



CITY OF CAYCE

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
EVA CORLEY
TIMOTHY M. JAMES

CITY MANAGER
REBECCA VANCE

ASSISTANT CITY MANAGER
SHAUN M. GREENWOOD

**City of Cayce
Special Council Meeting
October 22, 2014
5:00 p.m. – Council Chambers – 1800 12th Street
www.cityofcayce-sc.gov**

I. Call to Order

A. Invocation and Pledge

II. Other

- A. Approval of Ordinance Acknowledging Changes to the Program Policies of the South Carolina Water Quality Revolving Fund Authority; Approving Changes to the Loan Agreements Between the City of Cayce, South Carolina and the South Carolina Water Quality Revolving Fund Authority; Authorizing Amendments to Certain Supplemental Indentures; Acknowledging and Approving the Amendment and Restatement of Certain Debt Service Fund and Debt Service Reserve Fund Agreements; and Other Matters Relating Thereto – First Reading
- B. Approval of Ordinance Establishing a Temporary Moratorium on Certain Requests for Revenue from the City's Local Hospitality Tax Account – Second Reading
- C. Approval of Ordinance Amending Zoning Map and Rezoning properties located at Tax Map Numbers 004652-08-001(002)(003) from C-3 to RG-2 – Second Reading
- D. Approval of Ordinance Amending Zoning Map and Rezoning property located at Tax Map Number 004652-08-012 (Portion) from PDD to RG-2 – Second Reading
- E. Approval of Ordinance Setting Salaries for the Mayor and Members of Council – Second Reading

III. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements for the 12,000 Year History Park

C. Discussion of negotiations incident to proposed contractual arrangements for a lighting contract for Phase IV of Riverwalk

IV. Possible Actions by Council in follow up to Executive Session

V. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.

Memorandum

To: Mayor and Council

From: Rebecca V. Rhodes, City Manager

Date: October 20, 2014

Subject: Approval of Ordinance Acknowledging Changes to the Program Policies of the Loan Agreements Between the City of Cayce, South Carolina and the South Carolina Water Quality Revolving Fund Authority: Authorizing and Approving the Amendment and Restatement of Certain Debt Service Fund and Debt Service Reserve Fund Agreements; and Other Matters Relating Thereto.

Issue

Approval is needed to amend the above-mentioned agreements with the South Carolina Water Quality Revolving Loan Fund Authority

Background/Discussion

Recently, the State Revolving Loan Fund, the bondholder for the City's Series 2002 Bond and Series 2009 Bond, revised its policies and procedures. The terms of the revision allow issuers maintaining an "A" rating from the rating agencies to reduce the reserve requirement for their bonds to \$0. The City currently maintains an "A+" rating from Standard and Poors and, as a result, the City is authorized to reduce the reserve fund amount on the above-mentioned bonds to \$0. Currently the City maintains a balance of \$ ___ in the debt service reserve fund for the Series 2002 Bond and a \$ ___ in the debt service reserve fund for the Series 2009 Bond. This money will be transferred from each of the debt service reserve funds into the respective debt service funds for both issues. Once transferred, the City can utilize these funds to defer up to 6 months of debt payments on both of these bonds.

The Ordinance presented tonight authorizes the release and transfer of the debt service reserve fund monies in accordance with the SRF policies and further authorizes the amendments of the various agreements as necessary to implement the changes.

Recommendation:

Staff recommends approval of first reading of this Ordinance.

STATE OF SOUTH CAROLINA	)	ORDINANCE
)	
COUNTY OF LEXINGTON	)	Acknowledging Changes to the Program Policies
	)	of the South Carolina Water Quality Revolving
CITY OF CAYCE	)	Fund Authority; Approving Changes to the Loan
	)	Agreements Between the City of Cayce, South
	)	Carolina and the South Carolina Water Quality
	)	Revolving Fund Authority; Authorizing
	)	Amendments to Certain Supplemental
	)	Indentures; Acknowledging and Approving the
	)	Amendment and Restatement of Certain Debt
	)	Service Fund and Debt Service Reserve Fund
	)	Agreements; and Other Matters Relating Thereto

Incident to the enactment of this ordinance (this "***Ordinance***"), the City Council of the City of Cayce (the "***Council***"), the governing body of the City of Cayce, South Carolina (the "***City***"), has made the following findings:

WHEREAS, the City is a municipal corporation of the State of South Carolina (the "***State***"), located in Lexington County and as such possesses all general powers granted by the Constitution and statutes of the State to municipal corporations;

WHEREAS, as authorized by the Constitution and laws of the State (particularly Title 6, Chapter 17 of the Code of Laws of South Carolina, 1976, as amended, which is also known as "The Revenue Bond Refinancing Act of 1937"), the Council has made general provision for the issuance of waterworks and sewer system revenue bonds of the City from time to time through the means of the Amended and Restated Indenture of Trust dated July 15, 2004, as amended by the Supplemental Trust Indenture of 2008-1 dated August 13, 2008 and as further amended by the Supplemental Trust Indenture of 2013-1 dated January 16, 2013 (collectively, the "***Master Indenture***"). Terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Master Indenture;

WHEREAS, at the present time, the City has Outstanding the following Series of Bonds: (i) \$1,650,000 original principal amount Water and Sewer System Revenue Bond, Series 2002 (South Carolina Water Pollution Control Revolving Fund Loan Number 1-084-02-315-10) (the "***Series 2002 Bond***"); (ii) \$8,780,000 original principal amount Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2004 (the "***Series 2004 Bonds***"); (iii) \$18,795,000 original principal amount Water and Sewer System Refunding and Improvement Revenue Bonds, Series 2007A (the "***Series 2007A Bonds***"); and (iv) not exceeding \$33,733,234, Plus Capitalized Interest, if any, Water and Sewer System Improvement Revenue Bond, Series 2009 (South Carolina Water Pollution Control Revolving Fund Loan Number X1-128-09-315-11) (the "***Series 2009 Bond***");

WHEREAS, the Series 2002 Bond was originally issued under the terms of the Indenture of Trust dated July 1, 1998 (the "***1998 Indenture***"), the Supplemental Trust Indenture of 2002-1

(together with the 1998 Indenture, the “*Original Master Indenture*”) and the Supplemental Trust Indenture of 2002-2 (the “*2002 Supplemental Indenture*”);

WHEREAS, the provisions of the Original Master Indenture were amended and restated by the terms of the Master Indenture and upon the enactment of the Master Indenture the provisions of the 2002 Supplemental Indenture are now subject to the provisions thereof;

WHEREAS, the Series 2009 Bond was issued under the terms of the Master Indenture and the Supplemental Trust Indenture of 2009-1 dated September 15, 2009 (the “*2009 Supplemental Indenture*”);

WHEREAS, the Series 2002 Bond and the Series 2009 Bond (collectively, the “*SRF Bonds*”) are each held by the South Carolina Water Quality Revolving Fund Authority (the “*Authority*”). In connection with the issuance of the Series 2002 Bond, the City and the Authority entered into a Loan Agreement dated September 11, 2002 (Loan Number: 1-084-02-315-10) (the “*2002 Loan Agreement*”); in connection with the issuance of the Series 2009 Bond, the City and the Authority entered into a Loan Agreement dated September 16, 2009 (Loan Number: X1-128-09-315-11) (the “*2009 Loan Agreement*”, and together with the 2002 Loan Agreement, the “*Loan Agreements*”);

WHEREAS, pursuant to the terms of “FY 2014 AMENDMENT TO ALL PRIOR SRF LOAN POLICIES” (the “*Revised Policy Statement*”), the Authority released certain loan policy amendments which effected a modification to certain provisions of all prior major loan policies for both the Authority’s Clean Water State Revolving Fund and Drinking Water State Revolving Fund programs (collectively, the “*SRF Policy Changes*”). The SRF Policy Changes included, among other things, (1) modification of requirements related to the Authority’s policies regarding an issuer establishing and maintaining a debt service reserve fund with respect to a particular loan or bond issue, subject to the issuer maintaining a minimum credit rating, and (2) provisions for the release of debt service reserve moneys held on behalf of the Authority as security for prior loans, subject to the issuer maintaining a minimum credit rating;

WHEREAS, the Loan Agreements shall be amended and modified in order to provide for the effective implementation of the SRF Policy Changes (the “*Loan Agreement Amendments*”);

WHEREAS, the City has previously entered into a Debt Service Fund and Debt Service Reserve Fund Agreement dated September 11, 2002 with U.S. Bank National Association (f/k/a Wachovia Bank, National Association) (the “*Trustee*”) with respect to the Series 2002 Bond and a Debt Service Fund and Debt Service Reserve Fund Agreement dated September 16, 2009 with the Trustee with respect to the Series 2009 Bond (collectively, the “*Prior Fund Agreements*”). The Prior Fund Agreements shall be amended, modified and restated in order to provide for the effective implementation of the SRF Policy Changes (the “*Fund Agreement Amendments*”);

WHEREAS, the City currently maintains published ratings by Standard & Poor’s Rating Service of “A+” for both the Series 2004 Bonds and the Series 2007A Bonds. As a result of such rating and for so long as the City maintains such rating, under the SRF Policy Changes and as

authorized by this Ordinance and the Loan Agreement Amendments, the Reserve Requirement shall equal \$0;

WHEREAS, pursuant to the terms of the Revised Policy Statement and in accordance with the terms of the Loan Agreement Amendments and the Fund Agreement Amendments, the Authority will agree to the release of the debt service reserve fund moneys securing each of the SRF Bonds; after their release, the monies applicable to Series 2002 Bond and the Series 2009 Bond shall be transferred to the respective debt service fund securing each such Series;

WHEREAS, in connection with the release and transfer of the debt service reserve fund monies, the 2002 Supplemental Indenture does not require any amendment to properly authorize such release and transfer, but Sections 3.02 and 3.03 of the 2009 Supplemental Indenture shall be amended and restated so as to properly authorize the release and transfer contemplated herein;

WHEREAS, the purposes of this Ordinance are to (1) acknowledge the release of the Revised Policy Statement and the implementation of the SRF Policy Changes, (2) acknowledge and approve the Loan Agreement Amendments, (3) acknowledge and approve the Fund Agreement Amendments, (4) acknowledge and approve the changes to the 2009 Supplemental Ordinance, and (5) approve the release of the monies in debt service reserve funds for the Series 2002 Bond and the Series 2009 Bond upon full execution of the Loan Agreement Amendments by both the City and the Authority; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council, duly assembled, as follows:

Section 1. *General Authorization.*

The Council acknowledges that the Authority has issued the Revised Policy Statement for the purpose of implementing the SRF Policy Changes. The Council, acting through the City Manager, shall provide to the Authority any necessary information, documentation or materials that the Authority may require to effect such purposes with respect to the City and its debt.

Section 2. *The Loan Agreement Amendments.*

The Council does hereby acknowledge and approve the Loan Agreement Amendments in such final forms as the City, acting through the City Manager, and the Authority shall determine. The Loan Agreement Amendments shall be executed by the Authority and the City, together with any other required documentation deemed necessary by the Authority and the City in order to implement the SRF Policy Changes. Each of the Loan Agreement Amendments shall be executed on behalf of the City by the Mayor and attested to by the Municipal Clerk.

Section 3. *The Fund Agreement Amendments.*

The Council does hereby acknowledge and approve the Fund Agreement Amendments in such final form as the City, acting through the City Manager, and the Trustee shall determine. The Fund Agreement Amendments shall be executed by the Trustee and the City (and

acknowledged by the Authority), together with any other required documentation deemed necessary by the Trustee, the Authority and the City in order to implement the SRF Policy Changes. The Fund Agreement Amendments shall be executed on behalf of the City by the Mayor and attested to by the Municipal Clerk.

Section 4. *Amendments to the 2009 Supplemental Indenture.*

Subject to the consent of the Authority, the form of which is attached hereto as Exhibit A, the Council does hereby acknowledge and approve the following amendment and modification to the 2009 Supplemental Indenture:

Section 3.02 of the 2009 Supplemental Indenture is hereby deleted in its entirety and replaced with the following:

Section 3.02 Payment of the Loan.

Payments of principal of and interest on the Series 2009 Bond shall be made from, and the City shall make payments to, the Debt Service Fund in accordance with the provisions of Section 6.5 of the Indenture of Trust. If the revenues pledged under the provisions of the Indenture of Trust are not sufficient, payments of principal and interest on the Series 2009 Bond shall be made from State appropriations to which the City may become entitled pursuant to and in accordance with the provisions of the Loan Agreement and the Promissory Note.

Section 3.03 of the 2009 Supplemental Indenture is hereby deleted in its entirety and replaced with the following:

Section 3.03 Provision for Funding of the 2009 Debt Service Reserve Fund.

There shall be established a 2009 Debt Service Reserve Fund, which fund shall be maintained by the Trustee in accordance with the Indenture of Trust. The Series 2009 Reserve Requirement (defined as the Reserve Requirement in the Loan Agreement) shall be the amount provided in the Loan Agreement. The City is authorized to cause the satisfaction of Series 2009 Reserve Requirement by funding the Series 2009 Debt Service Reserve Fund with cash or cash equivalents as authorized by the Master Indenture and as further provided in the Loan Agreement, as amended. Once funded with cash, the City, acting through the Trustee, will maintain the Series 2009 Reserve Requirement in accordance with the provisions of the Master Indenture and the Loan Agreement.

Section 5. *Authorization for Release.*

The Council, upon the receipt of the fully executed Loan Agreement Amendments and Fund Agreement Amendments, acknowledges that the Authority shall release its right to and the Trustee shall actually release the moneys in the debt service reserve funds held on behalf of the Authority as security for the Series 2002 Bond and the Series 2009 Bond, respectively, and such

**CONSENT OF THE SOUTH CAROLINA WATER QUALITY
REVOLVING FUND AUTHORITY**

The undersigned hereby certifies that she is authorized to execute and deliver this Consent on behalf of the South Carolina Water Quality Revolving Fund Authority (the “**Authority**”) as holder of the following obligation of the City of Cayce, South Carolina (the “**Issuer**”): the not exceeding \$33,733,234, plus capitalized interest, if any, Water and Sewer System Improvement Revenue Bond, Series 2009 (South Carolina Water Pollution Control Revolving Fund Loan Number X1-128-09-315-11) (the “**Series 2009 Bond**”).

On November 18, 2014, the City Council of the City of Cayce, the governing body of the Issuer (the “**Council**”), enacted an ordinance entitled “An Ordinance Acknowledging Changes to the Program Policies of the South Carolina Water Quality Revolving Fund Authority; Approving Changes to the Loan Agreements Between the City of Cayce, South Carolina and the South Carolina Water Quality Revolving Fund Authority; Authorizing Amendments to Certain Supplemental Indentures; Acknowledging and Approving the Amendment and Restatement of Certain Debt Service Fund and Debt Service Reserve Fund Agreements; and Other Matters Relating Thereto” (the “**Ordinance**”). Certain defined terms used herein and not otherwise defined shall have the meanings ascribed to them in the Ordinance.

The Authority, as the holder of the Series 2009 Bond, hereby consents to the amendments and modifications to the 2009 Supplemental Ordinance contained in the Ordinance. By providing this consent, the Authority expects that the monies in the debt service reserve fund securing the Series 2009 Bond shall be released and transferred as contemplated therein.

By executing this Consent, the Authority expresses no opinion as to whether the consent of any other person is required in order to achieve the purposes hereof.

SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY

By: _____

Ashlie Lancaster, Interim Director,
Office of Local Government,
South Carolina Budget and Control Board

Dated: November 20, 2014

Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Shaun Greenwood, Assistant City Manager
Tara Yates, Grants Specialist

Date: October 20, 2014

Subject: Second Reading of an Ordinance Establishing a Temporary Moratorium on Certain Requests for Revenue from the City's Local Hospitality Tax Account

Issue

Council approval is needed for the Second Reading of an Ordinance to establish a Temporary Moratorium on Certain Requests for Revenue from the City's Local Hospitality Tax Account.

Discussion

The City of Cayce enacted an Ordinance, effective August 1, 2014, establishing a local Hospitality Tax of two percent on all prepared food and beverage sold within the City. Staff researched and determined a one year moratorium on all outside City requests for use of H-Tax may be in the best interest of the City. Staff believes the first year's revenue should be focused on projects and events located inside the City limits. Staff also believes that limiting the number of projects and events is prudent until the first year of collections is complete. This will allow the City to more accurately account for this revenue stream. Additionally, if the Capital Project Penny Tax passes throughout Lexington County, the City's Hospitality Tax will be reduced to 1%. This reduction will require staff to reevaluate planned expenditures to ensure compliance with state law. Although this moratorium is only for 365 days, it can be renewed on a yearly basis as long as Council sees fit.

Recommendation

Staff recommends that Council approve Second Reading of an Ordinance establishing a Temporary Moratorium on Certain Requests for Revenue from the City's Local Hospitality Tax Account.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)

ORDINANCE

**Establishing a Temporary Moratorium on
Certain Requests for Revenue from the
City's Local Hospitality Tax Account**

WHEREAS, the City, as authorized by State law, has enacted by Ordinance, effective August 1, 2014, a Local Hospitality Tax of two percent on the gross proceeds of the sale of all prepared meals and beverages in establishments within the City; and

WHEREAS, the Ordinance enacting the City's Local Hospitality Tax also established, as required by State law, a Local Hospitality Tax Account into which the taxes remitted shall be deposited by the City and used solely for the purposes provided by law; and

WHEREAS, South Carolina Code section 6-1-730 specifies the purposes for which the revenue generated from a Local Hospitality Tax may be used; and

WHEREAS, the Council has determined that it is in the interest of the City and the Council, in the period at the outset of the collection of the Local Hospitality Tax, to establish orderly, fair, efficient and effective procedures for the consideration of requests from entities not part of or connected with the City government (hereinafter referred to as "outside entities") for revenue from the Local Hospitality Tax Account; and

WHEREAS, the Council determines and finds that the appropriate implementation of such procedures will be aided by a temporary moratorium on applications by outside entities for revenues from the Local Hospitality Tax Account; and

WHEREAS, the Council further determines and finds that a period of three hundred and sixty five (365) days in duration is the minimum reasonable time needed to determine the amount of Local Hospitality Tax generated during a budget year and to study and implement orderly, fair, efficient and effective procedures for grants of revenues from the Local Hospitality Tax Account to outside entities; and

WHEREAS, the Council believes and finds that it is appropriate to establish, by this Ordinance, a temporary moratorium period of three hundred and sixty five (365) days on the acceptance and processing of applications by outside entities for the award or payment of grants from the City's Local Hospitality Tax Account,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that:

1. All activities by the City, including City staff and any of the City's agents or contractors, relating to the acceptance, review and processing of applications by outside entities (defined as entities or individuals not a part of or connected with the City government) for the award or payment of grants from the City's Local Hospitality Tax Account are temporarily suspended in order for the City, through its officials and staff and any other agents or contractors, to have adequate time and opportunity to study,

analyze, recommend, establish and implement orderly, fair, efficient and effective procedures for grants of revenues from the Local Hospitality Tax Account to outside entities.

2. This temporary suspension or temporary moratorium shall remain in effect for three hundred sixty five (365) days from the effective date of this Ordinance when it shall terminate.

3. The Council, by subsequent ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings.

4. During the temporary moratorium period for outside entities, all requests for revenue from the Local Hospitality Tax Account by entities that are a part of or connected with the City government shall be reviewed and approved by the City Manager (or her designee) prior to submission to the Council for its consideration and approval.

This Ordinance shall be effective from the date of second and final reading.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2014.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

First reading: _____

Second reading and adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Shaun Greenwood, Asst. City Manager
Monique Ocean, Planning & Zoning Technician

Date: October 20, 2014

Subject: Second Reading of an Ordinance to rezone 199 Knox Abbott Drive and 111 Knox Abbott Drive from C-3 (Central Commercial) to RG-2 (General Residential, High Rise). The properties are identified as TMS# 004652-08-001, 004652-08-002, and 004652-08-003.

ISSUE

Council approval is needed for the Second Reading of an ordinance to re-zone 199 Knox Abbott Drive and 111 Knox Abbott Drive from C-3 (Central Commercial) to RG-2 (General Residential, High Rise).

BACKGROUND/DISCUSSION

The properties are currently zoned C-3 (Central Commercial) and consist of 5 or more acres. The applicants request to re-zone the properties located at 111 and 199 Knox Abbott Drive in order to construct a multi-family development. Multi-family residential units are a permitted use in the RG-2 zoning district.

The Planning Commission considered the request for re-zoning at its regular meeting on April 21, 2014. The re-zoning request was opened for public hearing. Of the public signed up to speak, 4 were undecided and 1 spoke in opposition to the re-zoning. The one opposed to the re-zoning believed the request would lower home values in the area and create an excess amount of traffic. Specifically, concerns over lighting, landscaping/buffering, building height and access to the development from Deliesseline were expressed by the Commission and the audience.

The Planning Commission voted unanimously to recommend the requested re-zoning to a RG-2 zoning designation. The requested zoning is in compliance with the Comprehensive Plan.

RECOMMENDATION

The Planning Commission recommends Council approve Second Reading of an ordinance to re-zone TMS#004652-08-001, 004652-08-002, and 004652-08-003 (111 Knox Abbot Dr. and 199 Knox Abbot Dr.) from C-3 (Central Commercial) to RG-2 (General Residential, High Rise).

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)

ORDINANCE
Amending Zoning Map and
Rezoning properties located at Tax
Map Numbers 004652-08-001
(002)(003) from C-3 to RG-2

WHEREAS, Newington Associates LLC. and Indigo Associates LLC., as the property owners, requested that the City of Cayce amend the Zoning Map to re-designate the property shown as TMS# 004652-08-001(002)(003), now zoned Central Commercial (C-3) to General Residential, High Rise (RG-2); and

WHEREAS, the Planning Commission held a public hearing on this request to receive comments from the public and adjacent property owners; and

WHEREAS, the Planning Commission met on April 21, 2014, to review public comments and vote on recommending the rezoning request and unanimously voted to recommend this change to the existing zoning,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the property hereinafter listed is hereby rezoned and reclassified on the Zoning Map of the City of Cayce as RG-2, General Residential, High Rise:

TMS# 004652-08-001
199 Knox Abbott Dr Cayce, SC 29033

TMS# 004652-08-002 & TMS# 004652-08-003
111 Knox Abbott Dr. Cayce, SC 29033

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2014.

Elise Partin, Mayor

Attest:

Mendy Corder, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

**CITY OF CAYCE
PLANNING COMMISSION
STAFF EVALUATION REPORT**

CASE NO. MA001-14 & MA002-14

APPLICANT: Newington Associates LLC

TYPE OF REQUEST: Map Amendment (Re-Zoning)

LOCATION/ADDRESS: 199 and 111 Knox Abbott Drive

TAX MAP NUMBER: TMS# 004652-08-001, 002, 003

NUMBER OF ACRES: 5 or more

EXISTING ZONING CLASSIFICATION: C-3 (Central Commercial)

REQUESTED ACTION:

The applicant is requesting to change the current zoning to RG-2 (General Residential, High- Rise).

COMPLIANCE WITH COMPREHENSIVE PLAN:

The proposed zoning is in compliance with the adopted plan for the area and the surrounding neighborhood.

STAFF COMMENTS/CONCERNS:

The applicant desires to change the zoning of the properties located at 111 Knox Abbot Drive and 199 Knox Abbott Drive. The proposed zoning change will allow Multi-Family Residential units to be built on the property. The applicant has proposed to combine TMS# 004652-08-001, 002, 003, 004, 005, 012 after successful re-zoning.

CERTIFICATION OF NOTIFICATION:

The City of Cayce Zoning Ordinance requires that all property owners of parcels within two hundred feet of the subject parcels be notified by mail of the Public Hearing.

Administrative Coordinator

I, Michelle Paulchel, do hereby certify that I processed the letters of notification for both property owners, and all property owners within two hundred (200) feet of the affected parcels for Variance Request No.VA001-14, City of Cayce.

Michelle Paulchel
Michelle Paulchel

4-3-14
Date

Director, Planning & Development

I, Shaun M. Greenwood, Assistant City Manager, do hereby certify that I have personally signed each and every notification concerning VA001-14. Under my direct supervision, all materials were placed at postal facilities at Cayce City Hall for mailing.

Shaun Greenwood
Shaun M. Greenwood, Asst. City Manager

4-3-14
Date

CERTIFICATION OF NOTIFICATION:

The City of Cayce Zoning Ordinance requires that all property owners of parcels within two hundred feet of the subject parcels be notified by mail of the Public Hearing.

Administrative Coordinator

I, Michelle Paulchel, do hereby certify that I processed the letters of notification for both property owners, and all property owners within two hundred (200) feet of the affected parcels for Variance Request No.VA002-14, City of Cayce.

Michelle Paulchel
Michelle Paulchel

4-3-14
Date

Director, Planning & Development

I, Shaun M. Greenwood, Assistant City Manager, do hereby certify that I have personally signed each and every notification concerning VA002-14. Under my direct supervision, all materials were placed at postal facilities at Cayce City Hall for mailing.

Shaun Greenwood
Shaun M. Greenwood, Asst. City Manager

4-3-14
Date

CERTIFICATION OF NOTIFICATION:

The City of Cayce Zoning Ordinance requires that all property owners of parcels within two hundred feet of the subject parcels be notified by mail of the Public Hearing.

Administrative Coordinator

I, Michelle Paulchel, do hereby certify that I processed the letters of notification for both property owners, and all property owners within two hundred (200) feet of the affected parcels for Variance Request No.VA003-14, City of Cayce.

Michelle Paulchel
Michelle Paulchel

4-3-14
Date

Director, Planning & Development

I, Shaun M. Greenwood, Assistant City Manager, do hereby certify that I have personally signed each and every notification concerning VA003-14. Under my direct supervision, all materials were placed at postal facilities at Cayce City Hall for mailing.



Shaun M. Greenwood
Shaun M. Greenwood, Asst. City Manager

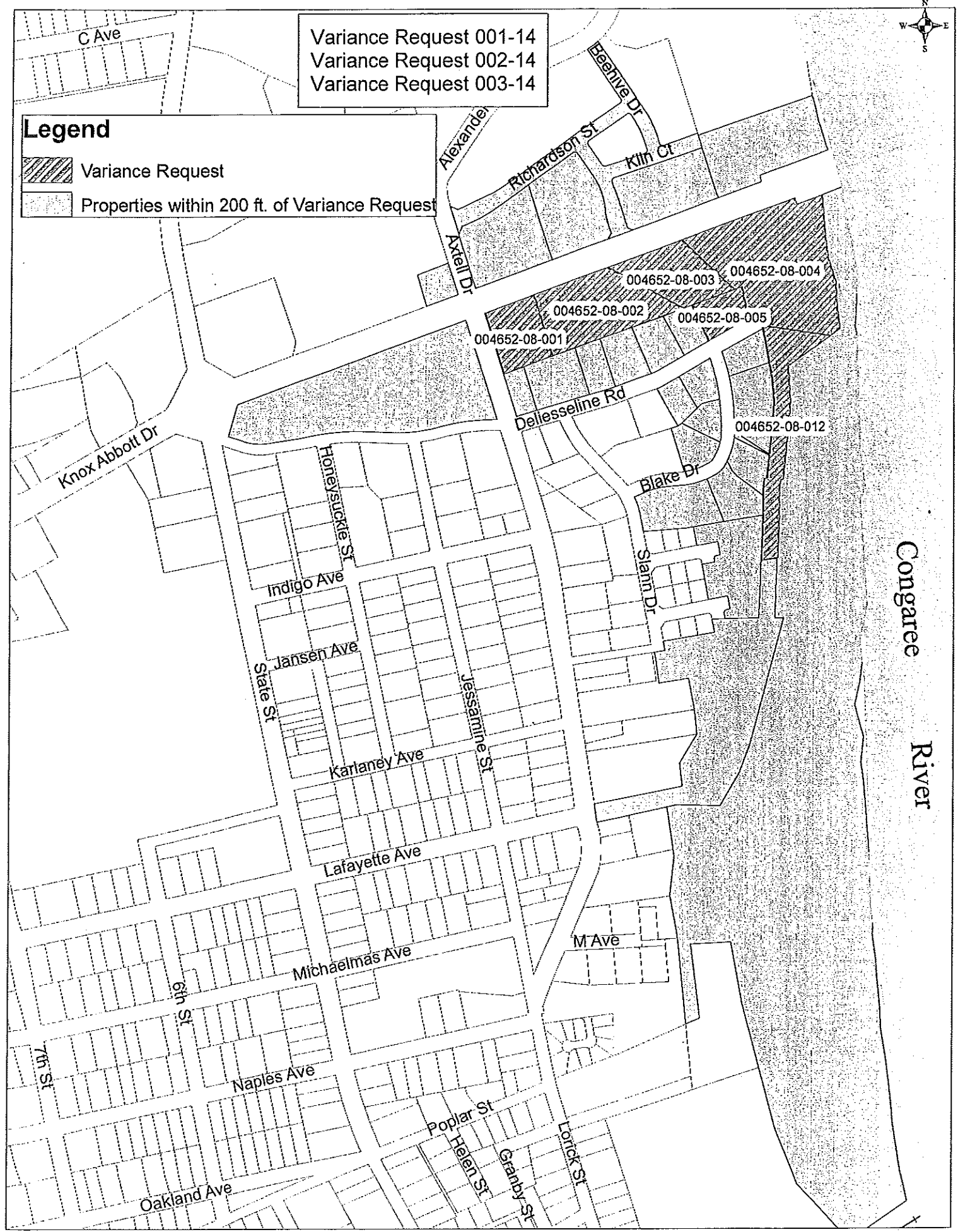
4-3-14
Date



Variance Request 001-14
 Variance Request 002-14
 Variance Request 003-14

Legend

-  Variance Request
-  Properties within 200 ft. of Variance Request



400 200 0 400 Feet



Danny C. Crowe

REPLY TO:
Columbia Office
Email: DCC@tpgl.com
Direct Dial: (803) 227-4239

January 10, 2002

VIA HAND-DELIVERY AND FAX TO 765-9889

Charlene Frye
Rosen Appraisal
1717 Laurel Street
Columbia, South Carolina

Re: Cayce Riverwalk Project
Request for Appraisal
Our client: City of Cayce

Dear Charlene:

In follow-up to your telephone conversation today with Lanny Lambert and me, this letter will request, on behalf of our client, the City of Cayce, that you undertake an appraisal of the portion of the property shown on the enclosed survey. The appraisal is for purposes of a possible condemnation action by the City of Cayce to include that portion of the property in the Riverwalk project. We request that you determine the amount of compensation that would constitute just compensation for taking in fee of the portion indicated by bold highlighting on the enclosed survey.

Please review the enclosure and let me or Lanny Lambert know if any additional information or documents are needed for your appraisal.

With kind regards, I am

Very truly yours,

Danny C. Crowe

DCC/lb
Enclosure

cc: Lanneau Wm. Lambert
John C. Sharpe, City Manager

**City of Cayce
South Carolina
Board of Zoning Appeals**

Form 1

Date Filed: 3-28-14
Fee: \$125.00

Request No.: V001-14
Receipt No.: 00300942

This form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent section.

THE APPLICANT HEREBY APPEALS [indicate one]:

- From action of a zoning official as stated on attached Form 2.
- For a variance as stated on Form 3.
- For a special exception as stated on attached Form 4.

APPLICANT(S) [print]: INDIGO ASSOCIATES LLC & NEWINGTON ASSOCIATES LLC
 Address: P.O. BOX 50909 COLUMBIA SC 29250
 Telephone: [business] 803-254-2125 [residence] 803-513-2660
 Interest: _____ Owner(s): X Agent of owner(s): _____ Other: _____
 OWNER(S) [if other than Applicant(s)]: _____
 Address: _____
 Telephone: [business] _____ [residence] _____
 [use reverse side if more space is needed]

PROPERTY ADDRESS: 107-199 KNOX ABBOTT DRIVE
 Lot _____ Block _____ Subdivision _____
 Tax Map No. 204652-08-001(2,3,4,5,12) Plat Book _____ Page _____
 Lot Dimensions: _____ Area: [sq. ft. or acreage] _____
 Deed restrictions/limitations on property: _____

DESIGNATION OF AGENT [complete only if owner is not applicant]
 I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request.
 Date: _____

 Owner signature(s)
 CERTIFICATION:
 I (we) certify that to the best of my(our) knowledge that the information contained herein is accurate and correct.
 Date: 3/26/14 [Signature] MANAGER

 Applicant signature(s) Official Use Only

OFFICIAL USE ONLY 4-3-14 By: SKM Published in Newspaper on: 4-3-14
 Property posted: _____

PUBLIC HEARING ON: _____

ORDER OF BOARD OF ZONING APPEALS: _____

Notice to applicant sent on _____ advising of Boards action. See separate order which states finding of fact pertaining to this action. All appeals to this action shall be to the Circuit Court and must be filed within thirty (30) days after date this order was mailed.

APPEAL FILED: _____

City of Cayce
South Carolina
Variance Application

Date Filed: 3-28-14

Form 3

Request No.: V001-14

Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in form 1 of the following provisions of the zoning ordinance: VARIANCE TO MAXIMUM LOT COVERAGE RATION TO ALLOW FOR UP TO 60% LOT COVERAGE. SECTION 6.7 TABLE 3 RG-2 ZONING.

