

Minutes
Building Codes (BDS) Committee
February 7, 2022
6:00 p.m.
4th committee meeting

Committee Members: Diane Kuzniar (Chair), Taft Matney, Frank Allgood

Others Present: David Dyrhaug, Business and Development Services Director and Brandon Madden, City Administrator

1. Call to Order-Chairwoman Kuzniar
2. Public Comment- None
3. Reading and Approval of Minutes
 - a. Building Codes Committee Meeting: December 6, 2021

Motion: Councilman Matney made a motion to approve the minutes with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

4. Reports or Communications from City Officers
 - a. BDS Director David Dyrhaug

Mr. Dyrhaug reported his department budget looks good.

He also reported there are two openings on the Planning Commission.

5. Unfinished Business- There is no Unfinished Business

6. New Business

- a. An ordinance to provide for the annexation of property owned by Zenith Holdings, LLC, and located at 220 Fowler Circle (Tax Map Parcel: M007.03-01-010.01) by one hundred percent petition method; and to establish a zoning classification of R15, residential, for said property.

The City of Mauldin has received a signed petition requesting the annexation of a tract of land consisting of one parcel pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 10 acres owned by Zenith Holdings LLC and is located at 220 Fowler Circle. The applicant has requested that this tract be zoned R-15, Residential, upon annexation into the City of Mauldin. Zenith Real Estate anticipates developing this property for 28 detached single-family homes with a starting sales price of approximately \$450,000. The applicant expects that NewStyle Communities will be the builder for this project and would establish an age-targeted community for adults ages 55 and up. NewStyle Communities provide maintenance-free all-brick homes. Maintenance of the homes and the community is paid for through the HOA.

Sewer is not presently available at this property. Zenith Real Estate expects to construct a new sewer line from W. Butler Road via Rose Circle that will connect to the rear of this property. Due to the topography of the site in relation to the existing sewer line, a lift station will also be needed.

There has been no study yet to determine the fee that may need to be levied on the future homeowners in order to be able to support the ongoing costs associated with a lift station.

Chairwoman Kuzniar said the concerns she had in November on this project still exist. Among those are stormwater issues, concerns from neighbors regarding townhomes, and concerns on the sewer lift station.

Colton Miller was present for Zenith Real Estate. He addressed some of the concerns. He said they have changed the product type since the townhome project was rejected. The density is less and the starting price has almost doubled. The average residents per home is 1.3 residents. The sewer lift station fee will not be burdensome as it is only a small percentage of what they will be paying to live in the community.

Chairwoman Kuzniar asked if he knew the cost for the sewer lift station. This would be a small community, so based on that, the cost would be divided between the residents. Mr. Madden said it would be levied on their tax bill and would be divided among the residents of the community.

Jay Martin of Arbor Land Design said this would be similar to the one in the community at Bridges and Bethel Roads. In the future, the community would provide easements so that when the community next to this one is ready, the lift station will be moved and work to provide for multiple developments.

Councilman Matney asked when other communities start using the lift station, would the annual cost be split among those residents as well, or would the original community continue to pay for the lift station. Brandon Madden said the fee would go down because it would be split between the original owners and residents of the other communities the station serves.

Councilman Allgood asked what the stormwater concerns were last time. Mr. Martin said Greenville County was concerned the detention pond was not big enough. With the proposed change in density, there is more area for the stormwater to go through, soak in and disperse. Developers are required to meet stormwater criteria.

Motion: Councilman Matney made a motion to forward this item to Council with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

- b. An ordinance to provide for the annexation of property owned by David M. Cumbia and Karen G. Cumbia, and located at 110 Rose Circle (Tax Map Parcel: M013.02-01-014.00 and M013.02-01-014.01 by one hundred percent petition method; and to establish a zoning classification of RM1, residential, for said property.

The applicant has requested that this tract be zoned R-M1, Residential, upon annexation into the City of Mauldin. Zenith Real Estate has this property under contract for purchase. Zenith Real Estate anticipates developing this property for 34 detached single-family homes with a starting sales price of approximately \$450,000 (this is up from the 32 homes that would sell in the \$300,000s as was reported in November). The applicant expects that NewStyle Communities will be the builder for this project and would establish an age-targeted community for adults ages 55

and up. NewStyle Communities provide maintenance-free all-brick homes. Maintenance of the homes and the community is paid for through the HOA. The sewer lift station just talked about in the previous item would serve this community.

Chairwoman Kuzniar asked if this development would just consist of single family homes. Mr. Dyrhaug said RM allows for single detached homes and townhomes as well. Mr. Dyrhaug said this would be underdeveloped as to the zoning district they are requesting. Chairwoman Kuzniar said they could build townhomes if they wanted to. Mr. Dyrhaug answered yes. Councilman Allgood asked if the communities would connect. Colton Miller answered no, they would be totally separate neighborhoods.

Mr. Miller said because this item was tabled by Council and not rejected, it maintained the original zoning requested. The developer is amenable to changing the requested zoning.

The new request changed the plan from 32 to 34 homes. NewStyle will replace the Cumbia house with two new houses instead of keeping the house, which was the original plan. Mr. Dyrhaug suggested that R12 might be a better zoning that would keep the number of homes at 34. Mr. Martin said R12 would only allow single family homes as well and would be compatible zoning with the surrounding properties. Chairwoman Kuzniar said she would be more comfortable with R12. Mr. Martin asked for the change to R12. Mr. Dyrhaug said the City Attorney has in the past said Council has the authority to zone property however it wishes. Mr. Dyrhaug suggested a committee recommendation to R12 with the caveat that the City Attorney agrees.

Motion: Councilman Matney made a motion to forward this item to Council with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

c. Outdoor Lighting Standards

Staff has recently been asked to examine and explore the opportunity to consider outdoor lighting standards that could apply in residential neighborhoods. Presently, the City of Mauldin has some outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions do not apply to single-family residential properties even though single-family residential properties may be the cause of glare and light pollution to other single-family properties. The City of Mauldin currently has some outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions apply to new development and where new outdoor lighting fixtures are installed at existing development, except for single-family residential properties. These provisions also do not apply to street lighting installed by a governmental agency.

Most of the other nearby jurisdictions, including Greenville County, the City of Simpsonville, and the City of Greer, have comparable outdoor lighting standards to the City of Mauldin and exempt single-family residential properties from outdoor lighting standards. Only the City of Greenville provides lighting standards that also apply at single-family residential properties. The City of Greenville has limits on height and wattage.

Chairwoman Kuzniar said she has a neighbor with a light that is shining into her residence. She has had to expend money for blackout shades and curtains. She would like to see something in the ordinance to protect neighbors from unintentional intrusive lighting.

Mr. Madden said some provisions could be added to the City's existing ordinance. Mr. Dyrhaug can work with the police department and other municipalities to bring some language back to committee.

This item was left in committee.

7. Public Comment- None

8. Committee Concerns- None

9. Adjournment- Chairwoman Kuzniar adjourned the meeting at 8:07 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk