

North Augusta



South Carolina's Riverfront

MINUTES OF JULY 15, 2019

Robert A. Pettit, Mayor

*J. Robert Brooks, Councilmember
Pat C. Carpenter, Councilmember
Fletcher L. Dickert, Councilmember
David W. McGhee, Councilmember
Eric H. Presnell, Councilmember
Kevin W. Toole, Councilmember*

ORDER OF BUSINESS

REGULAR MEETING

The regular meeting of the City Council of the City of North Augusta of July 15, 2019 having been duly publicized was called to order by Mayor Pettit at 7:00 p.m. and adjourned at 8:12 p.m. Per Section 30-4-80(e) notice of the meeting by email was sent out to the current maintained "Agenda Mailout" list consisting of news media outlets and individuals or companies requesting notification. Notice of the meeting was also posted on the outside doors of the Municipal Center, the main bulletin board of the Municipal Center located on the first floor, and the City of North Augusta website.

Mayor Pettit rendered the invocation and the Pledge of Allegiance.

Members present were Mayor Pettit and Councilmembers Carpenter, Dickert, McGhee, Presnell, and Toole. Councilmember Brooks was absent.

Also in attendance were B. Todd Glover, City Administrator; Rachele Moody, Assistant City Administrator; Kelly F. Zier, City Attorney; Cammie T. Hayes, Director of Finance; Richard L. Meyer, Director of Parks, Recreation and Tourism; Thomas C. Zeaser, Director of Engineering

and Public Works; James E. Sutton, Director of Public Works; Lillian E. (Libby) Hodges, Director of Planning and Development; J. D. McCauley, Manager of Human Resources; and Sharon Lamar, City Clerk. Members of the public and media were also present.

The minutes of the regular meeting and study session of July 1, 2019 were approved by general consent.

Mayor Pettit introduced an additional podium security measure for citizens wishing to present items other than paper documents to Council. Please see below:

PODIUM SECURITY: (1) Any person addressing Council may bring paper documents, handouts, etc. to the Podium. If desired, such handouts may be delivered to the City Clerk or if requested, a City staff member will distribute to Council members. (2) If the speaker desires to utilize non-paper items for demonstration purposes, any such items **MUST** be cleared by Public Safety before being taken to the Podium area. (3) Items requiring this clearing by Public Safety would include but not be limited to pocketbooks, briefcases, sacks, boxes, or any similar containers. This requirement would apply whether or not such items are to be utilized in the presentation.

ITEM 5. COMMUNITY PROMOTION: Proclamation – Americans with Disabilities Act Awareness Day, July 26, 2019

Mayor Pettit proclaimed July 26, 2019 as Americans with Disabilities Act Awareness Day in North Augusta, South Carolina.

A copy of the proclamation text is below:



*City of North Augusta, South
Carolina*

PROCLAMATION

IN RECOGNITION OF Americans with Disabilities Act Awareness Day

WHEREAS, a significant portion of the City of North Augusta residents are persons with varying disabilities that may be apparent or hidden; and

WHEREAS, individuals with disabilities have the same desires and rights for equal access as those without disabilities; and

WHEREAS, those desires for equal access and equal rights include but are not limited to education, employment, and community programs and resources; and

WHEREAS, including all individuals with disabilities fully in the community enables utilization of the invaluable knowledge, skills, talents, and diversity that they have to offer; and

WHEREAS, Americans with Disabilities Act Awareness Day recognizes that individuals with disabilities are capable, contributing members of society; and

WHEREAS, individuals with disabilities are worthy of full access and inclusion in the City of North Augusta and surrounding communities.

NOW THEREFORE, I, Robert A. Pettit, Mayor of the City of North Augusta, South Carolina, do hereby claim July 26, 2019 as:

Americans with Disabilities Act Awareness Day

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Augusta, South Carolina, to be affixed this 15th day of July, 2019.

