

REZONING REQUEST

ZREZ-03-21-00123

- Case history
- Presentation
- Application
- Public Input

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING **Tuesday, June 8, 2021 at 6:30 PM**

Charleston County Council will hold a public hearing on the matters listed below beginning at 6:30 p.m., Tuesday, June 8, 2021, 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 noon on Tuesday, June 8, 2021. Contact the Zoning and Planning Department at (843)202-7200 or CCPC@charlestoncounty.org for additional information.

- a. ZREZ-03-21-00123: Request to rezone TMS 286-00-00-601, 1491 Bees Ferry Road, from the Industrial (I) Zoning District to the Mixed-Style Residential (M-12) Zoning District.
- b. ZREZ-03-21-00125: Request to rezone TMS 711-00-00-052, 7820 N Highway 17, from the Agricultural Preservation 10 (AG-10) Zoning District to Planned Development 181 (PD-181) Zoning District, High School/Middle School in Awendaw.

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

ZREZ-03-21-00123: Case History

Planning Commission: May 10, 2021
Public Hearing: June 8, 2021
Planning and Public Works Committee: July 22, 2021
First Reading: July 27, 2021
Second Reading: August 31, 2021
Third Reading: September 14, 2021

CASE INFORMATION

Applicant: RangeWater Real Estate, LLC

Representative: Kelsey Harper, Bowman Consulting

Owner: Bees Ferry Properties, LLC; BFP, LLC; and South Battery Properties, LLC

Location: 1491 Bees Ferry Road

Parcel Identification: 286-00-00-601

Application: Request to rezone TMS 286-00-00-601, 1491 Bees Ferry Road, from the Industrial Zoning District (I) to the Mixed-Style Residential Zoning District (M-12).

Council District: 6 - Middleton

Property Size: 17.34 acres

Zoning History: The subject property was zoned Industrial 1 (I-1) in 1994, and was zoned Industrial (I) with the adoption of the ZLDR in 2001. There have been no previous rezoning requests for this parcel. The subject property is undeveloped.

Adjacent Zoning: Properties to the West and North are zoned Industrial (I) and are undeveloped. The property to the South is in the City of Charleston, zoned Single-Family Residential (SR-1) and contains multi-family dwellings. The property to the East is in the City of Charleston, is split-zoned Diverse Residential (DR-1F) and Limited Business (LB), and is undeveloped.

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's Future Land Use Recommendation for this property is Industrial, which encourages industrial uses but also a variety of housing types including residential*

densities of four or more dwellings per acre. The proposed density of 12 dwelling units per acre is consistent with that Future Land Use Recommendation. Additionally, as part of the ZLDR overhaul project, staff is proposing that a variety of housing types be allowed in the Industrial Zoning District and that the M-12 density, intensity, and dimensional standards should apply. Staff is also proposing a density increase for M-12 to allow for up to 16 dwelling units per acre. This request is consistent with those proposed amendments.

- 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 adjacent properties to the South, which were developed within the City of Charleston, contain a diverse range of housing including single-family, townhomes, an assisted living facility, and apartments/condominiums. The surrounding incorporated and unincorporated undeveloped properties allow for compatible uses and general land patterns. Therefore, the proposed rezoning would be compatible with the existing uses, zoning, and density/dimensional standards of the area.*

- 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: *Charleston County is experiencing a housing crisis as housing prices and rents have skyrocketed in the past year. As noted in Chapter 3.6 of the Charleston County Comprehensive Plan, "Housing that is affordable to residents should be encouraged in the Urban/Suburban Area of Charleston County where public infrastructure, facilities, and employment exist. Encouraging infill development will increase the concentration of residents near existing public transportation stops, which could increase utilization of the routes and decrease reliance on automobiles."*

In addition, Chapter 3.6 of the Comprehensive Plan, states, "The County should continue to promote denser development within the Urban/Suburban Area, where infrastructure and services exist." This request to develop townhomes within the density range recommended for the Urban/Suburban Area supports that vision.

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

PLANNING COMMISSION MEETING: May 10, 2021

Recommendation: Approval (7-1), Commissioner Chavis voted for disapproval, Commissioner Miller was absent.

Speakers: Two individuals spoke in opposition. Ricky Waters, the developer's representative, spoke in support of the rezoning request.

Public Input: One letter of opposition was received concerning potential increased traffic and flooding issues.

Notifications: 149 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 April 23, 2021. Additionally, this request was noticed in the *Post & Courier* on April 23, 2021.

PUBLIC HEARING: June 8, 2021

Speakers: Two individuals spoke in opposition and the applicant spoke in support of this case.

Notifications: 149 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 21, 2021. Additionally, this request was noticed in the *Post & Courier* on May 21, 2021.

