	<h2 style="color: green; margin: 0;">REQUEST FOR COUNCIL ACTION</h2> <h3 style="color: green; margin: 0;">City of Greenville, South Carolina</h3> <p style="color: green; margin: 5px 0 0 20px;">TO: Honorable Mayor and Members of City Council</p> <p style="color: green; margin: 0 0 0 20px;">FROM: John F. McDonough, City Manager</p>	<p style="color: green; font-weight: bold; margin: 0;">Agenda Item No.</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 5px auto; text-align: center; line-height: 30px;">11c</div>
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Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: May 23, 2022

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO ANNEX APPROXIMATELY 1.106 ACRES OF REAL PROPERTY AND 0.026 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT ANDERSON ROAD AND CONWELL STREET, AND TO PROVIDE THE ZONING DESIGNATION OF RM-2, SINGLE-FAMILY AND MULTIFAMILY DISTRICT (TAX MAP NUMBERS 0112000900200, 0112000900400, 0112000900800, AND 0112000900900) (AX-6-2022)

SUMMARY BACKGROUND:

Trey Cole/Artful Home Designs LLC, on behalf of CMSterling LLC, owner of subject property, applied for annexation of real property consisting of approximately 1.106 acres of real property and 0.026 acre of right-of-way located at Anderson Road and Conwell Street (Tax Map Numbers 0112000900200, 0112000900400, 0112000900800, and 0112000900900), together comprising approximately 1.132 acres to be annexed (collectively, the "Property"), and further applied for rezoning of the Property from county zoning designation C-1, Commercial district, and C-2, Commercial district, to city zoning designation of RM-2, Single-family and multifamily residential district.

The City Planning Commission, pursuant to public notice, held a public hearing on April 21, 2022, to consider the annexation and proposed rezoning and recommended approval of the application by a vote of 6-0.

Planning Staff Recommendation: Approve

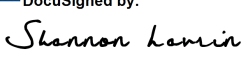
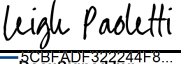

Planning Commission Recommendation: Approval by a vote of 6-0

IMPACT IF DENIED:

The Property will not be annexed and rezoned.

FINANCIAL IMPACT:

The Property annexed by this Ordinance shall be subject to an intergovernmental agreement with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation District according to its respective terms while it is in effect.

REQUIRED SIGNATURES			
Department Director	DocuSigned by:  _____ <small>52118B540A2C4BC...</small>	City Attorney	DocuSigned by:  _____ <small>8CBFA0F322244F8...</small> DocuSigned by:
OMB Director	_____ <small>FDC2AC13040F440...</small>	City Manager	DocuSigned by:  _____ <small>FDC2AC13040F440...</small>

A N O R D I N A N C E

TO ANNEX APPROXIMATELY 1.106 ACRES OF REAL PROPERTY AND 0.026 ACRE OF ADJACENT RIGHT-OF-WAY LOCATED AT ANDERSON ROAD AND CONWELL STREET, AND TO PROVIDE THE ZONING DESIGNATION OF RM-2, SINGLE-FAMILY AND MULTIFAMILY DISTRICT (TAX MAP NUMBERS 0112000900200, 0112000900400, 0112000900800, AND 0112000900900) (AX-6-2022)

WHEREAS, Trey Cole/Artful Home Designs LLC, on behalf of CMSterling LLC, owner of subject property, applied for annexation of real property consisting of approximately 1.106 acres of real property and 0.026 acre of right-of-way located at Anderson Road and Conwell Street (Tax Map Numbers 0112000900200, 0112000900400, 0112000900800, and 0112000900900), together comprising approximately 1.132 acres to be annexed (collectively, the "Property"), and further applied for rezoning of the Property from County Zoning Designation C-1, Commercial District, and C-2, Commercial District, to City Zoning Designation of RM-2, single-family and multifamily residential district; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on April 21, 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 RM-2, Single-family and multifamily residential 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 respectively, providing the annexation map, property descriptions for Tax Map Numbers 0112000900200, 0112000900400, 0112000900800, and 0112000900900 and adjacent right-of-way, and the recorded plats by the Greenville County Register of Deeds. The annexed property is provided the zoning designation of RM-2, Single-family and multifamily residential 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 Urban Residential. The annexed property shall also be included within the Sterling Special Emphasis Neighborhood.

