

CITY COUNCIL
STUDY SESSION AGENDA
OF
DECEMBER 7, 2015



North
Augusta

South Carolina's
Riverfront

Administration Department



Interoffice Memorandum

TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: December 4, 2015

SUBJECT: Study Session Date of Monday, December 7, 2015

A study session of the North Augusta City Council has been scheduled for **Monday, December 7, 2015, at 6:15 p.m.** in the Municipal Center 3rd Floor Council Conference Room/Council Chambers located at 100 Georgia Avenue.

The following are among the topics for discussion and review:

ITEM 1. CITY COUNCIL AGENDA: Items on the December 7, 2015 Council Agenda – Council Discussion

At this time, any questions related to the agenda scheduled for tonight's meeting may be discussed.

ITEM 2. ECONOMIC DEVELOPMENT: North Augusta FORWARD – Downtown Economic Revitalization

North Augusta FORWARD (formerly NA 2000) requested time on the study session agenda to update Mayor and City Council on their efforts toward economic revitalization of the Downtown as those efforts relate to the Downtown Greenway Connector and the Georgia Avenue Overlay District.

Please see **ATTACHMENT #2** for a letter from Charles Martin, as Chair of North Augusta FORWARD, detailing their interests and concerns.

ITEM 3. LEGAL: Executive Session – Request of the City Administrator

In compliance with Section 30-4-70 (a) (2) and (5) the City Administrator has requested an executive session for the purpose of:

(2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

Discussion of Project Jackson's Master Development Agreement

ITEM 4. LEGAL: Executive Session – Request of the City Administrator

In compliance with Section 30-4-70 (a) (5) the City Administrator has requested an executive session for the purpose of:

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

Discussion of recruitment of Project Cross Country

ITEM 5. LEGAL: Executive Session – Request of the City Attorney

In compliance with Section 30-4-70 (a) (2) the City Attorney has requested an executive session for the purpose of:

(2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

Such litigation involving Alpha Boring Company, Inc.

ATTACHMENT 2

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Continuing the Vision
of North Augusta 2000

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Mayor and City Council:

I am here today as Chair of North Augusta FORWARD. One of the major initiatives of North Augusta FORWARD is the economic revitalization of our Downtown – the Heart of North Augusta. Our goal is to brand the Downtown as a destination – a happening place. We seek partnerships with the property and business owners of our Downtown and with the City government. We want to combine our strengths to accomplish this task. We are asking City Council, as a partner with North Augusta FORWARD, to do three things:

1. Adopt the Downtown Greenway Connector as a prioritized and funded tool for the economic revitalization of our downtown. This would be demonstrated by the review and subsequent adoption of the Alta Planning + Design study as a blueprint for its ultimate funding and construction.
2. Initialize a text amendment to the City's Development Code and more specifically the Georgia Avenue Overlay District that would change the current **requirements to guidelines** for development within the district while facilitating staff's ability to work with prospective developers and produce the best project for any given site.
3. Adopt a temporary ordinance allowing the City's staff to wave certain requirements within the Georgia Avenue Overlay District as a temporary solution until the text change in item #2 above can be implemented.

DISCUSSION: You are familiar with North Augusta FORWARD's efforts to extend the Greenway into the Downtown as a tool for the economic revitalization of our Downtown. City Council and the Planning Commission both offered support for this project. City Council adopted a resolution in support of North Augusta FORWARD contracting with Alta Planning + Design for a feasibility study at a cost of over \$20,000. The study is now complete. The study has been shared with City staff and adequate time for thought and input has been provided. We respectfully ask permission to present it to City Council for consideration and ultimate adoption.

As we think through the process of accomplishing this project, we remind ourselves that, in addition to partnering with the City, we must also partner with the adjoining property and business owners. We must be able to let them know that if they join us in extending and developing the Greenway, they will be able to develop their properties in such a way as to take advantage of the benefits the Downtown Greenway Connector (DGC) presents. In fact, this is the very purpose of the DGC – **Economic Revitalization of the Downtown**. Right now we would be hard pressed to assure the property owners

of this. In many cases the current development codes will be a major obstacle for the successful revitalization of properties adjoining the Downtown Greenway Connector and its targeted economic revitalization of our Downtown.

Let's look at the history of our Downtown. There are studies going back to at least 1973, addressing North Augusta's Downtown – always asking the question “What can we do to improve Downtown?” They address store fronts, parking, traffic flows, on street, off street and back door parking, and streetscapes. Although the approaches may vary, there is very little that is different from one study to the next.

City Council, the Planning Commission and the City's staff have worked as a team over the years with many accomplishments to show for the teamwork. The City has invested a lot of time and money seeking a more attractive Downtown and in large part has been successful – that is, in making Downtown look better. Economically, what can we show for these efforts? Very Little.

There is a lesson to be learned and it is currently staring us in the face. **“Most if not everything we have done to reinvigorate the Downtown – the Heart of North Augusta – has not succeeded.”** We have made it look better – but with one exception have failed to meet our economic revitalization goals. The exception is Jackson Square. We will come back to Jackson Square.

Let's talk more specifically about the Georgia Avenue Overlay District. In 2002, City Council, with the full support and encouragement of the Planning Commission and City staff, adopted the Georgia Avenue Façade Grant Program with funding at \$60,000. The program provided economic incentives of between \$1,500 and \$2,500 for property/business owners willing to upgrade their building facades in accordance with a set of guidelines. We had one business owner to take advantage of the program. Otherwise, the façade program was ineffectual. The guidelines were extremely detailed and stringent. The monetary incentives were woefully inadequate in justifying the expenses, time and efforts of meeting those strict guidelines. In hindsight, I think we can agree that the Façade Grant Program was a failure.

A funny thing happened on our way toward the goal of revitalizing our Downtown. We took these voluntary guidelines with financial incentives from the Façade Grant Program and made them **mandatory standards** without financial incentives. In 2007, the Georgia Avenue Overlay District was adopted and the voluntary guidelines were now literally almost word for word duplicated and made mandatory. We even expanded the length of Georgia Avenue covered, extending from Buena Vista to Clifton.

We look around the Downtown area and specifically Georgia Avenue from Spring Grove to Clifton and see virtually no change since the 2007 adoption of the Georgia Avenue Overlay District. We have seen a few downtown businesses come and go, some good and some not so good. We may have a few more pay day lender types, **but no real change to the buildings or the “look” on Georgia Avenue.**

Some of you might want to stop right here and ask “What about Jackson Square?” We briefly mentioned Jackson Square above and suggested we would come back to it.

Jackson Square could arguably be classified as the most successful commercial project in Downtown North Augusta ever, definitely in the almost 36 years of which I have firsthand knowledge. To recognize this and to put this in perspective of North Augusta's history is somewhat thought provoking. But even more interesting is how Jackson Square came about and how it was handled by the City.

Remember the Façade Grant Program and the voluntary set of stringent guidelines. It was for 2 years, ineffectual and ended in 2004 with dollars left over. We had a really neat set of voluntary guidelines for property improvements, but few takers.

The current Georgia Avenue Overlay District was adopted in late 2007. Those guidelines from the voluntary Façade Grant Program were now mandatory standards. We now had a neat set of mandatory standards but 8 years later – still no takers. **This amounts to at least 13 years (2002 to the present) of unsuccessfully trying the same thing.**

But Jackson Square was permitted in 2006, in between the end of the Façade Grants and before the Georgia Avenue Overlay District. There were no incentivized voluntary guidelines and no mandatory standards. What we did have were those same guidelines – not incentivized and not mandatory, but simply tools in the tool box of the City's staff to be used in discussions with developers desiring a quality product - one that was economically feasible for the developer and aesthetically pleasing to the City. And that was how they were used – City staff in partnership with the developer. A private public partnership was formed. **This is the formula for successful economic revitalization of our Downtown – the Heart of North Augusta.**

Not every project in our Downtown will be like Jackson Square. Some projects will be retrofits, some will be new builds. Some will be a combination of retrofit and new build. Some will be dictated by specific needs of the tenants. Some will be able to meet the end results envisioned by both the 2002 Façade Grant Program and the Georgia Avenue Overlay District. Some will fall short for various reasons. Each will have its challenges, obstacles and even naysayers. This is real world development.

