

North Augusta



South Carolina's Riverfront

MINUTES OF JUNE 22, 2020

Robert A. Pettit, Mayor

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

ORDER OF BUSINESS

VIRTUAL SPECIAL CALLED CITY COUNCIL MEETING

The virtual Special Called meeting of the City Council of the City of North Augusta of June 22, 2020 having been duly publicized was called to order by Mayor Pettit at 7:01 p.m. using GoToMeeting online conferencing software and streamed online for public viewing at the City Facebook page: "City of North Augusta – Public Information" and City YouTube page: "City of North Augusta Public Information" and adjourned at 7:37 p.m. Per Section 30-4-80, (e) notice of the meeting was sent out by email to the current maintained "Agenda Mailout" list consisting of news media outlets and individuals or companies requesting notification. Notice of the meeting was also posted on the outside doors of the Municipal Center, the main bulletin board of the Municipal Center located on the first floor, and the City of North Augusta website.

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

Also in attendance were Rachelle Moody, Interim City Administrator; Kelly F. Zier, City Attorney; Cammie Hayes, Director of Finance and General Services; Thomas C. Zeaser, Director of Engineering and Public Works; Libby Hodges, Director of Planning and Development; Ricky

Jones, Manager of Information Technology; and Sharon Lamar, City Clerk. Members of the public and the media were provided access to the meeting via live-streaming video.

ITEM 4. FINANCE: Audit Review – Fiscal Year Ending December 31, 2019

Cammie Hayes, Director of Finance and General Services, presented to Council the Audit Results Summary for the fiscal year ending December 31, 2019 from Cherry Bekaert LLP. The final financial statement with notes will be posted on the City’s website and on EMMA by June 30, 2020. The audit results reported a clean audit opinion with no material weaknesses noted and no instances of noncompliance noted. No transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. The audit included testing of internal controls for cash disbursements/expenditures, cash receipts/revenues, and payroll transactions. The City of North Augusta will again submit for its 38th consecutive CAFER Award. The 2019 budget yielded a \$331,000 surplus which will be transferred to the Capital Projects Fund.

Please see ATTACHMENT #4 for a copy of the Cherry Bekaert LLP “Audit Results Summary” PowerPoint Presentation.

ITEM 5. PLANNING AND DEVELOPMENT: Planning Commission Recommendation Memorandum # 20-016 and Project Staff Report: RZM20-001 Capers Lake Overlook; Receipt of Information by Council

On the motion of Councilmember Dickert, second of Councilmember Carpenter, Council agreed to remove the item from the table with a unanimous vote.

On the motion of Mayor Pettit, second of Councilmember Presnell, Council voted to receive the report for information with 6-0 vote. There were no comments from citizens or Council.

Please see ATTACHMENT #5 for a copy of the memo and report.

ITEM 6. ENGINEERING AND PUBLIC WORKS: Resolution No. 2020-18 – Authorizing the Temporary Use by Superior Construction Company of ±1.0 Acres of Land Owned by the City of North Augusta for a Construction Laydown and Staging Yard Adjacent to the 5th Street Bridge

On the motion of Mayor Pettit, second of Councilmember Carpenter, Council agreed to remove the item from the table with a unanimous vote.

On the motion of Councilmember Carpenter, second of Councilmember McGhee, Council agreed to consider a resolution to authorize the temporary use by Superior Construction Company of ±1.0 acres of land owned by the City of North Augusta for a construction laydown and staging yard adjacent to the 5th Street Bridge. Rachelle Moody, Interim City Administrator, reminded Council this is the second time this resolution has been brought for their approval. The resolution has been amended as Council suggested to include remuneration from Superior Construction Company for the use of the property at \$500 per month for 18 months. The funds collected will be set aside for

future improvements on the property. There were no comments from citizens or Council. The resolution was adopted with a 6-0 vote.

Please see the text of the proposed resolution below:

RESOLUTION NO. 2020-18
AUTHORIZING THE TEMPORARY USE BY SUPERIOR CONSTRUCTION COMPANY
OF ±1.0 ACRES OF LAND OWNED BY THE CITY OF NORTH AUGUSTA FOR A
CONSTRUCTION LAYDOWN AND STAGING YARD ADJACENT TO THE 5TH STREET
BRIDGE

WHEREAS, the City of Augusta is preparing to perform structural and architectural rehabilitation of the 5th Street Bridge; and

WHEREAS, Parcel 008-08-02-001, as shown on the attached Exhibit A, is adjacent to the 5th Street Bridge, contains ±4.27 acres and is owned by the City of North Augusta; and

WHEREAS, Superior Construction Company, a project contractor, has requested temporary use of ± 1.0 acre portion of parcel 008-08-02-001 as a construction laydown and staging yard during the life of the construction project, as outlined in the attached Exhibit B.

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

The City of North Augusta agrees to permit Superior Construction Company the temporary use of the property as shown in Exhibit B, subject to the following conditions:

1. Superior Construction Company agrees to provide adequate insurance coverage on the property and to hold the City of North Augusta harmless from any and all liability claims; and
2. Superior Construction Company agrees that no clearing or grading of the site shall occur; and
3. Superior Construction Company agrees to apply for and obtain a Stormwater Management Permit from the City's Stormwater Management Department and to install appropriate sediment and erosion control features to protect the property during its use; and
4. Superior Construction Company agrees to install temporary fencing to limit public access to the property for the duration of use. Fencing along the road frontage shall be affixed with screen fabric; and

5. Following completion of the project, anticipated to be December 2021, but no later than March 30, 2022 without express written extension by the City, Superior Construction Company agrees to:
 - a) Clear the property of all construction related materials and equipment;
 - b) Re-grass any disturbed ground;
 - c) Clean the property of materials potentially damaging to the environment; and
 - d) Contract with a professional independent third party to perform an environmental assessment to certify that the property is environmentally clean.

6. The City of North Augusta shall reserve the right to terminate this agreement at any time, without cause. Superior Construction Company shall, within 60 days of receipt of such Notice of Termination, vacate the premises in accordance with #5 above.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2020.

ITEM 7. PUBLIC SAFETY: Resolution No. 2020-25 – To Authorize the City to Enter into an Agreement Establishing a Procedure for Compensating the Belvedere Fire District when Annexations by the City Reduces the Belvedere Fire District Service Territory

On the motion of Mayor Pettit, second of Councilmember Carpenter, Council agreed to remove the item from the table with a unanimous vote.

On the motion of Councilmember Toole, second of Councilmember Carpenter, Council agreed to consider a resolution to authorize the City to enter into an agreement establishing a procedure for compensating the Belvedere Fire District when annexations by the City reduces the Belvedere Fire District service territory. Kelly Zier, City Attorney, reminded Council of the resolution adopted in February 2019 and approved by Aiken County that designated the City of North Augusta and Belvedere Fire District (BFD) service areas. At that time it was agreed the City would compensate the BFD for loss of service area as allowed by State law. This resolution is a negotiated agreement which states the City will pay the BFD three times the collected fee from the previous year for any property the City annexes that was formerly in the BFD territory. This payment could be made in a lump sum or spread out over five years. The payments will be retroactive back to February 5, 2019. Mr. Zier answered questions from Councilmembers Carpenter, Toole and Dickert. There were no citizen comments. Council voted unanimously to adopt the resolution.