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 an intergovernmental agreement with Parker Sewer and Fire Subdistrict and Greater Greenville Sanitation District 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. 0112000900200,
0112000900400, 0112000900800,
and 0112000900900

into the
City of Greenville



Total Annexation Area
Greenville City Limits
Total Area of Annexation:
49,293.844 Sq. Ft.
Total Acreage of Annexation:
1.132 Acres
Existing County Zoning: C-1, C-2
Proposed City Zoning: RM-2
City Council District: 2
Census Tract: 21.05
File Number: AX-6-2022



This map is a product of the City of Greenville, SC and was
compiled from public and other available information. No
accuracy survey was performed. Reasonable efforts have
been made to ensure the accuracy of this map. The City of
Greenville does not assume any responsibility or liability
with respect to the use of this map.
Copyright: The City of Greenville, SC

Shirley P. Keith 9-2-22
City Attorney

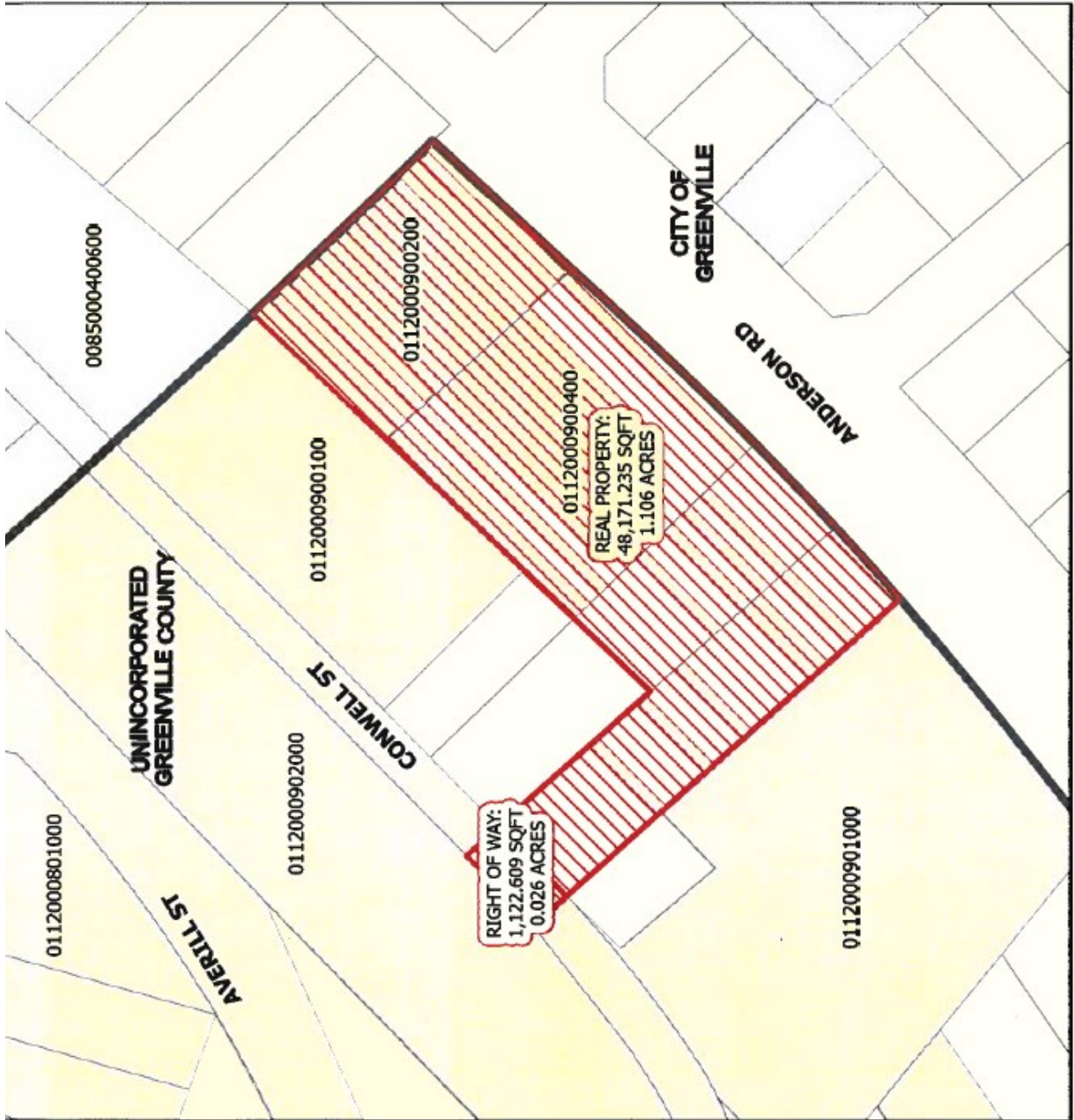


EXHIBIT B**Property Description****Parcel 1**

All that certain piece, parcel or lot of land situate, lying and being in the County of Greenville, State of South Carolina, being shown and designated 0.40 acres, as shown on a plat entitled Survey for Premilia, LLC, prepared by Jay Dunn Land Surveyor, dated April 27, 2015 and recorded in the Office of the ROD for Greenville County, SC on April 29, 2015 in Plat Book 1206 at Page 45. Reference to said plat is hereby made for a more complete description of metes and bounds thereof.

This is the same property conveyed to Rob Julian by deed of GSP Upstate Investors, LLC, dated March 7, 2016 and recorded in the Office of the ROD for Greenville County, SC on March 18, 2016 in Book 2484 at Page 1629

TMS No.: 0112.00-09-004.00

