The Council will meet in the Mauldin City Hall at 5 East Butler Road in the Council Chambers.
AGENDA

1. Call to order
   a. Invocation
   b. Pledge of Allegiance
   c. Welcome

2. Proclamations and Presentations

3. Reading and approval of minutes
   a. City Council Meeting - January 20, 2020 (Pages 3-9)

4. Public Comment

5. Report from City Administrator

6. Reports from Standing Committees
   a. Finance and Policy (Chairman Reynolds)
   b. Public Safety (Chairwoman King)
   c. Public Works (Mayor Merritt)
   d. Economic Planning and Development (Chairman Matney)
   e. Building Codes (Chairwoman Kuzniar)
   f. Recreation (Chairman Black)

7. Unfinished Business
   a. Consideration and Action on Annexation at Loblolly Circle and Laurel Drive (Building Codes)- Final reading (Pages 10-34)
   b. Consideration and Action on Potential Moratorium on Types of Discount Stores (EPD)- Final Reading (Pages 35-38)
   c. City Park Playground Agreement with Cunningham Recreation (PW)- Only requires one reading (Pages 39-54)

8. New Business
   a. Consideration and action on Copier Proposal contract (Finance)- Only requires one reading (Pages 55-58)
   b. Consideration and action on Employee Personnel Policy (Finance)- Only requires one reading (Pages 59-61)
   c. Consideration and action on Rezoning at 317 Miller Road (Building Codes)- First reading (Pages 62-84)
   d. Consideration and action on Amendments to the Conditional Standards for Multi-Family Housing in the C-1, C-2, and S-1 Zoning Districts (Building Codes) First reading (Pages 85-96)
e. Consideration and action on contractual matters involving the Belmont Fire District (Public Safety) Only requires one reading (Pages 97-104)
f. Consideration and action on work on Muirwood Drive (PW)- Only requires one reading (Pages 105-108)
g. Consideration and action on Replacement of Gateway Entry Sign (PW)- Only requires one reading (Pages 109-111)
h. Consideration an action on Millport at Butler Rd. Intersection Improvement Project - Participation Agreement (PW)- Only requires one reading (Pages 112-117)
i. Municipal Match Resurfacing Program Participation Agreement (PW)- Only requires one reading (Pages 118-124)

9. Public Comment

10. Council requests

11. Adjoumment
Minutes
City Council Meeting
January 21, 2020
7:00 p.m.

Members present were Mayor Terry Merritt, Council members Taft Matney, Carol King, Michael Reynolds and Dale Black. City Administrator Brandon Madden and City Attorney John Duggan were also present. Councilwoman Diane Kuzniar was not present due to a death in her family.

1. Call to order- Mayor Merritt
   a. Invocation- Councilman Matney
   b. Pledge of Allegiance- Councilman Matney
   c. Welcome- Mayor Merritt

2. Proclamations and Presentations
   a. Mauldin Recreation Football 12U
      Certificates were presented by the Mayor.

3. Reading and approval of minutes (Pages 3-9)
   a. City Council Meetings- December 16, 2019; Special Called- January 6, 2020
      Councilwoman King made a motion to approve the minutes with Councilman Matney seconding. The vote was unanimous (5-0).

      Councilman Black made a motion to approve the special called minutes with Councilwoman King seconding. The vote was unanimous (5-0).

4. Public Comment- None

5. Report from City Administrator
   Recognition of City Staff
   a. Police Officer and Civilian Employee of the Year
      Chief Turner recognized Luke Rohaley as Civilian Employee of the Year and Daniel Turner as Officer of the Year.

      Brandon brought two events to Council’s attention. This Thursday there is a model opening at Maplewood Retirement Community. There will be a Chamber Business Expo on February 27th.

6. Reports from Standing Committees- The reports are on file.
   a. Finance and Policy (Chairman Reynolds)
   b. Public Safety (Chairwoman King)
   c. Public Works (Mayor Merritt)
   d. Economic Planning and Development (Chairman Matney)
   e. Building Codes (Chairwoman Kuzniar)
   f. Recreation (Chairman Black)
7. Unfinished Business
   a. Consideration and action on request to Abandon Road S-1115 (EPD)-
      Final reading (Pages 10-21)- Chairman Matney made a motion to accept this
      ordinance on second reading. This will allow our legal counsel to start
      proceedings to close road S1115 and notify property owners. This is the
      frontage road at Owens Lane and Main Street. Councilman Black seconded
      the motion and the vote was unanimous (5-0).

   b. Consideration and action on rezoning at 501 E. Butler Road (Building Codes)-
      Final reading (Pages 22-36)- Councilman Black made a motion to accept this
      on second reading. The property is currently zoned C1 and is requesting to
      rezone to RM. This property is 5 acres next to City Park on East Butler Road
      and will be townhomes. Councilwoman King seconded and the vote was
      unanimous (5-0).

   c. Consideration and action on Amendment to Sec. 8-62, Compliance with
      Laws (Building Codes)- Final reading (Pages 37-40)- Councilman Black made
      a motion to accept this ordinance on second reading. It cleans up our code
      regarding references to Greenville County Planning. Mauldin has its own
      Planning Commission. Councilman Reynolds seconded the motion and the
      vote was unanimous (5-0).

8. New Business
   a. Consideration and Action on Annexation at Loblolly Circle and Laurel Drive
      (Building Codes)- First reading (Pages 41-65)- David Dyrhaug said there were
      some questions about a traffic study for this property. The results of the study
      have recommendations that the driveways be designed with DOT and
      Greenville County standards, minimum site distances at the entrances to be
      maintained, and standard stop signs and stop bars installation. There are
      plans to widen Loblolly Circle and realign the intersection of Loblolly Circle
      and Ridge Road.

      This annexation is composed of 3 parcels. The first is 1307 Loblolly Circle,
      owned by Kimberly Rogers and is 6.1 acres. The property is currently zoned
      R7.5 in the County and would be RM City. Councilman Black made a motion
      to accept this on first reading. Councilman Matney seconded the motion
      and the vote was unanimous (5-0).

      The second is owned by River of Life Romanian Church at 405 Laurel Road.
      The property is 5 acres. The property is currently zoned RMA in the County
      and would be RM City. Councilman Black made a motion to accept this on
      first reading. Councilwoman King seconded the motion and the vote was
      unanimous (5-0).
The third parcel is owned by Martin and Rivea at 403 Laurel Road and is 2.9 acres. The property is currently zoned RMA in the County and would be RM City. Councilman Black made a motion to accept this on first reading. Councilwoman King seconded the motion and the vote was unanimous (5-0).

b. Consideration and Action on Small Cell Wireless Facilities Ordinance (Building Codes)- First reading (Pages 66-89)- This is for 5G technology. The City Attorney came back with some information on this that committee should look at. Councilman Black made a motion to send this item back to committee with Councilman Reynolds seconding. The vote was unanimous (5-0).

c. Consideration and Action on Planning Commission appointment (Building Codes- Only requires one vote (Pages 90-98)- This is an appointment to Elizabeth Wiygul’s seat. The seat expires in June 2020. Council appointed Chris Paglia lunga.

d. Consideration and Action on Authorization to Proceed on the Sale of Old/ Damaged Equipment (PW)- This item only requires one vote (Pages 99-101)- Councilman Reynolds made a motion to allow Public Works to advertise and sell the listed old/damaged equipment on Govdeals. Councilwoman King seconded the motion. The vote was unanimous (5-0).

e. Consideration and Action on City Park Playground Agreement with Cunningham Recreation (PW)- This item only requires one vote (Pages 102-112)- This item is for installation of playground surface and equipment at City Park. Staff brought forward two options from Cunningham Recreation. Councilwoman King made a motion to install option 1. Option 1 was chosen because it is different from what is at our other parks and we want to offer our citizens different park experiences. $146,369 will be the cost out of $250,000 that was previously budgeted by Council.

Councilman Black requested that a swing be added to option 1 after some feedback he has received from citizens. He also noted the playground is next to the parking lot. He would like a fence installed around the playground to keep the children safe. Currently the agreement calls for a wood chip surface. Councilman Black would like Council to consider the installation of a turf surface, which is easier to maintain. Either surface would be ADA accessible.

Councilman Matney said these items would significantly change the amount of money expended and we have a responsibility to find out how much these changes will cost before the vote.
Joe reported that we have two quotes for the fencing. One is about $5,000 and one was a little over $6,000. A swing would probably cost around $3,000.00. The option 1 does call for a swing, but it is a disk-type swing. Joe said he does not know how much the turf would cost, but we would have plenty of money left in the budget to absorb these extra costs. Mayor Merritt asked if the surface at City Center was installed. Joe said they are almost complete. Mayor Merritt said there is some extra material. If it is not going to be used, maybe we could use it at City Park. Joe said he would check on the status of that.

Councilwoman King asked about ADA accessibility and the turf surface. Joe said all the equipment is ADA accessible. The wood chip and turf surfaces would both be ADA compatible.

Councilwoman King rescinded her motion.

Councilman Matney made a new motion to hold this item on the floor until pricing for a new surface and the other items mentioned are received. Councilwoman King seconded the motion and the vote was unanimous (5-0).

f. Consideration and Action on Potential Moratorium on Types of Discount Stores (EPD)- This item only requires one vote (Pages 113-117)- This would be a moratorium on small box discount stores. We have several of these types of stores within a two-mile radius of city hall. The moratorium would allow staff some time to review the zoning ordinance and land use codes and recommend ways to handle these types of businesses. Chairman Matney made a motion to put a moratorium in place for six months to provide staff with time to review its land development code and zoning ordinances as it relates to this type of development. Councilwoman King seconded the motion.

Councilman Black said any projects already in the works and permitted would not be affected by the moratorium. Chairman Matney said that was correct. He does not believe there are any such projects already permitted. Councilman Reynolds asked if six months was enough time for staff to review our current regulations. Chairman Matney said if it is determined that staff needs more time, the moratorium could be extended. The vote was unanimous (5-0).

g. Consideration and action on addendum to Goodwyn Mills Cawood task order (EPD)- This item only requires one vote (Pages 118-123)- City Council is requested to authorize the extension of the terms of the GMC agreement an additional 12 months to allow GMC to provide cost analysis on the proposed Swamp Rabbit Trail Pedestrian Bridge over 385 with the cost of the extension
approved at the standard hourly rates included in the original agreement. Chairman Matney made the motion to approve the extension. Councilman Black seconded the motion and the vote was unanimous (5-0).

9. Public Comment

a. Anne-Marie Smith- I live at 505 Miller Road. Thank you for allowing me to speak tonight. I care about this City. I think a big part of the future is preserving its legacy. Part of this history is the Fowler House at 317 Miller Road. It is the oldest house in Mauldin in the city limits still standing. It is in the Mauldin Legacy Book. There are only three houses left standing in this book. It was built in 1909 by Walter Fowler and originally had 35 acres. The family auctioned it and it was bought by Bill Goodman in 2010. It was to be fixed up, but his situation changed and in 2014 it was allowed to run down.

It was then purchased by a company called Metal Chem, who purchased the warehouse behind the property at Ellwood Court. They stated they only needed 50 feet of the backyard so they could extend the loading dock, but they had to purchase the whole property. If the City could obtain the house and half of the backyard, I think it would make a historic Chamber of Commerce, Mauldin Historical Society, and museum. I know the pictures look really bad, but if you could get a tour and see how much potential it has, it would be an asset to Mauldin. It is part of Mauldin’s legacy. Thank you. A lot of our history is going away and it is a very important home.

b. Charlie Graydon: I live at 948 Fargo Street. I have been a resident since 1976. I have a couple of things. First, Mr. Reynolds, congratulations on your election. Ms. King, on your re-election. I pass my condolences to Miss Kuzniar on the death of her loved one. That is tough. I know, I have been there.

Two or three things about the City Center. This past weekend, there was a big article in the Greenville News with our new Mayor on the front page smiling at us, talking about the new development and using our taxes for infrastructure. In November, I stood right here and talked to Mr. Black, Miss King and the ex-Mayor and they swore no taxes would be used. Now we have Mr. Mayor saying we will use future taxes to pay for it. I would like to have a consensus of Council tell us the truth.

We have been told fee in lieu of taxes, bonds, and in November the bond attorney said no bank would float a bond based on expected revenues. Mr. Matney was chairman of that committee at the time. I would like to hear a consensus tell the citizens where we stand. We were supposed to have sold seven acres to Contour and that has not happened. They were supposed to put $50,000 in escrow. I don’t think that has happened yet. The corner up
here on Butler and Main is split between the City and... I can’t say his name. Is the City going to buy that other comer? The old Taco Bell is sitting empty. The seven acres we were supposed to get $3.25 million for, where do we stand? Today, right now. The due diligence period is expired as of December 31st. I didn’t know that. I thought we had 60 days from October 30th. We still lack a lot of answers that you need to resolve. I hope with the new Mayor and new Council members, we will have better transparency.

I came through Simpsonville the other night and their new place on Burdette comer was bursting with people. They were sitting in a nice new restaurant that took six months to put together. The Vaughn Feed Store will be a new restaurant and outdoor venue for people. They have what Mauldin doesn’t have. Existing infrastructure. They just have to renovate a little. Fountain Inn was the same way. Mr. Broad knows that because he was there. We don’t have that. We have to build from the ground up. These 24 acres out here will be put at one of the busiest intersections in the County- 276 and Butler Road. Those other two towns have Main Streets that are off the interstate. I came in a little late tonight and had to park at the bank. What will we do if we open a retail center? What will we do about the parking and traffic? I hope this current administration addresses some of these issues.

Is Contour still on board with us? According to the agenda that was published, you are supposed to vote on a contract extension tonight. That was on the internet today. That is what Cindy put out. It is what is on the agenda. No one knows what is going on. Look at it. It is on the internet online. I didn’t print it out.