PLANNING & PUBLIC WORKS COMMITTEE: June 17, 2021

Recommendation: Council approved a motion for a 30-day deferral (8-0; Darby absent).

Public Input: Two letters of opposition were received.

PLANNING & PUBLIC WORKS COMMITTEE: July 22, 2021



Charleston County Zoning Map Amendment Request

Planning and Public Works Committee: June 17, 2021

First Reading: June 22, 2021

Second Reading: July 27, 2021

Third Reading: August 31, 2021

ZREZ-03-21-00123

Request to rezone TMS 286-00-00-601, 1491 Bees Ferry Road, from the Industrial Zoning District (I) to the Mixed-Style Residential Zoning District (M-12).

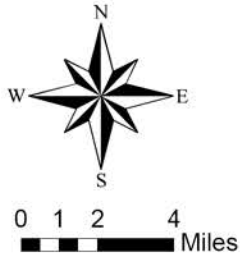
- St. Andrews Area: 1491 Bees Ferry Road
- Parcel I.D.: 286-00-00-601
- Owner: Bees Ferry Properties, LLC; BFP, LLC; and South Battery Properties, LLC
- Applicant: RangeWater Real Estate
- Property Size: 17.34 acres
- Council District: 6 - Middleton

Zoning History

- The subject property was zoned Industrial 1 (I-1) in 1994, and was zoned Industrial (I) with the adoption of the ZLDR in 2001.
- There have been no previous rezoning requests for this parcel.
- The subject property is undeveloped.

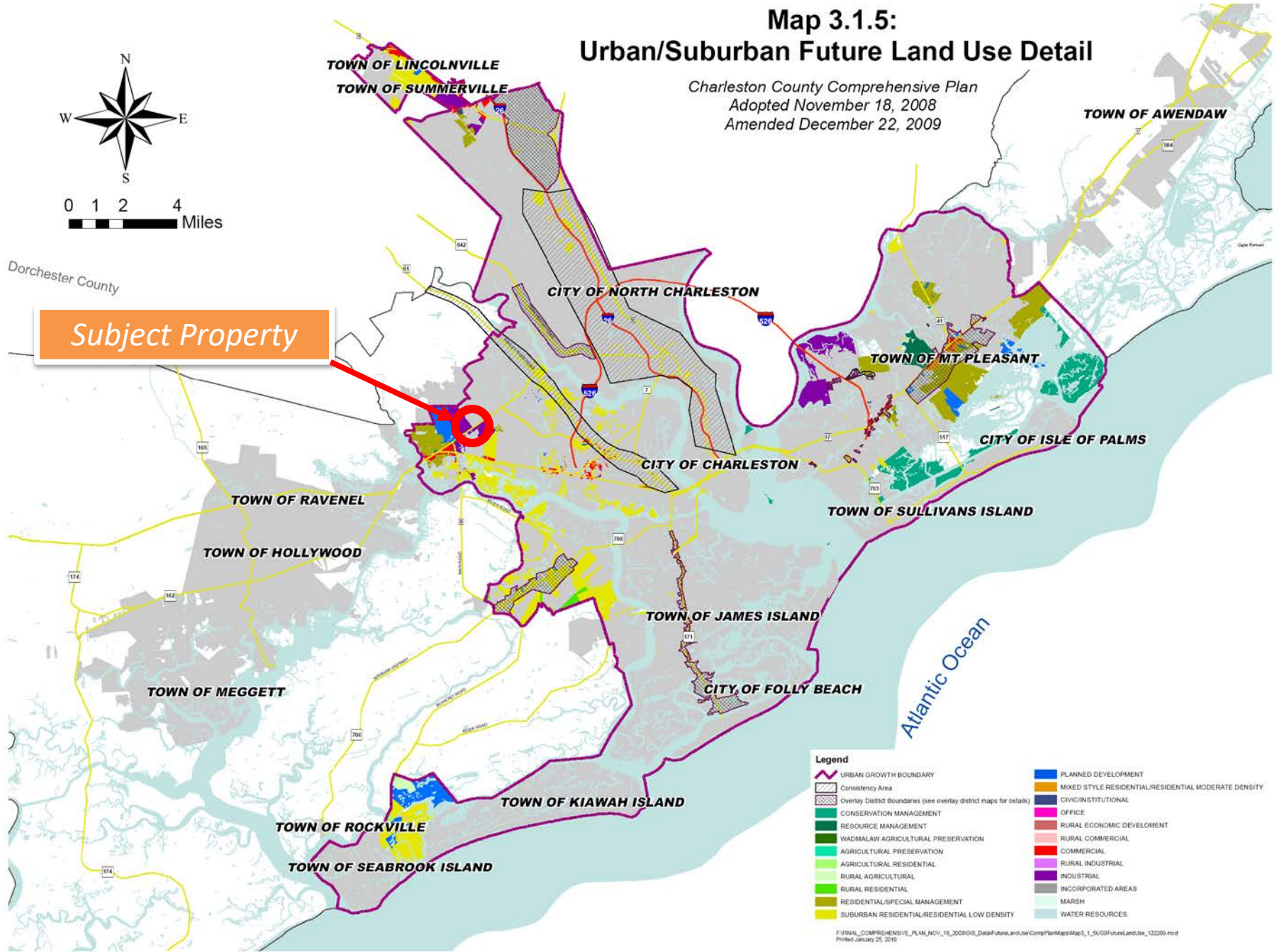
Map 3.1.5: Urban/Suburban Future Land Use Detail

