

Post & Courier

CHARLESTON COUNTY COUNCIL COMPREHENSIVE PLAN, ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR), AND ZONING MAP AMENDMENT PUBLIC HEARING

Tuesday, July 14, 2020 at 6:30 PM

Charleston County Council will hold a public hearing on the matters listed below beginning at 6:30 p.m., Tuesday, July 14, 2020, in Council Chambers (second floor of the Lonnie Hamilton, III, Public Services Building, located at: 4045 Bridge View Drive, North Charleston, SC 29405). The complete agenda 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>. Written public comments may be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by noon on Tuesday, July 14. Contact the Zoning and Planning Department at (843)202-7200 or CCPC@charlestoncounty.org for additional information.

- a. ZREZ-02-20-00114: Request to rezone TMS 711-00-00-052, located at 7820 N. Highway 17 (East County area), from the Agricultural Preservation 10 (AG-10) Zoning District to the Planned Development, PD-176, High School/Middle School in Awendaw, Zoning District.
- b. ZREZ-02-20-00115: Request to rezone TMS 390-00-00-072, located at 9576 Koester Road (Ladson area) from the Single Family Residential 4 (R-4) Zoning District to the Community Commercial (CC) Zoning District.
- c. ACP-02-20-00117 & ZLDR-02-20-00121: Request to amend the zoning and future land use designation in the Parkers Ferry Overlay Zoning District in the Comprehensive Plan and the ZLDR, from the Residential Area to the Commercial Area for TMS 121-00-00-051, located at 7662 Savannah Hwy (Adams Run area).
- d. ACP-05-20-00119 & ZLDR-05-20-00122: Request to amend the zoning and future land use designation in the Parkers Ferry Overlay Zoning District in the Comprehensive Plan and the ZLDR, from the Residential Area to the Commercial Area for TMS 121-00-00-047 located at Savannah Hwy (Adams Run area).

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-02-20-00115

- Case History
- Presentation
- Application

ZREZ-02-20-00115: Case History

Planning Commission: June 22, 2020
Public Hearing: July 14, 2020
Planning and Public Works Committee: August 6, 2020
First Reading: August 11, 2020
Second Reading: September 8, 2020
Third Reading: September 22, 2020

CASE INFORMATION

Applicant: John Popelka

Owner: Norman Joseph Leonard, III

Location: 9576 Koester Road

Parcel Identification: 390-00-00-072

Application: Request to rezone TMS 390-00-00-072, located at 9576 Koester Road (Ladson area) from the Single Family Residential 4 (R-4) Zoning District to the Community Commercial (CC) Zoning District.

Council District: 6 (Rawl)

Property Size: 1.8 acres

Zoning History: The subject property was zoned Low-Density Residential (RSL) on the 1994 Tax Maps, and there have been no previous rezoning requests for this parcel. The RSL Zoning District was renamed "R-4" as part of the 2006 ZLDR amendment project.

Adjacent Zoning: The subject property is undeveloped. Property to the East is zoned General Office (OG) and is undeveloped. Property to the South is zoned R-4 and contains a single-family dwelling. Properties to the North are zoned R-4 and CC, and contain a single-family dwelling, and an unoccupied commercial building, respectively. Properties to the West, across Koester Road and the train line, are zoned Industrial (I) and contain a concrete business.

Municipalities Notified/Response: The Town of Summerville, Town of Sullivan's Island, Town of Seabrook Island, Town of Ravenel, Town of Mt Pleasant, Town of Meggett, Town of McClellanville, Town of Lincolnville, Town of Kiawah Island, Town of James Island, Town of Hollywood, Town of Awendaw, City of North Charleston, City of Isle of Palms, City of Folly Beach, City of Charleston, and Colleton County were notified of the request and have not responded.

APPROVAL CRITERIA

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 Comprehensive Plan recommends this parcel for the Commercial Future Land Use category, 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 requested zoning district is consistent with the Comprehensive Plan recommendation.

- 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: Many of the neighboring parcels contain commercial and industrial uses making this request consistent with the character of the surrounding area along Ladson Rd. Any proposed uses on this parcel, other than single-family residential, would require Site Plan Review, ensuring compliance with the use regulations and density and dimensional standards of the ZLDR.

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

Staff Response: Not applicable.

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

Staff Response: Commercial and industrial development in the area has changed its character and this amendment is consistent with the current character of the area.

The Zoning Map Amendment Request meets one or more of the approval criteria; therefore, staff recommends approval.

PLANNING COMMISSION MEETING: June 22, 2020

Recommendation: Approval (8-0) with one absent.

Notifications: 83 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the North Area Interested Parties List on June 5, 2020. Additionally, this request was noticed in the *Post & Courier* on June 5, 2020.

Speakers: The applicant spoke in support of the application.

PUBLIC HEARING: July 14, 2020

Notifications: 83 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the North Area Interested Parties List on June 26, 2020. Additionally, this request was noticed in the *Post & Courier* on June 12, 2020.



Charleston County Zoning Map Amendment Request

Planning Commission – June 22, 2020

Public Hearing – July 14, 2020

PPW Committee – August 6, 2020

1st Reading – August 11, 2020

2nd Reading – September 8, 2020

3rd Reading – September 22, 2020

Site Information

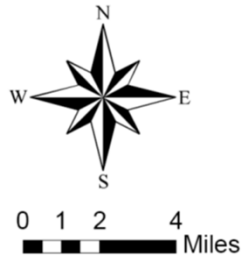
- Ladson Area: 9576 Koester Road
- Parcel I.D.: 390-00-00-072
- Owner: Norman Leonard Joseph, III
- Applicant: John Popelka
- Property Size: 1.8 acres
- Council District: 6 - Rawl

Zoning History

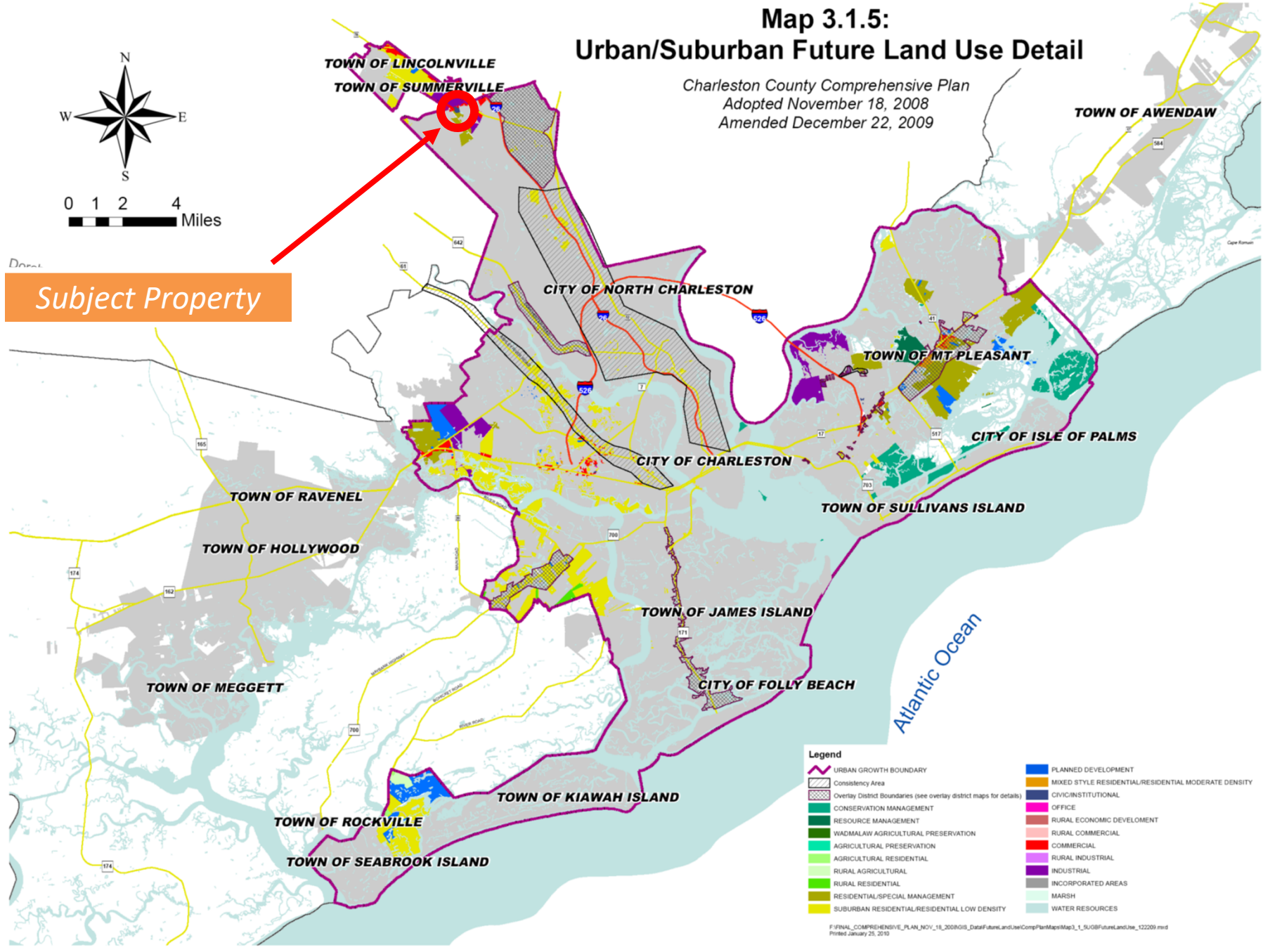
- The subject property was zoned Low-Density Residential (RSL) on the 1994 Tax Maps
- The RSL Zoning District was renamed “R-4” as part of the 2006 ZLDR amendment project.
- There have been no previous rezoning requests for this parcel

Map 3.1.5: Urban/Suburban Future Land Use Detail

Charleston County Comprehensive Plan
Adopted November 18, 2008
Amended December 22, 2009



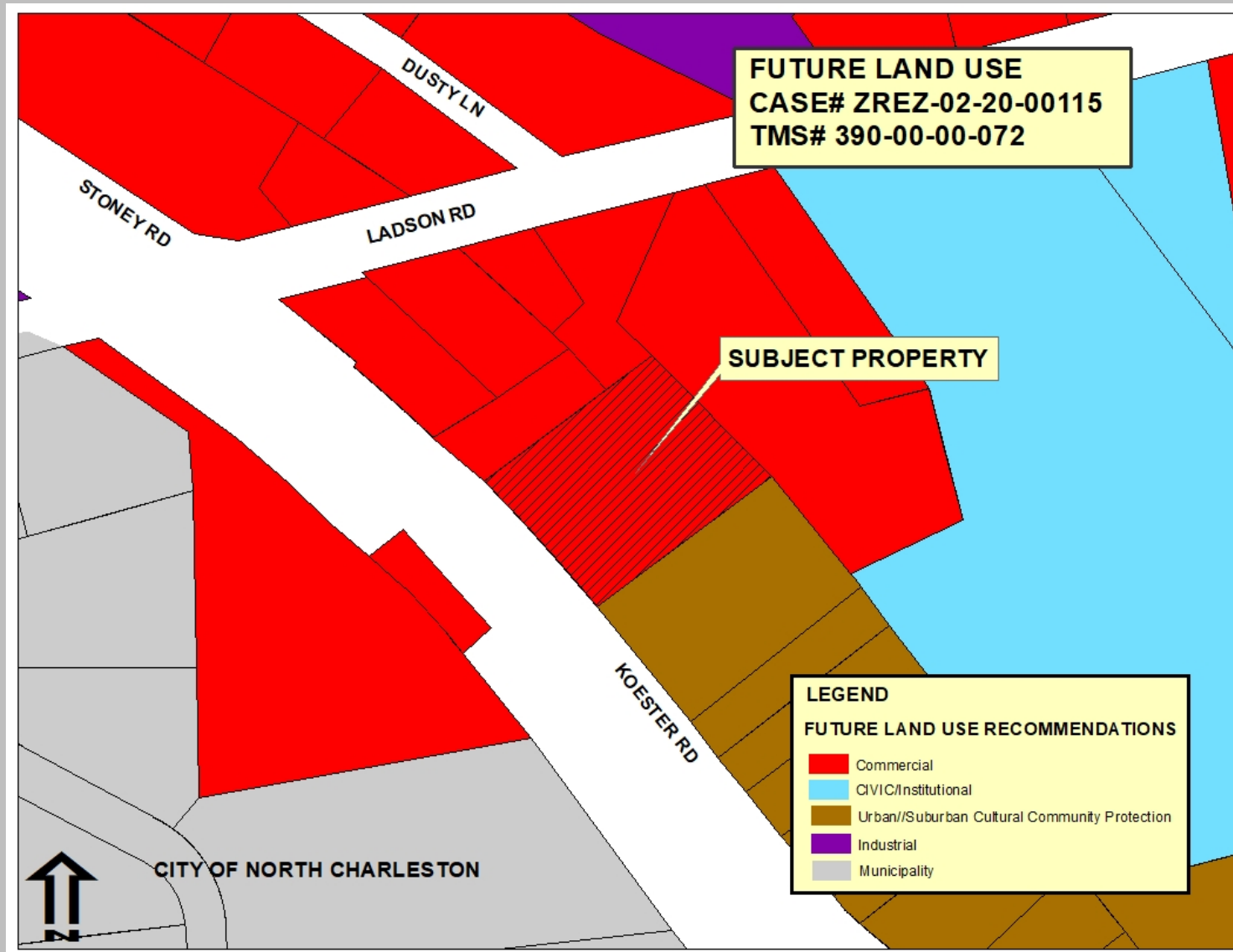
Don't
Subject Property



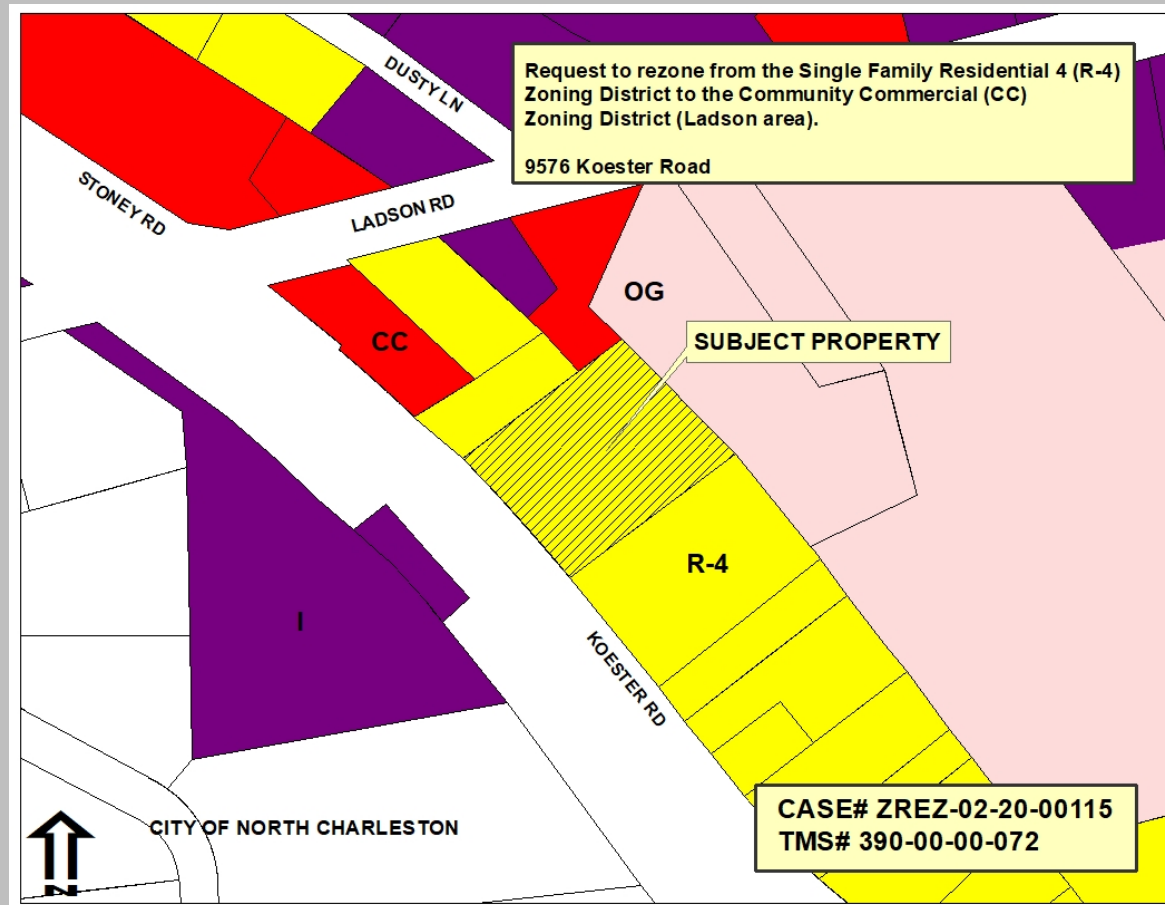
- Legend**
- URBAN GROWTH BOUNDARY
 - Consistency Area
 - Overlay District Boundaries (see overlay district maps for details)
 - CONSERVATION MANAGEMENT
 - RESOURCE MANAGEMENT
 - WADMALAW AGRICULTURAL PRESERVATION
 - AGRICULTURAL PRESERVATION
 - AGRICULTURAL RESIDENTIAL
 - RURAL AGRICULTURAL
 - RURAL RESIDENTIAL
 - RESIDENTIAL/SPECIAL MANAGEMENT
 - SUBURBAN RESIDENTIAL/RESIDENTIAL LOW DENSITY
 - PLANNED DEVELOPMENT
 - MIXED STYLE RESIDENTIAL/RESIDENTIAL MODERATE DENSITY
 - CIVIC/INSTITUTIONAL
 - OFFICE
 - RURAL ECONOMIC DEVELOPMENT
 - RURAL COMMERCIAL
 - COMMERCIAL
 - RURAL INDUSTRIAL
 - INDUSTRIAL
 - INCORPORATED AREAS
 - MARSH
 - WATER RESOURCES

F:\FINAL_COMPREHENSIVE_PLAN_NOV_18_2008\GIS_Data\Future.and.Use\CompPlan\Map3_1_5_UrSubFutureLandUse_122209.mxd
Printed January 25, 2010

Future Land Use

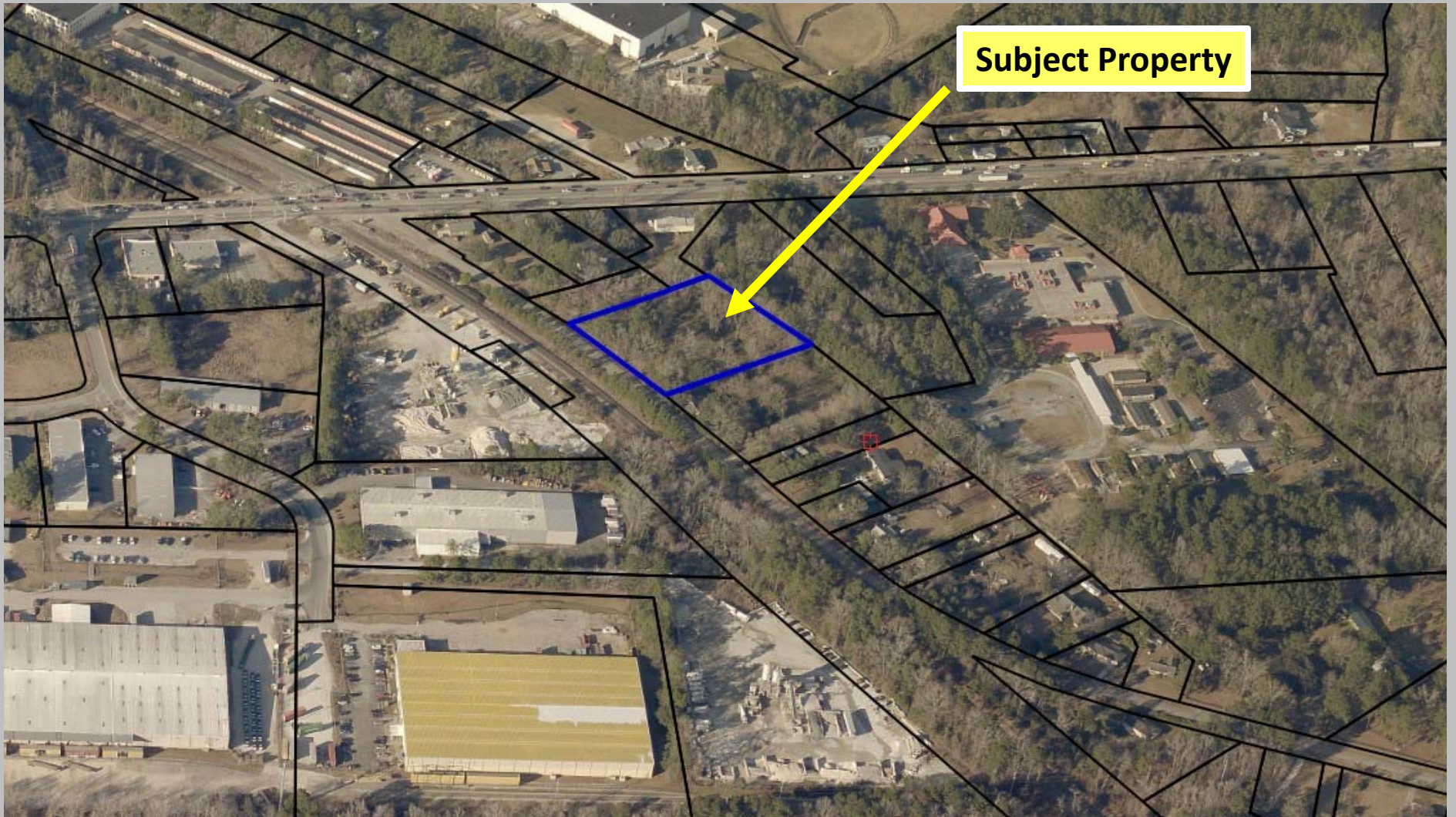


Current Zoning

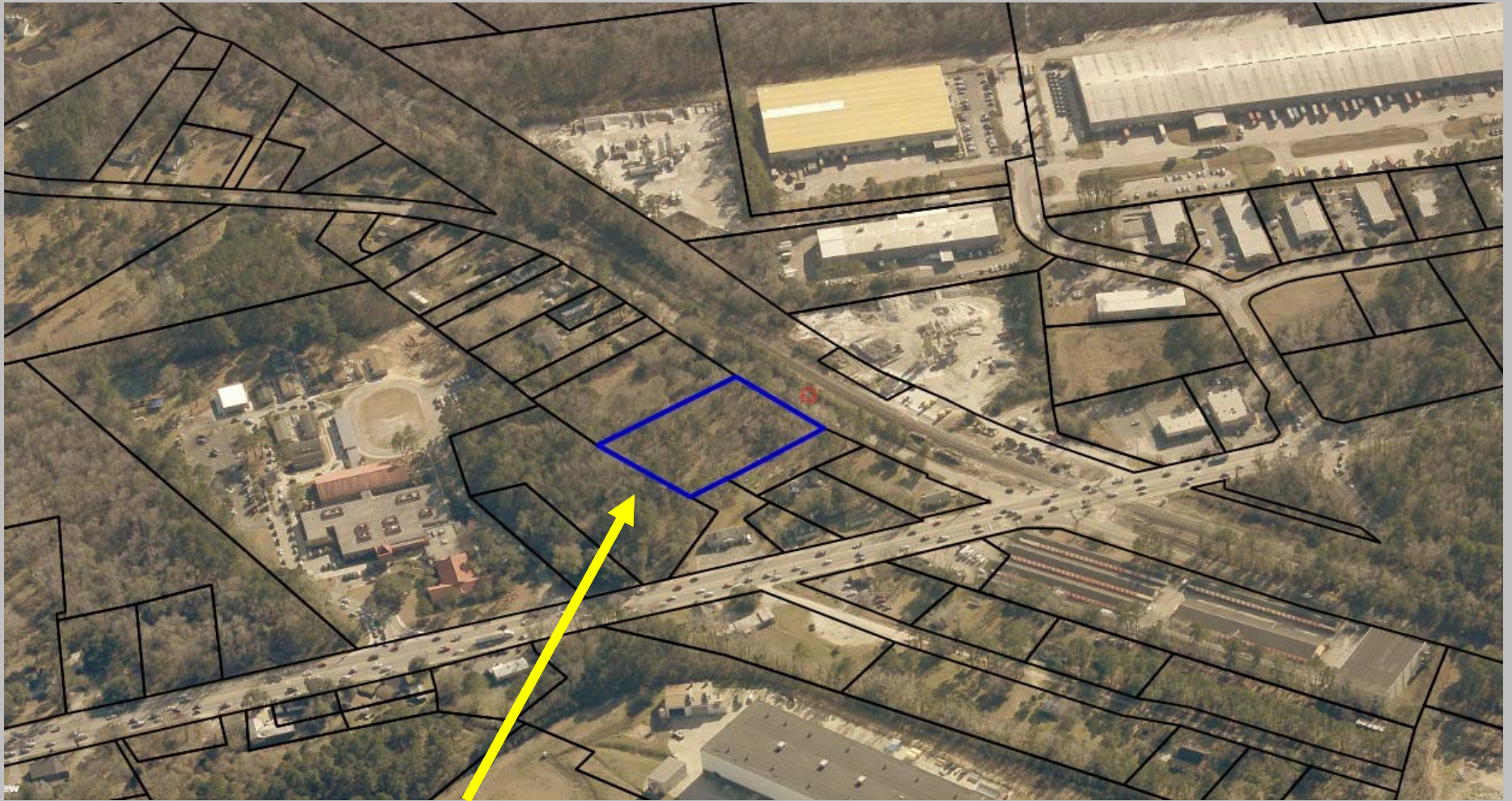


The subject property is undeveloped. Property to the East is zoned General Office (OG) and is undeveloped. Property to the South is zoned R-4 and contains a single-family dwelling. Properties to the North are zoned R-4 and CC, and contain a single-family dwelling, and an unoccupied commercial building, respectively. Properties to the West, across Koester Road and the train line, are zoned Industrial (I) and contain a concrete business.

Aerial View to the North



Aerial View to the South



Subject Property

Site Photos



1 – Subject Property

2 – Adjacent Property



Site Photos



3 – Subject Property

4 –Property across the Street



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 Comprehensive Plan recommends this parcel for the Commercial Future Land Use category, 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 requested zoning district is consistent with the Comprehensive Plan recommendation.

Approval Criteria 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: Many of the neighboring parcels contain commercial and industrial uses making this request consistent with the character of the surrounding area along Ladson Rd. Any proposed uses on this parcel, other than single-family residential, would require Site Plan Review, ensuring compliance with the use regulations and density and dimensional standards of the ZLDR.

