



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

Agenda Item No.

15b

TO: Honorable Mayor and Members of City Council

FROM: Shannon Lavrin, City Manager

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

AGENDA DATE REQUESTED: September 11, 2023

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO ANNEX APPROXIMATELY 0.372 ACRE OF REAL PROPERTY AND 0.389 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT CALDER STREET AND PENDLETON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RNX-C, NEIGHBORHOOD FLEX C DISTRICT (TAX MAP NUMBERS 0121000700200, 0121000700300, AND 0121000700400) (AX-21-2023)

SUMMARY BACKGROUND:

Diane Kilgore Condon, on behalf of Kilgore Holdings LLC, owner of the subject property, applied for annexation of real property consisting of approximately 0.372 acre of real property and 0.389 acre of right-of-way located at Calder Street and Pendleton Street (Tax Map Numbers 0121000700200, 0121000700300, and 0121000700400), together comprising approximately 0.761 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 RNX-C, Neighborhood Flex C District.

The City Planning Commission, pursuant to public notice, will hold a public hearing on September 21, 2023, to consider the proposed rezoning for a recommendation to City Council.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Public Hearing to be held on September 21, 2023

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 Metropolitan Sewer Subdistrict dba MetroConnects and Greater Greenville Sanitation District according to their respective terms while they are in effect.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Mary Douglas Hirsch

AF9CCB743D694BC...

OMB Director

City Attorney

DocuSigned by:

Leigh Padletti

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DocuSigned by:

Shannon Lavrin

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City Manager

A N O R D I N A N C E

TO ANNEX APPROXIMATELY 0.372 ACRE OF REAL PROPERTY AND 0.389 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT CALDER STREET AND PENDLETON STREET AND TO PROVIDE THE ZONING DESIGNATION OF RNX-C, NEIGHBORHOOD FLEX C DISTRICT (TAX MAP NUMBERS 0121000700200, 0121000700300, AND 0121000700400) (AX-21-2023)

WHEREAS, Diane Kilgore Condon, on behalf of Kilgore Holdings LLC, owner of the subject property, applied for annexation of real property consisting of approximately 0.372 acre of real property and 0.389 acre of right-of-way located at Calder Street and Pendleton Street (Tax Map Numbers 0121000700200, 0121000700300, and 0121000700400), together comprising approximately 0.761 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 RNX-C, Neighborhood Flex C District; and

WHEREAS, the City Planning Commission, pursuant to public notice, will hold a public hearing on September 21, 2023, to consider the proposed rezoning for a recommendation to City Council; and

WHEREAS, City Council has reviewed the application of the owner's agent and the staff recommendation and has found the proposed zoning designation of RNX-C, Neighborhood Flex C 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 of Tax Map Numbers 0121000700200, 0121000700300, and 0121000700400 and adjacent right-of-way, respectively. The annexed Property is provided the zoning designation CV, Civic District, and shall be included in City Council District 2.

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 Metropolitan Sewer Subdistrict dba MetroConnects and Greater Greenville Sanitation District according to their respective terms while they are in effect.

This Ordinance shall take effect upon second and final reading and shall be effective for the 2023 tax year.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY

REVIEWED

CITY MANAGER

EXHIBIT A

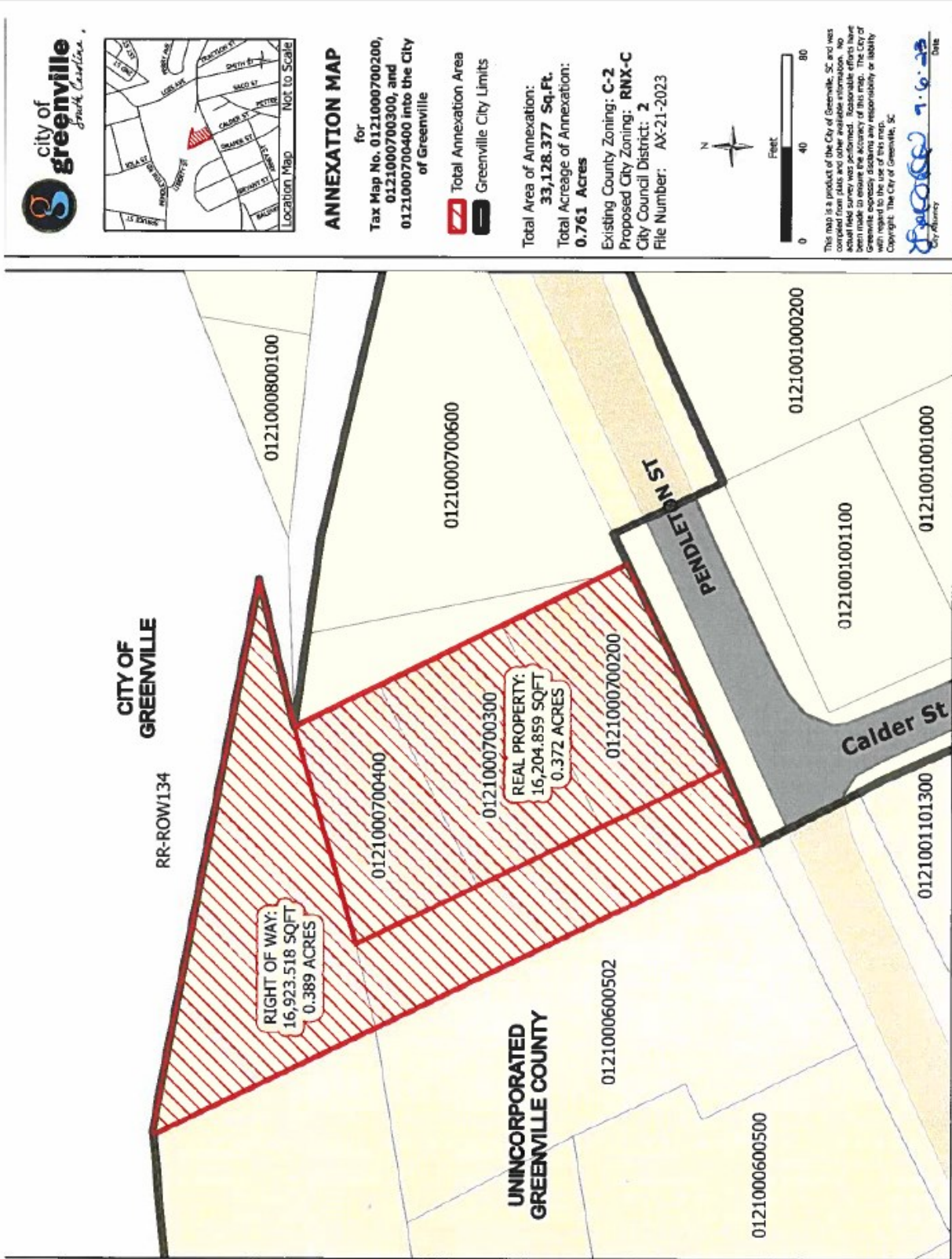


EXHIBIT B**Property Description****TMS# 0121000700200 and 0121000700400:**

ALL those certain pieces, parcels, or lots of land, with all improvements thereon, situate, lying, and being in the State of South Carolina, County of Greenville, being near the intersection of Cooper Street and Green Street on a street known as Calder, and, being shown and designated as Lots 235 and 237 of Section 2, Subdivision for Abney Mills, Brandon Plant, Greenville, SC as shown on plat bearing that name, prepared by Dalton & Neves, Engineers, dated February, 1959, and recorded in the RMC Office for Greenville County in Plat Book QQ at Pages 56-59. Reference is hereby made to said plat for a more complete description by metes and bounds.

For derivation of title see deed from Samuel P. Vause to J & S of Greenville, LLC dated November 29, 2001 and recorded December 3, 2001 in the RMC Office for Greenville County in Deed Book 1975 at Page 1522-1535.

TMS# 0121000700300:

ALL that certain piece, parcel, or lot of land, with all improvements thereon, situate, lying, and being at the northeastern corner of the intersection of Cooper Street and Green Street, in the State of South Carolina, County of Greenville, near the City of Greenville, being shown and designated as Lot No. 236 as shown on plat entitled "Section No. 2, Subdivision for Abney Mills, Brandon Plant, Greenville, SC", prepared by Dalton & Neves, dated February, 1959, and recorded in the RMC Office for Greenville County in Plat Book QQ at page 56-59. Reference is hereby made to said plat for a more complete description by metes and bounds

For derivation of title see deed from Children's Co., Inc. to Richard K. Heusel dated September 14, 1006 and recorded 11/17/06 in the RMC Office for Greenville County in Deed Book 2237 at Page 1458.

Property Description for Right-of-Way

To include the 0.389 acres of Calder Street and railroad right-of-way as shown within the associated Annexation Map exhibit.