CITY COUNCIL MEETING

MONDAY, NOVEMBER 21, 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
NOVEMBER 21, 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

Citizens' Police Academy Mauldin

Girls' Volleyball Team

3. Reading and Approval of Minutes — Mayor Merritt
   a. City Council Meeting – October 17, 2022

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

Ordinances – 2nd Reading

   a. Annexation and establishment of Tanner Road Planned Development – 3 ordinances — Councilor Kuzniar

      i. 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

ii. 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

iii. 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

8. <u>New Business</u> — Mayor Merritt

Ordinances – 1st Reading

a. An amendment to the Mauldin zoning ordinance establishing definitions, standards, and prohibitions for drive-thru facilities — Councilor Kuzniar

Standing Committee Items

b. Appointment to the Building and Zoning Board of Appeals — Councilor Kuzniar

c. Amended agreement with the County Drug Enforcement Unit — Councilor King

d. Duke Energy Utility Easement — Councilor King

e. Grant Acceptance — Councilor King

f. On-Call Sanitary Sewer Engineer Contract — Councilor Kraeling

g. Municipal State Highway Project Agreement — Councilor Kraeling

h. Insurance Renewal — Councilor Reynolds

Committee of the Whole

None

9. **Public Comment** Mayor Merritt

10. **Council Concerns** Mayor Merritt

11. **Adjournment** Mayor Merritt

PROCLAMATION

WHEREAS, the 2022 Mauldin High School (MHS) Girls Volleyball Team, led by Head Coach Valerie Thoms and Assistant Head Coach Saleena Walker finished the season 32-7; and

WHEREAS, Mauldin's Volleyball Team has won the 5A State Championship for the first time in program history; and

WHEREAS, The Mavericks won the title over Lexington in a three-set sweep (25-22, 25-22, 25-18); and

WHEREAS, The Mavericks are also the first Greenville County public school to win a volleyball title since Hillcrest in 2013;

WHEREAS, the MHS Girls Volleyball Team, consisting of Maddie Powell, Sydney Shearer, Ella Leister, Jasmin Buford, Jurnee Robinson, Allison Norris, Mia Rojas, Kaylee Godwin, Sarina Galyean, Anna Schneider, Olivia Davis, Jadyn Crowe, Ella Ferguson, and Lena Scott, through hard work and dedication, persevered and won the championship;

NOW, THEREFORE, BE IT PROCLAIMED, that I, Terry Merritt, Mayor of the City of Mauldin, along with my fellow Councilmembers, do hereby proclaim November 21, 2022 as Mauldin High School Girls Volleyball Team Day and recognize them for winning the State AAAAA Championship.

_____

Terry Merritt, Mayor

MINUTES
CITY OF MAULDIN
COUNCIL MEETING
OCTOBER 17, 2022
7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

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

Others present were Interim City Administrator Rebecca Vance and City Attorney Daniel Hughes.

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

2. **Proclamations and Presentations** - None

3. **Reading and Approval of Minutes**
   a. City Council Meeting – September 19, 2022
   b. Special Called Meeting – October 3, 2022

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

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

4. **Public Comment**

David Graffius: Good evening. My name is David Graffius and I am with Gray Engineering. My address is 132 Pilgrim Road in Greenville. I would like to talk about annexation and establishment of Tanner Road Planned Development ordinances on the agenda tonight. Based on discussion on first reading regarding the development and application at last month's council, there were questions from Council and the Planning Commission on mitigations that may be required by SCDOT on the project. Our team has heard the comments and subsequently have had discussions with SCDOT. However, we do not have a complete picture of what SCDOT will require or the cost of the same. As a result, we would like to respectfully request additional time to continue discussions with SCDOT, which we anticipate will take no longer than 30 days. This additional time will allow our team to meet the requests from Council and bring the most comprehensive answers possible. To that end, we kindly request the second reading be deferred to the November 21, 2022 meeting.

5. **Report from City Administrator**- None

6. **Report from Standing Committees**
   a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported the City's finances look good.

   b. Public Safety (Chairperson King)- None
   c. Public Works (Chairperson Kraeling)- None
   d. Economic Planning & Development (Chairperson Matney)- None
   e. Building Codes (Chairperson Kuzniar)- Chairwoman Kuzniar reported 12 new businesses opened in September.

   f. Recreation (Chairperson Allgood)- None

7. **Unfinished Business**
   Ordinances – 2nd 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) and providing an effective date

      Motion: Chairwoman Kuzniar made a motion to adopt this ordinance on final reading. Councilman Matney seconded the motion.

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

   b. Annexation and establishment of Tanner Road Planned Development – 3 ordinances

      Motion: Chairwoman Kuzniar made a motion to table these ordinances until the regularly scheduled November Council meeting by request of the applicant. Councilman Matney seconded the motion.

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

      i. 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

      ii. 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

      iii. 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

Motion: Chairwoman Kuzniar made a motion to adopt this ordinance on final reading. Councilwoman King seconded the motion.

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

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 thereto

Motion: Chairwoman Kuzniar made a motion to adopt this ordinance on final reading. Councilman Allgood seconded the motion.

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

e. Amend Chapter 20, Article I, General Fire Prevention and Protection, of the Mauldin Code of Ordinances regarding open burning

Motion: Chairwoman King made a motion to adopt this ordinance on final reading. Councilman Kraeling seconded the motion.

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

8. **New Business**

Ordinances – 1st Reading Mayor Merritt
None

Standing Committee Items

a. Appointments to the Building and Zoning Board of Appeals

Motion: Chairwoman Kuzniar made a motion to approve the appointments of Jon Statom to seat #3, Jeremy Roberts Owens to seat #4, and Amie Goodwin to seat #5. Councilman Allgood seconded the motion.

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

Committee of the Whole
None

9. **Public Comment**

   a. Marcos Lisak: I live at 108 Belgian Blue Way in Fountain Inn. I reside with my wife and four children in Fountain Inn and am asking for an amendment to open a coin shop or a gold and silver shop here in Mauldin. There is a 30,000 square foot minimum or larger requirement that I do not meet. Currently we are a family business and online only, but are looking for a local presence. We deal in high quality numismatics, new and old coins. We are not a pawn shop. No loans. I would be partnered up, if approved, with Mr. McChesney where old Mauldin Deli used to be. I would sub-lease from him. It would be a small square footage- 600 to 700 square feet.

      Mr. McChesney: I am a small businessman in Mauldin. We are concerned about our image and have investigated this guy pretty well. If you are concerned about whether this would be good for Mauldin, don't be. He will be right beside us. And on the zoning side, for certain purposes doesn't exactly fit, I think this would be positive.

10. **Council Concerns**- Councilman Reynolds asked about the process to withdraw an ordinance from the Council agenda. Is there a verification that the person who is withdrawing the property is actually the person who is authority to do so? Mr. Dyrhaug said he knows Mr. Graffius represents the property, and he has worked with him throughout the process. If there were concerns, they would be brought to Council's attention. Mr. Dyrhaug has encouraged applicants to come forward to Council so that the public is aware of what is happening in the process and ensure Council makes the final decision.

11. **Call for Executive Session**

   a. Executive Session to receive advice regarding a legal matter as allowed by State Statute Section 30-4-70 (a)(2)

      Motion: Chairwoman King made a motion to consider this matter informally. Councilman Reynolds seconded the motion.

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

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

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

Mayor Merritt reconvened the meeting at 8:40 p.m. Councilman Matney reported no decisions were made and no votes taken in executive session.

b. Possible action on items discussed in Executive Session- None

12. **Adjournment**- Mayor Merritt adjourned the meeting at 8:41 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk

CITY COUNCIL

AGENDA ITEM

MEETING DATE: November 21, 2022

AGENDA ITEM: 7a

TO: City Council

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

SUBJECT: **Annexation/Planned Development at 30 & 50 Tanner Rd**
***** 2nd Reading *****

	TRACT #1 (30 Tanner Rd)	**TRACT #2 (30 Tanner Rd)**	**TRACT #3 (50 Tanner Rd)**
AUTHORIZED REP(S):	Flournoy Dev. Group Gray Engineering	Flournoy Dev. Group Gray Engineering	Flournoy Dev. Group Gray Engineering
OWNER(S):	**W. Earl Jones** **Nancy L. Jones**	**W. Earl Jones**	**C. Lynn Farmer** **Elaine F. Ayscue**
TAX MAP NUMBER(S):	0547.03-01-043.01	0547.03-01-043.02	0547.03-01-043.00
LOCATION:	30 Tanner Rd	30 Tanner Rd	50 Tanner Rd
CURRENT ZONING:	R-S (County)	R-S (County)	R-S (County)
REQUESTED ZONING:	PD, Planned Development	PD, Planned Development	PD, Planned Development
SIZE OF PROPERTY:	Approx. 0.9 acres	Approx. 6.7 acres	Approx. 13 acres
CONTIGUITY:	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.

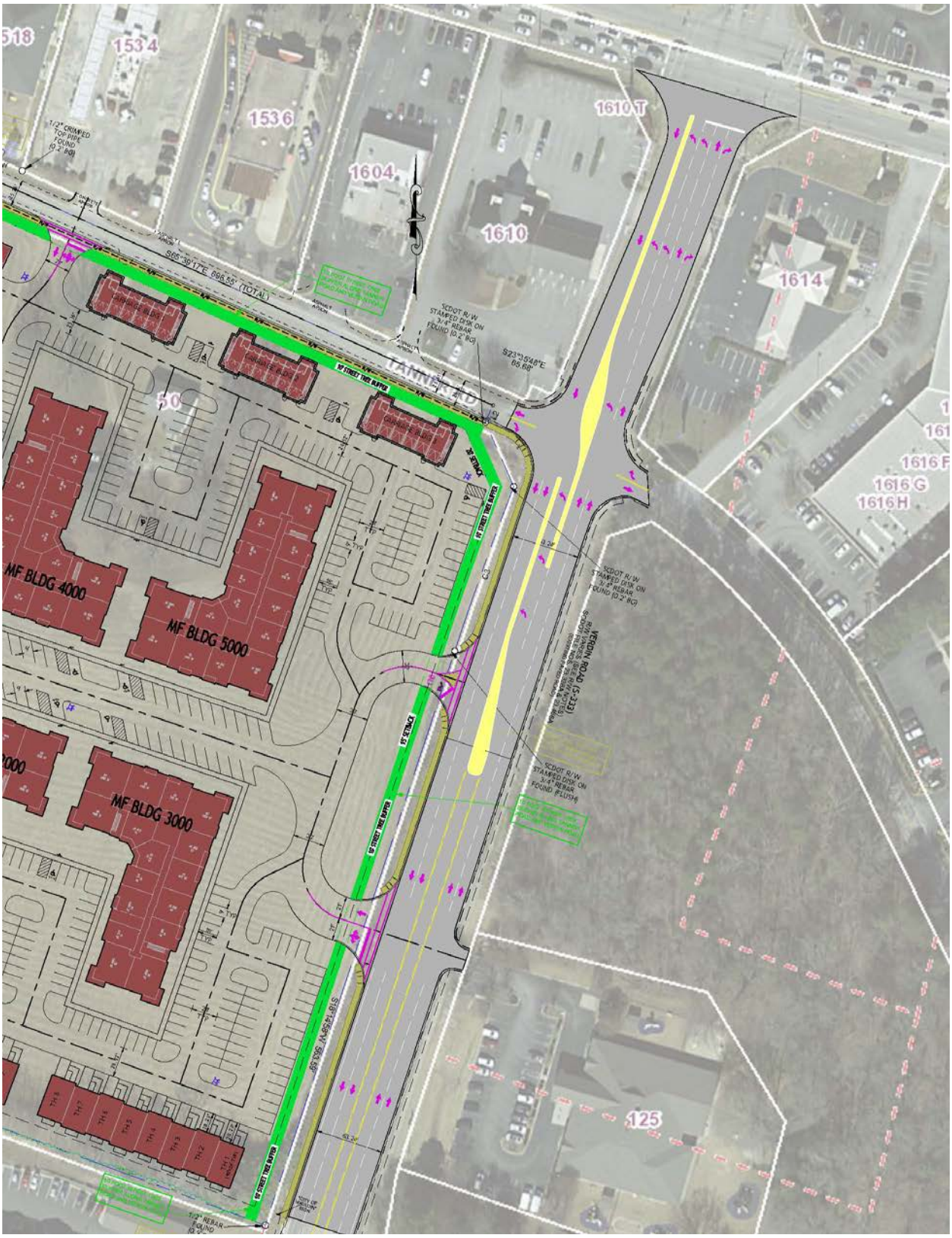
HISTORY/BACKGROUND

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.

***NOVEMBER 14, 2022, UDPATE:** In October, the City Council held off on second reading of the project while the applicant and SCDOT coordinated on the traffic improvements that would be required for this project. Since that time, the applicant and SCDOT have agreed upon the following traffic improvements:

1. Construct dual left turn lanes on the northbound section of Verdin Road at the Woodruff Road intersection. This will be accommodated by converting one of the southbound lanes on Verdin Road into a northbound left turn lane. This means that the number of "receiving" lanes for southbound traffic on Verdin Road at the Woodruff Road intersection will be reduced from two lanes to one lane.
2. Modify the traffic signal at the Woodruff Road intersection to accommodate the dual left turn lanes on Verdin Road. Drivers turning left from Verdin Road onto Woodruff Road will only be permitted to turn during a green arrow. Once the oncoming traffic from Feaster Road has a green light, left turn traffic on Verdin Road will have a red arrow.
3. Install a right turn overlap phase for southbound traffic on Verdin Road at the East Butler Road intersection. This means that vehicles turning right from Verdin Road will have a green arrow while the eastbound traffic on East Butler Road has a green arrow to turn left.

Separate of the proposed development, SCDOT intends to remove the existing traffic signal at the intersection of Verdin Road and Tanner Road and construct a raised concrete median along Verdin Road beginning at Woodruff Road and ending in front of the Kids 'R' Kids daycare on Verdin Road. SCDOT would provide a left turn lane for northbound traffic on turning left from Verdin Road onto Tanner Road. However, southbound traffic on Verdin Road (coming from Feaster Drive or Woodruff Road) would no longer be able to turn left onto Tanner Road. Additionally, eastbound traffic on Tanner Road (coming from Woodruff Road) would no longer be able to continue straight on Tanner Road across Verdin Road. See image on next page.



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VERDIN ROAD (S-333)

PROPOSED DEVELOPMENT

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.

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 dual northbound turn lanes be installed on Verdin Road at the Woodruff Road intersection. To accommodate the dual northbound turn lanes, the southbound lanes on Verdin Road would be reduced from two lanes to one lane. Even with this adjustment, Verdin Road and Feaster Road would still operate at a level F at this intersection. The following table compares the current traffic level to future traffic levels in 2025 at this intersection.

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 Road Improvements
Verdin Road (northbound)				
AM Peak Hour	F (118.9)	F (133.7)	F (188.9)	F (116.5)
PM Peak Hour	F (131.1)	F (154.8)	F (177.3)	F (135.5)
Feaster Road (southbound)				
AM Peak Hour	F (128.8)	F (141.0)	F (147.2)	F (147.2)
PM Peak Hour	F (123.6)	F (139.3)	F (147.9)	F (147.9)
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 (36.0)
Woodruff Road (westbound)				
AM Peak Hour	C (29.8)	D (35.9)	D (35.8)	D (35.8)
PM Peak Hour	C (30.1)	D (37.5)	D (44.5)	D (44.5)
OVERALL				
AM Peak Hour	D (45.8)	D (53.7)	E (62.7)	D (53.6)
PM Peak Hour	D (54.2)	E (64.1)	E (71.6)	E (66.0)

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 following table 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 (44.0)
PM Peak Hour	D (41.8)	E (55.7)	E (69.6)	D (49.3)
Holland Road (northbound)				
AM Peak Hour	C (34.8)	D (37.4)	D (37.6)	D (41.3)
PM Peak Hour	C (32.8)	C (32.1)	C (32.3)	D (41.7)
East Butler Road (eastbound)				
AM Peak Hour	C (29.2)	D (37.3)	D (39.6)	D (39.1)
PM Peak Hour	C (20.5)	C (26.2)	C (28.9)	C (28.2)
East Butler Road (westbound)				
AM Peak Hour	C (32.5)	D (38.9)	D (39.3)	D (38.3)
PM Peak Hour	B (16.2)	B (18.1)	B (18.3)	B (17.5)
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 (32.3)

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. Construct dual northbound left turn lanes on Verdin Road at Woodruff Road. (In order to accommodate these dual lanes, the number of southbound lanes on Verdin Road would be reduced from two lanes to one lane.)
2. Modify the traffic signal to accommodate the northbound dual left turn lanes on Verdin Road. Motorists would only be allowed to turn left onto Woodruff Road when they have a green arrow signal.
3. Install a right turn overlap on the southbound approach of Verdin Road at East Butler Road.

Additionally, SCDOT has expressed their intent to install a raised concrete median on Verdin Road beginning at the Kids 'R' Kids daycare and ending at Woodruff Road. This would essentially eliminate all left turns along this section of Verdin Road, including for southbound traffic on Verdin that wish to turn left onto Tanner Road. Notwithstanding, a northbound left turn onto Tanner Road would be provided. The existing traffic signal at Verdin Road and Tanner Road would be removed and through traffic along Tanner Road would no longer be allowed across Verdin Road.

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

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

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

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:

Direction	Zoning District(s)	Existing Use(s)
North	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
South	S-1 (City)	Maple Brook Terrace Retirement Community
East	S-1/C-1 (County)	Kids 'R' Kids Learning Academy
West	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

Staff has reviewed this request as follows.

CRITERIA	STAFF FINDINGS
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;	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.

CRITERIA	STAFF FINDINGS
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	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.
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 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. 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.
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. This project is expected to connect to the existing MetroConnects sewer line along Verdin Road. 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.

CRITERIA	STAFF FINDINGS
5. Public need for the potential uses permitted	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.

TIMELINE

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.

On September 19, 2022, the City Council approved this annexation on first reading.

On October 17, 2022, the City Council held off taking any action on second reading while the applicant coordinated with SCDOT on planned and required traffic improvements.

STAFF RECOMMENDATION

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

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

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: _____

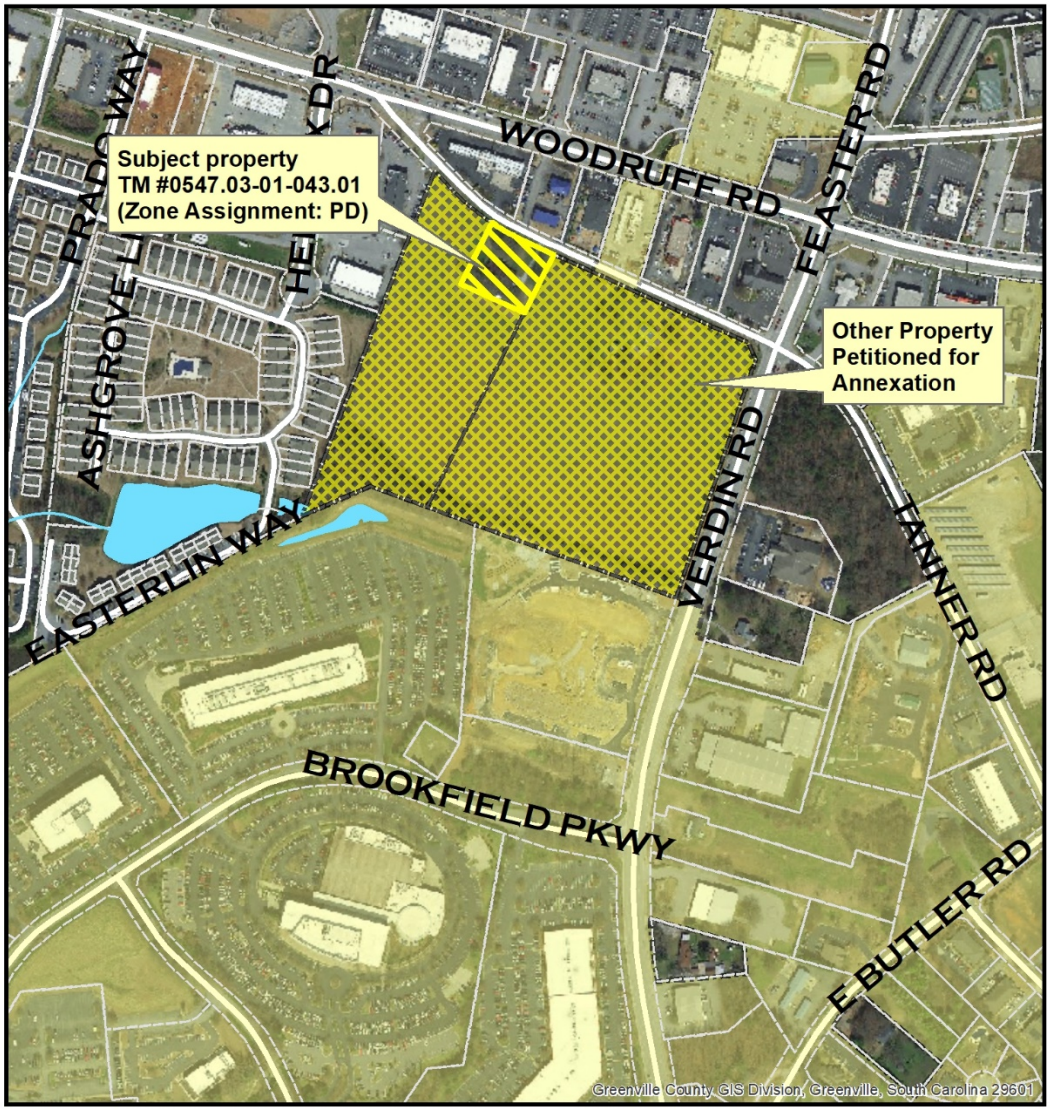
Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP

PROPERTY MAP



Legend

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

N

0 Feet 400

Created on July 14, 2022

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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 accuracies in the information provided herein.

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 14th 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

Witness

Nancy L. Jones
Nancy L. Jones

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

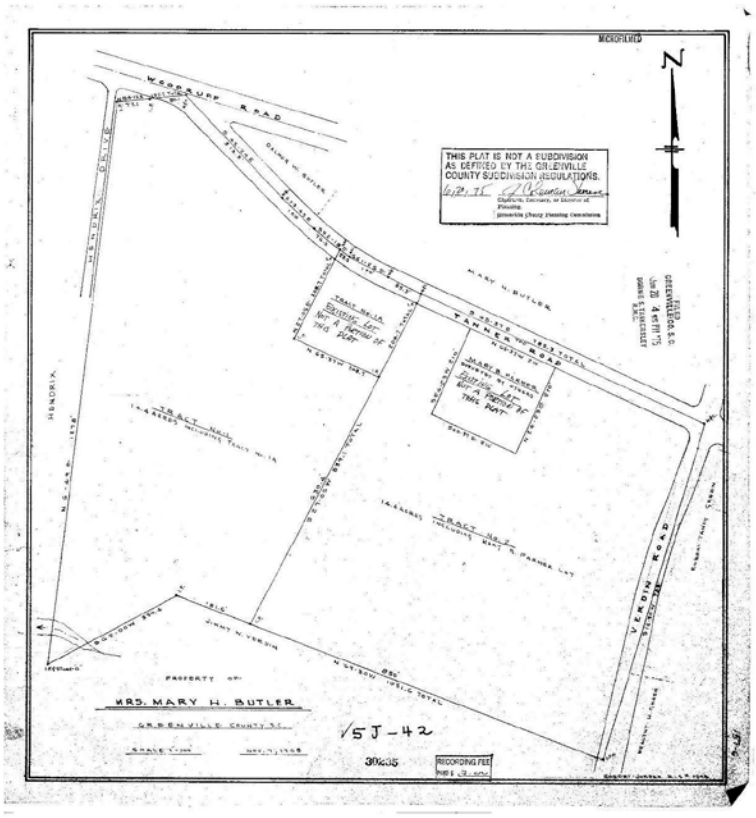
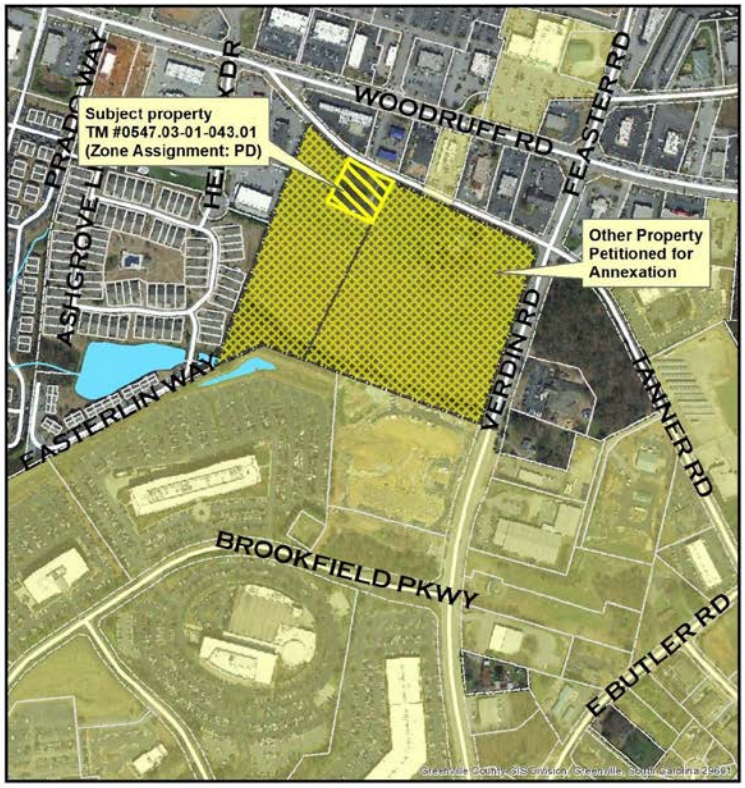


EXHIBIT B

PROPERTY MAP



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: _____

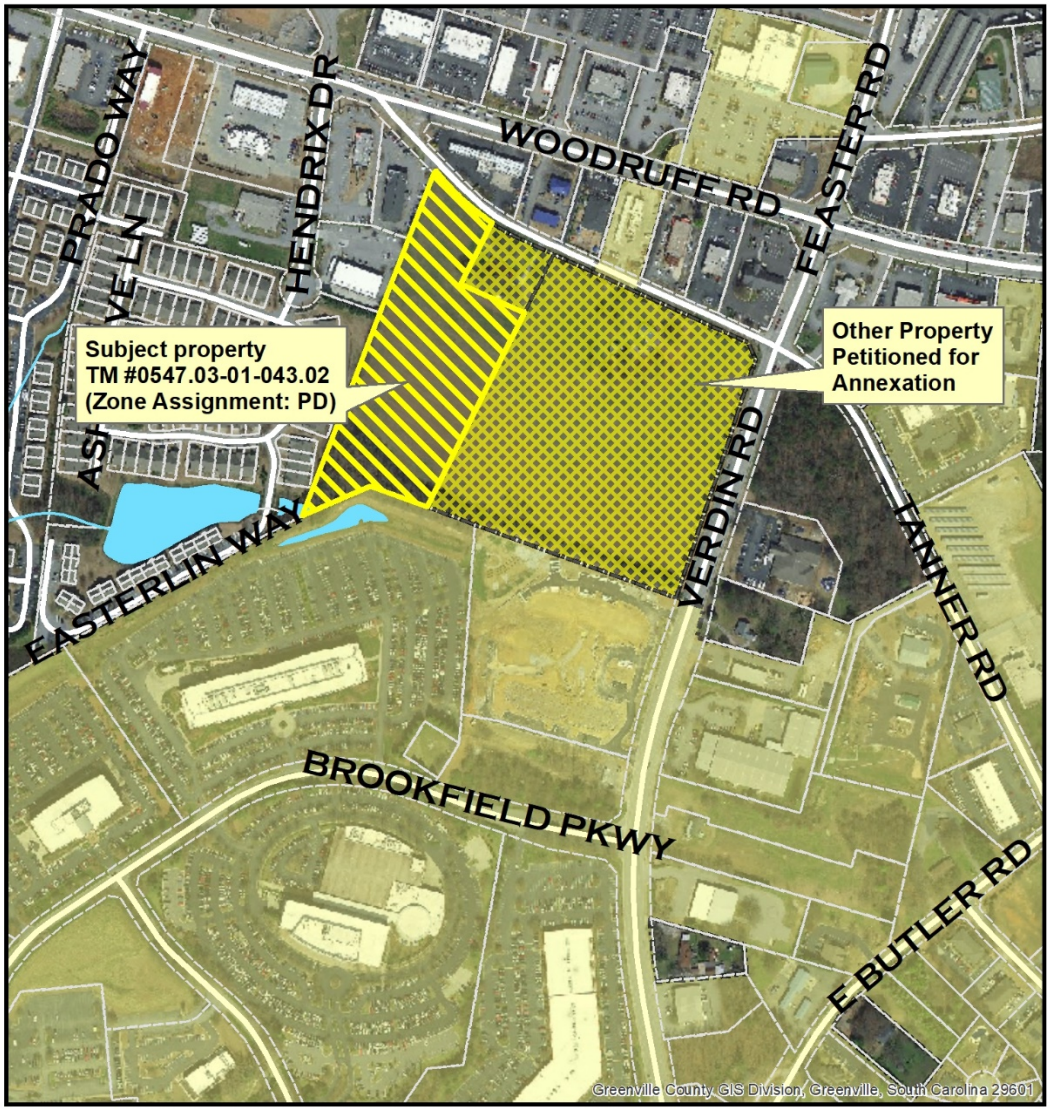
Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP

PROPERTY MAP



Legend

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

N

Feet
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Created on July 14, 2022
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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 14th 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

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

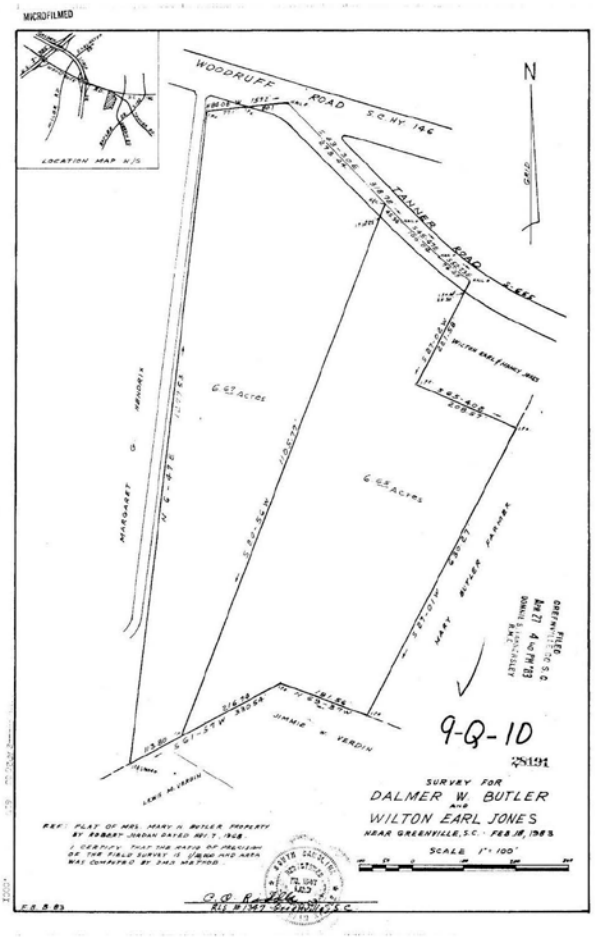
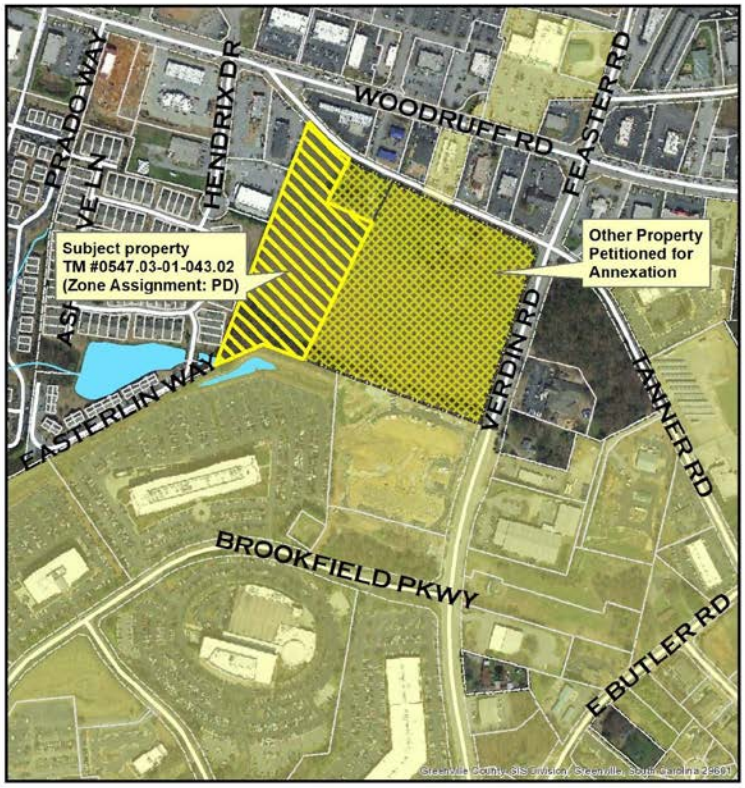


EXHIBIT B

PROPERTY MAP



Legend

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

N

0 400 Feet

Created on July 14, 2022

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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 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: _____

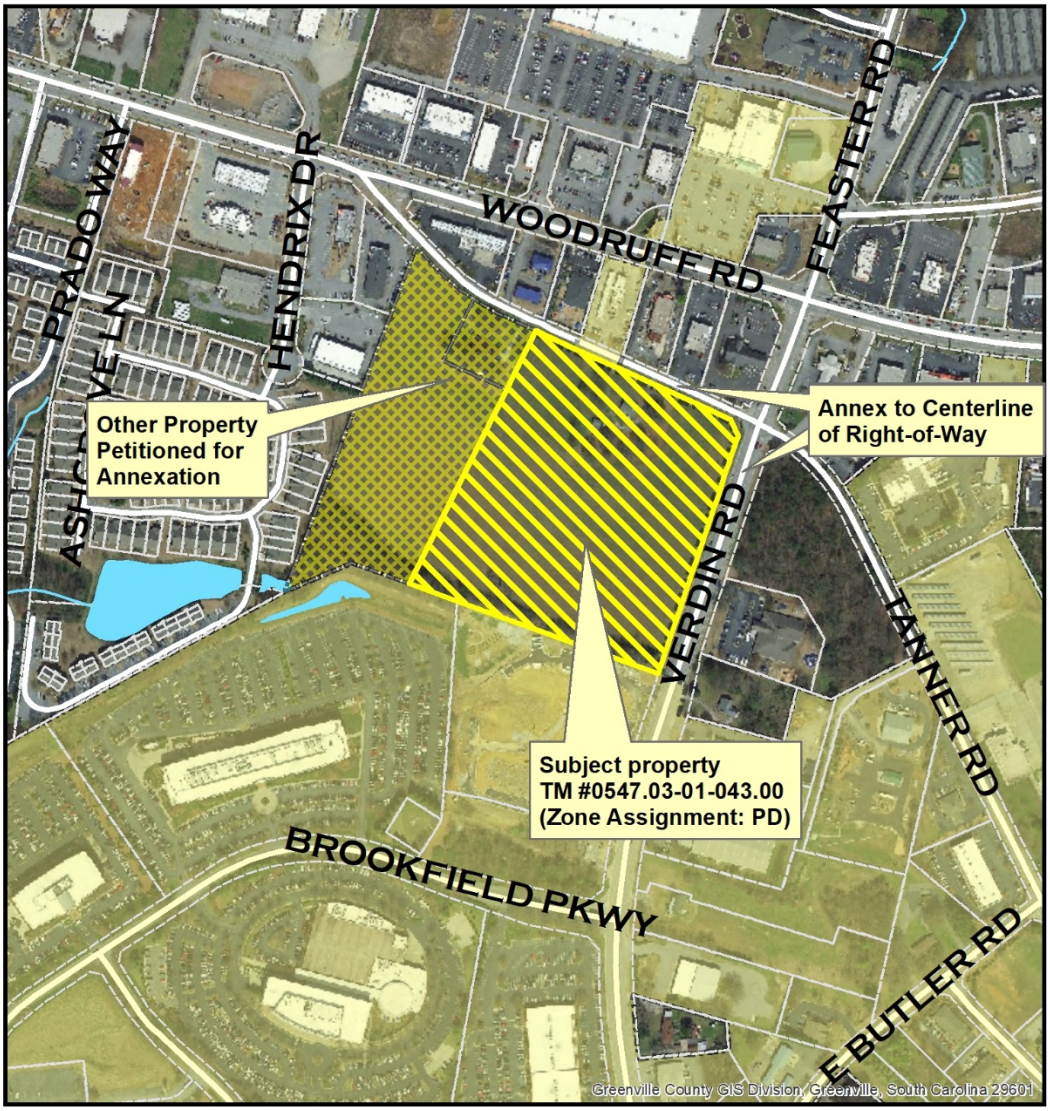
Second Reading: _____

Approved as to Form:

