



*The Lowcountry's Hometown.*

# PLANNING COMMISSION

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
TUESDAY, SEPTEMBER 24, 2024 at 6:00 PM

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## AGENDA

### CALL TO ORDER

### APPROVAL OF MINUTES

1. Approval of Minutes for the July 23, 2024 meeting.

### NEW BUSINESS

2. Consider an Annexation (AN-24-02) and Zoning Map Amendment request for one (1) parcel (181-00-01-024) totaling 9.99 acres, located on Westbury Lane and US Highway 52. The parcel would be zoned Single Family Residential (R-3) to allow single-family attached (townhomes) dwelling units.

### OLD BUSINESS

### PLANNER'S COMMENTS

### MOVE TO ADJOURN

*In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (843) 719- 7900 within 48 hours prior to the meeting in order to request such assistance.*



# PLANNING COMMISSION

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
TUESDAY, JULY 23, 2024, at 6:00 PM

## MINUTES

### CALL TO ORDER

Meeting called to order at 6:01 p.m.

#### PRESENT

Chairwoman Charlotte Cruppenink  
Commissioner Glen Pipkin  
Commissioner Drew Ensor  
Commissioner Kathleen Prosdocimo

#### STAFF PRESENT

Justin Westbrook, Development Director

#### ABSENT

Commissioner Chris Kondakor  
Commissioner Rev. Robin McGhee-Frazier

### APPROVAL OF MINUTES

1. Approval of Minutes for the June 25, 2024, meeting.

Motion made by Commissioner Ensor, Seconded by Commission Pipkin.

Voting Yea: Chairwoman Cruppenink, Commissioner Pipkin, Commissioner Ensor, and Commissioner Prosdocimo.

### NEW BUSINESS

2. Consider a Conditional Zoning Map Amendment (CZ-24-04) request for two (2) parcels (142-03-01-008 & 142-03-01-009) totaling 13.84 acres, located on N. Live Oak Drive, from Single Family Residential (R-1) to Conditional Zoning – Single Family Residential (CZ R-2) to allow up to thirty (30) dwelling units.

Mr. Westbrook presented the item.

Scott Utsey, of True Homes, spoke regarding his application. Mr. Utsey explained that his company is considered a “semi-custom builder”, with plans for Hardie planked siding, architectural shingles and slab-on-grade. Mr. Utsey explained that True Homes builds homes to the customers specifications and desires, and do not spec-build. Their homes have multiple options and are truly unique from other builders.

Commissioner Ensor asked what the by-right minimum lot size for these parcels. Mr. Westbrook exampled R-1 had a minimum lot size of 12,000 square feet. Commissioner Ensor asked how many units could be built on these parcels with the existing zoning. Mr. Westbrook estimated about seventeen (17) units, but without a plan it is hard to estimate.

Buddy Pusser, of Seamon-Whiteside, the applicant's engineer, spoke in favor of his applicant's request. Mr. Pusser reiterated he estimated about seventeen units could be placed by-right with the current zoning.

Chairwoman Cruppenink asked what the estimated price point is for these units. Mr. Utsey explained that the expected average price point is \$400,000 but is dependent on options and customization by the purchaser.

Chairwoman Cruppenink asked about the proposed cul-de-sac and on-street parking for the project. Mr. Westbrook explained that the design would meet the International Fire Code and all applicable Town ordinances. Mr. Utsey explained one of the conditions presented as part of his request would be require two (2) car garages in addition to two (2) car driveway.

Commissioner Ensor asked if the subdivision was to have a homeowner's association, and if the neighborhood would be gated. Mr. Westbrook expressed there would be a homeowner's association, and the neighborhood would not be gated.

Commissioner Prosdocimo asked if about the walking trail. Mr. Utsey expounded about it.

Chairwoman Cruppenink asked if the amenities could include a dog park. Mr. Utsey said that could be a possibility.

John Dulude, of 204 California Avenue, spoke against the request. Mr. Dulude explained the data the applicant's engineer was basing the design on was incorrect. He explained this property was burdened by California Branch, which runs from the airport all the way to the river. Mr. Dulude explained that almost all stormwater in the Town eventually ends up in California Branch. Mr. Dulude explained the surrounding neighborhood was older and did not benefit from a homeowner's association, and the proposed neighborhood does not fit in with the surrounding community.

Mr. Pusser explained that there is a lot to be studied from the engineering that is yet to be done. He explained the ponds on the conceptual plan were to be engineered and were to meet all State and Moncks Corner requirements for stormwater. Mr. Pusser explained that most flooding experienced in town are a result from no ponds being built or required at the time of development for the surrounding neighborhood. Mr. Pusser explained that the data provided for floodplain is actually pretty recent and accurate, but that floodplain will be impacted very little by this development.

Commissioner Ensor stated that he believed the lot sizes were too small, that the aesthetics of the density doesn't fit what is locally nearby.

Motion made by Commissioner Prosdocimo to recommend approval of the request. Seconded by Commissioner Pipkin.

Voting Yea: Commission Pipkin.