Let me state again, what we have in place now and how it is being applied is not and cannot work. History has shown us this.

On behalf of North Augusta FORWARD, we urge City Council and the Planning Commission to take immediate steps to either (1) suspend the Downtown Georgia Avenue Overlay District standards, or (2) pass a text amendment to the Development Code that converts the mandatory standards to guidelines and facilitates the City staff's ability to work with developers helping and encouraging them where possible to meet those guidelines while at the same time striving toward the goal of Downtown Economic Revitalization.

Some will immediately argue that we should wait for the new comprehensive plan now underway. On the surface this may seem logical and rational, but a higher logic tells us that if we have a problem affecting us now, address it now – not wait for an outside recommendation that may be 6, 9, 12 months or more before final adoption. Just think about the possibilities that may be missed in those 12 or more months. In addition, you can expect the comp plan to come up with new ideas and pictures showing

how to make Georgia Avenue prettier with new ways to slow or alter traffic and parking. If their final recommendations are anything like what was discussed and shown during the recent public meetings, they will be simply doubling down on our past mistakes.

As it currently stands, the Georgia Avenue Overlay District is standing in the way of successful revitalization of our Downtown. We are not saying the goal of the district is wrong. But, we are saying **the code requirements of the district, as they are being applied, are unnecessarily blocking progress.**

Economic Development is always driven first by private enterprise and good old fashioned American capitalism. A project may be initiated by the public sector, but if it does not make economic sense, the private sector will not be on board with their investment and strength. Most projects both start and end with the private sector.

There are currently three (3) active projects in the downtown that, if fully developed, will have a major impact on the economic health of our downtown. They are the former Ming Yat building, the former Marrh Theater and the former Star Property. We cannot afford to lose any of the three. There are other property /business owners watching and waiting. New small investors and new small businesses are also in the wings. These are not Large Development Companies; they are small business/property owners that need a reasonable redevelopment path that does not impose cumbersome and unnecessary costs on them as they attempt to improve their structures and ultimately our Downtown.

We cannot know the ultimate look, the businesses, or the entertainment venues that will eventually occupy Georgia Avenue from Spring Grove to Clifton. However, if current business trends continue throughout America and throughout our region, we do not envision 3 solid blocks of retail store fronts lining Georgia Avenue. We see, however, some retail mixed with restaurants, professional offices, health and service providers, recreation and entertainment along with residential. The current development code for the Georgia Overlay District prescribes a set of standards that are singularly focused on a Retail look. The code is simply not flexible enough to consider other types of business uses. The approval process does not allow City staff, or anyone for that matter, to work with a developer and allow exceptions that make sense for a given project.

Guidelines for development must be flexible and application of those guidelines must be with an attitude of "How can we help you with your project?" and "How can we get the best project for the site that works for the developer and the City?", not "If you are unwilling to do it our way as prescribed in the code, we do not need nor want you."

Until there is a reason for investing in downtown, the presence of people and activity, there will be no investments. Until the development requirements are more reasonable there will be no people or activity, thus no investment.

Summary: In the interest of the economic revitalization of our Downtown we are urging City Council to:

1. Adopt the Downtown Greenway Connector as a prioritized and funded project.
2. Change the Georgia Avenue Overlay District through a text amendment establishing guidelines for development and facilitating the staff's ability to work with developers for projects that make both economic sense for the developer and aesthetic sense for the City.
3. Adopt an interim ordinance to accomplish the goals of item #2 above until the text change can be accomplished.

Again, North Augusta FORWARD is here to help and to assist the City and the property/business owners in making our Downtown – the Heart of North Augusta a destination and a happening place. If the City Council and the Planning Commission are willing to expeditiously amend the Georgia Avenue Overlay District, North Augusta FORWARD is here to help.

Respectfully Submitted:



Charles B. Martin, Chair
North Augusta FORWARD

