



**CITY COUNCIL**

**SPECIAL CALLED**

**AGENDA OF**

**JANUARY 16, 2018**



# Administration Department



## Interoffice Memorandum

TO: Mayor and City Council

FROM: Robert A. Pettit, Mayor

DATE: January 12, 2018

SUBJECT: Special Called Meeting of Tuesday, January 16, 2018

Pursuant to Section 2-37, entitled "Calling Special Meetings," of the Code of Laws of North Augusta, South Carolina, a Special Called Meeting is called for **Tuesday, January 16, 2018 at 7:00 PM.** in the Municipal Center 3<sup>rd</sup> Floor Council Conference Room/Council Chambers located at 100 Georgia Avenue, North Augusta, South Carolina.

The purpose of the Special Called Meeting shall be for Council to consider the following:

**ITEM 1.      ZONING:      Ordinance No. 2018-01 – An Ordinance to Amend the Zoning Map of the City Of North Augusta, South Carolina by Rezoning ±16.06 Acres of Land Owned by T.R. Reddy, I-20 Investors, LLC and Located along W. Martintown Road at Frontage Road, Aiken County Tax Parcel # 001-20-02-006 from PD, Planned Development to R-5, Mixed Residential**

**A.      Motion to Receive**

On December 21, 2017, after a duly advertised and convened public hearing, the Planning Commission considered a request by property owner T. R. Reddy, I-20 Investors, LLC to rezone +16.06 acres of land located along W. Martintown Road Frontage Road, and identified as Aiken County Tax Parcel 001-20-02-006, from PD, Planned Development to GC, General Commercial. **The Planning Commission recommended on a vote of 5-1 that City Council deny the rezoning request of the property as proposed, recommending instead the subject property be rezoned to R-5, Mixed Residential.**

Receipt by Council by motion is in order.  
Please see **ATTACHMENT NO. 1-A** for additional info.

**B.      Ordinance 2001-01, First Reading**

An ordinance has been prepared for Council's consideration on first reading to amend the Zoning Map of the City of North Augusta, South Carolina by rezoning ±16.06 acres of land owned by T. R. Reddy, I-20 Investors, LLC and located along W. Martintown Road Frontage Road, and identified as Aiken County Tax

Parcel #001-20-02-006, from PD, Planned Development to R-5, Mixed Residential.

Please see [ATTACHMENT NO. 1-B](#) for a copy of the proposed ordinance.

**C. Ordinance 2018-01, Second Reading**

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

**ITEM 2.      LEGAL:      **Resolution No. 2018-02 – A Resolution Authorizing the Payment Of Attorney's Fees and Costs Related to Defense of Action Filed by Carolina Pines I, LLC Against the City of North Augusta. Such Action Being Action No. 3:16-1124-TLW in the United States District Court, District of South Carolina, Columbia Division****

A resolution has been prepared for Council's consideration authorizing the payment of attorney's fees and costs related to defense of action filed by Carolina Pines I, LLC against the City of North Augusta - Action No. 3:16-1124-TLW in the United States District Court, District of South Carolina, Columbia Division.

Please see [ATTACHMENT NO. 2](#) for a copy of the proposed resolution.

**ITEM 3.      COMMUNITY PROMOTION:      **Resolution No. 2018-03 – A Resolution Supporting and Encouraging the Department of Energy/National Nuclear Security Administration's Consideration of the Savannah River Site to Locate the Plutonium Pit Production Mission****

A resolution has been prepared for Council's consideration supporting and encouraging the Department of Energy/National Nuclear Security Administration's consideration of the Savannah River Site to locate the Plutonium Pit Production Mission.

Please see [ATTACHMENT NO. 3](#) for a copy of the proposed resolution.



\_\_\_\_\_  
Kenneth J. McDowell, Mayor Pro Tempore

# Department of Planning and Development



Memorandum # 18-002

City of North Augusta

**To:** B. Todd Glover, City Administrator

**From:** Kuleigh Baker, Secretary, Engineering and Planning & Development 

**Subject:** **Application number RZM 17-003 – A request by property owner T. R. Reddy, I-20 Investors, LLC to rezone ± 16.06 acres of land located along W. Martintown Road Frontage Road, and identified as Aiken County Tax Parcels: 001-20-02-006, from PD, Planned Development to GC, General Commercial. The purpose of the rezoning request is for future multi-family residential development.**

**Date:** January 10, 2018

## Planning Commission Recommendation

On December 21, 2017, after a duly advertised and convened public hearing, the Planning Commission considered a request by property owner T. R. Reddy, I-20 Investors, LLC to rezone + 16.06 acres of land located along W. Martintown Road Frontage Road, and identified as Aiken County Tax Parcels: 001-20-02-006, from PD, Planned Development to GC, General Commercial. **The Planning Commission recommended on a vote of 5-1 that City Council deny the rezoning request of the property as proposed, recommending instead the subject property be rezoned to R-5, Mixed Residential.**

A copy of the project staff report prepared by Amanda Sievers is enclosed along with a draft ordinance approving rezoning to R-5, Mixed Residential. An electronic copy has been forwarded to the City Clerk. Please schedule the rezoning request for the next available City Council meeting.

# B & B COMMERCIAL, LLC

1315 West Martintown Rd, Ste 14  
North Augusta, SC 29860  
803-426-1718

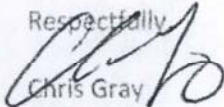
January 8<sup>th</sup>, 2018

**RE: North Augusta Land Rezoning 001-20-02-006**

To Whom It May Concern,

At the Planning Commission meeting on December 21<sup>st</sup>, 2017, it was recommended that we rezone the property listed above to R-5 instead of the proposed zoning classification of GC. After discussing this with Mr. Reddy, we agree with the proposed change in zoning to R-5, since this will still allow us to construct a multi-family apartment complex. If you need anything further, please contact me directly at 803-624-7019.

Respectfully,

  
Chris Gray  
Its President

# Department of Planning and Development

## Project Staff Report

### Rezoning – Map Amendment RZM17-003 W. Martintown Rd/Frontage Rd Property

December 5, 2017

Prepared by Amanda J. Sievers

*ajs*

#### Section 1 - Summary

Project Name	W. Martintown Road/Frontage Road Commercial Development
Applicant	Chris Gray on behalf of T.R. Reddy, I-20 Investors, LLC
Address/Location	West of Hwy 230 (W.Martintown Road) at Frontage Road
Parcel Number	Aiken County Tax Parcel # 001-20-02-006
Existing Zoning	PD, Planned Development
Proposed Zoning	GC, General Commercial
Proposed Use	Multi-Family Residential Development
Future Land Use	Mixed Use

#### Section 2 – Recommendation

Based on the finding of fact summarized below, the Department has determined the application is complete and that a recommendation by the Planning Commission to the City Council for this rezoning – map amendment, a request by Chris Gray, representing T.R. Reddy, I-20 Investors, LLC to rezone ± 16.06 acres of land located at the corner of W. Martintown Road and Frontage Road, identified by Aiken County Tax parcel # 001-20-02-006, is appropriate. Acreage computed via tax parcels is ± 16.13 acres.

#### Section 3 – History

The property in question is currently undeveloped and remains vacant. On October 16, 2006 the property was annexed by the City; Ordinance No. 2006-11. The property was zoned Planned Development (PD) and has remained as such since annexation. A General Development Plan was granted for this site and additional parcels in late 2007 under Ordinance No. 2007-21, Martin Group Commercial Development. The proposal included ten self-storage buildings, a hotel, two restaurants, a strip retail outbuilding and three medical/professional office buildings. The development of the property was proposed in five phases based on market demand for the area.

