

Interoffice Memorandum



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: August 16, 2019

SUBJECT: Regular City Council Meeting of August 19, 2019

REGULAR COUNCIL MEETING

ITEM 5. COMMUNITY PROMOTION: Proclamation – Community Ministry of North Augusta Day, September 19, 2019

Mayor Pettit wishes to proclaim September 19, 2019 Community Ministry of North Augusta Day.

Please see **ATTACHMENT #5** for a copy of the proclamation.

ITEM 6. CITY RECOGNITION: 2019 ESRI Special Achievement Award -

The City's Geographic Information System (GIS) department recently received the 2019 ESRI Special Achievement Award. This award is given to user sites around the world to recognize outstanding work with GIS technology. W. Blake Pierson, Local Government Account Manager, and Yuri Potawsky, Local Government Solution Engineer of ESRI will attend to explain the importance of the award. Kevin Whaley, GIS Analyst for the City of North Augusta, will describe the project that was recognized and its impact to the City.

UNFINISHED BUSINESS

ITEM 7. CITY PROPERTY: Ordinance No. 2019-11 – To Grant Easements to Dominion Energy for Extension Conversion at Bergen Place West Subdivision. Ordinance; Third and Final Reading

An ordinance has been prepared of Council's consideration on third and final reading to grant easements to Dominion Energy for extension conversion at Bergen Place West Subdivision.

Please see **ATTACHMENT #7** for a copy of the proposed ordinance.

ITEM 8. PARKS, RECREATION, & TOURISM: Resolution No. 2019-24 – To Authorize the City of North Augusta to award a contract to R.D. Brown Contractors for the Riverside Village Amphitheater.

August 16, 2019

A. Remove from Table

A motion to remove this resolution from the table is in order at this time, if Council so desires.

B. Motion to Approve

A resolution has been prepared for Council's consideration to authorize the City of North Augusta to award a contract to R. D. Brown Contractors for the Riverside Village Amphitheater.

Please see **ATTACHMENT #8** for a copy of the proposed resolution and supporting documents.

NEW BUSINESS

ITEM 9. PLANNING AND DEVELOPMENT: Planning Commission Recommendation Memorandum # 19-018 and Project Staff Report: RZM19-002 19-002 River Oak Drive Rezoning; Receipt of Information by Council – Motion

On July 18, 2019, the Planning Commission considered a request by Margaret B. Copenhaver to rezone ±31.55 acres of land located on River Oak Drive, Aiken County Tax Parcel # 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential. The Planning Commission, on a vote of 5-0, voted in favor of a recommendation to City Council to rezone a portion of the property as proposed in the applicant's revised request.

Please see **ATTACHMENT #9** for Memo #19-018 and a copy of the staff report.

ITEM 10. ZONING: Ordinance No. 2019-12 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±5.02 Acres of Land Owned by Margaret B. Copenhaver, and Located East of the Savannah River, West of the North Augusta Greenway, South of River Oak Drive, and North of Riverview Park, a Portion of Aiken County Tax Parcel #003-08-07-001, from CR, Critical Area, to R-14, Large Lot, Single-Family Residential.

A. Ordinance, First Reading

An ordinance has been prepared for Council's consideration to amend the zoning map of the City of North Augusta, South Carolina by rezoning ± 5.02 acres of land owned by Margaret B. Copenhaver, and located East of the Savannah River, West of the North Augusta Greenway, South of River Oak Drive, and North of Riverview Park, a portion of Aiken County Tax Parcel # 003-08-07-001, from CR, Critical Area, to R-14, Large Lot, Single-Family Residential.

Please see **ATTACHMENT #10** for a copy of the proposed ordinance and supporting documentation.

B. Ordinance, Second Reading

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

ITEM 11. PERMIT: Resolution No. 2019-25 - To Authorize the Issuing of a Permit to Polly Hargrove of Community Ministry of North Augusta to Conduct a Fundraising and Awareness Event with Sno Cap Restaurant on West

August 16, 2019

Avenue between Jackson Avenue and Spring Grove Avenue on September 19, 2019

A resolution has been prepared for Council's consideration to authorize the issuing of a permit to Polly Hargrove of Community Ministry of North Augusta to conduct a fundraising and awareness event with Sno Cap Restaurant on West Avenue between Jackson Avenue and Spring Grove Avenue on September 19, 2019.

Please see [**ATTACHMENT #11**](#) for a copy of the proposed resolution and permit.

ITEM 12. PUBLIC SAFETY: Resolution No. 2019-26 – To Authorize a Memorandum of Agreement with the South Carolina Department of Juvenile Justice (SCDJJ) to Provide Secure Detention Services for Juveniles (Persons under the Age of Seventeen) Who are Charged with Committing Crimes within the City of North Augusta

A resolution has been prepared for Council's consideration to authorize a Memorandum of Agreement with the South Carolina Department of Juvenile Justice (SCDJJ) to provide secure detention services for juveniles (persons under the age of seventeen) who are charged with committing crimes with the City of North Augusta.

Please see [**ATTACHMENT #12**](#) for a copy of the proposed resolution and Memorandum of Agreement

ITEM 13. PARKS, RECREATION, & TOURISM: Resolution No. 2019-27 – Establishing and Agreeing to Participate in the Hometown Heroes Project with the Aiken County Veterans Council

A resolution has been prepared for Council's considerate establishing and agreeing to participate in the Hometown Heroes Project with the Aiken County Veterans Council

Please see [**ATTACHMENT #13**](#) for a copy of the proposed resolution and supporting documents.



*City of North Augusta,
South Carolina*

PROCLAMATION

WHEREAS, Community Ministry of North Augusta is a unified effort of twenty-two area churches to provide help to our neighbors in crisis situations; and

WHEREAS, Community Ministry is supported by member churches, individuals, businesses and the sale of items donated to their Thrift Store; and

WHEREAS, after a comprehensive interview, Community Ministry offers food, clothing and financial assistance with utilities and rent to those in crisis situations, as well as, counseling to bring clients back to self-sufficiency, thereby making North Augusta a better place for all who reside here; and

WHEREAS, Community Ministry is the only organization of its kind that serves North Augusta, aspiring to provide an integrated solution to poverty and related problems; and

WHEREAS, Community Ministry is in the midst of a \$2 million capital campaign to build a new facility, has acquired \$1.4 million in pledges, and plans to break ground on September 19, 2019.

NOW THEREFORE, I, Robert A. Pettit, Mayor of the City of North Augusta, in the State of South Carolina, do hereby proclaim September 19, 2019, as "Community Ministry of North Augusta Day" in the City of North Augusta, South Carolina.

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 19th day of August, 2019.

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

ATTACHMENT #7

ORDINANCE NO. 2019-11
AN ORDINANCE GRANTING EASEMENTS TO
DOMINION ENERGY FOR EXTENSION CONVERSION AT
BERGEN PLACE WEST SUBDIVISION

WHEREAS, Dominion Energy has indicted to the city its intent to underground utilities at Bergen Place West, Phase IV; 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, 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 005-09-10-002.
- 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

ATTACHMENT #8

RESOLUTION NO. 2019-24

A RESOLUTION AUTHORIZING THE CITY OF NORTH AUGUSTA
TO AWARD CONTRACT TO R.D. BROWN CONTRACTORS
FOR THE RIVERSIDE VILLAGE AMPHITHEATER

WHEREAS, the City of North Augusta allocated funds from Sales Tax 3 for the purpose of financing the cost of a new park development at Riverside Village; and

WHEREAS, ON April 9, 2019, sealed bids were received from R.D. Brown Contractors and R.W. Allen Construction, publicly opened and read aloud for the PROJECT; and

WHEREAS, the low bid by R.D. Brown is in the amount of \$3,185,000; and

WHEREAS, after negotiations through value engineering an offer of \$1,972,535 will be presented to R.D. Brown; and

WHEREAS, the Mayor and City Council of the City of North Augusta find that the awarding of such contract for the PROJECT is in the best interest of the City.

BE IT FURTHER RESOLVED that the funding sources for this contract shall be as follows:

Sales Tax 3
Series 2017B Bond Fund

BE IT FURTHER RESOLVED that the City Administrator shall be authorized to enter into a contract with R.D. Brown Contractors in the amount of \$1,972,535 to approve change orders, to make payments, and to sign all other documents relating thereof.

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

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk


Department of Planning and Development



Memorandum # 19-018

City of North Augusta

To: B. Todd Glover, City Administrator
Via Sharon Lamar, City Clerk

From: Kuleigh Baker, Planner 

Subject: Application number RZM19-001 – River Oak Dr Rezoning – A request by Margaret B. Copenhaver to rezone ± 5.02 acres of land located on River Oak Drive, Aiken County Tax Parcel Number 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential.

Date: August 13, 2019

Planning Commission Recommendation

On July 18, 2019, after a duly advertised and convened public hearing, the Planning Commission considered a request by Margaret B. Copenhaver to rezone ± 31.55 acres of land located on River Oak Drive, Aiken County Tax Parcel Number 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential.

During the public hearing, the applicant's representative modified the request to limit the rezoning to R-14, Large Lot Single-Family Residential to ±5.02 acres West of the Greenway, North of Riverview Park, South of River Oak Dr. and east of the Savannah River, leaving the remaining portion of the parcel as CR, Critical Area as indicated on the Preliminary Master Concept Plan submitted July 18, 2019 by Johnson, Laschober, and Associates, PC.

The Planning Commission, on a vote of 5-0, voted in favor of a recommendation to City Council to rezone a portion of the property as proposed in the applicant's revised request.

Attached is the Staff Report associated with the request along with the proposed ordinance.

Project Staff Report

RZM19-002 River Oak Rezoning

Prepared by: Kuleigh Baker

Meeting Date: July 18, 2019

SECTION 1: PROJECT SUMMARY

Project Name	River Oak Drive Rezoning
Applicant	Margaret B. Copenhaver
Address/Location	Off River Oak Drive
Parcel Numbers	003-08-07-001
Total Development Size	± 31.55 acres
Existing Zoning	CR, Critical Area
Overlay	N/A
Traffic Impact Tier	N/A
Proposed Use	Detached Single-Family Residential
Proposed Zoning	R-14, Large Lot, Single-Family Residential
Future Land Use	Low Density Residential

SECTION 2: PLANNING COMMISSION CONSIDERATION

Section 5.3 of the North Augusta Development Code (NADC) provides uniform procedures for processing changes to the Official Zoning Map.

The Planning Commission must use the criteria established in NADC Section 5.3.6 to evaluate each application. These criteria are further analyzed in Section 6 of this report, but are as follows per NADC Section 5.3.6.1-10:

- 1) The size of the tract(s) in question.
- 2) Whether the proposal conforms with and furthers the goals of the Comprehensive Plan, other adopted plans, and the goals, objectives, and policies of this Chapter. Specifically, the Planning Commission shall consider the goals stated in §1.2.
- 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:
 - a) 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;
 - c) There will be any adverse effects on existing or planned public utility services in the area;

- d) Parking problems; or
 - 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.
- 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) The zoning districts and existing land uses of the surrounding properties.
 - 6) Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification.
 - 7) Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character.
 - 8) The length of time the subject property has remained vacant as zoned, if applicable.
 - 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.
 - 10) Whether the existing zoning was in error at the time of adoption.

NADC Section 1.21.2, referenced in the section above states the following:

GENERAL PURPOSE AND INTENT

1.2.1 Comprehensive Development Code

The Development Code as established in this Chapter has been made in accordance with a comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. It is intended to consolidate in one place and in logical order, without unnecessary duplication, the city's regulations pertaining to land use and development. It is designed to make it possible for all of those concerned with land use and development to have access to all relevant city legislation in one convenient Chapter that is capable of being published and distributed as a separate and comprehensive segment of the Code of Ordinances, City of North Augusta, South Carolina, hereinafter referred to as the City Code, as a whole. The specific objectives of this Chapter are:

- 1.2.1.1 To protect the health, safety and general welfare; and
- 1.2.1.2 To promote new development forms that complete neighborhoods that:
 - a. Are designed at a human scale by controlling massing and design that respects the architectural vernacular of North Augusta;
 - b. Foster communication among neighbors and connectivity to the larger community by allowing compact development patterns, interconnected street systems, short blocks;

- c. Include or reinforce central places, such as North Augusta's traditional downtown and neighborhood commercial centers, civic gathering places, and open space;
- d. Encourage walking and biking by the layout of blocks and streets;
- e. Accommodate vehicular travel without allowing parking lots and streets to dominate the built environment;
- f. Provide a mix of housing types, including housing affordable to all households and housing arrangements that foster neighborliness;
- g. Provide a variety of spaces, including outdoor and passive outdoor uses, which become part of the public realm;
- h. Design streets as outdoor rooms, with attention to pedestrian and bicyclist safety as well as to the safety of motorists;
- i. Includes neighborhood design that responds to the natural, cultural and historic context;
- j. Are the result of a planning process that is inclusive and involves opportunities for negotiation between the designer and the City.

1.2.2 Zoning Regulations

The zoning and land use regulations set forth in Articles 2, 3 and 4 are designed to promote the public health, safety, and general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance.

Planning Commission Action:

The Planning Commission may recommend approval or denial of this request according to NADC § 5.1.3. The Planning Commission's recommendation is then forwarded to the City Council for their consideration per NADC § 5.3.5.3.

SECTION 3: PUBLIC NOTICE

Per NADC Table 5-1, 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 July 1, 2019. The property was posted with the required public notice on July 3, 2019. 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 on July 3, 2019.

SECTION 4: SITE HISTORY

The subject property was annexed into the City on October 3, 1951 as part of a legislatively authorized referendum. There does not appear that any zoning designation was applied to the property prior to the 1966 zoning map.

The history of the zoning on the subject property is:

- 1966 Zoning Map – R-1, Low-Density Residential
- 1977 Zoning Map – OSP, Open Space Preservation
- 1988 Zoning Map – OSP, Open Space Preservation
- 1996 Zoning Map – OSP, Open Space Preservation
- 2008 Zoning Map – CR, Critical Area

In 2007, there was a request to rezone a ±15.78 acre portion of TPN 003-08-07-001 from OSP, Open Space Preservation to PD, Planned Development. During the review period, the 2008 North Augusta Development Code was adopted and the OSP, Open Space Preservation zoning district was changed to reflect the new zoning designation of CR, Critical Area. The ordinance to rezone the property from CR, Critical Area to PD, Planned Development does not appear to have been adopted by City Council. A copy of the staff report issued for that case has been attached for reference.

SECTION 5: EXISTING SITE CONDITIONS

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Vacant	Parks, Recreation, open Space, and Conservation	CR, Critical Area
North	Single Family Residential/Vacant	Parks, Recreation, open Space, and Conservation/Low Density Residential	CR, Critical Area/R-14, Large Lot Single-Family Residential
South	Public Park	Parks, Recreation, open Space, and Conservation	P, Public Use
East	Single-Family Residential	Low Density Residential	R-14, Large Lot Single-Family Residential
West	Savannah River	NA	NA

Access – The site currently has access from River Oak Drive. It is bisected by the North Augusta Greenway.

Topography – The site has significant topographical issues across the parcel. Generally, the highest elevations are at the north and east sides of the property. A portion of the site is on bluffs overlooking the river, with an elevation change of 100 feet between the Greenway and the Savannah River. Slope percentages exceed 50% in several places.

Utilities – The property has access to existing water and wastewater lines. A wastewater line runs through the extent of the length of the property. Water connection would have to be made from the Hammond Hills subdivision.

Floodplain – Approximately ¼ of the site falls within the 100 year floodplain.

Drainage Basin – This site is located within the Hammond Hills Basin as designated on the City of North Augusta Stormwater Management’s Drainage Basin Map. Two major drainages cross the property from the Hammond Hills subdivision to the Savannah River. These drainages incorporate stormwater flowing from Stanton Drive to Bunting Drive near Hammond Hills Elementary School as well as from Campbellton Drive.

SECTION 6: STAFF EVALUATION AND ANALYSIS

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

Parcel 003-08-07-001 is approximately ±31.55 acres. The rezoning covers approximately 27.34 acres. Approximately 16.53 acres is proposed open space.

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 2017 Comprehensive Plan has two provisions that staff interprets to apply to this case. First, infill development from Core Principle 3 for “Stable, Diverse, and Walkable Neighborhoods.” While this is technically infill, it does not necessarily offer a walkable neighborhood but does allow for direct access to the Greenway. Single-family residential houses are compatible with the existing housing design and surrounding neighborhoods, but are not a type of housing not typically available in North Augusta. The development will extend an existing street network. The associated Goal/Strategy 4.3 to

prioritize infill does not appear to support this particular type of development. Strategy 6.1 may encourage infill development, but states it should be in association with diverse housing types.

Core Principle 5 for “Stewardship of our Cultural and Natural Resources,” asks us to preserve our historic and natural elements and stories. Specifically, Goal/Strategy Section 8.4, Protect the Savannah River and Other Natural Resources, seeks to prioritize the City “...acquiring or otherwise permanently protecting environmentally sensitive areas including natural drainage ways for open space preservation, stormwater management, park land, and extensions of the Greenway System.”

The Development Code further restricts development on portions of the property within the designated Floodplain. Increased requirements for development in these areas will be required.

The 2017 Comprehensive Plan classifies the subject property as Parks, Recreation, Open Space, and Conservation on the Future Land Use Map.

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 is generally compatible with the surrounding area. R-14, Large Lot Single-Family Residential zoning exists north and east of the subject site.

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

Access would be provided as an extension of an existing roadway. The existing street intersects with Cypress Drive approximately 1300 linear feet from the end of the road. Local roads classified as “Small Streets” and “Streets” required a maximum block length of 500 and 600 linear feet, respectively (NADC Table 14-2, notes item m). Any extension would require a Planning Commission waiver at the time of major subdivision approval. The design of the subdivision will need to be engineered to ensure fire safety access, as there is a single access all of the homes on this portion of River Oak Drive.

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

There is an existing water intake at the river on the southeastern corner of the property. In past staff reports, there has been concern expressed that the runoff from development will negatively impact this intake. This report has been attached for reference. As for providing water and sewer to the properties, the existing utility network most likely will accommodate the anticipated development.

d. Parking problems; or

Parking for each home must be provided on each site.

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.

Previous evaluations of the site indicated the portion of the property fronting on the river is characterized by severe topography, mature vegetation and the presence of special interest flora. These concerns were included in a 2007 staff report for a rezoning on the property. This report has been attached for reference.

More broadly, any 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 and municipal codes are 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 subject area has been vacant for some time. Because of the location and lack of cross-access to other neighborhoods, it has remained relatively secluded. The City of North Augusta has seen significant growth along the Savannah River in the past fifteen years, with neighborhoods such as the River Club, River North, and Hammond's Ferry adding a significant number of single-family dwelling units to the City's waterfront.

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

The proposed zoning classification will be for additional single-family residential uses, which should not adversely impact the current surrounding single-family residential uses or the North Augusta Greenway.

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).

CR, Critical Areas, 3.6.2, are described as follows in the Development Code:

3.6.2.1 Purpose – The purpose of this district is to preserve and/or control development within known and identifiable areas of the city that exhibit the following characteristics:

- a. Wetlands, water courses, and lands reserved or maintained for stormwater management;
- b. Lands that serve as natural wildlife refuge areas;
- c. Environmentally sensitive lands and lands possessing great natural or historical resources;
- d. Lands that are reserved for open space or future parks and recreational areas; and
- e. Passive park and recreational lands.

3.6.2.2 Mapped Critical Areas – Lands exhibiting these characteristics shall be mapped as CR on the Official Zoning Map.

3.6.2.3 Permitted Uses – Development shall be limited to uses listed in Table 3-2, Use Matrix.

3.6.2.4 Dimensional Standards – Dimensional standards shall be the same as those applicable to an R-14 District.

This means that the general lot sizes and setbacks allowed in the R-14, Large Lot, Single Family Residential District would apply in this district. However, there is an additional restriction on the impervious surface ratio for the property. For the entire 31.55 acre tract, this would allow a maximum of 6.31 acres of impervious surface (roof, driveway, road, etc.). That would allow a total of 274,863.6 square feet, or about 24,987.6 square feet per lot for eleven (11) lots.

Permitted uses include:

- 1.1 Permitted Accessory uses per Article 4
- 1.3 Bus shelters
- 3.1 Accessory Dwellings
- 8.4 Churches/synagogues and associated customary uses
- 8.12 Open Space/Parks
- 10.5 Private boat docks, boat houses, marinas
- 12.1 Agriculture

Conditional Uses Include:

- 3.3/3.10 Accessory Single Family Detached or Manufactured Home as a Conditional Use (an example would be a parsonage or caretakers quarters)
- 8.13 Private or non-profit clubs including country clubs, athletic clubs, lodges, etc.
- 8.17 Riding Academy/Stables
- 11.10 Telephone exchanges and repeater stations
- 11.11 Utility lines
- 11.12 Water supply facilities
- 12.2 Kennels, animal pounds and shelters

Special Exceptions

- 11.1 Cell and communication towers
- 11.2 Gas or electric generation distribution facilities

Table 3-3 Dimensional Standards (Rev. 12-1-08; Ord 2008-18)

Zoning District and Use Types	Minimum Lot Size (sq. ft)	Maximum Gross Density (du/ga)	Floor Area Ratio	Impervious Surface Ratio	Minimum Lot Frontage (ft)	Minimum Lot Width (ft)	Maximum Building Height (ft)	Minimum Front Setback (ft)	Maximum Front Setback (ft)	Minimum Side Setback (ft)	Minimum Rear Setback (ft)
CR, Critical Area	—	—	—	0.02	—	—	—	—	—	—	—
R-14, Large Lot, Single-Family Residential	14,000	3.5	—	0.3	40	70	35	25	—	8	20

For the R-14, Large Lot Single-Family Residential zoning district, the impervious surface ratio is 0.3, which would increase the total possible impervious surface allowed to 9.46 acres for the entire 31.55 acre tract.

Permitted uses include:

- 1.1 Accessory uses as permitted in Article 4
- 2.1 Conservation Subdivision
- 2.4 Traditional Neighborhood Development
- 3.1 Accessory Dwellings
- 3.10 Single Family Dwelling
- 4.7 Tourist Homes
- 8.4 Churches/synagogues and associated customary uses
- 8.12 Open Space/Parks
- 8.21 Swimming Pool
- 9.2 Cemeteries
- 9.12 Schools, academic, elementary through high school
- 11.10 Telephone exchanges and repeater stations
- 11.11 Utility lines

Accessory Uses

- 4.57 Home Occupations
- 8.5 Community Centers/Reception Halls
- 9.16 Studios for artists, designers, etc. (not home occupation)

Conditional Uses Include:

- 8.13 Private or non-profit clubs including country clubs, athletic clubs, lodges, etc.
- 10.5 Private boat docks, boat houses, marinas
- 12.1 Agriculture

Special Exceptions

- 11.1 Cell and communication towers
- 11.2 Gas or electric generation distribution facilities

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

The rezoning is generally compatible with surrounding existing residential development.

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

Staff notes that the current zoning appears to intend to leave the property largely vacant due to its environmental value.

The subject property appears to have been designated as "Open Space" since at least 1977. The subject property was annexed into the City on October 3, 1951 as part of a legislatively authorized referendum. There does not appear that any zoning designation was applied to the property prior to the 1966 zoning map.

In 2007, there was a request to rezone a ±15.78 acre portion of TPN 003-08-07-001 from OSP, Open Space Preservation to PD, Planned Development. During the review period, the 2008 North Augusta Development Code was adopted and the OSP, Open Space Preservation zoning district was changed to reflect the new zoning designation of CR, Critical Area. The ordinance to rezone the property from CR, Critical Area to PD, Planned Development was never adopted by City Council and no Planned Development General Development Plan exists for the site.

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 amount of land available in this particular area is limited by existing development to the west by the Savannah River, to the north by existing residences, to the east by the Greenway and residences, and to the south by the Riverfront Activities Center. However, tracts for single-family residential uses in North Augusta do not appear to be limited at this time.

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

The existing zoning of CR, Critical Area appears to have been in place since the adoption of the current development code in 2008. This does not appear to have been done in error. Further evaluation of the site in 2007 appears to support the site zoning as is exists.

SECTION 7: STAFF RECOMMENDATION

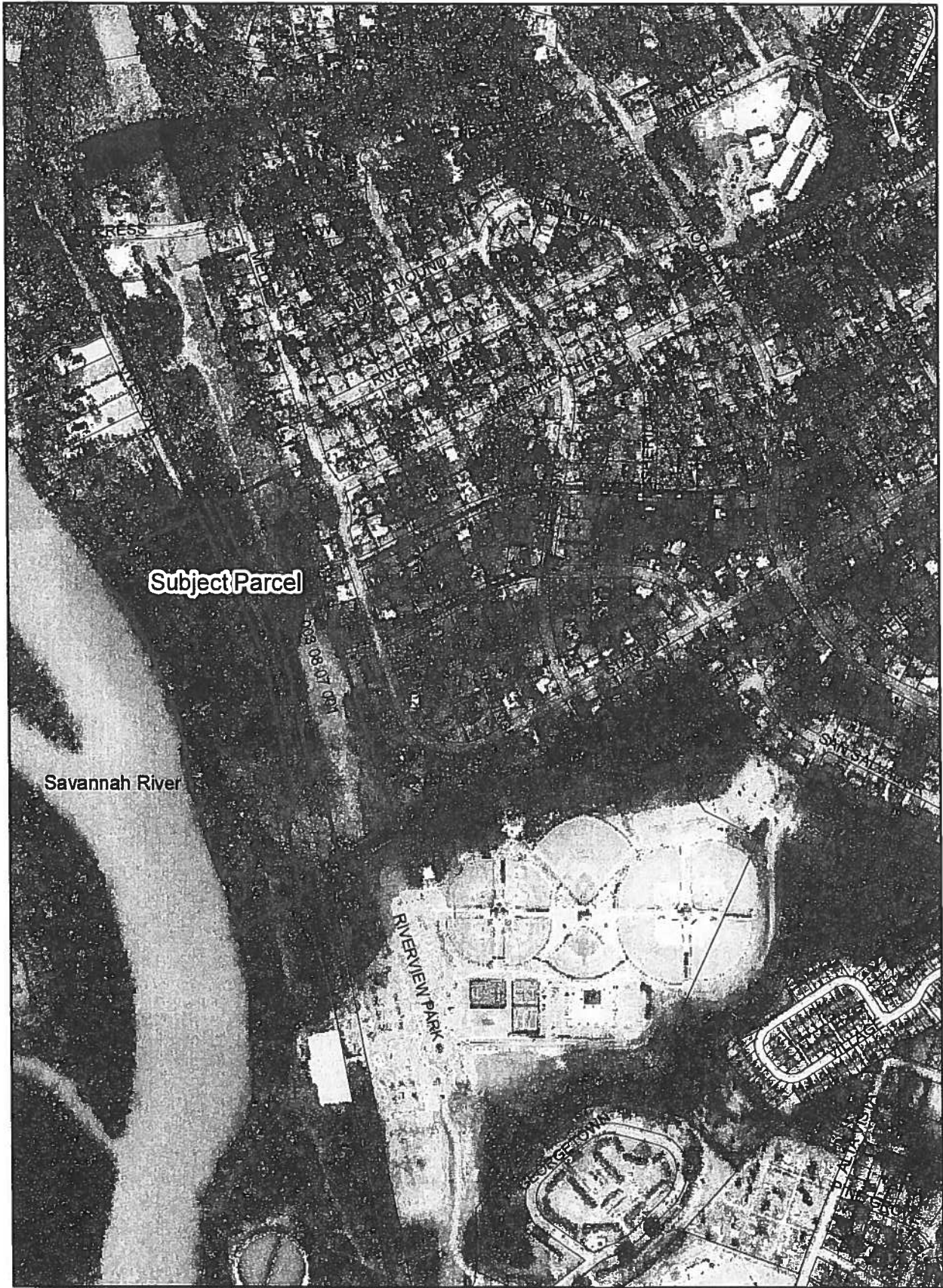
Based on the analysis and evaluation of each review criteria outlined above, the Department has determined the application is complete.

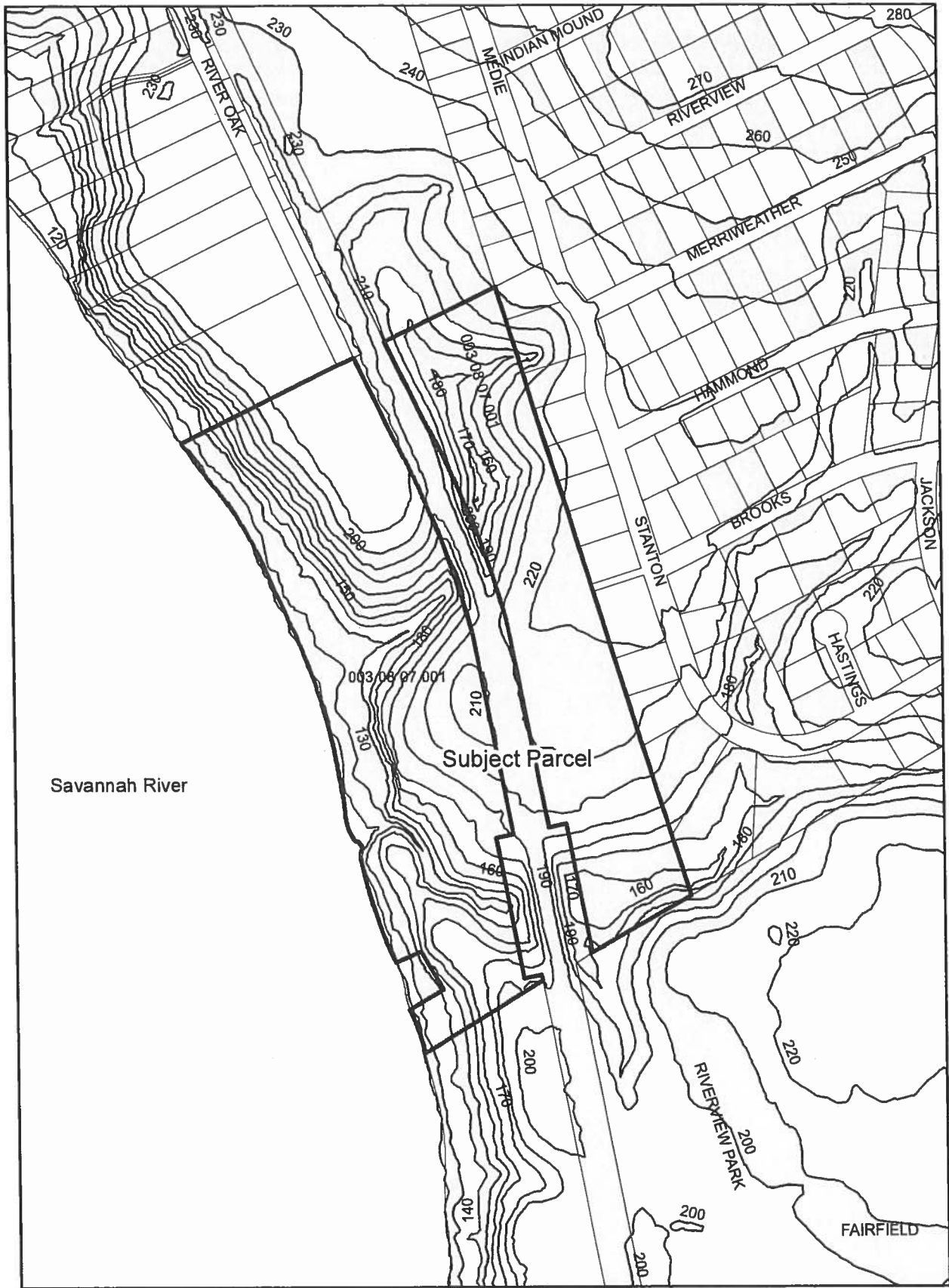
Staff has serious concerns about the environmental impacts of development on the site given its topography, previously documented endangered plants on and near the site, and potential impacts to the emergency water intake for the City. Under its existing zoning, development is limited, but is not prohibited. Given the inability for staff to prohibit some development as allowed in an R-14 zoning, staff does not recommend approval of this rezoning.

SECTION 8: ATTACHMENTS

1. Site/Aerial Map
2. Topography
3. Floodplain Map
4. Current Zoning Map
5. Future Land Use Map
6. Previous Staff Report and Site Analysis
7. Site Photos
8. Notification Letter
9. Application Materials

cc Margaret B. Copenhaver, mebcop@aol.com
Bill Hollingsworth, Hollingsworth Appraisal Co., billhollingsworth@comcast.net
Justin Purucker, Johnson, Laschober & Associates, jpurucker@thejlagroup.com

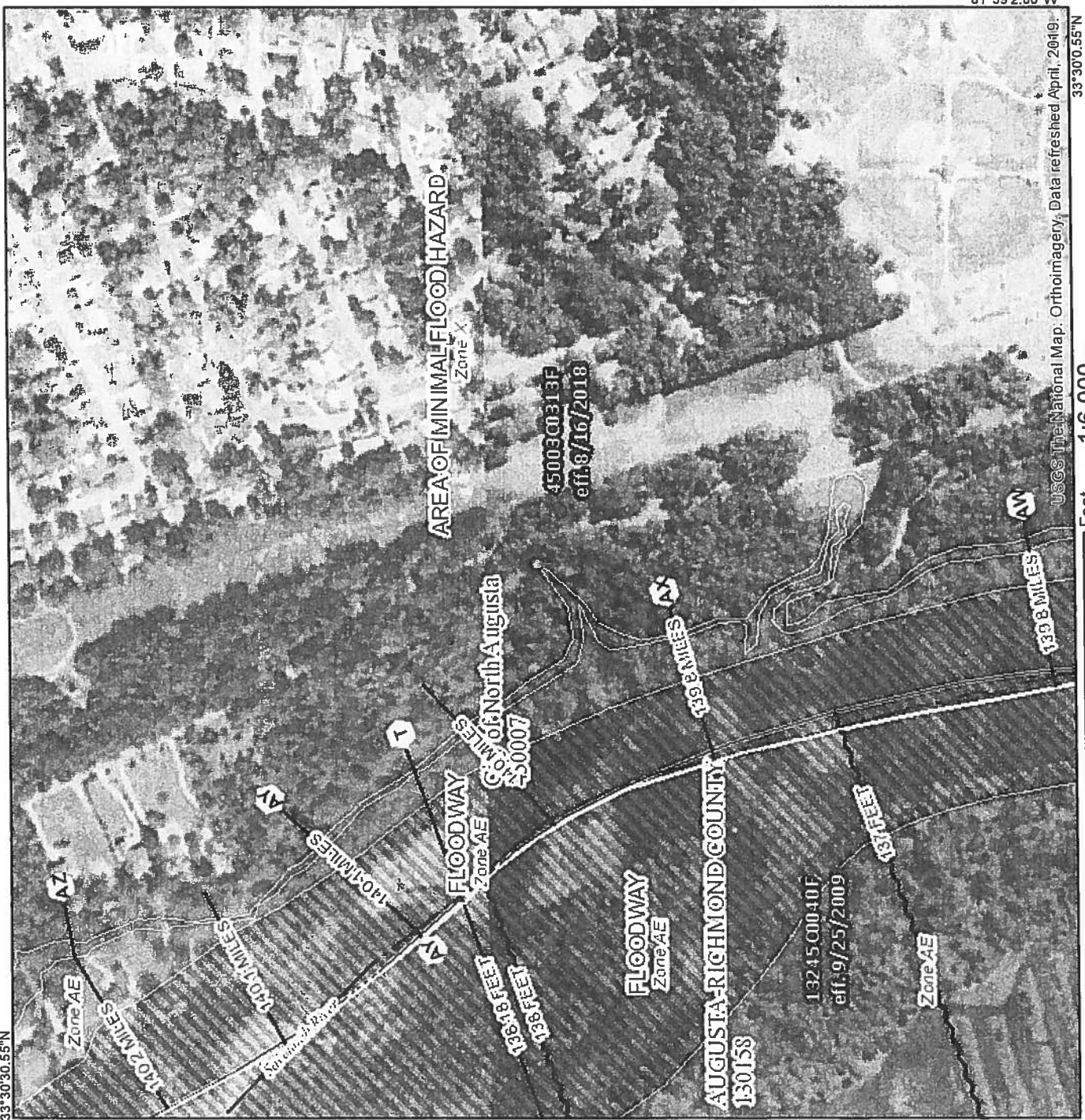




National Flood Hazard Layer FIRMette



33°30'30.55"N
81°59'40.26"W



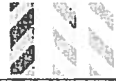
Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A, V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR
Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X
Future Conditions 1% Annual Chance Flood Hazard
Zone X
Area with Reduced Flood Risk due to Levee, See Notes, Zone X
Area with Flood Risk due to Levee
Zone D



OTHER AREAS OF FLOOD HAZARD

Area of Minimal Flood Hazard Zone X
Effective LOMRs
Area of Undetermined Flood Hazard Zone D

OTHER AREAS

Channel, Culvert, or Storm Sewer
Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance
Water Surface Elevation
Coastal Transect
Base Flood Elevation Line (BFE)
Limit of Study
Jurisdiction Boundary
Coastal Transect Baseline
Profile Baseline
Hydrographic Feature

OTHER FEATURES

Digital Data Available
No Digital Data Available
Unmapped

MAP PANELS



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/9/2019 at 4:13:43 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

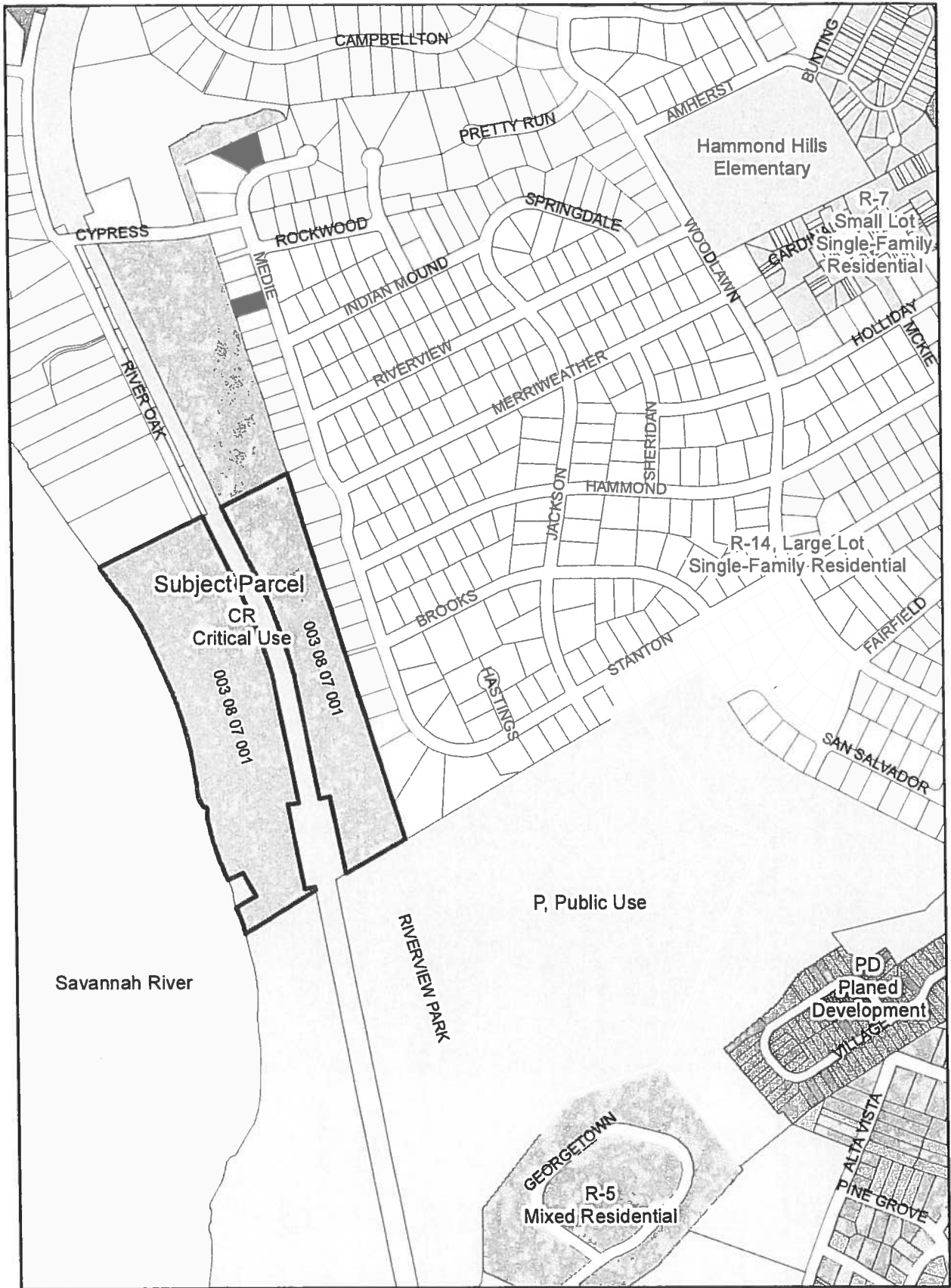
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

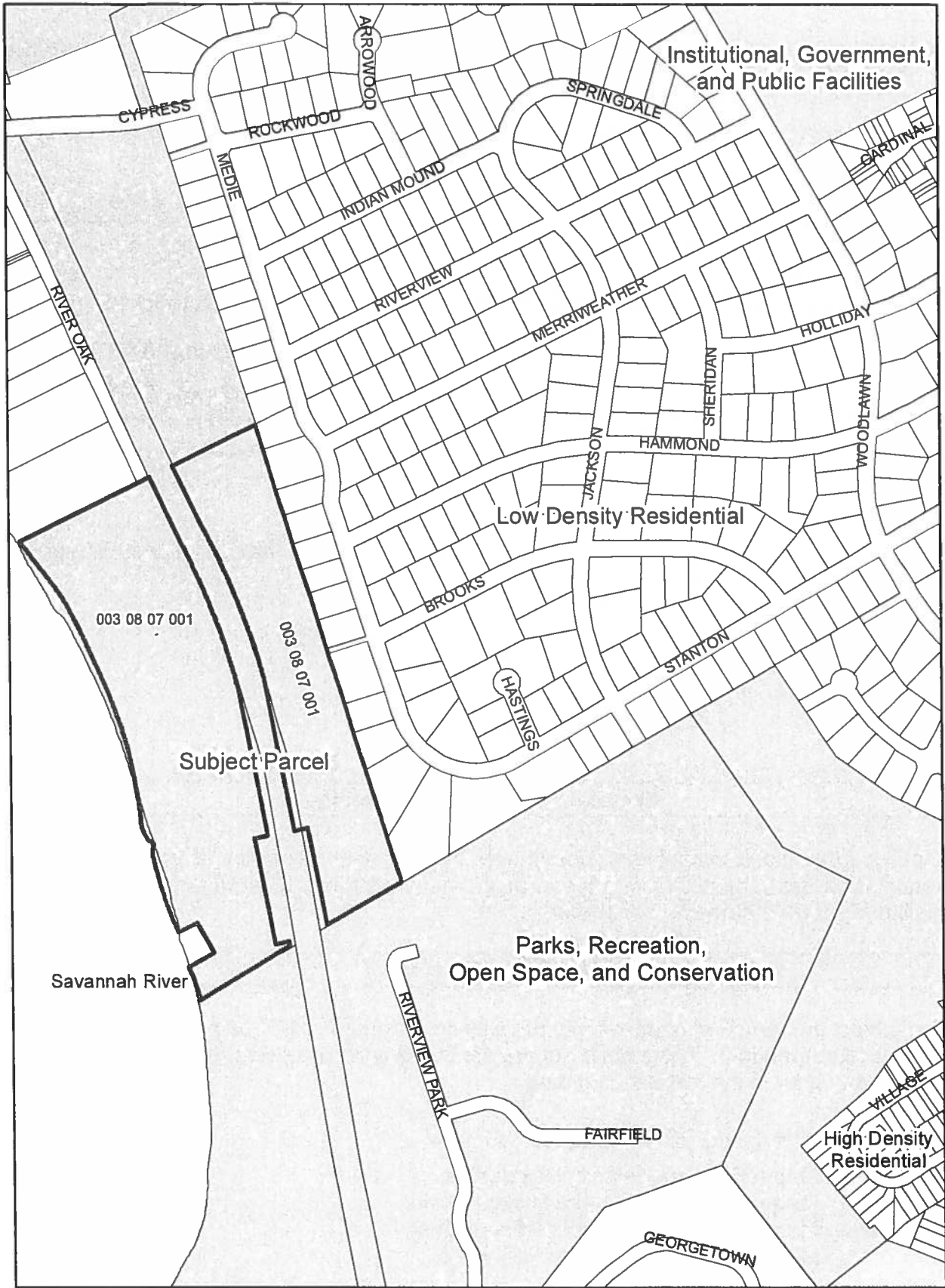
81°59'2.80"W

USGS The National Map: Orthoimagery, Data refreshed April, 2019.
33°30'0.55"N

1:6,000
Feet







Department of Economic and Community Development



City of North Augusta

Project Staff Report

Rezoning Application # RZ 07-04

October 12, 2007

Prepared by Scott Sterling, AICP

Approved by Skip Grkovic, AICP

Section 1 - Summary

Applicant	Alonzo P. Boardman, Jr.
Representative	Donald W. Thompson
Address/Location	South of the termination of River Oak Drive and north of Riverview Park
Parcel Numbers	003-08-07-001
Existing Zoning	OSP, Open Space Preservation
Proposed Zoning	PD, Planned Development
Existing Use	Vacant
Proposed Use	Single-Family Residential
Parcel Size	±26.00 acres (total)

Section 2 – Staff Recommendation

The Department of Economic and Community Development recommends that the Planning Commission **deny** the rezoning request (map amendment) and forward a recommendation to the City Council to **deny** the application...

Section 3 – History

The subject property was annexed into the City on October 3, 1951 as part of a legislatively authorized referendum. There does not appear that any zoning designation was applied to the property prior to the 1966 zoning map.

The history of the zoning on the subject property is:

- 1966 Zoning Map – R-1, Low-Density Residential
- 1977 Zoning Map – OSP, Open Space Preservation
- 1988 Zoning Map – OSP, Open Space Preservation
- 1996 Zoning Map – OSP, Open Space Preservation

The property surrounds a 0.28 acre parcel on three sides that is located on the Savannah River and is owned by the city. The parcel houses one of the city's two raw water intake structures. Water is pumped from the river to the water treatment plan. The raw water transmission line and an access road from Riverview Park to the intake structure cross the southern end of the property. The access

road winds across the steep terrain to get to the intake facility. The location of the water line and access road will affect the development of the property.

The property is bisected by the Greenway. The right of way of the Greenway varies because of the rough terrain and the amount of land needed for cuts and fills associated with the construction of the railroad across the property. Additionally, a large portion of the property is encumbered by power line easements. A corridor that varies from 250 to 350 feet wide on the eastern side of the property is devoted to the power lines.

Please see the attached reports from Tom Zeaser, Director of Engineering and Public Works, and Sarah Harmon, a contract employee of the Stormwater Management Department. Tom's memo deals with the raw water intake and the value of the OSP property for regional stormwater management purposes. Sarah's memo is an environmental evaluation of the property and addresses topography, steep slopes, wetlands, natural drainage ways, and endangered species.

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Existing Zoning</u>
Subject Parcel	Vacant	Parks, Recreation, Open Space and Conservation	OSP, Open Space Preservation
North	Vacant Open Space, Single Family Residential	Parks, Recreation, Open Space and Conservation and Low Density Residential	R-1, Single Family Residential, and OSP, Open Space Preservation
South	Parks and Recreation	Parks, Recreation, Open Space and Conservation	OSP, Open Space Preservation
East	Single Family Residential	Low Density Residential	R-1, Single Family Residential
West	Savannah River	Parks, Recreation, Open Space and Conservation	OSP, Open Space Preservation

Section 4 – Description of the Request

The applicant is seeking to rezone the subject parcel from OSP, Open Space Preservation to PD, Planned Development. The applicant's representative has stated intent to develop the property for single-family residential lots.

Section 5 – Public Notice

A notice of the proposed map amendment and scheduled date of the Planning Commission public hearing was published in the *Star* on October 4, 2007. The required notification of individual property owners and posting of the property took place on October 3, 2007.

Section 6 – Findings and Evaluation

Sections 1.o.4 and 1.o.5 of the Zoning and Development Standards Ordinance specify the factors and policies that should be considered by the Planning Commission in its consideration of requests for the rezoning of land. The following information addresses those factors and policies.

1.o.4. Planning Commission Report. The Planning Commission should consider the following factors in making its recommendation on a proposed rezoning:

a. *The relationship of the request to the City's official Comprehensive Plan and whether the request violates or supports the Plan.*

The Future Land Use Map places the property in the Parks, Recreation, Open Space and Conservation classification. According to the 2005 Comprehensive Plan, the Parks, Recreation, Open Space and Conservation classification is intended to permit open space, conservation areas, golf courses, parks, environmental protection and preservation and accessory residential uses. The maximum density for residential is 0.1 dwelling units per acre according to the Comprehensive Plan. If a rezoning from OSP to PD is approved for this property, an amendment to the Comprehensive Plan changing the future land use classification from Parks, Recreation, Open Space and Conservation to another classification will be required. An amendment to the Comprehensive Plan requires the approval of an ordinance by the City Council after recommendation by the Planning Commission. Alternative future land use classifications could include Low Density Residential, High Density Residential, and Mixed Use.

Section 8.12.3 of the 2005 Comprehensive Plan, approved by the Planning Commission and adopted by City Council, states that the city should:

Prepare and adopt a Natural Areas Protection Plan to identify environmentally sensitive land areas and recommend means to protect air and water quality, wetlands, endangered species and open space. The plan will recommend regulations for permitting development in critical environmental areas. The plan will also establish priority-setting criteria for open space protection through conservation easements and public acquisition.

The Engineering and Public Works Department conducted an assessment of open spaces throughout the city in conjunction with the City's Stormwater Management Program which

serves as a basis to the Natural Areas Protection Plan. The subject parcel was evaluated and prioritized 5th out of 25 properties for protection. (See the report from Mr. Zeaser.)

Section 8.12.5 of the 2005 Comprehensive Plan states that the city should:
Adopt development regulations that require the riverbank on the Savannah River to be maintained in a natural state or for public access when adjacent land is proposed for development to minimize private control and destruction of the natural riverbank.

The city is in the final stages of adopting the regulations referenced in the Comprehensive Plan. They will be contained in the new Development Code.

The requested rezoning is not appropriate for this classification and the anticipated uses would not be consistent with the future land use. The request does not support the Plan.

b. *Whether the use permitted by the proposed change would be appropriate in the area concerned.*

The subject property is vacant. Uses in the vicinity include open space and recreation in the form of the Savannah River, the North Augusta Greenway, Riverview Park and the use restricted vacant land within the SCE&G and Georgia Power power line easements. Large lot single family residential uses are located on the north side of the parcel on river Oak Drive and on the other side of the power line easements in Hammond Hills. The portion of the property fronting on the river is characterized by severe topography, mature vegetation and the presence of special interest flora such as bottlebrush buckeye and relict trillium.

The preliminary use proposed for the property is single-family residential. However, the PD district allows a mix of uses including multi-family and commercial. Any development of the property will impact a substantial portion if not all of the open space property negatively. The proposed map amendment is not appropriate for the future land use classification or the area concerned.

c. *Whether adequate public school facilities, roads, and other public services exist or can be provided to serve the needs of the development likely to take place as a result of such change and the consequence of such change.*

Public utilities and other services exist within and are adjacent to the subject property. Vehicular access will be addressed as part of the development plans but would likely involve a minimum of extending River Oaks Drive. The existing site topography is very steep and the extension of River Oaks Drive would require bridging or mass grading to satisfy the City standards. The Greenway and its existing right-of-way may not be

impacted by the development of the property. If the rezoning is approved the proposed development will be evaluated to ensure that adequate access, vehicular circulation and connectivity are achieved. The rezoning would generate some impact on the public school facilities; however, it is likely that the school district would be able to handle the minimal number of school kids generated from any anticipated development.

d. *Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area.*

As mentioned above, the property wraps around a critical public utility facility, the city's initial raw water intake structure. The structure serves the entire city. Any impact on the facility, its maintenance or access will need to be avoided. The site will be served with City of North Augusta sanitary sewer and water service. There are no current plans for water or sanitary sewer services in the area.

e. *The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City and any special circumstances, which may make a substantial part of such vacant land unavailable for development.*

The City has a relatively large amount of vacant PD zoned property. Most of the undeveloped PD property is privately owned and is planned or being held for future development. Some of it is for sale. Other areas of PD zoned lands in the City are held in separate ownerships and may not be for sale at this time.

1.o.5. Rezoning Policy. To be acted upon favorably, a request to change the zoning map should meet one of the following criteria:

a. *The map amendment proposed is necessary to implement the City's Comprehensive Plan pursuant to the Local Government Comprehensive Planning Act.*

The rezoning requested in this application is not necessary to implement the City's Comprehensive Plan and does not further the intent of the Natural Resources Element of the Comprehensive Plan or the purpose of the Parks, Recreation, Open Space and Conservation future land use classification.

b. *To correct an original mistake or manifest error in the regulations or map.*

The proposed map amendment is not necessary to correct an original mistake or error in the regulations or map on the subject parcel.

c. *To recognize substantial change or changing conditions or circumstances in a particular locality.*

The subject property was annexed in 1951 as part of the voter approved referendum to expand the city limits. Since that time, there has been no development of the property other than for the city's water system. The rezoning to a Planned Development would permit the property owners to sell the property to the prospective buyer and develop the riverfront portion of the property. The east portion of the site would continue to be encumbered by the power line easements. The existing environmental and topographical issues identified in Dr. Harmon's report would be negatively impacted if development were to occur. There have been no substantial changes or conditions to the area that warrant a rezoning.

d. *To recognize change in technology, the style of living, or manner of doing business.*

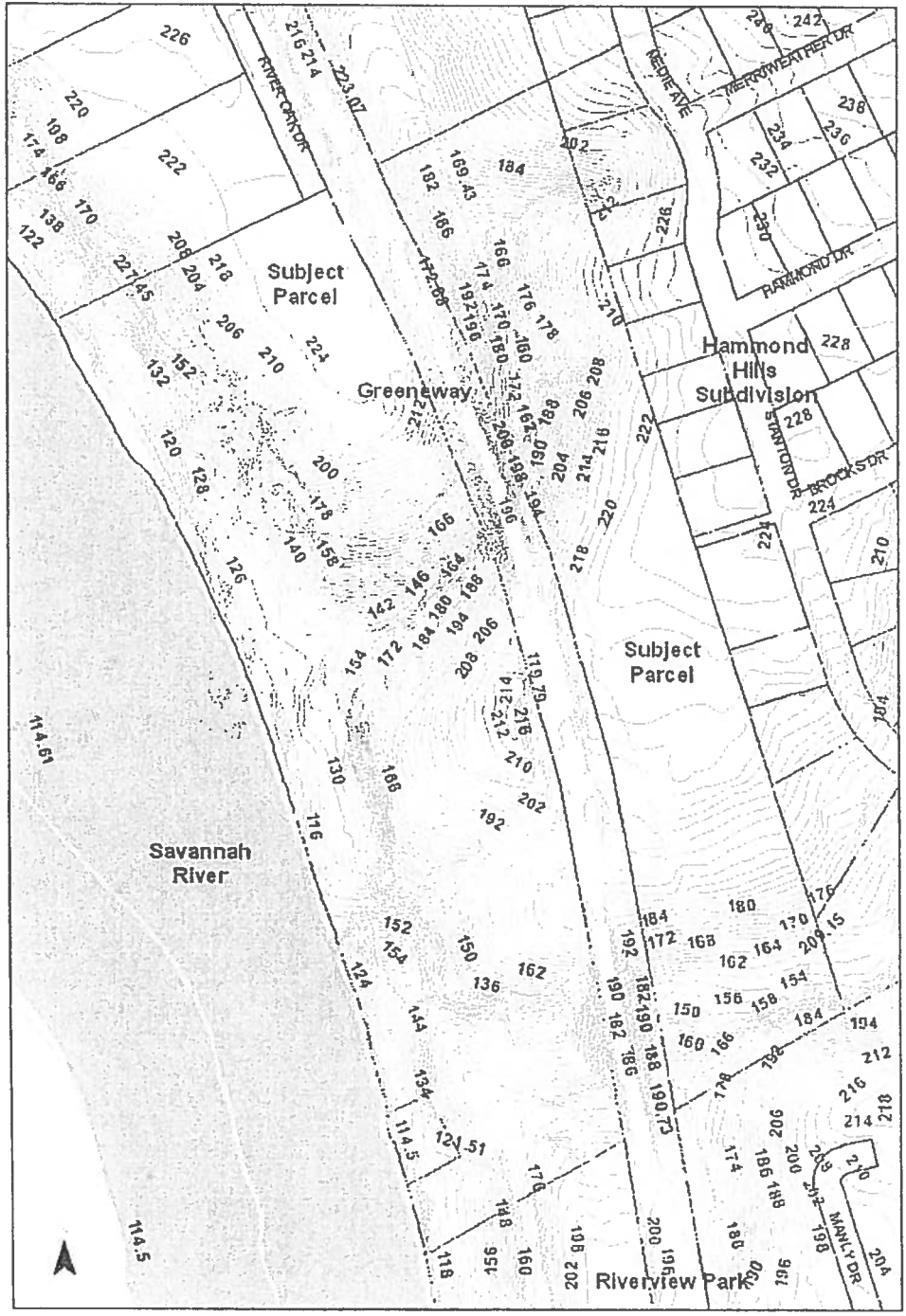
The application does not provide any information that recognizes a change in technology or style of living. Housing trends in the City are generally shifting to smaller lot sizes and most of the recent development applications in the City limits have reflected that trend. Riverfront lots are always in demand, but special precautions must be taken to ensure that sound development practices are implemented to protect the environmentally sensitive areas of this property. Given the severity of the topography and fragile watershed corridors within this property, there is little that technology can do to prevent negative impacts to the site should development of any type be permitted.

cc: Alonzo P. Boardman, Jr.
M. B. Copenhaver
Donald W. Thompson

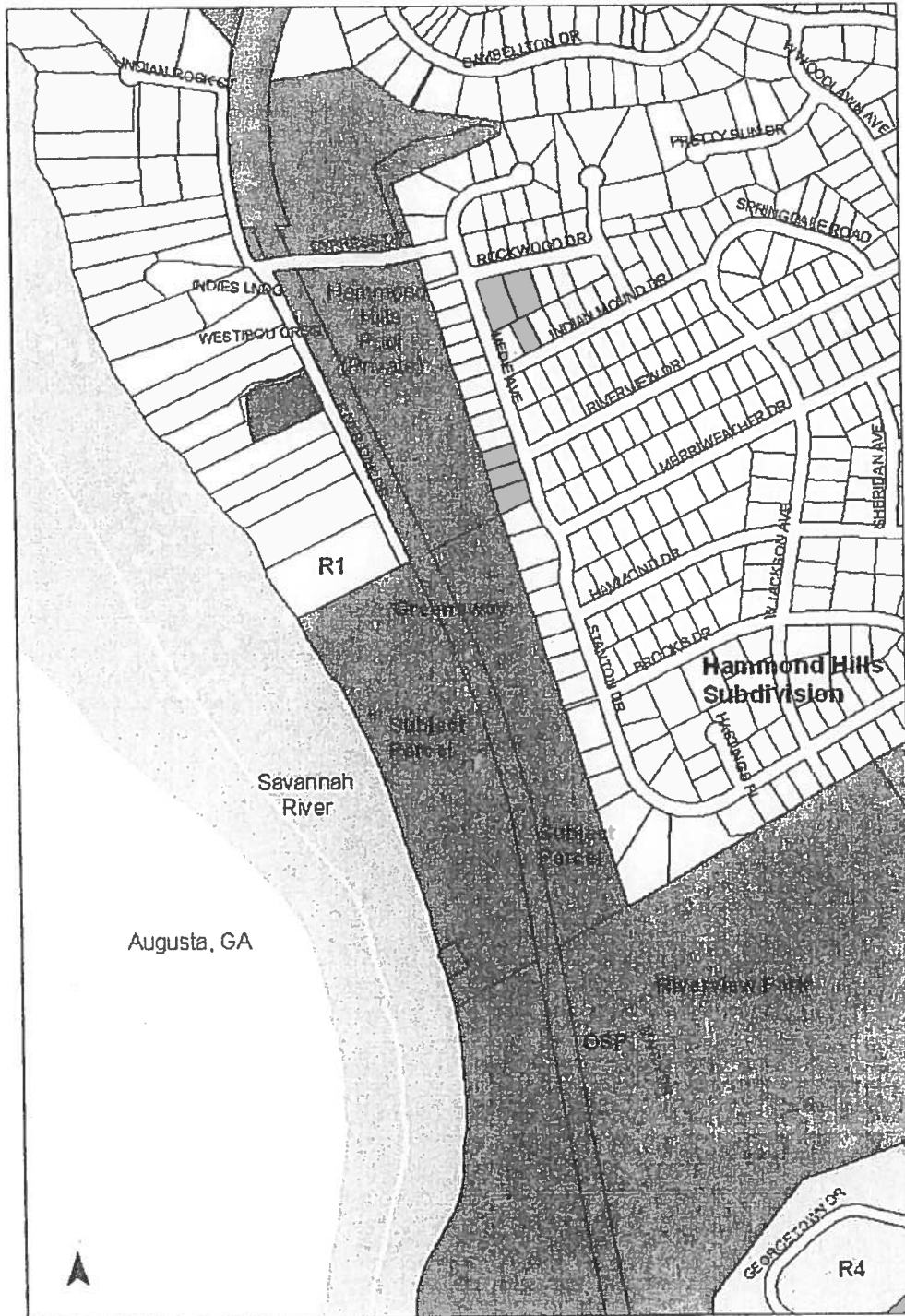
Section 7 – Aerial Photography



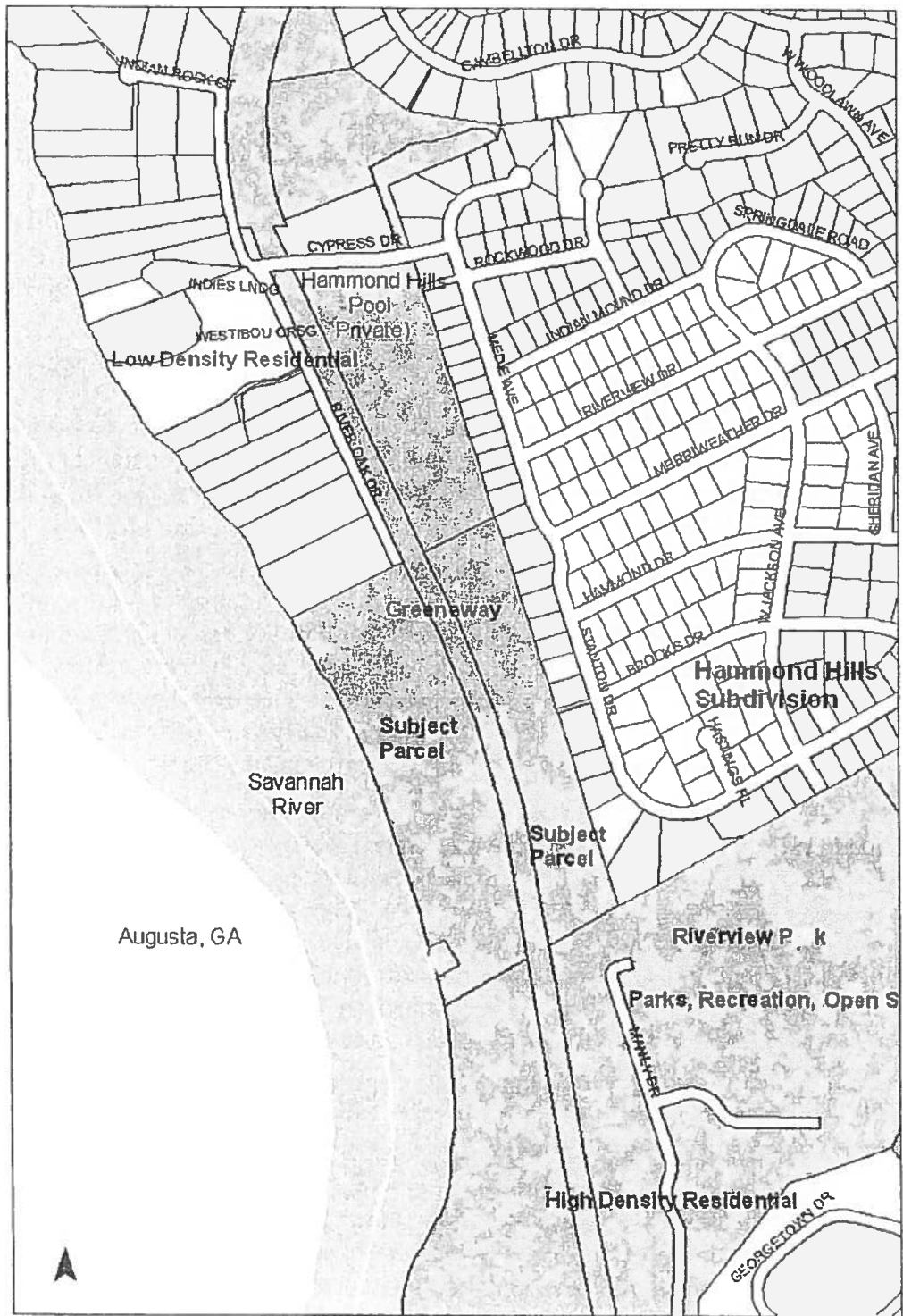
Section 8 – Topography



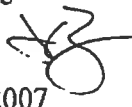
Section 9 – Existing Zoning



Section 10 – Future Land Use



ENGINEERING & PUBLIC WORKS DEPARTMENT

To: Skip Grkovic
From: Tom Zeaser 
Date: October 2, 2007
Subject: Rezoning Request, TPN 003-08-07-001

I have reviewed the rezoning request for the above referenced parcel. I have inspected the property and determined that it is not appropriate to rezone this land from OSP to any zoning classification that would permit residential or commercial development.

