

North Augusta



South Carolina's Riverfront

MINUTES OF JULY 1, 2024

Briton S. Williams, Mayor

Jenafer F. McCauley, Councilmember – Mayor Pro Tem

David B. Buck, Councilmember

Pat C. Carpenter, Councilmember

David W. McGhee, Councilmember

Eric H. Presnell, Councilmember

Kevin W. Toole, Councilmember

ORDER OF BUSINESS

The Public Power Hour was streamed for public viewing online at: “City of North Augusta – Public Information” on www.Facebook.com and “City of North Augusta Public Information” on www.YouTube.com.

PUBLIC POWER HOUR

The July 1, 2024 Public Power Hour began at 5:30pm. Members present were Mayor Williams, Councilmembers Buck, Carpenter (arrived at 5:33pm), McCauley, Presnell, and Toole.

Member absent was Councilmember McGhee.

Also, in attendance were Ricky Jones, Manager of Information Technology and Jamie Paul, City Clerk.

1. Sandy Zanko spoke on an educational center for Brick Pond. **(See Attachment PPH#1)**
2. Don Maxwell spoke on Front Street parking of work trucks for Boeckh Park events. **(See Attachment PPH#2)**
3. Pat Kerko spoke on advancement of proposed developments without adequate traffic and safety solutions. **(See Attachment PPH#3)**
4. Janet Menger and spoke on concerns of Moore’s Bluff proposed development. **(See Attachment PPH#4)**

The Public Power Hour concluded at 5:59pm.

REGULAR MEETING

The Regular meeting of the City Council of the City of North Augusta of July 1, 2024 having been duly publicized was called to order by Mayor Williams at 6:02pm and also streamed online for public viewing at “City of North Augusta – Public Information” on www.Facebook.com and on the “City of North Augusta Public Information” on www.YouTube.com. Per Section 30-4-80, (e) notice of the meeting by email was sent out to the current maintained “Agenda Mailout” list consisting of news media outlets and individuals or companies requesting notification. Notice of the meeting was also posted on the outside doors of the Municipal Center, the main bulletin board of the Municipal Center located on the first floor, and the City of North Augusta website.

Mayor Williams rendered the invocation and the Pledge of Allegiance.

Members present were Mayor Williams, Councilmembers Buck, Carpenter, McCauley, Presnell, and Toole.

Member absent was Councilmember McGhee.

Also in attendance were James S. Clifford, City Administrator; J.D. McCauley, Assistant Administrator; Chief Junior Johnson, Director of Public Safety; Director of Public Services; Jeremy Jiunnies, Facility Supervisor; Ricky Jones, Manager of Information Technology; and Jamie Paul, City Clerk.

Items on the agenda were discussed out of order, but for the purpose of clarity will remain as listed on the agenda.

ITEM 4. APPROVAL OF MINUTES:

The minutes of the City Council Meeting of June 17, 2024, and Study Session of June 24, 2024, were approved as submitted by general consent.

ITEM 5. PROCLAMATIONS:

a. Parks & Recreation Month

Mayor Williams read the Parks & Recreation Month Proclamation and presented to Jeremy Jiunnies, Facility Supervisor. **(See Attachment #5a)**

OLD BUSINESS

ITEM 6. PLANNING & DEVELOPMENT: Ordinance No. 2024-14 To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 128.79 Acres of Land Owned by James M. Ford, et al, Aiken County Tax Parcel No. 021-17-01-001 from R-10, Medium Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential – Second Reading

Administrator Clifford stated that himself and Planning & Development received a letter from the Developer BRD Land & Investment requesting to withdraw the application. **(See Attachment #6a)**

Mr. Clifford clarified that the developer will not be able to resubmit the same application for one-year, however, the developer is able to update to a different application such as a Planned Development (PD) within the 12-month period.

In addition, he explained that with the official withdrawal letter there is nothing for council to vote on at this time.

It was moved by Councilmember Presnell, seconded by Councilmember Buck, to approve Ordinance No. 2024-14 To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 128.79 Acres of Land Owned by James M. Ford, et al, Aiken County Tax Parcel No. 021-17-01-001 from R-10, Medium Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential – Second Reading. **No vote taken – Item Withdrawn. (See Attachment #6)**

NEW BUSINESS

ITEM 7. PLANNING & DEVELOPMENT: Ordinance No. 2024-15 Amending Article 5, Use and Use Conditions, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances – First Reading

No public comment.

Administrator Clifford stated that an updated version of the Ordinance has been provided to them today. He clarified the intent is the same for the City to allow entities inside public use building such as non-profits like the Arts & Heritage Center and the Chamber of Commerce at the Community Center.

It was moved by Councilmember Buck, seconded by Councilmember Presnell, to approve Ordinance No. 2024-15 Amending Article 5, Use and Use Conditions, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances – First Reading. Unanimously Approved. **(See Attachment #7)**

ITEM 8. PLANNING & DEVELOPMENT: Ordinance No. 2024-16 To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 0.25 Acres of Land Owned Brigham Limited Partnership, Aiken County Tax Parcel No. 007-16-04-002 from R-10, Medium Lot, Single-Family Residential to GC, General Commercial – First Reading

No public comment.

Administrator Clifford stated that zoning change is to support a Take 5 Oil change business.

It was moved by Councilmember Carpenter, seconded by Councilmember McCauley, to approve Ordinance No. 2024-16 To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ± 0.25 Acres of Land Owned Brigham Limited Partnership, Aiken County Tax Parcel No. 007-16-04-002 from R-10, Medium Lot, Single-Family Residential to GC, General Commercial – First Reading. Unanimously Approved. **(See Attachment #8)**

ITEM 9. PUBLIC SERVICES: Resolution No. 2024-27 Authorizing the City of North Augusta to Enter into a Contract with Kenrick Construction for Construction of the Regional Solid Waste Transfer Station

No public comment.

Administrator Clifford stated that three construction company's provided sealed bids and the contract went to Kenrick Construction. If approved this evening project may be completed by the end of the year.

It was moved by Councilmember McCauley, seconded by Councilmember Carpenter, to approve Resolution No. 2024-27 Authorizing the City of North Augusta to Enter into a Contract with Kenrick Construction for Construction of the Regional Solid Waste Transfer Station. Unanimously Approved. **(See Attachment #9)**

ITEM 10. PARKS & RECREATION: Resolution No. 2024-28 Authorizing the City of North Augusta to Enter into a Contract with TKE for Riverview Park Elevator Modernization

No public comment.

Administrator Clifford review of the need to update the elevator at the Riverview Park Elevator with the Capital Project Fund.

It was moved by Councilmember Presnell, seconded by Councilmember Carpenter, to approve Resolution No. 2024-28 Authorizing the City of North Augusta to Enter into a Contract with TKE for Riverview Park Elevator Modernization. Unanimously Approved. **(See Attachment #10)**

ITEM 11. ADMINISTRATIVE REPORTS

No report.

ITEM 12. PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:

A. Citizen Comments:

No comment.

B. Council Comments:

Mayor Williams highlighted on the following:

- Jack O' Lantern Jubilee – October 25 – 26
 - Friday, October 25 – Concert Series starting at 6:00pm
 - 6pm Local Church – TBD
 - 6:30pm Hannah Ker, The Young Escape - Contemporary Christian Artists
 - 7:30pm Big Daddy Weave - Contemporary Christian Artists
 - Saturday, October 26 – Concert series starting at 6:00pm
 - 6pm - Guardians of the Jukebox – 80's tribute band from Cherokee County, GA
 - 7:30pm – Everclear – 90's American Rock Band
- Living History Park – July 4 Celebration – 10am-2pm

Mayor Williams congratulated the following personnel on their achievements for completing OSHA Training:

- Utilities
 - Steve Murphy, Cameron Paradise, and Kobe Walker
- Property Maintenance
 - Mike Burr, Morice Walker, and Hector Rivera
- Materials Recovery
 - Bobby Mays

Mayor Williams read an email from a resident regarding heroism shown by the City's Police Officer Scott "Bernie" Bernardini. (See Attachment #12A)

ITEM 13. ADJOURNMENT

The Regular City Council meeting adjourned at 6:21 pm.

APPROVED THIS 15th DAY OF
JULY 2024.



Briton S. Williams
Mayor

Respectfully submitted,



Jamie Paul, CMC
City Clerk

North Augusta's Public Pow Wow, July 1, 5:30pm, City Council Chambers

Thank you all for allowing me to talk about the Brick Pond Park, a gem within our city limits. Before I begin, I want to clarify when I use the words "we" and/or "others", I am referring to our small group of friends that come together often, if not daily, to walk around the ponds, check on the wildlife as well as one another, and share stories of any happenings. Some of these friends are here this evening and I would like to ask that they stand up for a moment to be acknowledged.

First, I would like to take this opportunity to thank you for the quick response to my email of May 24, regarding the need for a presence at the park to protect the wildlife, mainly the alligators. I, as well as others, have been putting ourselves in harm's way at times in confronting people that have been harassing them in one form or another. So much appreciation for providing the presence of our North Augusta Public Safety.

Second, and more the reason why I'm here to talk with you, is about the great need for an Education Center at the park. We all know the Brick Pond Park is a 40-acre restored wetland that functions as a stormwater treatment system. The City of North Augusta and partners worked together to develop a healthy ecosystem in the park and provide a way to clean pollution from the stormwater that enters the ponds. Restoring Brick Pond Park was the result and how great it is. BUT.....let's not see it as just that.....

Imagine stepping into this park where squirrels leap from limb to limb, woodpeckers forage, owls quietly waiting for their next meal, the sound of an Osprey as it flies overhead searching for food, watching the Great White Egrets fly to the top of the trees for their nightly protection during the winter months, and one of my favorites, hearing the bellowing of the alligators during mating season, all with so much more to see/hear at the park. It's such a piece of paradise. We need places like this to have a connection to nature, to inspire the community to reclaim their relationship in this cherished park.

As I mentioned in my email, we not only have visitors from around the CSRA, but from all over the world. We have met people from Belgium, Russia, Germany, Korea, Norway, California, Oklahoma, Washington, etc., just to name a few. Some are here on business, others vacationing, or local to the area, that come to the park. When someone says "I have NEVER seen an alligator", that is music to our ears. One of us has jumped to the occasion to give them a tour and show them all around the park.

Some of the wildlife that have made Brick Pond Park their home, or show up consistently, earn a name, yes, just like one of your pets. We have two adult female alligators, one of them named Stumpy (who has truly earned her name in losing the tip of her tail, then her right foot) and Alice (the larger of the two); Sam, our Great Blue Heron; Bogart, the green frog who seems to have left us for a bit; Bob & Donte, newer male alligators that appeared, etc. Much of the wildlife has become like family and it's such a joy to help educate people on them, to not only keep the wildlife safe but the people too.

We should embrace the history of the park from its industrial days to today, thriving wetlands that provide food, shelter and protection for many species of life, aiming to provide our visitors with an immersive educational experience about the wildlife, the environment and the importance of the stormwater treatment system. What better way than to have an Education

Center, to bring nature and people together. It could be modeled after the Reed Creek Interpretive Center but maybe not to that scale as the goal is to preserve and protect the park. The center would house literature about the park environment along with check lists for identifying the various wildlife and plants. We've been known to have over 100 species of birds in this park, over 30 species of plants; as well as much, much more.

In addition, through this center coordinate educational tours to include information on the history of the park, habits of the wildlife and natural water filtration systems in place. There could be school programs for students and home schoolers, where we incorporate activities into their visit at the park. Some examples would be:

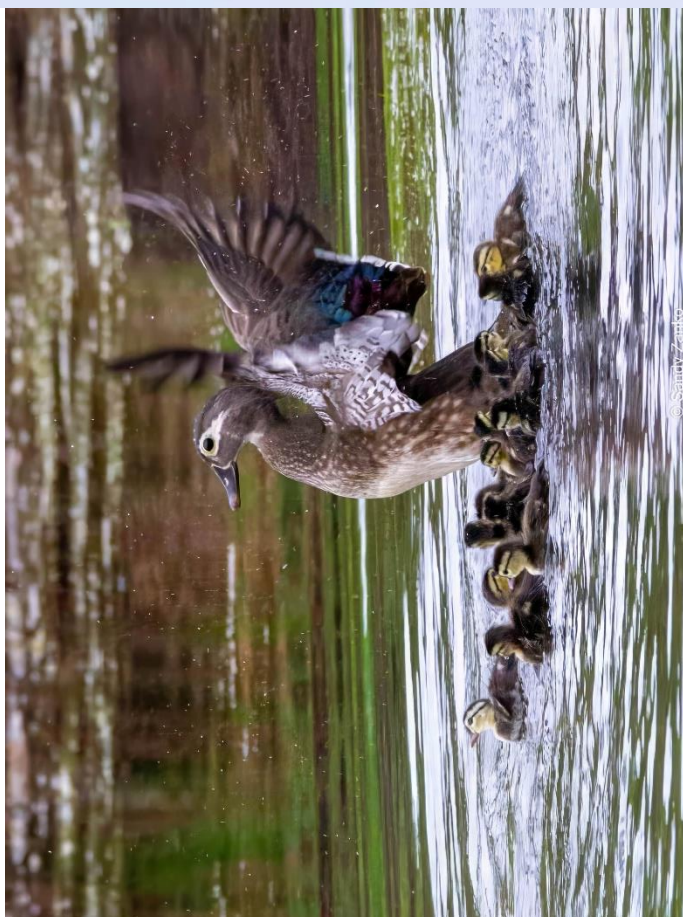
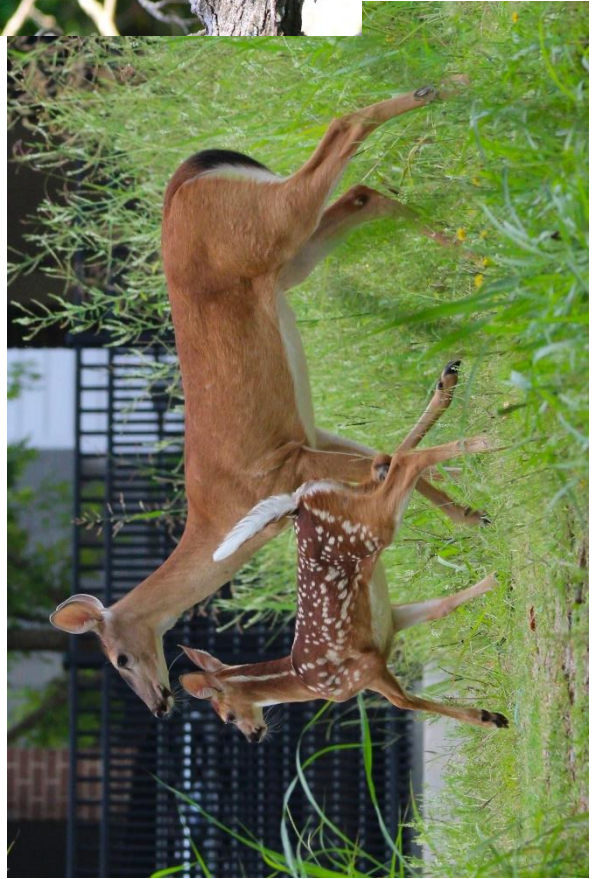
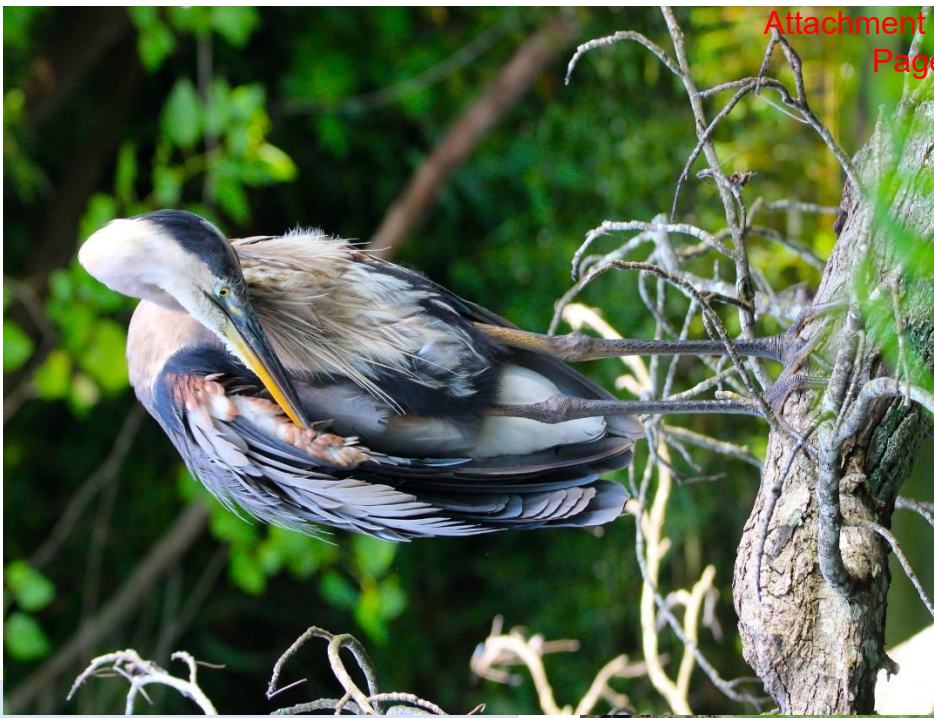
- How do an animals structures help it to survive in its environment? Possibly use tongs, toothpicks, spoons, etc. to represent different beaks to gather food, discuss which was the best tool and associate it with how different bird's beaks help them to survive.
- Who made the holes in the ground and/or trees we see? Use a golf tee or spoon to recreate the holes and figure out which animal made them.
- Look for signs of wildlife by searching for their tracks, scat or other clues, identify the animal and cross it off their sheet (like a bingo card).
- Observe the most observed mammal in the wild, the squirrel, it's common behaviors (tree climbing, munching, chasing and playing), with their twitchy tails, constant chattering and nutty ways. Have a tally sheet as to the number of squirrels observed and their activity.
- Hug a tree! You'd be surprised how much kids love to do this as they giggle running from tree to tree. Have them identify and talk about the different parts of a tree (leaves, stems, bark); as well as different creatures that live in and around trees.
- Fall leaf counting. Make a game out of catching and counting autumn leaves as they dance to the ground.
- Nature memory game to exercise the brain and boost memory skills. Using items found at the park (flowers, leaves, rocks, pine cones) and place individually in muffin tins/paper cups, something that can place a top on, mix them up and begin the game.

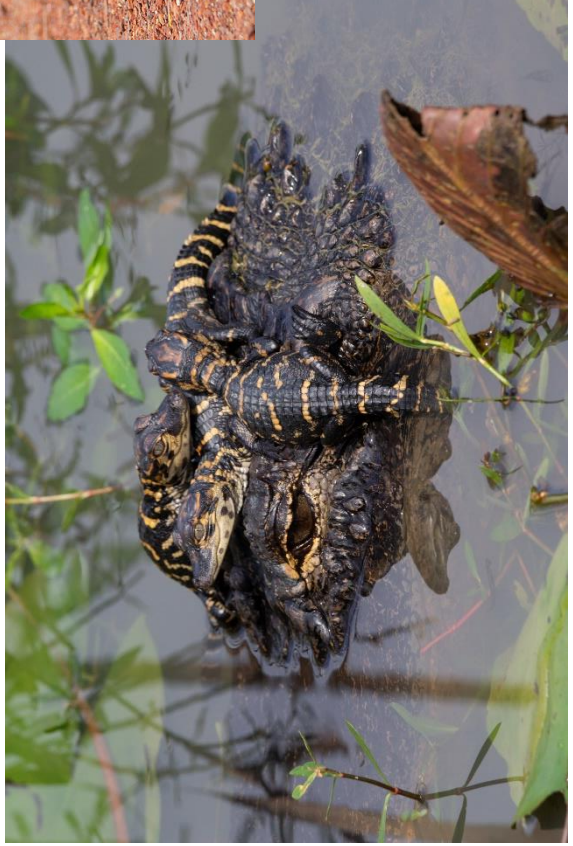
These are just some random examples that could be used by anyone, whether a student, educator, or anyone seeking to enhance their child's understanding of, or connection of, to the natural world. Allow the activities to facilitate play rather than teaching, to allow things to unfold naturally, allowing the children the space they need to discover what interests them most. This would ignite their curiosity and guide them to discover the answers to their questions by means of exploration and discovery in the natural world.

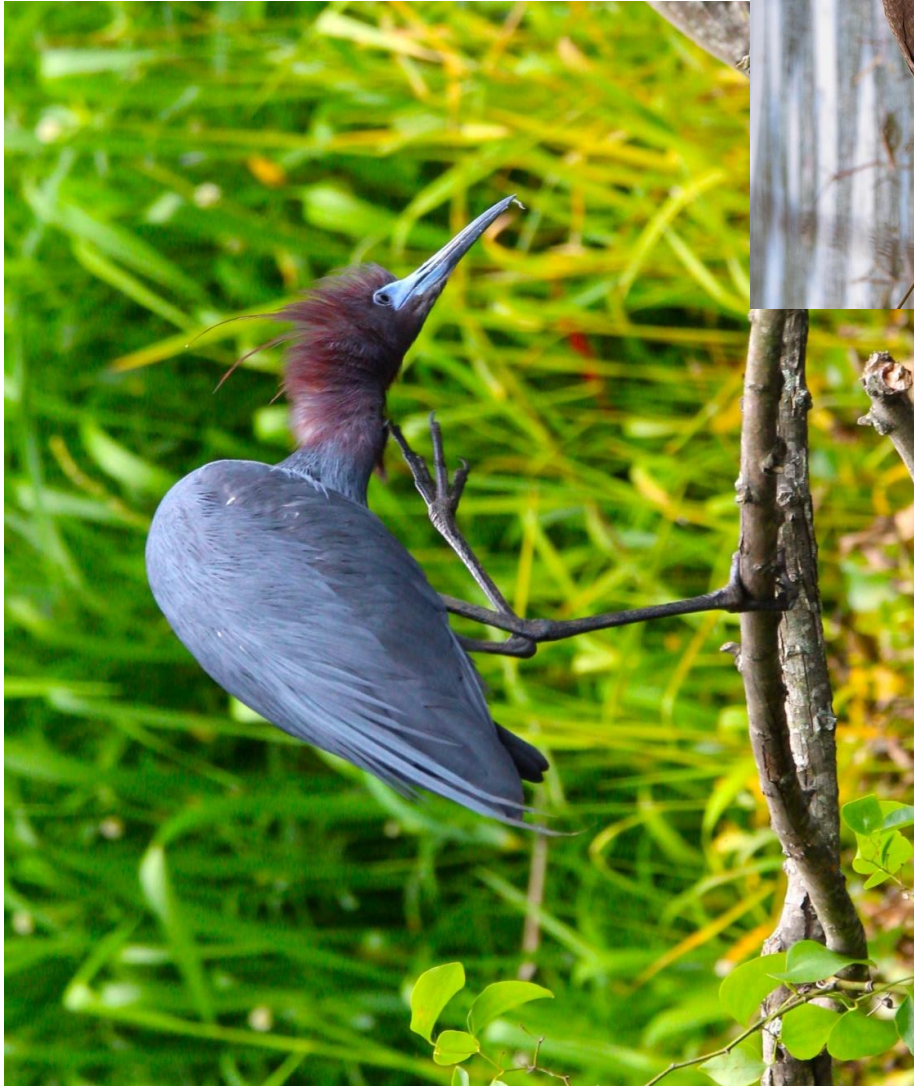
Just last October, the North Augusta Parks and Recreation Center hosted a day camp during school break. It was a 2-day camp, 3 hours long. I attended the first camp with my neighbor's child (as it was the only way I could handle an alligator). It was so refreshing to see these children so excited, engaged and ready to learn that the time flew by. They learned things about water (i.e. how we use it, where it comes from and goes, connection to the Savannah River), there were animals as special guests (i.e. frogs, turtles, snakes, alligators), they collected and identified macroinvertebrates from the pond to determine the quality of the water. The knowledge these children had was awesome and all had such a fun time. Imagine if we could provide some of this information year-round.

It would be my hope that visitors and/or students alike leave with a deeper appreciation of life within the park and a better understanding of the wildlife in it.

So with that, I truly hope that you as leaders of our great city, can take this and run with it. We welcome any, and/or all of you, to reach out to us anytime for a walk around the park. Thank you for your time.







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July 1, 2024

Address to North Augusta City Council
Public Power Hour

Honorable Members of the North Augusta City Council,

Thank you for the opportunity to address you today regarding a matter of utmost concern to our community—traffic safety along Martintown Road and its intersections. My name is Patricia Kerko, and I am here to represent the pressing safety concerns of our residents.