The subject property has transferred ownership numerous times over the last several years. In 2009 a minor site plan application for a mini-storage use site was submitted by a potential developer, however the project did not move forward to construction.

The existing site has been cleared and mass graded for development under a previously approved mining permit, and a soil erosion and sediment control plan was previously developed for the self-storage project. The site remains vacant for potential economic development opportunities.

**Zoning History**

1966 Zoning Map	Unknown, Aiken County Jurisdiction
1977 Zoning Map	Unknown, Aiken County Jurisdiction
1988 Zoning Map, Revised 1990	Unknown, Aiken County Jurisdiction
1997 Zoning Map	Unknown, Aiken County Jurisdiction
2008 Zoning Map	PD, Planned Development and HC, Highway Corridor Overlay (portion fronting Martintown Road and Frontage Road)

**Section 4 – Site Conditions**

	Existing Land Use	Future Land Use	Zoning
Subject Parcel	Vacant	Mixed Use	PD, Planned Development
North	Commercial and Transportation (Interstate Highway)	Mixed Use/Transportation	PD, Planned Development
South	Vacant	Mixed Use	PD, Planned Development
East	Commercial	Mixed Use	PD, Planned Development
West	Vacant	Mixed Use	PD, Planned Development

**Access** – The site currently has direct access to state-owned Frontage Road and from W. Martintown Road.

**Topography** –The existing topography of the site is steep with rolling hills, sloping generally from the southern corner to the north and west corners of the property. The site has no significant stands of trees on the property, only light vegetation. Some trees remain along the fringes of the site, primarily along the southern and western property lines.



**Utilities** – Potable water is available on Frontage Road through an existing 4-inch water main, and on W. Martintown Road through an existing 10-inch line from the City of North Augusta. Adequate water capacity is available to serve the site.

There is a 21-inch sanitary sewer line along W. Martintown Road. Sewer is available from the City of North Augusta and has adequate capacity to serve the site.

**Floodplain** – The subject property is not within federally designated floodplains or wetlands. There are no jurisdictional wetlands or state waters on the site.

**Drainage Basin** – The subject property drains into the Pole Branch Basin, one of the City's largest basins. The Pole Branch watershed includes high density residential, high density commercial, and some industrial areas. Stormwater Management has conducted a baseline assessment of the basin streams and has rated the Pole Branch basin as poor. Several water quality impairments were found including nitrates, ammonia, phosphorus, iron, copper and zinc.

#### **Section 5 – Public Notice**

A notice of the rezoning request and scheduled date of the Planning Commission public hearing was mailed to the owners of property within 200 feet of the subject property on December 5, 2017. The property was posted with the required public notice on December 6, 2017. A public notice of the rezoning request and scheduled date of the Planning Commission public hearing was published in *The Star* and on the City's website at [www.northaugusta.net](http://www.northaugusta.net) on December 6, 2017. The Planning Commission convened the public hearing and considered the application on December 21, 2017.

#### **Section 6 – Findings and Analysis**

Section 5.3.6 of the North Augusta Development Code (NADC) provides the minimum approval criteria to be used in determining a recommendation to City Council. The Planning Commission shall consider all of the factors specified in this section, at a minimum, in reviewing an application for a rezoning.

**1. The size of the tract in question (§5.3.6.1).**

The subject property is approximately 16.06 acres in total area, and is reflected as such on a plat compiled for H.W. Risher by Besson and Pope Consulting Engineers dated September 1969 and revised June 10, 1975, and a plat compiled for Martin-Sloan, LLC by Star Survey, Inc. dated October 13, 2007. The size of the property is appropriate for the purposes of the intended multi-family residential use for the property. Rezoning the property from a PD, Planned Development to a GC, General Commercial district is appropriate for the purposes of redevelopment of this site.

**2. Whether the proposal conforms with and furthers the goals of the Comprehensive Plan, other adopted plans, and the goals, objectives, and policies of the Development Code, §1.2 (§5.3.6.2).**

The proposed rezoning would provide an opportunity for the development of a multi-family apartment complex. The 2017 Comprehensive Plan has goals and objectives that encourage a wider range of housing types. The Plan also addresses the importance of looking to diversify housing choice in order to accommodate the changing needs of the City's growing population. This property is of sufficient size to develop a multi-family residential site. The proposed rezoning would conform to and further the goals of the Comprehensive Plan.

**3. The relationship of the uses envisioned under the new zoning and the uses currently present in adjacent tracts. In particular, the Planning Commission shall consider whether as stated in §5.3.6.3 of the NADC:**

**a. The proposed rezoning is compatible with the surrounding area;**

The proposed rezoning would provide multi-residential development to be permitted by right. Access would be provided from existing arterial and collector roads in the transportation network. The existing PD zone with the General Development Plan restricts the allowable use for a multi-family apartment complex. The majority of the surrounding properties are within a PD district and are vacant, with the exception of a few commercial properties. It would appear that the proposed rezoning is compatible with the surrounding area.

**b. There will be any adverse effects on the capacity or safety of the portion of street network influenced by the rezoning;**

The street network must be evaluated as part of the site plan review process for any necessary upgrades to the existing transportation network. Based on the proposed nature of the development it is anticipated that the site and corresponding trip generation will warrant significant street network upgrades and will require a traffic impact study.

**c. There will be any adverse effects on existing or planned public utility services in the area;**

The existing utility network appears to be able to accommodate the anticipated development potential of the subject property based on the sizes of the sanitary sewer line located near the site and availability of potable water and sanitary sewer from the City of North Augusta. As part of the site plan approval process,

the existing utility systems will be reviewed to the extent necessary to ensure that development of the subject property is not creating any adverse effects on the overall utility service to the area.

**d. Parking problems; or**

The proposed rezoning will not impact or create any additional parking problems as the site is currently vacant. The site plan will be reviewed against the current Development Code parking standards for the proposed use, and at that appropriate time the amount of required parking will be determined.

**e. Environmental impacts that the new use will generate such as excessive storm water runoff, water, air, or noise pollution, excessive nighttime lighting or other nuisances.**

The proposed rezoning from PD to GC does not appear to create any additional environmental impacts. The site plan must comply with all applicable development standards in the Development Code, including the state and federal standards associated with stormwater management, water and air pollution. City design standards are already in place to address noise pollution and excessive nighttime lighting.

**4. Any recent change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration and development (§5.3.6.4).**

The proposed rezoning is appropriate to consider based on the existing land uses in the immediate area in order to facilitate development of large vacant tracts. Based on the site constraints of the subject property, the applicant does not currently have an opportunity to develop as a multi-family residential use.

**5. The zoning districts and existing land uses of the surrounding properties (§5.3.6.5).**

The proposed zoning classification of GC, General Commercial would allow multi-family residential uses. The high density type of use anticipated for the subject property should not adversely impact the current viability of the surrounding area. A site plan will be required and must comply with all applicable development standards as specified in the Development Code.

**6. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification (§5.3.6.6).**

The existing zoning classification of PD prohibits the applicant from pursuing multi-family residential development, and the allowable uses within the General

Development Plan do not make the subject property likely to be developed as such. Rezoning the property to a General Commercial zoning district allows for a variety of use options to be possible within the confines of the standards of the Development Code.