So that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: MULTI-FAMILY APARTMENTS CONSISTING OF 133-1 BR UNITS AND 93-2 BR UNITS

for which a permit has been denied by the zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

The strict application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State law and the ordinance are met by the following facts.

a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district which are described as follows: THE OVERALL SIZE AND DIMENSIONS OF THE SUBJECT PROPERTY WERE ALTERED DUE TO THE THREAT OF CONDEMNATION BY THE CITY OF CAYCE FOR THE CAYCE RIVERWALK PARK.

b. The literal interpretation of the provisions of this ordinance would deprive me (the applicant) of rights commonly enjoyed by other properties in the same district as follows: DUE TO REASONS LISTED ABOVE, THE SUBJECT PROPERTY IS NOT ABLE TO BE DEVELOPED UNDER THE SAME CONDITIONS AS SIMILAR PROPERTIES.

c. That the special conditions and circumstances do not result from the actions of the applicant or any conditions or circumstances that the applicant may wish to create with this variance. (explain in detail): THE LOSS OF PORTIONS OF THE SUBJECT PROPERTY TO THE CITY OF CAYCE NOTED ABOVE, AS WELL AS OTHER SITE CONSTRAINTS CREATED BY CITY OF CAYCE UTILITY EASEMENTS.

d. Granting this variance will not confer on the applicant any special privilege that is denied by this ordinance to owners of other lands, structures, or buildings in the same district:

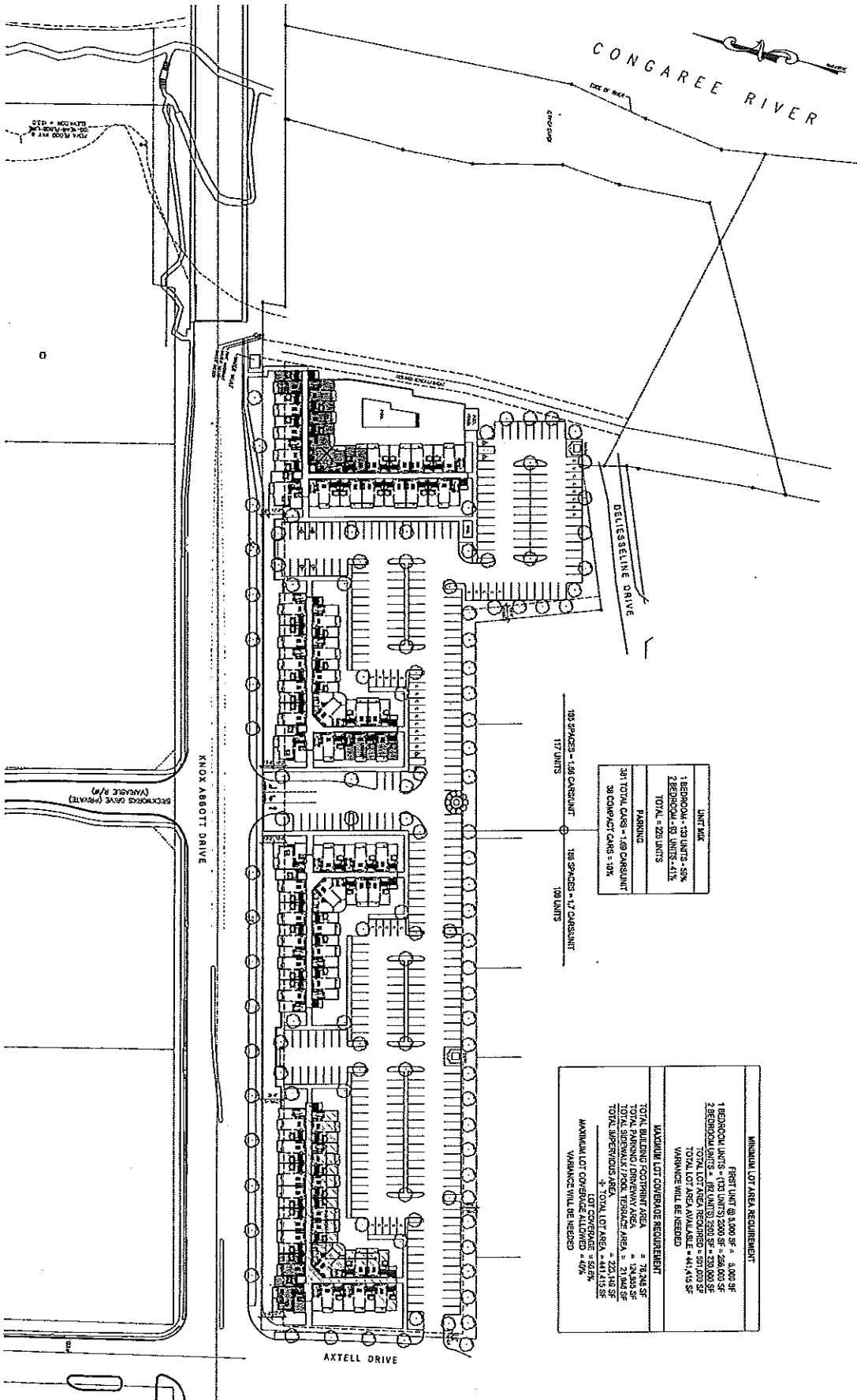
NOTHING REQUESTED IN THIS APPLICATION WILL ALLOW FOR ANY PROHIBITED USES OR SPECIAL PRIVILEGES NOT ALLOWED TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION.

The following documents are submitted in support of this application, including a plot plan if deemed necessary: ARCHITECTURAL SITE PLAN DATED MARCH 20, 2014 PREPARED BY AXIOM ARCHITECTURE FOR EASLAN CAPITAL.

Date: 3/26/14

[Signature] MANAGER
Applicant signature

CONGAREE RIVER



UNIT MIX
1 BEDROOM - 133 UNITS - 58%
2 BEDROOM - 83 UNITS - 41%
TOTAL = 226 UNITS
PARKING
381 TOTAL CARS = 169 CARSPER UNIT
38 COMPACT CARS = 10%

183 SPACES = 1.68 CARSPER UNIT
117 UNITS

183 SPACES = 1.7 CARSPER UNIT
109 UNITS

MINIMUM LOT AREA REQUIREMENT
FIRST UNIT @ 3,000 SF = 5,000 SF
1 BEDROOM UNITS = 133 UNITS @ 2,000 SF = 266,000 SF
2 BEDROOM UNITS = 93 UNITS @ 2,000 SF = 186,000 SF
TOTAL LOT AREA REQUIRED = 452,000 SF
TOTAL LOT AREA = 414,540 SF
VARIANCE WILL BE NEEDED
MAXIMUM LOT COVERAGE REQUIREMENT
TOTAL BUILDING FOOTPRINT AREA = 76,245 SF
TOTAL PARKING / DRIVEWAY AREA = 18,345 SF
TOTAL SIDEWALK / PAV. TERRACE AREA = 21,140 SF
TOTAL IMPERVIOUS AREA = 115,730 SF
TOTAL LOT AREA = 414,540 SF
LOT COVERAGE = 28%
MAXIMUM LOT COVERAGE ALLOWED = 40%
VARIANCE WILL BE NEEDED

ARCHITECTURAL SITE PLAN

A.I.D.

DATE: 07/20/18
SCALE: 1/8" = 1'-0"
DRAWN BY: J. HARRIS
CHECKED BY: J. HARRIS

PROJECT NAME
ARCHITECTURAL
SITE PLAN

EASLAN CAPITAL

KNOX ABBOTT
APARTMENTS
1102 ABBOTT DRIVE
COLUMBIA, SC 29204
EASLAN CAPITAL

NOT FOR CONSTRUCTION

A X I O M
ARCHITECTURE
1200 W. 11th St.
Columbia, SC 29204
TEL: 803.733.1100
WWW.AXIOMARCHITECTURE.COM

**City of Cayce
South Carolina
Board of Zoning Appeals**

Form 1

Date Filed : 3-28-14
Fee : \$125.00

Request No. : V002-14
Receipt No : 00300942

This form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent section.

THE APPLICANT HEREBY APPEALS [indicate one]:

- From action of a zoning official as stated on attached Form 2.
- For a variance as stated on Form 3.
- For a special exception as stated on attached Form 4.

APPLICANT(S) [print]: INDIGO ASSOCIATES LLC & NEWINGTON ASSOCIATES LLC
 Address : P.O. BOX 50909 COLUMBIA SC 29250
 Telephone: [business] 803-254-2125 [residence] 803-513-2660
 Interest: _____ Owner(s): X Agent of owner(s): _____ Other: _____

OWNER(S) [if other than Applicant(s)]: _____
 Address: _____
 Telephone: [business] _____ [residence] _____

[use reverse side if more space is needed]

PROPERTY ADDRESS: 107-199 KNOX ABBOTT DRIVE
 Lot _____ Block _____ Subdivision _____
 Tax Map No. 004652-08-001(2,3,4,5&12) Plat Book _____ Page _____
 Lot Dimensions: _____ Area: [sq. ft. or acreage] _____
 Deed restrictions/limitations on property: _____

DESIGNATION OF AGENT [complete only if owner is not applicant]
 I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request.

Date: _____

 Owner signature(s)

CERTIFICATION:
 I (we) certify that to the best of my(our) knowledge that the information contained herein is accurate and correct.

Date: 3/26/14 [Signature] MANAGER

 Applicant signature(s) Official Use Only

OFFICIAL USE ONLY 4-3-14 By: SAM Published in Newspaper on: 4-3-14
 Property posted: _____

PUBLIC HEARING ON: _____

ORDER OF BOARD OF ZONING APPEALS: _____

Notice to applicant sent on _____ advising of Boards action. See separate order which states finding of fact pertaining to this action. All appeals to this action shall be to the Circuit Court and must be filed within thirty (30) days after date this order was mailed.

APPEAL FILED: _____

City of Cayce
South Carolina
Variance Application

Date Filed: 3-28-14

Form 3

Request No.: V002-14

Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in form 1 of the following provisions of the zoning ordinance:

VARIANCE TO MINIMUM LOT AREA FOR RG-2

SECTION 6.7 TABLE 3 FOOTNOTE (d) 501,000 SF REQ. 441,415 SF

So that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: MULTI-FAMILY APARTMENTS

CONSISTING OF 133-1 BR UNITS AND 93-2 BR UNITS

AVAIL.

for which a permit has been denied by the zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

The strict application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State law and the ordinance are met by the following facts.

a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district which are described as follows: THE OVERALL SIZE AND DIMENSIONS OF THE SUBJECT PROPERTY WERE ALTERED DUE TO THE THREAT OF CONDEMNATION BY THE CITY OF CAYCE FOR THE CAYCE RIVERWALK PARK.

b. The literal interpretation of the provisions of this ordinance would deprive me (the applicant) of rights commonly enjoyed by other properties in the same district as follows: _____

DUE TO REASONS LISTED ABOVE, THE SUBJECT PROPERTY IS NOT ABLE TO BE DEVELOPED UNDER THE SAME CONDITIONS AS SIMILAR PROPERTIES.

c. That the special conditions and circumstances do not result from the actions of the applicant or any conditions or circumstances that the applicant may wish to create with this variance. (explain in detail):

THE LOSS OF PORTIONS OF THE SUBJECT PROPERTY TO THE CITY OF CAYCE NOTED ABOVE, AS WELL AS OTHER SITE CONSTRAINTS CREATED BY CITY OF CAYCE UTILITY EASEMENTS.

d. Granting this variance will not confer on the applicant any special privilege that is denied by this ordinance to owners of other lands, structures, or buildings in the same district:

NOTHING REQUESTED IN THIS APPLICATION WILL ALLOW FOR ANY PROHIBITED USES OR SPECIAL PRIVILEGES NOT ALLOWED TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION.

The following documents are submitted in support of this application, including a plot plan if deemed necessary: ARCHITECTURAL SITE PLAN DATED MARCH 20, 2014 PREPARED BY AXIOM ARCHITECTURE FOR EASLAN CAPITAL.

Date: 3/26/14

[Signature] MANAGER
Applicant signature

**City of Cayce
South Carolina
Board of Zoning Appeals**

Form 1

Date Filed: 3-28-14
Fee: \$125.00

Request No.: V003-14
Receipt No.: 00300942

This form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent section.

THE APPLICANT HEREBY APPEALS [indicate one]:

- From action of a zoning official as stated on attached Form 2.
- For a variance as stated on Form 3.
- For a special exception as stated on attached Form 4.

