



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

15c

**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:** November 28, 2022

**ORDINANCE/RESOLUTION CAPTION:**

ORDINANCE TO ANNEX APPROXIMATELY 0.887 ACRE OF REAL PROPERTY AND 0.034 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT MAULDIN ROAD, AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (TAX MAP NUMBER M014030100304) (AX-28-2022)

**SUMMARY BACKGROUND:**

Gene Crook, on behalf of Progress Land Development LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 0.887 acre of real property and 0.034 acre of right-of-way located at Mauldin Road (Tax Map Number M011020202400), together comprising approximately 0.921 acre to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation S-1, Services district, to city zoning designation of C-3, Regional commercial district.

The City Planning Commission, pursuant to public notice, held a public hearing on October 20, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 4-0.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 4-0

**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*

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**City Attorney**

DocuSigned by:

*Leigh Padletti*

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**OMB Director**

**City Manager**

DocuSigned by:

*John McDonough*

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## A N O R D I N A N C E

TO ANNEX APPROXIMATELY 0.887 ACRE OF REAL PROPERTY AND 0.034 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT MAULDIN ROAD, AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (TAX MAP NUMBER M014030100304) (AX-28-2022)

WHEREAS, Gene Crook, on behalf of Progress Land Development LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 0.887 acre of real property and 0.034 acre of right-of-way located at Mauldin Road (Tax Map Number M011020202400), together comprising approximately 0.921 acre to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation S-1, Services 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 October 20, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 4-0; 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, B, and C, providing the annexation map, property description for Tax Map Number M014030100304 and adjacent right-of-way, and the recorded plat by the Greenville County Register of Deeds, respectively. The annexed Property is provided the zoning designation 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

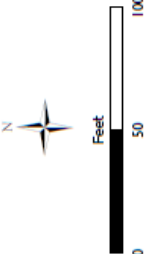
Location Map Not to Scale

**ANNEXATION MAP**  
for  
Tax Map No. M014030100304  
into the  
City of Greenville

 Total Annexation Area

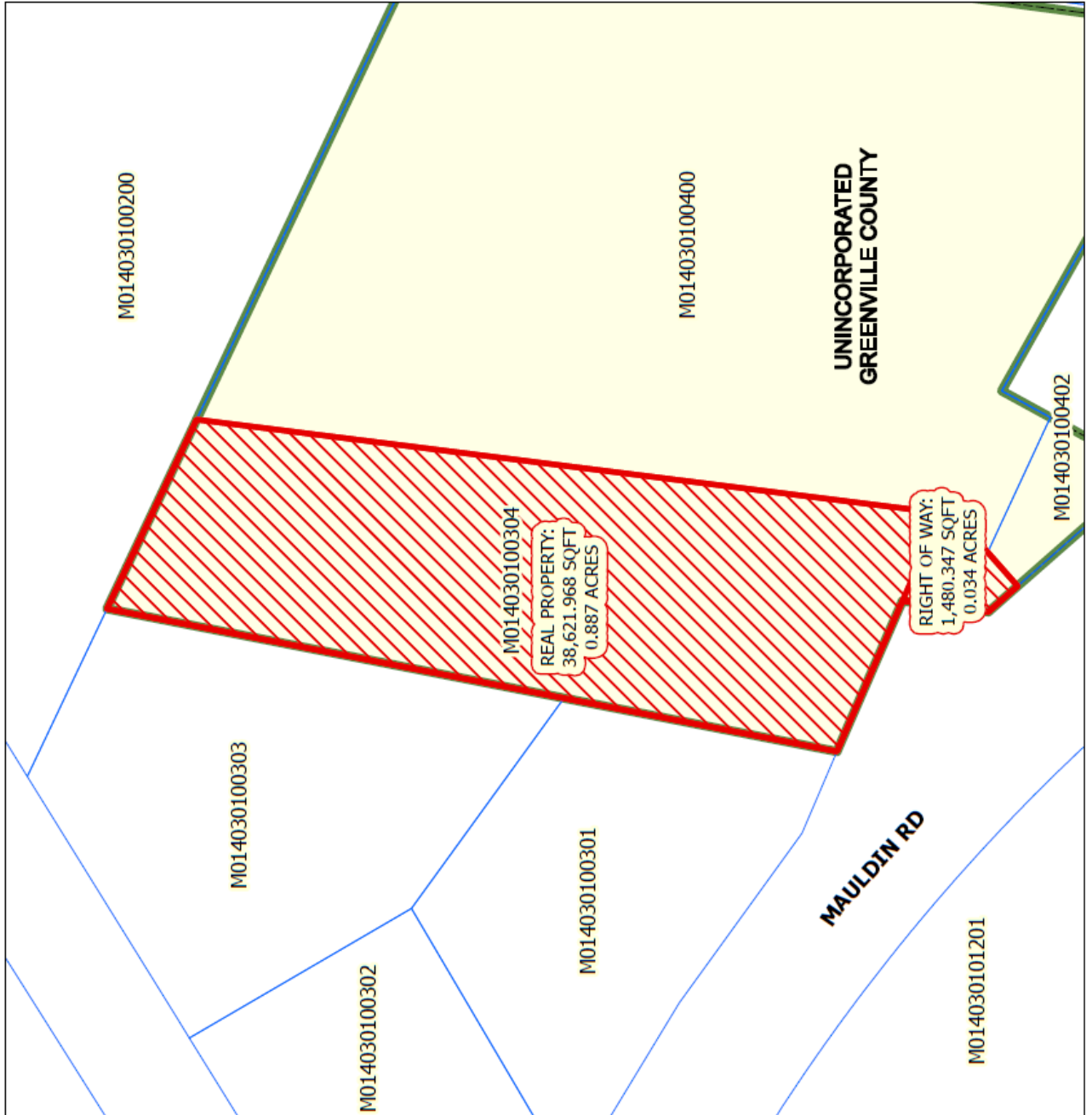
Total Area of Annexation:  
**40,102.32 Sq. Ft.**  
Total Acreage of Annexation:  
**0.921 Acres**

Existing County Zoning: **S-1**  
Proposed City Zoning: **C-3**  
City Council District: **2**  
Census Tract: **29.01**  
File Number: **AX-28-2022**



This map is a product of the City of Greenville, SC and was compiled from plats and other available information. No actual field survey was performed. Reasonable efforts have been made to ensure the accuracy of this map. The City of Greenville does not assume any liability for errors or omissions with respect to the use of this map.  
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City Attorney *Julie F. Powell* 11/18/2022 Date



**EXHIBIT B**

**Property Description**

All that certain piece, parcel or tract of land lying and being in the State of South Carolina, County of Greenville, containing 0.890 acres, more or less, as shown on a Boundary survey prepared for Progress Land Development, LLC by E.A. Walcher Surveying dated 4/13/22 and recorded 5/10/22 in Plat Book 1430, page 64, Greenville County Records.

It is expressly understood that this property has frontage on Mauldin Road/Parkins Mill Road sufficient for ingress and egress.

TMS: M014030100304

**Property Description for Right-of-Way**

To include the 0.034 acre of Mauldin Road right-of-way as shown within the associated Annexation Map exhibit.