Can you answer those questions, Mr. Mayor?

Mayor Merritt: I can have a discussion with you. Your questions have been duly noted and Mr. Madden can get back with you with answers.

Charlie Graydon: I appreciate your extending me longer than 3 minutes. I guess I am a hard-boiled egg rather than a soft-boiled egg. Thank you for your time. I really do hope we have a more transparent administration.

Ray Atchinson: 115 Old Keith Court here in Mauldin. I came from Detroit 23 years ago to get this warmer weather. Some of you know my wife is seriously ill and has been for several years. We woke up one morning with a terrible headache that lasted all day and into the night until we woke up again the next day and she said, “Ray, we have got to do something.” We called the fire department and asked if they could check the premises.

I was looking for one guy, and before I could turn around there were 3 rigs and 7 people at my house. They were in every room checking oxygen levels. We both had terrific headaches. When they got ready to leave, they said we didn’t find anything, your house is clear, but if you find anything, call us and we will be right back. I wanted to bring that to your attention. In minutes they
were there with three rigs and seven people. That probably cost a lot of money, but they came to two old guys. I want them to know how much we appreciate it. They did not miss a trick. Kindness, professional, thorough, friendly people and were very serious with what they did.

I think we should acknowledge the department and the Fire Chief for having these kinds of people to serve our community. I would like to give them a hand for what they do for our community.

10. Council requests- Councilman Matney advised Council that this past Friday night, Mauldin High School raised over $128,000 to support Safe Harbor without corporate sponsors. There are a lot of bright spots in the future.

11. Adjournment- Mayor Merritt adjoumed the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk
REQUEST

The City of Mauldin has received signed petitions requesting the annexation of a tract of land consisting of three parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions includes approximately 14 acres owned by various individuals and is located at Loblolly Circle and at Laurel Drive.

The applicant has requested that this tract be zoned R-M, Residential, upon annexation into the City of Mauldin. The applicant has already begun development of a townhome project called Parkland. These tracts will be added to the Parkland development project. Parkland is already planned for approximately 121 homes in phase 1, approximately 82 homes in phase 2, and approximately 42 homes in phase 3. This annexation would enable the applicant to expand phase 1 by approximately 41 homes and phase 3 by approximately 54 homes. The price-point for homes is expected to average over $200,000 (low- to mid-$200s).
UTILITIES AND SERVICES

All utilities are available including water and sewer. ReWa has a main line that runs through the applicant’s tract of land. The City of Mauldin anticipates owning and maintaining new sewer lines constructed as part of any development project on these tracts. Approvals for sewer will be required before any proposed development is approved.

This tract is currently located in the Mauldin Fire Service Area. This tract will continue to be served by the Mauldin Fire Department.

PLANNING AND ZONING

About the R-M District

The R-M zoning designation provides for medium- to high-density residential housing types including multi-family housing, attached single-family homes and detached single-family homes. Other permitted uses include recreational, religious, and educational facilities.

R-M Zoning allows a minimum 5,000-square foot lot for single-family homes or a density of 16 units per acre for multi-family developments †

† Cluster development standards permit a density up to 14.5 units per acre in exchange for the provision of open space amounting to 15%.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District(s)</th>
<th>Existing Use(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-7.5 (County) / R-MA (County)</td>
<td>Rural residential / Marion Abercrombie Estates</td>
</tr>
<tr>
<td>South</td>
<td>R-M (City)</td>
<td>Parkland development project</td>
</tr>
<tr>
<td>East</td>
<td>R-MA (County) / R-S (County)</td>
<td>Laurel View subdivision</td>
</tr>
<tr>
<td>West</td>
<td>R-9 (Greenville City)</td>
<td>Ridge Park subdivision</td>
</tr>
</tbody>
</table>

Property Values

The homes in this project are projected to sell at an average of more than $200,000. This range will be above the average price of home sales in adjacent communities over the last couple of years. See below.

<table>
<thead>
<tr>
<th>Community</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Sales</td>
<td>Avg. Price</td>
</tr>
<tr>
<td>Laurel View</td>
<td>2</td>
<td>$133,450</td>
</tr>
<tr>
<td>Marion Abercrombie Estates</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>Ridge Park</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comprehensive Plan Analysis
The Future Land Use Map for this tract calls for residential multifamily which could include apartments, condominiums, and duplexes. The R-M district directly supports and is entirely consistent with this designation in the Comprehensive Plan.

**TIMELINE**

On December 12, 2019, staff received the signed petitions for the annexation of these tracts.

On January 7, 2020, the Building Codes Committee forwarded this matter to City Council for consideration.

On January 21, 2020, the City Council approved this annexation on first reading.

**FISCAL IMPACT**

Based on the information available, staff projects that the Parkland development project, inclusive of this annexation, will have a positive fiscal benefit to the City (projected revenue of $321,006 compared to a project cost of $317,986). This analysis is based on the following factors:

- Number of Homes: 340
- Average price-point: $230,000
- New streets: Privately owned and maintained
- New sewer: Owned and maintained by the City of Mauldin

**RECOMMENDATION**

Consider approval of this annexation on second reading.

**ATTACHMENTS**

Annexation Ordinance (maps and petitions attached therein)
ORDINANCE _____-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY
OWNED BY KIMBERLY ROGERS, AND LOCATED AT 1307 LOBLOLLY
CIRCLE (TAX MAP PARCEL: M012.04-01-013.01) BY ONE HUNDRED
PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING
CLASSIFICATION OF R-M, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Kimberly Rogers, is the sole owner of record title of a parcel of
real property containing 6.1 acres, more or less, located at 1307 Loblolly Circle,
which property is contiguous to the City of Mauldin and is more particularly
illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been
filed with the City of Mauldin by Kimberly Rogers, requesting that the
aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of
Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Kimberly Rogers, constitutes one hundred (100%) percent of
freeholders owning one hundred (100%) of the real property depicted in Exhibit
1 attached hereto; and,

WHEREAS, the proposed zoning of R-M, Residential, is appropriate for this
tract at this location; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the
best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City
of Mauldin that:

1. ANNEXATION: The real property owned by Kimberly Rogers, and
   more particularly depicted in the map attached hereto marked as Exhibit 1, is
   hereby annexed into the corporate city limits of the City of Mauldin effective
   immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All
   of that portion of Loblolly Circle along the edge of and adjoined to the annexed
   property shown on the attached Exhibit to the centerline of the afore-mentioned
   rights-of-way is also hereby annexed into the corporate limits of the City of
   Mauldin effective immediately upon second reading of this ordinance.
3. ZONING ASSIGNMENT: The above referenced property is hereby zoned R-M, Residential, as depicted in Exhibit C of the attached Petition contained in Exhibit 2.

______________________________
Terry Merritt, Mayor

ATTEST:

______________________________
Cindy Miller, Municipal Clerk

First Reading: ______________________
Second Reading: ____________________

Approved as to Form:

______________________________
City Attorney
EXHIBIT 1 – ANNEXATION MAP

1307 LOBLOLLY CIRCLE ANNEXATION MAP

Subject Property
TM #M012.04-01-013.01
(Zone Assignment: R-M)

Legend
- Other City Boundary
- Mauldin City Boundary
- Annexation
  - Subject Property
  - Right-of-Way

Created on December 30, 2019

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PETITION FOR ANNEXATION OF REAL PROPERTY OWNED
BY KIMBERLY ROGERS, AND LOCATED AT 1307
LOBLOLLY CIRCLE INTO THE CITY OF MAULDIN BY ONE
HUNDRED PERCENT (100%) METHOD

Petitioner, Kimberly L. Rogers, is the sole owner (freeholder owning one hundred
(100%) percent of the assessed value of real property in the area proposed to be annexed)
of a parcel of real property in Greenville County containing approximately 6.1 acres, more
particularly described in the property description attached hereto marked as Exhibit A, and
the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex their property, which is contiguous to the City
of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby
petitions to assign their property the zoning classification of R-M, Residential, as depicted
in Exhibit C attached hereto, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C.
Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent
(100%) method.

This Petition is dated this 12th day of December, 2019 before the
first signature below is attached.

The Petitioner requests that the entire tract described above and shown on the
attached Exhibit B be annexed in its entirety into the corporate city limits of the City of
Mauldin and assign the tracts the zoning classification of R-M, Residential, as depicted in
Exhibit C attached hereto.

[Signatures]
Kimberly L. Rogers

[Signature]
Witness

[Signature]
Witness
EXHIBIT A

PROPERTY DESCRIPTION

As recorded in the Title to Real Estate
contained in Deed Book 2170 Page 2425
of the Greenville County Register of Deeds

ALL that certain piece, parcel or lot of land lying and being in the State of South Carolina, County of Greenville, being shown and designated as 6.10 acres, more or less, on a plat entitled "Closing Survey for Kim Rogers," prepared by Gary B. Burgess, PE, PLS, dated March 21, 1999, and recorded in the ROD Office for Greenville County, South Carolina, in Plat Book 39-Y, Page 38, reference being made to said plat for a metes and bounds description thereof.

DERIVATION: This being the same property conveyed to Kimberly L. Rogers and Virginia W. Becks by deed of Virginia W. Becks as recorded in the ROD Office for Greenville County, South Carolina, in Deed Book 1834, Page 801, on April 30, 1999.

TAX MAP #M012.04-01-013.01
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY THE RIVER OF LIFE ROMANIAN CHURCH, AND LOCATED AT 405 LAUREL DRIVE (TAX MAP PARCEL: M012.04-01-018.04) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-M, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, the River of Life Romanian Church is the sole owner of record title of a parcel of real property containing 5 acres, more or less, located at 405 Laurel Drive, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by the River of Life Romanian Church, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, the River of Life Romanian Church constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-M, Residential, is appropriate for this tract at this location; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Mauldin that:

1. ANNEXATION: The real property owned by the River of Life Romanian Church, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Laurel Drive along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned rights-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.
3. ZONING ASSIGNMENT: The above referenced property is hereby zoned R-M, Residential, as depicted in Exhibit C of the attached Petition contained in Exhibit 2.

____________________________________
Terry Merritt, Mayor

ATTEST:

________________________________________
Cindy Miller, Municipal Clerk

First Reading: _________________________
Second Reading: _______________________

Approved as to Form:

________________________________________
City Attorney
EXHIBIT 1 – ANNEXATION MAP

405 LAUREL DRIVE ANNEXATION MAP

SUBJECT PROPERTY
TM #M012.04-01-018.04
(Zone Assignment: R-M)

Legend
- Subject Property
- Other City Boundary
- Mauldin City Boundary

Created on December 30, 2019

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EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF REAL PROPERTY OWNED
BY RIVER OF LIFE ROMANIAN CHURCH, AND LOCATED
AT 405 LAUREL DRIVE INTO THE CITY OF MAULDIN BY
ONE HUNDRED PERCENT (100%) METHOD

Petitioner, River of Life Romanian Church, is the sole owner [freeholder owning
one hundred (100%) percent of the assessed value of real property in the area proposed to
be annexed] of a parcel of real property in Greenville County containing approximately 5
acres, more particularly described in the property description attached hereto marked as
Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex their property, which is contiguous to the City
of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby
petitions to assign their property the zoning classification of R-M, Residential, as depicted
in Exhibit C attached hereto, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C.
Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent
(100%) method.

This Petition is dated this 11th day of December, 2019 before the
first signature below is attached.

The Petitioner requests that the entire tract described above and shown on the
attached Exhibit B be annexed in its entirety into the corporate city limits of the City of
Mauldin and assign the tracts the zoning classification of R-M, Residential, as depicted in
Exhibit C attached hereto.

December 11, 2019
Date

RIVER OF LIFE ROMANIAN CHURCH

The undersigned represents that he/she has authority to bind this entity to this petition, and no other
signatures are needed.

By: Gabriel Peter

Name: Gabriel Peter

Title: Pastor

Witness

Witness
EXHIBIT A

PROPERTY DESCRIPTION

As recorded in the Title to Real Estate contained in Deed Book 2346 Page 5222 of the Greenville County Register of Deeds

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as 4, containing 5.0 Acres, more or less on a plat entitled, "Summary Plat Frank L. O'Neal Estate," dated June 14, 2004, prepared by T. H. Walker, Jr. Surveying, and recorded December 3, 2004 in the ROD Office for Greenville County in Plat Book 49-D, Page 59. Reference to said plat is hereby made for a more complete description thereof.

This being the same property conveyed to Paragon Real Estate Enterprises, LLC by Tax Deed, dated December 27, 2007 and recorded December 27, 2007 in the ROD Office for Greenville County in Deed Book 2306, Page 1338. A Corrective Tax Deed to Paragon Real Estate Enterprises, LLC, dated February 12, 2013, recorded February 12, 2013 in the ROD Office for Greenville County in Deed Book 2419, Page 1775. (See Order Quittting recorded in Greenville County Clerk of Court Case # 2009-CP-23-01682)

TAX MAP # MD12.04-01.018.04
ORDINANCE _____-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JUAN MARTIN AND BEATRIZ RIVERA, AND LOCATED AT 403 LAUREL DRIVE (TAX MAP PARCEL: M012.04-01-018.05) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-M, RESIDENTIAL, FOR SAID PROPERTY

WHEREAS, Juan Martin and Beatriz Rivera are the sole owners of record title of a parcel of real property containing 2.9 acres, more or less, located at 403 Laurel Drive, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Juan Martin and Beatriz Rivera, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Juan Martin and Beatriz Rivera constitute one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of R-M, Residential, is appropriate for this tract at this location; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Mauldin that:

1. ANNEXATION: The real property owned by Juan Martin and Beatriz Rivera, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Laurel Drive along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned rights-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.
3. **ZONING ASSIGNMENT:** The above referenced property is hereby zoned **R-M, Residential**, as depicted in Exhibit C of the attached Petition contained in Exhibit 2.

____________________________________
Terry Merritt, Mayor

ATTEST:

____________________________________
Cindy Miller, Municipal Clerk

First Reading: _______________________
Second Reading: _____________________

Approved as to Form:

____________________________________
City Attorney
EXHIBIT 1 – ANNEXATION MAP

403 LAUREL DRIVE ANNEXATION MAP

SUBJECT PROPERTY
TM #M012.04-01-018.05
(Zone Assignment: R-M)

Legend
- Subject Property
- Other City Boundary
- Mauldin City Boundary

Created on December 30, 2019

Reproduction of this map is prohibited without permission from the City of Mauldin.

DISCLAIMER: The information contained herein is for reference purposes only. The City of Mauldin makes no warranty, express or implied, for any guarantee as to information provided herein. The City of Mauldin explicitly disclaims all presentations and warranties. The City of Mauldin assumes no liability for any errors, omissions, or inaccuracies in the information provided herein.
PETITION FOR ANNEXATION OF REAL PROPERTY OWNED
BY JUAN MARTIN AND BEATRIZ RIVERA, AND LOCATED
AT 403 LAUREL DRIVE INTO THE CITY OF MAULDIN BY
ONE HUNDRED PERCENT (100%) METHOD

Petitioners, Juan Martin and Beatriz Rivera, are the sole owners (freeholder owning
one hundred (100%) percent of the assessed value of real property in the area proposed to
be annexed) of a parcel of real property in Greenville County containing approximately
2.94 acres, more particularly described in the property description attached hereto marked
as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex their property, which is contiguous to the City
of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby
petitions to assign their property the zoning classification of R-M, Residential, as depicted
in Exhibit C attached hereto, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C.
Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent
(100%) method.

This Petition is dated this 12 day of December, 2019, before the
first signature below is attached.

The Petitioner requests that the entire tract described above and shown on the
attached Exhibit B be annexed in its entirety into the corporate city limits of the City of
Mauldin and assign the tracts the zoning classification of R-M, Residential, as depicted in
Exhibit C attached hereto.

Juan Martin
Beatriz Rivera

Date
Witness

December 12, 2019

Witness
EXHIBIT A

PROPERTY DESCRIPTION

As recorded in the Title to Real Estate contained in Deed Book 2331 Page 3251 of the Greenville County Register of Deeds

ALL that certain piece, parcel or lot of land, together with improvements thereon, situate, lying and being in Greenville County, State of South Carolina, on the south side of Laurel Drive, being shown and designated as Lot 5, containing 2.94 acres, more or less, on a plat of FRANK L. ONEAL ESTATE, prepared by T.H. Walker, Jr., Surveying, dated June 14, 2004, recorded in the Register of Deeds Office for Greenville County, SC, in Plat Book 49-D at Page 59, reference being made hereto to said plat for the exact metes and bounds thereof.

TAX MAP #M012.04-01.018.05
EXHIBIT C

ZONING MAP

Legend

Subject Property

Created on December 8, 2019
Reproduction of this map is prohibited without permission from the City of Maidin.

DISCLAIMER: The information contained herein is for reference purposes only. The City of Maidin makes no warranty, express or implied, for any purpose as to the information provided herein. The City of Maidin expressly disclaims all warranties and warranties. The City of Maidin assumes no liability for any errors, omissions, or inaccuracies in the information provided herein.
City Council
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 7b

TO: City Council
FROM: Community Development Director Van Broad
SUBJECT: Discussion of Potential Moratorium on Types of Discount Stores

REQUEST
Council is requested to consider a potential moratorium on types of discount stores and provide direction to staff.

HISTORY/BACKGROUND
Within a two-mile radius of City Hall, there are a number of discount stores. A potential moratorium on types of discount stores can allow staff time to review the City zoning ordinance and land use codes and present recommended amendments to address the potential saturation of discount stores within the City.

ANALYSIS or STAFF FINDINGS
Concerns from residents and members of Council have been received regarding the number of discount stores located within the City. Some of the concerns related to discount stores include, but are not limited to the following:

- Discount stores can take a toll on grocery stores and, in many cases, are reducing people's access to fresh food since they do not provide access to fresh produce.

- The discount stores are becoming a poor substitute for grocery stores.

- Discount stores usually employ fewer people than the grocery stores and in some instances may force groceries stores to move out of the area, creating food deserts; especially if the community does not multiple grocery stores.

- The City is “maxed out” when it comes to discount stores, the City does not have the capacity for any additional discount stores.

- New discount stores will begin to change the character of the City.
FISCAL IMPACT

There is no fiscal impact to the City regarding this matter.

RECOMMENDATION

Council is requested provide direction to staff as it relates to a moratorium. Should Council implement a moratorium (e.g., 6 to 9 month), it would provide staff with time to review its land development code and zoning ordinances as it relates to this type of development.
AN ORDINANCE TO ESTABLISH A SIX (6) MONTH MORATORIUM TO TEMPORARILY SUSPEND THE ACCEPTANCE AND ISSUANCE OF PERMITS AND BUSINESS LICENSES FOR SMALL BOX DISCOUNT STORES PENDING THE CONSIDERATION OF AMENDMENTS TO THE CITY ZONING ORDINANCES.

WHEREAS, there has been a considerable increase in the number of small box discount stores nationwide in the last several years; and,

WHEREAS, there are three (3) discount stores currently located in the City; and,

WHEREAS, small box discount stores ("discount stores") are stores that have a floor area of less than 10,000 square feet and sell a variety of home and personal goods, food and beverages, but do not sell gasoline or have a prescription pharmacy. Furthermore, said stores dedicate less than 15 percent of their space for fresh food and vegetables; and,

WHEREAS, recent studies show that discount stores have a negative impact upon smaller grocery stores that invest in the local community, lessen customers’ access to fresh food, and reduce job growth; and,

WHEREAS, the City is considering amendments to its zoning ordinance that would limit the density of discount stores in the City and establish requirements for the sale of fresh food; and,

WHEREAS, to provide for adequate time for study, analysis, public review and finalization of ordinances adopted in accordance herewith, the City desires to enact a temporary moratorium and suspension upon new development of discount stores; and,

WHEREAS, the City further determines and finds that a period of six (6) months in duration is the minimum reasonable time needed for said review; and,

WHEREAS, the City deems it in the best interests of the citizens and residents of Mauldin to place a moratorium and temporary suspend the acceptance and/or issuance of any permits, business licenses, or land development applications for new development of discount stores; and,

WHEREAS, the moratorium shall be in effect for a period of six (6) months or until Council has taken final action on proposed text amendments and other ordinances associated with the regulation of discount stores.

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Mauldin:

SECTION 1. The City Council hereby places a six (6) month moratorium temporarily suspending the acceptance and/or issuance of any permits, business licenses, land development applications for new development of discount stores.
SECTION 2. The moratorium shall not apply or suspend or prohibit the acceptance and issuance of permit applications for the occupancy, maintenance or improvement of existing discount stores.

SECTION 3. The Council further intends and declares that the pending ordinance doctrine shall apply so as to suspend the issuance of any such permits, business licenses or land development applications for new development of discount stores that are made or attempted to be made on or after the date of advertisement to the public of Council’s intention to give first reading to this Ordinance or on or after the date of first reading of this Ordinance.

SECTION 4. The Council, by subsequent ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings.

This Ordinance shall be effective from the date of second and final reading.
Passed on First Reading: ______________________________
Passed on Second Reading ______________________________

CITY OF MAULDIN, SOUTH CAROLINA

BY: ______________________________
    Terry Merritt, Mayor

ATTEST:

__________________________
Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

__________________________
John B. Duggan
CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 7c

TO: City Council

FROM: City Administrator, Brandon Madden

SUBJECT: City Park Playground Agreement with Cunningham Recreation

REQUEST

Council is requested to approve an agreement with Cunningham Recreation for the purchase and installation of a playground and surface at City Park.

HISTORY/BACKGROUND

In the Council approved FY2020 budget, $250,000 in the City’s Capital Improvement Plan was appropriated for the purchase and installation of a new playground and surface at City Park. Attached is a rendering of the current playground and surface at City Park.

ANALYSIS / STAFF FINDINGS

On September 31, 2019 staff issued a solicitation for Request for Proposals (RFP) for the purchase and installation of a playground and surface. The solicitation closed on November 13, 2019. The City received RFPs from Great Southern, Cunningham Recreation, Berliner Trii, Berliner Combo, Bliss and Churchich. An internal review Committee evaluated the bids and selected Cunningham Recreation as the lowest and most responsive bidder. Cunningham Recreation provided 2 playground options. Playground option 1 was $146,369 and playground option 2 was $146,930. The review Committee recommended option 1; however, should Council prefer option 2, staff will proceed accordingly.

During the January 20, 2020 Council meeting, this item was held in Council with the request to gather the total cost for the playground to include a turf surface and a fence bordering the playground area. Also, Council requested to explore the addition of a swing set to playground option 1.

Per Cunningham, as it relates to playground option 1, the addition of a swing set is not recommended as the traditional swings require a large use zone around the equipment and it will take up a lot of the existing area due to the space constrictions with the existing curbs. Not only would the arch swing have to be removed, but the merry go round would need to be removed and modifications to the play structure would need to be made as well. The items that will need to be removed will accommodate approximately 20 children, while the swing set will accommodate either 2 or 4. From a play value standpoint, keeping the layout as is will be preferred.
Given that this purchase is for a budgeted item and the bid awarded is for less than or equal to the budget, no additional formal Council approval is needed. However, Council approval is requested for the agreement with Cunningham Recreation.

**FINANCIAL IMPACT**

With the addition of turf for the surface of the playground, along with a fence, playground option 1 will total $218,744.46 and playground option 2 will total $219,961.74. The total costs for both options are less than the budgeted amount of $250,000.

**RECOMMENDATION**

The City recommends approval of the agreement, which has been vetted by the City’s legal counsel. Given Council’s concern regarding the lack of a swing set in option 1, along with the feedback from Cunningham regarding the addition of the swing set in option 1, staff recommends option 2.

**ATTACHMENTS**

Current Playground and Surface at City Park  
Agreement  
Playground and Surface Renderings
### City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)

**Mauldin Parks and Recreation**  
**Attn: Joe Lanahan**  
**5 East Butler Road**  
**Mauldin, SC 29662**  
**Phone: 864-335-4850**  
**Jlanahan@mauldinrecreation.com**

**GameTime c/o Cunningham Recreation**  
**PO Box 240981**  
**Charlotte, NC 28224**  
**800.438.2780**  
**704.525.7356 FAX**

01/24/2020  
**Quote #100094-01-03**

**City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)**

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Page 1 of 5
City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)

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<td>Dynacushion - 4'x 6' x 2&quot; Wear Mats</td>
<td>$191.36</td>
<td>$765.44</td>
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## City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)

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<td>MISC - Installation- Pricing includes: - Installation of modular structure, freestanding equipment, site amenities, and wear mats. - Provision and installation of drainage system. Installer will dig 8-12” below clean subsurface and install up to 50 ft. of collection drain which will pipe away to run off the outside of the surrounding sidewalk.</td>
<td>$20,741.00</td>
<td>$20,741.00</td>
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<tr>
<td>4796</td>
<td>TURF</td>
<td>GT-Impax - Synthetic Turf Safety Surfacing (per square foot)- Pricing includes: - Provision and installation of 4,796 s.f. of turf with a 4” crushed stone subbase. - Provision and installation of 2” thick pad (for 8’ critical fall height). Freight and provision of dumpster.</td>
<td>$17.76</td>
<td>$85,176.96</td>
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<tr>
<td>1</td>
<td>178749</td>
<td>GameTime - Owner's Kit</td>
<td>$55.00</td>
<td>$55.00</td>
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<tr>
<td>1</td>
<td>Audit</td>
<td>Playground Guardian - Low Frequency Safety Inspection- - Performed by a CPSI upon completion of playground installation.</td>
<td>$750.00</td>
<td>$750.00</td>
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<tr>
<td>1</td>
<td>BOND</td>
<td>MISC - Payment Bond</td>
<td>$4,320.00</td>
<td>$4,320.00</td>
</tr>
</tbody>
</table>

**Sub Total** $200,196.25  
**CWO Discount** ($2,651.64)  
**Freight** $4,836.63  
**Tax** $10,563.22  
**Total** $212,744.46

**Comments**

*Site must be clear, level, free of obstructions, and accessible.*

*Owner is responsible for removal and disposal of all existing equipment, as well as excavation of the site as needed.*

*If an item is returned because it was defective or damaged when received by the City of Mauldin, Gametime shall bear the cost of the return.*
City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)

GAMETIME - TERMS & CONDITIONS:

- **PRICING:** Pricing is subject to change. Request updated pricing when purchasing from quotes more than 30 days old.
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- **SHIPMENT:** Standard Lead time is 4-6 weeks after receipt and acceptance of purchase order, credit application, color selections and approved drawings or submittals.
- **PACKAGING:** All goods shall be packaged in accordance with acceptable commercial practices and marked to preclude confusion during unloading and handling.
- **RECEIPT OF GOODS:** Customer shall coordinate, receive, unload, inspect and provide written acceptance of shipment. Any damage to packaging or equipment must be noted when signing delivery ticket. If damages are noted, receiver must submit a claim to Cunningham Recreation within 15 Days. Receiver is also responsible for taking inventory of the shipment and reporting any concealed damage or discrepancy in quantities received within 60 days of receipt.
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- **ACCESS:** Site should be clear, level and allow for unrestricted access of trucks and machinery.
- **STORAGE:** Customer is responsible for providing a secure location to off-load and store the equipment during the installation process. Once equipment has delivered to the site, the owner is responsible should theft or vandalism occur unless other arrangements are made and noted on the quotation.
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- **UTILITIES:** Installer will contact Miss Utility to locate all public utilities prior to layout and excavation of any footer holes. Owner is responsible for locating any private utilities.
- **ADDITIONAL COSTS:** Pricing is based on a single mobilization for installation unless otherwise noted. Price includes ONLY what is stated in this quotation. If additional site work or specialized equipment is required, pricing is subject to change.
City of Mauldin-City Park RFP - Option 1 (Revised with Turf - CWO)

