



*The Lowcountry's Hometown*

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## Staff Report

### Amendment to the Official Zoning Map

**DATE:** Planning Commission: July 26, 2022, August 23, 2022  
Town Council:  
First Reading: September 15, 2022  
Second Reading & Public Hearing: October 18, 2022

**TO:** Moncks Corner Planning Commission/Town Council

**FROM:** Douglas Polen, Community Development Director

**SUBJECT:** Annexation Request

**SUBJECT PROPERTY:** A 16.02 acre tract located on the east side of Vanihayn Drive, TMS 122-00-02-009

**ACTION REQUESTED:** Consider an ordinance to annex real property into the corporate limits of the Town of Moncks Corner, to zone said property R-2 with conditions, and to amend the official zoning map of the Town to so reflect.

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### Background:

The applicant wishes to annex a tract along the eastern side of the southern terminus of Vanihayn Drive, and add this tract to the Kitfield Road subdivision, which was

In December, 2020, Town Council approved a rezoning for approximately 140 acres along Kitfield Drive. This neighborhood was rezoned to allow 160 single family detached units on lots with a minimum size of 8,500 sq. ft., along with other conditions.

At this time, the same applicant wishes to annex an additional 16.02 acre tract along Vanihayn Drive. This tract borders the Kitfield Road subdivision on the north side and would become an extension of that subdivision with the same conditions as previous. Additional requirements that have been added to the Zoning Ordinance in the past two years, such as a requirement for Hardiplank or other cementitious exterior, will be a part of this addition.

Yield: 33 Units Maximum

Lot Dimensions:

- Minimum Lot Width: 55'
- Front Setback: 25'
- Rear Setback: 20'
- Side Setback: 7.5'

Density Bonus

- Neighborhood Revitalization: 10%
- Minimal Repetition of Floor Plans: 3%
- HOA Maintained Amenities: 2%
- Extra Trees & Shrubs: 3%
- Decorative Crosswalks: 3%
- Unique Street Name Signs: 1%

Emergency Access

- Gated Emergency Access points will be placed at Morrow Street and Vanihayn Drive. With the addition of this tract to the overall project, a full-service access will be required at Vanihayn.

Maintenance

- A Homeowner's Association will be established, which will maintain in perpetuity all private roadways, streetlights, sidewalks, and stormwater facilities

At their July 26<sup>th</sup> meeting, after considerable discussion, the Planning Commission tabled this item pending further information. Specifically, there was a question concerning the ownership of Vanihayn Drive and the effects of the development on the neighboring community.

The developer researched the issue and discovered that Vanihayn Drive, at the northwest border of the subject property, became a part of the subject property. As such, the developer has offered to place an emergency access gate at this point, blocking cross traffic from the Kitfield Development and the Vanihayn community. Staff has spoken with members of the Vanihayn Community as well as the property owner to the south of the gate (Ruby Brooks), and all concerned seem satisfied with this option. The main concern of the Vanihayn community is the preservation of their quiet neighborhood and possible traffic from the new development. This gate will prevent traffic and any associated disturbance of the peace.

At the August 23<sup>rd</sup> Planning Commission meeting, the developer stated that he had spoken with the neighborhood and they would also like a gate at Prospect Drive. Staff's only concern with this is for trash trucks. These will not have

emergency access keys and cannot be expected to back up 1,800' back to Kitfield.

At the meeting, the developer also offered to pay \$500 per house into a fund to help build a pavilion for the Vanihayn neighborhood.

On September 27, Staff, the Developer, and Councilwoman Lloyd met with members of the community to discuss concerns. From this meeting, it was decided that there would no gates on the roads and that the development would be redesigned to direct traffic from the newly annexed area into the new Kitfield Development and off of any northward path on Vanihayn. The neighborhood and the developer further agreed that should the neighborhood feel it necessary to put a gate in at a later date due to increased traffic on Vanihayn, the developer would install an emergency gate at their expense.

