

Regular Meeting  
September 27, 2021

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Terence Roberts, Mayor Pro Tem Chapman, Council Members Thompson, Laughridge, Stewart, Harbin, Newton, and Jeff Roberts. Councilman John Roberts was not present. Also, in attendance were City Manager, David McCuen; Assistant City Manager, Andrew Strickland; Finance Director, Margot Martin; City Attorney, Frankie McClain; and Planning Director, Maurice McKenzie. The invocation was given by Mayor Terence Roberts and respect to the flag was given by Councilman Kyle Newton.

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Councilman Harbin carried unanimously (8-0) to approve the minutes of the September 13, 2021, meeting as presented.

REQUEST SECOND READING OF ORDINANCE 21-14 TO ANNEX AND ZONE TO PDD, PLANNED DEVELOPMENT DISTRICT, APPROXIMATELY 50 ACRES LOCATED AT THE CORNER OF MIDWAY ROAD AND CRESTVIEW ROAD

Planning Director, Maurice McKenzie said the applicant requests to annex the subject property in order to construct a single-family residential subdivision. The requested zoning of PDD, Planned Development District requires a document that outlines details created specifically for this new subdivision, and acts as the zoning and development standards for the property.

This request initially came to the City Council on June 14, 2021. At that meeting, new information was presented that added more detail and reduced density. However, after reviewing the information and hearing public concerns, the City Council continued the request to a future meeting so that details could be more closely studied. On July 12, 2021, the item was considered again along with new revisions. It was approved on First Reading, but there were some additional items the City Council requested prior to considering it on Second Reading.

Per the details of the current document, the following are some specifics of the PDD:

- A maximum of 159 single-family residential dwellings are proposed.
- Minimum Lot Size: 6,500 square feet. The minimum lot size has been reduced in order to accommodate more open space in the development.
- Varying lot sizes to provide some diversity in the look and layout of the development:
  - 19% of the lots will be over 11,000 square feet, about 30 lots
  - 18% of the lots will be between 8,500-11,000 square feet, about 29 lots
  - Remaining lots will be between 6,500-8,500 square feet, about 100 lots

- In order to minimize long stretches of lots/dwellings, a street or green space at approximately 10 lot intervals will be incorporated into the development plan/PDD document.
- Landscaped islands (3 minimum) will be located in strategic locations within the development to act as both traffic calming measures and aesthetic features. The sizes of the islands will be 12 feet in width with a length of 30 feet.
- Sidewalks will be incorporated into the development.
- Undeveloped, landscaped green spaces at least 25 feet in width will be across from "T" style intersections in order to eliminate vehicle headlights from shining directly onto houses.
- All lots are required to have 2 trees per lot, one of which is to be planted near the front property line to provide a street tree appearance along the street.
- 4 off-street parking spaces per house, up to 2 of which are in garage. A minimum of 20 feet of separation will be provided from front property line to the front of the garage to ensure no overhang over sidewalks/streets.
- House sizes: 1,500-4,000 square feet.
- All dwellings shall have a finished floor elevation a minimum of 12 inches above the adjacent grade – no slab on grade houses.
- Left/right out turn lanes will be designed onto Midway Road.

In addition to refining several items above, the following are additional changes to the proposal:

- Creation of a subdivision layout that retains the mature trees on the site. A large common area/amenity park will be created near the center of the development in order to preserve the existing mature trees on the site.
- Open space in the proposed development increased to 19.08 percent (9.41 acres).
- Better pedestrian connectivity with sidewalks in 2 locations, in addition to the sidewalks planned along the streets (along some side property lines) to better serve the center open space/amenity area
- Addition of language to require larger trees/plantings in areas where there is green space. The minimum caliper of the trees at planting will increase from 2.5 inches to 3.5 inches.
- A deceleration/right turn lane on Midway Road for access into the new development will be created per SCDOT standards.

The revisions made since the original application submittal has strengthened the development standards for this proposal. Density has been reduced, traffic improvement measures will be created internally and externally, more green space is required, and various other enhancements will be incorporated into the development.

Upon final approval of the annexation and zoning, the subdivision plat must be submitted to the Planning Commission and various City departments for review and approval, per the standards in the land development/subdivision regulations. The standards set forth in the approved PDD document must also be incorporated into the preliminary plat and plans moving forward.

Mayor Pro Tem Chapman requested the SCDOT Representative be present at this meeting to discuss the traffic concerns.

SCDOT Assistant Program Manager, C.T. York, stated that the Right of Way acquisitions will begin in August 2022. In early 2024, construction will begin on the roundabouts with a construction timeline of 18 months. Completion date is projected for July 2025. Both roundabouts will be constructed at the same time.

City Manager, David McCuen stated that while the Right of Way's are one year, due to the limited property owners, should take less time.

Mayor Pro Tem Chapman said it would be irresponsible for him to vote yes due to the delay of construction of intersections.

Councilman Jeff Roberts said as Council we have to shape the growth and growth needs to continue for the City to provide the high level of service as a City without raising taxes.

Councilman Jeff Roberts also challenged the developer, Mr. Jeffcoat, to use quality materials when building these homes and also thanked Mr. Jeffcoat for making the improvements to the development that Council requested. He also said we could utilize our City Police Officers to help with traffic intersections during peak school hours.

A motion Councilman Stewart seconded by Councilman Newton carried (7-1) with Mayor Pro Tem Chapman voting against approval of Ordinance 21-14 to annex and zone to PDD, Planned Development District, approximately 50 acres located at the corner of Midway Road and Crestview Road on Second Reading.

REQUEST CONSIDERATION OF ORDINANCE 21-16 TO ANNEX AND ZONE TO PDD, PLANNED  
DEVELOPMENT DISTRICT, APPROXIMATELY 203 ACRES LOCATED OFF EAST RIVER  
STREET/BELTON HIGHWAY

Planning Director, Maurice McKenzie said the applicant requests to annex the subject properties in order to develop a residential subdivision. A zoning of PDD, Planned Development District is proposed, so the land development standards and guidelines are outlined in that document.

The proposal is to construct a maximum of 325 single-family detached residential homes or 600 single-family attached units in the entire development, depending on market conditions. However, the development plan also allows the opportunity to mix the two residential housing types. A maximum of 150 single-family detached residential lots and 275 single-family attached units will be allowed in the entire development when both uses are to be developed.

Surrounding the subject property are a mixture of commercial and residential uses, and the property shares a boundary with the Rocky River, the right-of-way of US 76 (East River Street/Belton Highway), and the Plantation Pipeline facility, which is to the east. Within the subject property is a cemetery, which will be protected by a landscaped buffer, as outlined in the PDD document.

According to the draft PDD document, the single-family lots will be a minimum of 6,500 square feet and minimum lot widths of 50 feet. If single-family attached homes are to be built, the document states that each unit will be on a lot of at least 1,200 square feet with a maximum of eight (8) townhouse units per block. Setbacks for detached houses and blocks of attached houses are:

Front Yard: 20 feet

Side Yard: 7.5 feet per side

Rear Yard: 10 feet

The plan shows 2 streets providing access to the development from East River Street/Belton Highway. According to the applicant, providing 2 points of ingress/egress into the subdivision will remain. Although subject to change, the concept plan shows 138 single-family detached houses and 267 townhome/single-family attached units.

Other highlights of the PDD document include:

- A fifty-foot (50') exterior property line setback will exist along East River Street and a fifty-foot (50') undisturbed buffer is required along the Rocky River flood zone. As indicated above, there is a cemetery on the property and a thirty-foot (30') landscaped buffer will be installed between it and the development.
- Land disturbing activities will be limited to areas necessary for and directly related to the construction improvements, such as buildings, streets, detention ponds, etc. This provision is to eliminate the clear-cutting of the site.
- A minimum of 2 trees will be planted per single-family detached lot, one of which will be in the front yard and planted close to the front property line for a street tree appearance along the streets.
- A sidewalk will be provided on one side of the new streets to allow walkability throughout the development.
- Each single-family detached dwelling will have a minimum of 2 off-street parking spaces, with at least one space being in the garage and one in the driveway. A minimum of 20 feet of separation will be provided from the sidewalk/edge of curb to ensure no overhanging of vehicles into the street.
- In order to eliminate long stretches of single-family detached lots, open space/street intersection breaks at approximately 10 lot intervals are required.
- There will be undeveloped breaks at least 20 feet wide across from "T" style intersections to eliminate vehicle headlights from shining directly onto houses.

- A traffic impact study will be conducted which will be submitted to the SCDOT and the City of Anderson. Any recommendations or mitigation items resulting from the study will be considered by both agencies.

The Planning Commission considered this request at their September 7<sup>th</sup> meeting and recommended approval with the condition that the staff's recommendations are incorporated into the PDD document. Most of the staff's comments have been addressed in the revised document, which includes increasing the minimum lot size to 6,500 square feet and requiring undeveloped space across from "T" intersections. Another recommendation was to add language creating a wider variety of lot sizes to provide some diversity in the look of the layout. Although this is not specifically outlined in the PDD document, the applicant indicates that the mixed-use development concept of single-family detached and single-family attached housing will accomplish that diversity.

Councilman Laughridge was concerned about the pipeline that is located on the property. The applicant, Brady Sanford with Liberty Communities, explained the drawings presented are conceptual drawings. Homes can not be built over the pipeline and the final site plan will indicate the location of the pipeline. Mr. Sanford also stated the property needs to be fully surveyed.

Mayor Pro Tem Chapman wanted to clarify if final plat, once approved by Council, comes back before Council. Mr. McCuen stated no, but he would send plans for comment.

Councilman Jeff Roberts expressed the need for a 2-tier lot size and graduated setbacks. For the attached units, Councilman Jeff Roberts, requested a 3<sup>rd</sup> tier for a larger lot size for the 8 units attached per lot. There needs to be greater separation between attached units.

Engineer, Michael Cash with Seamon's Whiteside and Associates, stated that because of the topography of the natural features, 30% of the property can not be developed making this a different and unique property making lot sizes limited. The attached units could stretch to a 6 pack of units to help with increasing lot size.

City Manager, David McCuen asked Council two questions: 1. Would Council like changes to be made to the conceptual drawings before a significant amount of money is spent on engineering cost? 2. Would they like to see changes and review after the preliminary plot is designed? Council requested to have a Work Session on the revised conceptual drawings.

Mr. McCuen requested confirmation with Council that they would like to see the changes made to the conceptual drawings before Second Reading.

Jordan Hammond with Liberty Communities stated that the area along E. River Street and Belton Highway is a dense area and wants to establish an in town feel to the surrounding areas. He also stated that the townhomes would only be 6 to a lot from what was previously shown. Mr. Hammond also pointed out the sewer trunk line is 30" for more density in this area.

Councilman Jeff Roberts continues to express the importance of varying lot size and setbacks. He strongly recommends deacceleration lanes along the SCDOT impact study.

Tully Keefer, from Climate Reality Project, said the City does not only need to be concerned about traffic but also the environmental impact of site clearing and the impact on the wetlands which causes stormwater problems of runoff with growth. She believes 200 acres of wooded land should demand an environmental impact study.

City Resident, Scott Finley asked Council to look into giving the developer a tax break for building homes with solar panels. City Manager, David McCuen said the electric provider, Duke Energy provides a robust program on green energy and solar panels.

A motion by Councilman Jeff Roberts seconded by Mayor Pro Tem Chapman carried unanimously (8-0) to approve Ordinance 21-16 to annex and zone to PDD, Planned Development District, approximately 203 acres located off East River Street/Belton Highway on First Reading.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO ANNEX AND ZONE TO PDD, PLANNED DEVELOPMENT DISTRICT, APPROXIMATELY 30.7 ACRES LOCATED AT 601 SIMPSON ROAD, AND AN ABUTTING 67.2 ACRE PARCEL FRONTING ON OLD WILLIAMSTON ROAD, SOUTH OF GLENVIEW MIDDLE SCHOOL

City Manager, David McCuen said a preliminary step has been taking to let Council see this referral. The developer will provide a conceptual design to Council and the Planning Commission for their review before coming back to Council for First Reading.

Planning Director, Maurice McKenzie said the applicant requests to annex approximately 98 acres which consists of 2 parcels of land located at 601 Simpson Road and acreage fronting on Old Williamston Road, south of Glenview Middle School. The proposal includes plans to develop up to 199 houses on 67 acres that are off Old Williamston Road and 171 multi-family units on 30 acres with Simpson Road frontage.

A PDD, Planned Development District zoning classification is proposed. This requires a document that outlines details created specifically for this property and acts as the zoning and development standards for the site.

Staff requests referral to the Planning Commission. The Planning Commission meets on October 5, 2021.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (8-0) to approve a referral to the Planning Commission a petition to annex and zone to PDD, Planned Development District, approximately 30.7 acres located at 601 Simpson Road, and an abutting 67.2 acre parcel fronting on Old Williamston Road, south of Glenview Middle School.

**REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO REZONE 218 TRIBBLE STREET, 508 AND 520 FAIR STREET, AND 1.98 ACRES LOCATED OFF CLINKSCALES STREET FROM HI, HEAVY INDUSTRIAL TO GC, GENERAL COMMERCIAL**

Planning Director, Maurice McKenzie said the applicant proposes to rezone the subject properties in order to construct a mixed-use development consisting of multi-family residential and a commercial element. The existing HI, Heavy Industrial zoning classification does not allow such uses, so a rezoning is needed. GC, General Commercial allows both multi-family and commercial uses.

The entire development will spread over 5 parcels, but one is already zoned GC. By rezoning the remaining 4 parcels, not only will it allow the proposed development, but it will have a consistent zoning pattern.

Staff requests referral to the Planning Commission. The Planning Commission meets on October 5, 2021.

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (8-0) to approve a referral to the Planning Commission a petition to rezone 218 Tribble Street, 508 and 520 Fair Street, and 1.98 acres located off Clinkscapes Street from HI, Heavy Industrial to GC, General Commercial.

**REQUEST CONSIDERATION OF RESOLUTION 21-18 AUTHORIZING THE APPOINTMENT OF A COMMISSIONER AND AN ALTERNATE COMMISSIONER TO THE BOARD OF THE ANDERSON REGIONAL JOINT WATER SYSTEM**

City Manager, David McCuen said the Mayor and Council of the City of Anderson adopted Resolution 16-02, on January 11, 2016, appointing Jeff Caldwell as the Commissioner and David McCuen as the Alternate Commissioner to represent the City of Anderson on the Board of the Anderson Regional Joint Water System. Jeff Caldwell resigned from the City of Anderson effective June 18, 2021. Scott Banks has been hired by the City of Anderson to replace Jeff Caldwell as Utilities Director. The by-laws of the Anderson Regional Joint Water System call for such appointments to be by resolution of the City Council. Said resolution upon adoption will be

presented to the Board of the Anderson Regional Joint Water System for official recognition. The City of Anderson would like to appoint Scott Banks as Commissioner and David McCuen as the Alternate Commissioner to represent the City of Anderson.

The City of Anderson will continue to have active participation on the Board of the Anderson Regional Joint Water System.

A motion by Councilman Newton seconded by Councilman Harbin carried unanimously (8-0) to approve Resolution 21-18 authorizing the appointment of Scott Banks as Commissioner and David McCuen as Alternate Commissioner to the Board of the Anderson Regional Joint Water System.

REQUEST CONSIDERATION OF ORDINANCE 21-17 TO AMEND CHAPTER 70, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF ANDERSON TO PROVIDE FOR THE ISSUANCE OF PICKETING PERMITS AND TO PROVIDE FOR A PROHIBITION OF THE OPEN CARRY OF FIREARMS DURING PICKETS AND OTHER PERMITTED EVENTS ON PUBLIC PROPERTY

City Attorney, Frankie McClain said as part of the newly enacted South Carolina Open Carry with Training Act, local governments have the power to prohibit the open carry of firearms during permitted events taking place on public property, including during protests. The City of Anderson (the "City") has experienced a significant increase in protest activity recently. While the City recognizes and appreciates the First and Second Amendment rights of its citizens and visitors, the presence of firearms at protests can serve to escalate tensions.

Staff recommends that City council amend Article IV of the Code of Ordinances of the City of Anderson to provide for the issuance of a permit for picketing activity and further, to provide for a prohibition of concealable weapons or open carry of firearms during pickets as expressly allowed by Section 22-31-520 of the South Carolina Code of Laws. Article IV is being further amended to eliminate any potential ambiguity that a violation of that article is an offense. Despite the changes being made, the right to peacefully protest remains squarely preserved.

It is further recommended that Council limit the open carry of firearms during all other permitted events on public property as also expressly allowed by the aforementioned State law. This additional measure will serve to promote peace and good order during events and, further, recognizes the prohibition of open carry as described above is in keeping with City policy as it pertains to its own buildings and facilities.

In order to accomplish the foregoing, it is recommended that City Council amend Chapter 70, Article IV of the City Code.



The benefit of this ordinance is to promote peace and good order for the citizens during public events.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (8-0) to approve Ordinance 21-17 to amend Chapter 70, Article IV, of the Code of Ordinances of the City of Anderson to provide for the issuance of picketing permits and to provide for a prohibition of the open carry firearms during pickets and other permitted events on public property on First Reading.

#### ADMINISTRATIVE BRIEFING

Councilman Newton invited Council to the Law Enforcement BBQ Fundraiser on October 16, 2021.

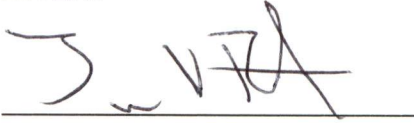
Assistant City Manager, Andrew Strickland said in the current budget, Council approved the funding for a City wide Comprehensive Plan. The RFQ for the Comprehensive Plan is now available on the City Website and distributed nationwide.

#### ADJOURNMENT

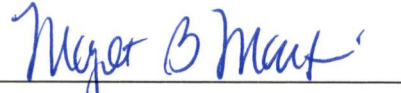
A motion by Councilman Newton seconded by Councilman Harbin carried unanimously (8-0) to adjourn at 7:20 p.m.

*Notice of this meeting was posted on the City of Anderson's website and the Anderson Independent Mail newspaper was notified of the meeting at least 24 hours in advance of the meeting in accordance with the S.C. Freedom of Information Act.*

ATTEST:

Handwritten signature of Terence V. Roberts in black ink, consisting of a stylized 'T' followed by 'V' and 'R'.

Terence V. Roberts  
Mayor

Handwritten signature of Margot B. Martin in blue ink, written in a cursive style.

Margot B. Martin  
City Clerk Treasurer