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



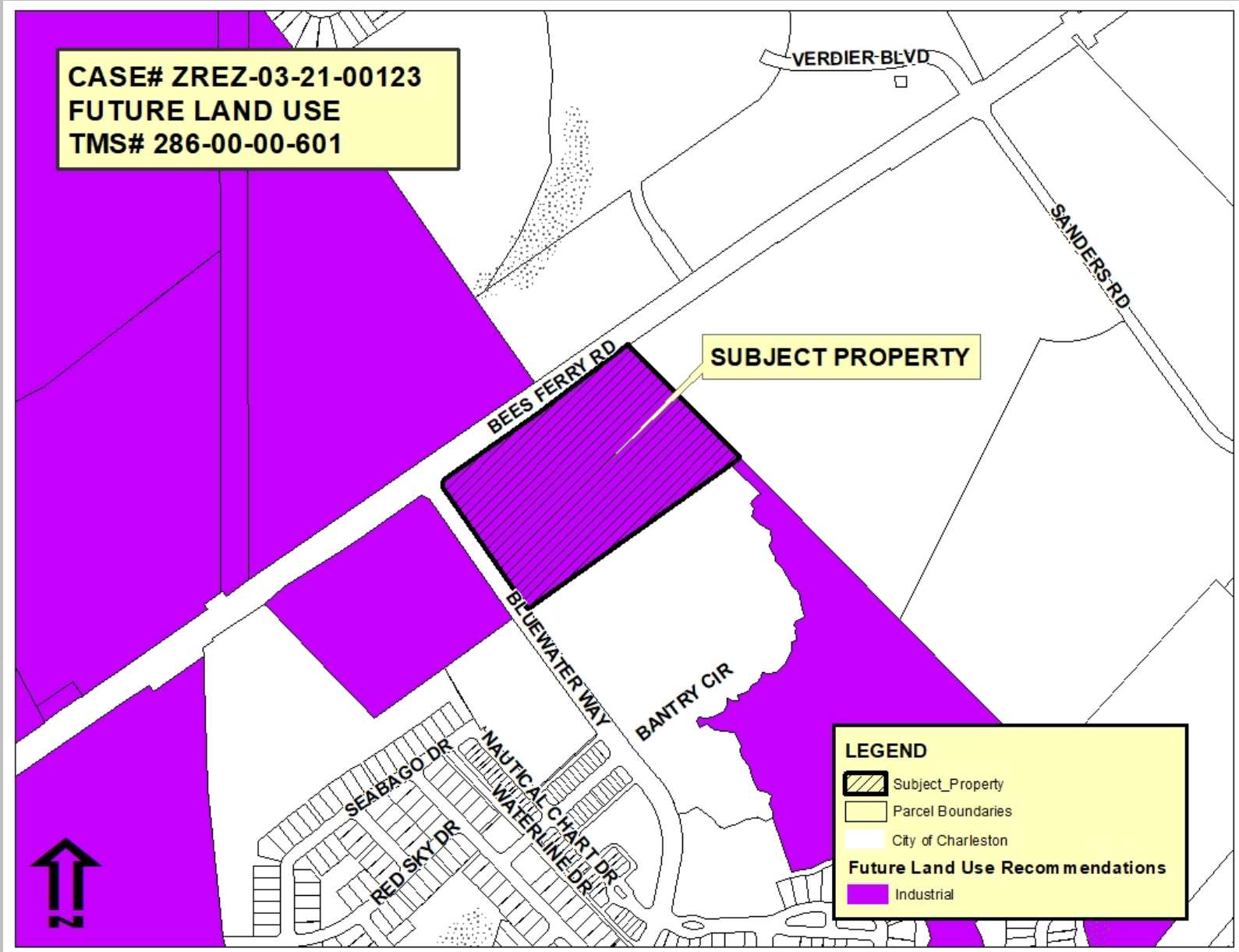
Dorchester County

Subject Property

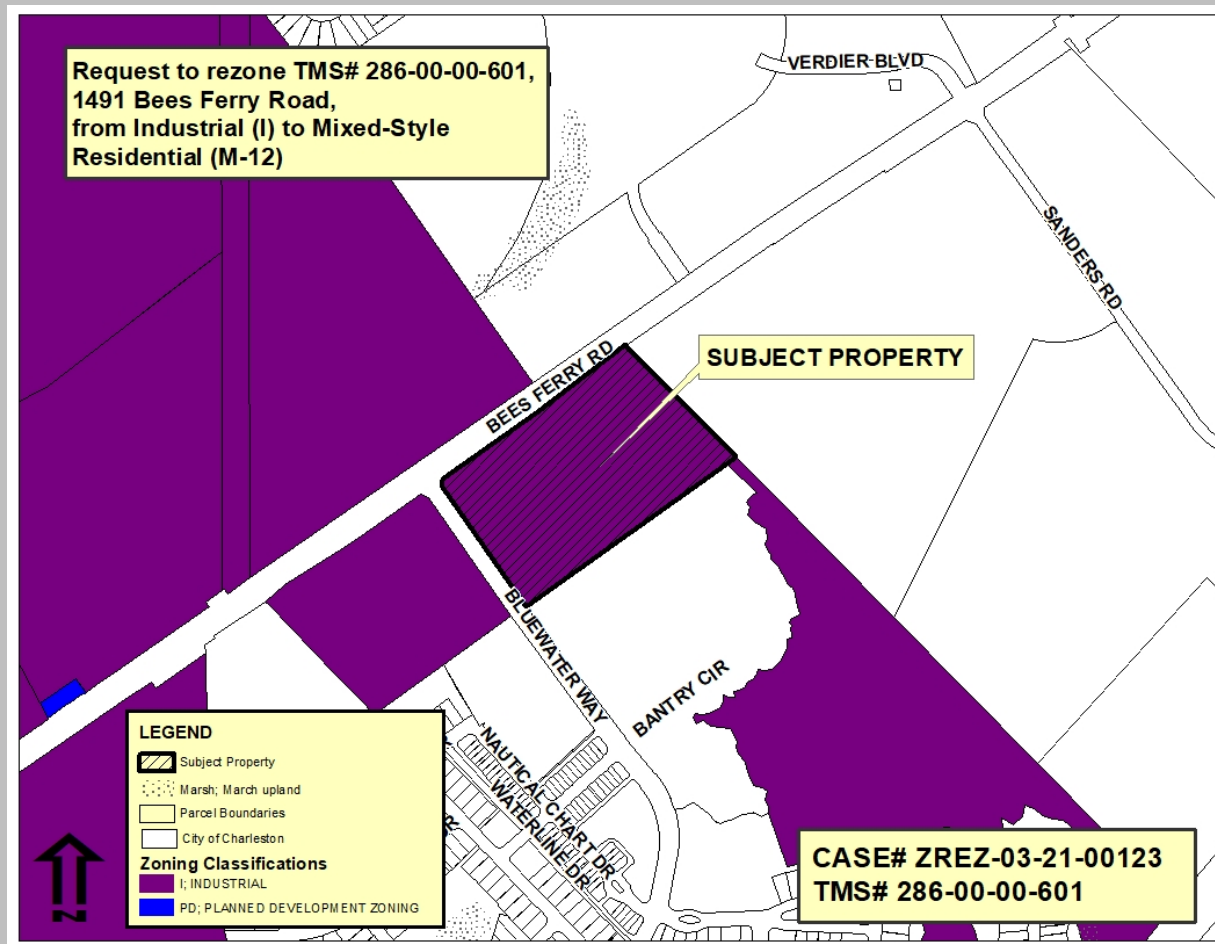


- Legend**
- URBAN GROWTH BOUNDARY
 - Consistency Area
 - Overlay District Boundaries (see overlay district maps for details)
 - CONSERVATION MANAGEMENT
 - RESOURCE MANAGEMENT
 - WADMALAW AGRICULTURAL PRESERVATION
 - AGRICULTURAL PRESERVATION
 - AGRICULTURAL RESIDENTIAL
 - RURAL AGRICULTURAL
 - RURAL 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