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

Staff Response: Not applicable.

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

Staff Response: Commercial and industrial development in the area has changed its character and this amendment is consistent with the current character of the area.

Recommendations

**Planning Commission
Recommendation:
Approval (8-0, 1 absent)**

Staff Recommendation: Approval

The Zoning Map Amendment Request meets one or more of the approval criteria.

Notifications

June 5, 2020 – Planning Commission

- 83 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the North Area Interested Parties List
- Request advertised in the *Post & Courier*

June 12, 2020 – Public Hearing Notifications

- Request advertised in the *Post & Courier*

June 26, 2020 – Public Hearing Notifications

- 83 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the North Area Interested Parties List



Charleston County Zoning Map Amendment Request

Planning Commission – June 22, 2020

Public Hearing – July 14, 2020

PPW Committee – August 6, 2020

1st Reading – August 11, 2020

2nd Reading – September 8, 2020

3rd Reading – September 22, 2020

ZONING CHANGE APPLICATION

CASE 2022-02-20-0115 PD _____



Zoning/Planning Department
 Lonnie Hamilton, III
 Public Services Building
 4045 Bridge View Drive
 North Charleston, SC 29405
 (843) 202-7200
 1-800-524-7832
 Fax: (843) 202-7222

PROPERTY INFORMATION

CURRENT DISTRICT _____ REQUESTED DISTRICT _____
