



**Town of Summerville
Planning Commission
September 21, 2020 - 4:00 PM**

VIRTUAL MEETING

**This meeting will be conducted electronically and livestreamed
on the Town's website: www.summervillesc.gov**

PUBLIC COMMENT FOR THE PUBLIC HEARING:

Citizens can sign up for public comment in one of two ways:

1) Send your comments to planning@summervillesc.gov **before 2:30pm on Monday, September 21, 2020**. Please include your name and address. You will receive a confirmation email once your submission has been received. Your email will be read aloud by the Director of Planning during the public hearing. Please note that your submission in its entirety is public record, subject to the Freedom of Information Act.

2) Send an email to planning@summervillesc.gov **before 2:30pm on Monday, September 21, 2020** to register to speak from your phone during the public hearing. Please include your name and address. A confirmation email will be sent to you with the link and/or phone number to use. Participants will be called on individually by the meeting host to speak. Please note that you are being recorded and livestreamed to the public.

For additional information regarding items on this agenda including any public hearings, please contact the Planning Department at planning@summervillesc.gov or 843.851.4217. Applications and related documents for this meeting are available for review at any time at www.summervillesc.gov/AgendaCenter

I. APPROVAL OF MINUTES:

1. Approval of minutes from meeting on August 17, 2020.

II. PUBLIC HEARINGS: (*notice in Post & Courier on 09.06.20 and signs posted on property on 09.04.20*)

1. Petition by South Pointe Ventures, A South Carolina General Partnership, to annex Dorchester County TMS# 138-00-00-015, approximately 15.7 acres, located at South Pointe Boulevard and E. 5th North Street; currently zoned TRM, Transitional Residential District, in Dorchester County, and will be zoned MF-R, Multi-family Residential, upon annexation into the Town of Summerville's municipal limits. (Council District 2)
2. Request to rezone TMS# 130-00-00-008, located on N. Maple St., approximately 20.86 acres, and owned by Rosemary S. Harper Ward Trust from AC, Agricultural Conservation, to N-MX, Neighborhood Mixed-Use. (Council District 1)

3. Proposed amendments to the Summerville Unified Development Ordinance, Chapter 3, Section 3.4.8.A Drive-Thru/Drive-In Facility (UC-MX).

III. OLD BUSINESS:

IV. NEW BUSINESS:

1. New Street Names (as needed)
2. Petition by South Pointe Ventures, A South Carolina General Partnership, to annex Dorchester County TMS# 138-00-00-015, approximately 15.7 acres, located at South Pointe Boulevard and E. 5th North Street; currently zoned TRM, Transitional Residential District, in Dorchester County, and will be zoned MF-R, Multi-family Residential, upon annexation into the Town of Summerville's municipal limits. (Council District 2)
3. Request to rezone TMS# 130-00-00-008, located on N. Maple St., approximately 20.86 acres, and owned by Rosemary S. Harper Ward Trust from AC, Agricultural Conservation, to N-MX, Neighborhood Mixed-Use. (Council District 1)
4. Proposed amendments to the Summerville Unified Development Ordinance, Chapter 3, Section 3.4.8.A Drive-Thru/Drive-In Facility (UC-MX).

V. MISCELLANEOUS:

VI. ADJOURNMENT:

Chairman or Vice Chairman

Posted September 15, 2020

The Town of Summerville Planning Commission Meeting
Minutes
August 17, 2020

This meeting of the Town of Summerville Planning Commission was held virtually via the Zoom Cloud Meeting Application and was attended by Commission Members, Jim Reaves, Chairman; Kevin Carroll; Tom Hart; Charlie Stoudenmire; Betty Profit; Jonathan Lee; and Elaine Segelken. Staff in attendance included Jessi Shuler, AICP, Director of Planning; Tim Macholl, Zoning Administrator; Bonnie Miley, Assistant Town Engineer; and Matt Halter, Staff Engineer. The public viewed the meeting via live-stream and could register to participate in the public hearing or submit any comments in advance of the meeting through email or by phone.

Jim Reaves, Chairman, called the meeting to order at 4:00 PM.

Approval of Minutes:

The Chairman asked if there were any edits or additions to the minutes from the meeting on July 20, 2020. Ms. Profit made a motion to approve the minutes as presented, and Mr. Hart made the second. The motion passed unanimously.

Public Hearings:

The first public hearing opened at 4:01 PM and was to accept comment regarding the draft document for Summerville: Our Town, Our Future, the Comprehensive Plan update. Mr. Reaves introduced the item and turned the floor over to Sean Tapia and John Houseal with Houseal Lavigne, the consultants for the project. Mr. Tapia presented a brief slideshow and overview of the draft plan. Mr. Reaves asked about the 10 year requirement versus the 20 years used in the Plan. Ms. Shuler responded that state law requires that the plan be updated every 10 year, but that a 20 year timeframe was used for the draft. The Plan would still have to be reviewed after five years and updated after 10 years as state law requires. Mr. Lee asked if the Future Land Use map used the new zoning from the UDO, and Mr. Tapia explained that the UDO zoning was used to inform the Future Land Use map. Mr. Reaves noted that on page 92, Carolina Waste was specifically used in the objective regarding recycling, and he suggested that the wording be more generic because contractors may change. Mr. Lee pointed out that a couple of the organizations listed on page 40 in reference to creating entrepreneur events may no longer be active and that list should be updated. He also stated his belief that the last paragraph on page 41 about creating an Economic Recovery Plan should be considered to be more of a priority given recent circumstances. Ms. Shuler explained that that objective was added into the plan due to the current issues faced with COVID-19 and is listed as a priority action in the action matrix at the end of the Plan. Mr. Lee also noted a typo on page 126 where “short-term” was misspelled. He then expressed that it was interesting that the Plan recommends review every two years. Mr. Reaves responded that state law requires review every five years, but more frequent review is a good thing.

Ms. Shuler then stated that she did have emails submitted for public comment, and she read the emails that she'd received from the public into the record and those emails are appended to these minutes.

Hearing no requests from the public to offer any further comments, this public hearing was closed at 4:49 PM.

The second public hearing opened at 4:49 PM and was for the petition by Marymeade Associates, LP to annex Berkeley County TMS# 232-00-02-179 and Dorchester County TMS# 138-00-00-036 (approximately 4.70 acres total) located on Berlin G. Myers Pkwy.; currently zoned GC, General Commercial, in Berkeley County and CG, General Commercial, in Dorchester County, and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1). Mr. Reaves introduced the item and asked if the applicant was present. Josh Lilly with Stantec provided a brief description of the property and stated that they were proposing to bring in the two parcels as G-B to match the existing adjacent zoning, as the entire 10 acres would be developed together.

Hearing no requests from the public to offer any comments and receiving no emails for public comment, this public hearing was closed at 4:52 PM.

The third and final public hearing opened at 4:52 PM and was for the proposed amendments to the Summerville Unified Development Ordinance, Chapter 8, Section 8.7.4, Maintenance. Mr. Reaves introduced the item and asked Ms. Shuler to explain. Ms. Shuler informed the Commission that this section of the tree ordinance was rarely used and as such, was inadvertently left out of the UDO language. The UDO language could be interpreted to require removal of dead or diseased trees based on the current language, but this addition makes that requirement clearer and matches the language in the previous ordinance.

Hearing no requests from the public to offer any comments and receiving no emails for public comment, this public hearing was closed at 4:54 PM.

Old Business

There were no items under Old Business.

New Business:

The first item under New Business was New Street Names. Ms. Shuler stated that she had three new street names for review in a proposed apartment complex off of Old Trolley Road called Waters at Oakbrook: Oakbrook Landing Drive, Gathering Way, and Flowertowne Circle or Avenue. Ms. Segelken made a motion for approval of all three names using the suffix Circle for Flowertowne since the road did indeed make a circle. Mr. Carroll made the second, and the motion passed unanimously.

The second item under New Business was the consideration of a resolution to recommend adoption of the Comprehensive Plan Update, Summerville: Our Town, Our Future. Mr. Hart made a motion to approve the resolution recommending the document to Council with the minor edits noted, and Ms. Segelken made the second. Mr. Hart stated that he served on the Comprehensive Plan Advisory Committee (CPAC), and a lot of hard work and public input went into the drafting of the document. He noted that no document can please everyone, but this document takes into account a large number of the public from all areas of the Town. Ms. Segelken agreed, declaring that she has had the privilege to work on all of the Comprehensive Plans since 1994, and this Plan is the best so far. Mr. Lee stated that the document was very well organized. He emphasized his appreciation for the action matrix, which shows that implementation of this Plan will be a collaborative, ongoing effort. Mr. Reaves noted that he also worked on all of the Plans since 1994, and stressed that this Plan was exemplary. He applauded all of the hard work that went into the Plan.

Following the discussion, Mr. Reaves called for the vote and the motion passed unanimously.

The third item under New Business was the petition by Marymeade Associates, LP to annex Berkeley County TMS# 232-00-02-179 and Dorchester County TMS# 138-00-00-036 (approximately 4.70 acres total) located on Berlin G. Myers Pkwy.; currently zoned GC, General Commercial, in Berkeley County and CG, General Commercial, in Dorchester County, and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1)

Ms. Segelken made a motion to recommend approval to Council, and Mr. Lee made the second. The motion passed unanimously.

The fourth item under New Business was the proposed amendments to the Summerville Unified Development Ordinance, Chapter 8, Section 8.7.4, Maintenance. Mr. Carroll made a motion to recommend approval to Council, and Ms. Segelken made the second. Mr. Lee questioned if the Arborist on staff would verify the condition of the tree(s). Ms. Shuler responded that the Arborist would inspect the tree(s) in question prior to sending out any letter requiring removal in accordance with this ordinance.

Following the discussion, Mr. Reaves called for the vote and the motion passed unanimously.

Miscellaneous:

Ms. Shuler reminded the Commission members about their training requirements for the year and to please send her verification on any virtual trainings attended.

Adjourn

With no further business for the Commission, Mr. Carroll made a motion to adjourn with Ms. Segelken making the second. The motion carried and the meeting was adjourned at 5:04 PM.

Respectfully Submitted,

Jessi Shuler, AICP
Director of Planning

Date: _____

Approved: _____
Jim Reaves, Chairman or Kevin Carroll, Vice Chairman

DRAFT

**ANNEXATION
STAFF REPORT
PLANNING COMMISSION
September 21, 2020**

TMS#s: 138-00-00-015

Location: E. 5th North St. and South Pointe Blvd.