Future Land Use

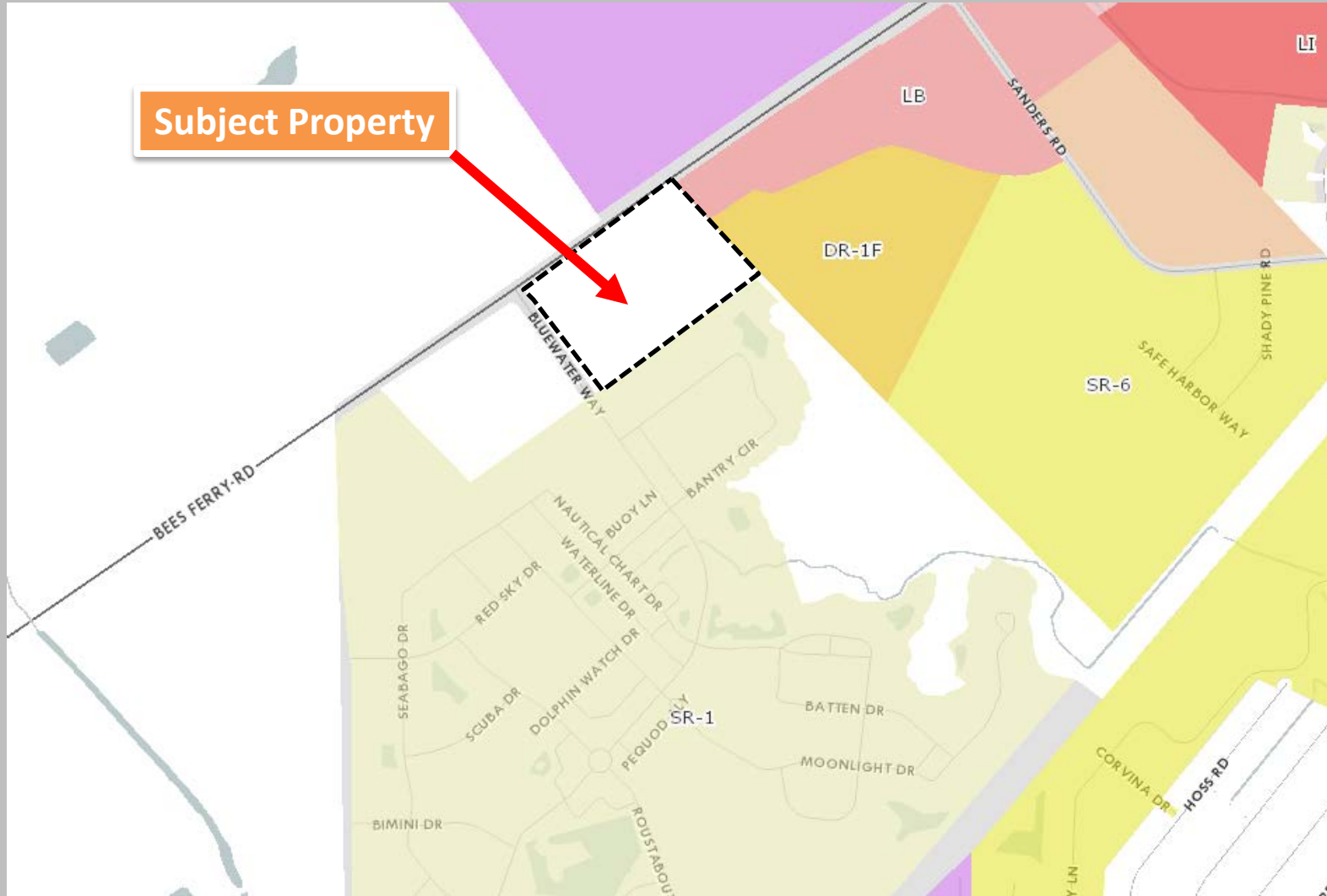


Current Zoning



Properties to the West and North are zoned Industrial (I) and are undeveloped. The property to the South is in the City of Charleston, zoned Single-Family Residential (SR-1) and contains multi-family dwellings. The property to the East is in the City of Charleston, is split-zoned Diverse Residential (DR-1F) and Limited Business (LB), and is undeveloped.

