



**AGENDA  
GREER CITY COUNCIL**

**July 14, 2020**

**MEETING LOCATION: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651**

**6:30 PM**

**COUNCIL REGULAR MEETING**

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**I. CALL TO ORDER OF REGULAR MEETING**

**II. PLEDGE OF ALLEGIANCE**

**III. INVOCATION**

**A. Councilmember Wayne Griffin**

**IV. PUBLIC FORUM**

**V. MINUTES OF COUNCIL MEETING**

**A. June 23, 2020  
(Action Required)**

**VI. SPECIAL RECOGNITION**

**A. Ed Driggers, City Administrator in recognition of his Retirement**

**VII. PETITIONER**

**A. Dr. Norma Givens  
She would like to speak with Council regarding concerns in her neighborhood.**

**VIII. ADMINISTRATOR'S REPORT**

**A. Ed Driggers, City Administrator**

**IX. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**A. Board of Zoning Appeals  
District 3 Thomas McAbee's term expired 6/30/2020. (Action Required)**

## **X. OLD BUSINESS**

### **A. Second and Final Reading of Ordinance Number 22-2020**

**AN ORDINANCE TO AMEND THE CITY OF GREER ZONING ORDINANCE BY AMENDING ARTICLE 5 ZONING DISTRICT REGULATIONS, SECTION 18 DT DOWNTOWN GREER OVERLAY DISTRICT. (Action Required)**

### **B. Second and Final Reading of Ordinance Number 28-2020**

**APPROVING A PROJECT AGREEMENT WITH PROJECT HOMECOMING; AUTHORIZING THE EXECUTION AND DELIVERY OF ADDITIONAL DOCUMENTS; AND RELATED MATTERS. (Action Required)**

## **XI. NEW BUSINESS**

### **A. First and Final Reading of Resolution Number 17-2020**

**A RESOLUTION CERTIFYING 9 INGLESBY STREET AS AN ABANDONED TEXTILE MILL SITE IN CITY OF GREER, SOUTH CAROLINA (Action Required)**

**Presented by Reno Deaton, Executive Director of Greer Development Corporation**

### **B. First and Final Reading of Resolution Number 19-2020**

**SOUTH CAROLINA LOCAL GOVERNMENT INVESTMENT POOL CONSENT FORM (Action Required)**

**This consent form and resolution authorizes the City to participate in the SC Local Government Investment Pool, and provides the City additional options for investing funds. Presented by David Seifert, Chief Financial Officer**

### **C. First Reading of Ordinance Number 29-2020**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY MARK III PROPERTIES LOCATED ON NORTH HOWELL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY. (Action Required)**

**Ordinance #29-2020 is an annexation and zoning request for a portion of a property located along N. Howell Rd. The portion for annexation consists of 15.40 acres; this was purchased in 2015 and combined with the larger part of the property that was already in city limits. The property is proposed for future subdivision that will be call Brookside Farms. 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. The Planning Commission will conduct a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval  
Brandon McMahan, Planner

**D. First Reading of Ordinance Number 30-2020**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTIES OWNED BY MICHAEL BRUCE AND A PORTION OF PROPERTY OWNED BY GAP CREEK LLC LOCATED ON NORTH HOWELL ROAD AND GAP CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) AND C-2 (COMMERCIAL DISTRICT) TO DRD (DESIGN REVIEW DISTRICT). (Action Required)**

Ordinance #30-2020 is a rezoning request for 4 parcels property located along Gap Creek Rd and N. Howell Rd. These are the remaining properties of the Brookside Farms project which consist of 221.6 acres. 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. The Planning Commission will conduct a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval.

Brandon McMahan, Planner

**E. First Reading of Ordinance Number 31-2020**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)**

Ordinance 31-2020 is a rezoning request to rezone a parcel located at 551

**Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-family Residential with the intent to build an apartment complex. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.**

**Brandon McMahan, Planner**

**F. First Reading of Ordinance Number 32-2020**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)**

**Ordinance 32-2020 is a rezoning request to rezone a parcel located at 551 Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-Family Residential with the intent to build an apartment complex. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.**

**Brandon McMahan, Planner**

**G. First Reading of Ordinance Number 33-2020**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY DEANNA ROGERS LOCATED AT 2924 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT). (Action Required)**

**Ordinance 33-2020 is a rezoning request to rezone a parcel located at 2924 Brushy Creek Rd. The owner is requesting a rezoning from DRD, Design Review District, to R-12, Single Family Residential with the purpose of building a single family home. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.**

**Brandon McMahan, Planner**

**H. First Reading of Ordinance Number 34-2020**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY. (Action Required)**

**Ordinance #34-2020 is an annexation and zoning request for property located 1111 Poplar Dr Ext in Spartanburg County. The parcel for annexation consists of five acres. The property is proposed for residential development**

**with an R-5, Garden Court or Patio Home zoning. The Planning Commission will conduct a public hearing on July 20, 2020 for the zoning of this parcel.  
Brandon McMahan, Planner**

**I. First Reading of Ordinance Number 35-2020**

**AUTHORIZING A LEASE-PURCHASE AGREEMENT, SERIES 2020, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,057,103 RELATING TO THE FINANCING OF EQUIPMENT FOR MUNICIPAL PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER RELATED MATTERS (Action Required)**

**Presented by David Seifert, Chief Financial Officer**

**J. First and Final Reading of Ordinance Number 36-2020**

**AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO (Action Required)**

**K. First and Final Reading of Resolution Number 20-2020**

**A RESOLUTION ENCOURAGING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO (Action Required)**

**Requested by Councilman Wryley Bettis**

**XII. EXECUTIVE SESSION**

**Council may take action on matters discussed in executive session.**

**A. Economic Development Matter**

**Request: Motion to enter into Executive Session to discuss an Economic Development Matter pertaining to Project Homecoming; as allowed by State Statute Section 30-4-70(a)(5).**

**XIII. ADJOURNMENT**

**Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, activity or public meeting of the City of Greer should contact Ruthie Helms, ADA Coordinator at (864) 848-5397 as soon as possible, but no later than 48 hours prior to the scheduled event.**

**Category Number: III.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**Councilmember Wayne Griffin**

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
▣ Invocation Schedule	7/8/2020	Backup Material



**Greer City Council  
2020 Invocation Schedule**

January 14, 2020	Councilmember Lee Dumas
January 28, 2020	Councilmember Wryley Bettis
February 11, 2020	Councilmember Judy Albert
February 25, 2020	Mayor Rick Danner
March 10, 2020	Councilmember Jay Arrowood
March 24, 2020	Councilmember Wayne Griffin
April 14, 2020	Councilmember Mark Hopper
April 28, 2020	Councilmember Lee Dumas
May 12, 2020	Councilmember Wryley Bettis
May 26, 2020	Councilmember Judy Albert
June 9, 2020	Mayor Rick Danner
June 23, 2020	Councilmember Jay Arrowood
July 14, 2020	Councilmember Wayne Griffin
July 28, 2020	Councilmember Mark Hopper
August 11, 2020	Councilmember Lee Dumas
August 25, 2020	Councilmember Wryley Bettis
September 8, 2020	Councilmember Judy Albert
September 22, 2020	Mayor Rick Danner
October 13, 2020	Councilmember Jay Arrowood
October 27, 2020	Councilmember Wayne Griffin
November 10, 2020	Councilmember Mark Hopper
November 24, 2020	Councilmember Lee Dumas
December 8, 2020	Councilmember Wryley Bettis

**Category Number: V.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**June 23, 2020**

**Summary:**

(Action Required)

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
☐ June 23, 2020 Council Meeting Minutes	7/8/2020	Backup Material

# **CITY OF GREER, SOUTH CAROLINA**

## **MINUTES of the FORMAL MEETING of GREER CITY COUNCIL June 23, 2020**

**MEETING LOCATION:** Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

### **I. CALL TO ORDER OF THE PUBLIC HEARING**

Mayor Rick Danner – 6:35 P.M.

The following members of Council were in attendance:  
Jay Arrowood, Mark Hopper, Lee Dumas, and Wryley Bettis.

Councilmembers Wayne Griffin and Judy Albert were absent.

Others present: Ed Driggers, City Administrator, Mike Sell, Deputy City Administrator, Tammela Duncan, Municipal Clerk, Steve Owens, Communications Manager and various other staff and media.

**Subject:** ORDINANCE NUMBER 26-2020  
CITY OF GREER BUDGET ORDINANCE FISCAL YEAR 2020 - 2021  
AN ORDINANCE RELATING TO THE FISCAL AFFAIRS OF THE CITY OF GREER, SOUTH CAROLINA, MAKING APPROPRIATIONS THEREFORE, LEVYING TAXES, AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Danner opened the Public Hearing for public comment. No one chose to speak.

The Public Hearing adjourned 6:37 P.M.

### **II. CALL TO ORDER OF THE REGULAR MEETING**

Mayor Rick Danner – 6:37 P.M.

The following members of Council were in attendance:  
Jay Arrowood, Wayne Griffin arrived at 6:59 pm, Mark Hopper, Lee Dumas, and Wryley Bettis.

Councilmember Judy Albert was absent.

Others present: Ed Driggers, City Administrator, Mike Sell, Deputy City Administrator, Tammela Duncan, Municipal Clerk, Steve Owens, Communications Manager and various other staff and media.

### **III. PLEDGE OF ALLEGIANCE**

Councilmember Jay Arrowood

**IV. INVOCATION**

Councilmember Jay Arrowood

**V. PUBLIC FORUM**

No one signed up to speak

**VI. MINUTES OF THE COUNCIL MEETING**

June 9, 2020 and June 13, 2020

**ACTION** – Councilmember Wryley Bettis made a motion that the minutes of June 9, 2020 be received as written. Councilmember Jay Arrowood seconded the motion.

**VOTE** - Motion carried unanimously.

**ACTION** – Councilmember Wryley Bettis made a motion that the minutes of June 13, 2020 be received as written. Councilmember Jay Arrowood seconded the motion.

**VOTE** - Motion carried unanimously.

**VII. DEPARTMENTAL REPORTS**

- A.** Building and Development Standards, Finance, Fire Department, Municipal Court, Parks & Recreation, Police Department, Public Services and the Website Activity Reports for **May 2020** were included in the packet for informational purposes.

**Finance**

Susan Howell, Budget and Audit Manager presented the Financial Report for the period ending May 31, 2020. (Attached)

General Fund Cash Balance: \$15,210,545.

General Fund Revenue: \$26,292,249.

General Fund Expenditures: \$24,062,407.

Revenue Benchmark Variance: \$999,584.

Expenditure Benchmark Variance: \$1,913,359.

Overall Benchmark Variance: \$2,912,943.

The City is 8% under budget during this time period.

Hospitality Fund Cash Balance: \$946,147.

Storm Water Fund Cash Balance: \$1,396,399.

**VIII. PRESENTATION**

- A. Greer Golf Update** – Red Watson, Assistant Director of Parks and Recreation and Steve Owens, Communications Manager presented the update. (Attached)

**IX. ADMINISTRATOR'S REPORT**



Ed Driggers, City Administrator presented the following:

**CenterG** – we are in the final stages. All paving has been completed. There will be quality control and we expect to do touch up work as part of the process. We are looking forward to the ribbon cutting and dedication of this project. That is scheduled for Sunday, July 12<sup>th</sup> from 6:30 pm until 9:30 pm. We will invite our downtown merchants and business owners to join us. We had certainly hoped it would be a much larger community celebration but circumstances require that we keep that number smaller. We look forward to you joining us that evening. We will continue to do punch list items and cleanup as well as way finding signage. The lights are going up and the medallions will be going into the intersections soon.

**Garage** – Our garage project is moving forward. If you go by the site you may not see movement right now as Covid19 has had interaction with what is happening. A subcontractor on site had to pull their entire crew off of the project and we are at a critical junction for the concrete work. They mobilized and were on site for one day and three members of their team tested positive for Covid19 so they removed their employees from that site. We are expecting about a two week delay at this point because we can't do the next phase of the work until that is completed.

**Hotel** – continuing to move forward, footers are being installed. Met with Cotransco our project engineers who worked with us on the downtown construction and will work with us in Phase 2, I expect that to be a smooth transition and will not require them to remobilize. They will move down to Main Street, Cannon Street, Jason Street and Arlington. As we develop schedules for that project we will bring that information to you as well.

**Covid 19** - we continue to respond as an organization as well. We are very, very proud of our parks and recreation department and all of our departments as they work very hard to get our facilities open and making sure we are providing for social distancing, hand wash stations, hand sanitizer stations all of the things we are encouraging folks that visit our facilities to participate in. We do have a couple of incidents that we continue to monitor very closely, we have not had any direct positive testing for any of our team members but do be aware we've had members of our team that we've needed to place on quarantine because they've become in mediate contact with folks that have been diagnosed as a result of that we are following CDC (Center for Disease Control) guidelines for quarantine. So far we've been able to provide work from home opportunities for employees that have been impacted. We have contingency plans in place.

**Employee Meetings** – beginning tomorrow I go on tour, I will be meeting with all of our employees over the next three days in onsite meeting in all of our departments. I have thirteen meetings scheduled Wednesday, Thursday and Friday. I'm looking forward to getting to meet with our employees to share information about our budget, some challenges we have moving forward as well as some great opportunities. I've also added two additional Zoom Meetings for our employees that prefer not to meet in a group setting. I find those challenging because I get really good questions about what we are doing and how we are doing and what the impacts are to them.

## **X. APPOINTMENT TO BOARDS AND COMMISSIONS**

**A. Board of Zoning Appeals**

**District 3 Thomas McAbee's term expires 6/30/2020.**

No action was taken.

**XI. OLD BUSINESS**

**A. Second and Final Reading of Ordinance Number 22-2020**

**AN ORDINANCE TO AMEND THE CITY OF GREER ZONING ORDINANCE BY AMENDING ARTICLE 5 ZONING DISTRICT REGULATIONS, SECTION 18 DT DOWNTOWN GREER OVERLAY DISTRICT.**

Ed Driggers, City Administrator presented the request.

Discussion held.

**ACTION** – Councilmember Mark Hopper made a motion to hold over Second and Final Reading of Ordinance Number 22-2020. Councilmember Jay Arrowood seconded the motion.

**VOTE** – Motion carried unanimously.

**B. Second and Final Reading of Ordinance Number 25-2020**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, TO FUND VARIOUS INFRASTRUCTURE PROJECTS; AUTHORIZING THE CITY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; PROVIDING FOR THE DISPOSITION OF PROPERTY RELATED TO THE BONDS; PROVIDING AUTHORITY FOR THE CITY TO REIMBURSE ITSELF FOR EXPENDITURES PRIOR TO BORROWING; AND OTHER RELATED MATTERS.**

David Seifert, Chief Financial Officer presented the request.

**ACTION** – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 25-2020. Councilmember Jay Arrowood seconded the motion.

Discussion.

**VOTE** – Motion carried unanimously.

**C. Second and Final Reading of Ordinance Number 26-2020**

**CITY OF GREER BUDGET ORDINANCE FISCAL YEAR 2020 - 2021  
AN ORDINANCE RELATING TO THE FISCAL AFFAIRS OF THE CITY OF  
GREER, SOUTH CAROLINA, MAKING APPROPRIATIONS THEREFORE,  
LEVYING TAXES, AND TO PROVIDE FOR AN EFFECTIVE DATE.**

David Seifert, Chief Financial Officer presented the request.

**ACTION** – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 26-2020. Councilmember Jay Arrowood seconded the motion.

Discussion.

**VOTE** – Motion carried unanimously.

**D. Second and Final Reading of Ordinance Number 27-2020  
AN ORDINANCE AMENDING CHAPTER 18 BUSINESS LICENSE, ARTICLE  
II LICENSING, SECTION 18-35 TO CLARIFY THE REQUIREMENT OF  
PROVIDING PROOF OF GROSS INCOME.**

David Seifert, Chief Financial Officer presented the request.

**ACTION** – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 27-2020. Councilmember Mark Hopper seconded the motion.

Discussion.

**VOTE** – Motion carried unanimously.

**XII. NEW BUSINESS**

**A. Seeking Approval of Grant Application Recommendations**

**The Greer Accommodations Tax Committee met Thursday, June 11, 2020, to discuss the reallocation of a portion of State Accommodations Taxes received for fiscal year June 30, 2019. The committee recommends to award Greer Cultural Arts Council \$3,500.00 for its art gallery lighting, \$500.00 to Foothills Philharmonic 2020-21 Season, \$500.00 to Greater Greer Chamber of Commerce - Greer Family Fest 5K Fun Run, and \$500.00 to The Edge Skate School - Learn to Figure Skate for Council's consideration and approval. (Attached)**

Presented by David Seifert, Chief Financial Officer

Discussion held.

**ACTION** – Councilmember Wayne Griffin made a motion to award the funds as follows; Greer Cultural Arts Council \$3,500.00 for its art gallery lighting, \$500.00 to Foothills

Philharmonic 2020-21 Season, \$500.00 to Greater Greer Chamber of Commerce - Greer Family Fest 5K Fun Run, and \$500.00 to The Edge Skate School - Learn to Figure Skate. Councilmember Jay Arrowood seconded the motion.

**VOTE** – Motion carried unanimously.

**B. First Reading of Ordinance Number 28-2020  
APPROVING A PROJECT AGREEMENT WITH PROJECT HOMECOMING;  
AUTHORIZING THE EXECUTION AND DELIVERY OF ADDITIONAL  
DOCUMENTS; AND RELATED MATTERS.**

Reno Deaton, Executive Director of Greer Development Corporation presented the request.

**ACTION** – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 28-2020. Councilmember Jay Arrowood seconded the motion.

Discussion.

**VOTE** – Motion carried unanimously.

**C. First and Final Reading of Resolution Number 18-2020  
A RESOLUTION CERTIFYING CERTAIN REAL PROPERTY IN THE CITY OF  
GREER AS AN ABANDONED BUILDING SITE**

Reno Deaton, Executive Director of Greer Development Corporation introduced the request and Kurt Price, owner of Namaste Fitness spoke regarding the request.

Discussion.

**ACTION** – Councilmember Jay Arrowood made a motion to approve First and Final Reading of Resolution Number 18-2020. Councilmember Wayne Griffin seconded the motion.

**VOTE** – Motion carried unanimously.

**XIII. EXECUTIVE SESSION**

**ACTION** – In (7:51 p.m.)

**(A) Economic Development Matter** – Project Homecoming

**(B) Personnel Matter** – Administration

**(C) Personnel Matter** – All City Departments

Councilmember Lee Dumas made a motion to enter into Executive Session to discuss an Economic Development Matter pertaining to Project Homecoming; as allowed by State Statute Section 30-4-70(a)(5), a Personnel Matter pertaining to the Administration

Department; as allowed by State Statute Section 30-4-70(a)(1) and a Personnel Matter pertaining to All City Departments; as allowed by State Statute Section 30-4-70(a)(1). Councilmember Wryley Bettis seconded the motion. Motion carried unanimously.

Mayor Danner stated during Executive Session they considered the above matters and no action was taken.

**ACTION** - Out (9:44 p.m.) – Councilmember Lee Dumas made a motion to come out of Executive Session. Councilmember Mark Hopper seconded the motion. Motion carried unanimously.

#### **ACTION TAKEN AFTER EXECUTIVE SESSION**

**ACTION** – Councilmember Jay Arrowood stated “I move that the City of Greer Appoint Andrew Merriman as City Administrator effective August 3, 2020. And, the City Council authorizes the Mayor to negotiate and execute an Employment Contract on behalf of the city.” Councilmember Wayne Griffin seconded the motion.

**VOTE** – Motion carried unanimously.

#### **XIV. ADJOURNMENT**

9:46 P.M.

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Richard W. Danner, Mayor

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Tammela Duncan, Municipal Clerk

Notifications: Agenda posted in City Hall and email notifications sent to The Greenville News, The Greer Citizen, GreerToday.com and the Spartanburg Herald Journal Thursday, June 19, 2020.

**Category Number: IX.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**Board of Zoning Appeals**

**Summary:**

District 3 Thomas McAbee's term expired 6/30/2020. (Action Required)

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
□ Board of Zoning Appeals	7/8/2020	Backup Material



## CITY OF GREER BOARD OF ZONING APPEALS

### Three Year Terms

			TERM EXPIRES	CERTIFICATION DATE
<b>DISTRICT 1</b>	<b>Emily Tsismeloglou</b>	5/26/2020	<b>June 30, 2023</b>	
	111 Westfield Avenue, 29651	10/9/2018	June 30, 2020	
	Cell 864-630-0630			
	Email Emily.tses@gmail.com			
<b>DISTRICT 2</b>	<b>Glendora Massey</b>	6/12/18	<b>June 30, 2021</b>	05/12/05 & 08/23/05
	206 Spring Street, 29650	6/9/15	June 30, 2018	(6 Hours Completed)
	Residence 848-1119	6/26/12	June 30, 2015	10/8/07 (3 Hours)
	Business 877-7279	6/9/09	June 30, 2012	
	Email <a href="mailto:glendoramassey@charter.net">glendoramassey@charter.net</a>		June 30, 2009	
<b>DISTRICT 3</b>	<b>Thomas McAbee</b>	11/28/2017	<b>June 30, 2020</b>	
	310 Snow Street, 29650	11/25/2014	December 31, 2017	
	Residence 877-0042	11/22/2011	December 31, 2014	
	Business 864-585-3693	1/13/2009	December 31, 2011	
		4/8/2008	December 31, 2008	
	Email <a href="mailto:tmcabee@scvrd.state.sc.us">tmcabee@scvrd.state.sc.us</a>			
<b>DISTRICT 4</b>	<b>Robbie Septon</b>	6/12/2018	<b>June 30, 2021</b>	
	408 Chestnut Woods Court	11/14/2017	June 30, 2018	
	Greer, SC 29651			
	Phone 864-430-4515			
	Email <a href="mailto:ersepton@gmail.com">ersepton@gmail.com</a>			
<b>DISTRICT 5</b>	<b>Lisa H. Lynn</b>	6/12/18	<b>June 30, 2021</b>	
	113 West Church Street, 29650	7/26/16	June 30, 2018	
	Cell 864-431-4425			
	Email <a href="mailto:lisahlynn@gmail.com">lisahlynn@gmail.com</a>			
<b>DISTRICT 6</b>	<b>Steve Griffin</b>	5/26/2020	<b>June 30, 2023</b>	
	207 Brushy Meadows Dr, 29650	1/9/2018	June 30, 2020	
	Residence 877-1190			
	Cell 864-901-2310			
	Email <a href="mailto:stevegriffin1@hotmail.com">stevegriffin1@hotmail.com</a>			
<b>AT LARGE</b>	<b>Monica Y. Ragin</b>	6/12/18	<b>June 30, 2021</b>	
	111 Meritage Street, 29651	7/14/15	June 30, 2018	
	Cell 864-907-8124			
	Email <a href="mailto:monicayragin@gmail.com">monicayragin@gmail.com</a>			

**Category Number: X.**  
**Item Number: A.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**Second and Final Reading of Ordinance Number 22-2020**

**Summary:**

AN ORDINANCE TO AMEND THE CITY OF GREER ZONING ORDINANCE BY AMENDING ARTICLE 5 ZONING DISTRICT REGULATIONS, SECTION 18 DT DOWNTOWN GREER OVERLAY DISTRICT. (Action Required)

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
□ Ordinance Number 22-2020	7/8/2020	Ordinance



## **ORDINANCE NUMBER 22-2020**

### **AN ORDINANCE TO AMEND THE CITY OF GREER ZONING ORDINANCE BY AMENDING ARTICLE 5 ZONING DISTRICT REGULATIONS, SECTION 18 DT DOWNTOWN GREER OVERLAY DISTRICT.**

**WHEREAS**, the City of Greer City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and

**WHEREAS**, Greer City Council wishes to amend Article 5 Zoning District Regulations Section 18 DT Downtown Greer Overlay District of the City of Greer Zoning Ordinance by adding Subsection 4.1 Site Development to address sidewalks and parking and deleting text regarding certain building standards from Subsection 5.2 Design Review Criteria; and

**WHEREAS**, the City of Greer Planning Commission recommended approval of the requested amendment to the City of Greer Zoning Ordinance at a Public Hearing held at 6:30 p.m. on April 20, 2020 via a virtual meeting after due notice in The Greer Citizen, a newspaper in Greer, South Carolina, with general circulation in the Greer area, for the purpose of considering a proposed amendment to the City of Greer Zoning Ordinance. The Planning Commission minutes and staff report from said meeting are attached hereto marked as Exhibit A;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Greer that the City of Greer Zoning Ordinance Article 5 Zoning District Regulations Section 18 DT Downtown Greer Overlay District are amended as follows:

#### **5:18.4.1 Site Development**

- A. All new construction may be required to install exterior sidewalks up to eight feet wide as determined by the Planning and Zoning Administrator.**
- B. Parking is not required within the Downtown Greer Overlay District for nonresidential uses. Residential uses shall have a minimum of one (1) space per unit for new developments of 3 or more units. Any parking provided shall meet the design standards of Article 6, Section 9: Off-Street Parking Requirements**

#### **5:18.5.2 Design Review Criteria**

The Planning and Zoning ~~Coordinator~~ **Administrator** will consider the extent to which a proposal complies with the ~~following~~ **criteria set forth herein**. Additional design criteria from other sections of the **City of Greer Zoning Manual Ordinance** may also

apply to and be required by the Planning and Zoning Administrator for specific projects. ~~The design of all buildings shall meet the standards as outlined.~~

District	Maximum			Minimum		Build- To Line	Setbacks	
	Density— Dwelling Units	Building Coverage	Building Height	Site Area	Lot Width	Front	Sides	Rear
DT	<del>15</del> per acre	95%	75 ft	4,500 sq ft	0 ft	0	0	0

~~A. Parking—No parking is required within the Downtown Greer Overlay District. Any parking provided shall meet the design standards of Article 6, Section 9: Off-Street Parking Requirements~~

This ordinance shall be effective immediately upon second reading approval hereof.

**CITY OF GREER, SOUTH CAROLINA**

---

Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Mark Hopper

First Reading: May 12, 2020

Second and  
Final Reading: July 14, 2020

**Approved as to Form:**

---

Daniel Hughes, City Attorney

**Category Number: X.**  
**Item Number: B.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**Second and Final Reading of Ordinance Number 28-2020**

**Summary:**

APPROVING A PROJECT AGREEMENT WITH PROJECT HOMECOMING; AUTHORIZING THE EXECUTION AND DELIVERY OF ADDITIONAL DOCUMENTS; AND RELATED MATTERS. (Action Required)

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
☐ Ordinance Number 28-2020	7/8/2020	Ordinance
☐ Ord 28-2020 Project Agreement	7/13/2020	Backup Material

## **ORDINANCE NUMBER 28-2020**

### **APPROVING A PROJECT AGREEMENT WITH PROJECT HOMECOMING; AUTHORIZING THE EXECUTION AND DELIVERY OF ADDITIONAL DOCUMENTS; AND RELATED MATTERS.**

WHEREAS, South Carolina law authorizes municipalities to take actions not inconsistent with the Constitution and general laws of the State, regarding any subject the municipality finds necessary and proper for the general welfare and convenience of the municipality, including to execute and deliver contracts, to assist in redeveloping blighted areas, and to expend public funds for economic development;

WHEREAS, a project known to the City as Project Homecoming (“Developer”) owns, or intends to purchase, real property in the City (“Property”);

WHEREAS, on Property, Developer intends to design and construct a mixed used development, consisting of multi-family, retail, restaurant, and other related facilities (collectively the “Project”), which will result in (i) the expenditure of approximately \$32,000,000.00 in capital investment, and (ii) the creation of approximately 2 new (temporary), full-time equivalent employees;

WHEREAS, the City intends to assist with Project by (a) making improvements to public infrastructure, (b) providing Developer with development grant funds, (c) acquiring parcel(s) to assist Developer with land acquisition; and (d) certifying the Project for up to ten (10) qualifying building sites under The South Carolina Abandoned Buildings Revitalization Act, contained in Title 12, Chapter 67 of the South Carolina Code of Laws, as amended.

WHEREAS, the City and Developer have memorialized each party’s respective commitments in an agreement, the substantially final form of which is attached as Exhibit A (“Project Agreement”).

#### **NOW THEREFORE, CITY COUNCIL ORDAINS:**

1. The Project Agreement, with whatever changes are (a) not adverse to the City and (b) approved by the Mayor or the City Administrator (after advice of City’s project counsel), is approved and is incorporated by reference in this Ordinance as if set forth fully in the Ordinance’s body. The Mayor’s or City Administrator’s execution of the final Project Agreement is conclusive evidence of approval.
2. The Mayor and the City Administrator are, each acting alone or in concert, authorized to take whatever actions and execute and deliver whatever documents (including the Project Agreement) as either of them deems appropriate to affect this Ordinance’s intent.
3. This ordinance is effective after second reading.

**CITY OF GREER, SOUTH CAROLINA**

---

Richard W. Danner, Mayor

**[SEAL]**  
**ATTEST:**

---

Tammela Duncan, Municipal Clerk

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Introduced by: Councilmember Wryley Bettis

First Reading: June 23, 2020

Second Reading / Final Approval: July 14, 2020

APPROVED AS TO FORM:

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Michael E. Kozlarek, Esq.  
Kozlarek Law LLC

**EXHIBIT A**  
**SUBSTANTIALLY FINAL FORM OF PROJECT AGREEMENT (HOMECOMING)**  
**[TO BE ATTACHED BEFORE TRANSMISSION TO COUNCIL FOR SECOND READING]**

SOUTH CAROLINA )  
 )  
GREENVILLE COUNTY )

**PROJECT AGREEMENT  
FOR PARK VIEW (GREER), LLC  
DOWNTOWN DEVELOPMENT**

This Project Agreement for Park View (Greer), LLC Downtown Development (“**Agreement**”) is effective July [], 2020 (“**Effective Date**”), between City of Greer, a body corporate and politic (“**City**”) of the State of South Carolina (“**State**”), **Park View (Greer), LLC**, a South Carolina limited liability company (“**PV**”). City and PV are each a “**Party**,” and collectively, “**Parties**.”

**W I T N E S S E T H**

WHEREAS, Parties intend to cooperate to assist PV in the redevelopment of various parcels in the City to create a mixed used development, consisting of approximately 226 multi-family units and other restaurant and/or retail facilities and related infrastructure (collectively, “**Project**”);

WHEREAS, Parties intend for the Project to create capital investment and full-time employment in the City limits and to provide for additional public benefit;

WHEREAS, Parties intend for the Project to be located on property being more particularly described on **Exhibit A** of this Agreement and approximately depicted on the drawing attached as **Exhibit A-1** of this Agreement (“**Project Property**”);

WHEREAS, City intends to provide street-scaping adjacent to Project Property along each public street adjacent to the Project as part of City’s on-going City-wide improvements.

NOW, THEREFORE, in consideration and mutual dependence on the factual representations contained in this Agreement, each Party’s expending funds, and in reliance on each Party’s exchange of promises as contained in this Agreement, Parties agree:

**1. PV Commitments**

A. Develop Project Property. PV shall acquire the Project Property. PV shall design, develop, construct, furnish, and do all other things necessary to operate, and operate the Project on the Project Property, with vehicular and pedestrian access to and from all improvements. PV shall commence any site work, and construction of the Project on or before three (3) months following PV’s acquisition of all properties comprising the Project Property (“**Construction Start Date**”). PV shall complete the Project and begin leasing the Project to tenants on or before eighteen months following Construction Start Date (“**Completion Date**,” with Construction Start Date, each a “**Benchmark Date**”). PV shall expend upon the Cost of PV Project (defined below) at least \$32,000,000 and create at least two, new, full-time equivalent jobs. “**Cost of PV Project**” means the cost of acquiring, by construction and purchase, the Project, including the real property and the infrastructure, and shall be deemed to include, whether incurred prior to or after the date of this Agreement: (a) obligations incurred for labor, materials, and other expenses to contractors, builders, and materialmen in connection with the acquisition, construction, and installation of the Project; (b) the cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of construction of the Project which are not paid by the contractor or contractors or otherwise provided for; (c) the expenses for environmental investigations and remediation, test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefor, and for supervising construction as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Project; (d) compensation of legal, accounting, financial, and printing expenses, fees, and all other expenses incurred in connection with the Project; (e) all other costs which PV shall be required to pay under the terms of any contract or contracts for the acquisition, construction, and installation of the Project, including without limitation, development fees, bank fees, interest expense and professional engineering costs; and (f) any sums required to reimburse PV for advances made for any of the above items, or for any other work done and costs



incurred by PV which are for the acquisition of land or property of a character subject to the allowance for depreciation provided for under Section 167 of the Internal Revenue Code of 1986, as amended, and included in PV Project.

B. Design Considerations. PV shall design and construct all improvements on the Project Property in compliance with City's Building & Development Standards and must receive all required approvals by City's Department of Building & Development Standards prior to commencing construction. PV shall submit the design of the buildings on the Project Property to be approved by City Administrator as City's designated representative. PV shall design and improve each building and that building's surroundings on the Project Property of a scale and using materials to be complementary of and compatible with existing downtown buildings in the immediate vicinity of the Project.

C. Compliance with Building, Zoning, and Environmental Laws. Subject to any variances or zoning amendments that may be necessary for PV to develop the Project as described in this Agreement, PV shall construct and develop the Project according to all applicable federal, state, and local laws, rules, orders, ordinances, regulations, and legal requirements of all governmental entities, agencies, or instrumentalities relating to the development, use, or condition of Project Property, including, without limitation, all building code, zoning requirements, and environmental regulations then in effect at the latter of the time applicable permits are issued and a certificate of occupancy is issued. PV shall (i) ensure construction is performed in a manner that does not cause any damage to existing land, or improvements and (ii) at City's option to be exercised in a commercially reasonable manner, promptly repair, or remit funds to City for the reasonable costs to repair, any damage to adjacent areas within the road rights of way outside the Project Property that may be caused by or result from the work associated with the Project.

D. Environmental Protection for City. At all times relevant to this Agreement, PV shall ensure the Project Property shall be free from any recognized environmental conditions or other potential environmental hazards, except if and to the extent that a recognized environmental condition or other potential environmental hazard results from or is caused by the actions of City or its employees, contractors, subcontractors or agents, in which case the City shall be responsible for all actions, costs and expenses necessary to address and remedy such environmental matters.

E. General Construction Requirements Applicable to Project Property. PV shall be responsible for compliance with all applicable construction related laws, rules, and regulations.

F. Storm Water. PV agrees that as part of its overall site plan it shall accommodate storm water from adjacent properties across the Project Property and through PV's to be constructed storm water drainage system as generally shown and depicted on the attached **Exhibit A-2**. In connection therewith, PV and the City (along with their respective engineers and professional consultants) shall cooperate as necessary to accomplish their respective objectives related to storm water drainage and shall execute any and all necessary easements and/or other instruments as may be necessary to document the same ("Storm Drainage Easement(s)").

## **2. City Commitments**

A. City's Investment. The City shall pay (i) \$625,000.00 to PV for a Storm Drainage Easement through the storm drainage system to be constructed by PV on the Project Property; said amount shall be paid when the Storm Drainage Easement is executed and recorded; and (ii) \$2,000,000.00 to PV for expenses incurred to be applied toward the Cost of the PV Project as such costs are incurred by PV, **but only** after PV provides the City with reasonable supporting documentation that the City's \$2,000,000.00 when paid will satisfy PV's equity contribution as required by the Project lender; *i.e.*, the City's \$2,000,000.00 will be the last equity in the Project before the lender's Project funding begins ((i) and (ii), being collectively, "**City Investment**"). The full amount of the City Investment (\$2,625,000.00) shall be escrowed with Colonial Trust Company Attn: Bert Barre, 359 S. Pine Street, Spartanburg, SC 29302

(“**Escrow Agent**”) within thirty (30) days after this Agreement has been fully executed by the parties signatory hereto to be held pursuant to a joint order escrow agreement between the City, PV and the Escrow Agent and disbursed in accordance with the terms of this Agreement. The Parties acknowledge and agree City’s reimbursement of up to \$2,500,000 is no less than the cost for public infrastructure that PV shall spend as part of the construction of the Project.

B. Construction and Maintenance of Streetscape. On or before the Construction Start Date, City shall design and develop, and shall thereafter construct in reasonable coordination with PV’s construction of the Project, Streetscapes along Jason Street, Cannon Street, and North Main Street adjacent to the Project Property consistent with nearby City Park and other first-class developments in City of Greer. It is anticipated that City will expend approximately \$2,350,000.00 for Streetscape (defined below). “**Streetscape**” means public roads, sidewalks, lighting, and landscaping. City shall, in City’s sole discretion and at City’s sole expense, operate and maintain Streetscape in the normal course of City’s business. Streetscape shall be complimentary of and compatible with the streetscape improvements made by City adjacent to existing downtown buildings in the immediate vicinity of the Project. PV shall not be required to take any maintenance actions with respect to Streetscape.

C. Zoning. City shall ensure the Project Property is zoned for the uses contemplated by this Agreement on or before Construction Start Date.

D. Real Property Tax Assessment. City will use reasonable efforts to assist PV if PV approaches Greenville County, South Carolina, regarding the ultimate tax assessment of the Project. City shall not object to reasonable alternative valuation methodologies that may result in a tax assessment more favorable to PV.

E. Abandoned Building Tax Credits. City shall prior to the Construction Start date certify by ordinance that the Project qualifies for South Carolina Abandoned Building Tax Credits pursuant to The South Carolina Abandoned Buildings Revitalization Act, contained in Title 12, Chapter 67 of the South Carolina Code of Laws, as amended, for up to ten Building Sites (as defined in such statute).

### **3. Design and Construction Processes**

A. Designated Contact. Immediately following this Agreement’s execution, City and PV shall designate a senior-level contact to represent that Party (each, a “**Designated Contact**”). Designated Contact shall address, without delay, issues related to scheduling, traffic control, utility coordination, and a process for reviewing and revising plans and specifications. Each Party shall provide that Party’s communications through that Party’s Designated Contact.

B. Pre- and During Construction. Prior to preparing any plans or specifications, and through the construction process, City and PV shall confer on the needs, preferences, and expectations that each Party has for Streetscape and the Project and as much as possible to achieve common goals and how to achieve those goals. The process Parties outline in this subsection is in addition to and not in lieu of all approval and permitting processes applicable to all persons and entities developing projects in City limits.

### **4. Insurance**

A. Insurance. During any construction, PV shall obtain and maintain, or cause to be obtained and maintained, with respect to their respective property, at all times one or more policies of insurance containing the following types of coverage, deductibles, limits and other terms acceptable to City, in its sole discretion:

- i. Builders Risk. Comprehensive builders risk, casualty, and property insurance against any casualty on an “all risk” perils basis. This policy must include fire, extended coverage, vandalism, and malicious mischief.

- ii. General Liability. Commercial general liability insurance covering the defense and legal liability claims of bodily injury, death and property damage which occurs on, in or about or relating to the Project regardless of the cause of the same. This policy must have not less than \$3,000,000 combined single limits per occurrence/aggregate for bodily injury or property damage, provided by a Commercial General Liability policy or combination of General Liability and Umbrella Liability limits.
- iii. Workers Compensation. Workers Compensation and Occupational Disease insurance meeting the State's statutory requirements, including employer's liability in an amount not less than \$1,000,000.
- iv. Motor Vehicle. Motor vehicle covering all owned, non-owned and hired automobiles of not less than \$1,000,000 combined single-limits per each occurrence/aggregate for liability, bodily injury, and property damage.
- v. Miscellaneous. Any insurance this Agreement requires must be affected under standard form policies issued by insurers of recognized responsibility authorized to do business in South Carolina which are rated at least Class A/VIII, Best Rating Services. The policies must be non-assessable and shall contain language to the effect that (i) any loss shall be payable notwithstanding any act of negligence, (ii) the policies are primary and noncontributing with insurance on which additional insured's are listed as named insured's, and (iii) the insurer is not entitled to initiate cancellation, material limitation or non-renewal except after 30 days' written notice (10 days for cancellation due to non-payment of premium) by the insurer to PV and City. The policies must include waivers of all rights of subrogation against PV, City and their respective elected officials, officers, agents, and employees. The policy described in subparagraphs (i), (ii), and (iv) of this section must include City and PV, and their respective elected officials, officers, agents, employees, subcontractors, and licensees as additional insureds to the extent allowed by law.

## **5. Damage or Destruction Prior to Substantial Completion**

If, at any time prior to substantial completion, the Project is damaged or destroyed by a fire or other casualty, PV shall commence, and proceed as promptly as possible, to repair and restore the Project, so as to cause the same to achieve substantial completion according to approved architectural drawings as soon as practicable.

## **6. Default/Remedies**

A. **PV**. Upon a default by PV in the due performance of or compliance with any of the terms hereof, and the failure of PV to cure such default after receipt of written notice thereof from City describing such event of default within (i) 10 days in the event of a monetary default, or (ii) 30 days in the event of a non-monetary default; provided, however, that if the nature PV's obligation is such that more than 30 days are required for its performance, and so long as PV has provided written notice of the precise time frame for curing such non-monetary default, then PV shall not be deemed in default if it shall commence such performance within 30 days and thereafter diligently pursues the same to completion, City may:

- i. terminate this Agreement, and any payments that would have otherwise been due to the defaulting party under this Agreement, immediately by delivery of written notice to PV;
- ii. as to the defaulting party, refuse to (a) approve plans, (b) issue permits, and (c) take any other favorable government action with respect to the Property, as applicable; and
- iii. take whatever action at law or in equity as may appear necessary or desirable to enforce its rights under this Agreement.

B. **City.** Upon the default of City in the due performance of or compliance with any of the terms hereof, PV may take whatever action at law or in equity as may appear necessary or desirable to enforce its rights under this Agreement.

## **7. Entire Agreement**

This Agreement is the entire agreement among Parties. All prior documents, negotiations, and discussions merge in this Agreement and do not survive this Agreement's execution.

## **8. No Oral Modification/Waiver**

Parties are not entitled to modify, in any way, this Agreement except by a writing signed by or on behalf of all Parties by a duly authorized representative of the executing Party. Neither any purported amendment, of any kind, to this Agreement, nor any purported waiver of any provision of this Agreement is valid unless all Parties have consented in writing.

## **9. Assignment**

Except as provided in subitem (a) or subitem (b), below, a Party shall not assign its rights or delegate its responsibilities under this Agreement to any third party without the prior, written consent of all Parties:

(a) Notwithstanding the foregoing, City is entitled to assign some or all of its rights or delegate some or all of its duties under this Agreement to third-party vendors, or a nonprofit corporation to affect a means of financing City's project costs, or both. City is not required to obtain any further consent from any other Party beyond this Agreement's execution for that purpose.

## **10. Mutual Dependency of Commitments**

Each Party's commitments under this Agreement are collectively dependent, each on the other, and are subject to the condition that each Party continues to move toward completion of that Party's projects on collectively acceptable terms and conditions of all documents contemplated by this Agreement.

## **11. No Third-Party Beneficiary/No Joint Venture**

Parties do not intend for this Agreement to create any third-party beneficiary rights, nor any form of partnership, joint venture, or any other legal relationship among Parties, except a contractual relationship as set forth in this Agreement.

## **12. Force Majeure**

Neither party shall be held responsible for delays in the performance of its obligations hereunder when caused by a Force Majeure event. In order for its performance to be excused for the period of a Force Majeure event, a party must give written notice to the other party within 10 days after the occurrence of the Force Majeure event. A Force Majeure event is any period of delay which arises from or through: Acts of God, including, without limitation, flood, earthquake, and severe weather conditions; strikes; explosion; sabotage; riot or civil commotion; act of war; fire or other casualty; legal requirements; or any other causes beyond the reasonable control of the party claiming delay from or through such causes.

## **13. Costs/Fees**

Each Party shall pay that Party's administrative and attorneys fees and costs related to the Project. PV shall pay City's business license fees, permitting fees, and any other generally applicable fees for a similar development.

## **14. Limitation of City's Liability**

ANYTHING ELSE IN THIS AGREEMENT TO THE CONTRARY NOTWITHSTANDING, ANY CITY OBLIGATION CONTAINED IN THIS AGREEMENT, INCLUDING ANY OBLIGATION TO PAY MONEY, IS NOT A DEBT OR GENERAL OBLIGATION OF CITY, BUT RATHER IS PAYABLE SOLELY AND EXCLUSIVELY FROM ANNUALLY APPROPRIABLE REVENUES AND RECEIPTS OF CITY'S GENERAL OPERATIONS.

### **15. No City Personnel Liability**

Any City obligation contained in this Agreement, including any obligation to pay money, is an obligation of City and not an obligation of any member of City Council or any employee, other elected official, officer, or agent of City in either an individual or an official capacity.

### **16. Absence of Certain Commercial Practices**

PV, nor any officer, member, director, employee or agent of them (nor any person acting on behalf of any of the foregoing), has given or agreed to give any gift or similar benefit, including, without limitation, any contribution, payment or expenditure, of more than normal value to any customer, supplier, the Greer Commission of Public Works, City or other governmental employee or official or any other person who is or may be in a position to help or hinder the foregoing entities or assist them in connection with any actual or proposed activity described in this Agreement.

### **17. Indemnification for City**

(A) Except as provided in paragraph (D) below, PV ("Indemnifying Party"), shall indemnify and save City, its employees, elected officials, officers and agents (each, "Indemnified Party") harmless against and from all liability or claims arising from City's execution of this Agreement, performance of City's obligations under this Agreement or the administration of its duties pursuant to this Agreement, any environmental matters arising out of or relating to Project Property, or otherwise by virtue of City having entered in this Agreement.

(B) City is entitled to use counsel of its choice and Indemnifying Party shall reimburse City for all of its costs, including attorneys' fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (A), above. City shall provide a general description of the costs incurred in the response or defense, and Indemnifying Party shall pay City within 30 days of receipt of the statement. Indemnifying Party may request reasonable documentation evidencing the costs shown on the statement. However, City is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(C) City may request Indemnifying Party to resist or defend against any claim on behalf of an Indemnified Party. On such request, Indemnifying Party shall resist or defend against such claim on behalf of the Indemnified Party, at Indemnifying Party's expense. Indemnifying Party is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided Indemnifying Party is not entitled to settle any such claim without the consent of that Indemnified Party.

(D) Notwithstanding anything herein to the contrary, Indemnifying Party is not required to indemnify any Indemnified Party against or reimburse City for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Agreement, performance of City's obligations under this Agreement, or the administration of its duties under this Agreement, or otherwise by virtue of City having entered in this Agreement; (ii) resulting from that Indemnified Party's own negligence, bad faith, fraud, deceit, or willful misconduct, or (iii) related to or resulting from the use of the Easement by the public for ingress and egress over the Courtyard Property.

(E) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides Indemnifying Party with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of

any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford Indemnifying Party notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

(F) The exclusion contained in paragraph 20.D(iii) does not apply to any situation in which an Indemnifying Party has failed to maintain (i) insurance coverage as required under this Agreement, or (ii) insurance coverage sufficient to hold City harmless against and from all liability or claims arising from City's execution of this Agreement, performance of City's obligations under this Agreement or the administration of its duties pursuant to this Agreement, any environmental matters arising out of or relating to Project Property, or otherwise by virtue of City having entered in this Agreement.

## **18. Governing Law; Venue**

The law of the State, without regard to any conflict of law provision that would direct a court to use the laws of another jurisdiction, govern this Agreement. Parties submit to venue and jurisdiction in the state and federal courts of the State.

## **19. State Law Limitations**

Anything else in this Agreement to the contrary notwithstanding, City's commitments are subject to the provisions of the South Carolina Code Annotated, as well as all local laws existing as of this Agreement's Effective Date.

[TWO SIGNATURE PAGES AND THREE EXHIBITS FOLLOW]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]

WHEREFORE by its signature, each Party binds itself and successors in interest as of the effective date provided in this Agreement's preamble.

**CITY OF GREER, SOUTH CAROLINA**

By:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Executed: July [], 2020

WHEREFORE by its signature, each Party binds itself and successors in interest as of the effective date provided in this Agreement's preamble.

**PARK VIEW (GREER), LLC**

By:\_\_\_\_\_

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Executed: July [], 2020



**EXHIBIT A**  
**PROJECT PROPERTY**

**[LEGAL DESCRIPTION TO COME]**

**EXHIBIT A-1**  
**DEPICTION OF PROJECT PROPERTY**

<sup>□</sup>  
**[DRAWING TO COME]**

**EXHIBIT A-2**  
**STORM WATER DRAINAGE PLAN**

**[DRAWING TO COME]**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First and Final Reading of Resolution Number 17-2020**

**Summary:**

A RESOLUTION CERTIFYING 9 INGLESBY STREET AS AN ABANDONED TEXTILE MILL SITE IN CITY OF GREER, SOUTH CAROLINA (Action Required)

**Executive Summary:**

Presented by Reno Deaton, Executive Director of Greer Development Corporation

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
☐ Resolution Number 17-2020	7/8/2020	Resolution
☐ Res 17-2020 Affidavit	7/8/2020	Backup Material
☐ Res 17-2020 Notice of Intent	7/8/2020	Backup Material

RESOLUTION NO.: 17-2020

# CITY OF GREER, SOUTH CAROLINA

Title 12, Chapter 65 of the Code of Laws of South Carolina 1976, as amended (the “Act”); and

on which the taxpayer files a “Notice of Intent to Rehabilitate”;

or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses;

Exhibit A attached to this Resolution (the “Property”);

as a residential subdivision (the Site ),

which is attached to this Resolution as Exhibit B (the “Notice”);

which is attached to this Resolution as Exhibit C;

Register of Deeds for Greenville County, South Carolina ("ROD Office") on September 7, 1946,

the Property was conveyed by Victor Monaghan Company to J. P. Stevens & Co., Inc. as part of the "Greer Mill" property;

WHEREAS, the Greer Mill facility was closed thereafter and J. P. Stevens & Co, Inc. conveyed the Property to Steve Sandlin on November 13, 1992 by deed recorded in Deed Book 1500 at Page 983 in the ROD Office;

WHEREAS, Exhibit A and Exhibit B, collectively, identify the Property, the textile mill site and the estimated rehabilitation expenses, and Exhibit C and the public records provide substantive information regarding the timing of the Property's prior user;

WHEREAS, in accordance with Section 12-65-60 of the Act, the Applicant has requested the City determine the eligibility of the Site as a "textile mill site" (the "Textile Mill Site"), its abandonment in compliance with the Act and the proposed rehabilitation expenses for the income tax credits.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of Council of the City of Greer, in Council Assembled that:

Section 1. The Textile Mill Site is a "textile mill site" as defined in Section 12-65-20(3) of the Act.

Section 2. The Textile Mill Site has been "abandoned" as defined in Section 12-65-20(1) of the Act.

Section 3. The geographic area of the Textile Mill Site is the 8.2 acres to be developed by the Applicant and is consistent with Section 12-65-20(4) of the Act.

Section 4. The estimated rehabilitation expenses, as defined in Section 12-65-20(8) of the Act, is \$3,630,000.

[Signature page follows]

Adopted this 14<sup>th</sup> day of July, 2020.

CITY OF GREER, SOUTH CAROLINA

(SEAL)

\_\_\_\_\_  
Richard W. Danner, Mayor

ATTEST:

\_\_\_\_\_  
Tammela Duncan, Municipal Clerk

Approved as to form:

\_\_\_\_\_  
Michael E. Kozlarek, Esq.  
Kozlarek Law LLC

**EXHIBIT A**

**LEGAL DESCRIPTION**

ALL that certain piece, parcel or lot of land situate, lying and being in the City of Greer, County of Greenville, State of South Carolina, and being shown and designated as Tract 1, containing 9.19 acres, more or less, on that certain plat entitled "Boundary Survey for RSL Buildings, LLC" prepared by Robert A. Foster, PLS #11313, dated May 6, 2017 and recorded together herewith in Plat Book 1284 at Page 92, in the ROD Office for Greenville County, South Carolina. Reference is made to said plat of record for a more complete and accurate description as to the metes and bounds, courses and distances as appear thereon.

Tax Map Number G008.00-21-001.00



**EXHIBIT B**  
**COPY OF NOTICE**

*[See attached]*

**AFFIDAVIT**

# AFFIDAVIT REGARDING ABANDONED TEXTILE MILL STATUS

Further Affiant sayeth not.

AFFIANT:

\_\_\_\_\_  
Edwin J. Mercier

July , 2020

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

I certify that Edwin J. Mercier personally appeared before me this day and acknowledged that he voluntarily signed the foregoing Affidavit as his free act and deed for the purposes stated therein.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Notary Public for South  
Carolina

**[SEAL OR STAMP]**

My Commission Expires: \_\_\_\_\_

STATE OF SOUTH CAROLINA     )  
  )  
COUNTY OF GREENVILLE     )     Regarding TMS Number     G008.00-21-001.00

APPEARED before me the undersigned, who being duly sworn, swears and states:

- [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Further Affiant sayeth not.

**AFFIANT:**

E. J. M. Ed Mercier  
Edwin J. Mercier  
June 15, 2020

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

I certify that Edwin J. Mercier personally appeared before me this day and acknowledged that he voluntarily signed the foregoing Affidavit as his free act and deed for the purposes stated therein.

Date: June 15, 2020

By: Kayla Ann Morgan  
Print Name: Kayla Ann Morgan  
Notary Public for South  
Carolina



My Commission Expires: June 27, 2023

---

State of South Carolina  
**Department of Revenue**  
300A Outlet Pointe Blvd., Columbia, South Carolina 29210  
PO Box 125, Columbia, South Carolina 29214

---

September 12, 2019

RSL Buildings, LLC  
Attn: Mark Clayton  
1512 Hwy 414  
Travelers Rest, SC 29690

RE: Notice of Intent to Rehabilitate  
RSL Buildings, LLC  
Victor-Monaghan Greer Mill site  
9 Inglesby Street, Greer, SC  
TMS No: G008002100100

The South Carolina Department of Revenue (SCDOR) acknowledges receipt of a "Notice of Intent to Rehabilitate" a textile mill site for the above referenced taxpayer.

This letter does not represent approval of the taxpayer's eligibility for the credit for textiles rehabilitation, approval of estimated rehabilitation expenses, or approval of the income tax credit amount. This letter only acknowledges receipt of the Notice by the SCDOR.

South Carolina Revenue Ruling #15-8 provides guidance concerning the Textiles Communities Revitalization Act. A copy of this advisory opinion is available at [dor.sc.gov/policy](http://dor.sc.gov/policy).

If you have any questions, contact this office.

Krystle Walden  
Tax Research Analyst  
(803) 898-5749  
[Krystle.Walden@dor.sc.gov](mailto:Krystle.Walden@dor.sc.gov)

South Carolina Department of Revenue  
Attn: Tax Credits  
PO Box 125  
Columbia, SC 29214-0825

NOTE: The information in this message and/or attachments may be proprietary and/or confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

**Category Number: XI.**  
**Item Number: B.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First and Final Reading of Resolution Number 19-2020**

**Summary:**

SOUTH CAROLINA LOCAL GOVERNMENT INVESTMENT POOL CONSENT FORM (Action Required)

**Executive Summary:**

This consent form and resolution authorizes the City to participate in the SC Local Government Investment Pool, and provides the City additional options for investing funds. Presented by David Seifert, Chief Financial Officer

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
□ Resolution Number 19-2020	7/8/2020	Resolution

**RESOLUTION NUMBER 19-2020**

**SOUTH CAROLINA LOCAL GOVERNMENT INVESTMENT**

**POOL CONSENT FORM**

WHEREAS, Section 6-6-10 of the 1976 South Carolina Code of Laws, as amended, provides for the establishment of a Local Government Investment Pool to be managed by the State Treasurer; and

WHEREAS, the City of Greer Council has determined participation and investment of funds in said Pool pursuant to statute would be in the best interest of the City of Greer;

NOW THEREFORE, BE IT RESOLVED, that the City of Greer Council does hereby authorize participation of the City of Greer, in the South Carolina Local Government Investment Pool for the purpose of investment and authorizes its Treasurer to do all things necessary in order to participate in said Pool.

PASSED AND ADOPTED on this the 14<sup>th</sup> day of July, 2020.

**CITY OF GREER, SOUTH CAROLINA**

\_\_\_\_\_  
Richard W. Danner, Mayor

**ATTEST:**

\_\_\_\_\_  
Tammela Duncan, Municipal Clerk





**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 29-2020**

**Summary:**

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

**Executive Summary:**

Ordinance #29-2020 is an annexation and zoning request for a portion of a property located along N. Howell Rd. The portion for annexation consists of 15.40 acres; this was purchased in 2015 and combined with the larger part of the property that was already in city limits. The property is proposed for future subdivision that will be call Brookside Farms. 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. The Planning Commission will conducted a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval  
Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ Cover Memo	7/8/2020	Cover Memo
❑ Ordinance Number 29-2020	7/8/2020	Ordinance
❑ Ord 29-2020 Exhibit A Deed	7/8/2020	Exhibit
❑ Ord 29-2020 Exhibit B Plat	7/8/2020	Exhibit
❑ Ord 29-2020 Exhibit C Map	7/8/2020	Exhibit
❑ Ord 29-2020 Exhibit D Flood Map	7/8/2020	Exhibit
❑ Ord 29-2020 Exhibit E Statement of Intent	7/8/2020	Exhibit
❑ Ord 29-2020 Exhibit F Site Plan	7/8/2020	Exhibit
		Backup

▣	Ord 29-2020 Petition for Annexation	7/8/2020	Material
▣	Ord 29-2020 Planning Commission Minutes	7/8/2020	Cover Memo

# Memorandum

**To:** Mr. Ed Driggers, City Administrator  
**From:** Brandon McMahan, Planner  
**Subject:** Ordinance #29-2020  
**Date:** June 26, 2020  
**CC:** Tammy Duncan, Clerk to City Council

---

Ordinance #29-2020 is an annexation and zoning request for a portion of a property located along N. Howell Rd. The portion for annexation consists of 15.40 acres; this was purchased in 2015 and combined with the larger part of the property that was already in city limits. The property is proposed for future subdivision that will be call Brookside Farms.

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.

The Planning Commission will conducted a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval.

**ORDINANCE NUMBER 29-2020**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY MARK III PROPERTIES 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**, Mark III Properties 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**, Mark III Properties has petitioned the City of Greer to annex its 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 owners have 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 Mark III Properties 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 Mark III Properties 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**

---

Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by:

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

BOOK 1643 PAGE 137 ✓

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 appertaining, to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, etc. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(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(s') heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESSE the grantor's(s') hand(s) and seal(s) this 3 day of June, 19 96  
Epworth Children's Home

SIGNED, sealed and delivered in the presence of:

BY:

Kepma Huddings  
[Signature]

Robert R. Armstrong (SEAL)  
Chairman - Board of Trustees (SEAL)  
\_\_\_\_\_  
(SEAL)

STATE OF SOUTH CAROLINA  
COUNTY OF Greenville

PROBATE

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

SWORN to before me this 3 day of June, 19 96

Notary Public for South Carolina.

My commission expires 10-11-98

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 Copper 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. -316-619.1-1-6

This is the same property conveyed to Grantor by deed of T. MILTON PONDER recorded in the RMC Office for Greenville County on 9-18-85 in Deed Book 854 at Page 1189 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 1137  
DCC # 96036902

36902

Donna S. Tauler



2015073689  
1 Pgs  
PLAT/LG Book: PL 1219 Page: 0020 - 0020  
September 21, 2015 03:25:30 PM  
Rec: \$10.00  
FILED IN GREENVILLE COUNTY, SC *Timothy J. Manning*

SC GRID NORTH

EARL DILLARD VAUGHN  
DEED 992 - 514

IPO 1/2"  
REBAR

S 64°59'38"E — 203.66'  
S 23°14'38"E  
41.58'  
IPO 1/2"  
ROD

IPO 1/2"  
REBAR

SPBG CO TAX MAP  
5-05-00-008.00  
GENE M. TAPP &  
REBECCA TAPP  
DEED 94F - 27

LOCATION MAP NTS

MICHAEL S. BRUCE  
TAX MAP 618.1 - 1 - 6  
DEED 1643 - 1137

X ON  
STONE

PART TAX MAP  
618.1 - 1 - 7  
**15.40 AC. \***

PART TAX MAP  
618.1 - 1 - 7  
GENE M. TAPP &  
REBECCA TAPP  
DE 2359 - 5268

IPO 1/2"  
ROD

IPO 1/2"  
ROD

OLD STONE

MICHAEL S. BRUCE  
1291 - 798

860.97'

150' DUKE POWER R/W

IPO  
1" OT

THIS PLAT IS NOT A SUBDIVISION AS  
DEFINED BY THE GREENVILLE COUNTY  
LAND DEVELOPMENT REGULATIONS  
9-21-15 *Timothy J. Manning*  
Date Authorized Representative of  
Greenville County Planning Commission

REF:  
PT, TAX MAP 618.1 - 1 - 7  
DEED 2359 - 5268  
PLAT 13W - 49  
PLAT II - 31  
PLAT NN - 89

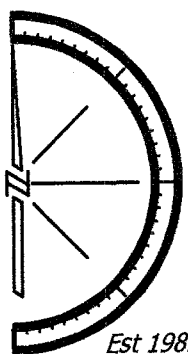
**NOTE:**

THIS PARCEL IS TO BE COMBINED WITH AND MADE A  
PART OF TAX MAP 618.1 - 1 - 6

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



SCALE 1" = 100'



**CHAPMAN**  
Surveying Company, Inc.  
P.O. Box 104 Taylors S.C. 29687  
(864) 322-7610 fax: (864) 322-5259

Est 1989

HB

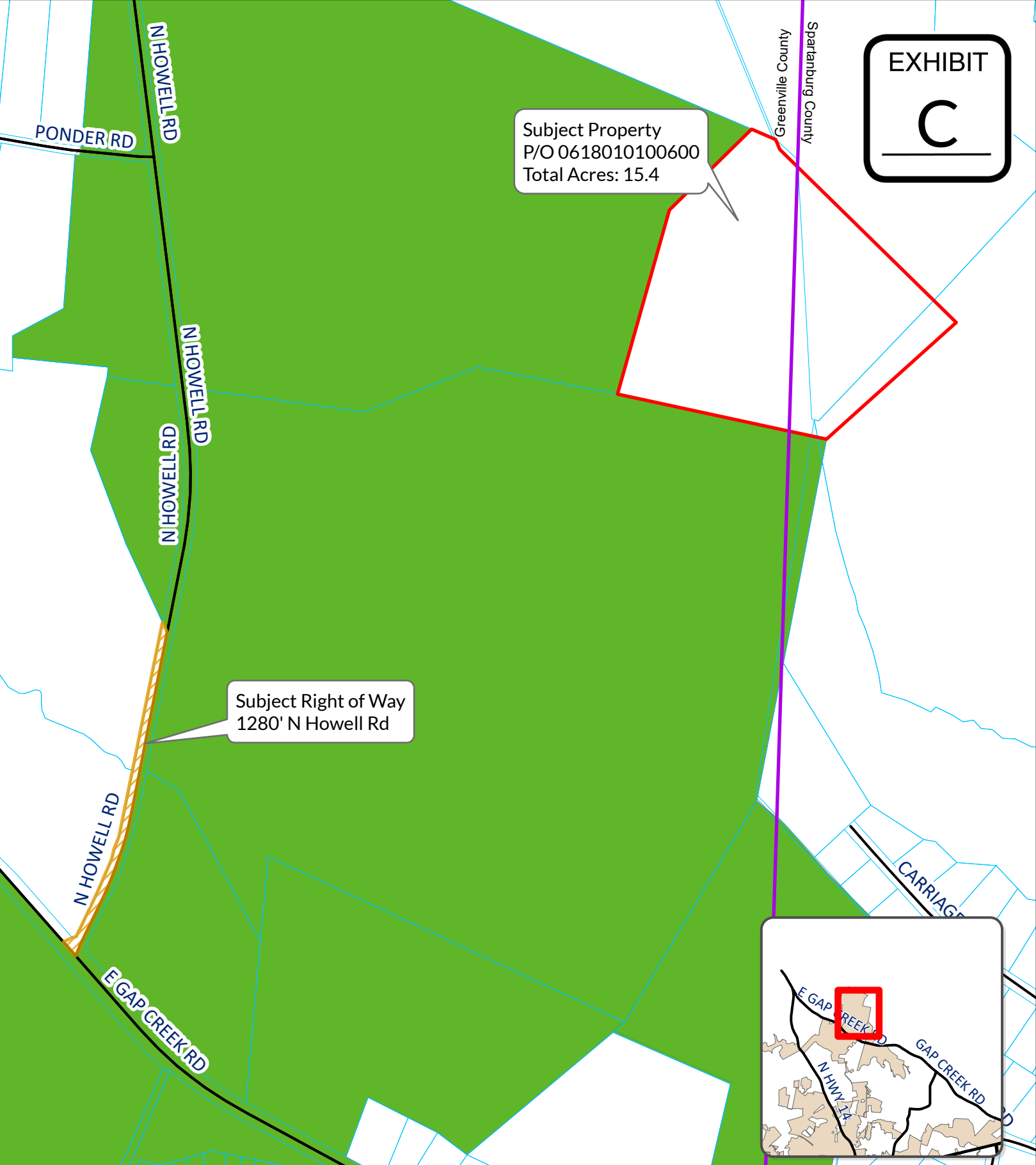
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL  
KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY  
SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE  
REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL  
FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR  
EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS  
SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE  
ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

*Mack L. Chapman Jr.*  
MACK L. CHAPMAN JR. PLS 19034

JOB NO. 10053A

EXHIBIT

C



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.

# EXHIBIT D



Program at 1-800-638-6620.



MAP SCALE 1" =

0 250 500

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0351E

## FIRM

FLOOD INSURANCE RATE MAP  
GREENVILLE COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS

PANEL 351 OF 625

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
GREENVILLE COUNTY	450089	0351	E
GREER, CITY OF	450200	0351	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
45045C0351E

MAP REVISED  
AUGUST 18, 2014

Federal Emergency Management Agency

City of Greer  
450200

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# **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](mailto: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](mailto: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'x70' and 40'x70' 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.



***Building Elevations***



**Elevation-A**



**Elevation-A**



**Elevation-B**



**Elevation-C**

**Maywood - 1429 SQ. FT.**

**Townhome Collection**





SITE DATA

TAX MAP NO.: 0618010100600, 0536010104800, -4900, & -5704

TOTAL AREA: ±237.17-ACRES

EXISTING ZONING: R-12 & C-2

PROPOSED ZONING: DRD

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±16,429.9 LF (44' R.O.W.)

SETBACKS  
N HOWELL ROAD: 30'  
GAP CREEK ROAD: 30'  
FRONT: 20'  
SIDE: 5'  
REAR: 10' (DETACHED ONLY)  
EXTERIOR SETBACK: 25'

LAYOUT SUBJECT TO REZONING & P.C. APPROVAL

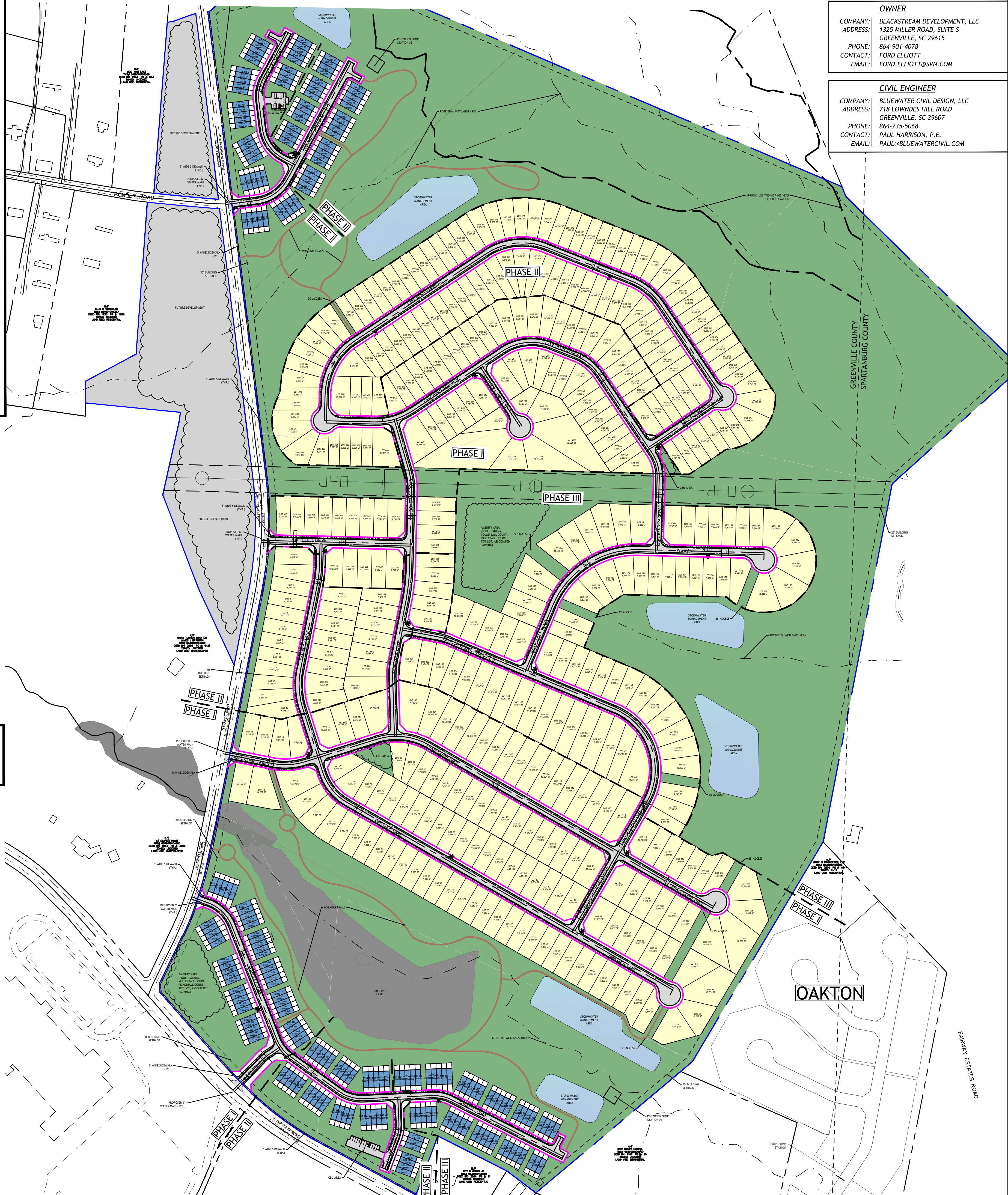
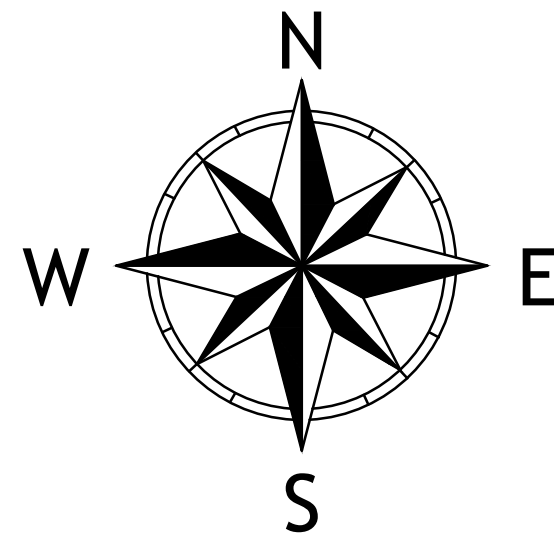
SITE LEGEND

- ASPHALT PAVEMENT SECTION
- SIDEWALK
- PROPERTY LINE/R.O.W.
- PROPOSED BUILDING SETBACK LINE
- FLOODPLAIN
- PROPOSED R/W
- PROPOSED E.O.P.
- PROPOSED C/L ROAD
- PROPOSED WATER MAIN

- NOTE:
- WATER PROVIDED BY BLUE RIDGE RURAL WATER DISTRICT.
  - SEWER PROVIDED BY GREER CPW.



Know what's below.  
Call before you dig.

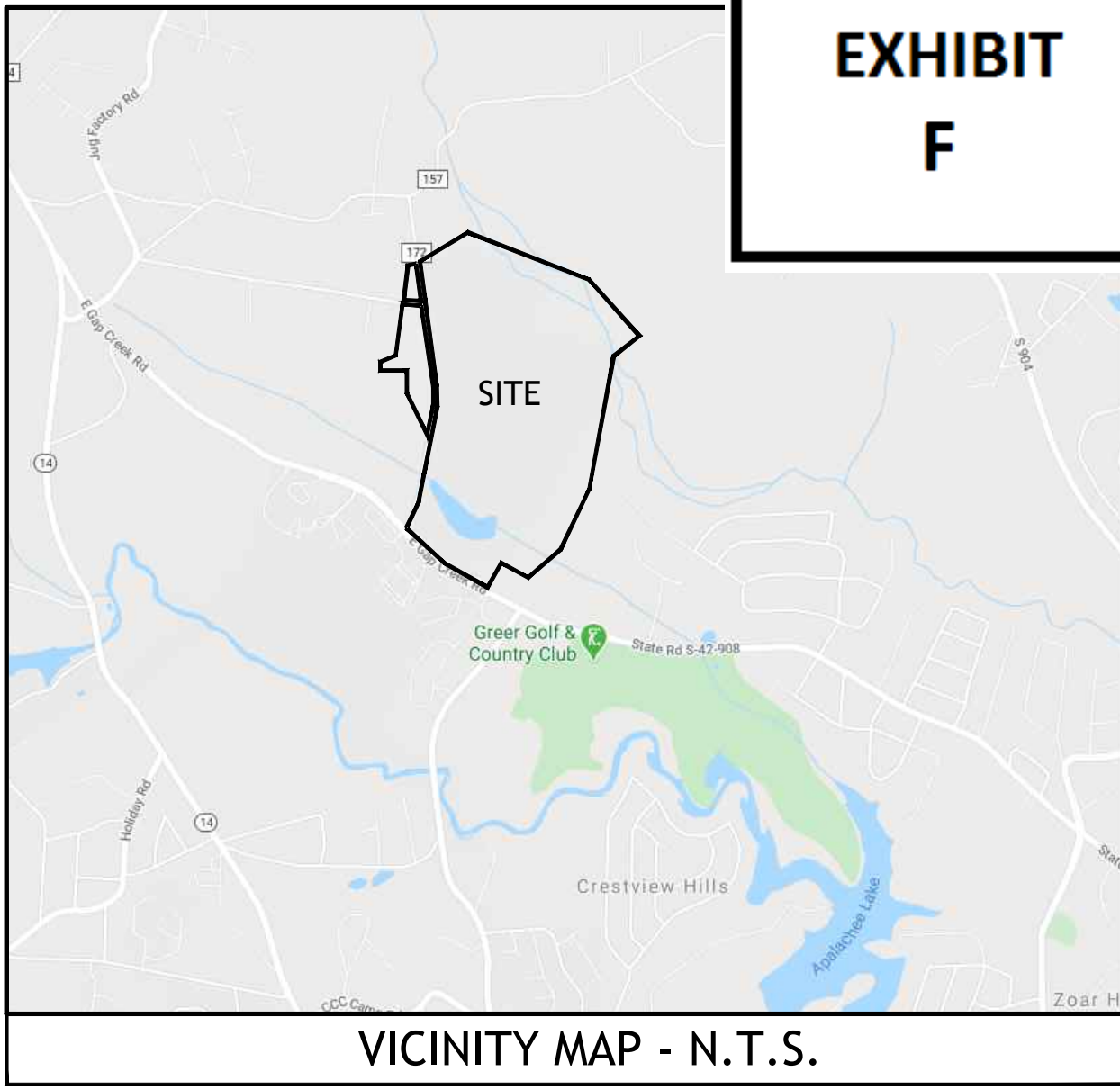


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**OWNER**  
COMPANY: BLACKSTREAM DEVELOPMENT, LLC  
ADDRESS: 1325 MILLER ROAD, SUITE S  
GREENVILLE, SC 29615  
PHONE: 864-901-4078  
CONTACT: FORD ELLIOTT  
EMAIL: FORD.ELLIOTT@SYN.COM

**CIVIL ENGINEER**  
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PHONE: 864-735-5068  
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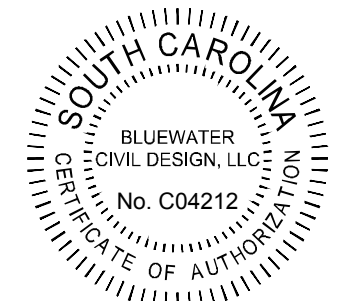
EXHIBIT  
F



Project Number: 2020-043  
DWG Name: 2020-06-02 Brookside Farms  
PDP-1.dwg  
Drawing Scale: AS NOTED  
Date of Project: 06/2020  
Engineer of Record:  
Paul J. Harrison, P.E.  
South Carolina PEF 24224  
North Carolina PEF 038371  
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Certificates of Authorization:  
SC C04212 - GA PEF005865  
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**BROOKSIDE FARMS**  
(SFR Subdivision - PDP)  
Gap Creek Road & N Howell Road  
Greer, SC

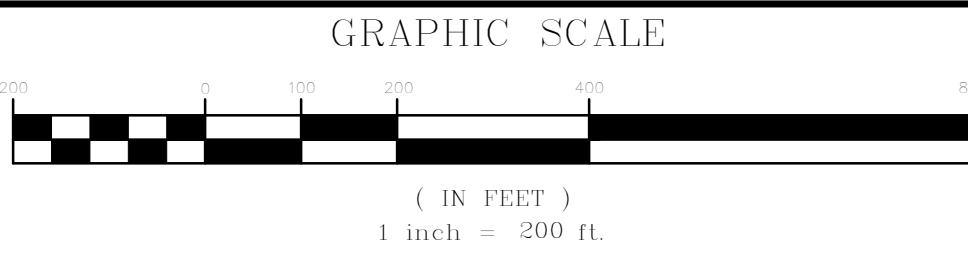


PRELIMINARY DEVELOPMENT PLAN

**BROOKSIDE FARMS**

Owner	Engineer
BlackStream Development, LLC Ford Elliot 1325 Miller Road, Suite S Greenville, SC 29615 864-901-4078	Bluewater Civil Design, LLC Paul J. Harrison, P.E. 718 Lowndes Hill Road Greenville, SC 29607 864-735-5068

Total Acreage:	237.17 Ac.	Existing Zoning:	R-12 & C-2
Number of Lots:	638 Lots	New Roadway:	17,823.7 LF



PLAN REVISION	ISSUE DATE	ISSUE COMMENT
A	05/08/2020	Issued Preliminary Development Plan
B	06/08/2020	Issued Preliminary Development Plan

Preliminary  
Development Plan

PDP-OVR



SITE DATA

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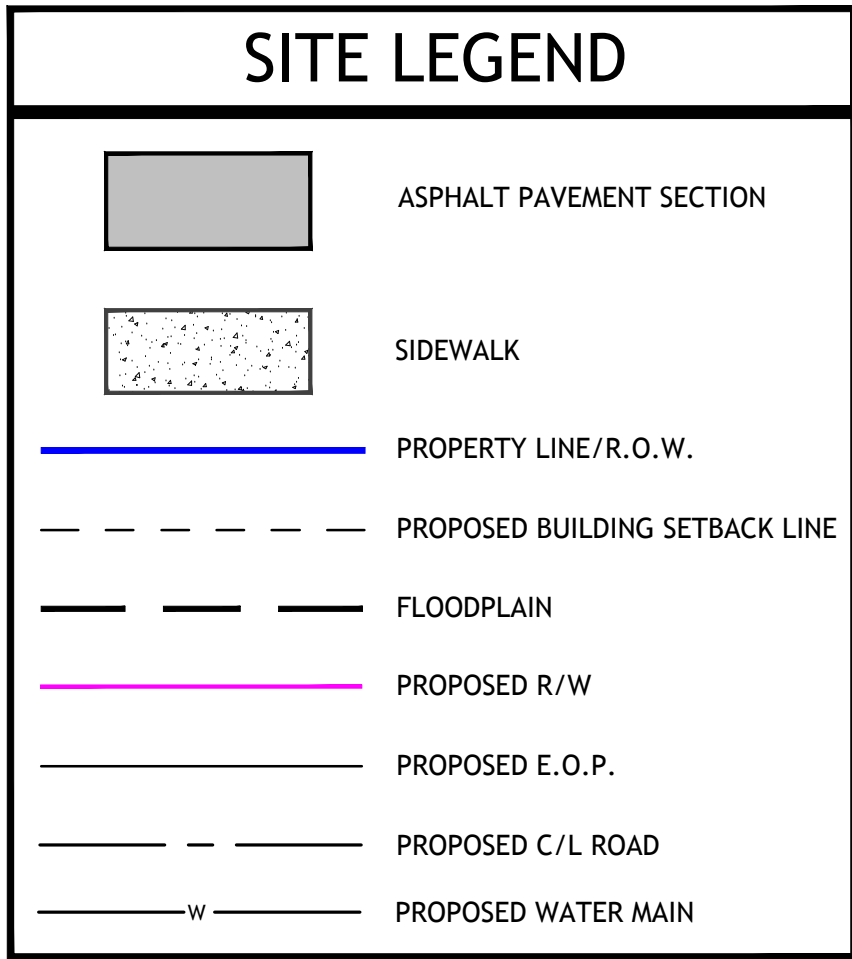
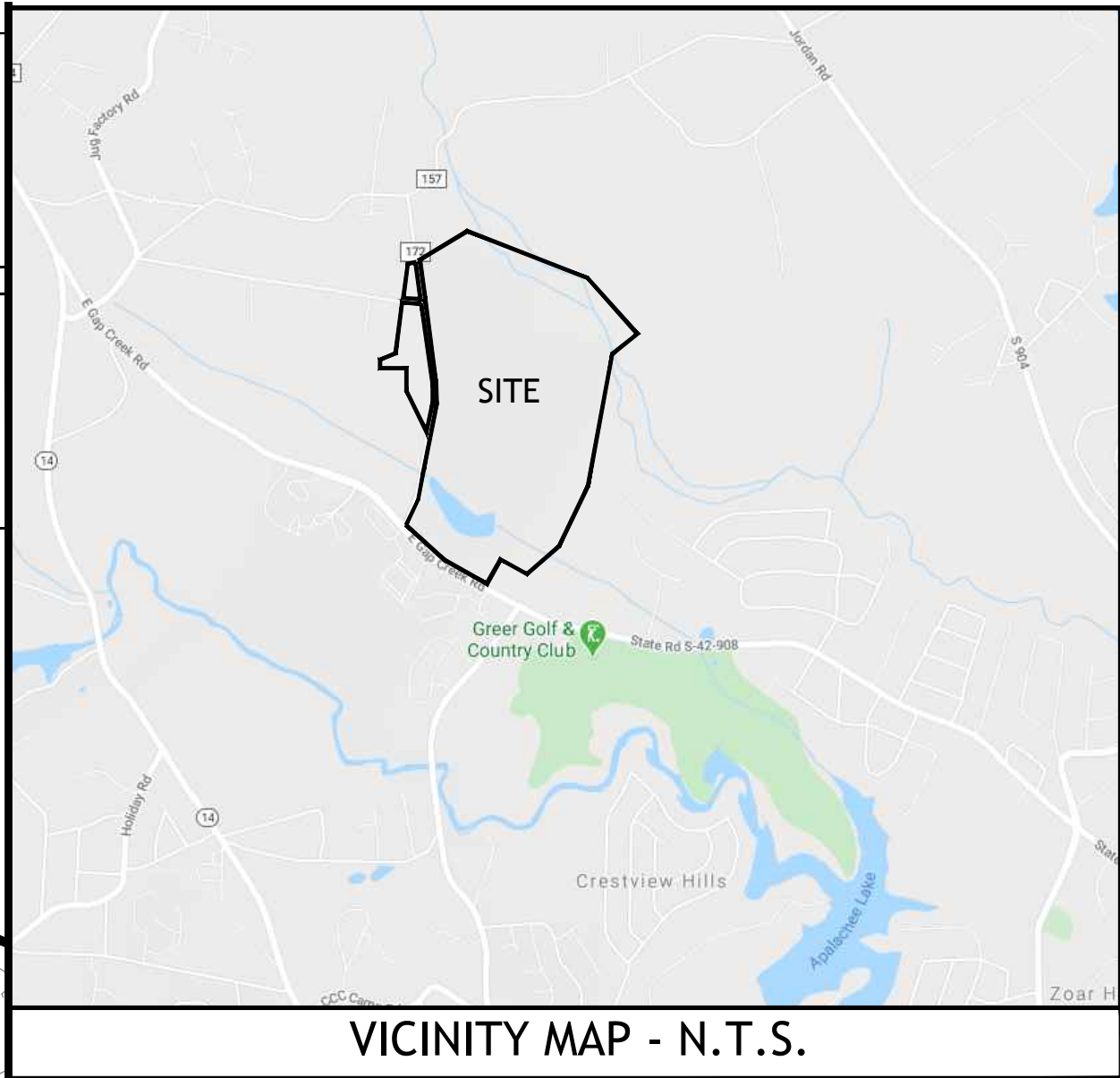
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- SEWER PROVIDED BY GREER CPW.

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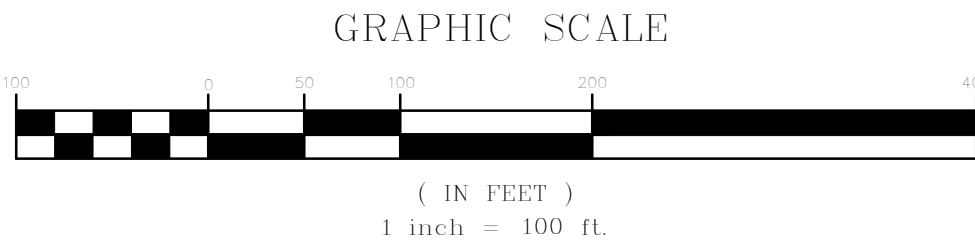
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PRELIMINARY DEVELOPMENT PLAN

**BROOKSIDE FARMS**

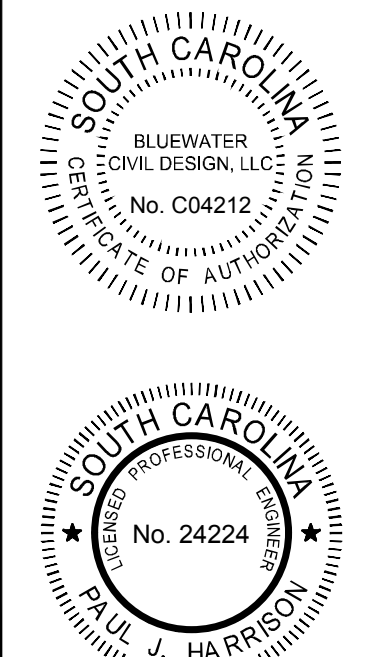
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Total Acreage: 237.17 Ac.	Existing Zoning: R-12 & C-2
Number of Lots: 638 Lots	New Roadway: 17,823.7 LF



Project Number: 2020-043  
DWG Name: 2020-06-02 Brookside Farms  
Drawing Scale: AS NOTED  
Date of Project: 06/2020  
Engineer of Record:  
Paul J. Harrison, P.E.  
South Carolina P.E. #24224  
North Carolina P.E. #03871  
bluewater civil design, llc  
bluewatercivil.com • info@bluewatercivil.com  
718 Lowndes Hill Road • Greenville, SC 29607

Certificates of Authorization:  
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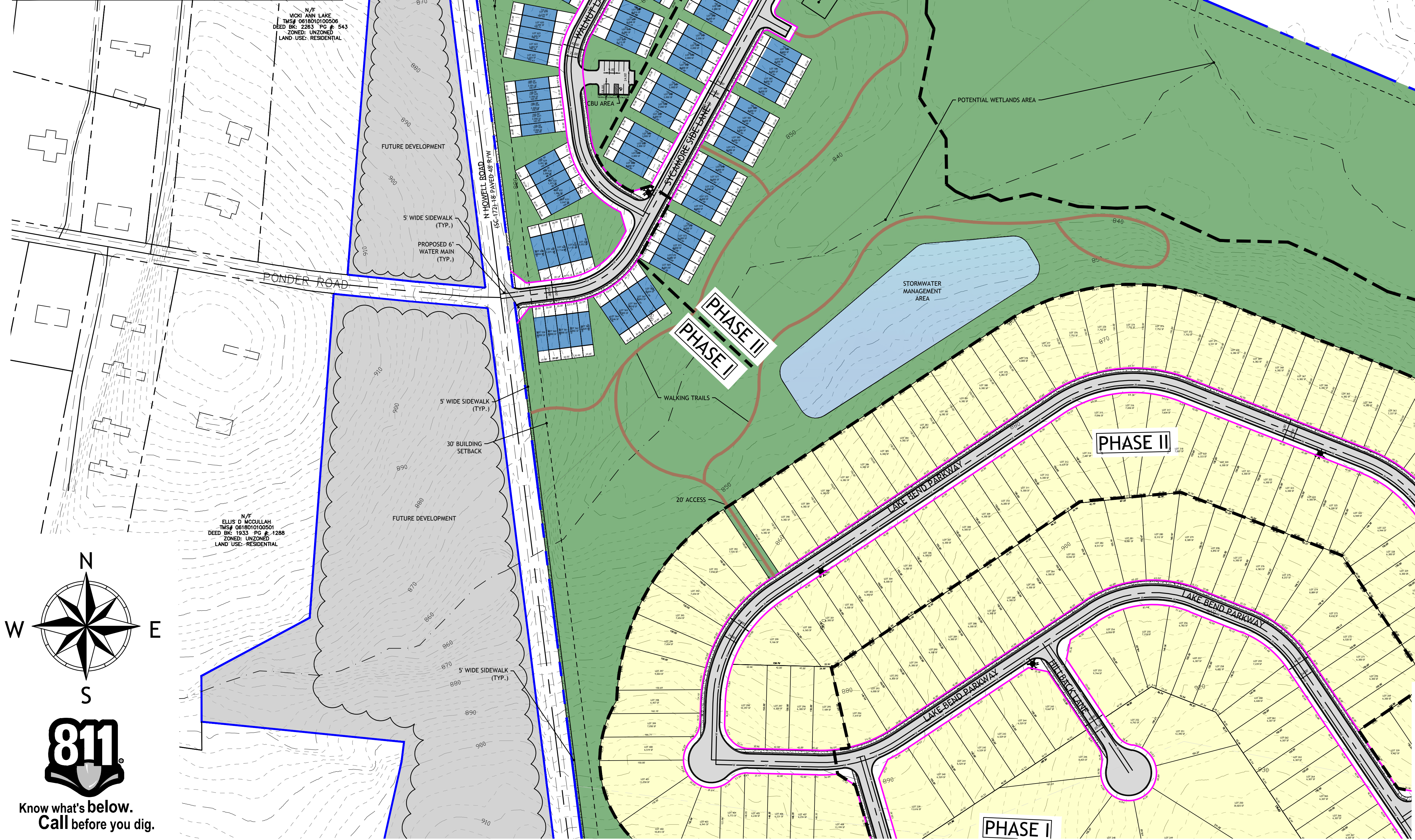
**BROOKSIDE FARMS**  
(SFR Subdivision - PDP)  
Gap Creek Road & N Howell Road  
Greer, SC



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Preliminary Development Plan

PDP-1A





SITE DATA

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0618010100600, 0536010104800, -4900, & -5704

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±237.17-ACRES

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R-12 & C-2

PROPOSED ZONING:

DRD

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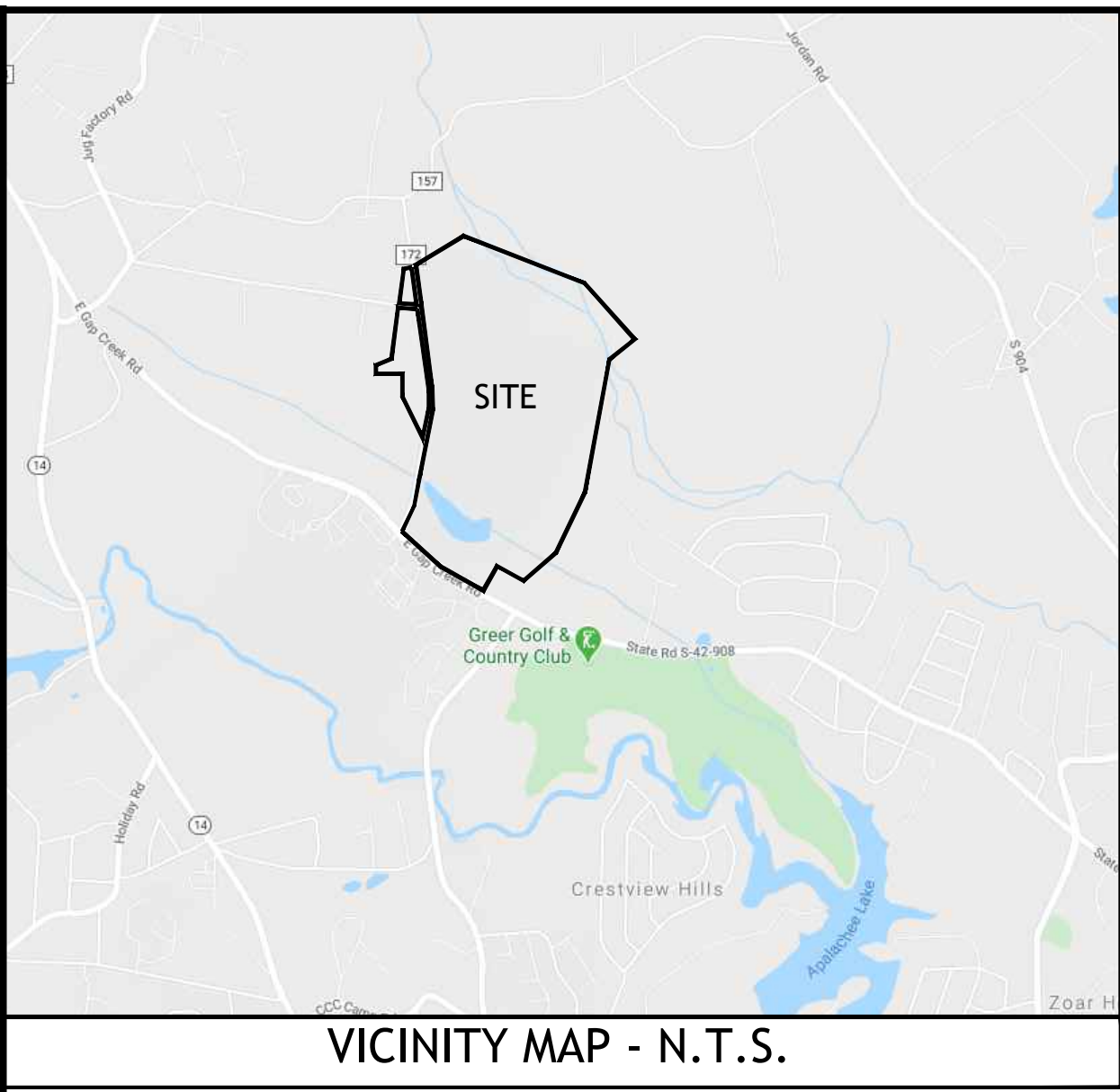
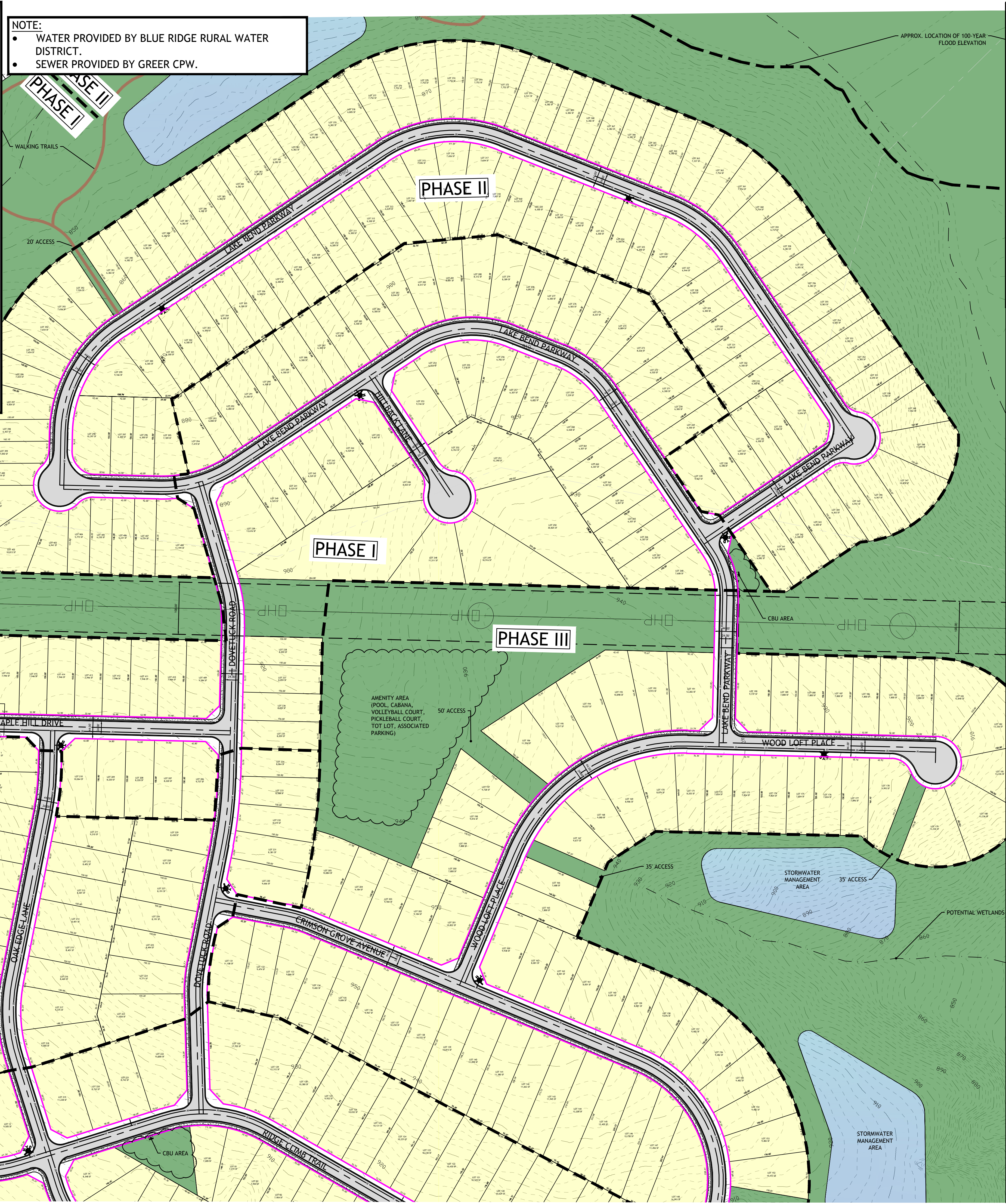
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SETBACKS

N HOWELL ROAD: 30'  
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EXTERIOR SETBACK: 25'

LAYOUT SUBJECT TO REZONING & P.C. APPROVAL



SITE LEGEND

ASPHALT PAVEMENT SECTION

PROPOSED BUILDING SETBACK LINE

FLOODPLAIN

PROPOSED R/W

PROPOSED E.O.P.

PROPOSED C/L ROAD

PROPOSED WATER MAIN

SIDEWALK

PROPERTY LINE/R.O.W.

PROPOSED R/W

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EMAIL: PAUL@BLUEWATERCIVIL.COM

N  
W  
E  
S

811

Know what's below.  
Call before you dig.

PRELIMINARY DEVELOPMENT PLAN

BROOKSIDE FARMS

Owner  
BlackStream Development, LLC  
Ford Elliot  
1325 Miller Road, Suite S  
Greenville, SC 29615  
864-901-4078

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

Total Acreage: 237.17 Ac.

Existing Zoning: R-12 & C-2

Number of Lots: 638 Lots

New Roadway: 17,823.7 LF

GRAPHIC SCALE

( IN FEET )  
1 inch = 100 ft.

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DWG Name: 2020-06-02 Brookside Farms  
Drawing Scale: PDP-1.dwg  
Date of Project: 06/2020  
Engineer of Record:  
Paul J. Harrison, P.E.  
South Carolina PEF 24224  
North Carolina PEF 038371

bluewater

civil design

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Certificates of Authorization:

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BROOKSIDE FARMS

(SFR Subdivision - PDP)

Gap Creek Road & N Howell Road

Greer, SC

SOUTH CAROLINA

BLUEWATER CIVIL DESIGN, LLC

No. C04212

STATE OF AUTHORIZATION

SOUTH CAROLINA

PAUL J. HARRISON

No. 24224

PROFESSIONAL ENGINEER

PLAN REVISION

ISSUE DATE

ISSUE COMMENT

A 05/08/2020 Issued Preliminary Development Plan

B 06/08/2020 Issued Preliminary Development Plan

Preliminary Development Plan

PDP-1B



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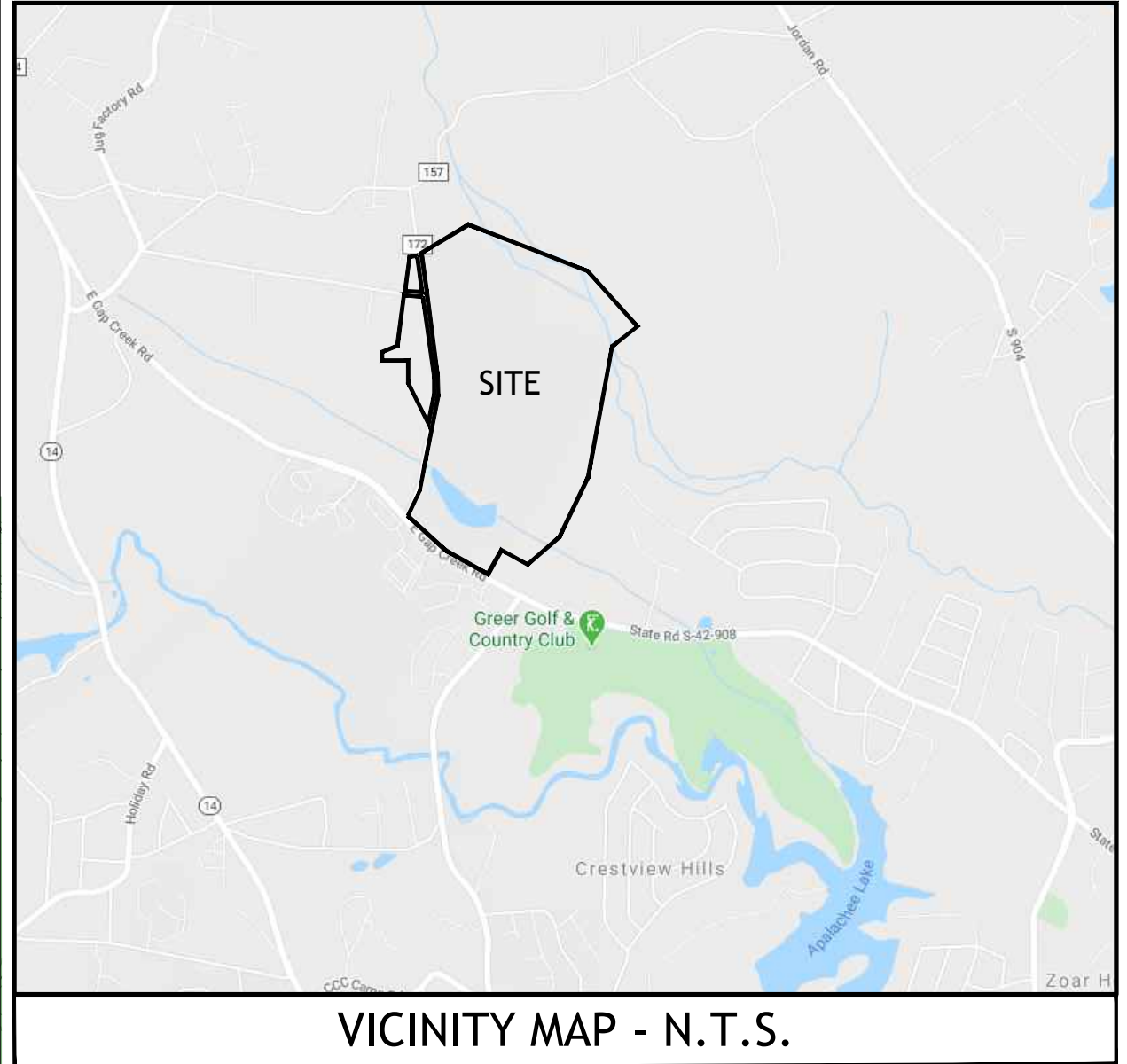
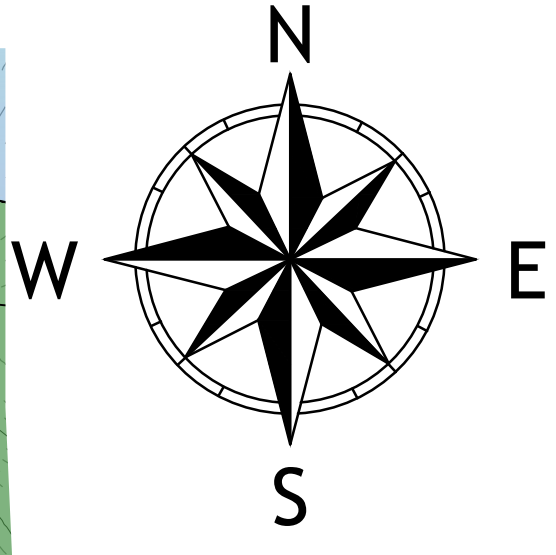
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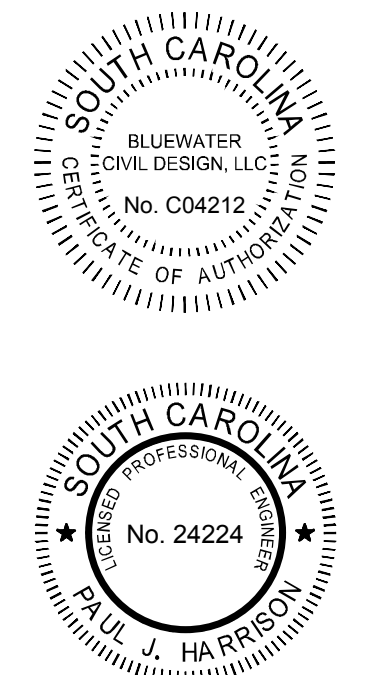
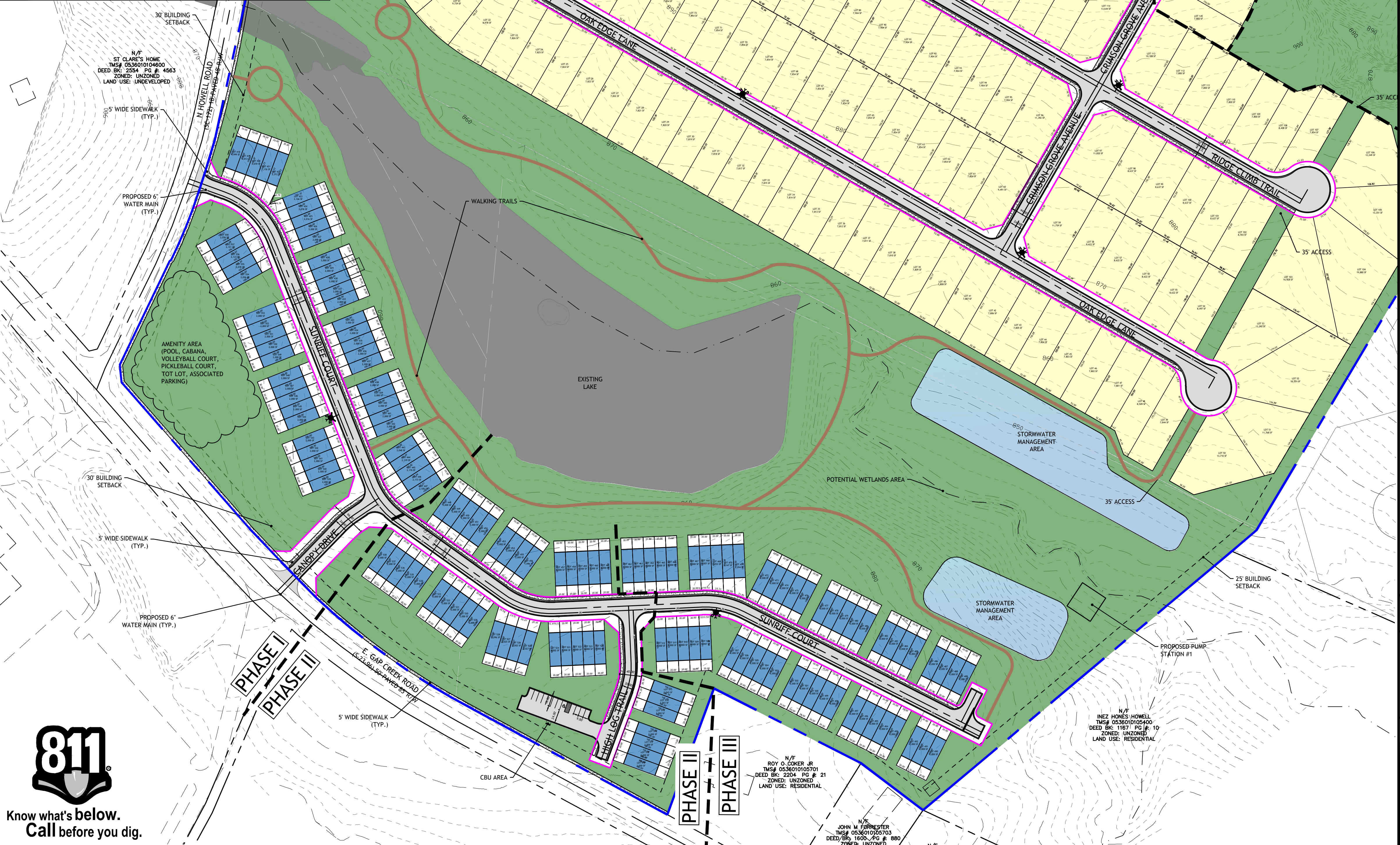
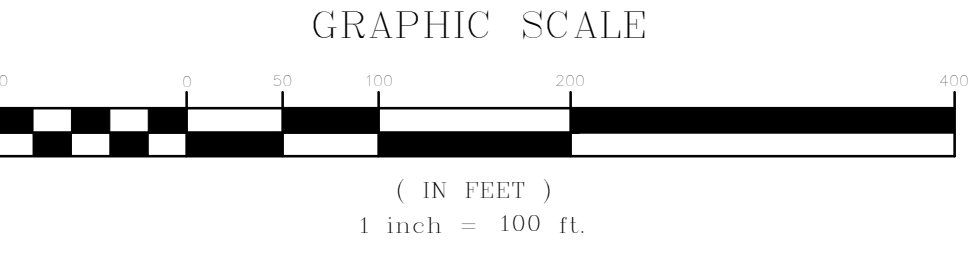
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## PRELIMINARY DEVELOPMENT PLAN

### BROOKSIDE FARMS

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### 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 ☒ No

Print Name: S. Michael Bruce  
Signature: [Signature]  
Address: P.O. Box 1734, Greer, SC 29652  
Witness: Courtney Blanton  
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: \_\_\_\_\_

**ZONING REPORT**  
**STAFF REPORT TO THE GREER PLANNING COMMISSION**  
**MONDAY, JUNE 22, 2020**

---

**DOCKET:** AN 20-84

**APPLICANT:** Blackstream Development

**PROPERTY LOCATION:** N. Howell Rd

**TAX MAP NUMBER:** P/O 0618010100600

**EXISTING ZONING:** Unzoned Greenville and Spartanburg County

**REQUEST:** Rezone to DRD, Design Review District

**SIZE:** 15.40 acres

**COMPREHENSIVE PLAN:** Residential Land Use 3 and Community Center  
near Public Land Use

**ANALYSIS:** **AN 20-84**

---

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.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 30-2020**

**Summary:**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTIES OWNED BY MICHAEL BRUCE AND A PORTION OF PROPERTY OWNED BY GAP CREEK LLC LOCATED ON NORTH HOWELL ROAD AND GAP CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) AND C-2 (COMMERCIAL DISTRICT) TO DRD (DESIGN REVIEW DISTRICT). (Action Required)

**Executive Summary:**

Ordinance #30-2020 is a rezoning request for 4 parcels property located along Gap Creek Rd and N. Howell Rd. These are the remaining properties of the Brookside Farms project which consist of 221.6 acres. 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. The Planning Commission will conducted a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval.

Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ Cover Memo	7/8/2020	Cover Memo
❑ Ordinance Number 30-2020	7/8/2020	Ordinance
❑ Ord 30-2020 Exhibit A Map	7/8/2020	Exhibit
❑ Ord 30-2020 Exhibit B Statement of Intent	7/8/2020	Exhibit
❑ Ord 30-2020 Exhibit C Site Plan	7/8/2020	Exhibit
❑ Ord 30-2020 Zoning Map Amend Application	7/8/2020	Backup Material
❑ Ord 30-2020 Planning Commission Minutes	7/8/2020	Backup Material



# Memorandum

**To:** Mr. Ed Driggers, City Administrator

**From:** Brandon McMahan, Planner

**Subject:** Ordinance #30-2020

**Date:** June 26, 2020

**CC:** Tammy Duncan, Clerk to City Council

---

Ordinance #30-2020 is a rezoning request for 4 parcels property located along Gap Creek Rd and N. Howell Rd. These are the remaining properties of the Brookside Farms project which consist of 221.6 acres.

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.

The Planning Commission will conducted a public hearing on June 22, 2020 for the zoning of this parcel and recommended approval.

## **ORDINANCE NUMBER 30-2020**

### **AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTIES OWNED BY MICHAEL BRUCE AND A PORTION OF PROPERTY OWNED BY GAP CREEK LLC LOCATED ON NORTH HOWELL ROAD AND GAP CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) AND C-2 (COMMERCIAL DISTRICT) TO DRD (DESIGN REVIEW DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a portion of certain properties owned by Michael Bruce and a portion of a certain property owned by Gap Creek LLC located on North Howell Road and Gap Creek Road and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Numbers 0618010100600, 0536010104800, 0536010104900 and 0536010105704 and Spartanburg County Parcel Numbers 0618010100600 and 0536010104800 containing approximately 221.6 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owners have requested that the zoning classification of (his, her, their, its) properties be changed from R-12 (Single Family Residential District) and C-2 (Commercial District) to DRD (Design Review District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to DRD (Design Review District).

3. The proposed use is in keeping with the general character of the surrounding property.

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

The zoning classification of a portion of properties located on North Howell Road and Gap Creek Road more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Numbers 0618010100600, 0536010104800, 0536010104900 and 0536010105704 and Spartanburg County Parcel Numbers 0618010100600 and 0536010104800 containing approximately 221.6 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Residential District) and C-2 (Commercial District) to DRD (Design Review District).

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: July 14, 2020

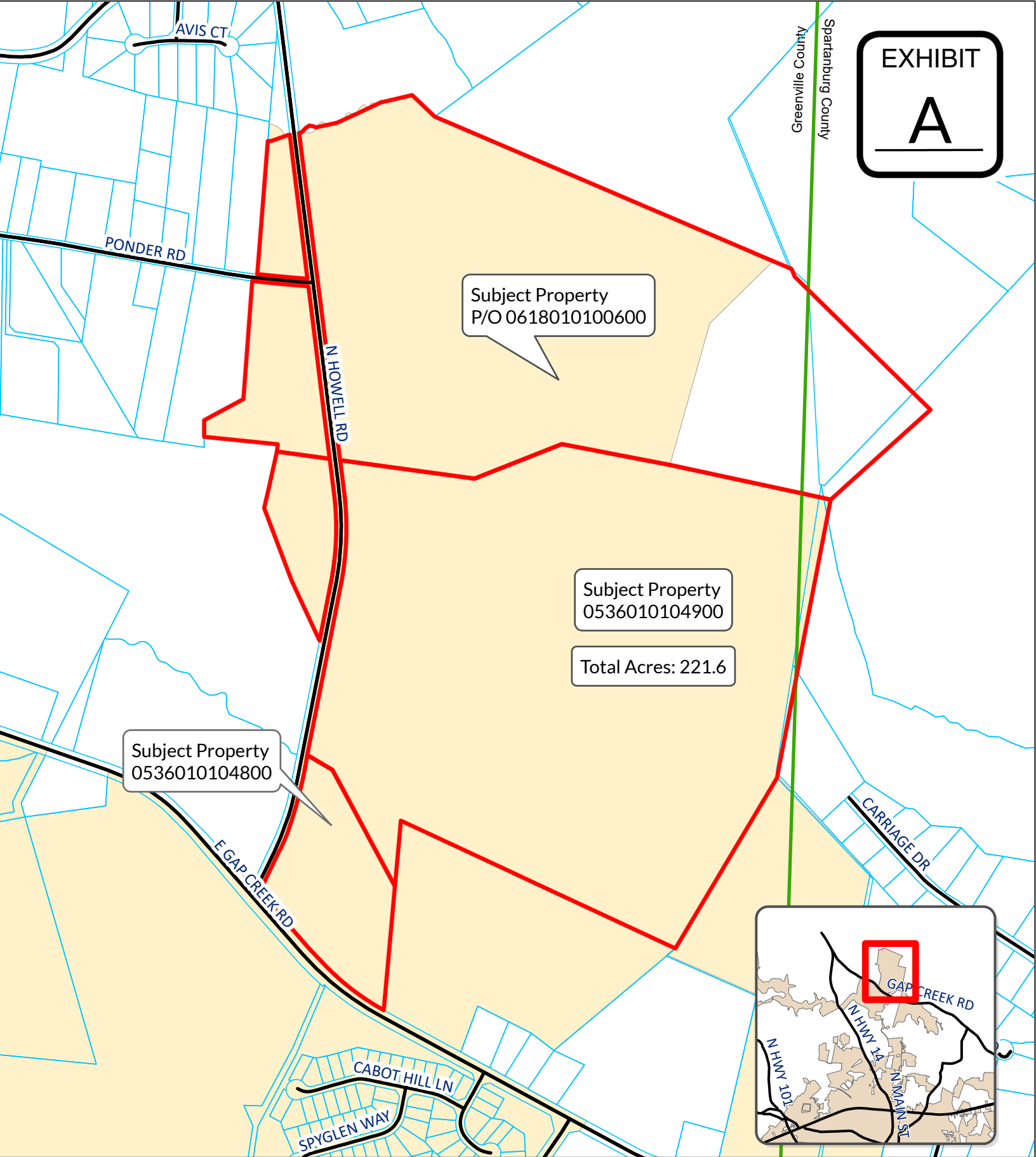
Second and  
Final Reading: July 28, 2020

Approved as to Form:

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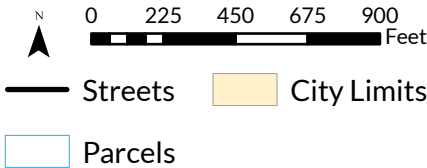
John B. Duggan, Esquire  
City Attorney

EXHIBIT  
**A**



# Ordinance 30-2020

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.



# **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](mailto: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](mailto: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'x70' and 40'x70' 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.



***Building Elevations***



**Elevation-A**



**Elevation-A**



**Elevation-B**



**Elevation-C**

**Maywood - 1429 SQ. FT.**

**Townhome Collection**





SITE DATA

TAX MAP NO.: 0618010100600, 0536010104800, -4900, & -5704

TOTAL AREA: ±237.17-ACRES

EXISTING ZONING: R-12 & C-2

PROPOSED ZONING: DRD

TOTAL LOTS/UNITS: 170 LOTS (42' X 150' TYP.)  
247 LOTS (52' X 150' TYP.)  
221 UNITS (20' X 100' TYP.)

PROPOSED ROADWAY: ±247.7 LF (66' R.O.W.)  
±559.7 LF (40' R.O.W.)  
±586.7 LF (42' R.O.W.)  
±16,429.9 LF (44' R.O.W.)

SETBACKS  
N HOWELL ROAD: 30'  
GAP CREEK ROAD: 30'  
FRONT: 20'  
SIDE: 5'  
REAR: 10' (DETACHED ONLY)  
EXTERIOR SETBACK: 25'

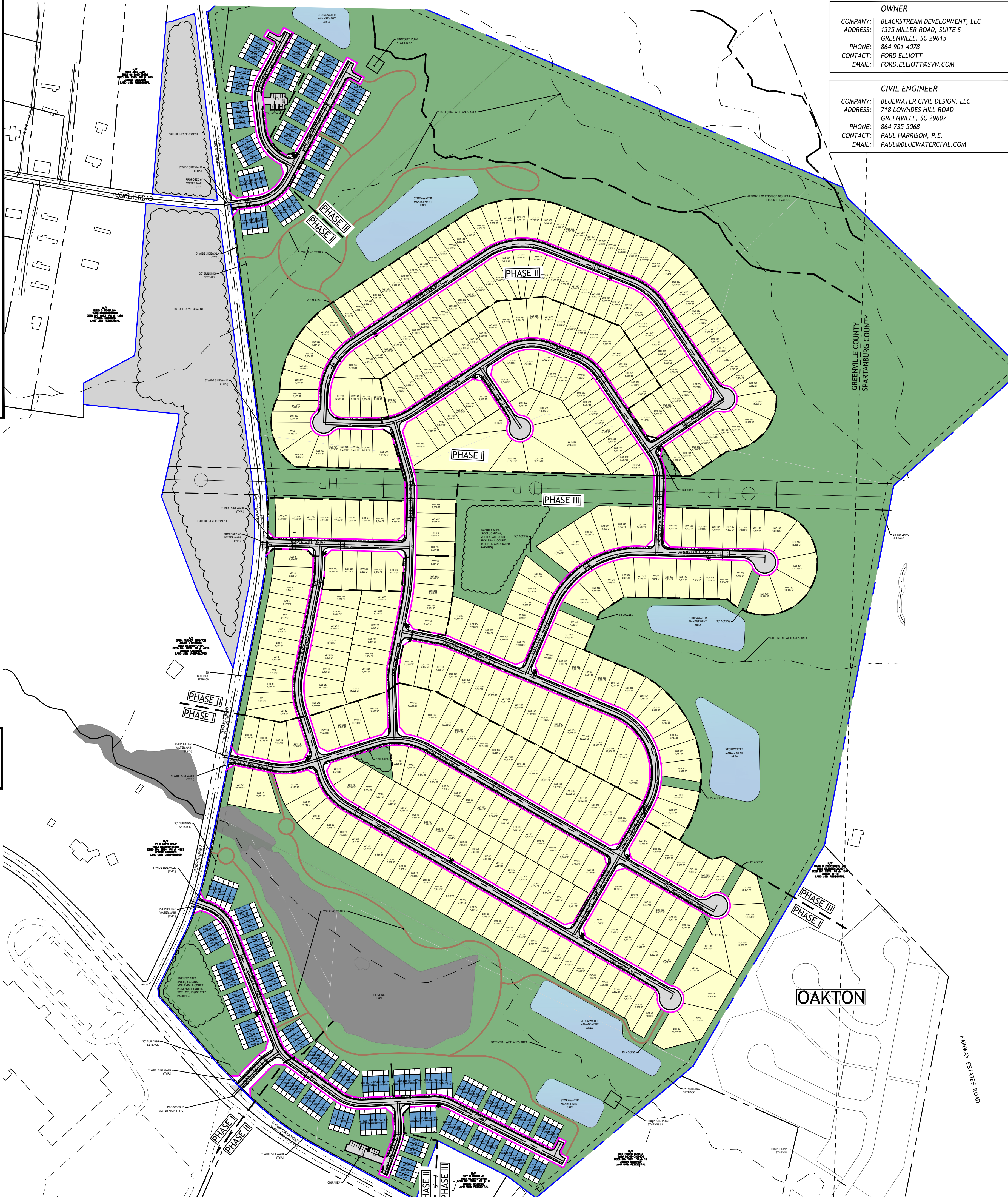
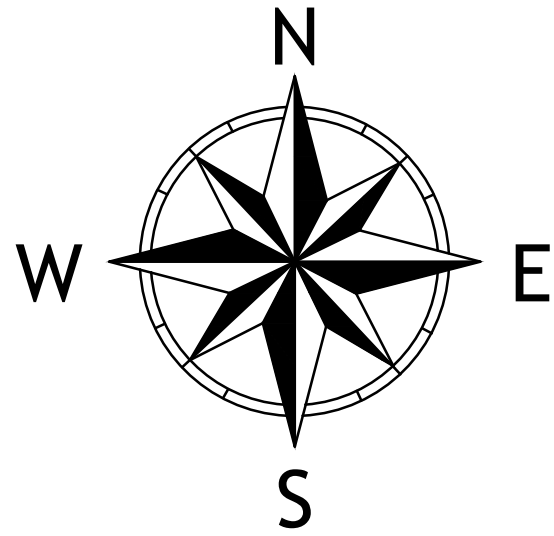
LAYOUT SUBJECT TO REZONING & P.C. APPROVAL

SITE LEGEND

- ASPHALT PAVEMENT SECTION
- SIDEWALK
- PROPERTY LINE/R.O.W.
- PROPOSED BUILDING SETBACK LINE
- FLOODPLAIN
- PROPOSED R/W
- PROPOSED E.O.P.
- PROPOSED C/L ROAD
- PROPOSED WATER MAIN

NOTE:

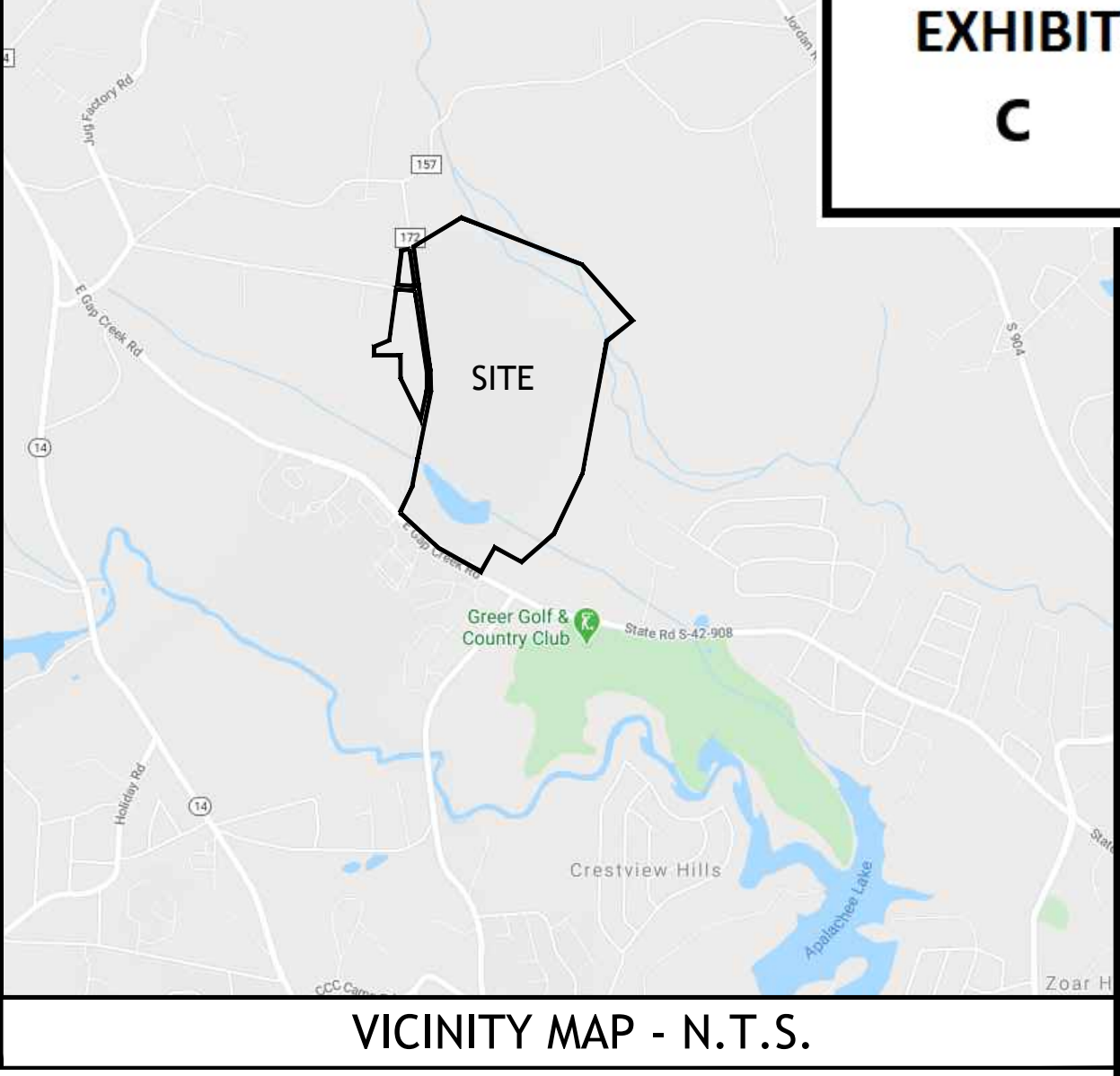
- WATER PROVIDED BY BLUE RIDGE RURAL WATER DISTRICT.
- SEWER PROVIDED BY GREER CPW.



**OWNER**  
COMPANY: BLACKSTREAM DEVELOPMENT, LLC  
ADDRESS: 1325 MILLER ROAD, SUITE S  
GREENVILLE, SC 29615  
PHONE: 864-901-4078  
CONTACT: FORD ELLIOTT  
EMAIL: FORD.ELLIOTT@SYN.COM

**CIVIL ENGINEER**  
COMPANY: BLUEWATER CIVIL DESIGN, LLC  
ADDRESS: 718 LOWNDES HILL ROAD  
GREENVILLE, SC 29607  
PHONE: 864-735-5068  
CONTACT: PAUL HARRISON, P.E.  
EMAIL: PAUL@BLUEWATERCIVIL.COM

EXHIBIT  
C



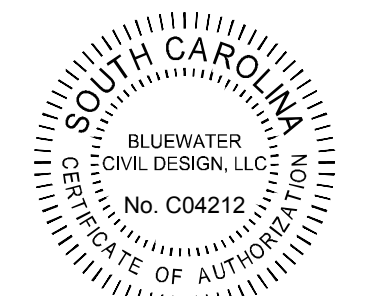
1 Number: 2020-043  
Name: 2020-06-02 Brookside Farms  
File: PDP-1.dwg  
Scale: AS NOTED  
Project: 06/2020  
Rev of Record:

Paul J. Harrison, P.E.  
South Carolina P.E.# 24224  
North Carolina P.E.# 038371

**bluewater**  
civil design  
bluewater civil design, llc  
718 Lowndes Hill Road • Greenville, SC 29607  
www.bluewatercivil.com • info@bluewatercivil.com

Certificates of Authorization:  
SC C04212 - GA PEF005865  
NC P0868 - AL CA4065E

**BROOKSIDE FARMS**  
(SFR Subdivision - PDP)  
Gap Creek Road & N Howell Road  
Greer, SC

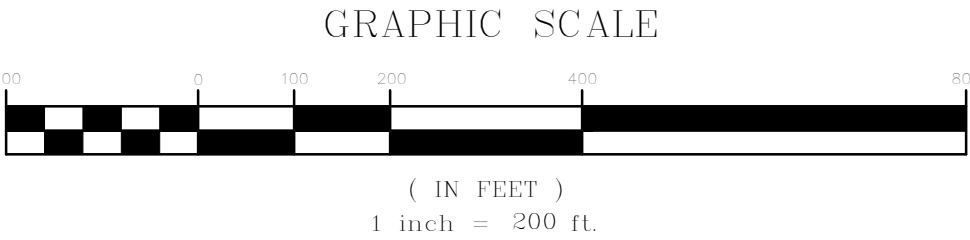


PRELIMINARY DEVELOPMENT PLAN

**BROOKSIDE FARMS**

Owner	Engineer
BlackStream Development, LLC Ford Elliot 1325 Miller Road, Suite S Greenville, SC 29615 864-901-4078	Bluewater Civil Design, LLC Paul J. Harrison, P.E. 718 Lowndes Hill Road Greenville, SC 29607 864-735-5068

Total Acreage:	237.17 Ac.	Existing Zoning:	R-12 & C-2
Number of Lots:	638 Lots	New Roadway:	17,823.7 LF





SITE DATA

TAX MAP NO.: 0618010100600, 0536010104800, -4900, & -5704

TOTAL AREA: ±237.17-ACRES

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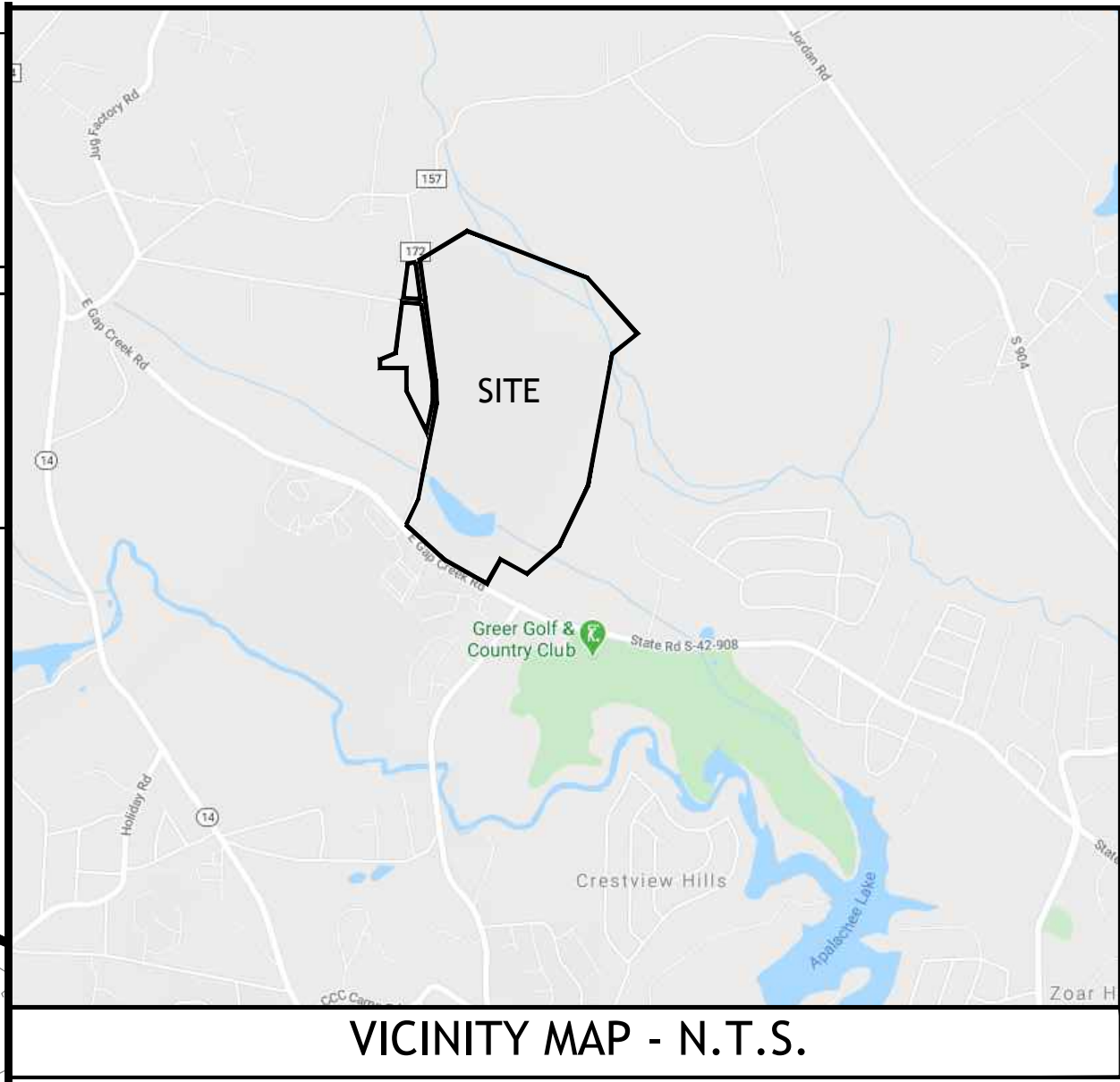
SETBACKS  
N HOWELL ROAD: 30'  
GAP CREEK ROAD: 30'  
FRONT: 20'  
SIDE: 5'  
REAR: 10' (DETACHED ONLY)  
EXTERIOR SETBACK: 25'

LAYOUT SUBJECT TO REZONING & P.C. APPROVAL

- NOTE:
- WATER PROVIDED BY BLUE RIDGE RURAL WATER DISTRICT.
  - SEWER PROVIDED BY GREER CPW.

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**SITE LEGEND**

	ASPHALT PAVEMENT SECTION
	SIDEWALK
	PROPERTY LINE/R.O.W.
	PROPOSED BUILDING SETBACK LINE
	FLOODPLAIN
	PROPOSED R/W
	PROPOSED E.O.P.
	PROPOSED C/L ROAD
	PROPOSED WATER MAIN

Project Number: 2020-043  
DWG Name: 2020-06-02 Brookside Farms  
Drawing Scale: AS NOTED  
Date of Project: 06/2020  
Engineer of Record:  
Paul J. Harrison, P.E.  
South Carolina P.E. #24224  
North Carolina P.E. #03871  
bluewater civil design, llc  
718 Lowndes Hill Road • Greenville, SC 29607  
www.bluewatercivil.com • info@bluewatercivil.com

Certificates of Authorization:  
SC C04212 - GA PEF005865  
NC P0868 - AL CA4065E

**BROOKSIDE FARMS**  
(SFR Subdivision - PDP)  
Gap Creek Road & N Howell Road  
Greer, SC



PLAN REVISION	DATE	ISSUE COMMENT
A	05/08/2020	Issued Preliminary Development Plan
B	06/08/2020	Issued Preliminary Development Plan

Owner BlackStream Development, LLC Ford Elliott 1325 Miller Road, Suite S Greenville, SC 29615 864-901-4078	Engineer Bluewater Civil Design, LLC Paul J. Harrison, P.E. 718 Lowndes Hill Road Greenville, SC 29607 864-735-5068
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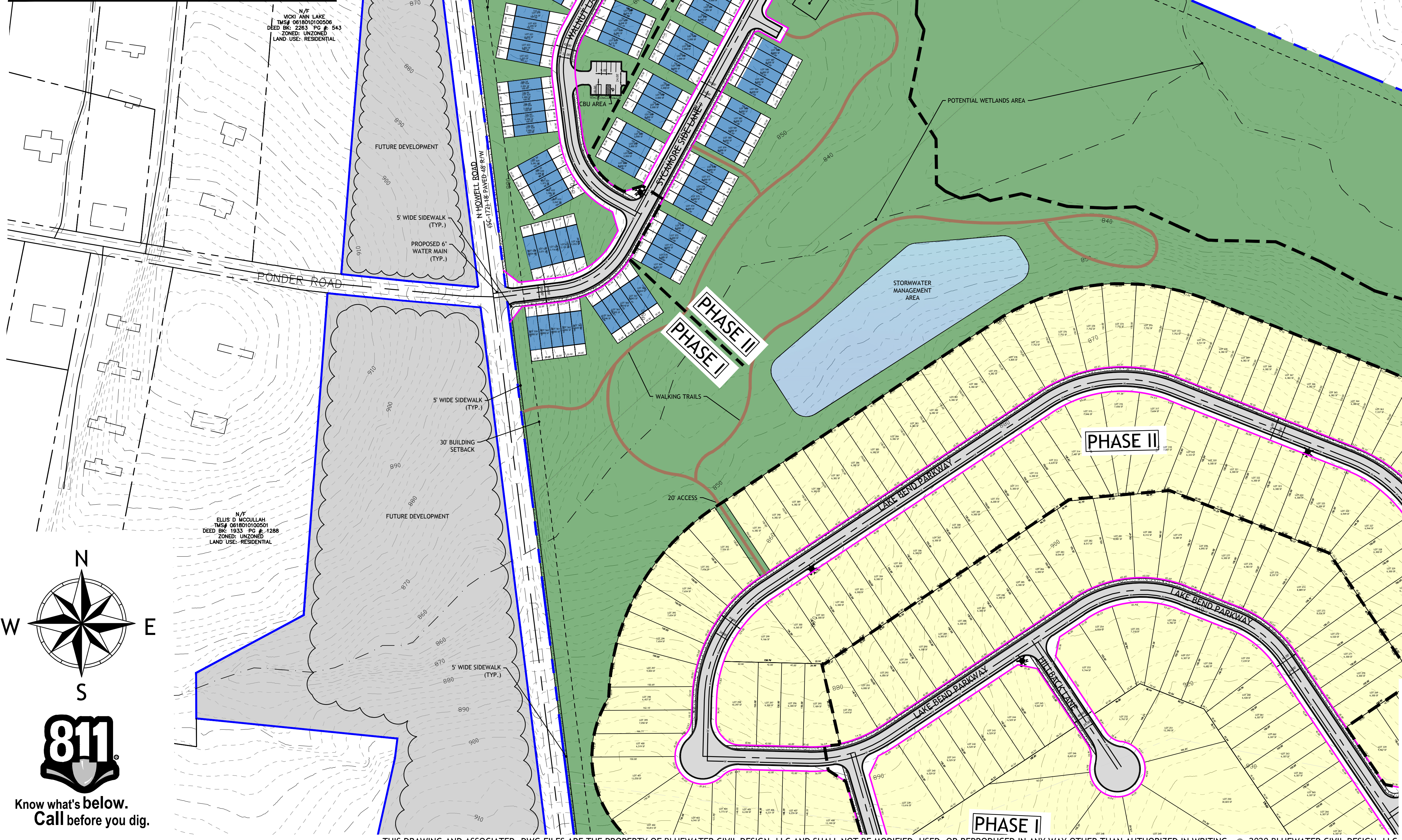
**PRELIMINARY DEVELOPMENT PLAN**

**BROOKSIDE FARMS**

Total Acreage: 237.17 Ac. Existing Zoning: R-12 & C-2

Number of Lots: 638 Lots New Roadway: 17,823.7 LF

GRAPHIC SCALE  
1 inch = 100 ft.



811  
Know what's below.  
Call before you dig.



SITE DATA

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0618010100600, 0536010104800, -4900, & -5704

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±237.17-ACRES

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R-12 & C-2

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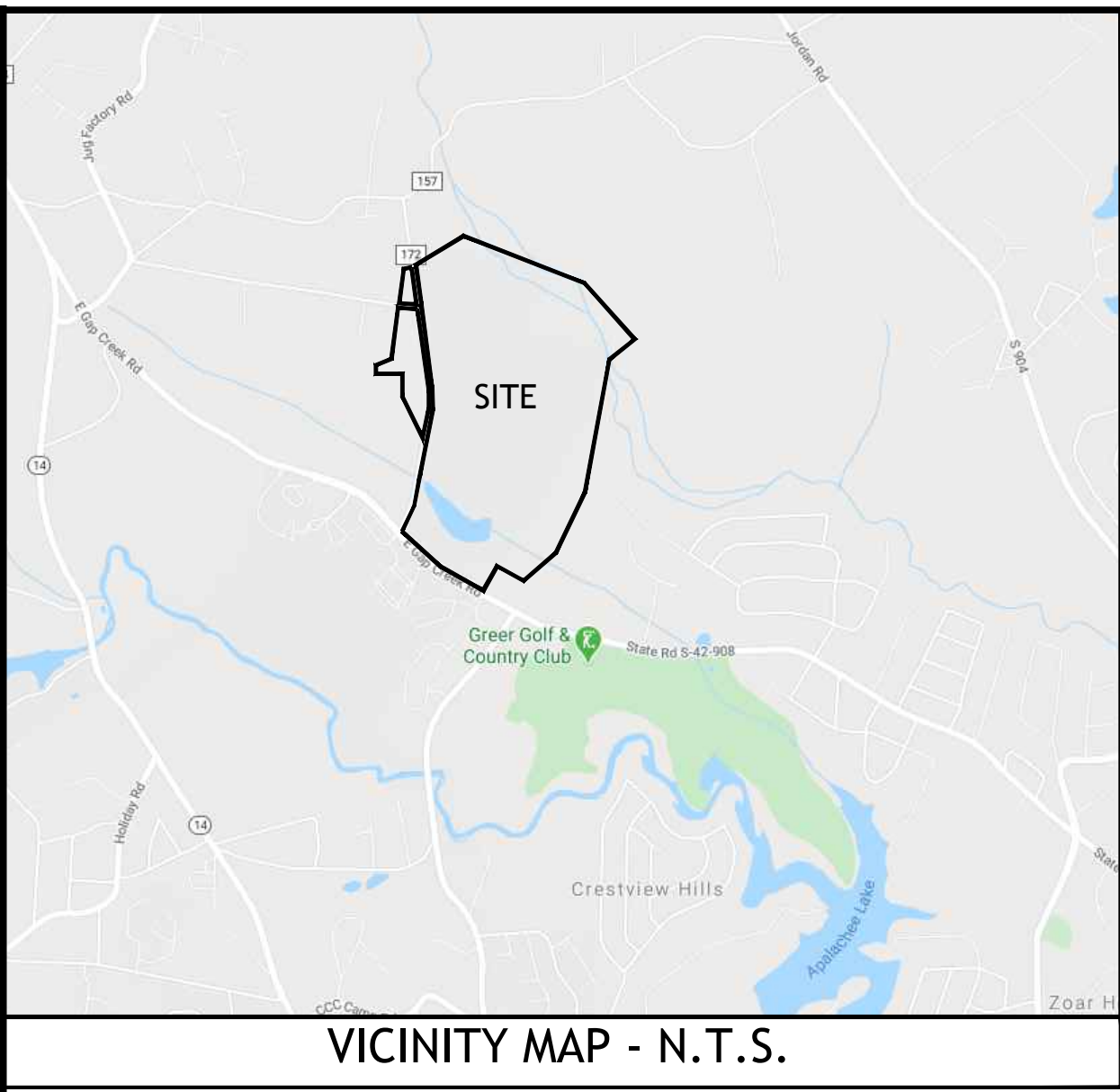
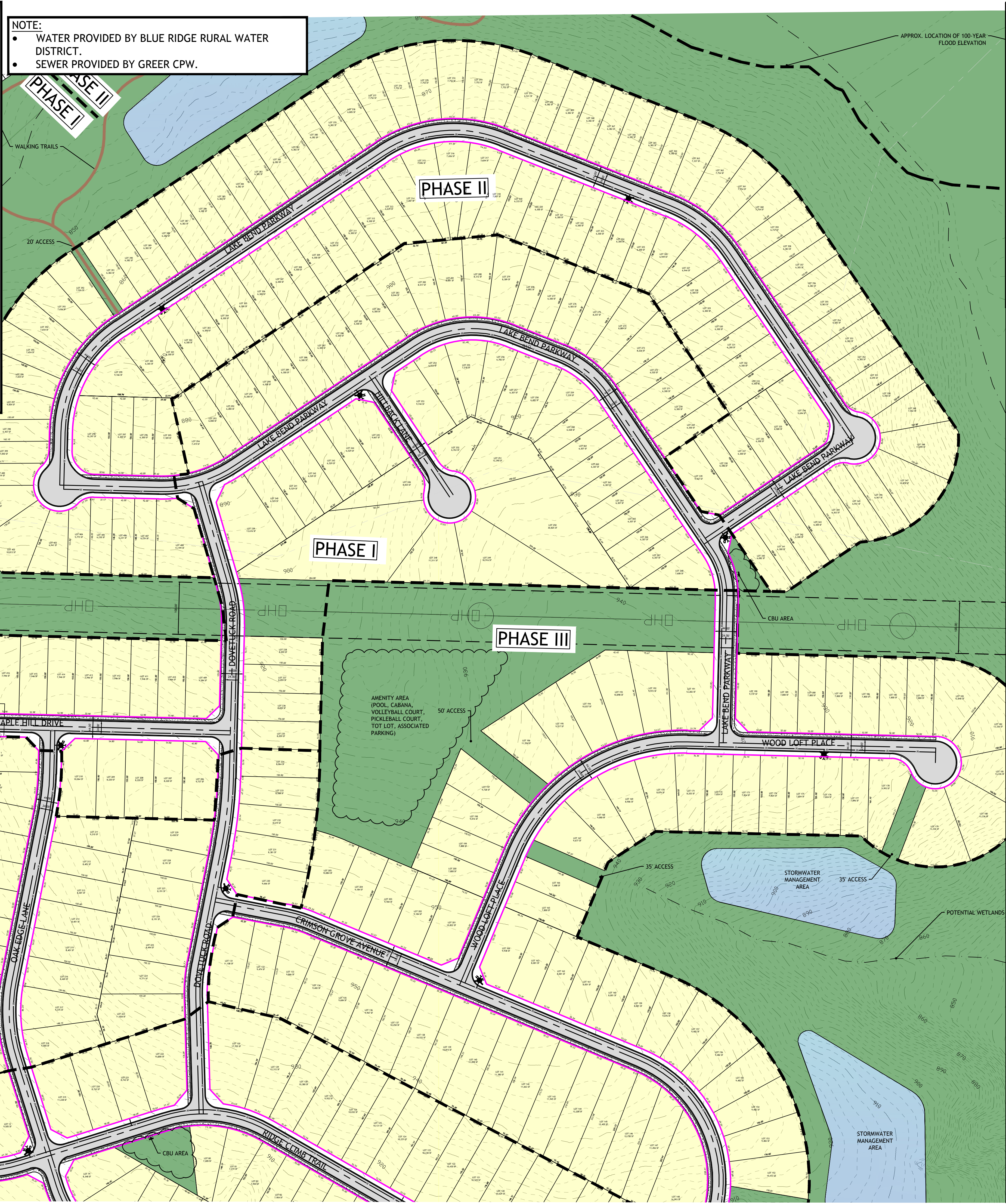
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GAP CREEK ROAD: 30'  
FRONT: 20'  
SIDE: 5'  
REAR: 10' (DETACHED ONLY)  
EXTERIOR SETBACK: 25'

LAYOUT SUBJECT TO REZONING & P.C. APPROVAL



SITE LEGEND

ASPHALT PAVEMENT SECTION

SIDEWALK

PROPERTY LINE/R.O.W.

PROPOSED BUILDING SETBACK LINE

FLOODPLAIN

PROPOSED R/W

PROPOSED E.O.P.

PROPOSED C/L ROAD

PROPOSED WATER MAIN

OWNER

COMPANY:

BLACKSTREAM DEVELOPMENT, LLC

ADDRESS:

1325 MILLER ROAD, SUITE S  
GREENVILLE, SC 29615

PHONE:

864-901-4078

CONTACT:

FORD ELLIOTT

EMAIL:

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PHONE:

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CONTACT:

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PRELIMINARY DEVELOPMENT PLAN

BROOKSIDE FARMS

Owner

BlackStream Development, LLC

Ford Elliot

1325 Miller Road, Suite S

Greenville, SC 29615

864-901-4078

Engineer

Bluewater Civil Design, LLC

Paul J. Harrison, P.E.

718 Lowndes Hill Road

Greenville, SC 29607

864-735-5068

Total Acreage:

237.17 Ac.

Existing Zoning:

R-12 & C-2

Number of Lots:

638 Lots

New Roadway:

17,823.7 LF

GRAPHIC SCALE

( IN FEET )

1 inch = 100 ft.

N

W

E

S

811

Know what's below.  
Call before you dig.

Project Number: 2020-043

DWG Name: 2020-06-02 Brookside Farms

Drawing Scale: PDP-1.dwg

Date of Project: AS NOTED

Engineer of Record: 06/2020

blueWATER

civil design

bluewater civil design, llc

718 Lowndes Hill Road • Greenville, SC 29607

www.bluewatercivil.com • info@bluewatercivil.com

Certificates of Authorization:

SC C04212 - GA PEF005865

NC P0868 - AL CA4065E

BROOKSIDE FARMS

(SFR Subdivision - PDP)

Gap Creek Road & N Howell Road

Greer, SC

SOUTH CAROLINA

BLUEWATER CIVIL DESIGN, LLC

No. C04212

STATE OF AUTHORIZATION

SOUTH CAROLINA

PAUL J. HARRISON, P.E.

No. 24224

PROFESSIONAL ENGINEER

PLAN REVISION

ISSUE DATE

ISSUE COMMENT

A 05/08/2020 Issued Preliminary Development Plan

B 06/08/2020 Issued Preliminary Development Plan

Preliminary Development Plan

PDP-1B



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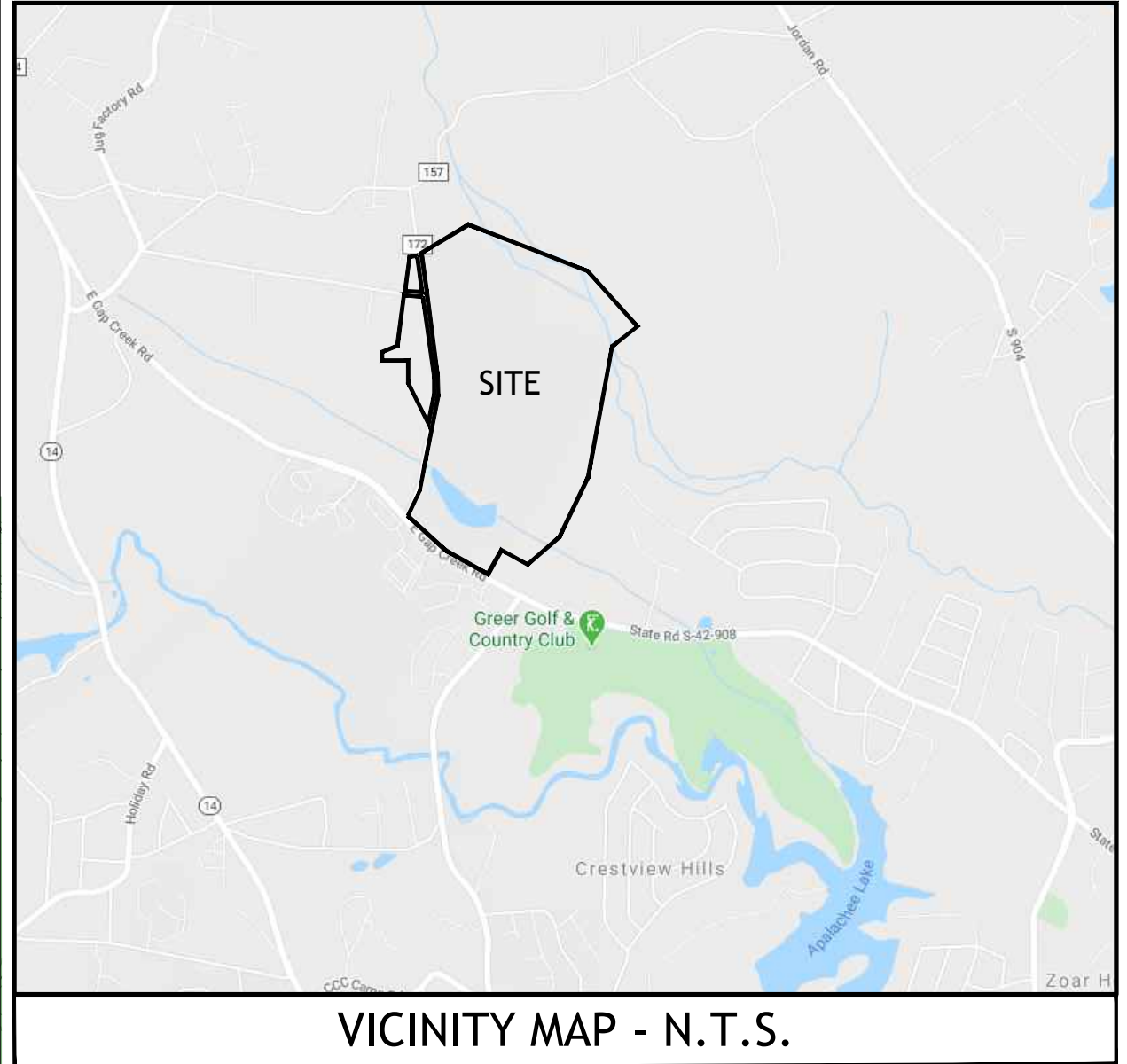
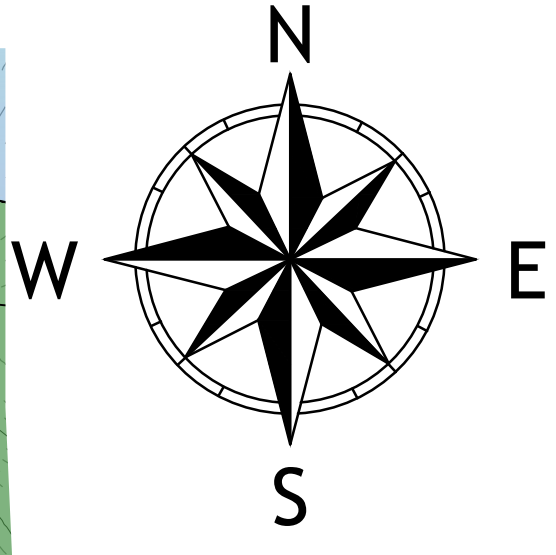
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NOTE:  
• WATER PROVIDED BY BLUE RIDGE RURAL WATER DISTRICT.  
• SEWER PROVIDED BY GREER CPW.



## SITE LEGEND

- ASPHALT PAVEMENT SECTION
- SIDEWALK
- PROPERTY LINE/R.O.W.
- PROPOSED BUILDING SETBACK LINE
- FLOODPLAIN
- PROPOSED R/W
- PROPOSED E.O.P.
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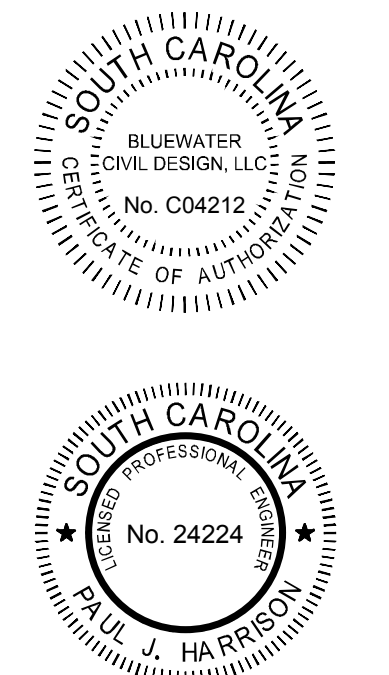
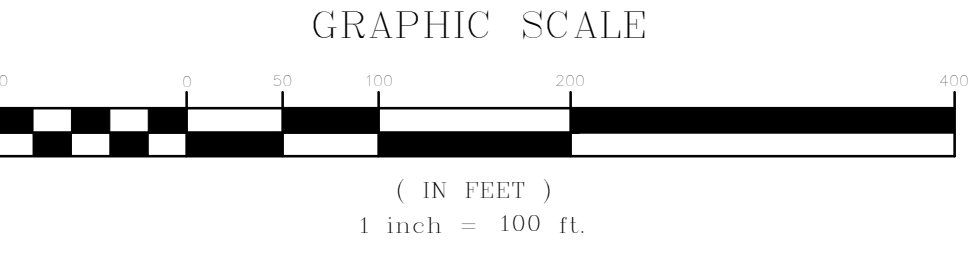
**OWNER**  
COMPANY: BLACKSTREAM DEVELOPMENT, LLC  
ADDRESS: 1325 MILLER ROAD, SUITE S  
GREENVILLE, SC 29615  
PHONE: 864-901-4078  
CONTACT: FORD ELLIOTT  
EMAIL: FORD.ELLIOTT@SYN.COM

**CIVIL ENGINEER**  
COMPANY: BLUEWATER CIVIL DESIGN, LLC  
ADDRESS: 718 LOWNDES HILL ROAD  
GREENVILLE, SC 29607  
PHONE: 864-735-5068  
CONTACT: PAUL HARRISON, P.E.  
EMAIL: PAUL@BLUEWATERCIVIL.COM

## PRELIMINARY DEVELOPMENT PLAN

### BROOKSIDE FARMS

Owner BlackStream Development, LLC Ford Elliot 1325 Miller Road, Suite S Greenville, SC 29615 864-901-4078	Engineer Bluewater Civil Design, LLC Paul J. Harrison, P.E. 718 Lowndes Hill Road Greenville, SC 29607 864-735-5068
Total Acreage: 237.17 Ac.	Existing Zoning: R-12 & C-2
Number of Lots: 638 Lots	New Roadway: 17,823.7 LF



PLAN REVISION	DATE	ISSUE	COMMENT
A	05/08/2020	Issued Preliminary Development Plan	
B	06/08/2020	Issued Preliminary Development Plan	





**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 4/20/2020

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

Tax Map Number(s) 0618010100600, 0536010104800, 0536010104900, 0536010105704

Property Address(s) Gap Creek Road at N Howell Road

Acreage of Properties +/- 237.17 acres County Greenville (City of Greer)

**Applicant Information**

Name BlackStream Development, LLC  
Address 1325 Miller Road, Suite S  
Greenville, SC 29615  
Contact Number 864-901-4078  
Email ford.elliott@svn.com or  
josh.howard@svn.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Bruce S. Michael  
Address P.O. Box 1734, Greer,  
SC 29652  
Contact Number 864-583-2700  
Email bruceeq1@aol.com

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 R-12/C2 to DRD.

Existing Use: Agricultural Vacant

Proposed Use: Single-Family Residential Development

Signature(s) *[Signature]*  
S. Michael / B. C. L. E.

All zoning classifications, permitted uses and fees are available at [www.cityofgreer.org](http://www.cityofgreer.org)

**OFFICE USE ONLY**

Date Filed                     

Case No.                     

Meeting Date                     

See Reverse

**Complete the section below if multiple property owners**

Name	Gap Creek LLC
Address	34 Sovern Dr, Greenville, SC 29607
Contact Number	864-237-7646
Signature	<div><div>DocuSigned by:</div><div>D72FE1B621A14C1...</div></div>

Name	
Address	
Contact Number	
Signature	

Name	
Address	
Contact Number	
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Signature	

**ZONING REPORT**  
**STAFF REPORT TO THE GREER PLANNING COMMISSION**  
**MONDAY, JUNE 22, 2020**

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**DOCKET:** **RZ 20-40**

**APPLICANT:** Blackstream Development

**PROPERTY LOCATION:** **Gap Creek Rd and N. Howell Rd**

**TAX MAP NUMBER:** 0618010100600, 0536010104800, 4900 & 0536010105704

**EXISTING ZONING:** R-12, Single-family Residential and C-2 Commercial

**REQUEST:** **Rezone to DRD, Design Review District**

**SIZE:** 237.17 acres

**COMPREHENSIVE PLAN:** Residential Land Use 3 and Community Center near Public Land Use

**ANALYSIS:** **RZ 20-40**

**RZ 20-40** is a rezoning request for four parcels located along Gap Creek Rd and N. Howell Rd. The request is to rezone the properties from R-12, Single-family Residential and C-2, Commercial to DRD, Design Review District for a future subdivision. The parcels were originally annexed and zoned in 2000.

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% nonresidential.

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 rezoning 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. Martin made a motion to approve RZ 20-40. Mr. Lavender seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.**



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 31-2020**

**Summary:**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

**Executive Summary:**

Ordinance 31-2020 is a rezoning request to rezone a parcel located at 551 Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-family Residential with the intent to build an apartment complex. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.  
Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
▣ Cover Memo	7/8/2020	Cover Memo
▣ Ordinance Number 31-2020	7/8/2020	Ordinance
▣ Ord 31-2020 Exhibit A Map	7/8/2020	Exhibit
▣ Ord 31-2020 Rezoning Application	7/8/2020	Backup Material
▣ Ord 31-2020 Planning Commission Minutes	7/8/2020	Backup Material

# Memorandum

**To:** Mr. Driggers, City Administrator

**From:** Brandon McMahan, Planner

**Subject:** Ordinance 31-2020

**Date:** June 25, 2020

**CC:** Tammy Duncan, City Clerk

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Ordinance 31-2020 is a rezoning request to rezone a parcel located at 551 Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-family Residential with the intent to build an apartment complex.

The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.

## **ORDINANCE NUMBER 31-2020**

### **AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Mary Green located at 551 Abner Creek Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.01 containing approximately 18.00 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to RM-1 (Residential Multi-Family District).

3. The proposed use is in keeping with the general character of the surrounding property.

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

The zoning classification of property located at 551 Abner Creek Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.01 containing approximately 18.0 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

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Tammela Duncan, Municipal Clerk

Introduced by:

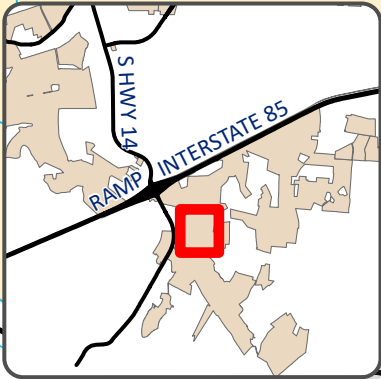
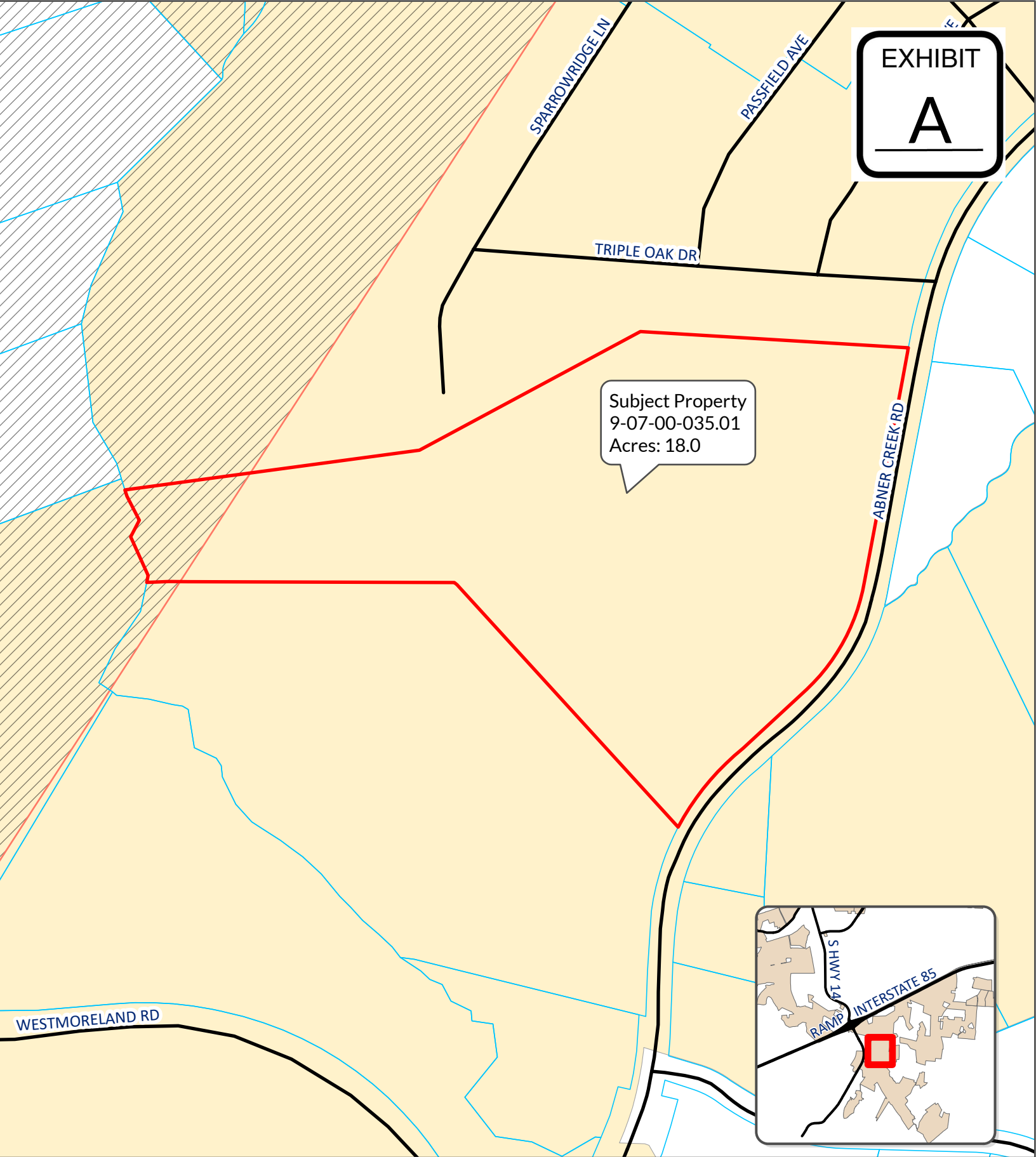
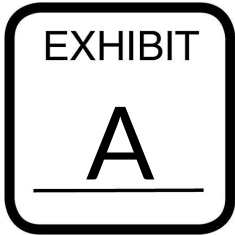
First Reading: July 14, 2020

Second and  
Final Reading: July 28, 2020

Approved as to Form:

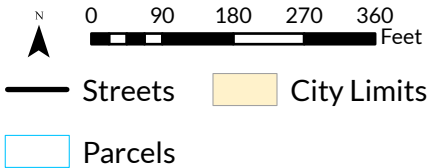
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John B. Duggan, Esquire  
City Attorney



# Ordinance 31-2020

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**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 5/11/2020

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

Tax Map Number(s) 9-07-00-035.01

Property Address(s) 551 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 17.34 acres County Spartanburg County

**Applicant Information**

Name Hunter Gibson  
Address 10 S. Academy Street, Ste 360  
Greenville, SC 29601  
Contact Number 864-915-2622  
Email hgibson@standcap.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Mary D. Green  
Address 551 Abner Creek Road  
Greer, SC 29651  
Contact Number 864-877-2828  
Email marydgreen3@aol.com

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 R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) Mary D. Green

*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](http://www.cityofgreer.org)**

**OFFICE USE ONLY**

Date Filed                     

Case No.                     

Meeting Date                     

**See Reverse**



**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 05/11/2020

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

Tax Map Number(s) 9-07-00-035.02

Property Address(s) 531 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 14.31

County Spartanburg County

**Applicant Information**

Name Hunter Gibson

Address 10 S. Academy Street, Ste 360  
Greenville, SC 29601

Contact Number 864-915-2622

Email hgibson@standcap.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Ben P. Dillard, III

Address 531 Abner Creek Road  
Greer, SC 29651

Contact Number 864-325-8597

Email BENDILLARD@BYPARTER.COM

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 R12 to R-M1.

Existing Use: Single-family residential

Proposed Use: Multi-family residential

Signature(s) Ben P. Dillard III

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](http://www.cityofgreer.org)

**OFFICE USE ONLY**

Date Filed                     

Case No.                     

Meeting Date                     

See Reverse



**ZONING REPORT**  
**STAFF REPORT TO THE GREER PLANNING COMMISSION**  
**MONDAY, JUNE 22, 2020**

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**DOCKET:** RZ 20-39

**APPLICANT:** Mary Green

**PROPERTY LOCATION:** 551 Abner Creek Rd

**TAX MAP NUMBER:** 9-07-00-035.01

**EXISTING ZONING:** R-12, Single-family Residential

**REQUEST:** Rezone to R-M1, Multi-family Residential

**SIZE:** 18 acres

**COMPREHENSIVE PLAN:** Employment Center Community

**ANALYSIS:** RZ 20-39

RZ 20-39 is a rezoning request for a parcel located at 551 Abner Creek Rd. The request is to rezone the parcel from R-12, Single Family Residential to R-M1, Multi-Family Residential. The property was annexed and zoned to R-12, Single Family Residential back in 1995 and a portion of the parcel was going to be apart of a future subdivision development that was known as Dillard Grove Villas. The developer of this project had issues with hitting rock and abandoned the project. Roughly 10 acres of this property will be combined with the property to the south for a future proposed multi-family project.

Surrounding land uses and zoning include:

North: DRD, Design Review District – The Ledges (Multi-family single-story apartments)  
East: R-15, Single-family Residential, R-S, Residential Suburban - Occupied (City of Greer) and Unzoned - Occupied (Spartanburg County)  
South: R-12 & R-15, Single-family Residential and C-3, Commercial – Vacant (City of Greer)  
West: C-2, Commercial District – Vacant (City of Greer) and Unzoned – Outside Inn and GOS (Spartanburg County)

The land use map in the Comprehensive Plan defines the area surrounding this property as being located within an Employment Center, these centers serve as locations for employment in the community. The types of employment centers can range from retail uses to manufacturing uses. The intent of these centers is to provide employment opportunities for city residents as well as for people who may commute to these locations for work. Employment centers can also range in scale from single use buildings to large mixed use buildings to multiple-building complexes possibly containing office, commercial, service, warehousing and industrial uses. In addition to providing employment and shopping opportunities, employment centers can also include living possibilities as well. Supportive uses such as recreational, educational, and other public uses can be found in employment centers as well. Therefore most of the city's zoning district allowed land uses are permitted. Design standards may come into play when typical incompatible land uses are in close proximity to one another. The land use balance is about 10% residential and 90% nonresidential.

In accordance with the guidelines set forth in this plan and after a detailed study of the area, Staff can support the proposed rezoning request.

**STAFF RECOMMENDATION: Approval**

**ACTION – Mr. Lavender made a motion to approve RZ 20-39. Ms. Jones seconded the motion. The**

motion carried with a vote of 6 to 0. The motion passed.



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 32-2020**

**Summary:**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

**Executive Summary:**

Ordinance 32-2020 is a rezoning request to rezone a parcel located at 551 Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-Family Residential with the intent to build an apartment complex. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request. Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ Cover Memo	7/8/2020	Cover Memo
❑ Ordinance Number 32-2020	7/8/2020	Ordinance
❑ Ord 32-2020 Exhibit A Map	7/8/2020	Exhibit
❑ Ord 32-2020 Rezoning Application	7/8/2020	Backup Material
❑ Ord 32-2020 Planning Commission Minutes	7/8/2020	Backup Material

# Memorandum

**To:** Mr. Driggers, City Administrator

**From:** Brandon McMahan, Planner

**Subject:** Ordinance 32-2020

**Date:** June 25, 2020

**CC:** Tammy Duncan, City Clerk

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Ordinance 32-2020 is a rezoning request to rezone a parcel located at 551 Abner Creek Rd. The owner is requesting a rezoning from R-12, Single Family Residential to R-M1, Multi-Family Residential with the intent to build an apartment complex.

The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.

## **ORDINANCE NUMBER 32-2020**

### **AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Ben Dillard located at 531 Abner Creek Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.02 containing approximately 14.73 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to RM-1 (Residential Multi-Family District).

3. The proposed use is in keeping with the general character of the surrounding property.

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

The zoning classification of property located at 531 Abner Creek Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.02 containing approximately 14.73 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by:

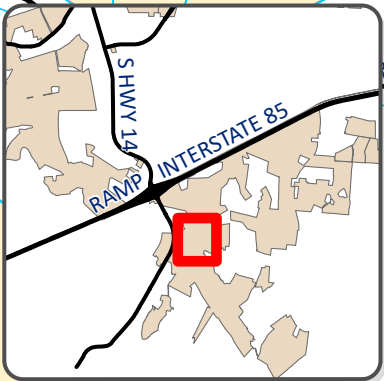
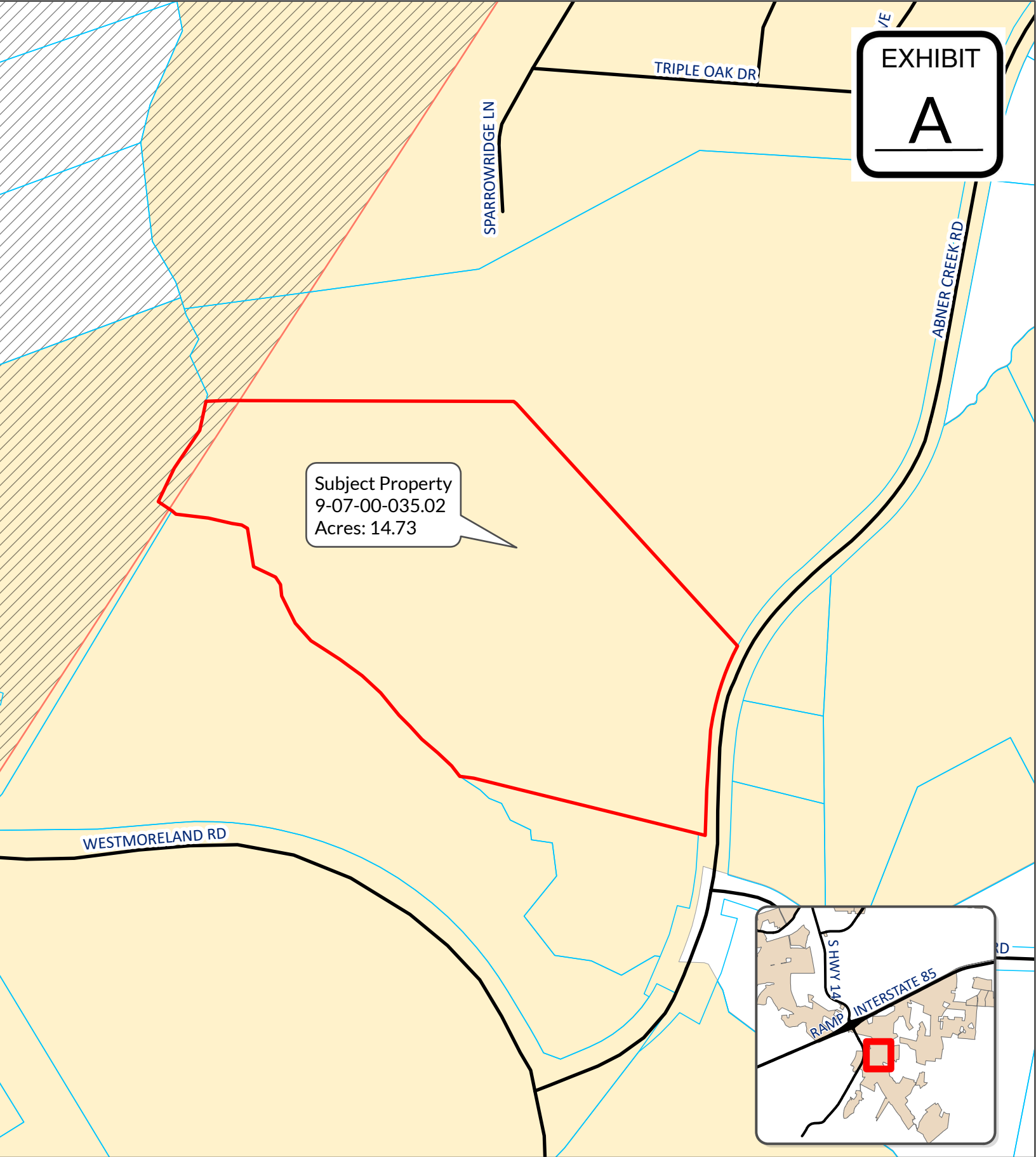
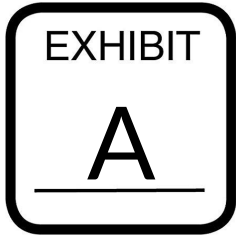
First Reading: July 14, 2020

Second and  
Final Reading: July 28, 2020

Approved as to Form:

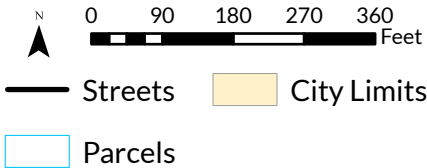
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John B. Duggan, Esquire  
City Attorney



# Ordinance 32-2020

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**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 5/11/2020

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

Tax Map Number(s) 9-07-00-035.01

Property Address(s) 551 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 17.34 acres County Spartanburg County

**Applicant Information**

Name Hunter Gibson  
Address 10 S. Academy Street, Ste 360  
Greenville, SC 29601  
Contact Number 864-915-2622  
Email hgibson@standcap.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Mary D. Green  
Address 551 Abner Creek Road  
Greer, SC 29651  
Contact Number 864-877-2828  
Email marydgreen3@aol.com

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 R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) Mary D. Green

*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](http://www.cityofgreer.org)**

**OFFICE USE ONLY**

Date Filed                     

Case No.                     

Meeting Date                     

**See Reverse**





**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 05/11/2020

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

Tax Map Number(s) 9-07-00-035.02

Property Address(s) 531 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 14.31

County Spartanburg County

**Applicant Information**

Name Hunter Gibson

Address 10 S. Academy Street, Ste 360  
Greenville, SC 29601

Contact Number 864-915-2622

Email hgibson@standcap.com

**Property Owner Information**

*(If multiple owners, see back of sheet)*

Name Ben P. Dillard, III

Address 531 Abner Creek Road  
Greer, SC 29651

Contact Number 864-325-8597

Email BENDILLARD@BYPARTER.COM

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 R12 to R-M1.

Existing Use: Single-family residential

Proposed Use: Multi-family residential

Signature(s) Ben P. Dillard III

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](http://www.cityofgreer.org)

**OFFICE USE ONLY**

Date Filed                     

Case No.                     

Meeting Date                     

See Reverse

**ZONING REPORT**  
**STAFF REPORT TO THE GREER PLANNING COMMISSION**  
**MONDAY, JUNE 22, 2020**

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**DOCKET:** RZ 20-38

**APPLICANT:** Ben Dillard

**PROPERTY LOCATION:** 531 Abner Creek Rd

**TAX MAP NUMBER:** 9-07-00-035.02

**EXISTING ZONING:** R-12, Single-family Residential

**REQUEST:** Rezone to R-M1, Multi-family Residential

**SIZE:** 14.73 acres

**COMPREHENSIVE PLAN:** Employment Center Community

**ANALYSIS:** RZ 20-38

RZ 20-38 is a rezoning request for a parcel located at 531 Abner Creek Rd. The request is to rezone the parcel from R-12, Single Family Residential to R-M1, Multi-Family Residential. The property was rezoned to R-12, Single Family Residential in 2019 and going to be combined with a portion of the property to the north for a future subdivision development that was known as Dillard Grove Villas. The developer of this project had issues with hitting rock and abandoned the project. This property is being proposed to be combined with property to the north for a future proposed multi-family project.

Surrounding land uses and zoning include:

North: R-12, Single Family Residential (proposed rezoning to R-M1) and DRD, Design Review District – The Ledges (Multi-Family single story apartments)

East: R-15, Single Family Residential, R-S, Residential Suburban - Occupied (City of Greer) and Unzoned - Occupied-Spartanburg County

South: R-15, Single Family Residential and C-3, Commercial – Village at Pelham (City of Greer)

West: C-2, Commercial District – Vacant (City of Greer) and Unzoned –Outside Inn and GOS (Spartanburg County)

The land use map in the Comprehensive Plan defines the area surrounding this property as being located within an Employment Center, these centers serve as locations for employment in the community. The types of employment centers can range from retail uses to manufacturing uses. The intent of these centers is to provide employment opportunities for city residents as well as for people who may commute to these locations for work. Employment centers can also range in scale from single use buildings to large mixed use buildings to multiple-building complexes possibly containing office, commercial, service, warehousing and industrial uses. In addition to providing employment and shopping opportunities, employment centers can also include living possibilities as well. Supportive uses such as recreational, educational, and other public uses can be found in employment centers as well. Therefore most of the city's zoning district allowed land uses are permitted. Design standards may come into play when typical incompatible land uses are in close proximity to one another. The land use balance is about 10% residential and 90% nonresidential.

In accordance with the guidelines set forth in this plan and after a detailed study of the area, Staff can support the proposed rezoning request.

**STAFF RECOMMENDATION: Approval**

**ACTION** – Mr. Lavender made a motion to approve RZ 20-38. Mr. Jones seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 33-2020**

**Summary:**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY DEANNA ROGERS LOCATED AT 2924 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT). (Action Required)

**Executive Summary:**

Ordinance 33-2020 is a rezoning request to rezone a parcel located at 2924 Brushy Creek Rd. The owner is requesting a rezoning from DRD, Design Review District, to R-12, Single Family Residential with the purpose of building a single family home. The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.  
Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ Cover Memo	7/8/2020	Cover Memo
❑ Ordinance Number 33-2020	7/8/2020	Ordinance
❑ Ord 33-2020 Exhibit A Map	7/8/2020	Exhibit
❑ Ord 33-2020 Zoning Application	7/8/2020	Backup Material
❑ Ord 33-2020 Planning Commission Minutes	7/8/2020	Backup Material

# Memorandum

**To:** Mr. Driggers, City Administrator

**From:** Brandon McMahan, Planner

**Subject:** Ordinance 33-2020

**Date:** June 25, 2020

**CC:** Tammy Duncan, City Clerk

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Ordinance 33-2020 is a rezoning request to rezone a parcel located at 2924 Brushy Creek Rd. The owner is requesting a rezoning from DRD, Design Review District, to R-12, Single Family Residential with the purpose of building a single family home.

The Planning Commission conducted a public hearing on June 22, 2020 for the rezoning of this parcel. The Planning Commission recommended to approve this request.

**ORDINANCE NUMBER 33-2020**

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY DEANNA ROGERS LOCATED AT 2924 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT).**

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Deanna Rogers located at 2924 Brushy Creek Road and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number T035000101314 containing approximately 2.01 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from DRD (Design Review District) to R-12 (Single Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to R-12 (Single Family Residential District).

3. The proposed use is in keeping with the general character of the surrounding property.

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

The zoning classification of property located at 2924 Brushy Creek Road more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Number T035000101314 containing approximately 2.01 +/- acres attached hereto marked as Exhibit A shall be changed from DRD (Design Review District) to R-12 (Single Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

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Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: July 14, 2020

Second and  
Final Reading: July 28, 2020

Approved as to Form:

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John B. Duggan, Esquire  
City Attorney

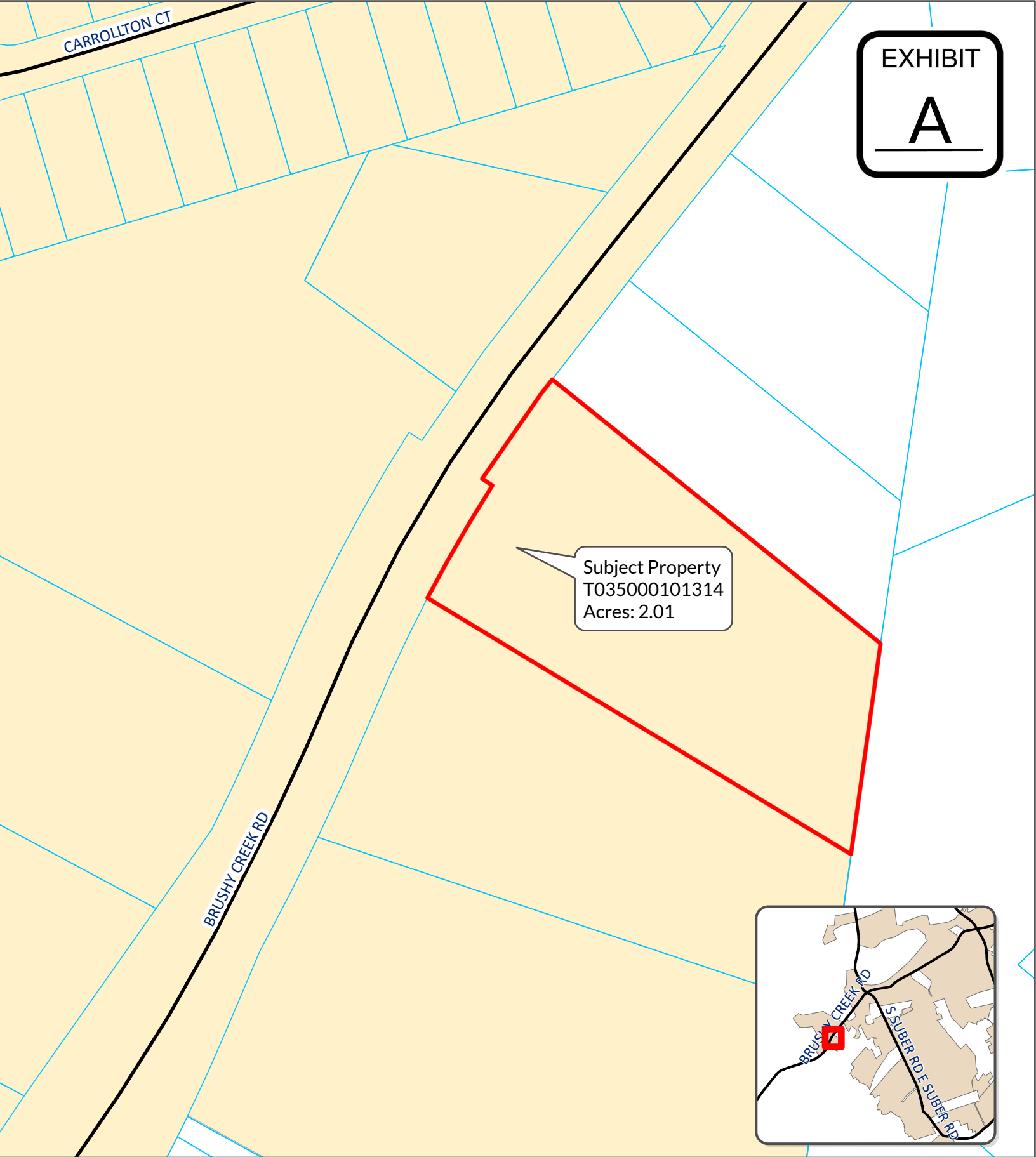
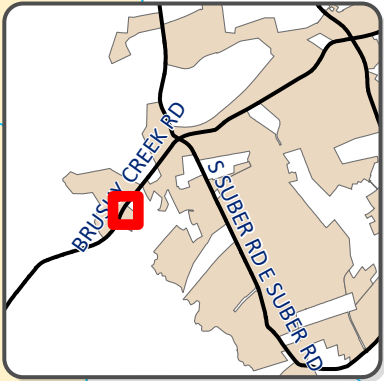



EXHIBIT  
A





# Ordinance 33-2020


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.



04080120160  
Feet

 Streets

 City Limits

 Parcels





**ZONING MAP AMENDMENT APPLICATION**  
**(ZONING & REZONING)**

Date 5/27/20

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

Tax Map Number(s) T0350001013.14  
Property Address(s) 2924 Brushy Creek Road  
Acreage of Properties 2.01 County Greenville

**Applicant Information**

Name Deanna Rogers  
Address 409 Beckworth Dr.  
Taylors SC 29687  
Contact Number 864-630-5497  
Email DRCLASSYKIDS@gmail.com

**Property Owner Information**

(If multiple owners, see back of sheet)

Name Deanna Rogers  
Address 409 Beckworth Dr  
Taylors S.C. 29687  
Contact Number 864-630-5497  
Email DRCLASSYKIDS@gmail.com

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 ☒

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from DRD to R-12.

Existing Use: Vacant Land Proposed Use: Residential Home

Signature(s) [Signature]

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](http://www.cityofgreer.org)

**OFFICE USE ONLY**

Date Filed \_\_\_\_\_

Case No. \_\_\_\_\_

Meeting Date \_\_\_\_\_

See Reverse

**ZONING REPORT**  
**STAFF REPORT TO THE GREER PLANNING COMMISSION**  
**MONDAY, JUNE 22, 2020**

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**DOCKET:** RZ 20-42

**APPLICANT:** Upstate Custom Builders – Deanna Rogers

**PROPERTY LOCATION:** 2924 Brushy Creek Rd

**TAX MAP NUMBER:** T035000101314

**EXISTING ZONING:** DRD, Design Review District

**REQUEST:** Rezone to R-12, Single Family Residential

**SIZE:** 2.01 acres

**COMPREHENSIVE PLAN:** Residential Land Use 2 Community along a Neighborhood Corridor

**ANALYSIS:** **RZ 20-42**

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**RZ 20-42** is a rezoning request for a parcel located at 2924 Brushy Creek Rd. The request is to rezone the parcel from DRD, Design Review District to R-12, Single Family Residential. The property was annexed and zoned to DRD, Design Review District back in 2016 for a subdivision development. The property has since been sold and the applicant is wishing to build a single-family residence on the property.

Surrounding land uses and zoning include:

North: Single-family (Greenville County)  
East: R-S, Residential Suburban (Greenville County) - Vacant  
South: DRD, Design Review District – Single Family Residence (City of Greer)  
West: R-12, Single Family Residence – (City of Greer) – Paxton Meadows Subdivision

The land use map in the Comprehensive Plan defines the area surrounding this property as a Residential Land Use 2 Community, which is where a large majority of the community residential areas will have this category. This property is located along a Neighborhood Corridor, which is residential in form and function but allows for some limited non-residential use. Land uses identified within the neighborhood corridor are equivalent to uses allowed in medium and higher residential zoning classification, O-D, and C-2. The land use balance is about 70% residential and 30% non-residential.

In accordance with the guidelines set forth in this plan and after a detailed study of the area, Staff can support the proposed rezoning request.

**STAFF RECOMMENDATION: Approval**

**ACTION** – Mr. Martin made a motion to approve RZ 20-42. Ms. Jones seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 34-2020**

**Summary:**

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY. (Action Required)

**Executive Summary:**

Ordinance #34-2020 is an annexation and zoning request for property located 1111 Poplar Dr Ext in Spartanburg County. The parcel for annexation consists of five acres. The property is proposed for residential development with an R-5, Garden Court or Patio Home zoning. The Planning Commission will conduct a public hearing on July 20, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
❑ Cover Memo	7/8/2020	Cover Memo
❑ Ordinance Number 34-2020	7/8/2020	Ordinance
❑ Ord 34-2020 Exhibit A Deed	7/8/2020	Exhibit
❑ Ord 34-2020 Exhibit B Plat	7/8/2020	Exhibit
❑ Ord 34-2020 Exhibit C Map	7/9/2020	Exhibit
❑ Ord 34-2020 Exhibit D Flood Map	7/8/2020	Exhibit
❑ Ord 34-2020 Petition for Annexation	7/8/2020	Backup Material

# Memorandum

**To:** Mr. Ed Driggers, City Administrator

**From:** Brandon McMahan, Planner

**Subject:** Ordinance #34-2020

**Date:** June 25, 2020

**CC:** Tammy Duncan, Clerk to City Council

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Ordinance #34-2020 is an annexation and zoning request for property located 1111 Poplar Dr Ext in Spartanburg County. The parcel for annexation consists of five acres. The property is proposed for residential development with an R-5, Garden Court or Patio Home zoning.

The Planning Commission will conduct a public hearing on July 20, 2020 for the zoning of this parcel.

**ORDINANCE NUMBER 34-2020**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY.**

**WHEREAS**, Red Dragonfly LLC is the sole owner of property located at 1111 Poplar Drive Extension 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 Spartanburg County Parcel Number 9-05-01-004.02 containing approximately 5. +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0211D attached hereto marked as Exhibit D; and,

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

**WHEREAS**, Red Dragonfly LLC has petitioned the City of Greer to annex its 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 owners have requested that the subject property be zoned R-5 (Garden Court or Patio Home 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 5.0 acres +/- property shown in red on the attached map owned by the Red Dragonfly LLC located at 1111 Poplar Drive Extension as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-05-01-004.02 is hereby annexed into the corporate city limits of the City of Greer.

2. ANNEXATION OF 524.73 FEET OF POPLAR DRIVE EXTENSION: 524.73 feet of Poplar Drive Extension roadway along the edge of the annexed property owned by Red Dragonfly LLC 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 R-5 (Garden Court or Patio Home 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 2 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 45083C0211D.

6. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #1.

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

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Richard W. Danner, Mayor

**ATTEST:**

---

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading:            July 14, 2020

Second and  
Final Reading:            July 28, 2020

**APPROVED AS TO FORM:**

---

John B. Duggan, Esquire  
City Attorney

EXHIBIT

A

YOUNTS, ALFORD, BROWN & GOODSON  
P.O. BOX 549  
FOUNTAIN INN, SC 29644

95-N PG

DEE-2010-4084  
Recorded 5 Pages on 2/4/2010 12:03:47 PM  
Recording Fee \$10.00 Documentary Stamps: \$0.00  
Office of Register of Deeds, Spartanburg, S.C.  
Stephen Ford, Register



**GRANTEES ADDRESS:**

213 High Valley Blvd.  
Greenville, SC 29605

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

**GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that JANNA SEGREST aka JANNA L. SEGREST

in consideration of --ONE DOLLARS AND NO/100---(\$1.00) AND PROPERTY TRANSFER  
TO LLC.

the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by  
these presents to grant, bargain, sell and release unto:

**RED DRAGONFLY, LLC, its successors and assigns, forever:**

\*\*\*\* See attached Exhibit "A" \*\*\*\*

Tax Map #: 9-05-01-004.02

WE HAVE NOT EXAMINED THE  
COURTHOUSE RECORDS NOR IS  
THIS TITLE CERTIFIED.  
YOUNTS, ALFORD, BROWN, & GOODSON

THIS CONVEYANCE IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS,  
RESTRICTIONS, RESERVATIONS, OR ZONING ORDINANCES THAT MAY APPEAR OF  
RECORD, ON THE RECORDED PLAT(S), OR ON THE PREMISES.



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(s), and the grantee's(s), heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the Grantor's(s) heirs or successor, executor and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and grantee's(s) heirs or successors and against every person owning, holding or claiming by, through or under Grantor.

WITNESS the grantor's(s) hand(s) and seal(s) this 26 day of January, 2010.

SIGNED, sealed and delivered in the presence of:

[Signature]  
witness # 1

[Signature]  
JANNA L. SEGREST  
aka JANNA SEGREST

Shirley A. Caulder  
witness # 2

STATE OF SOUTH CAROLINA ) PROBATE  
COUNTY OF GREENVILLE )

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

SWORN to before me this 26 day of January, 2010.

Shirley A. Caulder  
NOTARY PUBLIC FOR S. C.

[Signature]  
witness # 1

MY COMMISSION EXPIRES: May 23, 2016

WE HAVE NOT EXAMINED THE  
COURTHOUSE RECORDS NOR IS  
THIS TITLE CERTIFIED.  
YOUNTS, ALFORD, BROWN, & GOODSON

## \*\*\*\*Exhibit – "A" \*\*\*\*

ALL that certain piece, parcel or lot of land situated, lying and being in the County of Spartanburg and the County of Greenville, State of South Carolina, on the eastern side of Poplar Drive, and being known and designated as 5.00 acres, more or less, as shown on a survey made for "JANNA SEGREST", prepared by Langford Land Surveying, dated June 16, 2003, and recorded in the Register of Deeds Office for Spartanburg County, SC in Plat Book 154, at Page 495, and having the metes and bounds, courses and distances, as will appear by reference to the aforementioned plat. Also see plat recorded in ROD for Greenville County, SC in Plat Book , Page 66.

47-0

This property is located partly in Spartanburg County and located partly in Greenville County. Duplicate Deeds are being executed and simultaneously recorded in both counties.

THIS being the same property conveyed to JANNA SEGREST by Deed from Anna Lee Casey Thompson dated July 15, 2003 and recorded in the Register of Deeds Office for Spartanburg County, SC in Deed Book 78-H, at Page 402 on July 21, 2003. Also, see Deed recorded in ROD for Greenville County in Book 2058, Page 606 on 10/3/03.

YOUNTS, ALFORD, BROWN & GOODSON  
P.O. BOX 549  
FOUNTAIN INN, SC 29644  
STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

95-N PG021

AFFIDAVIT FOR EXEMPT TRANSFERS

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

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at 5.0 acres Poplar Drive, bearing Spartanburg County Tax Map Number 9-05-01-004.02, was transferred by Janna Segrest aka Janna L. Segrest to Red Dragonfly, LLC on 1/26/10.

3. The deed is exempt from the deed recording fee because (See Information section of affidavit):

Item 4: No gain or loss, transfer to LLC OR

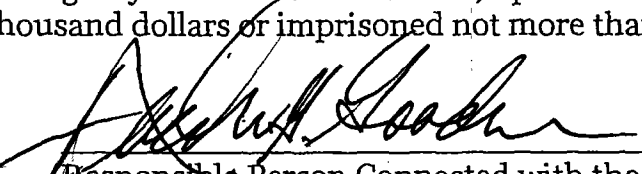
Item 8: Transfer to LLC, no gain or loss.

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes      or No     

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

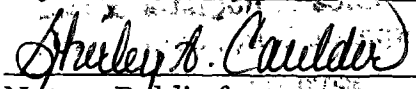
Attorney

5. 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

ANDREW G. GOODSON  
Print or Type Name Here

SWORN to before me this 26  
day of January, 2010

  
Notary Public for S.C.

My Commission Expires: May 23, 2016

YOUNTS, ALFORD, BROWN & GOODSON  
P.O. BOX 549  
FOUNTAIN INN, SC 29644

**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. In 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.

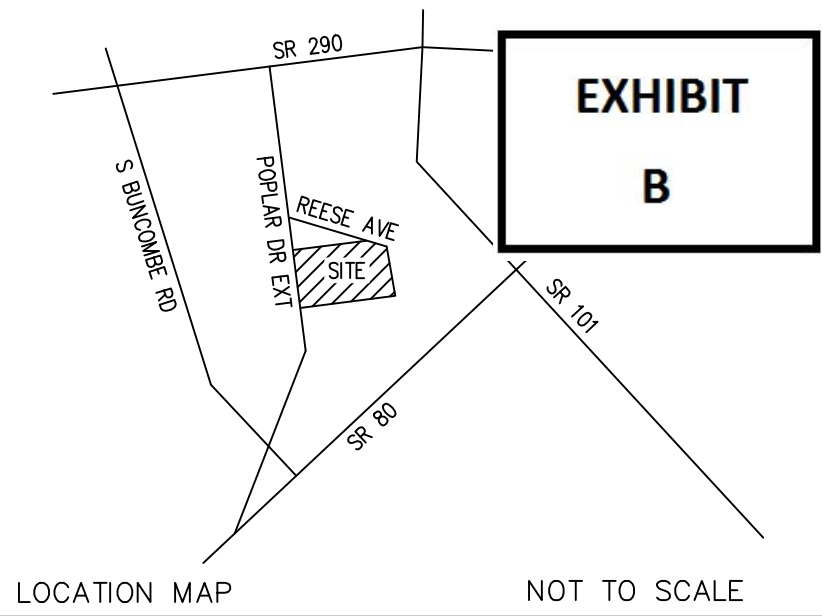
**Exempted from the fee are deeds:**

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (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 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; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title 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) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
- (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.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

**Office of Register of Deeds  
Spartanburg, South Carolina**

Recorded in DEED  
Book 95-N Page 18  
*Dorothy Earle*  
**Register of Deeds,  
Spartanburg, South Carolina**

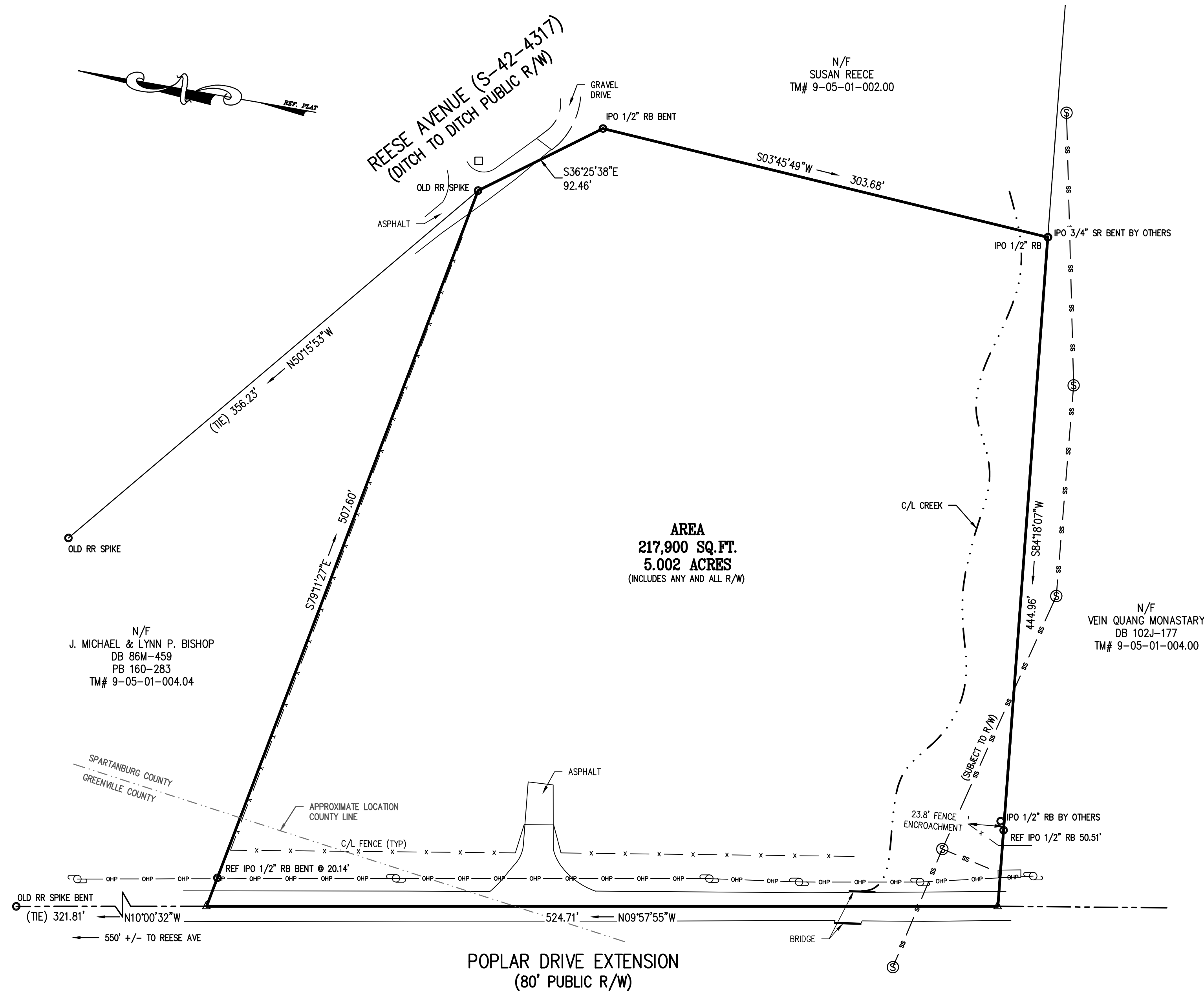
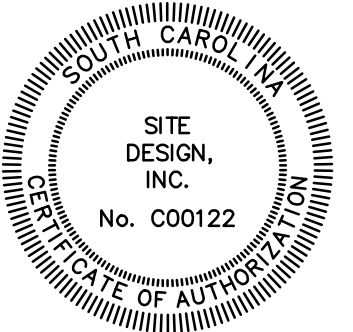
NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN 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 VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

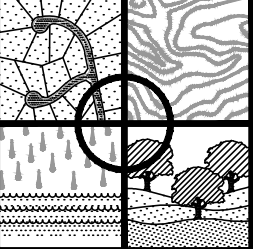
REF. DEED: DB 95-N, PG 18  
REF. PLAT: PB 154, PG 495; PB 47-O, PG 66

MACK L. CHAPMAN, JR., P.L.S.  
S.C. REG. NO. 10034

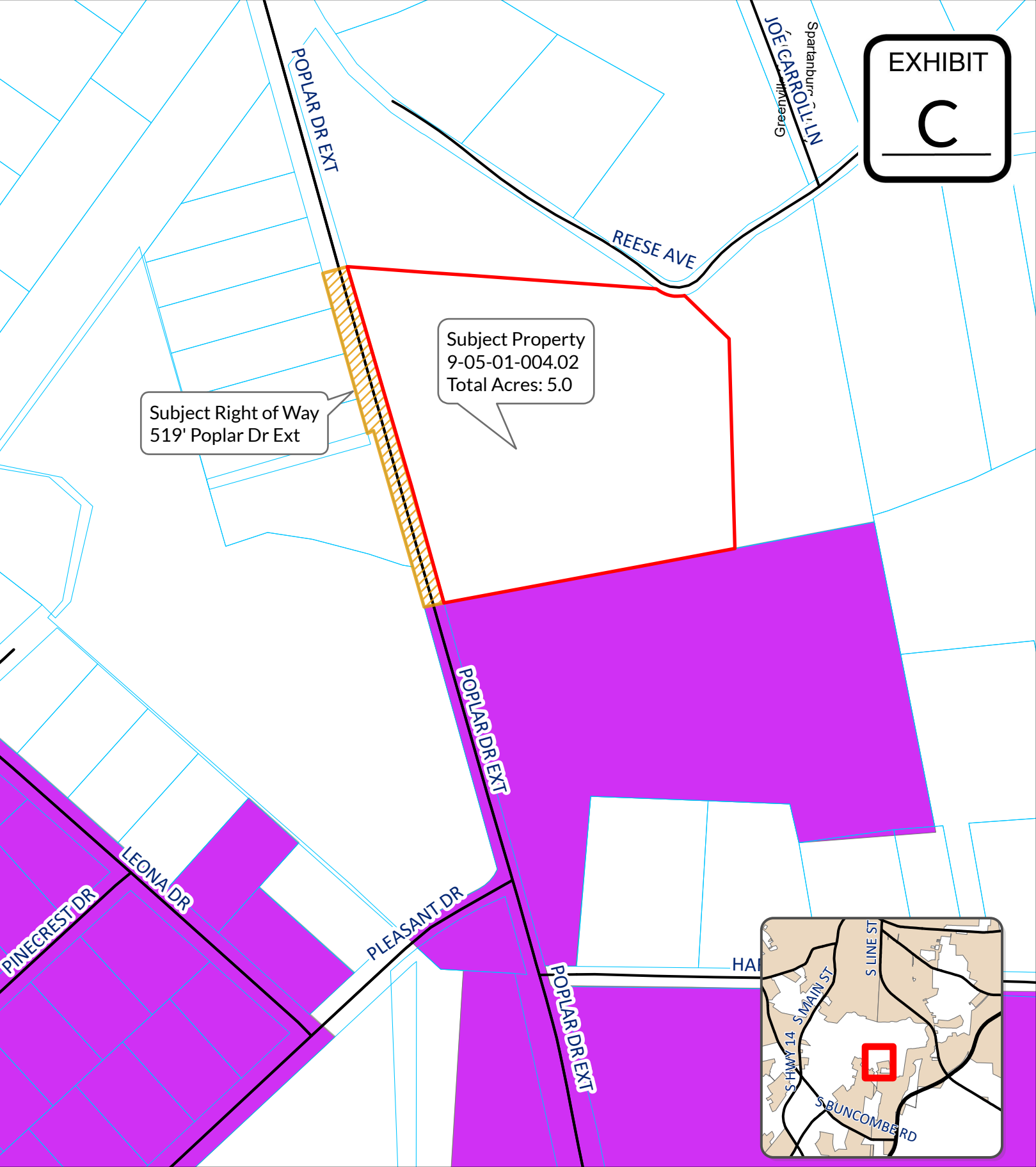


LEGEND			
BL	BUILDING LINE	CATV	CABLE TV PEDESTAL
CL	CENTERLINE	TEL	TELEPHONE PEDESTAL
CMP	CORRUGATED METAL PIPE	EM	ELECTRIC METER
CT	CRIMP TOP	CB	CATCH BASIN
DE	DRAINAGE EASEMENT	DI	DROP INLET
EP	EDGE OF PAVEMENT	ET	ELEC TRANS
IPO	IRON PIN OLD	EH	ELEVATION
IPS	IRON PIN SET	FX	FIRE HYDRANT
N&C	NAIL & CAP	GM	GAS METER
OT	OPEN TOP	GV	GAS VALVE
RB	REBAR	LP	LIGHT POLE
RCP	REINFORCED CONC PIPE	PP	POWER POLE
R/W	RIGHT OF WAY	GP	GUY ANCHOR
SD	STORM DRAIN	SDMH	SD MANHOLE
SS	SANITARY SEWER	SSMH	SS MANHOLE
SSE	SS EASEMENT	TMH	TELEPHONE MANHOLE
		CO	CLEAN OUT
		TC/BC	TOP/BOTTOM CURB
		TW/BW	TOP/BOTTOM WALL
		VCP	VITRIFIED CLAY PIPE
		WM	WATER METER
		WV	WATER VALVE
		CTV	CABLE TV
		X	FENCE LINE
		FOC	FIBER OPTIC CABLE
		GAS	GAS LINE
		OHP	OVERHEAD POWER
		OHT	OVERHEAD TELEPHONE
		SD	STORM DRAIN
		SS	SANITARY SEWER
		UGP	UNDERGROUND POWER
		UGT	UNDERGROUND TEL
		W	WATER LINE

BOUNDARY SURVEY FOR			
IMG - POPLAR DRIVE EXTENSION			
SPARTANBURG COUNTY, SOUTH CAROLINA			
SCALE 1" = 50'	PROPERTY ADDRESS 1111 POPLAR DRIVE EXTENSION	TAX PIN 9-05-01-004.02	
DATE 6/24/20	50 0 50 100	FIELD CREW NJ/HF	DRAWN BY GCC



**SITE DESIGN, INC.**  
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS  
225 ROCKY CREEK ROAD, GREENVILLE, SC 29615  
PH: (864)271-0496  
www.sitedesign-inc.com

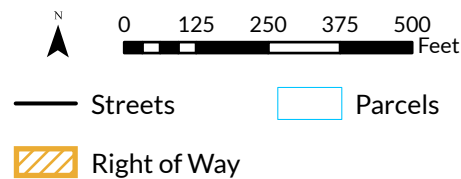


# Ordinance 34-2020

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.

## Council Districts

1	4
2	5
3	6



# EXHIBIT

## D

Flood insurance is available in the National Flood Insurance Program



MAP SCALE 1" = 500'



GREENEVILLE COUNTY

SPARTANBURG COUNTY

Maple Creek

BARRINGTON CIR

PINE RIDGE RD

RUBY ELIZABETH DR

REECE AVE

876

875

874

873

E

Spartanburg County  
Unincorporated Areas  
450176

ZONE X

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0211D

### FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,  
SOUTH CAROLINA  
AND INCORPORATED AREAS

PANEL 211 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0211	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
45083C0211D

EFFECTIVE DATE  
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



### 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 1111 Poplar Dr Ext Greer SC 29651 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 9-05-01-004.02 attached hereto marked as Exhibit C containing approximately 5 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 15 day of June, 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 R-5, Garden Court / Patio House

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 ☒ No

Print Name: Janna Segrest - Manager  
Signature: [Signature]  
Address: 4612 Moore Field Memorial Hwy, Pickens, SC  
Witness: \_\_\_\_\_  
Date: 6/17/2020  
Parcel Address: \_\_\_\_\_  
Tax Map Number: \_\_\_\_\_

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





**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First Reading of Ordinance Number 35-2020**

**Summary:**

AUTHORIZING A LEASE-PURCHASE AGREEMENT, SERIES 2020, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,057,103 RELATING TO THE FINANCING OF EQUIPMENT FOR MUNICIPAL PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER RELATED MATTERS (Action Required)

**Executive Summary:**

Presented by David Seifert, Chief Financial Officer

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
□ Ordinance Number 35-2020	7/8/2020	Ordinance

**ORDINANCE NUMBER 35-2020**

**AUTHORIZING A LEASE-PURCHASE AGREEMENT, SERIES 2020, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,057,103 RELATING TO THE FINANCING OF EQUIPMENT FOR MUNICIPAL PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER RELATED MATTERS**

**THE CITY COUNCIL (“COUNCIL”) OF THE CITY OF GREER, SOUTH CAROLINA (“CITY”), ORDAINS:**

Section 1. The City of Greer, South Carolina, finds:

- (a) the City is a body politic and corporate and a municipal corporation and possesses all powers granted to municipal corporations by the Constitution and general laws of South Carolina;
- (b) the City desires to enter a lease-purchase arrangement (“Lease”) to finance the purchase of equipment (“Equipment”) as more fully described on *Exhibit A* and *Exhibit B*, a copy of each of which is attached to this Ordinance; and
- (c) the City’s payments under the Lease are subject to annual appropriation by the Council.

Section 2. The Council authorizes the City Administrator, and his designees, to distribute a request for proposals to various financial institutions, determine the final principal amount (subject to the limit established in the City’s Budget Ordinance for Fiscal Year 2020-2021), the interest rate, and maturity date of the Lease, and to select a financial institution based on a variety of factors, as the City Administrator deems appropriate, all without further action required of the Council.

Section 3. The City intends to reimburse itself for any expenditures under IRS regulations according to *Exhibit C* of this Ordinance.

Section 4. The Council authorizes the Mayor, the City Administrator, the Chief Financial Officer, the City Attorney, and the City Clerk, acting jointly or individually, to execute and deliver the Lease and whatever other documents as are necessary to effect the execution and delivery of the Lease.

[ONE SIGNATURE PAGE AND THREE EXHIBITS FOLLOW]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]

## Richard W. Danner, Mayor

Michael E. Kozlarek, Esq.  
Kozlarek Law LLC

# **EXHIBIT A** **FIVE-YEAR EQUIPMENT LIST**

City of Greer  
Capital Equipment Fund  
Equipment Listing  
Lease Purchase, FY 6/30/20

	Administration Dept. 411	Mun. Court Dept. 412	Gen. Govt. Dept. 419	Fire Dept. Dept. 422	Police Dept. Dept. 435	Public Services Dept. 445	Recreation Dept. 450	Codes Dept. Dept. 451	Total
Appliances					2,000				2,000
Aerial Drone					23,600				23,600
Banners / Christmas Decorations							31,500		31,500
Cameras					48,010	22,500		2,500	73,010
Computers, Equipment, and Software	10,000	700	27,200	10,000	14,153	55,400	9,150	3,000	129,603
Fencing & Lighting							28,950		28,950
Fire Hoses & Adapters				15,000					15,000
Furniture & Furnishings, Fixtures & Equipment		11,000		1,700	24,700	8,000	68,500		113,900
Gas Pumps						79,000			79,000
HVAC						5,000	8,500		13,500
In-Car Computers/Modems					27,200				27,200
Medical Equipment				154,000					154,000
Mowers / Maintenance Equipment							253,000		253,000
Network Equipment			131,000						131,000
Portable Radios / Radio Equipment					147,688				147,688
Rescue Equipment				75,000					75,000
Security System			31,000						31,000
Shop Equipment						16,500			16,500
Signage					3,522				3,522
Snow Removal Equipment						8,000			8,000
Sports Equipment							5,800		5,800
Tractor						31,000			31,000
Training Props & Materials				17,000					17,000
Utility Vehicle							3,500		3,500
Vehicles and Equipment					364,000	131,500	64,900		560,400
Video Recording System					75,430				75,430
Weapons and Weapons Upgrades					7,000				7,000
	10,000	11,700	189,200	272,700	711,703	356,900	473,800	5,500	2,057,103

<u>Vehicles and Equipment</u>			
Dept. 435	364,000	8	Ford Interceptors and lights/sirens/equipment
Dept. 445	131,500	2	Dump Truck, Sanitation Trailer
Dept. 450	64,900	2	Explorer, F150 4x4
	560,400	12	

**EXHIBIT B**  
**TEN-YEAR EQUIPMENT LIST**

**NONE**

**EXHIBIT C**  
**REIMBURSEMENT FOR PROJECT EXPENSES**

The Internal Revenue Service and U.S. Treasury Department have promulgated Treasury Regulation, Section 1.150-2 (“Regulation”) that authorizes a political subdivision to reimburse itself for expenditures made with respect to projects prior to the issuance of tax-exempt obligations for those projects;

The Regulation requires the governing body of the political subdivision declare its official intent to reimburse an expenditure prior to the incurrence of the expenditure;

The City anticipates incurring expenditures related to Project as described in the Ordinance to which this Exhibit C is attached prior to the consummation of a federally tax-exempt financing for that purpose.

By adopting the Ordinance, with this Exhibit C, the Council declares its official intent to reimburse itself for any Project-related expenditures, incurred and paid on and after the date occurring 60 days prior to the date of this Ordinance’s enactment, from the proceeds of federally tax-exempt obligations.

The City understands that expenditures, for which the City may reimburse itself, are limited to expenditures, which are (a) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of “placed in service” under the Regulation) under general federal income tax principles; and (b) certain *de minimis* or preliminary expenditures satisfying the Regulation’s requirements.

The City anticipates the source of funds for the pre-borrowing, Project-related expenditures to be the City’s general fund, the City’s hospitality fund and accommodation fund, or one or more designated capital project funds.

To be eligible for reimbursement of the expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three years after the City made the original expenditures.

Category Number: XI.  
Item Number: J.



**AGENDA**  
**GREER CITY COUNCIL**  
7/14/2020

**First and Final Reading of Ordinance Number 36-2020**

**Summary:**

AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS  
IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO (Action Required)

**ATTACHMENTS:**

Description	Upload Date	Type
▣ Ordinance Number 36-2020	7/9/2020	Ordinance

## **ORDINANCE NUMBER 36-2020**

### **AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO**

WHEREAS, it is well recognized that SARS-CoV-2, the virus that causes the disease COVID-19, presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, on March 11, 2020, the World Health Organization declared a world-wide pandemic; and,

WHEREAS, on March 13, 2020, the President of the United States has declared a National Emergency for the United States and its territories in an effort to reduce the spread of the virus; and,

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina declared a state of emergency for the State of South Carolina; and,

WHEREAS, on March 24, 2020, the City Council declared a state of emergency for the City of Greer, (“City”); and,

WHEREAS, S.C. Code Ann. §5-7-250 empowers Council to enact emergency ordinances affecting life, health, safety, or property; and,

WHEREAS, COVID-19 has spread across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly risk of exposure and infection and creating an extreme public health risk; and,

WHEREAS, as of July 8, 2020, the total number of confirmed cases in South Carolina is approximately 48,770 and the number of confirmed deaths is 876; the number of reported cases in Greenville County is 6,435 and Spartanburg County is 2,157; and, the total number of estimated cases in Greenville County is 39,529 and in Spartanburg County is 13,250; and,

WHEREAS, the number of cases is growing rapidly and if COVID-19 continues to spread in the City, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and,



WHEREAS, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating consequences later; and,

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and SCDHEC advise the use of cloth face coverings to slow the spread of COVID-19; and,

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the City’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and,

WHEREAS, in order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the City is taking steps to try to protect the citizens and employees of the City from increased risk of exposure; and,

WHEREAS, in light of the foregoing, City Council deems it proper and necessary to adopt this Emergency Ordinance to require (a) patrons of grocery stores and pharmacies to wear face coverings while inside the store in light of the fact these establishments sell essential goods such that individuals do not have meaningful choice to decide not to shop there; and, (b) all employees of restaurants, bars, retail establishments, salons, beauty shops, barber shops, grocery stores, and pharmacies to wear face coverings at any time there is face to face interaction with the public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREER, SOUTH CAROLINA:

1. All persons entering a grocery store or pharmacy in the City must wear a face covering while inside the establishment. For purposes of this Ordinance, the term grocery store shall mean a retail establishment that primarily sells food, but may also sell other convenience and household goods; the term does not include a convenience store. The business shall not have responsibility for enforcing this requirement, but shall post conspicuous signage at all entrances informing its patrons of the requirements of this section.
2. All restaurants, retail stores, salons, beauty shops, barber shops, grocery stores, and pharmacies in the City must require their employees to wear a face covering at all times while having face to face interaction with the public.
3. Any person who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
4. A person who fails to comply with Section 1 of this Ordinance shall be guilty of a civil infraction, punishable by a fine or not more than \$25.00.
5. A person who fails to comply with Section 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day

of a continuing violation of this Ordinance shall be considered a separate and distinct offense. In addition to the fines established by this section, repeated violations of this Ordinance by a person who owns, manages, operates or otherwise controls a business subject to this Ordinance may, subject to all procedural protections set forth in the City Code, result in the suspension or revocation of any occupancy permit or business license issued to business where the repeated violations occurred. Repeated violations of this Ordinance is additionally hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of Section 2 of this Ordinance, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the social distancing requirements of the Ordinance within the business, such as an owner, manager or supervisor. "Person" may also include an employee or other designee that is present at the business but does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

6. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
7. This Emergency Ordinance shall be effective at 6:01 p.m. on July 17<sup>th</sup>, 2020 and shall be terminated by the issuance of another ordinance or shall automatically expire on the 61<sup>st</sup> day after enactment of this Ordinance, whichever date is earlier.

DONE, RATIFIED, AND PASSED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

---

Richard W. Danner, Mayor

ATTEST:

\_\_\_\_\_  
Tammela Duncan, Municipal Clerk

Introduced by: \_\_\_\_\_

First Reading: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Daniel R. Hughes, City Attorney

Category Number: XI.  
Item Number: K.



**AGENDA**  
**GREER CITY COUNCIL**  
**7/14/2020**

**First and Final Reading of Resolution Number 20-2020**

**Summary:**

A RESOLUTION ENCOURAGING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO (Action Required)

**Executive Summary:**

Requested by Councilman Wryley Bettis

**ATTACHMENTS:**

<b>Description</b>	<b>Upload Date</b>	<b>Type</b>
□ Resolution Number 20-2020	7/10/2020	Resolution

## **RESOLUTION NUMBER 20-2020**

### **A RESOLUTION ENCOURAGING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS RELATED THERETO**

WHEREAS, it is well recognized that SARS-CoV-2, the virus that causes the disease COVID-19, presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, on March 11, 2020, the World Health Organization declared a world-wide pandemic; and,

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency for the United States and its territories in an effort to reduce the spread of the virus; and,

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina declared a state of emergency for the State of South Carolina; and,

WHEREAS, on March 24, 2020, the City Council declared a state of emergency for the City of Greer, (“City”); and,

WHEREAS, COVID-19 has spread across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly risk of exposure and infection and creating an extreme public health risk; and,

WHEREAS, as of July 8, 2020, the total number of confirmed cases in South Carolina is approximately 48,770 and the number of confirmed deaths is 876; the number of reported cases in Greenville County is 6,435 and Spartanburg County is 2,157; and, the total number of estimated cases in Greenville County is 39,529 and in Spartanburg County is 13,250; and,

WHEREAS, the number of cases is growing rapidly and if COVID-19 continues to spread in the City, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and,

WHEREAS, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating consequences later; and,

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and SCDHEC advise the use of cloth face coverings to slow the spread of COVID-19; and,

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the City's residents, and limits the spread of infection in our communities and within the healthcare delivery system; and,

WHEREAS, in order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the City is taking steps to try to protect the citizens and employees of the City from increased risk of exposure; and,

WHEREAS, in light of the foregoing, City Council deems it proper and necessary to adopt this Resolution to (a) encourage patrons of grocery stores, pharmacies, retail establishments, salons, beauty shops, and barber shops to wear face coverings while inside the store in light of the fact that these establishments either sell essential goods such that individuals do not have meaningful choice to decide not to shop there or social distancing is not possible due to the nature of the services provided and to (b) encourage all employees and patrons of city-owned facilities where social distancing is not possible to wear face coverings.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Members of Council of the City of Greer, as follows:

**Section 1.** Due to the increased spread of COVID-19, face coverings are encouraged for (a) all patrons of grocery stores, pharmacies, retail establishments, salons, beauty shops, and barber shops and (b) all patrons and employees of city-owned facilities where social distancing is not possible.

ADOPTED this \_\_\_\_ day of July, 2020.

CITY OF GREER, SOUTH CAROLINA

BY: \_\_\_\_\_  
Rick W. Danner, Mayor

ATTEST:

\_\_\_\_\_  
Tammela Duncan, Municipal Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel R. Hughes, City Attorney