

AN ORDINANCE

REZONING THE PROPERTY LOCATED AT 1884 SEABROOK ISLAND ROAD; THE PROPERTIES LOCATED AT 224, 225, 345, 350, 440, 540, AND 649 FRESHFIELDS DRIVE; 91 THE PROPERTY LOCATED AT 165 VILLAGE GREEN LANE; AND THE PROPERTIES LOCATED AT 900 KIAWAH ISLAND PARKWAY, FROM THE PLANNED DEVELOPMENT ZONING DISTRICT (PD-85) TO THE PLANNED DEVELOPMENT ZONING DISTRICT (PD-85A).

WHEREAS, the property located at 1884 Seabrook Island Road identified as parcel identification number 204-00-00-029; the properties located at 224, 225, 345, 350, 440, 540, and 649 Freshfields Drive identified as parcel identification numbers 205-00-00-224, 205-00-00-225, 205-00-00-014, 205-00-00-223, 205-00-00-220, 205-00-00-222, 205-00-00-219, respectively; the properties located at 91 and 165 Village Green Lane identified as parcel identification numbers 205-00-00-218 and 205-00-00-221, respectively; and the property located at 900 Kiawah Island Parkway identified as parcel identification number 205-00-00-076 are currently zoned Planned Development Zoning District (PD-85); and

WHEREAS, the applicant requests to amend the Planned Development Zoning District (PD-85) and has submitted a complete application for PD Development Plan amendment 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 the proposed development plan with conditions, which recommendation is based on the Approval Criteria of Section 4.27.9.E.9 of Article 4.27 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 the proposed PD Development Plan with conditions based on the Approval Criteria of Section 4.27.9.E.9 of Article 4.27 of the ZLDR; and

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. The development is consistent with the intent of the Charleston County Comprehensive Plan;
- C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Charleston County, South Carolina, in meeting duly assembled, 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 property located at 1884 Seabrook Island Road identified as parcel identification number 204-00-00-029; the properties located at 224, 225, 345, 350, 440, 540, and 649 Freshfields Drive identified as parcel identification numbers 205-00-00-224, 205-00-00-225, 205-00-00-014, 205-00-00-223, 205-00-00-220, 205-00-00-222, 205-00-00-219, respectively; the properties located at 91

and 165 Village Green Lane identified as parcel identification numbers 205-00-00-218 and 205-00-00-221, respectively; and the property located at 900 Kiawah Island Parkway identified as parcel identification number 205-00-00-076, to the Planned Development Zoning District (PD-85A); and

B. The PD Development Plan submitted by the applicant and identified as the "Planned Development Guidelines for Freshfields Village Planned Development, Charleston County, South Carolina, Dated June 2010," shall constitute the PD Development Plan for the parcel which shall be identified as Planned Development 85A or PD-85A; and

C. Any and all development of PD-85A must comply with the PD Development Plan, ZLDR, and all other applicable ordinances, rules, regulations, and laws; and

D. The zoning map for Parcel Identification Numbers 204-00-00-029; and 205-00-00-224, -225, -014, -223, -220, -222, -219, -218, -221, and -076, is amended to PD-85A 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.

AND IT IS SO ADOPTED AND APPROVED in meeting duly assembled this ____ day of October, 2010.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman, County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk of County Council

First Reading: _____, 2010
Second Reading _____, 2010
Third Reading: _____, 2010