

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley



**City of Cayce
Regular Council Meeting
Wednesday, March 22, 2023
5:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

- I. Call to Order**
 - A. Invocation and Pledge of Allegiance
- II. Public Comment Regarding Items on the Agenda**
- III. Presentations**
 - A. Recognition of City Employee, Chris Orpilla, being awarded the Water Environment Association of South Carolina Capital District Water Treatment Plant Operator of the Year
 - B. Presentation by Mr. Tommy Stringfellow on the Riverbanks Zoo and Gardens
- IV. Ordinances**
 - A. Discussion and Approval of Ordinance 2023-03 Amending the Zoning Map and Rezoning Property Located at 1235 Frink Street (Tax Map Number 005727-02-027) from C-4 to RS-3 – First Reading
- V. Items for Discussion and Possible Approval**
 - A. Consideration of Fireworks Exemption Request for Hidden Valley Music Festival
- VI. City Manager’s Report**
- VII. Council Comments**
- VIII. Executive Session**
 - A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- IX. Reconvene**
- X. Possible actions by Council in follow up to Executive Session**
- XI. 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: Tracy Hegler, City Manager
Monique Ocean, Planning & Zoning Administrator

Date: March 22, 2023

Subject: First reading of an Ordinance to re-zone property located at 1235 Frink Street (Tax Map Number 005727-02-027) from C-4 (Highway Commercial) to RS-3 (Single-Family Residential).

Issue

Council approval is needed for the first reading of an Ordinance to re-zone property located at 1235 Frink Street (Tax map Number 005727-02-027) from C-4 (Highway Commercial) to RS-3 (Single Family Residential).

Discussion

The owner/applicant wishes to rezone the property from C-4 (Highway Commercial) to RS-3 (Single Family Residential). The property is the site of a dilapidated structure, which has been unoccupied for several years.

Frink Street is a commercial corridor and the majority of zoning districts found on Frink Street are commercial and industrial. The subject property is bounded by C-4 on Frink Street and RS-3 properties to the rear and along James Street.

The requested rezoning of RS-3 is not in compliance with the Comprehensive Plan.

The subject property is located in the Transition (TA) area of the Future Land Use Map. The purpose of the TA Land Use Classification is to enhance environmental conditions and improve property values. Some of these areas may be deteriorating, while others may be under economic pressure for higher use and intensive development. Proposed zoning changes should be carefully evaluated to determine the causes and impacts of the transitional process, and to grant change only where substantial improvement or strengthening of the area would result. Compatible zoning districts are listed as RG-1, RG-2, C-1, C-2, C-4, and PDD.

Staff does not recommend approval because the requested zoning is not compatible with the Comprehensive Plan. Staff feels that a residential zoning, at this location, would be intrusive to the commercial zoning on Frink Street.

The Planning Commission met on January 23, 2023, to receive public comment and vote on the rezoning request. Four (4) members of the public spoke in favor and no one spoke against the request. Richard Boiteau made a motion to recommend that Council deny the request. Mr. Boiteau stated the request is not compatible with the Comprehensive Plan and the area is commercially zoned. Michael Mahoney seconded the motion. A roll call vote was then taken. Patty Foy, Nancy Stone-Collum, Ed Fuson, Robert Power, and Michael Wuest voted against the motion. The reasons given for voting against the motion were that the area is in need of beautification, the subject property is adjacent to residences, the residential zoning does not cause undue burden to the area, and it is a good idea to turn the structure into a home. So, by a majority vote of 5 to 2, Mr. Boiteau's motion to deny the rezoning failed.

A second motion was made by Michael Wuest to recommend approval of the rezoning and was seconded by Patty Foy. The vote was made 5 to 2 in favor of the motion.

Recommendation

A motion to recommend approval of the rezoning was made by Michael Wuest and seconded by Patty Foy. The Planning Commission decided by a majority vote of 5 to 2 to recommend Council approve the request to rezone 1235 Frink Street from C-4 (Highway Commercial) to RS-3 (Single Family Residential). The reasons stated were the same as previously mentioned.

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

ORDINANCE 2023-03
Amending the Zoning Map and Rezoning
Property Located at 1235 Frink Street
(Tax Map Number 005727-02-027) from
C-4 to RS-3

WHEREAS, the Owner/Applicant requested that the City of Cayce amend the Zoning Map to re-designate the property comprising and shown at 1235 Frink Street (Tax Map Number 005727-02-027) from C-4 (Highway Commercial) to RS-3 (Single Family, Small Lots), 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 January 23, 2023, to receive public comments and vote on whether to recommend the rezoning request, and has decided, by a majority vote of 5 to 2, that it does 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 RS-3 (Single Family, Small Lots):

Tax Map Number 005727-02-027
1235 Frink Street

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

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2023.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

