



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

Agenda Item No.

11b

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: October 10, 2022

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO ANNEX APPROXIMATELY 3.89 ACRES OF REAL PROPERTY AND 1.19 ACRES OF ADJACENT RIGHT-OF-WAY LOCATED AT CHURCHILL CIRCLE AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (A PORTION OF TAX MAP NUMBER 0423000100100) (AX-19-2022)

SUMMARY BACKGROUND:

Conestee Foundation Inc., which is the owner of the subject property, applied for annexation of real property consisting of approximately 3.89 acres of real property and 1.19 acres of right-of-way located at Mauldin Road (a portion of Tax Map Number 0423000100100), together comprising approximately 5.408 acres to be annexed (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation of C-2, Commercial district, to city zoning designation of C-3, Regional commercial district.

The City Planning Commission, pursuant to public notice, held a public hearing on August 18, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 7-0.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 7-0

IMPACT IF DENIED:

The Property will not be annexed and rezoned.

FINANCIAL IMPACT:

The Property annexed by this Ordinance shall be subject to the intergovernmental agreement with Metropolitan Sewer Subdistrict dba MetroConnects according to its respective terms while it is in effect.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Shannon Larrin

B6D12FA1F69A403...

City Attorney

DocuSigned by:

Wigh Padletti

5CBFADF322244F6...

OMB Director

City Manager

DocuSigned by:

John F. McDonough

FDC2AC15040F440...

A N O R D I N A N C E

TO ANNEX APPROXIMATELY 3.89 ACRES OF REAL PROPERTY AND 1.19 ACRES OF ADJACENT RIGHT-OF-WAY LOCATED AT CHURCHILL CIRCLE AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (A PORTION OF TAX MAP NUMBER 0423000100100) (AX-19-2022)

WHEREAS, Conestee Foundation Inc., which is the owner of the subject property, applied for annexation of real property consisting of approximately 3.89 acres of real property and 1.19 acres of right-of-way located at Mauldin Road (a portion of Tax Map Number 0423000100100), together comprising approximately 5.408 acres to be annexed (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation of C-2, Commercial district, to city zoning designation of C-3, Regional commercial district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on August 18, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 7-0; and

WHEREAS, City Council has reviewed the application of the owner's agent and the recommendations of the Planning Commission and has found the proposed zoning designation of C-3, Regional commercial district, to be compatible with the City's Comprehensive Development Plan; and

WHEREAS, City Council has determined that annexation of the Property would promote the City's policy of planned growth and development;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Property shall be annexed into the corporate limits of the city of Greenville. The Property is identified more particularly on the attached Exhibits A and B providing the annexation map and property description for the portion of Tax Map Number 0423000100100 and adjacent right-of-way, respectively. The annexed Property is provided the zoning designations of C-3, Regional commercial district, and shall be included in City Council District 2. The GVL2040 Comprehensive Plan Future Land Use Map shall also be amended to include the Property as Corridor Mixed-use.

Upon annexation, the Property shall become subject to the City's jurisdiction for the rendition of all municipal services, and all official maps regarding flood and storm water control shall be amended to include the property in such manner as the City Engineer determines to be in compliance with the criteria set forth in the City's Flood Plan Management Regulations, as from time to time amended.

The Property annexed by this Ordinance shall be subject to the intergovernmental agreement with Metropolitan Sewer Subdistrict dba MetroConnects according to its respective terms while it is in effect.

This Ordinance shall take effect upon second and final reading and shall be effective for the 2022 tax year.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY

REVIEWED

CITY MANAGER

EXHIBIT A

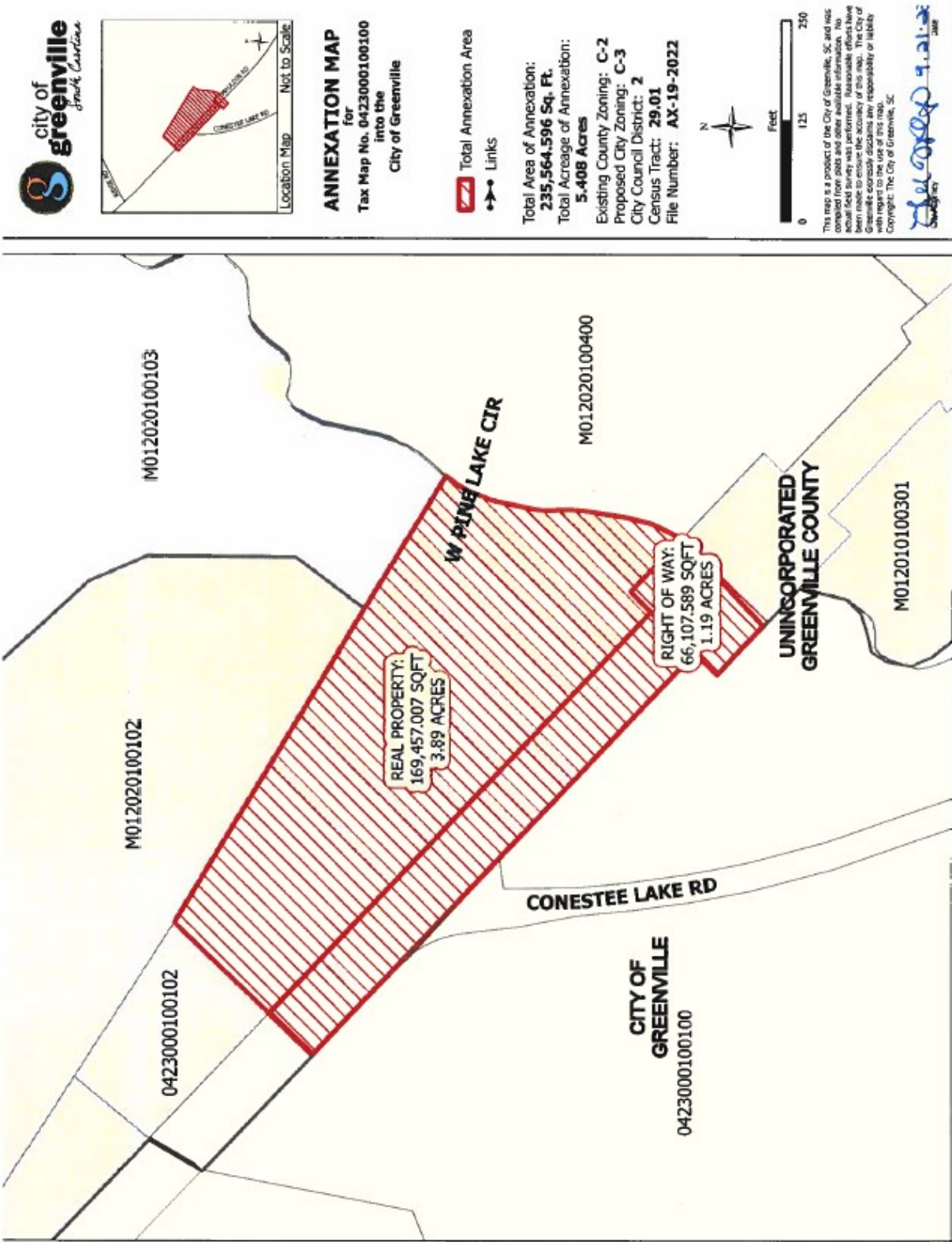


EXHIBIT B**Property Description**

(AX-19-2022 - Portion of TMS # 0423000100100 Conestee Foundation, Inc.)

All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Greenville, lying and being on the northern side of Mauldin Road and being a portion of the property shown as 40.86 acres on a boundary survey prepared by Precision Land Surveying, Inc., entitled, "Conestee Foundation, Inc.," dated August 1, 2006, recorded October 27, 2006 in the Office of the Register of Deeds for Greenville County, SC, in Plat Book 1022 at Page 80, and having the following metes and bounds, courses and distances:

Commencing at the southeastern intersection of Ridge Road and Mauldin Road and running with the southern right-of-way of Mauldin Road in a curved line, the chord of which is S45-25-40E 95.92 feet to a new 5/8" rebar iron pin; thence continuing with the southern right-of-way of Mauldin Road S46-22-28E 680.31 feet to a new 5/8" rebar iron pin; thence crossing Mauldin Road, and running N43-29-05E 75.0 feet to an old 1.5" open top iron pin on the northern right-of-way of Mauldin Road, said point being the TRUE POINT OF BEGINNING, thence continuing N43-29-05E 238.64 feet to an old 1" crimp top iron pin; thence S57-04-55E 649.72 feet to a point on Laurel Creek; thence with the creek the following courses: S22-44-30W 81.12 feet; S09-57-11W 126.44 feet; S19-28-36W to the northern right-of-way of Mauldin Road; thence with the right-of-way of Mauldin Road, in a northwesterly direction, to the point of beginning.

Property Description for Right-of-Way

To include the 1.19 acres of Mauldin Road right-of-way as shown within the associated Annexation Map exhibit.