ORDINANCE NUMBER 3-2018

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JONES AVENUE PARTNERS, LLC (INDU VAKHARIA) LOCATED AT JONES AVENUE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD, DESIGN REVIEW DISTRICT, FOR SAID PROPERTY

WHEREAS, Jones Avenue Partners, LLC (Indu Vakharia) is the owner of property located at Jones Avenue 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 Number G006000101000 containing approximately 21.94 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0361E attached hereto marked as Exhibit D; and

WHEREAS, the property currently has zero (0) occupants; and

WHEREAS, Jones Avenue Partners, LLC (Indu Vakharia) has petitioned the City of Greer to annex their property by one-hundred percent (100%) petition; and

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and

WHEREAS, the property owner has requested that the subject property 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 21.94 +/- acres and 43' of Jones Avenue roadway of property shown in red on the attached map owned by Jones Avenue Partners, LLC (Indu Vakharia) located at Jones Avenue more particularly described on the attached map as Greenville County Parcel Number G006000101000 is hereby annexed into the corporate city limits of the City of Greer.

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

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

4. **FLOOD INSURANCE RATE MAP:** This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0361E.

5. **DISTRICT ASSIGNMENT:** The above referenced property shall be assigned to City Council District #5.

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

[Signature]

Richard W. Danner, Mayor

**ATTEST:**

[Signature]

Elizabeth Adams, Executive Administrative Assistant
Introduced by: Councilwoman Judy Albert

First Reading: January 23, 2018

Second and Final Reading: June 12, 2018

Approved as to Form:

[Signature]
Daniel R. Hughes, Esquire
City Attorney
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS: That "Two B's" & "Three G's" by J&K, LLC. (Grantor(s)) for and in consideration of the sum of Six Hundred Thousand and No/100 ($600,000.00) Dollars, to the Grantor herein paid, the receipt of which is hereby acknowledged has granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto Jones Avenue Partners, LLC, their heirs and assigns forever, (Grantee) the following property:

All that certain piece, parcel or lot of land, located in County of Greenville, State of South Carolina, and being known as "25.022 acres on Jones Avenue" as shown on Plat entitled "Survey for Jones Avenue Partners, LLC" prepared by 3D Land Surveying, Inc., on 06/07/07 and recorded in Greenville County on 7/10/07 in Plat Book 27 at Page 15. Reference to said plat for a metes and bounds description.

For derivation of title see Deed of Jones Avenue Properties Holdings, LLC recorded in County on 11/20/01 in Deed Book 1974 at Page 969.

GRANTEES MAILING ADDRESS: 101-A Regency Commons Dr., Greer, SC 29650

TMS#: G006000101000

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident appertaining.

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

AND the Grantor does hereby bind itself and its successors to warrant and forever defend all and singular the premises unto the Grantee his heirs successors, and assigns, against itself and its successors, and against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Any reference in this instrument to the plural shall include the singular, 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.
IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its undersigned officer(s) or partner(s) and its seal to be hereeto affixed.

DATE: 07/12/07

Signed, Sealed and Delivered

in the Presence of:

Witness

Witness

"Two B's" & "Three G's" b y J & K, I . L C
By: 
Its: 

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

ACKNOWLEDGMENT

The foregoing instrument was acknowledged by Grantor before me this 12th day of July, 2007.

NOTARY PUBLIC FOR SOUTH CAROLINA
My commission expires: 1/30/10

FILED FOR RECORD IN GREENVILLE COUNTY, SC ROD
2007072425 Book OE 2275 Page 1652-1663
July 29, 2007 12:28:51

Timothy J. Macon
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 Jones Ave. 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 6006000161000 attached hereto marked as Exhibit C containing approximately 21.49 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 5 day of January, 2018 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: Indu Vakharia
Signature: ____________________________
Address: 109 B Regency Commons
Greer, SC
Witness: ____________________________
Date: 1-5-18
Parcel Address: Jones Ave
Tax Map Number: 6006000161000

Print Name: ____________________________
Signature: ____________________________
Address: ____________________________
Witness: ____________________________
Date: ____________________________
Parcel Address: ____________________________
Tax Map Number: ____________________________

(See attached Map & Property Description)
ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 01/11/18

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) G006000101000

Property Address(s) Jones Ave., Greer, SC

Acreage of Properties 21.94 County Greenville

Applicant Information
Name Jones Avenue Partners, LLC
Address 109-B Regency Commons Drive
Greer, SC 29650
Contact Number 864-801-1551
Email indu@unique-builders.net

Property Owner Information
(if multiple owners, see back of sheet)
Name same as applicant
Address
Contact Number
Email

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ___ No X

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned
from ___ unzoned ______ to ______ DRD ______.

Existing Use: Vacant Proposed Use: Single-family & Townhomes

Signature(s)  Eagle Vandermay
Member, Jones Ave Partners, LLC

If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY
Date Filed 1-11-18 Case No. AN 2018-03
Meeting Date 2-19-18 See Sub 2018-04(DRD)

See Reverse
AN 2018-07 is an annexation and zoning request for a parcel located on Jones Ave. The request is to rezone the property from I-1, Industrial (Greenville County), to R-10, Single-Family Residential, for the development of 93 units. This area contains a mix of various types of residential uses.

Surrounding land uses and zoning include:

North: C-2, Commercial, and R-20, Single Family Residential (City of Greer): single-family and offices
East: R-M1, Multi-Family (City of Greer): singe-family
South: R-M2, Multi-Family (City of Greer): single-family and multifamily
West: I-1, Industrial, Undeveloped (Greenville County)

The future land use map in the City’s Comprehensive Plan defines the area adjacent to this parcel as a Residential Land Use 3 Community, with density appropriate at 4.6 units an acre and greater. As such, looking at the request for R-10, Single-Family Residential, is appropriate at this location as the density proposed is 4.2 units per acre. In addition, the subject parcel is near an Employment Center Community. These centers are near balance of residential and nonresidential uses. Therefore, this is a compatible land use with the Comprehensive Plan. In accordance with the guidelines set forth in this plan and after a detailed study of the area, Staff can support the proposed zoning request. All comments from other agencies and departments in the City of Greer must also be met and a preliminary plat must be approved before construction can commence.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION ACTION ON 5/21/18: Mr. Hopper read a brief statement about conducting the business meeting and opened the business meeting for AN 2018-07. Ms. McCormick presented the staff report and recommendation for the request. Zach Johnson, Gray Engineering, and Kavita Borsum, applicant, were present to answer any questions for the Commission. Mr. Montgomery asked what the other development on Jones Avenue by this developer was zoned. Ms. McCormick advised that the other development was zoned DRD. Mr. Montgomery made a motion to approve AN 2018-07. Mr. Lavender seconded the motion. The motion carried with a vote of 5 to 0,