Please see a copy of the proposed resolution and Exhibit A below:

RESOLUTION NO. 2020-25
TO AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT ESTABLISHING A
PROCEDURE FOR COMPENSATING THE BELVEDERE FIRE DISTRICT WHEN
ANNEXATIONS BY THE CITY REDUCES THE BELVEDERE FIRE DISTRICT
SERVICE TERRITORY

WHEREAS, the City and Belvedere Fire District entered into an Agreement related to the respective fire districts for the City and Belvedere Fire District, to include provisions related to future annexations by the City; and,

WHEREAS, the Agreement, as approved by the Aiken County Council on February 5, 2019, provides that following such annexations, that the County would change services area maps to conform with such annexations either upon agreement by the parties or by confirmation that the City has fully complied with Code Sections 5-3-310 through 5-3-315 of the South Carolina Code Laws; and,

WHEREAS, the City and District have reached an Agreement that provides for a formula in determining the payments to be made by the City to Belvedere Fire District when property within the Belvedere Fire District is annexed by the City of North Augusta and North Augusta indicates a desire to be the Fire provider for the annexed property; and,

WHEREAS, the City desires, wherever possible, to be the fire provider for all parcels within the City limits; and,

WHEREAS, the Mayor and City Council have reviewed the proposed formula which is attached hereto marked Exhibit "A" and incorporated by reference and determined that such formula is reasonable and appears to protect the interest of the City as well as Belvedere Fire District; and,

WHEREAS, the Mayor and Council believe that it is in the best interest of all parties that a specific set procedure be established to avoid future misunderstandings.

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:

1. That the City approves the formula as set forth in Exhibit "A" attached hereto;
2. That the City Administrator is specifically authorized to execute such documents as necessary to enter into an agreement with Belvedere Fire District to establish this procedure for determining compensation to be paid to Belvedere Fire District when the City takes over, as a result of annexation, service within a territory formerly served by the Belvedere Fire District;

3. That the Director of Finance and General Services is authorized to make payments in accordance with such formula, with said funds being paid out of the General fund;
4. That the City Administrator and Finance Director are specifically authorized to make decisions relative to the manner of payment of such fees as between payment in full in one year or the payment over a period up to five (5) years.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF JUNE, 2020.

EXHIBIT "A"

FORMULA FOR COMPUTING PAYMENTS BY CITY OF NORTH AUGUSTA TO BELVEDERE FIRE DISTRICT FOR PROPERTY WITHIN THE SERVICE BOUNDARIES OF BELVEDERE FIRE DEPARTMENT THAT IS ANNEXED INTO THE CITY OF NORTH AUGUSTA

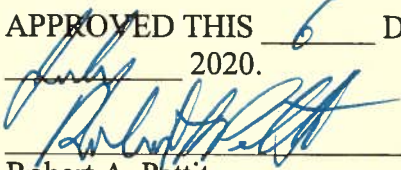
1. Following the notification by the City to Belvedere Fire District of the annexation by the City of property formerly within the service boundaries of the District, District shall notify City of the fire fees for such parcel or parcels of property for the previous tax year.
2. As compensation to the Belvedere Fire District, the City shall pay to the District three (3) times the fee received by the Fire District for service to the property in the previous calendar year.
3. City would have the option of either paying the full fee within the first year of annexation or could choose to pay as follows:
 - a) 100% of fee in first year;
 - b) 80% of fee in second year;
 - c) 60% of fee in third year;
 - d) 40% of fee in fourth year; and
 - e) 20% of fee during fifth year.City would have the right to, at any time pay out any remaining balance and terminate the annual payments.
4. Upon receipt of information from Belvedere Fire District related to the annual fire fee received during the previous year, the City would provide written notification to the District of the City's agreement with such information.

With the provision of the letter to Belvedere Fire District agreeing to the payment figures, such act would constitute the agreement of the parties and authorize Aiken County to make such revisions to the service boundaries, maps as appropriate.

Mayor Pettit reminded Council of the Amphitheater grand-opening ribbon cutting on June 26 at 4:00 p.m. He also encouraged citizens to be sure to participate in the 2020 Census.

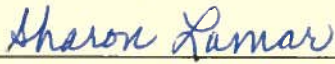
There being no further business, Council adjourned at 7:37 p.m.

APPROVED THIS 6 DAY OF
July 2020.



Robert A. Pettit
Mayor

Respectfully submitted,



Sharon Lamar
City Clerk



City of North Augusta, South Carolina

*Audit Results Summary
June 15, 2020*

Bonnie L. Cox, Audit Partner

**1029 Greene Street
Augusta, GA 30901
706.724.3557 T
706.724.1667 F**

Audit Results

- ▶ The City has annual reporting requirements
 - Expected to issue **clean** audit opinion
 - Expected issue date June 2020
- ▶ City Management has been **proactive**, accessible and available to resolve audit issues
 - GFOA comments from 2018 CAFR addressed in 2019 CAFR

Required Audit Communications

- ▶ **U.S. Generally Accepted Auditing Standards**
 - Our responsibility is to express an opinion about whether the financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles
 - Consideration of internal control, no assurance provided
 - Overall outcome: Unmodified opinion, or “clean” opinion

Required Audit Communications

- ▶ **Government Auditing Standards**
 - Internal Control over Financial Reporting and on Compliance with laws and regulations
 - No material weaknesses noted
 - No instances of noncompliance noted
 - Compliance as Required by OMB Uniform Guidance
 - Federal funds below threshold of \$750,000 in current year, consistent with prior year

Required Audit Communications...

- ▶ We encountered **no significant difficulties** in dealing with management
- ▶ There were **no disagreements with management**
- ▶ **No transactions** entered into by the City during the year for which there is a **lack of authoritative guidance** or consensus
- ▶ Significant estimates include:
 - Allowance for doubtful accounts
 - Depreciation of capital assets
 - Net pension liability, to include deferred inflows and deferred outflows

Significant Audit Areas

- ▶ Testing of internal controls for cycles:
 - Cash Disbursements/Expenditures
 - Cash Receipts/Revenues
 - Payroll transactions
 - *No exceptions noted* from testing of internal control cycles
- ▶ Other areas tested through substantive testing and analytical review

Professional Standard Changes – Accounting Standards...

- ▶ GASB 88 – Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements
- ▶ Slight tweak to wording in disclosure, but no material changes.
- ▶ All schedules remained same as prior year

Required Audit Communications...

