



# CITY COUNCIL MEETING

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**MONDAY, SEPTEMBER 19, 2022 | 7:00 PM**

**City Council meeting in the Mauldin City Hall Council  
Chambers, 5 East Butler Road**

Please note that members of the public are encouraged to participate remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.

**CITY OF MAULDIN  
COUNCIL MEETING AGENDA  
SEPTEMBER 19, 2022  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER  
ROAD**

- 1. Call to Order** Mayor Merritt
  - a. Welcome
  - b. Invocation
  - c. Pledge of Allegiance
  
- 2. Proclamations and Presentations** Mayor Merritt
  - a. Constitution Week proclamation [Page 5]
  - b. Hispanic Month proclamation [Page 6]
  
- 3. Reading and Approval of Minutes** Mayor Merritt
  - a. City Council Meeting –August 15, 2022 [Pages 7-10 ]
  - b. Special Called Meeting- August 26, 2022 [Page 11]
  - c. Special Called Meeting-September 2, 2022 [Pages 12-13]
  - d. Special Called Meeting September 14, 2022 [Page 14 ]
  
- 4. Public Comment** Mayor Merritt
  
- 5. Report from City Administrator** Interim City Administrator
  
- 6. Report from Standing Committees**
  - a. Finance and Policy (Chairperson Reynolds)
  - b. Public Safety (Chairperson King)
  - c. Public Works (Chairperson Kraeling)
  - d. Economic Planning & Development (Chairperson Matney)
  - e. Building Codes (Chairperson Kuzniar)
  - f. Recreation (Chairperson Allgood)
  
- 7. Unfinished Business** Mayor Merritt
  - a. An ordinance to rezone property consisting of approximately 23 acres located at North Main Street (portion of tax map parcel: #M008.04-01-004.00) and providing an effective date [Pages 15-25 ] Councilor Kuzniar

- b. An ordinance to rezone property consisting of approximately 5 acres located at West Butler Road and Laurel Meadows Parkway (tax map parcel: #M008.02-01-003.00) and providing an effective date [Pages 26-37 ]

Councilor Kuzniar

**8. New Business**

Mayor Merritt

**Ordinances- 1<sup>st</sup> reading**

- a. An ordinance to rezone property consisting of approximately 5.8 acres located at 25 Old Mill Road (tax map parcel: #M008.04-01-002.03) [Pages 38-43]

Councilor Kuzniar

- b. Annexation and Establishment of Tanner Road Planned Development – 3 ordinances [Pages 44-91]

Councilor Kuzniar

An ordinance to provide for the annexation of property owned by W. Earl Jones and Nancy L. Jones, and located at 30 Tanner Road (tax map parcel: 0547.03-01-043.01) by one hundred percent petition and to establish a zoning classification of PD, Planned Development for said property;

An ordinance to provide for the annexation of property owned by W. Earl Jones and Nancy L. Jones, and located at 30 Tanner Road (tax map parcel: 0547.03-01-043.02) by one hundred percent petition and to establish a zoning classification of PD, Planned Development for said property;

An ordinance to provide for the annexation of property owned by C. Lynn Farmer and Elaine F. Ayscue, and located at 50 Tanner Road (tax map parcel: 0547.03-01-043.00) by one hundred percent petition method; and to establish a zoning classification of PD, Planned Development for said property;

- c. 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 for other matters related thereto [Pages 92-96]

Councilor Kuzniar

- d. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to establish certain standards to protect against nuisances caused by light trespass and for other matters related [Pages 97-103]

Councilor Kuzniar

- e. Amend Chapter 20, Article I, General Fire Prevention and Protection, of the Mauldin Code of Ordinances regarding Open Burning [Pages 104-107]

Councilor King

**Standing Committee Items**

- f. Bridgeway Station Connection [Pages 108-120] Councilor Allgood
- g. Gilder Creek Trail Discussion [Pages 121-122] Councilor Allgood
- h. Bid for K9 car upfit [Page 123] Councilor King
- i. Bid for Police car upfit [Page 124] Councilor King
- j. Record Retention Schedule [Pages 125-129] Councilor King
- k. Contract with DJJ [Pages 130-136] Councilor King
- l. Drive through facilities in CRD Discussion [Pages 137-139] Councilor Kuzniar
- m. Sewer Rehab Program Contract [Pages 140-147] Councilor Kraeling
- n. Side-Arm Trash Truck Purchase [Page 148] Councilor Kraeling
- o. Stormwater Engineering Task Order 2 [Pages 149-159] Councilor Kraeling
- p. Pedestrian Bridge Lighting [Pages 160-167] Councilor Matney
- q. Landscape Architecture Services for Jenkins Street and Jenkins Court [Page 168] Councilor Matney

**Committee of the Whole**

- r. Appointment of new Ministerial Recorder [Page 169]

**9.Public Comment**

Mayor Merritt

**10.Council Concerns**

Mayor Merritt

**11.Adjournment**

Mayor Merritt

**PROCLAMATION**

**WHEREAS:** The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS:** September 17, 2022, marks the two hundred and thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW, THEREFORE I,** Terry Merritt, Mayor of the City of Mauldin, South Carolina, do hereby proclaim the week of September 17 through 23 as

**CONSTITUTION WEEK**

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

\_\_\_\_\_  
Terry Merritt, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Miller, Municipal Clerk

## PROCLAMATION

WHEREAS, Each year, communities across our nation observe National Hispanic Heritage Month by celebrating the histories, cultures, and contributions of generations of Hispanic-Americans whose ancestors came from Mexico, Spain, the Caribbean, and Central and South America; and

WHEREAS, The observation started in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 (from September 15th to October 15th) due to the fact that this window represents Independence Day in seven Latin American countries (Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Nicaragua); and

WHEREAS, This month, we honor Hispanic and Latino individuals and cultures for enriching the fabric of our society and being a vital component of the rich diversity that makes South Carolina a vibrant and thriving community;

WHEREAS, Since 2000, South Carolina's Hispanic population has nearly tripled its proportion of the total population (from 2.4% to nearly 6.9%). Over this same period, the Hispanic population grew 366% from around 96,000 to just under 353,000 Making South Carolina's population more dynamic and diverse; and

WHEREAS, we acknowledge the challenges to attain equality and opportunity that many Hispanics and minority groups still face in our nation and rededicate ourselves to creating a vibrant and inclusive society where everyone may access the path to success and prosperity; and

WHEREAS, we recognize that the gifts, values, and personal sacrifices of our Hispanic brothers and sisters are woven inextricably into the fabric of our common community heritage, strengthen our society, and are vital to achieving our hopes and dreams for South Carolina; and

WHEREAS, the Hispanic Alliance, in seeking to foster collaboration and connectivity among people, resources, and cultures, is joined by multiple public and private partners in honoring the aforementioned contributions of Hispanic-Americans to our society;

NOW THEREFORE, I, Terry Merritt , Mayor of the City of Mauldin, South Carolina, do hereby proclaim on this 19<sup>th</sup> day of September, 2022 that the period of September 15 through October 15 will be "Hispanic Heritage Month" in the City of Mauldin and encourage all citizens of this community to observe and take part in activities recognizing the contributions of Hispanics to the cultural life of our city, state, nation, and world.

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Terry Merritt, Mayor

MINUTES  
CITY OF MAULDIN  
CITY COUNCIL MEETING AUGUST 15, 2022  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Taft Matney, Carol King, Jason Kraeling, Michael Reynolds, Frank Allgood and Diane Kuzniar.

Others present: City Attorney Daniel Hughes and Interim City Administrator Rebecca Vance

1. **Call to Order-** Mayor Merritt
  - a. Welcome- Mayor Merritt
  - b. Invocation- Councilwoman King
  - c. Pledge of Allegiance- Councilwoman King
2. **Proclamations and Presentations-** No proclamations or presentations
3. **Reading and Approval of Minutes**
  - a. Special Called City Council Meeting –July 14, 2022
  - b. City Council Meeting- July 18, 2022
  - c. Special Called Meeting-July 22, 2022
  - d. Special Called Meeting -August 1, 2022
  - e. Special Called Meeting- August 11, 2022

All of the minutes above were approved by unanimous consent.

4. **Public Comment-** None
5. **Report from City Administrator-** Interim City Administrator Rebecca Vance thanked department heads and Council for their help and patience as the City moves forward with the many projects presently being worked on.
6. **Report from Standing Committees**
  - a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported all budgets look good.
  - b. Public Safety (Chairperson King)- Chairwoman King reminded everyone to be careful in school zones as the new school year starts.
  - c. Public Works (Chairperson Kraeling)- None
  - d. Economic Planning & Development (Chairperson Matney)- None
  - e. Building Codes (Chairperson Kuzniar)- Chairwoman Kuzniar reported delinquent business license fees are starting to come in.
  - f. Recreation (Chairperson Allgood)- None
7. **Unfinished Business-** There is no unfinished business.

## 8. New Business

### Ordinances- 1st reading

- a. An ordinance to rezone property consisting of approximately 23 acres located at North Main Street (portion of tax map parcel: #M008.04-01-004.00) and providing an effective date

**Motion:** Chairwoman Kuzniar made a motion to approve this ordinance on first reading with Councilman Matney seconding.

**Vote:** The vote was unanimous (7-0).

- b. An ordinance to rezone property consisting of approximately 5 acres located at West Butler Road and Laurel Meadows Parkway (tax map parcel: #M008.02-01-003.00) and providing an effective date

**Motion:** Chairwoman Kuzniar made a motion to approve this ordinance on first reading with Councilwoman King seconding.

Chairwoman Kuzniar asked Austin Allen from Arbor Land Design a question regarding the fencing or landscaping along West Butler Road. A resident said sometimes when they come off Laurel Meadows Parkway and turn right onto West Butler they have a hard time seeing because of the curve. Chairwoman Kuzniar said she is concerned if landscaping is installed that it will block the view. Mr. Allen said there is room there to move the barrier back and they will make sure the site distances are not blocked.

Councilman Allgood asked what the setback will be. Mr. Allen answered it would be 25 feet. Councilman Allgood said there were concerns regarding the lack of amenities to this property and also the density of the project. Mr. Allen said the density is high, but some surrounding properties also have a similar density. The plans are still being worked on, so he is not sure of the amenities, but should have an answer by the next Council meeting.

**Vote:** The vote was unanimous (6-1) with Councilman Kraeling dissenting.

### Standing Committee Items

- c. Maverick Station Landscaping

**Motion:** Chairman Matney made a motion to approve this contract with Councilman Reynolds seconding.

Chairman Matney said this is outside the City's normal practice. Our Public Works Department landscapes City properties. He would like for the Public Works Committee to discuss the larger subject of Public Works maintenance of right of ways as well.

Councilwoman King said the City is currently maintaining the property. She is concerned that a contract like this would go against the procurement policy. The City is currently maintaining the

property and there is a difference between landscaping and maintaining. This would set a precedent.

Councilman Kraeling said he is also concerned about the procurement process. This is not something that needs to be decided now. The City needs to look at whether this would be cost prohibitive.

Mayor Merritt said he would like the Public Works Committee to look at this issue. The Public Works department is already stretched and, as the City grows, there is even more of a burden on the department.

Chairman Matney rescinded his motion with agreement by Councilman Reynolds.

**Motion:** Chairman Matney made a motion to forward this to the Public Works Committee with Councilman Reynolds seconding.

**Vote:** The vote was unanimous (7-0).

d. Certification of Distressed Textile Mill Site Tax Credits

**Motion:** Chairman Matney made a motion to adopt this resolution with Councilman Reynolds seconding.

**Vote:** The vote was unanimous (7-0).

e. Resolution to Approve Purchase and Sale Agreement

**Motion:** Chairman Matney made a motion to adopt this resolution and to authorize the Mayor to sign this agreement with Councilman Kraeling seconding.

**Vote:** The vote was unanimous (7-0).

f. Contract with Clemson University

**Motion:** Chairwoman King made a motion to approve the contract for law enforcement services and add the Mayor as a signature line on the contract. Councilman Kraeling seconded the motion.

Mayor Merritt asked if he should sign the contract as the Mayor. Daniel Hughes said he believes it is appropriate for the Mayor and the Chief to both sign the contract. The Mayor should sign the contract in keeping with the City's policies.

**Vote:** The vote was unanimous (7-0).

g. Open Burning Permit for Adams Glen

**Motion:** Chairwoman King made a motion to approve the open burning permit for Adams Glen subdivision. Councilman Kraeling seconded the motion.

**Vote:** The vote was unanimous (7-0).

h. Connection to Bridgeway Station

**Motion:** Chairman Allgood made a motion to send this item back to committee. Councilman Reynolds seconded the motion.

**Vote:** The vote was unanimous (7-0).

i. Comp and Class Plan

**Motion:** Chairman Reynolds made a motion to accept the contract with Evergreen Solutions with Councilwoman King seconding the motion.

Chairman Reynolds said this will enable Human Resources to ensure the City is competitive in the market for employees.

Holly Abercrombie said the \$28,500 will come from last year's budget surplus.

**Vote:** The vote was unanimous (7-0).

9. Public Comment- None

10. Council Concerns- Councilman Matney said we need to keep parents and students in mind as children are being moved to college.

He also mentioned Joel Ann Chandler's birthday was yesterday.

11. Adjournment- Mayor Merritt adjourned the meeting at 7:28 p.m.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk

MINUTES  
CITY OF MAULDIN  
SPECIAL CALLED CITY COUNCIL MEETING  
AUGUST 26, 2022, 11:00 AM  
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Taft Matney, Carol King, Jason Kraeling, and Frank Allgood. Councilwoman Diane Kuzniar and Councilman Michael Reynolds were not present.

Others present: Interim City Administrator Rebecca Vance and HR Director Mark Putnam

1. Call to Order- Mayor Terry Merritt
  - a. Invocation- Councilwoman King
  - b. Pledge of Allegiance- Councilwoman King
  - c. Welcome- Mayor Merritt
2. Proclamations and Presentations
  - a. South Carolina Law Enforcement Week

Mayor Merritt read the proclamation.

3. New Business
  - a. Executive Session on a Personnel Matter regarding the Judicial Department as allowed by State Statute Section 30-4-70 (a)(1)

**Motion:** Councilwoman King made a motion to adjourn into executive session with Councilman Kraeling seconding.

**Vote:** The vote was unanimous (5-0).

Mayor Merritt reconvened the meeting at 12:55 p.m. Councilwoman King reported no decisions were made and no votes taken in executive session.

- b. Possible action on items discussed in Executive Session

**Motion:** Councilwoman King made a motion to accept the recommendation of Interim City Administrator Vance for the appointment of the Clerk of Court. Councilman Allgood seconded the motion.

**Vote:** The vote was unanimous (5-0).

4. Council Requests- None
5. Adjournment- The meeting was adjourned at 12:57 p.m.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk

MINUTES  
CITY OF MAULDIN  
SPECIAL CALLED CITY COUNCIL MEETING  
SEPTEMBER 2, 2022, 10:30 AM  
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD

Members present were Mayor Terry Merritt, Council Members Taft Matney, Carol King, Michael Reynolds, Diane Kuzniar and Frank Allgood. Councilman Kraeling was not present at the convening of the meeting but attended the executive session and was present through adjournment.

Others present: Interim City Administrator Rebecca Vance

1. Call to Order- Mayor Terry Merritt
  - a. Invocation- Mayor Terry Merritt
  - b. Pledge of Allegiance- Mayor Terry Merritt
  - c. Welcome- Mayor Terry Merritt

2. New Business

**Motion:** Councilman Matney made a motion to go into executive session for the two items listed below. Councilwoman King seconded the motion.

**Vote:** The vote was unanimous (6-0).

- a. Executive Session to receive legal advice regarding Project Kick as allowed by State Statute Section 30-4-70 (a)(2)
- b. Executive Session on a Personnel Matter regarding the Administration Department as allowed by State Statute Section 30-4-70 (a)(1)

Mayor Merritt reconvened the meeting at 1:43 p.m. Councilman Matney reported no decisions were made and no action taken in executive session.

c. Possible action on items discussed in Executive Session

**Motion:** Councilman Matney made a motion to authorize the Mayor to execute a non-binding term sheet outlining the significant terms of an agreement to construct and operate a multi-purpose stadium at Bridgeway Station by and between the City of Mauldin, Greenville Triumph, and Hughes Investments, and to authorize City staff to take necessary steps to move forward. Councilman Kraeling seconded the motion.

**Vote:** The vote was unanimous (7-0).

3. Council Requests- None

4. Adjournment- Mayor Merritt adjourned the meeting at 1:46 p.m.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk

MINUTES  
CITY OF MAULDIN  
SPECIAL CALLED CITY COUNCIL MEETING SEPTEMBER 14, 2022, 6:30 PM  
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Taft Matney, Carol King, Jason Kraeling, Michael Reynolds, Frank Allgood and Diane Kuzniar.

Others present: Rebecca Vance, Interim City Administrator and Mark Putnam, HR Director

1. Call to Order-Mayor Terry Merritt

- a. Invocation- Councilman Kraeling
- b. Pledge of Allegiance- Councilman Kraeling
- c. Welcome- Mayor Merritt

2. New Business

- a. Executive Session on a Personnel Matter regarding the Administration Department as allowed by State Statute Section 30-4-70 (a)(1)

**Motion:** Councilman Reynolds made a motion to go into executive session with Councilman Allgood seconding.

**Vote:** The vote was unanimous (7-0).

Mayor Merritt reconvened the meeting at 6:52 p.m. Councilman Reynolds reported no decisions were made and no action taken in executive session.

- b. Possible action on items discussed in Executive Session

**Motion:** Councilman Reynolds made a motion to approve the contract with Seth Duncan as the new City Administrator. Councilman Taft Matney seconded the motion.

Councilman Reynolds said this was an exciting process and Mr. Duncan rose to the top. The City is happy to welcome him to the team.

**Vote:** The vote was unanimous (7-0).

3. Council Requests-

Councilman Kraeling thanked the Public Works department for their quick response to replace a trash can that had been damaged.

Mayor Merritt reminded everyone that the SOOIE barbecue festival would be held this Friday evening and Saturday afternoon.

4. Adjournment- Mayor Merritt adjourned the meeting at 6:55 p.m.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 7a

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**TO:** City Council  
**FROM:** Business & Development Services Director, David C. Dyrhaug  
**SUBJECT: Rezoning at N Main Street**  
**\*\*\* 2<sup>nd</sup> Reading \*\*\***

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<b>OWNER(S):</b>	TJA, LLC – Robert Tommy Kellett
<b>AUTHORIZED REP(S):</b>	Barrett Wood • Parker Group Services
<b>TAX MAP NUMBER(S):</b>	p/o #M008.04-01-004.00
<b>LOCATION:</b>	Property along N. Main Street between 602 N. Main St. and 728 N. Main St.
<b>CURRENT ZONING:</b>	I-1, Industrial
<b>REQUESTED ZONING:</b>	R-M, Multi-Family Residential
<b>SIZE OF PROPERTY:</b>	Approx. 23 acres

## REQUEST

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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 23 acres located along N. Main Street between Kellett’s Korner/Tommy’s Snack Bar at 602 N. Main Street and the C.F. Sauer manufacturing facility at 728 N. Main Street. Specifically, this rezoning includes the portion of the property on the east side of the railroad tracks. The applicant has requested that this tract be rezoned from I-1, Industrial, to R-M, Multi-Family Residential. The applicant is planning to develop a townhome community described below.

## HISTORY/BACKGROUND

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This tract is currently undeveloped and is heavily wooded. Several groups have examined this property for development in recent years. However, providing access to this property, particularly for industrial development, has been extremely challenging. Existing railroad tracks cut off access to N. Main Street and the railroad company has not granted permission to cross the tracks.

## PROPOSED DEVELOPMENT

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At present, a company called Parker Group is proposing to develop a 99-unit townhome community on approximately 15 acres of this tract. This community would consist of high-end townhomes with projected

price points around \$320,000 to \$340,000. The community would also include a half-acre central community area.

**Access.** Access to this proposed development project will be via Green Street at the end of Murray Drive. The developer has purchased a nearly 1-acre tract at 9 Green Street where he plans to demolish the existing home and construct a new street through the property which will provide access to the proposed development. According to the Mauldin’s development regulations, 99 homes are the most homes that can be developed with a single access (provided that the access is at least 26 feet wide to the first intersection).

**Buffering.** The developer has indicated that he would like to install an attractive buffer between this proposed development project and the adjacent Whispering Oaks townhome community. He is considering tree preservation, heavy shrubbery, and/or fencing for the buffer.

**Dedicated land for park and trail development.** On the remaining portion of the 23-acre tract, the developer is proposing to dedicate approximately 6.7 acres for a future park constructed by the City of Mauldin and an additional 1.5 acres for an entrance road into the future park. Additionally, the developer is proposing to reserve a 21-foot easement along the edge of the property next to the railroad right-of-way for future pedestrian and bicycle trail construction.

### **About Parker Group**

On their website, Parker Group summarizes their mission as: “We value people over profit.” They describe their approach to real estate as “caring about people and empowering them to begin the next phase of their lives. It’s about being visionary, seeing a need and creating the solution proactively. It’s about impacting lives. Our team does it all with professionalism, unbridled intelligence, and a tenacious curiosity that keeps us moving forward.”

The Parker Group has undertaken development projects across Greenville including the Hub (14 modern Scandinavian-inspired townhomes), the Commons (commercial adaptive reuse development), Custom House Condos (luxury condos on South Main Street), Burdette Street Cottages (7 homes in the Village of West Greenville’s Arts District), and West Park & Townes (6 townhome units in downtown Greenville). In addition, the Parker Group is redeveloping the former site of Family Dollar/Rite Aid/Eckerd’s in Mauldin at the corner of N. Main Street and E. Butler Road.

## **NEIGHBORHOOD MEETING**

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In accordance with Section 4:3.3 of the Mauldin Zoning Ordinance, the applicant held a neighborhood meeting on June 8, 2022. Based on the sign-in sheet, it appears that approximately 15 neighbors attended the meeting, most of whom were from the Whispering Oaks townhome community.

According to the meeting summary provided by the applicant, questions and concerns covered topics including: traffic, tree preservation, stormwater runoff, landscape buffering and screening, townhome size and price points. Attached is the applicant’s summary of the neighborhood meeting.

## **PUBLIC HEARING**

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The Planning Commission held a public hearing on July 26, 2022. One non-resident citizen spoke at the public hearing.

- Sam Davis, with Upstate Greenways & Trails Alliance, spoke in support of the project highlighting that the proposed establishment of a trail easement along this property will help in the expansion of the Swamp Rabbit Trail from CU-ICAR to Mauldin.

## ZONING EVALUATION

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### *Existing Zoning Classification*

The I-1 district is established to accommodate manufacturing, assembly, warehousing, and distribution operations. It is the intent of the district that such operations do not produce harmful noise, odor, smoke, dust, glare, or pollution.

### *Proposed Zoning Classification*

The R-M zoning designation is a multi-family residential district intended to provide a full range of medium- to high-density multi-family housing types in addition to detached and attached single-family homes recreational, religious, and educational facilities. This district is intended to provide a transition between single-family districts and commercial districts.

Development standards associated with the R-M zoning district include:

- Maximum density: 16 units per acre
- Maximum building height: 45 feet
- Minimum perimeter setbacks: 25 feet
- Buffer required next to Whispering Oaks community: none required by ordinance
- Minimum open space: 15 percent of development area
- Minimum parking: 1.5 parking spaces per multi-family dwelling unit; 2 parking spaces per single-family dwelling unit

### *Surrounding Development/Zoning*

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

<b>Direction</b>	<b>Zoning District(s)</b>	<b>Existing Use(s)</b>
<b>North</b>	I-1 (City)	C.F. Sauer and other industrial facilities
<b>South</b>	R-M (City)	Whispering Oaks townhome community
<b>East</b>	I-1 (City)	Various industrial businesses
<b>West</b>	C-2 (City)	Landscape strip between railroad tracks and N. Main Street

### *Comprehensive Plan Vision*

This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks. However, this designation in the Comprehensive Plan does not account for the constrained access to this property.

## REVIEW CRITERIA

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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**

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The analysis below includes staff findings pertaining to each criterion.

<b>CRITERIA</b>	<b>STAFF FINDINGS</b>
<p>1. Consistency with the Comprehensive Plan or, if conditions have changed, consistency with the overall intent of the Plan, recent development trends, and the general character of the area;</p>	<p>This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks. However, the failed attempts in recent years to design the type of access required for an employment center, it would appear that the conditions for this property have changed. Considering that Green Street appears to be the only viable solution for access at this time, the proposed development of a townhome community at this tract seems to be more consistent with the general character of the other properties along Green Street. The Planning Commission and the City Council may or may not judge that the proposed rezoning is consistent with the intent of the comprehensive plan, recent development trends, and the general character of the area.</p>
<p>2. Suitability of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed</p>	<p>There is a small area (approximately one-half acre) along the easternmost corner of the property located in a floodplain. To staff’s knowledge, there are no other apparent floodplains, wetlands, or topographic constraints on the site. Staff is not aware of any features at this site that would make it unsuitable for development.</p>
<p>3. Compatibility of the potential uses allowed 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</p>	<p>The tract is located in a transitional area between railroads tracks, industrial properties on the backside, and townhomes and detached homes to the south. Considering that the property will be accessed via Green Street, it would seem that a residential development would be better suited for this site than would an industrial or office park development, in terms of traffic, noise, aesthetics, and other potential impacts. The Planning Commission and the City Council may or may not judge that this rezoning is compatible with the surrounding uses.</p>

## CRITERIA

4. Capacity of public infrastructure and services to sufficiently accommodate potential uses allowed without compromising public health, safety, or welfare

## STAFF FINDINGS

Staff is not aware of any utilities, including water and sewer, that would not be available at this tract. This project is expected to connect to the existing ReWa sewer line along the southern edge of the property. If the project will generate more than 100 peak hour trips, the applicant will be required to provide a traffic impact study (TIS) before the development plans can be approved. It does not appear at this time that this project will generate more than 100 peak hour trips. Therefore, a traffic impact study is not likely to be required for this development project prior to preliminary plat.

5. Public need for the potential uses permitted

The Comprehensive Plan forecasts that an aging population, shrinking household sizes, and affordability will continue to increase the demand for smaller, low-maintenance housing. The current conceptual development proposal would provide additional living options that support this forecast in the Comprehensive Plan. Additionally, this rezoning also helps to meet the high demand for housing around this area.

## TIMELINE

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On June 8, 2022, the applicant met with interested neighbors to review their proposal and to seek questions and comments.

On June 17, 2022, staff received the request to rezone this tract.

On July 26, 2022, the Planning Commission conducted a public hearing. At this meeting, the Planning Commission voted 5-0 to recommend approval of the rezoning.

On August 1, 2022, the Building Codes Committee voted 3-0 to forward this rezoning to City Council for consideration.

On August 15, 2022, the City Council approved this rezoning on first reading.

## STAFF RECOMMENDATION

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In staff's opinion, it appears that the conceptual residential community at this tract has the potential to introduce lesser impacts in terms of noise, traffic, aesthetics, and similar impacts in comparison to the type of development that would otherwise be allowed by the current zoning of the property. For these reasons, it appears that the conceptual residential community may be more compatible to the adjacent Whispering Oaks townhome community than the current zoning for industrial development. Furthermore, the dedication of land for public park and trail development may be a worthwhile endeavor for the City of Mauldin as it seeks to expand pedestrian and bicycle facilities within the City.

Ultimately, the Planning Commission and the City Council will need to make a judgment on whether (1) this rezoning is consistent with the vision for the future of this area, (2) the rezoning is compatible with the surrounding uses, and (3) any other factors that they deem pertinent.

## **PLANNING COMMISSION RECOMMENDATION**

---

On July 26, 2022, the Planning Commission voted 5-0 to recommend approval of the rezoning.

## **ATTACHMENTS**

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Proposed ordinance (maps included therein)  
Neighborhood meeting information  
Conceptual drawing(s)

**ORDINANCE # \_\_\_\_\_**

AN ORDINANCE TO REZONE PROPERTY CONSISTING OF APPROXIMATELY 23 ACRES LOCATED AT NORTH MAIN STREET (PORTION OF TAX MAP PARCEL: #M008.04-01-004.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, TJA LLC, has petitioned the City of Mauldin to rezone +/- 23 acres from the I-1, Industrial District, to the R-M, Multi-family Residential District; and

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

WHEREAS, the site is suitable for the types of uses that could be developed under the new zoning district; and

WHEREAS, the potential uses permitted in the new zoning district meet a public need and are not detrimental to the public health, safety, and welfare; 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-2022-09-RZ and Greenville County Tax Map Parcel M008.04-01-004.00 be rezoned from I-1 to R-M, Multi-family Residential. The property is further identified on the attached exhibit that is hereby incorporated into this ordinance, including Exhibit 1, Zoning & 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: \_\_\_\_\_

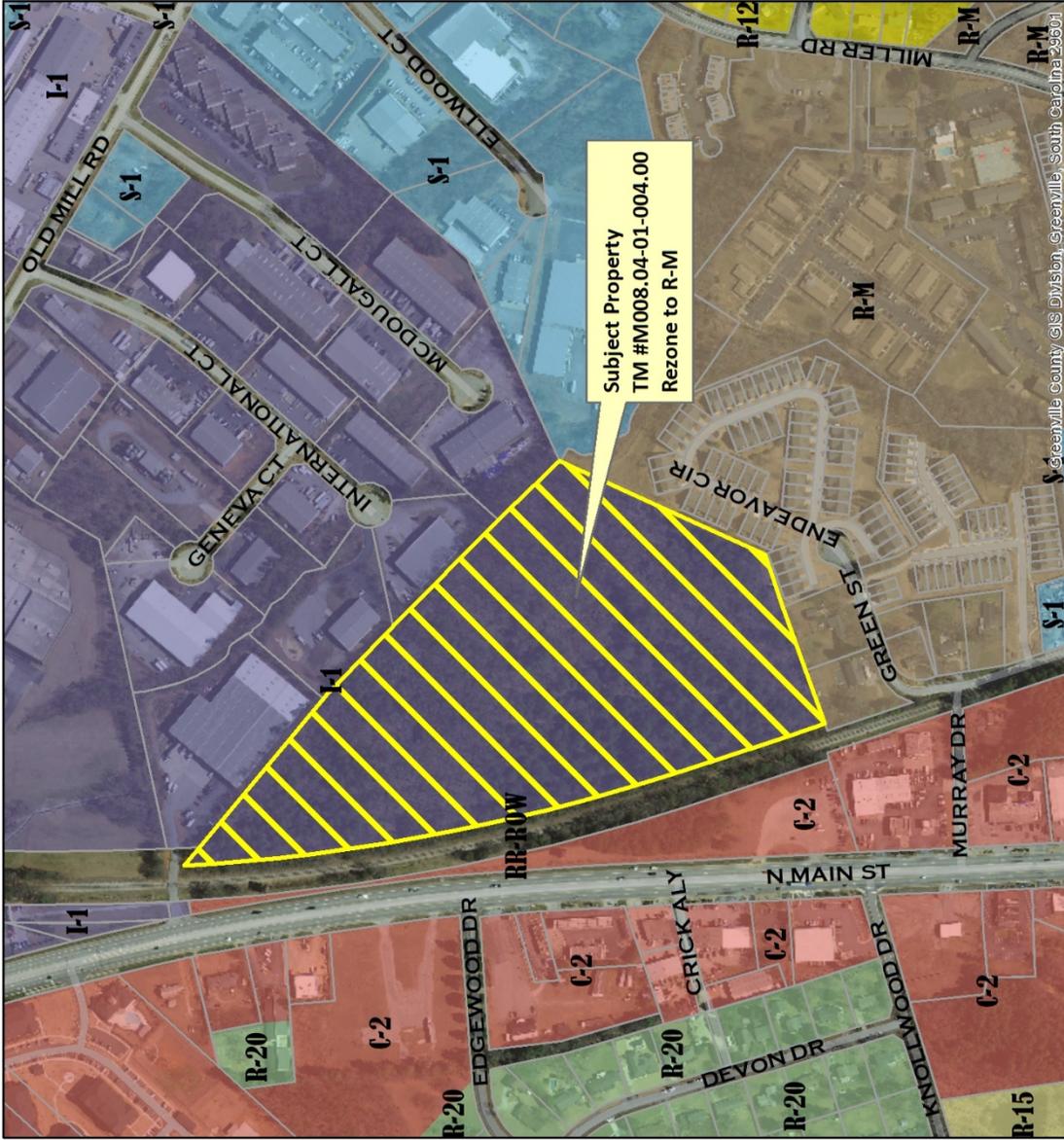
Terry Merritt, Mayor

\_\_\_\_\_  
Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John Duggan, City Attorney

EXHIBIT 1



**TJA LLC  
Property  
on N Main St  
Zoning &  
Property Map**



**Legend**

- Subject Property
- Municipal Boundary

Created on July 14, 2022

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## **Neighborhood Meeting Notes**

**Property:** 23 acres at N. Main Street and 9 Green Street – Rezoning

**Meeting Date:** June 8, 2022

**Meeting Time:** 6 PM

**Meeting Location:** Mauldin Library

**Summary:** We are looking to rezone 23 acres from Industrial to Residential. The property has some access challenges. We have spoken with everyone surrounding the property regarding access. We purchased a residential home (9 Green Street) to obtain access to the property off of Green Street. It seems the highest and best use for this property is residential. We do not feel anyone would want commercial or industrial traffic accessing the property off of Green Street. One entrance does offer the ability for 99 townhomes. With it being 23 acres and a lot of property for the number of units we wanted to provide land for the swamp rabbit trail as well as a city park. We feel this could be a nice park for walking trails, bike trails, picnic tables or whatever the city feels would be best. It is 23 acres in a great location so we want to create a win-win for the community and us.

### **Questions from the attendees along with my answers:**

- 1) **How do we plan to buffer the community from Whispering Oaks?** We plan to do heavy landscaping, save as many existing trees as possible and possibly add a fence if needed.
- 2) **What does this look like from a traffic standpoint?** Based on a preliminary study by, Matt Short @ Short Engineering and Consulting out of Columbia, SC – He stated that the trip generation falls under the 100 trip threshold. I also stated, I am in the process of getting a more in depth study performed and will be more than happy to share that information once I receive it.
- 3) **What about water run off – will it come onto Whispering Oaks property?** The low-lying area of the property tends to be towards the detention pond shown in the drawing. We plan to work with our civil engineers to certainly make sure that no additional water is sent towards Whispering Oaks.
- 4) **One person referenced a previous wreck on Green Street and had some traffic concerns.** *It also was asked or brought up about the entrance and if*



*that could potentially be shifted and be more of a straight drive into the entrance. - We can look into a straighter entrance but we need to look into the setbacks required by the Railroad. Regarding accidents, it is my understanding that we are looking to have railroad crossing arms in the future off Murray Street and also there is hope for a Traffic Light at the Intersection of Main and Murray. I thought perhaps these additional units could assist with the requirements for the traffic light.*

**5) What size will the townhomes be?** Somewhere in the 2000 sqft range.

**6) What price point will the townhomes be?** Projecting in the \$300's

**7) How many stories will the townhomes be?** Most likely 2 stories

*The majority of the questions & comments centered on as 1 attendee kept stating the "2 T's" – Traffic and Trees.*

*Most attendees were from Whispering Oaks and wanted reassurance of nice landscaping and an overall nice community.*

*The overall reception seemed positive as most folks understood that at some point the land would probably get developed and felt that residential was the best use.*



**SITE DATA:**  
 CURRENT ZONING: 1-1\*  
 NEW TOWNES: 99  
 TOWN SIZE: 24' WIDE  
 (THORNTONWOOD)  
 NEW ROAD: 2,490 L.F.  
 GUEST PARKING: 50 SPACES  
 \* SITE NEEDS TO BE REZONED  
 TO SUPPORT TOWNHOMES

NO. DATE BY: (REVISIONS)


SCALE: 1" = 100'

PROJECT NO.: 2022006  
 SHEET: 7/20/22  
**CV-1**

STAKEOUT PLAN  
**ALLSTON TOWNES**  
 MAIN STREET  
 CITY OF MOUNTAIN SC

132 PULASKI ROAD - SPRINGVILLE, SC 29677  
 TEL: 803.733.3333 FAX: 803.733.8141  
 WWW.GRAYENGINEERING.COM

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# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 7b

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**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT: Rezoning at W Butler Road and Laurel Meadows Pkwy**  
**\*\*\* 2<sup>nd</sup> Reading \*\*\***

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<b>OWNER(S):</b>	Abby & Matt, LLC
<b>AUTHORIZED REP(S):</b>	Austin Allen • Arbor Land Design
<b>TAX MAP NUMBER(S):</b>	#M008.02-01-003.00
<b>LOCATION:</b>	Property along W. Butler Rd. between Taylor Rd. and Laurel Meadows Pkwy.
<b>CURRENT ZONING:</b>	C-2, Commercial
<b>REQUESTED ZONING:</b>	R-M, Multi-Family Residential
<b>SIZE OF PROPERTY:</b>	Approx. 5 acres

## REQUEST

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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 5 acres located along W. Butler Road between Taylor Road and Laurel Meadows Parkway. The applicant has requested that this tract be rezoned from C-2, Commercial, to R-M, Multi-Family Residential. The applicant is planning to develop a townhome community described below.

## HISTORY/BACKGROUND

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This tract is currently undeveloped and is heavily wooded. This property has been listed as available for commercial development for the last few years.

## PROPOSED DEVELOPMENT

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At present, Arbor Land Design is proposing to develop a 57-unit townhome community on this 5-acre tract. This community would consist of townhomes with projected price points starting at \$300,000. The conceptual drawings for the proposed development do not depict any amenities but do include just under one acre of open space.

**Access.** Access to this proposed development project will be via two separate drives along Laurel Meadows Parkway. One drive will line up with Waterbrook Dr and the other drive will be slightly offset from the

second driveway into the Mauldin Library parking lot. The intersection of W. Butler Road and Laurel Meadows Parkway is currently signalized which aids access at this intersection.

**Buffering.** The developer has not provided information about buffering adjacent to the Laurel Meadows community but the conceptual drawings depict a storm water detention pond and open space adjacent to the Laurel Meadows community.

### ***About Arbor Land Design***

On their website, Arbor Land Design, also known as Arbor Engineering, describes its company as “actively engaged in all aspects of landscape architecture and design, including residential and commercial; urban planning; land use planning; parks and recreational development; and civil engineering.” Arbor Land Design has been involved with projects all across the Greenville area. They are currently involved with providing civil engineering for Riley Trace, Hawk Haven, Bethel Townes, Madison Park, Miller Park, Holly Ridge, and Alston Chase, among others.

## **NEIGHBORHOOD MEETING**

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In accordance with Section 4:3.3 of the Mauldin Zoning Ordinance, the applicant held a neighborhood meeting on June 20, 2022. Based on the sign-in sheet, it appears that approximately 12 neighbors attended the meeting, most of whom were from the Laurel Meadows community and the Laurel Heights community.

According to the meeting summary provided by the applicant, questions and concerns covered topics including: traffic, insufficiencies at the intersection of W Butler Road and Laurel Meadows Parkway, amenities, open space, tree preservation, stormwater runoff, landscape buffering and screening, target demographic, price points, building façade materials, and rental homes. Attached is the applicant’s summary of the neighborhood meeting.

## **PUBLIC HEARING**

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The Planning Commission held a public on July 26, 2022. The following citizens spoke at the public hearing.

- Joe Hanson, 512 Laurel Meadows Parkway, expressed support for rezoning this property from commercial but also shared some concerns about the proposed development of the site. His concerns included: (1) traffic at the intersection of Laurel Meadows Parkway and W. Butler Road and the lack of a dedicated left-turn arrow at the traffic signal for drivers on Laurel Meadows Parkway, (2) the challenge that Laurel Meadows has of other uninvited communities using the Laurel Meadows community pool, and (3) the displacement of wildlife.
- Jane Triplett\*, 3 Kalmia Creek Drive, indicated that she does not believe that the property and location is viable for commercial development. She commented that there is a curve along W. Butler Road that causes visibility issues at the intersection of Laurel Meadows Parkway and W. Butler Road. She also commented that the additional development along Ashmore Bridge Road has resulted in increased traffic along Fowler Circle placing additional pressure on the signalized intersection at Laurel Meadows Parkway and W. Butler Road.

\* Please note that Ms. Triplett spoke after the floor had been closed to public comments but her comments are shared here anyway.

## ZONING EVALUATION

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### *Existing Zoning Classification*

The C-2 district is established to promote accessible and central concentrations of business activities and commercial establishments offering both retail goods and services to people from throughout the community. This district is intended to serve both pedestrians as well as people who travel by automobile. Therefore, this district is located along major roadways, and businesses are encouraged to locate in close proximity to one another. Where necessary, adjacent residential areas are protected through landscaping and site design.

### *Proposed Zoning Classification*

The R-M zoning designation is a multi-family residential district intended to provide a full range of medium- to high-density multi-family housing types in addition to detached and attached single-family homes recreational, religious, and educational facilities. This district is intended to provide a transition between single-family districts and commercial districts.

Development standards associated with the R-M zoning district include:

- Maximum density: 16 units per acre
- Maximum building height: 45 feet
- Minimum perimeter setbacks: 25 feet
- Buffer required next to Laurel Meadows community: none required by ordinance
- Minimum open space: 15 percent of development area
- Minimum parking: 1.5 parking spaces per multi-family dwelling unit; 2 parking spaces per single-family dwelling unit

### *Surrounding Development/Zoning*

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

<b>Direction</b>	<b>Zoning District(s)</b>	<b>Existing Use(s)</b>
<b>North</b>	PD (City)	Laurel Meadows community
<b>South</b>	C-1 (City)	Undeveloped commercial property
<b>East</b>	R-20 (City)	Undeveloped residential property
<b>West</b>	C-2 (City)/ PD (City)	Mauldin Library Laurel Heights community

### *Comprehensive Plan Vision*

This property is designated as a “multifamily residential” and also as part of a “regional corridor” in the future land use map of the comprehensive plan. Multifamily residential areas are intended to include apartments, townhomes, and duplexes. They should have good access to major roads as well as parks and open space. A Regional Corridor is envisioned to include intense commercial uses, including “big box” retail, drive-through restaurants, large shopping centers, and automotive service centers.

## REVIEW CRITERIA

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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**

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The analysis below includes staff findings pertaining to each criterion.

<b>CRITERIA</b>	<b>STAFF FINDINGS</b>
<p>1. Consistency with the Comprehensive Plan or, if conditions have changed, consistency with the overall intent of the Plan, recent development trends, and the general character of the area;</p>	<p>This property is designated as “multifamily residential” and also as part of a “regional corridor” in the future land use map of the comprehensive plan. Multifamily residential areas are intended to include apartments, townhomes, and duplexes. A regional corridor is envisioned to include intense commercial uses, including “big box” retail, drive-through restaurants, large shopping centers, and automotive service centers. Consistent with the “regional corridor” designation along W. Butler Road and in the interest of expanding commercial opportunities along W. Butler Road, staff has commented to the applicant about preserving a commercial area along the front of this property. However, the applicant would rather rezone the entire property to multifamily residential. The Planning Commission and the City Council may or may not judge that the proposed rezoning is consistent with the intent of the comprehensive plan, recent development trends, and the general character of the area.</p>
<p>2. Suitability of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed</p>	<p>To staff’s knowledge, there are no apparent floodplains, wetlands, or topographic constraints on the site. Staff is not aware of any features at this site that would make it unsuitable for development.</p>

## CRITERIA

3. Compatibility of the potential uses allowed 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

4. Capacity of public infrastructure and services to sufficiently accommodate potential uses allowed without compromising public health, safety, or welfare

5. Public need for the potential uses permitted

## STAFF FINDINGS

The tract is located in a transitional area between the Laurel Meadows and Laurel Heights residential communities and commercial uses along W. Butler Road, albeit this section of W. Butler Road is currently underdeveloped in comparison to other sections of W. Butler Road to the east. It appears that the proposed residential development of this property is consistent with the residential communities along Laurel Meadows Parkway. However, the extension of this proposed residential development along the front of the property is less consistent with the general commercial development along W. Butler Road. The Planning Commission and the City Council may or may not judge that this rezoning is compatible with the surrounding uses.

Staff is not aware of any utilities, including water and sewer, that would not be available at this tract. This project is expected to connect to the existing City sewer line along Laurel Meadows Parkway. If the project will generate more than 100 peak hour trips, the applicant will be required to provide a traffic impact study (TIS) before the development plans can be approved. It does not appear at this time that this project will generate more than 100 peak hour trips. Therefore, a traffic impact study is not likely to be required for this development project prior to preliminary plat.

Notwithstanding, some of the citizens that have commented on this project have indicated that there are some deficiencies at the intersection of Laurel Meadows Parkway and W. Butler Road.

The Comprehensive Plan forecasts that an aging population, shrinking household sizes, and affordability will continue to increase the demand for smaller, low-maintenance housing. The current conceptual development proposal would provide additional living options that support this forecast in the Comprehensive Plan. Additionally, this rezoning also helps to meet the high demand for housing around this area. However, the Comprehensive Plan also has a stated goal to ensure an adequate supply of non-residential land to support future economic development. This rezoning of the front of this property away from commercial decreases the commercial growth opportunities along W. Butler Road.

## **TIMELINE**

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On June 20, 2022, the applicant met with interested neighbors to review their proposal and to seek questions and comments.

On June 27, 2022, staff received the request to rezone this tract.

On July 26, 2022, the Planning Commission conducted a public hearing. At this meeting, the Planning Commission voted 6-0 to recommend approval of the rezoning.

On August 1, 2022, the Building Codes Committee voted 3-0 to forward this rezoning to City Council for consideration.

On August 15, 2022, the City Council approved first reading of this rezoning.

## **STAFF RECOMMENDATION**

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In staff's opinion, the rezoning of the back part of this property for a townhome community appears consistent and compatible with the adjacent Laurel Meadows and Laurel Heights communities. Conversely, the presence of the proposed residential community along the front of W. Butler Road will introduce the first and only residential community that front W. Butler Road between Main Street and Plant Street/Hollyridge Court (notwithstanding the main office for the Ashmore Bridge Estates apartment community fronts on W. Butler Road). It should be noted, however, that at Plant Street and Hollyridge Court, approximately one-quarter mile west of this site, the Gleneagle apartment community and the Holly Ridge subdivision both front along W. Butler Road. Additionally, the members of the surrounding community that have spoken about this project have expressed that they do not support commercial development at this property.

Ultimately, the Planning Commission and the City Council will need to make a judgment on whether (1) this rezoning is consistent with the vision for the future of this area, (2) the rezoning is compatible with the surrounding uses, and (3) any other factors that they deem pertinent.

## **PLANNING COMMISSION RECOMMENDATION**

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On July 26, 2022, the Planning Commission voted 6-0 to recommend approval of the rezoning. Please note that during their discussion, the Planning Commission expressed concern about the lack of amenities being planned for the development project and have encouraged the applicant to consider including some amenities in this project.

## **ATTACHMENTS**

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Proposed ordinance (maps included therein)  
Neighborhood meeting information  
Conceptual drawing(s)

**ORDINANCE # \_\_\_\_\_**

AN ORDINANCE TO REZONE PROPERTY CONSISTING OF APPROXIMATELY 5 ACRES LOCATED AT WEST BUTLER ROAD AND LAUREL MEADOWS PARKWAY (TAX MAP PARCEL: #M008.02-01-003.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Abby & Matt LLC, has petitioned the City of Mauldin to rezone +/- 5 acres from the C-2, Commercial District, to the R-M, Multi-family Residential District; and

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

WHEREAS, the site is suitable for the types of uses that could be developed under the new zoning district; and

WHEREAS, the potential uses permitted in the new zoning district meet a public need and are not detrimental to the public health, safety, and welfare; 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-2022-10-RZ and Greenville County Tax Map Parcel M008.02-01-003.00 be rezoned from C-2 to R-M, Multi-family Residential. The property is further identified on the attached exhibit that is hereby incorporated into this ordinance, including Exhibit 1, Zoning & 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



Greenville County GIS Division, Greenville, South Carolina 29601

**Abby & Matt LLC  
Property  
on W Butler Rd  
Zoning &  
Property Map**



**Legend**

- Subject Property
- Municipal Boundary

Created on July 14, 2022

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## **Neighborhood Meeting Notes for West Butler Road/Laurel Meadows Pkwy Parcel Rezone**

Austin Allen from Arbor Land Design was the presenter for this meeting. Alex Williams of Arbor Land Design was in attendance taking notes as questions were asked. The meeting was held on June 20, 2022 at 5:30 at Mauldin First Baptist Church. City of Mauldin staff present for this meeting was Mr. Terry Merritt. The meeting started at roughly 5:35 to allow for any attendees running late to not miss out on information. Austin Allen made a presentation of the project and what all was being proposed. Austin also addressed the rezoning process and schedule that this project would go through prior to approval. Upon ending the presentation, the presenter opened up the floor for questions. Any questions by the meeting attendees were recorded and listed below with their responses from the presenter.

- **What is the plan for the open space/green area? Will it be a park?**  
-We plan on only disturbing what is necessary. If these areas are not necessary for grading, the current plan is to keep these areas undisturbed. At this time, there are no plans for a park or amenity area.
- **If a residential use is not constructed on this property, then what else could be constructed here?**  
- If the property were to remain to be zoned commercial, there could be big box grocery stores, fitness centers, etc. that are allowed under the current zoning classification. These uses would likely generate more trips than residential uses.
- **Are you aiming for older residents within this development?**  
- No, typically, older residents without children or empty nesters gravitate towards Single Family Attached due to the lesser maintenance and smaller building foot print.
- **Will there be a pool or amenity area on site?**  
- We are currently not showing an amenity area. The addition of a pool or amenity area would be detrimental to the density on site necessary to make this project feasible. We will speak to the developer about potential amenity areas and the requests made by meeting attendees.
- **What is your anticipated selling point?**  
- We anticipate the starting price point for these units will be somewhere around \$300,000 but may go much higher than that. Builders allow for upgrades to the unit at the buyers request that increase the price of the unit.

- 
- **Will these be custom homes?**
    - No, we believe these will be spec.
  - **Has the client bought the property?**
    - No, generally developers will take a project through all of its entitlement process prior to closing on a piece of property to limit risk. \*Correction, the client has purchased the property and has owned this parcel for some time now. The property owner has been unable to sell this property for a commercial use.\*
  - **Concerns arose of the existing traffic light on West Butler. Specifically, although there is an existing light, there is not a specific turn lane/light. Attendees of the meeting indicated that they are unable to turn right onto West Butler without the light turning green due to sight distance.** The presenter indicated that we were not aware of any issues with this light but we would confirm if the City/SCDOT has any plans for this intersection.
  - **Will there be covenants to prevent rentals and Airbnb?**
    - The developer has no intentions of these units being short term rental but we will confirm this with the developer.
  - **What are the building materials going to be?**
    - We have not selected a builder for the project but we will confirm if the City of Mauldin would recommend any material limitations for this site.
  - **Attendees made the recommendation again for a turn lane/light at the intersection of Laurel Meadows Parkway and West Butler Road.**
  - **What are the plans for drainage? Currently the proposed lots run into existing developments.**
    - State and Federal Regulations require us to address stormwater quantity and quality. Post development conditions will be held to a higher standard than that of existing developments in the area. We will collect the stormwater before it leaves the site to be treated. Stormwater will be released towards the right of way of Taylor Road. We will not increase runoff to existing lots.
  - **Will there be fencing along West Butler Road? (Attendee expressed concern about the proximity of lots to West Butler Road and the safety concern with children playing near the road.)**
    - Currently, no fencing is required but there will be landscaping along West butler that should help with safety concerns. We will confirm with the developer if they have any further intention of buffering this area of the development from the road.

*Austin Allen*



## West Butler Road/Laurel Meadows Pkwy Parcel Rezone Narrative

Mr. David Dyrhaug,

We are proposing the rezone of the parcel indicated by Greenville County tax map number M008020100300. We are proposing a rezone from C-2 to R-M to allow for Single Family Attached Dwelling Units.

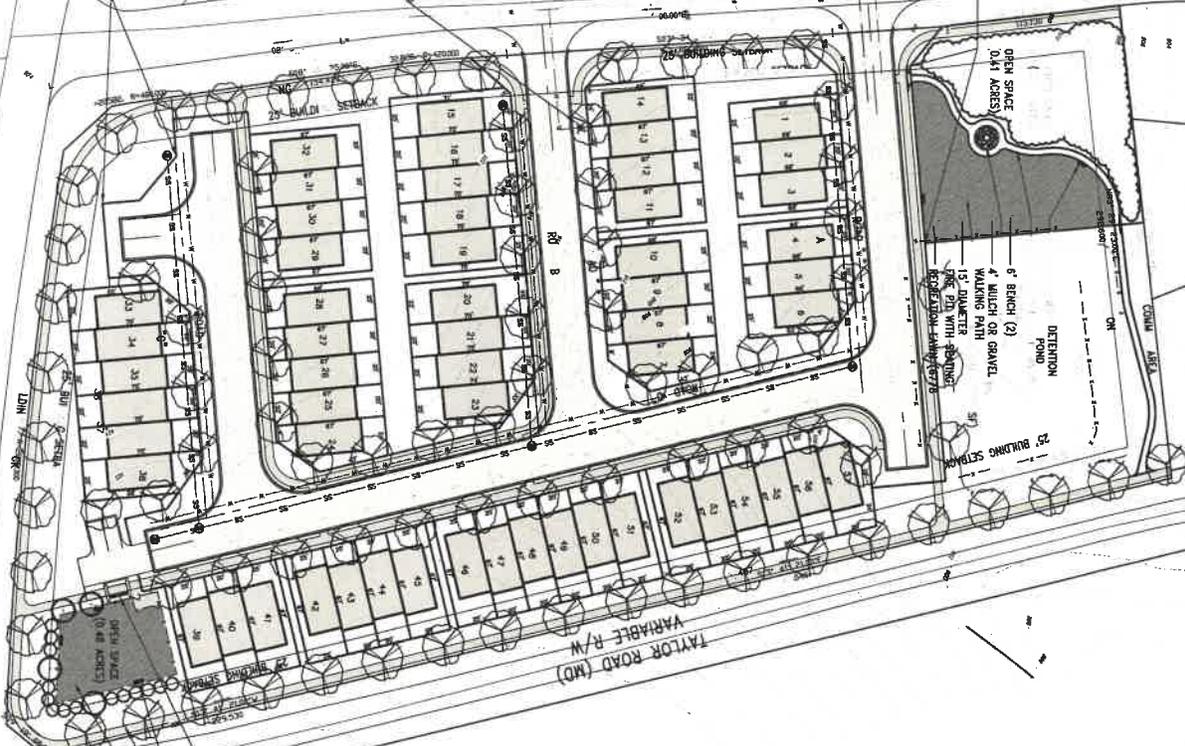
As of right now, we are currently showing 57 Single Family Attached Dwelling Units. The pad size for these units is shown at 20' wide and 40' deep. The proposed site plan will have 2 connection points on Laurel Meadows Parkway. No other vehicular access will be provided for this site. All traffic will be directed towards the lighted intersection at West Butler Road. The current site plan proposes 0.86 acres of open space which equates to 16% of the site being open space. This calculation does not include common areas. The current plan for these open space areas is to remain natural with the existing mature vegetation on site where grading for roads and building pads is not necessary. All landscaping for this site will be in accordance with the City of Mauldin's landscape ordinance. All road frontages will have road side plantings to provide screening between the proposed and existing developments.

There is not a builder selected for this site. The developer is currently in conversations with multiple builders in the area to try and find the right floorplan for this site. These conversations are being directed towards builders such as Toll Brothers and Dan Ryan Builders. Although, we cannot guarantee that either one of these builders will be on site, they represent the type of quality the developer would like to see on site. Given the location of the project and the proposed building type, we anticipate these units start price to be around \$300,000. The cost of these units could be much higher due to higher end packages the builders offer to buyers.

This is a parcel that has been on the market as commercial for the better half of a decade without being sold for a commercial use. There has been little interest in this site being commercial. It is believed by the developer and engineer that this property falls outside of the City of Mauldin's commercial area and should be used as residential much like the developments that surround this site.

Austin Allen

Arbor Land Design



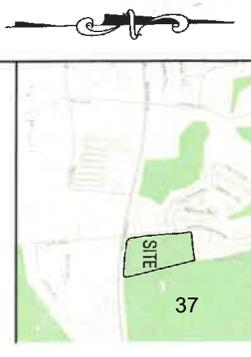
Parcel Total	Area	Volume	Depth/Height	Volume
C1	20.582	000.487		480.000
L1	31.300	N/A	1' or above	

CLUSTER BOX LOCATION & PARKING (9'x20') (2 SPACES)  
6' BENCH (3)  
5' SIDEWALK  
DOGPOLE (50x3 SF)

PROPOSED DEVELOPMENT	DATA	ACRE
GROSS ACRES	5.52 ACRES	
NET ACRES	5.52 ACRES	
UNDEVELOPABLE LAND	0.83 ACRES	15%
REQUIRED OPEN SPACE	0.9 ACRES	107% . EO.

PARCELS	PARCELS	PARCELS
Parcel Area	Parcel Area	Parcel Area
1 1,688 SF	21 1,480 SF	41 1,687 SF
2 1,350 SF	22 1,480 SF	42 1,687 SF
3 1,688 SF	23 1,567 SF	43 1,350 SF
4 1,688 SF	24 1,684 SF	44 1,350 SF
5 1,350 SF	25 1,350 SF	45 1,687 SF
6 1,350 SF	26 1,350 SF	46 1,687 SF
7 1,684 SF	27 1,350 SF	47 1,350 SF
8 1,350 SF	28 1,687 SF	48 1,350 SF
9 1,350 SF	29 1,687 SF	49 1,350 SF
10 1,687 SF	30 1,350 SF	50 1,350 SF
11 1,687 SF	31 1,350 SF	51 1,687 SF
12 1,350 SF	32 1,687 SF	52 1,688 SF
13 1,350 SF	33 1,672 SF	53 1,350 SF
14 1,686 SF	34 1,480 SF	54 1,350 SF
15 1,686 SF	35 1,480 SF	55 1,350 SF
16 1,480 SF	36 1,480 SF	56 1,350 SF
17 1,480 SF	37 1,480 SF	57 1,673 SF
18 1,480 SF	38 1,688 SF	
19 1,683 SF	39 1,687 SF	
20 1,683 SF	40 1,350 SF	

- NOTES:**
1. THE SUBDIVISION INCLUDES COUNTY TAX MAP NUMBER: W0802020100300.
  2. THE PARCEL IS PROPOSED TO BE REZONED TO RESIDENTIAL MEDIUM-DENSITY (R-4).
  3. THE PARCEL IS 5.52 ACRES.
  4. DENSITY ALLOWED 14.5 UNITS/AC \* 15.52 AC = 80 UNITS.
  5. DENSITY ALLOWED 14.5 UNITS/AC \* 15.52 AC = 80 UNITS.
  6. DENSITY ALLOWED 14.5 UNITS/AC \* 15.52 AC = 80 UNITS.
  7. DENSITY ALLOWED 14.5 UNITS/AC \* 15.52 AC = 80 UNITS.
  8. CLUSTER BOX UNIT PROVIDED FOR ALL LOTS.
  9. LOT SETBACKS: THERE ARE NO INTERVAL SETBACKS WITHIN A CLUSTER DEVELOPMENT. THERE IS A 10' SETBACK FROM THE EXTERIOR SIDEWALK.
  10. ALL EXTERNAL BUILDING LINE.
  11. NO EXTERNAL ACCESS TO LOTS WILL BE PROVIDED ALONG THE EXISTING ROADWAYS.
  12. TURN COUSERS ALLOW A MINIMUM OF 60' IN TWO DIRECTIONS.
  13. ALL TRUCK ROAD PARKING ARE MINIMUM 110'.
  14. ELECTRICAL POWER BY DUNE ENERGY, 864-234-4448.
  15. STREET LIGHTING SHALL BE TRIANGULAR LED FIXTURE AS PROVIDED BY DUNE POWER, 814 BULL DOG RD, 864-234-4409.
  16. SANITARY SEWER TO BE PROVIDED BY CITY OF WASHINGTON.
  17. TELEPHONE TO BE PROVIDED BY ARI.
  18. FIRE PROTECTION BY MAULDI CITY.
  19. STORMWATER MANAGEMENT AND SEDIMENT REDUCTION PLAN WILL BE PREPARED FOR THIS PROPERTY AND WILL BE APPLIED FOR LAND DISTURBING ACTIVITIES. EACH PROPERTY OWNER WILL COMPLY WITH THIS PLAN UNLESS AN ALTERNATIVE PLAN IS PREPARED AND APPROVED FOR THAT PROPERTY.
  20. HOMEOWNER ASSOCIATION IN ACCORDANCE WITH LAWS AND RULES.
  21. FINANCIAL PLAN WILL INDICATE FLOOD DRAINAGE AND UTILITY ASSESSMENTS.
  22. TYPHOON AND TROPICORPHIC INFORMATION TAKEN BY FREELAND AND ASSOCIATES ON 6/19/15.
  23. FLOODPLAIN DOES NOT EXIST ON SITE PER FEMA FIRM NUMBER 845050414E EFFECTIVE 9/19/2014.
  24. FLOODPLAIN DOES NOT EXIST ON SITE PER FEMA FIRM NUMBER 845050414E EFFECTIVE 9/19/2014.
  25. COMMON AREAS/OPEN SPACE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  26. CLUSTER BOX UNIT, GUEST PARKING, AND STORM WATER DETENTION ARE LOCATED WITHIN COMMON AREA AND OPEN SPACE.
  27. THERE SHALL BE NO CONSTRUCTION OF NEW OPEN SPACE.
  28. PROPERTY OWNER INFORMATION: (404)201-0050 OPEN SPACE.
  29. GREEN SC, 28850 DEED BOOK 2506, DEED PAGE 3742.
  30. INTERSTATE WARNING SIGNS WILL BE LOCATED AT 50' WALK WAY AND CURB CURTS.
  31. DETENTION TANK WILL PROVIDE A 25' W/W ON THE DEVELOPMENT SIDE.



**REVISIONS**

NO.	DATE	DESCRIPTION
1	AUG 21, 2022	SUBMITTED TO THE CITY OF MAUI

**PRELIMINARY PLAN & AMENITY CONC E DEVELOPMENT NA**

SLING CHOI  
412 THORNDIKE BLVD GREEN, SC PO BOX 288  
DEVELOPER

ARBOR LAND DESIGN  
400 S. GARDNER, S.C. 29615  
TEL: 803.763.4444  
WWW.ARBORLANDDESIGN.COM

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8a

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**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT: Rezoning at 25 Old Mill Road**

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**OWNER(S):** RPA Development, LLC – Ron Allen

**AUTHORIZED REP(S):** N/A

**TAX MAP NUMBER(S):** #M008.04-01-002.03

**LOCATION:** 25 Old Mill Road

**CURRENT ZONING:** I-1, Industrial

**REQUESTED ZONING:** S-1, Trades & Commercial Services

**SIZE OF PROPERTY:** Approx. 5.8 acres

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## 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 5.8 acres located at 25 Old Mill Road. The applicant has requested that this tract be rezoned from I-1, Industrial, to S-1, Trades & Commercial Services. The applicant would like the flexibility to consider developing the remainder of the property for the additional uses allowed in the S-1 zoning district.

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## HISTORY/BACKGROUND

This building is currently occupied by multiple tenants including AAA Fencecrafters, Upstate Liquidator, Snaptight Aluminum, Elite Marketing, and Mag-It LLC. Presently, at the southeast end of the building there are approximately 2 acres of land that have not been developed. The applicant is currently exploring his options for the development of this unused portion of the property. There are no imminent plans for the development of this tract at this moment.

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## PUBLIC HEARING

The Planning Commission held a public hearing on August 23, 2022. No public comments were offered at the public hearing.

## ZONING EVALUATION

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### *Existing Zoning Classification*

The I-1 district is established to accommodate manufacturing, assembly, warehousing, and distribution operations. It is the intent of the district that such operations do not produce harmful noise, odor, smoke, dust, glare, or pollution.

### *Proposed Zoning Classification*

The S-1 district is established to provide a transition between commercial and industrial districts by allowing:

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.

The uses that are allowed in the S-1 district but not in the I-1 district include:

<b>Permitted Uses</b>	<b>Conditional Uses</b>
Amusement or games facility	Bar, brew pub or drinking place
Assisted living health care service	Cemetery
Big box retail store	Day care center
Catering services	Fringe financial services
Communication or information services	Motor vehicle sales and services
Dry cleaning and laundry services	Multi-family dwellings
Event center or banquet hall	Private outdoor recreation amenity
Exhibition facility	
Fitness/sports club, studio, or center	
Funeral home	
Health and personal care services	
Hospital	
Hotel	
Meeting or assembly hall	
Nursing home	
Office and professional services	
Outpatient health care service	
Passenger transportation services	
Pet and animal care services	
Public administration building	
Public park or recreation area	
Religious institution	
Restaurant	
Retail sales	
Social assistance services	
Tattoo and body piercing services	
Thrift or consignment store	

## ***Surrounding Development/Zoning***

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

<b>Direction</b>	<b>Zoning District(s)</b>	<b>Existing Use(s)</b>
<b>North</b>	S-1 (City)	Ahold Delhaize Distribution Services
<b>South</b>	I-1 (City)	CompX Security Products
<b>East</b>	I-1 (City)	McNaughton McKay
<b>West</b>	I-1 (City)	Siroflex Inc

## ***Comprehensive Plan Analysis***

This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks. The S-1 district is generally considered to be consistent with this “employment center” designation.

## **REVIEW CRITERIA**

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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**

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The analysis below includes staff findings pertaining to each criterion.

### **CRITERIA**

1. Consistency with the Comprehensive Plan or, if conditions have changed, consistency with the overall intent of the Plan, recent development trends, and the general character of the area;
2. Suitability of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed

### **STAFF FINDINGS**

This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks. The S-1 district is general considered to be consistent with the “employment center” designation.

To staff’s knowledge, there are no apparent floodplains, wetlands, or topographic constraints on the site. Staff is not aware of any features at this site that would make it unsuitable for development.

**CRITERIA**

**STAFF FINDINGS**

3. Compatibility of the potential uses allowed 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	The tract is located in a transitional area between I-1 and S-1 zoned properties. Most, but not all, of the uses allowed in S-1 would appear to be compatible with the surrounding uses.
4. Capacity of public infrastructure and services to sufficiently accommodate potential uses allowed without compromising public health, safety, or welfare	Staff is not aware of any utilities, including water and sewer, that would not be available at this tract.
5. Public need for the potential uses permitted	The expectation is that the further development of this property would bring additional jobs and/or commercial services. This type of growth is supported by the Comprehensive Plan.

**TIMELINE**

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On June 26, 2022, staff received the request to rezone this tract.

On August 23, 2022, the Planning Commission conducted a public hearing. At this meeting, the Planning Commission voted 6-0 to recommend approval of the rezoning.

On September 6, 2022, the Building Codes Committee voted 2-0 to forward this rezoning to City Council for consideration.

**STAFF RECOMMENDATION**

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The rezoning appears to be consistent with the comprehensive plan and other S-1 zoning in the vicinity of the property. In staff’s opinion the request meets the criteria outlined above.

**PLANNING COMMISSION RECOMMENDATION**

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On August 23, 2022, the Planning Commission voted 6-0 to recommend approval of the rezoning.

**ATTACHMENTS**

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Proposed ordinance (maps included therein)

**ORDINANCE # \_\_\_\_\_**

AN ORDINANCE TO REZONE PROPERTY CONSISTING OF APPROXIMATELY 5.8 ACRES LOCATED AT 25 OLD MILL ROAD (TAX MAP PARCEL: #M008.04-01-002.03) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, RPA Development, LLC, has petitioned the City of Mauldin to rezone +/- 5.8 acres from the I-1, Industrial District, to the S-1, Trades and Commercial Services District; and

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

WHEREAS, the site is suitable for the types of uses that could be developed under the new zoning district; and

WHEREAS, the potential uses permitted in the new zoning district meet a public need and are not detrimental to the public health, safety, and welfare; 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-2022-11-RZ and Greenville County Tax Map Parcel #M008.04-01-002.03 be rezoned from I-1 to S-1, Trades and Commercial Services. The property is further identified on the attached exhibit that is hereby incorporated into this ordinance, including Exhibit 1, Zoning & 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:

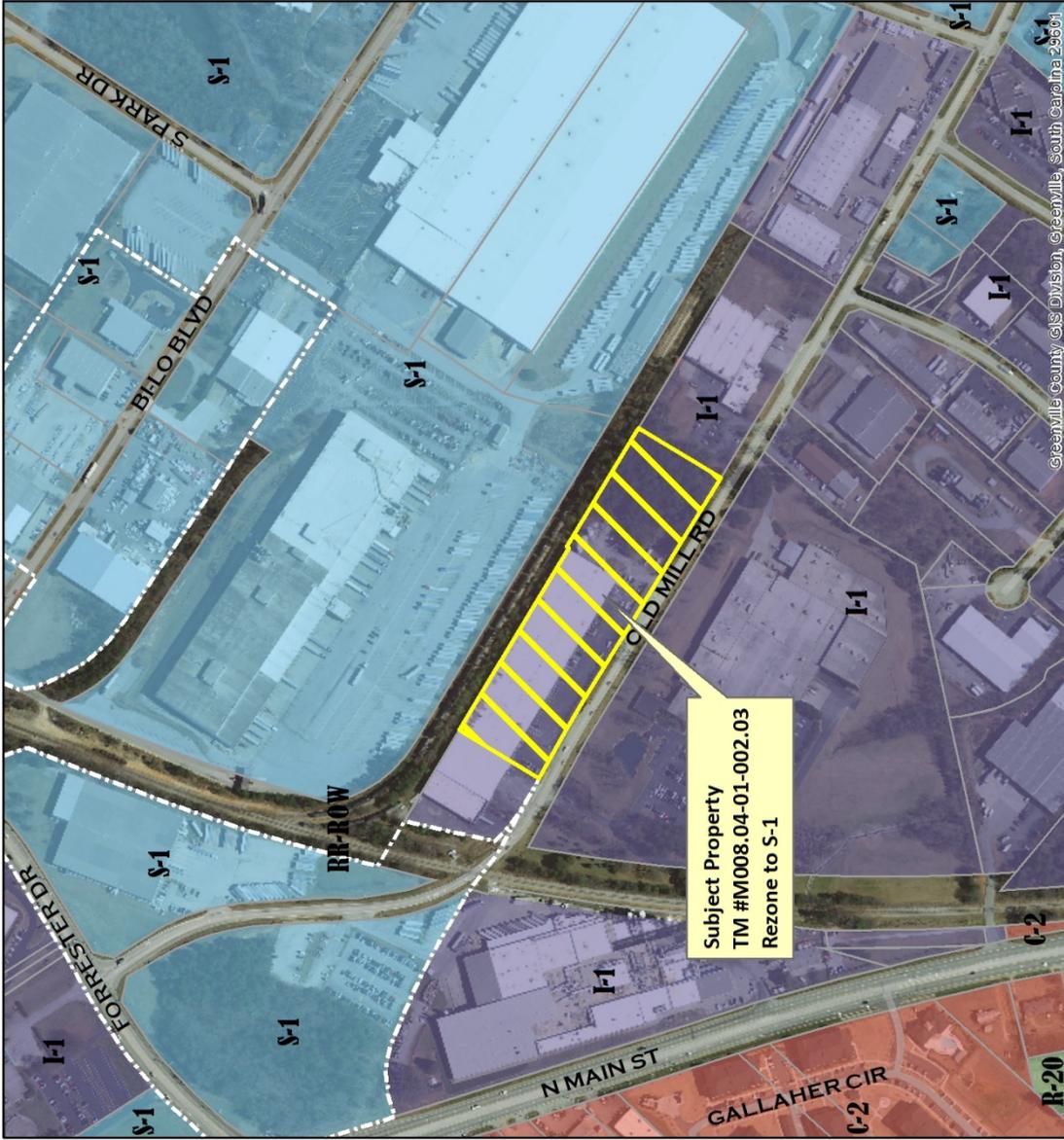
BY: \_\_\_\_\_  
Terry Merritt, Mayor

\_\_\_\_\_  
Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John Duggan, City Attorney

EXHIBIT 1



Greenville County GIS Division, Greenville, South Carolina 29601

**25 Old Mill Rd  
Zoning &  
Property Map**



**Legend**

- Subject Property
- Municipal Boundary

Created on August 11, 2022

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, nor 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.

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8b

**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT: Annexation/Planned Development at 30 & 50 Tanner Rd**

	<b>TRACT #1 (30 Tanner Rd)</b>	<b>TRACT #2 (30 Tanner Rd)</b>	<b>TRACT #3 (50 Tanner Rd)</b>
<b>AUTHORIZED REP(S):</b>	Flournoy Dev. Group Gray Engineering	Flournoy Dev. Group Gray Engineering	Flournoy Dev. Group Gray Engineering
<b>OWNER(S):</b>	<b>W. Earl Jones Nancy L. Jones</b>	<b>W. Earl Jones</b>	<b>C. Lynn Farmer Elaine F. Ayscue</b>
<b>TAX MAP NUMBER(S):</b>	0547.03-01-043.01	0547.03-01-043.02	0547.03-01-043.00
<b>LOCATION:</b>	30 Tanner Rd	30 Tanner Rd	50 Tanner Rd
<b>CURRENT ZONING:</b>	R-S (County)	R-S (County)	R-S (County)
<b>REQUESTED ZONING:</b>	PD, Planned Development	PD, Planned Development	PD, Planned Development
<b>SIZE OF PROPERTY:</b>	Approx. 0.9 acres	Approx. 6.7 acres	Approx. 13 acres
<b>CONTIGUITY:</b>	These tracts are directly contiguous to the Maple Brook Terrace Retirement Community at 150 Verdin Rd, the backside of 701 Brookfield Pkwy, and the Sonic Drive-In at 1534 Woodruff Rd.		

## REQUEST

The City of Mauldin has received signed petitions requesting the annexation of three parcels of land pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include approximately 13 acres owned by Lynn Farmer and Elaine Ayscue located at 50 Tanner Road, and approximately 7.6 acres owned by Earl Jones and Nancy Jones located at 30 Tanner Road. The applicant has requested that these tracts be zoned PD, Planned Development upon annexation into the City of Mauldin. Flournoy Development Group is planning to develop a planned development described below.

## **HISTORY/BACKGROUND**

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Each of these two tracts are currently occupied by a single-family residence—one residence at 30 Tanner Road and one residence at 50 Tanner Road. These tracts have attracted various development interests over the years.

## **PROPOSED DEVELOPMENT**

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### ***About Flournoy Development Group***

Flournoy is described on their website as “a distinguished member in the multifamily real estate industry.” They state they “[lead] the planning, development, and construction of luxury, Class A multifamily communities across the Sunbelt.” They claim to have developed and managed over 40,000 multi-family units. They indicate that they have successfully purchased and developed or are in the process of developing 5 other properties in Greenville. This includes District West at 101 Reedy View Dr (365 units), The Aventine Greenville at 97 Market Point Dr (346 units), Carolina Point Apartments at 201 Carolina Point Pkwy (346 units), and The Paddock Club Greenville at 50 Rocky Creek Rd (208 units).

### ***Overview of Proposed Development***

At present, Flournoy Development Group is proposed a planned development consisting of the following:

- 4-story apartment buildings consisting of up to 365 apartment units
- 2- and 3-story townhomes consisting of up to 100 townhome units
- 2-story carriage homes consisting of up to 8 units
- Ground floor work space units consisting of up to 14 units (these units will be connected to the residential units above the work space creating a live/work environment)
- Accessory garages and amenities

In total, this proposal includes up to 473 residential units, approximately 16,000 square feet of work space, 566 parking spaces (24 garage spaces and 542 surface parking spaces), a 12,000-square foot clubhouse, and 950-square foot maintenance/dog wash space. All work spaces and residential units, including apartments, townhome units, and carriage homes, will be for rent only. The entire project will be owned and managed as one property.

***Live/Work Units.*** The live/work units will consist of a ground floor work space connected to a upper floor apartment unit. The work spaces are intended to be used for small office spaces or small-scale neighborhood retail uses. The target market for these work spaces will be entrepreneurs, small businesses, and professionals. The size of each work space will generally range between 700 and 1,200 square feet. Examples of businesses that may occupy these work spaces may include accountant, architect, artist/artisan, attorney, computer software and multimedia related professional, consultant, engineer, coffee shop, fashion designer, clothing boutique, graphic designer, interior designer, hair stylist, home-based office worker, insurance agent, real estate or travel agent, one-on-one instructor, photographer, and other similar occupations.

The following uses are not intended for these work spaces: vehicle repair or maintenance, adult businesses, massage parlors, large commercial restaurants utilizing a commercial kitchen, and uses that create excessive noise, dust, heat, smoke, and odors that create a nuisance or other safety concerns.

***Apartments.*** The apartments will consist of 1-, 2-, and 3-bedroom units. Units will vary in size between 600 and 1,600 square feet. The buildings may vary in height between 2 and 4 stories. The exterior façade materials will consist primarily of masonry and fiber cementitious board.

**Amenities.** Amenities planned for this project include, but are not limited to, upscale clubhouse space, meeting rooms for residents who work from home, co-working space, fitness and wellness rooms, a dog park, mail kiosk and package lockers, a swimming pool courtyard, and outdoor spaces providing grills, firepits, and other amenities.

**Traffic.** A traffic impact study has been completed for the proposed development project. This study was performed by Allen J. Reid with Impact Designs, Inc. This study was based on a slightly lower number of units (471) than the number of units included in the planned development submission (473). The difference of two units should be relatively immaterial to the outcome of the study.

**INTERSECTION OF VERDIN/FEASTER/WOODRUFF  
LEVEL OF SERVICE (DELAY IN SECONDS PER VEHICLE)**

Street	Existing Conditions in 2022	Conditions in 2025 without this Development Project	Conditions in 2025 with this Development Project	Conditions in 2025 with this Project and the Traffic Signal Adjustment
Verdin Road (northbound)				
AM Peak Hour	F (118.9)	F (133.7)	F (188.9)	F (138.1)
PM Peak Hour	F (131.1)	F (154.8)	F (177.3)	F (120.2)
Feaster Road (southbound)				
AM Peak Hour	F (128.8)	F (133.7)	F (188.9)	F (138.4)
PM Peak Hour	F (131.1)	F (154.8)	F (177.3)	F (123.0)
Woodruff Road (eastbound)				
AM Peak Hour	C (22.3)	C (29.3)	C (29.6)	C (29.9)
PM Peak Hour	C (30.0)	D (35.8)	D (36.0)	D (50.7)
Woodruff Road (westbound)				
AM Peak Hour	C (29.8)	D (35.9)	D (35.8)	D (45.4)
PM Peak Hour	C (30.1)	D (37.5)	D (44.5)	D (53.6)
<b>OVERALL</b>				
AM Peak Hour	D (45.8)	D (53.7)	E (62.7)	E (60.4)
PM Peak Hour	D (54.2)	E (64.1)	E (71.6)	E (69.8)

At the Woodruff Road intersection, the report indicates that the northbound traffic on Verdin Road and the southbound traffic on Feaster Road both currently operate at a level “F” during both morning and evening peak hours. A level of service “F” generally means there is forced traffic flow and the traffic level exceeds the amount that can be served. A level of service “F” is generally characterized by stop-and-go waves, poor travel times, low comfort and convenience, and increased accident exposure. In order to soften the impact of this proposed development project, the traffic impact study recommends that the traffic signal at the Woodruff Road intersection be adjusted to allow longer green lights for Verdin Road and Feaster Road. Even with this adjustment, Verdin Road and Feaster Road would still operate at a level F at this intersection. The table below compares the current traffic level to future traffic levels in 2025 at this intersection.

The traffic impact study also indicates that this project will impact the overall level of service at the intersection of Verdin Road, E. Butler Road, and Holland Road. This intersection presently operates at a level C during both morning and evening peak hours. With or without this project, the morning peak hour level of service at the Butler Road intersection is projected to deteriorate to a level D by 2025. This development project would also cause the evening peak hour level of service at this intersection to also

deteriorate to a level D. The traffic impact study recommends that a right turn overlap be installed on Verdin Road at this intersection to facilitate the high number of right turns from Verdin Road onto E. Butler Road. This would improve the evening peak hour level of service back to a level C for this intersection. The table below compares the current traffic level to future traffic levels in 2025 at this intersection.

**INTERSECTION OF VERDIN/HOLLAND/BUTLER  
LEVEL OF SERVICE (DELAY IN SECONDS PER VEHICLE)**

Street	Existing Conditions in 2022	Conditions in 2025 without this Development Project	Conditions in 2025 with this Development Project	Conditions in 2025 with this Project and the Right Turn Improvements
Verdin Road (southbound)				
AM Peak Hour	D (37.9)	D (39.4)	D (47.6)	D (47.4)
PM Peak Hour	D (41.8)	E (55.7)	E (69.6)	D (46.9)
Holland Road (northbound)				
AM Peak Hour	C (34.8)	D (37.4)	D (37.6)	D (37.4)
PM Peak Hour	C (32.8)	C (32.1)	C (32.3)	C (32.3)
East Butler Road (eastbound)				
AM Peak Hour	C (29.2)	D (37.3)	D (39.6)	D (39.9)
PM Peak Hour	C (20.5)	C (26.2)	C (28.9)	C (28.9)
East Butler Road (westbound)				
AM Peak Hour	C (32.5)	D (38.9)	D (39.3)	D (39.8)
PM Peak Hour	B (16.2)	B (18.1)	B (18.3)	B (18.3)
OVERALL				
AM Peak Hour	C (32.4)	D (38.0)	D (40.0)	D (40.0)
PM Peak Hour	C (25.3)	C (31.0)	D (35.4)	C (30.6)

In summary, the traffic impact study recommends the following improvements\* to the current traffic system. These improvements are intended to soften the blunt of the traffic that would be added by the proposed development.

1. Modify the parameters of the adaptive signal system at the intersection of Woodruff Road/Verdin Road/Feaster Road to allow for longer splits for Verdin Road and Feaster Road.
2. Install a right turn overlap on the southbound approach of Verdin Road at East Butler Road.

**\* Please note that at the Planning Commission meeting the applicant indicated that SCDOT has indicated that it will not permit the signal timing to be altered at the intersection of Woodruff Road/Verdin Road/ Feaster Road. The applicant expects that SCDOT will instead require turn lane improvements. The applicant expressed that they plan to abide by the requirements of SCDOT.**

**Access.** The applicant is proposing three access points, subject to review and approval by SCDOT. This will include one driveway at Tanner Road and two driveways at Verdin Road. Sidewalks will be installed along Tanner Road and Verdin Road in order to promote walkability and connectivity.

**Parking.** In total, 784 parking spaces are proposed for this development project. This includes 542 surface parking spaces for the apartments, 24 garage spaces for the apartments, 200 garage and driveway parking spaces for the townhomes, and 18 garage spaces for the carriage homes. This is consistent with the minimum parking requirements for the City of Mauldin which is presently 1.5 parking spaces for each multi-family dwelling unit and 2.0 parking spaces for other dwellings. It appears that the parking being proposed is consistent with the requirements for the City of Mauldin.

**Utilities.** All utilities are available including water and sewer. The applicant has provided letters of capacity and availability from the various utility providers. MetroConnects has a sewer line at Verdin Road that the developer is expected to tie into.

## **NEIGHBORHOOD MEETING**

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The applicant held a neighborhood meeting on July 11, 2022. Based on the sign-in sheet, it appears that nearly 30 neighbors attended the meeting. It appears that most of the attendees were from the Towns at Woodruff Crossing townhome community on Tanner Road just outside the City of Mauldin and next door to the proposed planned development.

According to the meeting summary provided by the applicant, questions and concerns covered topics including: traffic, amenities, tree preservation, stormwater runoff, landscape buffering and screening, light pollution, trespassing by pedestrians, property values, and the capacity of infrastructure. Attached is the applicant's summary of the neighborhood meeting.

## **PUBLIC HEARING**

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The Planning Commission held a public hearing on August 23, 2022. The following citizens provided public comments at this hearing.

- Jane Lawrence, 121 Ashgrove Lane (County resident), indicated that her questions and concerns have been addressed by the applicant and she has no further comment.
- Peggy Garland, 213 Louisville Drive (County resident), indicated that she is not opposed to the development of this tract but also shared some concerns about the development of the site. Her concerns included: (1) stormwater runoff that may affect the upkeep of the existing retention pond at the adjacent Woodruff Crossing community, (2) the effect of additional sewer flow on the deteriorating sewer pipes that currently serve the Woodruff Crossing community, and (3) cut-through traffic from Tanner Road through the parking lots for the AAA Car Care Center to Hendrix Drive.
- James Epling, 115 Ashgrove Lane (County resident), shared the following concerns: (1) insufficient roadways to accommodate increasing traffic in the area, and (2) the effect of the proposed development on property values in the Woodruff Crossing community.

## PLANNING AND ZONING

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### *About the PD District*

The PD district is established to encourage innovative and creative design of residential and/or commercial developments and to permit a greater amount of flexibility by removing some of the restrictions of conventional zoning. The procedures for a PD provide a mechanism to evaluate each application on its own merit.

### *Surrounding Development/Zoning*

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

<b>Direction</b>	<b>Zoning District(s)</b>	<b>Existing Use(s)</b>
<b>North</b>	C-1/C-2 (County) C-1 (City)	Express Oil Change, La Petite Academy, Sonic Drive-In, Greenville Car Wash, Master's Mark Dry Cleaners, The Flat
<b>South</b>	S-1 (City)	Maple Brook Terrace Retirement Community
<b>East</b>	S-1/C-1 (County)	Kids 'R' Kids Learning Academy
<b>West</b>	C-2/R-M10 (County)	AAA auto repair shop, strip shopping center including various tenants, Towns at Woodruff Crossing townhome community

### *Comprehensive Plan Vision*

This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks.

## STAFF FINDINGS

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Staff has reviewed this request as follows.

### **CRITERIA**

1. Consistency with the Comprehensive Plan or, if conditions have changed, consistency with the overall intent of the Plan, recent development trends, and the general character of the area;
2. Suitability of the site's physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed

### **STAFF FINDINGS**

This property is designated as an “employment center” in the future land use map of the comprehensive plan. Employment Center areas are intended for industrial parks and office parks. However, with the number of vacancies in the adjacent Brookfield Corporate Office Park, it is not unreasonable to conclude that recent trends may suggest that office park development is not as viable as it once was pre-COVID.

The Planning Commission and the City Council may or may not judge that the proposed planned development is consistent with the intent of the comprehensive plan, recent development trends, and the general character of the area.

To staff's knowledge, there are no apparent floodplains, wetlands, or topographic constraints on the site. Staff is not aware of any features at this site that would make it unsuitable for development.

**CRITERIA**

**STAFF FINDINGS**

<p>3. Compatibility of the potential uses allowed 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</p>	<p>The tract is located in a transitional area between commercial uses to the north, west, and east, an office park to the south, a retirement apartment community to the south, and a townhome community to the west. The mix of apartments and work spaces appears to represent a blend of some of the surrounding uses, albeit the work space aspect of the proposed planned development is a relatively minor component.</p> <p>As evident in the traffic impact study, this proposed planned development would impact traffic at a couple of the nearby intersections. However, the traffic study recommends improvements to the traffic system that would soften the impact of this traffic.</p>
<p>4. Capacity of public infrastructure and services to sufficiently accommodate potential uses allowed without compromising public health, safety, or welfare</p>	<p>Staff is not aware of any utilities, including water and sewer, that would not be available at this tract. This project is expected to connect to the existing MetroConnects sewer line along Verdin Road.</p> <p>There is some concern about the road infrastructure to be able to accommodate the additional traffic generated by this proposed planned development. This concern was expressed at the neighborhood meeting. During peak hours, Verdin Road and Feaster Road already experience failed traffic flow (LOS F) at the intersection of Woodruff Road. Additionally, Verdin Road is currently approaching unstable flow (LOS D) at East Butler Road during peak hours. The traffic study contains recommendations that will attempt to mitigate the impact of traffic generated by this planned development. However, Verdin Road at Woodruff Road will continue to experience failed traffic flow (LOS F) and Verdin Road at East Butler Road will continue to approach unstable flow (LOS D) even with these improvements to the traffic system.</p>
<p>5. Public need for the potential uses permitted</p>	<p>The Comprehensive Plan forecasts changing lifestyles, such as young adults delaying marriage and parenthood, will continue to increase the demand for apartments and townhomes. Additionally, the growing number of single-parent households may also create more demand for apartments and townhomes. This planned development proposal would provide additional living options that support this forecast in the Comprehensive Plan.</p>

## TIMELINE

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On July 11, 2022, the applicant met with interested neighbors to review their proposal and to seek questions and comments.

On July 18, 2022, staff received the petition and accompanying documents to annex these tracts and established a Planned Development (PD) district.

On August 1, 2022, (at the request of the applicant) the Building Codes Committee of City Council referred the planned development proposal to Planning Commission for their review and recommendation.

On August 23, 2022, the Planning Commission conducted a public hearing. At this meeting, the Planning Commission voted 6-0 to recommend approval of the Planned Development.

On September 6, 2022, the Building Codes Committee voted 2-0 to forward this annexation to City Council for consideration.

## STAFF RECOMMENDATION

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There are legitimate concerns about the traffic conditions along Verdin Road. One of the lingering questions surrounding this project is whether the poor traffic conditions on Verdin Road will be detrimental to the safety of motorists and pedestrians and the overall success and desirability of this development project.

The incorporation of multi-family dwelling units together with workspaces that could be used for neighborhood retail and offices has great potential and could become a very desirable destination. The layout for the project has been thoughtfully designed. The presence of neighborhood retail and office together with angled parking lining the principal drive off of Verdin Road provide a “Main Street” feel. The incorporation of the workspaces has the potential to really distinguish this development project. It’s nice that the parking along Tanner Road is placed behind buildings. (It would be even better if the parking along Verdin Road was also placed behind buildings.) The combination of apartments, townhomes, and workspaces represents a reasonable transition to all of the varied surrounding uses.

Ultimately, the Planning Commission and the City Council will need to make a judgment on any factors that they deem pertinent.

## PLANNING COMMISSION RECOMMENDATION

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On August 23, 2022, the Planning Commission voted 6-0 to recommend approval of the Planning Development. Their recommendation was contingent upon the following revisions to the statement of intent, to which the applicant was agreeable. **The applicant has agreed to each of these conditions and has since updated the statement of intent to reflect each of these conditions.**

1. Any conversion of work spaces to apartment units would require approval of a formal change to the Planned Development in accordance with City of Mauldin procedures.
2. The buffering, landscaping, and fencing proposed adjacent to the Woodruff Crossing community will be updated in the statement of intent to reflect what was presented at the Planning Commission meeting.
3. Traffic improvements and traffic mitigation measures will be installed or implemented as required and approved by SCDOT.

## **ATTACHMENTS**

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Annexation Ordinances  
Neighborhood Meeting documents  
Planned Development documents

**ORDINANCE \_\_\_\_-2022**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY W. EARL JONES AND NANCY L. JONES, AND LOCATED AT 30 TANNER ROAD (TAX MAP PARCEL: 0547.03-01-043.01) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF PD, PLANNED DEVELOPMENT, FOR SAID PROPERTY**

WHEREAS, W. Earl Jones and Nancy L. Jones, are the sole owners of record title of a parcel of real property containing 0.9 acres, more or less, located at 30 Tanner Road, 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 W. Earl Jones and Nancy L. Jones, 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, W. Earl Jones and Nancy L. Jones, 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 PD, Planned Development, is compatible with the surrounding property uses in the area; 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 W. Earl Jones and Nancy L. Jones, 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 Tanner Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-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 owned is hereby zoned PD, Planned Development, as detailed in Exhibit 3 attached hereto.

---

Terry Merritt, Mayor

ATTEST:

---

Cindy Miller, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

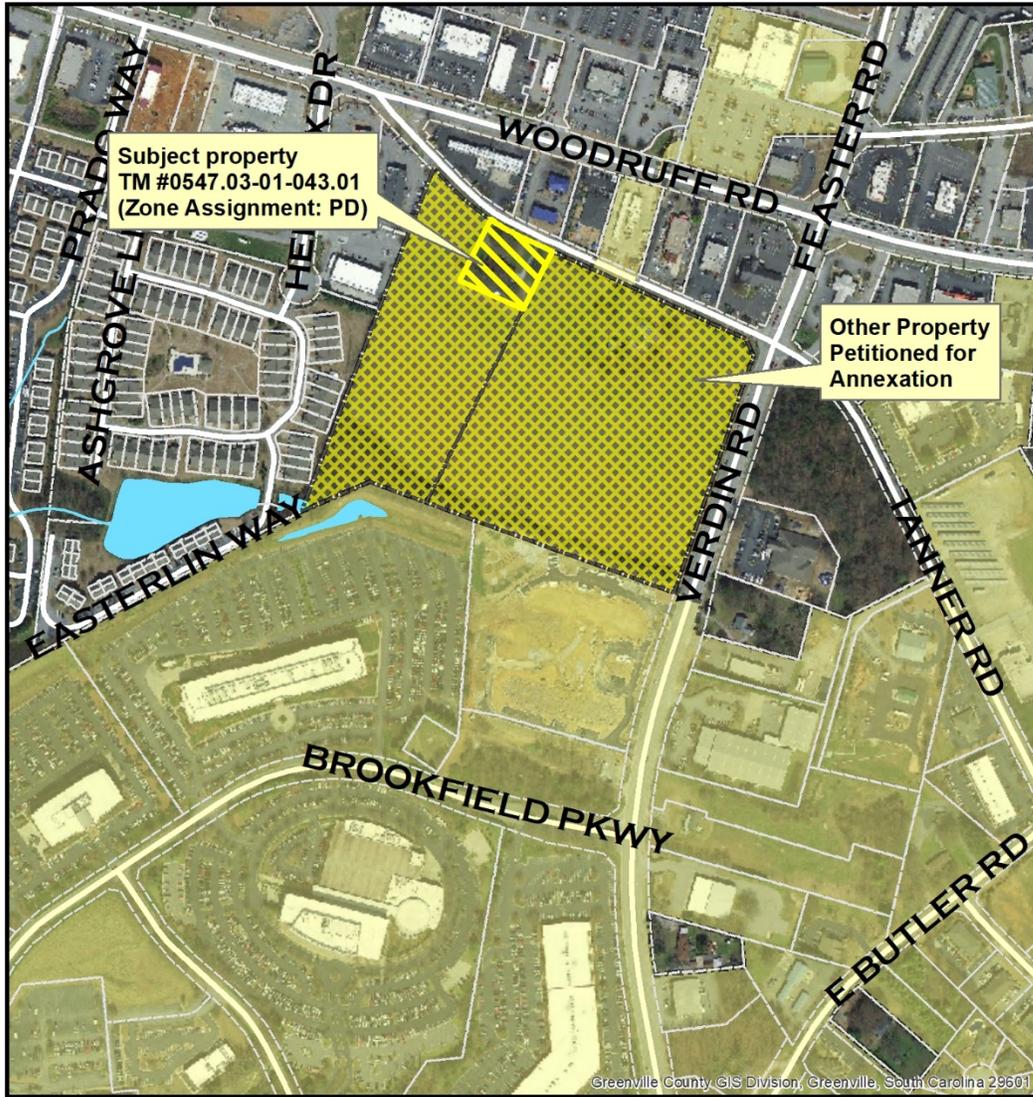
Approved as to Form:

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City Attorney

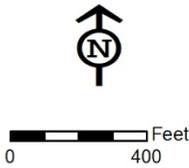
# EXHIBIT 1 – ANNEXATION MAP

## PROPERTY MAP



**Legend**

-  Subject Property
-  Other Property for Annexation
-  Mauldin City Limits



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## EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF REAL PROPERTY OWNED  
BY WILTON EARL JONES AND NANCY L. JONES, AND  
LOCATED AT 30 TANNER ROAD INTO THE CITY OF  
MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioners, Wilton Earl Jones and Nancy L. Jones, are the sole owners [freeholders 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 0.9 acres, more particularly described in the property description attached hereto marked as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioners hereby petition to annex their property consisting of approximately 0.9 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioners also hereby petition to assign their property the zoning classification of PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin, 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 14<sup>th</sup> day of July, 2022, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin.

8-25-22, 2022  
Date

W. Earl Jones  
Wilton Earl Jones

Nancy L. Jones  
Nancy L. Jones

[Signature]  
Witness

[Signature]  
Witness

EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as "Tract No. 1A" lot, containing 0.9 acres, more or less, on Tanner Road, upon a plat entitled "Property of Mrs. Mary H. Butler", dated November 7, 1968, prepared by Robert Jordan, reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0547.03-01-043.01

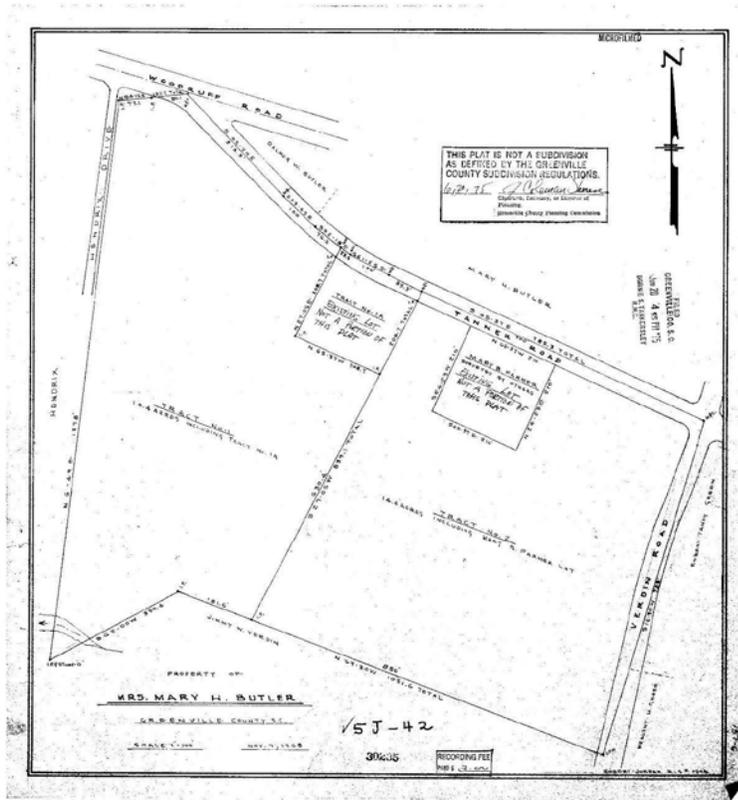


EXHIBIT B

PROPERTY MAP



**Legend**

- Subject Property
- Other Property for Annexation
- Mauldin City Limits

N

Feet  
0 400

Created on July 14, 2022  
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**ORDINANCE \_\_\_\_-2022**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY W. EARL JONES, AND LOCATED AT 30 TANNER ROAD (TAX MAP PARCEL: 0547.03-01-043.02) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF PD, PLANNED DEVELOPMENT, FOR SAID PROPERTY**

WHEREAS, W. Earl Jones is the sole owner of record title of a parcel of real property containing 6.7 acres, more or less, located at 30 Tanner Road, 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 W. Earl Jones 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, W. Earl Jones 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 PD, Planned Development, is compatible with the surrounding property uses in the area; 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 W. Earl Jones, 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 Tanner Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-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 owned is hereby zoned PD, Planned Development, as detailed in Exhibit 3 attached hereto.

---

Terry Merritt, Mayor

ATTEST:

---

Cindy Miller, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

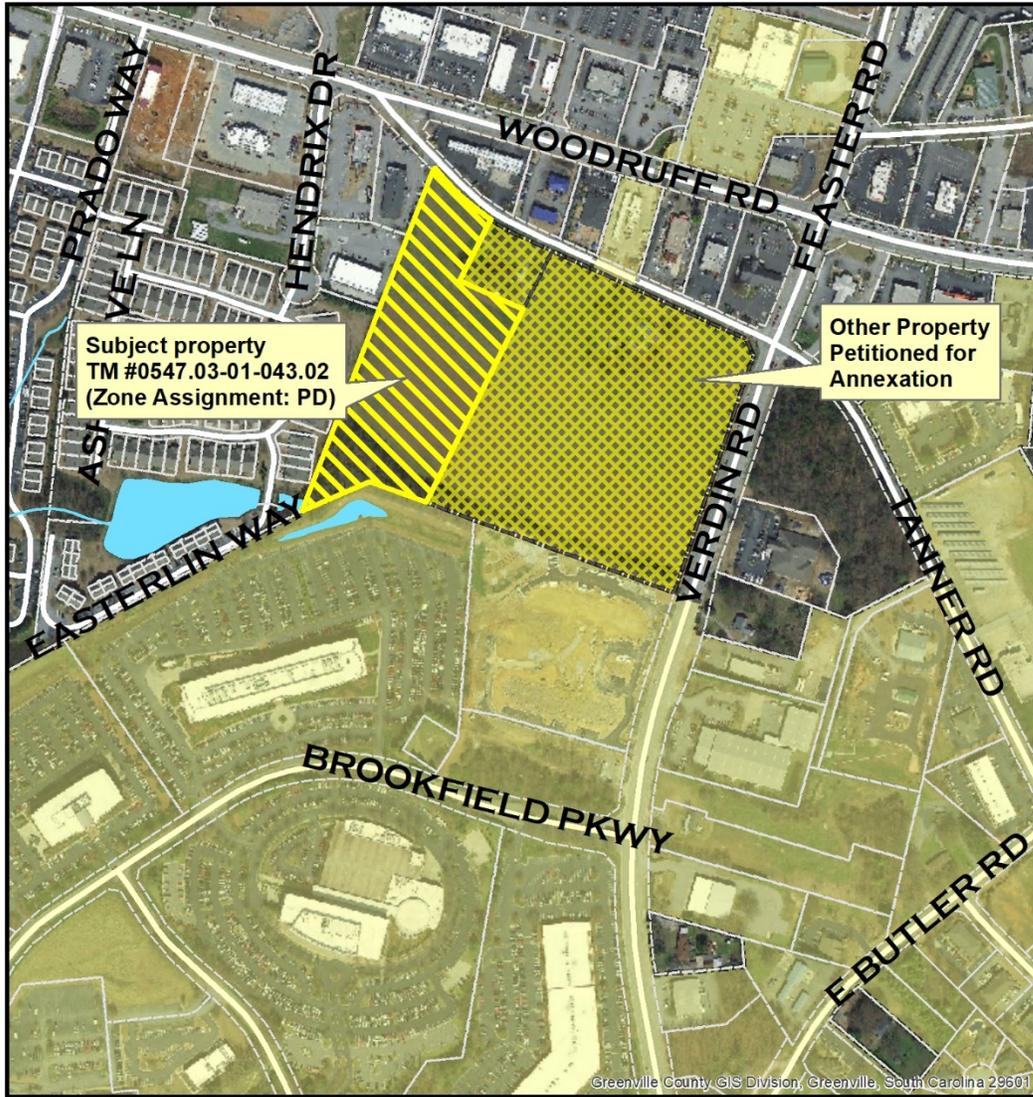
Approved as to Form:

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City Attorney

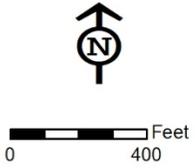
# EXHIBIT 1 – ANNEXATION MAP

## PROPERTY MAP



**Legend**

-  Subject Property
-  Other Property for Annexation
-  Mauldin City Limits



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**EXHIBIT 2 – PETITION**

**PETITION FOR ANNEXATION OF REAL PROPERTY OWNED  
BY WILTON EARL JONES, AND LOCATED AT 30 TANNER  
ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED  
PERCENT (100%) METHOD**

Petitioner, Wilton Earl Jones, is the sole owners [freeholders 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 6.7 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 properties consisting of approximately 6.7 acres, 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 PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin, 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 14<sup>th</sup> day of July, 2022, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin.

8-25-22, 2022  
Date

  
Wilton Earl Jones

  
Witness

  
Witness

EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as a 6.65 acre tract on that certain plat by C. L. Riddle, dated February 18, 1983, and which said plat is recorded in the Register of Deeds Office for Greenville County, South Carolina, in Plat Book 9-Q, at Page 10, reference to said survey being hereby made for a more complete metes and bounds description thereof.

TAX MAP #0547.03-01-043.02

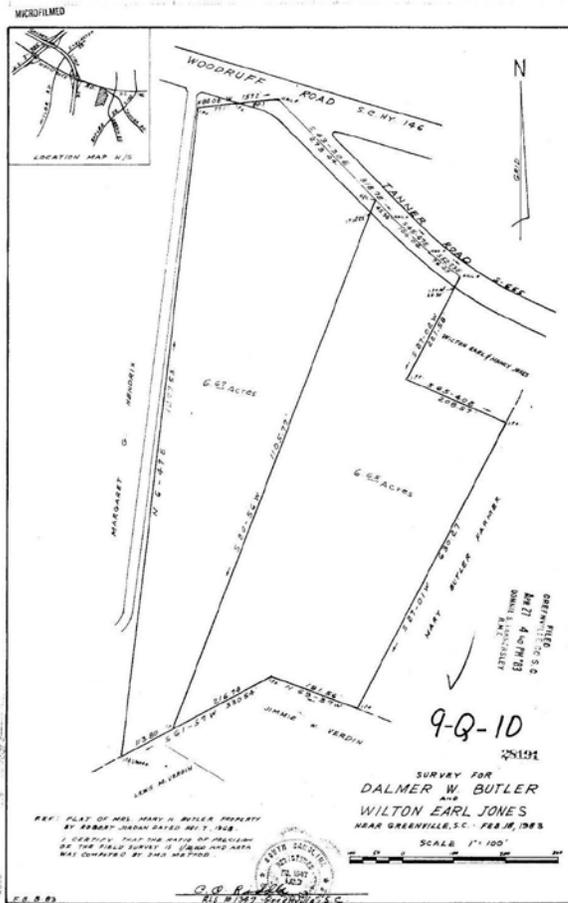
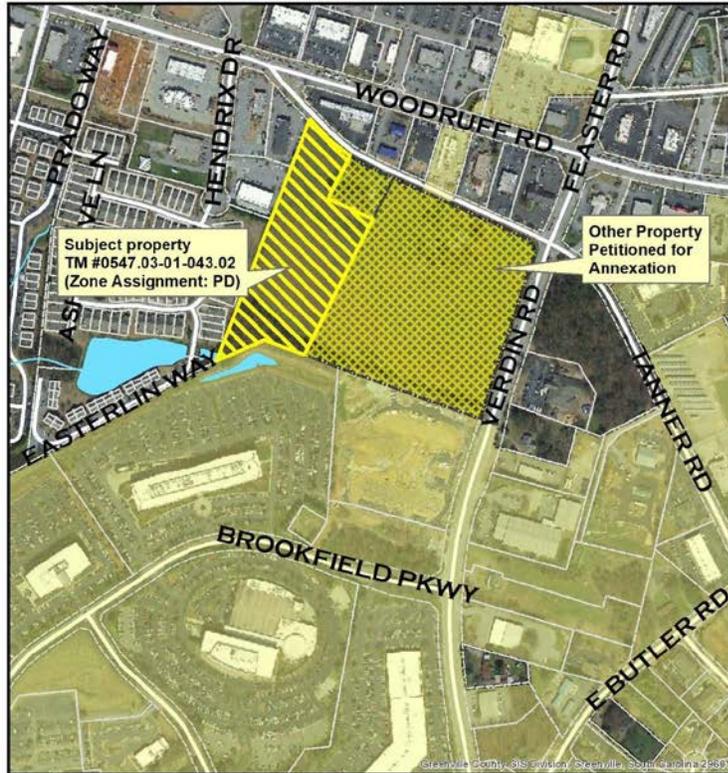


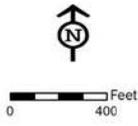
EXHIBIT B

PROPERTY MAP



**Legend**

- Subject Property
- Other Property for Annexation
- Mauldin City Limits



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**ORDINANCE \_\_\_\_-2022**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY C. LYNN FARMER AND ELAINE F. AYSCUE, AND LOCATED AT 50 TANNER ROAD (TAX MAP PARCEL: 0547.03-01-043.00) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF PD, PLANNED DEVELOPMENT, FOR SAID PROPERTY**

WHEREAS, C. Lynn Farmer and Elaine F. Ayscue, are the sole owners of record title of a parcel of real property containing 13 acres, more or less, located at 50 Tanner Road, 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 C. Lynn Farmer and Elaine F. Ayscue, 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, C. Lynn Farmer and Elaine F. Ayscue, 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 PD, Planned Development, is compatible with the surrounding property uses in the area; 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 C. Lynn Farmer and Elaine F. Ayscue, 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 Tanner Road and Verdin Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the aforementioned right-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 owned is hereby zoned PD, Planned Development, as detailed in Exhibit 3 attached hereto.

---

Terry Merritt, Mayor

ATTEST:

---

Cindy Miller, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

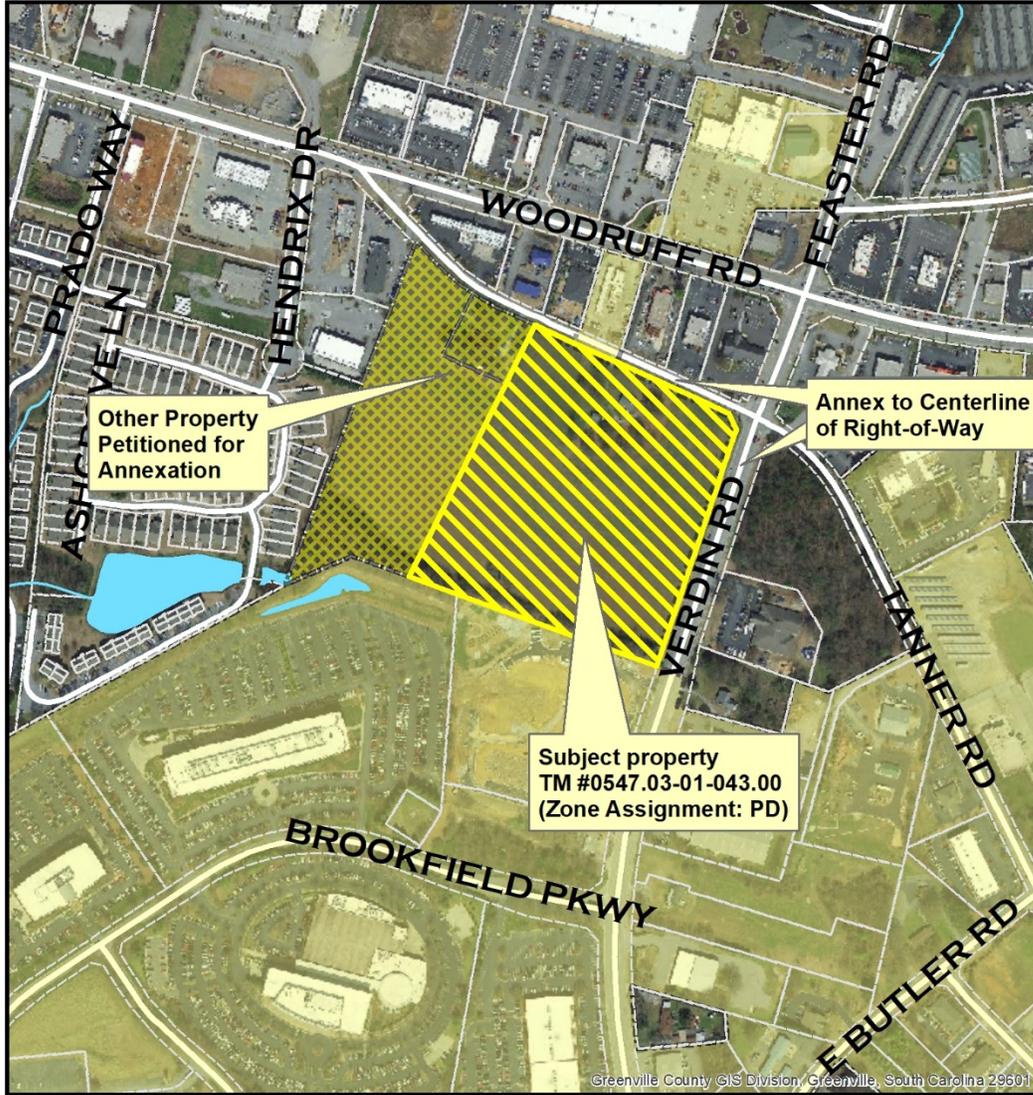
Approved as to Form:

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City Attorney

# EXHIBIT 1 – ANNEXATION MAP

## 50 Tanner Road Annexation Map



**Legend**

-  Subject Property
-  Other Property for Annexation
-  Mauldin City Limits


0 400 Feet

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## EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF REAL PROPERTY OWNED  
BY C. LYNN FARMER AND ELAINE F. AYSCUE, AND  
LOCATED AT 50 TANNER ROAD INTO THE CITY OF  
MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioners, C. Lynn Farmer and Elaine F. Ayscue, are the sole owners [freeholders 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 13 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 consisting of approximately 13 acres, 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 PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin, on the Official Zoning Map of the City of Mauldin.

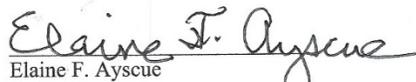
This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 14<sup>th</sup> day of July, 2022, before the first signature below is attached.

The Petitioner requests that the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of PD, Planned Development, in accordance with the corresponding Planned Development documents subject to approval by the City of Mauldin.

JULY 18, 2022  
Date

  
C. Lynn Farmer

  
Elaine F. Ayscue

  
Witness

  
Witness

EXHIBIT A

PROPERTY DESCRIPTION

All those certain pieces, parcels or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, being shown and designated as "Tract No. 2" and "Mary B. Farmer" lot, containing 14.4 acres, more or less, on Tanner Road and Verdin Road, upon a survey entitled "Property of Mrs. Mary H. Butler", dated November 7, 1968, prepared by Robert Jordan, reference to said survey being hereby made for a more complete metes and bounds description thereof.

Less all those certain pieces, parcels or tract of land transferred by C. Lynn Farmer and Elaine F. Ayscue to the South Carolina Department of Transportation on June 4, 2002, and recorded in Book 2002 Page 0172 with the Register of Deeds for Greenville County, South Carolina.

TAX MAP #0547.03-01-043.00

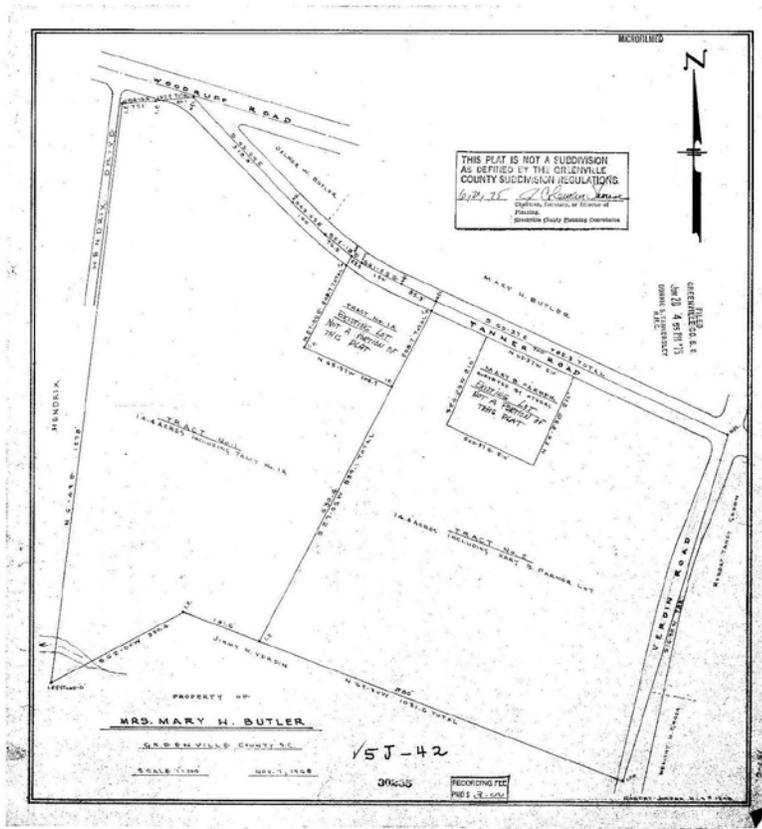
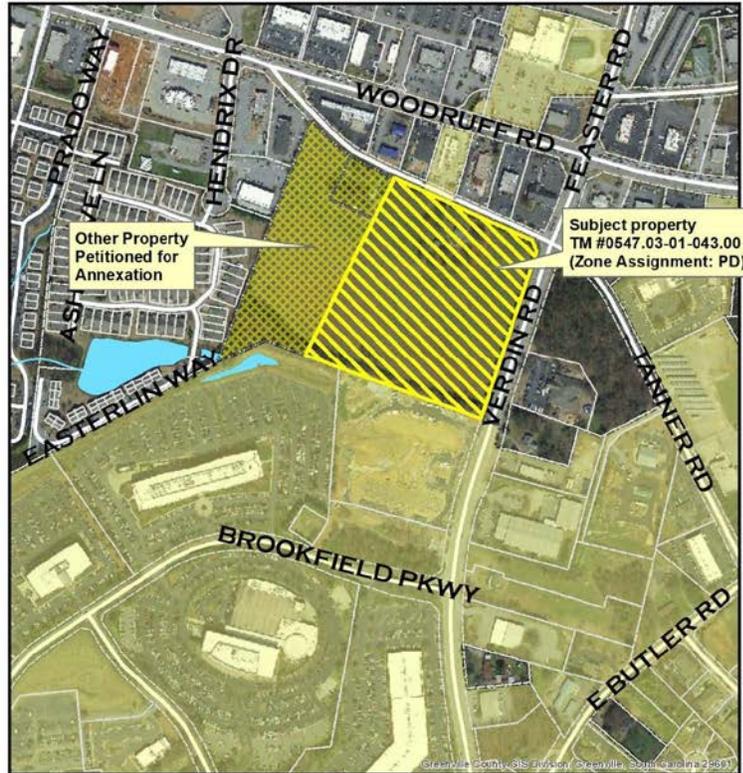


EXHIBIT B

PROPERTY MAP



**Legend**

- Subject Property
- Other Property for Annexation
- Mauldin City Limits

0 400 Feet

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07/13/2022

VIA EMAIL: [ddyrhaug@mauldincitysc.com](mailto:ddyrhaug@mauldincitysc.com)  
Mr. David Dyrhaug  
Planning Director  
City of Mauldin  
5 E. Butler Road  
Mauldin, SC 29662  
Phone: 864-289-8979

RE: Community Meeting Summary  
**Tanner Road Mixed Use Development**  
City of Mauldin, Greenville County, South Carolina

Dear Mr. Dyrhaug:

The community meeting for the subject project was held on July 11<sup>th</sup>, 2022 from 5pm to 7 pm at the Mauldin Library on 800 W Butler Road in Mauldin.

The meeting was hosted by the development team which included Tom Burr with Flournoy Development Group, David Graffius with Gray Engineering Consultants, Inc. and Allen Reid with Impact Designs, Inc who is the traffic consultant.

More than 25 members of the community were present to view the site plan and architectural rendering and to discuss their comments, questions and concerns. Attached please find the sign-in sheet, question/response cards, visual boards used at the meeting and a copy of the mailed/received notices and mailing list.

The format of the meeting was an open informal discussion where members of the development team discussed the project with the community individually. Then, the development team made a short presentation of the project to the group with an introduction of the development team and highlighted the overview of the project. The meeting discussions continued and the meeting lasted all 2 hours and the following subject questions were raised during the discussion. The development team answered these questions. Refer to questions/response cards for specific questions/responses.

- Nearly all the members of the community present were from Woodruff Crossing condos, adjacent to the west of the project site. The owner of the Greenville Car Wash was present along with the owners of the subject property.
- Questions about the existing vegetation between the condos and the subject property would be impacted.
- Questions about traffic and how this project would impact traffic in the area. The community was concerned that the intersections now operate poorly and this will be worse.
- Questions about stormwater. The community noted that they are under contract now for over hundred thousand dollars for stormwater remediation to their pond. They also pointed out that the existing apartments between them and Verizon next to their pond, have their foundations exposed due to the erosion for their pond. They worry the stormwater from this project will make it worse.

Gray Engineering Consultants, Inc.

Office: (864) 297-3027

132 Pilgrim Road Greenville, SC 29607

[www.grayengineering.com](http://www.grayengineering.com)

- Questions about existing storm runoff immediately behind the condos next to the property were raised. These owners said that there is a shallow ditch that captures runoff from the subject property and inundates this low area with rainwater.
- Questions were raised about the potential of foot traffic from the new apartments going through the Woodruff Crossing property to get to QT, KFC or Walmart. They requested some type of barrier to deter this from happening.
- Questions were raised about site lighting and ambient light pollution.
- Questions were raised about the type of project, whether it is apartments or homes, what type of buildings they are, how high they are.
- Questions were raised about how the new development would affect their home values.
- Questions were raised about existing infrastructure such as available existing sewer capacity.

A list of the main concerns discussed in bold below and the main responses to address them provided:

1. **Stormwater.** The development will provide an on-site detention pond that will be sized to handle large storm events and attenuate peak flows to at or below current conditions.
2. **Traffic.** While traffic impacts are being seriously considered, based upon the analysis performed by Design Impacts, Inc., increased traffic is expected to be spread out amongst driveways and road system with no major mitigation recommended. There is a potential for the signal at Woodruff/Verdin to be modified to ease congestion on Verdin/Tanner. The traffic study will be subject to the review and approval by the SCDOT.
3. **Existing Vegetation.** An attempt will be made to maintain as much existing vegetation as possible and to provide new plantings where possible.
4. **Property Security.** This development will consider new fencing and/or measures to keep pedestrians from this development out of their property.

These considerations are all seriously being considered by the owner and engineer and internal discussions are on-going as to how the comments received can be best addressed and incorporated into the project to make it the best project possible for the community.

Should you have any questions or comments or if further detail is needed, please do not hesitate to contact me direct at 864-297-3027 ext 124 or by my email below.

Very truly yours,  
GRAY ENGINEERING CONSULTANTS, INC.



David J. Graffius, P.E.  
Project Manager  
[dgraffius@grayengineering.com](mailto:dgraffius@grayengineering.com)

- 2 -

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**SITE INFORMATION**

TOTAL SITE AREA (APPROX.): 20.9 AC  
 PROPOSED ZONING: PD

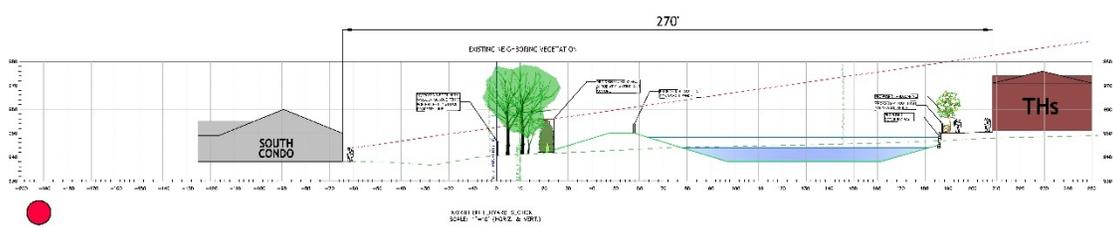
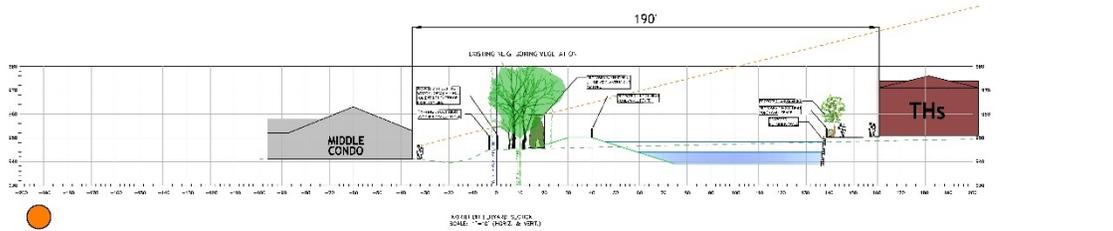
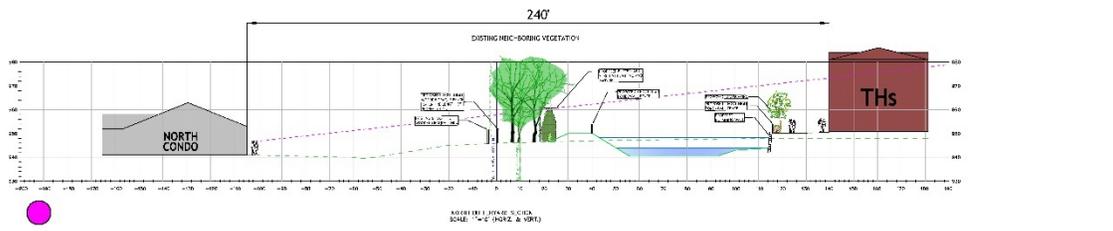
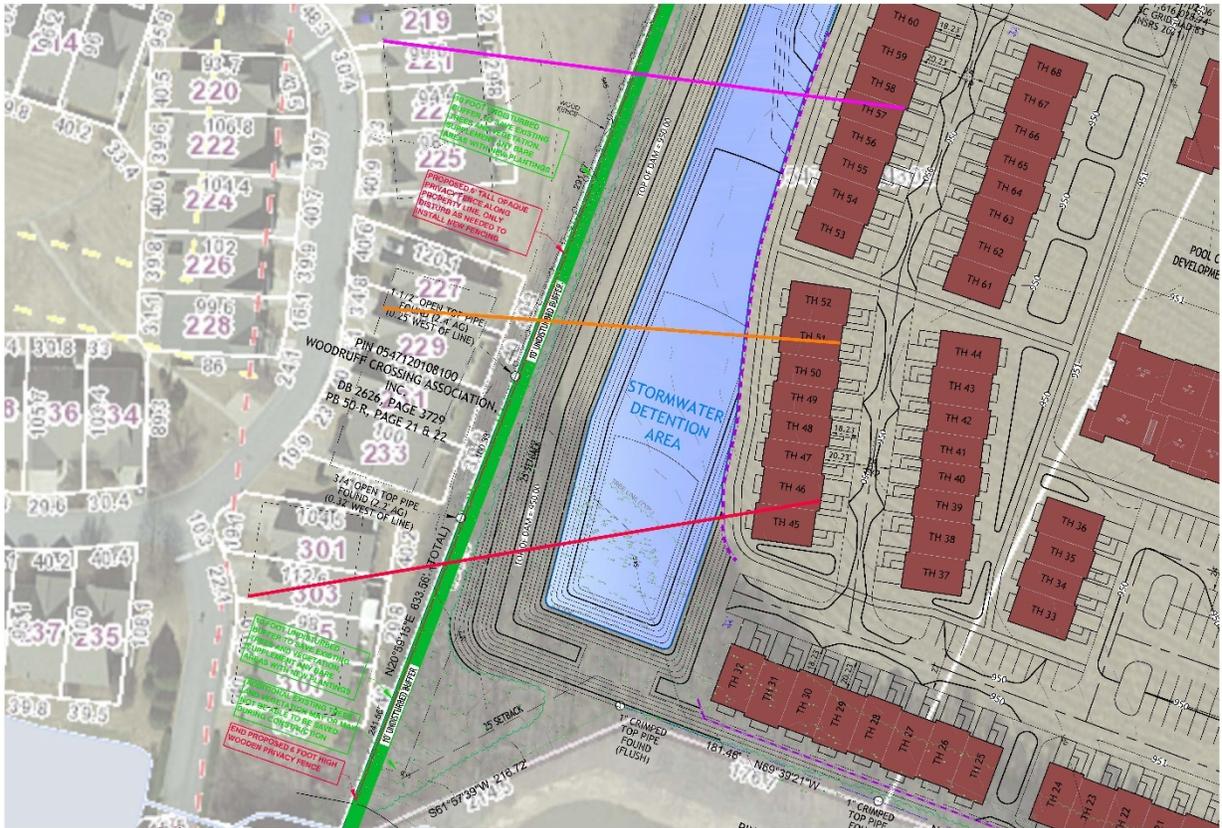
**LEGEND**

- MULTIFAMILY**
  - (M) 4 STORY (TYPE VA)
  - TOTAL UNITS: 345 (MAXIMUM)
  - AVG. NUMBER OF BEDS PER UNIT: 1.3 - 1.4 (APPROX.)
  - TOTAL PARKING: 566 SPACES (INCLUDING GARAGES)
- AMENITIES**
  - (A) PROPOSED MULTIFAMILY CLUB / LEASING
  - TOTAL: 12,000 SF (APPROX.)
  - (C) PROPOSED MAINTENANCE / DOG WASH
  - TOTAL: 950 SF (APPROX.)
- WORK SPACE**
  - (W) GROUND FLOOR WORK SPACE:
  - 14 UNITS (MAXIMUM)
  - TOTAL: 16,000 SF (APPROX.)
- TOWNHOMES**
  - (TH) 2 & 3 STORY TOWNHOMES:
  - 100 UNITS (MAXIMUM)
  - AVG. NUMBER OF BEDS PER UNIT: 2.2 - 2.8 (APPROX.)
  - SERVED BY 1 CAR GARAGE & TANDEM SPACE
- GARAGES**
  - (G) 6 BAY GARAGES
  - NO. OF GARAGES: 4
  - TOTAL GARAGE PARKING: 24 SPACES
- CARRIAGE HOMES**
  - (CH) 2 STORY UNITS ABOVE 6 BAY GARAGES:
  - 8 UNITS (MAXIMUM)
  - AVG. NUMBER OF BEDS PER UNIT: 2.0 (APPROX.)
  - TOTAL GARAGE PARKING: 18 SPACES

**TOTAL UNITS: 473 (MAXIMUM)**

ALL ON-SITE RESIDUAL WATER MANAGEMENT FACILITY SHALL BE DESIGNED TO MEET GREENVILLE COUNTY STANDARDS AND SHALL ATTENUATE PEAK FLOW RATES FROM THE DEVELOPMENT TO LESS THAN PRE-DEVELOPMENT CONDITIONS.







**FLOURNOY**  
Development Group

**TANNER ROAD DEVELOPMENT**  
GREENVILLE COUNTY, SOUTH CAROLINA  
PRELIMINARY DEVELOPMENT PLAN • 08-10-2022

**DYNAMIK**  
DESIGN

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**FLOURNOY**  
Development Group

**TANNER ROAD DEVELOPMENT**  
GREENVILLE COUNTY, SOUTH CAROLINA  
PRELIMINARY DEVELOPMENT PLAN • 08-10-2022

**DYNAMIK**  
DESIGN

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**Tanner Road Mixed Use Community  
Statement of Intent**

**City of Mauldin, SC**

**August 2022**

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## **General Overview**

This Statement of Intent describes in detail a proposed mixed use community, at the intersection of Verdin Road and Tanner Road. The site is approximately 20.99-acres and will be described in this Statement of Intent as the Tanner Road Mixed Use Community. The site has approximately 1,000 feet of frontage on Tanner Road which is the northern boundary of the site, and approximately 725 feet of frontage on Verdin Road which is the eastern boundary of the site. The site consists of three parcels currently zoned R-S in Greenville County, TMS 0547030104300, 0547030104301, and 0547030104302 and are currently owned by the Ayscue and Farmer (0547030104300) and Jones (0547030104301 and 0547030104302) families. Combined, these three parcels comprise the ~20.99-acre site discussed herein.

The existing property is currently surrounded by or is in close proximity to a mixture of uses including an office park, heavy commercial, neighborhood retail, assisted living development, a carwash, self-storage, attached single family, a bank, and other heavy commercial uses like a gas station. The property is currently in Greenville County and is used for agricultural though surrounded by commercial and office uses.

Flournoy Development Group, who has successfully purchased and developed or is in-process of developing 5 other properties in Greenville, will be the master developer of the Tanner Road Mixed Use Community. This site was chosen due to its centralized location in the region with convenient proximity to an abundance of employment opportunities, shopping, services, entertainment options, a robust roadway network, and the opportunity for this development's future residents to support and be part of the surrounding community. The site is truly a location where its residents can live, work, and play within an activated environment.

The Tanner Road Mixed Use Community will encompass a mix of uses including both multifamily residences and townhomes, along with live/work units integrated into select buildings that front the main drive accessing the community from Verdin Road. The development will include no more than 365 multifamily residences, 100 townhomes, 8 carriage homes, and 14 work spaces. These work spaces will be physically connected to the residential unit above to allow the tenant to combine the work space with the residential unit above to become what we describe as a live/work unit. For clarity in this Statement of Intent, when describing density or number of units, we will divide these live/work units into live space (i.e., an apartment unit) and work space(s). By way of example, if we describe having 14 live/work units, this would equate to 14 apartment units and 14 work spaces.

As outlined above, the development will have no more than 14 work spaces which can be combined with their associated living space above. The work portion of these units will generally range from approximately 700 square feet to approximately 1,200 square feet or larger. The work spaces are intended to be used for small office spaces or small-scale neighborhood retail uses and are primarily geared towards entrepreneurs, small businesses, and professionals. Examples of uses that may be seen in a live/work unit are an accountant, architect, artist/artisan, attorney, computer software and multimedia related professional, consultant, engineer, a coffee shop, fashion designer, clothing boutique, graphic designer, interior designer, hair stylist, home-based office worker, insurance agent, real estate or travel agent, one-on-one instructor, photographer, and other

similar occupations. Uses that are not intended for this type of space include, for example, vehicle repair or maintenance, adult businesses, massage parlors, large commercial restaurants utilizing a commercial kitchen, and uses that create excessive noise, dust, heat, smoke, and odors that are considered a nuisance or are unsafe for other residents or employees. If changing marketplace conditions result in little to no demand for the work spaces, we may consider requesting a formal change to the Planned Development (PD) to convert these work spaces to standard apartment units in accordance with the City of Mauldin's PD procedures.

It is the desire of Flournoy Development Group for the subject property to be rezoned to Planned Development (PD), to allow for a development that is innovative in its land planning and site design concepts to create a high quality of life for its residents. We intend for the development to achieve a high level of aesthetics and be a development that exemplifies quality while promoting community, connectivity, and walkability across a variety of dynamic uses and residential product types.

### **Multifamily Residential Units**

The total acreage of the site is approximately 20.99-acres and we are proposing no more than 473 multifamily residential units including the townhomes and carriage homes. The units will have a mixture of sizes, including 1, 2, and 3 bedroom dwellings. Units will vary in size from approximately 600 square feet up to approximately 1,600 square feet or more across the various product types previously described. Buildings will range from 2 stories to 4 stories in height. The exteriors will be constructed with a variety of materials but will consist primarily of masonry and fiber cementitious board. In addition to the multifamily units, residents will also have access to a plethora of amenities which are proposed to include but not be limited to upscale club space, meeting rooms for residents who work from home, co-working space, fitness and wellness rooms, a dog park, mail kiosk, package lockers, a swimming pool courtyard, and other courtyards containing outdoor entertainment spaces, grills, firepits, and other amenities.

### **Work Space**

The work spaces previously described are also a part of the approximate 20.99-acre site. These spaces will not be separate buildings and are designed to be vertically incorporated into several of the main buildings located along the main drive entering the community on the ground level of the buildings, with the intention to create an activated "main street" feel at this primary community entry. Work spaces will range in size from approximately 700 square feet to 1,200 square feet or larger. Due to these spaces being incorporated into the main multifamily buildings, the building heights are the same as the multifamily residential buildings. Parking for these units will be available in front of the buildings along the main entry drive as well as around the side and behind the buildings. Due to the nature of the work space, we anticipate that almost all the spaces will be occupied during normal working hours.

### **Property Maintenance**

Due to the nature of this development, the property will remain one parcel and is not intended to be subdivided or sold to separate owners. As a result, no property owner's association will be needed, as all maintenance for this community will be performed by the owner or their property management company. This includes private drive aisles, parking, storm water systems, sidewalks, landscaping, trash pickup, and all other aspects of the community needing maintenance. There will also be a single automobile wash area for resident use only as well as a maintenance building and trash compactor.

### **Development Schedule**

Planning and due diligence are currently in progress for the subject site and will continue until the property is fully rezoned. Once rezoning is complete, construction documents will be developed and submitted for permitting. Once permits are received and the property is closed, it is anticipated that construction will begin. We anticipate this to occur during the first quarter of 2023. The project will be completed in one phase with each building turning over at different times in a planned sequence. We anticipate our first building to open around the third or fourth quarter of 2024 and construction to be complete by late 2024 or early 2025.

### **Roadways and Interconnectivity**

The Tanner Road Mixed Use Community currently has three proposed main points of ingress and egress. One is from Tanner Road and two from Verdin Road. All roadway improvements will be internal to the development and will be private. A traffic impact study has been completed by a South Carolina licensed engineer and associated recommendations included within this study are currently under review by SCDOT. Based upon this traffic impact study, any increased traffic is expected to be spread out amongst driveways and road systems, and outside of potential traffic signal optimization at the Woodruff Road/Verdin Road intersection, or potential restriping of one northbound lane on Verdin Road to facilitate a dual left-turn lane from Verdin Road onto Woodruff Road, no additional roadway improvements or traffic mitigation measures are recommended or warranted (per the traffic impact study). Note that any roadway improvements and/or traffic mitigation measures will be installed or implemented as may be required and approved by SCDOT. Sidewalks (5') will be installed along Tanner Road as well as Verdin Road in order to promote walkability and connectivity to the surrounding community and larger public sidewalk system. In addition to this sidewalk, the internal sidewalk system within this development is designed to connect to the sidewalks along Tanner Road and Verdin Road, which creates convenient permanent connectivity to the vacant adjacent parcel.

Relative to parking: the current design meets or exceeds the City of Mauldin minimum parking requirements for multiple-family dwellings (multifamily units and townhomes) and live/work units. In addition, minimum parking per industry standard will be provided based upon

the final unit mix. The parking spaces will typically be 9' x 18' for all parking spaces whether back-to-back or adjacent to a curb or sidewalk. Handicap spaces will also be 9' x 18'.

### **Impact on Public Facilities**

#### **Sanitary Sewer**

New sewer lines will be installed within the community itself by the developer and dedicated to the appropriate Sewer Sub-district. Sewer service is available and capacity analysis and sanitary sewer connections are currently being studied and reviewed.

#### **Water**

Water service is available from Greenville Water, and all necessary lines and connections will be installed by the developer as a private water main system to serve the project for water supply and fire service.

#### **Electricity**

Electricity is available from Laurens Electric, and underground power lines will be installed within the community.

#### **Storm Drainage**

Stormwater Management for the project will provide a permanent on-site storm drainage system and stormwater detention facility which will serve both water quality and water quantity. These systems will be designed to meet or exceed all local, state and federal regulations involving stormwater flows as well as an extensive erosion and sedimentation control plan for construction. Stormwater will continue to be released onto adjacent properties and will be designed to maintain the current existing flow pattern and direction without any adverse impact on downstream features. The stormwater system, including the detention ponds, will be maintained by the developer/owner.

#### **Garbage Collection**

Garbage collection will be by private contract carrier. All garbage will be collected in an enclosed trash compactor which will serve the entire community and can also be accessed by all residents and work space tenants. The compactor will be enclosed and hidden by an opaque building material which will complement the materials used within the development.

#### **Fire Protection**

Mauldin Fire District will provide fire protection within the community.

### **Design Style**

The design style of the Tanner Road Mixed Use Community begins first with the site plan, which was intentionally designed to account for the relationship between the buildings within the site as well as the relationship between the buildings on-site and the surrounding properties, views, and roadways. As reflected on the site plan, the main leasing office as well as the live/work units all front the main entry drive entering the site from Verdin Road. This was done intentionally in order to create a more active, public, and engaging streetscape by tapping into a “main street” style look for residents and visitors as they enter the community. The use of L-shaped and U-shaped buildings also allows for more interesting spaces between buildings, creating a slightly more urban feel and allowing for the integration of courtyards throughout the site to produce more relaxed spaces for residents to enjoy.

The architecture of the project is also highly intentional and complimentary to the site plan as well. Since much of the surrounding land around the site is developed, our intention is to create a development that goes above-and-beyond a standard apartment community. With the addition of an architectural style that ties more traditional suburban qualities with a slightly more modern urban design, we have successfully designed a more transitional community that is not only compatible with, but also adds a fresh look to the surrounding community. The architectural style of all the buildings and amenities is intended to bridge the more historic residential warmth of the city with the more commercialized feel of the area surrounding the site. Traditional exterior materials of brick and cementitious siding are creatively combined for a more modern look, blending seamlessly with the commercial storefronts, retail canopies or awnings, and signage at the live/work units along the main entry drive. Masonry and detailing at the street level will create a more pedestrian scale and interest, inviting the surrounding community into the development.

### **Landscaping and Screening**

The Tanner Road Mixed Use Community will have a large array of different types of landscape depending upon the site area in question. Frontage along Tanner Road and Verdin Road will consist of street trees and other decorative landscaping around monument signs and the site entrances while a 10’ landscape buffer is maintained on these road frontages. In addition, and in response to feedback from the adjacent neighborhood, we have agreed to provide a minimum 10’ existing vegetative buffer yard along the entire western property line that will only be accessed and disturbed in order to construct an opaque privacy fence along the property. Any currently bare areas within this 10’ undisturbed buffer will be supplemented with new plantings as needed that will grow to a minimum 14’ tall at maturity. We are also responding to the neighboring community’s concerns by agreeing to also install a 6’ opaque privacy fence as a buffer in order to prevent foot traffic through the adjacent neighborhood. This privacy fence will essentially run the entire western property boundary.

In addition to the privacy fence and existing vegetative/undisturbed buffer along the western property line, in areas where the existing vegetative buffer is non-existent, we will supplement the existing vegetation with evergreen shrubs which will be of a variety that will grow a minimum of 14’ tall. These will be installed approximately 10’ apart and serve as an

additional form of landscaping screening to the adjacent neighborhood. The detention pond, which will also serve as a natural deterrent to foot traffic entering the neighboring community to the west, as well as the dog park will be surrounded by a 4-rail wooden fence with horse wire, similar to the one in the example photos enclosed within this Statement of Intent.

In addition to the landscaping and buffers, the interior of the property will follow the below landscaping guidelines:

- Plant material will be installed in parking lot islands, around all building foundations, in courtyards, and along all public roadways.
- Where powerlines are present and large canopy trees cannot be planted, lower understory trees will be selected from Duke Energy's approved plant list.
- A mixture of deciduous canopy trees and evergreen trees will be planted throughout the community in tree islands and courtyards to create different spaces throughout the community for residents and visitors to enjoy. Grasses and ground covers will be used throughout the community to reduce heat, prevent erosion, and create an aesthetically pleasing landscape for the residents and the public. Mulch will also be used throughout to promote healthy plants, reduce erosion, and to help reduce water consumption.
- All landscaping will be maintained regularly, and an irrigation system will be used to assist in keeping plant material vibrant and healthy. For water conservation, rain sensors and soil moisture sensors will be utilized in the community as well.

Hardscape material will also be utilized in certain areas of the site to promote an aesthetically pleasing community and to delineate spaces that are more public in nature and spaces that are more socially active. A mixture of pavers, concrete, and other materials will be utilized to this end.

### **Signage**

Signage will meet the City of Mauldin Sign Ordinance. Monument signs or a blade sign will be used at the main entrances. Monument signage (if utilized) along Verdin Road will not exceed 10' in height, and one smaller single faced monument sign along Tanner Road that will not exceed 8' in height. The monument sign will include our property name and may also include the name of the work space tenants. Materials shall be the same or similar in nature to the main building materials and the design will complement the architecture of the community. The sign will be either internally lit, back-lit, or lighted with a ground mounted light. No neon or scrolling/moving text shall be used. There may also be signage in front of or above the main entry of each work space in order to identify each individual business. This signage will either be part of an awning over each entry or a sign that is hung perpendicular on the side of the building. See example photos enclosed on later pages of this Statement of Intent for additional reference. The leasing office will also have signage in front of the space or above the entry in order for visitors to identify the main entry point into that space. Directional signage will also be incorporated throughout the development to assist visitors and emergency vehicles in navigating the property efficiently.

### **Site Lighting**

Lighting for the Tanner Road Mixed Use Community will vary depending on the application it is being used for. Along interior streets and parking, where buildings are nearby, and pedestrian activity is highest, decorative lantern type streetlights with a mounting height of no more than 18' will be used to light the community. Due to feedback from the neighboring community, we are also minimizing lighting along the western property line and where present and within 50' of the western property line, will reduce the height of those light poles to 12'. In limited areas where we have more than one row of parking, or near property lines, downlight shoebox type fixtures will be used to light these more open areas and will have a mounting height of no more than 20' in height. Specialty areas on-site, like courtyards and around the pool, may possibly incorporate roughly 4' high bollards for more localized lighting. Bollard lights will be full cutoff. Building lighting will also be incorporated into select areas of the buildings to introduce lighting to patios, balconies, and entry points into the buildings. All lighting near property lines will be full cut-off fixtures to prevent light from bleeding onto the adjacent properties.

**Example Reference Photos**

*Example of 4 rail wooden fence with horse wire. Also, an example of “lantern” type light poles.*



*Example of “lantern” lighting and ground level bollard lighting (full cutoff).*



*Examples of courtyard design.*



*Example of courtyard amenities.*



*Example of Live/Work space.*



*Examples of Live/Work space.*



*Examples of Monument Signs.*



*Example of Monument Sign.*



*Example of Live/Work Space signage.*



*Example of Live/Work Space signage.*



*Examples of full cutoff Shoebox Light (per Laurens Electric Cooperative, Inc.). Subject development intends to utilize similar fixtures.*



*Example of full cutoff Lantern Pole Light (per Laurens Electric Cooperative, Inc.). Subject development intends to utilize similar fixtures.*



*Example of wooden fencing/privacy fence.*



# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8c

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**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT:** Code Enforcement of Nuisances

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## **BACKGROUND**

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The City of Mauldin's nuisance ordinance currently refers to the Building and Zoning Director as responsible for the enforcement of the standards therein. Not only does the City not have a position by this name, but it has been the City's practice for the City's code enforcement officer to conduct the enforcement of the City's nuisance standards.

## **DRAFT ORDINANCE**

---

The attached ordinance, reviewed by the City Attorney, replaces the Building and Zoning Director with the Code Enforcement Official as the staff responsible for the enforcement of the City's nuisance standards.

See the attached draft ordinance for the full text of said ordinance.

## **TIME LINE**

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On September 6, 2022, the Building Codes Committee voted 2-0 to forward this ordinance to City Council for consideration.

## **REQUEST**

---

This draft ordinance is being presented to the Building Codes Committee at this time for review and comment. If the Committee chooses, they may recommend this ordinance to the City Council for review.

## **ATTACHMENTS**

---

Draft Ordinance

**ORDINANCE # \_\_\_\_\_**

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 FOR OTHER  
MATTERS RELATED THERETO

**WHEREAS**, the Mauldin City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

**WHEREAS**, the City of Mauldin recognizes the need to protect against nuisances that may impair public health, safety, and general welfare; and,

**WHEREAS**, the City of Mauldin desires to amend its ordinance to authorize the codes enforcement official rather than then the building and zoning director to take enforce certain provisions contained in Chapter 18, Article II; and,

**WHEREAS**, the City of Mauldin finds that the following amendments to Chapter 18, Article II (Nuisance) promotes the health, safety, and welfare of the citizens and residents of the City of Mauldin.

**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 Chapter 18, Article II, Nuisances, 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*):

CHAPTER 18 – ENVIRONMENT

\*\*\*

ARTICLE II. – NUISANCES

DIVISION 1. – GENERALLY

Section 18-31. – Condition of premises generally.

All persons shall maintain their yards, cellars, drains, stable lots and all other lands owned or occupied by them in the city, whether occupied or vacant, in a clean and healthy condition. It shall be unlawful for the owner or occupant of any premises within the city limits to permit such premises to become filthy, dirty or so filled with rubbish as to emit dangerous or disagreeable odors to the annoyance or discomfort of persons who reside or transact business in that locality or who may pass along any street, lane, ally or sidewalk in the vicinity. Any place so kept or permitted is hereby declared a nuisance, subject to abatement by the ~~building~~

~~and zoning director~~ code enforcement official or other official designated by the City Administrator.

Section 18-32. – Report of unsanitary conditions to council.

It shall be the duty of the ~~building and zoning director~~ the code enforcement official or other official designated by the City Administrator to report unsanitary conditions of buildings and premises to the City Administrator, who, in turn, shall inform the city council.

Section 18-33. – Prohibited acts.

It shall be unlawful for any person to do any act which offends, endangers, injures or impairs the health, safety or life of any individual. Any such act is hereby declared a public nuisance.

Section 18-34. – Unsanitary, unsightly and unsafe conditions.

- (a) All premises within the city, whether vacant, improved or occupied, shall at all times be kept in a sanitary condition. All damp low places and all garbage, leaves, trash cans, vessels, broken bottles, pieces of metal, china, glass or other materials that may hold water are hereby declared to be a public nuisance. Weeds, grass and other rank vegetation which is allowed to grow, stand uncut upon, or garbage, trash, eroded soil and other debris allowed to accumulate and remain on any lot or allowed to spill into the public right-of-way, so as to render the premises unsightly or unsanitary, are hereby deemed and declared to be a public nuisance and a detriment to health and safety. The occupant or lessee of any such premises and the owner, his agent, representative or employee having control of any vacant premises within the city who shall permit or tolerate the existence of any conditions condemned in this section shall be guilty of a misdemeanor.
- (b) It shall be the duty of any owner and any lessee, occupant, agent or representative of the owner of any lot or parcel of land to cut or cause to be cut all weeds, grass and other rank vegetation and to remove all garbage, trash, eroded soil and other debris as often as may be necessary to prevent the development of any of the conditions which are prohibited in this section.

Section 18-35. – Conditions affording food or harborage for rats.

- (a) It shall be unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish or trash in any building, vehicle and their surrounding areas in the city so that the same shall or may afford food or harborage for rats. Any violation of this section shall constitute a public nuisance.
- (b) It shall be unlawful and constitute a public nuisance for any person to permit to accumulate on any premises, improved or vacant, or on any open lots or alleys in the city, any lumber, boxes, barrels, bricks, stones or similar materials and permit them to remain thereon unless the same shall be placed on open racks that are elevated not less than 18 inches above the ground and evenly piled or stacked, so that these materials will not afford harborage for rates or violate any other provisions of this article.

Section 18-36. – Abatement.

- (a) The ~~building and zoning director~~ code enforcement official, upon receiving notice of the existence of any condition declared by this article, shall notify the existence of any condition declared by this article, shall notify the person responsible for such condition to clean up his premises and abate such public nuisance within ten days. It shall be sufficient notification to deliver the notice or a copy thereof to the person to whom it is addressed or to deposit a copy of such notice in the United States mail properly stamped and directed to such person at his last known address and post a copy thereof on the premises upon which the public nuisance exists. If service of notice cannot be obtained in either of such methods, notice will be posted in a conspicuous place, for 24 hours, on the premises where the violation has occurred.
- (b) Upon failure of the person to abate the cited public nuisance, as provided for in this section, within ten days after notice, a person violating these provisions of this section shall be deemed guilty of a misdemeanor and punished in accordance with section 1-6.
- (c) The employees or agents of the City may enter upon the premises of the offending person and cause the public nuisance to be removed therefrom. The cost of removing such nuisance shall become a lien upon the land, and such person shall be liable to the city for the costs of removal or abatement in addition to being subject to prosecution for violating this article.

Section 18-37. – Right of entry to abate.

The ~~building and zoning director~~ code enforcement official, together with his subordinates, assistants, workers, employees and agents, shall have the power to enter upon any premises within the City upon which there is suspected to be a public nuisance for the purpose of abating the same. Any person who in any manner hinders or obstructs any authorized officer or representative of the city in the inspecting of any premises within the City limits, in the abatement or removal of any public nuisance, or in the discharge of any duties prescribed in this article or any other ordinance for the prevention or correction of any unsanitary, unsightly, or unsafe condition in the City shall be guilty of a misdemeanor.

\*\*\*

**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:

\_\_\_\_\_  
Daniel Hughes, City Attorney

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8d

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**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT:** Light Trespass Ordinance

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## BACKGROUND

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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. Some draft standards were considered by City Council on June 20, 2022. At that meeting, various members of City Council discussed concerns including:

- What training or equipment will be required to enforce the standards of the ordinance?
- Preference for standards that are quantitative and can be measured rather than standards that may require the judgment of the enforcement officer
- Preference for standards that don't rely on the interpretation of an official
- Preference for a radius where the complaint can be generated

## CURRENT MAULDIN STANDARDS

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Presently, the City of Mauldin has some 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.

## NEIGHBORING JURISDICTIONS STANDARDS

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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.

## DUKE ENERGY PROCEDURES

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City staff recently had the opportunity to meet with Duke Energy officials to discuss the provisions being considered by the City of Mauldin. These officials commented that light glare is very difficult to define and enforce. Their experience is that what is perceived as glare is different from case to case. They advised that it is much easier to define, measure, and enforce light trespass as measured in foot-candles. They also expressed that the height restrictions that the City was considering for lights was not consistent with their practice. The light poles that they typically install have a height of about 25 feet above the ground, not

including pedestrian lights which generally are shorter. They also advised that restricting light pole height may have little effect if adjacent properties have different grade elevations.

These officials also explained the procedures they follow when installing light poles and reviewing subsequent complaints. A property owner who requests the installation of a Duke light pole is required to sign a contract with Duke Energy. Included in the contract is a provision that the customer agrees to abide by local ordinances. When Duke Energy receives complaints about lights, they generally direct the complainant to talk directly to the property owner of the offending light. They do this to avoid getting in the middle of neighbor disputes. The property owner is able to request that Duke Energy make adjustments to the light to mitigate the concerns from a neighbor. Depending on the nature of the concern, Duke Energy is able to shield the light, lower the light on the pole, change out the color of the light, among other solutions. Duke Energy indicated that they generally respond in about 3-5 days, although on occasion they may be delayed due to extenuating circumstances.

## **DRAFT ORDINANCE**

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In response to the input received from various members of City Council as well as Duke Energy officials, the attached draft ordinance has been greatly simplified. Specifically, the ordinance identifies exemptions including traffic control signals and devices, street lights, temporary emergency lighting, moving vehicle lights, navigation lights, public sports and recreational facilities, seasonal decorations, and other lighting on City of Mauldin property or as may be required by SCDOT. The standards prescribed by the draft ordinance include:

1. Lighting may not illuminate an adjacent residential property in excess of 0.5 foot-candles of light; and
2. No blinking, flashing, or fluttering lights or other illuminated device that has a changing light intensity, brightness, or color is permitted in any district.

See the attached draft ordinance for the full text of said ordinance.

The limit of 0.5 foot-candles is the same as used in the zoning ordinance for nonresidential properties that abut residential properties. Please note that 0.5 foot-candles is about the equivalent light level of a standard 60-watt incandescent light bulb measured at a distance of about 11 feet from the bulb. If measuring a standard 100-watt incandescent light bulb, it would be the light level at a distance of about 16 feet from the light bulb. These figures may differ depending on varying factors.

Please note that in order to enforce this draft ordinance the City will need to purchase light meter devices which generally cost between \$50 and \$500 for each device. The Police Chief has commented that the officers that may assist in the enforcement of this ordinance will also need training. If there are frequent complaints of light trespass, the Police Chief has indicated that he may need to hire an additional code enforcement officer.

## **TIMELINE**

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On June 6, 2022, the Building Codes Committee voted 3-0 to forward a draft ordinance to City Council for consideration.

On June 20, 2022, the City Council discussed a draft ordinance and referred it back to the Building Codes Committee.

On September 6, 2022, the Building Codes Committee voted 2-0 to forward this ordinance to City Council for consideration.

## **ATTACHMENTS**

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Draft Ordinance

**ORDINANCE # \_\_\_\_\_**

AN AMENDMENT TO CHAPTER 18, ARTICLE II (NUISANCES)  
OF THE MAULDIN CODE OF ORDINANCES TO ESTABLISH  
CERTAIN STANDARDS TO PROTECT AGAINST NUISANCES  
CAUSED BY LIGHT TRESPASS AND FOR OTHER MATTERS  
RELATED THERETO

**WHEREAS**, the Mauldin City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

**WHEREAS**, the City of Mauldin recognizes the need to protect against nuisances that may impair public health, safety, and general welfare; and,

**WHEREAS**, the City of Mauldin also desires to amend its ordinance to add “Division 4 – Light Glare and Light Trespass” to protect against light trespass that may impair the enjoyment of life and constitute a public nuisance; and,

**WHEREAS**, the City of Mauldin finds that the following amendments to Chapter 18, Article II (Nuisance) promotes the health, safety, and welfare of the citizens and residents of the City of Mauldin.

**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 Chapter 18, Article II, Nuisances, 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*):

CHAPTER 18 – ENVIRONMENT

\*\*\*

ARTICLE II. – NUISANCES

\*\*\*

DIVISION 4 – LIGHT TRESPASS

Section 18-101. – Purpose

The purpose of this section is to provide regulations that control light trespass onto adjacent residential properties.

## Section 18-102 – Definitions

(a) “Foot-candle” – A measure of illuminance or a measure of how bright a light appears to the eye. One foot-candle is equal to one lumen per square foot. As an example, a typical sixty-watt incandescent lamp (eight hundred forty lumens) produces an illuminance of 0.1 foot-candles at a distance of about twenty-five feet.

(b) "Light trespass" – Any light emitted by an outdoor luminaire that shines directly or indirectly beyond the property on which the luminaire is installed.

(c) “Luminaire” – A complete lighting unit including the lamps, together with the parts required to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

## Section 18-103. – Applicability.

(a) The requirements of this section shall apply to all private and public property within the City except as may be exempted below.

-

(b) The following are exempt from the provisions of this chapter.

(1) Traffic control signals and devices;

(2) Street lights;

(3) Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;

(4) Moving vehicle lights;

(5) Navigation lights (i.e., communication towers, etc.) or any other lights where state or federal statute or other provision of the City of Mauldin codes and regulations that requires lighting which cannot comply with this section;

(6) Public sports and recreational facilities;

(7) Seasonal decorations; and

(8) Other lighting on City of Mauldin property or as may required by SCDOT.

## Section 18-104. – Specific Standards for Lighting.

(a) Lighting may not illuminate an adjacent residential property in excess of a measurement of 0.5 foot-candles of light.

(b) No blinking, flashing or fluttering lights or other illuminated device that has a changing light intensity, brightness, or color is permitted in any district except for temporary holiday displays.

Section 18-105. – Violations.

(a) Upon receipt of a complaint, the code enforcement official or other city designee shall take appropriate light measurements with a light meter device at the property line of the party that placed the complaint. If a violation of this section is found to exist, the offending party will be given not more than thirty (30) days to remedy the violation. Appropriate remedies may include concealing or shielding the light source.

(b) If the violation is not corrected within the prescribed period, the codes enforcement official or other city designee may either seek an injunctive relief through the Greenville County Court of Common Pleas and/or issue a citation.

(c) Violation of the provisions of this chapter of failure to comply with any of its requirements shall constitute a misdemeanor. Upon conviction thereof, the person may be fined not more than five hundred dollars or imprisoned for not more than thirty days and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

**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:

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Daniel Hughes, City Attorney

# PUBLIC SAFETY COMMITTEE

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8e

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**TO:** City Council  
**FROM:** Chief Brian McHone  
**SUBJECT:** Amend Standards for Open Burning

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### **REQUEST**

To consider an ordinance to amend certain standards pertaining to open burning.

### **HISTORY/BACKGROUND**

The City of Mauldin's current code of ordinances states all open burn permits must be approved by City Council. In last month's Public Safety Committee meeting, there was discussion to remove this requirement from the code.

### **ANALYSIS or STAFF FINDINGS**

City Attorney Daniel Hughes has reviewed the draft ordinance to remove the requirement for Council approval of open burning.

### **FISCAL IMPACT**

None

### **RECOMMENDATION**

Approval on first reading

### **ATTACHMENTS**

Proposed ordinance

**ORDINANCE # \_\_\_\_\_**

AN AMENDMENT TO CHAPTER 20, ARTICLE I, GENERAL FIRE PREVENTION AND PROTECTION, OF THE MAULDIN CODE OF ORDINANCES TO AMEND CERTAIN STANDARDS PERTAINING TO OPEN BURNING AND FOR OTHER MATTERS RELATED THERETO

**WHEREAS**, the Mauldin City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

**WHEREAS**, the City of Mauldin recognizes the need to impose regulations pertaining to open burning in order to protect public health, safety, and general welfare; and,

**WHEREAS**, the City of Mauldin finds that the following amendments to Chapter 20, Article I promote the health, safety, and welfare of the citizens and residents of the City of Mauldin.

**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 Chapter 20, Fire Prevention and Protection, Article I, In General, 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*):

CHAPTER 20 – FIRE PREVENTION AND PROTECTION

ARTICLE I. – IN GENERAL

\*\*\*

Sec. 20-8. – Open burning.

- (a) It shall be unlawful for any person to start, or cause to be started, an open fire to burn any woodlands, brush, grass, structures, leaves, debris or other matter, except as provided in this section.
- (b) The city fire department may burn for official training purposes.
- (c) The city may issue a burning permit, at its discretion, for the burning of trees, brush, and undergrowth on land in excess of five acres where such land has been cleared for development, under the following conditions:
  - (1) Burning for land clearing shall only be performed by a contractor duly licensed in the state of South Carolina. The applicant shall give the city notice in writing of all information required by the city. This notice shall include, but not be

limited to, the location of the proposed burn, the material to be burned, the times and dates of the proposed burn, and the location of public roads, streets, property lines, and dwellings in the proximity of the burn.

- (2) The applicant shall clear the area around the burn site and have immediately available sufficient equipment and personnel to adequately secure the fire and prevent its spread. If, in the opinion of the fire department, it is necessary for the city to send fire department equipment to the burn site, the applicant shall be responsible to pay for the reasonable cost thereof, as determined by the city. Should burning become a danger to life or to property, the city may, without prior notice, put out the fire.
- (3) Only debris generated from the site may be burned. No matter may be burned which is not native to the site. No materials shall be burned in violation of any DHEC regulations and comply with the South Carolina Forestry Commission burn regulations.
- (4) The applicant shall conduct the burn at such location and under such conditions that smoke or fumes will not go onto any roadway or the property of others and not pose a health or environmental hazard. Weather, atmospheric conditions and recent rainfall shall also be factors to be considered. Burning is permitted only during such weather conditions as may deemed favorable for burning by the chief of the fire department. Should adverse weather conditions arise after the commencement of burning, the contractor shall put out any fires if directed to do so by the chief of the fire department or his or her designee.
- (5) No burning shall be carried out during any period which the governor or other authorized official has declared that an emergency exists in connection with forest fires or open burning.
- (6) The applicant agrees to be fully responsible for any damages or injuries to others as a result of the burning activity. The city requires the applicant to provide proof of liability insurance through an insurance company licensed with the state of South Carolina in such amounts as determined by the city and not less than \$300,000.00.
- (7) The city may impose such other conditions and restrictions as are deemed appropriate based on the type and size of the proposed burn.
- (8) The chief of the fire department and city administrator are authorized to establish additional rules and regulations for burning permits. Should the contractor or anyone else conducting a burning operation fail to comply with any directions or conditions set by the chief or city administrator, the burning operation shall immediately cease.
- (9) The applicant will pay a permit fee, if any, as determined by resolution of the city council. The permit shall be valid for a period of 30 days from the date of issuance. No permit shall be issued without the approval of the city council.

- (d) This section shall not prohibit cooking fires built in fireplaces, grills or barbecue pits which shall be kept under competent and continuous supervision.
- (e) The city may issue permits for open fires as part of special events under such terms and conditions as provided by the city.
- (f) Any person violating any provision of this section shall be subject to the penalties provided for in Chapter 1, Section 1-6 of this Code.

