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STAFF REPORT

TO: Town Council
FROM: Justin Westbrook, Community Development Director
SUBJECT: Conditional Zoning Map Amendment (CZ-23-03) – Hidden Cove Holdings, LLC
DATE: January 16, 2024

Background: The applicant, Karl Rakes, has applied for a Zoning Map Amendment (CZ-23-03) for five (5) parcels, owned by Hidden Cove Holdings, LLC (TMS #123-00-06-057, #123-00-06-060, #123-00-06-061, #123-00-06-062, #123-00-06-063), totaling approximately 1.8 acres. The applicant is seeking to assign **Conditional Zoned – Multi-family Residential (CZ R-4)** zoning to the subject parcels, with a condition to allow up to twenty-five (25) dwelling units per acre, resulting in up to forty-five (45) dwelling units on approximately 1.8 acres.

In 2020, the applicant previously submitted a request for a **Zoning Map Amendment** for the subject parcels from **Multi-family Residential (R-3)** to the current **General Commercial (C-2)** zoning district. At that time, the **R-3** zoning district was the Town's most dense residential district.

In April 2022, the Town amended the Zoning Ordinance to split the **Multi-family Residential (R-3)** zoning district, creating **Single-family Attached Residential (R-3)** and **Multi-family Residential (R-4)** zoning district. The repurposed **R-3** would be reserved for medium density residential uses that utilize duplex and single-family attached (townhomes). The newly created **R-4** would be reserved for high density residential uses, specifically vertically attached apartment-style structures (condos) and traditional apartments.

In October 2023, the applicant submitted a request for a **Zoning Map Amendment (ZA-23-02)** for the subject parcels from **General Commercial (C-2)** to **Multi-family Residential (R-4)**. The Planning Commission heard the request from the applicant and recommended approval to the Town Council. The applicant was informed at the Planning Commission meeting that R-4 zoning would only allow sixteen (16) dwelling units per acre, for a total of up to twenty-eight (28) dwelling units for the properties in question. After receiving this information, the applicant determined to pull their request to regroup and seek an appropriate zoning request to allow more density.

Existing Zoning: The subject parcels are currently within the **General Commercial District (C-2)** zoning district. Per the Zoning Ordinance, the **C-2** is intended to:

“...accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office and service establishments and oriented primarily to major traffic arteries or extensive areas of predominately commercial usage and characteristics.”

The zoning district is primarily commercial in nature, specifically designed for high intensity commercial use types.

	Adjacent Zoning	Adjacent Land Use
North	Flex 1 (Berkeley County)	VACANT
South	R-4	Multi-family
East	R-4	Multi-family
West	R-4	VACANT
	C-2	Marina/Restaurant

Existing Site Conditions: The subject parcels total approximately 1.8 acres, which is currently undeveloped. The subject parcel is currently accessible by approximately 288-feet of frontage along Reid Hill Road. According to the Berkeley County GIS, there does not appear to be delineated wetlands on the subject parcel.

Proposed Zoning Request:

The applicant’s current request is seeking to attach conditions to the base **Conditional Zoned - Multi-family Residential (CZ R-4)** zoning district the Town utilizes. **R-4** serves to:

“...support high-density residential uses, characterized by vertically attached apartment-style structures subject to the requirements set forth in this ordinance.”

For projects under twenty-five (25) acres a **Conditional Zoning** may be sought by the applicant. The applicant’s current request is seeking to attach conditions to the base C-2 zoning district the Town utilizes. Conditional Zoning serves to:

“...encourage the development of various types of flexible, negotiated developments under master plans, where the traditional density, bulk, spacing and use regulations of other zoning designations, which may be useful in protecting the character of substantially developed areas, may impose inappropriate and unduly rigid restrictions upon the development of parcels or areas which lend themselves to a unified, planned approach.”

All other additional elements as required by the Zoning Ordinance, specifically Section 6-12 must be met by the developer.

Density: Currently with **C-2** zoning, the parcels could not allow multi-family uses. With the previously heard request for **R-4** zoning in October 2023, the parcels would be subject to sixteen (16) dwelling units per acre. With a static property size of 1.8 acres, the applicant could construct up to twenty-eight (28) dwelling units for the properties in question.

Staff has reviewed a sketch plan for the development of the subject parcels. The concept shows two (2) buildings, approximately four (4) stories totaling forty-five (45) units. This would consist of a request for twenty-five (25) dwelling units per acre, for an allowable density of forty-five (45) units.

	Allowed Density (DU/Acre)	Max. Dus (1.8 Acres)
C-2	N/A	N/A
R-4	16	28
Proposed CZ R-4	25	45

The proposed **CZ R-4** request is seeking a 56% increase in the allowed density from a base **R-4** zoning district.

The buildings show under-building assigned parking, in addition to off-street surface parking to ensure compliance with parking standards for multi-family units. The buildings appear to have stairwells on the ends with elevator shafts, with all units facing and overlooking the Hidden Cove Marina. The buildings are anticipated to have condominium units for sale, which would translate to a multi-family use type. The Town has no control over initial purchase price or resale price of condominium units.

