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STAFF REPORT

TO: Board of Zoning Appeals

FROM: Justin Westbrook, Community Development Director

SUBJECT: Special Exception (SE-25-02) – SBV Companies – Mini-warehouse & Outdoor Vehicle Storage

DATE: May 6, 2025

Background: The applicant, Steve Witmer of SBV Companies, has applied for a **Special Exception** (SE-25-01) for a “mini-warehouse and outdoor vehicle storage” use on one (1) parcel (TMS # 123-00-04-009) within the General Commercial District (C-2), owned by Tail Race Crossing, LLC. The applicant is seeking to establish a “mini-warehouse and vehicle storage” use for the subject parcel within the C-2 – General Commercial zoning district, as prescribed in the Zoning Ordinance (Section 6-9).

Existing Zoning: The subject parcel is currently in the **C-2 – General Commercial** zoning district. Per the Town’s Zoning Ordinance, the General Commercial zoning district 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. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance.”

Adjacent Zoning		Adjacent Land Use
North	C-2	Retail, Various
	Flex 1 (Berkeley County)	UNIMPROVED
South	C-2	Retail (Tractor Supply)
	Flex 1 (Berkeley County)	UNIMPROVED
East	C-2	Retail, Various
West	Flex 1 (Berkeley County)	UNIMPROVED

Existing Site Conditions: The subject parcel comprises approximately 7.97 acres, which is currently undeveloped. The parcel is served by a 25-foot access easement near the southeast corner of the Tractor Supply parcel (TMS# 123-00-04-141), which provides easement access to US Highway 52. The parcel does not have direct access to any public right-of-way. The parcel also is adjacent to the privately-owned parcel which Drive In Lane is on, however at the time of this Staff Report, it is unclear if there is an easement allowing the subject

parcel access to Drive In Lane. The parcels to the northwest, west, and southwest zoned Flex 1 within Berkeley County and are unimproved. The parcels to the northeast, east, and southeast are zoned **General Commercial (C-2)** and are occupied with buildings utilizing retail use types.

Proposed Request: The applicant has requested a **Special Exception** be issued for the property for a “mini-warehouse and outdoor vehicle storage” use. The applicant has provided a Site Plan showing a two-story, 60,000 ft² climate-controlled building to be built on the east side of the parcel near the privately-owned Drive-In Lane, adjacent to the Tailrace Crossing shopping center, where Walmart serves as an anchor tenant, along with Cato, Shoe Show and Dollar Tree.

The proposed use is more closely related to an industrial use type than a commercial or retail, which is of note as the area surrounding the subject parcel is predominantly retail, with the benefit of foot traffic, store fronts and similar use types that act cohesively.

Staff has only minimally reviewed the concept plan for zoning and land development regulations. The most recent Site Plan shows extensive parking (79 parking spaces total), most likely for boat trailer, moving trucks and other recreational vehicles. No parking lot landscaping has been shown, with the exception of minimal plantings to the rear of the parcel and adjacent to both the southwest property line and the southeast property line, approximate to Tractor Supply’s detention pond. Staff does not see any indication of landscaping along Drive In Lane. The Site Plan also does not show a dumpster enclosure, which as a commercial entity, the Town will not provide solid waste services for this use.

Transportation: The Site Plan shows the sole entrance to the property directly accessing the privately-owned Drive In Lane, which is not within a public right-of-way. While Drive In Lane is owned by (Tail Race Shops, LLC) a similarly named entity to the property owner of this request (Tail Race Crossing, LLC), Staff is unable to confirm if the two limited liability corporations are under the same ownership, and if the parcel in question has legal access to the privately-owned Drive In Lane. This question is vital to the ability for this use to establish and have reasonable access that isn’t in violation of the standards of a **Special Exception**. Previous versions of the applicant’s Site Plan show access being gained through the parking lot of another private entity, closer to Tractor Supply. Staff has concerns regarding access to the property, as well as design for trailers, moving trucks and similarly sized vehicles traversing through private property that may or may not meet minimum standards, especially with the presence of landscape islands on Drive In Lane.

Environmental: Per the National Wetlands Inventory, the parcel does appear to be subject to wetlands, primarily on the west side of the property. Based on the most recent Site Plan, the applicant is leaving the wetlands undisturbed, with stormwater intending to flow to two detention areas. One detention area appears on the northern corner of the parcel, most likely outflowing to those designated wetlands, while the other detention area to the east, does not have any clear outfall indicated.

