Post & Courier

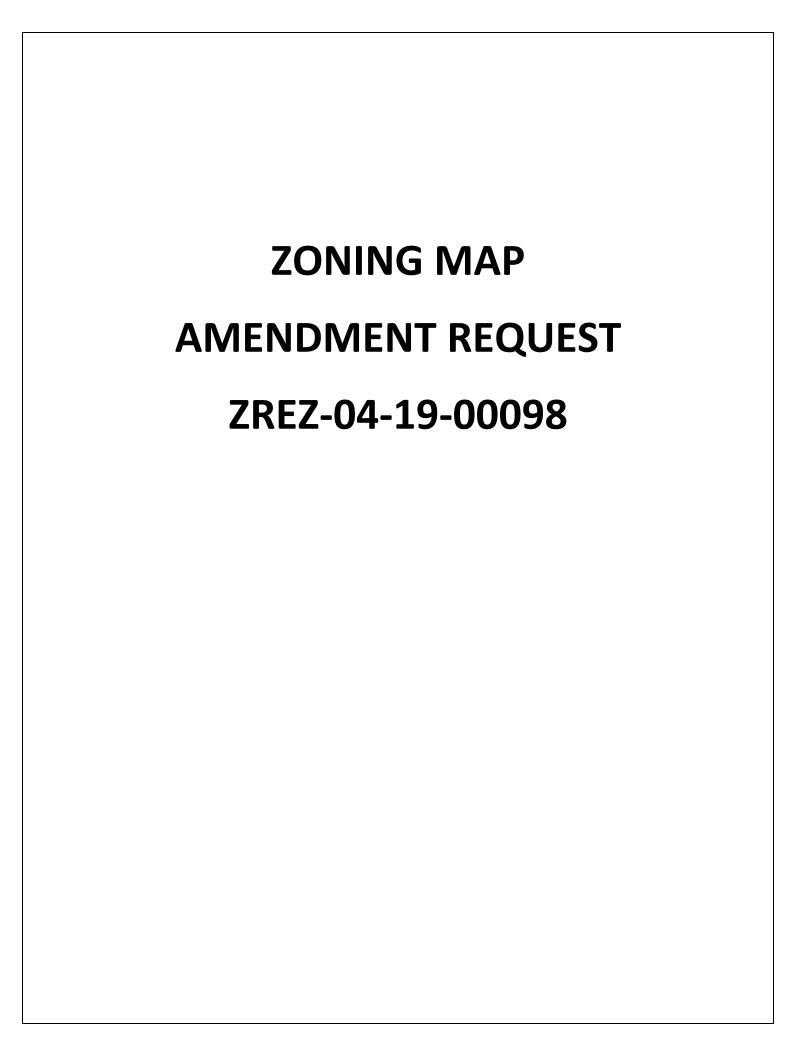
CHARLESTON COUNTY COUNCIL PUBLIC HEARING: ZONING MAP AMENDMENT Tuesday, July 30, 2019, 6:30 PM

Charleston County Council will hold a public hearing 6:30 pm, June 4, 2019, in County Council Chambers (second floor of Lonnie Hamilton, III, Public Services Building, 4045 Bridge View Drive, N. Charleston, SC 29405) on the following:

<u>ZREZ-04-19-00098:</u> Request to rezone a 0.935 acre portion of TMS 285-00-00-010 from the Industrial (I) Zoning District to the Community Commercial (CC) Zoning District.

For more details, visit www.charlestoncounty.org or contact the Charleston County Planning Department at (843) 202-7200. 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



ZONING MAP AMENDMENT REQUEST: ZREZ-04-19-00098 CASE HISTORY

Public Hearing: July 30, 2019
Planning and Public Works Committee: August 15, 2019
First Reading: August 20, 2019
Second Reading: September 10, 2019
Third Reading: September 24, 2019

CASE INFORMATION:

<u>Location</u>: 3749 Savannah Highway (St Andrews/West Ashley)

Parcel Identification: 285-00-00-010.

<u>Property Size</u>: The total size of the property is 4.36 acres; however, the portion of the property to be rezoned

is 0.935 acres.

Council District: 6

Zoning Map Amendment Request:

The applicant is requesting to rezone a 0.935 acre portion of the property located at 3749 Savannah Highway, (TMS 285-00-00-010), from the Industrial (I) Zoning District to the Community Commercial (CC) Zoning District. The property is currently undeveloped.

The subject site is currently split zoned between the CC and I Zoning Districts and this application is an attempt to correct the split zoning.

History:

In 1994, the subject property was made up of two parcels, TMS 285-00-00-010 and a portion of TMS 285-00-00-014. TMS 285-00-00-010 was zoned Residential Single Family (RSL) and TMS 285-00-00-014 was zoned I. As part of the 2001 reorganization of the Zoning and Land Development Regulations Ordinance, TMS 285-00-00-010 was zoned I and TMS 285-00-00-014 remained zoned I. TMS 285-00-00-010 was then rezoned from I to CC under application 3249-C, which was approved by County Council on 4/24/2004.

Under Subdivision Application 19631-02, approved on 6/18/2004, a portion of TMS 285-00-00-014, zoned I, was added to TMS 25-00-00-010, zoned CC, which created the parcel as it exists today as well as the split zoning of the parcel.

Adjacent Zoning:

There is a mixture of Zoning Districts and uses surrounding the subject site. Adjoining properties to the east are zoned either CC or I and contain either undeveloped land, a single-family residential dwelling, a special trades contractor, or a distillery. Adjoining properties to the south are zoned either I or Single Family Residential 4 (R-4) and contain either undeveloped land, a lumber sourcing use, residential dwellings, or a church. Adjoining properties to the west and north are zoned CC and contain either undeveloped land or a multi-tenant commercial strip building.

<u>Municipalities Notified/Responses</u>: The City of Charleston, Town of James Island, City of North Charleston, and Town of Kiawah Island, were notified of the request and have not responded.

<u>Public Input</u>: Correspondence received is included in this packet.

STAFF RECOMMENDATION:

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the Comprehensive Plan and the stated purposes of this Ordinance;

Staff response: The *Charleston County Comprehensive Plan* (the Plan) recommends the Commercial future land use for the whole of the subject property, including the 0.935-acre portion to be rezoned. This future land use designation "...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." In this regard, the request to rezone the 0.935-acre portion of the property to the CC Zoning District is consistent with the Plan's recommendations for this area, as this part of Savannah Highway is a commercial corridor for this area of the County.

B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff response: The requested CC Zoning District is compatible with existing commercial and industrial uses and recommended densities in the area. Furthermore, development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the ZLDR.

C. The proposed amendment corrects a zoning map error or inconsistency;

Staff response: The proposed amendment does not correct a zoning map error or inconsistency.

D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.

Staff response: The proposed amendment does not address events, trends, or facts that have significantly changed the character or condition of this area.

Because the zoning map amendment request meets one or more of the above stated criteria, staff recommends approval.

PLANNING COMMISSION MEETING: JUNE 10, 2019

Recommendation: Approval (Vote: 6-2, with 1 recusal).

Speakers: No one spoke in support of the application and 5 people spoke in opposition to the application.

Notifications:

163 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St Andrews Interested Parties List on May 24, 2019. Additionally, this request was noticed in the *Post & Courier* on May 24, 2019.

PUBLIC HEARING: JULY 30, 2019

Notifications:

163 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St Andrews Interested Parties List on July 12, 2019. Additionally, this request was noticed in the *Post & Courier* on June 28, 2019, and a notification sign was posted on the property on July 12, 2019.



Public Hearing – July 30, 2019
Planning and Public Works Committee – August 15, 2019

ZREZ-04-19-00098

- St Andrews/West Ashley: 3749 Savannah highway
- Parcel I.D.: 285-00-00-010
- Request to rezone a 0.935 acre portion of the property located at 3749 Savannah Highway, (TMS 285-00-00-010), from the Industrial (I) Zoning District to the Community Commercial (CC) Zoning District
- Applicant: Kevin Rogers, WRS Inc.

550 Long Point Road, Mt Pleasant SC, 29464

Owner: Theodore Siachos

101 Tuscany way, Greer SC, 29650

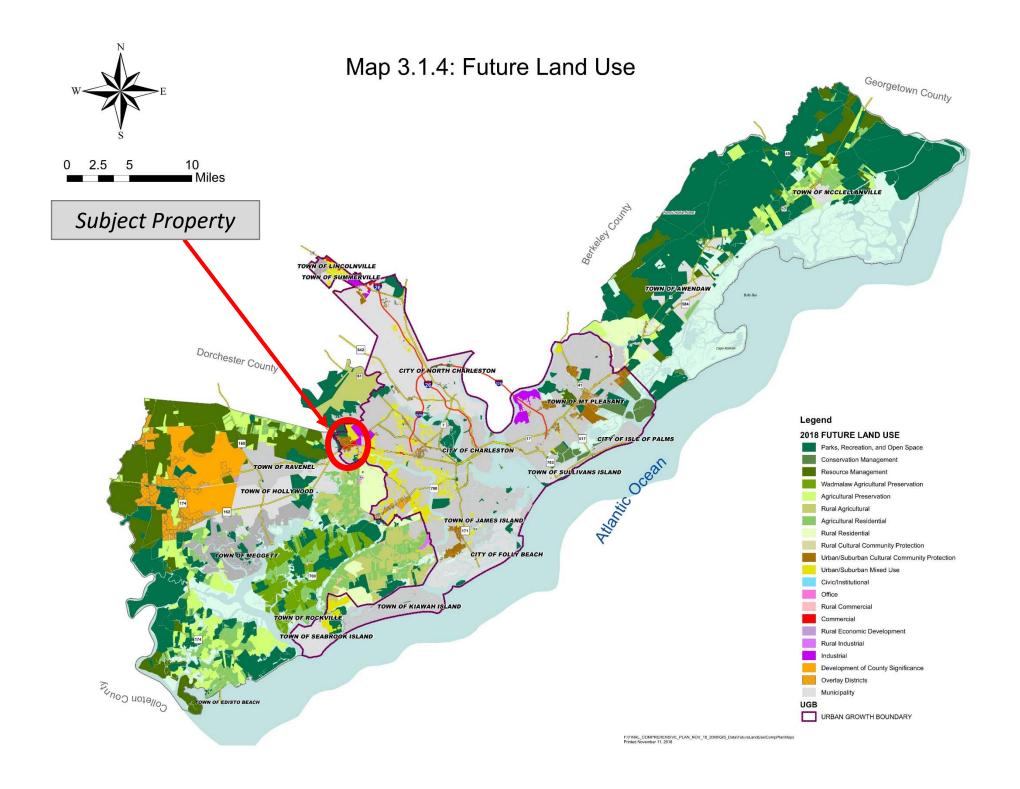
• Acreage: Total Site 4.36-acres, Portion to be rezoned 0.935-acres

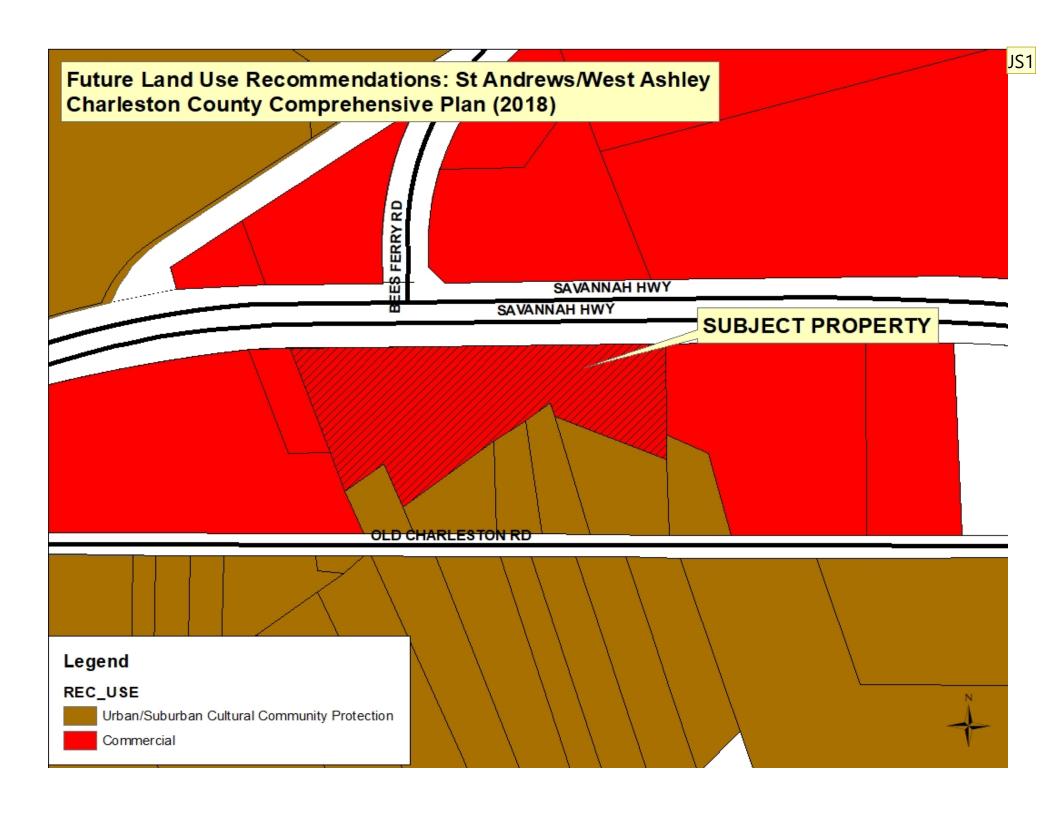
Council District: 6



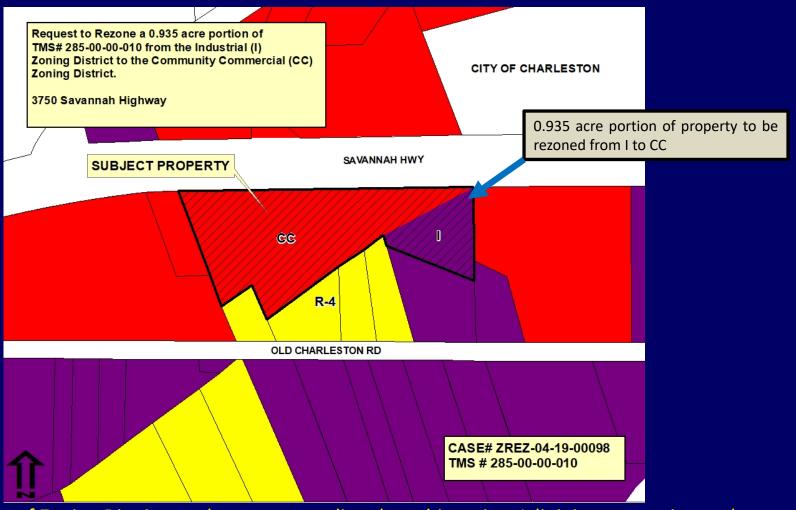
Zoning History

- In 1994, the subject property was made up of two parcels, TMS 285-00-00-010 and a portion of TMS 285-00-00-014. TMS 285-00-00-010 was zoned Residential Single Family (RSL) and TMS 285-00-00-014 was zoned Industrial (I).
- As part of the 2001 reorganization of the Zoning and Land Development Regulations Ordinance, TMS 285-00-00-010 was zoned I and TMS 285-00-00-014 remained zoned I.
- TMS 285-00-00-010 was then rezoned from I to CC under application 3249-C, which was approved by County Council on 4/24/2004.
- Under Subdivision Application 19631-02, approved on 6/18/2004, a portion of TMS 285-00-00-014, zoned I, was added to TMS 25-00-00-010, zoned CC, which created the parcel as it exists today as well as the split zoning of the parcel.



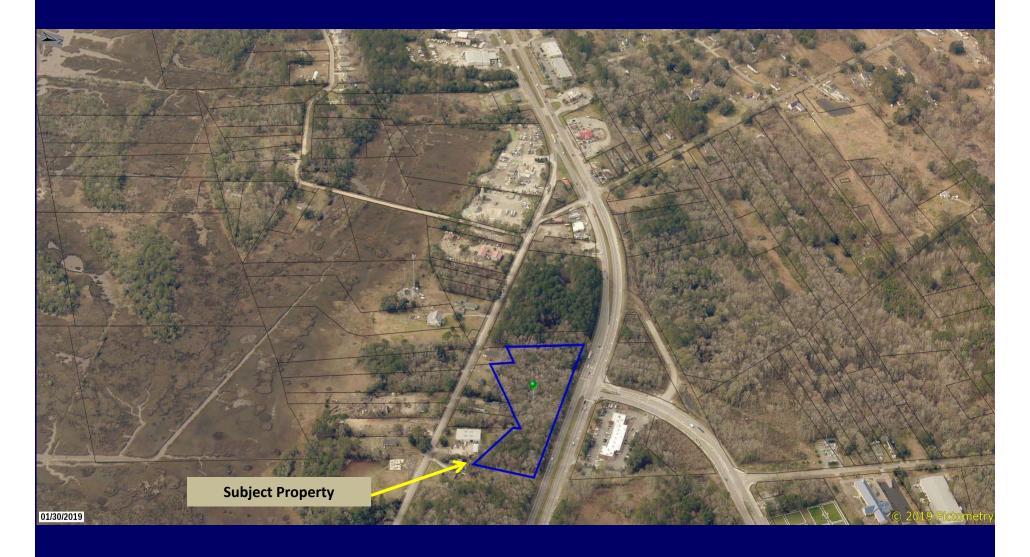


Area Description



There is a mixture of Zoning Districts and uses surrounding the subject site. Adjoining properties to the east are zoned either CC or I and contain either undeveloped land, a single-family residential dwelling, a special trades contractor, or a distillery. Adjoining properties to the south are zoned either I or Single Family Residential 4 (R-4) and contain either undeveloped land, a lumber sourcing use, residential dwellings, or a church. Adjoining properties to the west and north are zoned CC and contain either undeveloped land or a multi-tenant commercial strip building.

Aerial View to the West



Aerial View to the East



Site Photos



1 – Subject Property

2 – Subject Property



Site Photos



3 – Adjacent Property

4 – Adjacent Property



Typical Allowed Uses

Industrial (I)

- Density: 4 units/acre
- Single-Family Detached
- Day Care Services
- Medical Office
- Community Recreation
- Hotels or Motels
- Offices
- Heavy Construction Services or General Contractors
- Impound Yard
- Towing Facility
- Dry Cleaning or Carpet Cleaning Plants

Community Commercial (CC)

- Density: 12 units/acre
- Multi-Family
- Day Care Services
- Health Care Services
- Community Recreation
- Hotels or Motels
- Offices
- Special Trades Contractors
- Retail or Personal Services
- Wholesale Sales
- Self-Service Storage

Approval Criteria—Section 3.4.6

According to Section 3.4.6 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, zoning map amendments may be approved by County Council only if the proposed amendment meets one or more of the following criteria:

A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this *Ordinance*;

Staff response: The Charleston County Comprehensive Plan (the Plan) recommends the Commercial future land use for the whole of the subject property, including the 0.935-acre portion to be rezoned. This future land use designation "…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." In this regard, the request to rezone the 0.935-acre portion of the property to the CC Zoning District is consistent with the Plan's recommendations for this area, as this part of Savannah Highway is a commercial corridor for this area of the County.

Approval Criteria—Section 3.4.6 (cont'd)

B. The proposed amendment will allow development that is compatible with existing uses, recommended density, established dimensional standards, and zoning of nearby properties that will benefit the public good while avoiding an arbitrary change that primarily benefits a singular or solitary interest;

Staff response: The requested CC zoning district is compatible with existing commercial and industrial uses and recommended densities in the area. Furthermore, development that may occur as a result of this zoning change will be required to comply with all applicable regulations of the ZLDR.

- C. The proposed amendment corrects a zoning map error or inconsistency;
 - *Staff response:* The proposed amendment does not correct a zoning map error or inconsistency.
- D. The proposed amendment addresses events, trends, or facts that have significantly changed the character or condition of an area.
 - *Staff response:* The proposed amendment does not address events, trends, or facts that have significantly changed the character or condition of this area.

Recommendation

The zoning map amendment request meets one or more of the above stated criteria.

STAFF RECOMMENDATION:

Approval

PLANNING COMMISSION RECOMMENDATION:

Approval (Vote: 6-2 with 1 recusal)

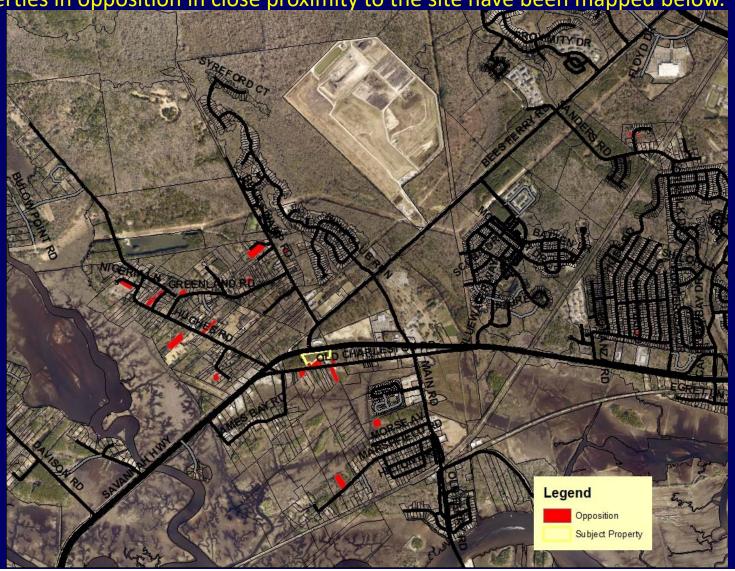
Notification

- Planning Commission: June 10, 2019
 - 163 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St Andrews Interested Parties List on May 24, 2019.
 - Request advertised in the Post & Courier on May 24, 2019.
- Public Hearing: July 30, 2019
 - 163 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St Andrews Interested Parties List on July 12, 2019.
 - Request advertised in the *Post & Courier* on June 28, 2019.
 - Notification sign posted on the property on July 12, 2019

Public Input

• Five letters, one petition with 11 signatures, and one petition with 30 signatures in opposition have been received.

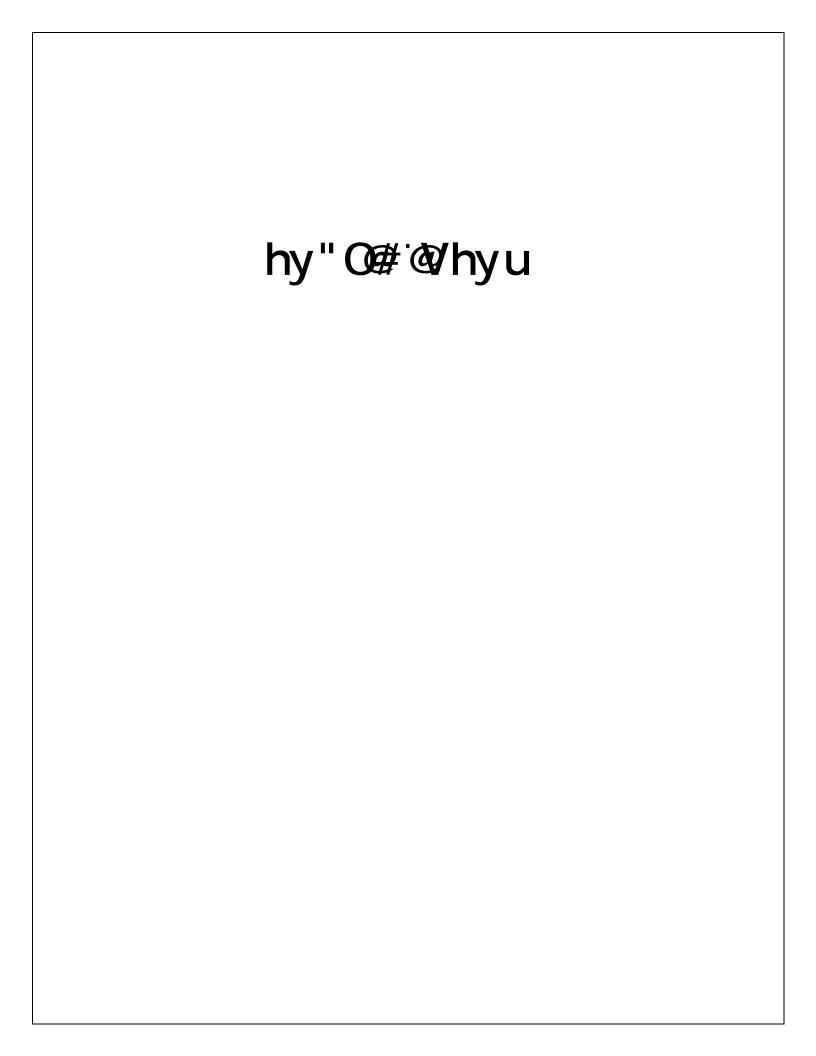
• Properties in opposition in close proximity to the site have been mapped below.





Public Hearing – July 30, 2019

Planning and Public Works Committee – August 15, 2019



6123 Old Jacksonboro Road Ravenel, SC 29470 June 7, 2019

Mr. Joel Evans, PLA, AICP Zoning/Planning Department 4045 Bridge View Drive North Charleston, SC 29405

RE: ZREZ: 04-19-00098

Dear Mr. Evans:

Upon much consideration, it is quite clear that compounding business operations would be a dire disadvantage to this community. Big businesses will prosper, but the residents will suffer immensely. I express my utmost opposition to change a portion of TMS 285-00-00-010 from the industrial (1) zoning District to the community Commercial (CC) Zoning District.

Sincerely,

Mrs. Barbara B. Moss

Heir of Hector Robinson

Birbara B. Moss/flas



1660 Highway 41 Mt. Pleasant, SC 29466 June 4, 2019 JUN 12 2019

Charleston County Zoning/ Planning Department

Mr. Joel Evans, PLA, AICP Zoning/ Planning Department 4045 Bridge View Drive North Charleston, SC 29405

Re: ZREZ-04-19-00098

Dear Mr. Evans:

I am not in favor of rezoning from industrial to Community Commercial. I have seen my taxes increase at a rate that is astronomical. I am a senior citizen on a fixed income. With this increase, it is a strain on my pocketbook.

I am not in favor of the change because I am satisfied with the serenity that exists in the neighborhood. With a change in zoning, there will be an influx of other businesses into the neighborhood. The culture will be changed. The people in the neighborhood knows each other. I like the community of folks with whom I grew up. We take care of each other. When other folks come into the neighborhood, they want to make all kinds of changes and want to tell us what we can and cannot do.

I am counting on the Council to not grant this petition for the reasons stated above.

Sincerely,

Mrs. Juanita B. Smalls Hector Robinson Estate

granto B. Smalls

1660 Highway 41 Mt. Pleasant, SC 29466-8605 July 20, 2019

Mr. Joel Evans, PLA, AICP 4045 Bridge View Drive North Charleston, SC 29405-7464

Re: ZREZ-04-19

Dear Mr. Evans:

As a taxpaying citizen, I am against County Council wanting to appease the developer who really don't have the interest of the Red Top Community. He is just interested in fattening his pocket. The Community is not very large; however, the homes they live in is all some of the folks have. If you allow this rezoning, it will impact the resident's way of life. We already have a problem with traffic. The folks speed down the highway. They have no regards for the speed limits. People cannot cross the highways going to and fro the church, the grocery store, the bank, etc. Don't let folks try to walk the highway to attend to their business. There is not a sidewalk for pedestrians. There has been an increase of accidents even though there is a light system in place especially at Main Road and Highway 17S.

The children cannot even attempt to ride their bicycles.

We have to look at Wetlands. Natural Wetlands are there for a reason to help protect the environment. When those area have been disturbed, the environment becomes susceptible to destroying of wild life.

We, the citizens know that once you, County Council allow this change the developers can put up excessive amounts of building. You may put a stipulation on the kinds of buildings and the amount of buildings, but those guidelines can be overturned especially when the dollar is the key factor.

I am asking you to consider our situation and yours too. More businesses, more crimes. More crimes the cost is passed on to the tax papers. A lot of the citizens are elderly, on a fixed income and if they are working, their income below the poverty level.

Would you want your neighborhood to be taken away from you?

Please vote, "NO".

Sincerely,

Mrs. Juanita B. Smalls
Hector Robinson & State

Mary CELWORDS
3723 OLD Charleston Rd
Thus Doland, SC 29455 Planning Commission Dam Willing this teller to oppose
The tre zoning of properly ZREZ
641900098; to rezone a 0.935 acre
pertian of TMS 258 0000010 from
Industrial (1) To Community Commercial of 3750 Davannah Highway. Thanks

3746 Old Charleston Rd. Johns Island, SC 29455 June 4, 2019

Mr. Joel Evans, PLA, AICP Charleston County Council 4945 Bridge View Drive North Charleston, SC 29405

RE: ZREZ-04-19-00098

Dear Mr. Evans:

I, a tax paying resident of Charleston County, am not in favor of having the proposed parcel of land rezoned because of the traffic, amount of people coming to and fro throughout the community as well as the high amount of tax I have to pay.

Yours truly,

Ms. Viola Jackson

Vial- Jacksen

3746 Old Charleston Rd. Johns Island, SC 29455 June 4, 2019

Mr. Joel Evans, PLA, AICP Charleston County Council 4945 Bridge View Drive North Charleston, SC 29405

RE: ZREZ-04-19-00098

Dear Mr. Evans:

I, a resident of Charleston County, am against the rezoning of my community because of the amount of taxes I have to pay, the tearing up of the land which the animals need for habitat and for the possibility of crime in the community.

Yours truly,

Ms. Virginia Jackson / Viola Jackson

OPPOSITION TO REZONING OF #258-00-00-010 June 5, 2019

Please add your telephone number

PRINT NAME SIGNATURE SIGNATURE ADDRESS TIM# REGISTERED VOTER RESIDENT	Hasson Andersor PRINT NAME Hasson Andrew SIGNATURE: I d Holly Dr. ADDRESS MUCCUS CORNER SC 29461 TIM# REGISTERED VOTER RESIDENT
PRINT NAME DEDUCAM Wright Deburah Wright SIGNATURE ILIAMS CA ADDRESS A	Some DELTA DELTA Members / Griends Al of Bethel A, m.t. Church Th 3754 Old Chas Rd
PRINT NAME VIVO JONES Ulma Jones SIGNATURE CECOT M: 115 Ct. ADDRESS COLLE, SC 29445 TIM# REGISTERED VOTER RESIDENT	PF DELTA IS EXPANDING IN NEW YORK SIGNATURE ADDRESS TM# REGISTERED VOTER RESIDENT

OPPOSITION TO REZONING OF #258-00-00-010 June 5, 2019

Please add your telephone number

PRINT NAME Almarie Hudson Office A Hudson SIGNATURE 843-303-4983 ADDRESS 709 Hitching Post Road TIM# Charleston, SC 29414 REGISTERED VOTER RESIDENT	PRINT NAME Ramona Maustrie Ramona Maustrie SIGNATURE 1240 Heatley Rd. Charleston, SC 29404 ADDRESS TM# REGISTERED VOTER RESIDENT
PRINT NAME ARTHUR GEDDIS SIGNATURE AHL Heddi ADDRESS 2060 HERMAN RO JOHNS IS 1- 5C 19455 TM# PREGISTERED VOTER PRESIDENT	PRINT NAME SIGNATURE 4032 DAVISON RDRAVONAL ADDRESS S.C. 29478. TM# REGISTERED VOTER RESIDENT
JAMAL Wordht PRINT NAME SIGNATURE ADDRESS 1058 Rev Joseph Heywar P Rol Chas SC 29414 TM# REGISTERED VOTER RESIDENT	PRINT NAME PRINT NAME SIGNATURE SIGNATURE SIGNATURE TONS REGISTERED VOTER RESIDENT

PETITION OPPOSITON TO REZONING OF #258-00-00-010 ZREZ-04-19-00098

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Anthony dibbs	Colley Ships	3754 Greekand S. C. 294
JoHnay Brown	alahalla an	708 Hugher Fil Jok Bin
Lillian Gadsten	Billin Books	3913 Migeria hartie
ELIGENE SUNTERSIR	Erigene Suntil	3880 NEW HOPE IN SUN BAN
Vernell Greene		727 Hygher Rd Jun
Mgses Black	Mara Blin	764 Bear swamp RD
Rascon Jackson	ROSEANN JACKSON	1340 5, Sherwood TV.
Alverta S. Bonnens	Alverta G. Downs	("100 3 L 29HO") 1 -11
Louise Grant	Louis Grant	2838 Somler Fol Shire Isl
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PETITION OPPOSITON TO REZONING OF #258-00-00-010 ZREZ-04-19-00098

	Print Name	Signature	Address & Telephone Number
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(Benomin HEdwards	Buyer House	29455
	Herr Lee Edwards	Man Le Eln &	Juny's Island 5 2294 5945
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	DELTA IS EXPANDING IN NEW YORK		

ZONING CHANGE APPLICATION

Zoning/Planning ZREZ-04-19-00098 Department CASE Lonnie Hamilton, III Public Services Building PROPERTY INFORMATION 4945 Bridge View Drive North Charleston, SC 29405 (343) 202-7200 GURRENT DISTRICT REQUESTED DISTRICT 1 600 524-7832 図 COUNTY Faz: (843) 202-7222 PARCEL ED(S) 28h-00-00-SOUTH CAROLINA CITYIAREA OF COUNTY STREET ADDRESS DEED RECORDED: 10/29/2014 PLAT RECORDED: 6/18/2004 APPROVAL# DAVE -REPRESENTATIVE APPLICANT HOME PHONE 943-654-7872 MAIL ADDRESS WORK PHONE CITY, STATE, ZIP CELL PHONE EMAL OVINER CF OTHER THAN APPLICANTS HOME PHONE MAIL ADDRESS WORK PHONE CITY, STATE, ZIP CELL PHONE SIACHOS@Ael.com EMAIL HOME PHONE MAIL ADDRESS WORK PHONE CITY, STATE, Z.P. CELL PHONE EMAIL CERTIFICATION Copy of Approvad and Recorded Plat showing present boundaries of procerty This application will be returned to the Copy of <u>Current Recorded Dead</u> to the property (Owner's signature must material documentation.) applicant within fifteen (15) business days if these items are not submitted with the Copy of Signed Restricted Covenants Afficavit application or if any are found to be Copy of Signed Fosted Notice Afridavit Inaccurate: Fee \$150.00 plus \$10.00 per acre (Fees vary for Flanned Developments.) I (we) certify that is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been

OFFICE USE ONLY

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