With a proposed forty-five (45) units, the density for this request will result in twenty-five (25) dwelling units per acre. The Comprehensive Plan, adopted in 2017, has designated this amount of density on the high end of what is considered ‘*Residential (High Density)*’. This type of designation has been identified to be located within Moncks Corner for areas that:

“should be integrated with nonresidential developments as walkable sub-communities with both internal and external connectivity to establish nodes at appropriate locations within Town.”

Staff believes that these undeveloped parcels, surrounded by multi-family units of the Hidden Cove community, a marina, restaurant and near high-density commercial retail, the ‘*Residential (High Density)*’ does fit “already developed residential and commercial areas”.

Good planning practices identifies the need for in-fill development with higher density, specifically when adjacent to existing shopping, dining, and recreational areas. As this development will be immediately adjacent to a marina and restaurant, with large scale shopping walkable along Reid Hill Road, Staff is optimistic regarding the fit and need for multi-family residential but concerned regarding the increase in allowed density by 56%.

For context, the adjacent Hidden Cove community appears to consist of approximately 23.4 acres, and by Staff’s estimate approximately one hundred ninety-six (196) dwelling units. This equates to 8.36 dwelling units per acre, more in line with medium-density residential land use. It is important to note that this development utilizes a townhome-style single-family attached use and not an apartment-style multi-family use.

A more direct comparison would be the Waterleaf Apartments at Foxbank that are currently under construction. That project utilizes three-hundred eighteen (318) dwelling units on approximately 26.39 acres, resulting in a density of twelve (12) units per acre. It should be noted that while the Waterleaf Apartment density is more in line with the request by Hidden Cove Holdings, LLC, the Waterleaf Apartments are within the Foxbank Plantation planned community, where significant transportation improvements occurred and planned.

Transportation: Staff will require a separate Traffic Impact Analysis (TIA) for the subject parcel prior to Preliminary Plat or Site Plan approval. Staff will commission the TIA with recommendations from the traffic engineer being installed by the applicant at the time of development. Staff will also work with the applicant on potential improvements made to Reid Hill Road, in accordance with Berkeley County requirements for driveway connectivity.

Consistency with Plans: Adopted in 2017 as part of the Town’s Comprehensive Plan, the Future Land Use Map identifies the subject parcels as “High Density Residential”. The Plan indicates this designation be predominately single-family attached neighborhoods and multifamily developments with densities over eight (8) units per acre. While the subject parcel is vacant, the predominate immediate surrounding use type is single-family attached dwellings.

The Comprehensive Plan also lays out various goals and policies to help in decision making for land use requests. Staff believes the applicant and request generally follow the following policies listed in the plan.

- **Land Use Policy 1:** The Town will guide land use patterns, encourage new growth, in areas that maximize efficient use of existing infrastructure and investments in expanded infrastructure.
- **Land Use Policy 2:** The Town will continue efforts to guide the growth of land adjacent to existing boundaries.
- **Land Use Policy 3:** The Town will promote development that is appropriate and compatible with neighboring uses.

Procedural Issues: As part of any Zoning Map Amendment, the request must be at least two (2) acres, an extension of an existing district boundary, or additional **C-1** zoning contiguous to existing commercial. In this case, the subject parcel exceeds two (2) acres in size.

Staff Analysis: Staff believes that the proposed zoning district represents a “down zoning” and is more harmonious with the existing surrounding use types and zoning district. The proposal appears to be an extension in use of the existing residential units, and with proximity to Highway 52, along with a required Traffic Impact Analysis, Staff believes this proposed use would be congruent with existing zoning and the adopted Future Land Use Map. The addition of units, while robust compared to base **R-4** zoning, *may* fit nicely as in-fill development with nearby high-density commercial retail and existing restaurant, commercial services, and recreational opportunities.

Staff Recommendation: Staff cautiously recommends approval of the requested **Conditional Zoned – Multi-family Residential (CZ R-4)** zoning district designation for the subject parcels. Staff has reached this recommendation due to the existing conditions of the surrounding parcels, the Future Land Use Map, and the *Land Use Policies* set forth in the 2017 Comprehensive Plan. While such a large request to increase the density does give Staff pause, the project with consideration from the Planning Commission and Town Council could help with appropriate in-fill development.

Planning Commission Recommendation: The Planning Commission heard the request at their December 27th, 2023 meeting. The Commission voted to recommend approval of the requested **Conditional Zoned – Multi-family Residential (CZ R-4)** zoning district designation for the subject parcels. Conversation centered around

access, parking and the density, with several members expressing concern over the amount of density requested by the applicant. The applicant spoke in favor of the request, while a local resident did express concern regarding the requested density and traffic. Ultimately, the Planning Commission voted 5-0 in favor of recommending approval.

Attachments: Location Maps (Aerial, Zoning, Future Land Use Plan)
Ordinance
Conceptual Site Plan
Conceptual Architecture Renderings