

CITY COUNCIL
STUDY SESSION AGENDA
OF
MAY 15, 2017



North
Augusta

South Carolina's
Riverfront

Administration Department



Interoffice Memorandum

TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: May 12, 2017

SUBJECT: Study Session Date of Monday, May 15, 2016

A study session of the North Augusta City Council has been scheduled for **Monday, May 15, 2017, at 6:00 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 May 15, 2017 Council Agenda – Council Discussion

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

ITEM 2. ZONING: Request from Antonio Grant

Antonio Grant will be present Monday night to address Mayor and Council to obtain permission to use City parking spaces in Summerfield Park and a portion of the City property to meet outdoor requirements for daycare operations.

Please see **SS ATTACHMENT NO. 2** for additional information.

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 contractual arrangements related to Project Jackson

ACTION MAY BE TAKEN ON THIS ITEM AT THE REGULAR CITY COUNCIL MEETING.

Martin, Charles

From: Martin, Charles
Sent: Tuesday, May 02, 2017 12:11 PM
To: Young, Donna
Subject: FW: Antonio Grant / Use of Old District School Building @ Summerfield Park
Attachments: Summerfield Park - Antonio Grant.pdf

Here is the Antonio Grant email to Todd. I have sense b een corrected on the square footage of the building. It is 2,300 sq. ft. instead of 4,200 sq. ft. which changes the parking requirements to 9-10 spaces instead of 17.

He has also changed his desired use of the property somewhat, but I am unclear on that.

Too much Information?

Charles B. Martin
Interim Director of Planning & Development
(803) 441-4225
cmartin@northaugusta.net

From: Martin, Charles
Sent: Tuesday, January 31, 2017 8:48 AM
To: Glover, Todd
Cc: Zier, Kelly; 'cpb963@comcast.net'
Subject: Antonio Grant / Use of Old District School Building @ Summerfield Park

Todd,

In 1995 the City purchased Summerfield Park from the Aiken County School System. As a part of that transaction, the School System retained the building that at the time was being used as the Area 2 offices. They also retained rights of ingress and egress and use of "substantially equivalent parking" (about 5 spaces). The City went on to fully develop Summerfield park and the school system continued to use the building and parking until they eventually closed the building. The building then remained vacant for a number of years. The City's property totally surrounds the building.

Recently, Antonio Grant purchased the building. On December 6, 2016, Mr. Grant approached the City's Planning and Community Development Department requesting a "Certificate of Zoning Compliance" to use the building for both day care and event purposes in the name of DRILL Team CSRA, a non-profit organization. DRILL stands for Developing Responsible Intellectuals Loving Life. The department was unable to approve the request due to the property being zoned "P"- Public. In order for the building to be used for day care and/or event activities, a rezoning to "NC" – Neighborhood Commercial would be required. However, even if rezoned, the day care and event activities could not be approved due to a lack of parking required by the City for either activity and a lack of sufficient outdoor space as required by state regulations for day care.

Parking requirements for the day care activities is a minimum of 2 spaces + 1 space per 6 children. With a maximum of 30 children the requirement would be 7 with only 5 available.

Parking requirements for the event activities is a minimum of 1 space per 250 sq. ft.. The building is 4,200 sq. ft. thus a requirement of 16.8 or 17 parking spaces with only 5 available.

The only way around Mr. Grants dilemma is for him to obtain 3 things from the City:

First, he would need to obtain formal permission from the City to use City parking spaces in Summerfield Park for his intended Day Care and Event activities.

Second, he would need formal permission to use a portion of the City's property to meet outdoor requirements of the state for day care operations.

Third, he would need a rezoning to NC, Neighborhood Commercial. Both the parking and the use of outdoor space need to be addressed prior to the rezoning request.

The purpose of this memo is to address these issues prior to Mr. Grant's application for rezoning. We are not advocating for or against Mr. Grant's requests. However, it would seem to be somewhat unfair to require Mr. Grant to go through the process of rezoning with the Planning Commission and City Council without resolving the parking and outdoor space needs first. In fact, without these agreements in place the Planning Commission would have a difficult time justifying a rezoning. Kelly Zier would have to advise as to the proper vehicles for the parking agreement and the use of outdoor space, but I assume City Council would need to take formal actions.