**7. Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character (§5.3.6.7).**

The proposed rezoning does not appear to impact the compatibility of the adjacent uses. Appropriate buffers and screening must be provided as part of any site plan and should serve to mitigate any impacts and enhance the area. The rezoning, if anything, will enhance the adjacent area, both existing and proposed, on properties along W. Martintown Road and Frontage Road.

**8. The length of time the subject property has remained vacant as zoned, if applicable (§5.3.6.8).**

Prior to the annexation of the property in 2006, the subject property has remained undeveloped and vacant for many decades. The subject property has remained undeveloped and vacant for nearly a decade as currently zoned.

**9. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs including, but not limited to, affordable housing and economic development (§5.3.6.9).**

The properties in the surrounding area are primarily large, undeveloped tracts of land, with some commercial development located adjacent to the said property. The primary zoning surrounding the property is within a PD. This rezoning request would allow the subject property to create a multi-family residential development on underutilized property. There is an adequate supply of land available in the subject area and the community to accommodate the needs of the community both in housing and in commercial development.

**10. Whether the existing zoning was in error at the time of adoption (§5.3.6.10).**

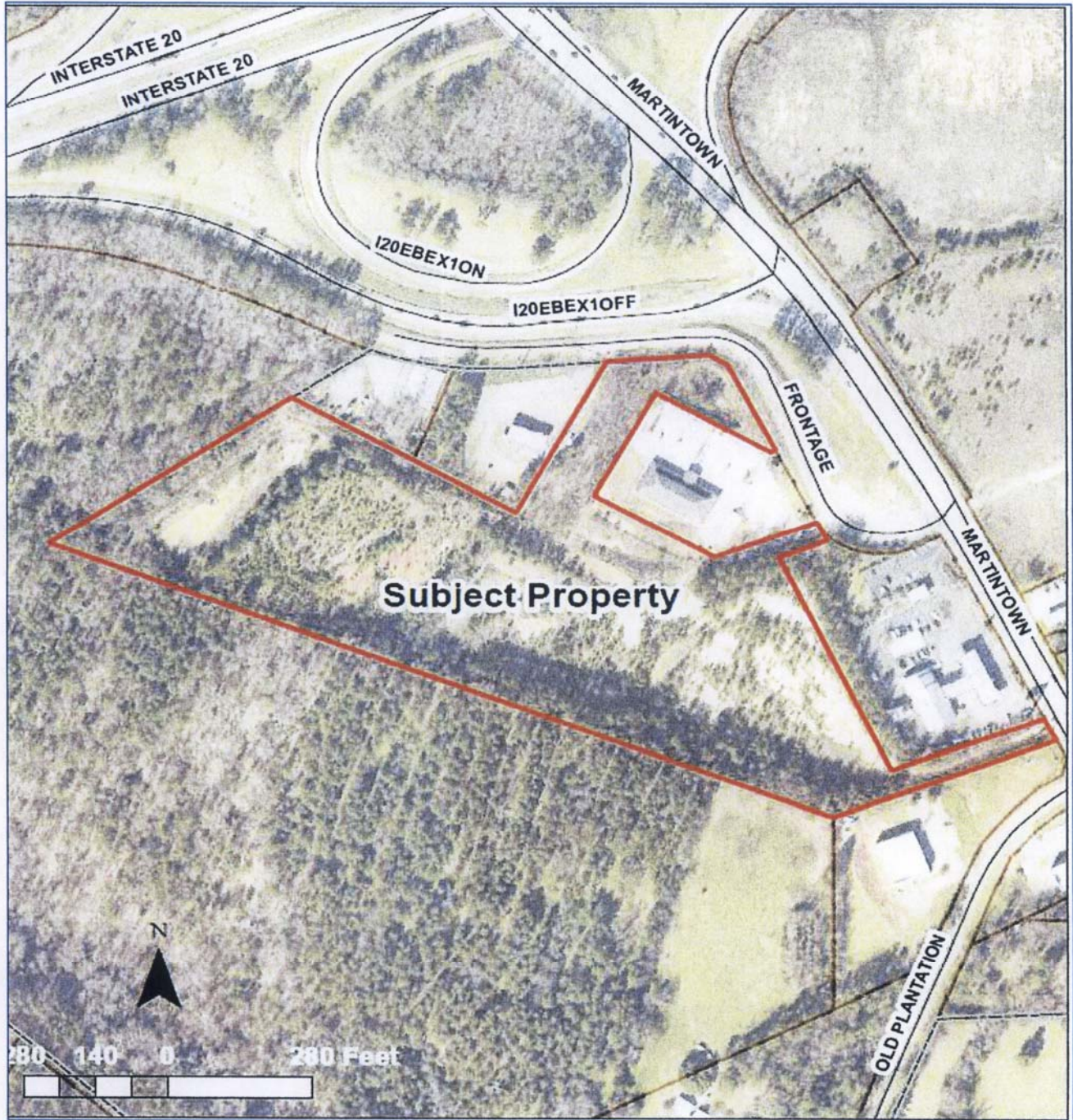
The existing zoning of PD, Planned Development has been in place for a long time. It does not appear that the existing zoning was made in error during the adoption of the zoning for the subject property.

<b>Attachments</b>
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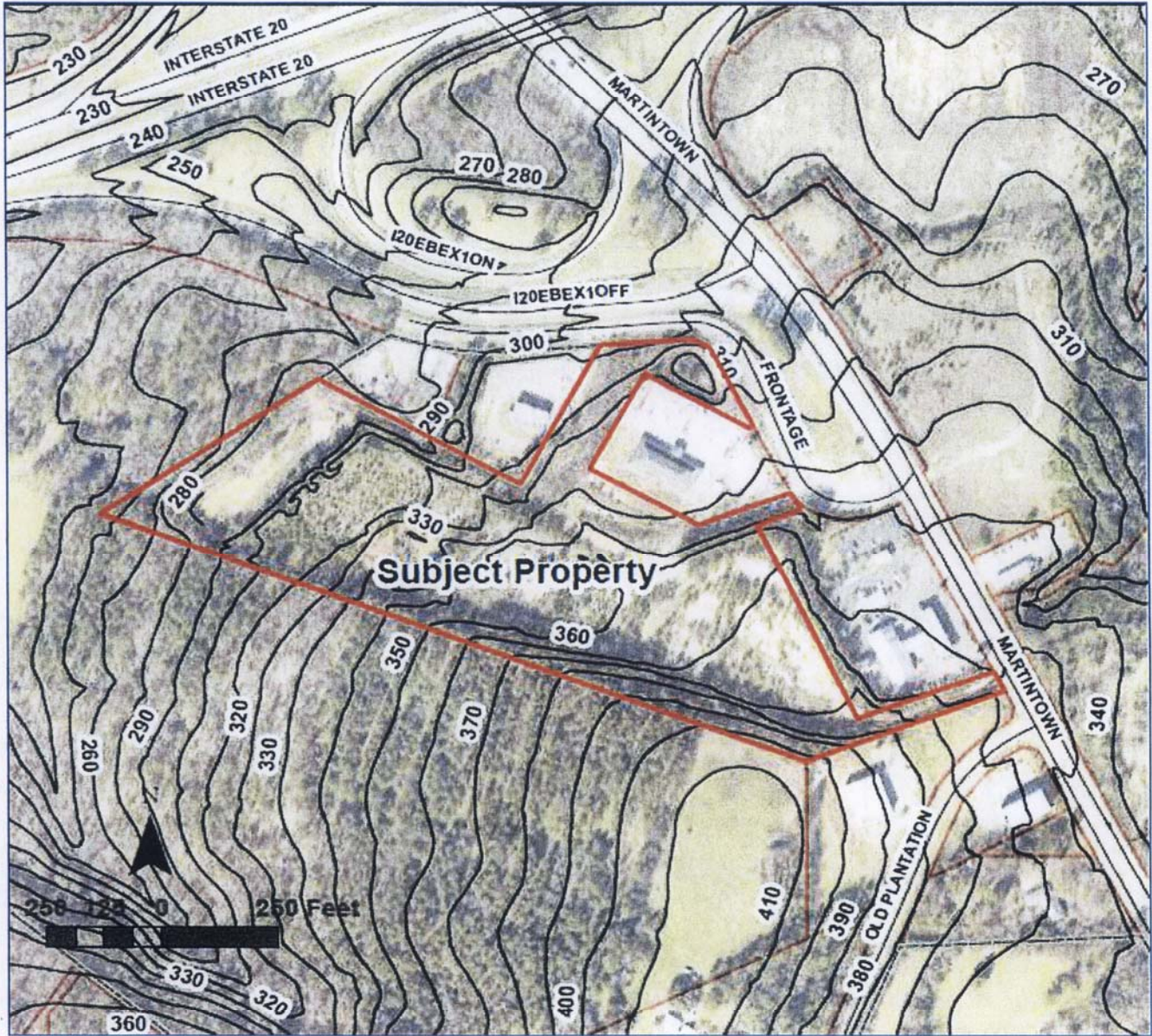
1. Aerial Map of Subject Site
2. Topo Map of Subject Site
3. Current Zoning Map of Subject Site
4. Application for Development Approval
5. Designation of Agent
6. Applicant Rezoning Request Letter
7. Subject Property Plats
8. Neighbor Notification Letter
9. Map of Proposed Rezoning
10. Public Hearing Notice
11. Project Concept Proposal

cc: Chris Gray, B&B Commercial, LLC  
T.R. Reddy, I-20 Investors, LLC

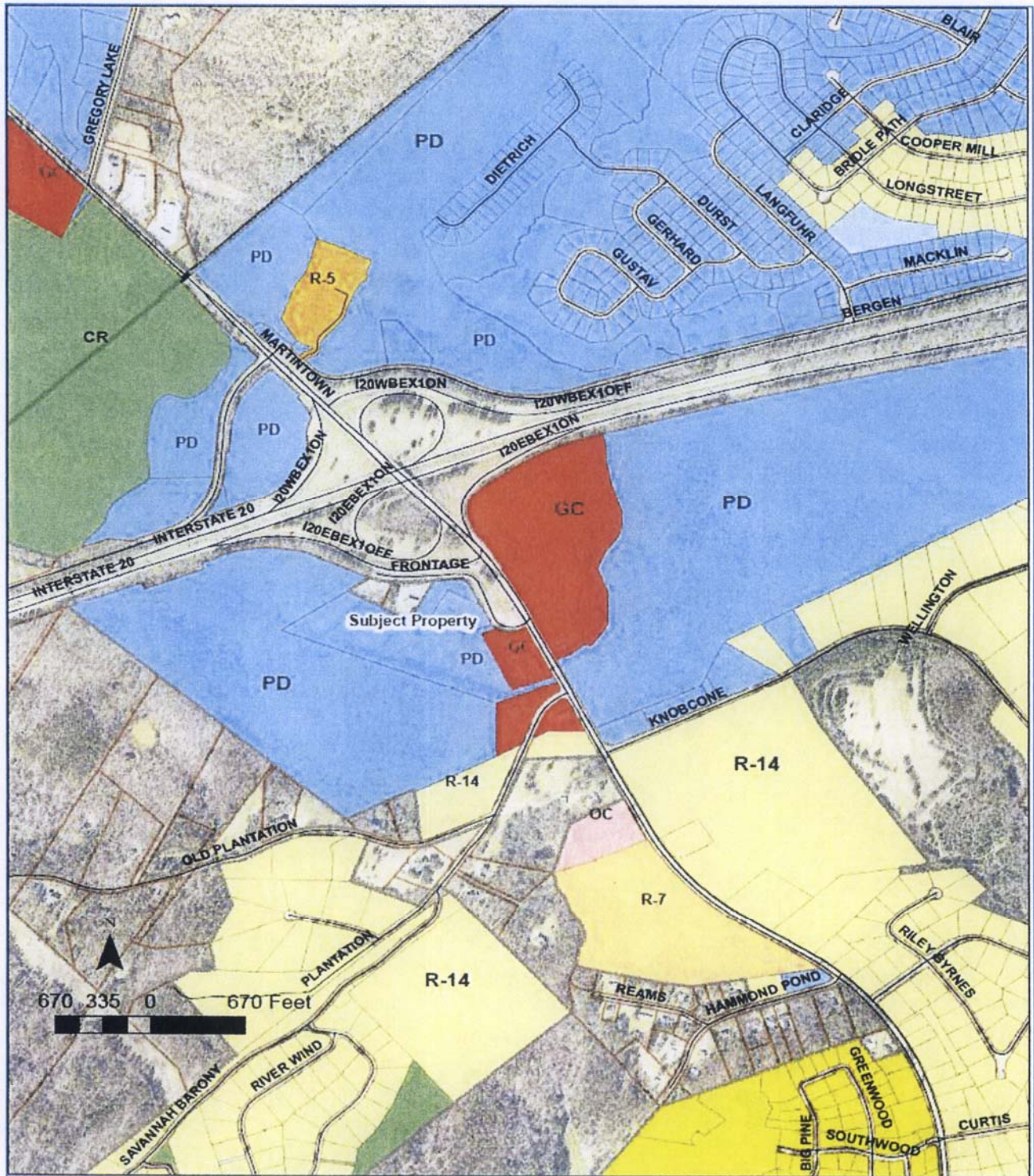
Section 7 – Aerial Photograph



Section 8 – Topography



Section 9 – Current Zoning





### Application for Development Approval

Please type or print all information



Staff Use

Application Number RZM17-003 Date Received 10/24/2017  
Review Fee \$250 Date Paid 10/24/2017

1. Project Name Martintown Road/Frontage Road Commercial Development  
Project Address/Location West of Hwy. 230 at Frontage Road  
Total Project Acreage 16.06 Current Zoning PD  
Tax Parcel Number(s) 001 20 02 006
2. Applicant/Owner Name T.R. Reddy, I-20 Investors, LLC Applicant Phone (706) 294-2252  
Mailing Address 3112 Washington Road, Suite L  
City Augusta ST GA Zip 30907 Email trreddy5@gmail.com
3. Is there a Designated Agent for this project?  Yes  No  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
4. Engineer Architect/Surveyor Garnett F. Slaughter III License No. 23301  
Firm Name James G. Swift, Assoc. Firm Phone 706-868-8803  
Firm Mailing Address 1206 Interstate Pkwy  
City Augusta ST GA Zip 30909 Email jgs.ba@knology.net  
Signature [Signature] Date 9/8/17
5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?  
(Check one.)  yes  no
6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.
7. [Signature] Date 9/8/17  
Applicant or Designated Agent Signature  
Bo Slaughter  
Print Applicant or Agent Name

### Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

**Staff Use Only**

Application Number RZM17-003

Date Received 10/24/2017

1. Project Name MARTINTOWN ROAD / FRONTAGE ROAD COMMERCIAL DEVELOPMENT  
Project Address/Location WEST OF HWY 230 FRONTAGE ROAD  
Project Parcel Number(s) 001 - 20 - 02 - 006