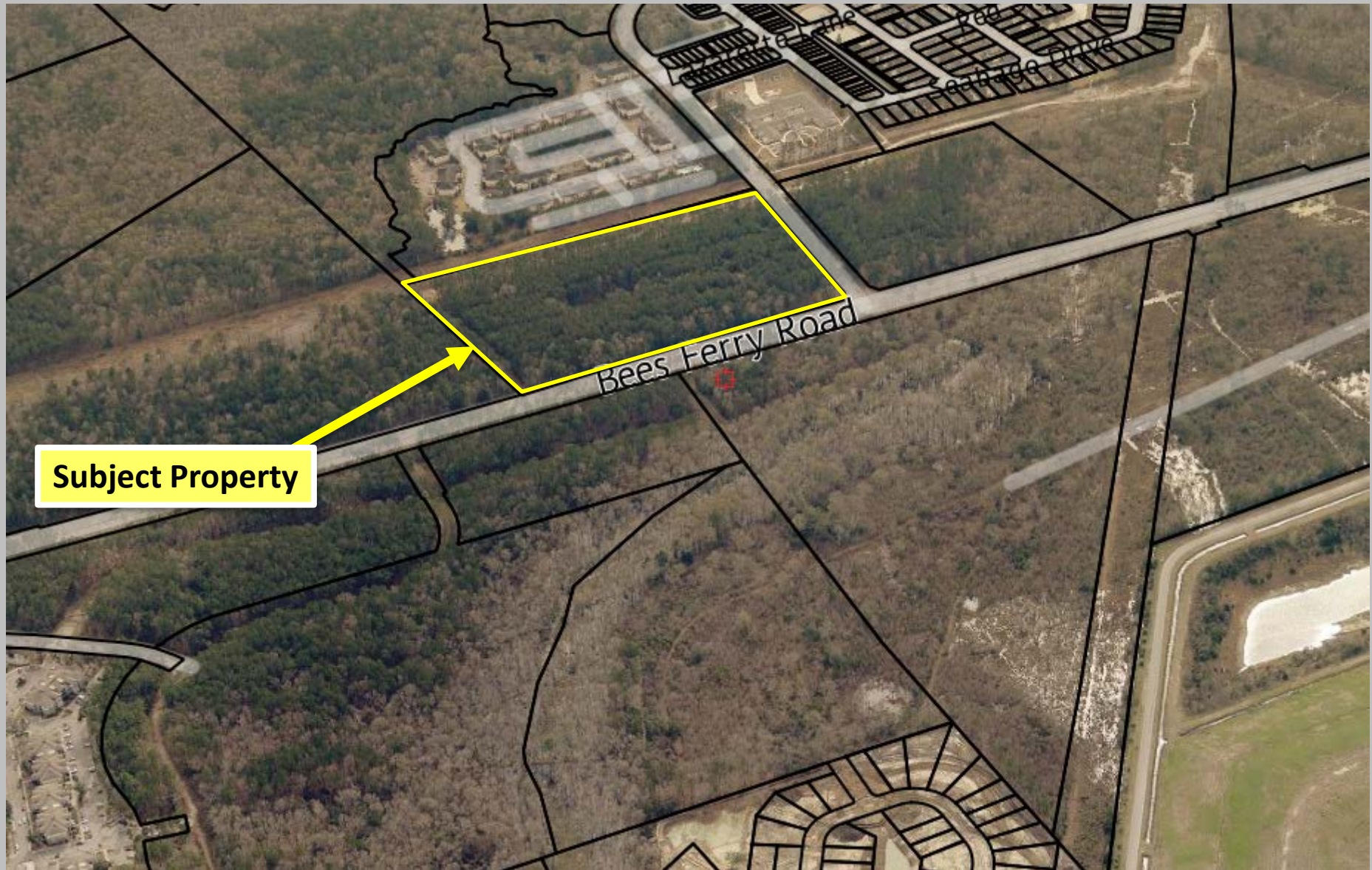
City of Charleston Zoning



Aerial View to the North



Aerial View to the South



Site Photos



1 – Subject Property



2 –Property across the street to the East

Site Photos



**3 – Neighboring Property to the SW
TMS 286-00-00-050**



**4 – Adjacent Property to the South
TMS 286-00-00-051**

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's Future Land Use Recommendation for this property is Industrial, which encourages industrial uses but also a variety of housing types including residential densities of four or more dwellings per acre. The proposed density of 12 dwelling units per acre is consistent with that Future Land Use Recommendation. Additionally, as part of the ZLDR overhaul project, staff is proposing that a variety of housing types be allowed in the Industrial Zoning District and that the M-12 density, intensity, and dimensional standards should apply. Staff is also proposing a density increase for M-12 to allow for up to 16 dwelling units per acre. This request is consistent with those proposed amendments.

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: The adjacent properties to the South, which were developed within the City of Charleston, contain a diverse range of housing including single-family, townhomes, an assisted living facility, and apartments/condominiums. The surrounding incorporated and unincorporated undeveloped properties allow for compatible uses and general land patterns. Therefore, the proposed rezoning would be compatible with the existing uses, zoning, and density/dimensional standards of the area.

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

Staff Response: Not applicable.

Approval Criteria Cont'd

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

Staff Response: Charleston County is experiencing a housing crisis as housing prices and rents have skyrocketed in the past year. As noted in Chapter 3.6 of the Charleston County Comprehensive Plan, "Housing that is affordable to residents should be encouraged in the Urban/Suburban Area of Charleston County where public infrastructure, facilities, and employment exist. Encouraging infill development will increase the concentration of residents near existing public transportation stops, which could increase utilization of the routes and decrease reliance on automobiles."

In addition, Chapter 3.6 of the Comprehensive Plan, states, "The County should continue to promote denser development within the Urban/Suburban Area, where infrastructure and services exist." This request to develop townhomes within the density range recommended for the Urban/Suburban Area supports that vision.