The subject property is one of the last remaining remnants of undeveloped riverfront properties in North Augusta. The property is characterized by very steep topography with high bluffs overlooking the river. The land is heavily wooded with old-growth forest. Two deep ravines dissect the property. The streams running through these ravines originate in the upper parts of Hammond Hills and Fairview Gardens and end in rocky cascades into the Savannah.

The property is popular with local hikers as evidenced by a distinct footpath which follows the bluff. As written in "History of North Augusta South Carolina" this path is believed to be the remnants of an old Indian trail that led along the bank of the Savannah River to the pre-Revolutionary river port of Campbell Town. Along this trail in the vicinity of the subject property there is an area on the bluff where the Indians used to gather when they brought their articles of trade and is known today as Indian Mound. This site has reportedly produced many Indian relics through the years.

One of the initiatives of the City's Stormwater Management Program is the conservation of land that provides protection of our watershed. In 2006 I performed an evaluation of "open space" and other undeveloped properties within North Augusta in an effort to prioritize those lands that provide such resource protection, as well as other environmental benefits. The properties were evaluated to determine the extent to which they met six criteria: wetland preservation, stream buffer, master detention, park access, unique habitat preservation, and endangered species habitat. The subject property met 5 of the 6 criteria and was consequently ranked 5th out of 25. This information was presented to City Council at the 2006 North Augusta Forward. The priority list and program funding was further endorsed by Council with adoption of the 2007 Budget.

As mentioned above, two streams pass through this property in very steep-sided ravines. The slopes, though steep, are relatively stable. This is due primarily to the dense forest growth and thick organic layer of the forest floor. The existing biological systems are able to withstand the natural overland stormwater flows, preventing erosion and other types of stormwater pollution. Due to the topography of this site and its proximity to the Savannah River, there is no opportunity for conventional stormwater detention and

treatment systems as most developments provide. Therefore, the increase in stormwater runoff from rooftops and other impervious areas will flow unimpeded to these ravines, or directly to the Savannah River. These increased flows will likely be more than the natural systems can handle, resulting in erosion of the slopes. Erosion of the slopes will lead to loss of habitat for endangered species such as relict trillium and other plant life. Because detention can not be provided, the eroded sediment will be deposited directly into the Savannah River.

The City's "old" raw water intake is located on an isolated parcel within the subject property. Although a newer water intake has been constructed near the Water Treatment Plant, the old station is still vital to our community as a back-up supply. Access to this station is via a paved driveway through the subject parcel. The proposed plan shows several home sites that would impede or eliminate the existing access if developed as shown. Vehicular access to this station must be maintained at all times as long as this station is operational.

To summarize, as stated in the ZDSO, OSP zoning exists to preserve areas in the City that contain wetlands and/or water courses, areas that serve as natural wildlife refuges, and areas possessing great natural or historical resources. For the reasons listed above, I am not aware of any property in North Augusta that meets these criteria more so than this subject parcel. OSP is the only appropriate zoning classification for this property.

Evaluation of a 26-Acre Parcel on the Savannah River in the City of North Augusta, SC

A. Background of Parcel

This assessment was conducted on a land parcel (Aiken County Tax Parcel No. 003-08-07-001) situated within the city limits of North Augusta. The parcel is adjacent to the Savannah River northwest of Riverview Park, and it is bisected by the City's Greenway Trail (Figure 1). This parcel is currently zoned "Open Space Preservation" on the Official Zoning Map of North Augusta.

The northern end of the parcel adjacent to River Oak drive has been an area of illegal dumping. Dumped materials include household trash, fill dirt, and asphalt. The portion of the property east of the Greenway Trail is primarily a powerline right-of-way, consisting mostly of mowed / old-field vegetation with a wooded buffer along the Greenway Trail. The remainder of the property west of the Greenway Trail (i.e., between the Greenway Trail and the Savannah River) is covered by mature hardwoods. It contains three bluffs rising steeply above the river and two large drainageways from surrounding neighborhoods that have been piped under the Greenway Trail. There are no existing structures, with the exception of the pump station on a separate small parcel owned by the City of North Augusta on the southwest end of the property. A sewer line also crosses this property both above and below ground. A rezoning request is in place to allow residential development on this property.

B. Drainageways and topography within this Property

This property is located within the Hammond Hills Drainage Basin. Two major drainages cross this property from the Hammond Hills subdivision to the Savannah River. These drainages incorporate stormwater flowing from Stanton to Bunting Drives near Hammond Hills Elementary School and some of the drainage from Campbellton Drive and its associated streets. Drainage from these streets is concentrated at the Greenway through two 52-inch concrete pipes (Figure 2). As a result, erosion is severe in some places near the river. The buildup of alluvial material at the confluence of these streams with the river provides further evidence of upstream and onsite erosion (Figure 3).

A portion of the property is on three bluffs overlooking the river, with an elevational change of approximately 100 feet between the Greenway and the river. The large drainages have resulted in steep terrain over the years with slope percentages in excess of 50% in several places (Figure 4).

C. Flood Zone and Floodway

Due to the topography of the land, the position of the large drainageways, and proximity to the river, approximately 5 acres - about 24% of the property west of the Greenway - falls within the 100-year special flood hazard area determined by FEMA (Zone AE, Flood Insurance Rate Map, City of North Augusta, Panel # 10). The majority of this is in the floodway, as also determined by FEMA (Figure 5). According to zoning ordinances by the City of North Augusta (Appendix A, Article II) the floodway is considered "the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the velocity of waters of the

regulatory flood without cumulatively increasing the water surface elevation more than one foot." Due to this restriction, portions of the property with topographic values of 138' or less, would be non-developable.

D. Flora and Fauna Survey

The portion of the property between the Greenway and the Savannah River is made up of a mature, diverse hardwood forest community. Tree species noted include oak, sweetgum, hackberry, elm, poplar, hickory, sycamore, and a number of large pines. Species of special interest known to exist on this property include relict trillium (*Trillium reliquum*) and bottlebrush buckeye (*Aesculus parviflora*).

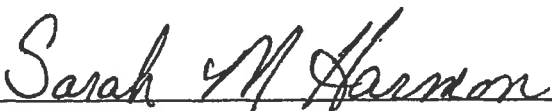
Eight stands of bottlebrush buckeye (*Aesculus parviflora*) were identified on this property (Figure 5). Bottlebrush buckeye is listed as a Regional Species of Concern by the South Carolina Department of Natural Resources due to extreme rarity or other factors which make it vulnerable.

Another important plant species present on this property is relict trillium (*Trillium reliquum*). This plant is listed on both state and federal endangered species lists. It could not be positively identified at this time of year (late summer/early autumn), because above-ground portions of the plant are not visible; however, it has been reported to be present in large numbers by several knowledgeable citizens (names and contact information available on request). Further evidence of its existence on this property is suggested by a known colony located in Riverview Park (Figure 6) directly adjacent to this property and along the drainageway that crosses the southern end of this parcel.

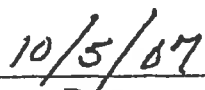
Summary and Recommendations

Based on this limited field investigation, rezoning of this parcel from Open Space Preservation to R1 for potential development is not recommended for the following reasons:

- The steep terrain, large drainages, and proximity to the Savannah River make a large portion of this parcel non-developable under the guidelines of FEMA and zoning ordinances of the City of North Augusta.
- Topography of this land results in slopes greater than 20% over most of the parcel. Building on these types of slopes requires special engineering measures under city zoning ordinances (See Article 7, section 7.b.2).
- The two large drainageways obviously handle large volumes of stormwater from other portions of the city during rainfall events. The City of North Augusta may be putting itself in a position of liability if rezoning for residential development in areas known to naturally collect large volumes of stormwater from upstream watershed areas. This aspect would not be expected to improve if additional areas within the drainage basin are developed and impervious surfaces are expanded.
- The presence of a large sewer line that crosses the property, high above ground in several places, will not be an aesthetic asset for residential development.
- The presence of at least two protected plant species mentioned in the Natural Resources section of the City's Comprehensive Plan for growth and development (see section 8.7, page 8-3) should be carefully considered. Special consideration should go to the fact that one of these species, relict trillium, is a federally-listed endangered species. At a minimum this zoning decision should be postponed until a complete T&E plant survey can be conducted in the spring.



Sarah Michele Harmon, PhD



Date

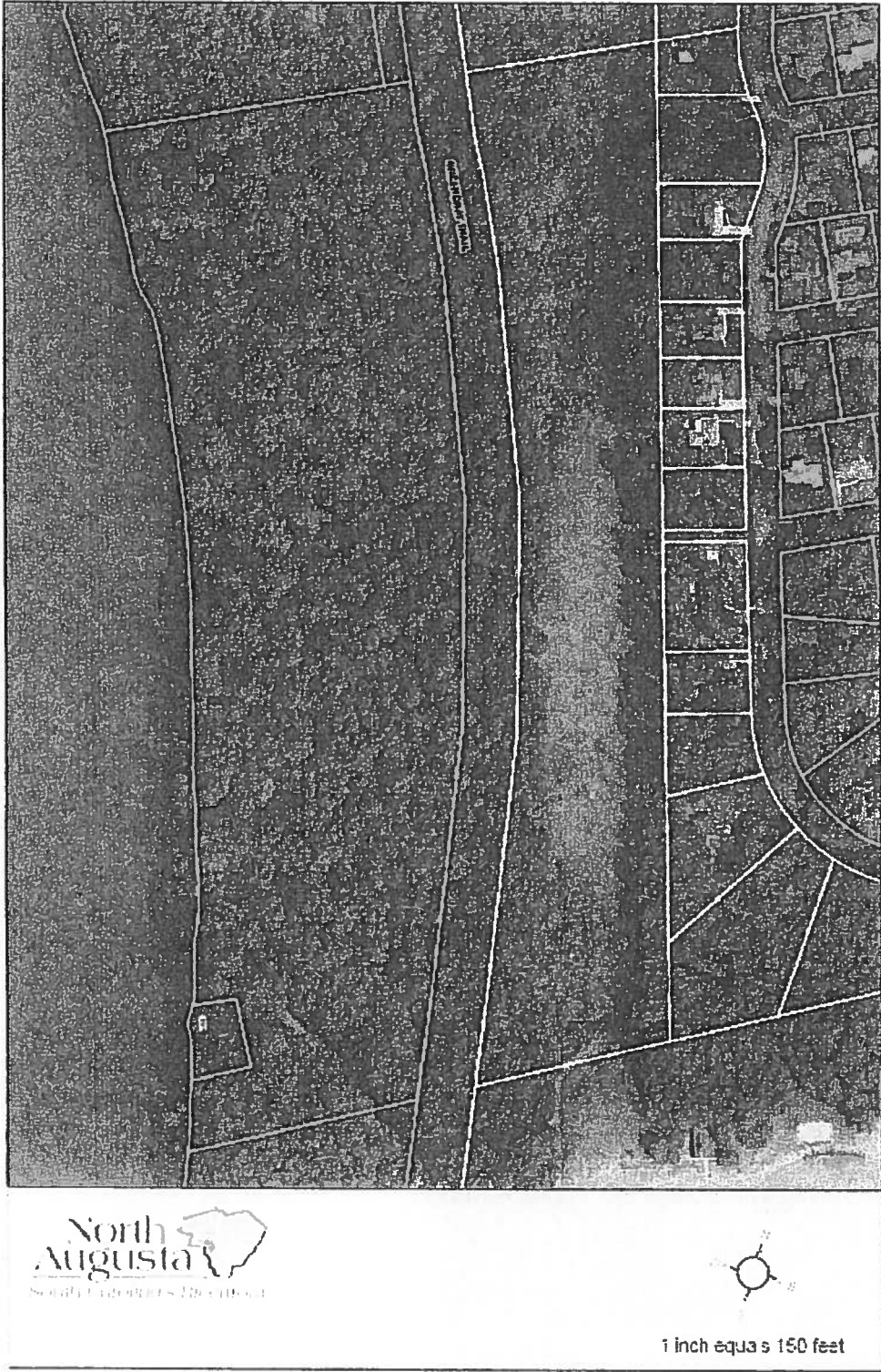


Figure 1. A rezoning request is in placed for this parcel.



Figure 2. The location of 52-inch concrete pipes which allow drainage from surrounding neighborhood to pass under the Greenway and through this property.



Figure 3. Alluvial material and erosion along the drainages that cross this property.

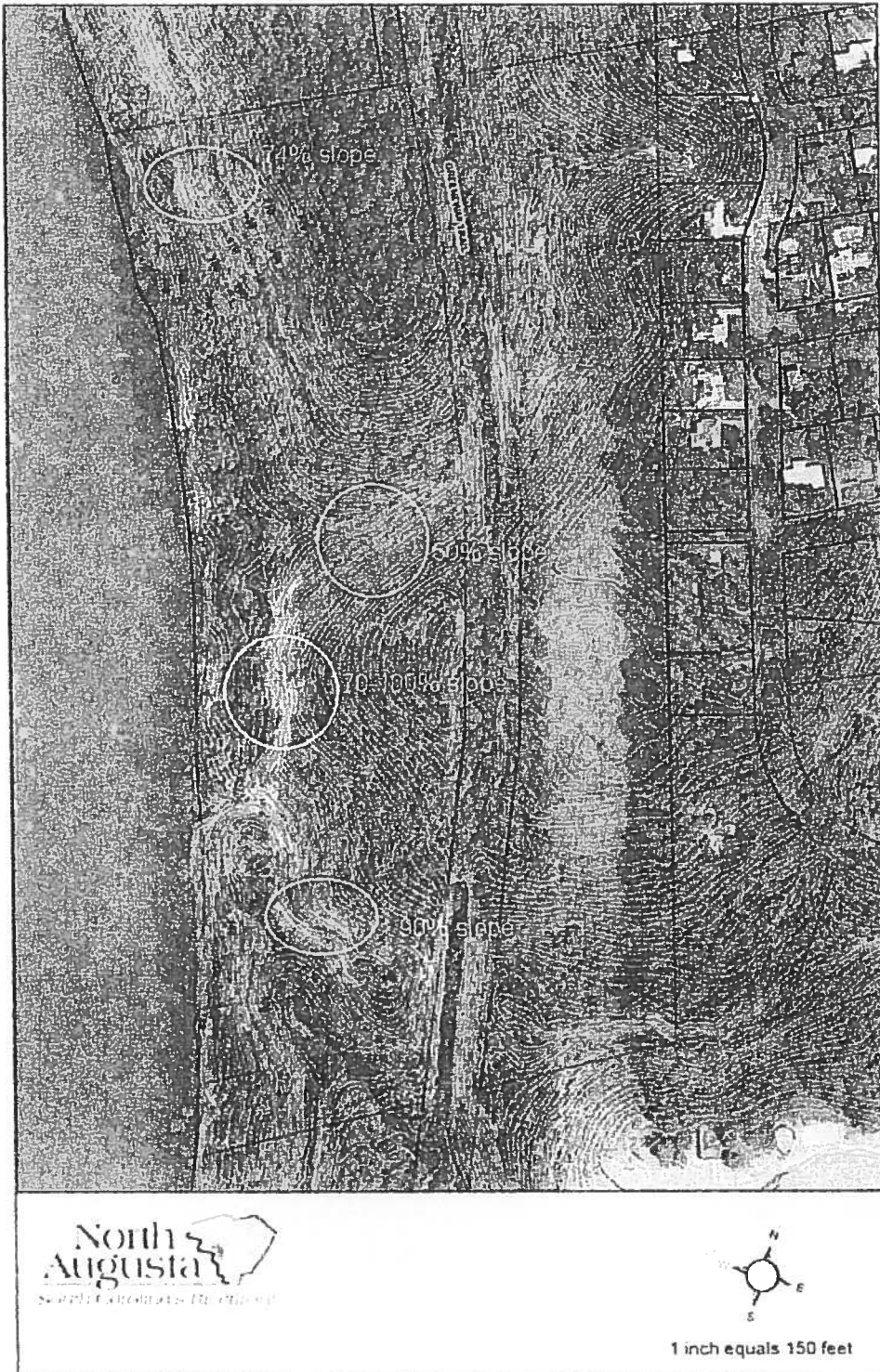


Figure 4. The parcel with a topographic overlay showing areas of steep slopes.

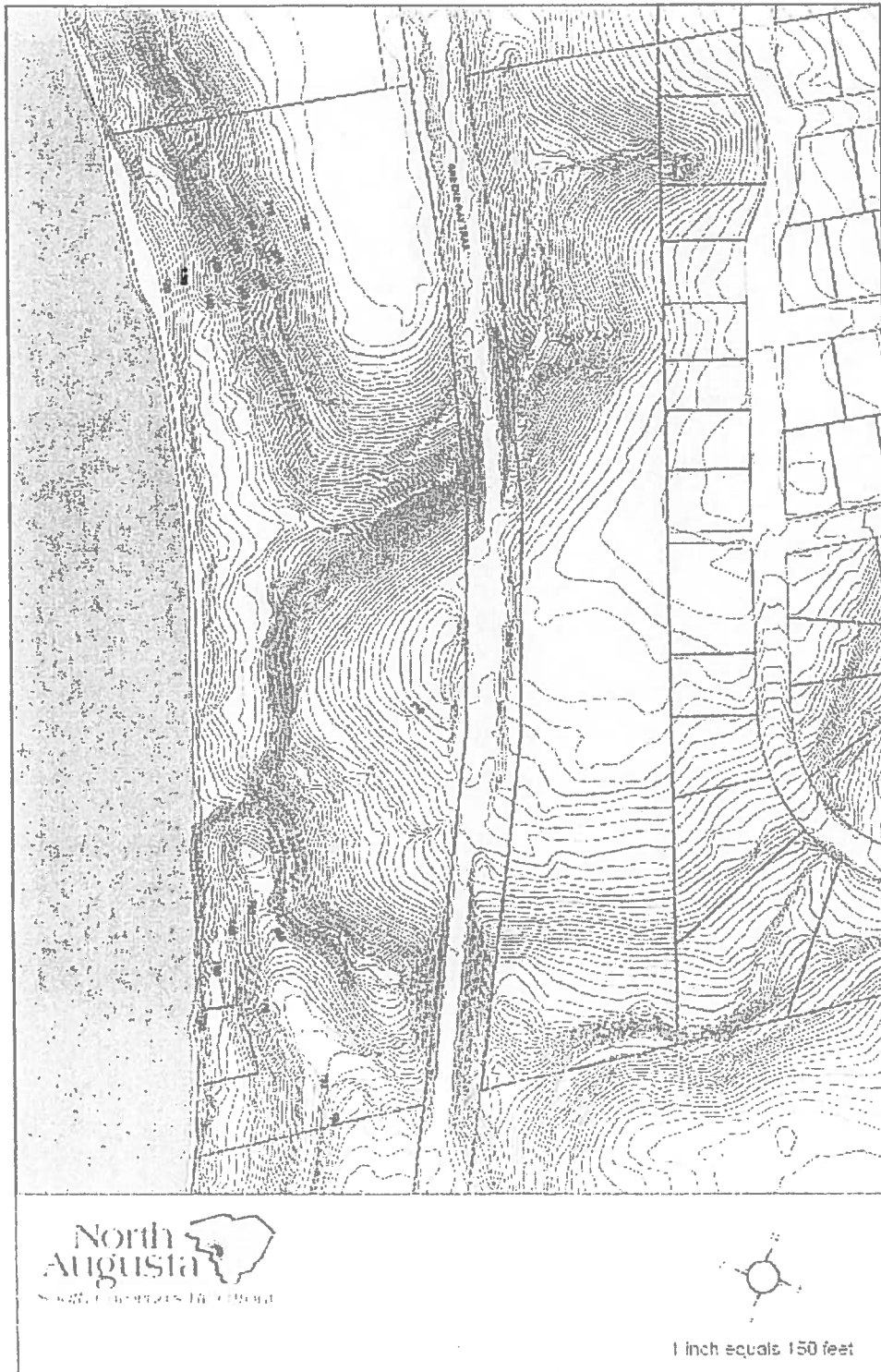


Figure 5. Topographic overlay showing approximately 5 acres at elevations less than 138 feet within the floodway.