Property Address: 708 Anderson Road; Greenville SC 29601

Grantee Address: 1 Big Oak Court; Simpsonville, SC 29681

Parcel 2

All that certain piece, parcel or lot of land located in the County of Greenville, State of South Carolina, situate, lying and being known and designated as Lot 1, on a Plat entitled " Lisa Lee Sewell, Lot 1, Property of Melvin Davis and Dawn H. Davis", prepared by Freeland-Clinkscales & Associates, Inc., dated February 19, 1988 and recorded in the office of the ROD for Greenville, SC on March 16, 1988 in Plat Book 15-1 at Page 36. Reference to said plat is hereby made for a more complete description of metes and bounds thereof.

This is the same property conveyed to Robert Julian d/b/a Wellington Homes by deed of David Flint, dated September 13, 2016 and recorded in the Office of the ROD for Greenville County, SC on October 3, 2016 in Book 2497 at Page 2993.

Property Address: 700 Anderson Road; Greenville, SC 29601

Tax Map No.: 0112.00-09-002.00

Grantee Address: 1 Big Oak Court; Simpsonville, SC 29681

Parcels 3 & 4

All that certain piece, parcel or lot of land situate, lying and being in the County of Greenville, State of South Carolina, being shown and designated as Lot A and Lot B on a plat entitled Boundary Survey for Felicia Pepper, prepared by Carolina Surveying & Mapping, dated November 4, 2005 and recorded in the Office of the ROD for Greenville County, SC on June 12, 2006 in Plat Book 53 at Page 77. Reference to said plat is hereby made for a more complete description of metes and bounds thereof.

This is the same property conveyed to Robert Julian by deed of Judith A. Machmer, dated November 16, 2018 and recorded in the Office of the ROD for Greenville County, SC on November 16, 2018 in Book 2552 at Page 3132.

TMS No.: 0112.00-09-009.00 and 0112.00-09-008.00

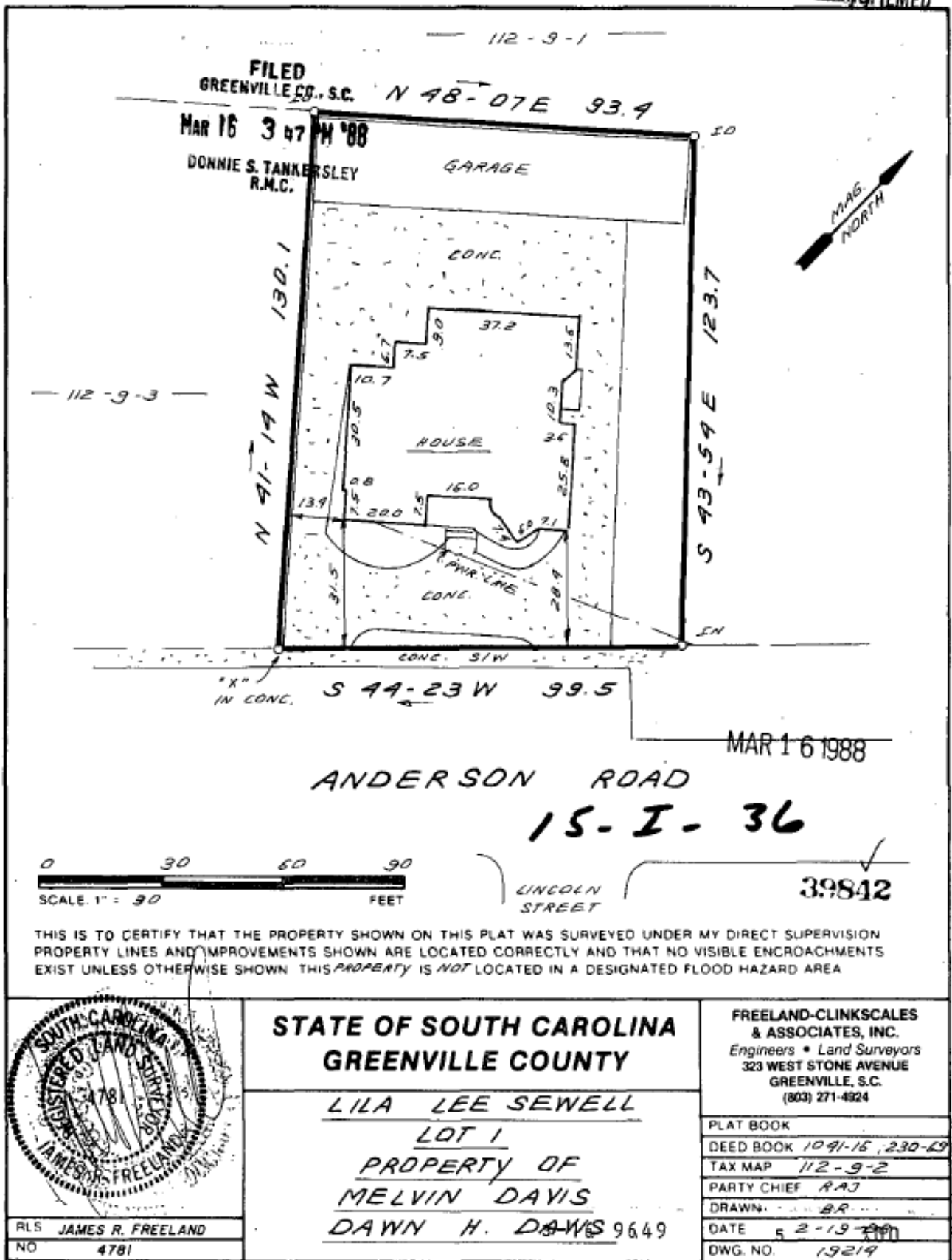
Property Address: Anderson Road; Greenville, SC

Grantee Address: 1 Big Oak Court; Simpsonville, SC 29681

Property Description for Right-of-Way

To include the 0.026 acres of Conwell Street right-of-way as shown within the associated Annexation Map exhibit.

