ORDINANCE NUMBER 22-2018

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY (1) AND (2) JAMES D. SUDDUTH AND PAMELA S. TONNSSEN LOCATED AT 1749 GIBB SHOALS ROAD AND 1670 SOUTH HIGHWAY 14 AND (3) DENNIS R. AND PAMELA S. TONNSSEN LOCATED AT 1755 GIBB SHOALS ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTIES.

WHEREAS, (1) and (2) James D. Sudduth and Pamela S. Tonnnsen are the owners of property located at 1749 Gibb Shoals Road and 1670 South Highway 14 and (3) Dennis R. and Pamela S. Tonnnsen are the owners of property located at 1755 Gibb Shoals Road more particularly described on the legal description attached hereto marked as Exhibit A, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Numbers (1) 0528030101900, (2) 0528030101901 and (3) 0535030102004 containing approximately (1) 79.30 +/- acres, (2) 0.80 +/- acres and (3) 0.92 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0363E attached hereto marked as Exhibit D, the Statement of Intent attached hereto marked as Exhibit E and the Concept Plan attached hereto marked as Exhibit F; and

WHEREAS, the properties currently have four (4) occupants; and

WHEREAS, (1) and (2) James D. Sudduth and Pamela S. Tonnnsen and (3) Dennis R and Pamela S. Tonnnsen have petitioned the City of Greer to annex their properties by one-hundred percent (100%) petition; and

WHEREAS, the properties are now outside the city limits of Greer but adjoins the city limits; and
WHEREAS, the property owners have requested that the subject properties be zoned DRD, Design Review District; and

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. **ANNEXATION:** The (1) 79.30 +/- acres, (2) 0.80 acres +/- and (3) 0.92 +/- acres properties shown in red on the attached map owned by (1) and (2) James D. Sudduth and Pamela S. Tonnsen located at 1749 Gibb Shoals Road and 1670 South Highway 14 and (3) Dennis R. and Pamela S. Tonnsen located at 1755 Gibb Shoals Road as described on the attached map as Greenville County Parcel Numbers (1) 0528030101900, (2) 0528030101901 and (3) 0535030102004 are hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF 1205 FEET OF SOUTH HIGHWAY 14 AND 2909 FEET OF EAST SUBER ROAD ROADWAY:** 1205 feet of South Highway 14 and 2909 feet of East Suber Road along the edge of the annexed property owned by (1) and (2) James D. Sudduth and Pamela S. Tonnsen and (3) Dennis R. and Pamela S. Tonnsen as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. **ZONING ASSIGNMENT:** The above referenced properties shall be zoned DRD Design Review District pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. **LAND USE MAP:** The above reference properties shall be designated as Residential Land Use 3 Community on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

5. **FLOOD INSURANCE RATE MAP:** This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0363E.
6. **DISTRICT ASSIGNMENT:** The above referenced properties shall be assigned to City Council District #6.

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

[Signature]

Richard W. Danner, Mayor

**ATTEST:**

[Signature]

Tammela Duncan, Municipal Clerk

Introduced by:  Councilman Jay Arrowood
First Reading:  June 12, 2018
Second and Final Reading:  July 10, 2018

Approved as to Form:

[Signature]

Daniel R. Hughes, Esquire
City Attorney
Grantees Address: 1749 Gibbs Shoals Road, Greer, SC 29650

Prepared by. BROWN, MASSEY, EVANS, MCLEOD & HAYNSWORTH, LLC, 106 WILLIAMS STREET, GREENVILLE, SC 29601

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

KNOW ALL MEN BY THESE PRESENTS, that JAMES B. SUDDUTH and MARJORIE D. SUDDUTH, in consideration of the sum of Ten Dollars ($10.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents, does hereby grant, bargain, sell and release unto JAMES B. SUDDUTH AND MARJORIE D. SUDDUTH, OR THEIR SUCCESSORS, AS TRUSTEES OF THE JAMES B. SUDDUTH AND MARJORIE D. SUDDUTH REVOCABLE TRUST, DATED THE 9TH DAY OF AUGUST, 2013, their successors and assigns forever, to-wit:

SEE ATTACHED EXHIBIT A

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the above described premises belonging and in any wise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee and the Grantee’s heirs, successors and assigns, forever.