_____
City Attorney

EXHIBIT 1 – ANNEXATION MAP

50 Tanner Road Annexation Map



Legend

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

N

0 Feet 400

Created on July 14, 2022

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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 14th 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

Witness

Elaine F. Ayscue

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

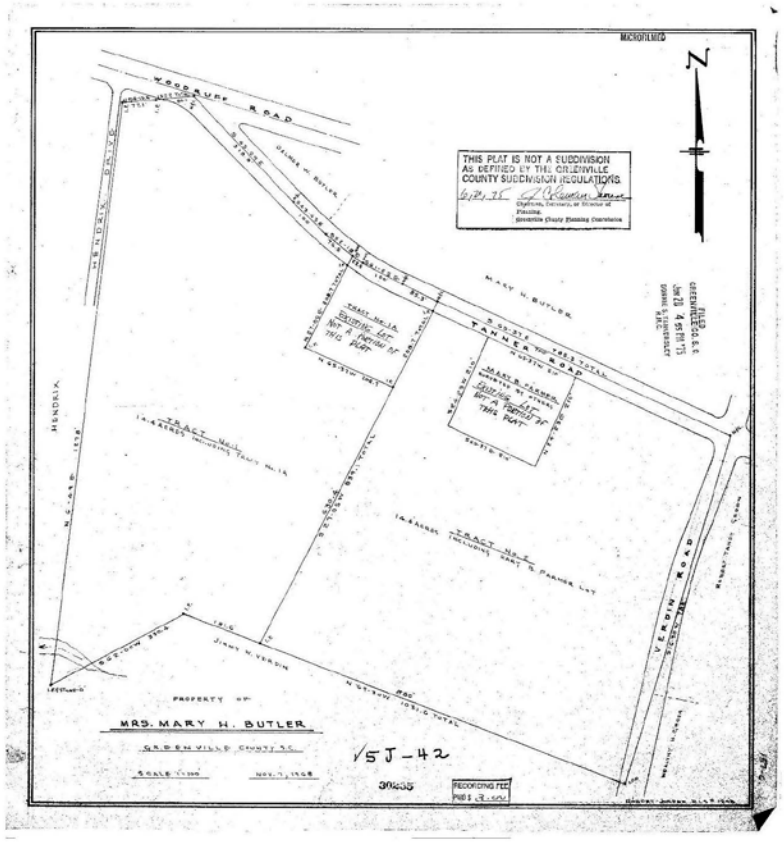
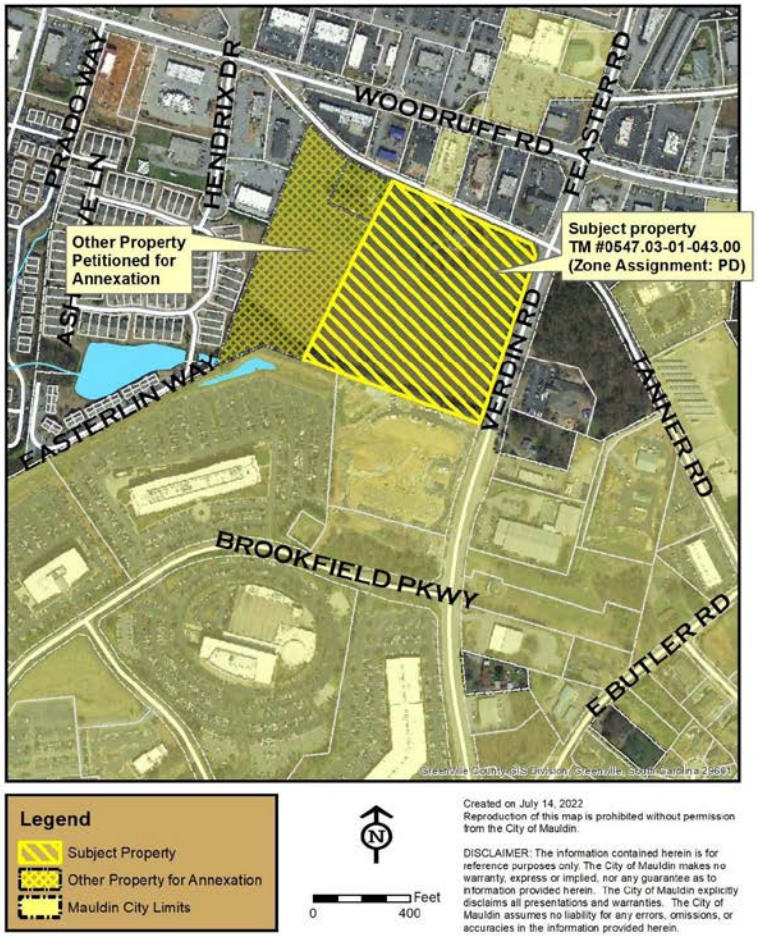


EXHIBIT B

PROPERTY MAP



07/13/2022

VIA EMAIL: 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 11th, 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.

- 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

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

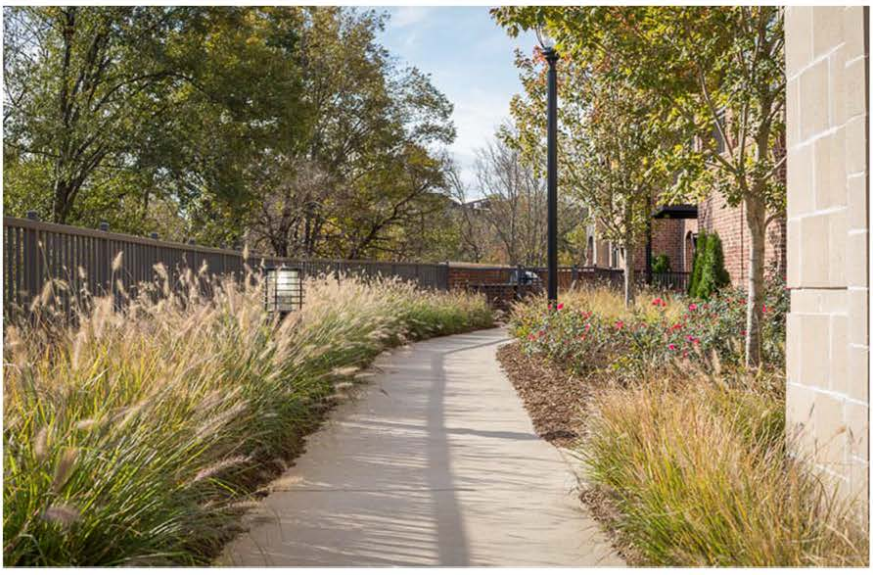
Lighting for the Tanner Road Mixed Use Community will vary depending on the application it is being used for. Along interior streets and parking, where buildings are nearby, and pedestrian activity is highest, decorative lantern type streetlights with a mounting height of no more than 18' will be used 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

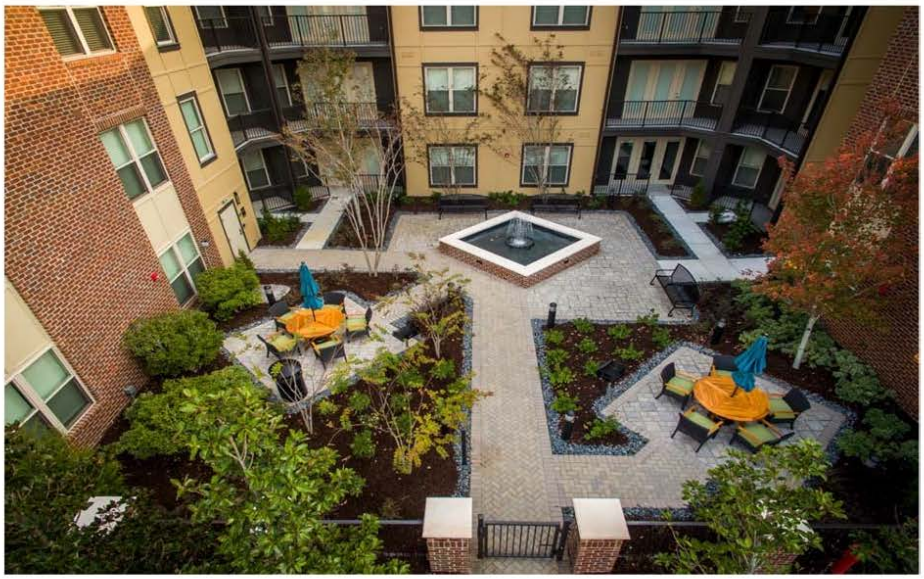
Example of 4 rail wooden fence with horse wire. Also, an example of "lantern" type light poles.



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.





FLOURNOY
Development Group

TANNER ROAD DEVELOPMENT

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

DYNAMIK
DESIGN

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

DYNAMIK DESIGN



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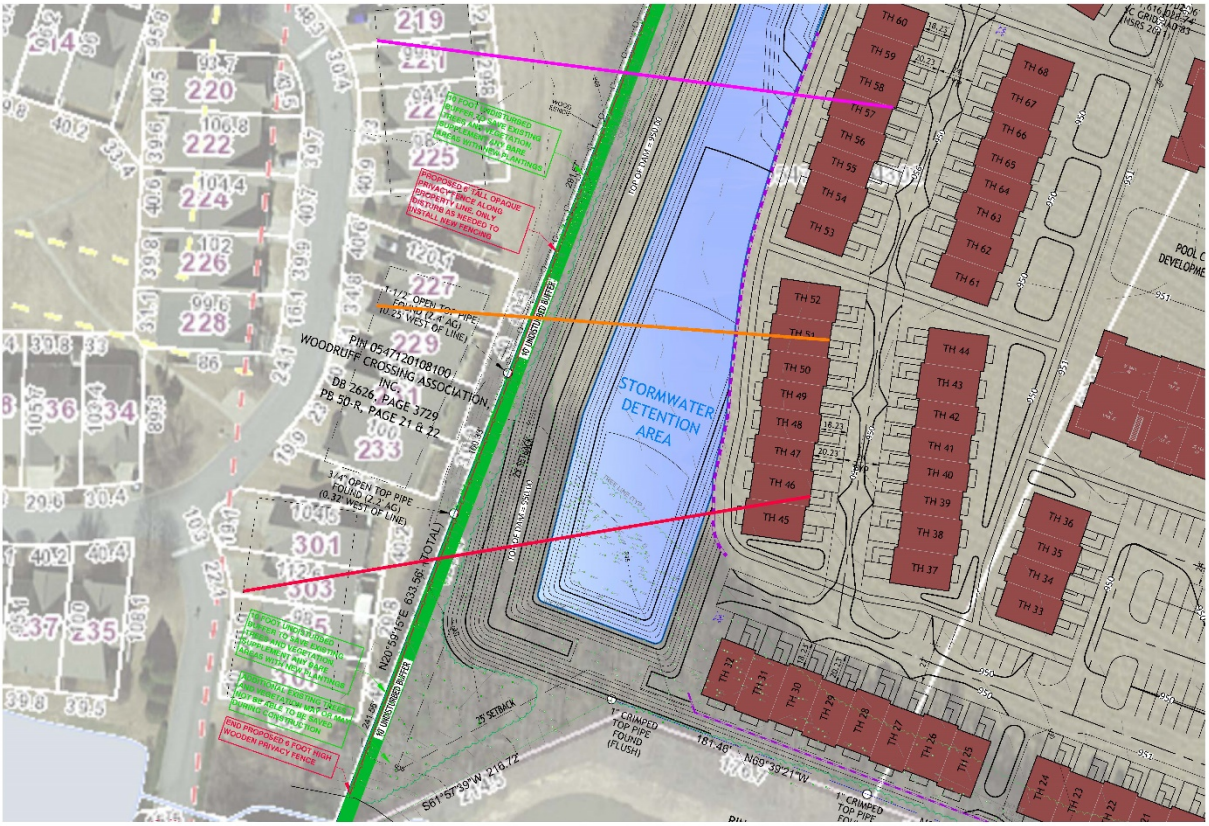
TANNER ROAD DEVELOPMENT
GREENVILLE COUNTY, SOUTH CAROLINA
PRELIMINARY DEVELOPMENT PLAN • 08-10-2022