I have attached copies of several documents:

- Requests for Certificate of Zoning Compliance
- Map showing the building and its relationship to Summerfield Park
- Copy of the 1995 deed showing transfer of the Summerfield Park property from the Aiken County School System to the City of North Augusta

Please advise as to how you wish to proceed with this matter.

(803) 441-4225

cmartin@northaugusta.net

Certificate of Zoning Compliance

§§5.2.3, B.2.1, North Augusta Development Code



CHECK ONE

Home Occupation
 New Business
 Relocation
 Ownership Change

PLEASE PRINT ALL REQUESTED INFORMATION. CZC # _____

Business Name D.R.I.L.L. Team CSRA
 Business Address/Zip 738 Old edgefield rd. N.A.S.C. 29841
 Business Owner Name Antonio Grant Contact Phone 803-292-9001
 Business Owner Address/Zip 931 Todd ave N. Augusta, S.C. 29841
 Owner Email Antoniogrant81@hotmail.com
 Describe the proposed business, including products/services to be provided Event planning
weddings, meetings, Family gatherings
 Number of employees including yourself 4-5 Number of off-street parking spaces on-site _____
 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? yes no
 Signature Antonio Grant Title _____
 Print Name Antonio Grant Date 12-6-16

NOTE

1. A Certificate of Zoning Compliance is not an approval for occupancy.
2. A new business, a home occupation, or a business that is relocating or changing owners may need one or more additional approvals before a business license can be issued. Additional approvals may include Site Plan Approval, Conditional Use Permit, Building Permit and/or Certificate of Occupancy.
3. Approved home occupations must comply with the City's Home Occupation Regulations.
4. Site modifications, including grading, parking, lighting, landscaping, etc., will require site plan approval.
5. Building modifications, including electrical, mechanical, plumbing, new walls, demolition, etc., will require a building permit.
6. A separate zoning review is required for all proposed wall and/or exterior signs.

PLEASE CHECK WITH THE CITY BEFORE BEGINNING ANY SITE, BUILDING OR SIGN WORK.

.....
(OFFICE USE ONLY)

Property tax parcel number _____ Current zoning _____
 Use Matrix reference _____ NAICS reference _____

| <u>Additional Requirements:</u> | <u>Required?</u> | <u>Contact</u> |
|---------------------------------|------------------|---|
| Site Plan Approval | _____ yes | Planning & Development 803-441-4221 (2 nd floor) |
| Building Permit | _____ yes | Building Standards 803-441-4223 or 803-441-4227 (1 st floor) |
| Certificate of Occupancy | _____ yes | Building Standards 803-441-4223 or 803-441-4227 (1 st floor) |
| Business License | _____ yes | Finance 803-441-4214 (1 st floor) |

Approved By _____ Initials _____ Date _____
(Print)

Return to: Department of Planning and Development, 100 Georgia Avenue, 2nd floor
 Phone: 803-441-4221 Mail: P.O. Box 6400, North Augusta, SC 29861 Fax: 803-441-4232

Certificate of Zoning Compliance

§§5.2.3, B.2.1, North Augusta Development Code



CHECK ONE

Home Occupation **New Business** Relocation Ownership Change

PLEASE PRINT ALL REQUESTED INFORMATION.

CZC #

Business Name D.R.I.L.L. Team CSRA (Developing Responsible Intellectuals Loving Life)

Business Address/Zip ~~1033 Skyview~~ 738 Oldedgefield rd N.A. S.C. 29841

Business Owner Name Antonio Grant Contact Phone 803-292-9001

Business Owner Address/Zip 931 Todd ave N. Augusta, S.C. 29841

Owner Email Antoniogrant81@hotmail.com

Describe the proposed business, including products/services to be provided Pre K/4K child program, after school program

Number of employees including yourself 4-5 Number of off-street parking spaces on-site _____