Safety for Savannah Barony Residents: First and foremost, the safety of Savannah Barony residents entering Martintown Road is currently compromised. The existing conditions at these intersections are inadequate and unsafe, posing significant risks to our community members.

Safety for High School Students: Equally concerning is the safety of high school students entering Martintown Road. To ensure a safe intersection for our young residents, it is imperative that a stoplight be installed at the intersection without delay. (We understand that the River Falls apartments will be paying for the installation of a light here).

Unsafe Driving Situation at Old Plantation Rd. and Martintown Rd.: There is a well-documented unsafe driving situation at the intersection of Old Plantation Road and Martintown Road. The current traffic flow poses risks to drivers and pedestrians alike, demanding immediate intervention.

Impact of New Developments: The recent completion of River Falls apartments and the upcoming development of The Hive are poised to significantly increase traffic volume in our area. Furthermore, discussions about a potential Lowes Grocery store at Knobcone and Martintown and the proposed Moore's Bluff development add to our concerns about traffic congestion and safety.

Proposed Traffic Solution: A viable recommendation to address these issues involves installing a stoplight at Knobcone and Martintown Road. Additionally, redesigning Knobcone Road to extend between the Goley's and Collins' properties, connecting with Old Plantation Road, would improve traffic flow and safety. This solution not only addresses current safety concerns but also accommodates future needs, such as potentially locating the new Station 4 firehouse.

We are calling for Responsible Development: Given the existing traffic challenges, we urge the council to halt approval of any new developments that would add additional traffic to this already stressed area until a satisfactory traffic solution is implemented.

Ownership of Traffic Safety: It is crucial that the responsibility for addressing traffic safety issues along Martintown Road is clearly defined and not passed off between jurisdictions. The potential consequences of inaction are severe, and we cannot afford to wait until tragedy strikes before taking decisive action. We feel strongly that pre-planning and responsible development are the answer here before any additional development is approved.

In conclusion, I urge the council to prioritize the safety and well-being of our residents by supporting the proposal to include these traffic improvements in the upcoming capital projects sales tax vote in November. This initiative not only addresses immediate safety concerns but also lays the groundwork for a safer and more sustainable community.

Thank you for your attention to this critical matter. I am available to answer any questions you may have and look forward to working together to achieve a positive outcome for our community.

Patricia A. Kerko
President, Savannah Barony Property Owners Association
Savannah Barony

Power Hour – 07/01/2024

Good evening, ladies and gentlemen of North Augusta City Council. My name is Janet Menger, or Jan Menger as most of you know me, and I live at

I would like to speak with you about my concerns with the Moore's Bluff proposed development which would be located off of Old Plantation Road. I would like to make three specific comments:

1. My number one concern is increased traffic on Old Plantation Road trying to enter onto Martintown Road. Currently, at peak traffic times, and even now with the growth that is happening North of I-20, it is getting more difficult to turn onto Martintown Road whether you are going left or right. The sight line to the left is obscured by the angle of the hill between Old Plantation Road and the Circle K gas station. Additionally, cars accelerate from I-20 as they merge onto Martintown Road, and the increased speed makes it incumbent on drivers entering Martintown Road from Old Plantation Road to be extremely cautious. With this existing situation, I cannot imagine how much more difficult it will be if the traffic pattern for Moore's Bluff has access to Old Plantation Road. This small secondary road would likely be overwhelmed and would be incapable of handling so much traffic.
2. I attended the Planning Commission meeting on June 19 during which the developer presented plans for the Moore's Bluff property. I understand that this property is zoned PD which allows for a "mixed use" type of neighborhood. However, the developer presented plans for only two types of townhomes (small and smaller) and storage units to include an area for boats, trailers, campers, RVs, and motor coaches. No plans for retail shops, restaurants, or recreational activities other than a walking path and

children's playground near the existing roadway were included. This meeting was attended by numerous potentially affected citizens, many of whom expressed concern with the proposed development. After much discussion, the Planning Commission denied the developer's request stating that it did not meet the PD designation. The Planning Commission did not forward a positive recommendation to Council. I understand that now the developer will make an appeal directly to Council on July 15, effectively bypassing the Planning Commission and its decision. I understand the need for an appeals process, but I would hope that Council would not be swayed by the developer and would give consideration to the Planning Commission and its decision. If not, why even have a Planning Commission?

3. Finally, I would like to share with you a Turkish proverb which underscores how I feel about how all the development in North Augusta is going.

“The forest was shrinking, but the trees kept voting for the axe; for the axe was cunning and clever and convinced the trees that because its handle was made of wood, he was one of them.”

Please understand that I am not against growth in North Augusta. I simply believe that we need to provide the appropriate amount of infrastructure to accompany the growth. Please don't be the axe. Thank you for your attention.



PROCLAMATION

PARKS AND RECREATION MONTH

***WHEREAS**, parks and recreation programs are an integral part of communities throughout this country, including North Augusta, South Carolina; and*

***WHEREAS**, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and*

***WHEREAS**, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and*

***WHEREAS**, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and*

***WHEREAS**, the City of North Augusta Parks and Recreation Department laid the foundation of fundamentals and sportsmanship in our youth who joined twelve North Augusta High School Varsity sports teams- Boys Football, Girls Basketball, Boys Basketball, Girls Softball, Boys Baseball, Girls Soccer, Boys Soccer, Girls Volleyball, Boys Golf, Girls Tennis, Boys Tennis, Wrestling, and 8 members of the Girls Swim team and 9 members of the Boys Swim Team - to compete in 2024 Class 4A State Playoffs; and Jackson Beggs won the South Carolina Individual 4A State Championship; and*

***WHEREAS**, the City of North Augusta recognizes the many benefits derived from parks and recreation resources.*

***NOW THEREFORE, BE IT RESOLVED BY** the Mayor and City Council of the City of North Augusta, South Carolina that July 2024 is recognized as Park and Recreation Month in the city of North Augusta.*

***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 1st day of July, 2024.*

*Briton S. Williams, Mayor
City of North Augusta*

ORDINANCE NO. 2024-14
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 128.79 ACRES OF LAND
OWNED BY JAMES M. FORD, ET AL, AIKEN COUNTY TAX PARCEL NO. 021-17-01-001
FROM R-10, MEDIUM LOT, SINGLE-FAMILY RESIDENTIAL TO R-7, SMALL LOT,
SINGLE-FAMILY RESIDENTIAL

WHEREAS, on December 18, 2023, by Ordinance 2023-32, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City’s North Augusta 2017 Comprehensive Plan; and

WHEREAS, the property owner, James M. Ford et al, has requested the property be rezoned from R-10, Medium Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential; and

WHEREAS, the North Augusta Planning Commission, following a March 20, 2024 public hearing, reviewed and considered a request by Leigh Polzella-BRD Land & Investment to amend the Official Zoning Map of North Augusta from R-10, Medium Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential for an approximately ±128.79 acre consisting of tax parcel 021-17-01-001 and has issued their recommendation. The staff reports and the recommendation of the Planning Commission have 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 ±128.79 acres owned by James M. Ford et al, is hereby rezoned from R-10, Medium Lot, Single-Family Residential to R-7, Small Lot, Single-Family Residential. Said property is Aiken County tax map parcel 021-17-01-001 and specifically identified as 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 second and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF
JULY, 2024.

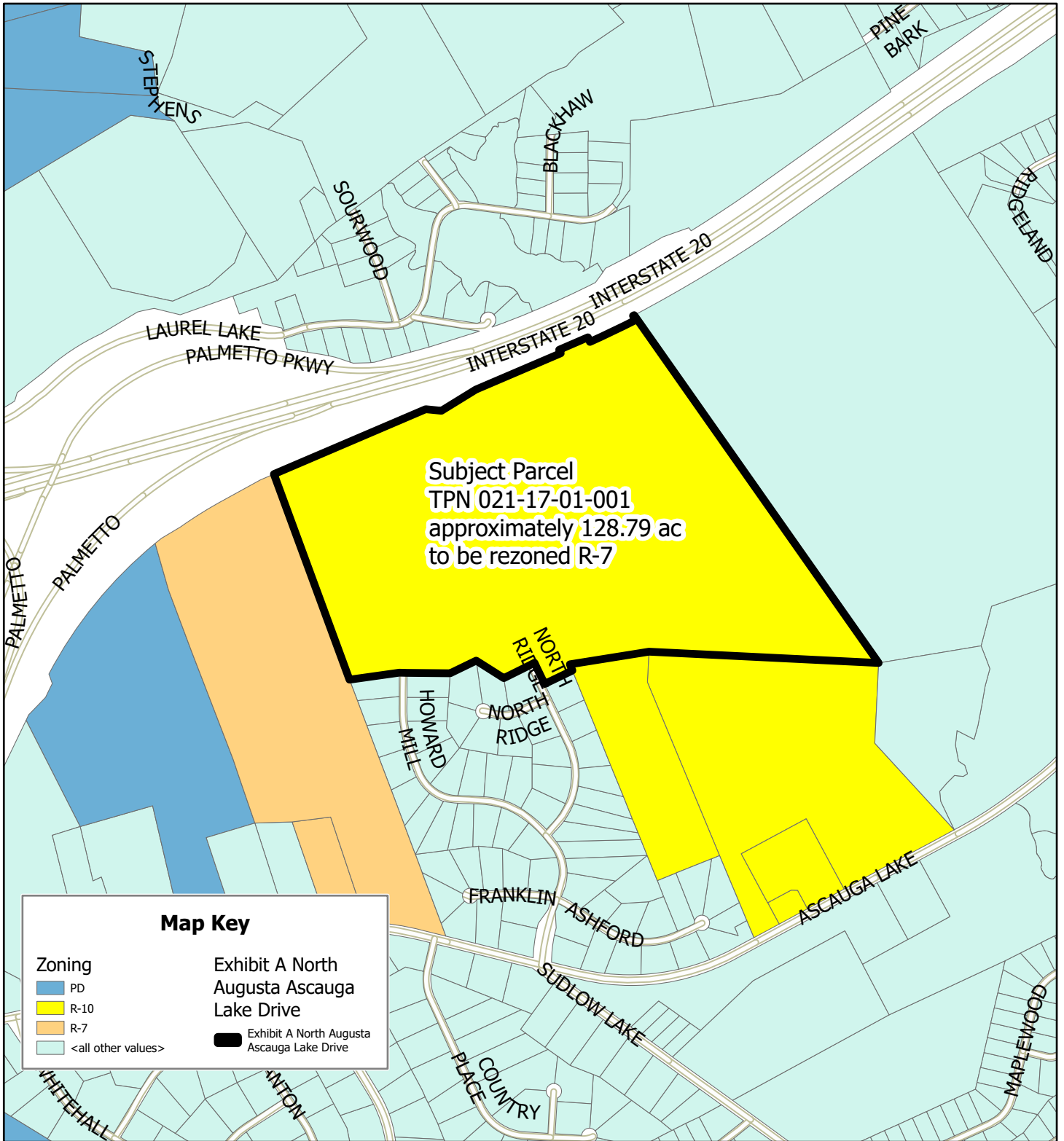
First Reading _____

Briton S. Williams, Mayor

Second Reading _____

ATTEST:

Jamie Paul, City Clerk



Subject Parcel
TPN 021-17-01-001
approximately 128.79 ac
to be rezoned R-7

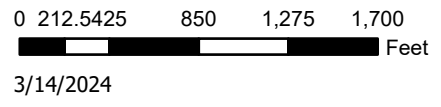
EXHIBIT A

Application Number RZM24-001

Tax Parcel Number

021-17-01-001

A request to rezone approximately 128.79 ac
from R-10, Medium Lot, Single-Family Residential
to R-7, Small Lot, Single-Family Residential





Date
July 1, 2024

The City of North Augusta SC
North Augusta SC

Re: Letter of Intent to WITHDRAW application to rezone TMP 021-17-01-001 located on Ascauga Lake Rd.

Dear City of North Augusta Planning and Zoning

On behalf of BRD Land and Investment, LP, and the Seller's (as their agent of record) we are withdrawing our application to rezone TMP 021-17-01-001 from R-10 to R-7.

Sincerely,

A handwritten signature in black ink that reads "Leigh Polzella". The signature is written in a cursive, flowing style.