Description: one parcel, approximately 15.7 acres

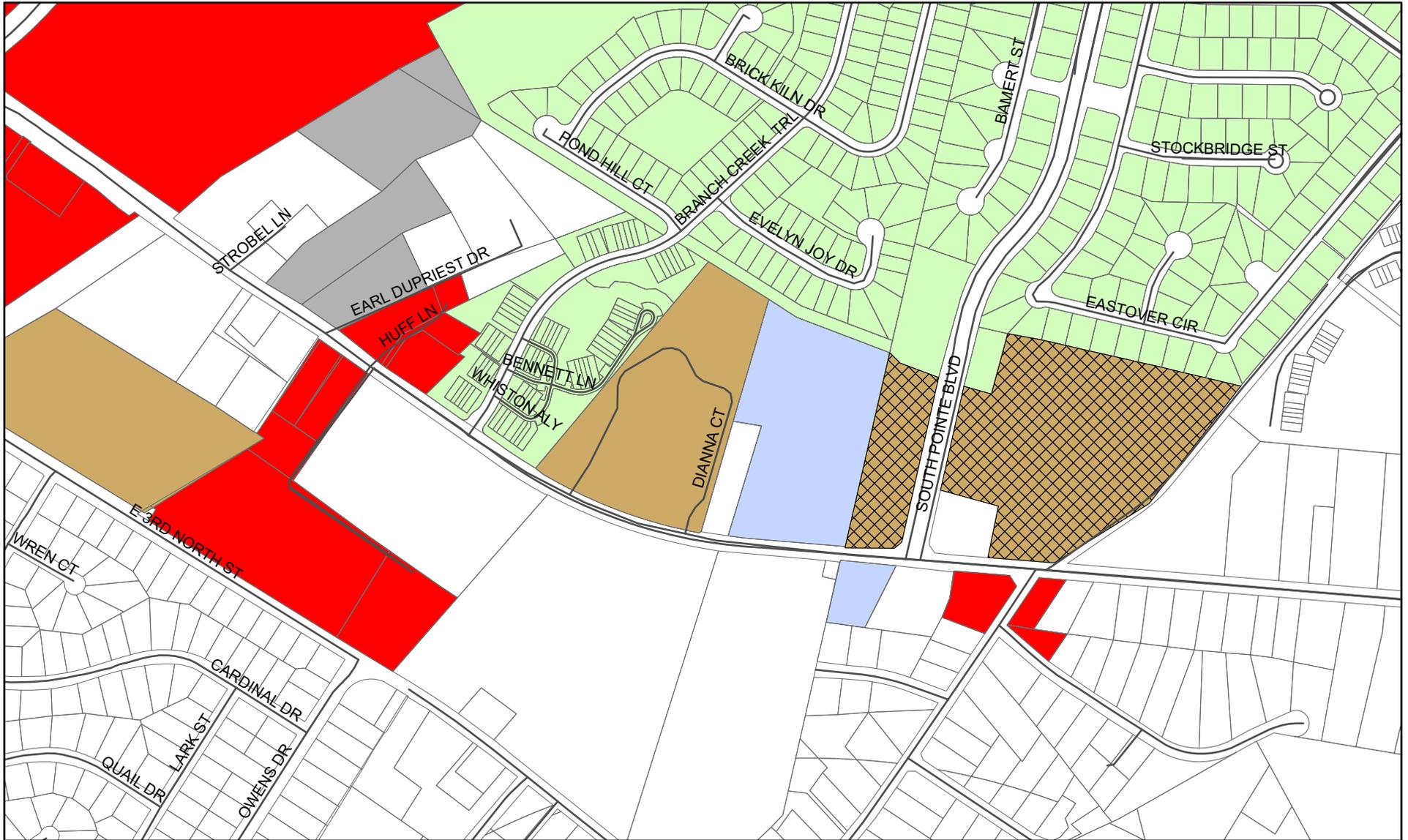
Request: Annexation and zoning to MF-R, Multi-Family Residential

The property owner is requesting for the above referenced parcel to be annexed into the Town of Dorchester County. The existing zoning in Dorchester County is TRM, Transitional Residential District.

This property is included in the Town's 'Neighborhood Mixed Use' District within the Town's 2009-2011 Comprehensive Plan and Update as well as on the accompanying Future Land Use Map. Neighborhood service-oriented businesses and medium to high density residential uses are recommended. There is an apartment complex just down the street in Town and one in the Town of Lincolnville across E. 5th North St. This is also along the proposed route for Lowcountry Rapid Transit.

The applicant will be required to do a Traffic Impact Analysis for the proposed use, and this process has already been started. The fiscal impact analysis is still being reviewed, but it appears to show that the proposed project will have a positive fiscal impact on the Town.

Based on these findings the requested MF-R, Multi-Family Residential, zoning district is interpreted by staff to be in conformance with the Town's Comprehensive Plan and is recommended for approval.



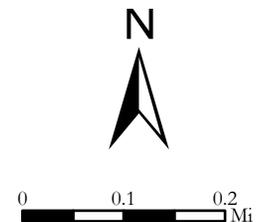
- | | |
|--|--|
|  Annexation Request |  LI |
|  Parcels |  MF-R |
| Zoning |  N-R |
| |  PUD |
| |  G-B |

Annexation - TMS# 138-00-00-015

E. 5th North St. & South Pointe Blvd.

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.

2020



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

STATE OF SOUTH CAROLINA)
)
COUNTY OF Dorchester)

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF SUMMERVILLE

WHEREAS, SECTION 5-3-150 (3) Code of laws of South Carolina provides for the annexation of an area or property which is contiguous to a Town by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation, and

WHEREAS, the undersigned are all persons owning real estate in the area requesting annexation, and

WHEREAS, the area requesting annexation is described as follows, to wit:

SAID PROPERTY, located at South Point Blvd and E 5th N St (HWY 78) (approximately 15.7 acres) to be annexed is identified by the Dorchester County Assessor's Office as Property Identification Number: TMS # 138-00-00-015 to include, if necessary to establish contiguity, any road, waterway, easement, railroad track, marshland or utility line that intervenes between this property and the municipal limits of the Town of Summerville.

NOW, THEREFORE, the undersigned petition the Town Council of Summerville to annex the above described area into the municipal limits of the Town of Summerville.

Dated this day of , 2018.

FREEHOLDERS (OWNERS) SIGNED

DATE OF SIGNATURE

Milly D. Peters
(Signature)

8/15/2020
(Date)

Milly D. Peters
(Print Name)

(Date)

 (Signature)

(Print Name)

August 12, 2020

To: Summerville Members, LLC

From: South Pointe Ventures, a SC General Partnership

RE: Owner Authorization for PIN # 138-00-00-015.000

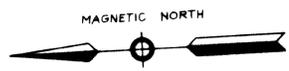
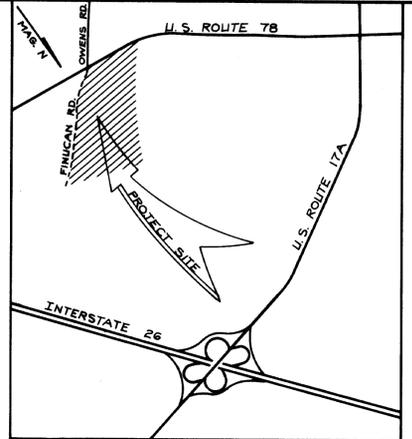
I Milly D. Peters, with South Pointe Ventures, (Property Owner) authorize Stantec and Summerville Members, LLC to represent me on all matters of annexation of the 14.5 acres with Dorchester County PIN # 138-00-00-015.000 into the Town of Summerville.

Regards,

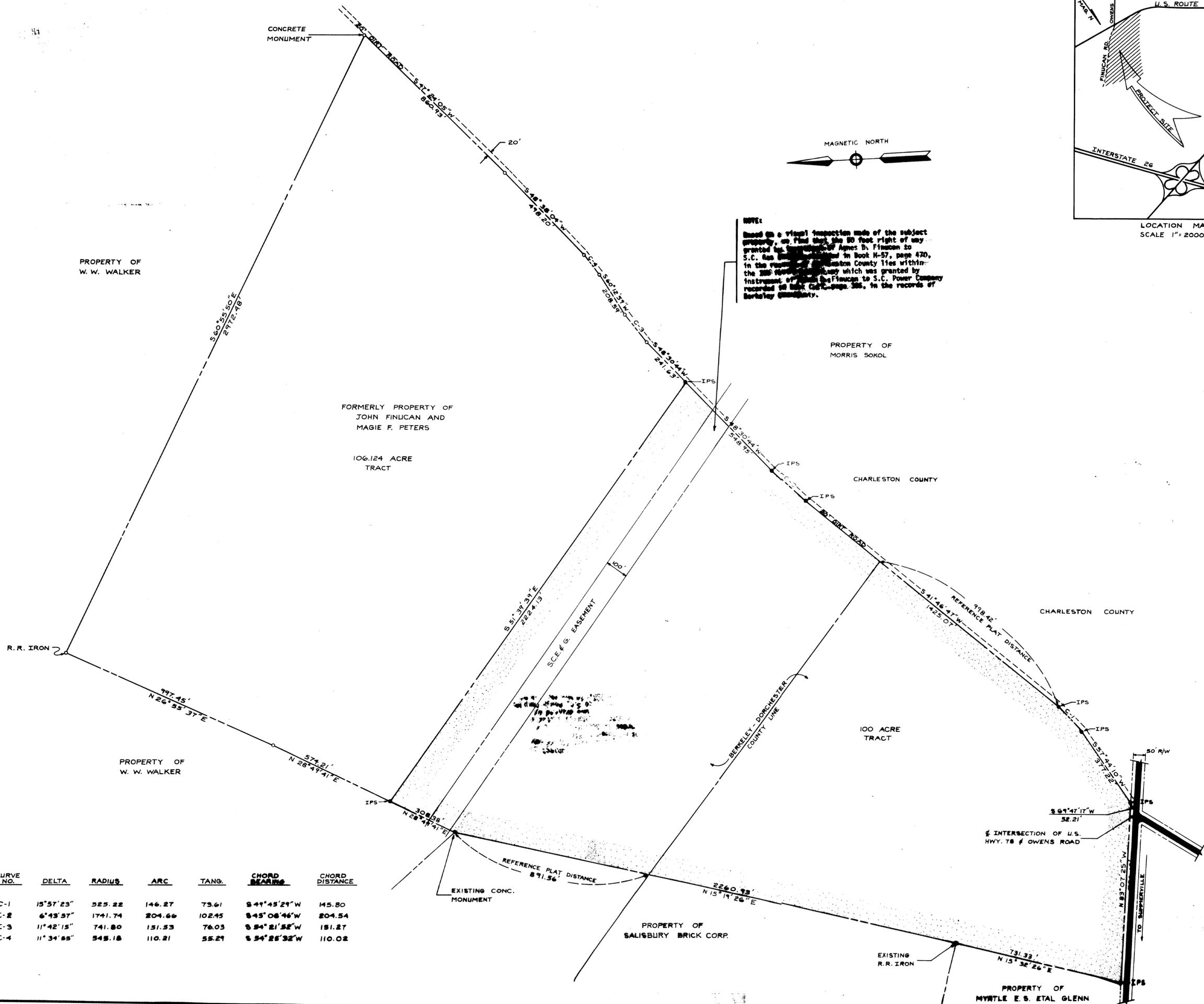


South Pointe Ventures, a SC General Partnership

Nov 15 12 33 PM '84
 FILED-RECORDED
 MARIE K. CAMP
 CLERK OF COURT
 DORCHESTER COUNTY
 E-33



NOTE:
 Based on a visual inspection made of the subject property, we find that the 50 foot right of way granted by the deed of Agnes B. Finucan to S.C. Gas & Electric in Book N-57, page 470, in the county of Charleston County lies within the 200 foot right of way which was granted by instrument of John Finucan to S.C. Power Company recorded in Book C-1, page 386, in the records of Berkeley County.



- LEGEND**
- POINTS FOR 100 ACRE BOUNDARY, EXISTING OR SET IN FIELD.
 - POINTS FROM REFERENCE PLAT
 - △ NAIL & CAP SET IN FIELD.
 - I.P.S. IRON PIN SET
 - PROPERTY LINE
 - - - EASEMENT
 - - - - DIRT ROAD

REFERENCE PLAT

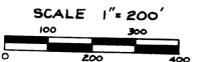
1) LANDS OF JOHN FINUCAN & MAGIE F. PETERS COMPLETED TO INCORPORATE PORTIONS OF CHARLESTON AND BERKELEY COUNTIES INTO DORCHESTER COUNTY. DATED: MAY 13, 1977
 BY: NATHAN C. BAVEW S.C.R.L.S. 4116
 ROBERT K. LEAKE S.C.R.L.S. 2946
 N. MAX HICKS S.C.R.L.S. 3443

CRS - SIRRINE INC.
 P.O. BOX 926
 SUMMERVILLE, S.C. 29484

I, HAROLD J. WILLSON, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH CAROLINA DO HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE PROPERTY SURVEYED AND THAT THE PRECISION IS NOT LESS THAN 1 PART IN 7,500. AREAS HAVE BEEN DETERMINED BY THE DMD METHOD.



Harold Joe Willson
 HAROLD J. WILLSON
 REG. L.S. NO. 4590



PREPARED FOR THE SERVICE OF
 THE AMERICAN HOME FUNDING, INC.
 AND CITIZENS SAVINGS BANK, F.S.B.

PLAT
 BOUNDARY OF 100 ACRE TRACT
 PROPERTY OF
 FINUCAN - PETERS
 DEVELOPMENT INC.
 SUMMERVILLE, S. C.
 DATE: MAY 8, 1984

CURVE NO.	DELTA	RADIUS	ARC	TANG.	CHORD BEARING	CHORD DISTANCE
C-1	15° 57' 23"	525.22	146.27	73.61	S 41° 45' 21" W	145.80
C-2	6° 43' 37"	1741.74	204.66	102.45	S 45° 08' 46" W	204.54
C-3	11° 42' 15"	741.80	151.53	76.03	S 34° 21' 52" W	151.27
C-4	11° 34' 55"	545.18	110.21	55.29	S 34° 25' 32" W	110.02

1
11/10/94

DORCHESTER COUNTY
Real Estate Tax Collected
\$ 695.00

6441292 PAGE 025
073289 MAR 9 2 14 PM '94

FILED-RECORDED

LINDA T. HESSERVY
REGISTER
MESSENGER
DORCHESTER COUNTY, SC.

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY and) TITLE TO REAL ESTATE
COUNTY OF DORCHESTER)

KNOW ALL MEN BY THESE PRESENTS THAT FINUCAN-PETERNS DEVELOPMENT, INC., in the State aforesaid, in consideration of the sum of FIVE and 00/100 DOLLARS (\$5.00), plus the assumption of the below described mortgage, to it in hand paid at and before the sealing of these presents, by SOUTH POINTE VENTURES, A SOUTH CAROLINA GENERAL PARTNERSHIP in the State aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these Presents, does grant, bargain, sell and release, unto the said SOUTH POINTE VENTURES, A SOUTH CAROLINA GENERAL PARTNERSHIP, the following described property, to-wit:

All that certain piece, parcel or tract of land situate, lying and being in the Counties of Berkeley and Dorchester, State of South Carolina, measuring and containing one hundred (100) acres, more or less, and butting and bounding as follows: On the Northwest along the lands of Myrtle E.S. Etal Glenn, the property of Salisbury Brick Corporation, and the property of W.W. Walker; On the Northeast by the lands of Hope Limited Partnership, On the Southeast along a twenty foot (20') dirt road; and On the Southwest along U.S. Highway 78. The property has the following courses, distances, metes and bounds: Beginning at the intersection of U.S. Highway 78 and Owens Road, and proceeding S 69° 41' 17" W, a distance of 52.21 feet to an iron pin, which iron pin is the point of beginning, thence proceeding along U.S. Highway 78, N 83° 07' 25" W, a distance of 756.14 feet to an iron pin; thence turning N 15° 32' 26" E a distance of 731.33 feet to an existing railroad iron; thence running N 15° 19' 26" E a distance of 2,260.93 feet to an existing concrete monument; thence N 28° 49' 41" E a distance of 308.38 feet to an iron pin; thence running S 51° 39' 39" W a distance of 2,226.13 feet to an iron pin; thence running S 48° 30' 44" W a distance of 548.95 feet to an iron pin; thence along a curve a length of 204.66 feet and having a radius of 1,741.74 feet to an iron pin; thence S 41° 46' 47" W a distance of 1,425.07 feet to an iron pin; thence along a curve a length of 146.27 feet and having a radius of 525.22 feet to an iron

Chellis, McFarmer & Frampton
P.O. Box 490
Summerville, SC 29484

pin; thence S 51° 44' 10" W a distance of 377.22 feet to an iron pin, said iron pin being the point of beginning.

SAID property shall more fully appear by reference to a plat entitled "Boundary of 100 Acre Tract, Property of Pinucan-Peters Development, Inc., Summerville, S.C.", made by Harold J. Wilson, Registered Land surveyor, No. 4590. Said plat recorded in Book F, Page 291, in the RMC Office for Berkeley County, S.C. and in Book E, Page 33, in the RMC Office for Dorchester County, S.C.

SAVING AND EXCEPTING therefrom the following described lots which have heretofore been conveyed:

- Lot 1, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 2, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 3, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 4, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 5, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 6, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 7, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 8, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 9, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 10, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 11, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 12, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 13, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 14, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 15, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 16, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 17, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 18, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 19, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 20, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 21, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 22, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 23, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 24, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 25, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 26, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 27, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 28, Phase I, Dovewood Subdivision (Plat F-62, also F-66)
- Lot 29, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 30, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 31, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 32, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 33, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 34, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 35, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 47, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 48, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 49, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 50, Phase I, Dovewood Subdivision (Plat E-164)
- Lot 51, Phase I, Dovewood Subdivision (Plat E-164)

BEING the same property conveyed to Finucan-Peters Development, Inc. by deed of Hope Limited Partnership recorded in Book 513, Page 553, in the RMC Office for Dorchester County, S.C. and also recorded in Book A-556, Page 205, in the RMC Office for Berkeley County, S.C.

DORCHESTER COUNTY PROPERTY:

Lot 11, Phase 1, Dovewood Subdivision (TMS #138-05-02-003)
 Lot 4, Dovewood II Subdivision (TMS #138-05-05-004)
 Lot 5, Dovewood II Subdivision (TMS #138-05-05-005)
 Lot 6, Dovewood II Subdivision (TMS #138-05-05-006)
 Lot 7, Dovewood II Subdivision (TMS #138-05-05-007)
 Lot 9, Dovewood II Subdivision (TMS #138-05-05-009)
 Lot 10, Dovewood II Subdivision (TMS #138-05-05-010)
 Lot 12, Dovewood II Subdivision (TMS #138-05-05-012)
 Lot 13, Dovewood II Subdivision (TMS #138-05-05-013)
 Lot 17, Dovewood II Subdivision (TMS #138-05-05-017)
 TMS #138-05-05-015
 TMS #138-05-05-019

BERKELEY COUNTY PROPERTY:

Lot 20, Dovewood II Subdivision (TMS #232-07-07-001)
 Lot 21, Dovewood II Subdivision (TMS #232-07-07-002)
 Lot 22, Dovewood II Subdivision (TMS #232-07-07-003)
 Lot 23, Dovewood II Subdivision (TMS #232-07-07-004)
 Lot 25, Dovewood II Subdivision (TMS #232-07-07-006)
 Lot 26, Dovewood II Subdivision (TMS #232-07-07-007)
 Lot 27, Dovewood II Subdivision (TMS #232-07-07-008)
 Lot 28, Dovewood II Subdivision (TMS #232-07-07-009)

The intent of this deed is to convey all of the remaining property of Finucan-Peters Development, Inc. which it acquired by deed of Hope Limited Partnership dated May 10, 1984, and recorded in Book 513, Page 553, in the RMC Office for Dorchester County, S.C. and also recorded in Book A-556, Page 205, in the RMC Office for Berkeley County, S.C.

SUBJECT to the dedication of streets to the public and any and all easements, rights of way, restrictive covenants and the like heretofore filed of record in the RMC Offices for Berkeley and Dorchester Counties, S.C.

Grantee's Address: 706 Pin Oak Drive
 Aiken, SC 29801

The Grantee herein, SOUTH POINTE VENTURES, A SOUTH CAROLINA GENERAL PARTNERSHIP, by the acceptance of this Deed, specifically assumes and agrees to pay the indebtedness due under the terms of a mortgage given by FINUCAN-PETERS DEVELOPMENT, INC. to Charles Towne Mortgage Corporation dated October 23, 1989, in the original principal amount of \$380,000.00, having been assigned on October 23, 1989 to Cooper River Federal Savings and Loan Association of North Charleston. The outstanding principal balance is approximately \$200,000.00. BK 694 PG 314 Mort.

Assignment - BK 694 PG 318 LHM - 2/11/90 by Janna C)

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the said SOUTH POINTE VENTURES, A SOUTH CAROLINA GENERAL PARTNERSHIP, its Successors and Assigns, forever.

AND it does hereby bind itself and its Successors and Assigns, to warrant and forever defend, all and singular, the said Premises unto the said SOUTH POINTE VENTURES, A SOUTH CAROLINA GENERAL PARTNERSHIP, its Successors and Assigns, against itself and its Successors and Assigns, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

IN WITNESS WHEREOF, FINUCAN-PETERS DEVELOPMENT, INC. has caused these presents to be executed in its name by THOMAS H. FINUCAN, its President and attested by Albert H. Peters, Jr., its Secretary and its corporate seal to be hereto attixed this 1st day of March, in the year of our Lord one thousand nine hundred and ninety-four.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Sandra DeLuca
James E. Owens

FINUCAN-PETERS DEVELOPMENT, INC.
By: [Signature]
THOMAS H. FINUCAN
Title: President

ATTEST:
By: [Signature]
ALBERT H. PETERS, JR.
Title: Secretary

STATE OF SOUTH CAROLINA)
COUNTY OF Dorchester)

SUMMERVILLE SC 29486
115 WEST FOURTH ST NORTH
FLOOR 12 NORTH

PERSONALLY appeared before me, the undersigned witness, who on oath says that (s)he saw the within named PINUCAN-PETERS DEVELOPMENT, INC., by Thomas H. Finucan its President, sign the within Title to Real Estate, and Albert H. Peters, Jr., its Secretary attest the same, and the said Corporation, by said offices, seal said Title to Real Estate, and as its act and deed deliver the same, and that (s)he with the other witness witnessed the execution thereof.

SWORN to before me this 13th
day of March, 1994.

James S. Smith

Landra D. King

Notary Public for South Carolina
My Commission Expires: 11/19/97

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY and)
COUNTY OF DORCHESTER)

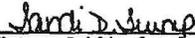
AFFIDAVIT OF CONSIDERATION

PERSONALLY APPEARED before me, JAMES E. CHELLIS, who, on oath,
states as follows:

1. That he is an attorney licensed to practice law in the State of South Carolina.
2. That he is familiar with the transaction wherein Finucan-Peters Development, Inc. conveyed 100 Acres, more or less, located in the Counties of Berkeley and Dorchester, SC, to South Pointe Ventures, a South Carolina general partnership by deed dated March 1, 1994.
3. That the consideration for the subject property is \$5.00 and that no documentary stamps are due thereon.
4. Further deponent sayeth not.


James E. Chellis

SWORN to before me this
1st day of March, 1994


Notary Public for South Carolina

My Commission Expires: 1-14-98

BOOK 1292 PAGE 033

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

PERSONALLY appeared before me James E. Chellis, who is duly sworn, deposes and says that the following is a true and correct statement concerning the consideration for the conveyance set forth below:

GRANTOR: Piducan-Peters Development, Inc.
GRANTEE: South Pointe Ventures, a South Carolina general partnership
GRANTEE MAILING ADDRESS: 706 Pin Oak Drive
Aiken, SC 29801

DATE OF DEED: 3-1-84
CONSIDERATION: Attached
See/Over

TMS# (TAX MAP PARCEL NO.) see attached deed for TMS #'s
EXEMPTION (IF APPLICABLE) This transfer is exempt from the fee requirement of Ordinance 93/08 based on Section IV, subparagraph (1-8) n/a.

James E. Chellis
Purchaser of Legal Representative
of Purchaser
James E. Chellis

Sworn to and subscribed before me
this 1st day of March, 1992.

James D. Lingo
Notary Public for South Carolina

My Commission Expires:

RMC OFFICE AND COUNTY USE ONLY
Transfer Fee Collected: 695.00 Recording Date: 1292 25
Data: Deed Book Page

100

\$5.00 and the assumption of the mortgage FINUCAN-PETERS DEVELOPMENT, INC. to Charles Towne Mortgage Corporation dated October 23, 1989, in the original principal amount of \$380,000.00, having been assigned on October 23, 1989 to Cooper River Federal Savings and Loan Association of North Charleston. For purposes of the Dorchester County Real Estate Transfer Fee, purchaser assumed other obligations of the seller, however, submits payment of \$695.00 as the transfer fee based on the appraised value of TMS #138-00-00-015 (assessed value = \$16,680.00; converts to appraised value of \$278,000.00 x .25% = \$695.00)

**REZONING
STAFF REPORT
PLANNING COMMISSION
September 21, 2020**

TMS#s: 130-00-00-008

Location: N. Maple St.

Description: one parcel, approximately 20.86 acres

Request: Rezoning to N-MX, Neighborhood Mixed-Use

The property owner is requesting for the above referenced parcel to be rezoned from AC, Agricultural Conservation to N-MX, Neighborhood Mixed-Use.

This property is included in the Town's 'Employment Growth' District within the Town's 2009-2011 Comprehensive Plan and Update as well as on the accompanying Future Land Use Map, and it also falls under a Commercial Activity Node. The area also falls under the Sheep Island focus area in the 2014 Vision Plan appended to the Comprehensive Plan. That plan proposes a mix of uses, including single-family and multi-family residential, commercial, industrial, and civic uses. This property is also adjacent to the recently annexed and approved North Maple Mixed Use PUD, which uses the N-MX zoning requirements as its base. Based on these findings the requested N-MX, Neighborhood Mixed-Use, zoning district is interpreted by staff to be in conformance with the Town's Comprehensive Plan and is recommended for approval.



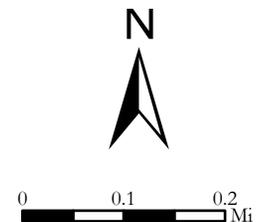
Parcels	MF-R
Zoning Districts	MH-R
AC	N-B
D-MX	N-MX
G-B	N-R
GR-2	PL
GR-5	PUD
HI	PUD/DA
LI	UC-MX

Rezoning - TMS# 130-00-00-008

N. Maple Street

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.

2020



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

PROPERTY OWNER ACKNOWLEDGEMENT FORM
FOR APPLICATIONS TO BOARDS & COMMISSIONS

Board/Commission:	Town of Summerville Planning Commission
Nature of Approval Requested (e.g. rezoning, variance, etc.):	Rezone to Neighborhood Commercial N-MX
Parcel ID (TMS No.):	TMS 130-00-00-008
Property Address:	North Maple Street, Summerville, SC 29483
Property Owner:	Rosemary S Harper Ward Trust
Property Owner Phone:	702-857-9143
Property Owner Email:	2jack2@gmail.com
Applicant:	Chris Campeau, Seamon Whiteside
Applicant Phone:	843-884-1667 x 215
Applicant Email:	ccampeau@seamonwhiteside.com

I, Jack Harper (print property owner name), hereby certify that the Applicant specified above has my permission to submit the above-referenced application for consideration by the applicable Town of Summerville Board/Commission.

DocuSigned by:



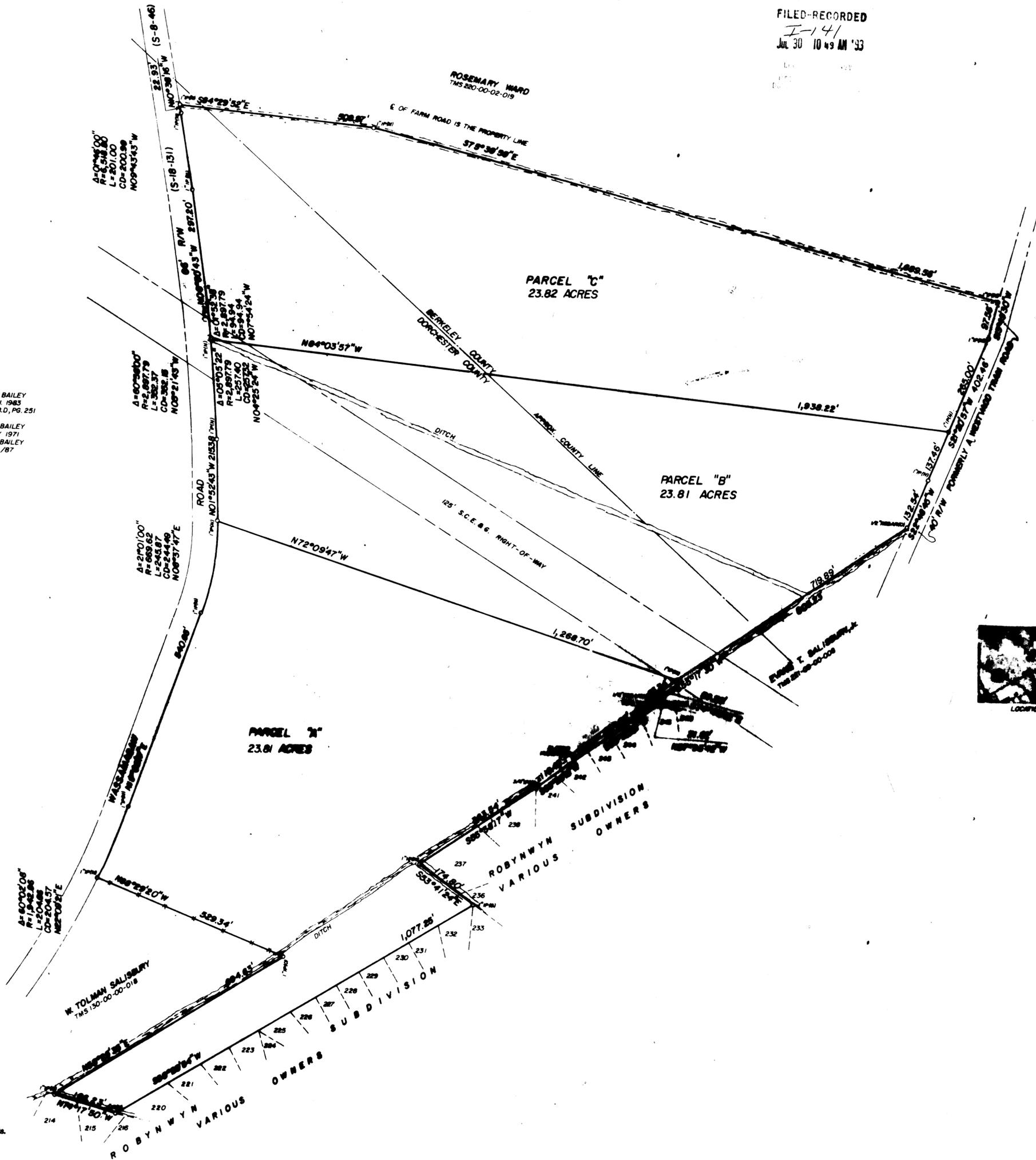
E9D88C2925D9414...

8/26/2020

(Signature of Property Owner)

(Date)

W-E



- REFERENCES
- 1) COMPILED PLAT BY T.W. BAILEY
 - 2) DATED JAN 1983
 - 3) RECORDED CAB.D, PG. 251
 - 4) GREENSHIRE S/D PLAT BY T.W. BAILEY
 - 5) REVISED MAY 1971
 - 6) 3) PLAT BY T.W. BAILEY
 - 7) DATED 3/9/87
 - 8) 4) TMS 130-00-00-008



...Not Meet Local Or
...Requirements.
...Can Be Built On The
...Approval By The Health
...Has Been Obtained.