 PARCEL ID(S) 390-00-00-072
 CITY/AREA OF COUNTY _____
 STREET ADDRESS 9576 Koester Road ACRES _____
 DEED RECORDED: BOOK _____ PAGE _____ DATE _____
 PLAT RECORDED: BOOK _____ PAGE _____ DATE _____ APPROVAL # _____

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT John Popelka HOME PHONE _____
 MAIL ADDRESS 1204 New Parrish Way WORK PHONE _____
 CITY, STATE, ZIP Mt. Pleasant, SC 29464 CELL PHONE 843-270-7600
 EMAIL _____

OWNER Norman Joseph Leonard, III HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS 2024 Hollydale Ave. WORK PHONE _____
 CITY, STATE, ZIP Baton Rouge, LA 70808 CELL PHONE 571-228-5773
 EMAIL _____

REPRESENTATIVE HOME PHONE _____
 (IF OTHER THAN APPLICANT)
 MAIL ADDRESS _____ WORK PHONE _____
 CITY, STATE, ZIP _____ CELL PHONE _____
 EMAIL _____

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

- ✓ Copy of Approved and Recorded Plat showing present boundaries of property
- ✓ Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- ✓ Copy of Signed Restricted Covenants Affidavit
- ✓ Copy of Signed Posted Notice Affidavit
- ✓ Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that John Popelka 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 provided and all information is correct.

Signature of Owner(s) [Signature] Date 2/26/20 Signature of Applicant/ Representative (if other than owner) John S. Popelka Date 2/28/20

Planner's Signature _____ Date _____ Zoning Inspector's Signature _____ Date _____

OFFICE USE ONLY

Amount Received _____ Cash ? Check? # _____ Invoice Number _____