The property currently has a pond on the property that does not have a clear purpose. The pond is clearly a man-made device, complete with an engineered wing-wall and outfall that runs towards with Drive In Lane for overflow purposes. This has significantly damaged Drive In Lane where pothole patches have occurred and the

narrow road is still in rough shape. Flooding occurs regularly by Staff accounts and continues to add to roadway damage. After several site visits by Staff, including the Town's Stormwater Division, it is believed that this feature serves a detention pond for the Tailrace Crossing shopping center, flowing through the shopping center ending up at the Walmart pond. This calls into question the applicant's Site Plan and feasibility of filling in a required device.

At this time, full civil plans area not required and may be premature for this request, however Staff does have concerns about environmental impacts per the requirements to issue a **Special Exception**.

Procedural Issues: As part of any Special Exception, the Board of Zoning Appeals shall hold a Public Hearing and may impose additional terms and conditions. Prior to granting the Special Exception, the Board of Zoning Appeals must determine the following standards were clearly demonstrated.

1. The proposed use is consistent with the purpose and intent of the Town's Comprehensive Plan as well as the character and intent of the underlying zoning district;
2. The proposed use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;
3. Adequate provision is made for such items as setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;
4. Where applicable, the proposed use will be developed in a way that will preserve and incorporate and important natural features;
5. The proposed use shall not destroy, create a loss, or cause damage to natural, scenic, or historic features of significant importance;
6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered;
7. The proposed use complies with all applicable regulations and development standards of the Town.

Consistency with Plans: As part of the new 2024 Comprehensive Plan, the Future Land Use Map identifies the subject parcel as "Highway Commercial", which is described as,

"Intended for automotive dependent commercial uses such as gas stations, banks, fast food restaurants, auto sales, groceries, etc. While less common, light industrial uses such as auto shops, car washes and storage units, as well as conditional use/special exceptions."

The parcel is also within the "Highway Commercial Overlay", which is described as,

"A 1000 ft commercial buffer (2000 ft in total width) along the US 52 Corridor is approximately eleven miles in length and is intended to allow for low intensity (ideally service based) commercial businesses such as medical offices, banks, pharmacies, etc. along the highway corridor while permitting residential units behind. Higher density residential units such as multi-family apartments would be permitted, however, should be part of a larger planned development."

Staff Analysis: The applicant has met with Staff concerning their proposed use on multiple occasions. At the request of Staff, the applicant has provided an addendum to their application expressing how they believe their request meets all the standards of a **Special Exception**. Staff is concerned with the applicant's addendum as it heavily mentions the "need" for this use for the community, which is not an item that can be considered by the Board of Zoning Appeals for a **Special Exception**. The applicants have provided other necessary documents for this application, including an updated Site Plan, building elevations and even building renderings. At this time, the most recent Site Plan has only generally been reviewed, and serves as more of a conceptual plan than a civil plan. Therefore, Staff is unable to review the document for compliance regarding landscaping or other standards required in the Zoning Ordinance. Staff will ensure the applicant's civil plans will meet all standards of the Zoning Ordinance.

Regarding the applicant's addendum and justification, Staff must be clear that the Board of Zoning Appeals (BZA) may only consider the seven (7) criteria as laid out in the Zoning Ordinance. The BZA cannot consider communal need of this use, as a **Special Exception** is the proposed use on the proposed parcel, not the use in relation to the Town or public good.

1. The proposed use is consistent with the purpose and intent of the Town's Comprehensive Plan as well as the character and intent of the underlying zoning district;
*Staff believes that the proposed use is **not consistent** with the purpose and intent of the Highway Commercial land use designation as listed in the Town's 2024 Comprehensive Plan. This designation indicates that future growth in the area shall be "automotive dependent commercial", which Staff interprets as more retail and restaurants. While the future land use designation allows for rare industrial exceptions, Staff argues that the surrounding current land uses are far more compatible with the 2024 Comprehensive Plan desired retail than the proposed industrial-like use of a mini-warehouse with outdoor vehicle storage. Furthermore, Staff believes that proposed use is **not consistent** with the presence of the "Highway Commercial Overlay", as this too plans for commercial based uses with high density residential mixed in; two use types that are not conducive to the proposed industrial-like use. Staff views the Highway 52 corridor as the main commercial area for Moncks Corner and the proposed use does not fit with the purpose and intent of the overall highway commercial designations of the Town.*
2. The proposed use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;
*Staff feels that the proposed use **is not compatible** with the existing uses in the vicinity, such as the retail and restaurant uses. As a vacant commercially zoned property, Staff believes the impact of the proposed use would be detrimental to the adjacent highway commercial use types, by detracting from the commercial district and not adding to the automotive dependent commercial uses. Staff also believes that the elevations show a visual disruption to the surrounding inviting storefronts by proposing a rear elevation that will be seen from Drive In Lane, that depicts a 35-foot x 145-foot wall, with a simple two-door entryway, and minimal glazing with Bahama shutters. This rear elevation, the most predominately viewed side of the 60,000ft² building, will directly detract from the retail and walkability character of the*

immediate commercial area and contrast with the commercial storefronts along Drive In Lane and the Tailrace Crossing shopping center.

3. Adequate provision is made for such items as setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;
*Staff believes the proposed industrial developed property **may have adequate provisions** for adverse influence. Staff is concerned about buffering for the proposed industrial use along Drive In Lane, a private-owned road predominately occupied with commercial storefronts. If the building is not to be similar in architectural style of walkable and approachable storefronts, then the lack of landscaping amplifies the misplacement of this industrial use in the immediate retail vicinity. Staff is also concerned with the traffic impact of the type of vehicles this use will invite, particularly the conflict of larger trailers, moving trucks and similar recreational vehicles on a mere 22-foot wide road. No plans to Staff's knowledge are in place to widen Drive In Lane, and the absence of a dedicated traffic signal at Drive In Lane and US Highway 52 presents turning issues for vehicles that have maneuverability challenges.*
4. Where applicable, the proposed use will be developed in a way that will preserve and incorporate and important natural features;
*Staff believes that with the proposed industrial property **may generally preserve and incorporate important natural features**. Staff is concerned about wetland encroachment, both with the physical built environment, and the stormwater impact from outfalls. The lack of thoughtful landscaping above and beyond the Zoning Ordinance is also troublesome to enhance important natural features with the loss of significant tree canopy and an increase in heat islands. As mentioned earlier, Staff is also concerned about the existence of a man-made detention pond, what purpose it serves currently, and where the water will go when filled in per the applicant's Site Plan.*
5. The proposed use shall not destroy, create a loss, or cause damage to natural, scenic, or historic features of significant importance;
*Staff believes, the proposed use **may destroy, create loss, or cause damage to natural, scenic, or historic features of significant importance** with the loss of significant tree coverage and filling in of a man-made detention pond. With the loss of a purpose built pond, coupled with the lack of additional landscaping along Drive In Lane, Staff believes that natural and scenic features of importance may be loss with the approval of this request.*
6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.
*Staff believes, the proposed use **may hinder** vehicular traffic or pedestrian movement on adjacent roads. Drive In Lane is a privately-owned road that is a mere 22-foot in width near the proposed use's driveway. Drive In Lane does expand, however with the addition of traffic islands closer to US Highway 52, along with the lack of a dedicated traffic signal for Drive In Lane from US Highway 52, Staff has concerns regarding boat trailers, moving trucks and other recreational vehicles adding to an already congested area, not from a numbers standpoint, but a safety aspect.*
7. The proposed use complies with all applicable regulations and development standards of the Town.

Staff will ensure **the required civil plan and building permit comply** with all applicable regulations and development standards.

Staff Recommendation: Staff recommends denial for the proposed use of the Board of Zoning Appeals. This is based on Staff's understanding of probable impacts of the proposal will cause on the surrounding commercial area, along with conflicts with the Town's 2024 Comprehensive Plan. Added with the lack of similar use types in the area, potential traffic impacts of a narrow privately-owned road with larger than typical vehicles seen on Drive In Lane, Staff believes the impacts are too great for the surrounding retail area.

Attachments: SIGNED - Application (SVB Properties, Applicant)(20250331)
Addendum (20240423)
Plat (20250331)
Site Plan v2 (20250423)
Elevations v2 (20250423)
Renderings v2 (20250423)