Recommendation

Both staff and Planning Commission recommend approval.

(Planning Commission vote: 7 to 1)

PPW Committee Meeting: June 17, 2021

Council approved a motion for a 30-day deferral (8-0).

Public Input

Three letters of opposition have been received.

Notifications

April 23, 2021

- 149 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
- Request advertised in the *Post & Courier*

May 21, 2021

- 149 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
- Request advertised in the *Post & Courier*



Charleston County Zoning Map Amendment Request

Planning and Public Works Committee: June 17, 2021

First Reading: June 22, 2021

Second Reading: July 27, 2021

Third Reading: August 31, 2021

ZONING CHANGE APPLICATION



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

CASE _____ PD _____

PROPERTY INFORMATION

CURRENT DISTRICT I - Industrial REQUESTED DISTRICT M-12 - Mixed Style Residential

PARCEL ID(S) TMS # 286-00-00-601

CITY/AREA OF COUNTY Charleston

STREET ADDRESS Bees Ferry Road, Charleston, SC 29414 ACRES 17.34

DEED RECORDED: BOOK 0967 PAGE 680 DATE 3/5/2021

PLAT RECORDED: BOOK L18 PAGE 0040 DATE 1/26/2018 APPROVAL # SBE 00 647

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT RangeWater Real Estate, LLC HOME PHONE _____
MAIL ADDRESS 5605 Glenridge Dr NE, Suite 775 WORK PHONE _____
CITY, STATE, ZIP Atlanta, GA 30342 CELL PHONE 202-288-8022
EMAIL mbeck@liverangewater.com

OWNER Bees Ferry Properties, LLC HOME PHONE _____
(IF OTHER THAN APPLICANT)
MAIL ADDRESS 444 Madison Avenue, 4th FL WORK PHONE 212-599-3002
CITY, STATE, ZIP New York, NY 10022 CELL PHONE _____
EMAIL jbradham@msblip.com

REPRESENTATIVE Kelsey Harper (Bowman Consulting) HOME PHONE _____
(IF OTHER THAN APPLICANT)
MAIL ADDRESS 880 Island Park Drive, Suite 400 WORK PHONE 843-823-3229
CITY, STATE, ZIP Charleston, SC 29492 CELL PHONE _____
EMAIL kharper@bowmanconsulting.com

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 Matthew Beck 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.

Matthew Beck 3/22/21 Matthew Beck 3.24.21
Signature of Owner(s) Date Signature of Applicant/ Representative (if other than owner) Date

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

OFFICE USE ONLY

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



Joel H. Evans, AICP, PLA
Zoning & Planning Director

843.202.7200
1.800.524.7832
Fax: 843.202.7222
Lonnie Hamilton, III
Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405-7464

RESTRICTIVE COVENANTS AFFIDAVIT

I, Kelsey Harper, have researched the restrictive covenants applicable to Parcel Identification Number/s (PID #) 286-00-00-601 located at (address/es) Bees Ferry Road, Charleston, SC 29414, and have found that either there are no restrictive covenants applicable to the subject property/properties or that the proposed application is not contrary to, does not conflict with, and is not prohibited by any of the restrictive covenants, as specified in South Carolina Code of Laws, Section 6-29-1145.

Kelsey Harper (Signature) 3/23/21 (Date)

KELSEY HARPER (BAWMAN CONSULTING) (Print Name)

Explanation:
Effective July 1, 2007, South Carolina Code of Laws Section 6-29-1145 requires local governments to inquire in the permit application, or in written instructions provided to the applicant, if a tract or parcel of land is restricted by a recorded covenant that is contrary to, conflicts with or prohibits an activity for which a permit is being sought.
(Section 6-29-1145 is copied on the back of this page)

For Staff Use Only:
Received by _____ Date _____ Application Number _____



Joel H. Evans, PLA, AICP
Zoning/Planning Director

843.202.7200
1.800.524.7832
Fax: 843.202.7222
Lonnie Hamilton, III
Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405-7464

POSTED NOTICE AFFIDAVIT

This Affidavit must be filled out and signed by all owner(s) of the subject parcel(s)

I, John M. Bradham, have reviewed §3.1.6(B)(2), Posted Notice on
[Print Name(s)]

the back of this affidavit and understand that a sign(s) will be posted on

Parcel Identification Number(s)

286-00-00-601, located at (address)

Bees Ferry Road, Charleston, SC 29414, at least 15 calendar days prior to the

public hearing date for which my request is scheduled.

I also understand that once the notice has been posted, the owner(s) of the subject property are responsible for notifying the Zoning/Planning Department in writing if the Posted Notice is removed or damaged prior to the public hearing, meeting or date of action that is the subject of the notice. Failure to notify the Zoning/Planning Department in writing of removed or damaged Posted Notice may result in rescheduling of the public hearing and a delay in decision from the decision-making body.