Voting No: Chairwoman Cruppenink, Commission Ensor, and Commissioner Prosdocimo.

**OLD BUSINESS**

**PLANNER'S COMMENTS**

**MOVE TO ADJOURN**

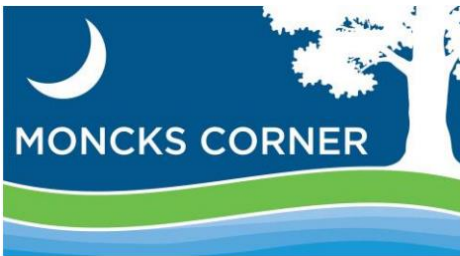
Motion made by Commissioner Ensor to adjourn, Seconded by Commissioner Pipkin.

Voting Yea: Chairwoman Cruppenink, Commissioner Pipkin, Commissioner Ensor, and Commissioner Prosdocimo.

Meeting was adjourned at 7:22 p.m.

*In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (843) 719- 7900 within 48 hours prior to the meeting in order to request such assistance.*

DRAFT



## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Justin Westbrook, Community Development Director  
**SUBJECT:** Annexation (AN-24-02) – American Star Development  
**DATE:** September 23, 2024

**Background:** The applicant, American Star Development on behalf of Catherine Blakeley, has applied for an Annexation (AN-24-02) for a parcel (TMS #181-00-01-024). Along with the annexation request, the applicant is seeking the parcel to be zoned **Single Family Attached Residential (R-3)**.

There was a previous request that may have bearing on this application. Earlier this year, the applicant sought **Planned Development (PD)** zoning for the subject parcel. This request for up to seventy (70) single family attached (townhomes) and approximately one (1) acre of commercial area, was heard by the Planning Commission at their January 23<sup>rd</sup>, 2024, meeting, where the commission voted 4-0 to recommend denial to Town Council. The request was then heard by the Town Council at their March 19<sup>th</sup>, 2024, meeting, where the council voted to deny the request effectively killing the request.

**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 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 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
East	Flex-1 (Berkeley County)	VACANT
	Conditional Zoning R-3	VACANT
West	R-3	Single-family Detached

**Existing Site Conditions:** The subject parcel comprises approximately 9.99 acres, which is 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 parcel is 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 **Single Family Attached (R-3)** zoning district. Per the Town’s Zoning Ordinance, the **Single Family Attached Residential District (R-3)** 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.”*

Staff believes that townhome products should be limited to walkable, already developed sections of a town, which the Westbury Lane area does not align with. Townhomes should benefit from existing conditions and infrastructure, that must include sidewalks and access to other town services. As previously mentioned on other requests, townhomes should connect to the Town’s sidewalk network, to make the density justifiable for the residents, both current and future. As there does not appear to be any additional sidewalks in the area, Staff does not see any benefit from such density to the Town from a planning, walkability and livability aspect.

**Density:** The subject parcels consist of approximately 9.99 acres. Per the Zoning Ordinance, the approximate maximum units per acres is listed at 6 dwelling units per acre.

For context, the directly adjacent Riverstone community consists of approximately 31.3 acres with entitlements for one-hundred nine (109) dwelling units. This equates to 3.48 dwelling units per acre. Further south on US-52 is the Oakley Point subdivision of single-family dwelling units. This project was constructed on approximately one-hundred thirty-four (134) acres with up to three-hundred seven (307) dwelling units. This equates to a density of 2.28 dwelling units per acre. It is important to note that both developments utilize a traditional single-family detached use and not a single-family attached townhome product.

A more direct comparison would be the recently approved Halstead Townhomes that are currently under construction. That project utilizes one-hundred eighteen (318) dwelling units on approximately 68.91 acres, resulting in a density of 2.08 dwelling units per acre.

**Transportation:** Staff will require a separate Traffic Impact Analysis (TIA) for the subject parcel prior to Preliminary Plat approval. 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 parcel.

**Environmental:** The parcel appears to be approximately 9.99 acres. Per the National Wetlands Inventory, the parcel appears to have approximately 2.5 acres that suffers from wetlands. When the Site Plan is applied for, 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 “Suburban Character Residential”. The Plan calls for this land use to be designated for:

*“Intended for most of the newer suburban character neighborhoods along US 52 that commonly have smaller lot sizes, a mixture of housing types and privately maintained open space. Most areas were once part of a planned development or large-scale subdivision. Common housing densities range from single-family homes to townhomes with large multi-family apartments permitted only within the adjacent Highway Commercial Overlay.”*

The requested zoning designation does not appear to be congruent with this designation of the Future Land Use Map as the request includes only townhomes, and not a mixture of housing types. 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, per the applicant’s existing conditions attachment, shows the property to between 778-feet and 892-feet deep, ensuring the parcel is entirely within the “Highway Commercial Overlay”. As this request seeks **Single Family Attached Residential (R-3)** 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 the subject parcel is 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 case, the subject parcel exceeds two (2) acres in size and is adjacent to an existing district boundary.

As a request for this parcel was denied on March 19<sup>th</sup>, 2024, and as the request will be before the Town Council within a year of that denial, this request falls within a *Reconsideration of Proposed Amendments* (Section 12-7). As such, the Planning Commission will need to determine if the application should be reconsidered. The criteria to determine this is meeting one of the following thresholds.

1. There has been a substantial change in the character of the area, or
2. Evidence or factors or conditions exist which were not considered by the Planning Commission or the Town Council in previous deliberations which might substantially alter the basis upon which the previous determination was reached.

Staff do not feel there has been substantial change in the area, due to a lack of development or applications for development. Staff are also not aware of any factors or evidence not previously discussed by Planning Commission or Town Council which would substantially alter the basis of denial the Town Council voted on in 2024.

**Staff Analysis:** Regarding the *Reconsideration of Proposed Amendments* (Section 12-7), Staff feels that the area has not changed substantially in the character of the area, as no new developments have been approved by Town Council. Staff also feel that no new evidence or factors or conditions exist which were not considered by the Planning Commission or Town Council previously. Therefore, it is Staff’s recommendation that this request does not meet the threshold for *Reconsideration of Proposed Amendments*.

Should the Planning Commission move to reconsider the request, Staff has similar concerns with the request compared to the March 2024 denial regarding this property. We feel that the density requested, six (6) dwelling units per acre, is out of character for the surrounding area, particularly when compared to recently completed, or under construction projects in the immediate vicinity.

While a new Comprehensive Plan was recently adopted by the Town Council since the last request, Staff believes that the designated future land use is not consistent with a townhome community. “Suburban Character Residential” calls for a “mixture of housing types” which is not indicative of **Single Family Attached Residential**



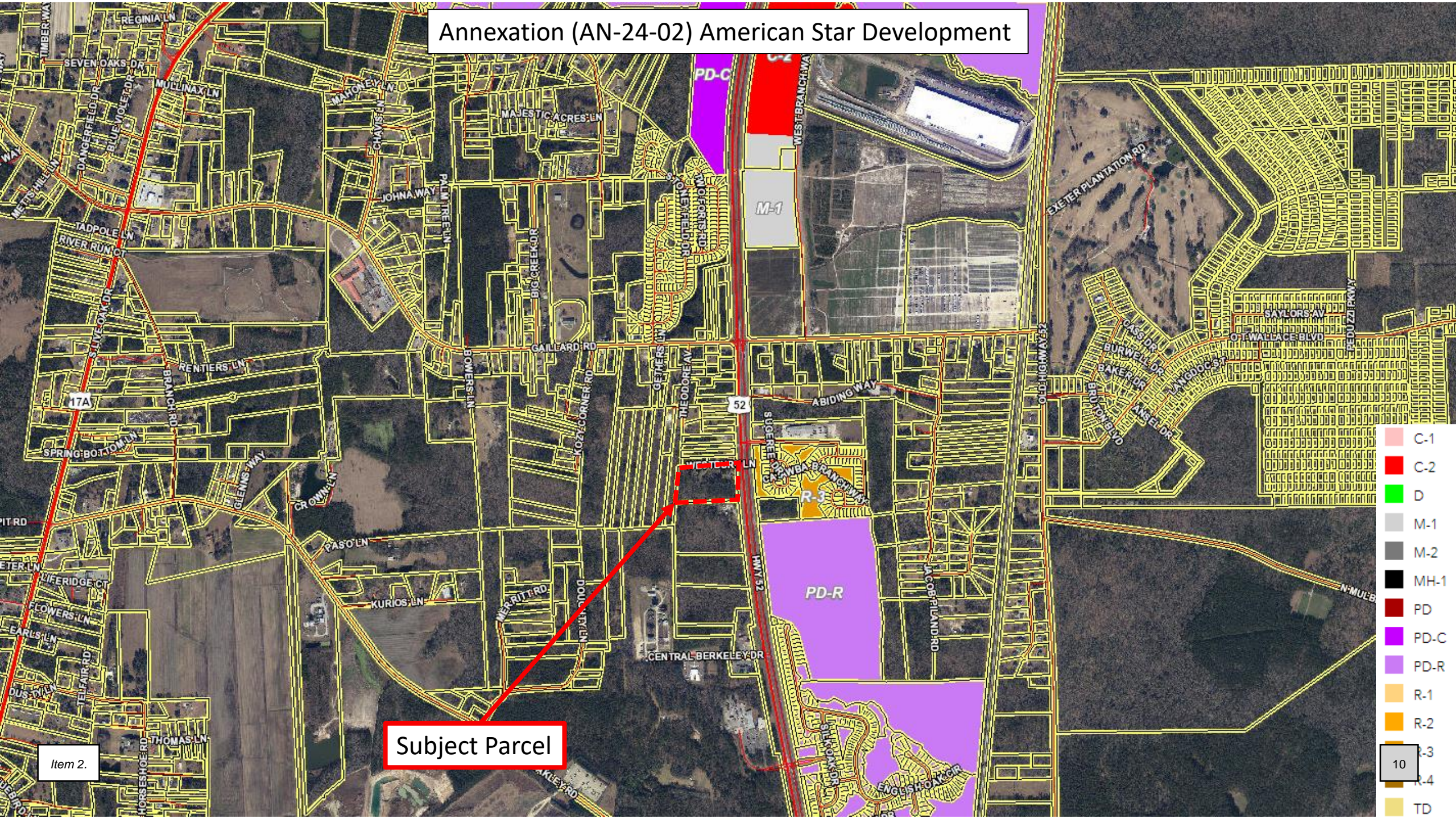
**(R-3).** This requested zoning district is limited to “two family attached” and “single family attached” housing types, or essentially duplexes or townhomes. While different, they appear and act similar enough for Staff not to consider this a mix of housing types, certainly when compared to “single family homes” and “multi-family apartments” as prescribed in the land use definition for “Suburban Character Residential”.

Furthermore, 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 Attached Residential (R-3)**, Staff believes the new Comprehensive Plan prohibits the requested zoning district almost entirely.

**Staff Recommendation:** At this time, Staff recommends denial for the requested **Single Family Attached Residential (R-3)** zoning district designation for the subject parcel. Staff has reached this recommendation due to the request for additional density compared to the surrounding area, the conflicts with the Future Land Use Plan and 2024 Comprehensive Plan with a lack of mixed housing types and commercial opportunities afforded by the requested zoning district, and the limited walkability in the area that townhome communities should benefit from.

*Attachments:*                 *Location Maps (Aerial, Zoning, Future Land Use Map, Environmental)*  
                                      *SIGNED - Application (Catherine Blakeley, Property Owner) (20240614)*  
                                      *Existing Conditions (20240614)*

# Annexation (AN-24-02) American Star Development

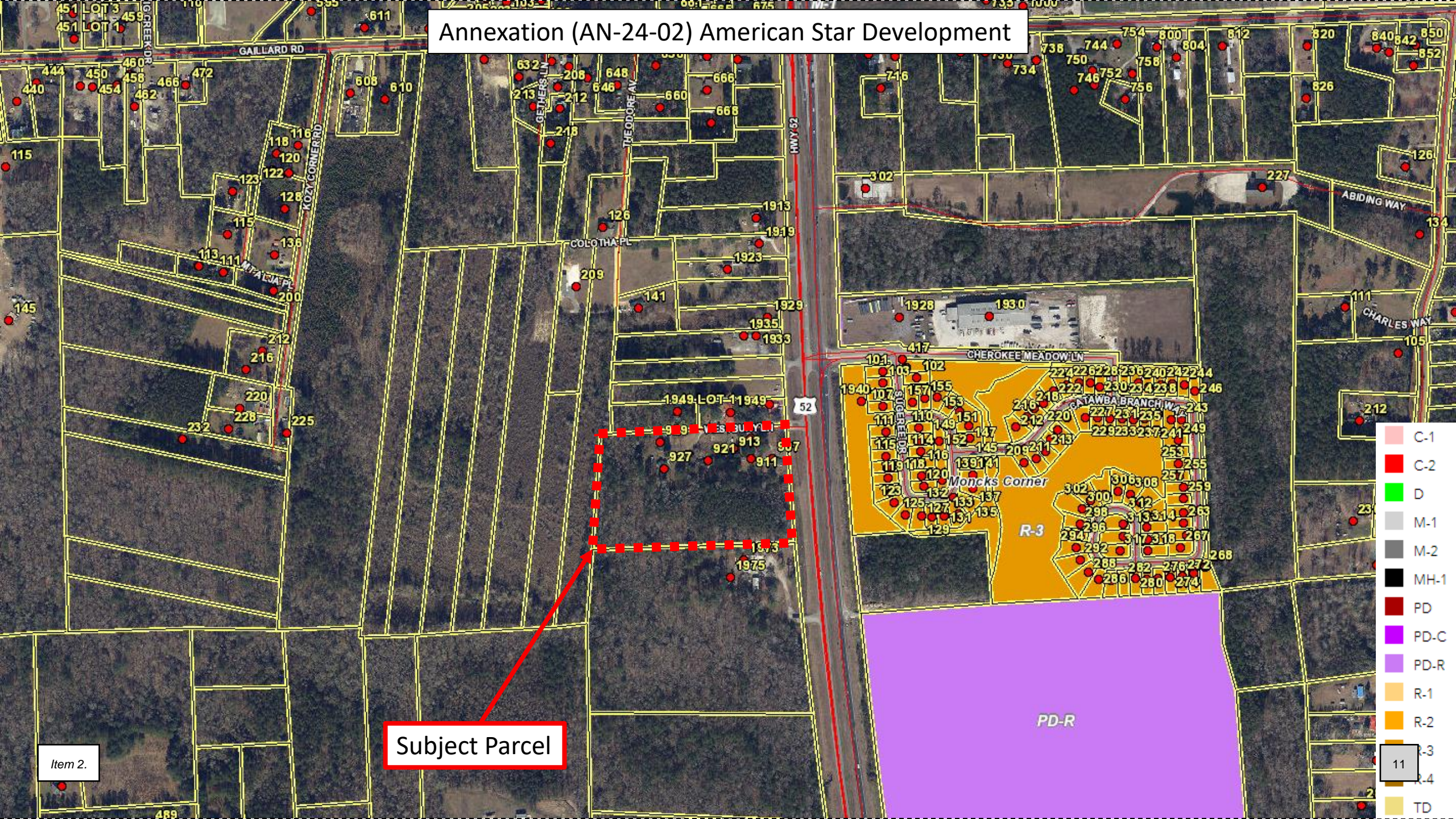


Subject Parcel

Item 2.

- C-1
- C-2
- D
- M-1
- M-2
- MH-1
- PD
- PD-C
- PD-R
- R-1
- R-2
- R-3
- R-4
- TD

# Annexation (AN-24-02) American Star Development

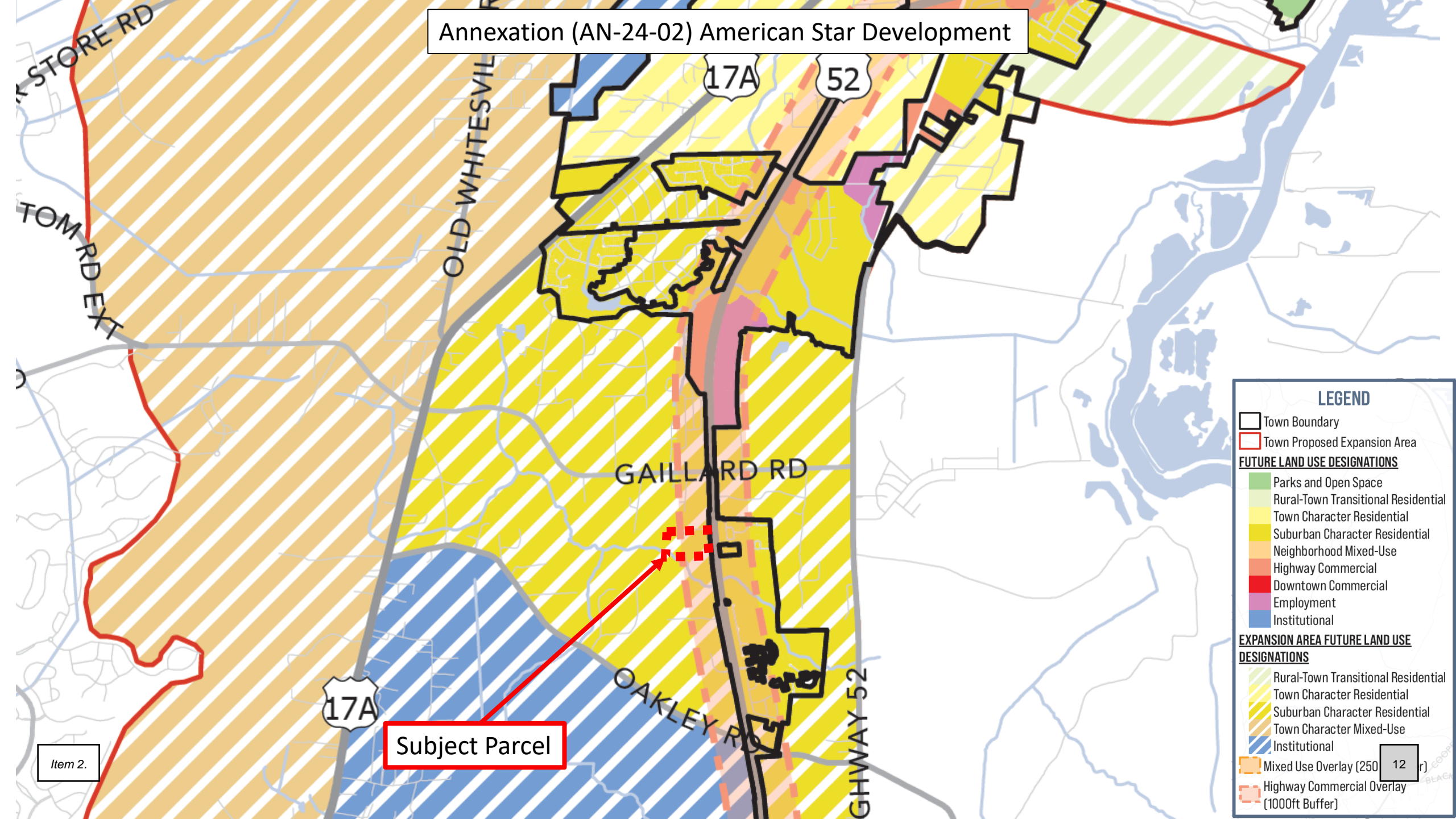


Subject Parcel

Item 2.

- C-1
- C-2
- D
- M-1
- M-2
- MH-1
- PD
- PD-C
- PD-R
- R-1
- R-2
- R-3
- R-4
- TD

Annexation (AN-24-02) American Star Development



Item 2.

Subject Parcel

**LEGEND**

- Town Boundary
- Town Proposed Expansion Area

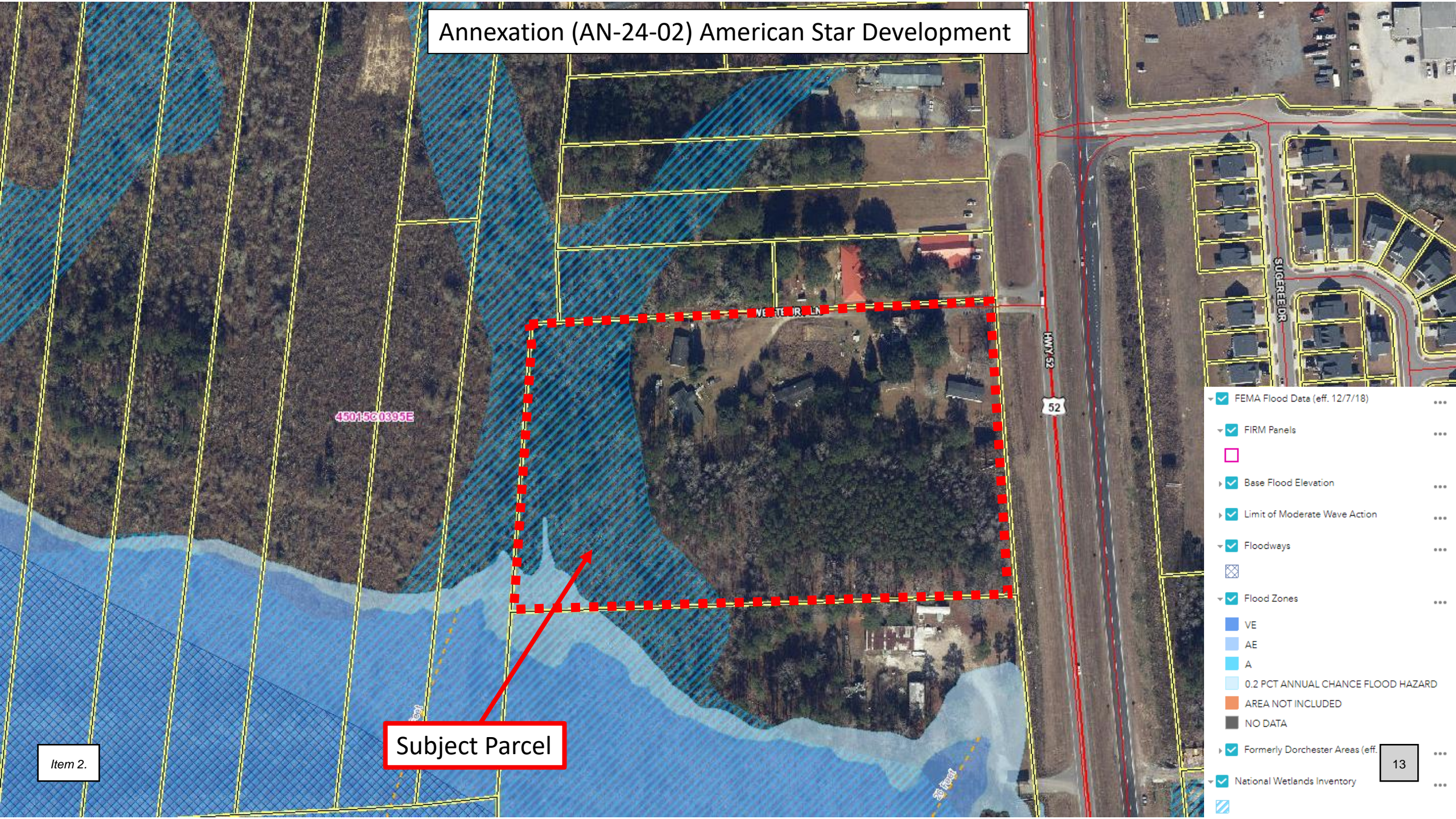
**FUTURE LAND USE DESIGNATIONS**

- Parks and Open Space
- Rural-Town Transitional Residential
- Town Character Residential
- Suburban Character Residential
- Neighborhood Mixed-Use
- Highway Commercial
- Downtown Commercial
- Employment
- Institutional

**EXPANSION AREA FUTURE LAND USE DESIGNATIONS**

- Rural-Town Transitional Residential
- Town Character Residential
- Suburban Character Residential
- Town Character Mixed-Use
- Institutional
- Mixed Use Overlay (250 ft Buffer)
- Highway Commercial Overlay (1000ft Buffer)

# Annexation (AN-24-02) American Star Development



- FEMA Flood Data (eff. 12/7/18)
- FIRM Panels
- Base Flood Elevation
- Limit of Moderate Wave Action
- Floodways
- Flood Zones
  - VE
  - AE
  - A
  - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
  - AREA NOT INCLUDED
  - NO DATA
- Formerly Dorchester Areas (eff. 12/7/18)
- National Wetlands Inventory



## Applicant Information

**NAME**

American Star Development

**ADDRESS**

PO BOX 211 Sullivan's Island SC 29482

**EMAIL ADDRESS**

perce211@aol.com

**PHONE**

803-289-0028

## Property Owner Information

If different than applicant

**NAME**

Anna C Blakely

**ADDRESS**

927 Westbury Lane Moncks Corner SC 29461

**EMAIL ADDRESS**

perce211@aol.com

**PHONE**

803-289-0028

**TO THE MAYOR AND COUNCIL OF THE TOWN OF MONCK'S 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. Description may be attached.