Leigh Polzella
BRD Land & Investment, LP

ORDINANCE NO. 2024-15
AMENDING ARTICLE 5, USE AND USE CONDITIONS,
OF THE NORTH AUGUSTA DEVELOPMENT CODE,
CHAPTER 18 OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 18, 2023, by Ordinance 2023-32, 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 18.11.2 Text Amendments in Article 18, Text Amendment, of the North Augusta Development Code, any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text; and

WHEREAS, the North Augusta Planning Commission, following a June 19, 2024 public hearing, reviewed and considered a request by the Planning Department to amend Article 5, Table 5.1 entitled "Use Matrix" of the North Augusta Development Code to change uses in the Public Use (P) zoning district to allow Public Non-Profit Clubs and Organizations to be allowed as a Special Exception. The Planning Commission report has been provided to City Council for consideration.

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

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

- I. The North Augusta Development Code, Article 5 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following section. The section of the Code affected by the proposed amendment is identified by the section number.
 - A. Table 5.1 will be amended to allow Public Non-Profit Clubs and Organizations to be allowed in the Public Use (P) zoning district as a Special Exception.
 - B. Any other needed formatting will be edited to reflect new page numbers, titles or item numbering associated with the text changes outlined herein.
- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on second reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2024.

First Reading _____

Briton S. Williams, Mayor

Second Reading _____

ATTEST:

Jamie Paul, City Clerk

Department of Planning and Development



Project Staff Report

RZT24-002 Article 5.1: Uses & Use Conditions

Prepared by: Tommy Paradise

Meeting Date: June 19, 2024

SECTION 1

Project Name	Update to Table 5.1
Applicant	City of North Augusta
Proposed Text Amendment	A request from the City of North Augusta to amend Table 5.1 Use Matrix of the North Augusta Development Code to allow private non-profit clubs in the Public (P) zoning district.

SECTION 2: GENERAL DESCRIPTION

The North Augusta Development Code (NADC) currently prohibits private non-profit clubs and organizations the ability to operate in the Public Use, P, zoning district. The Planning Department has received a request from the City Administrator for a text amendment to allow these uses through the Special Exception process. The proposed change will update the NADC to match current city operations and to better serve community needs. It would enable non-profits that provide non-governmental service to use these spaces in the City of North Augusta.

SECTION 3: PLANNING COMMISSION CONSIDERATION

The Planning Commission is being asked to review the request for a text amendment based on the following provisions of the North Augusta Development Code:

17.4.1 Authority Under This Article. The Planning Commission (Commission) shall have all the powers and duties as assigned by §6-29-340 of the South Carolina Local Government Comprehensive Planning Enabling Act (Title 6) to be carried out in accordance with these regulations as detailed in Article 19 and in the adopted Rules of Procedure for the Commission. In addition, the Commission shall have any other power or duty as assigned by the City Council in conformity with Title 6.

6-29-340 South Carolina Code of Laws. Functions, powers, and duties of local planning commissions.

(B) In the discharge of its responsibilities, the local planning commission has the power and duty to:

(2) prepare and recommend for adoption to the appropriate governing authority or authorities as a means for implementing the plans and programs in its area:

(a) zoning ordinances to include zoning district maps and appropriate revisions thereof, as provided in this chapter;

18.11 Rezoning and Text Amendments

This section applies to any application for an amendment to the text of this Chapter or for an amendment to the Official Zoning Map, also known as a “rezoning.” Such amendments must be submitted to the Planning Commission for review and recommendation to City Council, who may then vote to amend the Chapter or Official Zoning Map. Appropriate application forms for text amendment or rezoning shall be provided by the Director of Planning or his designee. A pre-application conference is recommended before the application is submitted to discuss the procedures and requirements for the amendment request and identify the submittal requirements.

18.11.2 Text Amendment.

Any person, property owner, board, commission, department, or the City Council may apply for a change in the zoning ordinance text. Such amendment may be initiated by filing an application per the requirements of the City’s Administrative Manual with the Department. The application shall be signed by the applicant and shall include the language of the proposed amendment to the text of this Chapter and the justification for the proposed change.

18.11.3 Application Review.

The Department shall complete a review of the application and determine if the application is complete. If the application is incomplete, it will be returned to the applicant. If the application is complete, the Planning Director shall review the request and create a written recommendation for Planning Commission and Council consideration. The Director may forward the request to the Technical Review Committee for additional review and information.

8.11.4 Decision. The Director shall transmit the application for zoning amendment or rezoning to the Planning Commission at its next regularly scheduled monthly meeting, provided the complete application is submitted at least 30 calendar days prior to the meeting. The Planning Commission shall approve or deny the zoning amendment in accordance with the procedures for a legislative hearing as provided in the City’s Administrative Manual and the S.C. Code §6-29-760.

1. The Planning Commission shall submit its recommendation to City Council within 30 calendar days after the initial hearing date (S.C. Code §6-29760(A)). A majority vote is required for the Planning Commission to approve, approve with conditions (if applicable), or deny a rezoning or text amendment application.

2. The City Council shall consider the recommendation of the Planning Commission and staff on each proposed rezoning and text amendment within 30 days of receipt of the Planning Commission recommendation. The A City Council must consider, but is not bound by, the Planning Commission recommendation in making a final decision and may call for additional information or public hearing(s).

3. No challenge to the adequacy of notice or to the validity of a rezoning or text amendment may be made 60 days after the decision of the City Council if there has been substantial compliance with the notice requirements of this section, with the established procedures of the City Council and Planning Commission, and with S.C. Code §6-29

The Planning Commission is being asked to review the proposed text changes and provide a recommendation of approval or denial, which will be forwarded to the City Council. Section 18.11 does not require additional standards for analysis to address in this staff report.

SECTION 4: PUBLIC NOTICE

A public notice of the text amendment request and scheduled date of the Planning Commission public hearing was published in the *Augusta Chronicle* and on the City's website www.northaugustasc.gov on May 29, 2024.

SECTION 5: HISTORY

The North Augusta Development Code that was adopted by City Council December 17, 2007, effective January 1, 2008 was repealed and replaced by the North Augusta Development Code adopted by City Council on December 18, 2023. The 2023 Development Code is consistent with the Comprehensive Plan Update of 2022. Public comments were solicited through formal public hearing and informal communication throughout the multiyear development of the code

The North Augusta Planning Commission recommended approval of a draft Development Code and referred to City council on June 6, 2023. City Council, in accordance with Section 6-29-760 of the South Carolina Code of Laws held a public hearing on September 11, 2023. Based on information from the public hearing the Development Code draft was referred back to the Planning Commission for further recommendations.

At the October 18, 2023 Planning Commission meeting the Commission heard public input and reviewed issues that were heard in Council's public hearing. At the November 15, 2023 meeting of the Planning Commission, the Commission recommended a revised draft for adoption by City Council. City Council adopted this draft at their December 18, 2023 meeting.

SECTION 6: SUMMARY OF CHANGES AND PROPOSED AMENDMENTS

The City Administrator has requested a text amendment to Article 5.1, to permit public non-profit clubs and organizations to be located in the Public Use, P, zoning district as a Special Exception. This use is currently prohibited in this district. The Special Exception requirement will require approval by the Board of Zoning Appeals after a public hearing.

The Public Use District is intended to provide suitable locations for land and structures in the City of North Augusta used exclusively by the City, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities. As such, it shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property. This district is also applicable to land owned by public utilities and public service providers of water, sewer, electricity, natural gas, telephone, cable and

internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.). Property owned by public utilities and utilized primarily for office, customer service, or retail sales is not appropriate for the Public Use district. If Public Use zoned property is sold to a private individual or individuals, such property shall be rezoned to a classification that is compatible with the surrounding area.

Applicant Request:

Applicant requests a text amendment to Article 5.1, to permit public non-profit clubs and organizations to be located in the Public Use, P, zoning district as a Special Exception. This use is currently prohibited in this district.

In the attached use matrix, the revisions show changes as follows:

Underlined Text is text that has been modified or added to the code

~~Strike Through Text~~ is text that is proposed to be removed.

Staff Recommends:

Staff recommends that Table 5.1 be amended a text amendment to permit public non-profit clubs and organizations to be located in the Public Use, P, zoning district as a Special Exception.

SECTION 7: ATTACHMENTS

1. Public Notice
2. Application Documents
3. Draft Revised Development Code Article 5, applicable pages

City of
North Augusta, South Carolina
Planning Commission

Public Hearing Notice

The North Augusta Planning Commission will hold its regular monthly meeting at 6:00 PM on Wednesday, June 19, 2024, in the Council Chambers located on the 3rd floor of the North Augusta Municipal Center, 100 Georgia Avenue, to receive public input on the following applications:

RZT24-002 – A request by the City of North Augusta to amend Table 5.1, Use Matrix of the North Augusta Development Code to permit private non-profit organizations to operate in the Public Use zoning district as a Special Exception.

RZM24-004 – A request by WSM Ventures, LLC to rezone approximately 0.25 acres located at 10139 Atomic Road, TPN 007-16-04-002, from R-10, Medium Lot Single-Family Residential to GC, General Commercial.

PD23-003 – A request by CSRA Development Company, LLC for approval of a Planned Development General Development Plan affecting ±70.82 acres located between Compassion Way and Old Plantation Road near I-20, Tax Map Parcel Number 001-19-02-005 zoned PD, Planned Development and a portion of Tax Parcel Number 002-08-01-002 zoned R-14, Large Lot, Single-Family Residential. The proposed project is a mixed-use development consisting of townhomes and commercial uses.

Documents related to the application will be available for public inspection after June 12, 2024 in the office of the Department of Planning and Development on the 2nd floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at www.northaugustasc.gov. All members of the public interested in expressing a view on this case are encouraged to attend or provide written comments to planning@northaugustasc.gov.

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 <u>RZT24-002</u>	Date Received <u>4-24-24</u>
Review Fee <u>—</u>	Date Paid <u>—</u>

1. Project Name Amend Table 5.1 Use Table for Public Use district

Project Address/Location 100 Georgia Ave.

Total Project Acreage _____ Current Zoning _____

Tax Parcel Number(s) _____
2. Applicant/Owner Name Tommy Paradise Applicant Phone 803-441-4221

Mailing Address 100 Georgia Ave.

City North Augusta ST SC Zip 29841 Email tparadise@northaugustasc.gov
3. Is there a Designated Agent for this project? _____ Yes _____ No

If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)
4. Engineer/Architect/Surveyor _____ License No. _____

Firm Name _____ Firm Phone _____

Firm Mailing Address _____

City _____ ST _____ Zip _____ Email _____

Signature _____ Date _____
5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?

(Check one.) _____ yes _____ no
6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.
7. Tommy Paradise 4-24-24

Applicant or Designated Agent Signature _____ Date _____

Tommy Paradise

Print Applicant or Agent Name _____

Paradise, Tommy

From: Clifford, Jim
Sent: Wednesday, April 24, 2024 2:34 PM
To: Paradise, Tommy
Cc: J.D. McCauley
Subject: Special Exception Process

Tommy,

After reviewing our current development code, I realized that we need to update our regulations to match current city operations and to better serve our community's needs. Specifically, I propose allowing private non-profit clubs and organizations the ability to operate on parcels zoned P (public use) through the special exception process.

This change would bring parcels zoned P into line with the other residential, commercial, and mixed-use districts regarding the process and ability for private non-profit clubs and organizations to operate. It would enable non-profits that provide non-governmental services to use these spaces in the City of North Augusta.

Please begin the development code amendment process to allow the criteria and processes for granting these special exceptions. hanks!

V/R

Jim Clifford
City Administrator

City of North Augusta
100 Georgia Avenue
North Augusta, SC 29861-6400
jclifford@northaugustasc.gov
803.441.4202 - Office



Table 5.1. Use Matrix

P = Permitted Use C = Conditional Use S = Special Exception A = Permitted only as Accessory use A/C = Accessory use with Conditions Dashes (--) = Not Permitted	RESIDENTIAL				COMMERCIAL				Mixed Use			IND.	SPECIAL		
	Single-Family Large Lot	Single-Family Medium Lot	Small Lot Single-Family	Mixed Residential	Office Commercial	Neighborhood Commercial	General Commercial	Thoroughfare Commercial	Corridor Preservation Mixed-Use	Downtown Mixed-Use 1	Downtown Mixed-Use 2	Industrial	Critical Areas	Public Use	Manufactured Home
USES	R-14	R-10	R-7	R-5	OC	NC	GC	TC	CPMU	DT1	DT2	IND	CR	P	R-MH
Junk, Salvage, Scrap, or Wrecking Yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Recycling Processing Facility (5.5.30)	--	--	--	--	--	--	--	S	--	--	--	P	--	P	--
Refrigerated/Cold Storage	--	--	--	--	--	--	--	A	--	--	--	P	--	--	--
Warehouse and Distribution, General	--	--	--	--	--	--	--	P	--	--	--	P	--	--	--
Assembly, Recreation, and Entertainment Uses															
Adult Use	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--
Entertainment Establishment, Indoor	--	--	--	--	--	--	C/S	C/S	C/S	C/S	C/S	--	--	--	--
Entertainment Establishment, Outdoor (5.5.8)	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
Golf Course or Driving Range	--	--	--	--	--	--	P	P	--	--	--	--	--	P	--
Place of Assembly, Large (5.5.25)	--	--	--	--	A	--	C	C	C	C	--	C	--	--	--
Place of Assembly, Small (5.5.25)	P	P	P	P	P	P	P	P	P	P	--	P	A	--	P
Private Non-profit Clubs and Organizations	S	S	S	S	S	S	S	S	S	S	S	--	--	S	--
Recreation, Indoor (5.5.26)	--	--	--	--	A/C	A/C	P	P	P	P	P	--	--	P	--
Recreation, Outdoor (5.5.27)	--	--	--	--	--	--	C	C	--	--	--	--	--	C	--
Riding Academy/Stable, Commercial (5.5.31)	--	--	--	--	--	--	--	C	--	--	--	P	C	--	--
Sports Stadium, Arena, or Coliseum (5.5.33)	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--
Swimming Pool	P	P	P	P	A	--	A	P	--	A	--	--	--	--	P
Zoo, Botanical Garden, or Arboretum	--	--	--	--	--	--	P	P	--	--	--	P	--	--	--
Public, Institutional, Professional, and Community Uses															
Armory or Military Reserve	--	--	--	--	--	--	--	P	--	--	--	P	--	P	--
Cemetery	P	P	P	P	P	P	P	P	P	P	--	P	--	--	P
Child/Adult Care Center	--	--	--	--	A/C	C	C	C	--	C	--	A/C	--	--	--
College or University	--	--	--	--	P	P	P	P	P	P	P	--	--	P	--
Community Food Services	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--
Crematorium and Embalming	--	--	--	--	P	--	S	S	P	--	--	P	--	--	--
Fire, Public Safety and Emergency Services	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Funeral Home	--	--	--	--	P	P	P	P	P	P	--	--	--	--	--
Government Offices or other Governmental Civic Uses or Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Hospital or Sanitarium	--	--	--	--	P	--	P	P	P	--	--	--	--	--	--
Library	--	--	--	--	A	P	P	P	P	P	P	--	--	P	--



ORDINANCE NO. 2024-16
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 0.25 ACRES OF LAND
OWNED BRIGHAM LIMITED PARTNERSHIP, AIKEN COUNTY TAX PARCEL NO. 007-
16-04-002 FROM R-10, MEDIUM LOT, SINGLE-FAMILY RESIDENTIAL TO GC,
GENERAL COMMERCIAL

WHEREAS, on December 18, 2023, by Ordinance 2023-32, 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 2021 Comprehensive Plan; and

WHEREAS, the property owner, Brigham Limited Partnership has requested the property be rezoned from R-10, Medium Lot, Single-Family Residential to GC, General Commercial.

WHEREAS, the North Augusta Planning Commission, following a June 19, 2024 public hearing, reviewed and considered a request by Brigham Limited Partnership to amend the Official Zoning Map of North Augusta from R-10, Medium Lot, Single-Family Residential to GC, General Commercial for approximately ±0.25 acres consisting of Tax Parcel 007-16-04-002 and has issued their recommendation. The staff reports and the recommendation of the Planning Commission have 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 ±0.25 acres owned by Brigham Limited Partnership, is hereby rezoned from R-10, Medium Lot, Single-Family Residential to GC, General Commercial. Said property is Aiken County tax map parcel # 007-16-04-002 and specifically identified as 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 second and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF
JULY, 2024.

First Reading _____

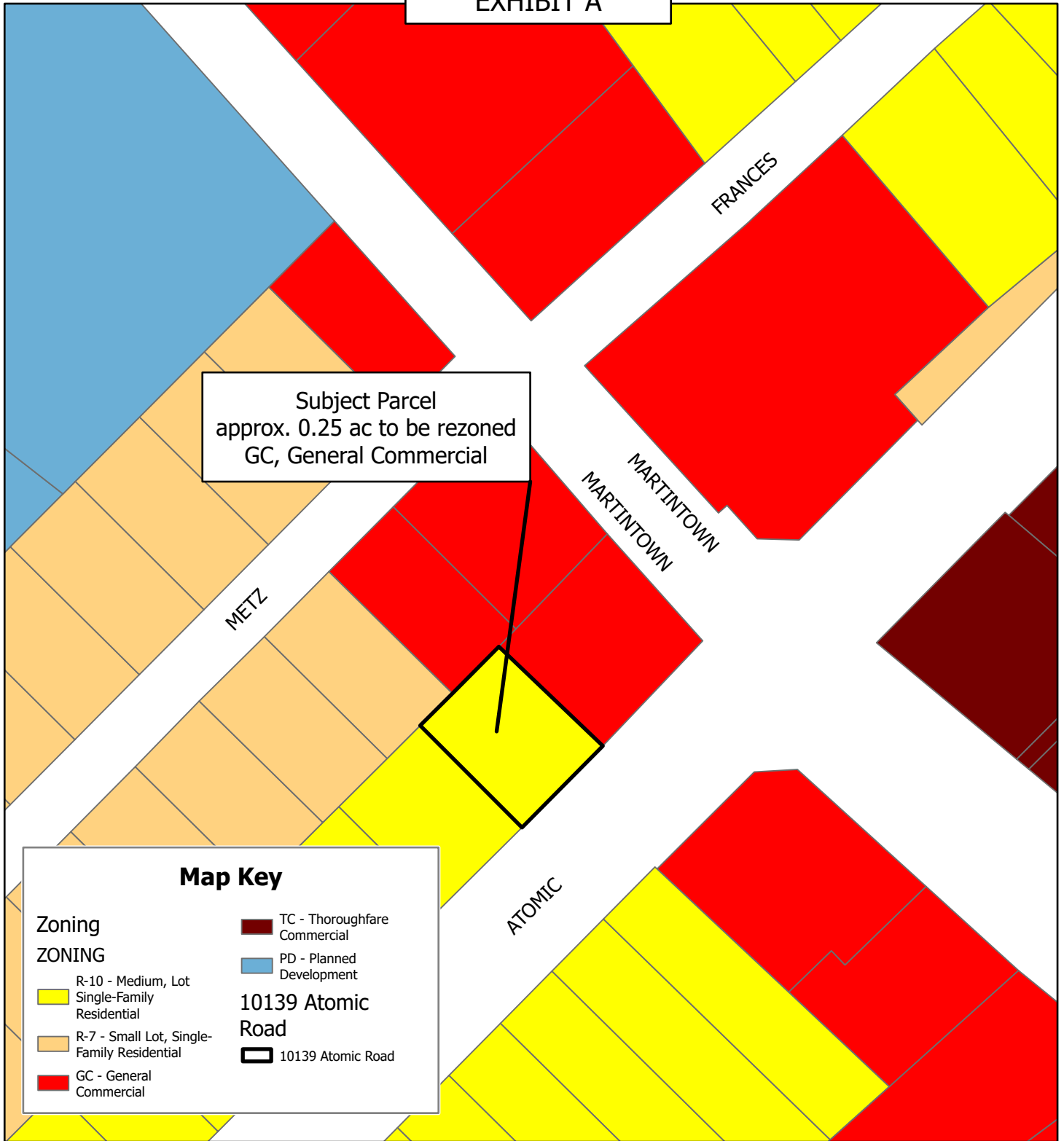
Briton S. Williams, Mayor

Second Reading _____

ATTEST:

Jamie Paul, City Clerk

EXHIBIT A



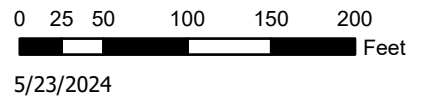
Subject Parcel
approx. 0.25 ac to be rezoned
GC, General Commercial

Map Key

Zoning	TC - Thoroughfare Commercial
ZONING	PD - Planned Development
R-10 - Medium, Lot Single-Family Residential	10139 Atomic Road
R-7 - Small Lot, Single-Family Residential	10139 Atomic Road
GC - General Commercial	



Exhibit A
Application Number RZM24-004
Tax Parcel Number
007-16-04-002



A request to rezone approx. 0.25 ac
from R-10, Medium Lot, Single-Family Residential to GC, General Commercial



Department of Planning and Development



Project Staff Report

RZM24-004 Take 5 Oil Change

Prepared by: Kuleigh Baker

Meeting Date: June 19, 2024

SECTION 1: PROJECT SUMMARY

Project Name	Take 5 Oil Change
Applicant	WSM Ventures, LLC
Address/Location	10139 Atomic Road
Parcel Number	007-16-04-002
Existing Zoning	R-10, Medium Lot, Single-Family Residential
Traffic Impact Tier	1
Proposed Use	Automobile service and repair
Proposed Zoning	GC, General Commercial
Future Land Use	Residential Single Family

SECTION 2: PLANNING COMMISSION CONSIDERATION

Section 18.11 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 18.11.5 to evaluate each application. These criteria are further analyzed in Section 6 of this report, but are as follows per NADC Section 18.11.5.1-10:

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 §1.3.
3. The relationship of the uses envisioned under the proposed zoning and the uses currently present in adjacent tracts. Specifically, the Planning Commission shall consider the following questions:

- a. Is the proposed rezoning compatible with the surrounding area?
 - b. Will there be any adverse effects on the capacity or safety of the portion of street network influenced by the proposed rezoning?
 - c. Will there be any adverse effects on existing or planned public utility services in the area?
 - d. Will the proposed rezoning cause parking problems?
 - e. Will the proposed rezoning generate environmental impacts 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. If the subject property is suitable for the uses to which it has been restricted under the existing zoning classification.
 7. If 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. If 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. If the existing zoning was in error at the time of adoption.

As referenced in item (2) above, NADC Section 1.3 states the following:

1.3. 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:

- 1.3.1 To protect the health, safety and general welfare; and
- 1.3.2 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. Protect and preserve places and areas of historical, cultural, or architectural importance and significance; and
- k. Are the result of a planning process that is inclusive and involves opportunities for negotiation between the designer and the City.

Planning Commission Action Requested:

The Planning Commission may recommend approval or denial of this request according to NADC § 18.11.4. The Planning Commission's recommendation is then forwarded to the City Council for their consideration per NADC § 18.11.4.1.

SECTION 3: PUBLIC NOTICE

Per NADC Article 18, a notice of the rezoning request and scheduled date of the Planning Commission public hearing was originally mailed to property owners within 200 feet of the subject property on May 24, 2024. The property was posted with the required public notice on May 29, 2024. A public notice of the rezoning request and scheduled date of the Planning Commission public hearing was published in *The Augusta Chronicle* and on the City's website at www.northaugustasc.gov on May 29, 2024.

SECTION 4: SITE HISTORY

The subject parcel is currently vacant. There was previously a package store on the adjacent corner lot that was demolished in 2013.

SECTION 5: EXISTING SITE CONDITIONS

	<u>Existing Land Use</u>	<u>Future Land Use</u>	<u>Zoning</u>
Subject Parcel	Vacant	Residential Single Family	R-10, Medium Lot, Single-Family Residential
North	Single-Family Residential	Residential Single Family	GC, General Commercial
South	Single-Family Residential	Residential Single Family	R-10, Medium Lot, Single-Family Residential
East	Vacant/Commercial	Mixed Use	GC, General Commercial/TC, Thoroughfare Commercial
West	Single-Family Residential	Residential Single Family	R-10, Medium Lot, Single-Family Residential/R-7, Small Lot, Single-Family Residential

Access – The property currently has road frontage along Atomic Road.

Topography – The subject property as previously graded and is relatively flat.

Utilities – Water and sanitary sewer are available.

Floodplain – The property is not located in a federally designated floodway.