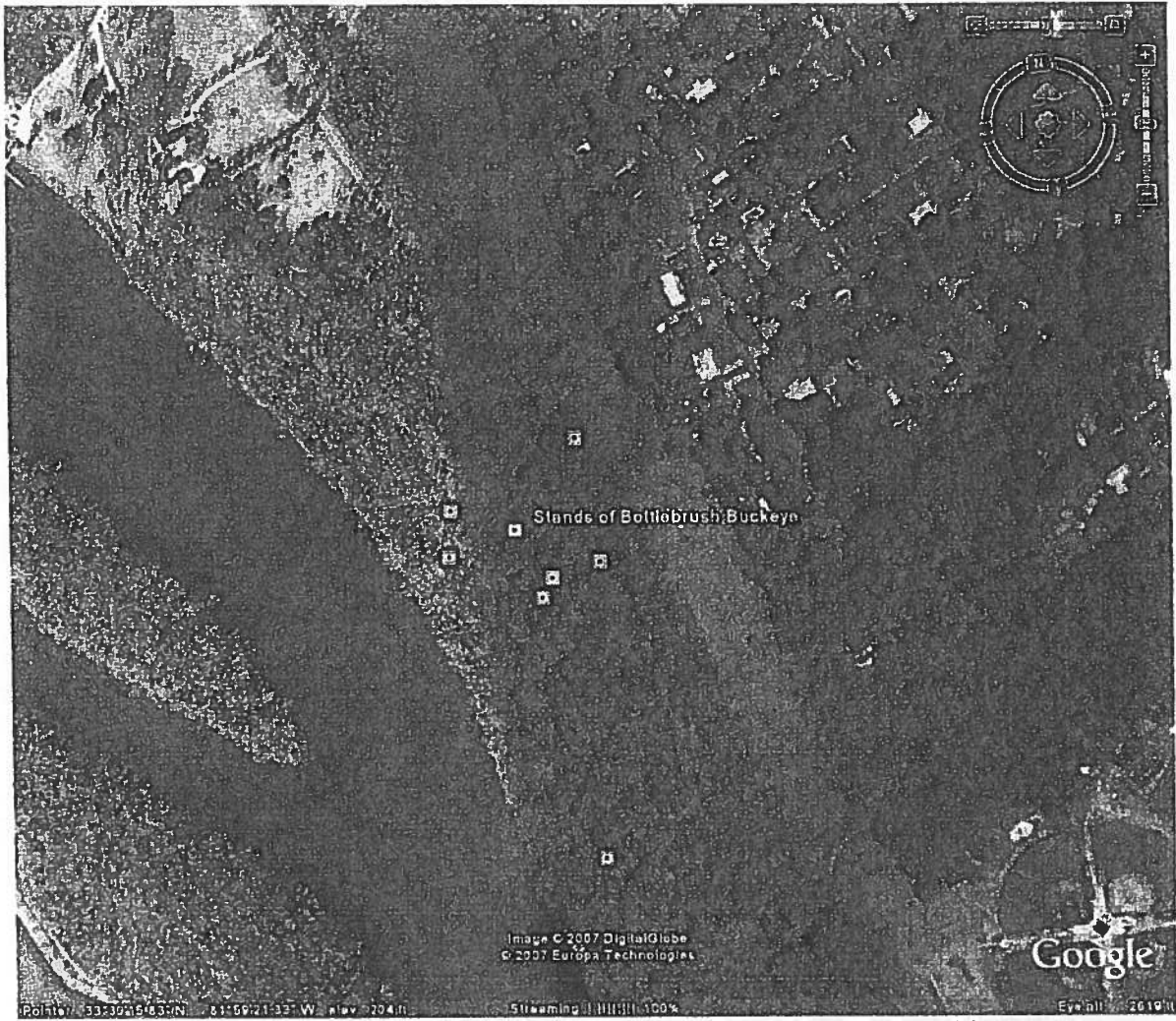


Figure 6. Stands of bottlebrush buckeye (*Aesculus parviflora*) identified on this property.



Figure 7. Area in Riverview Park where relict trillium (*Trillium reliquum*) is known to occur and the area on the adjacent property where this species is reported to occur in early spring and summer. Note that occurrences in this area have been reported along the same drainageway as the known colony in Riverview Park.

City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

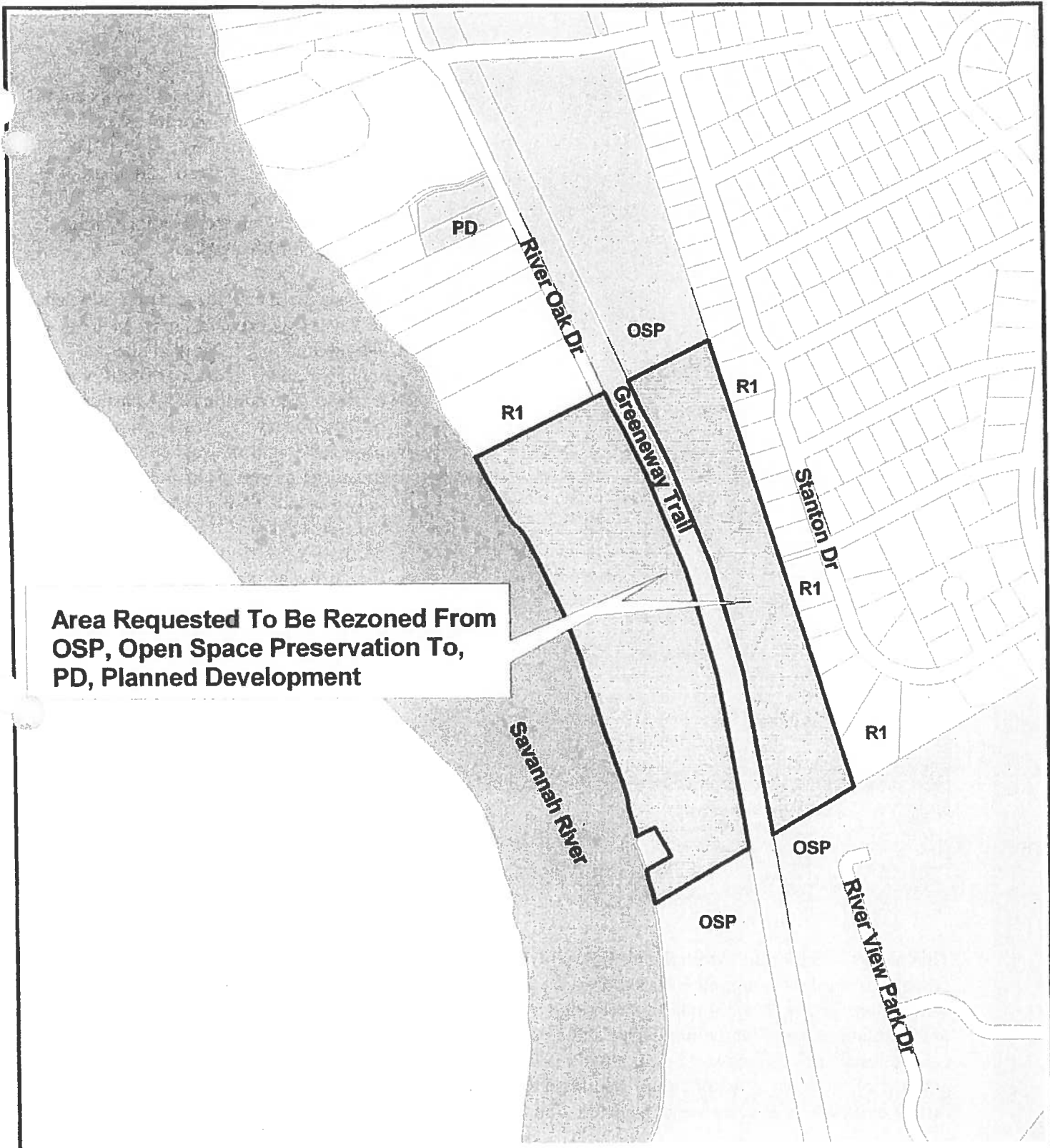
The North Augusta Planning Commission will hold a Public Hearing at its regular monthly meeting beginning at 7:00 PM on October 18, 2007, in the Council Chambers, North Augusta Municipal Building, 400 East Buena Vista Avenue, North Augusta, South Carolina, to consider the following item:

RZ 07-04 – A request by Alonzo P. Boardman, Jr., represented by Donald W. Thompson, to rezone ±26 acres located south of the termination of River Oak Drive and north of Riverview Park, Tax Parcel Number 003-08-07-001, from OSP, Open Space Preservation, to PD, Planned Development. The requested rezoning would permit residential development on the property.

A map of the parcel being considered for rezoning and documents related to the application are available for public inspection in the offices of the Department of Economic and Community Development on the second floor of the North Augusta Municipal Building, 400 East Buena Vista Avenue, North Augusta, South Carolina, 803-441-4221. All citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing are encouraged to attend.

CITIZEN ASSISTANCE:

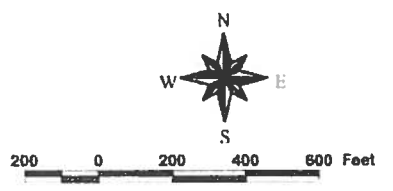
Individuals needing special assistance or a sign interpreter to participate in the meeting, please notify the Department of Economic and Community Development at 441-4221 at least 48 hours prior to the meeting.

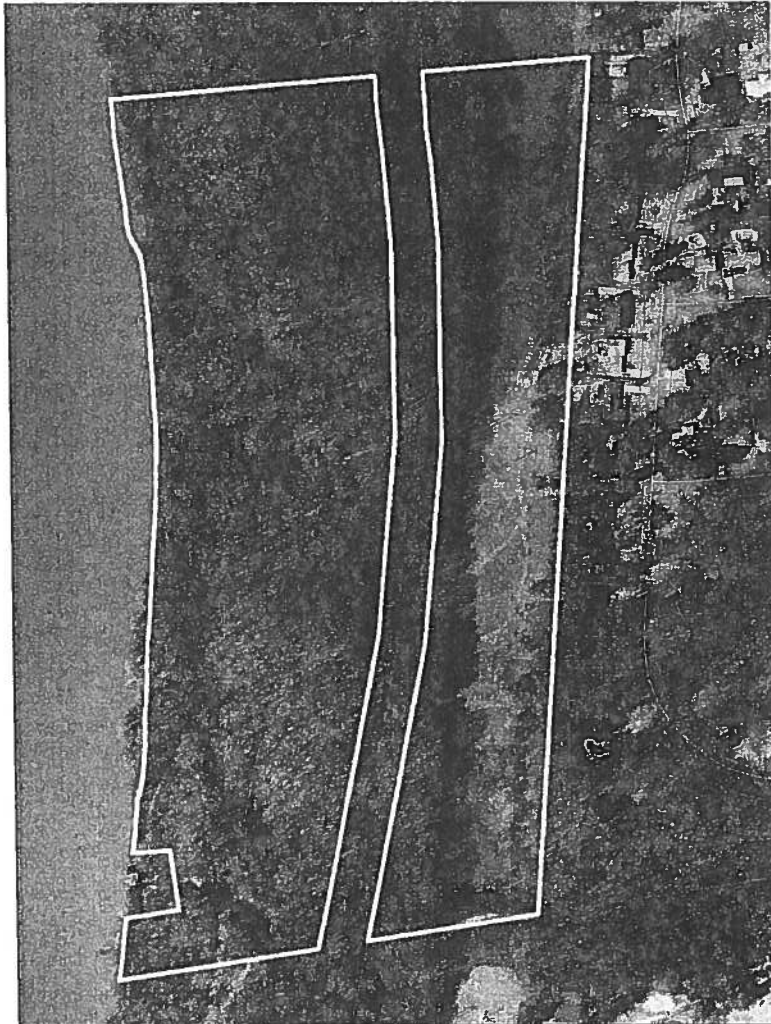


**Area Requested To Be Rezoned From
OSP, Open Space Preservation To,
PD, Planned Development**



APPLICATION NUMBER RZ 07-04
T.P.N. 003-08-07-001
APPROXIMATELY 26.0 ACRES





Parcel Number: 003-08-07-001

Description: This parcel is adjacent to the Savannah River northwest of Riverview Park, and it is bisected by the City's Greenway Trail. This parcel is currently zoned "Open Space Preservation" on the Official Zoning Map of North Augusta.

The northern end of the parcel adjacent to River Oak drive has been an area of illegal dumping. Dumped materials include household trash, fill dirt, and asphalt. The portion of the property east of the Greenway Trail is primarily a powerline right-of-way, consisting mostly of mowed / old-field vegetation with a wooded buffer along the Greenway Trail. The remainder of the property west of the Greenway Trail (i.e., between the Greenway Trail and the Savannah River) is covered by mature hardwoods. It contains three bluffs rising steeply above the river and two large drainageways from surrounding neighborhoods that have been piped under the Greenway Trail. There are no existing structures, with the exception of the pump station on a separate small parcel owned by the City of North Augusta on the southwest end of the property. A sewer line also crosses this property both above and below ground.

	<p>14 - CR Private ORTHO Map (003 08 07 001)</p>	<p><small>North Augusta makes no warranty, representation or guaranty as to the content, sequence, accuracy or timeliness of the database information provided herein. Users of this data are hereby notified that the public information sources should be consulted for verification of the information contained on these maps. North Augusta assumes no liability for any errors, omissions or inaccuracies in the information provided regardless of how caused, OR, for any decision made or action taken or not taken by any person in reliance upon any information or data furnished herein.</small></p>
<p><small>Prepared By: The City of North Augusta Economic & Community Development 9/2/2008</small></p>	<p><small>Scale 1 inch equals 150 feet</small></p>	<p><small>© 2008 Geo Information Systems, Inc. All rights reserved. 14 ORTHO MAB</small></p>

This property is located within the Hammond Hills Drainage Basin. Two major drainages cross this property from the Hammond Hills subdivision to the Savannah River. These drainages incorporate stormwater flowing from Stanton to Bunting Drives near Hammond Hills Elementary School and some of the drainage from Cambellton Drive and its associated streets. Drainage from these streets is concentrated at the Greenway through two 52-inch concrete pipes. As a result, erosion is severe in some places near the river. The buildup of sediment at the confluence of these streams with the river provides further evidence of upstream and onsite erosion.

A portion of the property is on three bluffs overlooking the river, with an elevational change of approximately 100 feet between the Greenway and the river. The large drainages have resulted in steep terrain over the years with slope percentages in excess of 50% in several places.

Flood Zone and Floodway

Due to the topography of the land, the position of the large drainageways, and proximity to the river, approximately 5 acres - about 24% of the property west of the Greenway - falls within the 100-year special flood hazard area determined by FEMA (Zone AE, Flood Insurance Rate Map, City of North Augusta, Panel # 10). The majority of this is in the floodway, as also determined by FEMA. According to zoning ordinances by the City of North Augusta (Appendix A, Article II) the floodway is considered "the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the velocity of waters of the regulatory flood without cumulatively increasing the water surface elevation more than one foot." Due to this restriction, portions of the property with topographic values of 138' or less, would be non-developable.

Flora and Fauna Survey

The portion of the property between the Greenway and the Savannah River is made up of a mature, diverse hardwood forest community. Tree species noted include oak, sweetgum, hackberry, elm, poplar, hickory, sycamore, and a number of large pines. Species of special interest known to exist on this property include relict trillium (*Trillium reliquum*) and bottlebrush buckeye (*Aesculus parviflora*).

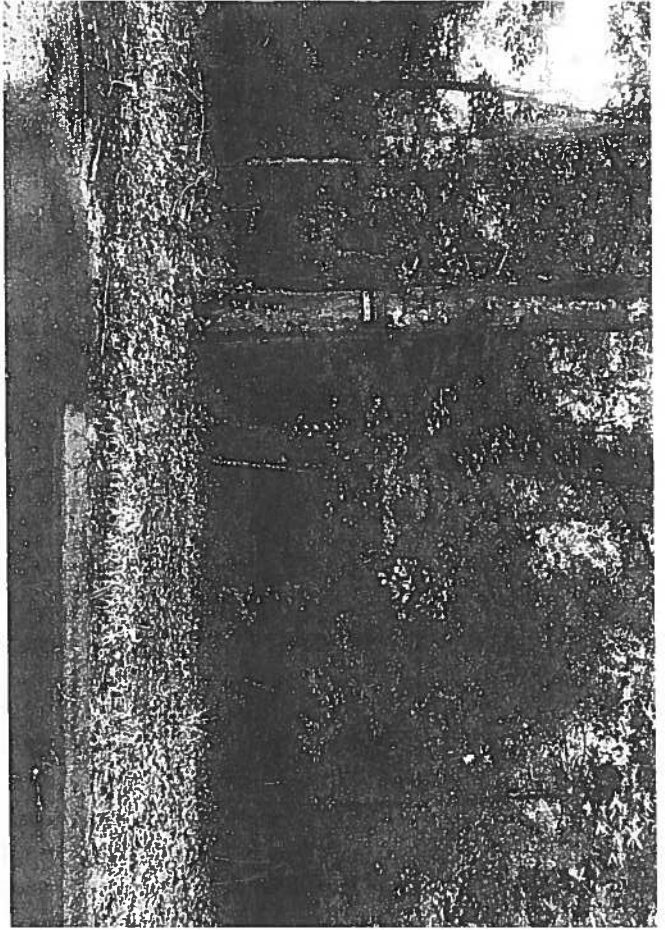
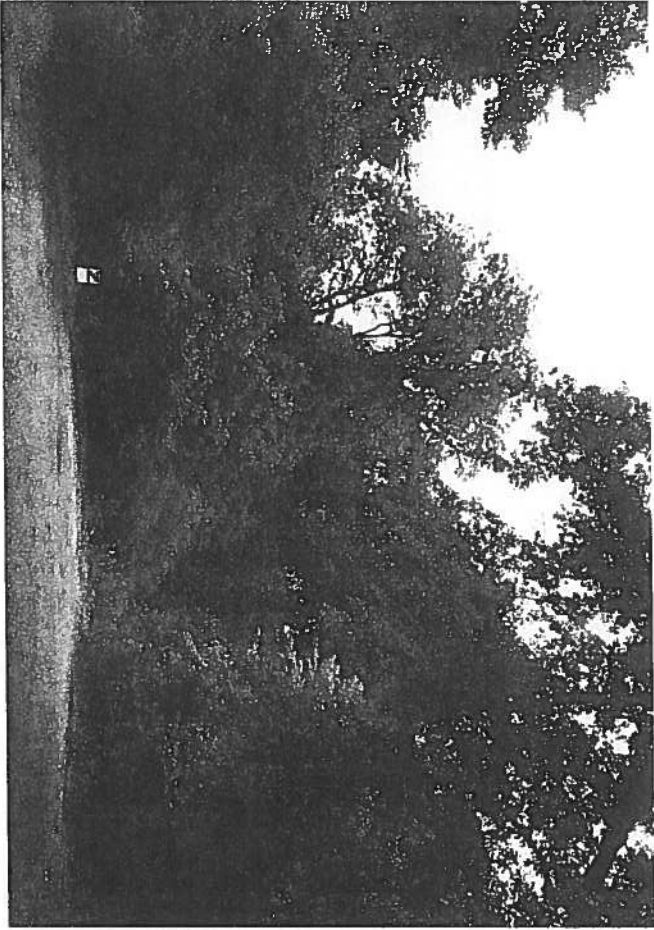
Eight stands of bottlebrush buckeye (*Aesculus parviflora*) were identified on this property (Figure 5). Bottlebrush buckeye is listed as a Regional Species of Concern by the South Carolina Department of Natural Resources due to extreme rarity or other factors which make it vulnerable.