*Robert A. Pettit, Mayor
City of North Augusta*

ITEM 6. ANNEXATION: Ordinance No. 2019-05 to Change the Corporate Limits of the City of North Augusta by Annexing +/- 5.42 Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court and Owned by Summer Lakes Development, LLC. Ordinance, Third and Final Reading

On motion by Councilmember Presnell, second by Councilmember Carpenter, Council considered an ordinance on first reading to change the corporate limits of the City of North Augusta by annexing ±5.42 acres of property located along Bradley Drive, Thaxton Court, and Bradley Court and owned by Summer Lakes Development, LLC.

The following made citizen comments:

Mr. H. Baskett, Bradley Court, North Augusta, SC (No Speaker Form provided)

The third and final reading of the ordinance passed with no dissenting votes.

A copy of the ordinance text is below:

**ORDINANCE NO. 2019-05
TO CHANGE THE CORPORATE LIMITS OF THE CITY OF NORTH AUGUSTA BY
ANNEXING ± 5.42 ACRES OF PROPERTY LOCATED
ALONG BRADLEY DRIVE, THAXTON COURT AND BRADLEY COURT
AND OWNED BY SUMMER LAKES DEVELOPMENT, LLC**

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area

or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the Mayor and City Council of the City of North Augusta, by adoption of Resolution No. 2019-21 dated July 1, 2019, accepted a Petition for Annexation and wish to annex the below described properties; and

WHEREAS, the zoning classification recommended for the properties proposed for annexation has been reviewed for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element of the North Augusta 2017 Comprehensive Plan;

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 following described property shall be annexed into the City of North Augusta:

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as Lots 4, 5, 6, 8, 9, 13, 14, 15, 23 & 24 of Block C, of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4730, pages 1605-1607.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC to 30901 Development Corporation recorded in the RMC Office of Aiken County, South Carolina in Deed Book 2412, page 304 and corrected in Book 4051, page 1101.

Tax Parcel Numbers:

012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lots 28B, 29B, 30B, 31B, 32B, 7C, 12C, 16C, and 21C of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4728, pages 246-248.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC by deed of William H. Presley and Joel T. Presley dates 12/30/2002, recorded in the RMC Office of Aiken County, South Carolina, Deed Book 2269, page 163.

Tax Parcel Numbers:

012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082.

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lot 10C as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4740, pages 1511-1513.

That being the same as the piece, parcels or tracts of land conveyed to Joel Presley by deed of Melvin A. Baskett dated May 25, 2010, recorded the RMC Office of Aiken County, South Carolina, in Book 4311, page 441.

Tax Parcel Number: 012-14-06-071

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated February 6, 2019, and prepared by the City of North Augusta.

- II. The zoning classification recommended for the properties to be annexed has been reviewed by the Planning Commission for consistency with the Future Land Use Classification of the properties as specified in the North Augusta 2017 Comprehensive Plan; therefore, the properties shall be zoned R-7, Small Lot Single-Family Residential as shown on a map identified as "Exhibit B" titled "General Commercial Zoning of Property Sought to be Annexed to the City of North Augusta" dated October 31, 2018 and prepared by the City of North Augusta.
- 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.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS
_____ DAY OF JULY, 2019.

First Reading: _____

Second Reading: _____

Third Reading: _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

ITEM 7. PLANNING & DEVELOPMENT: Ordinance No. 2019-09 – Abandoning a Platted, But Unopened, Unimproved Road Right-of-Way Shown on a Plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta. Ordinance, Third and Final Reading

On motion of Councilmember Dickert, second by Councilmember Toole, Council voted unanimously on third and final reading to approve the abandonment of a platted, but unopened, unimproved road right-of-way shown on a plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta.

A copy of the ordinance text is below:

ORDINANCE NO. 2019-09
ABANDONING A PLATTED, BUT UNOPENED, UNIMPROVED ROAD RIGHT-OF-WAY
SHOWN ON A PLAT FOR PAUL D. BREWER AND BARBARA C. COLEMAN DATED
JUNE 22, 2005 IN THE CITY OF NORTH AUGUSTA

WHEREAS, at its regularly scheduled meeting of June 20, 2019, the North Augusta Planning Commission considered the request of property owners, Paul D. Brewer and Barbara C. Coleman, for the City to abandon a section of a platted but unopened and unimproved road right-of-way adjoining their properties; and

WHEREAS, the portion of road right-of-way requested to be abandoned is shown as Parcel "A" on a plat prepared for Paul D. Brewer and Barbara C. Coleman by George L. Godman and Associates dated June 22, 2005.

