

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING **Tuesday, May 7, 2024 at 6:30 PM**

Charleston County Council will hold a public hearing on the matter listed below beginning at 6:30 p.m., Tuesday, May 7, 2024, in Council Chambers (second floor of the Lonnie Hamilton, III, Public Services Building, located at: 4045 Bridge View Drive, North Charleston, SC 29405). Packet information can be found online at: <https://www.charlestoncounty.org/departments/zoning-planning/>. The meeting will be livestreamed at: <https://www.charlestoncounty.org/departments/county-council/cctv.php>. Public comments may be made in person or written public comments may be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by 5:00 PM on Thursday, May 2, 2024. Contact the Zoning and Planning Department at (843)202-7200 or CCPC@charlestoncounty.org for additional information.

- a. ACP-03-24-00124 & ZLDR-03-24-00132: Request to amend Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, of the Comprehensive Plan and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR to change the zoning designation of TMS 354-12-00-006 from the Neighborhood Commercial designation to the Community Commercial designation.
- b. ZREZ-03-24-00151: Request to rezone a 0.07-acre portion of TMS 583-00-00-016, from the Special Management (S-3) Zoning District to Rutledge Tomb Site Planned Development (PD-189) Zoning District to preserve a historic tomb site and allow for a pocket park.

This Public Notice is in accordance with Section 6-29-760 of the Code of Laws of South Carolina.

Kristen L. Salisbury
Clerk of Council

ACP-03-24-00124 and ZLDR-03-24-00132: Case History

Planning Commission: April 8, 2024
Public Hearing: May 7, 2024
Planning and Public Works Committee: May 16, 2024
First Reading: May 21, 2024
Second Reading: June 4, 2024
Third Reading: June 18, 2024

CASE INFORMATION

Applicant: Russell and Jessica Luzier

Owner: 2177 Ashley River Road LLC

Location: 2177 Ashley River Road

Parcel Identification: 354-12-00-006

Application: Request to amend Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, of the Comprehensive Plan, and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR, to change the zoning designation of TMS# 354-12-00-006 from the Neighborhood Commercial designation to the Community Commercial designation.

Council District: 6 (Middleton)

Property Size: 1.04 acres

Zoning History: In 1984, the subject parcel was rezoned from the RS-10 Single-Family District to the Neighborhood Shopping District (CN). A request to construct a dry-cleaning establishment was approved in 1985.

In 2001, upon adoption of the Zoning and Land Development Regulations Ordinance (ZLDR), this property was designated as the Neighborhood Commercial (NC) Zoning District.

The Ashley River Road Corridor Overlay Zoning District (ARRC-O) was adopted on March 24, 2015. It includes unincorporated parcels that front on Highway 61 from its intersection with Ashley Hall Road to Church Creek. The ARRC-O was adopted based on a large amount of public input and is intended to implement traffic safety measures, improve the visual character, and preserve the scenic quality of the corridor. The Overlay Zoning District also creates consistency and coordination between the City of Charleston and unincorporated Charleston County regarding land use, design standards, and code enforcement.

The ARRC-O is divided into three areas including the Light Commercial Area (Ashley Hall Road to Wappoo Road), the Core Commercial Area (Wappoo Road to William Kennerty Drive), and the Village Commercial Area (William Kennerty Drive to Church Creek). The subject property is located within the Village Commercial Area and retained its Neighborhood Commercial zoning upon adoption of the ARRC-O. The Village Commercial Area is intended to be developed with less intense commercial Development than the Commercial Core area. Future Development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and building architecture. Higher intensity uses are intended to be located in the Commercial Core Area.

The applicant's proposed use is classified as Artisan and Craftsman, which is allowed in the current zoning

district subject to the following conditions:

- A. Such use shall not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, radiation, or other conditions harmful or objectionable to adjacent or nearby properties.
- B. All truck parking or loading facilities shall be located to the side or rear of the Building housing the use and outside required landscaped yards, and shall be screened from Rights-of-Way, Easements, and/or adjacent property zoned or used for residential or agricultural purposes.
- C. Outdoor storage of materials is prohibited.
- D. Operation of this use shall not create noise in excess of 80 dB as measured at the property boundary of the noise source using the fast meter response of a sound level meter, reduced to 70 dB maximum between the hours of 7 p.m. and 7 a.m.
- E. Structures associated with this use shall be limited to a maximum Floor Area of 2,000 square feet.
- F. No more than five non-resident employees shall be allowed.
- G. All activities related to the Artisan and Craftsman use shall be confined to a Structure that is entirely enclosed.
- H. Onsite retail sales are prohibited.

The applicant stated in their letter of intent that their proposed use exceeds the conditions of approval for this use in the current zoning district. The structures on the site will exceed the 2,000 square foot limitation (they would like 5,000 gross square feet), they would like ten employees (only five are allowed in the current zoning district), and they would like to have a show room for display (onsite retail sales are prohibited). Therefore, they are requesting to change the zoning of the property to the Community Commercial Zoning District, which would allow the proposed use by right (not subject to the above-listed conditions).

If the designation is changed to Community Commercial, all uses in the Community Commercial Zoning District (special trade contractors, parking garages, vehicle rental/leasing, vehicle sales, truck stops, warehouse clubs, etc.) would be allowed on this property, with the exception of the uses prohibited in the Village Commercial Area (multi-family development not part of a mixed use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; fireworks stands (permanent and temporary); self-service storage; and tattoo facility uses).

Adjacent Zoning: The subject parcel has frontage along Ashley River Road and contains a vacant building that was formerly a dry-cleaning business. All adjacent parcels are within the City of Charleston. The adjacent parcel to the south contains an apartment complex and is zoned DR-12, the property to the north is vacant and is zoned SR-1, and the properties across Ashley River Road contain an apartment complex zoned DR-1F or are vacant and zoned DR-2.

Municipalities Notified/Response: The City of North Charleston, The City of Charleston, The City of Folly Beach, The City of Isle of Palms, The Town of Mount Pleasant, The Town of Awendaw, the Town of Lincolnville, The Town of Hollywood, The Town of Meggett, The Town of McClellanville, The Town of Rockville, The Town of Summerville, Town of James Island, Town of Kiawah Island, and The Town of Seabrook Island were notified of the request. Any responses are included in this packet.

APPROVAL CRITERIA

Comprehensive Plan Amendment (ACP-03-24-00124)

Pursuant to Section 3.2.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

- A. There was a significant error in the original Comprehensive Plan adoption;
- B. In adopting the Comprehensive Plan, the County Council failed to take into account facts, projections, or trends that were reasonably foreseeable to exist in the future;
- C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;
- D. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;
- E. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Article 3.17, Developments of County Significance; or
- F. The proposed Comprehensive Plan Amendment is consistent with the Comprehensive Plan Future Land Use recommendations of adjacent municipalities that have adopted extra-territorial jurisdiction for the subject Parcel(s).

Applicant's Response: *"C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston."*

STAFF RECOMMENDATION: DISAPPROVAL

Prior to the adoption of the ARRC-O in 2015, the subject property was recommended for Urban/Suburban Mixed Use, which *"encourages compatible mixed-use development and a general land use pattern that includes a variety of housing types, retail, service, employment, civic and compatible industrial uses, as well as public and open spaces and linkages to public transit in a walkable environment."* The Comprehensive Plan was amended to incorporate the ARRC-O in March 2015, at which time the future land use recommendation for the subject property was changed to Neighborhood Commercial.

The ARRC-O was developed based on a large amount of public input resulting in the subject property retaining its Neighborhood Commercial zoning in the Village Commercial Area upon adoption of the Overlay. The Village Commercial Area is intended for lower intensity service uses. The majority of the properties zoned Community Commercial in the Village Commercial Area are located to the northwest of I-526; however, there is one property zoned Community Commercial located to the southeast of the subject property at the intersection of Tobias Gadson Blvd and Ashley River Rd. The majority of the properties surrounding the subject parcel are zoned for residential uses in the City of Charleston. There is some Limited Business zoning on properties across Ashley River Road in the City of Charleston, a zoning district equivalent to the County's Neighborhood Commercial Zoning District. The closest General Business zoning in the City, which is equivalent to the County's Community Commercial Zoning District, is located northwest of the subject property on the other side of I-526. The Wallace Lane/Richmond Street Community is also located near the subject properties.

Because the subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015, the approval criteria have not been met. Therefore, staff recommends disapproval.

APPROVAL CRITERIA

ZLDR Text Amendment Application (ZLDR-03-24-00132)

Pursuant to Section 3.3.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, amendments the ZLDR may be approved if the following approval criteria have been met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;

Applicant's Response: *"The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to 1-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial."*

Staff Response: The proposed amendment does not correct an error or inconsistency or meet the challenge of a changing condition. The subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015.

- B. The proposed amendment is consistent with the adopted Charleston County *Comprehensive Plan* and goals as stated in Article [1.5](#), *Purpose and Intent*, and

Applicant's Response: *"The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with 1-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl."*

Staff Response: If the Comprehensive Plan amendment application is recommended for approval, the requested change to the Community Commercial Zoning District would be consistent with the Comprehensive Plan. Otherwise, the request would not meet this criterion.

- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

Applicant's Response: *"The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters."*

Staff Response: The proposed amendment does not further the public welfare. The existing zoning district allows a variety of uses that could be developed on the site.

STAFF RECOMMENDATION:

Disapproval – the approval criteria have not been met.

PLANNING COMMISSION MEETING: April 8, 2024

Recommendation: Approval (6-0; Commissioners Logan Davis and David Kent were absent; Commissioner Marlina Davis recused herself from the case).

Speakers: Five people spoke in support of the request including the applicants. One person gave a general comment being against any changes that would impact the current zoning of the Wallace Lane/Richmond Street Community.

Public Input: Four letters in support of the request were received.

Notifications: 687 notifications were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the boundary of the subject parcel and property owners of parcels within the Ashley River Road Corridor Overlay District on March 22, 2024. Additionally, this request was noticed in the *Post & Courier* on March 22, 2024 .

PUBLIC HEARING: May 7, 2024

Notifications: 687 notifications were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the boundary of the subject parcel and property owners of parcels within the Ashley River Road Corridor Overlay District on April 19, 2024. Signs were posted on April 19, 2024. Additionally, this request was noticed in the *Post & Courier* on April 5, 2024.



Charleston County Comprehensive Plan Amendment Request and ZLDR Text Amendment Request

Planning Commission: April 8, 2024

Public Hearing: May 7, 2024

Planning and Public Works Committee: May 16, 2024

First Reading: May 21, 2024

Second Reading: June 4, 2024

Third Reading: June 18, 2024

ACP-03-24-00124 and ZLDR-03-24-00132

Request to amend Map 3.1.13, Ashley River Road Overlay Zoning District, of the Comprehensive Plan, and Map 5.10 and Map 5.10.C, Ashley River Road Corridor Overlay Zoning District, of the ZLDR, to change the zoning designation of TMS # 354-12-00-006 from Neighborhood Commercial designation to the Community Commercial designation.

- Location: 2177 Ashley River Road
- Parcel I.D.: 354-12-00-006
- Owner: 2177 Ashley River Road LLC
- Applicant: Russell and Jessica Luzier
- Property Size: 1.04 acres
- Council District: 6 - Middleton

Zoning History

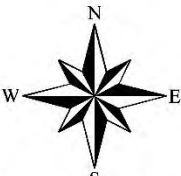
- In 1984, the subject parcel was rezoned from the RS-10 Single-Family Residential District to the Neighborhood Shopping (CN) District and in 1985, a request to construct a dry-cleaning establishment was approved.
- In 2001, upon adoption of the Zoning and Land Development Regulations Ordinance (ZLDR), this property was designated as the Neighborhood Commercial (NC) Zoning District.
- The Ashley River Road Corridor Overlay Zoning District (ARRC-O) was adopted on March 24, 2015. It includes unincorporated parcels that front on Highway 61 from its intersection with Ashley Hall Road to Church Creek. The ARRC-O was adopted based on a large amount of public input and is intended to implement traffic safety measures, improve the visual character, and preserve the scenic quality of the corridor.
- The ARRC-O also creates consistency and coordination between the City of Charleston and unincorporated Charleston County regarding land use, design standards, and code enforcement.

Zoning History (cont'd)

- The ARRC-O is divided into three areas including the Light Commercial Area (Ashley Hall Road to Wappoo Road), the Core Commercial Area (Wappoo Road to William Kennerty Drive), and the Village Commercial Area (William Kennerty Drive to Church Creek). The subject property is located within the Village Commercial Area and retained its Neighborhood Commercial zoning upon adoption of the ARRC-O.
- The Village Commercial Area is intended to be developed with less intense commercial Development than the Commercial Core Area. Future Development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and building architecture. Higher intensity uses are intended to be located in the Commercial Core Area.
- The applicant's proposed use is classified as Artisan and Craftsman which is allowed in the current zoning district subject to conditions. The applicant stated in their letter of intent that their proposed use exceeds the conditions of approval for this use in the current zoning district. The structures on the site will exceed the 2,000 square foot limitation (they would like 5,000 gross square feet), they would like ten employees (only five are allowed in the current zoning district), and they would like to have a show room for display (onsite retail sales are prohibited).

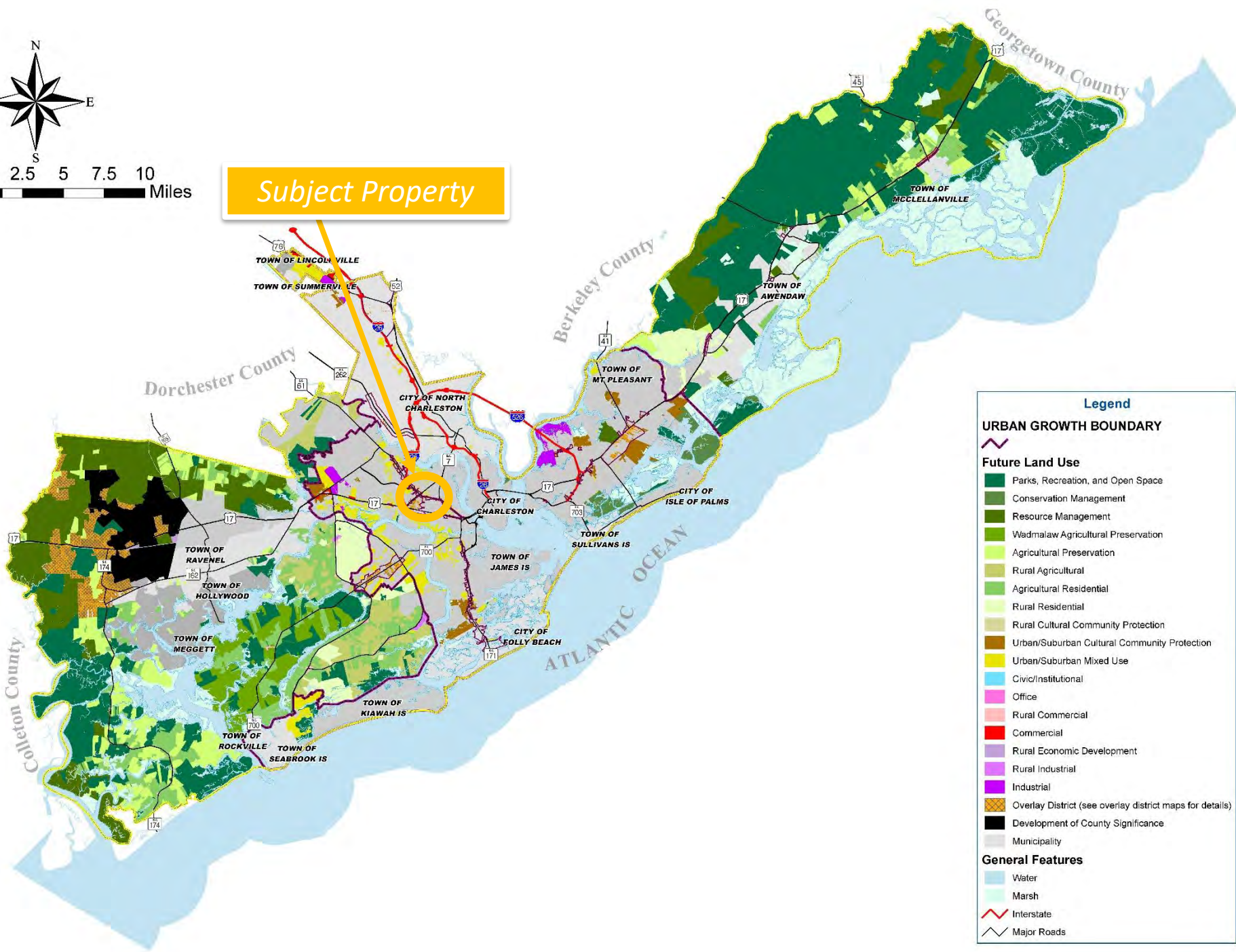
Zoning History (cont'd)

- Therefore, the applicants are requesting to change the zoning of the property to the Community Commercial Zoning Designation, which would allow the proposed use by right (not subject to the conditions required within the current zoning designation).
- If the designation is changed to Community Commercial, all uses in the Community Commercial Zoning District (special trade contractors, parking garages, vehicle rental/leasing, vehicle sales, truck stops, warehouse clubs, etc.) would be allowed on this property, with the exception of the uses prohibited in the Village Commercial Area (multi-family development not part of a mixed-use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; firework stands (permanent and temporary); self-storage service facilities; and tattoo facility uses).



0 2.5 5 7.5 10 Miles

Subject Property



Legend

URBAN GROWTH BOUNDARY
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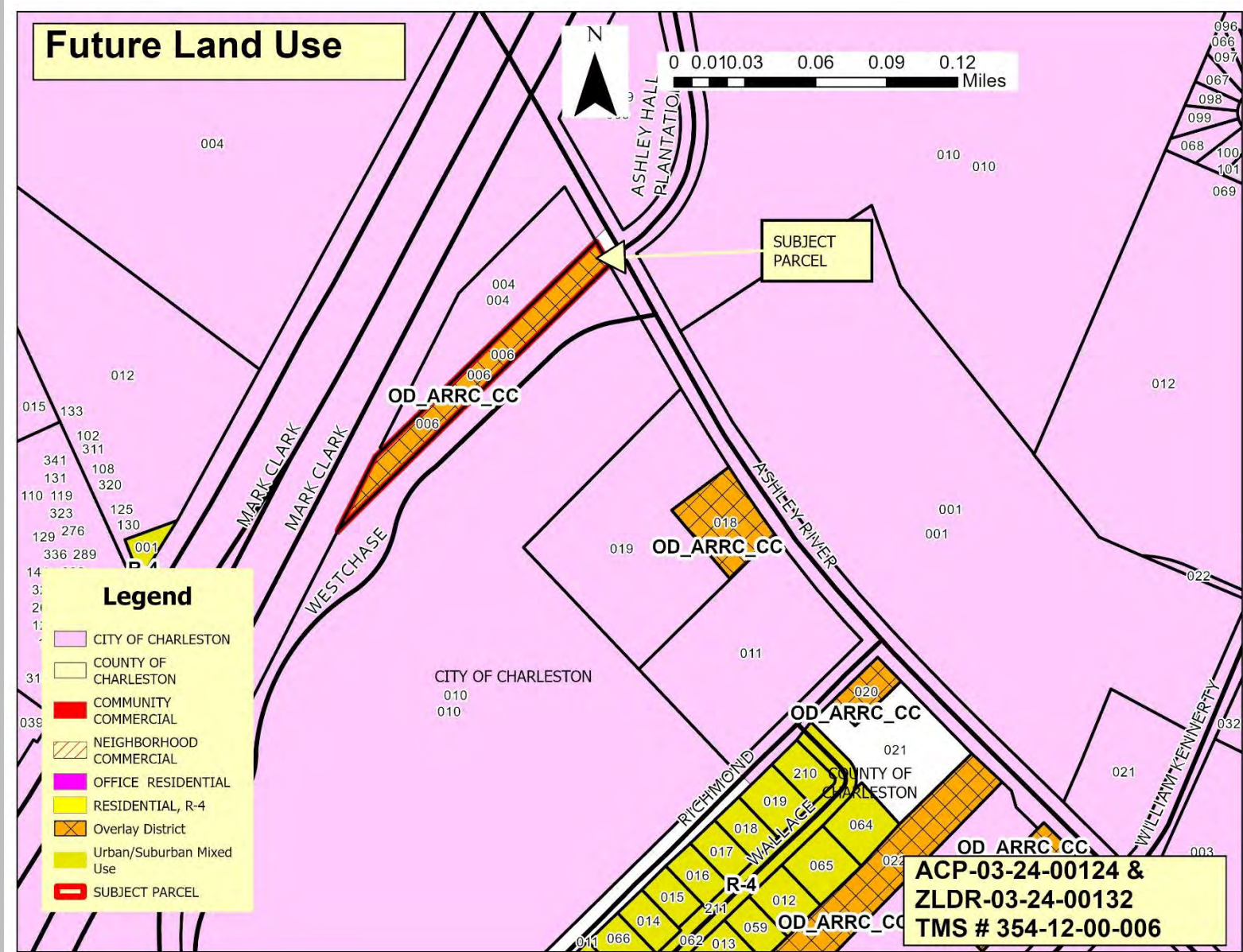
Future Land Use

- Parks, Recreation, and Open Space
- Conservation Management
- Resource Management
- Wadmalaw Agricultural Preservation
- Agricultural Preservation
- Rural Agricultural
- Agricultural Residential
- Rural Residential
- Rural Cultural Community Protection
- Urban/Suburban Cultural Community Protection
- Urban/Suburban Mixed Use
- Civic/Institutional
- Office
- Rural Commercial
- Commercial
- Rural Economic Development
- Rural Industrial
- Industrial
- Overlay District (see overlay district maps for details)
- Development of County Significance
- Municipality

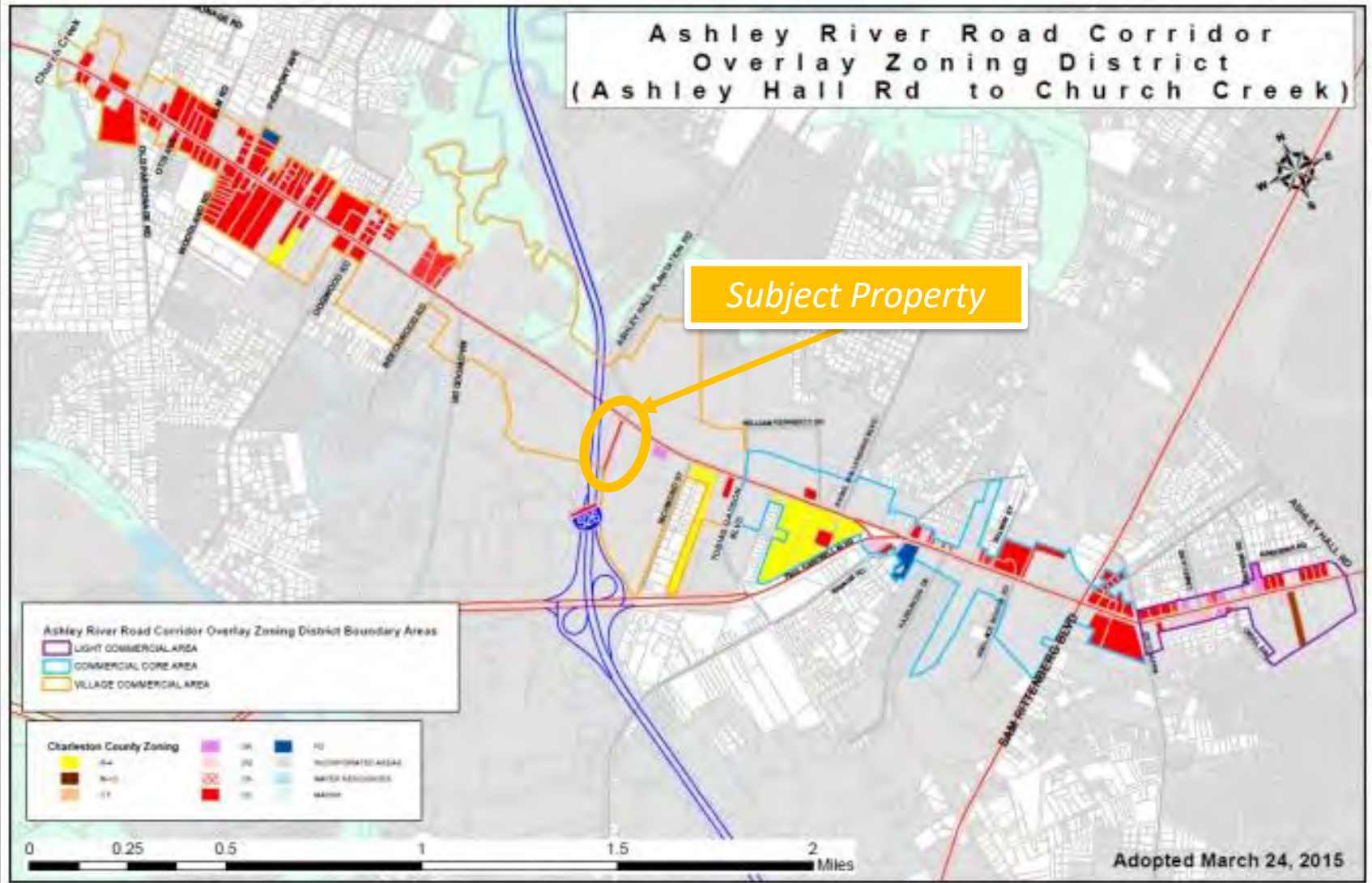
General Features

- Water
- Marsh
- Interstate
- Major Roads

Future Land Use



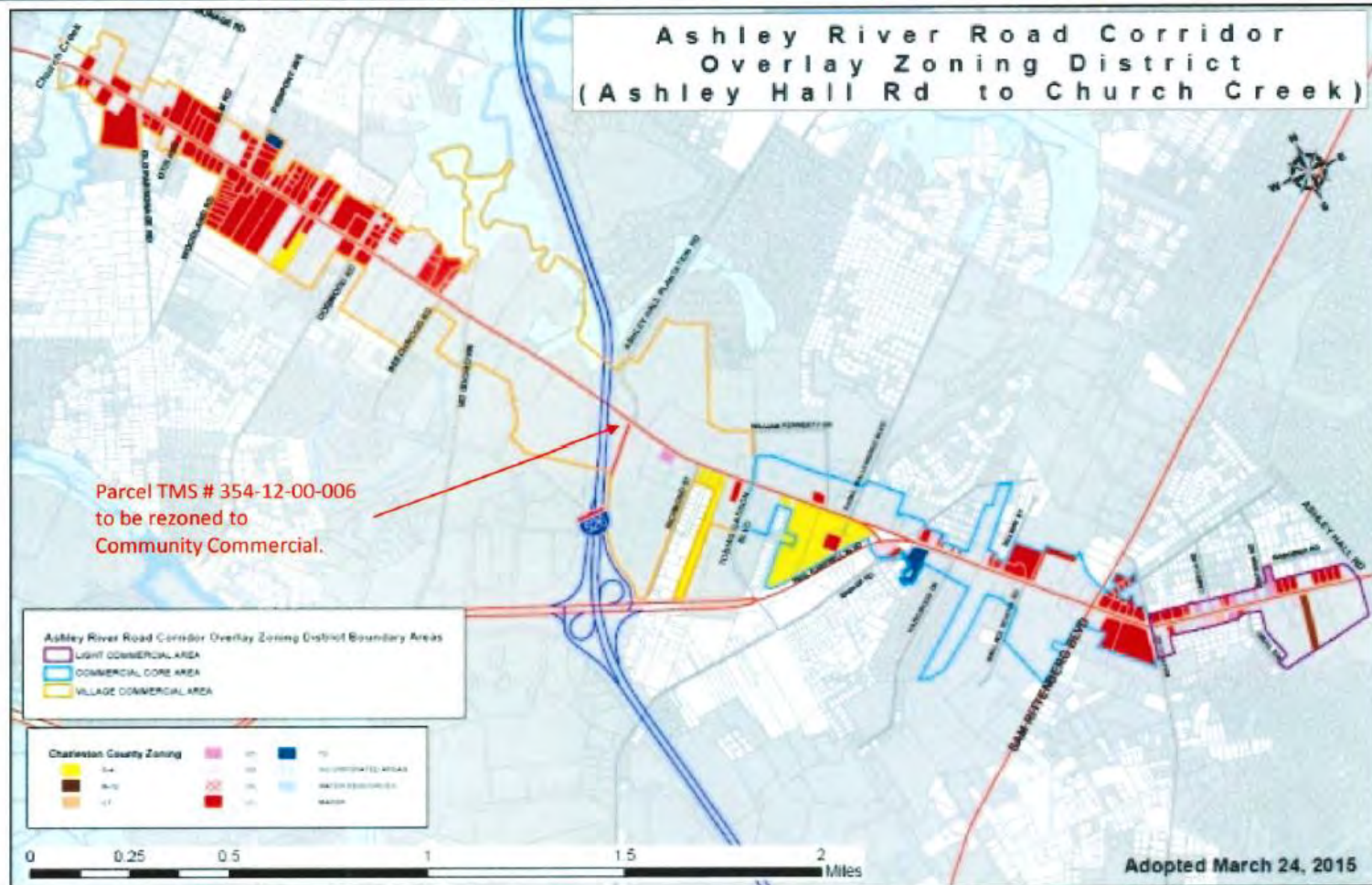
Comprehensive Plan Map 3.1.13, Ashley River Road Overlay Zoning District



Proposed Amendment - Comprehensive Plan Map 3.1.13, Ashley River Road Overlay Zoning District

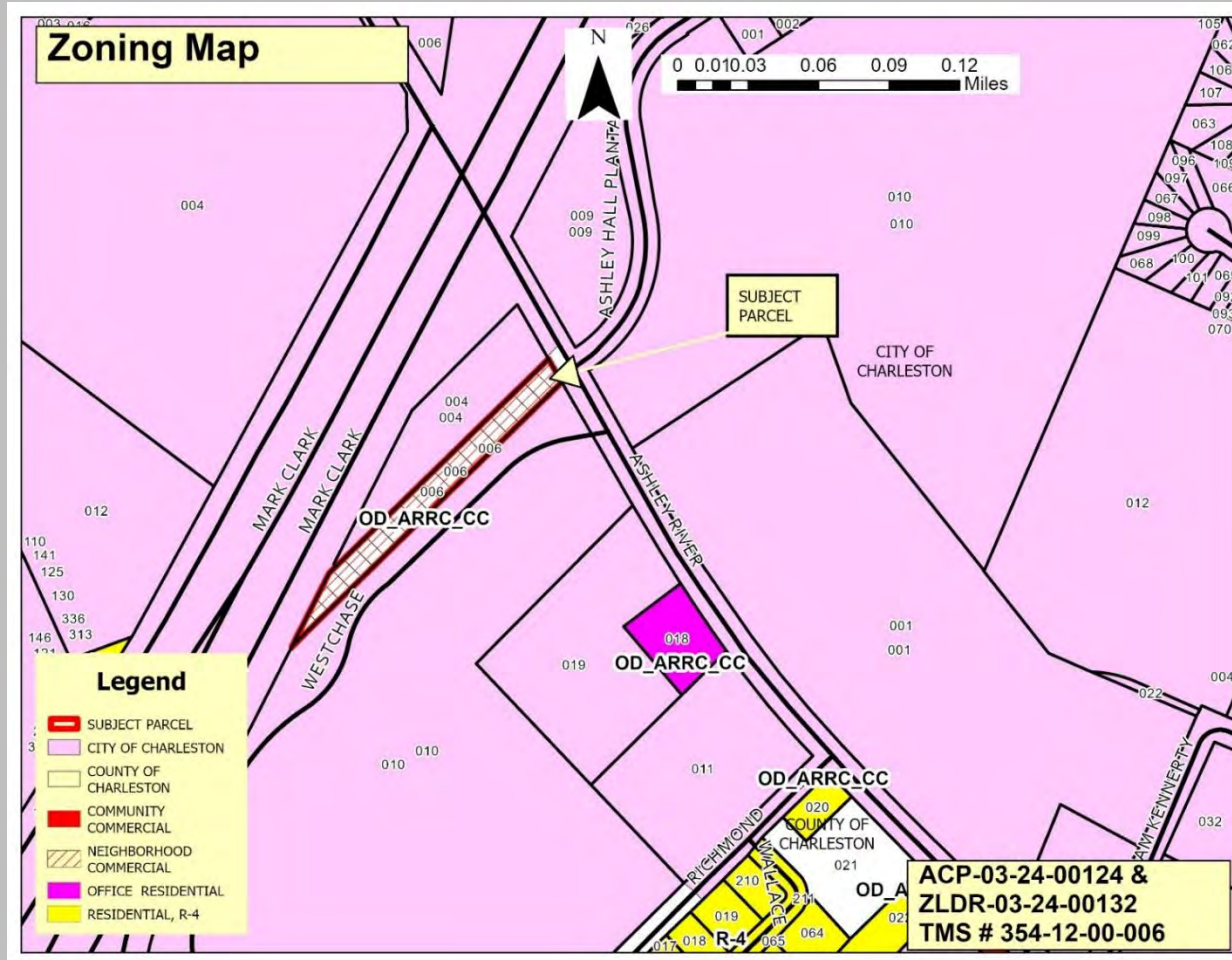
Proposed Amendment

Map: 3.1.13: Ashley River Road Corridor Overlay Zoning District



Requested amendment: Amend Map 3.1.13 :Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 withing the Village Commercial Area.

Current Zoning Within the ARRC-O



The subject properties are in the West Ashley area with direct frontage along Ashley River Road. All adjacent parcels are within the City of Charleston. The adjacent parcel to the south contains an apartment complex and is zoned DR-12, the property to the north is vacant and is zoned SR-1, and the properties across Ashley River Road contain an apartment complex zoned DR-1F or are vacant and zoned DR-2.

ZLDR Map 5.10, Ashley River Road Corridor Overlay Zoning District

Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek)

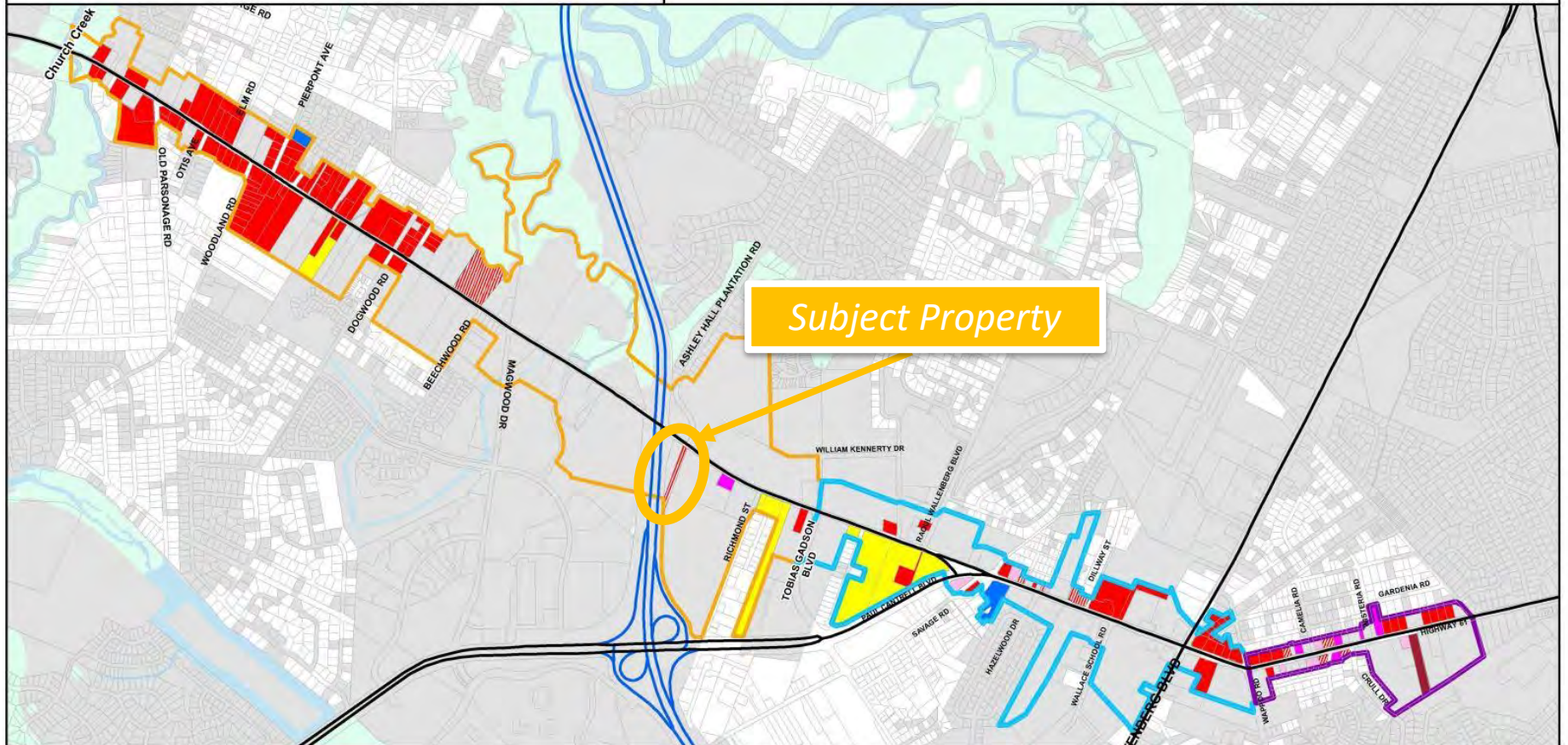


Legend

- AARC Overlay District**
- Commercial Core Area
 - Light Commercial Area
 - Village Commercial Area

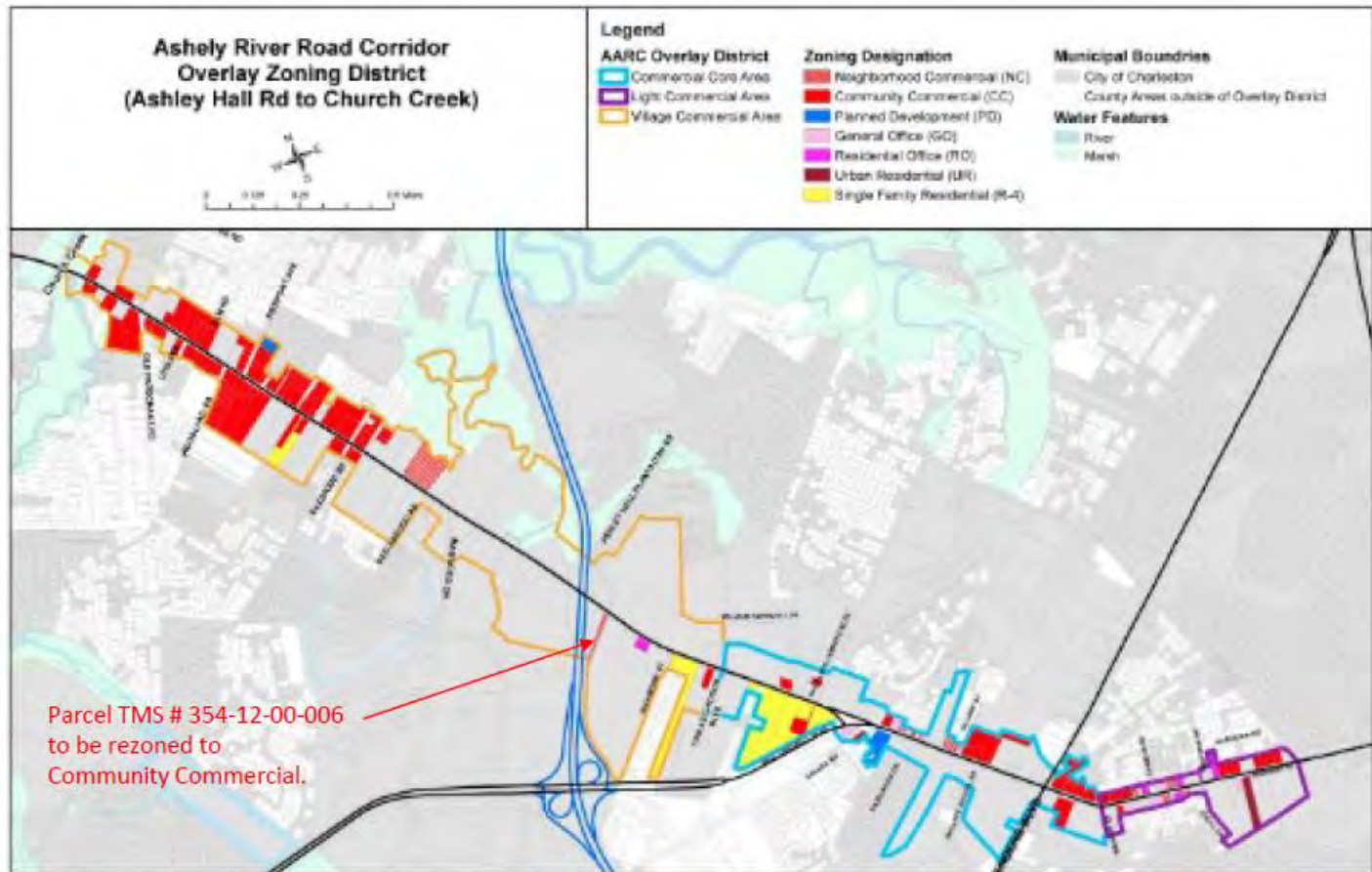
- Zoning Designation**
- Neighborhood Commercial (NC)
 - Community Commercial (CC)
 - Planned Development (PD)
 - General Office (GO)
 - Residential Office (RO)
 - Urban Residential (UR)
 - Single Family Residential (R-4)

- Municipal Boundaries**
- City of Charleston
 - County Areas outside of Overlay District
- Water Features**
- River
 - Marsh



Proposed Amendment - ZLDR Map 5.10, Ashley River Road Corridor Overlay Zoning District

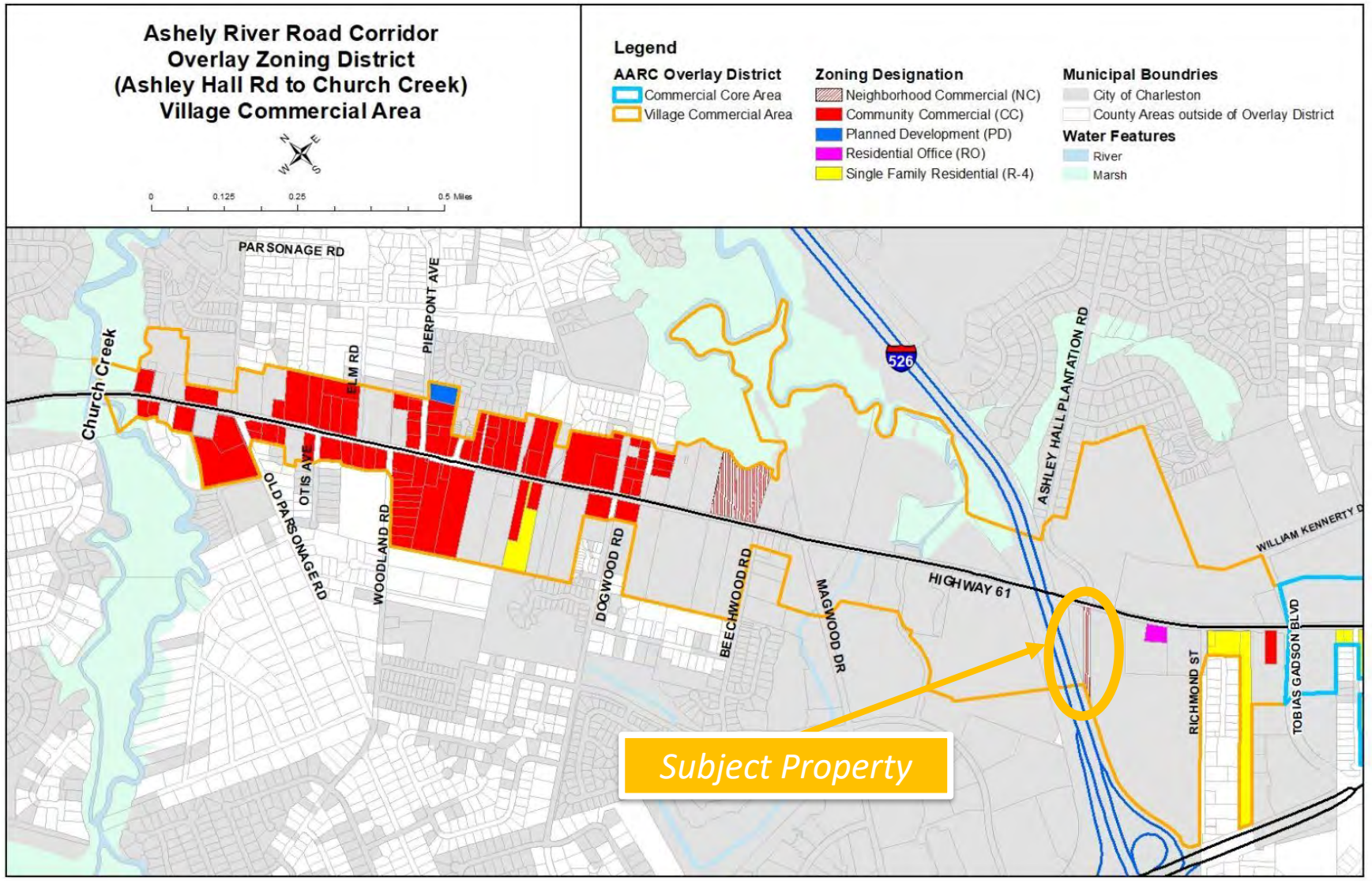
Map 5.10



ZLDR Text Amendment:

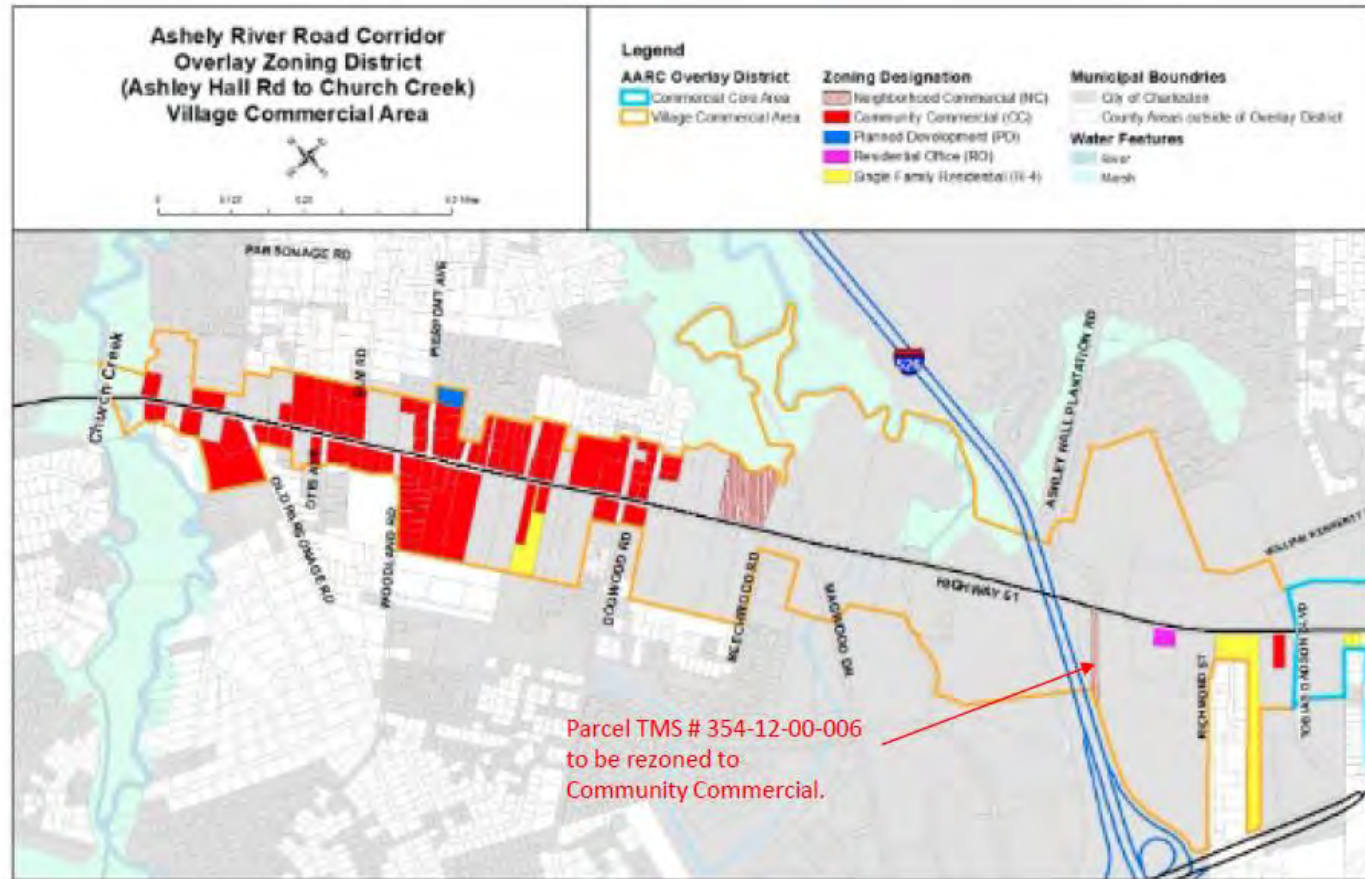
Requested amendment: Amend Map 5.10, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to the Community Commercial zoning designation within the Village Commercial Area.

ZLDR Map 5.10.C, Village Commercial Area



Proposed Amendment - ZLDR Map 5.10.C, Village Commercial Area

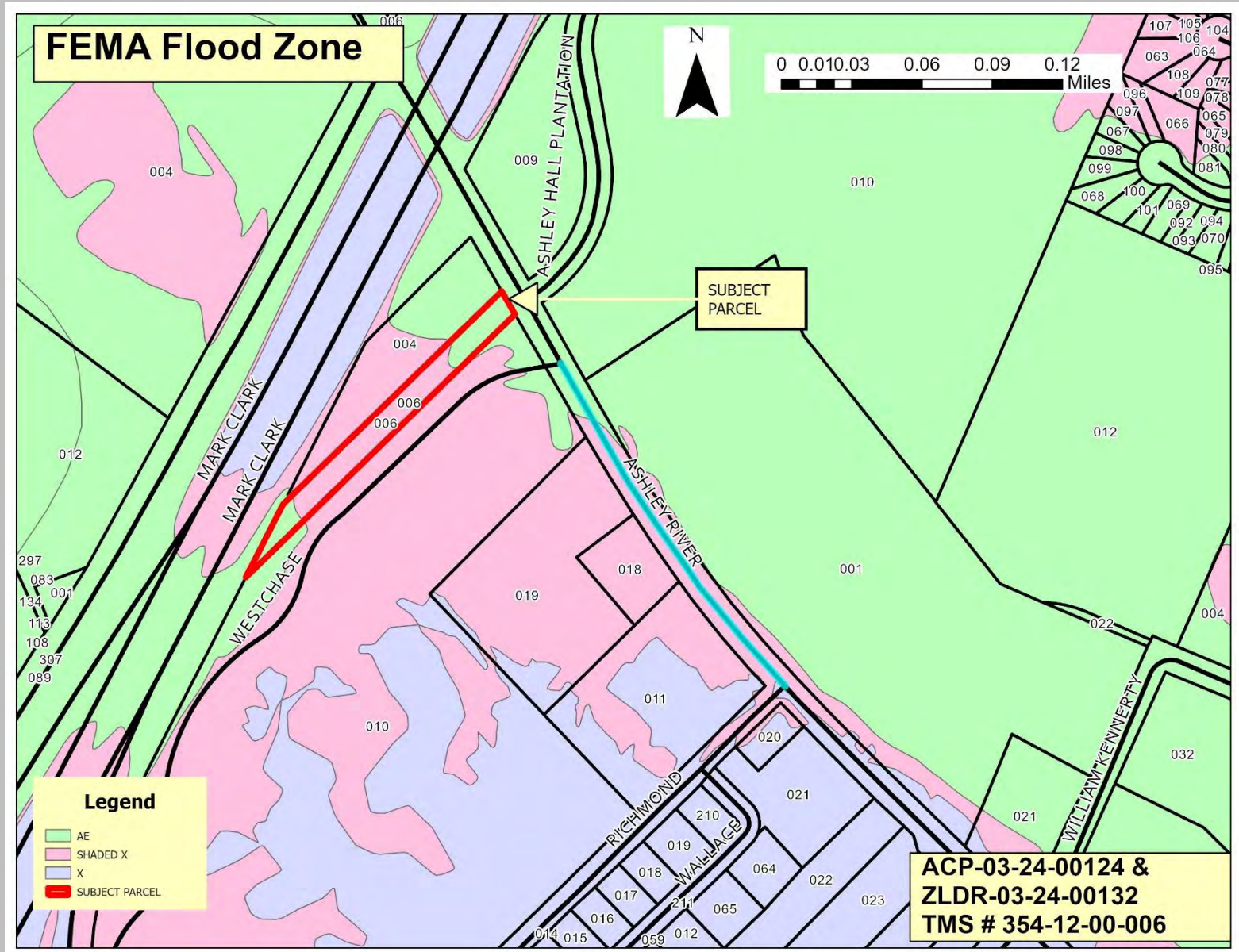
Map 5.10.C



ZLDR Text Amendment:

Requested amendment: Amend Chapter Map 5.10.C, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to Community Commercial zoning designation within the Village Commercial Area.

Flood Zone Map



Aerial View to the West



Subject Property

Aerial View to the East



Subject Property

Site Photos



Subject Property
TMS 354-12-00-006
2177 Ashley River Road

Site Photos



Across Ashley River Road



Adjacent Property to the South

Comparison of Land Uses

Neighborhood Commercial District (NC)*

- Single-Family Detached Housing (max. 4 units/acre)
- Duplex, Triplex, Fourplex and Single Family Attached Housing (max. 4 units/acre)
- School, Primary and Secondary; Preschool
- Hospital (S)
- Medical Office
- Outpatient Facility (S)
- Rehabilitation Facility
- Commercial Guest House (C)
- Artisan and Craftsman (C)
- Restaurant, Fast Food (S)
- Professional Office
- Retail Sales (C)
- Library
- Community Recreation
- Religious Assembly

Community Commercial District (CC)*

- Single-Family Detached Housing (max. 16 units/acre)
- Duplex, Triplex, Fourplex and Single Family Attached (max. 16 units/acre)
- Multi-family (max. 16 units/acre)
- School, Primary Secondary; Pre-school
- Hospital
- Medical Office
- Outpatient and Rehabilitation Facilities
- Kennel and Veterinary Services
- Artisan and Craftsman
- Restaurant, Fast Food (S)
- Restaurant General (C)
- Heavy Construction Services or General Contractor
- Commercial or Industrial Machinery or Equipment, Construction Tools, Heavy Duty Vehicle Leasing or Rental
- Truck Stop
- Gas Station (S)
- Landscaping and Horticultural Services
- Vehicle Sales (S)
- Vehicle Storage (S)

**The following uses are prohibited in the Village Commercial Area: Multi-family development not part of a mixed-use development; towing facilities; vehicle sales on properties larger than 0.75 acres; exterior display of goods; indoor/outdoor shooting ranges; fireworks stands (permanent and temporary); self-service storage; and tattoo facility uses.*

Approval Criteria

Comprehensive Plan Amendment

Pursuant to ZLDR Section 3.2.6, Approval Criteria, applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

- A. There was a significant error in the original Comprehensive Plan adoption;**
- B. In adopting the Comprehensive Plan, the County Council failed to take into account facts, projections, or trends that were reasonably foreseeable to exist in the future;**
- C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;**
- D. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;**
- E. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Article 3.17, Developments of County Significance; or**
- F. The proposed Comprehensive Plan Amendment is consistent with the Comprehensive Plan Future Land Use recommendations of adjacent municipalities that have adopted extra-territorial jurisdiction for the subject Parcel(s).**

Approval Criteria: Comprehensive Plan Amendment

Pursuant to ZLDR Section 3.2.6, Approval Criteria applications for Comprehensive Plan Amendments may be approved only if County Council determines the proposed amendment is consistent with the overall purpose and intent of the Plan and that any one of the following criteria are met:

Applicant's Response:

“C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston.”

Staff Recommendation

- The ARRC-O was developed based on a large amount of public input resulting in the subject property retaining its Neighborhood Commercial zoning in the Village Commercial Area upon adoption of the Overlay.
- The Village Commercial Area is intended for lower intensity service uses.
- The majority of the properties zoned Community Commercial in the Village Commercial Area are located to the northwest of I-526; however, there is one property zoned Community Commercial located to the southeast of the subject property at the intersection of Tobias Gadson Blvd and Ashley River Rd.
- The majority of the properties surrounding the subject parcel are zoned for residential uses in the City of Charleston.
- There is some Limited Business zoning on properties across Ashley River Road in the City of Charleston, a zoning district equivalent to the County's Neighborhood Commercial Zoning District.
- The closest General Business zoning in the City, which is equivalent to the County's Community Commercial Zoning District, is located northwest of the subject property on the other side of I-526.
- The Wallace Lane/Richmond Street community is also located near the subject properties.

Because the subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015, the approval criteria have not been met.

Therefore, staff recommends disapproval.

Approval Criteria

ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines that the following criteria are met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition;**

Applicant's Response:

"The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to 1-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial."

Staff Response:

The proposed amendment does not correct an error or inconsistency or meet the challenge of a changing condition. The subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015.

Approval Criteria

ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines the may be approved only if County Council determines that the following criteria are met:

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5, *Purpose and Intent*; and**

Applicant's Response:

"The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with 1-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl."

Staff Response:

If the Comprehensive Plan amendment application is recommended for approval, the requested change to the Community Commercial Zoning District would be consistent with the Comprehensive Plan. Otherwise, the request would not meet this criterion.

Approval Criteria

ZLDR Text Amendment

Pursuant to ZLDR Section 3.3.6, Approval Criteria, applications for ZLDR Text Amendments may be approved only if County Council determines the may be approved only if County Council determines that the following criteria are met:

- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.**

Applicant's Response:

"The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters."

Staff Response:

The proposed amendment does not further the public welfare. The existing zoning district allows a variety of uses that could be developed on the site.

Recommendations

April 8th Planning Commission:

Planning Commission recommended approval for both the Comprehensive Plan Amendment and ZLDR Text Amendment (6-0; Commissioners Logan Davis and David Kent were absent; Commissioner Marlena Davis recused herself).

Staff Recommendation:

Comprehensive Plan Amendment:

Because the subject property is surrounded by residential zoning and uses as well as lower intensity commercial zoning, and development in the area has not changed significantly since the adoption of the ARRC-O in 2015, the approval criteria have not been met. Therefore, staff recommends disapproval.

ZLDR Text Amendment:

Because the approval criteria have not been met, Staff recommends disapproval.

If the Comprehensive Plan Amendment is recommended for approval, this ZLDR Text Amendment application would meet the approval criteria of ZLDR Art. 3.3.6, and, therefore, should also be recommended for approval.

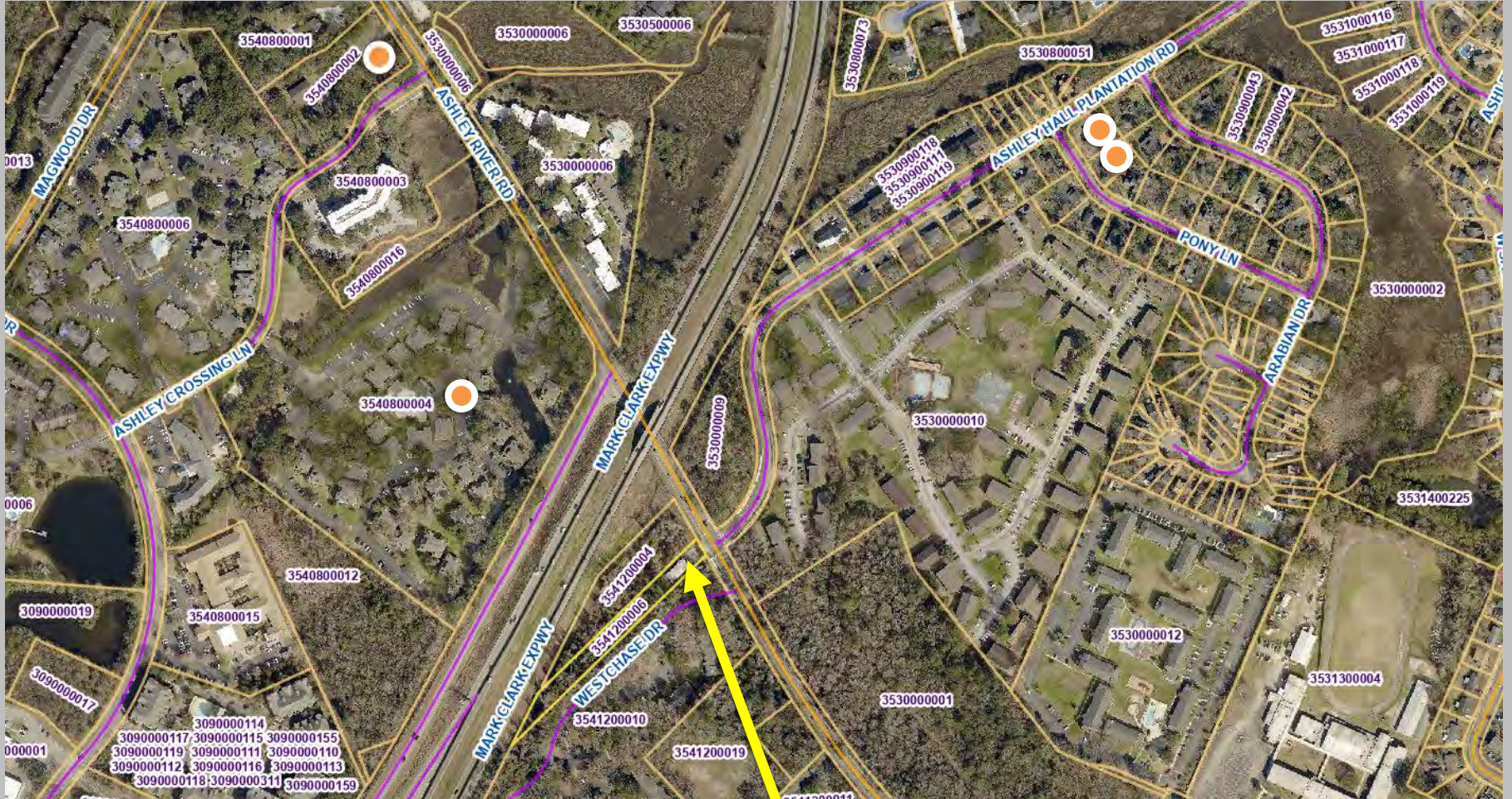
Public Input and Speakers

April 8th Planning Commission Meeting:

Speakers: Five individuals including the applicants spoke in support of the request. One person gave a general comment stating they were against any changes that would impact the current zoning of the Wallace Lane/Richmond Street Community.

Public Input: Four letters in support of the request were received.

Public Input Map



Subject Property

Notifications

April 8th Planning Commission Meeting:

- 687 notification letters were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the subject parcel and property owners within the Ashley River Road Corridor Overlay District on March 22, 2024.
- Additionally, this request was noticed in the Post & Courier on March 22, 2024.

May 7th Public Hearing:

- 687 notification letters were sent to individuals on the ZLDR-Comprehensive Plan and St. Andrews Interested Parties Lists, as well as property owners within 300 feet of the subject parcel and property owners within the Ashley River Road Corridor Overlay District on April 19, 2024.
- Additionally, this request was noticed in the Post & Courier on April 5, 2024.
- Signs posted on April 19, 2024

STONE CASTINGS OF CHARLESTON

1708 PINEVIEW RD
CHARLESTON, SC 29407

843-852-9800

We are a small local family business looking to keep our business in Charleston County. We live in the West Ashley area with our 3 small children. 2177 Ashley River is minutes from our current shop, our house and the children's school (attend Charleston County Public Schools). The business has been operating in CHS County for over 18 years. We are happy to continue providing this service to the community. We lease our current building and the Landlord is not interested in selling (it is an investment property for them). We would like to move into a space we own.

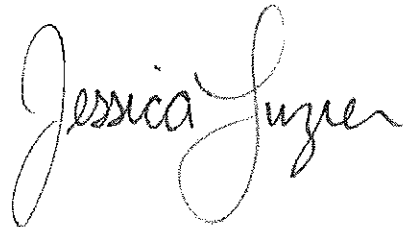
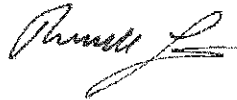
We want to invest in our area and continue to grow our business and our community. We have been proud to be a part of many local projects including the Charleston 9 memorial, Susie Jackson memorial, Officer Kee Memorial and providing custom products to MUSC, Charleston Water, CCSD, College of Charleston and many more. We currently employ 8 Charleston County residents. This building would be a perfect location (minutes from our current location) and size for our operations. We would continue to be an owner operated and occupied business.

We hand craft unique products out of cast stone and concrete. We are heavily relied upon by local builders, architects, designers and like. You can see various examples of our work downtown from window casings on a restoration project to bollards for traffic mitigation at the Dewberry. At this site we would house our manufacturing and product building. We would also like to have a show room to display some of our products and finishes. This would occupy no more than 15% of the total floor area.

We are a low volume business and operate Monday through Friday from 7:30-4:30. We have read the policies and our business would comply with the regulations set forth. Our product assembly will occur within the enclosed structure. Our proposed site plan does not include larger than 5,000 square feet of structures. We enjoy our small family oriented business and do not plan to expand and plan to have no more than ten employees.

We appreciate your consideration of this rezoning and look forward to many years in 2177 Ashley River.

Sincerely,



Russell & Jessica Luzier
& the Rest of the StoneCastings of Charleston Team

We Appreciate Your Consideration

www.makeitstone.com



Charleston County Zoning/Planning Department
 Lonnie Hamilton III, Public Services Building
 4045 Bridge View Drive
 North Charleston, SC 29405
 Phone (843) 202-7200 Fax (843) 202-7218

Joel H. Evans, PLA, AICP, Director

COMPREHENSIVE PLAN AMENDMENT APPLICATION

APPLICATION INFORMATION

Application Number:
 Date Submitted:
 Applicant Name: Russell and Jessica Luzier
 Address: 1708/ Pineview Road
 City: Charleston State: SC ZIP Code: 29407
 Telephone: 843-852-9800 Fax: E-mail: russell@makeitstone.com

TEXT/MAP LOCATION OF REQUESTED AMENDMENT

Section No. and Title: Map 3.1.13, Ashley River Road Corridor Overlay District
 Page: 3.1-21
 Please provide further indicators below to locate the subject text (subsection, item, paragraph, figure/exhibit)
 Located within the Charleston County Comprehensive Plan for TMS #354-12-00-006.

REQUESTED AMENDMENT

PROVIDE PRECISE WORDING FOR THE PROPOSED AMENDMENT

(documentation may be attached to the application in lieu of completing this section)

In addition, an amendment to Map 3.1.13, Ashley River Road Corridor Overlay Zoning District, on page 3.1-32 of the Charleston County Comprehensive Plan for TMS # 354-12-00-006 from the Neighborhood Commercial zoning designation to the Community Commercial zoning designation within the Village Commercial Area of the Ashley River Road Corridor Overlay Zoning District.

SIGNATURES

APPLICANT(S)	PLANNING DEPARTMENT OFFICIAL
PRINTED NAME: Russell Luzier	PRINTED NAME:
SIGNATURE: 	SIGNATURE: 
DATE: 2/19/2024	DATE: 2/29/24
PRINTED NAME: Jessica Luzier	
SIGNATURE: 	
DATE: 2/19/2024	

FOR OFFICE USE ONLY

Application Number			
Date Submitted			
Amount Received	\$250.00	Cash	Check Number:
Receipt Number			

Comprehensive Plan Letter of Intent

February 28, 2024

Marche' Miller
Charleston County Zoning & Planning

Re: 2177 Ashley River Road Rezoning

Dear Ms. Miller,

Section 3.2.6 of the Comprehensive Plan lists the criteria that are necessary to be met in order to amend the Comprehensive Plan in Charleston County. We feel that we have met Criteria C, as outlined below:

- C. Events, trends, or facts after adoption of the *Comprehensive Plan* have changed the County Council's original findings made upon plan adoption. When the Comprehensive Plan was originally adopted, the intent was that this property would support the residential and businesses in the Village Commercial Area. However, the lack of visibility has made those uses not possible. There was a dry cleaner that failed and for years the property has sat vacant and is now the location of homeless encampments and rampant drug use. This property is better suited to zoned Community Commercial, where it can provide better support through the use of Stone Casting of Charleston.

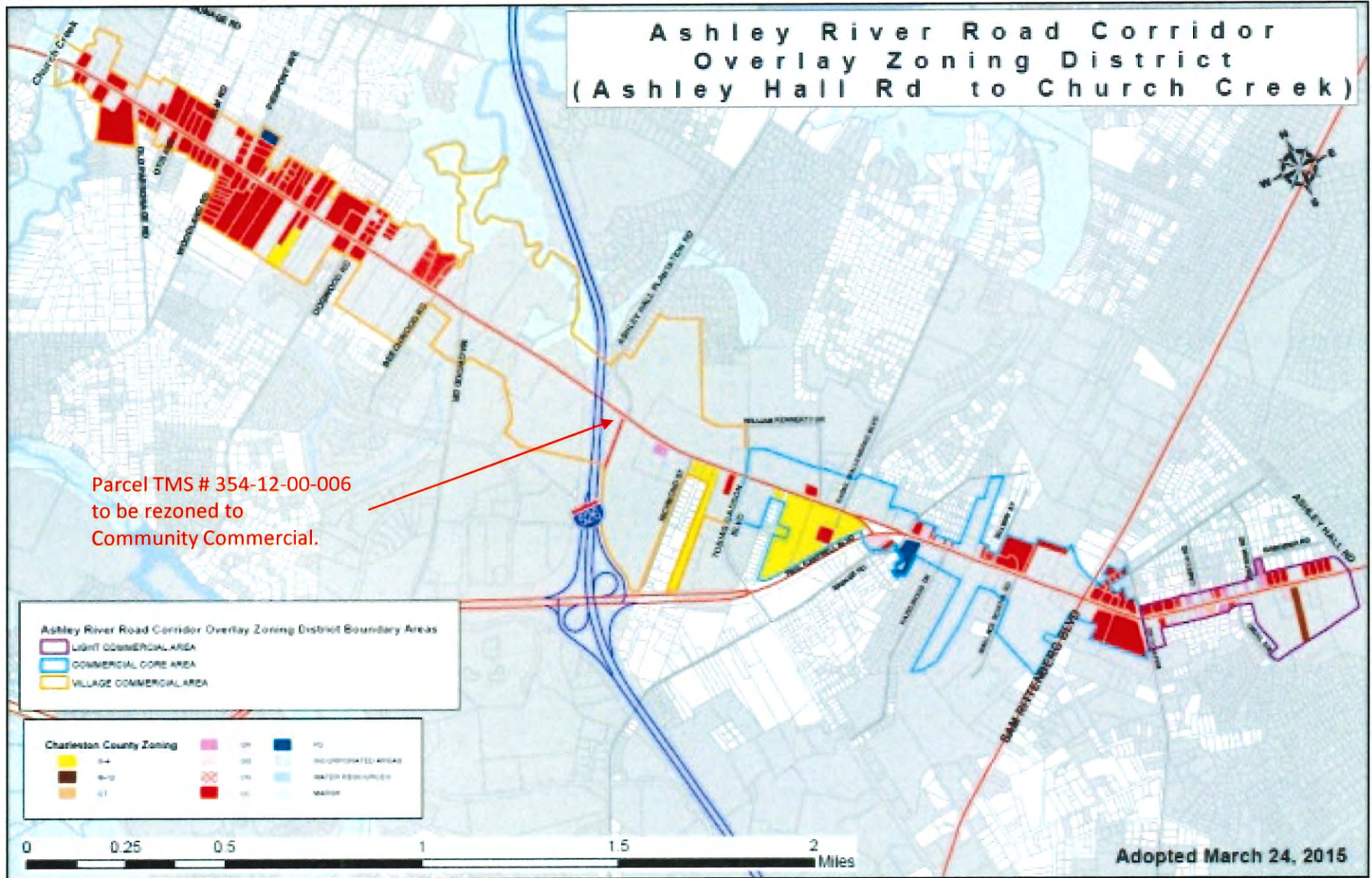
In summary, we feel that the amendment of the Comprehensive Plan for this property is in the best interest of the County and its residents.

Yours truly,

Russell and Jessica Luzier

Proposed Amendment

Map: 3.1.13: Ashley River Road Corridor Overlay Zoning District



Requested amendment: *Amend Map 3.1.13 :Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 withing the Village Commercial Area.*



Charleston County Planning Department
 Lonnie Hamilton III, Public Services
 Building 4045 Bridge View Drive
 North Charleston, SC 29405
 Phone (843) 202-7200 Fax (843) 202-7218

Joel H. Evans, PLA, AICP, Director

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

APPLICATION INFORMATION

Application Number:
 Date Submitted:
 Applicant Name: Russell and Jessica Luzier
 Address: 1708 Pineview Road
 City: Charleston State: sc ZIP Code: 29407
 Telephone: 843-852-9800 Fax: E-mail: russell@makeite.com

TEXT/MAP LOCATION OF REQUESTED AMENDMENT

Section No. and Title: Map 5.10 and Map 5.10.C located in ZLDR Chapter 5
 Page:
 Please provide further indicators below to locate the subject text (subsection, item, paragraph, figure/exhibit)

REQUESTED AMENDMENT

PROVIDE PRECISE WORDING FOR THE PROPOSED AMENDMENT

(documentation may be attached to the application in lieu of completing this section)

Change parcel TMS # 354-12-00-006 from the Neighborhood Commercial zoning designation to the Community Commercial zoning designation within the Village Commercial Area of the Ashley River Road Corridor (ARRC-O) to amend Map 5.10 and Map 5.10.C of the Ashley River Road Corridor Overlay District located in ZLDR Chapter 5.

SIGNATURES

APPLICANT(S)	PLANNING DEPARTMENT OFFICIAL
PRINTED NAME: Russell Luzier	PRINTED NAME:
SIGNATURE: 	SIGNATURE: 
DATE: 2/19/2024	DATE: 2/29/24
PRINTED NAME: Jessica Luzier	
SIGNATURE: 	
DATE: 2/19/2024	

FOR OFFICE USE ONLY

Application Number			
Date Submitted			
Amount Received	\$250.00	Cash	Check Number:
Receipt Number			

ZLDR Plan Letter of Intent

February 28, 2024

Marche' Miller
Charleston County Zoning & Planning

Re: 2177 Ashley River Road Rezoning

Dear Ms. Miller,

Section 3.3.6 of the ZLDR lists three criteria that are necessary to be met in order to rezone a property in Charleston County. We feel that we have met those criteria, as outlined below:

- A. The proposed amendment is necessary because of the challenge of a changing condition that has occurred in this area of Ashley River Road. When the property was initially zoned Neighborhood Commercial, the intent was for it to be able to support suburban and urban uses with operations such as retail, office, etc. However, with the lack of visibility that this property has due to I-526, it has made the uses allowed under Neighborhood Commercial not feasible. We feel that this site is better suited for service uses associated with Community Commercial.
- B. The proposed amendment is consistent with the goals stated in Article 1.5, because the proposed use will serve to support the surrounding uses in the community. This site is isolated with I-526 and the trees that surround the site. It is the perfect location for a service provider such as Stone Casting of Charleston, which serves the residential area. This site has previously been developed and by redeveloping the building, it prevents urban sprawl.
- C. The proposed amendment is in the best interest of the public welfare. The current zoning has proven to make the site unusable as evidenced by its years of vacancy. The surrounding residents are supportive of this rezoning as evidenced by the letters of support. They no longer want a property that is the home of drug use and squatters.

In summary, we feel that the rezoning of this property is in the best interest of the County and its residents.

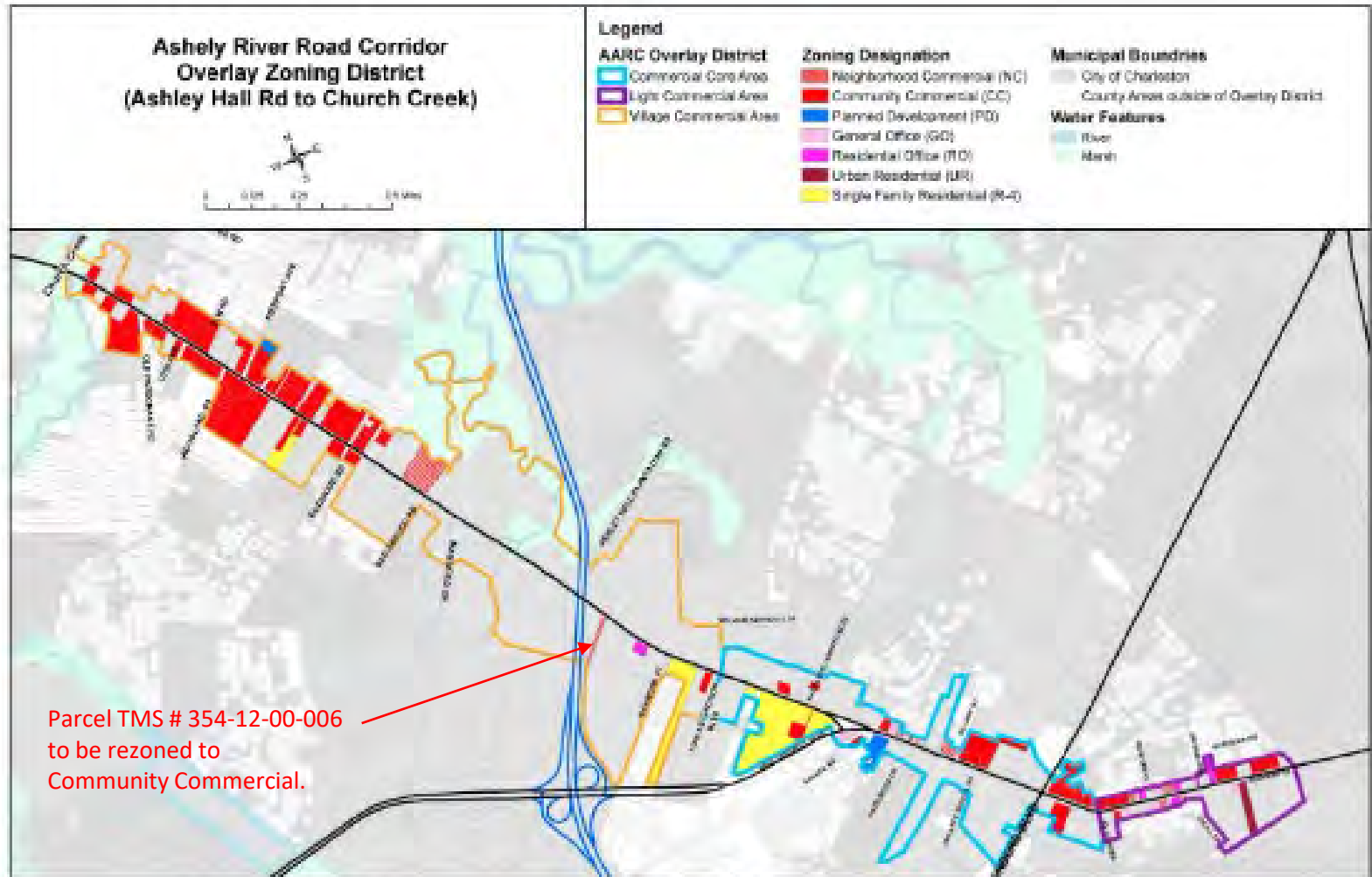
Yours truly,

DocuSigned by:
Jessica Luzier
0DDCB41054AA4D3...

DocuSigned by:
Russell Luzier
09D398486F59443...

Russell and Jessica Luzier

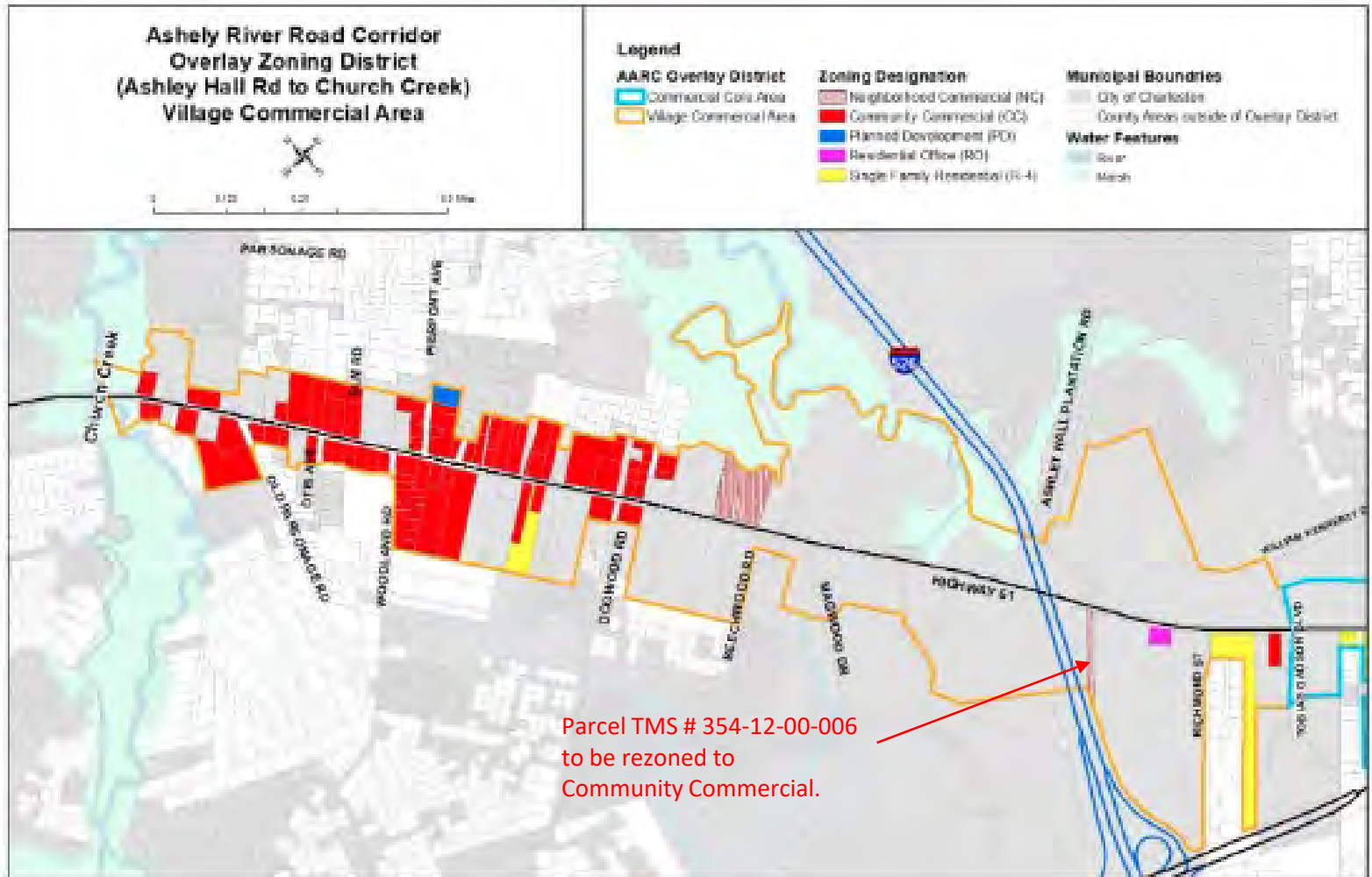
Map 5.10



ZLDR Text Amendment:

Requested amendment: Amend Map 5.10, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to the Community Commercial zoning designation within the Village Commercial Area.

Map 5.10.C



ZLDR Text Amendment:

Requested amendment: Amend Chapter Map 5.10.C, Ashley River Road Corridor Overlay Zoning District (Ashley Hall Rd to Church Creek), for TMS# 354-12-00-006 from Neighborhood Commercial to Community Commercial zoning designation within the Village Commercial Area.

**April 8th Planning Commission
Public Input**

January 29, 2024

Marche' Miller

Charleston County Zoning & Planning
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

My name is Paige Marie Krest, of the Marsh Cove Subdivision, located at 1 Pony Lane, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

I strongly support the request of this property being rezoned in order to enhance the functionality and use of this property. It will be a great addition to the community to have this building up and running, and not in its current vacant state.

Thank you for consideration of this application.

Yours truly,

Paige Marie Krest

A handwritten signature in black ink that reads "Paige Marie Krest". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

January 27, 2024

Marche' Miller

Charleston County Zoning & Planning
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

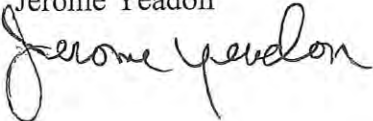
My name is Jerome Yeadon, located at 2225 Ashley River Road, Apt. 333, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

I am in support of the application for this building to be rezoned. Having this property as functioning building instead of the vacant state that it is in will make this building more appealing in the community.

Thank you for consideration of this application.

Yours truly,

Jerome Yeadon

A handwritten signature in cursive script that reads "Jerome Yeadon". The signature is written in black ink and is positioned below the printed name.

January 29, 2024

Marche' Miller

Charleston County Zoning & Planning
Via email

Re: 2177 Ashley River Road Rezoning

To Whom It May Concern,

My name is Bennie Gardner II, a resident of the March Cove Community, located at 3 Pony Lane, Charleston, SC 29407, to express support for the rezoning requests for 2177 Ashley River Road.

The rezoning will allow a building that has been vacant for a long time to come back to life and will have a positive impact on the neighborhood and remove an eyesore that exists today.

Thank you for consideration of this application. If you have questions, or require additional information, please do not hesitate to contact me at (843) 793-7287.

Yours truly,

Bennie Gardner II

A handwritten signature in black ink that reads "Bennie Gardner II". The signature is written in a cursive style with a large initial 'B' and a double vertical line at the end.

ST. ANDREWS ANGLICAN MISSION CHURCH

January 31, 2024

Marche' Miller

Charleston County Zoning & Planning
via email

Re: 2177 Ashley River Road Rezoning

Dear Ms. Parrish

I am writing on behalf of St. Andrews Anglican Mission Church, which is located at 2257 Ashley River Road, to express support for the rezoning requests for 2177 Ashley River Road.

The rezoning will allow a building that has been vacant for a long time to come back to life and will have a positive impact on the neighborhood and remove an eyesore that exists today.

Thank you for your consideration of this application. If you have questions, or require additional information, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Jimmy Gallant". The signature is written in a cursive style with a large initial "J".

Rev. Jimmy Gallant