

AN ORDINANCE

REZONING THE REAL PROPERTY LOCATED AT 3320 MAYBANK HIGHWAY, PARCEL IDENTIFICATION NUMBER 279-00-00-029, FROM THE COMMERCIAL TRANSITION (CT) ZONING DISTRICT TO THE PLANNED DEVELOPMENT ZONING DISTRICT (PD-167, WOODFORD RESTAURANT AND BAR).

WHEREAS, the property identified as Parcel Identification Number 279-00-00-029 is currently zoned Commercial Transition (CT) Zoning District; and

WHEREAS, the applicant submitted a complete application for PD Development Plan approval pursuant to Article 4.23 of the Charleston County Zoning and Land Development Regulations (ZLDR); and

WHEREAS, the Charleston County Planning Commission reviewed the proposed PD Development Plan and adopted a resolution, by majority vote of the entire membership, recommending that Charleston County Council ("County Council") approve with conditions the proposed development plan based on the Approval Criteria of Section 4.23.9.E.9 of the ZLDR; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved with conditions the proposed PD Development Plan based on the Approval Criteria of Section 4.23.9.E.9 of Article 4.23 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 4.23 of the ZLDR;
- B. The development is consistent with the intent of the Charleston County Comprehensive Plan and other adopted policy documents; and
- 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 ordained it 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 PROPERTY

- A. Charleston County Council rezones the property located at 3320 Maybank Highway, identified as Parcel Identification Number 279-00-00-029, from Commercial Transition (CT) Zoning

District to Planned Development Zoning District (PD-167, Woodford Restaurant and Bar); and

B. The PD Development Plan submitted by the applicant and identified as the “Development Guidelines for Woodford Restaurant and Bar Planned Development, Charleston County, South Carolina,” dated January 22, 2019, including the changes attached thereto as Exhibit “A” and made part of this Ordinance by reference, approved by County Council as Planned Development 167 or PD-167, is incorporated herein by reference, and shall constitute the PD Development Plan for the parcel identified above; and

C. Any and all development of PD-167 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 Number 279-00-00-029 is amended to PD-167 in accordance with Section 4.23.10 of Article 4.23 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 23rd day of April, 2019.

CHARLESTON COUNTY COUNCIL

By: _____
J. Elliott Summey
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: March 21, 2019
Second Reading: April 9, 2019
Third Reading: April 23, 2019

EXHIBIT "A"

PLANNING COMMISSION

RECOMMENDED CHANGES AND CONDITIONS TO PD-167

- Section 7, Compliance with ZLDR: Add a new sub-section F that states: "If the Maybank Highway Corridor Overlay Zoning District update that is currently underway is adopted or in the adoption process prior to submittal of the Site Plan Review application for development of this site, the development shall comply with the requirements of the updated Overlay Zoning District to the extent feasible as determined by the Planning Director."
- Section 12, Access and Sketch Plans:
 - Revise text to state that shared access shall be allowed to the properties to the north-east and south-west if/when developed/redeveloped and revise the sketch plans to show stub-outs for these potential future connections, locating one set of stub-outs where the fire truck turnaround is located and another set of stub-outs behind the 75' Maybank Highway right of way buffer.
 - Revise text to state the development shall comply with the connector road right-of-way requirements of the Maybank Highway Corridor Overlay Zoning District if the Site Plan Review application for the development is not submitted prior to adoption of the Maybank Highway Corridor Overlay Zoning District update.
- Section 16, Parking, 3rd paragraph: The PD text states that a total of 46 parking spaces will be provided on site, however the sketch plans show that 49 parking spaces are provided. The PD text and sketch plan shall be amended to correspond. Furthermore, the number of parking spaces shown on the sketch plans shall be preceded with "+/_" so as to not lock in total parking numbers, and allow flexibility at the Site Plan Review stage.
- Section 23, Referenced ZLDR: Delete the section.
- Appendices and PD Text: Revise all applicable text and sketch plans to show a minimum 8' buffer along the entire length of south-west side of the property.