2. Property Owner Name T.R. REDDY I-20 INDUSTRIES LLC Owner Phone 706-294-2252  
Mailing Address 3112 WASHINGTON RD SUITE L  
City AUGUSTA ST GA Zip 30907 Email TRREDDYS@GMAIL.COM

3. Designated Agent CHRIS GRAY  
Relationship to Owner CONTRACTOR  
Firm Name B: B COMMERCIAL, LLC Phone 803-624-7019  
Agent's Mailing Address 1315 WEST MARTINTOWN RD STE 14  
City NORTH AUGUSTA ST SC Zip 29860 Email INFO@BBCOMMERCIAL.NET  
Agent's Signature [Signature] Date 9/30/17

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

T. Reddy  
Owner Signature Date 9/30/17

5. Sworn and subscribed to before me on this 30<sup>th</sup> day of September, 20 17.

[Signature]  
Notary Public

9/13/2020  
Commission Expiration Date



## **B & B COMMERCIAL, LLC**

1315 West Martintown Rd, Ste 14  
North Augusta, SC 29860  
803-426-1718

November 6<sup>th</sup>, 2017

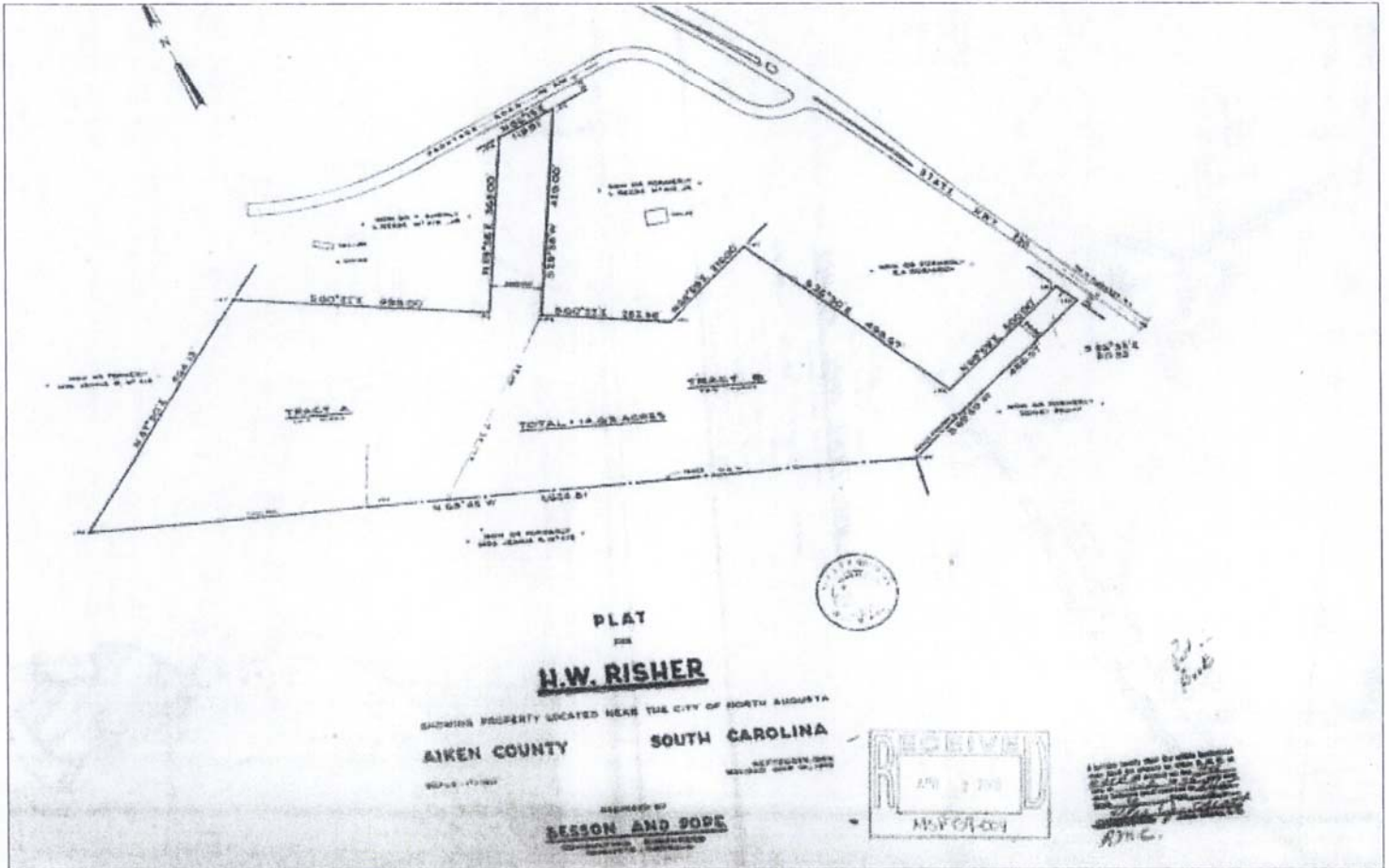
**RE: Rezoning (RZM17-003)**

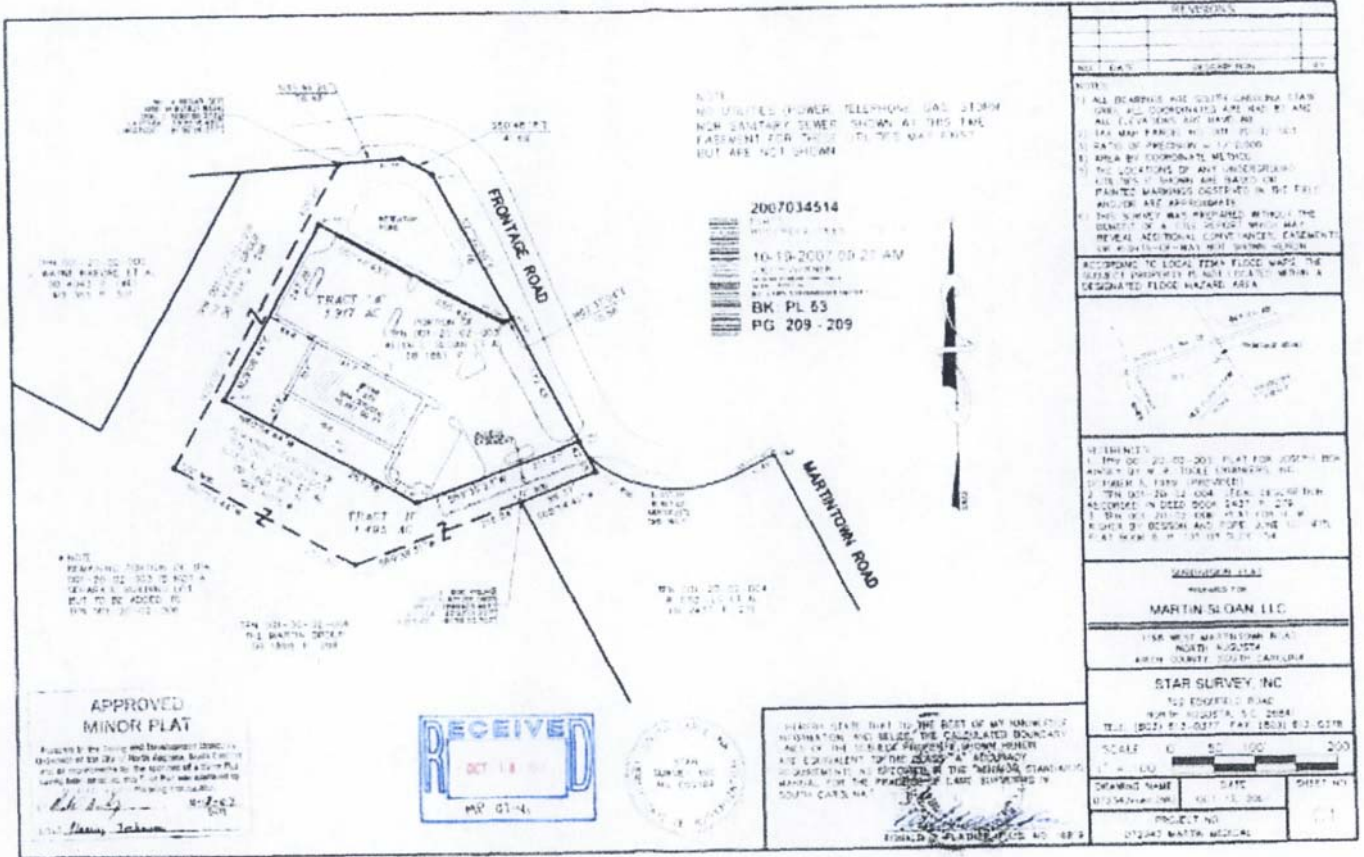
Mrs. Sievers

We are seeking this property to be rezoned so we can develop and construct a new multi-family apartment complex. This property will consist of several 12 unit buildings as well as a private swimming pool and fitness club. The project will be a great compliment to the growth in North Augusta and especially around the exit one area. If you need anything further, please contact me directly at 803-624-7019.

Respectfully,

Chris Gray







100 Georgia Avenue  
North Augusta, SC  
29517-3943  
  
Post Office Box 6400  
North Augusta, SC  
29517-6300

City of North Augusta

December 5, 2017