\*\*\*

**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:

\_\_\_\_\_  
Daniel Hughes, City Attorney

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8f

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**TO:** City Council  
**FROM:** J.R. Charles, Community Development Director  
**SUBJECT:** Consider Proposal from United Infrastructure Group (UIG) to Complete the Mauldin Trail

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### REQUEST

To consider a proposal by United Infrastructure Group for the final portion of construction of the Mauldin Trail. This construction project will create a completed trail between East Butler Road and the Bridgeway Station Pedestrian Bridge

### HISTORY/BACKGROUND

The Community Development Department reached out to UIG to ask if they would provide engineering information/studies related to their original bid for the construction of the Mauldin Trail and the Bridgeway Station Pedestrian Bridge. Mr. Michael Gantt said that UIG had created a preliminary design of a trail based on an as-built study provided by AECOM. UIG did not have any other engineered drawings that showed a construction plan for the Mauldin Trail.

Following up on this conversation, Mr. Gantt expressed an interest to bid on completing the Mauldin Trail and connecting it to the Bridgeway Station Pedestrian Bridge. .

UIG has provided a proposal which includes the following:

- The proposal includes all design and construction based on the 2020 RFP originally issued by the City. UIG is proposing their plan as a unified project; in other words, it will include both the engineering design and construction in a single proposal. The proposal will be ADA compliant; it will exclude any signage/pavement markings since UIG does not know what is already constructed on the trail.
- UIG's quote assumes it will source material from the site in order to create a balanced construction profile. In other words, they would use the existing dirt at the site to create a smooth topography. This will prevent any trucking in of material to fill uneven terrain, as well as minimize the disposal of any materials offsite.
- UIG proposes that it will cut approximately 250 feet of existing trail in order to fill in the remaining 250 feet of required trail to make the connection to the Bridgeway Station Pedestrian Bridge.
- The proposed start date of the project is October 2022, but this timeframe is dependent on how UIG's other projects progress.
- The design estimate is \$30,000. The construction estimate is \$201,500. The total cost of the total proposal of \$231,500.

### ANALYSIS or STAFF FINDINGS

UIG's proposed methodology for constructing the trail, namely the reclamation/reuse of existing trail to be used to construct the remaining portion of the trail, is a key consideration. The Preliminary Profile provided by UIG proposes the last 250 feet of the trail be used as material fill to construct the 250-275

feet of new trail which will connect to the bridge. By cutting the existing trail, UIG would create a shallower drop in grade, reducing the potential for a sharp change in grade/elevation. While the prospect of reclaiming and repurposing 250 feet of constructed trail is difficult to accept, the resulting topographical change to the trail will more even path to meet the bridge.

Hughes Investments is open to entering into partnership similar to the one created for the construction of the Bridgeway Station Pedestrian Bridge: create a public/private partnership between the City and Hughes Investment, allow Hughes Investment to select a contractor (in this case UIG), and the City enter into a reimbursement agreement with Hughes Investments for the completion of the construction project.

This is a decision regarding the financial capacity of the City relative to the timing of the opening the of Bridgeway Station Pedestrian Bridge. UIG is proposing a packaged project that encompasses both the engineering and construction of the remaining Mauldin Trail for \$231,500, and its start-time of October could mean a completion date of December 2022 or January 2023. This exercise in collecting a proposal from UIG gives the City a preview of the cost and timing to build the remaining portion of the trail, whether that is UIG or another entity.

#### **FISCAL IMPACT**

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If the City Council accepts UIG's bid, it must identify a source for the \$231,500 proposal. This item was not identified in the FY-23 budget.

#### **RECOMMENDATION**

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The Community Development Department recommends constructing the remaining portion of the trail. The decision to engage UIG for the project or engage with AECOM to fund an engineering study only is a City Council decision.

The advantages to choosing to engage with UIG are: up-front knowledge of the entire cost of the project, thereby creating the potential for a "Not To Exceed" cost scenario and the potential for continuity in construction by allowing UIG to construct both the Pedestrian Bridge and complete the trail.

The disadvantages of choosing UIG are: the City will be locked into a comprehensive contract for both the engineering and construction of the trail; UIG's availability may be undetermined due to its project load/schedule; and the opportunity cost of choosing UIG, thereby removing the potential for a construction quote from AECOM.

#### **ATTACHMENTS**

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- "Swamp Rabbit Trail Connection to Pedestrian Bridge
- Email containing conversation between Community Development Department and Mr. Michael Gantt of UIG

## 1. Instructions

### 1.1. Submission of Proposals

To be considered, interested parties should send one electronic (.pdf) version of a fully responsive proposal. All proposals must be received on October 26, 2020 by noon (closing date and time) at which time they will be opened in the upstairs conference room at City Hall. Proposals can be emailed to [mputnam@mauldincitysc.com](mailto:mputnam@mauldincitysc.com) or mailed to the following address:

City of Mauldin  
Mark Putnam  
5 East Butler Road  
PO Box 249  
Mauldin, SC 29662  
(864) 289-8890

Offerors wishing to make changes to their proposals after submission but prior to noon may do so by submitting the revisions by fax, email or hard copy. It is the Offeror's sole responsibility to ensure the revisions are received by the City prior to the closing date and time. Proposals received after the closing date and time may not be accepted or considered.

Responses to this request for proposals will allow the City to rank the Offerors and enter negotiations with the Offeror whose proposal is deemed most advantageous to the City with price and other factors considered.

## 2. Introduction

### 2.1. Purpose

The City is requesting proposals from qualified contractors/firms for the design, build & construction administration for paving approximately ~~(0.25 mile)~~ of trail, eleven (11) feet wide, and related work such as quality control and assurance. Firms interested in providing the aforementioned services must prepare and submit a proposal in accordance with the Scope of Services in this Request for Proposals. The City will review proposals only from those firms that include all of the information required to be included as described herein (in the sole judgment of the City).

+/- 500' Remaining

### 2.2. Background

The City of Mauldin intends to construct a trail head and a section of the Swamp Rabbit Trail along a ~~.25 mile~~ easement. This section will serve as the City's first section of the Swamp Rabbit Trail and will ultimately connect to a pedestrian bridge that will span across I-385.

+/- 500' Remaining

## 3. Scope of Work

The Swamp Rabbit Trail is a 22-mile multi-use (cycling, walking and running) greenway that traverses throughout cities in Greenville County, SC. Currently, the trail commences in Travelers Rest and traverses through the City of Greenville, SC. The City expects that the trail will eventually connect to Mauldin. In anticipation of this future connection, the City has identified a location within the City to construct a section of the trail. The proposed trail will begin on East Butler Road near the Mauldin High School parking entrance for students and their athletic facilities and will traverse for a distance of approximately .25 mile as detailed in Attachment A. ~~In addition to the trail, the City intends to construct a brick entryway for accessing the trail.~~ Attachment B is a preliminary design for the entryway.

+/- 500' Remaining

+/- 500' Remaining

The proposed Trail shall be eleven (11) feet wide and approximately ~~0.25 mile~~ long and should include a six inch crusher run base course that is properly compacted. The Trail should be constructed per the attached specifications – Attachment C.

### 3.1. Project Manager

The Contractor will name a Project Manager who will be a single point of contact for City staff. The Project Manager will be ultimately responsible for, but not limited to, the coordination, quality control, invoicing, and successful completion of the project. The Project Manager shall also be responsible for efficiently coordinating the Program Team (utility coordination, right-of-way management, construction teams, etc.), furnishing all labor, materials, equipment, tools, transportation, and supplies required to complete the project in accordance with the Plans, Specifications and terms of the Contract. The Project Manager shall ensure the performance of all services required by this document, within budget and the scheduled completion dates. It shall be agreed and understood that all services performed shall be performed in the most highly professional and ethical manner and each project shall be in accordance with the highest industry standards.

### 3.2. Contractor Requirements

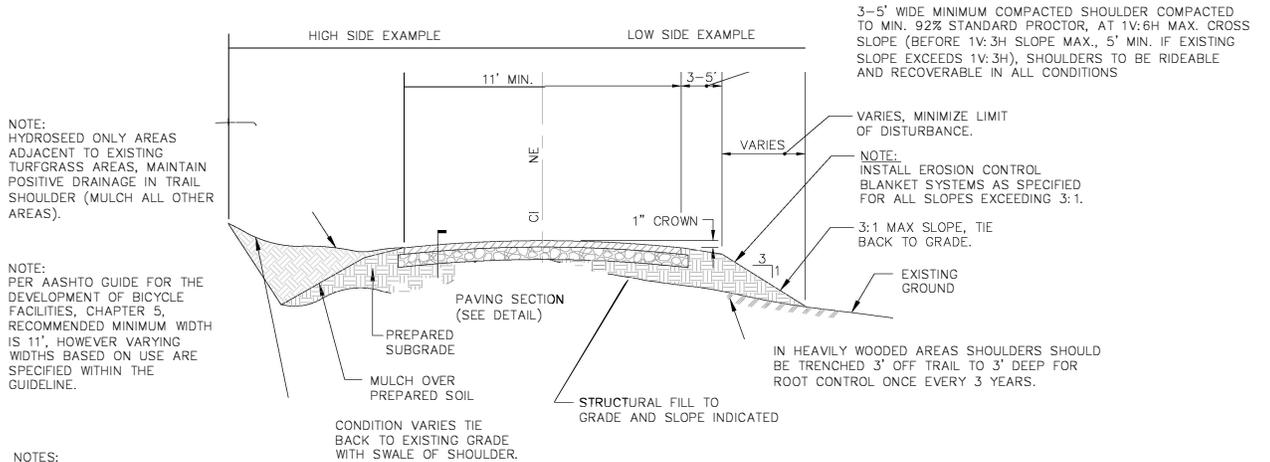
The Contractor will implement a Quality Assurance / Quality Control program to ensure material and construction practices conform to the latest published edition of the South Carolina Department of Transportation Specifications, Construction Plans (where applicable), the Contract and the enclosed Special Provisions. The work herein consists of applicable construction methods to apply asphaltic surface course to compacted six-inch crusher run base. Unless the means or methods of performing a task are specified or referenced elsewhere in this document, the Contractor shall employ methods, at a minimum, considered industry standard practices and conform to SCDOT and Specifications. This does not preclude the use of and/or suggestion of new and innovative construction practices.

The Contractor must be a licensed general contractor in the State of South Carolina, Reference: South Carolina Department of Labor, Licensing and Regulation, and South Carolina Contractors Licensing Board.

The Contractor may work any weekday that weather permits. Saturday and holiday work is not guaranteed, the City Point of Contact (POC) is to receive notification / schedule of intent to work. Work on Sundays is not allowed. The Contractor shall develop and maintain a proposed schedule of work to be submitted to the City. The schedule shall be provided in a bar-chart format listing the sequence of work within the contract time frame. As a minimum, construction schedules shall be updated bi-weekly and submitted to the City of Mauldin. Changes in the schedule must be reviewed and approved by the POC.

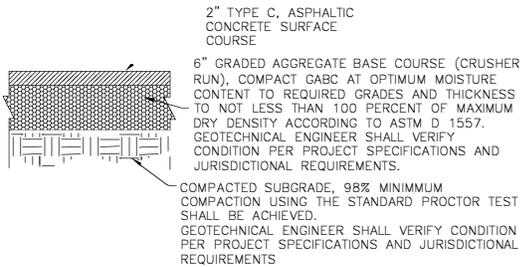
Prior to the beginning of work, the County will provide a public notice to inform the general public of the project. Written notification of at least ten (10) working days must be given to the POC. Notice to all applicable agencies, specified contacts, for roads that require preparation and/or adjustments by utility companies shall be the sole responsibility of the Contractor.

# ASPHALT TRAIL SECTION

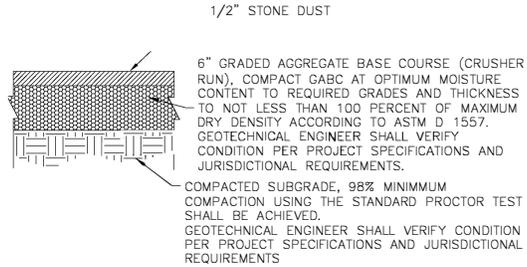


- NOTES:**
1. MINIMIZE TREE REMOVAL AND DISTURBANCE WHEN CLEARING FOR PATHWAYS.
  2. PREPARE SOIL TO A DEPTH OF 3", CLEAN AND FREE OF ALL ORGANIC LAYER (LEAVES/DEBRIS REMOVED)
  3. CROSS SLOPE OF TRAIL NOT TO EXCEED 2%.
  4. CONTRACTOR TO CONTACT GEOTECHNICAL ENGINEER IF ANY UNSUITABLE SOIL CONDITIONS ARE ENCOUNTERED, WHICH MAY COMPROMISE STRUCTURAL INTEGRITY OF PATH.
  5. ENSURE TRAIL AND SHOULDERS ARE CLEARED OF ALL TREES AND VEGETATION THAT COULD CAUSE ROOT GROWTH BELOW TRAIL BED.
  - ~~6. 4" DASHED OR SOLID CENTERLINE (THERMOPLASTIC OR RETRO REFLECTIVE PAINT DEPENDING ON TRAIL CONDITIONS).~~
  - ~~7. EVERY 1/10 OF A MILE PROVIDE ALPHA NUMERIC MILEAGE SYSTEM W/ 4" NUMBERING (THERMOPLASTIC OR RETRO REFLECTIVE PAINT) AND POSTS EVERY 1/2 MILE THAT ARE 2" MIN. FROM EDGE OF TRAIL~~

## PAVING SECTION



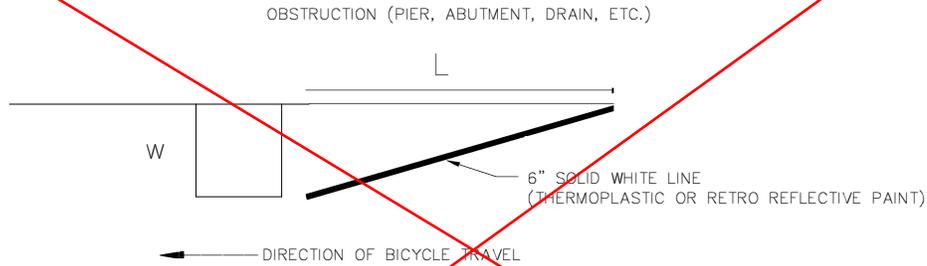
## STONE DUST SECTION



**PAVING NOTES**

SUBGRADE, BASE COURSE AND PAVEMENT CONSTRUCTION METHODS SHALL MEET THE MINIMUM REQUIREMENTS OF THE SCDOT "STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION", LATEST EDITION.

## OBSTRUCTION MARKINGS None Anticipated



$L=WS$  FIGURE 4-30  
 L=TAPER LENGTH (FT)  
 W=OBSTRUCTION WIDTH  
 S= BICYCLE APPROACH SPEED (MPH)  
 (20 MPH FOR GHS SWAMP RABBIT TRAIL)

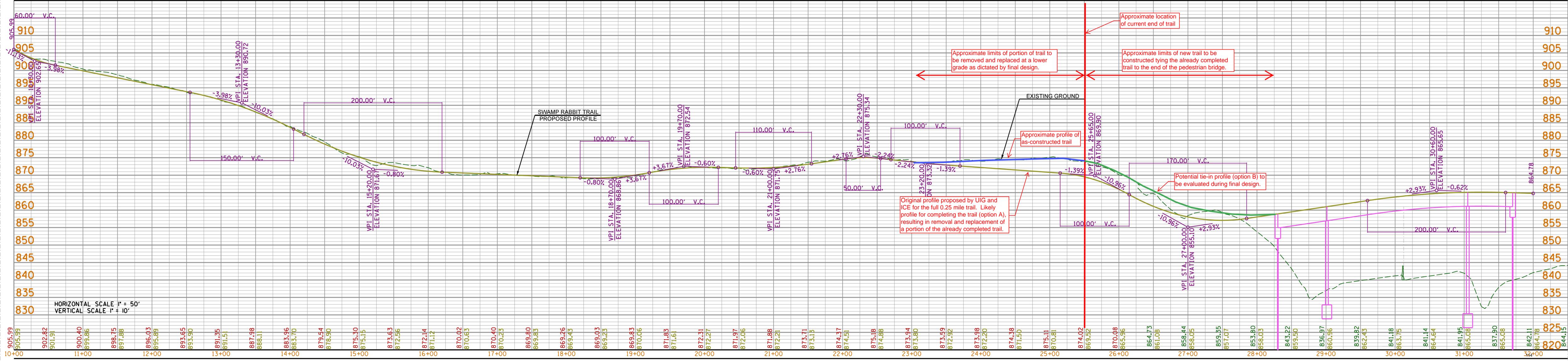
NOTE: ALL EFFORTS SHOULD BE TAKEN TO ROUTE TRAIL TO AVOID VERTICAL OBSTRUCTIONS

- Extensive Design-Build Experience | UIG and ICE collectively have worked on over 35 design-build projects totaling over \$3.5B involving trails, roads, bridges, ports, etc., most of which are in South Carolina. We have a keen understanding and familiarity with all facets of delivering a design-build project such as the Swamp Rabbit Trail, including the planning and permitting processes, design criteria and standards, incorporating quality and durability, maintenance of traffic and work zone safety, construction best-practices and techniques, and quality assurance/quality control. Some of our relevant design-build projects are included in the next section.
- Long-Standing Established Working Relationships | Through 20+ years and numerous successful projects working together, the staff of UIG and ICE have excellent working relationships that have resulted in the successful delivery of innovative high-quality projects delivered safely on schedule and on budget. These established working processes will be applied to this Project during every phase of delivery.
- Established Relationship with the CITY | UIG and ICE are currently working with the CITY and their developer to design and build the Bridgeway Station Pedestrian Bridge project within a fixed budget while incorporating the maximum amount of aesthetics possible and obtaining all approvals necessary from all agencies.

**+/- 500' Remaining**

**Statement of Understanding** | UIG and ICE fully understand the City of Mauldin's objectives and all features necessary for this ~~0.25 mile~~ multi-use trail from East Butler Road to the pedestrian bridge that we are currently designing/building. We will design and construct the Project in accordance with the RFP criteria and incorporate appropriate criteria from the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities (July 2004) and AASHTO's Guide for the Development of Bicycle Facilities, including cyclist criteria such as 2' min. graded area adjacent to both edges of path, 5' min. separation between path edges and top of slopes over 1V:3H, 8' vertical clearance to obstructions, recommended grades no steeper than 5% with a graduated scale up to 11% or more for short distances, 5' min. separation from roadways, 2% max. cross slopes, and careful design of path-roadway intersections. ~~We will also provide a trail entrance at East Butler Road with expanded hardscape and landscape features that accommodates the existing substation driveway and trail entrance.~~ Most importantly, UIG and ICE will work integrally and cooperatively with City of Mauldin staff to design and build the final trail product desired and ensure the most cost-effective solution while delivering the adjacent project. ~~See Appendix C for our preliminary Plan and Profile for the Swamp Rabbit Trail Project.~~

APPENDIX B - SWAMP RABBIT TRAIL - PRELIMINARY PROFILE



JR – As discussed, please see the attached markups to the original trail RFP (from City of Mauldin) and from our proposal sent in response to the RFP. These documents show the scope we included in the \$231,500 quote we provided. Essentially, we have proposed to connect the last section of trail using the original requirements from the City’s 2020 RFP, excluding any signage/pavement markings since we don’t know what is out there on the already constructed portion of the trail. Additionally, our quote assumes we can waste excess material on-site and/or balance the site such that we don’t have to truck and dispose of any material offsite.

Design - \$30,000

Construction - \$201,500

Total - \$231,500

Completion date – 4/30/2023 (with an attempt to complete in the fall of 2022 based on resource availability)

Please let me know if you have any questions or need any additional information.

Thanks,

Michael

803-899-0178

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8f

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**TO:** City Council  
**FROM:** Recreation Director, Bart Cumalander  
**SUBJECT:** Connection to Bridgeway Station

---

### **REQUEST**

It is the request of the Recreation and Public Works Department that we do a change order on the existing contract with Cely Construction to connect the footbridge to Bridgeway Station.

### **HISTORY/BACKGROUND**

The new footbridge will connect to Bridgeway Station. Bridgeway Station will be a new development that holds entertainment, housing and other businesses all together in one location. The new footbridge will grant passage over 385 for pedestrians to get access to what Bridgeway Station has to offer.

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Cely Construction will have AECOM consulting on the project.

### **FISCAL IMPACT**

It would be an extra \$19,700 on the existing contract to connect the bridge to Bridgeway Station. The funds for this project are coming from the HNA fund.

### **RECOMMENDATION**

It is the recommendation of the Recreation and Public Works department to do a change order on the existing Cely project for the connect of the footbridge and trail at Bridgeway Station.

### **ATTACHMENTS**

Mauldin Walking Trail Proposal

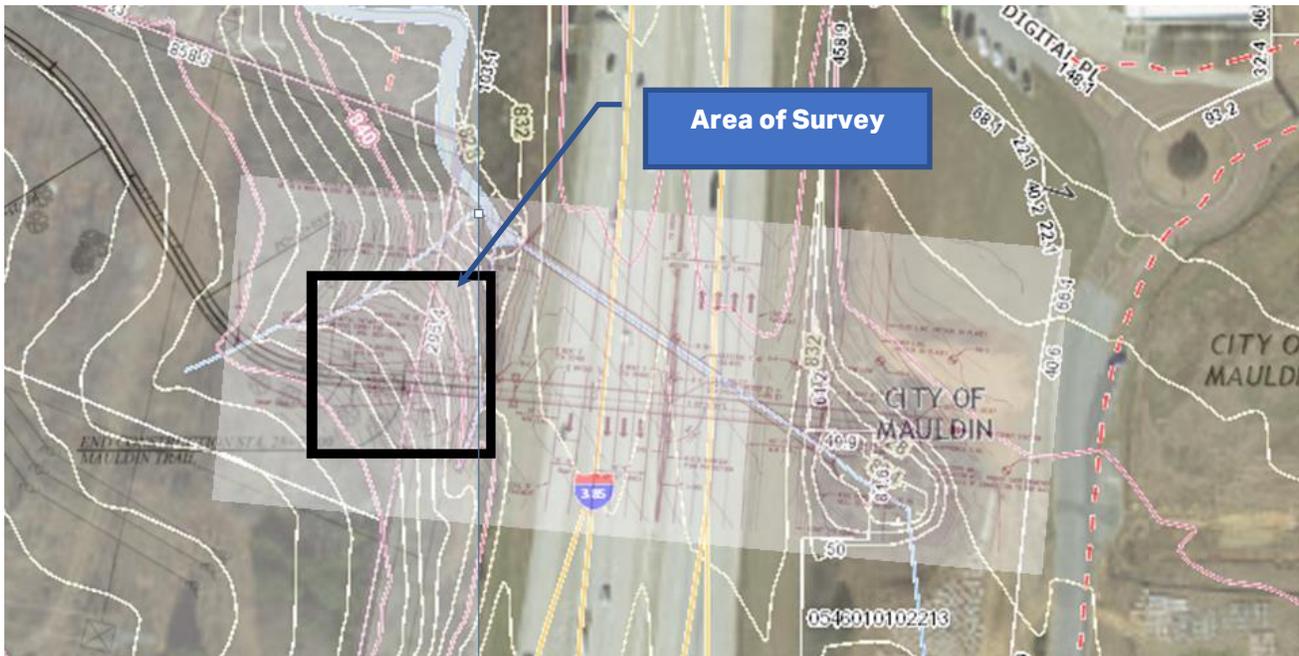
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Kevin Talbott  
COO – Manager of Projects  
Cely Construction Company, Inc.  
P.O. Box 8497  
Greenville, SC 29604  
Greenville, SC

RE: Design and Permitting Services for Mauldin Trail and Bridge Tie In

Dear Mr. Talbot,

AECOM Technical Services, Inc. (AECOM) is pleased to present our proposal to provide services to complete designs for the tie in of the Mauldin Trail to the new Pedestrian Bridge that is under construction that will connect to Bridgeway Station.



Tasks associated with the scope of work anticipated include:

- Task 1: Data Collection**
- Task 2: Design and Construction Plans**
- Task 3: SCDOT Permitting (optional)**

## Scope of Work

### Task 1: Data Collection

AECOM will review existing plans for the Pedestrian Bridge and the Constructed Mauldin Trail. AECOM will complete a field visit to verify survey limits but anticipates gathering approximately 1.5 acres of Field survey data in the area between the pedestrian bridge and trail as shown on the graphic above. Field Survey will include:

- a. Horizontal and vertical control will be utilized from existing control set from the Pedestrian Bridge Project. Boundary and Topographic surveying services shall be to the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.
- b. Locate site features on the one foot contour interval topo the with additional spot elevations as necessary to accurately depict the existing drainage patterns of the area. Horizontally and vertically locate all potential outfall drainage ditches and streams.
- c. Locate all visible drainage and gravity sewer structures within the corridor and one structure beyond the corridor limit. Information shall include top and invert elevations as well as pipe location, size, and material.
- d. Location of all visible existing above ground utility structures such as telephone pedestals, water valves, water meters, gas valves, fire hydrants, and visible existing utility designations by others will be shown. No connectivity of underground non-gravity utilities will be shown except as marked by PUPS.
- e. Surveyed property corners along with records for determining property lines and right of way will be provided.
- f. Prepare a Digital Terrain Model (DTM) or TIN file and combine it with existing model from the corridor.

#### *Deliverables:*

- 1) *Autocad or Microstation Cadd file of survey with a Digital Terrain Model (DTM) or TIN.*

### Task 2: Design and Construction Plans

**Geometric Design** - AECOM will develop an alignment to tie the existing trail to the pedestrian bridge, while meeting design standards set forth in the AASHTO Bike and Pedestrian Guide. Cross sections along the alignment will be provided, along with proposed contours.

**Hydraulic Designs** – AECOM will review existing conditions and develop a plan to address drainage. The proposed design will show piping, ditches and the installation of any new structures and will include pipe, type, size, and invert elevations.

**Erosion Control Design** - Design for minimizing erosion and off-site sedimentation during construction will be developed. The location and type of erosion control devices will be shown on the construction plans. It is assumed that the land disturbance will minimal and therefore not require a Land Disturbance Permit, therefore it has not been included in this scope of work.

**Utility Impacts** - AECOM will make a concerted effort to design around and try to avoid unnecessary relocations of utilities. If absolutely necessary, AECOM will coordinate with Utility Providers to

develop a plan for relocation and will be the responsibility of the CONTRACTOR will be responsible for ensuring that utilities are relocated satisfactorily for construction to proceed.

**Construction Plans** - AECOM will submit electronic plans for 95% plan review and comment by the Contractor and a PDF copy plans for the final submittal. It is anticipated that plans will include and/or address the following at a minimum:

- a. Title Sheet
- b. General Notes Sheet
- c. Summary of Quantities, Removal & Disposal Items
- d. Typical Sections
- e. Detailed Construction plan sheets
- f. Detailed profile sheets
- g. Storm drainage plans (may be included on roadway plan)
- h. Erosion control Plans (may be included on roadway plan)
- i. Utility conflicts
- j. Cross-sections
- k. Construction limits

*Deliverables:*

- 1) *It is assumed that AECOM will provide an electronic PDF set of plans for review at 95% Plan Level.*
- 2) *AECOM will provide Final Construction Plans at a scale of 1"=50' which will include all of the items listed above.*

**Task 3: SCDOT Encroachment Permitting (Optional)**

AECOM will coordinate with SCDOT to obtain an encroachment permit for the work if required. It is anticipated that submittals of the plans will be submitted to SCDOT for Review at Final plan stages. This scope includes preparing checklists and supporting documentation required by SCDOT to process encroachment permit application to include Sight Distance Calculations, Functional Classifications, driveway profiles, drainage calculations/statements, etc. and up to one (1) meeting with SCDOT at District office or on-site.

**Schedule**

It is anticipated that we could begin work on this project within 2 weeks of Notice to Proceed and we could complete the work within 6 weeks of Notice to Proceed with the exception of Permitting if required, which would be subject to review times.

**Cost**

<b>Task</b>	<b>Cost</b>
Task 1: Data Collection	\$4,800.00
Task 2: Design and Construction Plans	\$11,400.00
Task 3: SCDOT Encroachment Permitting (Optional)	\$3,500.00
<b>Total</b>	<b>\$19,700.00</b>

## Assumptions and Exclusions

There are several exclusions from this contract, and they include:

Wetland Delineations, Geotechnical Explorations, Hazardous Material Explorations, permitting other than what is described above, Right of Way Acquisition, or field work for such tasks.

We appreciate this opportunity to offer our proposal for these services to Cely Construction Company. It is assumed this work can be completed under a Standard AECOM Contract. As a Principal of the firm, please do not hesitate to contact me at the email address or phone numbers listed below should you have any questions about our submittal, or if you require additional information.

Respectfully submitted,



Emily Swearingen, PE  
Associate Vice President, South Carolina Transportation Business Leader  
[emily.swearingen@aecom.com](mailto:emily.swearingen@aecom.com)  
O. (864) 234-2261 or M. (803) 331-9717  
AECOM Technical Services, Inc.  
[www.aecom.com](http://www.aecom.com)

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8g

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**TO:** City Council  
**FROM:** Recreation Director Bart Cumalander  
**SUBJECT:** Gilder Creek Trail

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### REQUEST

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The Recreation Department is seeking guidance from City Council to decide how to move forward with the Gilder Creek Trail project.

### HISTORY/BACKGROUND

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The space selected for the Gilder Creek Trail was part of the Gilder Creek Multi-Use Trail Feasibility Study performed by Davis & Floyd for the City of Mauldin. The trail will be located between East Butler Road and Corn Road. This study estimated that the project would cost \$890,426. No funding for this project was budgeted in the FY 2023 budget.

The City applied for and received a SCPRT Recreation Trails Program Grant for \$66,000.89 for the Gilder Creek Trail project and has until April of 2024 to complete the project. This project may be affected by the SCDOT improvements to East Butler Road.

The Recreation Committee considered this item at their September 6, 2022 meeting and forwarded it to Council for discussion.

### ANALYSIS or STAFF FINDINGS

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After speaking with SCPRT, staff finds that there are three potential options for how to proceed with the Gilder Creek Trail project.

The options are as follows:

1. Not accept grant funding for this project at this time
2. Accept grant funding and complete full project by budgeting for the project in the FY 2024 budget.
3. Accept grant funding and construct trail with alternative trail surface and/or route and in-kind work to reduce costs within grant funding. SCPRT is amenable to this idea but the proposed work would need to be approved by them before construction.

### FISCAL IMPACT

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The estimated cost for the Gilder Creek Trail project is \$890,426. The City applied for and received a SCPRT Recreation Trails Program grant for \$66,000.89 for this project. No funding for this project was budgeted in the FY 2023 budget. A funding source has not been identified for the remaining cost of the full project.

### ATTACHMENTS

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-“Gilder Creek Multi-Use Trail Feasibility Study” for City of Mauldin- Previously distributed  
-State of South Carolina Department of Parks, Recreation and Tourism Recreation Trails Program project agreement

**STATE OF SOUTH CAROLINA  
DEPARTMENT OF PARKS, RECREATION AND TOURISM  
RECREATIONAL TRAILS PROGRAM  
PROJECT AGREEMENT**

**PROJECT NUMBER:** P28052201322  
**PROJECT NAME:** Gilder Creek Multi-use Trail  
**PROJECT SPONSOR:** City of Mauldin  
**GRANT AMOUNT:** **\$66,000.89**  
**PERIOD OF THIS AGREEMENT:** Oct. 1, 2022 to April 30, 2024

**PROJECT SCOPE** (Described in detail in the project file, but is summarized as follows):

Construct a new accessible multi-use trail, approximately 2,400 feet in length, that will parallel Gilder Creek and connect Butler Road with Corn Road.

---

The State of South Carolina, represented by the Department of Parks, Recreation and Tourism, (hereinafter referred to as PRT), and the Project Sponsor, mutually agree to perform this agreement in accordance with the guidelines established by PRT, and with the terms, promises, maps, and assurances attached hereto and made part of this agreement.

The State of South Carolina promises to obligate the amount of money referred to herein. The Project sponsor promises to execute the project above in accordance with the terms of this agreement.

**Project must be completed and bills must be submitted by Apr. 30, 2024.**

The following special project terms and conditions were added to this agreement before it was signed by the parties involved:

- 1) The Project Sponsor agrees to operate the above described facilities in a nondiscriminatory manner with regards to race, color, creed, national origin, or handicap such that the general public is not prohibited except possibly during night hours when it might be deemed unsafe for use.
- 2) The Project Sponsor agrees to operate and maintain the above described facilities in a safe and usable manner for their intended purposes throughout the agreement period.
- 3) The Project Sponsor agrees to erect and maintain throughout the agreement period, a sign which credits the Recreational Trails Program in cooperation with the South Carolina State Trails Program and the Federal Highway Administration for assisting in the project.
- 4) In the event that permits or other approvals may be required as a result of the activities proposed under this project, the Project Sponsor must provide PRT with copies of same.
- 5) In the event that any portion of this agreement applies to work on public lands by an organization or individual, the Project Sponsor (organization or individual) will enter into a separate agreement with the public agency to undertake the work and provide a copy to PRT.