WHEREAS, THE Planning Commission, after reviewing the request, determined that the subject right-of-way has never been opened, never named, and never used as regular access to adjoining properties; that the City has never maintained the subject right-of-way; that the right-of-way did not have a tax parcel number nor was anyone paying taxes thereon; and that the road abandonment would not conflict with the City's Comprehensive Plan. Therefore, abandonment of the road right-of-way would be appropriate; and

WHEREAS, upon completion of their review, the Planning Commission unanimously recommended to the City Council that the subject right-of-way be abandoned; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the requested abandonment on June 20, 2019 for the purpose of receiving input from the public on the requested abandonment; and

WHEREAS, following consideration of the recommendation from the Planning Commission and any input received at the public hearing, Mayor and Council have determined that it is appropriate that the City abandon any interest in the identified road right- of- way.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council in meeting duly assembled and by the authority thereof, that the section of platted but unopened and unnamed road right-of-way described herein is hereby abandoned.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2019.

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

ROBERT A. PETTIT, MAYOR

ATTEST:

SHARON LAMAR, CITY CLERK

ITEM 8. ZONING: Ordinance No. 2019-07 - To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±2.41 Acres of Land Owned by the City of North Augusta, and Located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels # 007-07-06-003 and 007-07-06-004, From R-14, Large lot Single-Family Residential, to P, Public Use. Ordinance Third and Final Reading

On motion of Councilmember McGhee, second by Councilmember Dickert, Council voted to consider an ordinance on third and final reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ± 2.41 acres of land owned by the City of North Augusta, and located at 1220 and 1220 ½ Georgia Avenue, Aiken County tax parcels # 007-07-06-003 and 007-07-06-004, from R-14, Large Lot Single-Family Residential, to P, Public Use.

On motion of the Chair, second of Councilmember Presnell, Council voted unanimously to table the ordinance.

The text of the ordinance is below:

ORDINANCE NO. 2019-07
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 2.41 ACRES OF LAND OWNED BY

THE CITY OF NORTH AUGUSTA, AND LOCATED AT 1220 AND 1220 ½ GEORGIA AVENUE, AIKEN COUNTY TAX PARCELS #007-07-06-003 AND 007-07-06-004, FROM R-14, LARGE LOT SINGLE-FAMILY RESIDENTIAL, TO P, PUBLIC USE.

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 North Augusta 2017 Comprehensive Plan; and

WHEREAS, the City, the owner of the property, has requested that it be rezoned from R-14 to P, Public Use; and

WHEREAS, the North Augusta Planning Commission, following a May 17, 2018, public hearing, reviewed and considered the amendment to the Zoning Map and the recommendations having been presented to the City Council for consideration.

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 properties owned by the owned by the City of North Augusta, and located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels #007-07-06-003 and 007-07-06-004, from R-14, Large Lot Single-Family Residential to P, Public Use.
- II. Said property being officially rezoned to the classification P, Public Use, more specifically 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.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Robert A. Pettit, Mayor

Second Reading _____

Third and Final Reading _____

ATTEST:

Sharon Lamar, City Clerk

ITEM 9. PLANNING & DEVELOPMENT: Ordinance No. 2019-06 - To Amend Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances. Ordinance, Third and Final Reading

On motion of Councilmember McGhee, second by Councilmember Dickert, Council considered on third and final reading an ordinance to amend Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

The following made Citizen Comments: (Speaker forms are attached.)
Bill Scott, 1401 Observatory Avenue, North Augusta, SC

Council members Toole and Presnell voiced that they would not support the ordinance.