John M. Bradham 3/22/21
[Property Owner(s) Signature(s)] [Date]

John M. Bradham
[Print Name(s)]

For Staff Use Only:

Received by _____ Date _____ Application Number _____

ZREZ-03-21-00123

Public Input

From: [Roberta](#)
To: [CCPC](#)
Subject: Bee's Ferry and Savannah highway proposed development
Date: Friday, April 30, 2021 12:48:32 PM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

On any given day getting from Bee's Ferry to Savannah highway using Main Road can take over forty-five minutes. The proposed development near the Publix's is just going to add to the frustration. I'm not a Charlestonian by birth, but since I've moved here in 2010 Bee's Ferry road has gone from a single lane road to a major 4 lane road. I was a happy camper when the Harris Tweeter complex was added across the Walmart.

The county needs to make sure that the environment is not being over taxed. With the flooding issues down by 61 the county needs to insure the public that those issues won't be happening on Savannah highway and Bee's Ferry.

CARTA needs to extend the route on Bee's Ferry from Walmart to Savannah highway if this proposed development is going to be built.

Roberta Arrowood
Bolton's Landing Apartments

From: [Bob Greenberg](#)
To: [CCPC](#)
Subject: Rezoning of TMS 286-00-00-601, 1491 Bees Ferry Road near Bolton's Landing
Date: Wednesday, June 09, 2021 8:09:01 AM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Without a clear master plan for the West Ashley area, and one which explains fully to the public the traffic and environmental impact of additional housing, this new zoning should not be approved. There are already constant traffic bottlenecks all around this area, on Bees Ferry and also 17; there is insufficient commercial development to match the population density; and there are too many newly planned developments already underway without a clear plan. Once the development is permitted, there will be no opportunity to plan adequately. Please do not approve the new zoning at TMS 286-00-00-601, 1491 Bees Ferry Road. With great power, comes great responsibility!

Bob Greenberg
1762 Batten Drive
Charleston, SC
29414

Sent from my iPad

From: Danielle Hofmann <daniellehofmannrd@gmail.com>
Sent: Wednesday, June 16, 2021 9:13 PM
To: Kylon J. Middleton <KMiddleton@charlestoncounty.org>
Cc: Kristen L. Salisbury <KSalisbury@charlestoncounty.org>; public-comments <public-comments@charlestoncounty.org>
Subject: Public Comment for June 17 Planning committee

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Dear Committee Members,

Thank you for serving our community. I'm reaching out today to provide comments on the rezone request for 1491 Bees Ferry Road. Unfortunately, I can not be in attendance to voice my concerns.

As a homeowner in the Bolton's Landing Neighborhood for the past 5 years we have witnessed a lot of changes and developments. Prior to choosing our home's location, we took the time to practice the commutes. Our commute has increased by 15 minutes in 5 years. Point A to point B remain the same. The majority of this increased time involves the backup that incurs when driving to get onto I-526 via Bees Ferry to Glenn McConnell. Please consider the impact of adding more drivers to commute times. The CARTA system is unreliable, and the current stops are not utilized frequently, nor are they in favorable locations. There are currently no incentives towards public transit this far out from the city. A major deterrent would be the length of time it would take to use the public transit system.

Secondly, the impact of infill development on flooding. Let's learn from the Church Creek Basin. For development to continue, we need improved systems to handle flooding. Our neighbors have had their flood zone change from X to AE. Look at how fast the flood lines have changed over the years. A home with a flood zone x is more appealing than one in AE. We need to find a way to work together with Mother Nature on finding a way to both continue to develop and control water. Let's look at ways to progress development that maintains more greenspace. The canopy of trees down Bees Ferry is not only functional for the environment (consider the gasses coming from commute and landfill in addition to water management), but also has an impact on the health and wellbeing of the community. The west end of West Ashley is distinguished by its more natural appearance compared to the Avondale area. Let's keep our beautiful identity with nature and not pavement.

Lastly, consider those who call this area home. We are eager to spend money towards our locally owned businesses, tradesmen, etc.. We are prideful and want others to see the beauty of West Ashley. Give us upscale dining, boutiques, specialty shops, etc. We care for our neighbors and want them to succeed. Help us by bringing higher education, daycares, activities we can bike and walk to. Develop to serve dual income families, retirees, and young adults.

I understand the housing shortages (nationwide), and the push to bring affordable housing. Let's not stay focused on numbers such as how many heads can be squeezed onto every inch of available land. But let's step back and take in the whole picture. Remember how the turtle beat the hare.

Thank you for your time,
Danielle Hofmann