Drainage Basin – The parcel is located in the Waterworks Basin. The Waterworks Basin is a large basin that incorporates stormwater from extensively developed residential neighborhoods and commercial businesses along Knox Avenue, Martintown Road, and Buena Vista Avenue. The basin enters the river through the River Golf Club. Basin sampling is good to fair; however, stream integrity in the basin is poor due to excessive flows. The City is working with developers to ensure new development creates solutions to solve existing deficiencies in detention.

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 (§18.11.5).

The total acreage of the requested rezoning is approximately 0.25 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 (§18.11.5.2).

The Comprehensive Plan Future Land Use Map shows this parcel as Residential Single Family; however, it is adjacent to areas indicated as Mixed Use on the map. The vision for Martintown Road listed in the Comprehensive Plan is to create new, mixed-use development along major corridors in place of failing or aging commercial areas while improving connectivity between mixed-use centers and surrounding neighborhoods with new side streets. The proposed development is relatively close to the Bluegrass Place Planned Development and will likely service residences in the area. Infill development supports Goal 5.2, Ensure the Financial Sustainability of North Augusta by encouraging compact growth to ensure North Augusta's tax base can support City services. Developing the City in areas already served by the City will maintain service costs.

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 NADC §18.11.5.3.

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

The surrounding area is an area of transition between the Martintown Road commercial corridor and the existing residential neighborhood known as Breckenridge Heights and Green Forest Acres.

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

Any negative effects on traffic flow will be mitigated prior to construction. Staff recognizes that there is potential to expand public transportation opportunities by improving an existing bus stop for the Best Friends Express with shelters, lighting, and trash receptacles at this intersection. Pedestrian connections

between new development and existing bus stops should be included with the site plan.

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

Any infrastructure improvements must be provided by the developer.

- d. Parking problems; or**

Parking will be required to meet City standards at the time of site plan approval. Any waivers or variances must be addressed by the Board of Zoning Appeals, as applicable. Due to the nature of the quick service oil change business, parking is primarily expected to serve employees.

- 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.**

Noise and lighting will be subject to the standards of the Development Code and Municipal Code, as applicable. There is an opportunity to plant street trees in existing rights of way where none currently exist in this area. Expansion of the tree canopy is possible on the vacant lot with the addition of parking lot landscaping and general site landscaping.

- 4. Any recent change of character in the area due to the installation of public facilities, other zone changes, new growth trends, deterioration, and development (§18.11.5.4).**

There have not been any recent changes to the character of the surrounding area. The area is prime for development as a major travel corridor between Aiken and Augusta along Atomic Road and towards the Hwy 1 interchange at the terminus of East Martintown Road.

- 5. The zoning districts and existing land uses of the surrounding properties (§18.11.5.5).**

Surrounding properties are zoned GC, General Commercial and R-10, Medium Lot, Single-Family Residential.

- 6. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification (§18.11.5.6).**

Should the property be rezoned, it requires a Special Exception to be granted by the Board of Zoning Appeals for the automobile service use.

7. Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character (§18.11.5.7).

While the proposed use is compatible with existing commercial uses along Martintown Road, the side and rear of the property abut an established neighborhood.

8. The length of time the subject property has remained vacant as zoned, if applicable (§18.11.5.8).

The current site is undeveloped and has been R-10, Medium Lot, Single-Family Residential since the adoption of the Official Zoning Map with the 2008 North Augusta Development Code. The property retained this zoning with the adoption of the 2023 North Augusta Development Code.

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 (§18.11.5.9).

There is an opportunity to develop affordable housing North of Metz Drive and along Barton Road. While rezoning from R-10, Medium Lot, Single-Family Residential to GC, General Commercial takes one lot from this stock, residential uses are allowed in the GC, General Commercial zoning district.

10. Whether the existing zoning was in error at the time of adoption (§18.11.5.10).

The subject parcel is in an area of transition between commercial and residential uses. It appears that the lot was intended to be used as a single-family residence in the Breckenridge Heights neighborhood and does not appear to have been an error at the time of adoption.

SECTION 7: RECOMMENDATION

The Department has determined the application is complete. Staff recommends that TPN 007-16-04-002 be rezoned from R-10, Medium Lot Single-Family Residential to GC, General Commercial.

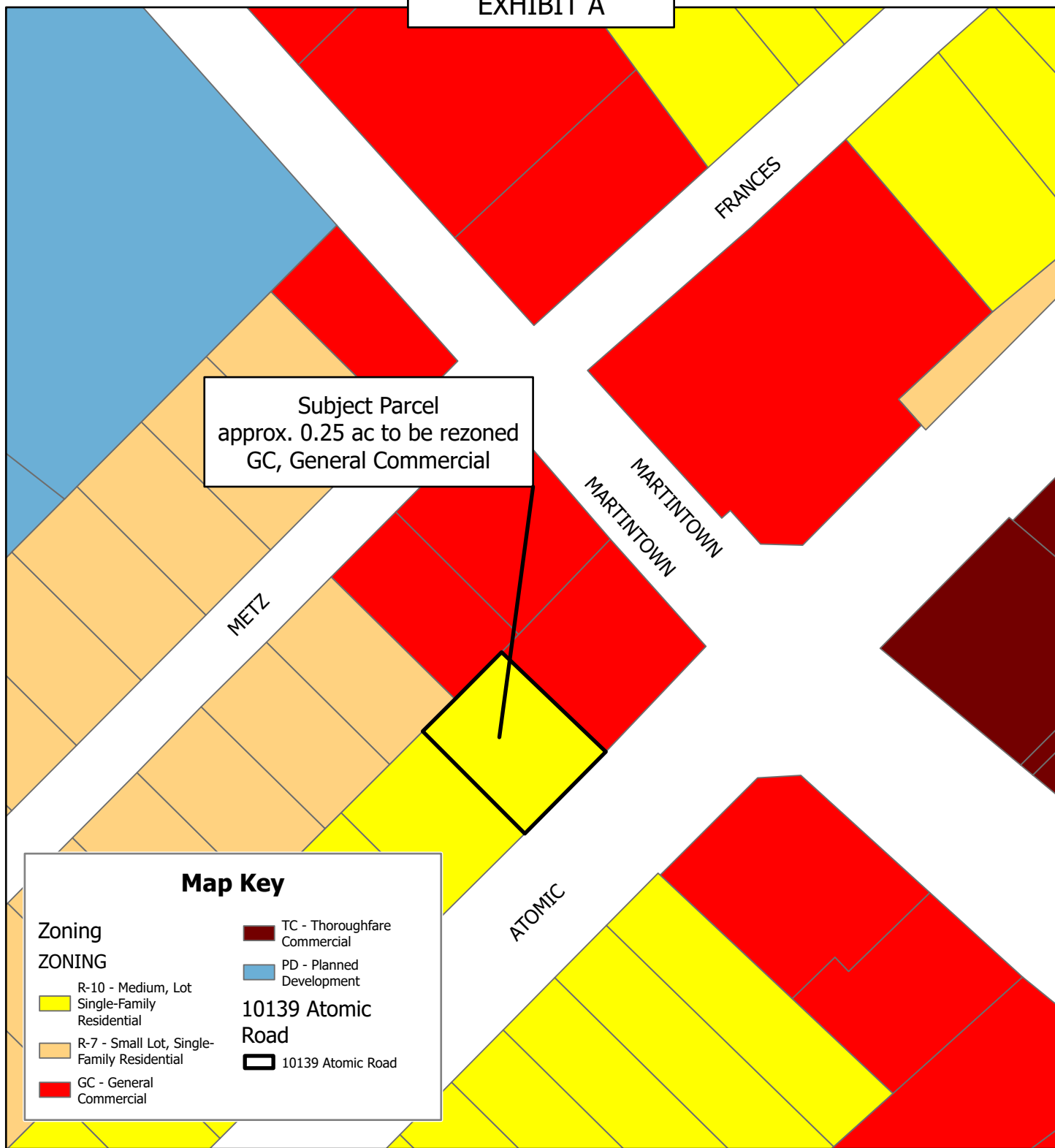
The Planning Commission may recommend approval or denial of this request according to NADC § 17.4.

SECTION 8: ATTACHMENTS

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

cc WSM Ventures, LLC, via email

EXHIBIT A



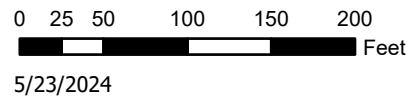
Subject Parcel
approx. 0.25 ac to be rezoned
GC, General Commercial

Map Key

Zoning	TC - Thoroughfare Commercial
ZONING	PD - Planned Development
R-10 - Medium, Lot Single-Family Residential	10139 Atomic Road
R-7 - Small Lot, Single-Family Residential	10139 Atomic Road
GC - General Commercial	



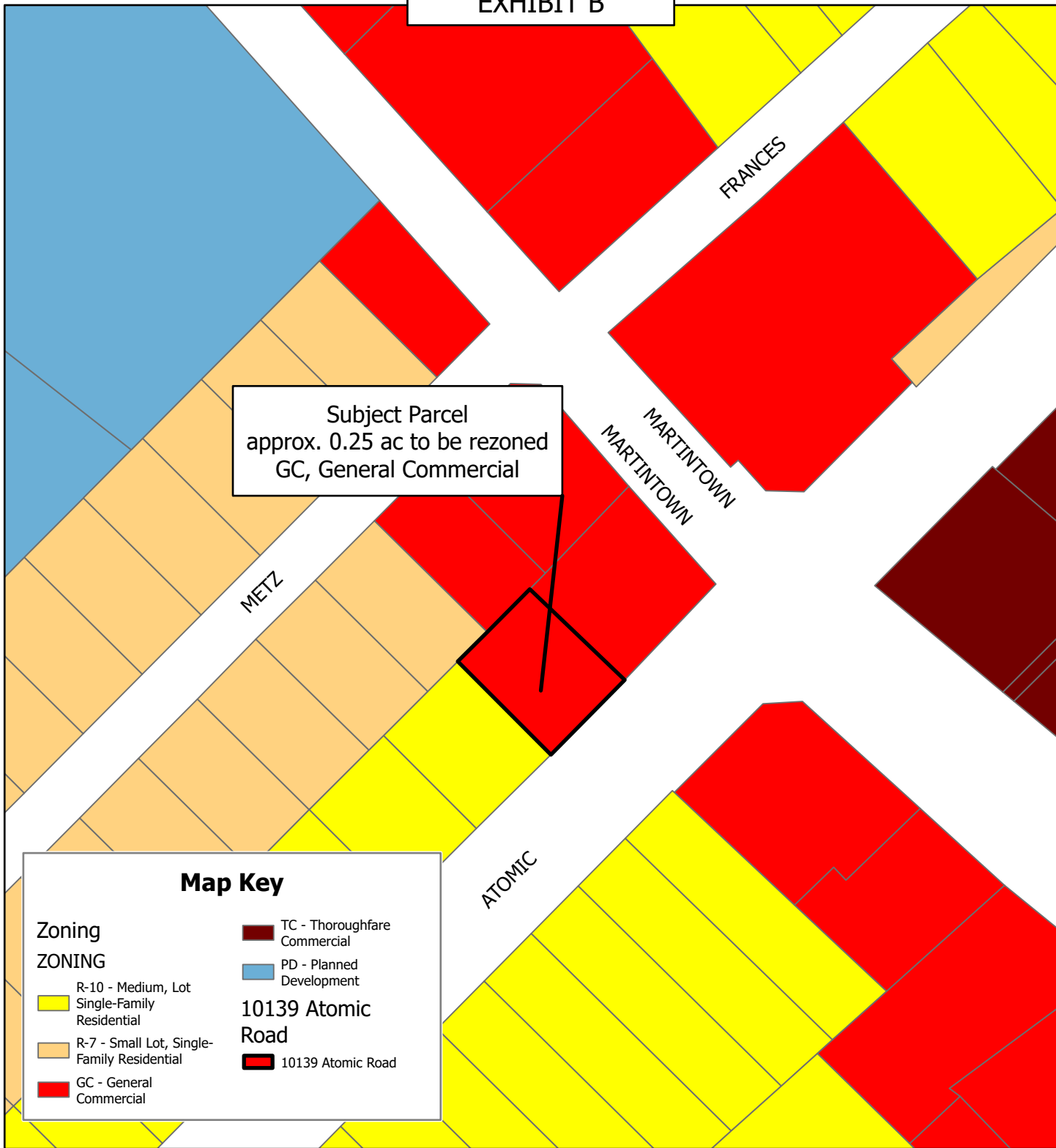
Exhibit A
Application Number RZM24-004
Tax Parcel Number
007-16-04-002