Management Representations

- We will obtain certain representations from management that will be included in the management representation letter

Management Consultations with Other Independent Accountants

- To our knowledge, there were no consultations with other independent accountants

Recommendations

- No material weaknesses noted
- Prior year recommendations were implemented by management

Recap – Audit results

- ▶ Clean audit opinion
- ▶ Recommendations and new accounting standards proactively implemented by City management
- ▶ Listening to the Council
- ▶ **Contact information, if needed**
 - Bonnie Cox – 706.421.1364 or bcx@cbh.com
 - Megan Frazier – 706.421.1381 or mfrazier@cbh.com

**Department of Planning
And Development**



Memorandum # 20-016

To: Rachelle Moody, Interim City Administrator

From: Libby Hodges, Director

Subject: Capers Lake Overlook, RZM20-001

Date: June 8, 2020

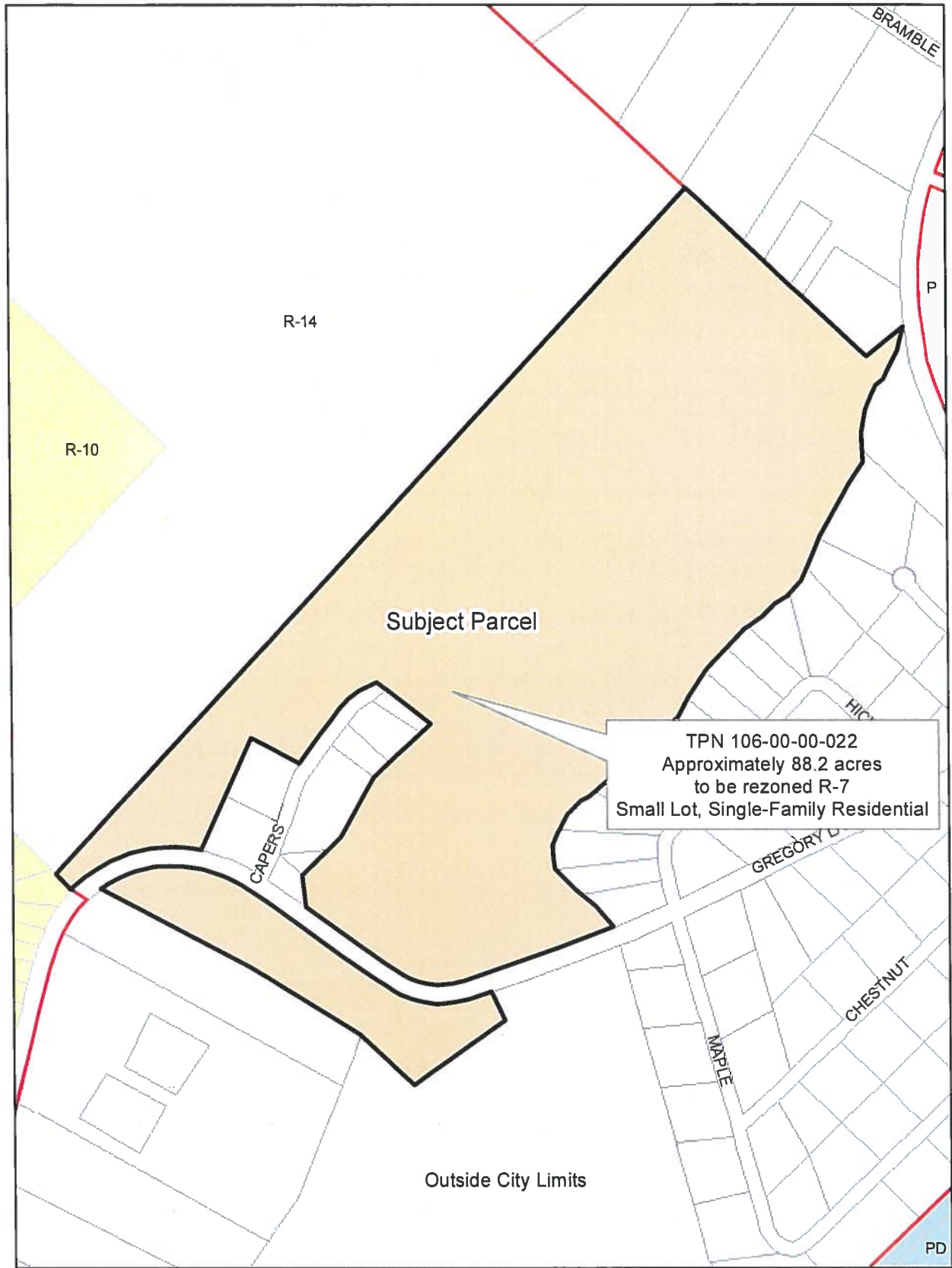
At the May 21, 2020, Planning Commission meeting, the Planning Commission reviewed application RZM20-001, Capers Lake Overlook. The Commission did not recommend approval, as the motion failed with one yes, one abstention and four votes no.

The staff report, related maps and a draft ordinance are attached for reference.

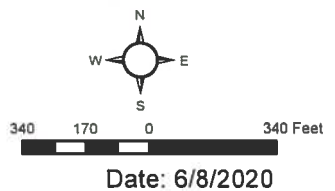
Attached you will find copy of the staff report and attachments for the Caper's Lake Overlook rezoning case recently heard by the Planning Commission. The Planning Commission did not recommend rezoning the property to R-7, Medium Density Residential.

The request is being forwarded for consideration at the next available City Council meeting. Please contact me with any questions.

EXHIBIT A



Application RZM20-001
Tax Parcel Number 106-00-00-022
A request to rezone approximately 88.2 acres
from R-14, Large Lot, Single-Family Residential
to R-7, Small Lot, Single-Family Residential





100 Georgia Avenue
North Augusta, SC
29841-3843

Post Office Box 6400
North Augusta, SC
29861-6400

City of North Augusta

May 4, 2020

RE: Proposed rezoning of ± 88.2 acres of land located off Capers Dr. and Gregory Lake Rd., Tax Parcel Number 106-00-00-022 from R-14, Large Lot, Single-Family Residential to R-7, Small 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 the notification area of the proposed project.

Dear North Augusta Property Owner:

Metro Homesites, LLC has made a request to rezone ±88.2 acres of land located off Capers Dr. and Gregory Lake Rd. Tax Parcel Number 106-00-00-022 from R-14, Large Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential.

The North Augusta Planning Commission will hold a public hearing to consider the rezoning application at 7pm, on Thursday, May 21, 2020, via teleconference. Comments will be collected via email at planning@northaugusta.net or voicemail at 803-441-4221 until noon on Thursday, May 21, 2020. Documents related to the application will be available after May 14, 2020 at <https://www.northaugusta.net/government/city-departments/planning-development/planning-commission>. Following the public hearing, the Planning Commission will prepare a recommendation for City Council consideration and action.

Please check www.northaugusta.net for updates regarding the ongoing public health crisis and procedural changes.

A map of the project area is enclosed, along with a copy of the public hearing notice that will be published in *The North Augusta Star* on May 6, 2020. 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

Administration
Office 803.441.4202
Fax 803.441.4203

Planning & Development
Office 803.441.4221
Fax 803.441.4232

Engineering & Public Works
Office 803.441.4223
Fax 803.441.4208

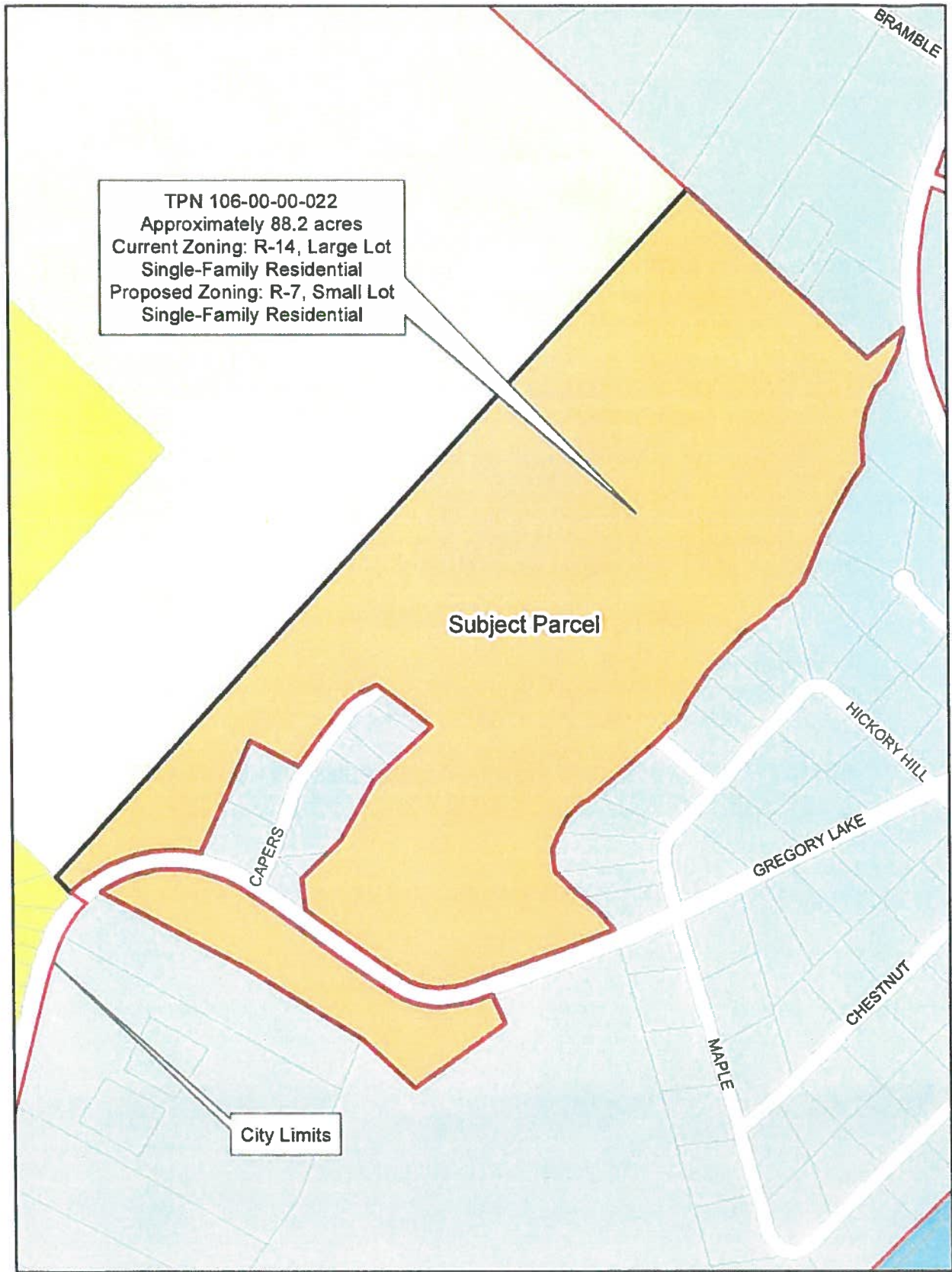
Building Standards
Office 803.441.4227
Fax 803.441.4122

Finance
Office 803.441.4215
Fax 803.441.4189

Parks, Recreation
& Tourism
Office 803.441.4300
Fax 803.441.4319

Human Resources
Office 803.441.4205
Fax 803.441.3021

Public Utilities
Office 803.441.4240
Fax 803.441.4243



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 Thursday, May 21, 2020 via teleconference, to receive public input on the following application:

RZM20-001 – A request by Metro Homesites, LLC to rezone ±88.2 acres, located at Capers Drive and Gregory Lake Road, Tax Parcel Number 106-00-00-022 from R-14, Large Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential.

Citizens and Property Owners interested in expressing a view on the request are encouraged to submit comments. Comments will be collected via email at planning@northaugusta.net or voicemail at 803-441-4221 until noon on Thursday, May 21, 2020. Documents related to the application will be available after May 14, 2020 at <https://www.northaugusta.net/government/city-departments/planning-development/planning-commission>.

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.

COVID-19 Procedure Changes: Please visit www.northaugusta.net for updates on processes and procedures related to city services and hearings.

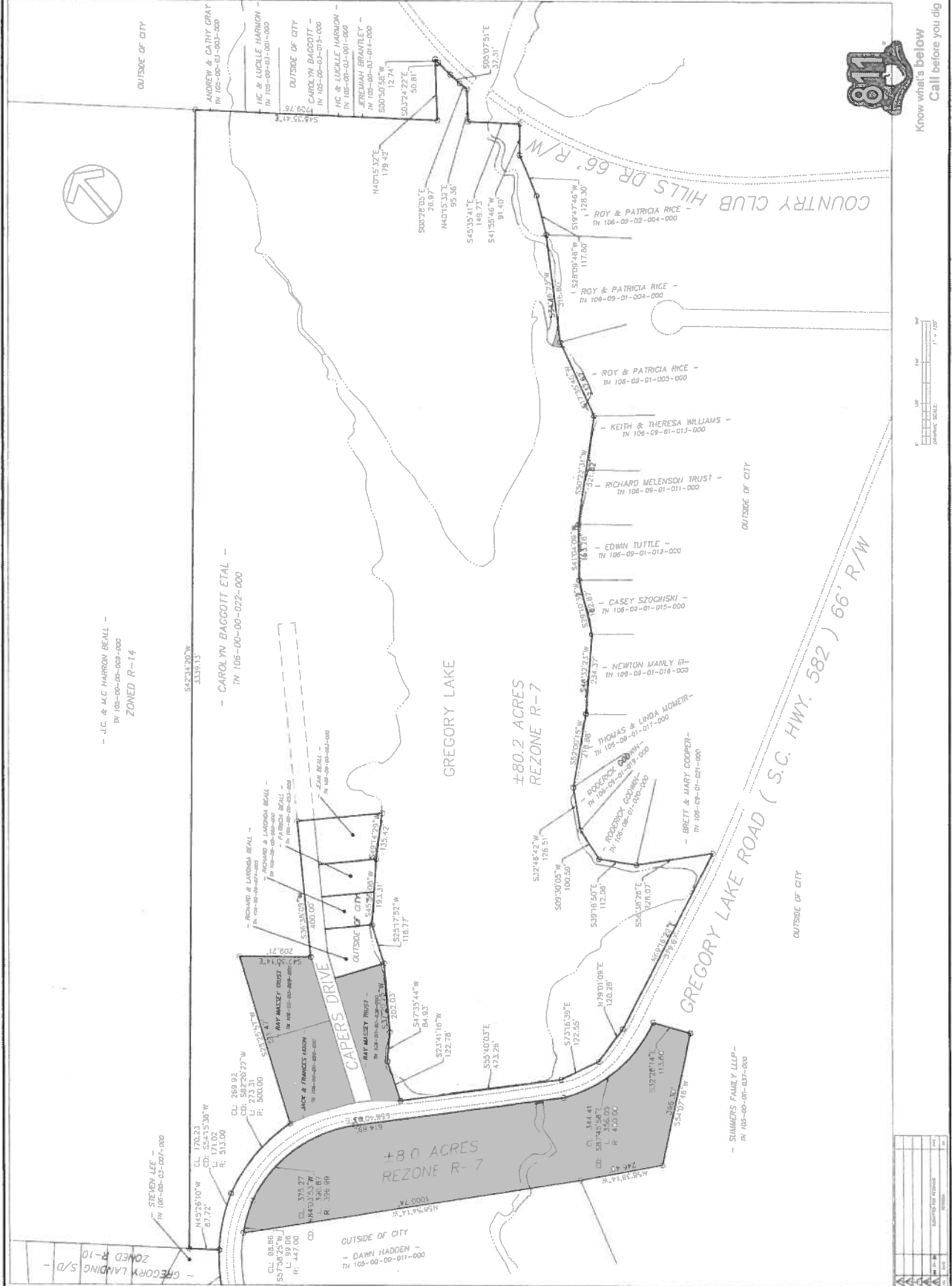
SOUTHERN PARTNERS PAVING INC.
 1100 W. BAYVIEW AVENUE, SUITE 100
 DALLAS, TEXAS 75201
 (214) 343-8800