DYNAMIK DESIGN


STORMWATER DETENTION AREA
WOODRUFF CROSSING ASSOCIATION, INC.
DB 2626, PAGE 3729
PB 50-R, PAGE 21 & 22
PIN 0547120108100
TH 60
TH 59
TH 58
TH 57
TH 56
TH 55
TH 54
TH 53
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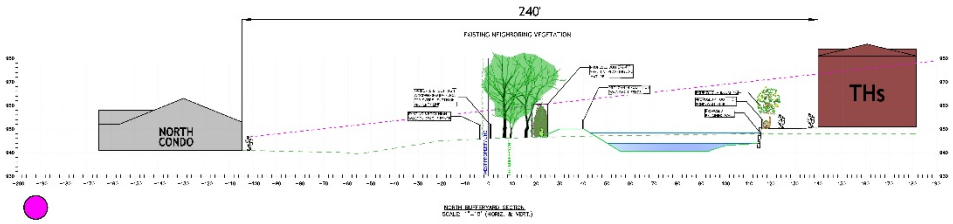
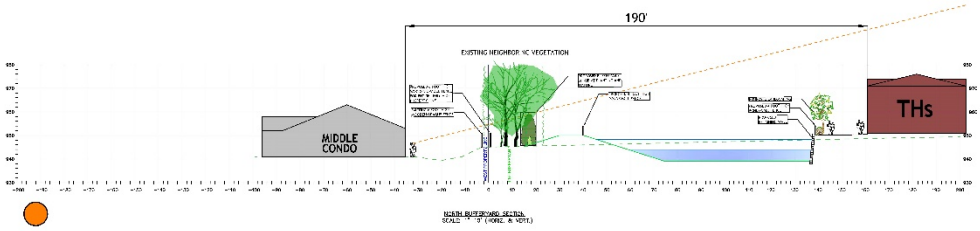
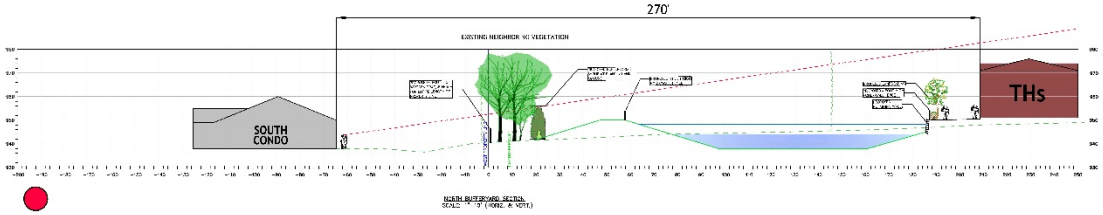
TH 27
TH 26
TH 25
TH 24
TH 23
TH 22
TH 68
TH 67
TH 66
TH 65
TH 64
TH 63
TH 62
TH 61
25' SETBACK
1" CRIMPED TOP PIPE FOUND (FLUSH)
N69°39'21"W
S61°57'39"W 216.72'
N20°59'15"E 633.56' (TOTAL)
END PROPOSED 6 FOOT HIGH WOODEN PRIVACY FENCE


240'
EXISTING NEIGHBORING VEGETATION
NORTH CONDO
THs
NORTH BUFFERWARD SECTION
SCALE: 1"=10' (HORIZ. & VERT.)

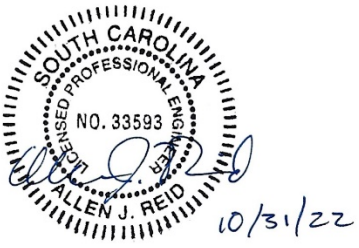

190'
EXISTING NEIGHBORING VEGETATION
MIDDLE CONDO
THs
NORTH BUFFERWARD SECTION
SCALE: 1"=10' (HORIZ. & VERT.)


270'
EXISTING NEIGHBORING VEGETATION
SOUTH CONDO
THs
NORTH BUFFERWARD SECTION
SCALE: 1"=10' (HORIZ. & VERT.)

TRAFFIC IMPACT STUDY

Tanner Road Multifamily

GREENVILLE COUNTY, SOUTH CAROLINA



REPORT PREPARED FOR:
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EXECUTIVE SUMMARY

A traffic impact study was conducted for the proposed Tanner Road multifamily development in accordance SCDOT and Greenville County guidelines. The proposed development is located on the southwest corner of Tanner Road and Verdin Road in Greenville County, South Carolina. The development is expected to consist of 90 townhome units, 36 carriage house rental units, and 345 apartment units. The project is anticipated to be constructed by the end of 2025.

A turn lane analysis was conducted utilizing the Build (2025) volumes. Based on build out volumes, no turn lanes are warranted at site access points.

The capacity analysis indicates that all approaches at the unsignalized intersections are expected to operate at LOS C or better under existing and future conditions. No improvements are recommended at these locations.

The capacity analysis indicates that, under Build conditions, the operations at the traffic signal at Verdin Road and Tanner Road is expected to be similar to No-Build conditions.

At the traffic signal at Woodruff Road and Verdin Road/Feaster Road, the side street delay, which would be high under No-Build, is expected to increase under Build conditions with the addition of site traffic. At the intersection of East Butler Road and Verdin Road, the southbound approach is not expected to drop in level of service from the No-Build to the Build conditions, but delay is expected to increase by nearly 21% in the AM peak hour and by nearly 25% in the PM peak hour.

As mitigation for the impact from the development, the following improvements are recommended:

- Construct dual northbound left turn lanes on Verdin Road at Woodruff Road by restriping the south leg of the intersection to one southbound receiving lane, dual northbound left turn lanes, a northbound through lane, and a northbound right turn lane.
- Modify the traffic signal to accommodate the northbound dual left turn lanes and convert the northbound left turn phasing to "protected only."
- Install a right turn overlap phase for the southbound approach of Verdin Road at East Butler Road.

In coordination with SCDOT, it is recommended that a raised concrete median on Verdin Road extending from Woodruff Road to beyond Truist Bank and Ameris Bank driveways be installed by the development.

Separate of the proposed development, SCDOT intends to install safety improvements within the study area resulting from a recent safety assessment of Woodruff Road. These improvements include the following:

- Construct a raised concrete median on Woodruff Road between Tanner Road and Verdin Road with a single median opening to be determined.
- Construct a raised concrete median on Verdin Road from the Kids 'R' Kids daycare to the north through the Tanner Road intersection and connecting to the median to be installed by the development, restricting Tanner Road to "right turn only" at Verdin Road, restricting the southbound left turn from Verdin Road to Tanner Road, but allowing a northbound left turn from Verdin Road onto Tanner Road.
- Removal of the existing traffic signal at Verdin Road and Tanner Road.

With the proposed improvements, the daycare driveway and Site Access C are expected to experience the most change in delay. With the shift in traffic caused by the restricted movements, movements from the side street at this intersection are anticipated to become more difficult. Higher side street delay is not uncommon at unsignalized intersections particularly during peak hours when mainline volumes are highest. Additionally, a traffic signal is not warranted at this location. As such, no additional mitigation is recommended.

With the proposed improvements, delay for the northbound approach of Verdin Road at Woodruff Road is expected to improve in both the AM and PM peak hours. Operations at the intersection of East Butler Road and Verdin Road/Holland Road is anticipated to be similar to the No-Build conditions.

CITY COUNCIL
AGENDA ITEM

MEETING DATE: November 21, 2022

AGENDA ITEM: 8a

TO: City Council

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

SUBJECT: Drive-thru Standards

BACKGROUND

Staff has been asked to review and consider updated drive-thru standards, including standards in the Central Redevelopment District. At its meeting on September 19, 2022, City Council members provided input on drive-thru standards, particularly in the Central Redevelopment District.

CURRENT MAULDIN STANDARDS

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 or other areas of the City.

DRAFT ORDINANCE

Based on the input received at the September 19, 2022, City Council meeting, staff has drafted an ordinance that (1) defines drive-thru facilities, (2) prohibits new drive-thru facilities in the Central Redevelopment District, and (3) updates the general standards for drive-thru facilities in other parts of the City.

Definition

The definition for drive-thru facilities in the draft ordinance is: "The portion of an establishment where goods or services are provided to patrons who remain in motor vehicles. Such facilities are typically distinguished by parking spaces or driveways where patrons may remain inside vehicles while placing or receiving orders at service windows, intercom devices or other electronic devices. These facilities comprise all driveways, queuing lanes and spaces, drive-in parking spaces, ordering stations, menu boards, services windows, intercom devices, and other appurtenances involved with the provision of goods and services to patrons in motor vehicles."

Central Redevelopment District (CRD)

The draft ordinance would prohibit new drive-thru facilities in the Central Redevelopment District. Existing drive-thru facilities in this district may remain but could not be expanded or enlarged. Additionally, existing drive-thru facilities would not be allowed vehicular access to new streets constructed within this district provided that the facility is still accessible via existing streets.

General Standards

The draft ordinance updates the general standards for drive-thru facilities as follows:

1. The number of queuing spaces required for restaurant drive-thru facilities has been updated to require 3 spaces at the first service window and 2 spaces at each subsequent service window, in addition to the 4 spaces required at the ordering station.
2. The number of queuing spaces required for automatic car washes has been reduced from 6 to 4 spaces at the car wash entrance.
3. The number of queuing spaces required for self-service car washes has been reduced from 3 to 2 spaces at each bay or stall.
4. Where pedestrian pathways or routes cross a drive-thru lane, the pedestrian pathway or route must be raised and made prominent, such as through material changes, to ensure pedestrian visibility and safety.
5. If a drive-thru facility is covered, the roof over the drive-thru area must have the same architectural design and materials as the principal structure on site.
6. No appurtenance to the drive-thru facility, including, but not limited to, queuing lanes, drive-in parking spaces, service windows, ordering stations, menu boards, or similar appurtenances, shall be located between the front of the principal structure and the adjacent street right-of-way.

For the full text of the draft ordinance, please see the attachment.

PUBLIC HEARING

The Planning Commission held a public hearing on October 25, 2022. No public comments were offered at the public hearing.

TIMELINE

On September 6, 2022, the Building Codes Committee discussed drive-thru standards as they relate to the Central Redevelopment District in the City of Mauldin.

On September 19, 2022, the City Council provided input on the topic of drive-thru standards.

On October 3, 2022, the Building Codes Committee reviewed a draft ordinance and referred the ordinance to the Planning Commission for action.

On October 25, 2022, the Planning Commission held a public hearing and voted 4-0 to recommend approval of the draft ordinance.

On November 7, 2022, the Building Codes Committee forwarded this matter to the City Council with a recommendation of approval.

STAFF RECOMMENDATION

Staff recommends approval of the draft ordinance to amend the standards for drive-thru facilities in the City of Mauldin.

PLANNING COMMISSION RECOMMENDATION

On October 25, 2022, the Planning Commission voted 4-0 to recommend approval of the ordinance.

ATTACHMENTS

Draft ordinance

ORDINANCE # _____

AN AMENDMENT TO THE MAULDIN ZONING ORDINANCE ESTABLISHING DEFINITIONS, STANDARDS, AND PROHIBITIONS FOR DRIVE-THRU FACILITIES.

WHEREAS, the Mauldin Comprehensive Plan establishes "City Center" areas that promote pedestrian-oriented development; and

WHEREAS, the purpose and intent of the Central Redevelopment District is to encourage the redevelopment of the central area of the City in a manner that promotes pedestrian activity and safety; and

WHEREAS, drive-thru facilities prioritize vehicular orientation over pedestrian orientation; and

WHEREAS, this Ordinance is intended to minimize drive-thru facilities in areas where pedestrian orientation is integral to the character of the district; and

WHEREAS, this Ordinance is intended to provide standards that will promote pedestrian safety in areas where drive-thru facilities may be appropriate; and

WHEREAS, the City is engaged in ongoing efforts to update and refine the City's master plan and zoning regulations; and

WHEREAS, pursuant to properly published public notice, the Mauldin Planning Commission considered this matter at a public hearing on October 25, 2022.

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

Section 1 Amendment. Amend Section 3:3, Definitions, of Article 3, 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*):

ARTICLE 3. – ZONING DISTRICTS, GENERAL STANDARDS, DEFINITIONS

***

Sec. 3:3 – Definitions

***

Drive-thru facility. The portion of an establishment where goods or services are provided to patrons who remain in motor vehicles. Such facilities are typically distinguished by parking spaces or driveways where patrons may remain inside vehicles while placing or receiving orders at service windows, intercom devices or other electronic devices. These facilities comprise all driveways, queuing lanes and spaces, drive-in parking spaces, ordering stations, menu boards, service windows, intercom devices, and other appurtenances involved with the provision of goods and services to patrons in motor vehicles.

***

Section 2 Amendment. Amend Section 5:6, CRD, Central Redevelopment District, of Article 5, 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*):

ARTICLE 5. – ZONING DISTRICT REGULATIONS

***

Sec. 5:6 – CRD, Central Redevelopment District.

***

5:6.16 Drive-thru Facilities.

Drive-thru facilities shall be strictly prohibited within this district. Existing drive-thru facilities may remain but shall not be expanded or enlarged. Additionally, existing drive-thru facilities shall not be allowed vehicular access to new streets constructed within this district where the facility will still be accessible via existing streets.

***

5:6:~~16~~17 Architectural Design.

***

Section 3 Amendment. Amend Section 6:1.1.5, Vehicle Queuing and Stacking Spaces, of Article 6, 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*):

ARTICLE 6. – DEVELOPMENT AND DESIGN STANDARDS

***

Sec. 6:1 – Off-Street Parking Requirements.

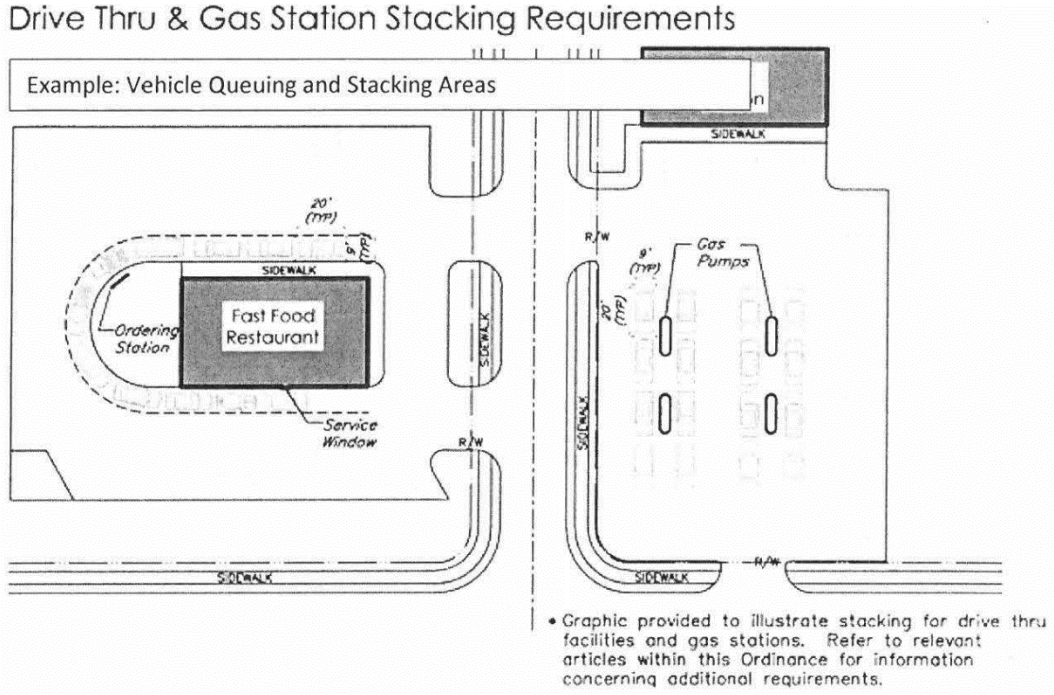
***

6:1.1.5 Vehicle Queuing and Stacking Spaces

The vehicle queuing and stacking standards of this section shall apply unless otherwise expressly approved by the Director.

A. *Minimum number of spaces.* Off-street queuing spaces shall be provided as follows:

Table 6:1.1.5(A): Vehicle Queuing Areas for Drive-thru Facilities		
Activity Type	Minimum Queuing Spaces	Measured From
Bank teller lane~~, Pharmacy drive-thru~~	4	Teller or window
Pharmacy drive-thru	4	Window
Automated teller machine (ATM)	3	Teller machine
~~Restaurant drive-through~~	~~4~~	~~Order box~~
Restaurant drive-thru	4 spaces to each ordering station; and 3 spaces to the first service window; and 2 spaces between each service window	
Car wash stall, automatic	~~6~~ 4	Entrance
Car wash stall, self-service	~~3~~ 2	~~Entrance~~ Bay or stall
Gasoline service stations	4	To pump
Other uses	As determined by Director as needed	



B. *Design and layout.* Required queuing spaces are subject to the following design and layout standards:

1. *Size.* Queuing spaces shall be a minimum of eight (8) feet by twenty (20) feet in size.

2. ~~*Location*~~ *Traffic circulation.* Queuing spaces may not impede on-site or off-site traffic movements or movements into or out of off-street parking spaces.

3. *Driveway design.* Queuing spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Director for traffic movement and safety.

4. *Pedestrian design.* Where pedestrian pathways or routes cross a drive-thru lane, the pedestrian pathway or route shall be raised and made prominent, such as through material changes, to ensure pedestrian visibility and safety.

5. *Architectural design.* If covered, the roof over a drive-thru area shall have the same architectural design and materials as the principal structure on site.

6. *On-site location.* No appurtenance to the drive-thru facility, including, but not limited to, queuing lanes, drive-in parking spaces, service windows, ordering stations, menu boards, or similar appurtenances, shall be located between the front of the principal structure and the adjacent street right-of-way.

Section 4. 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: November 21, 2022

AGENDA ITEM: 8b

TO: City Council

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

SUBJECT: Vacancy on Zoning Board of Appeals

CURRENT OPENINGS

The City Council recently appointed 3 citizens to the Zoning Board of Appeals. There is still currently **1** open seats on the Zoning Board of Appeals. This open seat is Seat #6. The current term for Seat #6 will expire at the end of June 2023.

The City Clerk, Ms. Cindy Miller, recently has received an application from Mr. Philip Cochrane.

COMMITTEE RECOMMENDATION

The Building Codes Committee recently interviewed Mr. Cochrane. The Committee has voted to recommend that the City Council appoint Mr. Cochrane to seat #6 on the Board of Appeals.

CITY APPOINTMENT PROCEDURES

The next step in the City of Mauldin's policy is for the City Council to consider taking action on the recommendation of the Building Codes Committee.

ATTACHMENTS

Application

CITY COUNCIL
AGENDA ITEM

MEETING DATE: 11/21/2022

AGENDA ITEM: 8c

TO: City Council

FROM: Chief George Miller

SUBJECT: Amended Mutual Aid with the Drug Enforcement Unit

REQUEST:

To approve an Amended mutual aid with the DEU

HISTORY/BACKGROUND:

All agencies in Greenville participate in the DEU and a mutual aid agreement was signed. The Solicitor's Office started the unit and oversees it. They are responsible for hiring the commander, with the approval of the Chiefs and the Sheriff (Governing Board.) They are also responsible for paying the salary for the commander of the DEU.

ANALYSIS or STAFF FINDINGS:

After consideration from the Solicitor, the Sheriff and the Chiefs, the governing board has voted and allowed for the Greenville County Sheriff's Office to provide a commander as well as pay for his salary. The DEU will still fall under the Solicitor's Office. The commander, even though he works for the Sherriff's Office, will fall under the Governmental Board when it pertains to DEU Business. The person chosen was Captain Johnny Westmoreland.

FISCAL IMPACT:

There will be no fiscal impact to the City.

RECOMMENDATION:

Staff recommends we accept the amended mutual aid from the DEU to allow the Sheriff to provide the commander and pay his salary.

ATTACHMENTS:

Amended mutual aid.

Amended Memorandum of Understanding
Greenville County
Multijurisdictional Drug Enforcement Task Force

This Amended Memorandum of Understanding (MOU) is made among: The Thirteenth Circuit Solicitor's Office, the Greenville County Sheriff's Office, the City of Greenville Police Department, Greer Police Department, Fountain Inn Police Department, Mauldin Police Department, Simpsonville Police Department, and Travelers Rest Police Department (Participating Agencies). The Participating Agencies agree as follows:

> **Creation.** The Greenville County Multi-Jurisdictional Drug Enforcement Unit ("GCMDEU" or "Unit") is hereby created to provide a more comprehensive investigative approach to combat trafficking in narcotics and dangerous drugs and other related crimes in Greenville County; and to provide a more effective use of public resources.

Responsibilities. The GCMDEU has the following responsibilities:

1. To disrupt illicit drug trafficking in the State of South Carolina, the Greenville County area, adjacent regions, and adjoining states;
2. To gather and compile intelligence data relating to trafficking in both narcotics and other dangerous drugs;
3. To conduct undercover operations when appropriate and to engage in other traditional methods of investigation in order to effectively prosecute drug law violations in the appropriate courts:
4. To cooperate with state and federal law enforcement agencies in the investigation, arrest, and prosecution of upper-level drug dealers;
5. To enforce laws prohibiting money laundering and organized criminal activities;
6. To enforce laws prohibiting vice-related crimes, including gambling, solicitation, and prostitution;
7. To enforce all state laws anywhere in Greenville County. To enforce all county ordinances in any unincorporated portion of Greenville County. To enforce any municipal ordinance of any municipality in Greenville County while the officer is located in that municipality; and
8. To conduct any other law enforcement investigation or activity as authorized by the GCMDEU Commander and/or the GCMDEU Governing Board.

Governing Board. The Governing Board of the GCMDEU shall be comprised of the chief executive officer of each Participating Agency ("Governing Board"), or his/her designee, provided that the Participating Agency has staff assigned to the GCMDEU. The chair of the Governing Board shall be chosen by a majority vote of the membership, and the term shall be one year from the date of selection, unless otherwise determined by a vote of the Governing Board.

Duties of Governing Board. The Governing Board, with the exception of the Thirteenth Circuit Solicitor, will determine both the general and specific direction in all law enforcement matters of the GCMDEU using the most recent edition of Robert's Rules of Order to govern their deliberations in cases not otherwise provided for by statute, relevant City or County Code, rule or regulation in that order. The Governing Board shall meet at least monthly during the term of

this MOU.

Solicitor's Role. The Thirteenth Circuit Solicitor's role in the Governing Board shall be limited to serving as the employing agency for the Commander if so requested by the Governing Board and providing legal advice to the Governing Board and to vote on administrative matters that concern the GCMDEU.

Quorum. A majority of the Governing Board members shall constitute a quorum for the transaction of business at any meeting of the Governing Board. If a quorum is not present at any meeting of the Governing Board, no action may be taken. Governing Board members may participate in, and be regarded as present; at any meeting of the Governing Board by means of conference call or any other means of communication by which all persons participating in the meeting can hear each other simultaneously. Unless otherwise determined by the Governing Board and confirmed in writing at least 7 days in advance of a meeting date, no proxy votes shall be permitted. The presence of the Thirteenth Circuit Solicitor shall be included for determination of a quorum; however, the Solicitor shall abstain from voting on any substantive law enforcement matters.

Action. The Governing Board shall take action pursuant to resolutions adopted by the affirmative vote of a majority of the members participating in a meeting at which a quorum is present. All action by the Governing Board, whether taken during a regular meeting or during executive session, shall be recorded in the minutes of the meeting, unless such action would qualify as a matter exempt from disclosure pursuant to SC Code Annotated §30-4-40 (as amended). In addition, the Governing Board may take action between meetings by written consent as necessary. Such written consent may be by electronic vote and will be included in the next meeting's minutes documenting the action taken.

Commented [MKT1]: If FOIA applies to GCMJDEU, then this provision violates 30-4-70(c)

Assignment of Law Enforcement Officers. Each Participating Agency, other than the Thirteenth Circuit Solicitor's Office, shall provide a minimum of one full-time narcotic enforcement officer to be assigned to the GCMDEU. The Participating Agencies also recognize that staff resource constraints may cause any agency to limit its participation or temporarily withdraw from the GCMDEU for a period of time, until resources are sufficient to participate. During such periods, the affected agency may still be represented at the Governing Board, but shall not qualify for purposes of quorum or vote.