A request to rezone approx. 0.25 ac
from R-10, Medium Lot, Single-Family Residential to GC, General Commercial



EXHIBIT B



Subject Parcel
approx. 0.25 ac to be rezoned
GC, General Commercial

Map Key

Zoning

ZONING

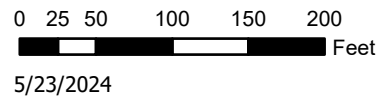
- R-10 - Medium, Lot Single-Family Residential
- R-7 - Small Lot, Single-Family Residential
- GC - General Commercial
- TC - Thoroughfare Commercial
- PD - Planned Development

10139 Atomic Road

- 10139 Atomic Road

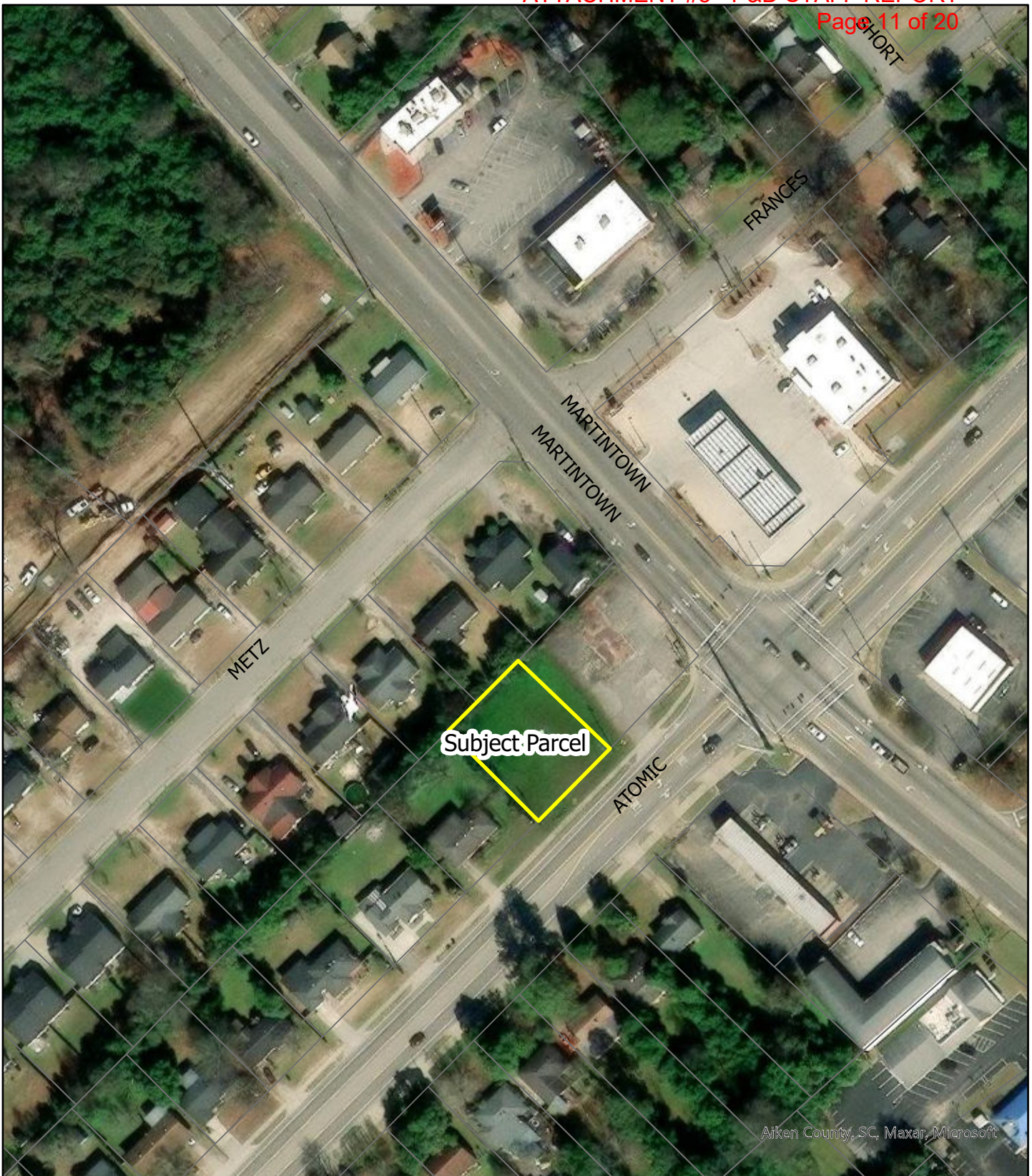


Exhibit B
Application Number RZM24-004
Tax Parcel Number
007-16-04-002



A request to rezone approx. 0.25 ac
from R-10, Medium Lot, Single-Family Residential to GC, General Commercial

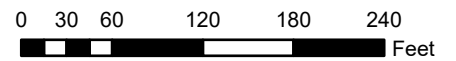




Aiken County, SC, Maxar, Microsoft

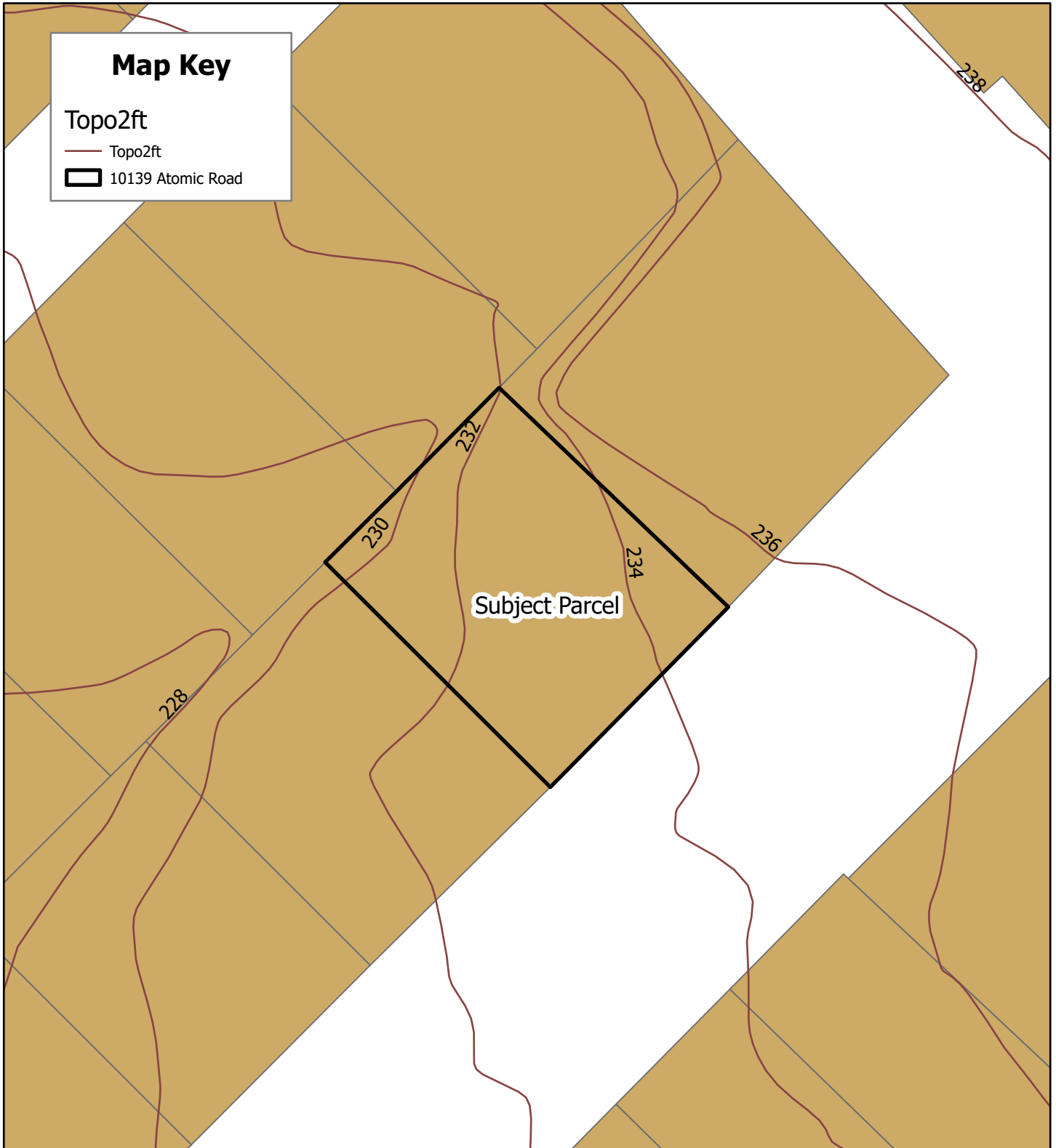


Aerial Map
 Application Number RZM24-004
 Tax Parcel Number
 007-16-04-002



5/16/2024 1:54 PM





Topography Map
Application Number RZM24-004
Tax Parcel Number
007-16-04-002

0 5 10 20 30 40
Feet
5/16/2024 1:54 PM



City of
North Augusta, South Carolina
Planning Commission

Public Hearing Notice

The North Augusta Planning Commission will hold its regular monthly meeting at 6:00 PM on Wednesday, June 19, 2024, in the Council Chambers located on the 3rd floor of the North Augusta Municipal Center, 100 Georgia Avenue, to receive public input on the following applications:

RZT24-002 – A request by the City of North Augusta to amend Table 5.1, Use Matrix of the North Augusta Development Code to permit private non-profit organizations to operate in the Public Use zoning district as a Special Exception.

RZM24-004 – A request by WSM Ventures, LLC to rezone approximately 0.25 acres located at 10139 Atomic Road, TPN 007-16-04-002, from R-10, Medium Lot Single-Family Residential to GC, General Commercial.

PD23-003 – A request by CSRA Development Company, LLC for approval of a Planned Development General Development Plan affecting ±70.82 acres located between Compassion Way and Old Plantation Road near I-20, Tax Map Parcel Number 001-19-02-005 zoned PD, Planned Development and a portion of Tax Parcel Number 002-08-01-002 zoned R-14, Large Lot, Single-Family Residential. The proposed project is a mixed-use development consisting of townhomes and commercial uses.

Documents related to the application will be available for public inspection after June 12, 2024 in the office of the Department of Planning and Development on the 2nd floor of the Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina and online at www.northaugustasc.gov. All members of the public interested in expressing a view on this case are encouraged to attend or provide written comments to planning@northaugustasc.gov.

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 _____

1. Project Name Take 5 Oil Change

Project Address/Location 10139 Atomic Rd

Total Project Acreage .25 acres Current Zoning R-10

Tax Parcel Number(s) 007-16-04-003

2. Applicant/Owner Name David Berry/WSM Ventures, LLC Applicant Phone 864-415-3613

Mailing Address 812 East Main St

City Spartanburg ST SC Zip 29302 Email david@take5ventures.com

3. Is there a Designated Agent for this project? Yes No
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)

4. Engineer/Architect/Surveyor Tilden Hilderbrand License No. S.C. 12286

Firm Name Haas and Hilderbrand Firm Phone 803-649-1316

Firm Mailing Address 133 Greenville St

City Aiken ST SC Zip 29801 Email tilden@hassandhilderbrand.com

Signature  Date 5/15/24

5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application.
(Check One) Yes No

6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.

7. 
Applicant or Designated Agent Signature

Date 5/16/24

David Berry

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 _____

- 1. Project Name WSM Ventures
- 2. Project Address/Location 532 E Martintown Rd and 10139 Atomic Rd
- 3. Project Parcel Number(s) 007-16-04-002 and 007-16-04-003
- 4. Property Owner Name Brigham Limited Partnership Owner Phone _____

Mailing Address 3450 Wheeler Rd, Suite 200
 City Augusta ST GA Zip 30909 Email leewbrigham@gmail.com

- 5. Designated Agent WSM Ventures, LLC C/O David Berry
- Relationship to Owner Contract Purchaser
- Firm Name WSM Ventures Phone 864-415-3613

- 6. Agent's Mailing Address 812 East Main St
City Spartanburg ST SC Zip 29302 Email david@take5ventures.com

- 7. Agent's Signature David Berry Date 5/9/2024

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

[Signature] _____ Date 5/13/2024
 Owner Signature Date

- 9. Sworn and subscribed to before me on this 13th day of May, 2024.