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? yes no

Signature Antonio Grant Title _____

Print Name Antonio Grant Date 12-6-16

NOTE

1. A Certificate of Zoning Compliance is not an approval for occupancy.
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(OFFICE USE ONLY)

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| Business License | _____ yes | Finance 803-441-4214 (1 st floor) |

Approved By _____ Initials _____ Date _____
(Print)

Return to: Department of Planning and Development, 100 Georgia Avenue, 2nd floor
Phone: 803-441-4221 Mail: P.O. Box 6400, North Augusta, SC 29861 Fax: 803-441-4232



Printed: Dec 09, 2013

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PLEASE REPLY TO:
P. O. BOX 6316
NORTH AUGUSTA, S.C. 29841

Kelly F. Zier
Attorney at Law
602 WEST AVENUE
NORTH AUGUSTA, S.C.
29841



June 2, 1995

Mr. Charles B. Martin
City Administrator
City of North Augusta
Post Office Box 6400
North Augusta, S. C. 29841



RE: SUMMERFIELD ELEMENTARY SCHOOL

Dear Charles:

Please find enclosed herewith Deed in regard the above-referred-to matter recorded in the Office of the RMC for Aiken County, South Carolina in Title Book 1532 at page 140 on the 24th day of April, 1995 at 9:30 A.M.

Please also find enclosed herewith statement for recording fees.

Should you have any questions concerning this matter, please contact me at your convenience.

With kind regards, I am

Very truly yours,

Kelly F. Zier

dsk

Enclosures

1100
10.00 per

7/19/94

STATE OF SOUTH CAROLINA,
COUNTY OF AIKEN

TITLE TO REAL ESTATE

WHEREAS, the Aiken County Board of Education, during the course of its regular meeting on the 19th day of July, 1994, voted to authorize the within conveyance of interest in the property formerly housing the Summerfield Elementary School to the City of North Augusta, South Carolina, and

WHEREAS, the Grantee, the City of North Augusta, has, or will prior to completion of acceptance of this conveyance, take action to accept the conveyance under the conditions as set forth in this Deed and for the consideration shown herein, NOW,

KNOW ALL MEN BY THESE PRESENTS, that AIKEN COUNTY BOARD OF EDUCATION (EX OFFICIO: Trustees of the Consolidated School District for Aiken County) in the State aforesaid for and in consideration of the sum of FIVE AND 00/100 (\$5.00) DOLLARS to us paid by CITY OF NORTH AUGUSTA, A MUNICIPAL CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF SOUTH CAROLINA, POST OFFICE BOX 6400, NORTH AUGUSTA, S.C. 29941, in the State aforesaid, receipt which is hereby acknowledged, has granted, bargained, sold and released; and by these presents do grant, bargain, sell and release unto the said CITY OF NORTH AUGUSTA, A MUNICIPAL CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF SOUTH CAROLINA, ITS SUCCESSORS AND ASSIGNS, THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT:

All those certain pieces, parcels or tracts of land, with the improvements thereon, situate, lying and being in the City of North Augusta, County of Alken, State of South Carolina and being generally known and designated as Parcels or Tracts "A", containing 6.19 acres, more or less and "C", containing 1.09 acres, more or less, as shown on a plat prepared for the City of North Augusta, by Tony L. Carr, Sr. and Associates dated August 4, 1994 and recorded in the Office of the RMC for Alken County, South Carolina in Misc. Book 33 at page 183, to which said plat reference is hereby made for a more complete and accurate description as to the exact metes, bounds and location of said tracts.

city
7, 28 cell

This is a portion of the identical property conveyed to the Grantor's predecessor in Title, North Augusta School District Number 6, Alken County, South Carolina, by deed of W. A. Knox, P. S. Knox, Jr., W. L. M. Knox and R.E. Knox, a partnership, d/b/a Knox Investment Company dated October 10, 1951 and recorded in the Office of the RMC for Alken County, South Carolina in Title Book 132 at page 344.

The within conveyance is made subject to any and all power lines, telephone, water and other easements as may affect said property whether shown on the above-referred-to plat or not shown.

