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STAFF REPORT

TO: Town Council
FROM: Justin Westbrook, Community Development Director
SUBJECT: Zoning Map Amendment (ZA-26-01) – Devin Terrill
DATE: April 21, 2026

Background: The applicant, Devin Terrill of the Paragon Investment group, has applied for a Zoning Map Amendment (ZA-26-01) for the parcels (TMS # 162-00-01-018 and -059) addressed as 1190 Ben Barron Lane. The applicant is seeking the parcels to be zoned **Industrial Park (M-2)**.

Existing Zoning: The subject parcels are currently in the **Planned Development (PD-R)** Zoning District. Per the Town’s Zoning Ordinance, this zoning district is intended to promote:

“...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. Negotiated developments are intended to promote flexibility in site planning and structure location, to facilitate the provision of utilities and circulation systems, the mixture of uses, as well as to preserve the natural and scenic features of the parcel.”

	Adjacent Zoning	Adjacent Land Use
North	Heavy Industrial (HI)(Berkeley County)	Undeveloped
South	Light Industrial (M-1)	Undeveloped
East	Planned Development (PD-R)	Undeveloped
	Heavy Industrial (HI) (Berkeley County)	Industrial Equipment Supplier Office Facility
West	M-2	Concrete Mixing Facility

Existing Site Conditions: The subject parcels comprises of approximately 13.38 acres, which appear to be occupied by a scrap yard use. Per the National Wetlands Inventory map, there appears to be delineated wetlands that encroach upon the subject parcels, specifically to the side property lines of TMS number 162-00-01-059 and the majority of TMS number 162-00-01-018. The subject parcel fronts Ben Barron Lane, with approximately 371 feet of road frontage.

Proposed Zoning Request: The applicant has requested to rezone the subject parcels to the **Industrial Park (M-2)** Zoning District. Per the Town’s Zoning Ordinance, the **Industrial Park (M-2)** Zoning District is intended to:

“accommodate areas planned and developed as industrial parks which provide an area conducive to the development and protection of modern administrative facilities, research and development centers, specialized manufacturing facilities, and similar enterprises characterized by landscaped campus-like settings “

With proximity to multiple existing industrial use types, and undeveloped industrially zoned parcels, the proposed zoning district and associated uses fit in the current character of the adjacent properties zoning designations and respective uses.

Density: The subject parcels consist of approximately 13.38 acres. Per the Zoning Ordinance, the maximum lot coverage for the **Industrial Park (M-2)** zoning district is unknown to Staff, as the Zoning Ordinance does not specifically mention dimensional standards for that district. Staff regulates this zoning district under the dimensional standards set forth for the **Light Industrial (M-1)** zoning district, which permits a maximum lot coverage of 60%. Any tenant that would reestablish a similar use without modifying the footprint of the buildings, may be deemed nonconforming and subject to the Town’s standards per Section 5-2. Any change of use or change in the building footprint, to include a complete demolition and new construction, would be required to meet the maximum lot coverage prescribed for the **M-2** zoning district.

Transportation: Staff will not require a separate Traffic Impact Analysis (TIA) for the subject parcels at this time as the current use is already existing. Should a more intensive use propose to establish on this property after the zoning has been amended to **Industrial Park (M-2)**, Staff reserves our right to require a TIA prior to the establishment of any proposed use, per Section 5-9.D of the Zoning Ordinance.

Environmental: Staff will ensure all environmental concerns are addressed per the Zoning Ordinance, Stormwater Ordinance, and all other Town adopted policies and procedures. As the property currently is developed, any tenant that would alter the existing structures or infrastructure without increasing impervious area on the parcels, may be deemed nonconforming and subject to the Town’s standards per Section 5-2. Any increase in impervious area would be required to meet the standards of the Town’s Stormwater Design Standards Manual.

Consistency with Plans: Carried over from the 2017 Comprehensive Plan, the 2024 Comprehensive Plan’s Future Land Use Map identifies the subject parcels as “Employment”. The Plan calls for this land use to be designated for:

“...designated centers for development of large scale (non-retail) commercial and industrial uses occupied by a major employer or a concentration of multiple employers with a mix of supporting or ancillary uses. Clustering of buildings in employment centers is preferred to preserve open space within the development site. Employment areas may also be developed with large labor intensive industrial and commercial uses

that produce noxious externalities. Where new development is proposed in an employment area with a more intensive use, sites should be large enough to include buffers. While not conducive to mixed-use developments, less intensive industrial or more intensive commercial uses, and supportive uses may be co-located within employment areas.”

The requested zoning designation does appear to be congruent with this designation of the Future Land Use Map as the **Industrial Park (M-2)** zoning district would permit a large variety of industrial use types which would typically employ a substantial number of individuals.

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

3. Enhance economic opportunities by improving the retention of businesses and encouraging a range of uses and services.

Staff does not believe that any of the various goals and implementation strategies are in conflict with the request.

Procedural Issues: As part of any Zoning Map Amendment, the request must be at least two (2) acres, or an extension of an existing district boundary, or additional C-1 zoning contiguous to existing commercial. In this case, the subject parcels is adjacent to the **Industrial Park (M-2)** zoning designation. In addition, the parcels in question appear to be well over two (2) acres in size allowing **Industrial Park (M-2)** to be a permissible request.

Staff Analysis: Staff believes that the designated future land is consistent with the requested zoning district, as the “Employment” designation promotes industrial use-types that are major employment generators. The inclusion of one (1) of the implementation strategies of the Comprehensive Plan lends credence to the requested zoning district.

Staff Recommendation: After analysis of the materials provided to Staff, the current zoning and proposed zoning impacts to the surrounding neighborhood, and the request’s compatibility with the Town’s Comprehensive Plan, Staff recommends approval for the requested **Industrial Park (M-2)** zoning designation for the subject parcels. Staff’s recommendation is due to the request’s compatibility with the Future Land Use Map, and recognizable alignment with some of the goals & implementation strategies of the 2024 Comprehensive Plan.

Planning Commission Recommendation: The Planning Commission heard the request at their February 24th meeting. The Commission voted 4-0 in favor of recommending APPROVAL of the requested zoning of **Industrial Park (M-2)** designation for the subject parcels. The applicant spoke in favor of the request, however no other attendees spoke regarding the application.

*Attachments: SIGNED - Application (Paragon)(20260108)
 Location Maps (Aerial, Zoning, Future Land Use Map, Environmental)*