Councilmember Carpenter made a motion to table the ordinance with a second by Councilmember Toole. The motion to table failed by a vote of 3-3. Councilmember Toole, Councilmember Presnell and Councilmember Carpenter voted in favor of tabling. Mayor Pettit, Councilmember McGhee and Councilmember Dickert voted in opposition of tabling the ordinance.

The motion to approve the ordinance passed with a 4-2 vote. Mayor Pettit, and Councilmembers Dickert, Carpenter, and McGhee voted in favor. Councilmembers Toole and Presnell were the dissenting votes.

The text of the ordinance is below:

ORDINANCE NO. 2019-06
AMENDING ARTICLE 3, ZONING DISTRICTS, RELATED TO THE PUBLIC USE (P)
SPECIAL ZONING DISTRICT, OF THE NORTH AUGUSTA DEVELOPMENT CODE,
CHAPTER 18 OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA CODE OF
ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code, the North Augusta Planning Commission may review requests for amendments to zoning ordinances; and

WHEREAS, pursuant to Section 5.3.3.2 Text Amendments in Article 5, Approval Procedures, of the North Augusta Development Code, any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text; and

WHEREAS, the North Augusta City Council resolved to instruct the City Administrator to apply for a text change to Article 3, Zoning Districts, of the North Augusta Development Code; and

WHEREAS, the North Augusta Planning Commission, following a April 18, 2019 public hearing, reviewed and considered a request by the City of North Augusta to amend Section 3.6.4.5.2 entitled "Development Standards" and 3.8.1.1 of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards in Article 3, Zoning Districts, of the North Augusta Development Code. The Planning Commission report has been provided to City Council.

The Mayor and City Council have reviewed the request as well as the report from the Planning Commission and has determined that the change to the text of the Development Code is appropriate.

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 North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following section. The section of the Code affected by the proposed amendment is identified by the section number.
 - A. Section 3.6.4.5.2 entitled "Development Standards", is amended to read:

§ 3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are subject to the landscaping standards of Article 10, and the parking standards of Article 12.
 - B. Section 3.8.1.1 entitled "Applicability", is amended to read:

§ 3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.
- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Robert A. Pettit, Mayor

Second Reading _____

Third Reading _____

ATTEST:

Sharon Lamar, City Clerk

ITEM 10. CITY PROPERTY: Ordinance No. 2019-10 – To Grant Easements to Dominion Energy for Underground Conversion along W. Five Notch Road.

A. Ordinance, First Reading

On motion of Councilmember McGhee, second by Councilmember Toole, Council considered granting an easement to Dominion Energy for underground conversion along W. Five Notch Road. The first reading of the ordinance was approved unanimously.

B. Ordinance, Second Reading

On motion of Councilmember Dickert, second by Councilmember Presnell, Council approved the second reading of the ordinance with no dissenting votes.

The text of the ordinance is below:

ORDINANCE NO. 2019-10
AN ORDINANCE GRANTING EASEMENTS TO
DOMINION ENERGY FOR UNDERGROUND CONVERSION ALONG
W. FIVE NOTCH ROAD

WHEREAS, Dominion Energy has indicted to the city its intent to underground utilities along W. Five Notch Road; and

WHEREAS, as part of the construction, Dominion Energy has requested that the City grant to it easements upon and across City property that would allow for the provision of electric services; and

WHEREAS, the placement of such equipment is necessary to underground the utilities; and

WHEREAS, this area has traditionally been an area where storms have caused substantial power outages and the undergrounding of utilities in the area would held reduce the power outages from fallen trees, and

WHEREAS, the Mayor and City Council have reviewed this matter, to include the proposed Deed of Easement and find that it is in the best interest of the citizens of North Augusta that such easement be granted.

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 City grant to Dominion Energy an easement over and across City property known as Tax Parcel Number 005-19-13-002.
- II. The City Administrator is hereby authorized to execute the Deed of Easement and any other documents necessary in order to complete this matter.
- III. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2019.

First Reading: _____

Second Reading: _____

Third Reading: _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

ITEM 16. CITIZENS COMMENTS/RECOGNITION OF VISITORS: Please see the attached Speaker Forms completed for the July 15, 2019 Council meeting.