"RESERVATION OF RIGHT OF INGRESS AND EGRESS."

The Grantor retains title to Parcel "B" as shown on the afore-referred-to plat consisting of .15, plus or minus, acres. Said Grantor reserves the right of ingress, egress and regress along and across Parcel "C" as shown on the afore-referred-to plat with the understanding that the Grantee herein shall be responsible for maintaining such ingress and egress for access by way of passenger automobile. At the present time such ingress and egress is by way of asphalt driveway. It is specifically understood and agreed that said driveway may be altered by the Grantee herein within said Parcel "C" in a reasonable manner to continue to provide equivalent ingress and egress and substantially equivalent parking. The Grantee further agrees to provide such easements as may be necessary in order to provide water, sewer and other utilities to the Parcel "B" premises retained by the Grantor.

school district retains Parcel "B" and access & parking

This deed accepted by the City of North Augusta by Resolution of City Council adopted on the 6th day of March, 1995. Such Resolution also acknowledges responsibility for the maintenance of the ingress and egress easement as provided herein.

"GUARANTEE BY GRANTEE IN REGARD WATER AND SEWER SERVICE"

The Grantee acknowledges that the .15 acre parcel of land being retained by the Alken County Board of Education is currently provided water and sewer service by the City of North Augusta. It is further acknowledged that the service lines to such .15 acre are located on portions of property being conveyed to the Grantee.

ALKEN COUNTY
TAX ASSESSOR
10-050-02-016
2-22-95

The Grantee agrees to guarantee and continue equivalent water and sewer service to the property of the Grantor. In the event that any service lines are required to be relocated as a result of future development on property being conveyed to Grantee, such relocation is to be done at the expense of Grantee.

TOGETHER, with all and singular, the Rights, Members, hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said CITY OF NORTH AUGUSTA, A MUNICIPAL CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF SOUTH CAROLINA, its successors and assigns and it does hereby bind its successors and assigns and Administrators, to warrant and forever defend all and singular the said premises unto the said: CITY OF NORTH AUGUSTA, A MUNICIPAL CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF SOUTH CAROLINA, its successors and assigns against it and its successors and assigns and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS THE EXECUTION HEREOF BY THE GRANTOR THIS 22ND DAY OF FEBRUARY, 1995 AND IN THE 210TH YEAR OF THE SOVEREIGNTY AND INDEPENDENCE OF THE UNITED STATES OF AMERICA.

AIKEN COUNTY BOARD OF EDUCATION
(EX OFFICIO: TRUSTEES OF THE
CONSOLIDATED SCHOOL DISTRICT FOR
AIKEN COUNTY)

Donath C. Martin
WITNESS (1)

BY: John B. Bradley
ITS: CHAIRMAN

Maris DeFever
WITNESS (2)

ATTEST:
BY: Joseph M. Davis
ITS: DISTRICT SUPERINTENDENT

STATE OF SOUTH CAROLINA

COUNTY OF AIKEN

PERSONALLY APPEARED before me the undersigned witness and made oath that (s)he saw the within named AIKEN COUNTY BOARD OF EDUCATION (EX OFFICIO; TRUSTEES OF THE CONSOLIDATED SCHOOL DISTRICT FOR AIKEN COUNTY), BY ITS DULY AUTHORIZED OFFICERS, sign, seal and as its act and deed, deliver the within written Deed; and that (s)he with the other witness subscribed above witnessed the execution thereof.

SWORN TO BEFORE ME THIS
22 DAY OF FEBRUARY, 1995.