APPLICANT(S) [print]: INDIGO ASSOCIATES LLC & NEWINGTON ASSOCIATES LLC
 Address: P.O. BOX 50909 COLUMBIA SC 29250
 Telephone: [business] 803-254-2125 [residence] 803-513-2660
 Interest: Owner(s): X Agent of owner(s): _____ Other: _____
 OWNER(S) [if other than Applicant(s)]: _____
 Address: _____
 Telephone: [business] _____ [residence] _____
 [use reverse side if more space is needed]

PROPERTY ADDRESS: 107 - 199 KNOX ABBOTT DRIVE
 Lot _____ Block _____ Subdivision _____
 Tax Map No. 004652-08-001(2,3,4,5&12) Plat Book _____ Page _____
 Lot Dimensions: _____ Area: [sq. ft. or acreage] _____
 Deed restrictions/limitations on property: _____

DESIGNATION OF AGENT [complete only if owner is not applicant]
 I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request.
 Date: _____

 Owner signature(s)
 CERTIFICATION:
 I (we) certify that to the best of my(our) knowledge that the information contained herein is accurate and correct.
 Date: 3/26/14 [Signature] MANAGER

 Applicant signature(s) Official Use Only

OFFICIAL USE ONLY 4-3-14 By: SAM Published in Newspaper on: 4-3-14
 Property posted: _____

PUBLIC HEARING ON: _____

ORDER OF BOARD OF ZONING APPEALS: _____

Notice to applicant sent on _____ advising of Boards action. See separate order which states finding of fact pertaining to this action. All appeals to this action shall be to the Circuit Court and must be filed within thirty (30) days after date this order was mailed.

APPEAL FILED: _____

City of Cayce
South Carolina
Variance Application

Date Filed: 3-28-14

Form 3

Request No.: V003-14

Applicant hereby appeals to the Board of Zoning Appeals for a variance from the strict application to the property described in form 1 of the following provisions of the zoning ordinance:
18' VARIANCE TO THE REQUIRED FRONT YARD SET BACK OF RG-2 ZONING SECTION 6.7 TABLE 3

So that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: MULTI-FAMILY APARTMENTS CONSISTING OF 133-1 BR UNITS AND 93-2 BR UNITS

for which a permit has been denied by the zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

The strict application of the ordinance will result in unnecessary hardship, and the standards for a variance set by State law and the ordinance are met by the following facts.

a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district which are described as follows: THE OVERALL SIZE AND DIMENSIONS OF THE SUBJECT PROPERTY WERE ALTERED DUE TO THE THREAT OF CONDEMNATION BY THE CITY OF CAYCE FOR THE CAYCE RIVERWALK PARK.

b. The literal interpretation of the provisions of this ordinance would deprive me (the applicant) of rights commonly enjoyed by other properties in the same district as follows: DUE TO REASONS LISTED ABOVE, THE SUBJECT PROPERTY IS NOT ABLE TO BE DEVELOPED UNDER THE SAME CONDITIONS AS SIMILAR PROPERTIES.

c. That the special conditions and circumstances do not result from the actions of the applicant or any conditions or circumstances that the applicant may wish to create with this variance. (explain in detail): THE LOSS OF PORTIONS OF THE SUBJECT PROPERTY TO THE CITY OF CAYCE NOTED ABOVE, AS WELL AS OTHER SITE CONSTRAINTS CREATED BY CITY OF CAYCE UTILITY EASEMENTS.

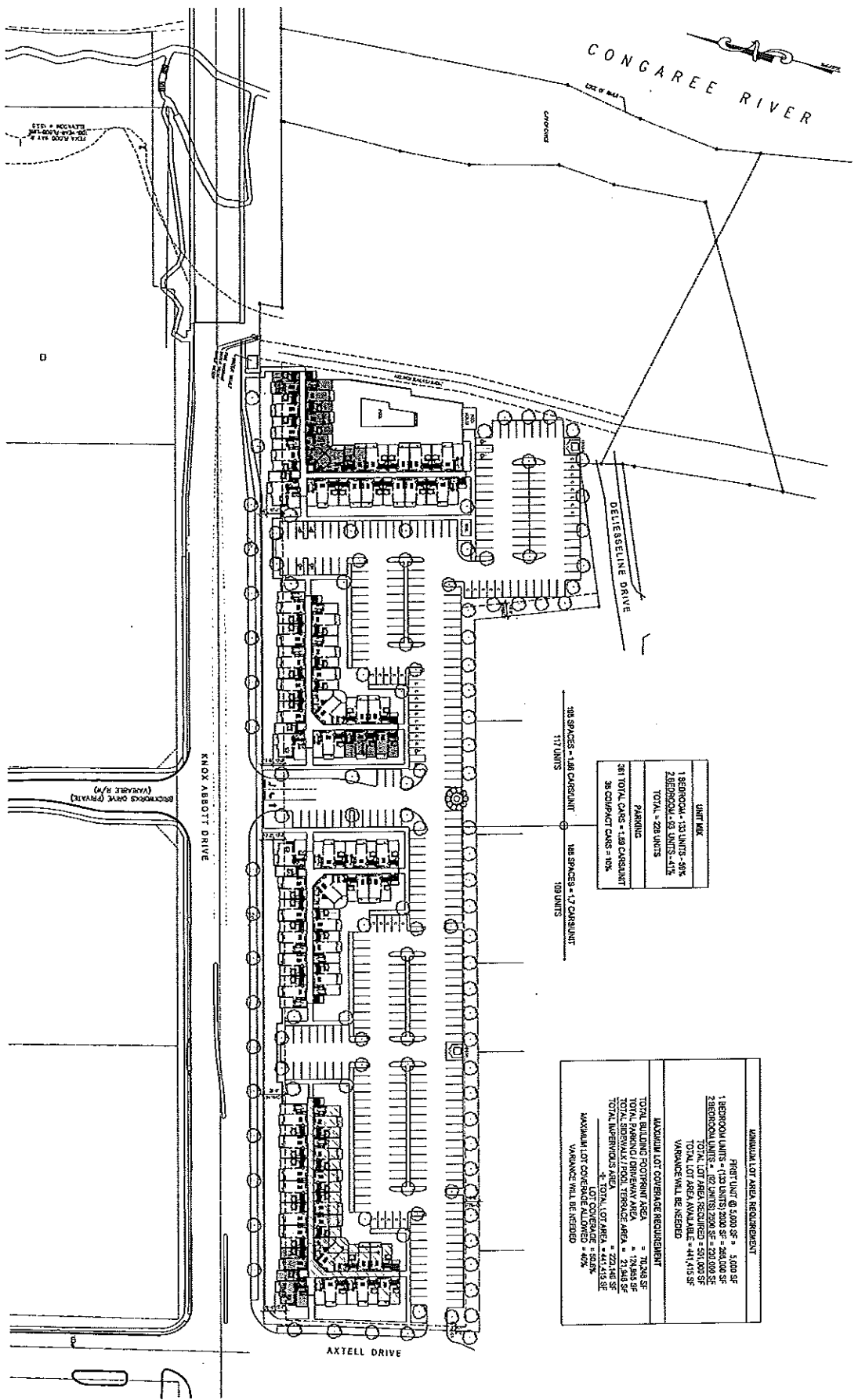
d. Granting this variance will not confer on the applicant any special privilege that is denied by this ordinance to owners of other lands, structures, or buildings in the same district: NOTHING REQUESTED IN THIS APPLICATION WILL ALLOW FOR ANY PROHIBITED USES OR SPECIAL PRIVILEGES NOT ALLOWED TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION.

The following documents are submitted in support of this application, including a plot plan if deemed necessary: ARCHITECTURAL SITE PLAN DATED MARCH 20, 2014 PREPARED BY AXIOM ARCHITECTURE FOR EASLAN CAPITAL.

Date: 3/26/14

Applicant signature

MANAGER



CONGAREE RIVER

DELLESSEINE DRIVE

KNOX ABBOTT DRIVE

AXTELL DRIVE

UNIT MIX
1 BEDROOM - 133 UNITS - 58%
2 BEDROOM - 133 UNITS - 41%
TOTAL = 228 UNITS
PARKING
381 TOTAL CARSPACES = 1.68 CASPERMENT
36 COMPOUND CARSPACES = 70%

138 SPACES = 1.68 CASPERMENT
117 UNITS

138 SPACES = 1.0 CASPERMENT
128 UNITS

MINIMUM LOT AREA REQUIREMENT
FIRST UNIT @ 5,000 SF = 3,000 SF
1 BEDROOM UNITS = 1,330 UNITS @ 1,330 SF = 1,769,900 SF
2 BEDROOM UNITS = 133 UNITS @ 2,000 SF = 266,000 SF
TOTAL LOT AREA REQUIRED = 2,035,900 SF
TOTAL LOT AREA AVAILABLE = 441,435 SF
VARIANCE WILL BE NEEDED
MAXIMUM LOT COVERAGE REQUIREMENT
TOTAL BUILDING FOOTPRINT AREA = 71,245 SF
TOTAL PARKING DRIVEWAY AREA = 17,545 SF
TOTAL UTILITY AREA = 1,330 SF
TOTAL IMPERVIOUS AREA = 221,460 SF
+ TOTAL LOT AREA = 441,435 SF
MAXIMUM LOT COVERAGE = 50%
VARIANCE WILL BE NEEDED

ARCHITECTURAL SITE PLAN

A.I.D.

EASLAN CAPITAL

KNOX ABBOTT
APARTMENTS
KNOX ABBOTT DRIVE
CAYCE, SOUTH CAROLINA
EASLAN CAPITAL

NOT FOR CONSTRUCTION

REVISIONS
DATE
BY
REASON

PROJECT NAME
ARCHITECTURAL
SITE PLAN

DATE
SCALE
SHEET NO.

CITY OF CAYCE
BOARD OF ZONING APPEALS
STAFF EVALUATION REPORT

CASE NO. V001-14 , VA002-14, & VA003-14

APPLICANT: Indigo Associates LLC & Newington Associates LLC
TYPE OF REQUEST: Variance
LOCATION/ADDRESS: 107- 199 Knox Abbott Drive
TAX MAP NUMBER: TMS# 004652-08-001, 002, 003, 004, 005, 012
NUMBER OF ACRES: 9 more or less
EXISTING ZONING CLASSIFICATION: RG-2 and C-3 (scheduled to become RG-2 after
successful re-zoning request)

REQUESTED ACTION:

VA001-14 – The applicant is requesting a variance to exceed the maximum lot coverage ratio for an RG-2 zoning district

VA002-14 - The applicant is requesting a variance to reduce the required minimum lot area for an RG-2 zoning District

VA003-14 - The applicant is requesting a variance of 7 feet to decrease the required front yard setback for an RG-2 zoning district

COMPLIANCE WITH COMPREHENSIVE PLAN: N/A

STAFF COMMENTS/CONCERNS:

Staff believes that the requested variances are based on hardships that meet the requirements stated in the Planning and Enabling Act. Unique configuration is required on this property due to the existence of City of Cayce Utility Easements. Allowing the building to be closer to the road will make this property more

closely conform to the requirements of the surrounding zoning districts. Additionally, issues with the maximum lot coverage and minimum lot area exist due to the result of a portion of the property being given to the City under threat of condemnation.

The proposed use for the property does comply with the City's Future Land Use Map in the Comprehensive Plan.

Staff believes it would be appropriate for any motion granting the variance applications to be based on the condition of successful rezoning and subsequent consolidation of the properties.

Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Shaun Greenwood, Asst. City Manager
Monique Ocean, Planning & Zoning Technician

Date: October 20, 2014

Subject: Second Reading of an Ordinance to rezone a portion of TMS# 004652-08-012 from PDD (Planned Development District) to RG-2 (General Residential, High Rise). The property is located on Deliesseline Road.

ISSUE

Council approval is needed for the Second Reading of an Ordinance to re-zone a portion of TMS#004652-08-012 (located on Deliesseline Road) from PDD (Planned Development District) to RG-2 (General Residential, High Rise).