Another important plant species present on this property is relict trillium (*Trillium reliquum*). This plant is listed on both state and federal endangered species lists. It could not be positively identified at this time of year (late summer/early autumn), because above-ground portions of the plant are not visible; however, it has been reported to be present in large numbers by several knowledgeable citizens (names and contact information available on request). Further evidence of its existence on this property is suggested by a known colony located in Riverview Park (Figure 6) directly adjacent to this property and along the drainageway that crosses the southern end of this parcel.

Summary and Recommendations

Based on this limited field investigation, rezoning of this parcel from Open Space Preservation to R1 for potential development is not recommended for the following reasons:

- The steep terrain, large drainages, and proximity to the Savannah River make a large portion of this parcel non-developable under the guidelines of FEMA and zoning ordinances of the City of North Augusta.
- Topography of this land results in slopes greater than 20% over most of the parcel. Building on these types of slopes requires special engineering measures under city zoning ordinances (See Article 7, section 7.b.2).
- The two large drainageways obviously handle large volumes of stormwater from other portions of the city during rainfall events. The City of North Augusta may be putting itself in a position of liability if rezoning for residential development in areas known to naturally collect large volumes of stormwater from upstream watershed areas. This aspect would not be expected to improve if additional areas within the drainage basin are developed and impervious surfaces are expanded.
- The presence of a large sewer line that crosses the property, high above ground in several places, will not be an aesthetic asset for residential development.
- The presence of at least two protected plant species mentioned in the Natural Resources section of the City's Comprehensive Plan for growth and development (see section 8.7, page 8-3) have been observed on this property.





100 Georgia Avenue
North Augusta, SC
29841-3843

Post Office Box 6100
North Augusta, SC
29861-6400

City of North Augusta

July 1, 2019

RE: Proposed rezoning of ± 31.55 acres of land located on River Oak Drive, Aiken County Tax Parcel Number 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential.

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:

Margaret B. Copenhaver has made a request to rezone ± 31.55 acres of land located on River Oak Drive, Aiken County Tax Parcel Number 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential.

The North Augusta Planning Commission will hold a public hearing to collect public input and to consider the rezoning application on Thursday, July 18, 2019. Following the public hearing, the Planning Commission will prepare a recommendation for City Council consideration and action. The Planning Commission public 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 July 3, 2019. 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,

Libby Hodges, AICP
Director of Planning and Development

City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

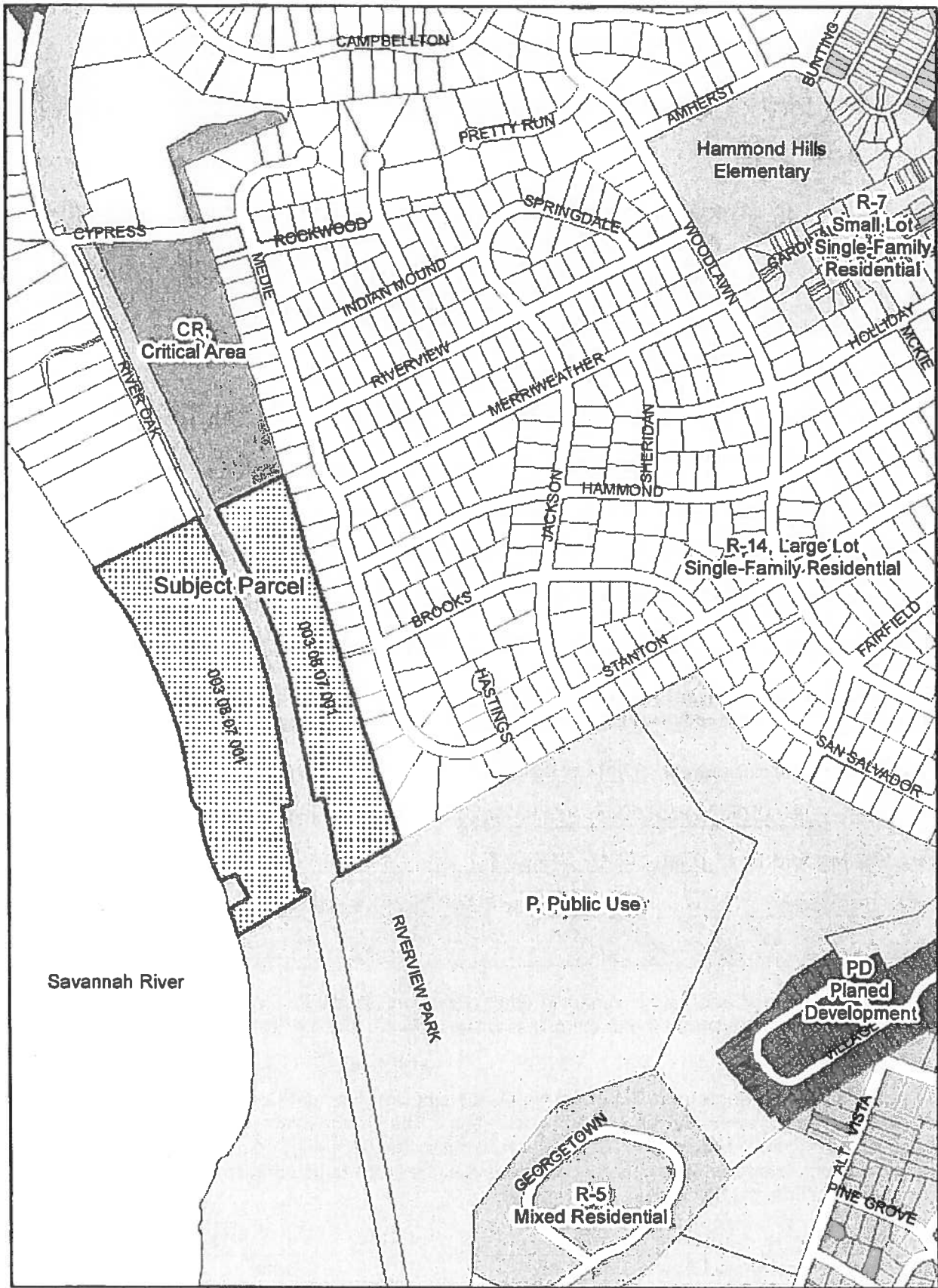
The North Augusta Planning Commission will hold a public hearing at its regular monthly meeting beginning at 7:00 PM on July 18, 2019, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following application:

RZM 19-002 – A request by Margaret B. Copenhaver to rezone ± 31.55 acres of land located on River Oak Drive, Aiken County Tax Parcel Number 003-08-07-001 from CR, Critical Area to R-14, Large Lot Single-Family Residential.

A map and documents related to the rezoning application will be available in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221 on July 12, 2019. Citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing 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.



Application for Development Approval

Please type or print all information



Staff Use	
Application Number _____	Date Received _____
Review Fee _____	Date Paid _____

- Project Name RIVER OAK
Project Address/Location RIVER OAK DRIVE, 33°30'16.4"N 81°59'23.8"W
Total Project Acreage 31.55 ACRES ; Current Zoning CR
Tax Parcel Number(s) 003-08-07-001
- Applicant/Owner Name MARGARET B. COPENHAVER Applicant Phone 706-722-5561
Mailing Address ~~XXXXXXXXXX~~ P.O. BOX 7850
City AUGUSTA ST GA Zip 30903 Email mecopen@aol.com
- 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)
JUSTIN PURUCKER
- Engineer/Architect/Surveyor ~~XXXXXXXXXX~~ License No. _____
Firm Name JOHNSON, LASCHNER + ASSOCIATES Firm Phone 706-724-5756
Firm Mailing Address 1296 BROAD STREET
City AUGUSTA ST GA Zip 30901 Email JPURUCKER@THEJLAGROUP.COM
Signature [Signature] Date 5/16/19
- 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
- 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.
- [Signature] 5-16-19
Applicant or Designated Agent Signature Date
William E Hollingsworth III
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 _____	Date Received _____

- Project Name RIVER OAK
Project Address/Location RIVER OAK DRIVE, 33°30'16.4"N, 81°59'23.8"W
Project Parcel Number(s) 003-08-07-001
- Property Owner Name MARGARET B. COPENHAVER Owner Phone 706-722-5561
Mailing Address ~~██████████~~ P.O. Box 850
City AUGUSTA ST GA Zip 30908 Email mebcop@aol.com
- Designated Agent WILLIAM HOLLINGSWORTH
Relationship to Owner REAL ESTATE CONSULTANT
Firm Name HOLLINGSWORTH APPRAISAL CO. Phone 706-828-6500
Agent's Mailing Address 1524 MONTE SAND AVENUE AUGUSTA, GA 30904
City AUGUSTA ST GA Zip 30904 Email BILL.HOLLINGSWORTH@COMCAST.NET
Agent's Signature *William Hollingsworth* Date 5-16-19

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

M.B. Cope
Owner Signature

5-16-19
Date

5. Sworn and subscribed to before me on this 16th day of May, 2019.

Cindy M. Hall
Notary Public

Commission Expiration Date _____

CINDY M. HALL
NOTARY PUBLIC
McDUFFIE COUNTY
STATE OF GEORGIA
My Commission Expires March 10, 2023

River Oak Drive North Augusta, SC

Property Information and Rezoning Request

Owner:

Margaret B. Copenhaver As Trustee Of Item V
Trust For the Last Will and Testament of Alonzo P Boardman Jr.
15 Eighth Street
Augusta, GA 30901

Applicant:

Johnson, Laschober and Associates, P.C.
P.O. Box 2103
Augusta, GA 30903
jpurucker@thejlagroup.com
areynolds@thejlagroup.com
(706) 754-5756

Property:

River Oak Drive
Coordinates: 33.504541, -81.989932 (33°30'16.4"N 81°59'23.8"W)
31.55 Acres
Parcel 003-08-07-001

Rezoning Request:

Rezone property from current zoning of Critical Reserve, CR to Large Lot Single Family Residential, R-14.

Rezoning Statement

Parcel 003-08-07-001 is bisected by the North Augusta Greenway. The owner is seeking to rezone the property from CR to R-14 to develop 9 home sites along the Savannah River. All homes will be accessed by elongating the existing River Oak Drive. The property plans to be developed in two phases; Phase 1 will be Lots 1-5 and Phase 2 will be Lots 7-10. Lots 6, 11, and 12 will remain open space, and between them these open spaces total 16.53 acres.

Approved February 12, 1954 at 11:00 A.M.

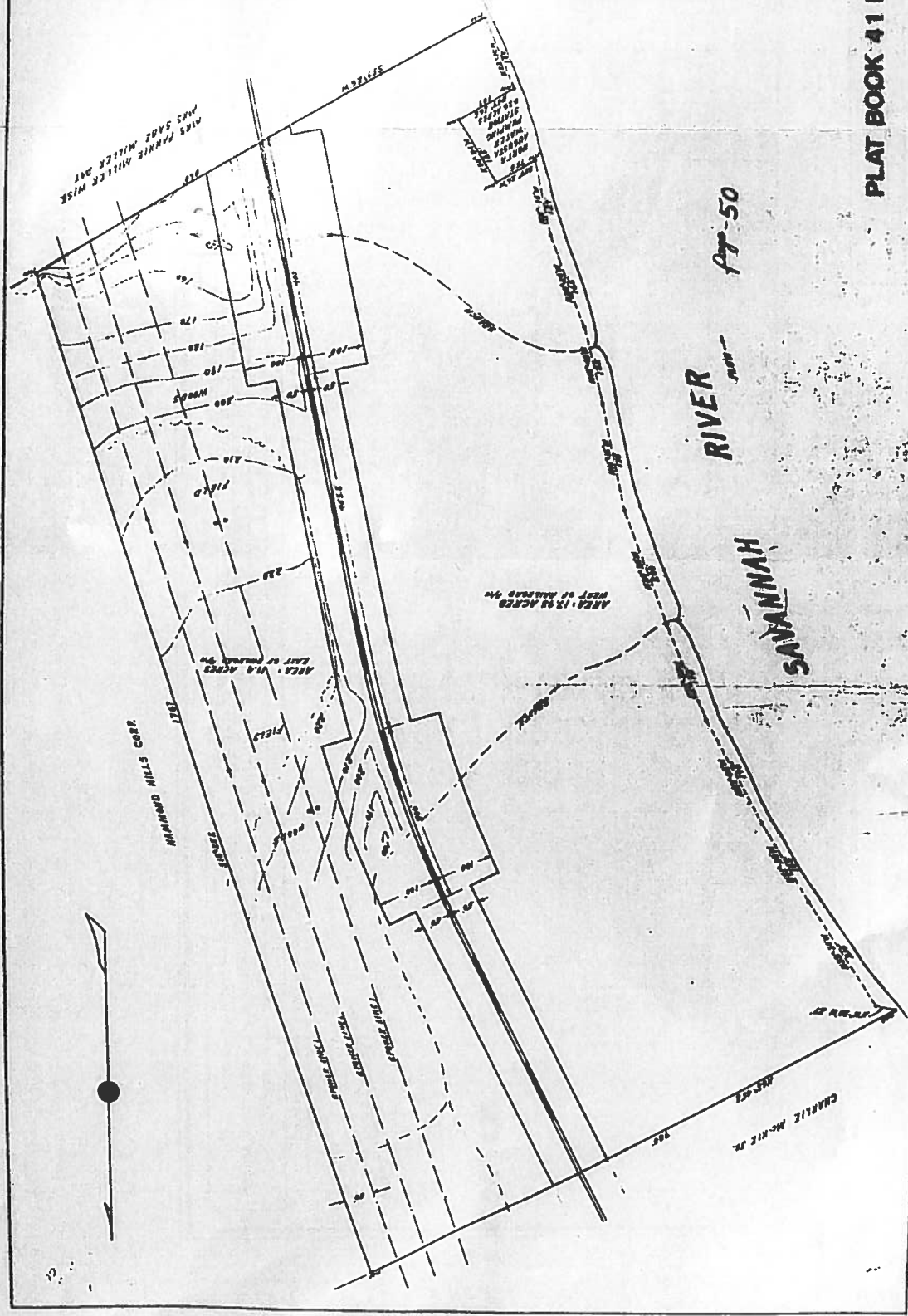
Abundant (Caldwell)
2227-88

Page 50

1. This plat was prepared by the Surveyor General of South Carolina on the 11th day of February, 1954.

PLAT
TRACT SUBMITTED FOR
MRS. T. J. McKIE JR.
LOCATED IN NORTH AUGUSTA AINEN
COUNTY, SOUTH CAROLINA
FSA 1954
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S. 11600

PLAT BOOK 41 PAGE 390



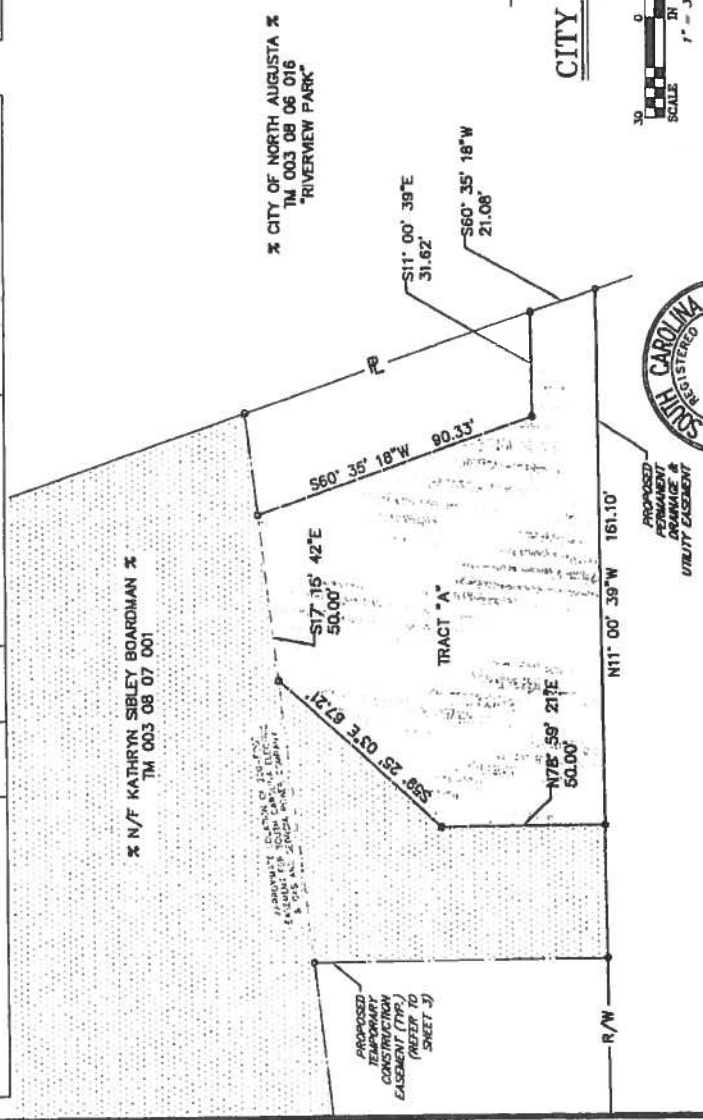
Surveyor's Seal

.....	T.C.E. TO BE ACQUIRED
---	PERM. D. & U. EASEMENT TO BE ACQUIRED
---	EXISTING D. & U. EASEMENT

NOTE: THIS EASEMENT MAP MAY NOT SHOW ALL EASEMENTS THAT ENCUMBER THIS PROPERTY.



PROPERTIES INFORMATION:	
OWNER	KATHRYN SIBLEY BOARDMAN
TAX MAP	003-00
PARCEL	07-001
T.C.E. TO BE ACQUIRED	REFER TO SHEET J
PERM. D. & U. EASEMENT TO BE ACQUIRED	10,962 SQ. FT., 0.25 ACRES



- COMPILED EASEMENT MAP FOR -

CITY OF NORTH AUGUSTA
AIKEN COUNTY, SOUTH CAROLINA



OCTOBER 14, 2014

- PREPARED BY -

W R Toole Engineers, Inc.
Engineers • Consultants • Planners
1002 Broad St., Suite 200 • Augusta, Ga. 30601 • 706.724.4114 • www.wrtoole.com

JOB #14033 E Examined/LONG CRE

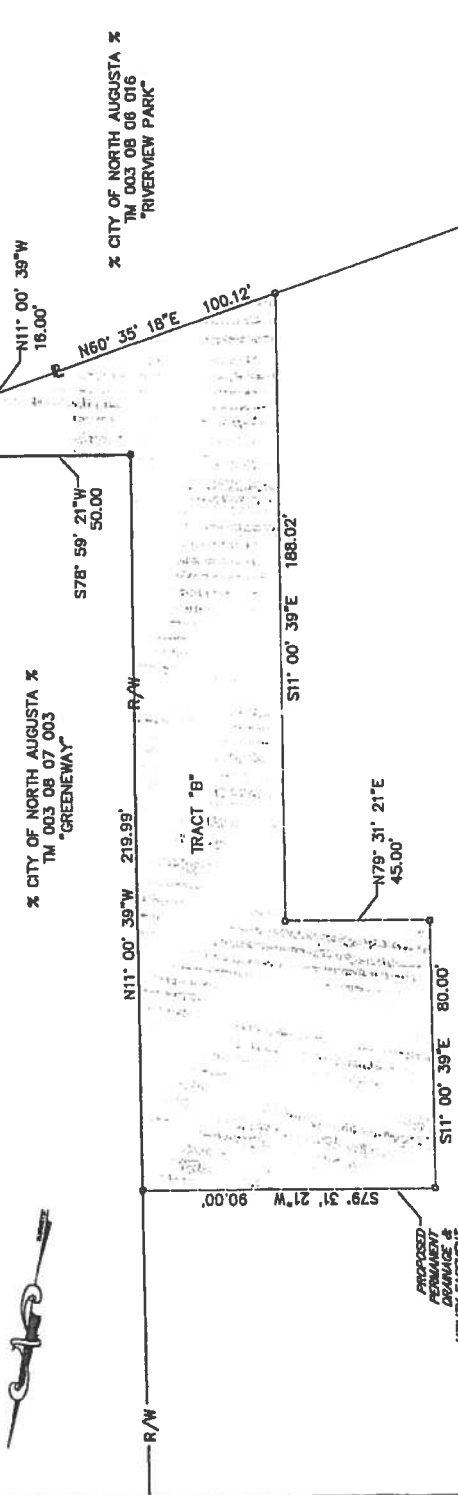


TAX MAP	PARCEL	T.C.E. TO BE ACQUIRED	PERM. D. & U. EASEMENT TO BE ACQUIRED
003-08	07-001	N/A	N/A

OWNER	T.C.E. TO BE ACQUIRED	PERM. D. & U. EASEMENT TO BE ACQUIRED
KATHRYN SIBLEY BOARDMAN	N/A	16,531 SQ. FT., 0.38 ACRES

PROPERTIES INFORMATION:

NOTE: THIS EASEMENT MAP MAY NOT SHOW ALL EASEMENTS THAT ENCUMBER THIS PROPERTY.



