



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

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

Agenda Item No.

15e

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

AGENDA DATE REQUESTED: November 28, 2022

ORDINANCE/RESOLUTION CAPTION:

TO ANNEX APPROXIMATELY 1.681 ACRES OF REAL PROPERTY AND 0.067 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT 308 MILLS AVENUE, AND TO PROVIDE THE ZONING DESIGNATION OF OD, OFFICE AND INSTITUTIONAL DISTRICT (TAX MAP NUMBER 0106000600103) (AX-30-2022)

SUMMARY BACKGROUND:

Alex Kemp, on behalf of Kemp Commercial LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 1.681 acres of real property and 0.067 acre of right-of-way located at 308 Mills Avenue (Tax Map Number 0106000600103), together comprising approximately 1.75 acres to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation of C-1, Commercial district, to city zoning designation of OD, Office and institutional 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 with staff conditions for the property to be included within the Greater Sullivan Neighborhood Revitalization Overlay District and the Greater Sullivan Special Emphasis Neighborhood.

Planning Staff Recommendation: Approve

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

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 agreements with the Parker Fire District, Greater Greenville Sanitation District, and Metropolitan Sewer Subdistrict dba MetroConnects according to their respective terms while the agreements are in effect.


REQUIRED SIGNATURES

Department Director


DocuSigned by:

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OMB Director

City Attorney

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City Manager

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A N O R D I N A N C E

TO ANNEX APPROXIMATELY 1.681 ACRES OF REAL PROPERTY AND 0.067 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT 308 MILLS AVENUE, AND TO PROVIDE THE ZONING DESIGNATION OF OD, OFFICE AND INSTITUTIONAL DISTRICT (TAX MAP NUMBER 0106000600103) (AX-30-2022)

WHEREAS, Alex Kemp, on behalf of Kemp Commercial LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 1.681 acres of real property and 0.067 acre of right-of-way located at 308 Mills Avenue (Tax Map Number 0106000600103), together comprising approximately 1.75 acres to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation of C-1, Commercial district, to city zoning designation of OD, Office and institutional 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 with staff conditions for the property to be included within the Greater Sullivan Neighborhood Revitalization Overlay District and the Greater Sullivan Special Emphasis Neighborhood; 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 OD, Office and institutional 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, that 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 the property description for Tax Map Number 0106000600103 and adjacent right-of-way. The annexed Property is provided the zoning designation of OD, Office and institutional district, overlay zoning designation of the Greater Sullivan Neighborhood Revitalization Overlay District, be included within the Greater Sullivan Special Emphasis Neighborhood, 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 Neighborhood 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 agreements with the Parker Fire District, Greater Greenville Sanitation District, and Metropolitan Sewer Subdistrict dba MetroConnects according to their respective terms while the agreements are 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

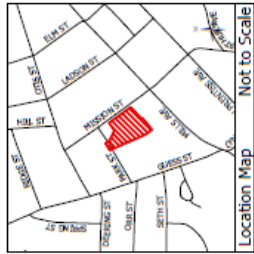
APPROVED AS TO FORM

CITY ATTORNEY

REVIEWED

CITY MANAGER

EXHIBIT A

Location Map Not to Scale

ANNEXATION MAP
for
Tax Map No. 0106000600103
into the
City of Greenville

 Total Annexation Area

Total Area of Annexation:
76,119.62 Sq. Ft.
Total Acreage of Annexation:
1.75 Acres

Existing County Zoning: **C-1**
Proposed City Zoning: **OD**
City Council District: **2**
Census Tract: **21.08**
File Number: **AX-30-2022**



0 60 120
Feet

This map is a product of the City of Greenville, SC and was created using GIS data from the City of Greenville. No actual field survey was performed. Reasonable efforts have been made to ensure the accuracy of this map. The City of Greenville expressly disclaims any responsibility or liability with regard to the use of this map.
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City Attorney *Shelby Paulini* 11/29/2022 Date