A. Citizen Comments:

William T. Kinney, 1848 Robin Road, North Augusta, SC
Jimmie Crawford, 1132 Terrace Circle, North Augusta, SC
David Weikle (No Speaker Form provided)
Barbara Sweeney, 79 Shoals Way Court, North Augusta, SC
Mike Reed, 1942 Bolin Road, North Augusta, SC

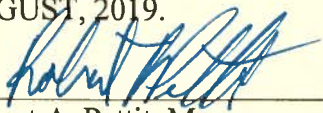
Sharon Reed, 1942 Bolin Road, North Augusta, SC
Dave Leverett, 121 Butler Avenue, North Augusta, SC
London Smith (No Speaker Form provided)
Ken Powell, 320 Clay Street, North Augusta, SC

B. Council Comments:

Councilmember Dickert
Councilmember McGhee
Councilmember Presnell
Mayor Pettit


There being no further business, Council adjourned to return to Executive Session at 8:12 p.m.
No additional action was taken in Executive Session and nothing was reported out.

APPROVED THIS 5th DAY OF
AUGUST, 2019.



Robert A. Pettit, Mayor

Respectfully submitted,



Sharon Lamar
City Clerk

#2

SPEAKER FORM

NAME: BILL SCOTT

ADDRESS: 1401 OBSERVATORY AVE

TELEPHONE: 803-215-8065

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example; I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7-15-19 shk

AGENDA ITEM/TOPIC: #9

SUMMARY See attached

ORDINANCE – EXEMPTION FROM CODE REQUIREMENTS – July 15, 2019 City Council Agenda items.

Exemption from Overlay. Again, like with the rezoning, this is not the first time citizens have opposed city exemption from code requirements, and I am adopting the comments people like me have made before, like comments on March 18, 2019 regarding Ordinance 2019-103 and other proposed ordinances, which relate to this.

In regards to the city's proposal to exempt itself from the regulations of the development code, specifically Section 3.8.6, I find it curious that this exemption is not ~~be~~ requested for all overlay districts. We have a downtown district, a highway corridor district and yet the city is only requesting an exemption from the neighborhood overlay district. So, there is no denying this is specifically related to the fire station and the future Public Safety Headquarters and courthouse.

The reason this process has been taking so long is that the existing city ordinance and laws were enacted to have an organized process for development and ensure the citizens of North Augusta that their rights and concerns would be protected.

December 04, 2017, I attended a study session about this new government complex and the first stage of the project, the fire station, was discussed. In that session, it was asked of the city ~~of~~ the project would have to comply with the Neighborhood Preservation Overlay requirements. The city attorney and planning director stated it would have to comply with the requirements of the overlay. At that point, I was at ease about the project since I know the ordinances are there to protect the citizens and everyone is required to follow them. **Why did the city state it would follow the requirements of the ordinances and now they city is desiring to vote to exempt itself from these very same ordinances?**

Why is the Neighborhood Preservation Overlay District important? I refer you and all here tonight to the city's development code.

In Article 3, 3.8.6 Neighborhood Overlay Preservation states "This overlay is, therefore, created with an emphasis on preserving residential character of the corridors, ... protecting the property values and health, safety and general welfare of surrounding neighborhoods. The Neighborhood Corridor Overlay District is established to preserve and protect residential neighborhoods ... commercial uses at an appropriate scale in locations zoned for commercial use."

The words you need to focus on are "preserve and protect". But to preserve and protect, what? Property values, Health, Safety, and General Welfare.

Preserve means to "keep safe from injury, harm or destruction" Mirriam-Webster (M-W)

Protect means to "to cover or shield from exposure, injury, damage or destruction. To guard. (M-W)

By voting for this ordinance tonight, in which ~~the~~ by exempting yourselves from the requirements of the Neighborhood Preservation Overlay (preserve and protect), the city is acknowledging what they are proposing, will do just the opposite! Otherwise, why would you exempt yourselves from the ordinance that preserves and protects?

