



The Lowcountry's Hometown

PO Box 700 | Moncks Corner, SC 29461 | 843.719.7900 | monckscornerse.gov

STAFF REPORT

TO: Town Council – 1st Reading

FROM: Justin Westbrook, Community Development Director

SUBJECT: Annexation (AN-23-01) – D.R. Horton

DATE: July 18, 2023

Background: The applicant, D.R. Horton, has applied for an Annexation (AN-23-01) for two (2) parcels, owned by Tige Moran (TMS #142-14-00-025) and Arnold Singletary (TMS #142-14-00-024). Along with the annexation request, the applicant is seeking the parcels to be zoned **Conditional Zoning – R-3**.

Previously, the applicant sought and was granted **Conditional Zoning – R-3** zoning for an adjacent parcel (TMS #142-14-00-030), known as the Perry Hill rezoning. This request, as part of an annexation request, was heard by the Town Council on October 18, 2022. That request involved potentially a townhome community of “no more than 100 units” with the following conditions:

- Donations of \$1,000 per unit into the Neighborhood Revitalization Fund.
- Town-designed and SCDOT-approved median plantings along Hwy 52 between PA Auto Sales and Wigfall Street.
- HOA Maintained Amenities.
- Additional Trees and Shrubs.
- Decorative Crosswalks.
- Unique Street Name Signs

The developer was also required to create a permanent, full-time entrance into the development from Eloise Drive. Any improvements to Eloise Drive required by SCDOT or the required Traffic Impact Analysis (TIA) will be the responsibility of the developer.

The applicant is seeking to add the two (2) subject parcels to that project and apply the previously approved conditions to this request.

Existing Zoning: The subject parcels are currently in Berkeley County’s R-2 zoning district. Per the Berkeley County, the R-2 – Manufactured Residential District is intended to:

“...implement the land use goals of the residential growth areas and rural villages within urbanizing areas in the unincorporated portions of Berkeley County.”

The zoning district is primarily residential in nature , specifically designed for single-family detached dwellings and manufactured homes.

Adjacent Zoning		Adjacent Land Use
North	R-2 (Berkeley County)	Auto Repair Shop
	GC (Berkeley County)	VACANT
South	R-2 (Berkeley County)	VACANT
East	R-2 (Berkeley County)	Single-family Detached Dwelling
	Conditional Zoning R-3	VACANT
West	R-2 (Berkeley County)	VACANT

Existing Site Conditions: The subject parcels comprise of approximately 16.29 acres, which are currently undeveloped and largely wooded. There does appear to be some wetlands delineated on the parcels, predominantly to the west. The subject parcels are currently accessible by Ginn Road and the previously approved annexation by the applicant to the parcel to the east is intended to connect with the subject parcels of this request.

Proposed Zoning Request: The applicant has requested to annex the subject parcels into the Town of Moncks Corner and apply for a **Conditional Zoning – R-3** zoning district. Per the Town’s Zoning Ordinance, the R-3 Single Family Attached Residential District is intended to:

“...support medium density residential uses, characterized by two family detached (i.e. duplex) and single-family attached (i.e. townhouse) units. Certain structures and uses required to serve governmental, educational, religious, noncommercial recreational and other needs of the area are permitted outright or are permissible as special exceptions subject to restrictions and requirements intended to preserve and protect the residential character of the district.”

As the requested annexation has an accompanied Conditional Zoning request with it, this applicant’s request is seeking to attach conditions to the base **R-3** 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.”

As such, the applicant has worked with Staff in the spirit of the previously approved, adjacent development, to provide the following conditions:

- Donations of \$1,000 per unit into the Neighborhood Revitalization Fund
- HOA Maintained amenities
- Additional Trees and Shrubs
- Decorative Crosswalks
- Unique Street Name Signs

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 15.29 acres. With a proposed eighty-eight (88) units, in addition to the previously approved one hundred (100) units and associated adjacent parcel of 19.17 acres, the density for this request will result in 5.46 dwelling units per acre. The Comprehensive Plan, adopted in 2017, has designated this amount of density as ‘*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 these undeveloped subject parcels, surrounded by a scattering of single-family detached homes, 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 suggest 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, even with the previously approved development in September, 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. The 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. Staff believes that as the applicant has expressed a desire to expand a previously approved development with this request, connectivity has not been ensured to meet the proposed larger development.

When the previous request sought “no more than 100 townhomes”, potential connection to US-17A was not as pressing due to agreed upon improvements to Eloise Drive and a development connection to Perry Hill Road. This provided ingress/egress for the development in two locations. The current request for **Conditional Zoning – R-3** is only proposing the same conditions previously placed on the request in 2022.

Staff feel the addition of potentially eight-eight (88) more units and no required connection off-site could be dangerous and detrimental to the local area, future residents, and current citizens of Moncks Corner. Staff acknowledges that the applicant has provided a Sketch Plan with access to Ginn Road and recommends this is a condition of this annexation and zoning request.

Furthermore, as the proposal for the subject properties almost doubles the original approval of one hundred (100) townhomes, and with further development pressures from adjacent properties, Staff feels every attempt to connect this project to adjacent properties with US-17A access should be made. The applicant shows on the provided Sketch Plan a “stub-out” to adjacent land and has provided Staff with a wetland and floodway

delineation map for the entire area. Staff agrees that the presence of floodway and wetland to the west of the subject properties create a financial and engineering concern, however Staff believes with the increase in project size and number of units, a regional approach with adjacent property owners should be seriously sought prior to annexation and rezoning approvals. Staff has requested a “stub-out” to the parcel to the northwest (TMS #142-14-00-007), the existing auto mechanics shop, Bruce’s Auto & Muffler, on US-17A, however an explanation has not been provided regarding the feasibility of that request at the time of this writing.

As with the previously approved annexation and rezoning for Perry Hill, Staff will require a separate Traffic Impact Analysis (TIA) for the subject parcels prior to Preliminary Plat approval. Staff recommends that all TIA recommendations be funded and installed by the developer prior to Final Plat approval. This can ensure the Town is achieving the best connectivity as prescribed by a licensed traffic engineer prior to the development of the subject parcels.

Staff also recommends the applicant and developer coordinate with Berkeley County and assess and upgrade as necessary Ginn Road between the subject parcels and Perry Hill Road. The review of assessment of Ginn Road shall take place during the Preliminary Plat review process, with improvements to Ginn Road being installed or appropriately bonded prior to Final Plat for the subject parcels.

Consistency with Plans: Adopted in 2017 as part of the Town’s Comprehensive Plan, the Future Land Use Map identifies the subject parcels as “Moderate Density Suburban”. This designation, provided by the county’s future land use map, *may* be in line with the intended for single-family attached units requested for the **Conditional Zoning – R-3** 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.
- **Land Use Policy 3:** The Town will promote development that is appropriate and compatible with neighboring uses.
- **Land Use Policy 4:** The Town will promote development that is sensitive to identified green infrastructure areas and balances the built environment with its natural resources.

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.

Procedural Issues: As the subject parcels are requesting annexation by 100% of the property owners, and have signed annexation petitions, the request will be presented for approval at two (2) separate Town Council meetings. As part of this request, the applicant is also seeking to apply Town of Moncks Corner zoning to the subject parcels.

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 particular case, the subject parcels are seeking a zoning district as an extension of an existing district boundary.

Staff Analysis: Staff have worked with the applicant for several weeks and has identified transportation, wetlands, and density as concerns. The applicant has worked to help address Staff concerns and identify reasoning why their position is to add units to a previously annexed and rezone parcel of “no more than 100 units” without providing requested “stub-outs” to adjacent parcels; particularly the parcel to the northwest (TMS #142-14-00-007). Staff recommend the following additional conditions:

- Both subject parcels shall be combined prior to the Preliminary Plat process for the subject parcels.
- All recommendations of a required Traffic Impact Analysis (TIA), as required by the Zoning Ordinance, shall be designed, and installed, or a proper financial guarantee be provided, by the developer prior to Final Plat for the subject parcels.
- A “stub-out” to the northwest (TMS #142-14-00-007) be provided by the developer prior to Final Plat for the subject parcels.
- In coordination with Berkeley County, Ginn Road to be upgraded to current Berkeley County roadway standards, from the subject parcels to the intersection of Perry Hill Road. Roadways to be designed and upgraded, or a proper financial guarantee be provided, by the developer prior to Final Plat for the subject parcels.
- The Preliminary Plat generally follow the provided Sketch Plan submitted as part of this application.

Staff Recommendation: At this time, Staff recommends denial for the requested **Conditional Zoning – R-3** zoning district designation for the subject parcels. Staff has reached this recommendation due to the request for additional density in an otherwise existing rural area, with little to no additional connectivity from the proposed development to other Town amenities, existing neighborhood centers or commercial development.

Should the Town Council consider the request, Staff recommends the inclusion of previously mentioned staff recommendations be considered during the proceedings and applied should the public body deem appropriate.

Planning Commission Recommendation: At their June 27th meeting, the Planning Commission heard the request. The applicant was represented by their engineer, Buddy Pusser from Seamon Whiteside. A current property owner for the project, and their realtor spoke in favor of the request.

The Planning Commission voted 3-0 in favor of recommending the request, with Staff’s additional conditions.

Attachments: SIGNED - Application (Arnold Singletary)(20230612)
SIGNED – Application (Tige Moran)(20230417)
Request Letter – D.R. Horton (20230530)
Letter – Seamon Whiteside (20230530)
Sketch Plan (20230530)
Floodway Exhibit (20230607)



100% ANNEXATION PETITION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: D.R. Horton - Davis McNair Address: 2057 Wambaw Creek Rd.
Charleston, SC 29492
Phone: 843-330-0296 E-Mail: DEMcNair@drhorton.com

Property Owner Information (If Different)

Name: Arnold Singletary Address: 1414 Cooper Store Road
Moncks Corner, SC 29461
Phone: _____ E-Mail: _____

TO THE MAYOR AND COUNCIL OF THE TOWN OF MONCKS CORNER:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City/Town by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section 5-3-150(3).

The territory to be annexed is described as follows:

Insert description of territory. The description may be taken from deeds or may be drawn to cover multiple parcels using known landmarks. It should be definitive enough to accurately fix the location. **TMS# - 142-14-00-024**

The property is designated as follows on the County tax maps: Berkeley County - R-2

* * * A plat or map of the area should be attached. A tax map may be adequate * * *

It is requested that the property be zoned as follows: R-3 with conditions

I (we) certify that I (we) are the free holder(s) of the property(s) involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this rezoning.

Owner's Signature: Arnold Singletary Date: 06/12/2023

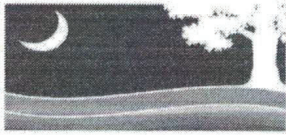
Applicant's Signature: David McNair Date: 06/12/23

For Official Use Only

Received: _____ Property Posted: _____

Receipt #: _____ Hearing: _____

Advertised: _____ Approved: _____



100% ANNEXATION PETITION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: D.R. Horton - Davis McNair Address: 2057 Wambaw Creek Rd.
Charleston, SC 29492
Phone: 843-330-0296 E-Mail: DEMcnair@drhorton.com

Property Owner Information (If Different)

Name: Tige Moran Address: 508 Fern Tree Drive, Summerville SC 29486
Phone: 843-729-2696 E-Mail: tigerlogging@hotmail.com

TO THE MAYOR AND COUNCIL OF THE TOWN OF MONCKS CORNER:

The undersigned, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City/Town by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section 5-3-150(3).

The territory to be annexed is described as follows:

Insert description of territory. The description may be taken from deeds or may be drawn to cover multiple parcels using known landmarks. It should be definitive enough to accurately fix the location.

The property is designated as follows on the County tax maps: Berkeley County R-2

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It is requested that the property be zoned as follows: R-3 with conditions

I (we) certify that I (we) are the free holder(s) of the property(s) involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this rezoning.

Owner's Signature: Tige Moran Date: 4/17/23
Applicant's Signature: David McNair Date: 4/17/23

For Official Use Only

Received: _____ Property Posted: _____
Receipt #: _____ Hearing: _____
Advertised: _____ Approved: _____



June 7th, 2023

Perry Hill Rezoning
TMS# 142-14-00-024 & -025

Rezoning Request:

The request is to annex and rezone the property to R-3 with conditions. The property is currently zoned R2 in Berkeley County and located adjacent to TMS# 142-14-00-030, a property that recently underwent the same annexation and rezoning process. An updated conceptual plan has been prepared for both properties to adhere to local and state regulations. This plan proposes three access points – the main access from Perry Hill Rd and two access points to Elloise Drive. The wetlands were recently delineated, and the land plan incorporates these current site conditions. Below is a summary of the requested design criteria associated with the rezoning request.

- ☐ Limited wetland impact (0.49 acres)
- ☐ Active open space with trail systems for connectivity
- ☐ Products that back up to natural/wooded areas
- ☐ Landscape buffer on Elloise/HWY 52
- ☐ HWY 52 Median Plantings

Below please find the breakdown of the density bonus incentives the developer intends to implement for this development.

Density Bonus Incentives		
Bonus Type	Bonus	Square Feet
Base Lot Size		12,000
Neighborhood Revitalization	20%	2,400
HWY 52 Median Plantings	10%	1,200
HOA Maintained Amenities	5%	600
Trees and Shrubs	3%	360
Decorative Crosswalks	3%	360
Unique Street Name Signs	1%	120
	Total Bonus	= 5,040

Intent – The intent of negotiated development is to achieve the following:

- a) To encourage the development of different types of single-family dwellings that are both supported by the Zoning District and provide continuity with existing housing in the local area.

Response: The proposed development provides design of a different residential product (townhouses) with multiple points of connectivity to the surrounding area while not detracting from the existing community.

- b) To promote flexibility in site planning and structure location that facilitates the provision and use of efficient circulation and utility systems and preservation of natural and scenic features that will result in a diversity of scale, style and details that foster a strong sense of community within the development as well as enhancing the immediate area surrounding the development.

Response: Improves sewer infrastructure and creates a looped water system for improved pressure. Also, preserves a majority of the site with limited wetland impact while creating active open space and trail systems and having townhome product back up to natural/wooded areas. Site Plan improves emergency response with a controlled access point on Elloise Drive.

- c) To permit the development of such communities where there is demand for housing, a relationship with existing and/or planned employment opportunities, as well as supporting businesses and other services, and adequate community facilities and infrastructure existing or planned within the area.

Response: The proposed development offers fair market house prices in an area that is in high demand for housing and in close proximity to the Town of Moncks Corner. The development also proposes access to HWY 52, Elloise Drive, Ginn Road and Perry Hill Road to provide easy connectivity to the surrounding area.

- d) To provide a mechanism for evaluating alternative zoning regulations as well as other Town ordinance elements of the proposed application on its own merit, emphasizing that these provisions are not to be used to circumvent the intent or use of conventional zoning classifications set forth in this chapter or other applicable variance, waiver or amendment to other ordinances, contrary to state or federal law but to permit innovative and creative design of communities in the Town of Moncks Corner.

Response: The proposed conditions do not alter the intended residential use of the property.



May 30, 2023

Mr. Justin Westbrook
Community Development Director
Town of Moncks Corner
118 Carolina Avenue
Moncks Corner, SC 29461

**PERRY HILL TOWNHOMES
BERKELEY COUNTY, SOUTH CAROLINA**

Mr. Westbrook,

The Perry Hill Development is a proposed 188-unit Townhome Development incorporating three individual parcels (TMS # 142-14-00-024, -025, & -030) for an overall area of approximately 40.10 Acres. This letter is in reference to the rezoning and annexation efforts associated with Parcels -024 & -025. It is our understanding that the Town of Moncks Corner requests not only to provide connectivity of these parcels with adjacent parcels and the surrounding area but to also research the possibility of incorporating a connection road between HWY 52 and HWY 17A within the design of these parcels.

The current design shows multiple connections both internal to the development and to the surrounding parcels. The project's road system would provide access to Hwy 52, Elloise Drive, Perry Hill Road, and Ginn Road; however, a roadway through the property to provide connection between Hwy 52 and Hwy 17A is infeasible at this time. The reasons listed below are a brief overview of why we believe a connection through these properties is not warranted and not a preferred scenario with this development:

1. A proposed roadway connection between Highway 52 and Highway 17A would promote cut through traffic between two major regional thoroughfares in a residential setting. The roadway sections anticipated with this type of development are not typically designed to accommodate higher volumes as they are typically designed for low-speed, low-volume residential traffic. These roadways will be fronted by attached single-family dwellings with driveways that are typically suited for low volume roadways. Given the type of use and amount of driveways on the proposed roadway, a connector road adding additional traffic volume through the development would increase safety concerns.
2. The proposed development currently has access to Highway 52 and Highway 17A through road connections to Perry Hill Road and Elloise Drive.
3. The proposed road system within the development would be privately maintained. Adding additional traffic, not intended for the development would cause an additional burden to the Property Owner's Association for maintenance of the road system.
4. There is a FEMA regulatory floodplain and floodway that transects the adjacent property to the west of parcel 142-14-00-025 and would need to be crossed to provide a connection to Highway 17A. Given the large size of the infrastructure associated with existing crossings of this floodway, both upstream and downstream of this site at Highway 52 and Highway 17A, it is anticipated that



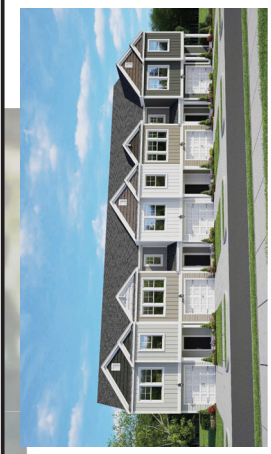
a new crossing would be more typical of what is seen on major thoroughfares such as Highway 52 and Highway 17A. Additionally, per Section 18.31.5.a of the Town of Moncks Corner's Code of Ordinances no encroachments: including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless two criteria are met. First, it must be demonstrated to and approved by the local Floodplain Administrator that the proposed encroachment will not increase the flood levels during the occurrence of the base flood and, second, a conditional letter of map revision (also known as a CLOMR) is to be approved by FEMA. To obtain a CLOMR from FEMA a large drainage study of the surrounding area is to be completed showing the crossing will not have an adverse impact both upstream and downstream of the proposed encroachment. Without a substantial crossing, such as a bridge or substantial box culvert system, these criteria may not be achieved without impacts to surrounding properties. A flood study and CLOMR submittal to FEMA comes at a substantial cost, both in time and financially, to the developer on property not currently owned or controlled by our Client which may yield unfavorable results to meet the approval criteria by the Town's ordinance and FEMA.

Due to the above concerns, the proposed site design will include a roadway hammerhead located on the property line adjoining the parcel to the west. This design will allow for ease of connectivity between the two properties, should this be warranted in the future, to address the Town's request for connectivity in the area and maintain roadway navigability through the development.

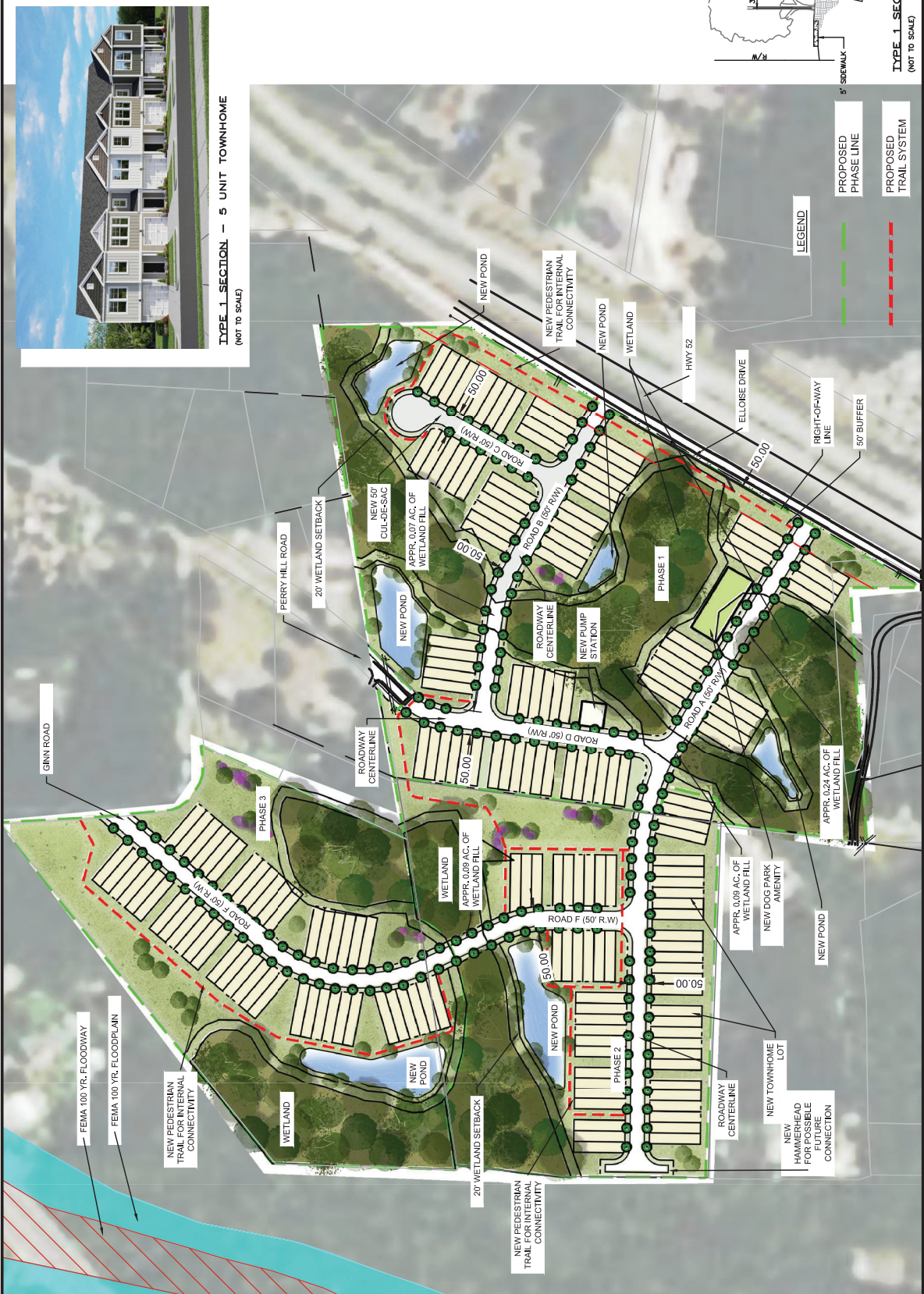
If you have any questions or comments regarding this information, please contact our office at 884-1667.