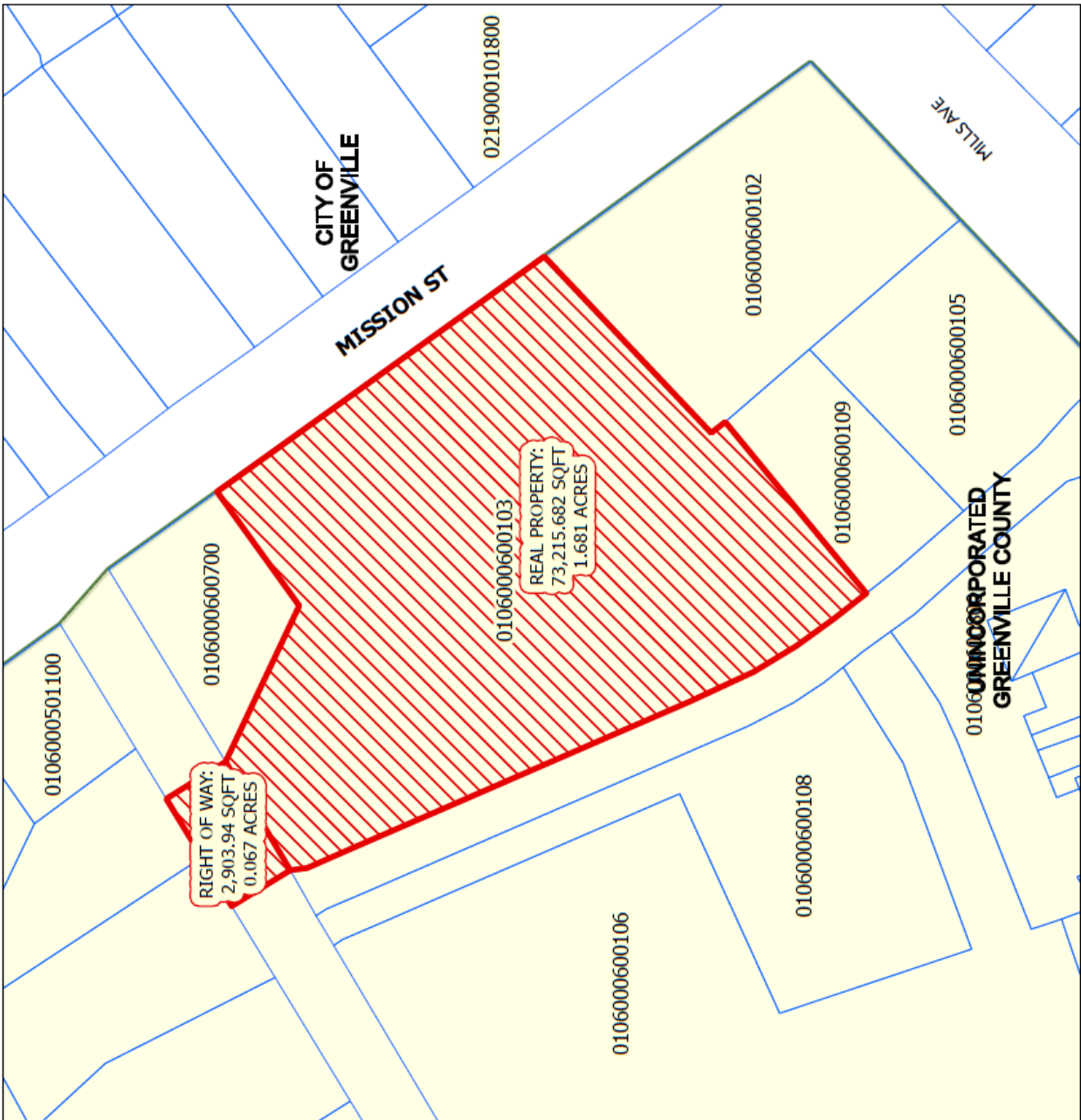


EXHIBIT B

Property Description

TRACT 2: All that certain piece, parcel or tract of land, with any and all improvements thereon, lying, being and situate on the northwest side of South Church Street (formerly Mills Avenue) in Greenville County, South Carolina, containing 2.22 acres, more or less, and having according to a plat entitled "Survey for Alex Kemp" by James R. Freeland, R.L.S., dated July 28, 1988, recorded in Plat Book 152 at page 4 in the R.M.C. office for Greenville County, the following metes and bounds, to-wit:

- 225 - 100 - 6 - 1.2

BEGINNING at a railroad spike on the northwest side of South Church Street, joint corner of property now or formerly of GHS Credit Union, which pin is 125 feet, more or less, southwest of the corner of the intersection of South Church Street and Mission Street, and running thence along South Church Street S 46-10 W 124.4 feet to an iron pin; thence along an easement for ingress and egress the following courses and distances: N 39-07 W 17.5 feet to an iron pin; thence N 45-9 W 10.5 feet to an iron pin; thence N 48-38 W 29.5 feet to an iron pin; thence N 41-19 W 106.2 feet to an iron pin; thence N 39-39 W 9.2 feet to an iron pin; thence N 38-26 W 39.0 feet to an iron pin; thence N 36-16 W 26.9 feet to an iron pin; thence N 31-26 W 28.8 feet to an iron pin; thence N 25-48 W 28.6 feet to an iron pin; thence N 23-47 W 193.5 feet to an iron pin; thence N 23-45 W 30.0 feet to an iron pin; thence N 23-55 W 29.0 feet to an iron pin; thence N 7-55 W 9.8 feet to an iron pin on the southeast side of Park Street; thence along the southeast side of Park Street N 58-57 E 72.8 feet to an iron pin, joint corner of property now or formerly of Holroyd Memorial Methodist Church; thence along property of said Church the following courses and distances: S 65-09 E 99.5 feet to an iron pin; thence N 54-00 E 81.0 feet to an iron pin on the southwest side of Mission Street; thence along the southwest side of Mission Street the following courses and distances: S 35-56 E 177.8 feet to an iron pin; thence S 36-13 E 54.8 feet to an iron pin, joint corner of property now or formerly of GHS Credit Union; thence along property now or formerly of GHS Credit Union the following courses and distances: S 46-10 W 140.4 feet to an iron pin; thence S 40-59 E 188.6 feet to a railroad spike, the point of beginning.

- 225 - 018 - 5 - 7.14

Also, a nonexclusive right-of-way and easement for ingress and egress from the above-described property to South Church Street and Park Street, which right-of-way and easement is located along the entire northwestern boundary of the above-described property and is designated as an easement for ingress and egress on the plat recorded in plat book 152 at page 4 and also on that certain plat of Physicians Center Horizontal Property Regime by Tri-State Surveyors, dated September 24, 1984, recorded in Plat Book 10-M at page 54 in the R.M.C. Office for Greenville County, containing 0.348 acres; said right-of-way and easement to run with the land.

Property Description for Right-of-Way

To include the 0.067 acres of Park Street right-of-way as shown within the associated Annexation Map exhibit.