Are you stating to the public here tonight, voting to exempt the city from the law, that the city is ~~a~~ willing to take a part - to injure, harm or destroy people's health, safety, property values and general welfare? That is what the development code states, not my heart, but the code!

Additionally, the exemption you are about to vote on, may exempt you from the neighborhood preservation overlay requirements, but there are still other sections of the development code that have not been considered. Will council then decide to exempt itself from these other requirements?

I do not want to believe that a person elected by the citizens, of this wonderful city, would be able to – in good conscious – vote for an ordinance of this nature.

Bihh Scott
DAI

Michael Hitchcock

July 15, 2019

- 1) REZONING – Flythe property from R-14 to P (Public Use) and
- 2) TEXT AMMENDMENT – Exempting City from Regulations of the Development code related to neighborhood Preservation Overlay

July 15, 2019 City Council Agenda Item

Under § Article 5 Local Planning – Zoning

SECTION 6-29-710. Zoning ordinances; purposes.

Sec. (A) states: "... zoning ordinances must be made with reasonable consideration of the following purposes, where applicable:"

And Sec. (4) underneath states:

"to protect and preserve scenic, historic, or ecologically sensitive areas;"

Isn't overlay zoning meant to be a protective measure for maintaining the zoning of the particular property or properties?

Not only that, such a change could precipitate the city doing anything it wishes to with property it owns or purchases when P zoning is established. And this P zoning replaces R-14, which has not been made with a reasonable consideration of the residential area.

This is contrary to SC Code Ann. § **SECTION 6-29-720.** Zoning districts; matters regulated; uniformity; zoning techniques.

And especially Sec. (B)(5) thereunder:

"overlay zone" or a zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district **when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries"**

What council is about to do this evening is to pass an ordinance that is counter to state law and prohibited. § 6-29-720(B)(5) is in place particularly for overlay zonings to protect the public interests.