Jurisdiction. All officers assigned to the GCMDEU shall have law enforcement jurisdiction pursuant to applicable enabling agreements and to which this agreement conforms. This jurisdictional permission shall apply only to assignments undertaken pursuant to GCMDEU functions and shall remain applicable regardless of Unit participation by the Greenville County Sheriff's Office, unless expressly prohibited by the Sheriff.

Prosecution. The Solicitor will assign a prosecutorial liaison for all GCMDEU cases, except for cases that may be tried in Federal court or other jurisdiction's cases.

Supervision. The Governing Board will select and assign experienced narcotics enforcement officers with extensive administrative and operational experience to serve as supervisors of the

GCMDEU. A supervisor is someone who holds the rank of sergeant or higher, or is a supervisor at his or her respective agency that is otherwise qualified through his or her training and experience as determined by the Governing Board. The Governing Board will assign, with the consent of the Solicitor, a Commander to manage the overall operations of the GCMDEU. During their assignment, GCMDEU officers shall be under the direct supervision and control of the assigned supervisors and Commander. The GCMDEU Commander is under the direct supervision and control of either the Solicitor's Office or the Greenville County Sheriff's Office for all employment related-purposes. If the Commander is an employee of the Greenville County Sheriff's Office, he or she must hold the rank of Captain or higher. The Solicitor or his designee hereby delegates tactical control over the Commander's day to day GCMDEU operations to the Governing Board. The Commander may not appoint a person as a supervisor unless that person is a supervisor at the agency where he/she is employed on a full-time basis.

Commented [MKT2]: We may want to rethink this sentence. Not sure what the best way to put this is.

Guidelines and Procedures. The GCMDEU operational guidelines and procedures will be developed by the GCMDEU Commander for approval by the Governing Board. Additionally, the GCMDEU Commander will collaborate with all Greenville County municipal police agencies to develop and implement an appropriate deconfliction policy. All officers assigned to the GCMDEU will comply with all guidelines and procedures so approved. Failure to comply may be grounds for reassignment. The guidelines and procedures will not supersede any policies or guidelines adopted by a Participating Agency.

Work Assignments. With the exception of special assignments, officers assigned to the GCMDEU will work on assigned activities during their on-duty hours. The work schedule of the officers will vary according to operational requirements. The usual work week will be 40 hours. The GCMDEU Commander may request an officer be reassigned for any reason and may bring any operational, manpower or personnel issue before the Governing Board for consideration and vote.

Compensation. Employees authorized to the GCMDEU will remain employees of their respective agencies and will be compensated by the respective agency. Compensation shall include all salary, fringe and overtime expenses related to the authorized transfer to the GCMDEU.

Data Storage. The GCMDEU shall maintain all records necessary to adhere to applicable Best Practices. All Participating Agencies shall have access to all information stored by the Unit via their participating personnel and via the Commander. The Commander shall be responsible for maintaining and appropriately disseminating all information according to accepted Law Enforcement Standards.

Office Location. The GCMDEU will operate out of one location, upon which the Governing Board will mutually agree.

Press Releases/Conferences. Press releases or press conferences for operations conducted by the GCMDEU shall be the responsibility of the Commander or his designee in coordination with the Solicitor's Office. For major cases (as defined by the GCMDEU Commander) the chief executive officer, or his designee, of the jurisdiction where the crime or investigation occurred,

in coordination with the Solicitor's Office may issue press releases or hold press conferences.

Funding. Each Participating Agency agrees to contribute to the funds necessary to begin the GCMDEU, including in-kind contributions where possible. Both in-kind and cash contributions shall be detailed and disclosed in a separate document to be maintained by the Commander or his designee and to be shared with the Governing Board on a quarterly basis.

Use and Distribution of Assets. The use or distribution of any and all assets seized and forfeited to the GCMDEU will be by decision of the Governing Board and following the statutory framework set forth by S.C. Code Ann. § 44-53-530. Generally, distributions will be made quarterly. Distributed assets will be divided equitably among the Participating Agencies in accordance with the following provisions, unless contrary to applicable laws or court orders, in which case, such law or court order shall apply. Unless an alternate distribution is agreed upon by vote of the Governing Board, distributions will be divided by the actual manpower allocations in effect on the last day of the preceding quarter.

Dispute of Allocation. Any Participating Agency may request a hearing by the Governing Board in order to dispute a specific quarterly allocation. The governing Board may, in its discretion, request additional information regarding the dispute and may confirm the original decision without additional vote or may determine that an additional vote is appropriate.

Determination of "GCMDEU" Seizures. All seizures to be distributed as described in this agreement shall meet the following criteria:

1. The preliminary intelligence for the seizure originated pursuant to the work by a member of the Unit, or
2. The intelligence gathered by any source and documented as "turned over" to the Unit resulted in the seizure.

All seized currency over $1,000 and all assets seized other than currency reduced to cash proceeds will be distributed pursuant to S.C Code Ann. § 44-53-530, as amended, as follows: Five percent to the State of South Carolina: Twenty percent to the Solicitor, and Seventy-five percent to the GCMDEU to be distributed to the Participating Agencies according to manpower allocations as outlined in this MOU, or as otherwise agreed upon by the Governing Board.

Commented [MKT3]: When we get a gun or motor vehicle, it has to go to GCSO instead of DEU since DEU can't exchange weapons or get title to a car. Should we address this in MOU?

All seized drug-related currency under $1,000 and Federal forfeitures of any type and amount, including currency and other assets, will be distributed according to manpower allocations as set forth in this MOU, unless the specific distribution is controlled by court order or statute.

Manpower Allocations. Full manpower allocations are as follows:

Agency	Personnel

TOTAL	

Dissolution. Upon dissolution of the GCMDEU, equipment purchased with grant funds will be retained by the Participating Agency that paid the local match, unless otherwise dictated by the specific grant funding entity. All equipment purchased with program income will be divided equitably to each Participating Agency according to the manpower allocations in effect at the time of any such dissolution. Upon withdrawal by any Participating Agency while the GCMDEU continues to operate, all equipment purchased by the withdrawing agency will be retained by the withdrawing agency. No equipment purchased with program funds will be assigned to any withdrawing agency as long as the GCMDEU continues to operate.

Effective Date. This MOU shall become effective on the date subscribed below and shall automatically renew each anniversary date, year to year, unless terminated by the Governing Board. Any Participating Agency may terminate participation in the GCMDEU by providing written notice to the Governing Board. Such termination shall not impact the participation of any other Participating Agency to this MOU nor will it impact the validity of this MOU. All Participating Agencies agree that any and all successors in interest to their offices will be similarly bound by the terms of this MOU without necessitating execution of any amendment.

Effect of Previous Agreements. This MOU shall supersede, govern and control over any prior GCMDEU agreements or memoranda of understanding.

Amendments. Any non-substantive amendments to this agreement may be adopted upon approval of the Governing Board.

Commented [MKT4]: Unanimous or simple majority?

SIGNATURE PAGE TO BE CREATED.

IN WITNESS WHEREOF, the Participating Agency hereto has executed this Memorandum of Understanding on the date designated herein below. By signing this document, the Participating Agency has agreed to work in partnership to support the Greenville County Multi-jurisdictional Drug Enforcement Unit in order to combat trafficking in narcotics and dangerous drugs and other related crimes in Greenville County; and to provide a more effective use of public resources.

City of Mauldin

_____
Terry Merritt, Mayor

DATE: _____

_____
George Miller, Chief of Police

DATE: _____

CITY COUNCIL

AGENDA ITEM

MEETING DATE: November 21, 2022

AGENDA ITEM: 8d

TO: City Council

FROM: Fire Chief Brian McHone

SUBJECT: Duke Energy Easement

REQUEST

Consideration and action on granting a utility easement to Duke Energy.

HISTORY/BACKGROUND

A utility easement is needed from the City for the new fire department headquarters. The Easement will authorize Duke Energy to access, install, maintain and inspect the proposed electrical facilities on the property. Permanent power will be established after the signed easement is received.

FINANCIAL IMPACT

None

RECOMMENDATION

Recommendation to grant the utility easement to Duke Energy.

Prepared by: Duke Energy Carolinas, LLC
Return To: Duke Energy Carolinas, LLC
Attn: Wanda Stewart
1361 W. Wade Hampton Blvd
Suite F; Box 148
Greer, SC 29650

Parcel # M013020200404

EASEMENT

State of South Carolina
County of Greenville

THIS EASEMENT ("**Easement**") is made this ____ day of _____ 20____, from the **CITY OF MAULDIN SOUTH CAROLINA,** a municipality within the County of Greenville, South Carolina ("**Grantor**", whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company ("**Grantee**").

Grantor, for and in consideration of the sum of One and 00/100 Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 2609, Page 1142 on November 19, 2020; also shown as Parcel "A", containing 2.23 acres more or less, on a plat entitled "City of Mauldin" as recorded in Plat Book 1382, Page 76 - 77 on November 18, 2020;** all in the Greenville County Register of Deeds ("**Property**").

The Facilities may be both overhead and underground and located in, upon, over, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land thirty feet (30') in uniform width for the overhead portion of said Facilities and a strip of land twenty feet (20') in uniform width for the underground portion of said Facilities, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).

For Grantee's Internal Use:
Work Order #: 46950624-10

2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. The rights granted in this Easement include the right to install Facilities wherever needed on the Property to serve future development on the Property and adjoining lands. Portions of the Facilities may be installed immediately and other portions may be installed in the future as the need develops. Facilities installed in the future shall be installed at locations mutually agreeable to the parties hereto if they are to be located outside of the Easement Area. Upon any future installations of Facilities at mutually agreed locations, the Easement Area shall be deemed to include such future locations.
9. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20____.

Witnesses:

CITY OF MAULDIN
- a municipality within the County of Greenville, South Carolina

_____ (SEAL)
Terry Merritt, Mayor

_____
(Witness #1)

_____
(Witness #2)

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, certify that Terry Merritt, as Mayor of City of Mauldin, a municipality within the County of Greenville, South Carolina, personally appeared before me this day and acknowledged the due execution of the forgoing EASEMENT.

Witness my hand and notarial seal, this _____ day of _____, 20_____.

Notary Public: _____

Commission Expires: _____

For Grantee's Internal Use:
Work Order #: 46950624-10

CITY COUNCIL
AGENDA ITEM SUMMARY

MEETING DATE: November 21, 2022
AGENDA ITEM: **8e**

TO: City Council
FROM: Police Chief George Miller
SUBJECT: Acceptance of Grant

REQUEST

Acceptance of in-car camera grant.

HISTORY / BACKGROUND

Sgt. Sam Harrell had applied for a grant to purchase in-car cameras. The department was notified 11/4/2022 that we were awarded the grant. The grant was awarded through the SC Department of Public Safety in the amount of $86,542.64.

ANALYSIS or STAFF FINDINGS

With the acceptance of the grant, we will be able to purchase at least 16 cameras. This will help the police department to replace old units with new ones and give us a reserve for next year.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends acceptance of the grant. This grant was not budgeted, so a budget amendment will be needed.

ATTACHMENTS

SCDPS grant

South Carolina Department of Public Safety

Office of Highway Safety and Justice Programs

October 28, 2022

Chief George Miller
Mauldin Police Department
Post Office Box 249
Mauldin, South Carolina 29662-0249

Dear Chief Miller:

I am pleased to provide you with a Cash Award in the amount of $86,542.64 for In-Car Video Cameras (ICVC), supporting item costs and ICVC-related maintenance and/or storage costs. This funding is being provided pursuant to South Carolina Department of Public Safety Proviso 63.8 and may be applied to the initial purchase of expenditures as indicated in your agency's ICVC Request for Financial Support document. To complete the contract for this award, it is necessary for you, as the Official Authorized to Sign, to return the signed award within 30 days from the date of this notification.

The Office of Highway Safety and Justice Programs (OHSJP) offers awardees the option to use electronic or digital signatures to execute OHSJP award documents. The signed Cash Award document affirms your acceptance of the award and your understanding of the conditions for receiving and using the funds. Your signed documents can be emailed to DavidGarcia@SCDPS.gov, or mailed to the address below:

South Carolina Department of Public Safety
Office of Highway Safety and Justice Programs
ATTN: Mr. David Colorado Garcia
Post Office Box 1993
Blythewood, South Carolina 29016

Thank you for your prompt attention to this matter. Should you have any questions, please do not hesitate to contact Mr. David Colorado Garcia, who serves as our ICVC Program Coordinator, at 803-896-0754. Congratulations on your agency's award! Our staff looks forward to working with you.

Sincerely,

Phil Riley
Director

cc: David Colorado Garcia

Attachments

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF HIGHWAY SAFETY AND JUSTICE PROGRAMS
P. O. BOX 1993
BLYTHEWOOD, SOUTH CAROLINA 29016

IN-CAR VIDEO CAMERA GRANT PROGRAM

CASH AWARD

Award Recipient:	Mauldin Police Department
Date of Award:	October 28, 2022
Amount of Award:	**$86,542.64**
Award Period:	July 1, 2022 – June 30, 2023

Pursuant to the SCDPS Proviso 63.8, the South Carolina Public Safety Coordinating Council (SCPSCC) has been given oversight of the funding and disbursement of the "In-Car Video Camera (ICVC) Fund." The legislation states that the SCPSCC "…shall oversee the fund…and disburse the funds in a fair and equitable manner, taking into consideration the DUI enforcement activity of the law enforcement agencies, with priority given to those law enforcement agencies who prioritize DUI enforcement activity." In accordance with the above, your agency is receiving a cash award for the purchase of **in-car video cameras, supporting item costs, and ICVC-related maintenance and/or storage during the grant period July 1, 2022 – June 30, 2023.**

This agreement shall become effective as of the Date of Award, contingent upon the return of this form to the Office of Highway Safety and Justice Programs, signed by the Chief/Sheriff/Director (Official Authorized to Sign) in the space provided below. This award must be returned to the Office of Highway Safety and Justice Programs within 30 days of the Date of Award.

ACCEPTANCE OF THE SUBGRANTEE

Signature of Official Authorized to Sign

ACCEPTANCE FOR THE SFA

Phil Riley, Director
Office of Highway Safety and Justice Programs

THIS AWARD IS SUBJECT TO THE ATTACHED CONDITIONS.

IN-CAR VIDEO CAMERA GRANT PROGRAM
CASH AWARD CONDITIONS

AWARDED AGENCY: Mauldin Police Department

AWARD DATE: October 28, 2022

AWARD PERIOD: July 1, 2022 – June 30, 2023

AUTHORIZED SIGNATURE ON THE IN-CAR VIDEO CAMERA GRANT PROGRAM CASH AWARD DOCUMENT IS INDICATIVE OF THE AWARDED AGENCY UNDERSTANDING AND AGREEING TO THE STATED CONDITIONS BELOW.

* *

1) This award is contingent upon approval and availability of funds from the state funding source.

2) **Your agency can only use the awarded funds as follows: $74,320.00 for In-Car Video Cameras (ICVC); $9,822.64 for ICVC supporting item costs; and $2,400.00 for ICVC-related maintenance and/or storage costs.**

3) Documentation of the purchase of in-car video cameras, supporting item costs and ICVC-related maintenance and/or storage during the grant period of July 1, 2022 – June 30, 2023 must be submitted, after all items have been ordered, received, and paid, to the Office of Highway Safety and Justice Programs (OHSJP), as soon as possible, but no later than June 30, 2023. Documentation must demonstrate clearly that any and all procurement procedures operative within your agency have been followed. Funds may not be held by an agency and carried forward into the following fiscal year. **Funds not expended by June 30, 2023 are subject to be returned to the SC Department of Public Safety.**

4) Funds awarded to the agency may only be used for the intended purpose (i.e., purchase of in-car video cameras, supporting item cost, and ICVC-related maintenance, and/or storage costs) of the award. Funds awarded are subject to audit by the awarding agency.

5) Any proceeds received from the disposal of previously purchased in-car video cameras and/or equipment (i.e., sale or trade-in agreements) must be used for the agency's In-Car Video Camera Program.

6) Any and all items purchased with ICVC grant funds not authorized for the In-Car Video Camera Grant Program will be the responsibility of the awarded agency.

7) The signed In-Car Video Camera (ICVC) Cash Award document may be mailed to the OHSJP, or emailed to David Colorado Garcia at DavidGarcia@SCDPS.gov within 30 days of the Date of Award specified on the Cash Award document.

8) The Mauldin Police Department is encouraged to participate in the 13th Circuit Law Enforcement Network

9) Funds shall not be used to purchase printers or laptops.

* *

FOR OHSJP USE ONLY

* *

Cleared by: _____ Date: _____

CITY COUNCIL
AGENDA ITEM

MEETING DATE: November 21, 2022

AGENDA ITEM: 8f

TO: City Council

FROM: Public Works Director, Matthew Fleahman

SUBJECT: On-Call Sanitary Sewer Engineer Contract

REQUEST

Consideration and action on Assignment of Contract with CHA for the continued On-Call Sanitary Sewer Engineering services for the City.

HISTORY/BACKGROUND

The City has had Frazier Engineering under contract as the City's On-Call Sanitary Sewer Engineer for over 15 years. CHA Consulting acquired Frazier Engineering on September 23, 2022. CHA Consulting would like to have the active contract with the City assigned to its organization.

ANALYSIS or STAFF FINDINGS

CHA Consulting has absorbed Frazier Engineering and has kept the Frazier team intact. No changes to the contracts are being requested and all engineering service rates remain the same.

FINCANCIAL IMPACT

Assigning the Frazier Engineering Contracts to CHA Consulting will not create any additional fiscal impact on the City.

RECOMMENDATION

The Public Works Department recommends that the Frazier Engineering contracts be assigned to CHA Consulting.

October 11, 2022

Via E-mail Only

Matthew D. Fleahman, Director of Public Works
City of Mauldin
5 East Butler Road
Mauldin, SC 29662
MFleahman@mauldincitysc.com

Dear Mr. Fleahman:

Effective September 23, 2022, the assets of Frazier Engineering, P.A. ("Frazier") were acquired by CHA Consulting, Inc. ("CHA"), an innovative, full-service engineering design, consulting and construction management firm delivering sustainable, integrated solutions to the world's most challenging infrastructure projects. With decades of experience, CHA brings inspired talent, forward-leaning technology, and essential partnerships to meet our clients' evolving needs. The addition of Frazier's expertise to the existing CHA team of professionals further advances our efforts to continue building a national firm focused on addressing the critical infrastructure challenges our clients face across the nation.

We look forward to working with you as your trusted advisors and partners committed to responsibly improving the world we live in. Due to professional regulations, Frazier has been integrated into CHA effective as of the closing date, and all of Frazier's active contracts will need to be assigned to CHA. Rest assured that the professionals working on your project(s) will remain the same; however, they now bring a significantly expanded team of talent and services to support your most challenging projects.

Please accept this letter as a formal request to assign any active contracts to CHA. If you consent to the assignment, please return an executed PDF to Nikki Dames, Assistant General Counsel, at ndames@chacompanies.com. She can also address any transaction-related questions you may have.

If you have any questions regarding the services CHA offers, please contact Aaron Frazier by telephone at (704) 202-0570 or by e-mail at afrazier@chacompanies.com. We look forward to continuing our relationship.

Sincerely,

FRAZIER ENGINEERING, P.A.

Aaron Frazier
President

CHA CONSULTING, INC.

John Hensley, Jr.
Infrastructure Sector President
Executive Vice President

CONSENT TO ASSIGNMENT OF CONTRACTS

City of Mauldin hereby consents to the assignment of the following agreement from Frazier Engineering, P.A. to CHA Consulting, Inc., effective September 23, 2022:

Agreement Name	**Date**
Agreement Between Owner and Engineer for Professional Services, as amended	March 17, 2015 and amended on February 1, 2021, December 1, 2021 and December 1, 2021

City of Mauldin

By: _____
(Signature)

Name: _____

Title: _____

Date: _____

CITY COUNCIL
AGENDA ITEM

MEETING DATE: November 21, 2022

AGENDA ITEM: 8g

TO: City Council

FROM: Public Works Director, Matthew Fleahman

SUBJECT: Municipal State Highway Project Agreement

REQUEST

Public Works requests that Council approve and authorize the Municipal State Highway Project Agreement for the Butler Road P030553 repaving project.

HISTORY/BACKGROUND

The City has been working with the general public and the SCDOT to finalize designs for the corrido improvements along Butler Road from Bridges Road to US-276. The finalized designs are attached. The improvements include intersection improvements, culvert replacements, enhanced drainage, two new bridges, and upgraded multiuse path facilities.

ANALYSIS or STAFF FINDINGS

The attached Municipal State Highway Project Agreement will authorize the SCDOT to construct the corridor improvements in accordance with the finalized designs.

FINANCIAL IMPACT

The relocation of the City's sewer lines along Butler road will be the only financial impact to the City. The SCDOT allocated 4% of the project cost for utility location, which amounts to approximately 800,000 dollars. The estimated cost of sewer relocation is expected to exceed 1.5 million dollars.

RECOMMENDATION

The Public Works Department recommends that the Council approve and authorize the Municipal State Highway Project Agreement for the Butler Road P030553 repaving project.

South Carolina
Department of Transportation

November 2, 2022

Mr. Terry Merritt, Mayor of Mauldin
City of Mauldin
P.O. Box 249
Mauldin, South Carolina 29662

RE: Municipal State Highway Project Agreement for S-107 Butler Road Project
Project ID: P030553, City of Mauldin, Greenville County

Dear Mayor Merritt:

The South Carolina Department of Transportation (SCDOT) is developing the S-107 Butler Road corridor improvements project in cooperation with the Greenville Pickens Area Transportation Study (GPATS). The project is located within the municipal limits of the City of Mauldin so we are initiating the processing of a Municipal State Highway Project Agreement.

The project is located about one mile south of the I-385 interchange at Butler Road in Greenville County and the project scope consists of corridor improvements to East Butler Road (S-107) in the City of Mauldin for approximately 1.7 miles from US 276 (N. Main Street) to the Mauldin Senior Center entrance on East Butler Road. These improvements include intersection improvements, culvert replacements with two new bridges, enhanced drainage, and upgraded multiuse path facilities.

The right of way acquisition process is scheduled to begin in the spring of 2023, and the project is anticipated to receive bids for construction in December of 2024.

Enclosed are two original agreements along with one copy of the right of way plan sheets. Please review the agreement and, if acceptable, complete it (by having it dated and signed) and return one original to me at the following address:

Attention: Casey Lucas, PE, Room 216
SCDOT
PO Box 191
Columbia, SC 29201.

Thank you for your assistance with the agreement. Please let me know if you have any questions.

Sincerely,

Casey B. Lucas

Casey Lucas, PE
Project Manager
Upstate Regional Production Group
LucasCB@scdot.org

ENCLOSURES
EC: Mrs. Rebecca Vance, Interim City of Mauldin Administrator

MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF)

RESOLUTION

Road/Route: S-107 Butler Road
Project ID: P030553
Project: Butler Road Corridor Improvements

WHEREAS, the South Carolina Department of Transportation (SCDOT) proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the City of Mauldin (hereinafter, "the City").

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by or for SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (2018, as amended), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans, and further, the City, having reviewed the plans for said construction, does hereby approve said plans as provided for in S.C. Code §57-5-830.

BE IT FURTHER RESOLVED, that the foregoing consent and approval shall be the sole approval necessary from the City for SCDOT to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the City's limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the City will assist in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company's expense, except where the utility can demonstrate a prior right of occupancy. To the extent that City-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall bear no liability for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way."

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this _____ day of _____, 20____, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated:

_____
Municipality

ATTEST:

By: _____
City Manager

_____
Clerk

_____

_____

_____

_____

_____

CITY COUNCIL
AGENDA ITEM

MEETING DATE: 11/21/2022

AGENDA ITEM: 8h

TO: City Council

FROM: Mark Putnam

SUBJECT: Medical Benefits Renewal

REQUEST:

Committee to review, debate and move to Council for vote.

HISTORY/BACKGROUND:

The City of Mauldin's Medical Benefits are renewed every year in the month of December.

ANALYSIS or STAFF FINDINGS:

Staff in conjuncture with ECM (City's insurance broker) competitively bid out the City's Health, Dental and Vision coverage to obtain the most affordable and sufficient coverage for City Employees.

RECOMMENDATION:

HR Staff recommends that Council approve renewal with Anchor Benefits, Proactive MD and Ameritas (Dental/Vision).

ATTACHMENTS:

Self-funded analysis