In witness whereof, the parties hereto have executed this as of the date entered below.

**The State of South Carolina**

**Project Sponsor**

By \_\_\_\_\_

By \_\_\_\_\_

**Department of Parks, Recreation & Tourism**

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8h

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**TO:** City Council  
**FROM:** Police Chief George Miller  
**SUBJECT:** Award Bid for K9 vehicle upfit

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### **REQUEST**

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Approve the bid for the upfit of the K9 vehicle to Unique Lighting Solutions in Spartanburg.

### **HISTORY/BACKGROUND**

---

An RFP was sent through different sources for the upfit of the K9 vehicle as per City policy.

### **ANALYSIS or STAFF FINDINGS**

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At the date of the deadline, only one business, Unique Lighting Solutions, had turned in a quote. They met all specifications that were required in the RFP.

### **FISCAL IMPACT**

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See RFP book previously provided

### **RECOMMENDATION**

---

Staff recommends acceptance of the quote from Unique Lighting Solutions

### **ATTACHMENTS**

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RFP Book previously provided

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8i

---

**TO:** City Council  
**FROM:** Police Chief George Miller  
**SUBJECT:** Award Bid for police vehicles

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### **REQUEST**

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Approve the bid for the upfit of the police vehicles to Unique Lighting Solutions in Spartanburg.

### **HISTORY/BACKGROUND**

---

An RFP was sent through different sources for the upfit of the police vehicles as per City policy.

### **ANALYSIS or STAFF FINDINGS**

---

At the date of the deadline, only one business, Unique Lighting Solutions, had turned in a quote. They met all specifications that were required in the RFP.

### **FISCAL IMPACT**

---

See RFP book previously provided

### **RECOMMENDATION**

---

Staff recommends acceptance of the quote from Unique Lighting Solutions

### **ATTACHMENTS**

---

RFP Book previously provided

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8j

---

**TO:** City Council  
**FROM:** Police Chief George Miller  
**SUBJECT:** Records Retention Schedule

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### **REQUEST**

In the past it has been that the approval of the Records Retention Schedule has to be signed by the Chief of Police and governing body.

### **HISTORY/BACKGROUND**

These records are internal investigations and disciplinary actions.

The retention of these records is 5 years from the date the employee was terminated, resigned, or retired. At that time the records shall be destroyed. Any person still employed with the police department- their records will be retained until the 5-year deadline after they leave employment.

We have files that date back to the early 1990's and some of the former employees are deceased.

### **FISCAL IMPACT**

None

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### **RECOMMENDATION**

Council approval of the retention schedule for the Mauldin Police Department.

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### **ATTACHMENTS**

SC Archives policy

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June 28, 2022

Sgt. Charles Osborne  
Police Department  
City of Mauldin  
5 E Butler Rd  
Mauldin, SC 29662

Dear Jen:

Two copies of the retention schedules that have been prepared and/or revised for City of Mauldin Police Department are enclosed. A form entitled "Approval of Records Retention Schedule" is attached to each copy of the retention schedules for the approval signatures of the department head in Part I and the County Council Chairman in Part II.

After the department head and council chairman have signed the schedules, please return all copies to me. The Archives director will approve in Part III and after this final approval step, I will send you an approved copy for your files.

Please contact me at (803) 896-6119 or [mdantzler@scdah.sc.gov](mailto:mdantzler@scdah.sc.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Matthew D. Dantzler". The signature is written in a cursive style with a long, sweeping underline.

Matthew D. Dantzler  
Records Analyst

Enclosures: 2



South Carolina Department of Archives & History  
Division of Archives and Records Management

APPROVAL OF RECORDS  
RETENTION SCHEDULE

In accordance with provisions of Title 30, *Code of Laws of South Carolina, 1976*, Sections 30-1-10 through 30-1-40, as amended, the attached Records Retention Schedule is submitted for approval. This schedule supersedes any previously approved schedule for these same records series.

**PART I- Office or Department**

**City of Mauldin**

Local Government Subdivision

**Police Department**

Office or Department

**1048**

Record Group Number

I certify that I am authorized to act for this agency in the disposition of its public records and hereby approve the attached Records Retention Schedule. The schedule meets all legal and audit requirements and the records have no further administrative, fiscal, or legal value to this agency after the expiration of the prescribed retention periods. Records series included in this approval are numbered:

**18527**

Date

Signature of Approving Authority

Title

**PART II- Governing Body**

I am authorized to act for the governing body of this local government subdivision and certify that the governing body has approved the Records Retention Schedule as described in Part I, above.

Date

Signature of Approving Authority

Title

**PART III- Department of Archives and History**

The records listed in the attached Records Retention Schedule have been evaluated by this department for their management, research, and permanent value and are approved for retention or disposal as described in the schedule.

Date

Director, Department of Archives and History

**South Carolina Department of Archives and History  
Records Management Division**

**Guidelines For Understanding And Implementing  
Records Retention Schedules**

The following guidelines describe basic terms related to records retention schedules and define the responsibilities associated with schedule approval and implementation.

**Records Retention Schedule** – A records retention schedule describes one or several records series and indicates the length of time records should be retained prior to final disposition. Schedules are issued to state agencies or local government subdivisions and must be approved in accordance with provisions of the Public Records Act, as amended. Upon approval, the latest retention schedule supersedes any schedule previously approved for the same records series or group of records series.

**Copies** – All official copies of state agency and local government subdivision records must be inventoried, appraised, and scheduled. Convenience and other extra copies do not need a records retention schedule and may be disposed of when no longer needed for reference.

**Legal Retention Requirements** – The approval of schedules by state agencies or local government subdivisions should include a legal review to ensure that retention periods are in compliance with all applicable laws and regulations. In addition, state agencies and local government subdivisions are responsible for ensuring that records are retained for any additional time necessary to fulfill special legal considerations or requirements, such as those related to pending litigation, government investigations, or court orders.

**Confidentiality and Restrictions** – State agencies and local government subdivisions should ensure that confidential records are properly filed, accessed, and disposed of in accordance with federal, state, and local legal requirements.

**Audit Requirements** – State agencies and local government subdivisions are responsible for ensuring that records are retained to comply with all audit requirements.

**Destruction of Records** – Non-microfilmed records destroyed in accordance with approved schedules should be reported to the Department of Archives and History by submitting a copy of the State and Local Government Report of Records Destroyed. A copy of each destruction report should be retained by the state or local office as documentation of records destroyed in accordance with the approved retention schedules.

**Records Storage** – Permanent records must be maintained, protected, and preserved in an appropriate environment as required by section 30-1-70 of the Public Records Act, as amended. The State Records Center will accept scheduled semi-active state agency records for temporary storage on a space available basis. It will also receive permanent records scheduled for transfer to the Department of Archives and History.

For further information on state or local records retention schedules, please contact the Records Services staff at (803) 896-6100.

March 2010

CITY OF MAULDIN

Record Group Number: 1048

POLICE DEPARTMENT

18527 INTERNAL INVESTIGATION AND DISCIPLINARY ACTIONS

Description:

This series are used for disciplinary action and internal affairs. Records documenting investigations into personnel related issues or suspected criminal activity within the department. These records may be turned over to outside law enforcement agencies for further investigation. Information includes allegations of complaints, misconduct, violations of policy or procedure, and/or criminal activity, dates and signatures.

Retention:

5 years after separation from the department, then destroy.

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8k

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**TO:** City Council  
**FROM:** Police Chief George Miller  
**SUBJECT:** DJJ MOU

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### **REQUEST**

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To approve a Memorandum of Understanding with the Department of Juvenile Justice.

### **HISTORY/BACKGROUND**

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We have had a contract with DJJ to house juveniles that are arrested and cannot be released to their parents.

### **ANALYSIS or STAFF FINDINGS**

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We do not have a juvenile holding facility and rely on the DJJ to house or juvenile offenders. We very rarely use this service but have in emergency situations.

### **FISCAL IMPACT**

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\$50.00 per day per juvenile.

### **RECOMMENDATION**

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Council approval of the MOU.

### **ATTACHMENTS**

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A copy of the MOU is attached



L. Eden Hendrick  
Executive Director

P.O. Box 21069  
Columbia, SC 29221-1069  
djj.sc.gov

Henry McMaster  
Governor



August 16, 2022

City of Mauldin  
**Administrator**  
P. O. Box 249  
Mauldin, South Carolina 29662-0249

Dear Administrator:

Enclosed please find a Memorandum of Agreement (MOA) for the provision of secure detention services with the South Carolina Department of Juvenile Justice's (SCDJJ) Detention Center for fiscal year 2022-2023. The per diem rate is **\$50.00 per day** for any juvenile housed at the SCDJJ detention facility pursuant to Section 63-19-1610 of the South Carolina Code of Laws.

This agreement will not obligate you in any way unless your agency/department chooses to, or is ordered by a court to, detain a juvenile awaiting trial or sentencing. Should you anticipate the need to use our facility anytime during the 2022-2023 fiscal year, please sign the enclosed contract within 30 days of receipt and return to: Department of Juvenile Justice, Attention: Jovan Haynes, Facility Administrator, Juvenile Detention Center, 1725 Shivers Road, Columbia, South Carolina 29210. **This agreement will not be accepted by SCDJJ if altered or amended in any way.**

In lieu of detaining juveniles in SCDJJ's secure detention center, the Department has developed a Short-Term Alternative Placement (STAP) Program by contracting with providers throughout the state to offer residential alternatives to secure detention for non-violent youth. This STAP service is made available to you at no cost, and the number of available STAP providers/locations was increased in fall 2020 (see attached). An additional benefit to utilizing STAP is that while local law enforcement provides initial transport to the STAP location, SCDJJ arranges all follow-up transports to/from Court. **We would encourage you to make all public safety or local law enforcement in your jurisdiction aware of this alternative to secure detention so that they can utilize this no cost option, whenever they determine such to be appropriate.** Additional information about these options can be obtained by contacting your local SCDJJ County Manager or by calling DJJ's Office of Community Alternatives at (803) 896-9117.

Please also note that, per the terms of the attached MOA, SCDJJ's acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ. With the implementation of Raise the Age legislation on July 1, 2019, SCDJJ's Juvenile Detention Center has experienced a higher volume of juvenile detainees. Please be aware that SCDJJ will be monitoring capacity of the Juvenile Detention Center on a daily basis and may be unable to accept or retain juvenile detainees when doing so would cause the facility to exceed its rated capacity. As stated above, SCDJJ has developed STAP beds for use as an alternative to detention for non-violent youth and

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*Empowering Our Youth for the Future*

L. Eden Hendrick | Office of the Director | 803.896.5940

encourages the use of STAP beds with appropriate youth. In addition, in order to ensure that your jurisdiction has a long-term solution in place for the detention of juveniles, you may want to consider collaborating with your local government partners in neighboring jurisdictions to explore the establishment of regional juvenile detention centers in your area.

Should you have any questions, please contact Mack McGhee, Deputy Director of Security and Operations at (803) 896-8031. Your timely response is appreciated.

Sincerely,

*L. Eden H. Hendrick*

L. Eden Hendrick  
Executive Director

Enclosures

cc: Jovan Haynes, Facility Administrator, SCDJJ Detention Center  
Mack McGhee, Deputy Director, Division of Security and Operations

**MEMORANDUM OF AGREEMENT  
FOR THE DETENTION OF JUVENILES**

**THIS AGREEMENT** is made this 1<sup>st</sup> day of July, 2022, by and between the South Carolina Department of Juvenile Justice (SCDJJ), by and through its duly authorized employee, and the governing body of City of Mauldin, hereinafter referred to as City of Mauldin, by and through its duly authorized official and/or employee;

**WHEREAS**, the South Carolina Constitution and state and federal law, mandate that juveniles who are held in detention be confined in separate and distinct facilities from adults similarly confined; and

**WHEREAS**, City of Mauldin does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

**WHEREAS**, SCDJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

**WHEREAS**, the General Assembly has mandated that “the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred” be responsible for paying a portion of the costs of the detention services for juveniles provided by SCDJJ, who are charged with committing crimes within the governing body’s jurisdictional limits or ordered by the Family Court to be detained;

**NOW THEREFORE**, in consideration of the mutual promises contained herein, it is agreed as follows:

SCDJJ will admit into its Juvenile Detention Center in Columbia, and detain such juveniles in this Center, subject to its design/operational capacity and any limitations set forth in Section 63-19-830(A), those juveniles who are charged with committing offenses within the jurisdictional limits of the above listed entity and who have been/are:

1. qualified to be placed in secure detention (as determined by Section 63-19-820(B), which the local law enforcement entity wishes to have detained prior to a detention hearing before the Family Court; or
2. ordered to be taken into custody and detained by the Family Court or other lawful authority; or

3. 16 years old or younger who have been waived to the Court of General Sessions to be tried as adults; or
4. 16 years old and charged as an adult with committing a Category A-D felony or any felony offense which provides for a maximum term of imprisonment of fifteen years or more (applicable only to crimes alleged to have occurred prior to 7/1/2019).

Acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by SCDJJ. In addition, City of Mauldin agrees to remove any detainees accepted and detained under criteria 3 and 4 above, on or within one week after that detainee's 17<sup>th</sup> birthday.

City of Mauldin agrees to assign an open Purchase Order Number \_\_\_\_\_, to be effective from July 1, 2022 to June 30, 2023.

City of Mauldin agrees to comply with Section 63-19-1610 of the South Carolina Code of Laws which provides, "local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice must pay the department a per diem of fifty dollars a day per child." Accordingly, City of Mauldin will pay SCDJJ \$50.00 per 24-hour day per child. (Detention periods of between from 1 to 23 hours shall be charged as a ½ day charge of \$25.00). Payments to SCDJJ will be made on a monthly basis as the costs accrue.

SCDJJ agrees to bill City of Mauldin on a monthly basis; said bills to be sent on or before the 15<sup>th</sup> day of the month after the month where the costs are incurred, with payment to be made on or before the first (1<sup>st</sup>) day of the following month. If City of Mauldin fails to make payment within 30 days of receipt of an invoice for detention services, SCDJJ may take any and all available measures to collect on the outstanding debt.

SCDJJ agrees to periodically provide City of Mauldin with a report on City of Mauldin's use of the SCDJJ Detention Facility. This report will reflect the status of juveniles being detained for periods greater than 30 days.

Pursuant to South Carolina Code Section 63-19-360, the "local law enforcement agency having jurisdiction where the offense was committed" shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center. However, a local law enforcement entity may enter into agreements with other local law enforcement agencies or other entities for transporting of a juvenile to and from SCDJJ's Juvenile Detention Center, and the fact that a particular local law enforcement agency or entity transports a juvenile to or from SCDJJ shall not be determinative as to which law enforcement agency has jurisdiction over the offense committed or necessarily obligate the governing board of the transporting entity to pay for the cost of that juvenile's detention.

In accordance with state law relating to Juvenile Detention and consistent with the criteria outlined in SCDJJ Policy 408 (Community Detention Screening and Detention Hearing Process), no juvenile shall be placed in and/or transported to a SCDJJ detention facility until law enforcement has notified SCDJJ and SCDJJ has conducted a detention screening, or until a Family Court Judge has determined that placement in secure detention is appropriate.

City of Mauldin shall provide the SCDJJ Juvenile Detention Center with all relevant information pertaining to the juvenile, including medical history/limitations/pre-existing conditions, known psychological and psychiatric problems, charges pending before the court, and completed screening or detention forms if such records or information are in the possession of, or otherwise known to, the transporting law enforcement agency.

SCDJJ's Juvenile Detention Center shall have the right to refuse admission when a juvenile is presented for placement without an appropriate detention order signed by the Court or detention referral papers, completed and signed by a SCDJJ employee or screening agent. SCDJJ's Juvenile Detention Center shall also have the right to refuse admission when a juvenile is deemed inappropriate by the Center for placement due to psychological/psychiatric problems, age, history, not meeting referral/admissions criteria, indications of alcohol or other drug intoxication, medical condition which requires emergency or immediate medical care or treatment or for any other reason which puts the Center at risk, should such a juvenile be accepted.

SCDJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center.

Detention services provided by SCDJJ shall commence upon execution of this contract and terminate, unless this contract is reauthorized and renewed, on July 1, 2023. Either party may cancel this agreement upon thirty (30) days' written notice.

Sums paid or payable under this contract shall not exceed \$ \_\_\_\_\_ for fiscal year 2022-2023 as determined by both parties. However, if juveniles continue to be presented for secure detention by City of Mauldin once the above budgeted amount has been reached, City of Mauldin agrees to pay for the cost of any additional detainees as provided for in the paragraph addressing detention rates.

**APPROVED:**

\_\_\_\_\_  
Administrator/Manager  
(or other Authorized Official)

\_\_\_\_\_  
L. Eden Hendrick, Director  
South Carolina Department of Juvenile Justice

\_\_\_\_\_  
Date

July 1, 2022  
Date



# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 81

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**TO:** City Council

**FROM:** Business & Development Services Director, David C. Dyrhaug

**SUBJECT:** Drive-thru Standards in the Central Redevelopment District

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## BACKGROUND

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Staff has been asked to include a discussion of drive-thru standards in the Central Redevelopment District as part of the agenda for the Building Codes Committee.

## CURRENT MAULDIN STANDARDS

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Presently, the City of Mauldin has general standards that require a minimum amount of distance for vehicles that queue or stack in drive-thru lanes depending on the type of business (e.g., bank, ATM, restaurant, car wash, etc.). There are no other restrictions on drive-thru facilities in the Central Redevelopment District.

## NEIGHBORING JURISDICTIONS STANDARDS

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Staff has studied the drive-thru standards provided by other jurisdictions in South Carolina, particularly within the Upstate. Below is a summary of the standards for selected jurisdictions.

**Greenville.** The City of Greenville provides general standards that regulate how drive-thru lanes and facilities are laid out. They cannot be in front of a building, face a residential dwelling, or negatively impact the pedestrian experience. Where pedestrian pathways cross a drive-thru lane, the pedestrian pathway must be raised and made prominent to ensure pedestrian visibility and safety. They also have standards for drive-thru covers (roofs or canopies), speakers, and signs.

**Simpsonville.** In their town center district, the City of Simpsonville restricts drive-thru lanes and windows from being located in front of a building. They also require drive-thru facilities to be located as far as practicable from any pedestrian pathways.

**Fountain Inn.** In their gateway district, the City of Fountain Inn restricts buildings on corner lots from locating drive-thru lanes between the building and the street.

**Greer.** The City of Greer does not appear to have any restrictions on drive-thru facilities.

**Travelers Rest.** The City of Travelers Rest does not appear to have any restriction on drive-thru facilities.

**Easley.** The City of Easley does not allow drive-in or drive-thru facilities at restaurant and drinking establishments within their central commercial district.

**Clemson.** The City of Clemson does not appear to have any restrictions on drive-thru facilities.

**Anderson.** The City of Anderson does not appear to have any restrictions on drive-thru facilities.

**Spartanburg.** In their downtown district, the City of Spartanburg restricts drive-thru facilities from locating within 500 feet of an existing drive-thru facility. They do not allow drive-thru lanes or windows in front of the building.

**Rock Hill.** The City of Rock Hill provides general standards that do not allow drive-thru facilities in front of the building or to impede pedestrian paths. Order boxes and pickup windows must be setback at least 100 feet from any residential property or use.

**Fort Mill.** The City of Fort Mill does not appear to have any restrictions on drive-thru facilities.

**Newberry.** The City of Newberry does not appear to have any restrictions on drive-thru facilities.

**Aiken.** In their downtown district, the City of Aiken does not allow drive-thru facilities at restaurants, although they do allow them for banks.

**Columbia.** In their downtown district, the City of Columbia prohibits all drive-thru facilities.

## OPTIONS

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There are at least four approaches the City Council might consider with regard to drive-thru facilities in the CRD.

1. Prohibit any future drive-thru facilities within the CRD district. Existing drive-thru facilities and drive-thru facilities that are part of current development plans would be grandfathered. Existing drive-thru facilities would be ineligible for any expansion (i.e., conversion to double drive-thru lanes). Additionally, driveway access to the future Jenkins Court could be prohibited for properties that operate drive-thru facilities.
2. Allow future drive-thru facilities within the CRD district subject to conditional standards. Such standards could include:
  - a. Drive-thru lanes, windows, and order boxes are prohibited between the front of the building and the future Jenkins Court.
  - b. Where pedestrian pathways cross a drive-thru lane, the pedestrian pathway must be raised and made prominent to ensure pedestrian visibility and safety.
  - c. Driveway access to the future Jenkins Court is prohibited.
  - d. Drive-thru covers (canopies and roofs) must be architecturally consistent with the roof design and exterior finish materials of the primary building.
3. Prohibit drive-thru facilities in the City Center area north of the Dairy Queen property. This would allow Maverick Station, Tropical Grill, Dairy Queen, and the future development at the former BB&T property to have full rights to expand and redesign their drive-thru facilities.
4. Take no action and continue to allow drive-thru facilities to developed in the CRD district.

## STAFF RECOMMENDATION

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If the intent is for the City Center redevelopment project in the CRD district to highly prioritize pedestrian orientation and design, then it is the staff's opinion that drive-thru facilities should have no place in the CRD district. In this case, the staff recommendation would be the first approach that would prohibit future drive-thru facilities in the CRD district and relegate existing drive-thru facilities as grandfathered legal nonconforming facilities.

## **REQUEST**

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The Building Codes Committee has sent this to the City Council for discussion. Staff is seeking direction from the City Council as to the approach and standards it would like to consider for drive-thru facilities in the CRD district.. Please note that the Planning Commission will need to review the ordinance before it can be approved by City Council.

## **ATTACHMENTS**

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None

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8m

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**TO:** City Council

**FROM:** Public Works Director, Matthew Fleahman

**SUBJECT:** Sewer Rehabilitation Program

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## **REQUEST**

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Authorization is requested to execute the contract between the City of Mauldin and CaJenn Construction & Rehabilitation (C/O Frazier Engineering, P.A).

## **HISTORY/BACKGROUND**

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In the Council approved FY2022 budget, \$600,000 was budgeted in the Sewer Division of the Public Works Department for sewer rehabilitation. These monies were included in the Federal ARPA distribution from October 2022. In the FY2023 Council approved budget, \$734,925 was budgeted in the Sewer Division of the Public Works Department for sewer rehabilitation. These monies are included in the Federal ARPA distribution which will be received in October 2023.

The City of Mauldin (City) and Frazier Engineering (Engineer) entered into an Agreement dated March 15, 2015 for Engineering-Construction Management Services related to the City's Sewer Rehabilitation Program. The contract has been amended to allow for the Engineer to provide general engineering services related to the City's overall rehabilitation program and providing design and construction management services for the City's sewer rehabilitation construction projects. The most recent amendments were made during the December 2021 Council meeting to authorize the use of ARPA funds to rehabilitate additional sewer mainlines.

## **ANALYSIS or STAFF FINDINGS**

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CaJenn Construction & Rehabilitation is current doing sewer rehabilitation work for the City of Simpsonville and Metro Connects. In both situations, Frazier Engineering is the consulting engineer on the projects. The contracts with Metro and Simpsonville were competitive bid projects which Cajenn Construction & Rehabilitation won. For the work in Mauldin, the Public Works Department asked if the City could “piggy-back,” on either contract. Based on a review of both contracts, Frazier Engineering determined that the Metro Connects contract was the “most similar,” to our proposed rehabilitation project.

In accordance with the Council approved Purchasing Policy, Cooperative Purchasing is an approved alternative to the sealed bid method of soliciting bids. This method which is most advantageous to the City and results in the most timely, acceptable quality, economical, and successful completion of the construction project.

## **FINANCIAL IMPACT**

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The cost associated with this contract will not exceed \$1,200,000.

## **RECOMMENDATION**

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Staff recommends the City Council approve the contract that was previously distributed.



**FRAZIER  
ENGINEERING P.A.**

**CITY OF MAULDIN  
MAULDIN, SOUTH CAROLINA**

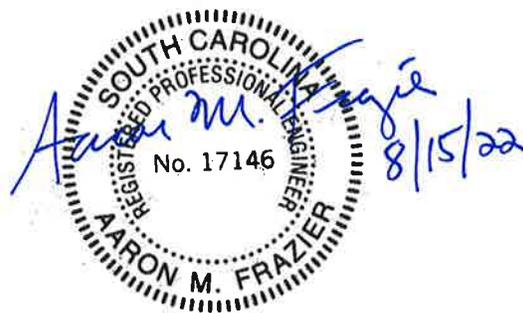


**SPECIFICATIONS, CONTRACT AND BID  
FOR  
2022-2023 SEWER REHABILITATION PROJECT  
AUGUST 2022**

**FE PROJECT NO.: COM-034**

**CITY OF MAULDIN**  
**MAULDIN, SOUTH CAROLINA**  
**SPECIFICATIONS, CONTRACT AND BID**  
**FOR**  
**2022-2023 SEWER REHABILITATION PROJECT**

**AUGUST 2022**



**FE PROJECT NO.: COM-034**

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## SECTION 00200

### AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Mauldin herein after called "OWNER" and CaJenn Construction & Rehabilitation Services, Inc. of the City of Hoboken, County of Brantley, and State of Georgia, hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR hereby agrees with the OWNER to commence and complete the construction described as follows:

#### 2022-2023 SEWER REHABILITATION PROJECT

hereinafter called the PROJECT.

2. This AGREEMENT is being entered into through a COOPERATIVE PURCHASING AGREEMENT ("PIGGYBACK" AGREEMENT) process in accordance with Title 11, Chapter 35, Section 11-35-4810 of the South Carolina Code of Laws. The OWNER is entering into this AGREEMENT with the CONTRACTOR based on the CONTRACTOR's Bid for the FM400B-343 Basin Find & Fix CIPP Project submitted to the Metropolitan Sewer Subdistrict (dba MetroConnects), Greenville, South Carolina on February 10, 2022, at which time the Bid was publicly opened and read aloud. The CONTRACTOR subsequently entered into an AGREEMENT with MetroConnects to perform the work. The OWNER (City of Mauldin) is undertaking similar work as Bid on the MetroConnects' FM400B-343 Basin Find & Fix CIPP Project, and via this AGREEMENT, the CONTRACTOR agrees to perform the OWNER's work in accordance with the terms, conditions and specifications of the MetroConnects' Contract Documents (except as modified herein) at the unit prices bid on February 10, 2022.

The Contract Documents bound with this AGREEMENT are directly incorporated from the MetroConnects' Contract with the CONTRACTOR for the FM400B-343 Basin Find & Fix CIPP Project. Any modifications to the Contract Documents are as defined in Item 6 below.

3. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.
4. The CONTRACTOR will commence work required by the CONTRACT DOCUMENTS within fifteen (15) calendar days after the date of the NOTICE TO PROCEED and will fully complete the PROJECT within 365 calendar days from the date of the NOTICE TO PROCEED unless the period for completion is extended otherwise by the OWNER via change order(s). The CONTRACTOR further agrees to pay, as liquidated damages, the

sum of seven hundred fifty dollars (\$750) for each consecutive calendar day thereafter as herein provided in the SPECIAL PROVISIONS.

5. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for an amount of up to (\$1,200,000) One Million Two Hundred Thousand Dollars and No Cents based on the actual work performed at the unit prices shown in the Bid Schedule. The OWNER may increase this Contract Amount via change order(s) to complete additional sewer rehabilitation work.
6. The term "CONTRACT DOCUMENTS" means and includes the following:
  - A. Agreement – Section 00200
  - B. Bid – Section 00310: The Bid included herein is the CONTRACTOR'S Bid submitted to MetroConnects for the FM400B-343 Basin Find & Fix CIPP Project on February 10, 2022. The OWNER will utilize the same Bid Items for this PROJECT, and the CONTRACTOR shall honor the unit prices bid as shown on the Bid Form.
  - C. Performance Bond – Section 00400
  - D. Payment Bond – Section 00500
  - E. General Conditions – Section 00700
  - F. Special Provisions – Section 01010: The Special Provisions included in these Contract Documents have been modified to reflect the specific project requirements for the OWNER's PROJECT.
  - G. Specifications directly incorporated from the MetroConnects' FM400B-343 Basin Find & Fix CIPP Project as enumerated in the Table of Contents.
  - H. Notice to Proceed
  - I. Change Orders
  - J. Drawings as prepared by Frazier Engineering, P.A. and issued to the CONTRACTOR during construction of this PROJECT. In addition, the Drawings prepared by Frazier Engineering, P.A. for the MetroConnects' FM400B-343 Basin Find & Fix CIPP Project dated January 2022 are incorporated herein by reference, specifically the general requirements on Sheet G-1, the Technical Details shown on Sheets D-1 through D-7, and the Erosion Control Details shown on Sheets EC-1 through EC-2.
  - K. These Specifications prepared by Frazier Engineering, P.A. dated August 2022.
7. The OWNER agrees to pay the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
8. This Agreement shall be binding on all parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement in three (3) counterparts, each of which shall be deemed an original, in the year and day first above written.

**City of Mauldin**  
(OWNER)

By: \_\_\_\_\_

\_\_\_\_\_

(SEAL)

ATTEST

\_\_\_\_\_  
(Title of Authorized Official)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

**CaJenn Construction & Rehabilitation Services, Inc.**  
(CONTRACTOR)

By: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

PO Box 38  
Hoboken, GA 31542

(SEAL)

ATTEST:

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

(End of Section 00200)

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8n

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**TO:** City Council

**FROM:** Public Works Director, Matthew Fleahman

**SUBJECT:** Trash Truck Purchase

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## REQUEST

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Authorization is requested to purchase a side-arm trash truck using the remaining funds available from the FY2023 Capital Purchases.

## HISTORY/BACKGROUND

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In the Council approved FY2023 budget, the Public Works Department was provided funds to purchase two new leaf trucks, two new grapple trucks, and two new side-arm trash trucks. The City began its transition to side-arm trash trucks in 2020 and when the two new trucks are delivered in September or October, the entire fleet will have been replaced.

## ANALYSIS or STAFF FINDINGS

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The purchase price of both the grapple truck and leaf truck went up significantly from FY2021 to FY2023. These price changes are due in part to inflation and material shortages. Due to these price changes, the budgeted amounts for both were not sufficient to order two of each. The Public Works Department ordered one of each, with delivery dates of January 2023.

With the transition to side-arm trash trucks, the entire fleet has been changed out; however, no side-arm spare truck is available if a truck goes into the shop for maintenance. In these situations, the Department will be required to send out a rear loader truck and staff the back with paid employees. The purchase of a spare would eliminate this potential scenario and set the Department up to address the continued growth of the City. Currently, four trash trucks and two recycle trucks go out on route each day. The proposed/under construction developments within the City will quickly necessitate the need for an additional truck. If this spare is purchased, the Department will have coverage for maintenance periods and be prepared when an additional route is assigned to the Sanitation Division.

## FINANCIAL IMPACT

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The remaining funds available from the Capital Purchases is 295,441.68.

## RECOMMENDATION

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Staff recommends the City Council approve the purchase of a new side-arm trash truck.

# CITY COUNCIL AGENDA ITEM

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8o

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**TO:** City Council

**FROM:** Public Works Director, Matthew Fleahman

**SUBJECT:** Stormwater Engineering Task Order 02

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## REQUEST

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Authorization is requested to approve Task Order 02 with KCI to provide stormwater asset inventory, on-call GIS services, stormwater modeling, grant assistance, and a City-Wide Stormwater Master Plan.

## HISTORY/BACKGROUND

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The City of Mauldin is part of Greenville County's MS4 Stormwater permit. As part of the permit, the City is responsible for drainage structures within City-Owned rights-of-way (ROWs). The Public Works Department inspects and maintains these drainage systems so that stormwater will be properly conveyed to drainage outfalls. In many portions of the City, stormwater drainage structures were constructed off the ROW and on private property. These conveyances sometimes traverse several properties before emerging back on City owned property. In accordance with State Law and City Policies, the City is not responsible for these drainage structures on private property. In instances where drainage systems on private property have been addressed by the City, the property owner and the City establish utility easements which grant access and authority over the inspection and maintenance of the newly installed/repaired drainage structure.

The City identified a need to contract KCI to inspect, design, and oversee stormwater construction projects in areas of the City where the installed drainage system is under sized, failing, or absent. This need extends to both the City-owned ROW and private property. In Council Memorandum 9-1 dated September 8, 2021, Council was provided a recommended Spending Plan for the American Rescue Plan Act (ARPA). In it, the City recommended allocating resources to address stormwater issues throughout the City.

On December 6, 2021 the City issued a Request for Proposal for On-Call Engineering Services. After thirty days, the submittal window was closed and a review team of three City employees was convened to review and score the submittals. KCI was awarded the highest score and was contacted to generate an On-Call services contract. City Council approved the contract with KCI during its March 2022 Council meeting.

## **ANALYSIS or STAFF FINDINGS**

---

Representatives from Public Works and City Administration met with KCI and identified data gaps in the infrastructure inventory, specific GIS needs, and inquired about a City-Wide Master plan and grant assistance. KCI put together Task Order 2 to address these needs.

