Minutes
Building Codes (BDS) Committee
May 2, 2022
3rd 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: April 4, 2022

      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- The budget is on track. The inspection line will increase as the Building Inspector has been unable to perform inspections due to an injury. The inspections have been contracted out.

      Business licenses were due today.

5. Unfinished Business- There is no unfinished business.

6. New Business
   a. An ordinance approving a major change to the Centerpointe Planned Development District

      The City of Mauldin has received a request to make a change to the Centerpointe PD pursuant to Section 5:11.17 of the Mauldin Zoning Ordinance. The change consists of amending the use description for 13.13 acres located at 315 Bridgeway Blvd. The applicant has requested to change this description from "Non-Residential" to "Non-Residential and/or Multi-family Residential" to accommodate a senior living facility. In addition, the change to this tract includes increasing the maximum building square footage from 240,000 square feet to 350,000 square feet and the maximum parking from 200 spaces to 350 spaces.

      A company called Buvermo Investments is proposing to develop an Arden Community senior living facility on a portion of this tract consisting of approximately 7 acres. Representatives from Arden attended the meeting and advised committee of their intent to construct a 4-story facility comprising 152 market-rate, rental units for seniors ages 55 and up. Access for the units will be internal through interior corridors.

The site would also include enclosed garages, a dog park area, and green space for future amenities. On-site amenities may include a fitness center, craft/art room, wellness room, pub, and common/game room. Outdoor amenities may include a pool, seating areas, and lawns for recreational and fitness activities. This facility would be private paid for people who make between $22,000 and $90,000 a year.

Chairwoman Kuzniar asked if this would be an assisted living or memory care facility. She asked this because a concern was raised about EMS sirens back and forth from the facility. Mr. Woodley from Arden said no, these residents would be independent seniors.

Chairwoman Kuzniar then asked if the a/c units on the roof would be shielded. Mr. Woodley said they would be on the roof in a recessed area in a mechanical well. The units would not be visible.

Councilman Matney asked about sewer capacity. Mr. Madden said he is not aware of any capacity issues. Nick Myers from Arden said they have been in discussions with the sewer provider and should be receiving correspondence in writing soon. Mr. Matney asked that this be provided to Council.

Councilman Allgood asked if buffer information, outdoor lighting, and landscaping requirement information could be provided to Council as well and was answered yes.

Councilman Allgood said questions were raised during the public hearing regarding the entrance to the property. He asked if any consideration had been given as to if the entrance would be able to be moved. Mr. Woodley answered there is a gas line easement that bifurcates the property and prohibits the entrance being placed anywhere else.

Councilman Allgood asked if a traffic impact study would be done. Mr. Dyrhaug said there are thresholds that need to be met to require a study. If the thresholds are met, a traffic impact study will be done when the final development plan is submitted to the Planning Commission.

Construction should last anywhere between 18-20 months. Chairwoman Kuzniar asked if any trees will be saved on the property. The existing trees are mature and new plantings would have to grow. Mr. Woodley said the majority of the existing trees will be removed, but they will save what they can.

On April 27, 2022, the Planning Commission conducted a public hearing. After the public hearing was concluded, the Planning Commission voted 6-0 to recommend approval of the major change to the Centerpointe PD.

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

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

b. An ordinance to rezone property consisting of approximately 8.1 acres located at 711 North Main Street and 713 North Main Street (tax map parcels #M008.03-01-010.01 and #M008.03-01-010.10) and providing an effective date

The City has received a signed petition requesting the rezoning of approximately 8.17 acres located at 711 and 713 North Main Street. This is at the intersection of North Main Street and Edgewood Drive. The applicant has requested that this entire tract be rezoned from C-2, General Commercial, and R 20, Residential, to R-M, Multi-Family Residential. The applicant is planning for a townhome-style rental community project.

The property at 711 N. Main Street is currently vacant and is the former site of Markdown Mobile Homes. The property at 713 N. Main Street is currently occupied by Ricky's Pools swimming pool repair service.

A company called Deep River South Development is proposing to develop a 90-unit townhome-style rental community on this 8-acre tract. The community is being planned and designed to appeal to residents who work from home. The community will feature a community clubhouse and business center near the community entrance. The community will also feature a central stormwater management area designed as a passive recreational area. The rear of the homes that back up to Edgewood Drive will be designed with doors, windows, landscaping and porch lights that are typical of the design of the front of a home so as to enhance the aesthetic along Edgewood Drive. It is also expected that the community will feature sidewalks and walking paths.

Scott Gillespie represented Deep River South Development. Councilman Allgood asked about the buffers. Mr. Gillespie said his understanding and what it appears to him is the separation is 50 feet all the way around the property.

Councilman Matney asked what plantings would be installed along Edgewood Drive. Mr. Gillespie said he met with some residents in Knollwood. Part of the area was reseeded. The trees that are currently there will be left. The back side of the units will have front yard landscaping. As the project moves along, landscape planning will be brought to the City with more specific types of plants listed.

Chairwoman Kuzniar asked about stormwater runoff. Mr. Gillespie said there is an 8-foot fall to the southeast edge of the property. The lowest part would have to be raised up just a little to make the water flow. The 8-foot fall would make that work. The detention pond is over-designed to accommodate the entire site. There is a way to channel water by using mesh and river rock and creating a meandering stream. Trees and plant species that are water tolerant will be installed to create a park-like setting.

The Planning Commission held a public hearing on April 27, 2022. Three citizens spoke at the public hearing.

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

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

c. An amendment to Chapter 10, Article II (Business Licenses), Section 6 (Deductions, Exemptions, and Charitable Organizations) of the Mauldin Code of Ordinances to exempt short-term vendors at public markets from the business license tax

The City of Mauldin ordinances do not provide any business license tax exemption for short-term vendors that participate in public market events managed by the City of Mauldin. In addition to the requirement to pay a business license tax, vendors have been subject to a separate application fee for participating in public market events managed by the City of Mauldin. The cities of Greenville, Greer, Simpsonville, and Fountain Inn each exempt short-term vendors at public market events from the business license tax.

This amendment additionally lists short-term vendors at public market events operated, managed, or sponsored by the City of Mauldin. This covers vendors that sell farm and orchard produce, processed foods, crafts and/or like miscellaneous personal, family and household products at these events. This does not cover mobile food sales such as food trucks and food trailers (mobile food sales are eligible for other fee exemptions administered in the zoning ordinance).

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

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

d. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to authorize the codes enforcement official rather than the Building and Zoning Director to enforce certain provisions contained herein and to provide for and establish certain standards to protect against nuisances caused by light glare and light trespass and for other matters related thereto

Earlier this year, staff was asked to examine and explore the opportunity to consider outdoor lighting standards that could address nuisances created by outdoor lighting, particularly in residential neighborhoods.

Presently, the City of Mauldin has outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions primarily apply to new development and where new outdoor lighting fixtures are installed, except that 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. Additionally, these provisions do not apply to street lighting installed by a governmental agency.

Councilman Allgood asked if there was a reason there was no distance requirement for the lighting. The way the ordinance is worded, someone passing by a light source could call in a complaint. Mr. Dyrhaug said he could put in a distance, but it wouldn't have a scientific reason behind it.

Councilman Matney said Council has been passing of ordinances lately that are solutions in search of problems. He thinks this would be better solved by going to the owner of the fixture and asking them to remedy the problem. Mr. Dyrhaug said if the owner says no, then the citizen would have no recourse.

Councilman Allgood said he could support something if there is a distance added. Chairwoman Kuzniar said the light being discussed affects the house two doors down now. Sometimes you have neighbors who are willing to do things and sometimes you have unwilling neighbors. There is a lighting ordinance for businesses so that there is recourse in case the business will not help the affected party.

Mr. Dyrhaug said light is considered a nuisance in some cases and civil cases have been filed for these issues. Councilman Matney asked if this would affect signs in any way. There are signs that blink or change colors. Mr. Dyrhaug said if we have signs that are blinking or changing colors, they are probably against code. Chairwoman Kuzniar would like residents to have recourse other than having to take their neighbors to court.

Councilman Matney said there is subjectivity and feels there is a rush to get something done. He can't support the ordinance as it is. He would vote to hold it in committee to discuss this further and get some more information.

Motion: Councilman Matney made a motion to hold this item in committee with Councilman Allgood seconding.

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

e. Appointments to the Planning Commission

Two members of the Planning Commission have recently tendered resignations, Ms. Kaitlyn Woolard (Seat #6) because she will be moving out of state and Mr. Dean Oang (Seat #7) because his travel schedule for work is impacting his ability to attend Planning Commission meetings. Therefore, there are currently 2 open seats on the Planning Commission. The current term for Seat #6 is for two more years and will expire at the end of June 2024. The current term for Seat #7 is for another year and will expire at the end of June 2023.

The Building Codes Committee recently interviewed a pool of four applicants, two of which have since been appointed to the Planning Commission. The two candidates who were not yet appointed to the Planning Commission include Alfred Bixler and Chauncelynn Locklear.

In addition to the above vacancies, the terms for Seat #2 (Chris Paglialunga) and Seat #5 (Brian Sofield) will be expiring at the end of June. Both Mr. Paglialunga and Mr. Sofield have requested to be reappointed for another term of three years. It is the recommendation of staff that Mr. Paglialunga and Mr. Sofield be reappointed to new terms to begin at the expiration of their current terms.

Motion: Councilman Matney made a motion to send this item to Council and recommend Ms. Locklear be appointed to seat 7 and Mr. Bixler be appointed to seat 6 of the Planning Commission and reappoint Mr. Pagilalunga and Mr. Sofield to another term. Councilman Allgood seconded the motion.

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

7. Public Comment- None

8. Committee Concerns- None

9. Adjourn- Chairwoman Kuzniar adjourned the meeting at 7:37 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk