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## STAFF REPORT

**TO:** Planning Commission

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

**SUBJECT:** Zoning Map Amendment (ZA-25-01) – Augusto Estaca

**DATE:** March 25, 2025

**Background:** The applicant, Augusto Estaca, has applied for a Zoning Map Amendment (ZA-25-01) for a parcel (TMS # 142-04-01-049). The applicant is seeking the parcel to be zoned **Single Family Residential (R-2)**.

**Existing Zoning:** The subject parcel is currently in the Office & Institutional (C-1) Zoning District. Per the Town's Zoning Ordinance, the Office & Institutional (C-1) Zoning District is intended to:

*"accommodate commercial and professional offices uses typically found in single family areas. District land uses will preserve the area's existing residential character, while permitting commercial uses that are not major traffic generators. Buildings originally constructed for residential use may be used as such by right. Such buildings may be converted to commercial use"*

| Adjacent Zoning |                      | Adjacent Land Use               |
|-----------------|----------------------|---------------------------------|
| North           | GC (Berkeley County) | Bus Depot                       |
| South           | R-2                  | Single Family Detached Dwelling |
| East            | C-1                  | VACANT                          |
| West            | R-2                  | VACANT                          |

**Existing Site Conditions:** The subject parcel comprises approximately 0.18 acres, which is currently vacant. Per the National Wetlands Inventory map, there does not appear to be any wetlands delineated on the parcel. The subject parcel currently front N. Live Oak, but Staff does not believe access would be granted by SCDOT due to a guard rail for the railroad crossing to the west, and terrain could make it unfeasible. The parcel also has access to the south on Hutchinson Lane, which has seen several homes constructed on it in the past year.

**Proposed Zoning Request:** The applicant has requested to rezone the subject parcel into the Town of Moncks Corner and apply for a **Single Family Residential (R-2)** zoning district. Per the Town's Zoning Ordinance, the **Single Family Residential District (R-2)** is intended to:

*“...as single-family residential areas with detached units with low to medium population densities. Use regulations for the single family districts are identical, but contain two (2) classes of lot width and lot area, and these dimensional differences are intended to be preserved*

Staff has concern with losing commercially zoned land along our major corridor. With the proximity to existing R-2 zoning and single family detached dwellings, along with the most likely connection being Hutchinson Lane, it would not be a stretch to see the feasibility of constructing a single family detached dwelling, however the feasibility of anything more than that is impossible with the requested zoning district.

**Density:** The subject parcels consist of approximately 0.18 acres. Per the Zoning Ordinance, the approximate maximum units per acres is listed at 5 dwelling units per acre, but this is widely considered impractical. Due to the approximate size of the parcel, any subdivision of land would not be mathematically possible. The requested zoning district, Single Family Residential, only allows one-family detached dwellings per lot, with guest cottage/garage apartment possible with certain protections and stipulations.

**Transportation:** Staff will not require a separate Traffic Impact Analysis (TIA) for the subject parcel for this sized property and requested zoning.

**Environmental:** Staff will ensure all environmental concerns are addressed per the Zoning Ordinance, Stormwater Ordinance, and all other Town adopted policies and procedures.

**Consistency with Plans:** Adopted in 2024 as part of the Town’s Comprehensive Plan, the Future Land Use Map identifies the subject parcel as “Town Character Residential”. The Plan calls for this land use to be designated for:

*“Intended to promote and enhance smaller lot, town mixed residential type neighborhoods near the downtown, commercial corridors and transportation nodes. A mixture of densities should be promoted to include single-family houses, duplexes, triplexes, accessory dwelling units (ADUs), and small-scale apartments.”*

The requested zoning designation appears to be congruent with this designation of the Future Land Use Map as the request includes a residential districts, however the subject parcel also appears to be within the aforementioned “Highway Commercial Overlay”, which the Plan defines 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.”*

The requested parcel shows the property entirely within the “Highway Commercial Overlay”. As this request seeks **Single Family Residential (R-2)** and does not appear to include a commercial element, it does not appear the request complies with the Town’s Comprehensive Plan.

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

2. Allow for a range of residential uses to support housing opportunities for residents of all ages and socio-economic statuses.

Staff also believes the applicant and request generally does not follow the following policies listed in the plan:

1. Maintain a sustainable community by ensuring current infrastructure has the capacity to accommodate for current and future growth.
8. Identify and preserve the community assets that contribute to the Town's unique small-town character, quality of life, and cultural identity.

**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 is adjacent to the requested zoning district boundary.

**Staff Analysis:** Staff believes that the designated future land use is not consistent with a single family detached use. There may be an argument, that with the inaccessible frontage that is N. Live Oak, and the most practical access point being residential, that a more appropriate zoning district such as **R-2** would be better suited for the use. However, the current zoning district may serve as a unenforceable nuisance to those on Hutchinson Lane, and to prevent commercial traffic from accessing the subject parcel through a residential street, this request may be best for the immediately adjacent neighborhood.

With the inclusion of the "Highway Commercial Overlay" land use encompassing the subject parcel completely, and the complete absence of any commercial, retail or office use types allowed in **Single Family Residential (R-3)**, Staff believes the new Comprehensive Plan prohibits the requested zoning district almost entirely.

**Staff Recommendation:** Currently, Staff recommends denial for the requested **Single Family Residential (R-2)** zoning district designation for the subject parcel. Staff have reached this recommendation as the potential for development should not be considered on a vacant parcel, particularly when it conflicts with the Future Land Use Plan and 2024 Comprehensive Plan, specifically the Highway Commercial Overlay.

*Attachments:                      Location Maps (Aerial, Zoning, Future Land Use Map, Environmental)  
   SIGNED - Application (Augusto Estaca)(20250105)*