#3

City Council Speaker Form

City Council Meeting Date & Time

***Full Name**

Mr. William T. Kinney

***Full Address**

1848 Robin Rd
North Augusta sc 29841

Phone

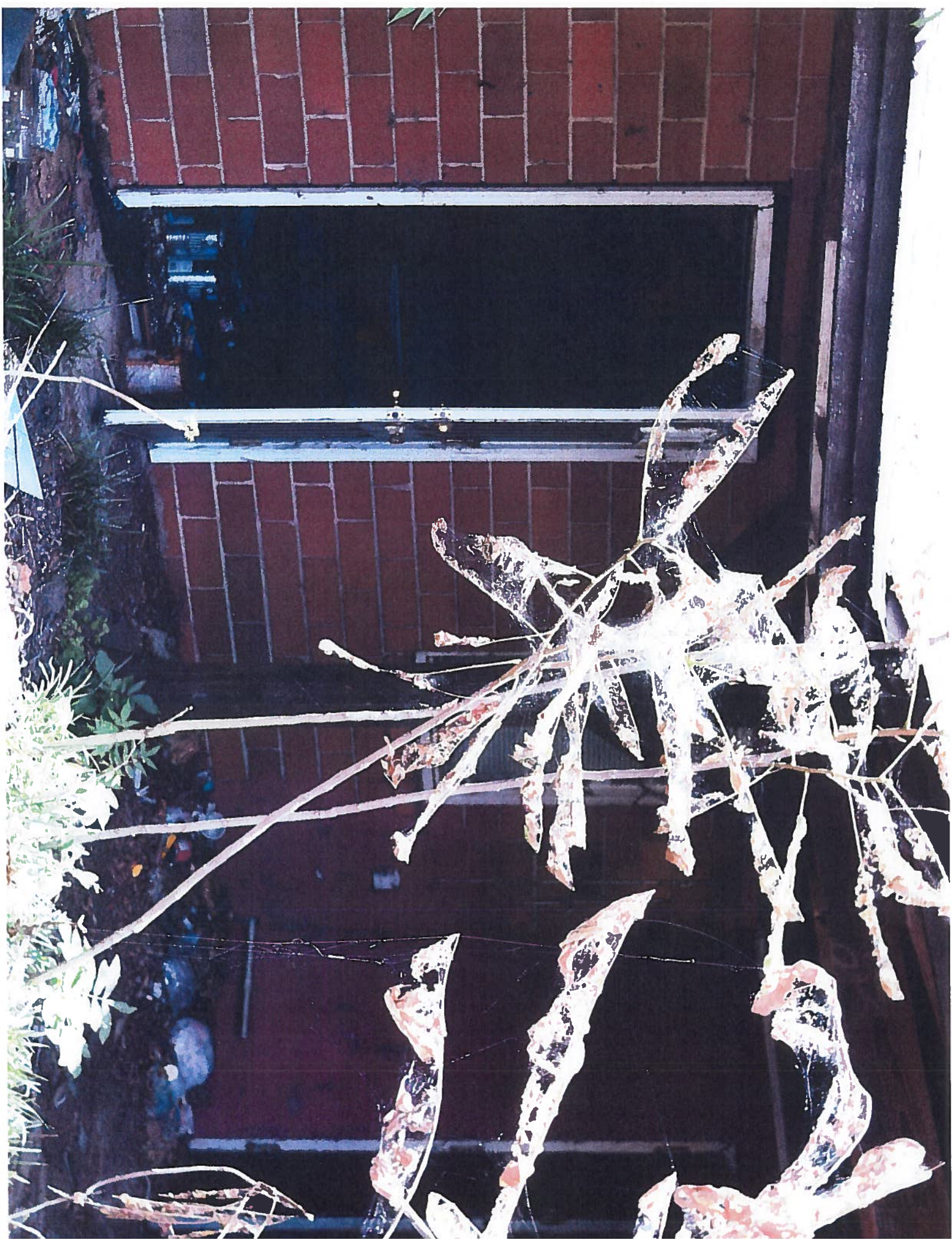
(803) 349-5111

Agenda Item & Topic

Fire Station relocation.

***Summarize Your Comment**

If the area is a historic site, why have the residents of N.A. let the area become an eye sore.



#4

SPEAKER FORM

NAME: Jimmi Crawford
ADDRESS: 1132 TERRACE Circle
NASC
TELEPHONE: _____

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7/15/19
AGENDA ITEM/TOPIC: Public Safety Bldg
SUMMARY _____

#6

SPEAKER FORM

NAME: Barbara Sweeney
ADDRESS: 79 Shoals Way Ct.
N.A. 29841
TELEPHONE: 803 341 9345

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7/15/19
AGENDA ITEM/TOPIC: Comprehensive Development Plan re
SUMMARY it relates to proposed ordinances

SPEAKER FORM

#7

NAME: Mike Reed

ADDRESS: 1942 Bolin Rd

TELEPHONE: 803 669-0151

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7-15-19

AGENDA ITEM/TOPIC: _____

SUMMARY Various agenda items

#8

SPEAKER FORM

NAME: Sharon Reed

ADDRESS: 1942 Bolin Rd

TELEPHONE: _____

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example: I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7-15-19^(Thu)

AGENDA ITEM/TOPIC: vs. Zoning and Overlay exemp.

SUMMARY tions?

#9

SPEAKER FORM

NAME: DAVE LEVERETT
ADDRESS: 121 BUTLER AVE
NA
TELEPHONE: 803 219 7026

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example; I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7/15/19

AGENDA ITEM/TOPIC: FIRESTATION LOCATION

SUMMARY

#11

SPEAKER FORM

NAME: Ken Powell
ADDRESS: 320 Clay St.
NASC
TELEPHONE: _____

PLEASE PROVIDE A ONE SENTENCE SUMMARY OF YOUR COMMENT TO COUNCIL.

(For example; I support the resolution because ...)

THIS FORM WILL BE ATTACHED TO THE MINUTES OF THE CITY COUNCIL MEETING.

COUNCIL MEETING DATE: 7/15/2019

AGENDA ITEM/TOPIC: _____

SUMMARY I'm concerned w/ allowing the Neighborhood Preservation Overlay Requirements exempted from property zoned as "P". This creates an opportunity