BACKGROUND/DISCUSSION

The property is currently zoned PDD (Planned Development District). The applicant requests to re-zone a portion of the property located on Deliesseline Road. After successful re-zoning of the property, the applicant wishes to combine it with other properties located at 111 and 199 Knox Abbott Drive, to construct a multi-family development. The Planning Commission recommended the re-zoning request of 111 Knox Abbott and 199 Knox Abbott Drive at their April 21, 2014, regular meeting. Multi-family residential units are a permitted use in the RG-2 zoning district.

The Planning Commission considered the request for re-zoning at its regular meeting on May 19, 2014. The re-zoning request was open for public comment. Members of the public spoke both in favor and against the proposed re-zoning. Many of the arguments for and against the change centered on the same issue brought up in the re-zoning of the adjoining Knox Abbott Drive property. The Planning Commission voted unanimously to recommend Council approve the proposed re-zoning.

RECOMMENDATION

The Planning Commission recommends Council approve Second Reading of an ordinance to re-zone a portion of TMS#004652-08-012 (Deliesseline Road) from PDD (Planned Development District) to RG-2 (General Residential, High Rise).

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)

ORDINANCE
Amending Zoning Map and
Rezoning property located at Tax
Map Number 004652-08-012
(Portion) from PDD to RG-2

WHEREAS, Newington Associates LLC., as the property owner, requested that the City of Cayce amend the Zoning Map to re-designate a portion of the property comprising and shown as TMS# 004652-08-012, now zoned Planned Development District (PDD) to General Residential, High Rise (RG-2); and

WHEREAS, the Planning Commission held a public hearing on this request to receive comments from the public and adjacent property owners; and

WHEREAS, the Planning Commission met on May 19th, 2014, to review public comments and vote on recommending the rezoning request and unanimously voted to recommend this change to the existing zoning,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the property hereinafter listed, and as shown on the attached sketch, is hereby rezoned and reclassified on the Zoning Map of the City of Cayce as RG-2, General Residential, High Rise:

TMS# 004652-08-012(Portion)
Deliesseline Road

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2014.

Elise Partin, Mayor

Attest:

Mendy Corder, Municipal Clerk

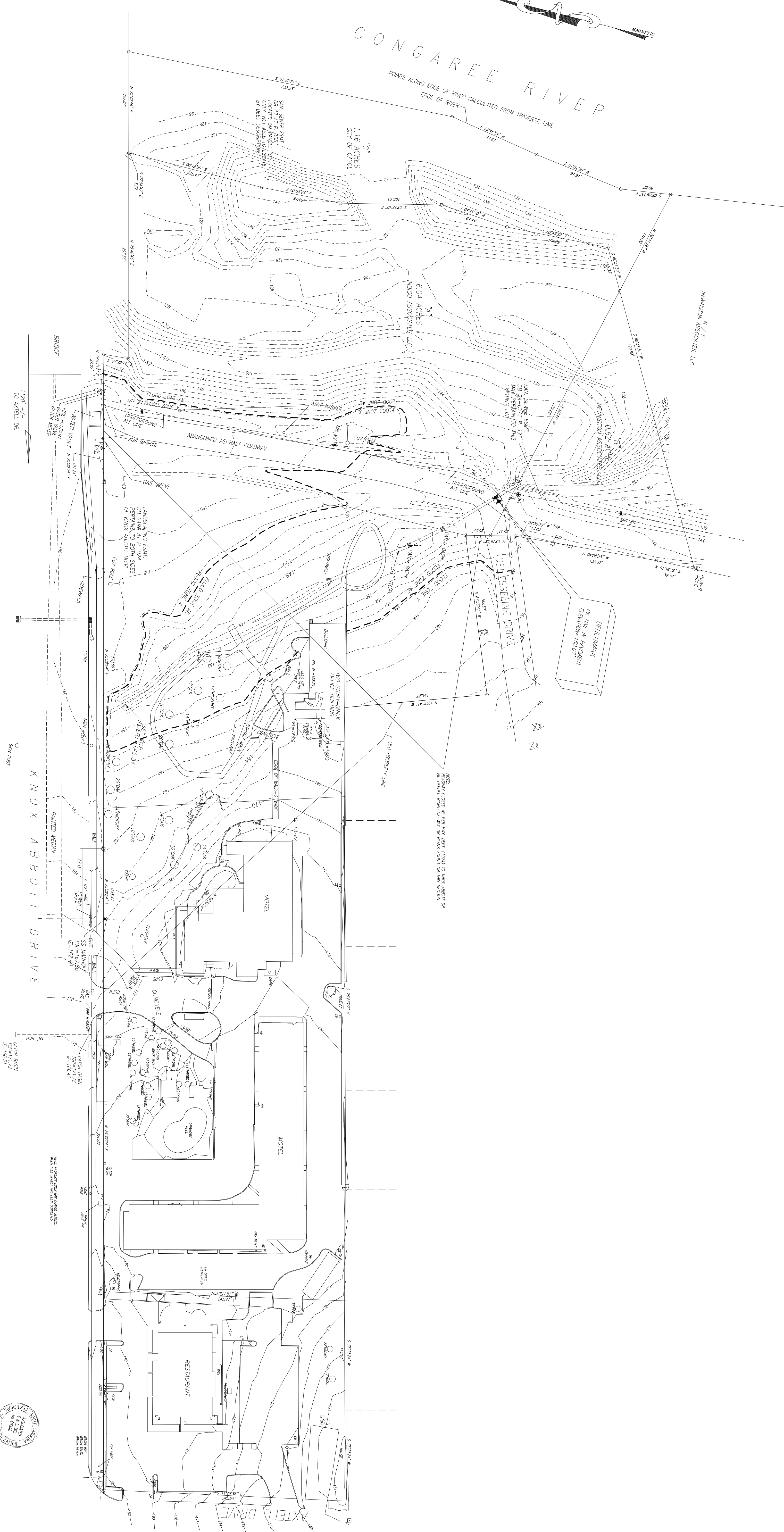
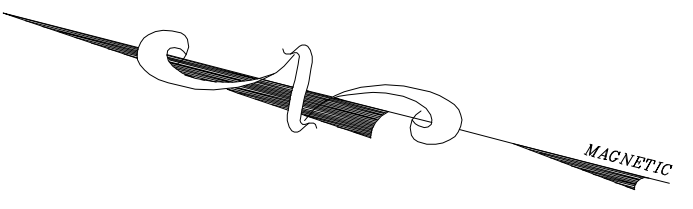
First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

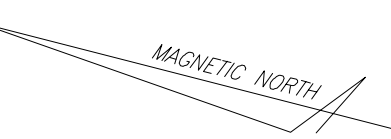
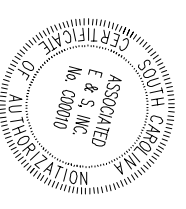
CONGAREE RIVER

POINTS ALONG EDGE OF RIVER CALCULATED FROM TRANSVERSE LINE
EDGE OF RIVER

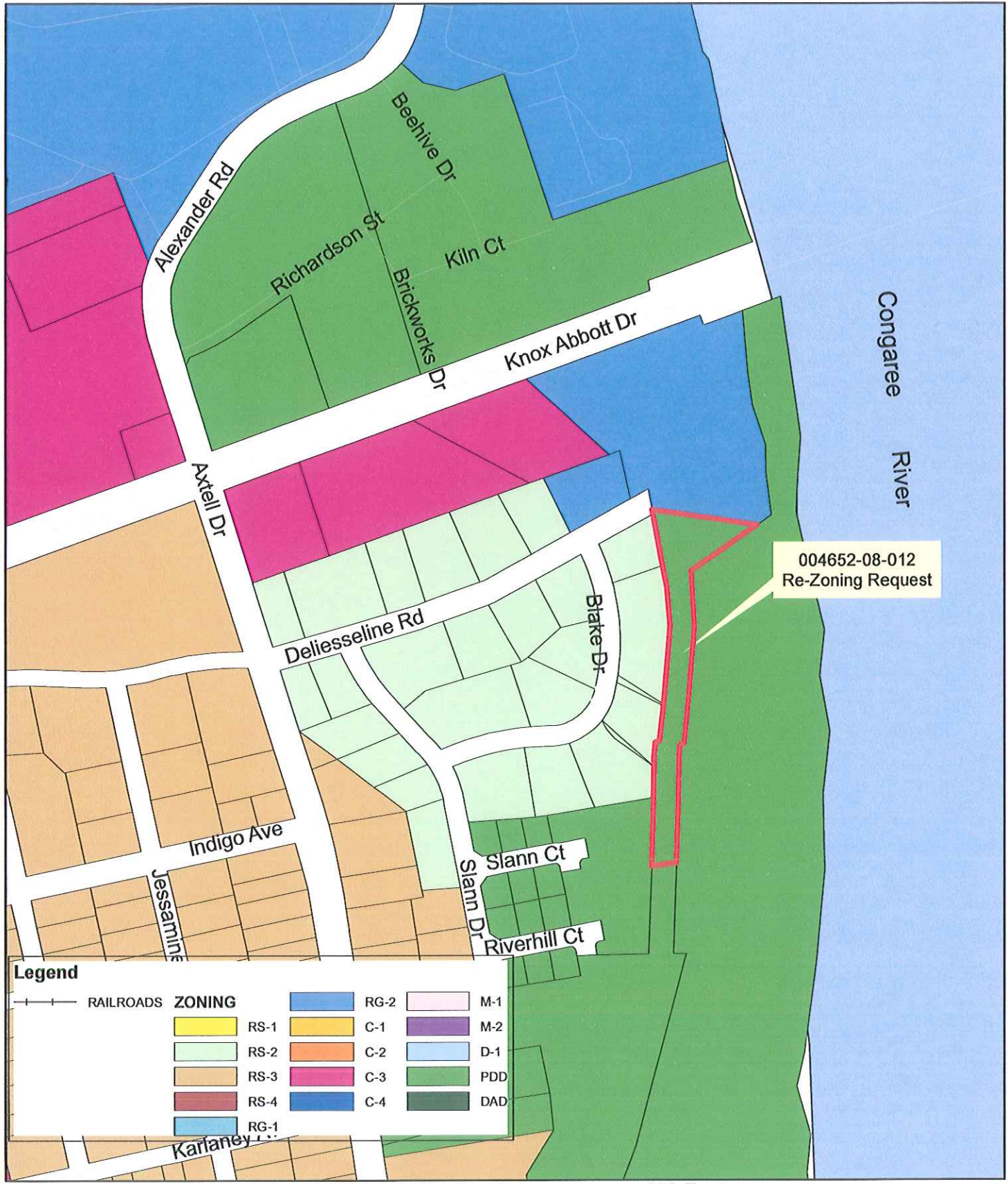


PLANNING MAP
 ALL DIMENSIONS AND DISTANCES
 SHOWN ON THIS MAP ARE AS SHOWN
 ON THE RECORD DRAWING
 AND ALL DIMENSIONS ARE SHOWN

DATE: MARCH 17, 2014
 SCALE: 1" = 20'
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]
 PROJECT NO. 14-001
 SHEET NO. 1 OF 1