RE: Proposed rezoning of ± 16.06 acres of land located West of W. Martintown Road at Frontage Road, Tax Parcels: 001-20-02-006.

**Please note:** Your property is not included in the rezoning application. You are receiving this notice only because you own property within 200 feet of the proposed project area.

Dear North Augusta Property Owner:

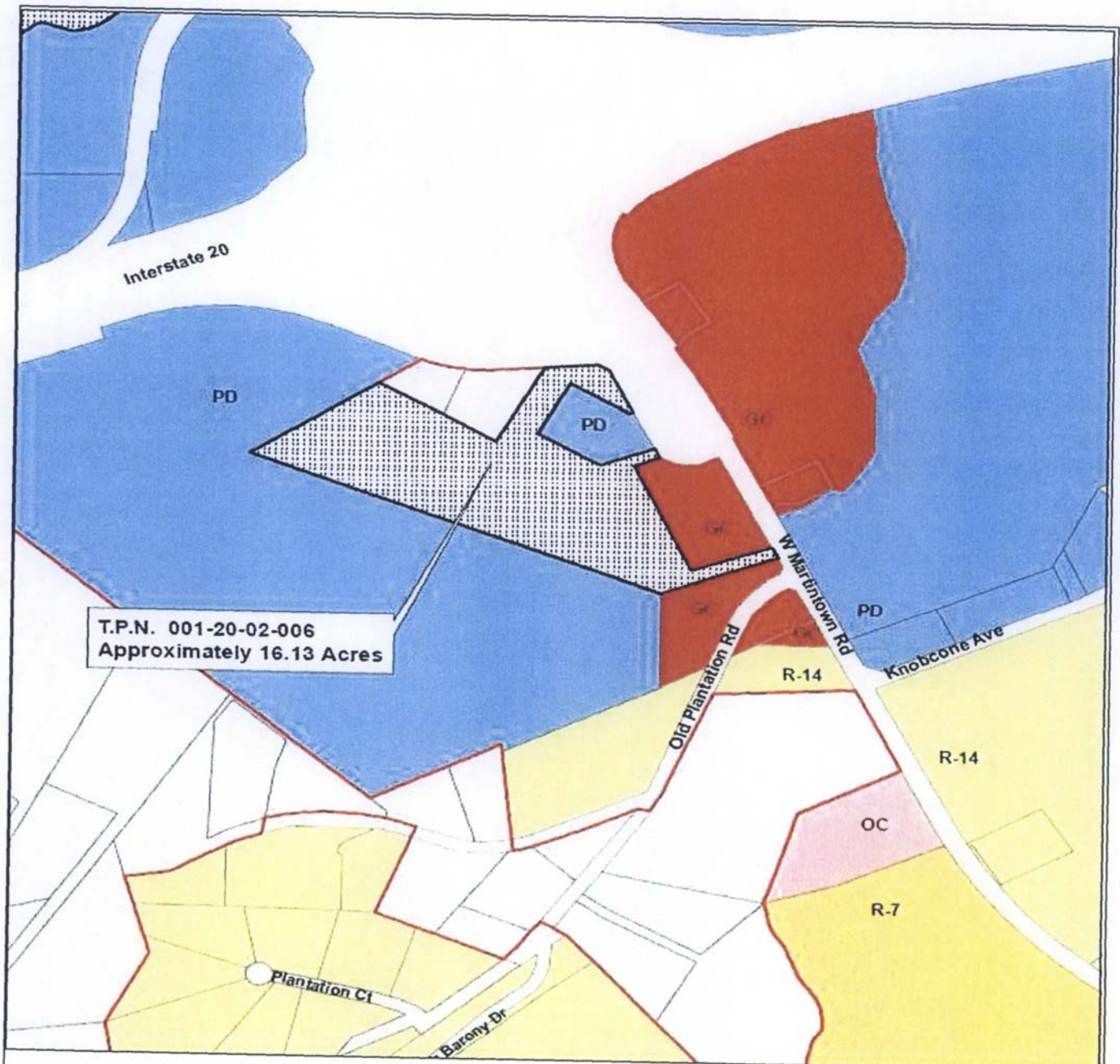
The City recently received a request by property owner T.R. Reddy, I-20 Investors, LLC to rezone ± 16.06 acres of land located West of W. Martintown Road at Frontage Road, Aiken County Tax Parcel: 001-20-02-006 from PD, Planned Development, to GC, General Commercial. The purpose of the rezoning request is to convert the lot for use as a multi-family residential development.

The North Augusta Planning Commission will hold a public hearing to collect public input and to consider the rezoning application on Thursday, December 21, 2017. Following the public hearing, the Planning Commission will prepare a recommendation for City Council consideration and action. The Planning Commission hearing will begin at 7:00 p.m. in the City Council Chambers on the third floor of the North Augusta Municipal Center, 100 Georgia Avenue. You are welcome to attend this public hearing.

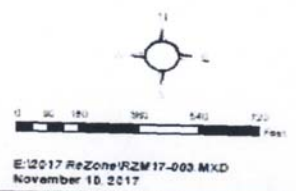
A map of the project area is enclosed, along with a copy of the public hearing notice that will be published in *The Star* on December 6. If you have any questions about this application or need additional information, please contact the Department of Planning and Development at 803-441-4221.

