



*The Lowcountry's Hometown*

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## STAFF REPORT

**TO:** Planning Commission

**FROM:** Justin Westbrook, Community Development Director

**SUBJECT:** Annexation (AN-23-03) – American Star Development

**DATE:** November 28, 2023

**Background:** The applicant, American Star Development, has applied for an Annexation (AN-23-03) for a parcel, owned by Catherine Blakely (TMS #181-00-01-024). Along with the annexation request, the applicant is seeking the parcels to be zoned **Planned Development (PD)**.

The request involves an age restricted townhome community of “a maximum of 70 units” with approximately one (1) acre set aside for commercial fronting US Hwy 52.

**Existing Zoning:** The subject parcels are currently in Berkeley County’s Flex-1 zoning district. Per the Berkeley County, the Flex-1 – Agricultural District is intended to:

1. *Preserve agricultural activities as a primary use, but to allow residential development as a secondary use.*
2. *Manage growth to protect agricultural land and land uses from development pressures to avoid increasing demands for road improvements and public infrastructure.*
3. *Provide standards to control the intensity of development in rural areas of sensitive natural and historical resources.*
4. *Preserve wetlands, watercourses and other significant natural resource areas, and to preserve the scenic quality of the landscape.*
5. *Preserve and protect the rural residential character of specific areas within the county.*
6. *Ensure that the cultural integrity of the county's historical resources is protected.*
7. *Protect these areas from infiltration of incompatible land uses.”*

The zoning district is primarily residential in nature, specifically designed for agricultural uses, recreation and amusement uses such as ecotourism, and low-density residential use types.

	Adjacent Zoning	Adjacent Land Use
North	Flex-1 (Berkeley County)	VACANT
	GC (Berkeley County)	Funeral Home
South	Flex-1 (Berkeley County)	Industrial Use & Cell Tower

<b>East</b>	Flex-1 ( <i>Berkeley County</i> )	VACANT
	Conditional Zoning R-3	VACANT
<b>West</b>	R-3	Single-family Detached

**Existing Site Conditions:** The subject parcels comprise of approximately 9.99 acres, which are currently used for several single-family dwellings. Per the National Wetlands Inventory map and the applicant’s sketch plan, there does appear to be approximately 2.5 acres of wetlands delineated on the parcel, predominantly to the west. The subject parcels are currently accessible by US Hwy 52 and a private road, Westbury Lane.

**Proposed Zoning Request:** The applicant has requested to annex the subject parcel into the Town of Moncks Corner and apply for a **Planned Development** zoning district. Per the Town’s Zoning Ordinance, the **Planned Development** District is intended to:

*“...encourage the development of mixed-use communities which provide a range of harmonious land uses which support the mixed uses within the planned unit development”, “promote flexibility in site planning and structure location that facilitates and use of efficient circulation and utility systems and preservation of natural and scenic features”, “permit the development of such communities where there is demand for housing, a relationship with the existing and/or planned employment opportunities, as well as supporting businesses and other services”, and to “provide a mechanism for evaluating alternative zoning regulations as well as other Town ordinance elements of the proposed application on its own”.*

The provided PD Document from the applicant shows the commercial area, of at least 1.05 acres, to be used for commercial/office space. As the PD Document does not utilize specific use types, this is of concern for Staff who are fearful of this being used for transportation-intense use, such as a gas station or car wash.

The remainder of the tract is to be utilized, per the PD Document as “senior restricted residential” of up to seventy (70) units. As age restriction would need to be by deed or other mechanism not controlled by the Town, there are limited guarantees the “senior restricted” aspect is enforceable by the Town, and the recourse for such enforcement would become legally time consuming and costly.

The streets within the development are 50-foot private or public rights-of-way. Per the Town and County regulations of roadways, the streets within the development would be privately owned and maintained.

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

**Density:** The subject parcels consist of approximately 9.99 acres. With a proposed seventy (70) units and subtracting the one (1) acre for commercial uses, the density for this request will result in 7.79 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 (Medium Density)*’. This type of designation has been identified to be located within Moncks Corner for areas that:

*“provide a transition from the low-density suburban neighborhoods to already developed residential and commercial areas with potential to serve as infill developments.”*

Staff believes that this sparsely developed parcel, surrounded by a scattering of single-family detached homes and a singular business, the '*Residential (Medium Density)*' does not fit "already developed residential and commercial areas". The plan goes on to define medium density for new neighborhoods to become "walkable communities with a system of interconnected trails or sidewalks" that provide connectivity to parks and recreation. The plan also suggests this density be within one-half mile of neighborhood centers or nonresidential development.

Good planning practices identifies the need for single-family attached dwellings and that density serves a purpose within any developing town, however Staff agrees with the 2017 Comprehensive Plan regarding the placement of such density. Staff does believe that the subject parcels, surrounded by undeveloped lands and absent of nearby commercial development, that this area does not fit the '*Residential (Medium Density)*' use types.

**Transportation:** Connectivity, particularly for more dense developments like single-family attached uses, is very important. Staff has concerns with the number of units not meeting the minimum number of connection points as prescribed by the adopted Fire Code.

Proper connectivity obviously provides flexibility and maneuverability for first responders and emergency vehicles when responding to a situation, however connectivity also serves the residents and general public on a daily basis. As such, this amount of density should be walkable within the subject project, as well as the existing transportation network immediately adjacent to the project. Currently, there are not any constructed or planned walkable transportation network in the immediate vicinity, and with US Hwy 52 not being an ideal walkable corridor, Staff has serious concerns that the requested density and optimal provided walkable network will not exist at this site and could be dangerous and detrimental to the local area, future residents, and current citizens of Moncks Corner.

**Consistency with Plans:** Adopted in 2017 as part of the Town's Comprehensive Plan, the Future Land Use Map identifies the subject parcel as "Low Density Suburban". This designation, provided by the county's future land use map, is not in line with the intended for single-family attached units requested for the **Planned Development** zoning district.

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 2:** The Town will continue efforts to guide the growth of land adjacent to existing boundaries.

Staff also believes the applicant and request generally does not 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 3:** The Town will promote development that is appropriate and compatible with neighboring uses.