COMPILED EASEMENT MAP FOR
CITY OF NORTH AUGUSTA
 AIKEN COUNTY, SOUTH CAROLINA

PREPARED BY -
KATHRYN SIBLEY BOARDMAN
 TM 003 08 07 001



PREPARED BY -
KATHRYN SIBLEY BOARDMAN
 TM 003 08 07 001



W R Toole Engineers, Inc.
 Engineers • Consultants • Planners
 1002 Beaver St., Suite 200 • Aikens, S.C. 29801 • 703.722.4114 • www.wrtoole.com

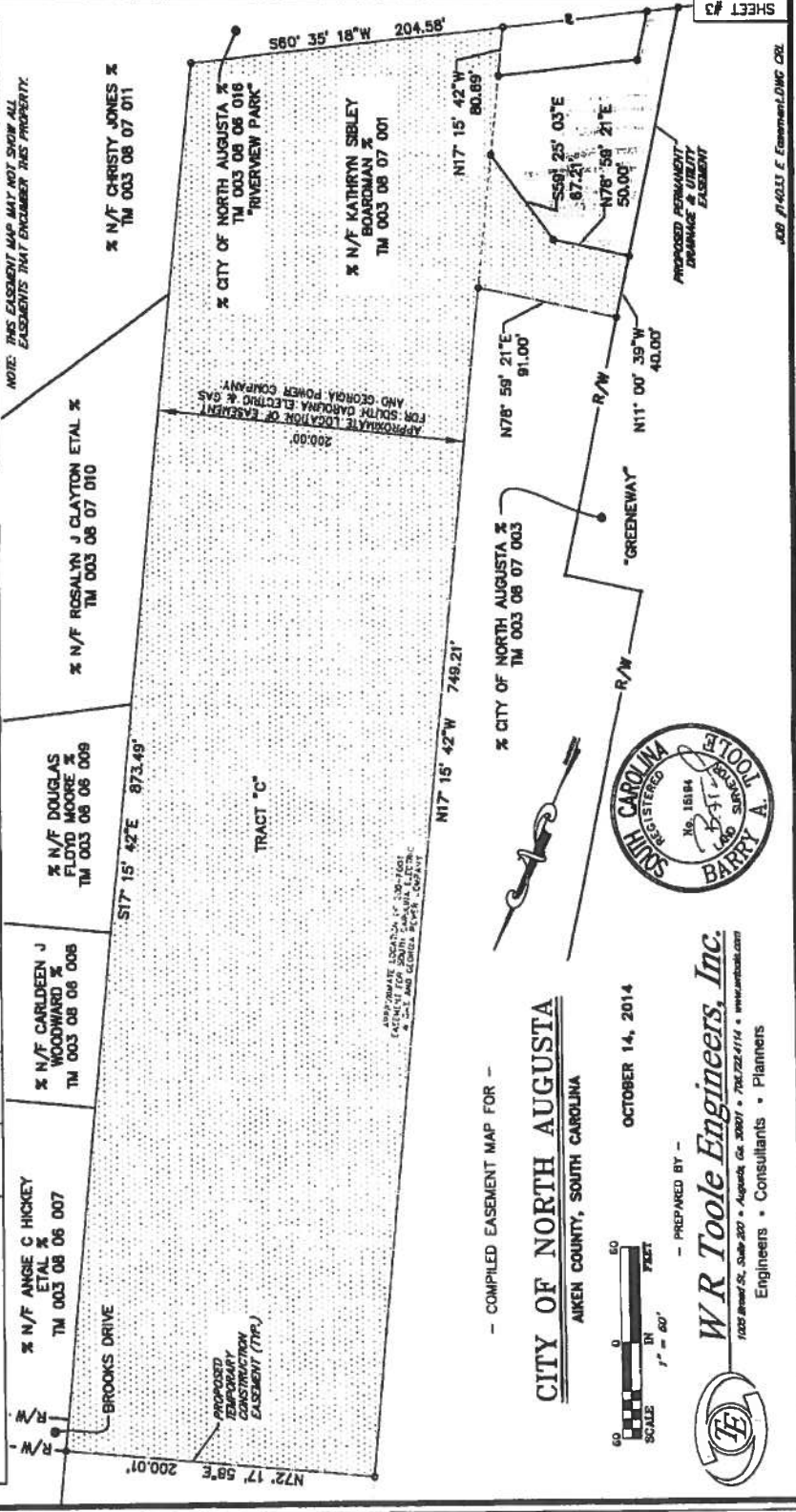
JOB #16213 E. Easement.DWG.DWG

PROPERTIES INFORMATION:

OWNER	TAX MAP	PARCE	T.C.E. TO BE ACQUIRED	FORM. D. & U. EASEMENT TO BE ACQUIRED
KATHRYN SIBLEY BOARDMAN	003-08	07-001	181,582 SQ. FT., 4.21 ACRES	10,982 SQ. FT., 0.25 ACRES

NOTE: THIS EASEMENT MAP MAY NOT SHOW ALL EASEMENTS THAT ENCUMBER THIS PROPERTY.

% N/F ANGE C HICKEY ETAL % TM 003 08 06 007	% N/F CARLDEEN J WOODWARD % TM 003 08 06 008	% N/F DOUGLAS FLOYD MOORE % TM 003 08 06 009	% N/F ROSALYN J CLAYTON ETAL % TM 003 08 07 010	% N/F CHRISTY JONES % TM 003 08 07 011
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— COMPILED EASEMENT MAP FOR —
CITY OF NORTH AUGUSTA
 AIKEN COUNTY, SOUTH CAROLINA



OCTOBER 14, 2014

— PREPARED BY —
W R Toole Engineers, Inc.
 1102 Broad St., Suite 202 • Augusta, Ga. 30901 • 706.732.4114 • www.wrtoole.com
 Engineers • Consultants • Planners



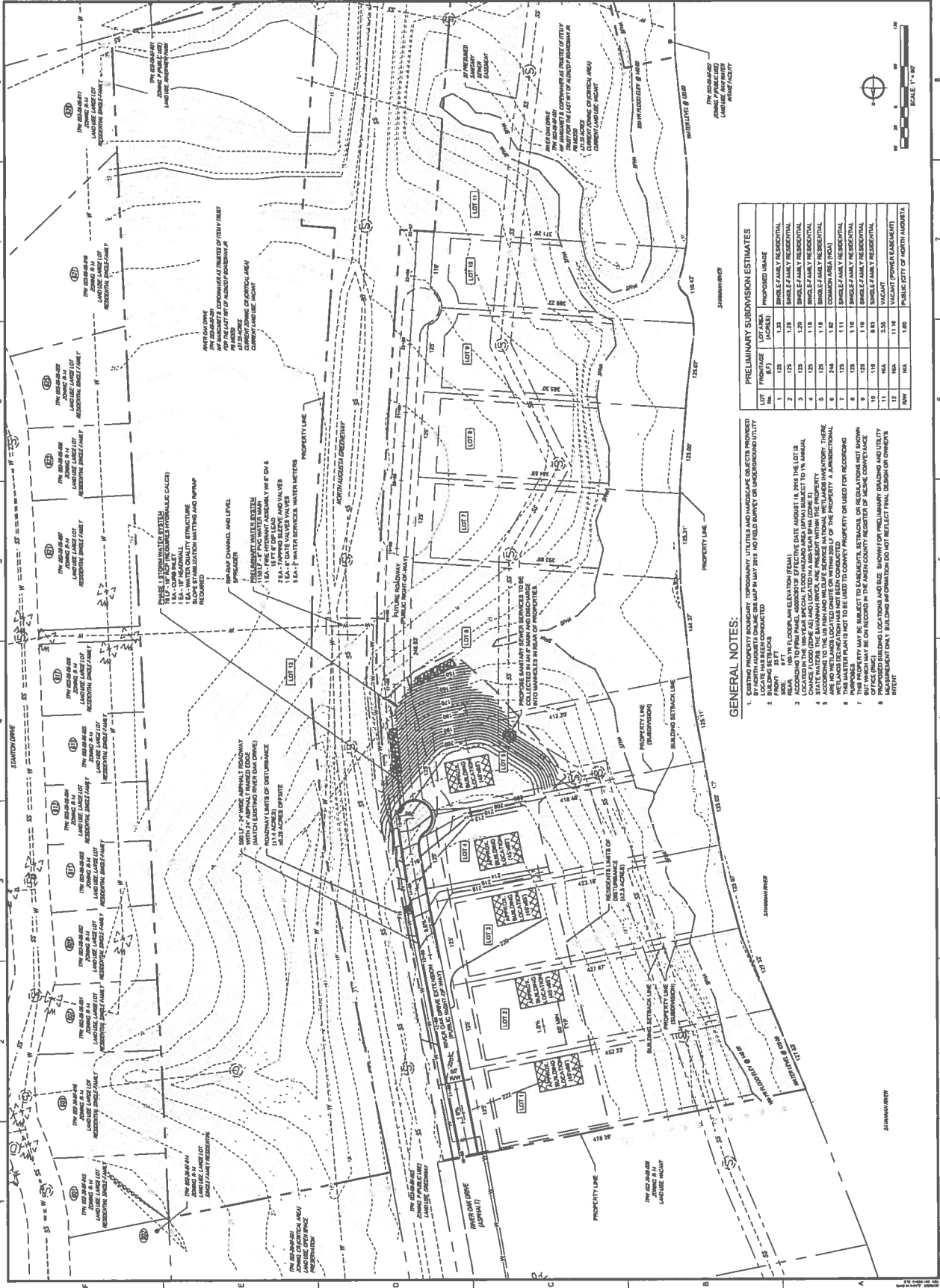
WR Toole



PROJECT NAME: RIVER OAK DRIVE NORTH AUGUSTA, SC
 PROJECT LOCATION: RIVER OAK DRIVE NORTH AUGUSTA, SC
 REZONING CONCEPT PLAN

DATE	04/20/2018
CHECKED BY	RJH
DRAWN BY	AWR
PROJECT NO.	62211901

SCALE	1" = 60'
DRAWING NO.	C-203
REV	A
PRELIMINARY MASTER PLAN CONCEPT 3	



LOT No.	FRONTAGE (FT)	LOT AREA (ACRES)	PROPOSED USE
1	125	1.38	SINGLE FAMILY RESIDENTIAL
2	125	1.38	SINGLE FAMILY RESIDENTIAL
3	125	1.38	SINGLE FAMILY RESIDENTIAL
4	125	1.38	SINGLE FAMILY RESIDENTIAL
5	125	1.38	SINGLE FAMILY RESIDENTIAL
6	125	1.38	SINGLE FAMILY RESIDENTIAL
7	125	1.38	SINGLE FAMILY RESIDENTIAL
8	125	1.38	SINGLE FAMILY RESIDENTIAL
9	125	1.38	SINGLE FAMILY RESIDENTIAL
10	125	1.38	SINGLE FAMILY RESIDENTIAL
11	125	1.38	SINGLE FAMILY RESIDENTIAL
12	125	1.38	SINGLE FAMILY RESIDENTIAL
13	125	1.38	SINGLE FAMILY RESIDENTIAL
14	125	1.38	SINGLE FAMILY RESIDENTIAL

GENERAL NOTES:

- EXISTING PROPERTY BOUNDARY, TOPOGRAPHY, UTILITIES AND HATCHED SUBJECTS PROVIDED BY THE CLIENT. LOCATIONS HAVE BEEN VERIFIED BY SURVEY.
- EXISTING UTILITIES HAVE BEEN LOCATED BY SURVEY.
- PROPOSED BARRIERS SERVICES TO BE WITHIN 10' OF PROPERTY LINE.
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- PROPOSED BARRIERS SERVICES TO BE WITHIN 10' OF PROPERTY LINE.



ATTACHMENT #10

ORDINANCE NO. 2019-12
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 5.02 ACRES OF LAND OWNED BY
MARGARET B. COPENHAVER, AND LOCATED EAST OF THE SAVANNAH RIVER,
WEST OF THE NORTH AUGUSTA GREENEWAY, SOUTH OF RIVER OAK DRIVE,
AND NORTH OF RIVERVIEW PARK, A PORTION OF AIKEN COUNTY TAX PARCEL
#003-08-07-001, FROM CR, CRITICAL AREA,
TO R-14, LARGE LOT, SINGLE-FAMILY 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 North Augusta 2017 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 North Augusta 2017 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following an July 18, 2019, public hearing, reviewed and considered a request by Margaret B. Copenhaver, to amend the Official Zoning Map of North Augusta from Critical Area (CR) to Large Lot, Single-Family Residential (R-14). The Planning Commission report has been provided to 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. A parcel consisting of ±5.02 acres owned by Margaret B. Copenhaver, located East of the Savannah River, West of the Greeneway, South of River Oak Drive and North of Riverview Park is hereby rezoned from CR, Critical Area to R-14, Large Lot, Single-Family Residential. Said property is a portion of Aiken County tax map parcel # 003-08-07-001 and specifically identified on Exhibit "A" attached hereto.
- II. The Official Zoning Map for the City of North Augusta is hereby amended to reflect this rezoning.
- 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 _____

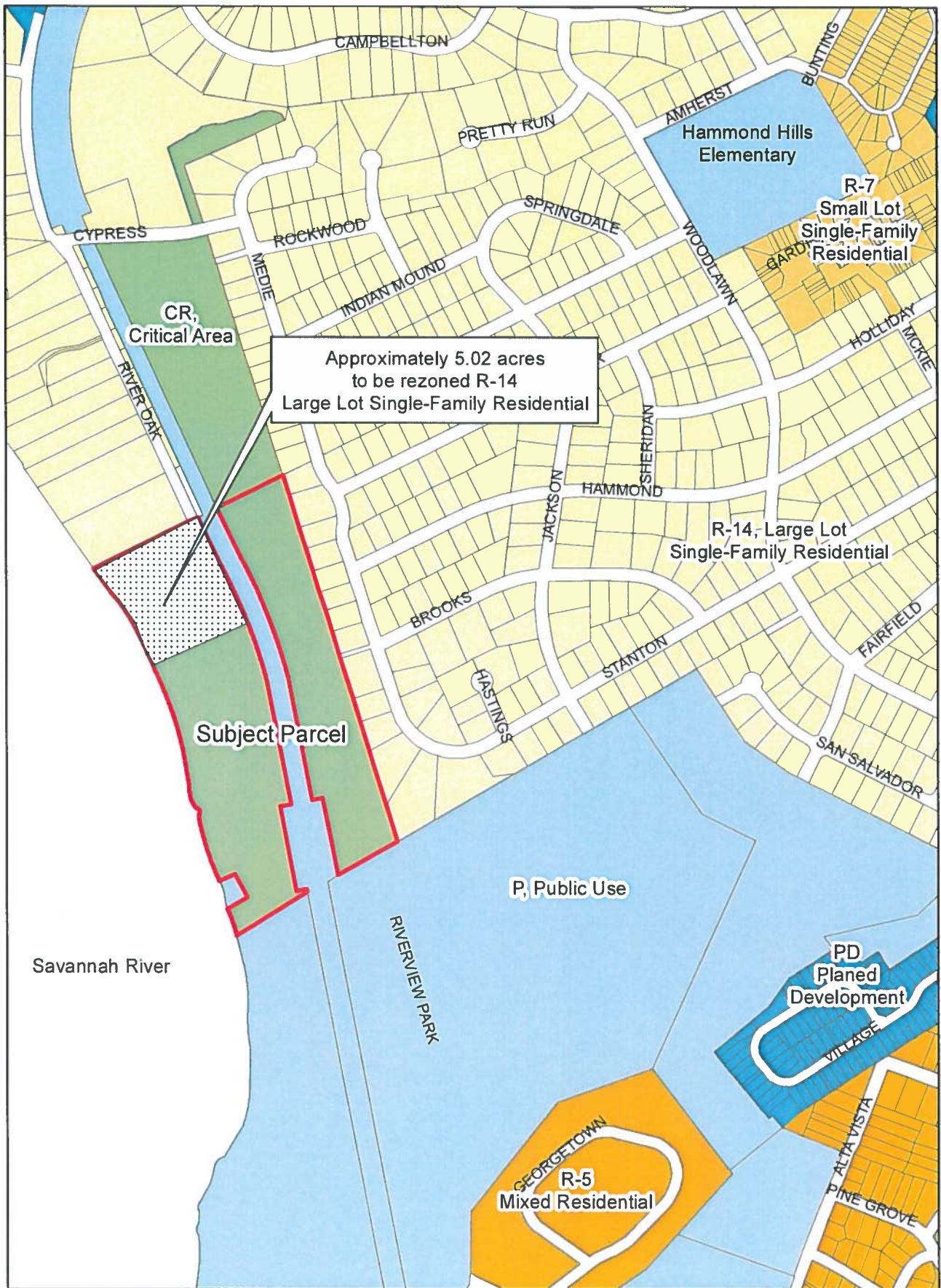
Second Reading _____

Third and Final Reading _____

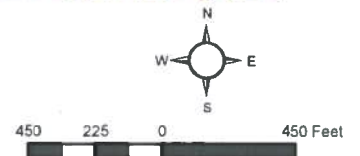
Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk



Application RZM19-002
 An approximately 5.02 acre portion of
 Tax Parcel Number 003-08-07-001
 A request to Rezone from CR, Critical Area
 to R-14, Large Lot Single-Family Residential



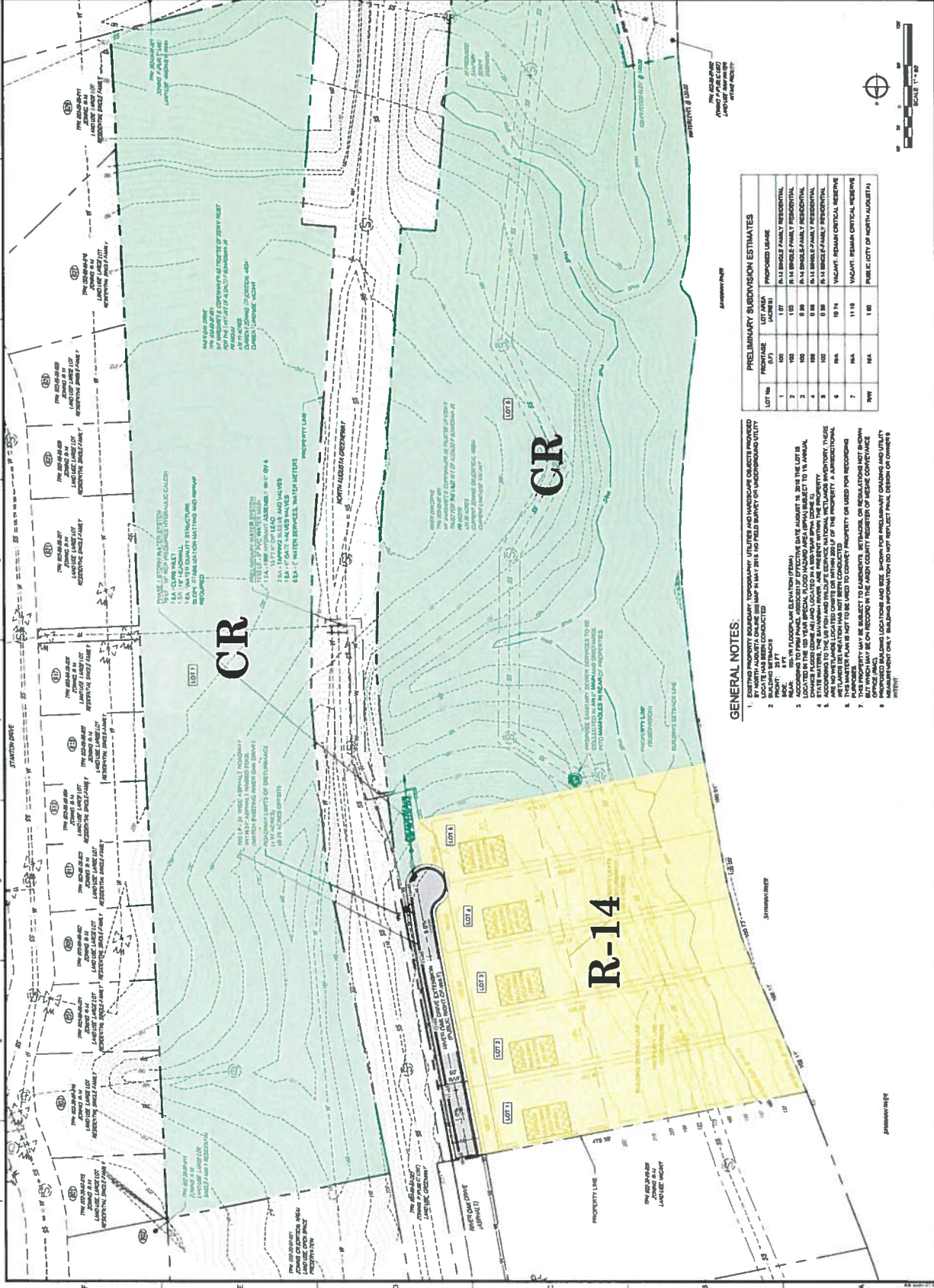
Date: 7/31/2019



RIVER OAK DRIVE
 RIVER OAK DRIVE NORTH AUGUSTA, SC
REZONING CONCEPT PLAN
 PROJECT NAME
 RIVER OAK DRIVE NORTH AUGUSTA, SC
 PROJECT LOCATION