MA003-14
Zoning Map

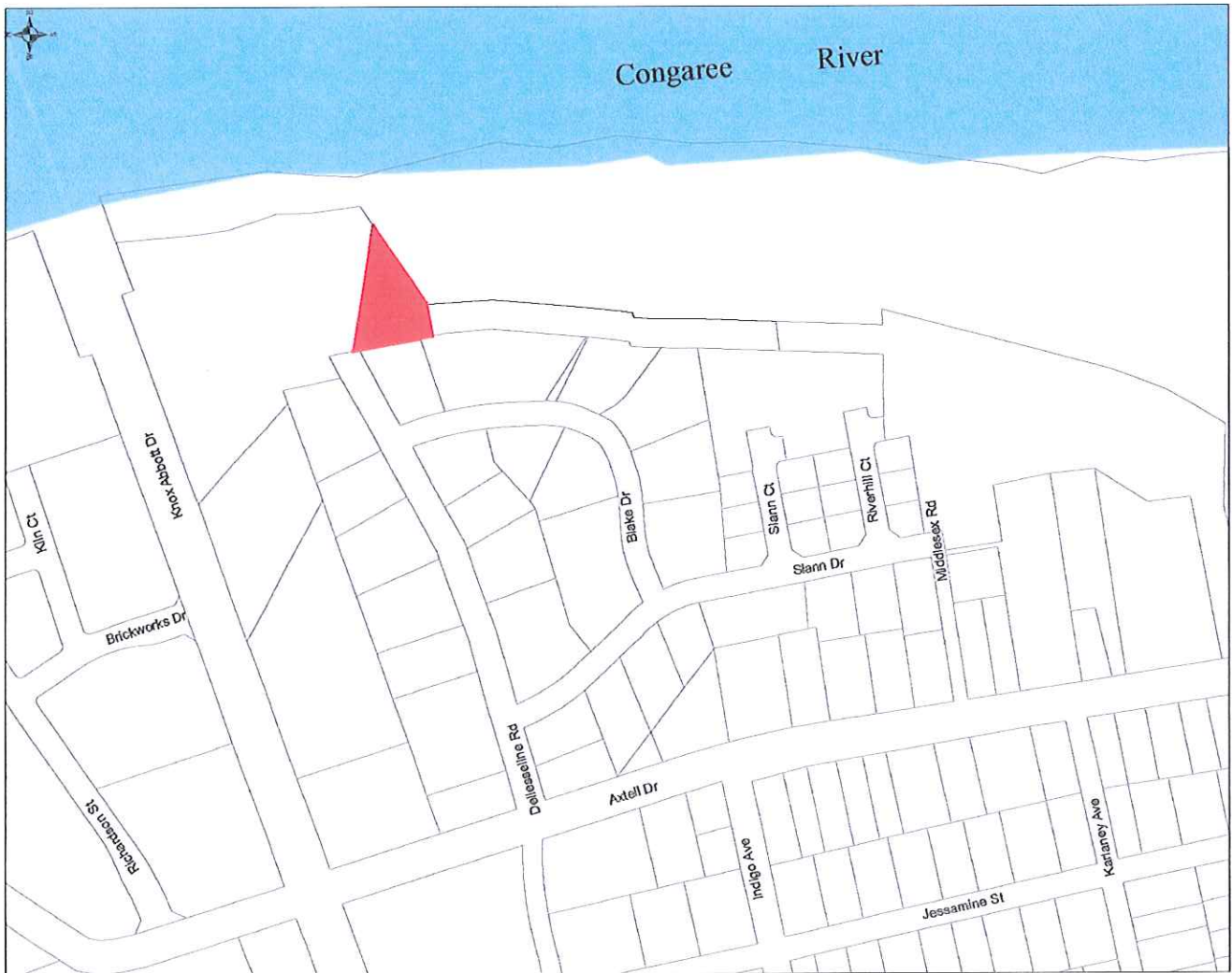


004652-08-012
Re-Zoning Request

Legend

—+—+—+—	RAILROADS	ZONING	RG-2	M-1	
[Yellow Box]	RS-1	[Orange Box]	C-1	[Purple Box]	M-2
[Light Green Box]	RS-2	[Pink Box]	C-2	[Light Blue Box]	D-1
[Brown Box]	RS-3	[Magenta Box]	C-3	[Green Box]	PDD
[Dark Red Box]	RS-4	[Blue Box]	C-4	[Dark Green Box]	DAD
[Light Blue Box]	RG-1				





260 130 0 260 Feet

**CITY OF CAYCE
PLANNING COMMISSION
STAFF EVALUATION REPORT**

CASE NO. MA003-14

APPLICANT: Newington Associates LLC

TYPE OF REQUEST: Re-Zoning

LOCATION/ADDRESS: Deliesseline Rd.

TAX MAP NUMBER: TMS# 004652-08-012 (Portion)

NUMBER OF ACRES: >1

EXISTING ZONING CLASSIFICATION: PDD (Planned Development District)

REQUESTED ACTION:

The applicant is requesting to change the current zoning to RG-2 (General Residential, High- Rise).

COMPLIANCE WITH COMPREHENSIVE PLAN:

The proposed zoning is in compliance with the adopted plan for the area and the surrounding neighborhood.

STAFF COMMENTS/CONCERNS:

The applicant desires to change the zoning of the property located at the end of Deliesseline Rd. The proposed zoning change will allow a portion of this property to be subdivided and combined in to the adjoining properties to allow for a multi-family apartment complex. The other properties in question were recommended for rezoning at the Planning Commission's meeting on April 21st, 2014. Current site plans for the proposed development show this area remaining wooded and undeveloped. The developer needs this tract of land added in to the project in order to meet the density requirements on the main part of the development. Additionally, the development, as currently designed, exceeds the maximum lot coverage allowable in the Zoning Ordinance. This piece of property would not be able to be developed without a Public Hearing and variance granted by the Board of Zoning Appeals.

City of Cayce
South Carolina

Planning Commission Zoning Map Amendment

Date Filed: 4/21/14

Request No: MM003-014

Fee: N/A

Receipt No: N/A

A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator, or City Council. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent section.

THE APPLICANT HEREBY REQUESTS that the property described as above be considered for rezoning from PDD to RG-2 GEN. RES.

The justification for this change is as follows;

TO ALLOW THE SUBJECT PROPERTY TO BE PUT TO ITS HIGHEST AND BEST USE.

APPLICANT(S) [print]: NEWINGTON ASSOCIATES LLC
Address: P.O. BOX 50909, COLUMBIA SC 29250
Telephone: 803-254-2125 [Business] 803-513-2660 [Residence]
Interest: Owner(s): Agent of owner(s): Other:

OWNER(S) [if other than Applicant(s)] : _____
Address: _____
Telephone: _____ [Business] _____ [Residence]

PROPERTY ADDRESS: DELESSELINE RD
Lot _____ Block _____ Subdivision _____
Tax Map No. 004652-08-012 Plat Book _____ Page _____
Lot Dimensions: _____ Area: [sq. ft. or acreage] _____
Deed restrictions/limitations on property: _____

DESIGNATION OF AGENT [complete only if owner is not applicant]
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request.

Date: _____

Owner signature(s)

I (we) certify that to the best of my (our) knowledge that the information contained herein is accurate and correct.

Date: 4/21/14

C. C. C. F., MANAGER

Applicant signature(s)

Official Use Only: Property posted: 4-30-14 By: SAM

Published in Newspaper on: 5-01-14

PLANNING COMMISSION: _____

RECOMMENDATION: _____

CITY COUNCIL [1st Reading] _____

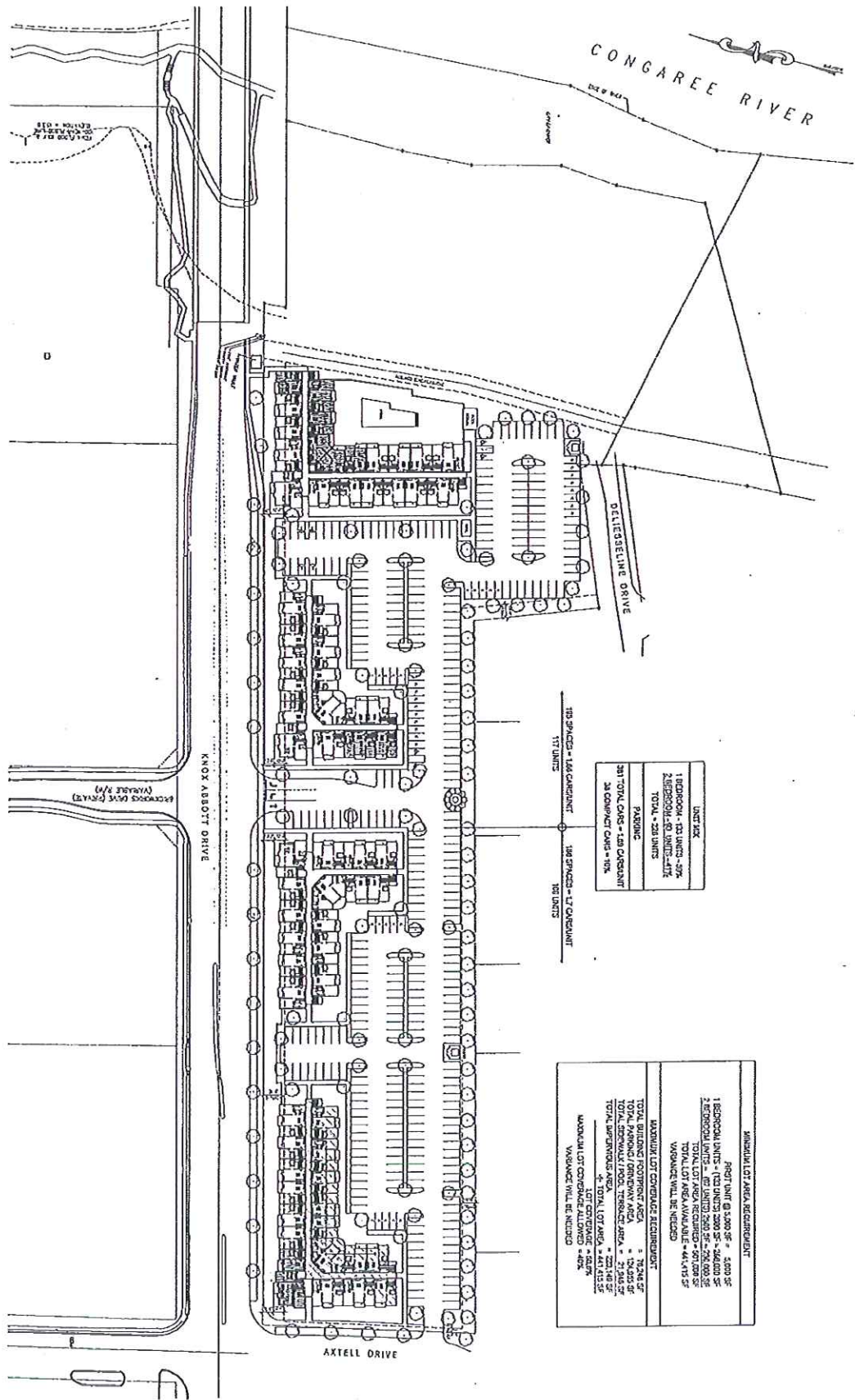
ACTION: _____

CITY COUNCIL [Final Reading] _____

ACTION: _____

Notice to applicant sent on _____ advising of Councils action. If approved a statement to the effect that our zoning maps and records now reflect the new zoning of the property. If disapproved, the reasons for disapproval, a statement that any other request for rezoning on the same piece of property will not be accepted for a period of one (1) year from Councils action.