Notary [Signature]
 Commission Expiration Date 10/17/27



PROJECT SUMMARY

WSM Ventures, LLC

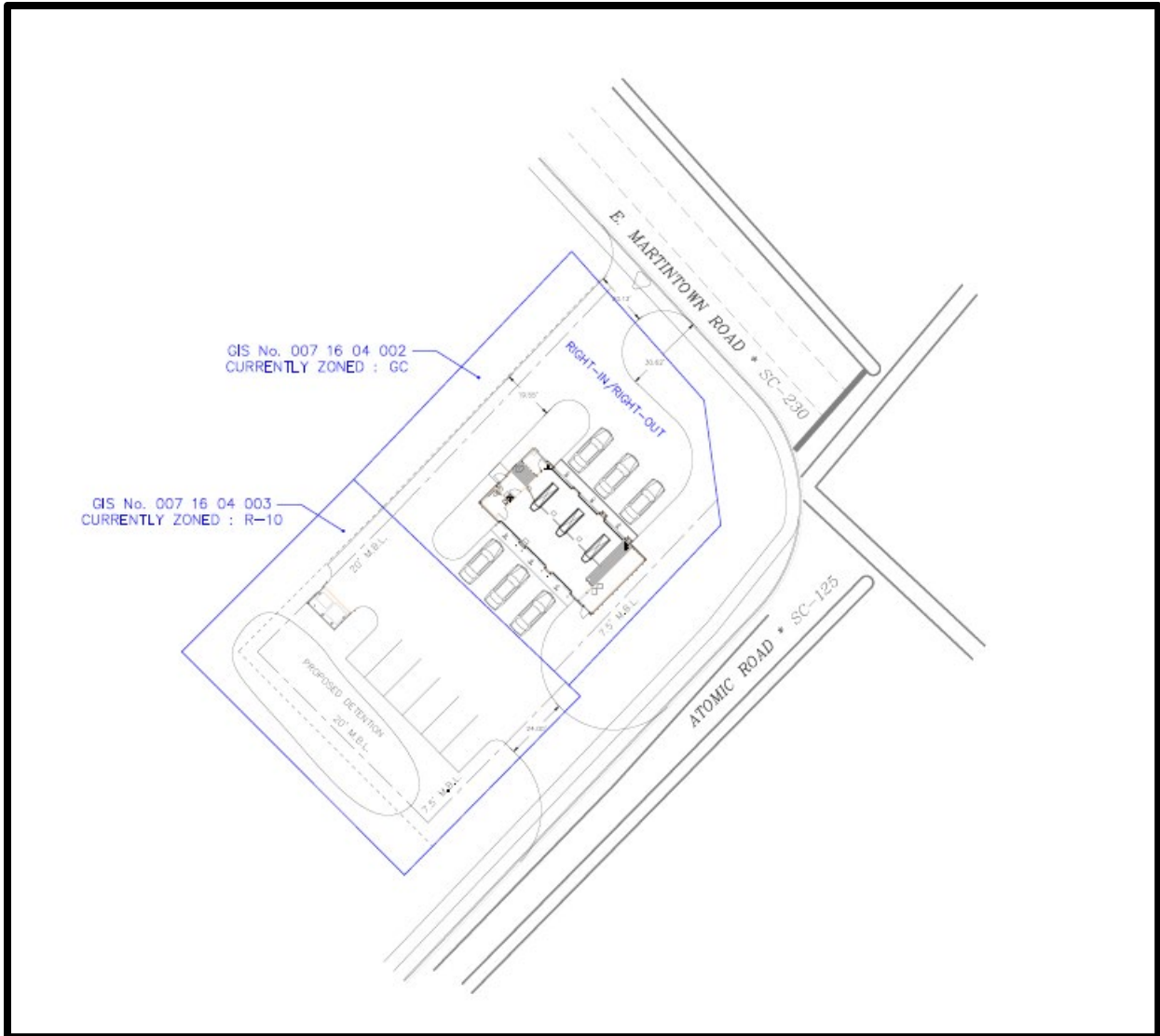
Proposed Project: Take 5 Oil Change

Tax Parcel(s) 007-16-04-003

10139 Atomic Rd

WSM Ventures is seeking approval to rezone the proposed parcel from its current R-10 (Single Family Medium Lot Residential) zoning to GC (General Commercial) for the development of a Take 5 Oil Change across this parcel and the adjacent parcel 007-16-04-002 that is under contract for purchase. The rezoning would be contingent upon also obtaining approval from the Board of Zoning Appeals for a Special Exception to allow Motor Vehicle Repair and Service use on the property. The applicant plans to submit for BZA by the July 8 application due date.

Preliminary Site Layout



Building Example



PROPOSED EASEMENT
FOR S.C. ELECTRIC & GAS
CO. AS SHOWN ON DRAWING
ING # CP-29851 SHEET
4 (DEED BOOK #958
PAGE 300

MAG. NORTH

BLOCK "M" GREEN ACRES S/D
(MISC. BOOK 34, PAGE 296)
N 43° 56' 43" E 126.21'

BRECKENRIDGE HEIGHTS
(MISC. BOOK 47, PAGE 50)
N 43° 30' 14" E 94.0'

ATOMIC ROAD 100' R/W
(S.C. HWY. 125)
S 46° 21' E 117.34'

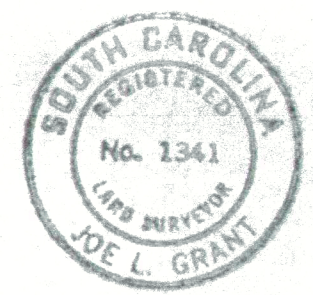
MARTINTOWN ROAD
(S.C. HWY. 230)

In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of the law.

Joe L. Grant

I certify that this property is not located in a flood hazard area as determined by the Official F. I. A. Flood Hazard Map in effect at this time.

Joe L. Grant



PLAT
made for

WILLIAM B. BRIGHAM

LOCATED IN THE CITY OF NORTH AUGUSTA

AIKEN COUNTY

SOUTH CAROLINA

SCALE: 1" = 30'

SEPT. 7, 1988

JOE L. GRANT
S. C. R. L. S.

ATTACHMENT #8 - P&D STAFF REPORT
Page 19 of 20

Building Example



RESOLUTION NO. 2024-27
AUTHORIZING THE CITY OF NORTH AUGUSTA TO ENTER INTO A CONTRACT WITH
KENRICK CONSTRUCTION FOR CONSTRUCTION OF THE REGIONAL SOLID WASTE
TRANSFER STATION

WHEREAS, in August 2020, the State of South Carolina received a \$600 million settlement as result of litigation against the U.S. Department of Energy related to plutonium located at the Savannah River Site (SRS); and

WHEREAS, in July 2022, the State FY 2022-23 Appropriations Act, proviso 118.19 (72) appropriated a portion of the litigation settlement funds to the City of North Augusta for, among other projects, \$2,000,000 for a Regional Solid Waste Transfer Station; and

WHEREAS, City Council passed Resolution 2022-55 which formally acknowledged this and other City projects selected for funding and designated allocations to be held in Fund 36 until expenditures were made in accordance with Council approval; and

WHEREAS, in February 2023, the City was advised that Aiken County would disperse project funding only upon receipt and approval of a “Draw Request” as cash advance or reimbursement; and

WHEREAS, in May 2023, the City submitted a “Draw Request” for a cash advance for \$199,650 to Aiken County to cover the full costs of contracting with Davis & Floyd; and

WHEREAS, funds totaling \$1,800,350 remain to be drawn for the project; and

WHEREAS, the City in accordance with its procurement code, sought bids to construct the Regional Transfer Station; and

WHEREAS, the lowest complying bid received for the work identified was by Kenrick Construction Company, with a total bid of \$1,647,480.78; and

WHEREAS, the City in following established practices, has established a contingency for this project, such contingency being in the amount of \$152,869.22, to cover cost associated with utility line relocates, land clearing, and construction expenses; and

WHEREAS, the City will submit “Draw Requests” totaling \$1,800,350 to Aiken County to complete this project, and

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

1. A contract shall be awarded to Kenrick Construction Company for construction of the Regional Solid Waste Transfer Station.
2. The City Administrator is authorized to execute such documents as necessary to enter into the contract.
3. Contract costs shall not exceed \$1,800,350 from Fund 36 - Savannah River Settlement Appropriations Act.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2024.

Briton S. Williams, Mayor

ATTEST:



Jamie Paul, City Clerk

Bid Tabulation for North Augusta Transfer Station
2:00 PM
Tuesday
June 25, 2024
61 Clay Pitt Rd., North Augusta, SC

DAVIS & FLOYD
SINCE 1894

Engineer: **DAVIS & FLOYD**
Engineer Project No. 14130.00

GENERAL CONTRACTOR	CONTRACTOR LICENSE	BID BOND	ADDITIONAL FR. ACKNOWLEDGED	Base Bid	Alternates 1A@	TOTAL BID
1						
2	Gilliam & Associates	✓	✓	1,289,000	717,000	\$ 2,159,000.00
3					153,000	
4						
5						
6						
7	KENRICK'S CONST CO.	✓	✓	1,292,514.26	88,633.19	\$ 1,647,480.78
8					266,333.33	
9						
10						
11						
12	Kuhlike Constructors	✓	✓	1,800,000	205,000	
13					249,000	
14						
15						\$ 2,254,000
16						
17						

Bids Opened by:  Thomas G. Johnson
 Bids Witnessed by:  James E. Safflow
 Date: 6/25/24 June 25, 2024
 Date: 6/25/24 June 25, 2024

RESOLUTION NO. 2024-28
AUTHORIZING THE CITY OF NORTH AUGUSTA TO ENTER INTO A CONTRACT WITH
TKE FOR RIVERVIEW PARK ELEVATOR MODERNIZATION

WHEREAS, the Parks & Recreation Department identified the need for modernization of the Riverview Park Activities Center Elevator;

WHEREAS, the City in accordance with its procurement code, is authorized to conduct purchases through cooperative purchasing agreements, to include Sourcewell; and

WHEREAS, the Department obtained price quotes from two elevator contractors who are registered vendors of the cooperative purchasing agreement and leaders in their industry; and

WHEREAS, after much consideration, TKE has been selected as the vendor to perform the work based on the current number of TKE elevators currently in City of North Augusta facilities, quicker project completion timeframe, and detailed proposal; and

WHEREAS, the Department and City Administration believes it to be in the best interest of the City from a maintenance, safety, customer experience, and financial perspective to modernize the Riverview Park Activities Center Elevator.

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

1. A contract shall be awarded to TKE for the modernization of the Riverview Park Activities Center Elevator, using the cooperative purchasing program Sourcewell, Contract Number: 071619-MSL.
2. The project shall be funded out of the Capital Projects Fund 18-4330-385 in an amount not to exceed \$170,000.
3. The City Administrator is authorized to execute such documents as necessary to enter into the contract.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF JULY, 2024.

Briton S. Williams, Mayor

ATTEST:

Jamie Paul, City Clerk

From: [Williams, Briton](#)
To: [Paul, Jamie](#)
Subject: FW: Good morning sir
Date: Friday, July 12, 2024 8:11:26 AM

Briton S. Williams
Mayor North Augusta SC
bwilliams@northaugustasc.gov

***Please update my email address to reflect the change to .gov (bwilliams@northaugustasc.gov)**

From:
Sent: Friday, June 28, 2024 11:00 AM
To: Williams, Briton <BWilliams@northaugustasc.gov>
Subject: Good morning sir

. I am writing to you in reference to the heroism showed by police officer Scott “Bernie” Bernardini. My wife passed away . Bernie was one of the responders, along with PSO Dabbs. Words can’t describe what a positive impact Bernie had on me and my family. Obviously it was the worst time in someone’s life that you could have when someone passes away. He talked to me and calmed me down. He offered and did talk to my 3 young ladies . He helped us tremendously get through the day. He offered to stay with me and the ladies until the end. He also offered his assistance in the future if we need to talk. I know the police don’t get hardly any credit or positive remarks, but Bernie is a guiding light on your team. He deserves to be recognized and I would love to do that somehow. What can I do for him? Please let me know if you have any suggestions. This man has impacted my life forever. He even showed up at our funeral service. This man is a true hero. You are so lucky to have him on your team.

Thank you for your hard work and dedication.