**CAPERS LAKE
 OVERTLOOK**

PROJECT / COUNTY
 METRO DALLAS / TARRANT COUNTY

PROJECT DATA
 SHEET NO. 1
 SHEET INDEX

SHEET INDEX	
Sheet No.	Description
1	CAPERS LAKE OVERTLOOK



Know what's below
 Call before you dig



NO.	DATE	REVISION
1		

Project Staff Report

RZM20-001 Capers Lake Overlook

Prepared by: Kuleigh Baker

Meeting Date: May 21, 2020

SECTION 1: PROJECT SUMMARY

Project Name	Capers Lake Overlook
Applicant	Metro Homesites, LLC
Address/Location	Capers Drive at Gregory Lake Road
Parcel Number	106-00-00-022
Total Development Size	± 88.2 acres
Existing Zoning	R-14, Large Lot, Single-Family Residential
Overlay	NA
Traffic Impact Tier	Tier 3
Proposed Use	Townhouse Subdivision
Proposed Zoning	R-7, Small Lot, Single-Family Residential
Future Land Use	Outside Map Area

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.

As referenced in item (2) above, NADC Section 1.21.2 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 Requested:

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 property owners within 200 feet of the subject property on May 4, 2020. The notice radius was increased at the request of City Council. The property was posted with the required public notice on May 6, 2020. A public notice of the rezoning request and scheduled date of the Planning Commission public hearing was published in *The North Augusta Star* and on the City's website at www.northaugusta.net on May 6, 2020.

SECTION 4: SITE HISTORY

On December 16, 2019, the City of North Augusta accepted Resolution No. 2019-14 to accept a Petition for Annexation of ±350.73 acres of property located along Gregory Lake Road and owned by Carolyn C. Baggott, Mary C. Havron, and Jean C. Beall. The property sought to be annexed consisted of Tax Parcel Number 105-00-00-009 containing ±262.54 acres and Tax Parcel Number 106-00-00-022 containing ±88.2 acres. The latter is the subject of this rezoning request. The properties were zoned R-14, Large Lot, Single-Family Residential at the time of annexation. Prior to annexation, the subject property was zoned as Edgefield County RD, Residential-Agricultural Development.

SECTION 5: EXISTING SITE CONDITIONS

	<u>Existing Land Use</u>	<u>Future Land Use*</u>	<u>Zoning</u>
Subject Parcel	Vacant	NA	R-14, Large Lot, Single-Family Residential
North	Vacant	NA	RD, Residential-Agricultural Development (Edgefield County)
South	Vacant	NA	R-14, Large Lot, Single-Family Residential
East	Residential	NA	RD, Residential-Agricultural Development (Edgefield County)
West	Residential	NA	R-14, Large Lot, Single-Family Residential/R-10, Medium Lot, Single-Family Residential

*Property falls outside the boundaries of the 2017 Comprehensive Plan Future Land Use Map.

Access – The subject parcel has access from Capers Dr. and Gregory Lake Rd.

Topography – The property is heavily wooded. Elevations change around 40 ft from the outside edge toward the center of the property. A large lake is located at the center of the property with the lowest elevations.

Utilities – Water and sanitary sewer are available. Final capacity analysis will be provided by Engineering and Utilities prior to final permitting.

Floodplain – The property is not located in a designated federal floodplain.

Drainage Basin – The property falls within the Fox Creek Drainage Basin. This basin is located at the edge of the city near the Edgefield County line. All creeks and streams that flow into Gregory Lake located on Gregory Lake Road are part of the Fox Creek Basin. Most of this area is outside the city limits. The basin does converge with Pole Branch basin within the city limits. The basin is sampled at the location just prior to its convergence with Pole Branch. Once the two basins meet, water is carried directly to the Savannah River along the undeveloped portion of Bergen Road (formerly Frontage Road) that heads toward Savannah River. The Fox Creek basin has an overall Good baseline water quality assessment rating. This stream channel is currently effective at transporting stormwater during light or heavy storm events. This stream channel is currently located in an area of the city that is undergoing rapid development. Historically, the residential area located adjacent to this channel has been large lot, low density with a small block of commercial facilities. This area is rapidly developing and it is anticipated that over the next few years, high density, small lot residential development will be established. The city will continue to monitor this basin.

SECTION 6: STAFF EVALUATION AND ANALYSIS

Staff provides the following information for context related to the Commission's deliberation. Descriptions and commentary added by staff will be *italicized*.

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

Parcel 106-00-00-022 is approximately ±88.2 acres.

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 subject property lies outside the boundaries of the 2017 Comprehensive Plan Future Land Use Map.

The 2017 Comprehensive Plan does discuss using "...utility extension policies to discourage development beyond the current urban service limit. (p.62)" However, current policy does allow extension and connection to the City's sanitary sewer system that is available on adjacent site (Gregory Landing). Edgefield County provides water service in this area, so the City has little policy control for water provision.

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;

Prior to annexation, the subject property was zoned as Edgefield County RD, Residential-Agricultural Development. The purpose of this district is to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings exclusive of residentially designed and standard designed manufactured housing, and related support uses. The district is also designed to allow greater use flexibility for large tracts, ten acres or more in size, as provided for in the County's "Ten acre rule" which states:

Land parcels and tracts ten acres or larger in the RD Zone may include the following uses, irrespective of the use requirements of table 1, section 24-31 and regulations otherwise applicable to such uses:

(1) Home occupations, without limitation to the number of employees, number of buildings or structures, amount and/or size of equipment and parking, and number of trucks in support of such home occupation; provided, however, that vehicles, equipment and goods produced off site shall not be displayed for sale, lease or transfer; and

(2) Residentially designed manufactured homes; provided, no such use shall be located within 100 feet of the nearest property line, and the number of manufactured homes shall not exceed one per five acres, not subject to manufactured home park regulations.