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:**

1810001024

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

**UPLOAD FILE**

[5YdxUJ9UQSPs-Topo-Survey-of-927-Westbury-September-2023.pdf](#)

**IT IS REQUESTED THAT THE PROPERTY BE ZONED AS FOLLOWS:**

R-3

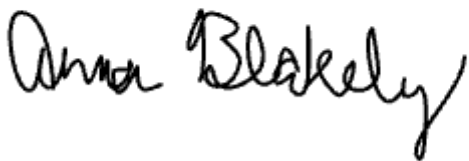
**CONSENT**

checked

**APPLICANTS SIGNATURE**

**DATE**

06/14/2024



**REFERENCES**

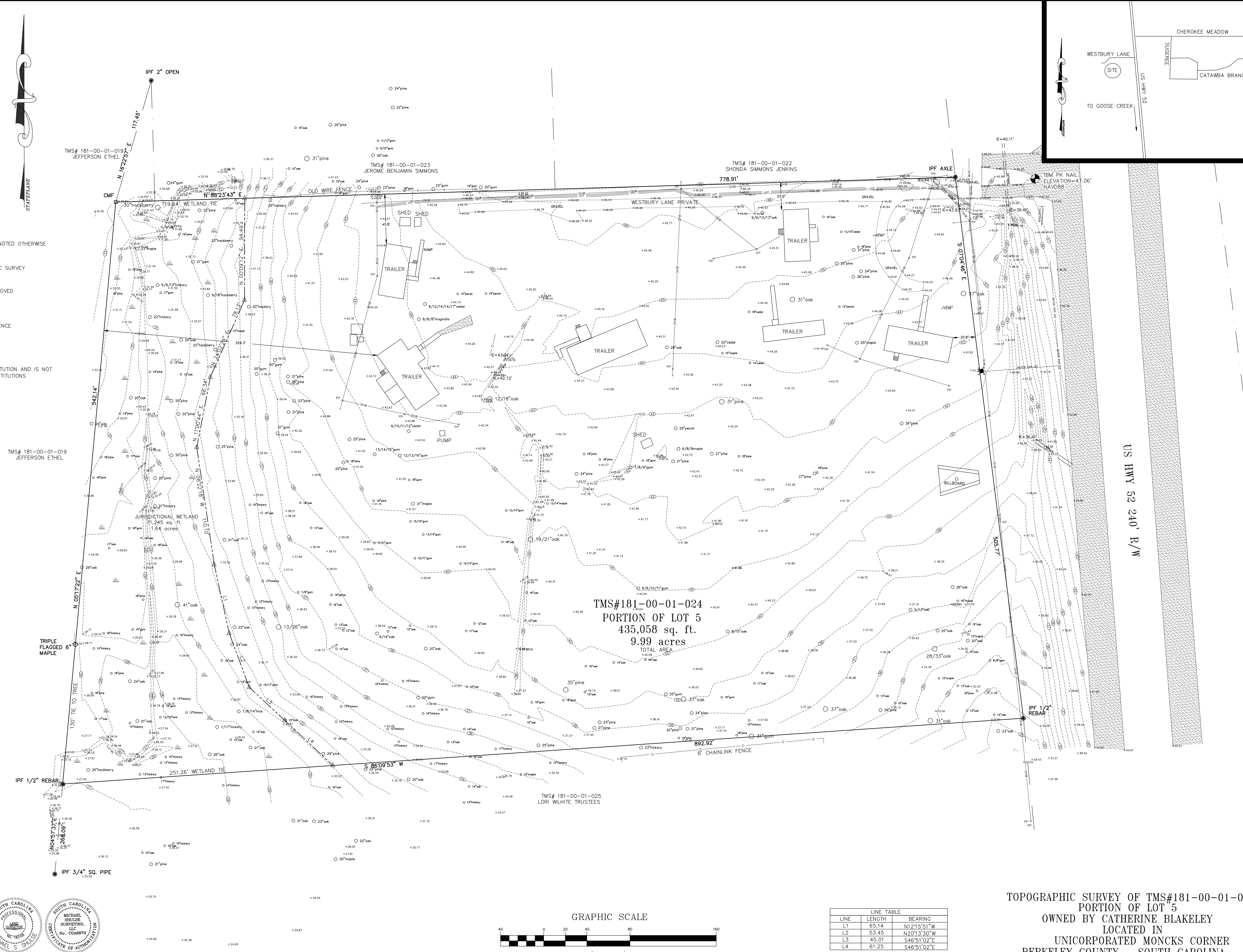
- 1.) PLAT CAB U PAGE 85  
DATED 11/11/72  
BY SHULER
- 2.) PLAT B PAGE 3  
DATED DEC 1918  
BY McGRADY BROTHER & CHEVES
- 3.) INSTRUMENT #2021028664  
DATED DEC 1, 2020  
BY PAUL HAJES (HGBD)
- 4.) PLAT T PAGE 98  
OCT 19, 1970  
BY EA DENNIS
- 5.) DEED 4049-0026