Respectfully,
SEAMON, WHITESIDE & ASSOCIATES, INC.

Theodore Pusser, P.E.
Division Head, Civil Engineering



TYPE 1 SECTION - 5 UNIT TOWNHOME
(NOT TO SCALE)



LEGEND

PROPOSED PHASE LINE

PROPOSED TRAIL SYSTEM

PHASE 1:

LOT SIZE:	APPR. 19.17 AC
WETLAND:	APPR. 6.09 AC
DEVELOPABLE AREA:	APPR. 13.08 AC
UNIT SIZE:	22' x 105'
TOTAL UNITS:	84
TOTAL POND ACREAGE:	0.86 AC
WETLAND INFILL:	0.40 AC

PHASE 2:

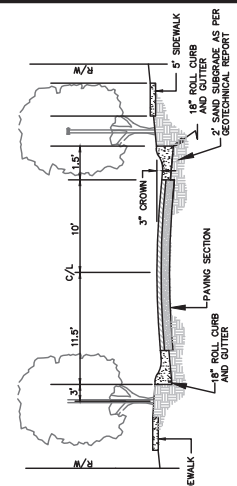
LOT SIZE:	APPR. 10.38 AC
WETLAND:	APPR. 2.24 AC
DEVELOPABLE AREA:	APPR. 8.14 AC
UNIT SIZE:	22' x 105'
TOTAL UNITS:	56
TOTAL POND ACREAGE:	0.45 AC
WETLAND INFILL:	0.09 AC

PHASE 3:

LOT SIZE:	APPR. 10.55 AC
WETLAND:	APPR. 2.79 AC
DEVELOPABLE AREA:	APPR. 7.76 AC
UNIT SIZE:	22' x 105'
TOTAL UNITS:	48
TOTAL POND ACREAGE:	0.46 AC
WETLAND INFILL:	0.00 AC

TOTAL:

LOT SIZE:	APPR. 40.10 AC
WETLAND:	APPR. 11.12 AC
DEVELOPABLE AREA:	APPR. 28.98 AC
UNIT SIZE:	22' x 105'
TOTAL UNITS:	188
TOTAL POND ACREAGE:	1.77 AC
WETLAND INFILL:	0.49 AC



TYPE 1 SECTION - 50' R/W ACCESS ROAD SECTION
(NOT TO SCALE)

SW
SEAMONWHITESIDE

PERRY HILL TOWNHOMES
PROJECT #: 8998
DATE: 30 MAY 2023
SCALE: 1" = 200'

PRELIMINARY LAYOUT EXHIBIT