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


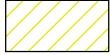
Rezoning Request
MA002-23

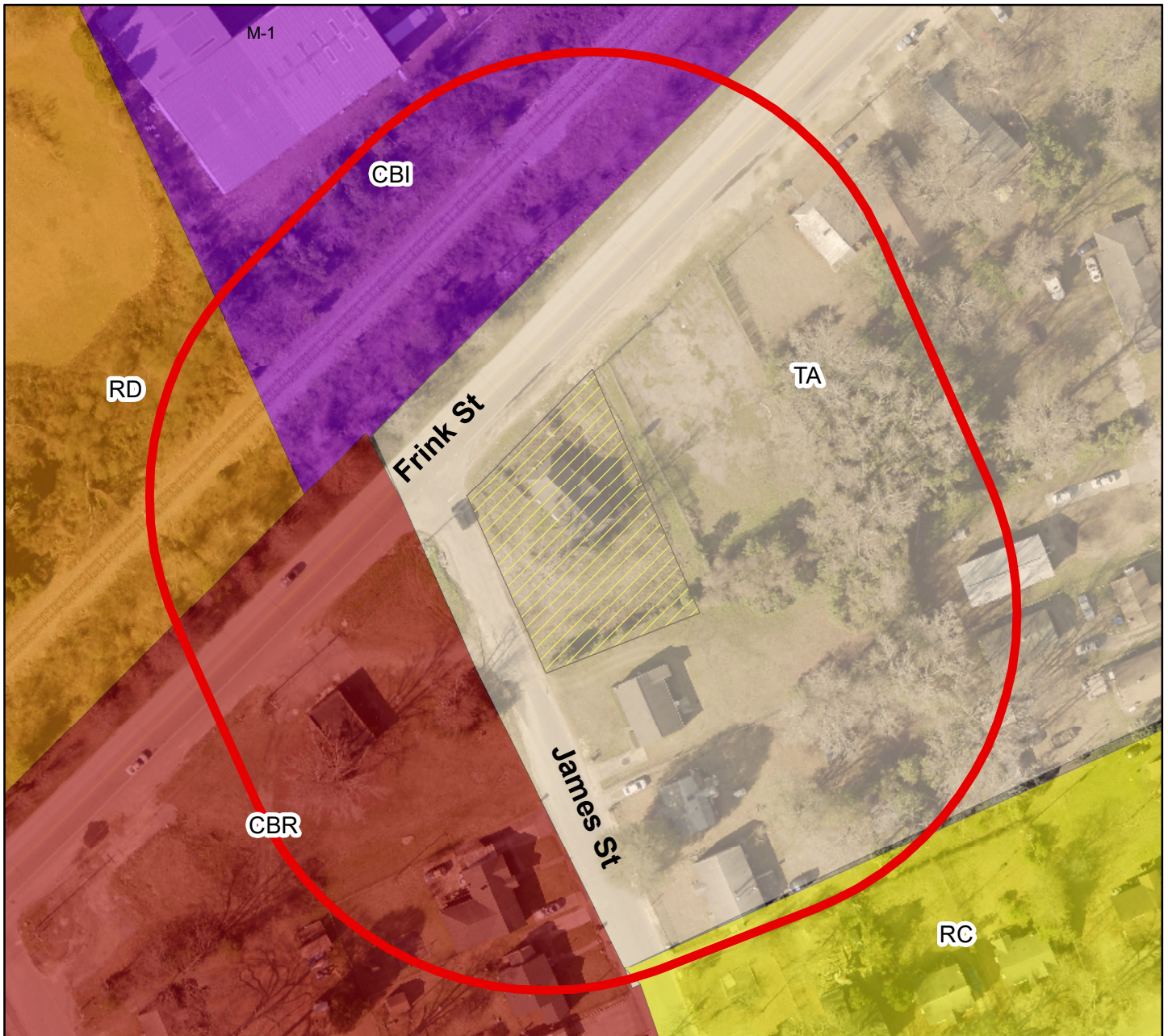
ITEM IV. A.

1235 Frink Street

LAND USE MAP

Legend

-  200' Buffer
-  Rezoning Request



200 100 0 200 Feet



Rezoning Request
MA002-23

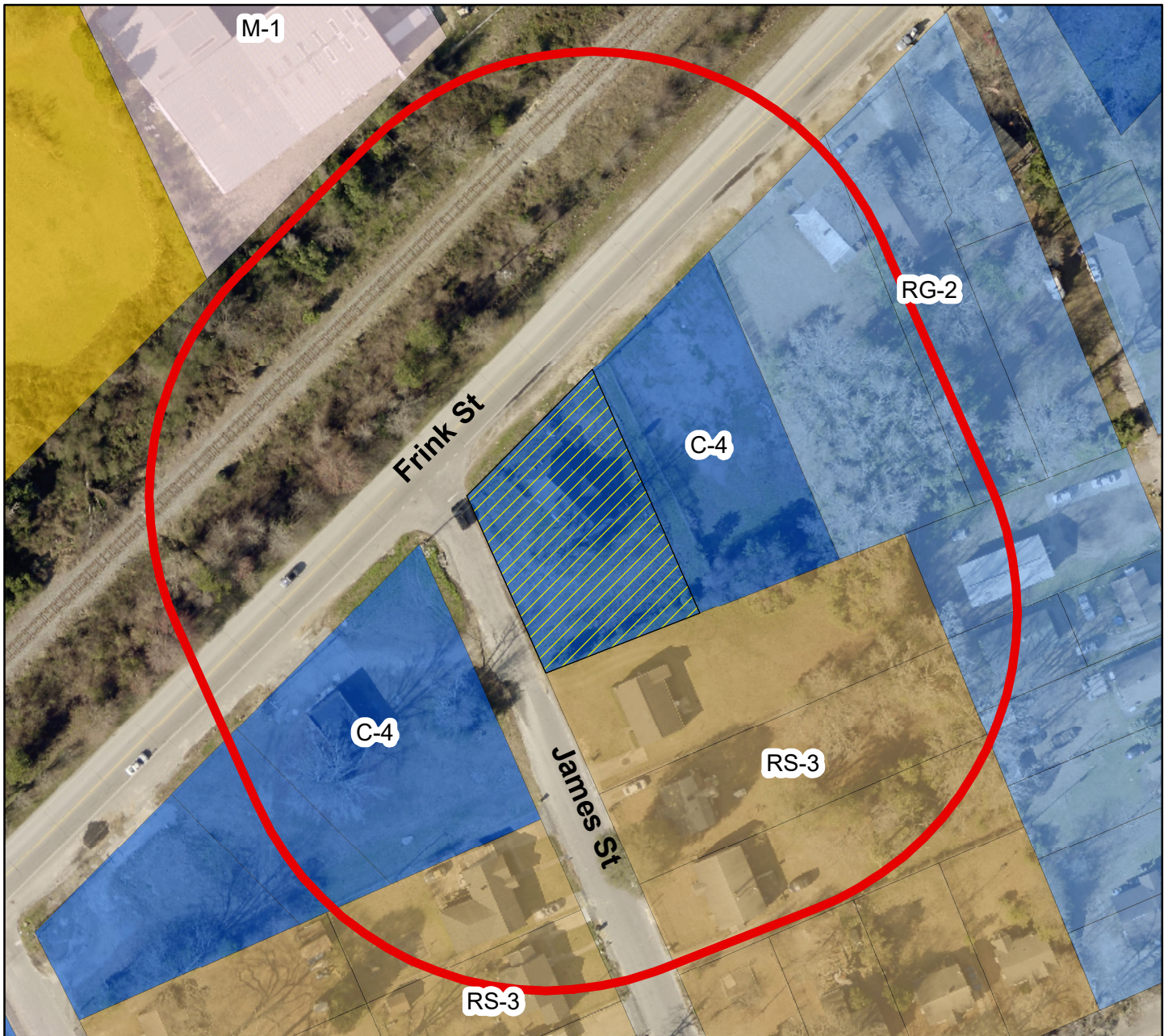
ITEM IV. A.

1235 Frink Street

EXISTING ZONING

Legend

-  200' Buffer
-  Rezoning Request



200 100 0 200 Feet



Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: March 22, 2023

Subject: Fireworks exemption for Hidden Valley Music Festival

ISSUE:

Council's approval is needed to grant the Hidden Valley Music Festival an exemption from Ordinance Sec: 20-46 Discharge of fireworks and Sec: 20-47 Exceptions.

DISCUSSION/BACKGROUND:

Per City Ordinance, it is unlawful to fire, shoot or discharge fireworks within the corporate limits of the City, with a few exceptions.

Ordinance Sec: 20-47 Exceptions states that: Notwithstanding the provisions of section 20-46, the discharge or shooting of fireworks may be permitted under the following circumstances:

(4) The discharging or shooting of fireworks in conjunction with a special event to the extent allowed under the terms of the permit issued by the public safety director and approved by council.

Hidden Valley Music Festival is currently working on their special events permit to host a concert on April 22 at the Historic Columbia Speedway located on Charleston Highway. The event will start at 2:00PM and last until approximately 10:30PM. They are requesting an exception under the listed ordinance to have fireworks at their event. Fireworks consisting of sparklers will be launched from the stage area and mortars from the baseball fields behind the track. They have already received their permit through the State which was sent to our Fire Department.

RECOMMENDATION:

Hidden Valley Music Festival is requesting Council approve the Exception (4) under ordinance Sec 20-47.