The purpose of the existing R-14, Large Lot Single-Family Residential District is to recognize and promote the character of particular areas in North Augusta where single-family residential development is the predominant living environment. Also, changing patterns of work and home environments create incentives to view the single-family dwelling as a place of work and residential living activities. R-14 would allow 14,000 sq ft lots, and a maximum density of 3.5 units per acre. At maximum density, it would allow 308 acres on an 88 acre tract. That is not the proposed number of units, and most developments do not meet their maximum density.

The adjacent development, Gregory Lake, is zoned R-10, Medium Lot, Single Family Residential. This purpose of the district is the same as R-14. It would allow a minimum 10,000 sq ft lot and a maximum density of 4.5 dwelling units per acre. At maximum density, this would allow 396 lots. That is not the proposed number of units, and most developments do not meet their maximum density.

The purpose of the requested R-7, Small Lot Single-Family Residential district is to provide for a variety of single-family housing types on small lots to meet market demands for smaller lot developments. It is also the intent of this district to balance higher densities with common open space. It would allow a minimum 7,000 sq ft lot and a maximum density of 7.0 dwelling units per acre. At maximum density, this would allow 616 lots. That is not the proposed number of units, and most developments do not meet their maximum density.

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

The proposal should have a limited effects on the existing road network. Any negative effects will be mitigated prior to construction. A Traffic Impact Analysis will be required as part of any Major Subdivision application.

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

There are no existing utility services on the site. Infrastructure improvements must be provided by the developer. A determination of the adequacy and availability of potable water and sanitary sewer will be analyzed by the City Engineer at the time of Major Subdivision Preliminary Plat approval. This application may be approved subject to the deferral of development until all public facilities are deemed available and adequate.

d. Parking problems; or

Parking will be required to meet City standards at the time of Preliminary Plat approval. Any waivers or variances will be addressed at the time of the Preliminary Plat review by Planning Commission.

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

The City's Stormwater Management Department has noted that the topography of the property on this parcel includes steep slopes and many drainage ways that are to be avoided. Regulated, jurisdictional, and intermittent streams in addition to the large 30 acre pond that must be protected from pollutants. Staff foresees challenges in meeting the following requirements of the Development Code:

- Article 6.1.3.2 "preserve the natural features of the site and avoid areas of environmental sensitivity", "minimize negative impacts upon or unnecessary alteration of natural features", etc.
- Article 6.1.3.3 "minimize the disturbance of steep slopes, when possible"
- Article 15.1.3.2 Natural Watercourse Easements
- Article 15.1.3.3 Streets Adjacent to Natural Watercourse
- Article 6.2.2 Riparian Buffers.

The property is considered to be an environmentally sensitive area. A preliminary site analysis and protection study for a development project will be required to be provided in advance of application per NADC 6.1.1 & 6.2. This study will assist in decision making and understanding of a development project on a parcel with challenging topography.

Any development will be required to meet all state standards for runoff capture and treatment. Noise and lighting will be subject to the standards of the Development Code.

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 area is near several recent development such as Gregory Landing, Wando Woodlands, and Bergen Place subdivision. Prior to its annexation, the property and surrounding properties were developed as single-family residential lots along Capers Drive ranging from 0.5 to 1 acres and built from the 1960's until present day. Residential development in the area between this property and I-20 has been steady over the last 5 years, pushing towards the Edgefield County end of the City Limits.

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

The existing zoning district is R-14, Large Lot Single-Family Residential, which is similar to the adjacent parcels fronting Gregory Lake Road. Most of the surrounding properties are vacant or zoned for single-family residential uses. Please also see item 3.a.

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

The property is suitable for single-family residential use with its existing zoning at a reduced density. The proposed use is for townhouses, which are permissible in the R-7, Small Lot, Single-Family Residential Zoning District. The density of the residential use will depend on the final zoning of the property.

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

These properties and nearby properties have been generally accepted as residential in some capacity. The residential neighborhoods to the rear of the property are well established and have been exclusively residential for many years.

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

The property has remained vacant as zoned R-14, Large Lot, Single-Family Residential since annexation into the City Limits of North Augusta on January 6, 2020.

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 proposed use is for townhouses, which are permissible in the R-7, Small Lot, Single-Family Residential Zoning District.

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

The zoning does not appear to have been in error at adoption.

SECTION 7: RECOMMENDATION

Staff is not required to make a recommendation to the Planning Commission. The Department has determined the application is complete.

The Planning Commission may recommend approval or denial of this request according to NADC § 5.1.3.

SECTION 8: ATTACHMENTS

1. Aerial
2. Topography
3. Current Zoning
4. Proposed Zoning
5. Future Land Use
6. Public Hearing Notice
7. Application Documents

cc Metro Homesites, LLC; mgilliam@buildkeystone.com
Southern Partners, Inc.; pgreen@southernpartners.net



TPN 106-00-00-022
Approximately 88.2 acres
Current zoning R-14, Large Lot
Single-Family Residential

Subject Parcel

BRAMBLE

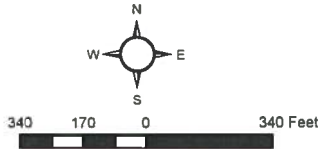
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GREGORY LAKE

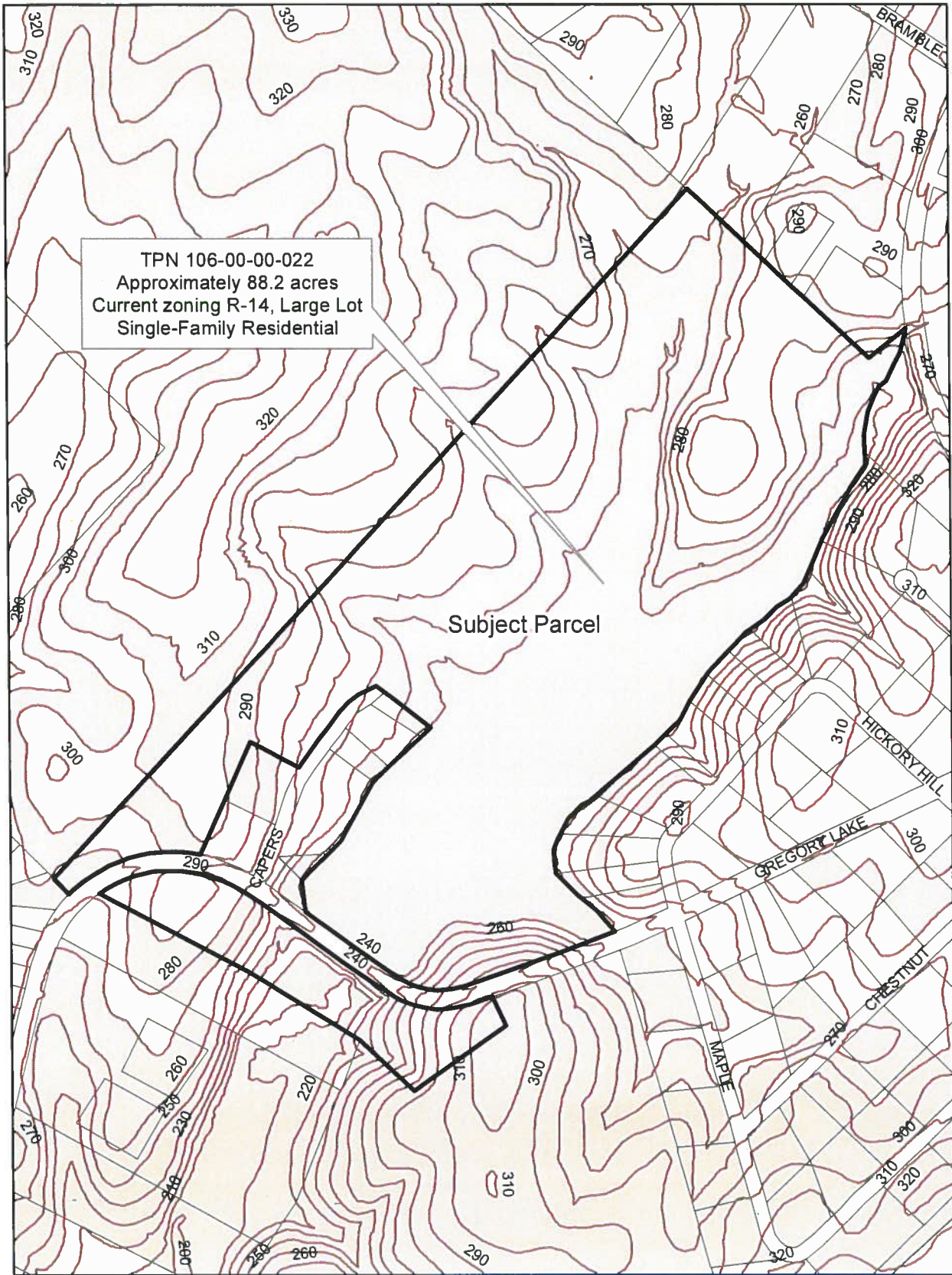
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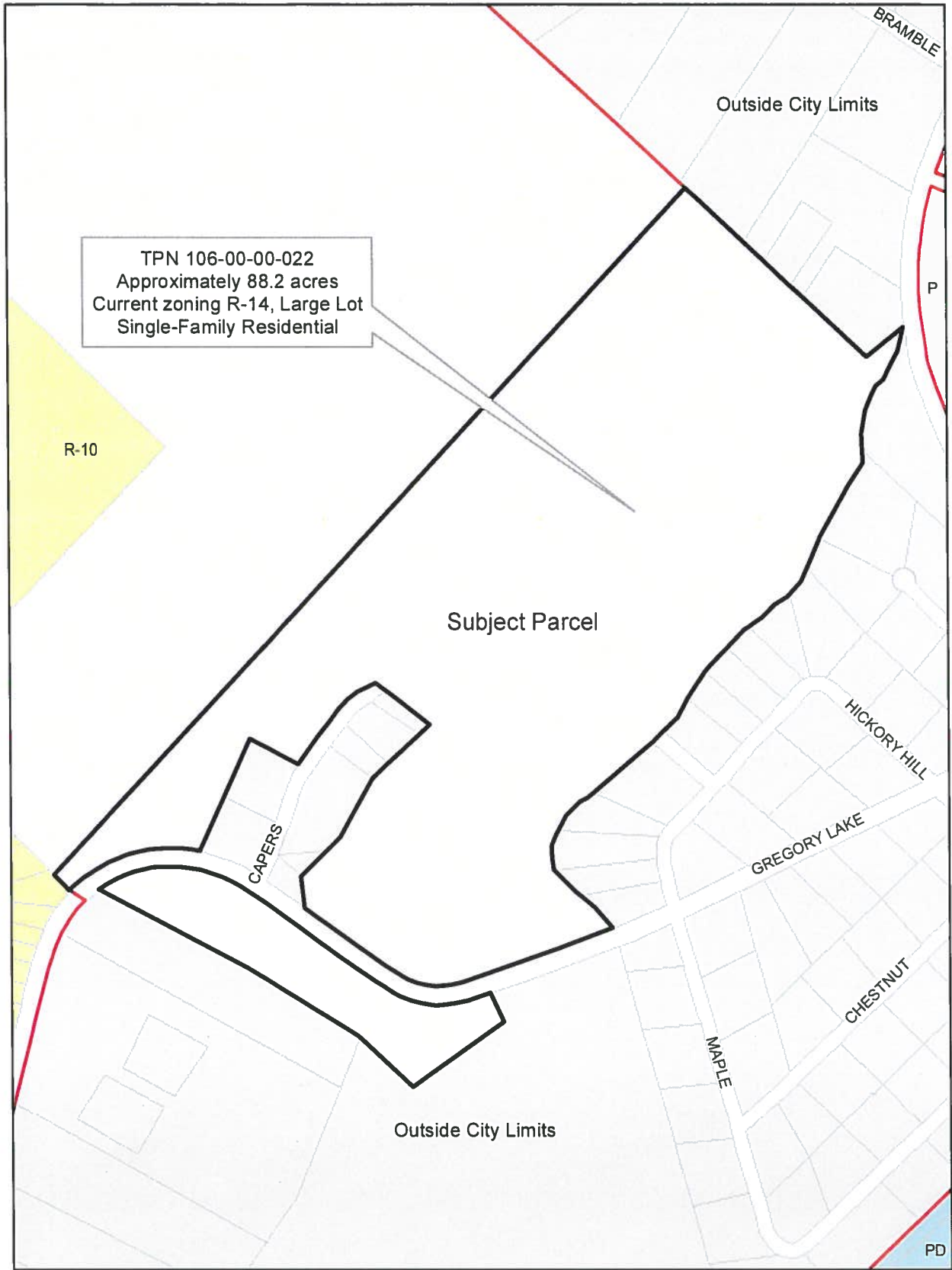


