal Department to give them some ideas on what parameters they had in the City's jurisdiction and to kick it around a little bit. The Mayor was right in that it would end up at the Budget Ad Hoc Committee at some point. Mayor Tecklenburg said they had an ordinance already drafted. Chairman Shahid stated he knew they did and remembered seeing it, but he wanted to see what they had and kick it around some more at the next meeting. Councilwoman Jackson stated she was just going to jump on what the Mayor had wisely said about financing of such a position. She understood that there were ways that they could make it into a hybrid, so that they wouldn't really need to have a full-time member of the staff but they could be providing authority to experts that would serve at the pleasure of the City. She thought they should really be as creative as they could about how to do it. Chairman Shahid agreed and stated they would bring it up for discussion at the next Real Estate Committee meeting.

Chairman Shahid stated the other issue he wanted to bring up was the Post and Courier did an admirable job with the article about the donut holes. He had been talking with the Planning Department about this for several years and tried to figure out ways of how to approach these because there were several neighborhoods in his district that were half-in/half-out. Some of them touched Councilmembers Waring and Sakran's Districts, like the Maryville/Ashleyville area. It was like walking through landmines to try to figure out what property was in City jurisdiction or not and he wanted to have discussion about that, as well. He asked to get Planning folks to appear at the next Real Estate meeting to see what they could do on donut hole annexations. Councilmember Waring said he agreed wholeheartedly and that it was a very good article on it. He was really glad that they were aiming it at General Assembly and State law on that one. Ernest Andrade was the previous Annexation Officer for the City and he was very aggressive in getting many of the areas in West Ashley, James Island, Cainhoy, and Peninsula into the City of Charleston. They had kind of backed off on that over the years, but as they went about revitalizing West Ashley and areas west of the Peninsula as well, because they had Re-think Folly Road on James Island as well, it was a comprehensive effort. If they looked at many of the blighted areas West Ashley, many of them weren't in the City, but in the PSD or an unincorporated area. They had very little to say on that besides kind of cheering them on. They needed to have a strategy in the City and certainly encourage the State. If they could help endorse what they were going to do at the State level they could count him in on that. Chairman Shahid asked Ms. Cook if she would make sure that they sent out an invite to Mr. Lindsey in the Planning Department. He thought they needed to be involved along with the Legal Department as well on this discussion for next meeting. Ms. Cook said she would.

**Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code for the discussion of negotiations incident to proposed contractual arrangements related to the Daniel Island Tennis Center. City Council may or may not take action after returning to open session.**

On the motion of Councilmember Waring, seconded by Councilwoman Jackson, the Committee voted unanimously to go into Executive Session at 2:47 p.m. to discuss a legal matter related to the above item.

On the motion of Councilwoman Jackson, seconded by Councilmember Waring, the Committee voted unanimously to come out of Executive Session at 3:15 p.m.

Chairman Shahid stated to let the record reflect that they went into Executive Session only to receive information and have a general discussion about negotiations regarding a proposed contractor arrangement related to the Daniel Island Tennis Center. That was all they had to report at this particular point.

Chairman Shahid asked if there were any other items they needed to take up for consideration. Mr. Kronsberg said he inadvertently reported that the clock donation was from the Friends of the Muni but it was actually from the Jenkins Links Golf Association. He wanted to make sure that was clarified. Chairman Shahid stated that was what was reflected on the agenda as well. Ms. Cook stated they received the information from the Legal Department that it was from Friends of the Muni and asked if that needed to be amended. Mr. Kronsberg stated he really wasn't involved in it, but he thought it was the Jenkins Links folks. He deferred to Legal as to whether it needed to be amended and/or Laurie Yarbrough who was coordinating that on behalf of Marshall at the golf course. He apologized for confusing the matter if he did. Chairman Shahid said he appreciated the clarification and asked Ms. Herdina if they needed to make a change on it. Ms. Herdina stated she would have to check with Janie Borden, but it was her understanding it was Friends of the Muni. She said they would check that and if it needed to be changed, they would let them know prior to Council the next night.

Having no further business, the Committee adjourned at 3:17 p.m.

Bethany Whitaker  
Council Secretary