REV	DATE	DESCRIPTION
1	02/22/2011	PRELIMINARY MARKS (DRAWING FOR OWNER REVIEW)

PROJECT NO: 0222.1001
 DRAWN BY: JAVR
 CHECKED BY: JAVR
 DATE: 02/22/2011
PRELIMINARY MASTER PLAN CONCEPT 4
 SCALE: 1" = 40'
C-203
 SHEET NO: 1 OF 1



PRELIMINARY SUBDIVISION ESTIMATES

LOT No	PROPOSED USE	EST. ACRES	EST. UNITS
1	R-16 SINGLE-FAMILY RESIDENTIAL	1.07	1
2	R-14 SINGLE-FAMILY RESIDENTIAL	1.03	1
3	R-14 SINGLE-FAMILY RESIDENTIAL	1.03	1
4	R-14 SINGLE-FAMILY RESIDENTIAL	1.03	1
5	R-14 SINGLE-FAMILY RESIDENTIAL	1.03	1
6	VAULT REMAIN CRITICAL RESERVE	19.74	0
7	VAULT REMAIN CRITICAL RESERVE	11.18	0
8	PUBLIC CITY OF NORTH AUGUSTA	1.00	0

- GENERAL NOTES:**
- THIS PLAN IS PREPARED IN ACCORDANCE WITH THE ZONING ORDINANCE OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, AND THE SUBDIVISION ACT OF SOUTH CAROLINA. THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, HAS REVIEWED THIS PLAN AND HAS GRANTED A PRELIMINARY APPROVAL. THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES SHALL BE VERIFIED BY THE APPLICANT PRIOR TO CONSTRUCTION.
 - THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, AND THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND PUBLIC SAFETY (DOT&PS). THE APPLICANT SHALL OBTAIN ALL NECESSARY APPROVALS PRIOR TO CONSTRUCTION.
 - THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 - THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS.
 - THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES.
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ATTACHMENT #11

RESOLUTION NO. 2019-25
TO AUTHORIZE THE ISSUING OF A PERMIT TO
POLLY HARGROVE OF COMMUNITY MINISTRY OF NORTH AUGUSTA TO
CONDUCT A FUNDRAISING AND AWARENESS EVENT WITH SNO CAP
RESTAURANT ON WEST AVENUE BETWEEN JACKSON AVENUE AND SPRING
GROVE AVENUE ON SEPTEMBER 19, 2019

WHEREAS, in celebration of Community Ministry Day and groundbreaking for a new facility Polly Hargrove has requested a permit to hold a fundraising and awareness event for Community Ministry of North Augusta; and

WHEREAS, the request is to hold the event on West Avenue between Jackson Avenue and Spring Grove Avenue; and

WHEREAS, the event is hosted by Sno Cap Restaruant; and

WHEREAS, the event will begin at 5:30 PM and to end by 8:30 PM; and

WHEREAS, the businesses on this block have been/will be made aware of the event; and

WHEREAS, traffic on Jackson Avenue and Spring Grove Avenue will not be blocked; and

WHEREAS, the Mayor and City Council have reviewed the request and find that the permit applied for, at the time requested is not detrimental to the health, safety, welfare or convenience of the residents of the City or other parties; and

WHEREAS, such request has been timely made and complies with the Code of Ordinances for the City of North Augusta.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that the request for a permit is approved as follows:

1. Time: Approx. 5:30 PM until 8:30 PM
2. Date: Thursday, September 19, 2019
3. Location: West Avenue between Jackson Avenue & Spring Grove Avenue
4. Special Conditions: Public Safety must be involved to safely block/detour traffic.
5. Bond not required

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

ROBERT A. PETTIT, MAYOR

ATTEST:

SHARON LAMAR, CITY CLERK

CITY OF NORTH AUGUSTA, SOUTH CAROLINA

PERMIT

PERMIT GRANTED TO: Community Ministry of North Augusta & Sno Cap Restaurant
(with stipulations)
1) Emergency access to the street be available at all times.
2) Compliance with all noise regulations
3) The City makes no representation as to whether it is approved
by the South Carolina Department of Transportation.
4) Public Safety must be involved to safely block/detour traffic.

ACTIVITY: Community Ministry of North Augusta Fundraiser and Awareness
Event hosted by Sno Cap Restaurant

DATE/TIME: Thursday, September 19, 2019; 5:30 p.m. - 8:30 p.m.

LOCATION: West Avenue between Jackson Avenue & Spring Grove Avenue

CONTACT PERSON: Polly Hargrove
Community Ministry of North Augusta
Board of Directors/Event Chairperson
North Augusta, SC 29841

PHONE: 803-215-0055

FAX/EMAIL: pollyhargrove@yahoo.com

This permit is granted under the conditions that advertisement placards will not be affixed to any City property or public utility property (i.e. traffic signs, street signs, utility poles, or along the roadway). Further, signs erected on private property shall be removed immediately upon completion of the activity.

City of North Augusta
Mayor's Office

By: _____

Date: _____

From: Polly Hargrove <pollyhargrove@yahoo.com>
Sent: Wednesday, August 07, 2019 4:49 PM
To: Lamar, Sharon <SLamar@northaugusta.net>
Subject: Permit/Street closing Request

To:
Sharon Lamar, City Clerk
City of North Augusta

From:
Community Ministry of North Augusta
Sno Cap Restaurant

Re: permit & street closing, 9/19/19

This is to request any necessary permit/approval for a public, family-oriented event planned for **Thursday, 9/19** to celebrate Community Ministry Day and groundbreaking for a new facility. The event will be a fundraiser as well as an opportunity to increase awareness of the Ministry and its mission, hosted by the SnoCap. First Baptist Church has approved use of their parking lot to allow adequate space for the event. There will be live music, inflatables, classic cars, and "stations" representing college football teams (part of the fundraising effort).
The event is from **5:30 - 8:30 pm**, with additional time for set-up and clean-up.

On behalf of Community Ministry of North Augusta and the SnoCap,
this is to request that West Avenue be closed between Jackson Ave and Spring Grove Avenue during the event, Thursday 9/19, 5:30 - 8:30 pm.
Businesses on this block have been/will be made aware of the event, and traffic on Jackson and Spring Grove will not be blocked.

We would also appreciate police presence at the event as deemed appropriate by city authorities.

Thank you for your consideration. Please contact us with any questions.

Polly Hargrove
Community Ministry of North Augusta
Board of Directors/Event Chairperson
803-215-0055
pollyhargrove@yahoo.com

Havird Usry
Owner, Sno Cap
Hav@fatmans.com

Sent from my iPhone

ATTACHMENT #12

RESOLUTION NO. 2019-26

TO AUTHORIZE A MEMORANDUM OF AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE (SCDJJ) TO PROVIDE SECURE DETENTION SERVICES FOR JUVENILES (PERSONS UNDER THE AGE OF SEVENTEEN) WHO ARE CHARGED WITH COMMITTING CRIMES WITHIN THE CITY OF NORTH AUGUSTA

WHEREAS, the South Carolina Constitution and state and federal law, mandate that juveniles (persons under the age of seventeen) who are held in detention be confined in separate and distinct facilities from adults (persons seventeen years of age and older) similarly confined; and

WHEREAS, the City of North Augusta does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

WHEREAS, the SCDJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family or General Sessions Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

WHEREAS, the General Assembly has mandated that “the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred” be responsible for paying a portion of the costs of the detention services for juveniles provided by SCDJJ, who are charged with committing crimes within the governing body’s jurisdictional limits;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina is authorized to enter into the Memorandum of Agreement for the Detention of Juveniles as identified and attached hereto and

BE IT FURTHER RESOLVED that the City Administrator is authorized to execute such Agreement.

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

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk



South Carolina
 DEPARTMENT OF
JUVENILE JUSTICE
 Freddie B. Pough, Director

P.O. Box 21069
 Columbia, SC 29221-1069

www.state.sc.us/djj



Henry McMaster
 Governor
 State of South Carolina

June 24, 2019

City of North Augusta
Administrator
 P. O. Box 6400
 North Augusta, South Carolina 29841-0400

Dear Administrator:

Enclosed please find a Memorandum of Agreement (MOA) for the provision of secure detention services with the South Carolina Department of Juvenile Justice's (SCDJJ) Detention Center for fiscal year 2019 - 2020. The per diem rate is **\$50.00 per day** for any juvenile housed at our detention facility pursuant to Section 63-19-1610 of the South Carolina Code of Laws. Failure to pay amounts owed for juvenile detention services will result in SCDJJ pursuing any and all available methods of collection.

This agreement will not obligate you in any way unless your agency/department chooses to, or is ordered by a court to, detain a juvenile awaiting trial or sentencing. Should you anticipate the need to use our facility anytime during the 2019 - 2020 fiscal year, please sign the enclosed contract within 30 days of receipt and **return to: Department of Juvenile Justice, Attention: Jovan Haynes, Interim Facility Administrator, Juvenile Detention Center, 1725 Shivers Road, Columbia, South Carolina 29210.** **This agreement will not be accepted by the department if altered or amended in any way.**

In addition, in lieu of detaining juveniles in SCDJJ's secure detention center, the Department has developed the Short-Term Alternative Placement Program (STAP) by contracting with a number of providers throughout the state to offer alternatives to secure detention for non-violent offenders. This service of STAP is being made available at no cost to you. **We would encourage you to make all public safety or local law enforcement in your jurisdiction aware of this alternative to secure detention so that they can utilize this "no cost" option, whenever they determine such to be appropriate.** Additional information about these options can be obtained by contacting your local SCDJJ County Manager or by calling DJJ's Office of Community Alternatives at (803) 896-9117.

Should you have any questions, please contact Velvet McGowan, Interim Deputy Director of Institutional Services at (803) 896-9797. Your timely response is appreciated.

Sincerely,

Freddie B. Pough
 Director
 FP/fkb

ADMINISTRATION DEPT.

Enclosure

cc: Jovan Haynes, Interim Facility Administrator of DJJ Detention Center
 Velvet McGowan, Interim Deputy Director of Institutional Services

JUL - 8 2019

CITY OF NORTH AUGUSTA

**MEMORANDUM
OF
AGREEMENT
FOR THE DETENTION OF JUVENILES**

THIS AGREEMENT is made this 1st day of July, 2019, by and between the South Carolina Department of Juvenile Justice (SCDJJ) by and through its duly authorized employee and the governing body of City of North Augusta, hereinafter referred to as City of North Augusta, by and through its duly authorized official and/or employee;

WHEREAS, the South Carolina Constitution and state and federal law, mandate that juveniles (persons under the age of seventeen) who are held in detention be confined in separate and distinct facilities from adults (persons seventeen years of age and older) similarly confined; and

WHEREAS, City of North Augusta does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

WHEREAS, SCDJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family or General Sessions Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

WHEREAS, the General Assembly has mandated that “the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred” be responsible for paying a portion of the costs of the detention services for juveniles provided by SCDJJ, who are charged with committing crimes within the governing body’s jurisdictional limits;

NOW THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

SCDJJ will admit into its Juvenile Detention Center in Columbia, and detain such juveniles in this Center, subject to its design/operational capacity and any limitations set forth in Section 63-19-830 (A), those juveniles who are charged with committing criminal/status offenses within the jurisdictional limits of the above listed entity and who have been/are:

1. qualified to be placed in secure detention (as determined by Section 63-19-820 (B), which the local law enforcement entity wishes to have detained prior to a detention hearing before the Family Court; or
2. ordered to be taken into custody and detained by the Family Court or other lawful authority; or

JUVENILE DETENTION MEMORANDUM OF AGREEMENT

Page 2 of 3

3. 16 years old or younger who have been waived to the Court of General Sessions to be tried as adults; or
4. 16 years old and charged as an adult with committing a Category A-D felony or any felony offense which provides for a maximum term of imprisonment of fifteen years or more.

Acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ.

However, City of North Augusta agrees to remove any detainees accepted and detained under criteria 3 and 4 above, on or within one week after that detainee's 17th birthday.

~~City of North Augusta agrees to assign an open Purchase Order Number _____, to be effective from July 1, 2019 to June 30, 2020.~~

City of North Augusta agrees to comply with Section 63-19-1610 of the South Carolina Code of Laws which provides, "local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice must pay the department a per diem of fifty dollars a day per child." Accordingly, City of North Augusta will pay SCDJJ \$50.00 per 24-hour day per child. (Detention periods of between from 1 to 23 hours shall be charged as a ½ day charge of \$25.). Payments to SCDJJ are to be made on a monthly basis as the costs accrue.

SCDJJ agrees to bill City of North Augusta on a monthly basis; said bills to be sent on or before the 15th day of the month after the month where the costs are incurred, with payment to be made on or before the first (1st) day of the following month. If City of North Augusta fails to make payment within 30 days of receipt of an invoice for detention services, SCDJJ make take any and all available measures to collect on the outstanding debt.

SCDJJ agrees to periodically provide City of North Augusta with a report on City of North Augusta's use of the SCDJJ Detention Facility. This report will reflect the status of juveniles being detained for periods greater than 30 days.

Pursuant to South Carolina Code Section 63-19-360, the "local law enforcement agency having jurisdiction where the offense was committed" shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center. However, a local law enforcement entity may enter into agreements with other local law enforcement agencies or other entities for transporting of a juvenile to and from SCDJJ's Juvenile Detention Center, and the fact that a particular local law enforcement agency or entity transports a juvenile to or from SCDJJ shall not be determinative as to which law enforcement agency has jurisdiction over the offense committed or necessarily obligate the governing board of the transporting entity to pay for the cost of that juvenile's detention.

In accordance with Act #571 of 1990, relating to Juvenile Detention and consistent with the criteria outlined in DJJ Community Services Policies and Procedures (SCDJJ Detention Screening Process; Policy Number F-7.0), no juvenile shall be placed in and/or transported to, a SCDJJ detention facility until law enforcement has notified SCDJJ and SCDJJ has conducted a detention screening, or until a Family Court Judge has determined that placement in secure detention is appropriate.

City of North Augusta shall provide the SCDJJ Juvenile Detention Center with all relevant information pertaining to the juvenile, including medical history/limitations/pre-existing conditions, known psychological and psychiatric problems, charges pending before the court, and completed screening or detention forms if such records or information are in the possession of, or otherwise known to, the transporting law enforcement agency.

SCDJJ's Juvenile Detention Center shall have the right to refuse admission when a juvenile is presented for placement without an appropriate detention order signed by the Court or detention referral papers, completed and signed by a SCDJJ employee or screening agent. SCDJJ's Juvenile Detention Center shall also have the right to refuse admission when a juvenile is deemed inappropriate by the Center for placement due to psychological/psychiatric problems, age, history, not meeting referral/admissions criteria, indications of alcohol or other drug intoxication, medical condition which requires emergency or immediate medical care or treatment or for any other reason which puts the Center at risk, should such a juvenile be accepted.

SCDJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center.


Detention services provided by SCDJJ shall commence upon execution of this contract and terminate, unless this contract is reauthorized and renewed, on July 1, 2020. Either party may cancel this agreement upon thirty (30) days' written notice.

Sums paid or payable under this contract shall not exceed \$ _____ for fiscal year 2019-2020 as determined by both parties. However, if juveniles continue to be presented for secure detention by City of North Augusta once the above budgeted amount has been reached, City of North Augusta agrees to pay for the cost of any additional detainees as provided for in the paragraph addressing detention rates.

APPROVED:

Administrator/Manager
(or other Authorized Official)

Date



Freddie B. Pough, Director
South Carolina Department of Juvenile Justice

July 1, 2019
Date

ATTACHMENT #13

RESOLUTION NO. 2019-27
ESTABLISHING AND AGREEING TO PARTICIPATE IN THE
HOMETOWN HEROES PROJECT WITH THE AIKEN COUNTY VETERANS COUNCIL

WHEREAS, the Aiken County Veterans Council (ACVC) has adopted the Hometown Heroes Project and has extended an invitation to the City of North Augusta to participate in its efforts to visibly honor veterans who have served our country by displaying veterans' names, photographs, branch and specific war or conflict on customized vinyl banners along the City's roadways; and

WHEREAS, there are currently more than 1400 veterans living in the City of North Augusta; and

WHEREAS, the City of North Augusta, South Carolina desires to partner with the Aiken County Veterans Council for administration of project; and

WHEREAS, the City of North Augusta, South Carolina desires to include veterans who have lived in North Augusta at any time during the past or present; are active duty, retired, honorably discharged, KIA or MIA in any branch (including Merchant Marine or WASP during WWII) for any war or conflict; living or deceased; and

BE IT FUTHER RESOLVED that the Mayor and City Council of City of North Augusta, South Carolina have determined the following:

1. That it is in the best interest of the City to support the Hometown Heroes Project.
2. That the City will participate and support the project by distributing information about the project; distributing applications for participation to local veterans and their friends and families; and by hanging the banners on City poles and storing the banners.
3. That the ACVC will be responsible for collecting all applications; collecting fees associated with purchasing the banners; and preparing the banners to be hung.

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

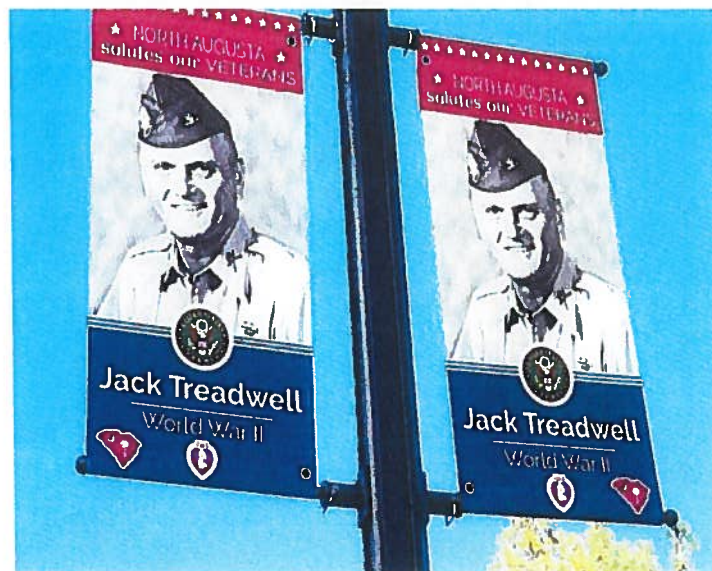
Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

HOMETOWN HEROES PROJECT

- A personal and visible way to honor military veterans 2 weeks prior to Veterans Day and again before Memorial Day through July 4
- Double-sided vinyl banners with individual photographs of men and women in uniform (2 veterans per banner) with their branch and specific war/conflict would hang from lamp posts in downtown North Augusta
- **Eligibility: honorably discharged veteran who has lived here in the past or is a current resident**
- Cost - \$75 per veteran (family with 2 veterans could purchase entire banner for \$150)
- Cost borne by individual veterans, families, private donations, or businesses and will be tax deductible.
- “Scholarship” for deserving veteran(s) unable to afford the cost
- Application process includes submission of DD 214 form & photograph of veteran in uniform. Applications available on ACVC website (www.aikencountyveterans.org); paper copies via Dwight Brandham’s office @ County Building (University Pkwy), Aiken County Library system (ABBE), and North Augusta City Hall
- Applications reviewed by committee of Veteran Service Organizations to verify veterans’ DD214 and dates of service for authenticity
- Any funds raised in excess will be retained in the ACVC treasury. After program closes, any remaining funds donated to the Veterans in Need (VIN) fund to assist Aiken County veterans
- With permission, an online archive could be created to capture information about each veteran, including biography and anecdotal information about their service
- Banner example:





Aiken Hometown Heroes Banner Program

Full name of person in photo: _____

Service era (see below*) _____

Military branch (Army, Navy, Marine Corps, Air Force, Coast Guard) _____

Is the veteran: Living ____ Deceased ____ Killed in Action ____ Missing in Action ____

Name of person submitting photo: _____

Relationship to veteran: _____

Phone number: _____

Address: _____

E-mail address: _____

PHOTO RELEASE FORM

I hereby grant Aiken County Veterans Council permission to use the attached photo, which is a likeness of me, my relative, or person being sponsored in the Hometown Heroes Banner Program without payment or other consideration to me. Photos will be returned to person completing the form.

Signature

Date

Printed Name

Era of Service – Official Department of Defense Dates

Global War on Terror	September 11, 2001 – Present
Desert Storm	January 17, 1991 – Present
Persian Gulf	August 2, 1990 – August 31, 1991
Cold War	September 2, 1945 – December 26, 1991
Vietnam Era	February 28, 1961 – May 7, 1975
Korean Conflict Era	June 27, 1950 – January 31, 1955
WWII	December 7, 1941 – December 31, 1946
WWI	April 6, 1917 – November 11, 1918

NOTE: Submit completed form, photo of veteran in uniform, a copy of the veterans DD 214 form (discharge paper), and a check for \$75 made payable to Aiken County Veterans Council (ACVC) with "Hometown Heroes" in memo line to: Aiken County Veterans Council, 1930 University Parkway, Suite 3600, Aiken, SC 29801. Deadline for submission: Sept 20, 2019. For more information, go to the ACVC website: www.aikencountyveterans.org