



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

Agenda Item No.

11a

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: a a 202□

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO ANNEX APPROXIMATELY 1.135 ACRES OF REAL PROPERTY AND 0.219 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT 535 CONGAREE ROAD, AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (TAX MAP NUMBER 0543010102702) (AX-32-2022)

SUMMARY BACKGROUND:

Greg Amaral, on behalf of Congaree Building LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 1.135 acres of real property and 0.219 acre of right-of-way located at 535 Congaree Road (Tax Map Number 0543010102702), together comprising approximately 1.354 acres to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation 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 November 17, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 6-0.

Planning Staff Recommendation: Approve
 Planning Commission Recommendation: Approval by a vote of 6-0

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 agreements with the Wade Hampton Fire District and Metropolitan Sewer Subdistrict dba MetroConnects according to their respective terms while the agreements are in effect.

REQUIRED SIGNATURES

Department Director
 DocuSigned by:
Shannon Larkin
 B6D12FA1F89A405...

City Attorney
 DocuSigned by:
Leigh Paolletti
 5CBFADF322244F8...

OMB Director

City Manager
 DocuSigned by:
John McDonough
 FDC2AC15040F440...

A N O R D I N A N C E

TO ANNEX APPROXIMATELY 1.135 ACRES OF REAL PROPERTY AND 0.219 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT 535 CONGAREE ROAD, AND TO PROVIDE THE ZONING DESIGNATION OF C-3, REGIONAL COMMERCIAL DISTRICT (TAX MAP NUMBER 0543010102702) (AX-32-2022)

WHEREAS, Greg Amaral, on behalf of Congaree Building LLC, the owner of the subject property, applied for annexation of real property consisting of approximately 1.135 acres of real property and 0.219 acre of right-of-way located at 535 Congaree Road (Tax Map Number 0543010102702), together comprising approximately 1.354 acres to be annexed, (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation 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 November 17, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 6-0; 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 0543010102702 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 4. The GVL2040 Comprehensive Plan Future Land Use Map shall also be amended to include the Property as Regional 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 Wade Hampton Fire 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



ANNEXATION MAP
for
Tax Map No. 0543010102702
into the
City of Greenville

Total Annexation Area
 Greenville City Limits

Total Area of Annexation:
58,988.77 Sq. Ft.
Total Acreage of Annexation:
1.354 Acres
Existing County Zoning: **C-2**
Proposed City Zoning: **C-3**
City Council District: **4**
Census Tract: **18.08**
File Number: **AX-32-2022**



This map is a product of the City of Greenville, SC and was prepared from plans and other available information. No warranty is made by the City of Greenville for the accuracy of this map. The City of Greenville expressly disclaims any responsibility or liability with regard to the use of this map.
Copyright: The City of Greenville, SC

City Attorney



EXHIBIT B

All that certain piece, parcel or lot of land lying and being in the County of Greenville, State of South Carolina, being shown and designated as 1.164 acres, more or less, upon survey for William G. Robinson by Benchmark Surveying, Inc., dated February 14, 2006 and recorded in Plat Book 1002, Page 70, Office of the Register of Deeds for Greenville County.

Being the same property conveyed to Greg Amaral, Trustee, under The Greg Amaral Living Trust dated November 28, 1989 which has since been restated on February 3, 2012 and is now known as The Greg Amaral Separate Property Trust by deed of FBSA 1, LLC recorded in the Office of the Registrar of Deeds for Greenville County, South Carolina, as Instrument No. 2013039581, on May 14, 2013.

TMS NO: 0543.01-01-027.02

Property Description for Right-of-Way

To include the 0.219 acre of Congaree Road right-of-way as shown within the associated Annexation Map exhibit.