Maria DeFever

Verethy C. Martin
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: *November 16, 1997*
AFFIX SEAL



RETURN TO:

KELLY F. ZIER
ATTORNEY AT LAW
POST OFFICE BOX 6518
NORTH AUGUSTA, S.C. 29841

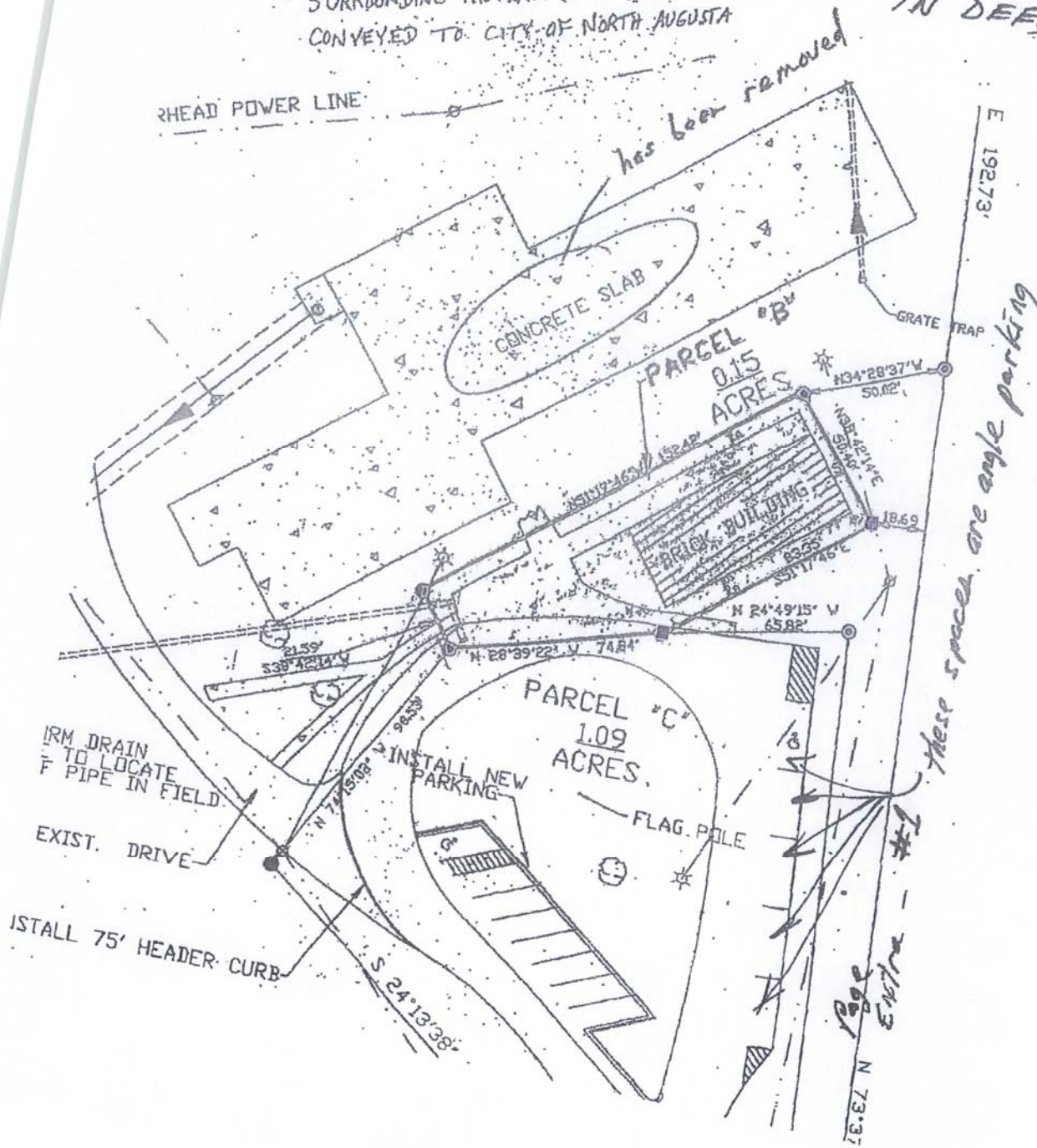
RETURNED TO:

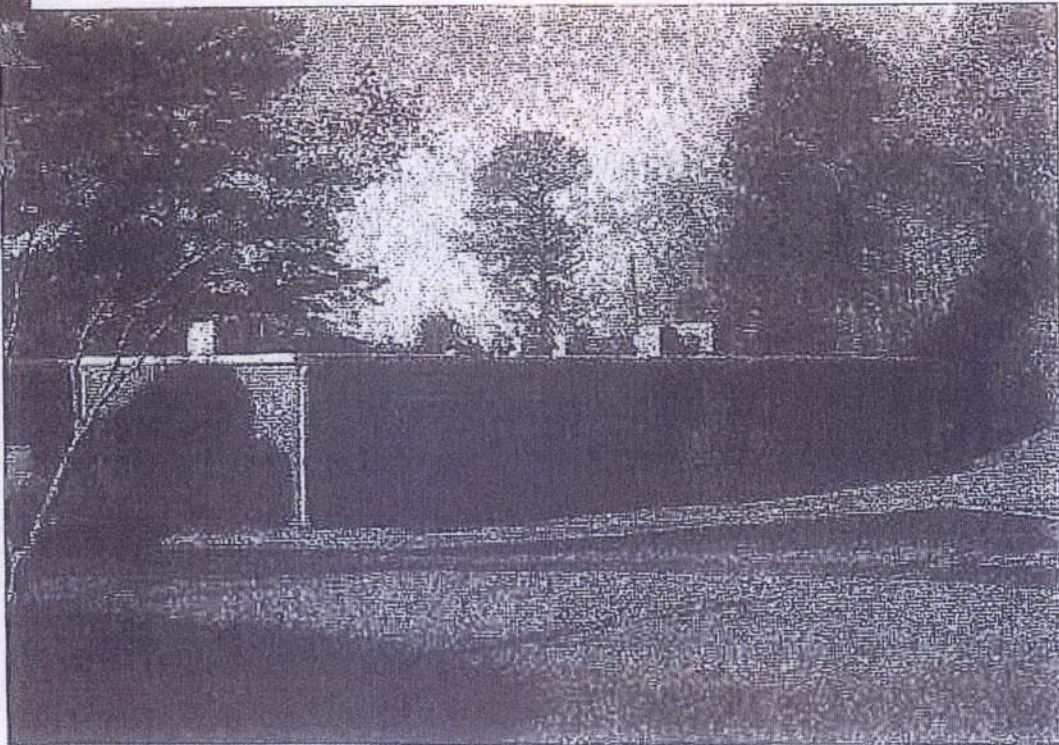
RECORDED 4-24-95 @ 09:30 AM
Peggy J. Whitman
CLERK AIKEN COUNTY

2/24/95
I hereby certify that the within deed has been
recorded in the office of the Clerk of Court,
Aiken County, South Carolina, on the 22nd day of
February, 1995.

* AREA 2 OFFICE
(PROPERTY)
SURROUNDING PROPERTY (OLD SUMMERFIELD)
CONVEYED TO CITY OF NORTH AUGUSTA

EXCERPT FROM
PLAT REFERENCED
IN DEED





SUMMARY APPRAISAL REPORT
OF THE REAL PROPERTY LOCATED AT

738 Old Edgefield Road
North Augusta, SC 29841-4248

for

Mr. David Caver, Aiken County Public Schools
Deputy Superintendent
Aiken County Public Schools
1000 Brookhaven Drive, Aiken, SC 29803

as of

02/16/2012

by

Donald (Don) L. Toole, GAA
PO BOX 833, 111 PENDLETON STREET, N.W.
AIKEN, SC 29802

March 11, 2012

Mr. David Caver, Aiken County Public Schools
Deputy Superintendent
Aiken County Public Schools
1000 Brookhaven Drive, Aiken, SC 29803

Property - 738 Old Edgefield Road
North Augusta, SC 29841-4248
Borrower - Aiken County Board of Education & assigns
File No. - 1211710
Case No. -

Dear Mr. Caver:

In accordance with your request, I have prepared an appraisal of the real property located at 738 Old Edgefield Road, North Augusta, SC.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the Summary Report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of 02/16/2012 is :

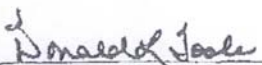
\$35,000

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

DON TOOLE & ASSOCIATES, INC.


Donald (Don) L. Toole, GAA
SC Certification #405