AND THE GRANTOR does hereby bind Grantor and the Grantor’s heirs and assigns to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee’s heirs, successors and assigns, against the Grantor and Grantor’s heirs and assigns, and against every person whomsoever lawfully claiming or purporting to claim the same or any part thereof.

WITNESS, the hand and seal of the Grantor this 9 day of August, 2013.

WITNESSES:

James B. Sudduth
Marjorie D. Sudduth
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

ACKNOWLEDGEMENT

I, Sylvia Gosnell, a Notary Public for South Carolina, do hereby certify that James B. Sudduth and Marjorie D. Sudduth personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 22nd day of August, 2013.

______________________________
Notary Public for South Carolina
My Commission Expires: 3/11/16
EXHIBIT A

ALL those certain pieces, parcels or tracts of land, situate, lying and being in Greenville County, State of South Carolina, along Gibbs Shoals Road and the Old Greenville-Spartanburg Road and containing 72.24 acres, more or less, as shown on plat prepared by John A. Simmons and recorded in Plat Book WW at Pages 404 and 405 and an additional tract of land containing 5.67 acres, more or less as shown on plat prepared by John A. Simmons and recorded in Plat Book 31-S at Page 57 and having such courses and distances, metes and bounds, as will be shown by reference to said plats, which plats are incorporated herein by reference.


LESS:

ALL that certain piece, parcel or lot of land, situate, lying and being in County of Greenville, State of South Carolina, at the northwest intersection of Gibbs Shoals Road and Suber Road and containing 1.3 acres, more or less, as shown on plat prepared by Tri-State Surveyors, dated October 2, 1989, conveyed to Dennis R. Tonnessen and Pamela S. Tonnessen on October 24, 1989 and recorded October 26, 1989 in Deed Book 1377 at Page 253 in the Office of the Register of Deeds for Greenville County, South Carolina.

LESS:

ALL that certain piece, parcel or lot of land, situate, lying and being in County of Greenville, State of South Carolina, containing 47,261 square feet of land from north of I-85 to Kelly Avenue on SC-14 (Pelham Road), as shown on plans prepared by the South Carolina Department of Transportation and dated April 25, 1997, conveyed to the South Carolina Department of Transportation on July 9, 1998 and recorded August 24, 1998 in Deed Book 1783 at Page 329 in the Office of the Register of Deeds for Greenville County, South Carolina.

LESS:

ALL that certain piece, parcel or lot of land, situate, lying and being in County of Greenville, State of South Carolina, containing 2,187 square feet of land from north of I-85 to Kelly Avenue on SC-14 (Pelham Road), as shown on plans prepared by the South Carolina Department of
Transportation and dated April 25, 1997, conveyed to the South Carolina Department of Transportation on July 9, 1998 and recorded August 24, 1998 in Deed Book 1783 at Page 332 in the Office of the Register of Deeds for Greenville County, South Carolina.

LESS:

ALL that certain piece, parcel or lot of land, situate, lying and being in County of Greenville, State of South Carolina, containing 14,312 square feet (0.329 acres) of land on E. Suber Road (S-540) and Gibbs Shoals Road (S-164) near the intersection of Gibbs Shoals Road (S-164) and E. Suber Road (S-540), as shown on plans prepared by CoTransCo, LLC for the Greenville Legislative Delegation Transportation Committee and the South Carolina Department of Transportation and dated August 19, 2003, conveyed to the Greenville Legislative Delegation Transportation Committee on February 17, 2005 and recorded February 23, 2005 in Deed Book 2131 at Page 1126 in the Office of the Register of Deeds for Greenville County, South Carolina.

THIS conveyance is subject to all restrictions, set back lines, roadways, zoning ordinances, easements and rights-of-way, if any, affecting the above-described property.

TMS#: 0528.03-01-019.00 and 0528.03-01-019.01
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  

AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says

1 I have read the information on this affidavit and I understand such information

2 The property being transferred bears Greenville County TMS# 0528 03-01-019 00 and #0528 03-01-019 01, and was transferred by James B. Sudduth & Marjone D. Sudduth to James B. Sudduth and Marjone D. Sudduth, or their successors, as Trustees of the James B. Sudduth and Marjone D. Sudduth Revocable Trust, Dated the 9th Day of August, 2013, on August 9, 2013

3 Check one of the following The deed is
(a) ___________________ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth
(b) ___________________ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or if a transfer to a trust or as a distribution to a trust beneficiary
(c) X ___________________ exempt from the deed recording fee because of Exemption #9
(If exempt, please skip Items 4-7 and go to Item 8 of this Affidavit)

4 Check one of the following if either Item 3(a) or Item 3(b) above has been checked (See Information Section of this Affidavit)
(a) ___________________ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $________
(b) ___________________ The fee is computed on the fair market value of the realty which is $________
(c) ___________________ The fee is computed on the fair market value of the realty as established for property tax purposes which is $________

5 Check Yes _____ or No __x__ to the following A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer If "Yes" the amount of the outstanding balance of this lien or encumbrance is $_________________

6 The deed recording fee is computed as follows
(a) Place the amount listed in Item 4 above here $________
(b) Place the amount listed in Item 5 above here $________
(If no amount is listed, place zero here)
(c) Subtract Line 6(b) from Line 6(a) and place result here $________

7 The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is $________

8 As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as attorney

9 I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both

Responsible Person Connected with the Transaction
E. Zachary Horton
Print or Type Name Here

SWORN to before me this 9th day of August, 2013

Notary Public for SC
My commission expires 5/13/2019
INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. The case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

(1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than $100.00,

(2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts,

(3) that are otherwise exempted under the laws and Constitution of this State or of the United States,

(4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A),

(5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty,

(6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39,

(7) that constitute a contract for the sale of timber to be cut,

(8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust,

(9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A),

(10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation,

(11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership,

(12) that constitute a corrective deed or a quitclaim deed used to confirm the already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed,

(13) foreclosure (mortgagor to mortgagee),

(14) transferring realty from an agent to the agent’s principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
State of South Carolina
County of Greenville

KNOW ALL MEN BY THESE PRESENTS, that Dennis R. Tonnsen and Pamela S. Tonnsen, (hereinafter called "Grantor"), in consideration of Ten Dollars and 00/100 Dollars and no other consideration, to the Grantor in hand paid at and before the sealing of these presents, by Dennis R. Tonnsen and Pamela S. Tonnsen (hereinafter called Grantee) in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release all my right title and interest unto:

Dennis R. Tonnsen and Pamela S. Tonnsen, as joint tenants with rights of survivorship and not as tenants in common

All those certain pieces, parcels or lots of land, with any and all improvements thereon beginning at a nail and cap in the intersection of Gibbs Shoals Road and Suber Road and running thence N. 23-53 W., 283.17 feet along the center of Gibbs Shoals Road to spike in road; thence N. 64-08 E., 212.59 feet (pin 25 feet from center of road); thence S. 26-38 E., 233.1 feet to nail and cap in center of Suber Road (pin back on line at 25 feet); thence in road; thence still with center of Suber Road S. 52-51 W., 116.24 feet to the beginning corner and containing 1.30 acres, more or less. Property subject to road right of ways.

This being the same property conveyed unto the grantors herein by Deed of James B. Sudduth and Marjorie D. Sudduth dated October 24, 1989 and recorded October 26, 1989 in Deed Book 1377, Page 253 in the ROD Office of Greenville County, South Carolina.

Tax Map #: 05350301020004

This conveyance is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or on the premises.

Grantee's Address: 1755 Gibbs Shoals Road, Greer, SC 29650

TOGETHER with all and singular the rights, members, hereditaments and
appurtenances to said premises belonging or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee, and the Grantee's heirs and assigns forever.

Any reference to this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

WITNESS the Grantor's hands and seals this the 14th day of July, 2011

SIGNED, SEALED AND DELIVERED
in the presence of:

Witness #1

Witness #2

State of South Carolina
County of: Greenville

Dennis R. Tonnessen
Pamela S. Tonnessen

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that (s)he saw the within-named sign, seal, and, as their act and deed, deliver the within-written Title to Real Estate, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 14th day of
2011

Signature of Notary
Notary Public for: SC
My Commission Expires: 1/3/2017

Witness #1
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred is located at 1755 Gibbs Shoals Road, Greer, SC, bearing Greenville County TMS # 0535030102004, was transferred by Dennis R. Tonnsen and Pamela S. Tonnsen on July 14, 2011.

3. Check one of the following: The deed is:
   (a) _______ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money’s worth.

   (b) _______ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust or as a distribution to a trust beneficiary.

   (c) X  [ ] exempt from the deed recording fee because CONSIDERATION LESS THAN $100.00.

      [If exempt, please skip items 4-7, and go to item 8 of this affidavit]

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of affidavit): (a) The fee computed on the consideration paid or to be paid in money or money’s worth in the amount of _______.

   (b) The fee is computed on the fair market value of realty which is _______.

   (c) The fee is computed on the fair market value of the realty established for property tax purposes which is _______.

5. Check Yes _____ or No _____ to the following: A lien or encumbrance
existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. If "Yes" the amount of the outstanding balance of this lien or encumbrance is: 

6. The deed recording fee is computed as follows:
   (a) Place the amount listed in Item 4 above here:

   

   (b) Place the amount listed in Item 5 above here:

   

   (c) Subtract Line 6(b) from Line 6(a) and place results here:

   

7. The deed recording fee is based on the amount listed on Line 6© above and the deed recording fee due is: 

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Attorney.

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

[Signature]
Attorney

Sworn to me this 4th day of August, 2011:

[Signature]
Notary Public for South Carolina
My Commission Expires:
Sudduth Farms
“Statement of Intent”
+/- 81.02 Acre Mixed-Use Development
(Design Review District “DRD” Zoning Request)
SC Hwy. 14, East Suber Road, & Gibbs Shoals Road - Greer, SC

Revision Date:
July 5, 2018

Applicant
D.R. Horton, Inc.
100 Verdae Boulevard – Suite 401
Greenville, SC 29607
Brian Wasser
(864) 417-6321
Bjwasser@drhorton.com

Civil Engineer
Bluewater Civil Design, LLC
718 Lowndes Hill Road
Greenville, SC 29607
Paul J. Harrison, P.E.
(864) 735-5068
Paul@bluewatercivil.com

Surveyor
3D Land Surveying
10 Century Drive
Greenville, SC 29607
David Modny, PLS
(864) 272-0274
David@3dls.net

Property Description

• +/- 81.02 Acres located at the intersection of SC Hwy. 14, East Suber Road, and Gibbs Shoals Road. TMSs are #0528030101900, #0528030101901, & #0535030102004. The property is currently zoned Residential Suburban (R-S) and located outside the City of Greer. The developer is requesting annexation into the City of Greer with a Design Review District (DRD) zoning classification
Community Development Overview

The development planned for this +/- 81.02-acre tract will utilize the Design Review District (DRD) zoning classification. The development will consist of (2) new access points off SC Hwy. 14 with (1) of the access points being a right in/right out for the commercial outparcels. The development will also have (3) new residential access points off E. Suber Road. The commercial outparcels would also have (1) new full access point off E. Suber Road. The roads within the community would be a mixture of public roads and private roads/drives. All roads serving the SFR detached and attached products would be public roads including the traffic circle and main boulevard road back out to SC Hwy. 14. These roads will be built to public standards and turned over to the City of Greer once inspected. A private road/drive will be constructed behind the commercial outparcels which will be turned over to a newly formed Property Owner’s Association (POA). A (5') wide concrete sidewalk will be provided on one side of all public/private roads and drives. A (5') wide sidewalk will also be provided along road frontage of SC Hwy. 14, East Suber Road, & Gibbs Shoals Road as depicted on the Preliminary Development Plan. The public roads serving the single-family attached and detached product will have rolled curb and gutter. The main boulevard road up to and including the traffic circle along with the commercial drive will contain standard curb & gutter. Other infrastructure improvements include public water mains, public sewer mains, public sewer lift station, public sewer force main, storm drainage, and common areas. Common areas may be open space disturbed and undisturbed, visitor parking, mail centers, flood plain, amenity centers, and other community gathering areas. These common areas will be maintained by the HOA and POA respectively. The HOA/POA will also be responsible for entrance monuments, landscaping, site lighting, and all other infrastructure improvements along private roads/drives. Covenants and Restrictions for the Community will be drafted and recorded at the Greenville County Register of Deeds Office.

Natural Resource Inventory

The existing site is currently undeveloped farm land consisting mostly of grass pasture. There are some existing houses, sheds, and other buildings on the property that will be demolished once our development construction has started. The majority of the property is clear pasture land with existing trees and vegetation along the creek which intersects the property and along the SC Hwy. 14 road frontage. There is approximately 1,170 linear feet of property frontage along SC Hwy. 14, 2,895 linear feet of property frontage along East Suber Road, and 1,550 linear of property frontage along Gibbs Shoals Road. A minimum of 25' of public right-of-way will be dedicated along all state roads where the property line projects to the centerline of the road. The existing topography slopes gradually away from SC Hwy. 14 and Gibbs Shoals Road (+/- 3.00% -5.00%) toward the existing tributary dissecting the property. The tributary is un-named on our site but eventually meets up with Phillips Branch to the South of our property. Phillips Branch ultimately flows into the Enoree River. The un-named tributary on our site has an established 100-year base flood elevation per FEMA Map 45045C0363E.

SC Hwy. 14 is a six-lane paved road with a two-way turn lane in the median. The road is approximately 88 feet wide. East Suber Road and Gibbs Shoals Road both vary in size due to recent intersection improvements at both major intersections. East Suber is 20’ wide at its
smallest width. Gibbs Shoals Road is approximately 30 feet wide at its smallest width. All roads fronting the property are owned and maintained by SCDOT. The East Suber Road and SC Hwy. 14/Gibbs Shoals Road Intersections are signalized with recently improved left/right turn lanes.

Public water mains adequate to serve our site are available along all roads fronting the property owned and maintained by Greer CPW. A gravity sewer trunkline is available to tie to at the intersection of Suber Branch and Suber Road owned and maintained by Greer CPW. The development will need to have a sanitary sewer pump station and force main to pump sewer flows from our site to the gravity sewer trunkline at Suber Branch.

**Density & Phasing**

The overall density of the project will not exceed (400) residential units. This total includes approximately (175) single-family detached lots and approximately (225) single-family attached townhome units. This overall density is roughly (4.95) lots/units per acre. This project is expected to be phased. Both products will be developed in multiple phases (2-3). All phase lines and construction of the commercial area will be detailed out on the Final Development Plans. If the development proceeds as expected, build-out of all residential lots/units is expected within 5-6 years. Commercial tenants will dictate the phasing of the Commercial Area. It is anticipated that the commercial outparcels could contain 80,000 – 100,000 SF of retail space in total and would be tenants that would complement the community and surrounding neighborhoods. Such uses could be restaurants, a bank, small retail stores, a car wash, storage facility, professional offices, etc. A more detailed plan will be coordinated with the City of Greer Planning & Zoning Staff once specific tenants are finalized. Layouts, architectural building elevations, and a traffic circulation plan will be approved by the City of Greer prior to any development on the commercial area.

**Homes & Materials**

1. **Single-Family Detached Area**

The homes within the community will have a mixture of sizes and price points. We will have (50'), (60'), and (70') wide lots. All the homes in this area will have a minimum 1-car garage and contain at least (2) parking spaces. The minimum square footage per home will be 1,000 SF with most ranging from 2,000 SF – 4,000 SF. The homes may range from 2-5 bedrooms with 1.5-3.5 baths. There is no maximum size for a home. All homes and garages will front directly on proposed interior roads. Exterior building materials may consist of vinyl siding, shake siding, board and batten siding, Hardie Board, brick, and/or stone. Exteriors may contain (1) specific material or combination of all/multiple materials in some cases.

2. **Single-Family Attached Area (Townhomes)**

The townhomes in the community will be a for sale product. The townhome section will consist of a (22') wide product and a (26') wide product. The townhomes within the community will have a 1,000 SF minimum. The units will average 1,500 SF with no maximum size. All units will have a minimum 1-car garage and contain (2) parking spaces. The garage space is approximately 250 SF. There may also be an optional patio and/or
porch installed for each unit. Exterior building materials may consist of vinyl siding, shake siding, board and batten siding, Hardie Board, brick, and/or stone. Exteriors may contain (1) specific material or combination of all/multiple materials in some cases. Building heights will be consistent with a typical 2-story townhome building.

3. **Commercial / Retail Area**

This area is being marketed as a potential commercial retail space for multiple tenants that would complement the community and surrounding neighborhood. There is a total of (4) parcels that total approximately 8.18 Acres. The maximum square footage of commercial retail buildings shall be 100,000 SF. Potential tenants could be banks, restaurants, professional offices, a carwash facility, etc. No layouts and/or buildings will be approved within the Commercial/Retail Area without approvals from the City of Greer Planning & Zoning Staff.

**Amenities, Landscaping, & Buffers**

The proposed development will include approximately 19.45 acres of common area with maximum efforts to preserve existing vegetation/trees around the perimeter property line and along the creek. A minimum 25' buffer/building setback has been established along all property sides. In addition, there is a 50' building setback established along SC Hwy. 14 and a 30' building setback established along East Suber Road and Gibbs Shoals Road. Internal front building setbacks for the single-family attached/detached sections will be no less than 15' or a minimum of 18' from the front of the garage to the edge of the sidewalk. The common areas may consist of disturbed and non-disturbed open space, passive open space, walking trails, water features, dog parks, fire pits, community gathering areas, and community swimming pools with associated parking.

A single or double entrance monument will be installed at our entrance located along SC Hwy. 14 and one of the entrances located along East Suber Road. The owner may elect to install monuments at all entrances into the community. The owner may also elect to install some type of monumentation at the intersections of East Suber Road and SC Hwy. 14 and Gibbs Shoals Road. This monumentation shall be presented to the City of Greer Planning & Zoning Staff for approval prior to any installation. The proposed entrances will be heavily landscaped with shrubs and annual color. The existing road frontages and community areas (pools, fire pits, dog parks, mail centers, etc.) will be landscaped with more perennial canopy trees, evergreen shrubs, and evergreen bushes. The landscaping plans will be a part of the Final Development Plans submitted to the City of Greer Planning and Zoning Department for approval.

The owner may be allowed to construct a mulched walking trail within the community that would connect to sidewalks running along the roads. The owner may elect to install a pedestrian walking bridge across the creek to make the development a walkable community. The developer intends to work with SCDOT and the City of Greer to try to obtain a pedestrian crosswalk across Gibbs Shoals Road to allow children the ability to walk to school. The stormwater management areas may be dry or wet depending on water sources once the project progresses to the Final Design Phase. The stormwater management areas may have a fence and/or landscaping around the dike which will comply with current
regulations. All common areas, landscaping, monuments, street lighting, stormwater management areas, and mail centers will be maintained by the HOA/POA respectively.

**Public Utilities**

Public water is existing around all road frontages of the site owned and maintained by Greer CPW. Greer CPW also has the ability to serve the site with Natural Gas, Power, and Site Lighting. The owner will work with AT&T and Charter Communications for phone and cable services. Once annexed, the site would be served by the City of Greer Fire District. Sanitation pick-up could be private or in some cases provided by the City of Greer. A new sewer lift station and force main will have to be installed at the intersection of the the bisecting creek and East Suber Road. A force main will be installed along Suber Road to pump sewer flows to the main trunkline at the intersection of Suber Branch and Suber Road. All new water mains, sewer mains, lift station, and force mains will be turned over to Greer CPW once installed and inspected.

**Building Setbacks**

All the proposed setbacks for this project are as follows:
- 25’ minimum perimeter setback along exterior property. (Setback is measured from the exterior property line and/or dedicated right-of-way line.)
- 30’ minimum setback along Gibbs Shoals Road & East Suber Road.
- 15’ minimum front yard setback. (For internal public roads. There shall be a minimum of 18’ from the front of any garage and the edge of the sidewalk. Setback may be greater in some cases.)
- 10’ minimum secondary side yard setback. (Corner lots measured from public road r/w)
- 5’ minimum side yard setback.
- 10’ minimum rear yard setback.

**Traffic, Parking, & Circulation Plan**

All public roads and sidewalks within the development will be constructed to the City of Greer Standards. Private driveways will be constructed in accordance with the approved Final Development Plan. Once the public roads are built and inspected, the roads and sidewalks will be turned over to the City of Greer for operation and maintenance. All public roads shall have a minimum 42’ right-of-way width and 22’ pavement width. Some of the public roads will have a larger right-of-way and pavement width depending on the classification of road and volume/type of vehicular traffic. All roads/drives within the development shall have rolled curb-and-gutter or standard curb-and-gutter along with storm drainage inlets spaced appropriately for conveyance of stormwater to the management areas. The standard curb-and-gutter may be used in the traffic circle, boulevard to the traffic circle, and along the private commercial drives. The parking requirements for the community are outlined below:
- Single-Family Detached Area – (2) Parking Spaces per Lot
- Single-Family Attached Area – (2) Parking Spaces per Unit
- Commercial Area – (5) Parking Spaces per 1,000 SF of Gross Floor Area

**Site Lighting**

It is the Developer’s intent to use Greer CPW for all residential site lighting. Street lights throughout the community will be consistent for all residential areas. Private lighting may be used for the Multi-Family Section and Commercial Areas to light buildings and surface parking. Maximum efforts will be implemented to ensure offsite light pollution. Any private site lighting will be submitted to the City of Greer Planning and Zoning Department for approval.
Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 1749 Gibbs Shoals Road  more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number  05280301900901  attached hereto marked as Exhibit C containing approximately 80.1 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by one hundred (100%) percent of the freeholders owning one hundred (100%) percent of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 15th day of May, 2016 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

Print Name: James A. Dwayne Suggs
Signature: James Dwayne Suggs
Address: 1426 S Hwy 14 Great Sc
Witness: Lynna Bennett
Date: 5-15-18
Parcel Address: 1749 Gibbs Shoals Rd
Tax Map Number: 05280301900 (901)

Print Name: Pamela S. Tonnson
Signature: Pamela S. Tonnson
Address: 1755 Gibbs Shoals Rd., Greer, Sc
Witness: Lynna Bennett
Date: 5-15-18
Parcel Address: 1749 Gibbs Shoals Rd., Greer
Tax Map Number: 05280301900 (901)

(See attached Map & Property Description)
Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 1755 Gibbs Shoals Road more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 0535030102004 attached hereto marked as Exhibit C containing approximately 0.99 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by one hundred (100%) percent of the freeholders owning one hundred (100%) percent of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 15th day of May, 2019 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

Print Name: Dennis R. Townsen
Signature: Dennis R. Townsen
Address: 1755 Gibbs Shoals Rd, Greer
Witness: Lynn Bennett
Date: 5/15/18
Parcel Address: 1755 Gibbs Shoals Rd, Greer
Tax Map Number: 0535030102004

Print Name: Pamela S. Townsen
Signature: Pamela S. Townsen
Address: 1755 Gibbs Shoals Rd, Greer
Witness: Lynn Bennett
Date: 5/15/18
Parcel Address: 1755 Gibbs Shoals Rd, Greer
Tax Map Number: 0535030102004

(See attached Map & Property Description)