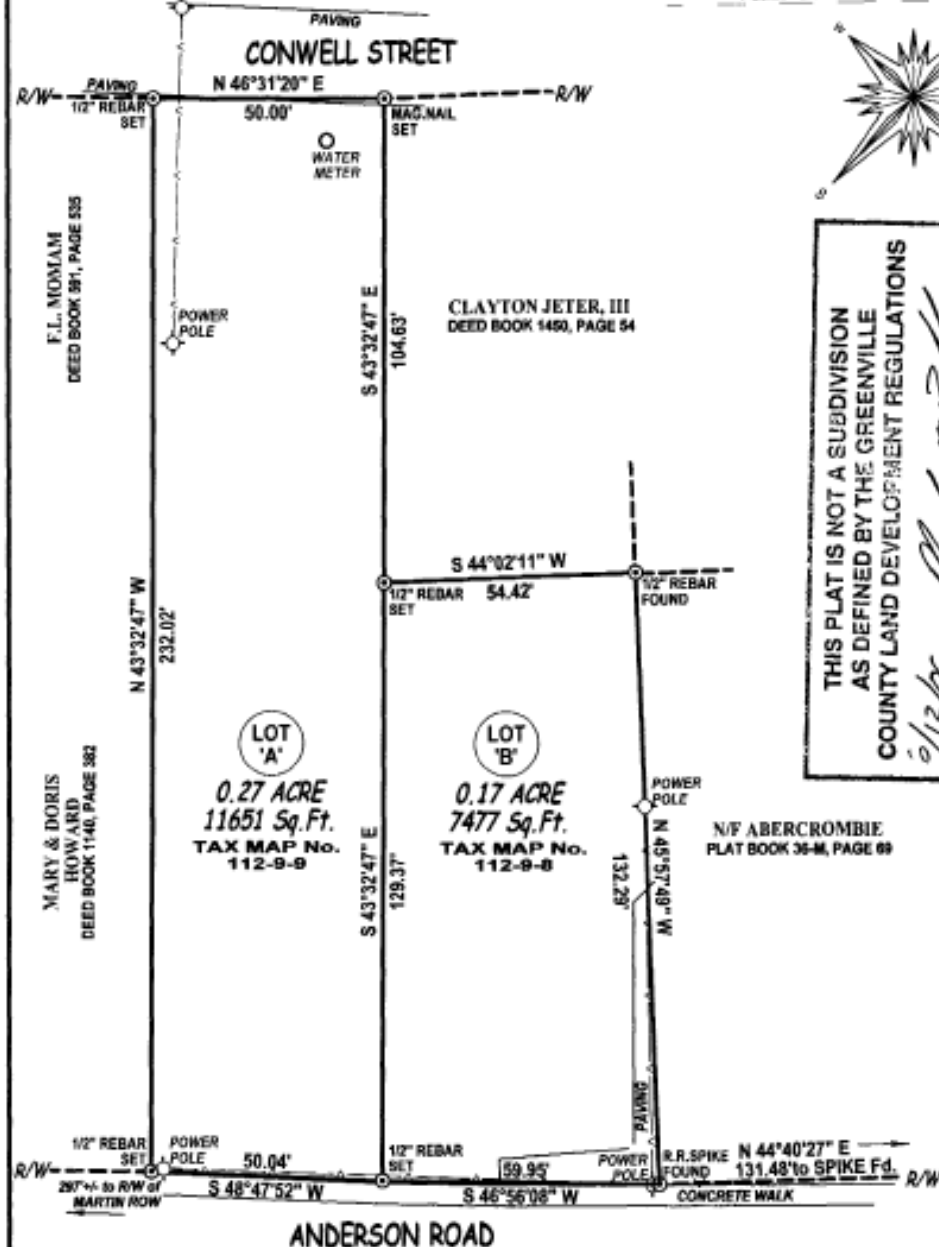
EXHIBIT C



NOTE: THE IMPROVEMENTS ON THIS LOT ARE NOT LOCATED IN A F.E.M.A. DESIGNATED FLOOD HAZARD AREA.

2006055344 1 PG
Book: PLS 53 Page: 77-77
June 12, 2006 10:42:16 AM
Rec: \$5.00 Cnty Tax: \$8.00 State Tax: \$0.00

FILED IN GREENVILLE COUNTY, SC



REF. PLAT NORTH

THIS PLAT IS NOT A SUBDIVISION AS DEFINED BY THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS

6/12/06

DATE

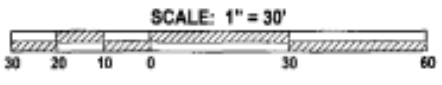
AUTHORIZED REPRESENTATIVE OF GREENVILLE COUNTY PLANNING COMMISSION

FILED FOR RECORD IN GREENVILLE COUNTY, SC ROD
2006055344 Book: PLS 53 Page: 77-77
June 12, 2006 10:42:16 AM

Timothy J. Hanney

BOUNDARY SURVEY FOR FELICIA PEPPER
CITY OF GREENVILLE GREENVILLE COUNTY SOUTH CAROLINA
NOVEMBER 04, 2005

REFERENCE: THAT PROPERTY DESCRIBED IN DEED RECORDED IN DEED BOOK 2009, PAGE 521 THE OFFICE OF GREENVILLE COUNTY R.O.D.



"I hereby state that to the best of my knowledge, information & belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class A Survey as specified therein, also there are no visible encroachments or projections other than shown. This property is subject to any and all easements, rights of way and applicable zoning of record or not of record. Subsurface and environmental conditions have not been examined or considered as a part of this survey, except as shown herein"

Terry D. Stogner
TERRY D. STOGNER, P.L.S.
S.C. REG. #17377

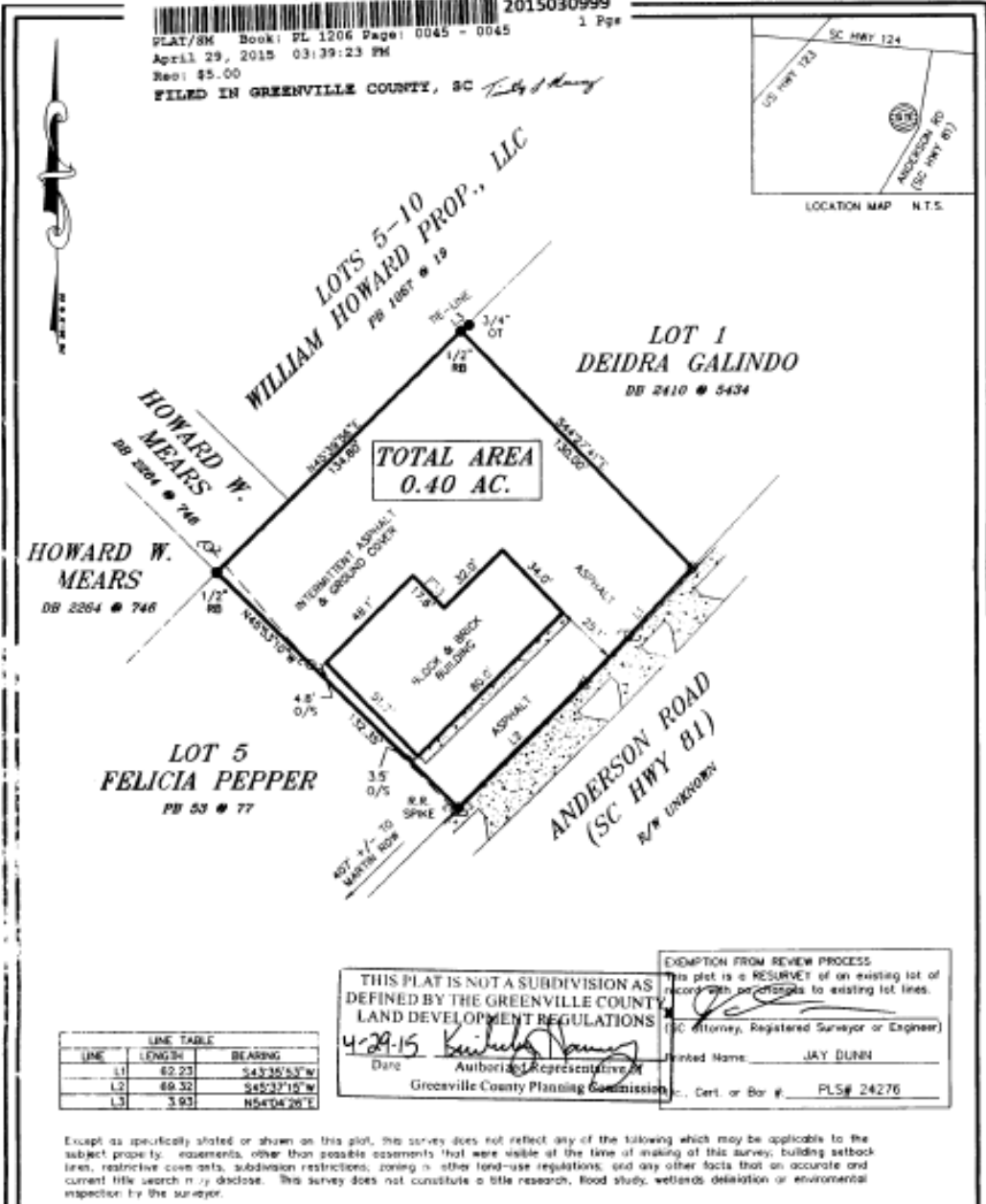


304-B N. MAIN STREET
SIMPSONVILLE, S.C. 29681
(864) 963-8747
FAX: (864) 967-9119

DRAWING No. 49834

015030999 PL BK 1206 PG 0045 (LAST PAGE)

2015030999
1 Page
PLAT/SM Book: PL 1206 Page: 0045 - 0045
April 29, 2015 03:39:23 PM
Fee: \$5.00
FILED IN GREENVILLE COUNTY, SC *Jay Dunn*



LINE	LENGTH	BEARING
L1	62.23	S43°36'52"W
L2	89.32	S45°37'15"W
L3	3.93	N54°04'28"E

THIS PLAT IS NOT A SUBDIVISION AS DEFINED BY THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS
4-29-15 *Jay Dunn*
Date: *Jay Dunn*
Authorized Representative of
Greenville County Planning Commission

EXEMPTION FROM REVIEW PROCESS
This plat is a RESURVEY of an existing lot of record with no changes to existing lot lines.
Jay Dunn
(SC Attorney, Registered Surveyor or Engineer)
Printed Name: JAY DUNN
C., Cert. or Bar #: FLS# 24276

Except as specifically stated or shown on this plat, this survey does not reflect any of the following which may be applicable to the subject property: easements, other than those shown on this survey; building setback lines, restrictive covenants, subdivision restrictions, zoning or other land-use regulations; and any other facts that an accurate and current title search may disclose. This survey does not constitute a title research, flood study, wetlands delineation or environmental inspection by the surveyor.

Survey For PREMILA, LLC		JAY DUNN Land Surveyor Professional Land Surveyor # 24276 Post Office Box 1023 1649 E Main Street Easley, South Carolina 29641 Office (864) 859-1358	
LOTS 2, 3 & 4 OF LILA LEE SEWELL SUBD.		I hereby state that to the best of my professional knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein.	
Property Designation: TMS # 0112000900300 & TMS # 0112000900400 708 ANDERSON ROAD, GREENVILLE, SC			
Deed Book Reference: 2199 Page 1205 Plat Book Reference: 36-M Page 89			
State SOUTH CAROLINA	County GREENVILLE		
Legend ▲ Nail Set ○ Iron Pin Set 1/2" Rebar (RB) ● Iron Pin Found ▲ Nail Found □ Point, Unless Otherwise Noted ■ Conc. Mark. (F)			
Scale 1" = 50'	Date 04-27-15	Bobby Jay Dunn, F.L.S. No. 24276 <i>Jay Dunn</i> 4/27/15	