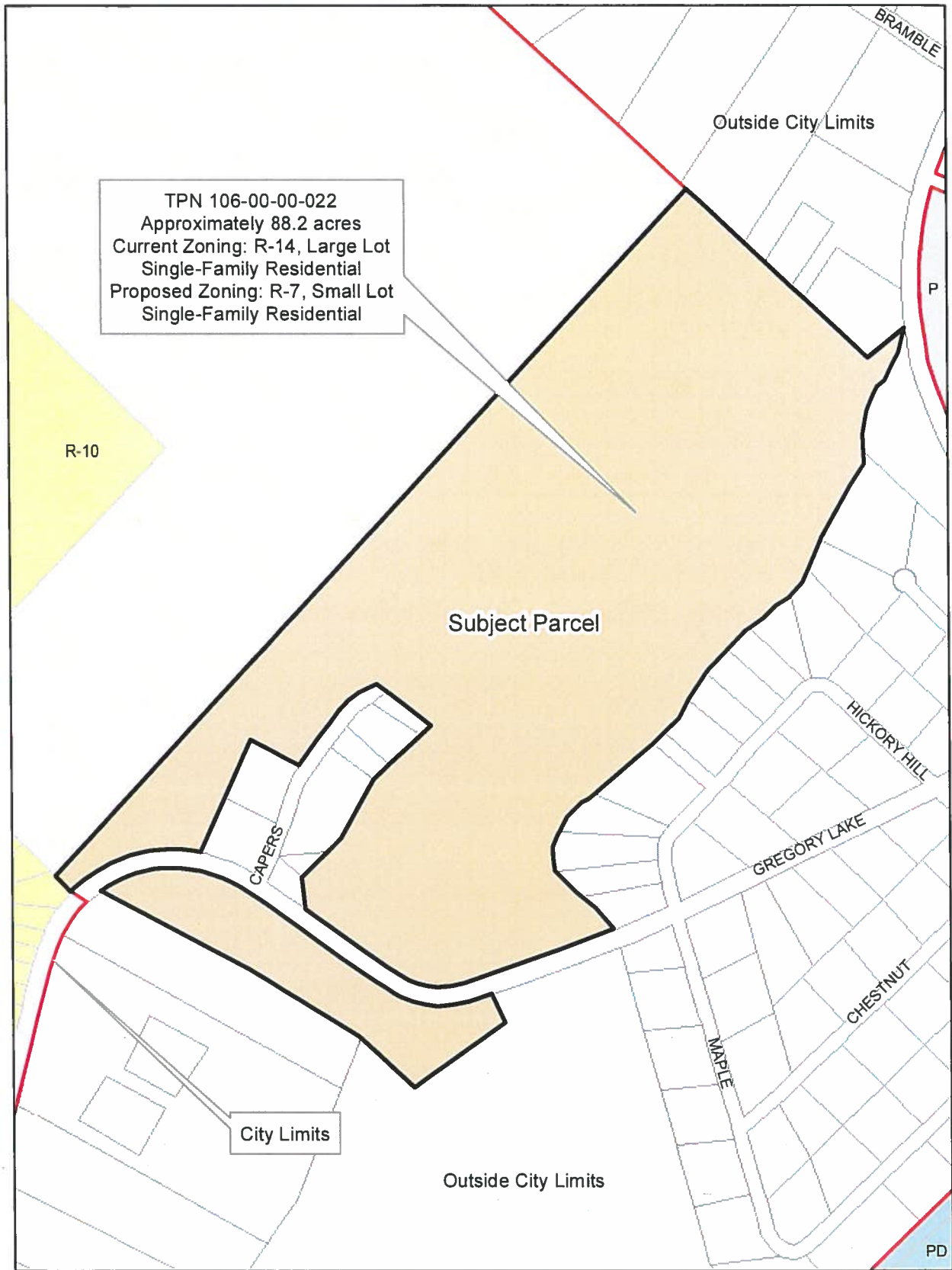
Aerial Map
Application RZM20-001
Tax Parcel Number 106-00-00-022

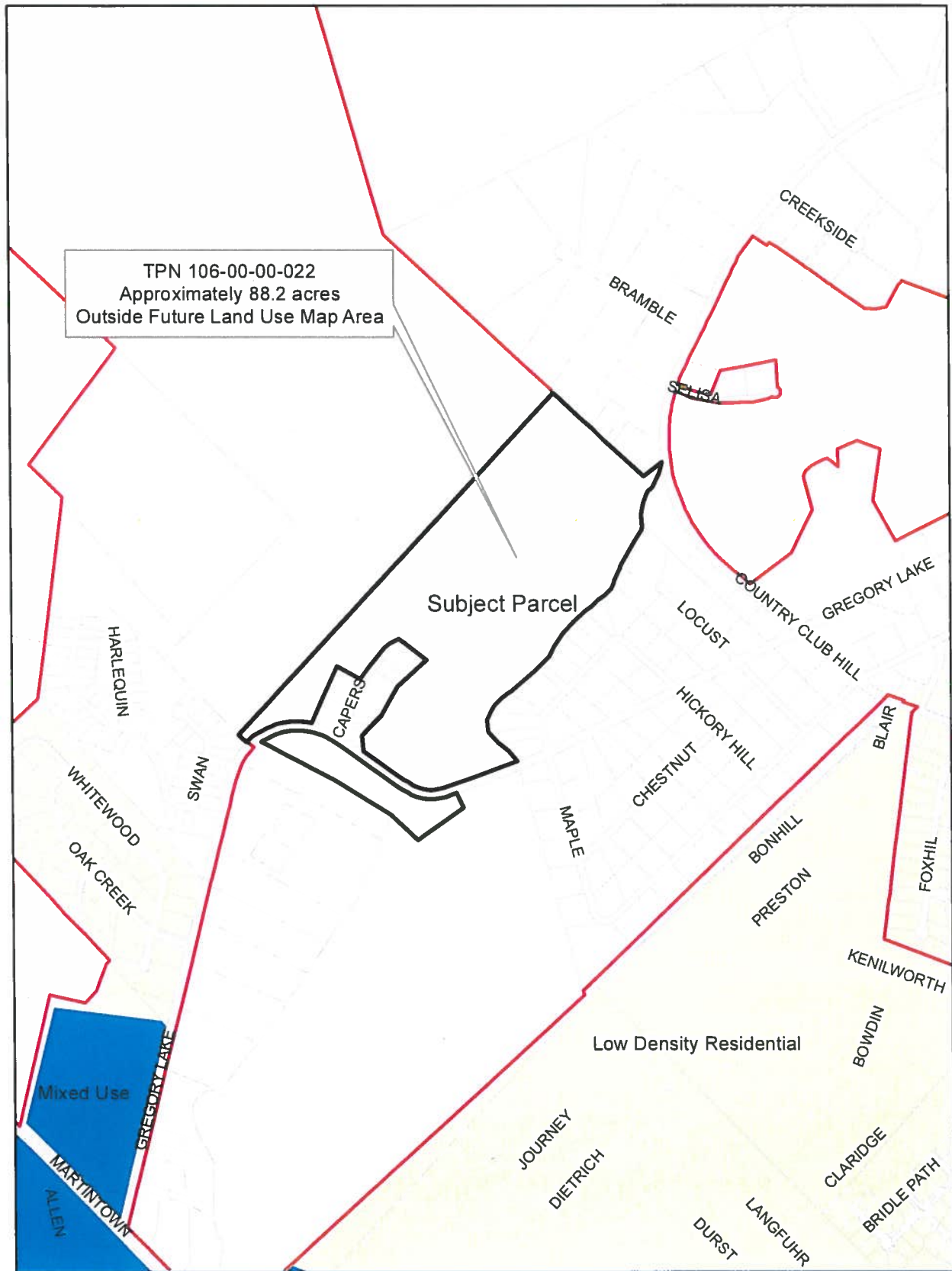


Date: 5/7/2020









TPN 106-00-00-022
 Approximately 88.2 acres
 Outside Future Land Use Map Area

Subject Parcel

Mixed Use

Low Density Residential