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _________________________________ Title: ________________________________
Telephone: __________________________________________ Fax: ________________________________
P.O. Number:_________________________________________ Date: _______________________________

Purchase Amount: $212,744.46

SALES TAX EXEMPTION CERTIFICATE #:___________________________
(PLEASE PROVIDE A COPY OF CERTIFICATE)

_______________________________________________ ____________________________________________
Salesperson's Signature                                     Customer Signature

BILLING INFORMATION:

Bill to: ______________________________________________________
Contact: ____________________________________________________
Address: ____________________________________________________
Address: ____________________________________________________
City, State: ____________________________ Zip: _________________
Tel: __________________________  Fax: __________________________
E-mail: ______________________________________________________

SHIPPING INFORMATION (IF DIFFERENT FROM ABOVE):

Ship to: ____________________________________________________
Contact: ____________________________________________________
Address: ____________________________________________________
Address: ____________________________________________________
City, State: ____________________________ Zip: _________________
Tel: __________________________  Fax: __________________________
E-mail: ______________________________________________________
## City of Mauldin-City Park RFP - Option 2 (Revised w/ Turf - CWO)

Mauldin Parks and Recreation  
Attn: Joe Lanahan  
5 East Butler Road  
Mauldin, SC 29662  
Phone: 864-335-4850  
Jlanahan@mauldinrecreation.com

GameTime c/o Cunningham Recreation  
PO Box 240981  
Charlotte, NC 28224  
800.438.2780  
704.525.7356 FAX

01/27/2020  
Quote #100094-01-05

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(3) 91209 -- Climber Entryway - Barrier  
(1) 90574 -- Scramble Up (5'-6" & 6'-0")  
(1) 91488 -- Vertical Wiggle Climber 6'-6"6"  
(1) 90139 -- 8' Vert Wall Climber  
(1) 81664 -- Single Thunderring  
(1) 81680 -- Single Seat  
(1) 4841 -- Maze Wheel Ass'Y  
(1) 80931 -- Single Gizmo Panel  
(1) 90714 -- 3 In A Row - Gadget Panel Above Deck  
(1) 90853 -- Quadratic Shade Canopy  
(1) 90387 -- Rockscape Archway W/ Barrier  
(1) 90855 -- Hexagonal Shade Canopy  
(1) 90762 -- Long Exit ( Use On 7' & 8' Slides)  
(2) 90703 -- Straight Section Wilderslide li  
(1) 90705 -- Right Curve Section Wilderslide li  
(1) 90709 -- Support Wilderslide li  
(1) 90704 -- Left Curve Section Wilderslide li  
(1) 90700 -- Single Entrance Wilderslide li  
(1) 80000 -- 49" Sq Punched Steel Deck  
(1) 90099 -- 8' Rockscape Climber  
(1) 90207 -- Overhead Ladder Access Package  
(1) 81670 -- Crunch Bar

Ship to Zip  29662
City of Mauldin-City Park RFP - Option 2 (Revised w/ Turf - CWO)

<table>
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<td></td>
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<td>[Basic:_________]</td>
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<td>[HDPE:_________]</td>
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<td>Nature Discovery Play House</td>
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<td>90777</td>
<td>Kidnetix Twirl</td>
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<td>Ada Two-Place Swing F/S, 5&quot; Od</td>
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<td>(1)</td>
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<td>3 In A Row Gadget</td>
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<td>(Coated Site:______)</td>
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<td>6' P/S Bench W/Back Inground</td>
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<td>Receptacle W/Dome Top S/M</td>
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<td>6</td>
<td>R20C4872</td>
<td>Dynacushion - 4' x 6' x 2&quot; Wear Mats</td>
<td>$191.36</td>
<td>$1,148.16</td>
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<td>1</td>
<td>INSTALL</td>
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<td>$24,939.00</td>
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<td>Pricing includes:</td>
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<td>- Performed by a CPSI upon completion of playground installation.</td>
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Sub Total $200,997.33
CWO Discount ($2,537.65)
Freight $5,135.82
Tax $10,366.24

Total $213,961.74

Comments
*Site must be clear, level, free of obstructions, and accessible.

*Owner is responsible for removal and disposal of all existing equipment, as well as excavation of the site as needed.

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- **STORAGE:** Customer is responsible for providing a secure location to off-load and store the equipment during the installation process. Once equipment has delivered to the site, the owner is responsible should theft or vandalism occur unless other arrangements are made and noted on the quotation.
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- **UTILITIES:** Installer will contact Miss Utility to locate all public utilities prior to layout and excavation of any footer holes. Owner is responsible for locating any private utilities.
- **ADDITIONAL COSTS:** Pricing is based on a single mobilization for installation unless otherwise noted. Price includes ONLY what is stated in this quotation. If additional site work or specialized equipment is required, pricing is subject to change.
City of Mauldin-City Park RFP - Option 2 (Revised w/ Turf - CWO)

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _________________________________ Title: ________________________________

Telephone: __________________________________________ Fax: ________________________________

P.O. Number:_________________________________________ Date: _______________________________

Purchase Amount: $213,961.74

SALES TAX EXEMPTION CERTIFICATE #:___________________________

(PLEASE PROVIDE A COPY OF CERTIFICATE)

_______________________________________________ ____________________________________________
Salesperson's Signature                                     Customer Signature

BILLING INFORMATION:

Bill to: ______________________________________________________

Contact: ____________________________________________________

Address: ____________________________________________________

Address: ____________________________________________________

City, State: __________________________________ Zip: _____________

Tel: __________________________  Fax: __________________________

E-mail: ______________________________________________________

SHIPPING INFORMATION (IF DIFFERENT FROM ABOVE):

Ship to: _____________________________________________________

Contact: ____________________________________________________

Address: ____________________________________________________

Address: ____________________________________________________

City, State: __________________________________ Zip: _____________

Tel: __________________________  Fax: __________________________

E-mail: ______________________________________________________
CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: Copier Proposals

TO: City Council
FROM: Cindy Miller, Municipal Clerk

ITEM NUMBER: 8a

SUBJECT: Agreement with Konica Minolta for Copy Machines

REQUEST

The Finance & Policy Committee is requested to approve a contractual agreement with Konica Minolta for copy machine services.

HISTORY/BACKGROUND

Currently, the City uses multiple copy machine companies for its copying/printing needs. The copy machines are with different contracts, varying in terms, firms and pricing. As a component of the City’s commitment to being good stewards of taxpayer’s dollars, staff performed an inventory of the City’s copy machines – see attached. Upon completion of the inventory, staff requested proposals from different firms in an effort to consolidate the contracts to have one vendor and to effectuate any available cost savings.

Some of the City’s copier leases are either up for renewal or are a couple of years out to the end of their leases. These machines include Police Administration, Finance, Police Records, Public Works, BDS, Administration, and Fire Headquarters. The copy machines at the Cultural Center, Judicial, Sports Center and Senior Center renewed their contracts in late 2017 and 2018. Therefore, the firms that provided proposals did not make offers to buy out those contracts because they had several years remaining.

The current base lease payout per month for the seven copiers is $903.88 or $10,846.56 annually. There are also copy overages each month and the amount billed varies. The companies each quoted replacements for certain copiers. Service and toner are included in all of the quotes.

Bids were received from Sharp, Ricoh, Konica Minolta, G5, and Toshiba.

Sharp quoted five machines (Public Works, Administration, Fire Headquarters, Police Administration, and Finance) at a total of $1,111.86 per month plus per copy overage charges on a 60-month lease. This reflects a cost of $222.37 per machine.

Ricoh quoted four machines (Public Works, Administration, Fire Headquarters, and Finance) at a cost of $1,249.89 per month plus per copy overage charges on a 60-month lease. This reflects a cost of $312.47 per machine.
Konica Minolta quoted all seven machines with a program called One Rate which is all-inclusive - there are no per copy overage charges - for $1577.000 per month for a 60-month lease. This number also includes any lease buyouts that need to be done. This is $225.28 per machine. They also quoted the seven machines with a traditional quote of $1462.70 per month plus copy overage charges. This reflects a price of $208.85 per copier.

Toshiba quoted 9 machines including a desktop machine for the Administrative Judge at $2,106.77 per month plus per copy overage charges on a 60-month lease. This reflects a price of $234.08 per copier.

G5 (Xerox) quoted four machines (Public Works, Administration, Fire Headquarters, and Finance) at $1,388.00 per month plus per copy overage charges on a 60-month lease. This reflects a price of $347.00 per copier.

**TIMELINE/FISCAL IMPACT**

Should Council proceed with Konica Minolta as recommended by staff, the cost for seven machines with a program called One Rate which is all-inclusive - there are no per copy overage charges - is $1577.00 per month for a 60-month lease. This number also includes any lease buyouts that need to be done.

The base price would increase $673.12 per month over current prices, but the machines in each department would be the same, lease dates would be synchronized, and we would have one vendor instead of several vendors. The price would not have any per copy overages, which would save the City money and allow for easier budgeting, as we would know a true price for each month, instead of having to estimate.

Pursuant to Council approval, the copiers could be installed in two to three weeks. Subsequently, staff would review the contracts of the copy machines at the Cultural Center, Judicial, Sports Center and Senior Center in September 2021 to initiate contract buyout discussions with Konica Minolta. Ultimately, this will allow the City to have one vendor for all of its copy machines.

**Konica’s One Rate program would cost $18,924 yearly for seven machines.**

The total 2019 actual cost for the three copiers that are not currently through Konica (Admin, Police Records, and PW) was $20,338.68. This includes the base lease, copy overages, and any maintenance or supply costs incurred.

The total 2019 cost for the current Konica Minolta machines (Finance, BDS and Fire HQ) was $11,329.23. The Police Admin machine is currently out of a contract, so no lease payments were expended in 2019.

The comparative prices using the 2019 copier amounts for the seven copiers would be $31,667.91 versus the $18,924 Konica proposal. The savings amounts to $12,743.91.
RECOMMENDATION

Staff recommends accepting the quote from Konica Minolta for a 60-month lease with One Rate. Finance, Police Administration, BDS, Judicial and Fire Headquarters all currently have Konica Minolta machines and are pleased with the service received. Konica Minolta is on South Carolina State contract #4400010832.

One Rate also includes buying out the old Konica leases and allows $3500 to cover the remaining payments on the other non-KMBS systems. Konica believes that is enough money to cover what is left on the leases and extra money for return shipping.

ATTACHMENTS

City copy machine inventory
Overage spreadsheet- Additional information regarding the overage cost savings was requested during the Finance Committee meeting. This information is in response to that request.

<table>
<thead>
<tr>
<th>Current Leases</th>
<th>Base Lease Payment</th>
<th>Lease Start Date</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>$264.96</td>
<td>3/1/2014</td>
<td>LEASE COMPLETED BUT STILL PAYING BASE RATE PLUS OVERAGES</td>
</tr>
<tr>
<td>Admin</td>
<td>$266.46</td>
<td>11/4/2014</td>
<td>LEASE COMPLETED BUT STILL PAYING BASE RATE PLUS OVERAGES</td>
</tr>
<tr>
<td>Fire HQ</td>
<td>$208.00</td>
<td>4/7/2025</td>
<td>No current lease</td>
</tr>
<tr>
<td>Finance</td>
<td>$204.98</td>
<td>8/19/2015</td>
<td></td>
</tr>
<tr>
<td>Police Rev</td>
<td>$208.86</td>
<td>3/17/2017</td>
<td></td>
</tr>
<tr>
<td>Police Admin</td>
<td>$0.00</td>
<td>No current lease</td>
<td>LEASE RAN OUT - CURRENTLY PAYING BASE LEASE MONTHLY- PAYING TONER AND SERVICE</td>
</tr>
<tr>
<td>BDS</td>
<td>$379.92</td>
<td>11/26/2017</td>
<td>$803.88 plus copy overages which differ each month</td>
</tr>
</tbody>
</table>

Copier Proposal from Konica Minolta

7 copiers  Konica Minolta quoted seven machines with a program called One Rate which is all inclusive- there are no per copy overage charges- for $1577.00 per month for a 60-month lease. This number also includes any lease buyouts.

Copiers to be Looked at in the next year to two years

<table>
<thead>
<tr>
<th></th>
<th>Lease Payment</th>
<th>Lease Start Date</th>
<th>Lease End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports/Senior Center Rec</td>
<td>$761.53</td>
<td>11/26/2018</td>
<td>11/26/2023</td>
</tr>
<tr>
<td>Cultural Center</td>
<td>$135.04</td>
<td>12/11/2017</td>
<td>12/11/2022</td>
</tr>
<tr>
<td>Judicial</td>
<td>$207.89</td>
<td>3/17/2017</td>
<td>3/17/2022</td>
</tr>
</tbody>
</table>

*Current leases are all for five years. Some leases are up and the City is paying month to month. In addition to these base payments, there is an per copy average charge the City is currently paying.
### City Council Meeting

- - -

### Items

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Lease</td>
<td>$12,878</td>
<td>$12,878</td>
<td>$10,847</td>
<td>$18,924</td>
</tr>
<tr>
<td>Copy Overage Cost</td>
<td>$7,828</td>
<td>$8,254</td>
<td>$15,594</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td><strong>$20,706</strong></td>
<td><strong>$21,132</strong></td>
<td><strong>$26,440</strong></td>
<td><strong>$18,924</strong></td>
</tr>
</tbody>
</table>

Information from the seven copiers being looked at for replacement

2019 base lease is lower because police admin was not under contract - police admin is included in 2017 and 2018

In 2019, the overage costs for PW were $4257.21

Overages for Admin Copier were $9592.22
CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 10, 2020

AGENDA ITEM: 8c

TO: City Council
FROM: Business & Development Services Director, David C. Dyrhaug
SUBJECT: Rezoning for 317 Miller Road

***1st Reading***

REQUEST

The City of Mauldin has received a signed petition requesting the rezoning of a tract of land pursuant to Section 4:2 of the Mauldin Zoning Ordinance. This petition includes approximately 1 acre located at 317 Miller Road. The applicant has requested that this property at 317 Miller Road be rezoned from R-12, Residential, to S-1, Services. The purpose of the rezoning is to expand their paved area at 25 Ellwood Court which sits behind 317 Miller Road.

HISTORY/BACKGROUND

There is currently an empty house in disrepair on the property. It is reported that the former property owner stripped much of what had value out of the home which, at least in part, has contributed to its state of disrepair. The home also has had signs of break-ins. Regardless of the zoning designation, the property owner intends to remove the home because it represents a liability for the property owner.

The property owner also owns the business, Metal Chem Inc., which will be moving into the property at 25 Ellwood Court which is directly behind 317 Miller Road. The owner of Metal Chem Inc. purchased the property at 317 Miller Road last year. The purpose of this rezoning is to expand their paved area at the back of the Ellwood facility.
This expansion would only affect the back portion of 317 Miller Road. The applicant intends to preserve much of the large trees at 317 Miller Road and add some landscaping along the front of 317 Miller Road.

**ZONING ANALYSIS**

**Existing Zoning Classification**

The R-12 district is a low-density residential district in which the principal use of land is single-family dwellings. Recreational, religious, and educational facilities may also be permitted in this district. The intent of this district is to protect the residential character of neighborhoods and provide a suitable environment for single-family living.

**Proposed Zoning Classification**

The S-1 district provides a transition between commercial and industrial areas. This district allows: (1) commercial uses which are service related; (2) service-related commercial uses which sell merchandise related directly to the service performed; (3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and (4) light industries which in their normal operations would have a minimal effect on adjoining properties. Facilities and operations in this district are not permitted to produce noxious odors, fumes, smoke, dust, or noise that would impact adjacent properties.

**Surrounding Development/Zoning**

These properties are surrounded by the following zoning and land uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District(s)</th>
<th>Existing Use(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>S-1 (City)</td>
<td>Metal Chem, Inc.</td>
</tr>
<tr>
<td>South</td>
<td>R-12 (City)</td>
<td>Parkwood subdivision</td>
</tr>
<tr>
<td>East</td>
<td>S-1 (City)</td>
<td>Multiple businesses including Promotions Unlimited and Signatures Company</td>
</tr>
<tr>
<td>West</td>
<td>S-1 (City)</td>
<td>Psychoteherapist office</td>
</tr>
</tbody>
</table>

**Comprehensive Plan Analysis**

The Future Land Use Map for the property included in this rezoning request is designated as Employment Center which supports the S-1 zoning district.

**NEIGHBORHOOD MEETING**

On December 18, 2019, the applicant conducted a neighborhood meeting. Approximately two neighbors attended this meeting, not including city staff members and the applicant. The neighbors in attendance primarily asked about the intent for the existing home and if truck traffic would increase on Miller Road.

Regarding the existing home, the applicant indicated that they plan to remove the home for health and safety reasons. When asked if they would entertain moving the home, the applicant replied that he would make the home available for free to anyone who would like to move the home from the property.

Regarding the truck traffic, the applicant has indicated that their shipping and receiving truck traffic would continue to use Ellwood Court and Old Mill Road as trucks travel to Highway 276. Ellwood Court was purposefully designed...
for truck access. The only trucks that may use Miller Road are those dropping off containers about 4-5 times per month.

**PLANNING COMMISSION MEETING**

On January 28, 2020, the Planning Commission conducted a public hearing for this rezoning. Aside from the applicant, there was one person who spoke at this hearing, Ms. Ann Marie Smith, who resides outside the City limits at 505 Miller Road. Ms. Smith commented about the age and history of the house at 317 Miller Road and expressed that she would like to see the house saved.

The applicant reiterated that the home is available for free to anyone who would like to move the home from the property. The applicant has shown the home to a few interested parties so far and will continue to show the home to others who might consider moving it. But, due to its current state of disrepair, the home will need to be removed because it is a liability for the applicant. The applicant expressed that he purchased the property for the land.

The Planning Commission expressed their sympathies for the age and history of the house at 317 Miller Road and spent considerable time discussing the preservation of the house. They encouraged the applicant and staff to continue to seek opportunities for the house to be saved and removed to another property if possible. However, they also recognized that the preservation of the house is a separate issue from the rezoning. The applicant already has the right today to demolish the house under the current zoning of the property.

**REVIEW CRITERIA**

The Mauldin Zoning Ordinance does not contain any specified criteria that should be considered by the Planning Commission when reviewing requests for rezoning. However, the following criteria are typical of those used by other jurisdictions.

A. Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, consistency with the overall intent of the Plan, recent development trends, and the general character of the area;

B. Suitability of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed in the proposed zoning district;

C. Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning, and potential influence on property values;

D. Capacity of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district without compromising public health, safety or welfare; and

E. Public need for the potential uses permitted in the requested zoning district.

**STAFF FINDINGS**

Based on the above criteria, staff provides the following findings for consideration of the proposed request.

A. *Comprehensive Plan Consistency*

The proposed rezoning to S-1 is consistent with the Employment Center designation listed in the Comprehensive Plan.
B. Suitability of the Site

There are no apparent floodplains, wetlands, or topographic constraints on the site. Staff is not aware of any issues pertaining to the suitability of the site for the intentions expressed by the applicant.

C. Compatibility of the Development

This property is bounded on three sides by the S-1 district and various businesses. The applicant has expressed his intent to primarily expand their paved area at their 25 Ellwood Court facility which would only affect the back portion of this property at 317 Miller Road. Further, the applicant has expressed his intent to install some landscape improvements along the front of this property at 317 Miller Road.

D. Infrastructure Capacity

Although the applicant does not need utilities for their intended project, all utilities, including water and sewer, are available on site.

E. Public Need

This project is being presented as an opportunity to aid an existing business at 25 Ellwood Court.

TIMELINE

On December 19, 2019, staff received the signed petition for the rezoning of this tract.

On December 18, 2019, the applicant conducted a neighborhood meeting. See details above.

On January 28, 2020, the Planning Commission voted 6-0 to recommend approval of the requested rezoning for the property at 317 Miller Road. See details above.

On February 10, 2020, the Building Codes Committee reviewed this petition and voted 3-0 to forward this matter to the City Council with a recommendation of approval.

RECOMMENDATION

Based on its findings, staff supports the applicants’ request to rezone this property from R-12, Residential to S-1, Services.

Recommended Motion: I move that the requested rezoning for the property at 317 Miller Road be forwarded to City Council for consideration.

ATTACHMENTS

Exhibit A: Zoning Map
Exhibit B: Survey
Exhibit C: Neighborhood Meeting Information
Exhibit D: Proposed Ordinance
EXHIBIT A: ZONING MAP

Legend
- Subject Property
- Water Body
- Parcels

Created on January 17, 2020

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NOTICE

TO: Property Owner

FROM: Marc Aleksinas and Michael Aleksinas, Robinwood LLC

DATE: December 4, 2019

RE: 317 Miller Road Rezoning

I am making an application to the City of Mauldin to rezone approximately 1 acre at 317 Miller Road. This property is currently zoned as residential (R-12 district). I am seeking to rezone this property the same as the zoning on both sides of the property (R-1 district). I currently own the building behind this property at 25 Ellwood Court and this rezoning will allow me to expand the paved area at 25 Ellwood Court. I also plan to clean up the property and plant new trees and landscaping at the property at 317 Miller Road, so that it looks better from the road than it does currently.

You are receiving this notice because the City of Mauldin’s rezoning procedures provide that I send out a courtesy notice to all persons or entities that own property within 200 feet of the property I am seeking to rezone.

If you have any questions about this application, you are welcome to contact me at MarcAleksinas@yahoo.com. Alternatively, you are welcome to join me at a meeting on December 18th at 6:00 PM at the Mauldin Cultural Center at 101 E Butler Rd, Mauldin, SC 29662. I will be available to answer questions at this meeting.

Regards, Marc and Michael Aleksinas
<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anne Marie Smith</td>
<td>505 Miller Rd, Greenville, SC</td>
</tr>
<tr>
<td>David Durkee</td>
<td>5 E Butler Rd, Mauldin</td>
</tr>
<tr>
<td>Marc Alexander</td>
<td>316 Byrd Blvd, Greenville, SC, 29605</td>
</tr>
<tr>
<td>John F. Smith</td>
<td>315 Miller Rd</td>
</tr>
</tbody>
</table>
6:00 PM December 18, 2019 317 Miller Road Zoning Meeting Notes

Meeting Attendees: Ann Marie Smith, David Dyrhaug, John Libby, Marc Aleksinas, Mike Aleksinas

Before the presentation, Ann Marie let us know some history of the house at 317 Miller Road, which is among the older houses in Mauldin.

Anne Marie: What do you plan to do with the house?

Marc Aleksinas: We plan to remove the house. It is falling apart as you will see in the pictures. Also the house contains asbestos, which poses a health risk.

Marc Aleksinas: Would you consider moving the house?

Marc Aleksinas: We would be open to having anyone move the house off the property.

Mike Aleksinas: It could fall apart. It is not in good condition. But, if you can move it, you can take it.

Anne Marie: When would you take down the house?

Marc Aleksinas: Within the next few months.

At this point, we reviewed the power point presentation on the purpose of rezoning to accommodate a larger concrete pad for 25 Ellwood Court. (The presentation is included.)

Of note, Anne Marie confirmed there was a break-in at 317 Miller Road in January of 2019.

John Libby: Would you have trucks entering and leaving Miller Road?

Marc Aleksinas: We may have trucks a couple of times per month leaving from the Miller Road side. But, the Ellwood Court road is wider and easier to accommodate trucks entering and leaving. Also, I'd think that would be easier to get to Old Mill Road to 276 and 85 by using Ellwood Court.

There was much conversation about the previous owner Bill Goodman and how the house had become rundown to disrepair over the last 10 years.
Improving 317 Miller Road

Marc Aleksinas
Mike Aleksinas

Rezoning Meeting
December 18, 2019 at Mauldin Cultural Center

Robinwood
Items to Improve by Rezoning

A. Current Zoning.
B. Remove house in disrepair.
C. Reduce crime potential.
D. Maintain the property.
E. Repurpose the rear of the property.
F. Add landscaping.

Robinwood
A. Current Zoning for 317 Miller Road

- The current zoning is R-12.
- All four adjacent properties are zoned S-1.
- Reclassifying zoning as S-1 would allow for improvements to its current state.
B. Remove House in Disrepair

Robinwood
B. Remove House in Disrepair

Robinwood
B. Remove House in Disrepair

Robinwood
C. Reduce Crime Potential

1. 317 Miller Road’s back door shows evidence of a break-in.
2. An unused, derelict house may attract unwanted vagrants and worse.

Robinwood
D. Maintain the Property

Improvements made at 25 Ellwood Court

Before

After

Robinwood
E. Repurpose the Rear of the Property

The area in red would be where improvements would be made to the concrete rear of 25 Ellwood Ct. The area is approximate.

Image from www.gcgis.org/apps/greenvillejs/

Robinwood
F. Improve Landscaping

- The lot at 317 Miller Rd would be improved with fresh landscaping.
- Many of the old growth trees will remain.
- As Robinwood has improved the appearance of 25 Ellwood Ct, 317 Miller Road will look much better than its current state.

Image is the rear of GE along Feaster Road.

Robinwood
Questions?

Thank you for coming. If you need to get in touch with us, please email MarcAleksinas@yahoo.com
ORDINANCE # __________

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 317 MILLER ROAD (TAX MAP PARCEL: M008.04-01-009.02) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Robinwood, LLC, has petitioned the City of Mauldin to rezone 1+/- acres from the R-12, Residential District to the S-1, Services District; and

WHEREAS, a rezoning of the parcel is in keeping with the City of Mauldin 2014 Comprehensive Plan Update and Future Land Use Map; and

WHEREAS, the rezoning of the parcel to S-1 is not detrimental to adjacent parcels or the immediate surrounding area, and

WHEREAS, the Mauldin Planning Commission has given favorable recommendation to the zoning application; and

NOW THEREFORE BE IT ORDAINED by the mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof

Section 1.

That the property described in zoning docket PC-2020-01-RZ and Greenville County Tax Map Parcel M008.04-01-009.02 be rezoned from R-12, Residential, to S-1, Services.

The property is further identified on the attached exhibits that are hereby incorporated into this ordinance.

Exhibit 1. Zoning Map
Exhibit 2. Property Map

Section 2.

This ordinance shall become effective upon and after its final passage.

Passed on First Reading ________________________________
Passed on Second Reading ________________________________

CITY OF MAULDIN, SOUTH CAROLINA

ATTEST: _______________________________________
BY: _________________________________

Terry Merritt, Mayor

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

___________________________________
John Duggan, City Attorney
EXHIBIT 1

ZONING MAP

Legend
- Subject Property
- Water Body
- Parcels

Created on January 17, 2020

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CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 8d

TO: City Council
FROM: Business & Development Services Director, David C. Dyrhaug
SUBJECT: Amendment to Multi-Family Dwellings Conditional Standards

***1st Reading***

BACKGROUND

In 2017, the City of Mauldin adopted an ordinance to allow multi-family housing as a conditional use in the C-1, C-2, and S-1 zoning districts. This came about because a group had desired to develop senior living apartments on Verdin Road. At that time, the zoning of that property, S-1, would not allow for apartments. Typically City staff would have helped the applicant navigate the rezoning process. However, in this particular case, the property owner selling the property had no desire to rezone the property before the property was sold and the developer did not want to close on the sale of the property unless the property had been rezoned. To help with this impasse, City staff introduced the ordinance that would allow multi-family housing as a conditional use under the current zoning.

INTENT OF ORDINANCE

The intent of the ordinance adopted in 2017 was to facilitate mixed-use development patterns within the City. The conditional standards for being able to develop multi-family housing in the C-1, C-2, and S-1 zoning districts focused mostly on architectural design.

Since 2017, City staff has been able to practice the application of this ordinance on at least two development projects: the senior living apartments on Verdin Road currently under construction and an apartment project on N. Main Street currently undergoing plan review. City staff is also beginning to receive several additional inquiries about constructing apartments in other commercial areas of the City, including the Brookfield Business Park.

At this time, City staff would like to introduce amendments to this ordinance that, in staff’s opinion, would strengthen the intent of the ordinance to produce mixed-use development at pedestrian scale while introducing some additional placemaking design principles.

As noted above, some of the inquiries staff is receiving are for areas such as business parks and industrial areas. These amendments being introduced also include the protection of the City’s employment centers from being infiltrated and overtaken by multi-family housing. Staff would prefer to give more consideration to the appropriateness of multi-family housing in the City’s employment areas before allowing such.
SUMMARY OF PROSPECTIVE AMENDMENTS

In order to facilitate the above intent, the attached ordinance includes the following amendments:

1. **Maximum density.** Simplifies the maximum density allowed for multi-family residential projects by setting the maximum at 20 units per acre.
   
   **Comment:** Currently, multi-family residential projects in the C-1, C-2, and S-1 districts are allowed a base density of 16 units per acre with an ability to receive a bonus of up to 20 units per acre if they include ground floor retail or construct the building along the front of the property fronting a wide sidewalk. Those bonus provisions have been incorporated into the attached ordinance as requirements. Therefore, it is no longer necessary to have different tiers for maximum density.

2. **Mixed use design.** In order to promote a more active pedestrian environment, principal structures with ground floor retail are required to front primary rights-of-way. This includes a provision that these structures should be built close to the front property line (not set back further than 10 feet).

3. **Parking location.** In order to facilitate a better pedestrian design, parking lots are required to be placed in the side or rear yards of multi-family residential buildings and are prohibited between multi-family structures and the right-of-way.

4. **Public sidewalk.** In order to facilitate better pedestrian design, an 8-foot-wide sidewalk is required along the primary rights-of-way.

5. **Amenity zone.** A 4-foot-wide amenity zone, consisting of landscape plantings and pedestrian amenities such as benches, bicycle parking, planters, public art, etc., is required along the primary rights-of-way.

6. **Civic space.** In order to promote better placemaking and to create outdoor gathering spaces, an outdoor civic plaza is required in a prominent location of the development project, usually adjacent to a primary right-of-way.

7. **Prohibited locations.** In order to protect current and future opportunities for employment centers, multi-family residential is prohibited in business park areas such as Brookfield, Old Mill Road, and Old Stage Road.

The attached ordinance also contains the following minor amendments:

1. **Entrances.** The requirements for orienting entrances to the street have been reworded for clarity. A requirement for a porch or stoop area has been added.

2. **Building façades.** Vents and downspouts need to be incorporated into the design. Upper-story decks and patios need to avoid direct views in the private spaces of adjacent single-family homes.

3. **Fenestration.** In addition to including a minimum level of windows (40%) along the ground floor street-facing façade, a minimum level of windows (20%) is required along other façades.

4. **Roof form.** Pitched roofs need to include variation in their design. Green roofs have been listed as an acceptable roof form.

5. **Façade materials.** Language for façade material changes along horizontal lines has been added. Accessory buildings and structures need to use similar materials and styles as the primary building(s).
PLANNING COMMISSION MEETING

On January 28, 2020, the Planning Commission conducted a public hearing for these amendments. No public comments were provided.

During its discussion and review, the Planning Commission recommended three adjustments to the proposed ordinance:

1. Prohibit off-street parking between multi-family structures and the right-of-way (for the purpose of emphasizing the pedestrian environment);
2. Add a definition for “primary right(s)-of-way”; and
3. Add a requirement for a planting strip or amenity zone between the edge of the street and the sidewalk.

These adjustments have since been added to the proposed ordinance.

TIMELINE

On January 28, 2020, the Planning Commission voted 6-0 to recommend approval of the proposed amendments with the inclusion of some adjustments noted above.

On February 10, 2020, the Building Codes Committee voted 3-0 to forward this ordinance to City Council with a recommendation of approval.

RECOMMENDATION

Staff supports the amendments included in the proposed ordinance.

Recommended Motion: I move that the proposed amendments regarding multi-family housing in commercial districts be forwarded to City Council for consideration.

ATTACHMENT

Proposed Ordinance
ORDINANCE # __________

AN ORDINANCE TO AMEND SECTION 10:13, MULTI-FAMILY DWELLINGS: C-1, C-2, AND S-1 DISTRICTS, IN THE MAULDIN ZONING ORDINANCE.

WHEREAS, the City of Mauldin Comprehensive Plan encourages mixed-use development patterns that reduce the need for short-distance automobile trips; and

WHEREAS, the City of Mauldin finds that the proximity of housing to jobs and shopping activities can achieve traffic reduction by the internal capture of home-work, home-shopping, and work-shopping trips; and

WHEREAS, the City of Mauldin adopted an ordinance on September 18, 2017, to allow multi-family housing as a conditional use in the C-1, C-2, and S-1 zoning districts; and

WHEREAS, the City desires to further facilitate mixed-use development opportunities in appropriate locations; and

WHEREAS, the City desires to strengthen the standards for mixed-use development projects; and

WHEREAS, pursuant to properly published public notice, the Mauldin Planning Commission first considered this matter at a public hearing on January 28, 2020.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof that the Mauldin Municipal Code be amended as follows:

Section 1 Amendment. Amend Section 10:13, Multi-family Dwellings: C-1, C-2, and S-1 Districts, of the Mauldin Zoning Ordinance, as follows (language that is struck through is language proposed to be deleted, underlined language is language proposed to be added, language is not struck through or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged):

Sec. 10:13 – Multi-family Dwellings: C-1, C-2, and S-1 Districts.

This section establishes design standards for multi-family dwellings in the C-1, C-2, and S-1 zoning districts. These standards are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing design principles, which can result in creative solutions that will facilitate mixed-use development opportunities, develop a satisfactory visual appearance, preserve taxable values, and promote the public health, safety, and general welfare. These standards are supplemental to other regulations which would otherwise apply.

A. Maximum density. The maximum density shall not exceed sixteen (16) twenty (20) dwelling units per acre. Notwithstanding the maximum density may be increased to a maximum of twenty (20) dwelling units per acre if the multi-family residential development project meets one (1) of the following criteria:

1: The ground floor of the applicable principal structure(s) shall be entirely occupied or reserved for occupancy by retail or commercial uses;
2. The applicable principal structure(s) shall front a public sidewalk not less than eight (8) feet in width and shall not be set back further than ten (10) feet from the front property line. Furthermore, no off-street parking shall be located between the principal structure(s) and the front property line.

3. The entire project qualifies as a service-based senior living facility. As used herein, a service-based senior living facility shall mean a facility which provides both services and housing restricted to persons generally fifty-five (55) years of age and older. Examples of such services may include security, concierge, enriching activities, dining, religious services, and housekeeping.

B. Mixed use design.

1. Multi-family residential development shall create an environment of vitality through the inclusion and careful design of non-residential uses that generate activity.

2. Principal structures shall be provided along all primary rights-of-way and shall not be set back further than ten (10) feet from the right-of-way line.

3. The ground floor of structures along the primary rights-of-way shall be entirely occupied or reserved for occupancy by compatible retail or service uses.

C. Primary right-of-way

1. The right-of-way represents an opportunity for activity and liveliness, not just driving. The intent of these standards is to expand the public realm and provide greater opportunity for pedestrian activity and in-person interactions.

2. Multi-family residential development shall provide a primary right-of-way designed for pedestrian activity. As used herein, a primary right-of-way shall mean an existing right-of-way which abuts the development project and/or a right-of-way environment created internally within the project. Whether existing or created, this primary right-of-way environment shall be linear in design adjacent to the principal structure(s) of the development and shall consist of basic right-of-way features including vehicular lanes of travel and public sidewalks.

3. Where multi-family residential development abuts an arterial and/or collector street, the existing right-of-way for that arterial and/or collector street shall be considered a primary right-of-way, in addition to any created right-of-way environment.

4. In addition to any existing primary right-of-way that abuts the project, multi-family residential development projects with at least 100 dwelling units shall include a primary right-of-way environment created internally within the project along a reasonable extent proportional to the development. This created right-of-way environment shall be located and designed as a focal feature of the development. A right-of-way environment may be created along private drives.

5. In addition to the vehicular lanes of travel, the primary right-of-way shall at a minimum include the following elements: (1) a pedestrian zone, and (2) an amenity zone.

6. The pedestrian zone shall consist of a public sidewalk not less than eight (8) feet in width along the entire length of the primary right-of-way.

7. The amenity zone shall consist of landscape plantings and pedestrian amenities such as benches, bicycle parking, planters, public art, etc. The amenity zone shall not be less than four (4) feet in width.

8. The Business and Development Services Director may approve alternative designs for the primary right-of-way as well as alternative minimum widths for the pedestrian zone and/or
amenity zone where the intent of these standards is still achieved and where normal compliance is impractical or impossible.

E. Pedestrian walkways.

1. Pedestrian walkways at least four (4) feet in width shall be provided between buildings, streets, driveways, community spaces, and off-street parking.
2. Sudden changes of grade or sharp turns resulting in “blind spots” are discouraged.
3. Walkways shall transect common open space to enhance visual access while minimizing conflicts between vehicles, bicycles, and pedestrians.
4. Entry points and intersections of pedestrian walkways should be framed by landscaping consisting of plant, lighting, and hardscape materials scaled to the pedestrian context.

E. Civic space.

1. Multi-family residential development shall provide an outdoor plaza. Because they provide access to the outdoors and serve as public gathering places, these civic spaces are important to the health and vibrancy of the community.
2. For the purposes herein, a plaza shall mean an outdoor hardscaped area that is usually framed by buildings and streets and that provides amenities for pedestrians such as seating, shade, and ornamental features like fountains, art, and landscaping.
3. Plazas shall not be made up of residual space left after buildings are placed on a site (i.e., along sound walls, tucked into corners, or the like). Rather they shall be centrally and prominently located in a manner that is visible and easily accessible, usually adjacent to a primary right-of-way.
4. Plazas shall generally be regular in shape (i.e., rectangular, square, etc.).
5. The vibrancy and vitality of a plaza is directly related to the uses in buildings directly adjacent to the space. At least 50 percent of a building’s frontage on a plaza shall be occupied by compatible retail or service establishments allowed under the applicable underlying zoning district. These uses may include uses such as restaurants, supermarkets, shopping stores, and personal care services. Certain uses are discouraged because they are incompatible with the goal of providing pedestrian activity. These may include wholesale establishments, automobile sales and services, parking garages and parking lots, contractor and construction services, and manufacturing establishments.
6. To ensure that a connection between buildings and plazas is maintained, principal building entrances shall be located on the plaza or within 10 feet of the space for any building adjacent to the civic space.
7. All new building walls fronting onto a plaza shall be treated with clear, untinted transparent material at least 50 percent of the surface area below 14 feet above the plaza level or the ceiling level of the ground floor, whichever is lower. Any non-transparent area of a new or existing building wall shall be treated with a decorative element or material, or screened with planting to a minimum height of 15 feet above the plaza level.
8. To facilitate access into plazas from adjacent sidewalks, at least 50 percent of the front of the space that abuts the sidewalk shall be free of obstructions.
9. Plazas shall provide at least one linear foot of seating for every 30 square feet of plaza.
10. Plazas shall provide at least two different seating types. Acceptable seating types include: moveable seating, fixed individual seats, fixed benches, seat walls, planter ledges, and seating steps.
11. In order to make plazas feel safe and inviting, abundant and well-designed lighting at adequate levels shall be provided. A minimum 2 horizontal foot candles is required for all walkable and seating areas. All light sources shall be shielded from direct view.

12. Plazas shall provide trash receptacles of sufficient size and quantity. One receptacle shall be provided for every 1,200 sq. ft. or fraction thereof. All receptacles shall have a minimum capacity of 25 gallons and a minimum opening of 12 inches.

13. In order to create comfort, shade, and textual variety, plazas shall provide trees and other planted areas. At least 15 percent of the space shall be comprised of planted areas, in the form of planting beds, groundcover or accessible lawns.

14. A minimum number of trees shall be provided within the space in accordance with Table 10.13.1. Trees shall be at least 3 inches in caliper at the time of planting. Trees shall be surrounded by a porous surface at least 5 feet in width that allows water to penetrate to the tree roots.

15. The plaza shall be sized accordingly:

<table>
<thead>
<tr>
<th>Number of Dwelling Units</th>
<th>Minimum Area</th>
<th>Minimum Width</th>
<th>Minimum Number of Trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-9 units</td>
<td>400 sq. ft.</td>
<td>20 ft.</td>
<td>1</td>
</tr>
<tr>
<td>10-19 units</td>
<td>800 sq. ft.</td>
<td>30 ft.</td>
<td>2</td>
</tr>
<tr>
<td>20-49 units</td>
<td>1,200 sq. ft.</td>
<td>40 ft.</td>
<td>3</td>
</tr>
<tr>
<td>50-99 units</td>
<td>1,600 sq. ft.</td>
<td>50 ft.</td>
<td>4</td>
</tr>
<tr>
<td>100+ units</td>
<td>2,400 sq. ft.</td>
<td>60 ft.</td>
<td>5</td>
</tr>
</tbody>
</table>

†F. Parking location.

1. Parking areas shall be located and designed to reduce or eliminate visual and operational impacts on surrounding land uses.

2. Parking structures, when included, shall provide:
   a) Building façade treatments and materials similar to façades with residential units;
   b) Clear sight lines of abutting streets, driveways, and pedestrian pathways;
   c) Light-colored interior walls and ceilings; and
   d) Adequate and uniform interior lighting without glare to surrounding properties.

3. All off-street parking shall be located within parking structures or in the side or rear yards of multi-family residential buildings. No off-street parking shall be located between the plane of any front wall of a principal structure and any adjacent primary right-of-way.

4. Garage doors or vehicular entrance points to parking structures shall be located at least ten feet behind the street-facing building façade.

⊕G. Orientation.

1. Multi-family residential buildings shall be configured in a manner that activates street fronts and enhances pedestrian activity by orienting buildings and entrances towards adjacent streets, sidewalks, and open spaces.

2. Principle principal buildings shall be sited to maximize natural ventilation, solar access, and access to views, to the maximum extent practicable.
**City Council Meeting**

**Entrances.**

1. All entrances shall be adequately illuminated and oriented to promote natural surveillance.
2. The main entrance of each principal building must face the street. On corner lots, the main entrance may face either of the streets or be oriented to the corner. With buildings that have more than one (1) main entrance, only one (1) entrance must meet this requirement.
3. Street-level, street-facing multi-family dwelling units shall have a street-oriented entrance or, in-lieu thereof, a shared street-oriented entrance for every two street-level, street facing units.
4. Street-facing entrances for individual dwellings should include at least 36 square feet of usable porch or stoop area that is elevated above street level to create a separation of public and private space and to help activate the street.
5. Shared building entrances shall be pedestrian-scaled and covered with canopies or overhangs.
6. Exterior open stairways and corridors serving more than one (1) dwelling unit and facing a public street or residential zoning district are prohibited.

**Building façades.**

1. Buildings shall incorporate varied massing and design across long façades. Building walls shall be articulated at a minimum of every fifty (50) feet. Articulation may include modulating building elements such as recesses, projections, expressed entries, building form, columns, pilasters, colonnades, arcades, and/or other clearly expressed architectural details. No horizontal section of the building façade shall exceed fifty (50) feet without incorporating visible changes in the façade elevation.

2. In order to modulate their scale, buildings at least three (3) stories in height shall individually articulate the base, middle, and cap through the use of expression lines, cornices, string cornices, step-backs, or similar articulating feature. For the purposes of this section, the base generally includes the ground floor of the building, including entryways and windows; the middle is generally described as the upper stories of a building and typically features windows and/or balconies; and the cap includes the area from the top floor to the roof of the building.
3. For buildings at least three (3) stories in height, upper story decks or patios should be configured to avoid direct views into the private spaces of adjacent residential uses.

4. The articulation of buildings pursuant to this section shall include at least three (3) of the following:
   
   a) Awnings or other weather protection for pedestrians;
   b) Distinct changes in texture and color of wall surfaces;
   c) A covered front porch or other designated gathering area occupying at least twenty-five (25) percent of the front façade width;
   d) Vertical accents or focal points such as towers, spires, cupolas, window walls, or widow walks;
   e) Distinctive window trim including lintels and sills;
   f) Art work or bas relief;
   g) Repetitive ornamentation, including decorative features such as wall-mounted light fixtures, with a maximum spacing of fifty (50) feet; or
   h) Other comparable elements, as approved by the Business and Development Services Director.

5. Vents, exhaust vents, and downspouts shall be incorporated into the overall design.

6. Upper-story decks or patios shall be configured to avoid direct views into the private spaces of adjacent single-family dwellings.

**F. Fenestration.**

1. At least twenty-five (25) forty (40) percent of the area of a ground floor street-facing façade must include windows and/or main entryways. All other building façades shall have a minimum glazed area of twenty (20) percent.
2. Windows on side façades shall be positioned to avoid direct views into the windows of an existing adjacent residential dwelling.
3. Windows and doors of proposed dwellings shall allow for casual surveillance of the parking and common open space areas.
4. Windows shall complement the rhythm, size, proportion, and trim of adjacent residential buildings.

**F. K. Roof form.**
1. For buildings at least three (3) stories in height, roof lines shall vary and be expressed in a visually interesting manner that complements the composition of the building and the surrounding area. This can be achieved through the use of dormers, varied cornice lines and/or parapets, varied parapet lines, and other similar architectural features.

2. Pitched roofs shall include variation in planes, slopes, and features.

3. Overhanging eaves and roof rakes on gable ends shall extend at least six (6) inches past the supporting walls.

4. Flat roofs shall incorporate parapet walls with three-dimensional cornice treatments designed to conceal the roof and roof-mounted mechanical equipment. All parapet walls visible from a public street shall be finished.

5. The parapet wall shall be similar in color and material to the building and shall not exceed twenty-five (25) percent of the height of the supporting wall.

6. When adjacent to residential zoning districts, the roof form of multi-family residential buildings shall complement the character of surrounding residential structures.

7. All roof vents, pipes, antennae and other roof penetrations should be of a color that will minimize their visual impact unless concealed by a parapet, located on the rear elevation, or configured to have a minimum visual impact as seen from the street or existing residential development.

8. Green roofs, which use vegetation to improve stormwater quality and reduce runoff, may be incorporated as an alternative to the roof forms described in this subsection.

GL. Façade materials.

1. Building materials shall either be similar to the materials already being used in the immediate area or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.

2. Where two (2) or more materials are proposed to be combined on a façade, the heavier and more massive elements shall be located below the lighter elements (e.g., brick shall be located below stucco). Use of a heavier material as a detail on the corner of a building or along cornices or windows is acceptable.

3. Primary façade materials shall not terminate or change at outside corners, and shall continue a minimum distance of two (2) feet from the front corners along the side façades.

4. Material changes shall occur along a horizontal line or where two forms meet. It is acceptable, however, that change of materials occur as accents around windows, doors, cornices, or as a repetitive pattern.
4.5. The following materials shall not be used in the exterior building finish:

   a) Corrugated metal siding;
   b) Exposed smooth-finished concrete block;
   c) Styrofoam-backed and synthetic stucco within twelve (12) feet of the grade level and within two (2) feet of any exterior door jamb; or
   d) Vinyl siding.

6. Accessory buildings and structures shall be similar in materials and architectural style to the primary building(s).

44 M. Service areas and equipment.

1. Exterior mechanical equipment, vending machines, service and delivery areas, outdoor storage, trash storage, and accessory uses and structures that may produce noise, odor, glare, vibration, or other nuisances, shall be screened from view of public and common areas and adjacent properties.

2. Adequate facilities for waste disposal shall be provided and shall be appropriately screened.

44 N. Landscaping and screening.

1. Building foundations shall be landscaped along the full length of each front façade. Landscaping shall wrap around the corners and shall continue around building sides to a logical conclusion point or a minimum distance of ten (10) feet, whichever is less.

2. Foundation landscaping shall have an average depth of six (6) feet and a minimum depth of four (4) feet. Foundation landscaping depth along a sidewalk may be reduced by up to fifty (50) percent, where needed to provide for adequate pedestrian circulation or pedestrian amenities.

3. Structures along primary rights-of-way which contain non-residential uses on the ground floor shall be exempt from foundation landscaping requirements.

44 O. Exterior lighting.

1. Exterior lighting shall be compatible with building architecture and scaled (dimension and intensity) to complement its context.

2. Adjacent to residential zoning districts, exterior lighting, whether pole-mounted or wall-mounted, shall not exceed a maximum height of fifteen (15) feet above grade. Uplighting of building or site features shall be directed away from adjacent properties.

3. Internally illuminated signage or awnings are prohibited in direct view or any adjacent residential zoning district.

44 P. Crime prevention through environmental design. Multi-family residential development is encouraged to adhere to the generally accepted Principles of Crime Prevention Through Environmental Design (CPTED), to the maximum extent practicable. These principles involve the design of walkways, fences, lighting, signage, and landscape to enhance natural site surveillance, control of access, and clear definition of public and private spaces.

44 Q. Other applicable standards. All multi-family housing residential developments projects shall be subject to other applicable standards established in the Mauldin Zoning Ordinance and Mauldin
Land Development, including, but not limited to, Section 8:1 of the Mauldin Zoning Ordinance. Where other standards may differ from the standards herein, the higher, or more restrictive, standard shall apply.

R. **Prohibited locations.** Multi-family residential development shall be prohibited at the following locations: along Brookfield Parkway, Brookfield Boulevard, Brookfield Oaks Drive, Old Stage Road, Greer Drive, Palmetto Drive, Carlisle Drive, Old Mill Road (between Miller Road and Forrester Drive), Ellwood Court, McDougall Court, International Court, Geneva Court, Devonshire Road, Bi-Lo Boulevard, S. Park Drive, and Mourning Dove Lane.

**Section 2.** This ordinance shall become effective upon and after its final passage.

Passed on First Reading: __________________________

Passed on Second Reading __________________________

CITY OF MAULDIN, SOUTH CAROLINA

BY: __________________________ Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

John Duggan, City Attorney
CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020
AGENDA ITEM: 8e

TO: Public Safety Committee
FROM: W. Stewart, Fire Chief
SUBJECT: Amendments to the Belmont Fire District Agreement

REQUEST

To review and approve amendments to the Belmont Fire District Agreements

HISTORY/BACKGROUND

Although inferred in the City’s employee handbook, the implementation of this policy will establish clear boundaries between employee personal and business interactions which is necessary for effective business operations.

ANALYSIS or STAFF FINDINGS

In October 2019, the City staff and legal counsel met with representatives from the Belmont Fire Department, who requested changes to the agreements for consideration. Subsequently, these agreements were not approved by the Public Safety Committee.

The Belmont Fire Department has revised and submitted the attached three agreements for consideration, regarding areas annexed last year, including the former Bonnie Brae Golf Course. There are 2 primary changes:

- Belmont requested to reevaluate the agreements in 2 years; and,
- Belmont requested to increase the annual fee to $1,500

FISCAL IMPACT

The fiscal impact is the change in the amount paid to the Belmont Fire District annually from $500 to $1,500, which is $1,000 more than the agreement originally approved by Council.

Funding is available to absorb this increase.

RECOMMENDATION

It is recommended that Council review and approve the amendments to the Belmont Fire District agreements.
CITY COUNCIL AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 8f

TO: City Council
FROM: Public Works Director, Matthew Fleahman
SUBJECT: Muirwood Drive Update

REQUEST

Staff is requesting direction regarding the Muirwood Dr. matter.

HISTORY/BACKGROUND

During the December 16, 2019 Council meeting, Councilman Merritt requested that an update on Muirwood Drive stormwater be brought to the Public Works Committee. During the January 7 Public Works Committee meeting, Council requested that driveway repairs be removed from the Public Works quote for the materials needed to address this matter as there were concerns related to repairing the homeowner’s driveway.

ANALYSIS or STAFF FINDINGS

In accordance with City of Mauldin Ordinance Sec. 36-33. - Work off city right-of-way and property, the City may provide labor and equipment to address drainage issues on private property. All materials necessary to address the issue are required to be furnished by the property owner. Ordinance Section 36-33 is attached.

Staff performed an assessment of the storm water system at 110 Muirwood Drive. Per City Code of Ordinances Section 36-33 staff has developed a quote in the amount of $5,886.65 for the materials needed to address the concerns presented by Mr. Maio in regard to 110 Muirwood Drive. The improvements involve replacing the storm water piping from the existing sink hole down to the outfall in the back yard. The sink hole appears to be above the area where the 36-inch stormwater pipe is reduced to 18-inches.

Staff met with Mr. Maio on January 31, 2020 and discussed the concerns of the Public Works Committee as it related to the driveway repairs being at the owner’s expense. Mr. Maio agreed to being soley responsible for repairing the driveway with the City replacing the storm water piping.

Staff will proceed at the direction of Council. Should Council authorize staff to proceed and absorb the cost of materials, then a budget amendment will be warranted in the amount of the cost of the materials as it exceeds $5,000 and is considered a capital expense. The funding source would be the City’s General Fund balance. It is worth noting that the work does not involve any repairs to the sinkhole in Mr. Maio’s driveway.
TIMELINE

The estimated timeline for the work is 3 to 4 weeks.

RECOMMENDATION

This matter is a policy decision of Council. Given that the request of Mr. Maio is outside of the parameters of City Ordinance 36-33, Council direction is sought.
Sec. 36-33. - Work off city right-of-way and property.

Work may be performed off city rights-of-way or property in the following cases:

(1) **Protection of city street or bridge.** For correcting a situation detrimental to a city street or bridge which affects the safety of the traveling public. Such work may include, but is not limited to, stream channel improvement and sight distance obstruction removal. Upon specific approval of the city administrator, private driveways may be scraped only to the extent necessary to protect a city or county road within the city limits by channeling water into side ditches and cleaning side ditches. Hold harmless agreements are required for all such types of work.

(2) **Drainage work off city rights-of-ways and properties.** To perform maintenance on dedicated easements, provided that such maintenance will provide for the free flow of surface water to a live stream and/or relieve regional flooding conditions along a live stream. The city may provide labor and equipment to perform maintenance on drainage easements and installation of erosion protection, but the easement, in general, must carry water from public roads or lands or be regional in nature. This work will be accomplished only upon request and approval of all property owners adjacent to the easement and after a properly executed hold harmless agreement, and right of entry agreement, signed by all such owners is filed with the city and accepted for recording. Felled trees may be removed only if impeding the normal flow of water and only if it affects a public interest, public health, or public safety.

No maintenance assistance is offered any development until completion. After completion of a development project, no such assistance shall be rendered to commercial developments, industrial sites, golf courses, apartment complexes, or mobile home parks, without specific approval of council. A record of each project undertaken is to be maintained in the city public works department and made available upon request. The record is to include manpower and equipment usage.

In the event the work is done by the private property owner, the work must be performed by a licensed, qualified contractor. All work must be inspected during installation and approved by the public works department upon completion and before covering.

**Types of work.** The following types of drainage assistance may be performed by the city public works department provided it affects a public interest, public health, or public safety:

a. Machine cleaning of normally dry drainage easements to allow free flow of surface water.

b. Installation or removal of pipe (labor and equipment only) on normally dry drainage easements. Materials must be furnished by the property owner. All materials furnished including pipe, catch basins, grates and lids must meet city standards.

c. Installation of large stone or other erosion protection materials (labor and equipment only) on normally dry drainage easements.

d. Unclogging and repair of pipe systems (labor and equipment only) on normally dry drainage easements.

**Conditions.** The drainage assistance described above may only be performed under the following conditions:

a. All requests for off right-of-way drainage assistance must be approved by the public works director.
b. All affected property owners must execute drainage assistance agreements which shall include an
easement with permanent encroachment provisions and a hold harmless agreement. These
agreements shall be filed with the public works department.

c. Drainage assistance may be provided for circumstances involving water which originates from public
lands or public rights-of-ways to natural stream beds or drainage systems.

d. No materials will be furnished by the city for any of the above types of work.

e. No assistance shall be provided to any development prior to its completion.

f. No off right-of-way drainage assistance shall be performed more than once in a 12-month period
except under extraordinary circumstances and with the concurrence of the city administrator.

CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 8g

TO: City Council
FROM: Public Works Director, Matthew Fleahman
SUBJECT: Replacement of Gateway Sign

REQUEST

Authorization is requested to accept the insurance funds in the amount of $10,057.32 and to utilize these funds for the replacement of the damaged gateway sign. Additionally, authorization is requested to modify the other four (4) signs to include “Welcome To” on each sign. Since these expenditures are unbudgeted, a budget amendment is warranted.

HISTORY/BACKGROUND

The City of Mauldin has five roadside gateway entry signs. The signs are visible as you enter into the City from outside unincorporated areas.

On December 23, 2019, Public Works was notified that one of the signs on US-276 had been struck and damaged. A police report was generated and the remains of the sign were gathered up and removed from the area. An insurance claim was filed on behalf of the City and funds for the replacement issued.

During the process of receiving quotes for the damaged sign, council requested a quote to add “Welcome To,” to this sign and the remaining four signs around the City.

ANALYSIS or STAFF FINDINGS

The cost to replace the damaged sign will be funded by accepting the insurance funds in the amount of $10,057.32 and authorize the use of the funds to replace the sign. The cost to add “Welcome To,” will be $1,617.56. Since both items are unbudgeted expenses, a budget amendment is required. The recommended funding source for adding “Welcome To” to the other 4 gateways signs is the General Fund balance. Attached is the rendering of the sign replacement.

TIMELINE

Should City Council approve, the time to complete is approximately four weeks.
RECOMMENDATION

Staff recommends the City Council approve the acceptance of the insurance funds and utilize these funds to replace the sign. It is also recommended that budget amendment be issued to cover the cost of adding “Welcome To,” to the remaining signs.
CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 8h

TO: City Council

FROM: Public Works Director, Matthew Fleahman

SUBJECT: GLDTC Participation Agreement – Signalized Rothwell Dr. and E. Butler Rd. Intersection

REQUEST

Authorization to execute the Greenville Legislative Delegation Transportation Committee (GLDTC) Participation Agreement for the Signalized Rothwell Dr. and E. Butler Rd. Intersection project.

HISTORY/BACKGROUND

During its September 19, 2019 meeting City Council approved to proceed with the closure of Rothwell Dr., and the construction of new signalized Rothwell Dr. and E. Butler Rd. intersection utilizing the funding mechanisms recommended by staff.

ANALYSIS or STAFF FINDINGS

Traffic safety concerns attendant to ingress and egress of Rothwell Dr. off E. Butler Rd. have been presented to the City over the past year. In an effort address those concerns (e.g., traffic congestion, traffic hazards) and potential economic, this project will:

- Close the current location of Rothwell Dr.
- Relocate Rothwell Dr. no less than 700 feet from the E. Butler Rd. & I-385 interchange.
- Signalize the Rothwell Dr. & E. Butler Rd. intersection at the new location of Rothwell Dr.

The project will be managed by the GLDTC with assistance from the City as it relates to any needed agreements (e.g., easements, ownership, maintenance) requiring City approval and the closing of Rothwell Dr. at its current location.
FISCAL IMPACT

The total cost for this project is $1,108,881. The funding of this project includes contributions from the Greenville Legislative Delegation Transportation Committee, Shaw Resources and the City of Mauldin as detailed in the table below:

![Pro Forma Table]

RECOMMENDATION

It is recommended that Council authorize the execution of the participation agreement.

Attached is a map of the project area and the participation agreement.
PARTICIPATION AGREEMENT
Greenville Legislative Delegation Transportation Committee Project # 567

Dated: January 27, 2020

WHEREAS, the City of Mauldin desires the Greenville Legislative Delegation Transportation Committee (GLDTC) to assist the City of Mauldin in the Intersection Project Millport at Butler Road in the city limits of the City of Mauldin known as GLDTC Project # 567; and

WHEREAS, the GLDTC is a duly authorized agent of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the City of Mauldin is duly authorized to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the GLDTC has agreed to assist the City of Mauldin with GLDTC Project # 567;

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the parties hereto as set forth, the GLDTC and the City of Mauldin do hereby agree as follows:

Project Description:

The project is divided into two (2) parts as follows:

a) Preliminary Engineering (PE): Includes field stakeout, compilation of contract quantities, Right of Way, Bid Proposal Preparation, Advertisement and receipt of bid packages, bid evaluation and recommendation for award.

b) Construction, Engineering and Inspection (CEI): Includes monitoring the actual construction performance, construction inspection, sampling testing of materials, recommendation for contractor payments, and other items associated tasks as necessary.

The term PROJECT is intended to refer to the above two Parts collectively unless otherwise indicated.
COMMITTED PROJECT FUNDING:

GLDTC: $440,446.94 (40.00%)
City of Mauldin: $668,434.66 (60.00%)

The GLDTC shall:

a) Provide the GLDTC’s cost share for the PROJECT, not to exceed the $440,446.94;
b) Provide all preliminary engineering services, Right of Way, bid advertisement, awarding of construction contract, inspection of contractor work during execution of contract, and sampling and testing of construction procedures for compliance with all State and local requirements;
c) Verify all contractor pay requests prior to payment.

The City of Mauldin shall:

a) Provide construction funding equal to the commitment of $668,434.66, and
b) Provide funds for all cost overruns (if any).
c) Secure commitment from Shaw Resources to donate right of way.

The GLDTC shall:

a) Enter into and execute all necessary contracts required to complete the approved project;
b) Be responsible for approval of payment requests and payments of all contractors and subcontractors pay requests;
c) Secure from the City of Mauldin all remaining funds as described below.
PARTICIPATION AGREEMENT
Greenville Legislative Delegation Transportation Committee Project # 567

Dated: January 27, 2020

The City of Mauldin shall:

a) Pay all GLDTC invoices within 30 days.
b) Make 1\textsuperscript{st} Partial Payment of 50\% when the contract is awarded.
c) Make 2\textsuperscript{nd} Partial Payment of 25\% when 25\% of the construction is completed.
d) Make Final Payment of 25\% when 50\% of the construction is complete.
e) Once construction is complete pay any cost overruns, if any.

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____________________________________________________________________________________
For: the City of Mauldin (name and title) (date)

____________________________________________________________________________________
Greenville Legislative Delegation Transportation Committee Chairman (date)

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CITY COUNCIL
AGENDA ITEM

MEETING DATE: February 17, 2020

AGENDA ITEM: 8i

TO: Public Works Committee
FROM: Public Works Director, Matthew Fleahman
SUBJECT: GLDTC Participation Agreement –Municipal Match Resurfacing Program

REQUEST

Authorization to execute the Greenville Legislative Delegation Transportation Committee (GLDTC) Participation Agreement for the municipal match resurfacing program.

HISTORY/BACKGROUND

The City’s street paving program focuses on the resurfacing, rehabilitation and maintenance of City-owned roads. The program is funded through the City’s Capital Improvement Program and the Greenville Legislative Delegation Transportation Committee’s (GLDTC) Municipal Match Resurfacing Program (MMRP). Streets funded through the MMRP are managed by the GLDTC’s program manager, CoTransCo. Roads improved through this program usually include a combination of full depth patching, milling and asphalt overlay.

ANALYSIS or STAFF FINDINGS

During its September 16, 2020 meeting, City Council approved its FY2020 road paving list. For FY2020, Council appropriated $150,000 for participating in the MMRP, and GLDTC was informed of the City’s participation level. The funding source for the $150,000 is the Capital Projects Fund. The GLDTC considered the MMRP during their July 25, 2019 meeting and made a final determination for funding for the match program. The City available match level as determined by GLDTC was $191,954.41. This amount is $41,954.41 more than $150,000 Council appropriated for this program for the current fiscal year, FY2020.

During its August 19, 2020 meeting, increased its contribution to the MMRP by $41,954.41 for a total of $191,954.41. This means that a total of $383,909 will be utilized in the MMRP to repave the following City streets:

- Mary Knob Court
- Bel Arbor Lane
- Sonoma Drive
- Korbel Court
- Brookfield Boulevard
- Jonagold Court
- Grassy Court
TIMELINE

Resurfacing of the roads should commence in the Spring 2020 and completed by Fall 2020.

RECOMMENDATION

It is recommended that Council authorize the execution of the participation agreement.

Attached is the Road Paving List and the Participation Agreement.
PARTICIPATION AGREEMENT
Greenville Legislative Delegation Transportation Committee Project # 560.01

Dated: December 22, 2019

WHEREAS, the City of Mauldin desires the Greenville Legislative Delegation Transportation Committee (GLDTC) to assist the City of Mauldin in the resurfacing of various roads/streets within the city limits of the City of Mauldin as part of the Municipal Match Resurfacing Program for FY 19-20, known as GLDTC Project # 560.01; and

WHEREAS, the GLDTC is a duly authorized agent of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the City of Mauldin is duly authorized to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the GLDTC has agreed to assist the City of Mauldin with GLDTC Project # 560.01;

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the parties hereto as set forth, the GLDTC and the City of Mauldin do hereby agree as follows:

**Project Description:**

The project is divided into two (2) parts as follows:

a) Preliminary Engineering (PE): Includes field stakeout, compilation of contract quantities, Bid Proposal Preparation, Advertisement and receipt of bid packages, bid evaluation and recommendation for award.

b) Construction, Engineering and Inspection (CEI): Includes monitoring the actual construction performance, construction inspection, sampling testing of materials, recommendation for contractor payments, and other items associated tasks as necessary.

The term PROJECT is intended to refer to the above two Parts collectively unless otherwise indicated.

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<tr>
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<th>GLDTC initial</th>
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PARTICIPATION AGREEMENT
Greenville Legislative Delegation Transportation Committee Project # 560.01

Dated: December 22, 2019

COMMITTED PROJECT FUNDING:

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The GLDTC shall:

a) Provide the GLDTC’s cost share for the PROJECT, not to exceed the $191,954.41;

b) Provide all preliminary engineering services, bid advertisement, awarding of construction contract, inspection of contractor work during execution of contract, and sampling and testing of construction procedures for compliance with all State and local requirements;

c) Verify all contractor pay requests prior to payment.

The City of Mauldin shall:

a) Provide construction funding equal to the commitment of $191,954.41, and

b) Provide funds for all cost overruns (if any).

The GLDTC shall:

a) Enter into and execute all necessary contracts required to complete the approved project;

b) Be responsible for approval of payment requests and payments of all contractors and subcontractors pay requests;

c) Secure from the City of Mauldin all remaining funds as described below.
PARTICIPATION AGREEMENT
Greenville Legislative Delegation Transportation Committee Project # 560.01

Dated: December 22, 2019

The City of Mauldin shall:

a) Pay all GLDTC invoices within 30 days.
b) Make 1st Partial Payment of 50% of the matching funds on May 1st 2020,
c) Make 2nd Partial Payment of 25% of the matching funds on July 1st 2020,
d) and Make Final Payment of 25% and cost overruns, if any, of the matching funds on November 30th, 2020.

Note: Every possible effort will be made to utilize 100% of the available funding for the execution of this contract. However: due to factors beyond everyone’s control (PG64-22 price adjustment, utility conflicts, contract underruns/overruns, etc.) it will be impossible to exactly match the dollar amount of funding to the final dollar amount of the work. Therefore: the GLDTC will “roll-forward” to the next Municipal Match Program any surpluses or deficits of funds.

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For: the City of Mauldin      (name and title)              (date)

Greenville Legislative Delegation Transportation Committee Chairman  (date)
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