## **FINANCIAL IMPACT**

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The City allocated 1,129,724 dollars in year one of the ARPA spending to fund necessary stormwater management projects that improve the City's stormwater infrastructure systems. The engineering services associated with this task order are proposed at 411,600.

## **RECOMMENDATION**

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Staff recommends the Public Works Committee and the City Council approve the previously distributed Task Order 02 with KCI.

## TASK ORDER 02

**to the  
MSA for Professional Services  
KCI Project Number 962206647-2202**

This Task Order effective as of the date of the last signature (“Effective Date”) is entered into by **City of Mauldin** (“Client”) and **KCI Technologies, Inc.** (“KCI”) with regard to the project identified below (“Project”). Client and KCI shall collectively be referred to herein as the “Parties.”

<b>The Project:</b>	Multiple Projects as Noted Below Designated as Task Order 2 – Tasks A-E
<b>Project Address:</b>	City Wide
<b>Client’s Representative:</b>	Public Works Director: Matthew Fleahman
<b>KCI’s Representative:</b>	Client Liaison: Elise Harris Project Manager: Mack Kelly

All services provided by the Parties on the Project shall be governed by the terms of this Task Order and those in the Master Services Agreement for Professional Services (“MSA”) attached hereto as Attachment A and incorporated by reference herein.

The Parties shall complete this Task Order in accordance with the contract documents listed on and attached as Attachment B (the “Contract Documents”).

### **Scope of Services**

KCI’s scope of services, including deliverables (the “Services”), is as follows:

#### **Task A - Detailed Asset Inventory of Stormwater Infrastructure**

KCI will assist the City perform a Detailed Asset Inventory of the Stormwater Infrastructure.

#### **Data Collection**

The intent of this task is to collect and review data from existing sources and for water resource and natural resource engineering staff to observe features to be modeled and visualize conceptually solutions to the observed issues.

#### **Review Existing Data Sources**

KCI staff will assimilate relevant data, such as GIS, as-built drawings, FEMA flood studies, USGS studies, history of flooding, etc. that would assist in the modeling effort. GIS data may include aerial photography, topography, zoning maps, soils, and planimetrics.

#### **Gaps Analysis**

KCI staff will determine additional data needs based on the existing available data to complete the modeling and analysis for the stormwater inventory and master plan. Through preliminary field investigations, discussion with City Staff and GIS analysis, KCI staff will identify primary and secondary modeling limits.

KCI staff will conduct one (1) meeting with City staff to discuss known problem areas and high water marks. During this meeting, KCI GIS staff will discuss with the City the requirements for the stormwater database.

### **Engineering Field Investigation and Stream Walks**

KCI hydraulic engineers will conduct field investigations of the primary and secondary networks described in Section 5 below. KCI will utilize the effective FEMA models to the extent possible and verify that the major structure crossings model match what is in the FEMA model. If it is found that the structures vary greatly from the effective FEMA model, KCI will alert our survey crews to include those crossings as part of the stormwater inventory. KCI estimates approximately 35,000 linear feet of stream walk.

KCI will complete stream walks and photologs of the primary (stream) system as shown in *Figure 1, Attachment D* with the City limits to collect data required for the modeling analysis and geomorphic stream assessment. The field investigation and stream walk will include but not necessarily limited to the following:

- Identify high water marks for survey location
- Measure channel dimensions for hydraulic model
- Verify landuses (visual)
- Estimate Manning's N-values
- Verify watershed boundaries
- Identify key hydraulic structures to be modeled
- Conduct Photolog with GPS points
- Identify in-stream problem areas, including erosion and other instabilities or obstructions and map via GPS

The summary of findings for the stream walks will be incorporated into the Watershed Plan.

### **Stormwater Inventory**

The intent of this task is for KCI to capture the stormwater utility infrastructure within the City's limits and use the data to develop a Geographic Information System (GIS) for the stormwater utility systems. This task will be accomplished using GPS as the primary means of data capture.

### **Geodatabase Design and Development**

Following the kick-off meeting, KCI will conduct a virtual or in-person information gathering meeting to review the City's current GIS database and identify gaps between the current GIS data and the City's desired future-state database. A custom stormwater database schema and data dictionary will be developed based on best practices and feedback from the City during the information gathering meeting. The recommended data dictionary will define the feature classes, attribution, domains, and relationships to be included in the database schema. A draft data dictionary and geodatabase design (V1) will first be delivered to the City for review. KCI will conduct an in-person or virtual workshop to review the materials with the City. Based on the discussion, KCI will make changes to the draft geodatabase. The final geodatabase schema and data dictionary (V2) will be delivered to the City for approval.

Deliverables:

- Virtual or in-person GIS database information gathering meeting
- Draft geodatabase schema and data dictionary (V1)
- Geodatabase design workshop

- Final geodatabase schema and data dictionary (V2)

### **Field Collection App Development**

Using the latest Esri data collection application, ArcGIS Field Maps, KCI will develop a mobile app to assist with the field collection effort. The ArcGIS Field Maps application will be configured to utilize the GPS location information from the survey-grade GPS units. A web map, hosted on ArcGIS Online and within KCI's network, will be developed utilizing the custom geodatabase schema developed and approved by the City and formatted for use with the ArcGIS Field Maps application. Utilizing the approved geodatabase design (V2) will ensure data integrity and data standards accepted by The City.

Deliverables:

- Field Maps configuration
- Field Data compilation

### **Stormwater Utility System Mapping**

A draft Standard Operating Procedure is included as **Attachment C** which outlines in greater detail the scope of survey to be provided.

As data is collected, KCI GIS specialists will monitor and review field-collected data to ensure connectivity and that the collected data conforms with the data schema and standards approved by the City. KCI will provide a QC report outlining issues encountered. KCI will work with the data compilation team to resolve issues.

### **Digital Development System Connectivity**

KCI will utilize ESRI ArcGIS software to compile a GIS representation of the stormwater utility system. We will identify, organize and import relevant background files to supplement the project field data and assist with establishing system connectivity. KCI shall provide system-wide connectivity to the extent possible and perform quality control of the inventory by a hydraulic engineer.

Upon completion of the quality control, KCI will submit a file geodatabase including the stormwater compilation. KCI will orchestrate a work session with the City stakeholders to review the results of the data compilation.

Deliverables:

- QC report
- Geodatabase review workshop
- Final file geodatabase

### **City Redline Review Process**

After completion of the field inventory, KCI will provide a digital copy of the stormwater utility geodatabase to the City and will work with the City to identify inaccuracies and anomalies. It is intended that the City redline the database by circulating it among the various departments and personnel associated with maintenance of the stormwater system. KCI will then edit the GIS layer to reflect any changes. No additional field work is anticipated for this task.

KCI GIS staff will update the geodatabase based on one (1) round of City comments. After approval, KCI will give the City the geodatabase for its use in future updates. KCI is not responsible for any future updates after geodatabase approval.

**Task B - On-Call GIS**

KCI proposes to perform GIS support services on an as needed basis that may include tasks such as management, design, implementation of software products, database migration, software upgrades, application development, map configuration, data loading, optimization and other tasks associated with the City’s GIS environment.

KCI will work with the City to identify the level of effort for each support service request to determine the most effective utilization of resource staffing. Prior to start of work on a task, the level of effort will be provided to the City project manager for review and approval.

KCI's fee for the Services will be the following hourly rates listed below by personnel classification multiplied by the number of hours worked by each respective person (other time and expenses will be as according to MSA):

Role	Rate
GIS Project Manager	\$172.00
GIS Solution Architect	\$165.00
GIS Business Analyst, Senior	\$156.00
GIS Business Analyst	\$134.00
GIS Application Developer/DBA, Senior	\$135.00
GIS Application Developer	\$124.00
GIS Analyst, Senior	\$115.00
GIS Analyst	\$85.00
GIS Technician	\$77.00

**Task C - City Wide Stormwater Modeling**

KCI will assist the City by preparing a hydrologic and hydraulic model. Specific care will be placed on coordination of activities with the City’s staff. Prior to the field investigation phase, KCI will gather available project information from the City and items which may require special attention during the field investigation. Whenever possible, KCI will avoid duplication of previous technical efforts by other government agencies.

The Hydrologic and Hydraulic (H&H) modeling will be divided into two categories: Primary and Secondary systems. The primary system will consist of the stream networks throughout the City limits. KCI will determine the nature boundary between the primary and secondary systems, but generally the minimum drainage area size for the primary system is 20 acres. The primary system will include major roadway crossings with larger pipes, culverts and bridges. The Secondary system will contain of open and closed-network drainage throughout residential neighborhoods. These systems will comprise of ditches, pipes and stormwater structures including inlets, catch basins, and manholes.

### **Primary System Hydrologic Modeling**

Subwatersheds will be delineated as appropriate and shall typically range in size between 20 and 100 acres. Subwatershed divides will occur at significant hydrologic features such as road crossings, stream confluences and detention facilities. Watershed characteristics will be identified for each subwatershed in a manner consistent with the NRCS (TR-55) and proposed land uses will be developed from land use and zoning information provided by the City. Hydrologic parameters will include: drainage area, existing land use, future land use, curve number, time of concentration, NRCS soil type, significant detention storage areas, directly connected impervious area, and channel routing characteristics. KCI will use the US Army Corps of Engineers HEC-HMS model to develop the primary system discharges, taking into account any significant impoundments caused by undersized crossings. KCI will evaluate the 2-, 10-, 25-, 50-, 100- and 500-year storm events as part of the modeling effort. Existing and future land uses will be evaluated for the watersheds.

### **Primary System Hydraulic Modeling**

Hydraulic modeling of the primary system will utilize the US Army Corps of Engineers HEC-RAS program. The primary systems studied in the hydraulic model will include the mainstems of Gilder and Laurel Creeks and their tributaries within the City's limits. Refer to *Attachment D, Figure 1* Project Streams. The total primary system to be evaluated is approximately 75,000 linear feet. The models used will determine the hydraulic profiles for the various flows developed by the Hydrologic model. The effective FEMA models will be utilized to the extent possible to establish and/or check calculated starting water surface elevations, provide a point of verification for model results and provide hydraulic input data as applicable.

### **Identification of Secondary Systems**

Secondary systems include selected drainage features that drain to the primary systems. This category would include both closed drainage and open channel networks that drain to the primary systems. Analyzed systems will be identified based on watershed reconnaissance, historical drainage complaints, community input, feedback from the City and other means to determine systems that may be undersized.

KCI staff will work with the City to determine the list of secondary systems to be modeled as part of the Watershed Plan after the public meetings and stormwater inventory data is collected. Modeling of these secondary systems will be handled in a future task assignment and will be considered Additional Work.

### **Model Validation**

Stormwater models will be validated using available high water marks, crest gauge results (if available), regression equations and USGS gauges (if available), recent floodplain mapping efforts, as well as other pertinent data provided by the City or the public. All validation efforts will be documented and reported to the City. Upon completion of the validation process, runoff hydrographs will be computed with results being presented to the City for their approval prior to beginning any hydraulic modeling.

### **Floodplain Delineation and Mapping**

KCI shall delineate riverine-generated floodplains for the existing and future 25- and 100-year floods for the primary systems. The mapping of floodplains will be compared to the effective FEMA floodplains for consistency but may differ based on different H&H modeling approaches. The limits of the future floodplain mapping will extend upstream to the limits of the open channel conveyance system.

## **Task D - City Wide Master Plan**

KCI will assist the City in preparing a City Wide Master Plan. The plan will include at minimum Flood Hazard Mitigation Alternative Development, Bank Stability Alternatives, Evaluate Capital Construction Costs, Prioritize Projects and Develop a Watershed Plan Report. The details of the scope are further explained below.

### **Flood Hazard Mitigation Alternative Development**

Based upon the modeling results portions of the storm drainage system not meeting design standards will be identified and prioritized for possible improvements. Citizen and City staff input will be cross-referenced to the model results to determine problems that may have been misidentified, that should be classified as maintenance or nuisance issues, or that may not qualify for services due to being outside the public right-of-way.

Once the problem areas have been identified, improvement options will be considered that may include:

- Upgrade of the entire drainage system to meet established design criteria;
- Upgrade portions of the drainage system to lesser design standards;
- Use alternative best management practices for water quantity control, such as detention ponds or other stormwater Best Management Practices (BMPs); and
- Alternative alignments and materials to minimize construction cost and impacts to private property, transportation systems, and other existing infrastructure.

When possible, atypical and innovative solutions will be considered to reduce cost and provide solutions which optimize the drainage system's capacity/functionality and long-term condition while balancing the important issues of neighborhood aesthetics and public relations. Level of service criteria for the recommended stormwater system improvements under existing land use conditions will be evaluated. The level of service of the recommended improvements under potential future build-out conditions based upon available zoning will also be considered.

### **Bank Stability Alternatives**

Based on the engineering field investigations and stream walks completed in Task 2, KCI will recommend bank stabilization projects to protect structure foundations, utilities, and other critical infrastructure. In some instances, stream restoration projects may be recommended, particularly if the proposed restoration will act as mitigation for other recommended flood control projects.

### **Evaluate Capital Construction Costs**

Capital Improvements will be recommended and a budget (planning level) cost analysis will be computed using recent bid tab information of similar projects and input on the local bid climate from City staff. Budget costs for improvements shall include, at a minimum, installation of the following elements: storm drainage improvements, channel restoration and stabilization materials, grading, necessary street improvements, water and sewer utility relocations (if the utility is located within a specific utility easement instead of the public right-of-way), erosion and sediment control measures, traffic control measures, miscellaneous items (e.g. fencing, walls, etc.), environmental mitigation costs and easement acquisition estimates, and stormwater Best Management Practices (BMPs) as appropriate.

### **Prioritize Projects**

KCI will develop a prioritization matrix with the City during the kickoff meeting. KCI will work with City staff to set the specific weighting criteria that will be used in the matrix. The prioritization matrix will be used to rank the recommended projects based on factors such as, public safety, level of service, flood reduction benefits, water quality improvements, capital costs, private property impacts, permitting requirements, funding availability, etc.

### **Draft Watershed Plan Report**

The draft watershed plan report will be prepared. It will include an executive summary as well as supporting documentation for all the recommended projects. Permitting requirements for each proposed project will be summarized including the expected permits required, potential mitigation requirements, and summarization of any discussions with representatives from regulatory agencies.

### **Final Watershed Plan Report**

KCI will incorporate City staff comments into a final planning report. Two (2) hard copies and an electronic copy of the final report will be submitted to the City as the final deliverable for the Watershed Inventory and Master Plan.

## **Task E - Grant Assistance**

KCI will assist the City prepare and submit a SCOR application for the Bishop Heights project, due October 31, 2022. The application requires a project narrative that includes Need, Project Description, Feasibility, and Benefits/Impacts. Other requirements of the application include Preliminary Engineering Cost Estimate, Project Area and Service Maps, Funding and Other Commitments and Viability Self-Assessment for RIA State Grant Requests.

KCI will assist the City prepare and submit a SCOR – CBDG-Mitigation Buyout application for the Oak Park project, due October 31, 2022. The application requires a project narrative that includes Need, Project Description, Feasibility, and Benefits/Impacts. Other requirements of the application include Preliminary Engineering Cost Estimate, Project Area and Service Maps, Funding and Other Commitments and Viability Self-Assessment for RIA State Grant Requests.

## **Fee and Payment**

KCI's fee for completion of the Services in accordance with the Contract Documents is summarized in the table that follows.

The following table subdivides this cost estimate into individual cost estimates for each component of the Services.

<b>Task</b>	<b>Task Description</b>	<b>Duration<sup>1</sup> (Weeks)</b>	<b>Fee Type Lump Sum / T&amp;E</b>	<b>Estimated Fee</b>
A	Detailed Asset Inventory of Stormwater Infrastructure	20	Lump Sum <sup>2</sup>	\$273,000
B	On-Call GIS	16	Time & Expenses, Not to Exceed	\$10,500
C	City Wide Stormwater Modeling	6	Lump Sum	\$42,000
D	City Wide Master Plan	8	Lump Sum	\$73,500 <sup>157</sup>

E	Grant Assistance	4	Lump Sum	\$12,600
<b>Total (LS &amp; T&amp;E)</b>				<b>\$411,600</b>

Notes:

1. Durations shown are estimated times to complete each task. Some tasks are sequential while others may run concurrently. A detailed schedule with milestone dates will be prepared after the kickoff meeting and submitted for Client review and approval.

Changed conditions or additional requirements may result in an adjustment to estimated fees and/or schedules. Any estimate made by KCI to Client of the anticipated fees or completion schedule for its Services is understood to be informational only. KCI does not guarantee the accuracy of fee estimates, shall not be bound by the fee estimates as limits on the amount to be expended and charged in completion of the Services or any component thereof, and shall bill and be paid for fees that exceed these fee estimates as a result of the changed conditions or additional requirements.

2. The survey budget of Task A is \$175,000. The professional services fee for this portion of the task is very complicated to estimate. Complexities include inaccessibility issues (i.e. cars parked over structures, locked gates, covered up or paved over structures, structures requiring mechanical assistance for removal, clogged driveway and culvert pipes, access to survey satellites, etc.), weather, availability and level of effort provided by City staff, and the lack of historical data to estimate the number of assets to be inventoried. We recommend collecting the stormwater asset inventory for Primary Area 5 (544 acres) first (see *Attachment D, Figure 2*) and comparing the actual cost with the anticipated cost (based on time and expenses). In the Residential Areas (354 acres) we estimated 291 driveway pipes, 130 culvert pipes, and 237 drainage structures. In the Commercial Areas (190 acres) we estimated 234 driveway pipes, 105 culvert pipes, and 191 drainage structures. We anticipate 1 bridge structure in Primary Area 5. We based our production day on being able to collect driveway and culvert pipe asset data in 7.5 minutes and drainage structure asset data in 12.5 minutes. We expect to collect bridge asset data in 90 minutes. We expect the fee to complete the survey work for Area 5 to be approximately \$35,500. At the conclusion of completing the stormwater asset survey for Primary Area 5, we will meet with the City to review the actual expenses and will: proceed, modify the scope to meet the proposed fee or issue a change order to reduce or increase fee as may be necessary.

KCI shall comply with the invoicing procedures described in the MSA.

**Special Terms and Conditions**

In the event of a conflict between the following terms and conditions and the MSA with regard to the Services, the terms and conditions listed in this Special Terms and Conditions Section shall govern.

None.

In the event of any other conflict between the terms hereof and the MSA, the terms of the MSA shall govern.

**IN WITNESS WHEREOF**, the Parties have caused this Task Order to be duly executed. Each Party warrants and represents that its respective signatories whose signatures appear below have been and are on the date of signature duly authorized to execute this Task Order.

**City of Mauldin**

BY:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**KCI Technologies, Inc.**

BY:

  
\_\_\_\_\_  
Signature

Mehmet Boz, PhD, PE  
\_\_\_\_\_  
Name

Vice President  
\_\_\_\_\_  
Title

8/30/2022  
\_\_\_\_\_  
Date

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8p

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**TO:** City Council  
**FROM:** J.R. Charles, Community Development Director  
**SUBJECT:** Authorize allocation of funding for Pedestrian Bridge Lighting

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### REQUEST

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Authorize the allocation of \$204,000 to fund the lighting of the Bridgeway Pedestrian Bridge.

### HISTORY/BACKGROUND

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In June 2022, the City Council approved the funding of \$195,000 based on an estimate for the lighting of the Bridgeway Station Pedestrian Bridge, specifically to fund an all-white lighting scheme.

On July 11, 2022, Terry Rowe with Hughes Investments sent an email to Brandon Madden to update him about an updated cost estimate. In her email, Ms. Rowe states, "We just received the final pricing for the lighting package preferred by council. The proposal to install the lighting is \$323,500 (\$294,000 lighting + \$29,500 coring of structure). However, our bridge contractor has confirmed that it is able to perform the coring for \$10,000. Therefore, the final pricing for the lighting is \$304,000. We already had budgeted \$100,000 for lighting, so the additional funding required is \$204,000."

### ANALYSIS or STAFF FINDINGS

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The funding of \$195,000 for the lighting scheme for the Bridgeway Station Pedestrian Bridge was authorized by City Council at its June 2022 meeting, and the final estimate from Emory Electric, coupled with Ms. Rowe's update regarding cost savings in the coring of the structure, indicates that the final price for the lighting scheme will be \$204,000. The difference between the estimated cost authorized by the City Council at its June 2022 meeting and the final cost provided by Ms. Rowe is \$9,000.

### FISCAL IMPACT

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The project will cost \$204,000 according to the email provided by Ms. Rowe at Hughes Investments. This is a \$9,000 difference between the estimated cost authorized by the City Council at its June 2022 meeting and the final cost provided by Ms. Rowe. Holly Abercrombie has identified funding in the City Budget to cover this project. A Purchase Order will be created to administer this project since it is outside of the bonded amount for the Bridgeway Pedestrian Bridge project.

### RECOMMENDATION

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Amend the City Council's June 2022 action, which originally allocated \$195,000 for the lighting of the Bridgeway Station Pedestrian Bridge, to authorize the allocation of \$204,000 to fund the lighting scheme for the Bridgeway Station Pedestrian Bridge.

### ATTACHMENTS

- 
- Cost Estimate from Emory Electric
  - Minutes from June 2022 City Council Meeting (edited to focus on Bridgeway Station Pedestrian Bridge Lighting)
  - Email from Terry Rowe with Hughes Investments explaining the cost breakdown

July 6, 2022 REV #13

United Infrastructure Group, Inc.  
Attn: Joe Capriola, PE

Reference: **Best & Final Proposal - Bridgeway Pedestrian Bridge Lighting Options – Mauldin, SC (Design Build)**

**Scope of Work:**

- Material, labor, and taxes for a complete electrical package per the following drawings dated:
  - a) Reference Drawings issued for Precast structure Only
- Electrical Building Permit and Fees based upon our illustrated scope only
- Scope:
  1. Scope Details:
    1. Lumenpulse Package:
      1. Package has been selected as “White” Non-Color Rendering Fixture Option.
      2. All Branch Wiring is included as Standard Conduit, ENT, and Flexible Conduit.
      3. All Conductors are Included as Copper THHN/THWN.
      4. No Control Conduits & Wiring are included for this system is either on or off.
      5. All Mounting of Lumenpulse Fixtures are included as Mechanical Fasteners (Screw Type) and Epoxy Type Fasteners when and where required
    2. Electrical Service:
      1. Provide and Install (1) 200A 120/208v 3P4W System
      2. (1) 200A MCB Panel N3R Construction
      3. (1) 200A 3P Meter Socket
      4. (1) 30A 6 Pole N3R Lighting Contactor Controlled By 120V Photo-Cell Device Mounted to the Contactor.
      5. Grounding Per the NFPA NEC 70
      6. All Equipment is priced and designed to be fastened to the structure.
    3. Engineering:
      1. Engineering of the Base Electrical Service Riser is included from prior proposal. \$3,125.00 Has been allocated for the Engineering Budget. if the engineering becomes beyond that, Emory Electric reserves the right to request additional fees per change proposal. This statement is due to the City of Mauldin Possible additional requirements. We ar not stating it will be more but, we would require clarification of possible incurred charges.

- **Exclusions:**

1. Seismic bracing, supports, and/or engineering for Fixtures, Conduit Racking and or Equipment.
2. Sod, grass, and/or standard landscaping replacement/repair
3. Concrete, asphalt, and/or drywall cutting, Coring, patching, and/or painting, this includes coring unless otherwise specified in scope.
4. **Concrete Light Pole Bases are Excluded**
5. Excavation of roadways, road crossings, and/or rock removal of any type
6. Concrete Encasement of any type, unless specifically identified in scope
7. Directional Boring, Unless Specifically Designated in Scope of Work
8. Telecommunications system, fire alarm system, security system, EMS, BMS, and/or CCTV system equipment and/or installation
9. Penetration Sealing (Weather Proofing) of any Exterior Structure (Metal Siding, Concrete, Wood and or any Exterior Surface
10. **Engineering, CAD, and/or BIM design and/or coordination**
11. Locating services outside of general 811 services
12. Bonding (if required, please **add 1%**)
13. X-Ray of slabs and/or wall structure
14. Ground Resistance Testing
15. **Temporary Power and Lighting are Not Included.**
16. **Utility Fees**
17. Utility Secondary/Primary Conduit from Source is by others
18. Equipment:
  1. Scissor Lifts -Boom Lifts – Etc.
  2. Safety Railing
  3. Excavators, Tampers, Generators, Etc.
  4. Emory Electric will utilize GC Equipment on the night shift for Lighting Installation and Night Work
19. Excavation is Excluded, for any part of this proposal.
20. Structural Assumptions of Pre-Cast Beams, Piles, or Structure.
21. Weekend Work.
22. Concrete Lite Pole Bases are Excluded in this proposal, all Concrete Work is provided and installed by others.
23. CCTV Camera Conduit work Excluded in this proposal due to the design is not complete.
24. Pole Lighting is Excluded from this proposal
25. Color Rendering Lumenpulse System is Excluded from this proposal
26. Lighting Control Via Remote Link – Lighting is designed for On/Off Display Only.

**General Notes:**

27. Working Schedule:

1. Emory Electric understands that we will be assigned from day to day at different times. These times must be schedule 2/3 days in advance. If out of scheduled work happens, please allow, 2-4 hours for dispatching of manpower. There is no exception to this statement due to manpower scheduling. No Weekend, Nights or off hour schedules are included.

1. Working Hours are included as follows:

1. Monday through Thursday

1. 7:00AM to 5:30PM when scheduled.
2. Night work is Excluded no Exceptions to this. All work Must be handled during the normal working hours as stated.
3. When Night Shift is Required, Emory Electric will provide manpower accordingly. All Night Work Shifts will and must be coordinate within 48hrs of the required shift.

28. Proposal General Notes and Conditions

1. No Engineering, CAD, BIM, etc. are included. We recommend a full electrical design to be handled by others.
2. Lead-Times for Equipment:
  1. Distribution Equipment: 30-90 Days Upon Approval and Release
  2. Lighting Package: 16-20 Weeks Upon Approval and Release
  3. Step Lighting Package: 6-10 Weeks Upon Approval and Release
3. No Delay Charges, Overnight Shipping or Express Shipping is included. All Shipping information will be defined at time of approval Only, the dates as shown are best guess assumptions at this time.

PRICING SCHEDULE:

- Revised Bid Proposal:.....See Below:
  1. Lumenpulse System – White – Non-Color Rendering: ..... \$294,000.00
    1. This Package included the Electrical Service
    2. Pricing is included with what is stated, this pricing is included with Customer Consideration from our vendors and will not be adjust any further.
  2. Add Alternates: Not Included in any Pricing Above
    1. **Coring of Structure:..... \$29,500.00**

**General Note:**

Emory Electric appreciates the opportunity to bid this project. This proposal shall remain firm for ten (10) days. Due to the evolving and changing of commodity pricing, Emory Electric reserves

the right to revise this proposal after the ten (10) day notice of this bid proposal. If you have any questions or additional information is required, please do not hesitate to call.

Pricing for all Commodity items was updated on 7-8-22. This commodity pricing is protected for the terms as stated 10 Days.

If awarded, Emory electric will commence Submittal process with Formal Letter of Intent. No Release of Lighting Distribution Equipment will be released until the following approvals are accepted.

Final Shipping dates will be issued upon Formal Approval of all Equipment has been approved.

Sincerely,

Richard S Blithe  
Emory Electric Inc.



The public hearing was convened at 7:10 p.m. and ended at 7:12 p.m. No comments were made.

MINUTES  
CITY OF MAULDIN  
INDIGO POINT PUMP STATION PUBLIC HEARING AND CITY COUNCIL MEETING  
JUNE 20, 2022  
7:00 P.M.  
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Carol King, Jason Kraeling, Michael Reynolds, Frank Allgood and Diane Kuzniar. Councilmember Matney was not present at the Call to Order, but came in during the Proclamation section of the meeting.

Others present: City Administrator Brandon Madden and City Attorney John Duggan

**Committee of the Whole**

**Motion:** Councilman Matney made a motion to consider the following three items via the informal method. Councilwoman King seconded the motion.

**Vote:** The vote was unanimous (7-0).

- i. Greenville County Urban County Cooperative Agreement and Resolution

**Motion:** Councilman Matney made a motion to accept the agreement and resolution with the Greenville County Redevelopment Authority. Councilwoman King seconded the motion.

**Vote:** The vote was unanimous (7-0).

- j. Bridgeway Station Pedestrian Bridge lighting options

**Motion:** Councilman Matney made a motion to accept Option 2 for white LED lighting in the additional amount of \$195,000. This money will come from hospitality and accommodations. Councilman Reynolds seconded the motion.

**Vote:** The vote was unanimous (7-0).

- k. AT&T Utility Tax Credit Agreement

**Motion:** Councilman Matney made a motion to accept AT&T utility tax credit agreement in the amount of \$50,000 for certain expenditures at Bridgeway Station. Councilman Reynolds seconded the motion.

**Vote:** The vote was unanimous (7-0).

Welcome JR! I apologize that my late reply – I was out of the office for a couple of days. This is a very exciting project, and we are delighted to have the City of Mauldin as our partner.

We were very pleased to hear that the Council approved additional funding for the lighting of the pedestrian bridge last month. We just received the final pricing for the lighting package preferred by council (please see attached). The proposal to install the lighting is \$323,500 (\$294,000 lighting + \$29,500 coring of structure). However, our bridge contractor has confirmed that it is able to perform the coring for \$10,000. Therefore, the final pricing for the lighting is \$304,000. We already had budgeted \$100,000 for lighting, so the additional funding required is \$204,000. The only outstanding items are approval from SCDOT for the lighting and confirmation from Laurens Electric that it will provide the conduit. If you have any questions or concerns, then please do not hesitate to contact me.

Some time when it is convenient for you, I would love to stop by and meet you in person. Please let me know when you have a few minutes.

Cheers,  
Terry

Theresa (Terry) C. Rowe  
Hughes Investments, Inc.  
P.O. Box 1177  
Greenville, SC 29602  
(864) 242-2100 (oofice)  
(864) 270-9245 (cell)

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8q

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**TO:** City Council  
**FROM:** J.R. Charles, Community Development Director  
**SUBJECT:** Authorize allocation of funding for Landscape Architecture Services for Jenkins Street and Jenkins Court

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### REQUEST

Authorize allocation of funding for Landscape Architecture Services for Jenkins Street and Jenkins Court

### HISTORY/BACKGROUND

The City was awarded funds for roadway improvements to Jenkins Court and Jenkins Street. CoTransCo designed these improvements and asked the City to provide landscape architecture designs to accompany its engineering designs. Because CoTransCo does not offer these services, the City must hire a landscape architect to design the civil improvements that will be incorporated into the construction project (i.e. location of street lights, junction boxes, conduit splits, etc.)

### ANALYSIS or STAFF FINDINGS

The landscape architecture component of the Jenkins Court/Jenkins Street design is an integral part of the overall street design. Without this component incorporated into CoTransCo's overall street design and bid package, civil improvements will have to be constructed after the road is finished (i.e. cutting into the road/sidewalks to install improvements.) In order to prevent this from occurring, staff requests that City Council authorize the hiring of a landscape architect to create a landscape architectural design that CoTransCo can incorporate into its overall construction plan. This design will also inform the design of future improvements to Jenkins Court.

### FISCAL IMPACT

Staff has collected three bids from the following firms with their corresponding amounts: Seamon Whiteside (\$16,500), Stantec (\$10,100), and Studio Main LLC (\$6,000.)

### RECOMMENDATION

Staff recommends hiring Studio Main LLC to develop the landscape architectural design for the Jenkins Court/Jenkins Street construction project.

### ATTACHMENTS

- Proposals from Seamon Whiteside, Stantec, and Studio Main LLC were previously distributed

# CITY COUNCIL

## AGENDA ITEM SUMMARY

**MEETING DATE:** September 19, 2022

**AGENDA ITEM:** 8r

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**TO:** City Council  
**FROM:** Mark Putnam  
**SUBJECT:** Ministerial Recorder position

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### REQUEST

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Approve a new part-time Ministerial Recorder.

### HISTORY/BACKGROUND

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On September 9, 2022, Cierra Howard resigned from her position as part time Ministerial Recorder. Ministerial Recorders conduct bond hearings, sign warrants, and assist the police department after hours and as needed when the City's Clerk of Court is unavailable due to vacation or sick time. For the last several years Mauldin has had three ministerial recorders to ensure that the SC Court Administration requirement of bond hearings being conducted 365 days per year and within 24 hours of someone being arrested is always fulfilled.

With Ms. Howard's resignation, the City must appoint a new ministerial recorder.

### ANALYSIS or STAFF FINDINGS

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On September 8, 2022, HR Director Mark Putnam interviewed Consuelo Barnett and he would like to recommend that she be appointed as Ministerial Recorder.

### FISCAL IMPACT

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Approximately \$2,200.00 for mandatory Judge School. Ministerial Recorders are part time and only paid when they work. Judicial budget already includes this position.

### RECOMMENDATION

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Staff recommends approval of Consuelo Barnett as part time Administrative Judge

### ATTACHMENTS

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None