ORDINANCE NUMBER 29-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY S. MICHAEL BRUCE LOCATED ON NORTH HOWELL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY.

WHEREAS, S. Michael Bruce is the sole owner of property located on North Howell Road more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Greenville County Parcel Number 0618010100600 and Spartanburg County Parcel Number 0618010100600 containing approximately 15.4 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45045C0351E attached hereto marked as Exhibit D; and,

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

WHEREAS, S. Michael Bruce has petitioned the City of Greer to annex his property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); 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 15.4 acres +/- property shown in red on the attached map owned by the S. Michael Bruce located on North Howell Road as described on the attached City of Greer Map as Greenville County Parcel Number 0618010100600 and Spartanburg County Parcel Number 0618010100600 is hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF 1280 FEET OF NORTH HOWELL ROAD:** 1280 feet of North Howell Road roadway along the edge of the annexed property owned by S. Michael Bruce as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. **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.

4. **LAND USE MAP:** The above reference property shall be designated as Residential Land Use 3 Community and Neighborhood Center 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 45045C0351E.

6. **DISTRICT ASSIGNMENT:** The above referenced property shall be assigned to City Council District #4.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Ordinance Number 29-2020
Annex North Howell Rd
Page 2 of 3
ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Judy Albert

First Reading: July 14, 2020

Second and Final Reading: July 28, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS, that Epworth Children’s Home

in consideration of Two Hundred Eighty Thousand and No/100 ($280,000.00) Dollars, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell

and release unto S. Michael Bruce

See Exhibit A

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appurtenant to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee(s) heirs or successors and assigns.

And, the grantor(s) do hereby bind the grantee(s) and the grantee(s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee(s) heirs or successors and against every person whatever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantor(s) hand(s) and seal(s) this 3 day of June, 19 Q. C. day of Epworth Children’s Home

SIGNED, sealed and delivered in the presence of:  

By: Robert W. Andrews  (SEAL)  
Chairman: Board of Trustees  (SEAL)

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Personally appeared the undersigned witness and made oath that (she) saw the within named grantor(s) sign, seal and at the grantor(s) act and deed, deliver the within written deed and that (she), with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 3 day of June, 19 Q. C.  (SEAL)

Notary Public for South Carolina

My commission expires 10 11 58
EXHIBIT A

ALL that piece, parcel or lot of land located three miles north from Greer, O'Neal Township, State of South Carolina, County of Greenville, lying on both sides of Beaver Dam Creek as shown on Plat No. 4 of the property of C. M. Ponder Estate made by H. S. Brockman, Surveyor, dated November 12, 1954, and having the following courses and distances to-wit:

BEGINNING at an iron pin on the bank of country road and property of A. D. Turner and running thence S 7-15 W. 36 feet to iron pin corner of A. D. Turner and Cooper Howell Property; thence along Cooper Howell Property S. 82-00 E. 767 feet to a point; thence N. 68-30 E. 590 feet to an iron pin; thence S 78-35 E. 541 feet to old stone corner of Cooper Howell and LeRoy Tapp Property; thence along LeRoy Tapp Line N. 15-51 E. 722.5 feet to old stone; thence N. 45-40 E. 437 feet to old stone corner of LeRoy Tapp and W. J. Griffin property, thence along W. J. Griffin line N. 66-42 W. 1808 feet to iron pin; thence N. 84 W. 150 feet to point; thence S. 77 W. 185 feet to point; thence S 68-26 W. 208 feet to point; thence N. 77-49 W. 191 feet to iron pin bank of County road corner of property of W. J. Griffin and Leether G. Ponder; thence along the line of Leether G. Ponder Property S. 5-00 W. 1350.5 feet to iron pin; thence S. 61-30 W. 229 feet to iron pin; thence S. 2-00 E. 44 feet to iron pin; thence S. 75-30 370 feet to iron pin the beginning corner, containing 74.02 acres, more or less, being tracts one and two of the above described plat.

This is the same property conveyed to Grantor by deed of Milton Ponder recorded in the Register for Greenville County on 9-18-58 in Book 1 Page 49 and subject to all restrictions, easements, rights-of-way and roadways of record, on the recorded plats or on the premises.

This Conveyance is made subject to all easements, conditions, covenants, rights-of-ways, if any, appearing of record on the premises or on the recorded plat which may affect the property hereinabove described.

FILED FOR RECORD IN GREENVILLE
COUNTY SC RMC OFFICE AT 11:27 AM
06/04/96 RECORDED IN DEED
BOOK 1643 PAGE 49
DCC # 98039902

Sandra S. Tatum
SURVEY FOR
MICHAEL S. BRUCE
STATE OF SOUTH CAROLINA, GREENVILLE COUNTY
JULY 23, 2014

NOTE:
THIS PARCEL IS TO BE CONSIDERED WITH AND MADE A PART OF THE PARCEL 1-7

CHAPMAN
Surveying Company, Inc.
P.O. Box 457, Seneca, S.C. 29678
(864) 625-7309 Fax: (864) 333-5289

I, HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREBY 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 "B" SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO UNRECORDED ENCUMBRANCES OR PROJECTED ENCUMBRANCES OTHER THAN SHOWN.

PAUL L. CHAPMAN, PLS.
S.C. No. 19664
Subject Property
P/O 0618010100600
Total Acres: 15.4

Subject Right of Way
1280' N Howell Rd

Ordinance 29-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Created 6/25/2020 by City of Greer GIS
Brookside Farms
“Statement of Intent”
± 237.17-Acre Single Family Development
(Design Review District “DRD” Zoning Request)
Gap Creek Road & North Howell Road – Greer, SC

Date:
June 11, 2020

Applicant
BlackStream Development, LLC
1325 Miller Road, Suite S
Greenville, SC 29615
Ford Elliott
(864) 901-4078
Ford.Elliott@svn.com

Civil Engineer
Bluewater Civil Design, LLC
718 Lowndes Hill Road
Greenville, SC 29607
Paul J. Harrison, P.E.
(864) 326-4202
paul@bluewatercivil.com

Property Description
This property consists of ± 237.17 acres located at the intersection of Gap Creek Road and
North Howell Road with TMS #0618010100600, 0536010104800, 0536010104900,
0536010105704. The property is located within the City of Greer and currently zoned C-2
(Commercial District) for parcel 053601014800 at the corner of Gap Creek Road and North
Howell Road, and R-12 (Single-Family Residential District) for the remainder of the project
area (parcels 0618010100600, 0536010104900, & 0536010105704). The developer is
requesting rezoning all parcels in the development to a Design Review District (DRD)
zoning classification.

Community Development Overview
The development planned for this ± 237.17-acre tract will utilize DRD zoning classification.
The development will consist of (1) new access point off Gap Creek Road and (4) new
access points off North Howell Road. The roads within the community will be public roads
that will be owned and maintained by City of Greer. A Homeowner’s Association (HOA)
will be setup to maintain common grounds and items outside of the public right-of-way. A 5' wide concrete sidewalk will be provided on one side of all new roads to allow ease of walkability throughout the development and 5' sidewalks will be installed on the exterior of the property along Gap Creek Road and North Howell Road. For the single-family attached units (townhomes), a minimum of two off-street parking spaces will be provided for residents (one space in the garage & one space in the driveway). Additional parking will be provided in off-street parking lot(s) for overflow, guests, and the centralized mail center. For the single-family detached homes, a minimum of two off-street parking spaces will be provided for residents (one space in the garage & one space in the driveway). Additional parking may be provided in off-street parking lot(s) for amenities, guests, and mail centers.

Other infrastructure improvements include public water mains, public sewer mains, storm drainage, and common areas. Common areas may be active and passive open space (disturbed and undisturbed), visitor parking, mail centers, amenity centers, and other community gathering areas. These common areas will be maintained by the HOA. The HOA will be responsible for entrance monuments, common areas, landscaping, site lighting, and all other improvements outside of the public right-of-way. Covenants and Restrictions for the Community will be drafted and recorded at the Greenville County Register of Deeds Office with the final plat(s).

**Natural Resource Inventory**

The existing site is currently undeveloped land consisting mostly of grass pasture and scattered woods. There is an existing lake (Moon Lake) on the property that will be preserved for recreational use. Maintenance of the lake and dam will be the responsibility of the property owner's association. The existing topography slopes gradually away from a centralized high point located in parcel 0536010104900. The slopes range from 6% to the North, 9% to the East, 8% to the South, and 3% to the West.

There is approximately 1280 linear feet of property frontage along Gap Creek Road and approximately 3,785 linear feet of property frontage along North Howell Road. Gap Creek Road is a two-lane paved road with auxiliary turn lanes and a paved width of approximately (50) feet and is owned and maintained by SCDOT. North Howell Road is a two-lane paved road that is approximately (18) feet wide and is owned and maintained by SCDOT.

Public water mains adequate to serve our site are available along Gap Creek Road and are owned and maintained by Blue Ridge Rural Water District. Gravity sewer will flow to multiple pump stations onsite and then pump to nearby gravity sewer owned and maintained by Greer CPW.

**Density & Phasing**

The overall density will not exceed 750 lots/units or roughly (3.16) units per acre. The project will be phased. Phase I will consist of approximately (94) townhome units and (196) single-family detached lots. Phase II will consist of approximately (75) townhome units and (145) single-family detached lots. Phase III will consist of approximately (52) townhome units and (76) single-family detached lots. The area on the western side of N. Howell road will be designated as future development with the potential to add approximately (100)
additional townhome units. If the development proceeds as expected, build-out of all residential lots/units is expected within 7-10 years.

**Homes & Materials**

The single-family residences in the community will be a for sale product. The townhomes will consist of a (20') wide product. The townhomes will have a 1,100 SF minimum gross floor area. Units could range from 2-3 bedrooms. All units will have a minimum 1-car garage and provide (2) parking spaces (one space in the garage & one space in the driveway). Exterior building materials may consist of vinyl siding, shake siding, board and batten siding, Hardie Board, brick, and/or stone. Any vinyl siding shall be a higher quality material. Exteriors will contain a minimum of (2) material combinations. Roof-types will be architectural 20-year shingles. Building heights will not exceed typical height of a two-story home.

The single-family detached homes in the community will consist of a mix of 30' x 70' and 40' x 70' building footprints. The homes will have an average of 2000 SF gross floor area ranging from 3-4 bedrooms. All homes will have a 2-car garage providing (2) parking spaces. Exterior building materials may consist of shake siding, board and batten siding, Hardie Board, brick, and/or stone. Exterior will contain a minimum of (2) material combinations. Roof type will be architectural 20-year shingle. Building height will not exceed typical height of a two-story home.

Any single-family detached or attached homes added to the western side of N. Howell Road will be consistent in size, height, and materials with the Eastern side. Any attached (townhome) structures would have a maximum height of (45') which could allow for (3) stories.

**Amenities, Landscaping, & Buffers**

The proposed development will include approximately (98) acres of common open area with maximum efforts to preserve existing vegetation/trees around the perimeter property line. A (25') setback has been established between the development and the surrounding properties. A (30') setback has been established along Gap Creek Road and North Howell Road. These setback areas may be used for screening/buffering. The common areas may consist of disturbed and non-disturbed open space, passive open space, and/or walking trails. Walking trails will be added providing pedestrian connectivity between the single-family attached sections and the single-family detached sections where site constraints allow. These walking trails will potentially be connected to a system of trails located on City of Greer property across Gap Creek Road. The developer will work with City of Greer and SCDOT to accommodate a pedestrian crosswalk to the High School on the southern side of Gap Creek Road. The area designated for amenities will contain a pool, cabana and associated parking. Areas may also contain volleyball courts, pickleball courts, fire pits, dog parks, and/or tot lots.

Entrance monuments will be installed at entrances along Gap Creek Road and North Howell Road. The monument design(s) shall be presented to the City of Greer Planning & Zoning Staff for approval prior to any installation. The proposed entrance(s) will be heavily
landscaped with shrubs and annual color. The proposed community areas (pools, cabanas, courts, etc.) will be landscaped with perennial canopy trees, evergreen shrubs, and/or 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 stormwater management area(s) may be dry or wet storage 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.

**Building Setbacks**

All the proposed setbacks for this project are as follows:
- 25’ minimum perimeter setback along exterior property lines. (Setback is measured from the exterior property line.)
- 30’ minimum setback along Gap Creek Road
- 30’ minimum setback along North Howell Road
- 20’ minimum front setback along interior residential roads
- 5’ minimum side setback (only detached lots)
- 10’ minimum rear setback (only detached lots)

**Site Lighting**

It is the Developer’s intent to use Greer CPW for all residential site lighting. Streetlights throughout the community will be consistent for all residential areas.
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 N. Howell 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 P/O 0618010100600 attached hereto marked as Exhibit C containing approximately +/- 20 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 11th day of May, 2020 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.

The applicant hereby requests that the property described be zoned to DRD

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, Is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes  X No

Print Name: S. Michael Brice
Signature:
Address: P.O. Box 1734, Greer, SC 29652
Witness: Cassandra Harrison
Date: 5/11/20
Parcel Address: N. Howell Road, Greer, SC
Tax Map Number: P/O 0618010100600

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

(See attached Map & Property Description)
AN 20-84 is an annexation and zoning request for a portion of a parcel located along N. Howell Rd. The request is to zone the parcel to DRD, Design Review District for a future subdivision, which is related to RZ 20-40. This property was purchased in 2015 and combined with the larger part of the property that was already in city limits.

The proposed statement of intent for this development is requesting up to 750 lots made up of a mix of single-family attached and detached. For the single-family detached units, exterior building materials may consist of shake siding, board and batten siding, Hardie Board, brick, and/or stone with a minimum of two material combinations. Units will include a two-car garage. For single-family attached (townhomes), exterior building materials may consist of a higher quality vinyl siding, shake siding, board and batten siding, Hardie Board, stone or brick accents. The units will include a minimum of a one-car garage and building height will not exceed typical height of a two-story home. The residential units along the western side of N. Howell road will be of consistent size, height and materials.

There will be four access points into the development, one along Gap Creek Rd and three along N. Howell Rd. A traffic study will be completed to determine necessary road improvements.

The common areas may consist of disturbed and non-disturbed open space, passive open space, and/or walking trails. Walking trails will be added providing pedestrian connectivity between the single-family attached sections and the single-family detached sections where site constraints allow.

Proposed setbacks and yards are as follows:
- 25’ Perimeter property lines
- 30’ minimum along Gap Creek Rd and N. Howell Rd
- 20’ along interior streets
- 5’ minimum side setback (detached lots only)
- 10’ minimum setback along the rear (detached lots only)

Surrounding land uses and zoning include:

North: Unzoned Greenville County – Single-family Residences
East: R-10, Single-family (City of Greer) and Unzoned (Spartanburg County) – Single-family Residences
South: R-12, Single Family Residential and R-S, Residential Suburban (City of Greer) – Cypress Landing and Greer Middle and High Schools
West: Unzoned Greenville County – Single-family Residences and Mobile Home Parks
The land use map in the Comprehensive Plan defines the area as Residential Land Use 3 Community and a portion of the property located within a Community Center. This Community category is the location of higher density residential development, primarily multifamily developments, currently existing, and potential locations as well. The density range for these areas is 4.6 + units per acre. These centers can vary in size, but are centrally located within a community and is designed to serve multiple surrounding neighborhoods on a daily or weekly basis. Community centers can contain grocery stores, restaurants, personal and professional services, etc. These land uses are normally equivalent to the medium and higher density residential zoning districts, as well as the C-2, and O-D zoning districts. The land use balance is about 40% residential and 60% non-residential.

When considering the requested DRD zoning, staff should determine the following:
   A. That the spirit of the zoning district shall not be violated.
   B. That the proposed development will harmonize with existing developments.
   C. That the proposed development will be a desirable addition to the physical pattern of the neighborhood.
   D. That the design be such that additional traffic will not be a burden on existing streets.
   E. That no adverse environmental impacts will be created by the proposed development.
   F. That the visual appearance of the development will harmonize with the existing development.
   G. That the architectural character blends with the surrounding area.

Since the majority of these properties are identified as Residential Land Use 3 near a Community Center, this is a compatible land use with the Comprehensive Plan.

In accordance with the guidelines set forth in these plans 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 Final Development Plan must be approved before a grading permit can be issued.

**STAFF RECOMMENDATION: Approval**

**ACTION** – Mr. Lavender made a motion to approve AN 20-84. Ms. Jones seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.