

**AN ORDINANCE REZONING PROPERTIES LOCATED
AT 1724, 1725 AND 1740 DOMINIC DRIVE
FROM PLANNED DEVELOPMENT -128 DISTRICT
TO PLANNED DEVELOPMENT DISTRICT 128-A**

WHEREAS, the properties located at 1724, 1725 and 1740 Dominic Drive, identified as Tax Map Parcel Numbers **279-00-00-315, - 320, and - 323** and are currently zoned **PD 128**; and

WHEREAS, the applicant requests the parcels be rezoned to Planned Development (PD) and has submitted a complete application for PD Development Plan approval pursuant to Article 4.27 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that County Council approve with conditions the proposed development plan, which recommendation is based on the Approval Criteria of Section 4.27.9.C.6 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing and after close of the public hearing, County Council approves with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.27.9.C.6 of Article 4.27 of the ZLDR;

WHEREAS, County Council has determined the PD Development Plan meets the following criteria:

- A. The PD Development Plan complies with the standards contained in Article

4.27 of the ZLDR;

- B. Allowing a greater freedom in selecting the means to provide access, light, open space and design amenities;
- C. Allowing development to take advantage of special site characteristics, locations and land use arrangements;
- D. Allowing quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements;
- E. Allowing development pattern in harmony with the land use density, transportation facilities and community facilities objectives of the Comprehensive Plan;
- F. Allowing for the permanent preservation of common open space, recreation areas and facilities';
- G. Allowing an efficient use of the land resulting in more economical networks of utilities, streets, schools, public grounds and buildings, and other facilities; Allowing a creative approach to the use of land and related physical facilities that results in better development and design and construction of amenities;
- H. Allowing for a development pattern that incorporates adequate public safety and transportation related measures in its design and compliments the developed properties in the vicinity and the natural features of the site.

NOW, THEREFORE, be it ordained by Charleston County Council, in meeting duly assembled, finds as follows:

SECTION I.

FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II.

REZONING OF PROPERTIES

- A. Charleston County Council rezones the properties located at **1724, 1725 and 1740 Dominic Drive**, identified as Tax Map Parcel Numbers **279-00-00-315, - 320, and - 323** , from **Planned Development 128** to Planned Development **128-A**; and
- B. The PD Development Plan submitted by the applicant and identified as the “Planned Development District Guidelines for **1724, 1725, and 1740 Dominick Drive**, Charleston County, South Carolina Dated **July 27, 2008**, including the changes thereto and conditions, if any, approved by County Council as Planned Development **128** or PD-**128-A**, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcels identified above; and
- C. Any and all development of PD-**128-A** must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and
- D. The zoning map for Tax Map Parcel Numbers **279-00-00-315, - 320, and - 323** is amended to PD-**128-A** in accordance with Section 3.4.7 of Article 3.4 of the ZLDR.

SECTION III.

SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of

competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV.

EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 27th day of **January**, 2009.

CHARLESTON COUNTY COUNCIL

By: _____

Chairman

ATTEST:

By: _____

Beverly T. Craven
Clerk of Council