**NOTES**

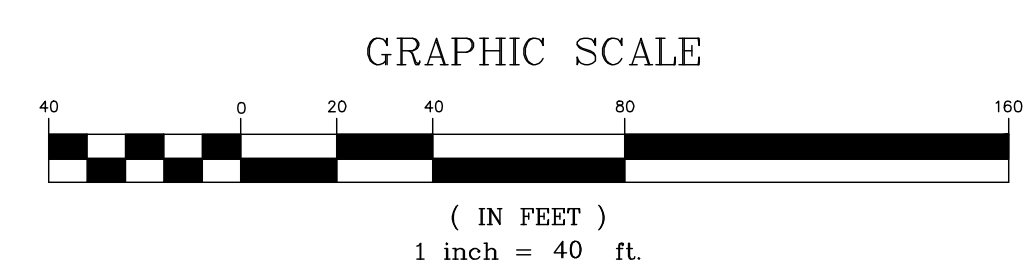
- 1.) PROPERTY CORNERS SET ARE ALL 5/8" REBAR UNLESS NOTED OTHERWISE
- 2.) AREA CALCULATED BY THE COORDINATE METHOD.
- 3.) BEARINGS SHOWN HEREON ARE STATEPLANE GRID
- 4.) THIS PLAT IS INTENDED ONLY TO SHOW THE TOPOGRAPHIC SURVEY OF LOT 5 AND IS BASED ON FOUND MONUMENTATION, LISTED REFERENCE DATA, AND LINES OF OCCUPATION. NO TITLE RESEARCH WAS DONE.
- 5.) SETBACKS ARE SUBJECT TO CHANGE AND MUST BE APPROVED COUNTY/ CITY OFFICIAL
- 6.) THE SURVEY SHOWS EASEMENTS WHICH ARE OBVIOUS OR APPARENT TO THE SURVEYOR
- 7.) NO SURFACE INVESTIGATION DONE
- 8.) ANY REPRESENTATION OUTSIDE BOUNDARY IS FOR REFERENCE
- 9.) THERE HAS BEEN NO ENVIRONMENTAL INVESTIGATION DONE FOR PARCEL
- 10.) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA; ZONE "X" AS PER F.I.R.M. PANEL #45015C 0395E, DATED DECEMBER 7, 2018
- 11.) THIS SURVEY IS FOR CLIENT AND CURRENT LENDING INSTITUTION AND IS NOT TRANSFERABLE TO SUBSEQUENT OWNERS OR LENDING INSTITUTIONS

**LEGEND**

- CALCULATED POINT  $\Delta$
- CONCRETE MONUMENT FOUND  $\square$
- IRON PIPE FOUND  $\bullet$
- OVERHEAD POWER  $-\text{OH}P-$
- COMMUNICATION LINE  $-\text{W}T-$
- SPOT ELEVATION  $\times$
- CONTOUR  $---$



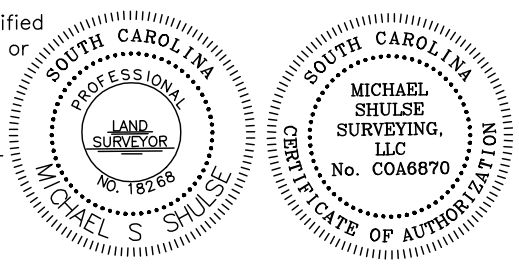
**TMS#181-00-01-024**  
**PORTION OF LOT 5**  
**435,058 sq. ft.**  
**9.99 acres**  
**TOTAL AREA**



LINE	LENGTH	BEARING
L1	65.14	N12°15'51\"W
L2	53.45	N20°13'30\"W
L3	45.01	S46°51'02\"E
L4	61.25	S46°51'02\"E

I, hereby state that to the best of my knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein, also certifying no encroachments, projections, or setbacks affecting the property other than those shown.

*Michael S. Shulse*  
 9/18/2023  
 MICHAEL S. SHULSE, S.C. P.L.S. No.18268  
 1210 RIVERS REACH DR.  
 WANDO, S.C. 29492  
 PHONE: (843) 296-1607



MSHULSE01@YAHOO.COM  
 MICHAEL SHULSE SURVEYING, LLC

**TOPOGRAPHIC SURVEY OF TMS#181-00-01-024**  
**PORTION OF LOT 5**  
**OWNED BY CATHERINE BLAKELEY**  
**LOCATED IN**  
**UNINCORPORATED MONCK'S CORNER**  
**BERKELEY COUNTY SOUTH CAROLINA**  
**DATE SURVEYED: SEPTEMBER 10, 2023**