



ORDINANCE NUMBER 31-2021

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTIES OWNED BY UPI INVESTMENTS LOCATED AT 0 GARY ARMSTRONG ROAD FROM C-2 (COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to certain properties owned by UPI Investments located at 0 Gary Armstrong Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Numbers 5-14-00-096.00 and 5-14-00-096.01 containing approximately 4.41 and 2.75 +/- acres marked as Exhibit A, the Title to Real Estate marked as Exhibit B, and the Plat marked at Exhibit C.

1. The owners desire to change the zoning classification of their properties and have shown the need for such use to the Greer Planning Commission at a public hearing held on June 21, 2021.

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to C-3 (Highway Commercial 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 properties located at 0 Gary Armstrong Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Numbers 5-14-00-096.00 and 5-14-00-096.01 containing approximately

4.41 and 2.75 +/- acres attached hereto marked as Exhibit A shall be changed from C-2 (Commercial District) to C-3 (Highway Commercial District).

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: Councilmember Wayne Griffin

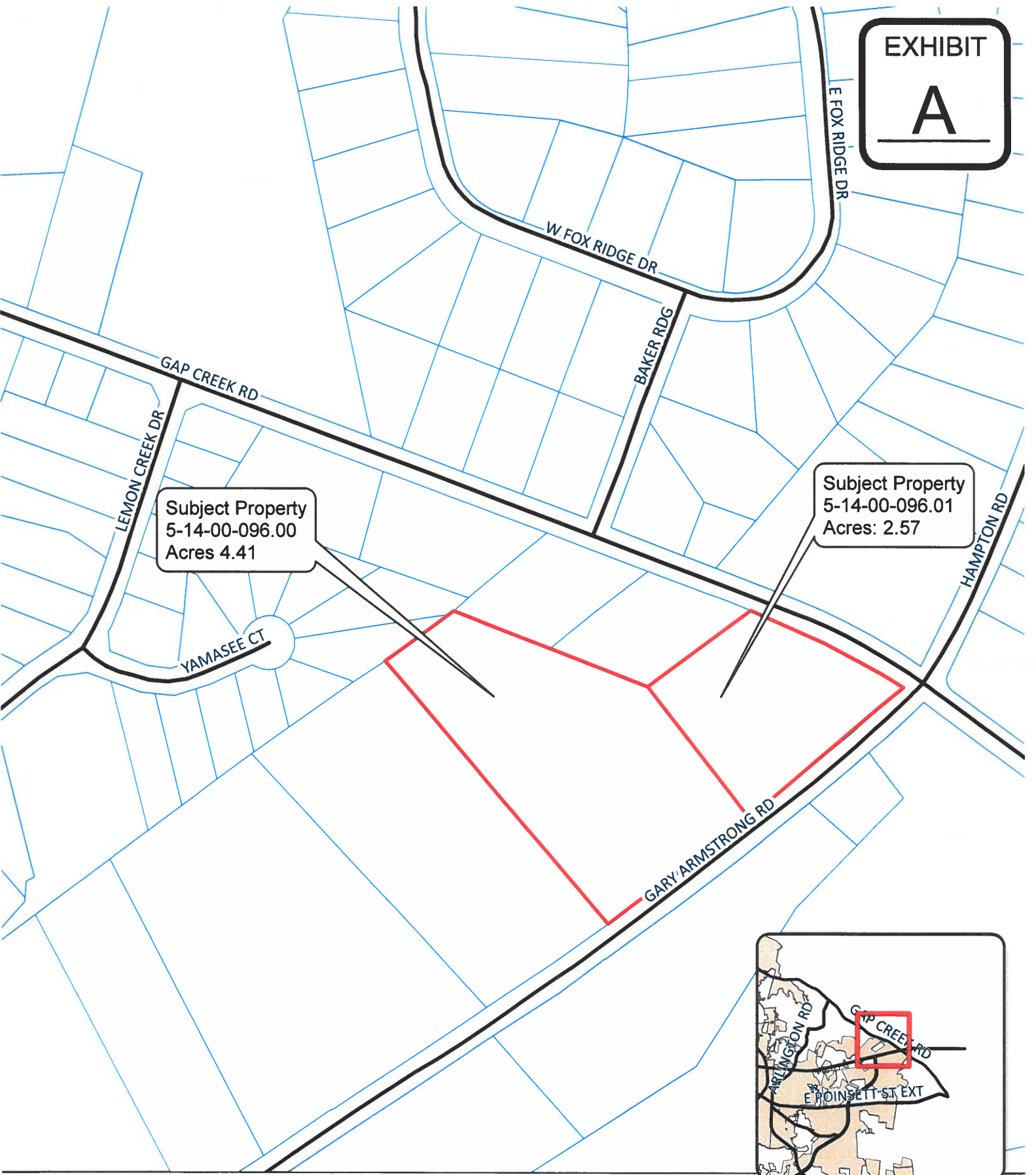
First Reading: July 13, 2021

Second and
Final Reading: July 27, 2021

Approved as to Form:

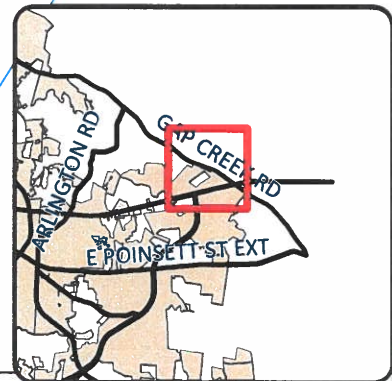
John B. Duggan, Esquire
City Attorney

EXHIBIT
A

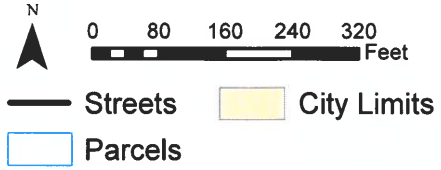


Subject Property
5-14-00-096.00
Acres: 4.41

Subject Property
5-14-00-096.01
Acres: 2.57



Ordinance 31-2021



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

B

DEED87--WPG343

DEE-2007-8349
Recorded 1 Pages on 2/19/2007 12:13:31 PM
Recording Fee: \$10.00 Documentary Stamps: \$740.00
Office of Register of Deeds, Spartanburg, S.C.
Stephen Ford, Register

Grantee mailing address: P.O. Box 2056, Greer, SC 29652
Tax Map # 5-14-00-096.00

STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS, that ELTEX U.S., INC. FKA ELTEX OF SWEDEN, INC. in consideration of TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) AND NO/100S the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents, does grant, bargain, sell and release unto,

UPI INVESTMENTS, LLC

All that certain piece, parcel or tract of land, with all improvements thereon or hereinafter constructed thereon, lying and being in the State of South Carolina, County of Spartanburg, on the northern side of Hampton Road and the western side of Gap Creek Road and being more particularly shown and designated as a tract of land containing 6.98 acres, more or less, on a plat of survey for W. B. Simmons, Sr. by James R. Freeland, RLS, dated February 17, 1989 and recorded in the ROD Office for Spartanburg County in Plat Book 108 at Page 835; and being more recently shown on a survey entitled, "Survey for Eric Roger Lamb" dated November 28, 2006, prepared by Chapman Surveying Co. Inc. and recorded in the ROD Office for Spartanburg County in Plat Book 161 at Page 29. Reference being made to said latter plat for a more complete description

This being a portion of the same property as conveyed unto Eltex of Sweden, Inc. by deed of Grace D. Simmons as recorded in the ROD Office for Spartanburg County on September 20, 1993 in Deed Book 60-M at Page 651.

This property is conveyed subject to all restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plat(s) or on the premises.

Together with all and singular the rights, members, hereditament 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) and the Grantor(s)' successors or assigns to warrant and forever defend all and singular said premises unto the Grantee(s) and the Grantee(s) heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness the Grantor's(s') Hand(s) and Seal(s) this 14 day of February 2007

ELTEX U.S., INC.
FKA ELTEX OF SWEDEN, INC.

[Signature]
Witness
[Signature]
Witness

[Signature]
By:
TITLE

State of South Carolina)

Acknowledgement

County of Greenville)

I, Tammy S. Hill, a Notary Public for the State of South Carolina, do hereby certify that the above referenced officer personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 14 day of February 2007.

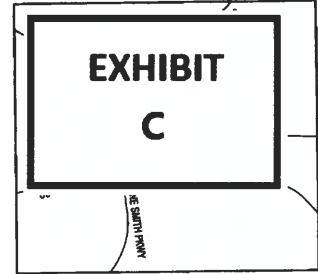
[Signature]
Notary Public for South Carolina
My Commission expires: August 15, 2007

PLT BK 179 PG 312

RIVER PLANTATION SUBDIVISION
PLAT BOOK 121, PAGE 369

NOTES:

1. THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY AS REFERENCED IN DEED BOOK 161, PAGE 129 AND IN P.B. 108, PG. 835
2. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAY OF RECORD OR NOT OF RECORD.

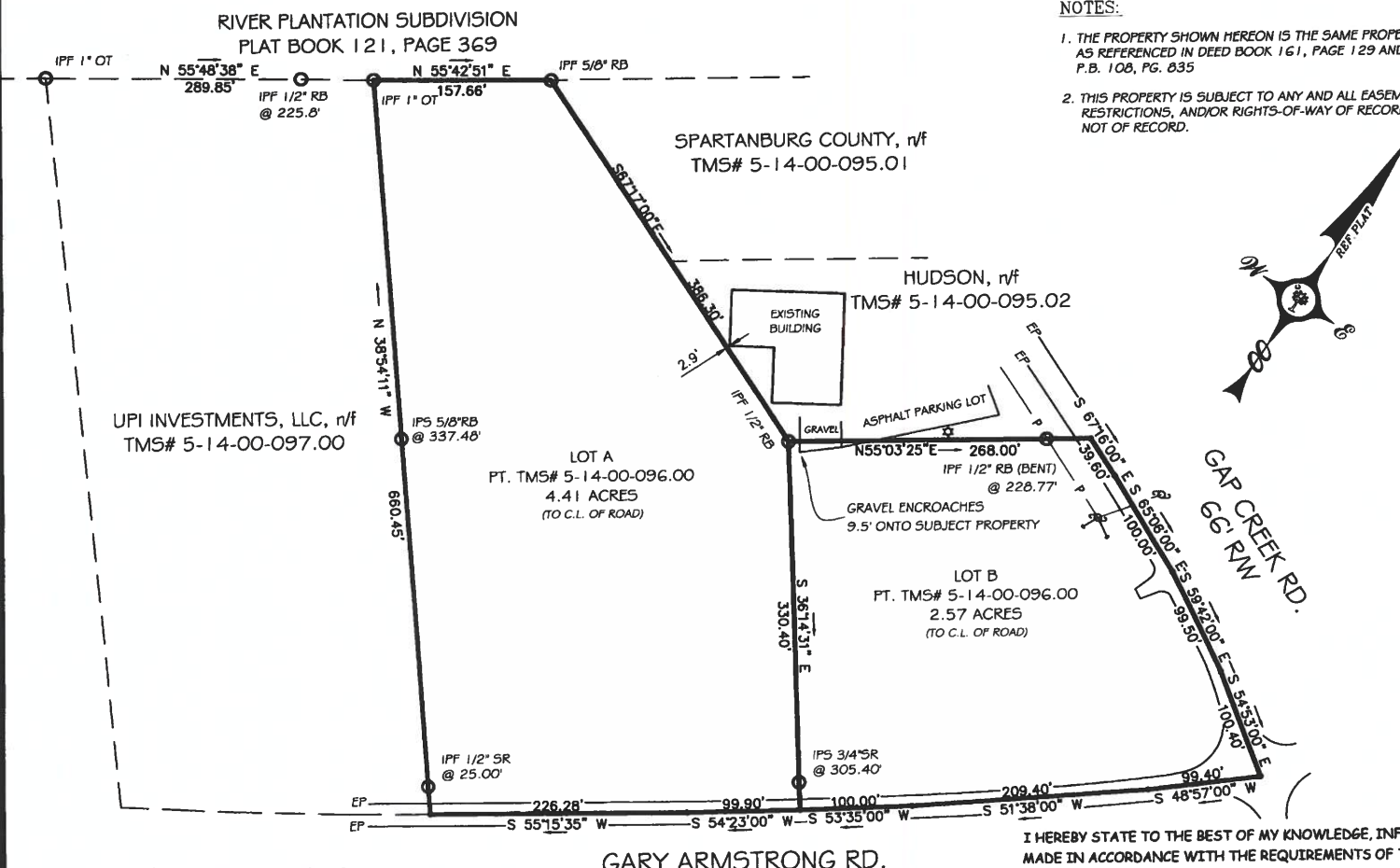


LOCATION MAP
N.T.S.

PLT-2021-24448
PLT BK 179 PG 312-312
Recorded 1 Pages on 05/04/2021 11:33:31 AM
Recording Fee: \$25.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register of Deeds

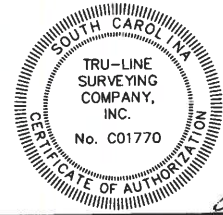
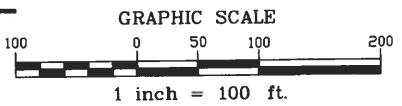
LEGEND

- IPF IRON PIN FOUND
- IPS IRON PIN SET
- NCF NAIL & CAP FOUND
- NCS NAIL & CAP SET
- PT POINT
- CT CRIMPED TOP
- OT OPEN TOP
- RB REBAR
- SR SOLID ROD
- UC UNDERGROUND
- CLF CHAIN LINK FENCE
- PL PROPERTY LINE
- ☆ LP LIGHT POLE
- BL BUILDING LINE
- PED PEDESTAL



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

APPROVED BY CITY OF GREER
Approved for the recording in the office of the
County Register of Deeds
[Signature]
Director, Building & Zoning, or
Planning & Zoning Coordinator
Date: 5-4-21



TRU-LINE SURVEYING CO., INC.
500 WEST MAIN STREET
WILLIAMSTON, SC 29697
(864)-847-7516
[Signature]
STEWART BAYLOR, P.L.S.
S.C. REG. #18668

BOUNDARY SURVEY FOR	
UPI INVESTMENTS, LLC	
DATE : 06/02/2016	TAX MAP NO. : 5-14-00-096.00
SCALE : 1" = 100'	FIELD BOOK : ENV
DRAWN BY : SLB	PROJECT NO. : 16040 OLD 09140
PROPERTY ADDRESS: GARY ARMSTRONG ROAD, GREER, SC	
SPARTANBURG COUNTY, SOUTH CAROLINA	



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

Date June 4, 2021

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

Tax Map Number(s) 5-14-00-096.00

Property Address(s) Gary Armstrong Rd. Greer SC 29651

Acreage of Properties Lot A- 4.41 Acres County Spartanburg

<u>Applicant Information</u>	
Name	<u>Bagger Properties, LLC</u>
Address	<u>314 Trade St. Greer, SC 29651</u>
Contact Number	<u>864-420-2064</u>
Email	<u>tony@langfordelectric.com</u>

<u>Property Owner Information</u> <i>(If multiple owners, see back of sheet)</i>	
Name	<u>UPI Investments, LLC</u>
Address	<u>PO Box 2956 Greer, SC 29652</u>
Contact Number	<u>864-304-7988</u>
Email	<u>elamb@upstateplumbinginc.com</u>

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 C-2 to C-3.

Existing Use: bare land Proposed Use: commercial development

Signature(s) *Edu N Lamb*
UPI Investments, LLC

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

<u>OFFICE USE ONLY</u>	
Date Filed _____	Case No. _____
Meeting Date _____	

See Reverse



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

Date June 4, 2021

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

Tax Map Number(s) 5-14-00-096.01

Property Address(s) Gary Armstrong Rd. Greer SC 29651

Acreage of Properties Lot B- 2.57 Acres County Spartanburg

<u>Applicant Information</u>	
Name	<u>Bagger Properties, LLC</u>
Address	<u>314 Trade St. Greer, SC 29651</u>
Contact Number	<u>864-420-2064</u>
Email	<u>tony@langfordelectric.com</u>

<u>Property Owner Information</u> <i>(If multiple owners, see back of sheet)</i>	
Name	<u>UPI Investments, LLC</u>
Address	<u>PO Box 2956 Greer, SC 29652</u>
Contact Number	<u>864-304-7988</u>
Email	<u>elamb@upstateplumbinginc.com</u>

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 C-2 to C-3.

Existing Use: bare land Proposed Use: commercial development

Signature(s) *Edu N. Lamb*
UPI Investments, LLC

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

<u>OFFICE USE ONLY</u>	
Date Filed _____	Case No. _____
Meeting Date _____	

See Reverse

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Monday, June 24, 2021

DOCKET: RZ 21-10

APPLICANT: Bagger Properties, LLC

PROPERTY LOCATION: Gary Armstrong Rd

TAX MAP NUMBER: 5-14-00-096.00

EXISTING ZONING: C-2, Commercial District

REQUEST: C-3, Highway Commercial

SIZE: 6.98 Acres

COMPREHENSIVE PLAN: Suburban Commercial

ANALYSIS: **RZ 21-10**

RZ 21-10 is a rezoning request for one parcel located at the intersection of Gary Armstrong Rd and Gap Creek Rd in Spartanburg County. The property, comprised of approximately 6.98, is currently zoned C-2, Commercial District and the applicant is requesting C-3, Highway Commercial.

Surrounding land uses and zoning include:

North: Unzoned Spartanburg County, restaurant and single-family residences
East: PD, Planned Development, auto-oriented business
South: Unzoned Spartanburg County
West: Unzoned Spartanburg County, martial arts center

The land use map in the Comprehensive Plan identifies the area as Suburban Commercial. Suburban Commercial Communities are arterial-oriented commercial centers that serve community-wide shopping and service needs. As newer shopping centers age out, they become candidates for adaptive redevelopment into denser, mixed-use centers, particularly where access to high-frequency transit is provided. This is also true for large infill sites. Site improvements should emphasize design quality, connectivity, walkability, amenities, and efficient use of infrastructure.

Primary Uses: Regional commercial, neighborhood commercial, office, multi-family apartments

Secondary Uses: Small-scale apartment buildings, civic and institutional facilities

In accordance with the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, staff supports the request.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION:

The Commission, staff and the applicant discussed the request. Commissioners asked questions regarding proposed use of the property, timelines for project completion, buffers between commercial property and the residential properties nearby, and possible noise complaints in the future as a result of the project.

ACTION – Ms. Jones made a motion to approve RZ 21-10. Mr. Lavender seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.