### **Current Zoning - Definition and Uses:**

#### *Flex1 - Agricultural District, Berkeley County Sec. 6.4*

6.4.1. Intent. A significant portion of the county's land area is used for agricultural, forestry, and agricultural/residential purposes. These areas represent the county's rural landscape and historic character of Berkeley County. The viability of agricultural operations and production is contingent upon their protection from incompatible land uses and development. Additionally, premature conversion of these lands to accommodate urban and suburban development increases the demand for costly public infrastructure.

Permitted uses:

- A. Agricultural uses.
  - 1. Agriculture, crop.
  - 2. Agriculture, home animal production.
  - 3. Agriculture, home horses.
  - 4. Forestry.
- B. Recreation and amusement uses.
  - 1. Ecotourism.
  - 2. Golf course.
  - 3. Indoor recreation.
  - 4. Outdoor recreation, active.
  - 5. Outdoor recreation, passive.
- C. Institutional uses.
  - 1. 1.Assembly and worship.
  - 2. College and professional schools.
  - 3. School, neighborhood and community.
  - 4. Government office, public services, and local utilities.

D. Residential uses.

1. Single-family detached.
2. Duplex (residential, two-family).
3. Manufactured home.

**Proposed Zoning - Definition and Uses:**

*R-1 & R-2, Single Family Residential, Sec. 6-3*

These districts are intended as single-family residential areas with detached units with low to medium population densities. Use regulations for the single family districts are identical, but contain two (2) classes of lot width and lot area, and these dimensional differences are intended to be preserved. Certain structures and uses required to serve governmental, educational, religious, noncommercial recreational and other needs of those areas are permitted outright within such districts or are permissible as special exceptions subject to restrictions and requirements intended to preserve and protect the single family residential character of the district.

Permitted Uses: A building or premises in the R-1 or R-2 district may be used for the following purposes:

1. One-family detached dwellings
2. Guest cottages, garage apartments
3. Public Parks, playgrounds, schools, government facilities

**Summary of Adjacent Zoning & Uses**

	<b>Zone</b>	<b>Present Use</b>
<b>North</b>	Flex 1	Single-Family Residential
<b>East</b>	Flex 1	Vacant
<b>South</b>	R-2	Single-Family Residential
<b>West</b>	Flex 1	Single-Family Residential

**Moncks Corner Comprehensive Plan**

The Moncks Corner Comprehensive Plan lays out goals and policies which help in decision making for subjects such as land use.

- o *Goal: The Town will plan for inevitable growth by promoting orderly and efficient land use patterns and development that will enhance the quality of life for future generations.*
  - *P1 The Town will guide land use patterns, encourage new growth, in areas that maximize efficient use of existing infrastructure and investments in expanded infrastructure.*

- *S1 Plan and provide infrastructure in accord with land use areas depicted on the Future Land Use map to ensure adequate and efficient support of anticipated growth*
- *P2 The Town will continue efforts to guide the growth of land adjacent to existing boundaries*
  - *S1 Develop and implement an annexation strategy that is supported by the Comprehensive Plan and Future Land Use Map to achieve a cohesive approach towards infrastructure concurrency*
  - *S2 Encourage future development and expansion of the town in areas contiguous to developed areas in concert with a utility extension policy/plan that is sequential and phased*
  - *S3 Collaborate with Berkeley County planning to ensure new development in areas surrounding the town are consistent with abutting land uses within the Town Commission Draft Recommended 2/27/17 Land Use\_8*
  - *S4 Collaborate with Berkeley County on zoning issues that have direct impact on the Town Consider adoption of shared “extra territorial jurisdiction” within a one mile radius of the Town limits*
- *Goal: The Town will continue to develop with well-planned, inclusive communities and neighborhoods that provide residents with a sense of identity and promote the small-town character for which Moncks Corner desires to be known*
  - *P1 The Town will promote development that is appropriate and compatible with neighboring uses*
    - *S1 Review plans for new development to ensure its consistency in character and scale with the future land use map and neighboring developments*

### **Staff Findings:**

Staff finds this rezoning to be in keeping with the adjacent property in the Kitfield Subdivision. As such, Staff recommends **APPROVAL** of the annexation.

### **Planning Commission Recommendation:**

At their August 23, 2022 meeting, the Planning Commission voted to recommend **APPROVAL** of the annexation and rezoning with conditions.