CONGAREE RIVER

DELLESSELL DRIVE

KNOX ABBOTT DRIVE

KNOX DRIVE (PRIVATE)

AXTELL DRIVE

UNIT MIX	
1 BDR/BA - 12 UNITS - 3%	
2 BDR/BA - 80 UNITS - 47%	
TOTAL - 228 UNITS	
PARKING	
381 TOTAL CAR - 168 CAR/UNIT	
28 COMPACT CAR - 10%	

185 SPACES - 168 CAR/UNIT
177 UNITS

198 SPACES - 17 CAR/UNIT
16 UNITS

MINIMUM LOT AREA REQUIREMENT	
1 BDR/BA UNITS - 123 UNITS	2,000 SF - 4,000 SF
2 BDR/BA UNITS - 80 UNITS	2,000 SF - 4,000 SF
TOTAL LOT AREA REQUIRED - 207,000 SF	
TOTAL LOT AREA AVAILABLE - 41,415 SF	
VARIANCE WILL BE NEEDED	
MAXIMUM LOT COVERAGE REQUIREMENT	
TOTAL BUILDING FOOTPRINT AREA	7,246 SF
TOTAL PAVEMENT DRIVEWAY AREA	10,935 SF
TOTAL DRIVEWAY/POOL TERRACE AREA	21,985 SF
TOTAL IMPERVIOUS - 40,166 SF	
TOTAL LOT AREA - 41,415 SF	
LOT COVERAGE - 97%	
MAXIMUM LOT COVERAGE ALLOWED - 65%	
VARIANCE WILL BE NEEDED	

ARCHITECTURAL SITE PLAN

MA003-14
Exhibit 1 Cont.

ARCHITECT
A.I.D.

ARCHITECTURAL
SITE PLAN

EASLAN
CAPITAL

KNOX ABBOTT
APARTMENTS
1500 ABBOTT DRIVE
COLUMBIA, SC 29204
EASLAN CAPITAL

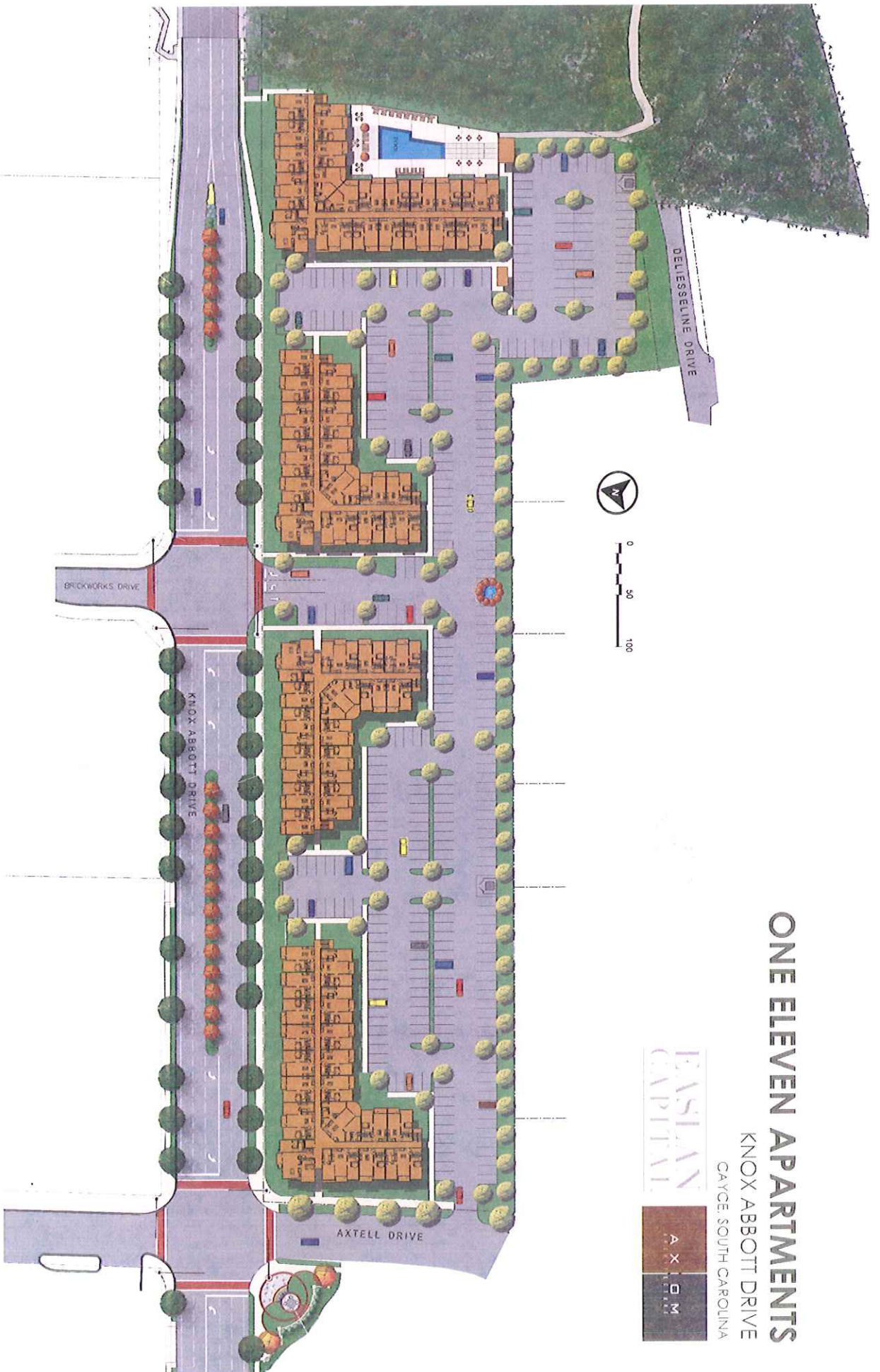
NOT FOR CONSTRUCTION

AXIOM
1500 ABBOTT DRIVE
COLUMBIA, SC 29204
TEL: 803.733.1111
WWW.AXIOMSC.COM

ONE ELEVEN APARTMENTS

KNOX ABBOTT DRIVE
CAYCE, SOUTH CAROLINA

EASMAN
CAPITAL



Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Shaun Greenwood, Asst. City Manager

Date: October 20, 2014

Subject: Discussion of an Ordinance to Increase Mayor and Council Member's Benefits

ISSUE

Council discussion is needed regarding benefits offered to the Mayor and Council Members. Approval will be needed for Second Reading of an Ordinance to make any changes to these benefits.

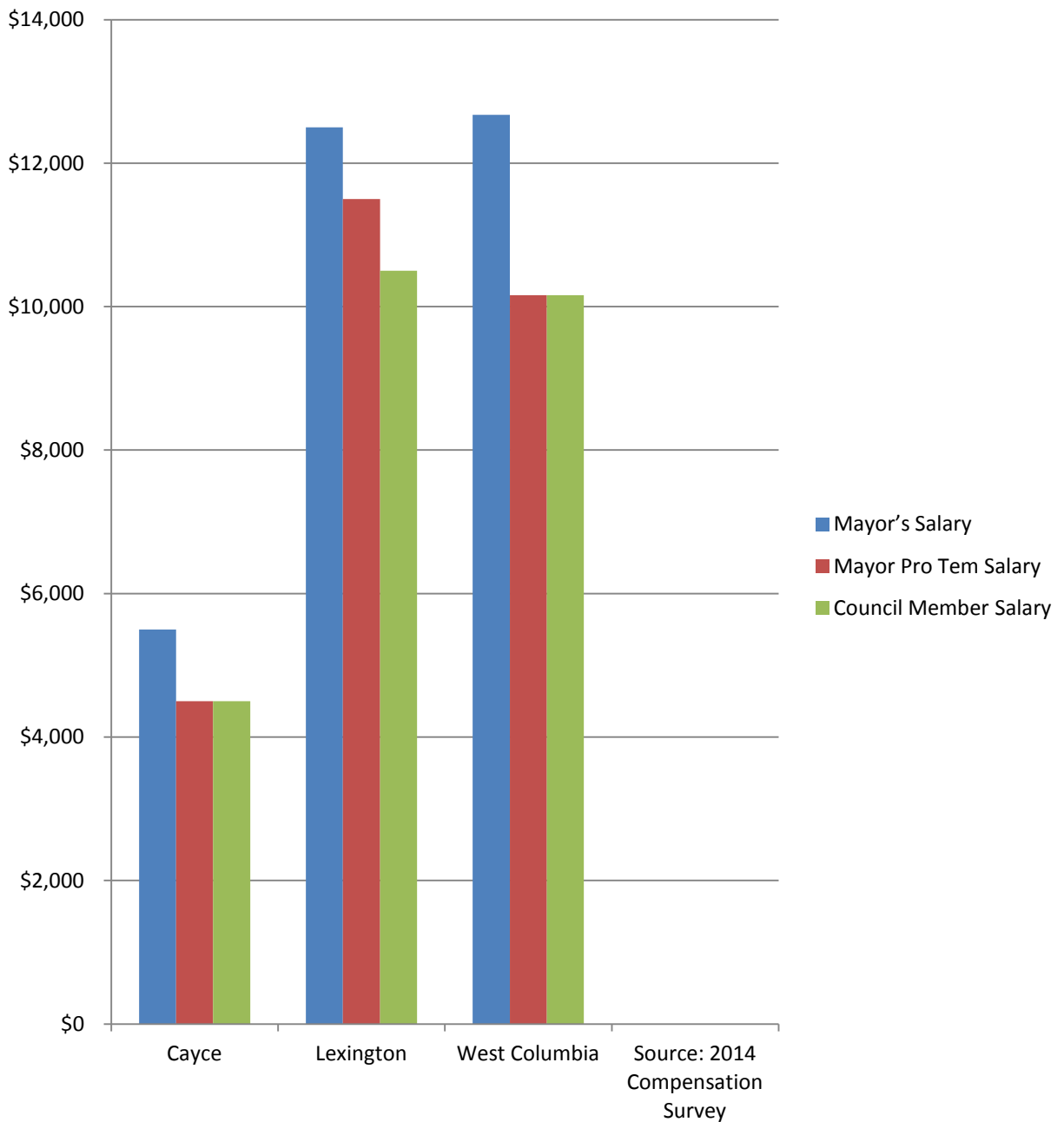
BACKGROUND/DISCUSSION

The attached table and graph illustrate the salary and benefits for the Cayce City Mayor and Council Members and for surrounding councils of comparable sized cities.

Currently the Cayce City Mayor is paid 56% less than the lowest paid of her/his counterparts and the Cayce City Council Members are paid 55.6% less than the lowest paid of their counterparts.

City	Mayor's Salary	Mayor Pro Tem Salary	Council Member Salary	Health Insurance
Cayce	\$5,500	\$4,500	\$4,500	Not Offered
Lexington	\$12,500	\$11,500	\$10,500	Offered
West Columbia	\$12,673	\$10,158	\$10,158	Offered

Source: 2014 Compensation Survey



STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)

ORDINANCE

Setting Salaries for the Mayor and Members of Council

WHEREAS, S.C. Code section 5-7-170, relating to the ability of municipalities to set salaries for the mayor and councilmembers, provides, in pertinent part, that the council may determine the annual salary of its members by ordinance, provided that the ordinance establishing such salaries shall not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance, at which time it will become effective for all members whether or not they were elected in such election; and

WHEREAS, the Council has determined that it is appropriate to set new salaries for the Mayor and Councilmembers, to take effect, in accord with the provisions of S. C. Code section 5-7-170, on the commencement date of the terms of two or more members of Council elected at the next general election following adoption of this Ordinance, which election and commencement of terms will occur in November 2014 with the election of the Mayor and two members of Council,

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Cayce, in Council, duly assembled, that effective at the earliest date allowed by S. C. Code section 5-7-170 and for the remainder of 2014 and for subsequent years until amended by further ordinance, the annual salary of the Mayor will be set at \$18,000, Mayor Pro-Tem at \$16,500 and the annual salary of each member of Council will be set at \$15,000.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2014.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

First reading: _____

Second reading and adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney