

City of Anderson  
Regular Meeting  
March 9, 2015

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Pro Tem Laughridge, Council Members Stewart, Thompson, Kirven, Harbin, Buck Roberts and John Roberts. Mayor Roberts and Councilman Chapman were not present. Also in attendance were City Manager, John Moore; Assistant City Manager, Linda McConnell; Utilities Accountant, Margot Martin; City Attorney, Frankie McClain and Planning Director, Maurice McKenzie. The invocation was given by Councilman Steve Kirven with respects to the flag by Councilman Buck Roberts.

APPROVAL OF MINUTES

A motion by Councilman Harbin seconded by Councilman Buck Roberts carried unanimously (7-0) to approve the minutes of the February 23, 2015 meeting as presented.

REQUEST CONSIDERATION OF AN ORDINANCE TO REVISE THE PLANNED DEVELOPMENT DISTRICT DOCUMENT FOR MYSTIC VINEYARDS, LOCATED OFF REED ROAD

Planning Director, Maurice McKenzie said this item was considered by the Council on February 9<sup>th</sup>, and no action was taken in order for the applicant to consider making additional revisions based on the discussions at that meeting. The applicant initially requested that the Council approve two revisions to the PDD document guidelines:

- Reduce the side yard setbacks from 7.5 feet to 6 feet
- Allow houses to be built on monolithic raised slabs instead of crawlspaces

During discussions at the Council meeting, it was stated that only certain lots need a reduction in setbacks and it was suggested that the applicant specify those lots for changes. After the Council meeting, the applicant requested that the side yard setback reductions apply to lots 8, 15, and 16 only. The agenda packet only includes the 3 lots; however, Mr. McKenzie said that as of this afternoon, the applicant submitted a revised document including 10 lots. A revised map was handed out to Council showing the 10 lots.

Also at the February 9<sup>th</sup> meeting, concerns were raised regarding the requested slab construction and it was suggested that the applicant consider other types of foundations that may better blend in with the neighborhood. The applicant is requesting that their original proposal of monolithic slabs with brick veneer remain as-is.

Since a PDD document is considered to be the zoning for a specific piece of land, any significant changes to the document must go through the public process, like a rezoning. The request for changes was discussed at a neighborhood meeting on January 24<sup>th</sup> in addition to the required public hearing by the Planning Commission. Throughout this process, their original request was altered to what is being currently presented.

The Planning Commission recommended approval of their original request by a 5-1 margin.

Attorney, Tom Dunaway spoke to the Council about the economic relief his client, the property owner of the 39 lots, needs for Mystic Vineyard to be viable. Mr. Dunaway passed around photos to Council illustrating the revisions requested.

There was discussion with Mr. Dunaway and Council on the difference between a monolithic raised slab and a house built with a crawl space.

Mayor Pro Tem Laughridge gave those in favor of the revisions an opportunity to come forward to speak. A resident of 125 Mystic Vineyard Lane said he and his wife believe that developing the subdivision is more beneficial than building homes with a crawl space.

Mayor Pro Tem Laughridge gave those against the revisions an opportunity to come forward to speak. Mr. Glenn Thompson, a resident of 134 Bradley Park had many concerns with the development of Mystic Vineyards, but his main concern was the homes being built on a concrete slab foundation. Mr. Thompson does not have a problem with the setback revision but asked Council to deny the revision for a monolithic slab.

Mr. William Albergotti, resident of 406 Shannon Way, spoke against the revisions. Mr. Albergotti said the land where Mystic Vineyard is located was once a dumping site for construction materials, which raises the potential for sinkholes. He said he is speaking for the 39 future owners and he believes a crawl space will be more beneficial to build on because we do not know what is under these houses. Mr. Albergotti is against the revision to build on a monolithic slab.

Mr. Ronald Hendrix, resident of 159 Bradley Park, said the owners of Bradley Park do want to see Mystic Vineyards succeed, but he is against the revision to build on a monolithic slab. He is also concerned that the developer will continue to want variations to the PDD to make a profit.

Mr. David Wakefield, resident of 108 Bradley Park, believed that revising the PDD was not right. He asked Council to stand by what has already been agreed upon.

Mrs. Sylvia Mesaros, resident of 108 Garden Gate, was concerned about the decreasing value of the homes in Mystic Vineyards. Maurice McKenzie said the price of a home cannot be

enforced. Mr. Kirven said the current PDD requires certain building requirements to keep the value of the homes higher.

A motion by Councilman Kirven seconded by Councilman John Roberts was made to deny the request to revise the Planned Development District document for Mystic Vineyards.

Before voting on the original motion by Councilman Kirven, an amended motion by Councilman Harbin seconded by Councilman Stewart was made to amend the motion to allow 6 foot setback on 10 designated lots.

After much discussion, a vote was called on the amended motion as stated above, which failed with a vote of (3-4) with Councilman Kirven, Councilman Buck Roberts, Councilman John Roberts and Mayor Pro Tem Laughridge opposed.

A vote on the original motion made by Councilman Kirven seconded by Councilman John Roberts was called and carried (6-1) with Councilman Stewart against to deny the request to revise the Planned Development District document for Mystic Vineyards.

REQUEST CONSIDERATION OF ORDINANCE 15-03 TO REZONE 612 NORTH MCDUFFIE STREET  
FROM LO, LIMITED OFFICE TO NC, NEIGHBORHOOD COMMERCIAL

City Manager, John Moore said the applicant requests to rezone the property in order to operate a retail cigar shop and smoking lounge. The existing zoning of LO, Limited Office does not allow for retail sales. NC, Neighborhood Commercial is the least intensive zoning classification that will allow such a use.

The building has been used as office space in the past, and currently has adequate parking on the site. Surrounding properties are a mixture of office, commercial and institutional uses.

The Planning Commission considered this request at their March 3<sup>rd</sup> meeting and unanimously recommended approval.

A motion by Councilman Stewart seconded by Councilman Buck Roberts carried unanimously (7-0) to approve Ordinance 15-03 to rezone 612 North McDuffie Street from LO, Limited Office to NC, Neighborhood Commercial on First Reading.

## ADMINISTRATIVE BRIEFING

### UPCOMING EVENTS

City Manager, John Moore reminded Council of the following upcoming events and all meetings in March 2015.

March 12<sup>th</sup> – Anderson County Municipal Association Meeting

March 14<sup>th</sup> – St. Patty's Lucky Me Color Fun Run and Parade

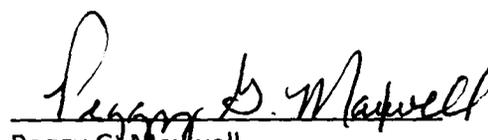
### ADJOURNMENT

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (7-0) to adjourn.

ATTEST:



Terence V. Roberts  
Mayor



Peggy G. Maxwell  
City Clerk Treasurer