Sincerely,

Amanda J. Sievers, Interim Director  
Department of Planning and Development



Application Number RZM 17-003  
Tax Parcel Number  
001-20-02-006  
A Request to Rezone from  
PD, Planned Development to  
GC, General Commercial



E:\2017 ReZone\RZM17-003 MXD  
November 10, 2017

City of  
North Augusta, South Carolina  
**Planning Commission**

**PUBLIC HEARING NOTICE**

The North Augusta Planning Commission will hold a public hearing at its regular monthly meeting beginning at 7:00 PM on December 21, 2017, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following application:

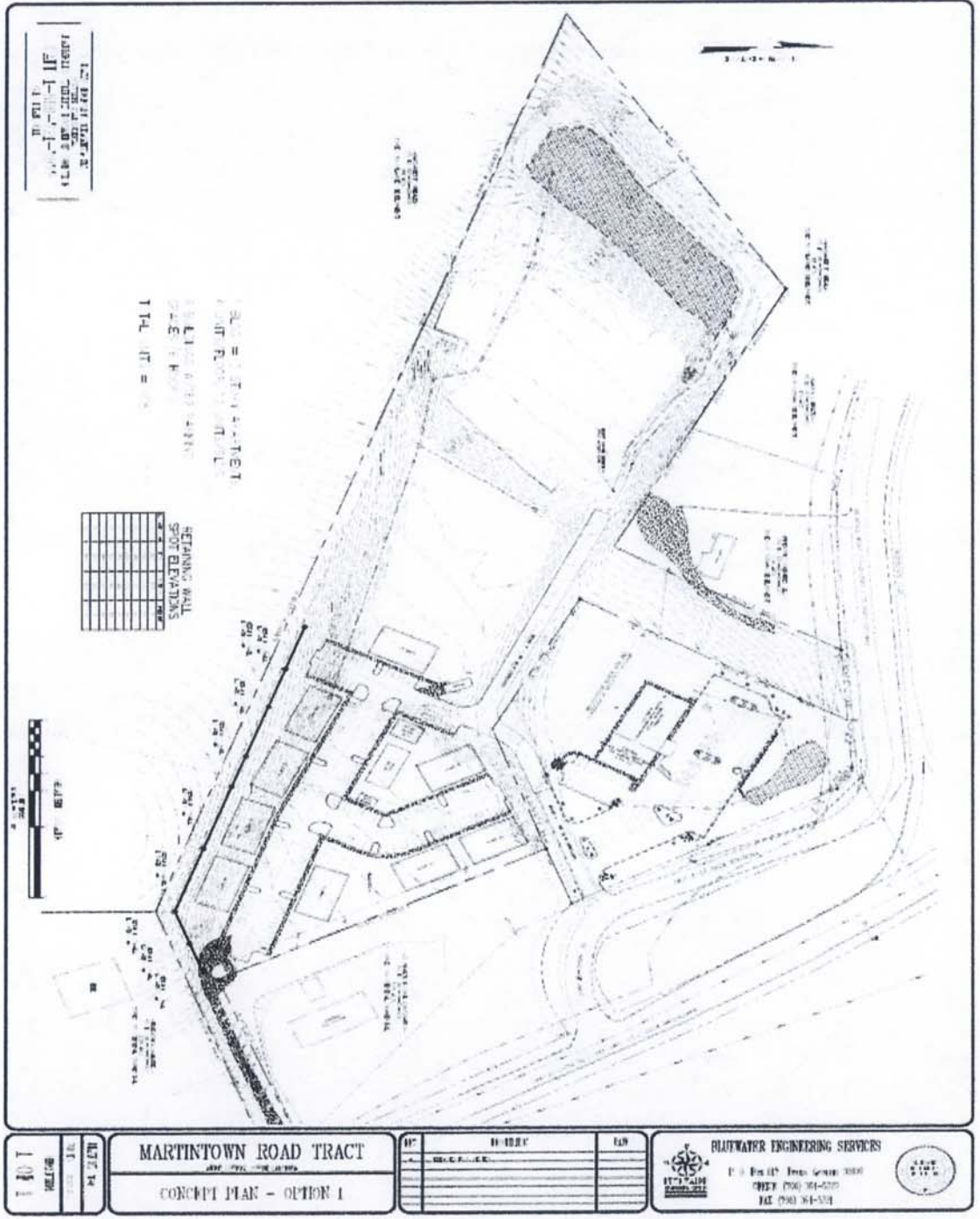
**RZM 17-003** – A request by property owner T.R. Reddy, I-20 Investors, LLC to rezone ± 16.06 acres of land located West of W. Martintown Road at Frontage Road, Aiken County Tax Parcel: 001-20-02-006 from PD, Planned Development, to GC, General Commercial. The purpose of the rezoning request is to convert the lot for a multi-family residential development.

A map and documents related to the rezoning application will be available for public inspection after December 6, 2017 in the Dept. of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. Citizens and property owners interested in expressing a view on the requested rezoning are encouraged to attend.

**CITIZEN ASSISTANCE:**

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.





ATTACHMENT 1-B

ORDINANCE NO. 2018-01

TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,  
SOUTH CAROLINA BY REZONING ±16.06 ACRES OF LAND OWNED BY  
T.R. REDDY, I-20 INVESTORS, LLC AND LOCATED ALONG W. MARTINTOWN RD  
AT FRONTAGE ROAD, AIKEN COUNTY TAX PARCEL # 001-20-02-006 FROM PD,  
PLANNED DEVELOPMENT TO R-5, MIXED RESIDENTIAL

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, pursuant to Section 5.3, North Augusta Development Code, the North Augusta Planning Commission may recommend amendments to the Zoning Map, provided such amendments are consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following a December 21, 2017 public hearing, reviewed, considered the amendment to the Zoning Map, and has provided their recommendation to the City Council.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The property owned by T. R. Reddy, I-20 Investors, LLC, located along W. Martintown Road at Frontage Road, containing ± 16.06 acres, and shown on the map prepared by the City of North Augusta dated November 10, 2017 and attached hereto as Exhibit "A", is hereby rezoned from PD, Planned Development to R-5, Mixed Residential. The subject property is identified by the following Aiken County Tax Map Parcel Number: 001-20-02-006
- II. Said property being officially rezoned to the classification R-5, Mixed Residential in accordance with the map attached hereto as Exhibit A, the official Zoning Map of the City of North Augusta is to be so amended.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

ORDINANCE TO AMEND ZONING MAP - T. R. REDDY, I-20 INVESTORS, LLC  
DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

First Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

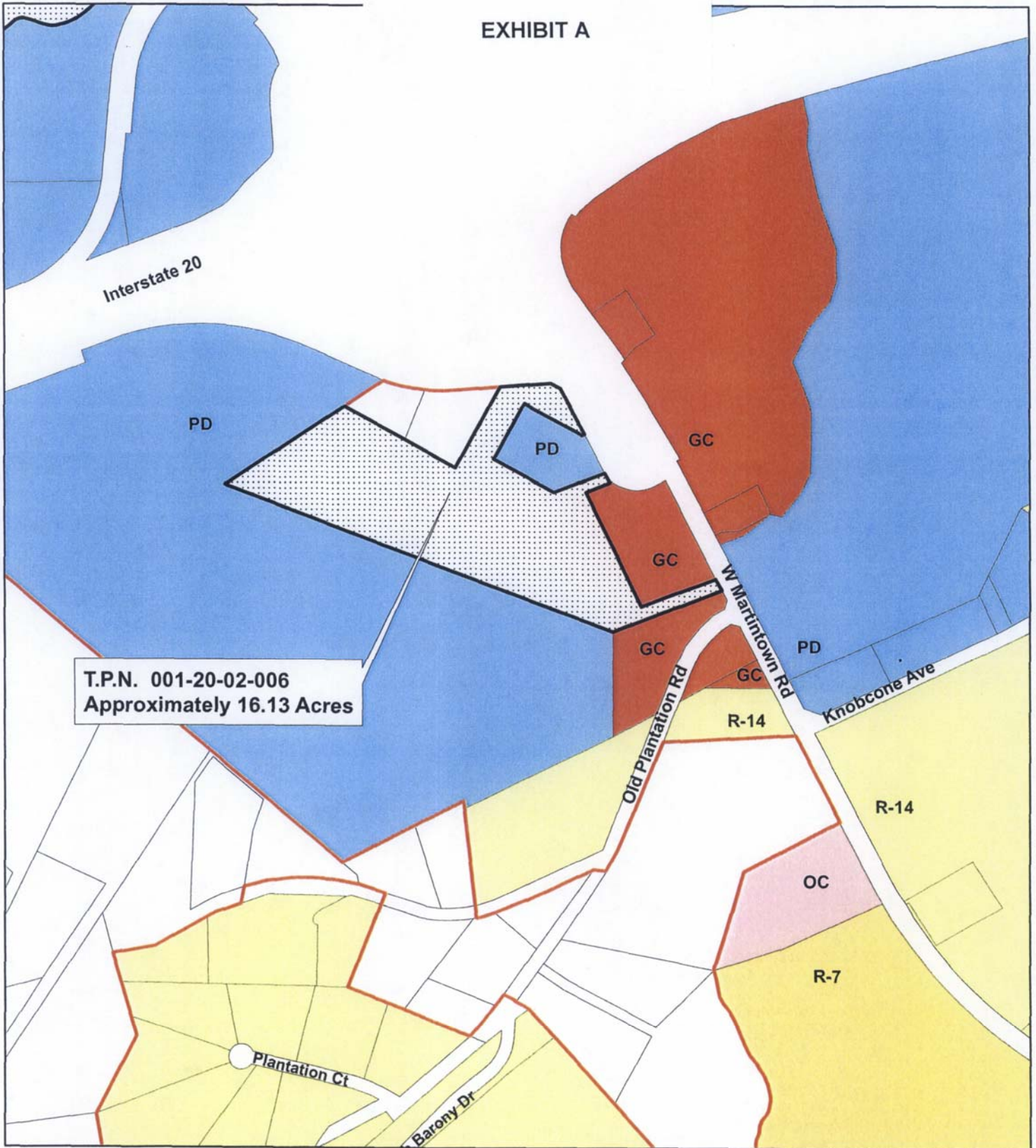
Second Reading \_\_\_\_\_

Third and Final Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Donna B. Young, City Clerk

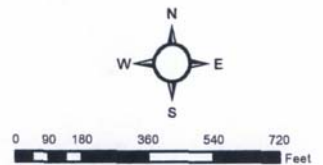
EXHIBIT A



T.P.N. 001-20-02-006  
Approximately 16.13 Acres



Application Number RZM 17-003  
Planning Commission Recommends  
to Rezone Tax Parcel Number  
001-20-02-006 from  
PD, Planned Development to  
R5, Mixed Residential



ATTACHMENT 2

RESOLUTION NO. 2018-02

A RESOLUTION AUTHORIZING THE PAYMENT OF ATTORNEY'S FEES AND COSTS RELATED TO DEFENSE OF ACTION FILED BY CAROLINA PINES I, LLC AGAINST THE CITY OF NORTH AUGUSTA. SUCH ACTION BEING ACTION NO. 3:16-1124-TLW IN THE UNITED STATES DISTRICT COURT, DISTRICT OF SOUTH CAROLINA, COLUMBIA DIVISION.

WHEREAS, the City was named as a Defendant in a lawsuit involving multiple cities and counties as well as other organizations within the State of South Carolina, such action being related to disposal of electronic waste; and

WHEREAS, by Resolution No. 2016-32, the Mayor and Council authorized settlement of the case and at that time, authorized the payment of \$17,000.00 in order to settle the case; and

WHEREAS, the City has completed the settlement and has been given a total release related to such litigation, although the litigation remains active and is moving forward against other named Defendants; and

WHEREAS, of the \$17,000.00, payment of \$11,000.00 was made to Carolina Pines I, LLC; and

WHEREAS, the City has paid to Davidson & Lindemann, PA, the attorneys who represented the City in such action, the amount of \$6,000.00 towards attorney's fees; and

WHEREAS, the attorney's fees were estimated, at the time of the settlement authorization, without full knowledge as to how much additional work would be required in order to complete the settlement; and

WHEREAS, the total fees and costs to the City resulting for such representation was \$7,499.83, which leaves a balance owing for attorney's fees and costs in amount of \$1,499.83.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that:

1. The Director of Finance is hereby directed to pay to Davidson & Lindemann, PA the sum of \$1,499.83 to complete the payment of fees related to the representation for the litigation.
2. That these funds shall be paid out of the Sanitation Services Fund

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE \_\_\_\_ DAY OF JANUARY, 2018.

\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
Donna B. Young, City Clerk

## ATTACHMENT 3

### RESOLUTION NO. 2018-03

#### A RESOLUTION SUPPORTING AND ENCOURAGING THE DEPARTMENT OF ENERGY/NATIONAL NUCLEAR SECURITY ADMINISTRATION'S CONSIDERATION OF THE SAVANNAH RIVER SITE TO LOCATE THE PLUTONIUM PIT PRODUCTION MISSION

WHEREAS, The City of North Augusta has long supported the missions of the Savannah River Site (SRS) and the role SRS has played, and continues to play, in our nation's national security; and

WHEREAS, SRS is perfectly positioned to support many long-term missions such as the Mixed-Oxide Fuel Fabrication Facility (MFFF) and the Plutonium Pit Production mission while safely treating and disposing of the site's legacy waste, a mission that must continue; and

WHEREAS, SRS has a long record of safety and environmental protection, a skilled workforce with hands-on experience in dealing with large-scale plutonium operations, an excellent security posture and a large land mass to serve as a buffer; and

WHEREAS, SRS is home to the Savannah River National Laboratory that has a successful history of directly supporting large-scale plutonium operations and working with design laboratories on tritium research and development, a model that can be used as the new Pit Production mission becomes responsible for plutonium research and development activities; and

WHEREAS, The City of North Augusta believes the Pit Production mission should be brought to SRS, not as a replacement for the MFFF, but in a complementary role to that facility, and believes SRS is uniquely capable of handling both of those important national defense missions; and

WHEREAS, The City of North Augusta recognizes that the location of the Pit Production mission at SRS would increase shipments of plutonium to our community, while potentially providing a disposition pathway for material already stored at SRS; and

WHEREAS, if selected for this mission, the City of North Augusta requests assurances from the Department of Energy/National Nuclear Security Administration that the facility will be built and that any waste generated by the operation, or from other missions at SRS, will be safely removed and disposed of at an appropriate facility outside of South Carolina.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that:

1. The City of North Augusta hereby supports and encourages the Department of Energy/National Nuclear Security Administration's consideration of the Savannah River Site as the location for the Plutonium Pit Production mission.

2. The City of North Augusta because of the unique capabilities of SRS, continues its support for this and other long-term, sustainable missions for the Site and requests that the Department of Energy/National Nuclear Security Administration move forward with a decision and a funding request to Congress to locate the Plutonium Pit Production mission at SRS.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE \_\_\_\_ DAY OF JANUARY, 2018.

\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
Donna B. Young, City Clerk