SOUTH CAROLINA
BERKELEY & DORCHESTER COUNTIES

PLAT OF 71.44 ACRES OWNED BY _____
LOUISE H. SALISBURY
DIVIDED BY THIS SURVEY INTO THREE PARCELS MARKED PARCEL "A", PARCEL "B" & PARCEL "C" HEREON.
PARCEL "A" IS PROPOSED TO BE CONVEYED TO _____ ROSEMARY S. WARD
PARCEL "B" IS PROPOSED TO BE CONVEYED TO _____ MARGARET S. BELL
PARCEL "C" IS PROPOSED TO BE CONVEYED TO _____ EWANS T. SALISBURY, JR.

SURVEYED MAY 20, 1993
BY JOHN DAVID BASS
JOB NO. 93-211

I, JOHN DAVID BASS, HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN AND THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE NOTED ABOVE.



John David Bass



Recording Date: 02/04/2013

Instrument: 28

Book: 8668 Page: 52-55

FILED-RECORDED
RMC / ROD

2013 Feb 04 AM 9:25:38

DORCHESTER COUNTY
SC Deed Rec Fee: .00
Dor Co Deed Rec Fee: .00
Filing Fee: 10.00
Exemption #: 8
MARGARET L. BAILEY
Register of Deeds



THIS PAGE IS HEREBY ATTACHED AND MADE PART OF
THE PERMANENT RECORD OF THIS DOCUMENT. IT IS
NOT TO BE DETACHED OR REMOVED AND MUST BE
CITED AS THE FIRST PAGE OF THE RECORDED
DOCUMENT. THE TOP OF THE PAGE IS TO BE USED FOR
RECORDING PURPOSES AND IS NOT TO BE USED FOR
ANY OTHER PURPOSE.

REGISTER OF DEEDS
DORCHESTER COUNTY SOUTH CAROLINA
MARGARET L. BAILEY, REGISTER
POST OFFICE BOX 38
ST. GEORGE, SC 29477
843-563-0181 or 843-832-0181

FILED/RECORDED
February 4, 2013
DORCHESTER COUNTY
REGISTER OF DEEDS

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

TITLE NOT CERTIFIED
TITLE NOT SEARCHED
DEED

WHEREAS, the undersigned Grantor desires to convey the within described property to a Trust created by the Grantor to become a beneficiary thereof; and

WHEREAS, the Trustee is willing to accept the within described property;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, ROSEMARY S. WARD a/k/a ROSEMARY SALISBURY WARD of the County of Dorchester, in the State of South Carolina, for and in consideration of the sum of \$5.00 DOLLARS, to the grantor in hand paid at and before the sealing of these presents by ROSEMARY S. HARPER WARD, TRUSTEE OF THE ROSEMARY S. HARPER WARD TRUST dated January 30, 2013, (the receipt whereof is hereby acknowledged), have, subject to all matters of record, granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said ROSEMARY S. HARPER WARD, TRUSTEE OF THE ROSEMARY S. HARPER WARD TRUST, dated January 30, 2012, her successors and assigns, all of my interest in the following described property, to-wit:

All that certain lot, piece or parcel of land, together with the buildings and improvements thereon, situate, lying and being in the County of Dorchester, State of South Carolina, known and designated as Parcel "A", as shown on that certain plat entitled "PLAT OF 71.44 ACRES OWNED BY LOUISE H. SALISBURY DIVIDED BY THIS SURVEY INTO THREE PARCELS MARKED PARCEL 'A', PARCEL 'B' AND PARCEL 'C' HEREIN" made by John David Bass, C.S. Reg. No. 15388, dated May 20, 1993, and recorded in the ROD Office for Dorchester County in Plat Cabinet I, Slide 141. Said lot having such size, shape, form, marks, courses, distances, buttings and boundings as will be shown by reference to the aforesaid plat.

Being the same property conveyed to Rosemary S. Ward by Louise H. Salisbury dated July 16, 1993, and recorded in the ROD Office for Dorchester County on July 30, 1993, in Book 1178, at Page 278.

TMS #130-00-00-008

Grantee's Address: 410 West 2nd South Street, Summerville, SC 29483

SUBJECT to all covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show

PRIEST & SANDS, LLC
P.O. Box 1169
Summerville, SC 29484

SUBJECT to all covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

TOGETHER with all and Singular the Rights, Members, Hereditament and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said Premises before mentioned unto the grantee herein above named, her Successors and Assigns forever.

And the grantor does hereby bind the grantor, her Heirs, Personal Representatives, and Assigns to warrant and forever defend all and singular the said premises unto the grantee herein above named, and the grantee's Successors and Assigns against the grantor and the grantor's Heirs, Personal Representatives, and Assigns and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantors' hand and seal this 30 day of January in the year of our Lord Two Thousand and Thirteen (2013).

Signed, Sealed and Delivered in the presence of:

Danielle F Williams

Rosemary Salisbury Ward
ROSEMARY SALISBURY WARD

Danna Sands

STATE OF SOUTH CAROLINA
DORCHESTER COUNTY

The foregoing instrument was acknowledged before me by ROSEMARY SALISBURY WARD, Grantor, and subscribed and sworn to before me by Danielle F Williams (witness) this 30 day of January, 2013.

Danna Sands
Notary Public for South Carolina
My commission expires: 10/2/2013

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

AFFIDAVIT

Date of Transfer of Title
Closing Date: 01-30-2013

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred **BY ROSEMARY SALISBURY WARD TO ROSEMARY S. HARPER WARD, TRUSTEE OF THE ROSEMARY S. HARPER WARD TRUST** dated Jan. 30, 2013, on January 30, 2013.
3. Check one of the following: **The DEED is**
 (a) _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 (b) _____ subject to the deed recording fee as a transfer between corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 (c) EXEMPT from the deed recording fee because: **8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;**
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 (b) _____ The fee is computed on the fair market value of the realty which is \$ _____.
 (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES _____ or NO _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The DEED Recording Fee is computed as follows:
 (a) _____ the amount listed in item 4 above.
 (b) _____ the amount listed in item 5 above (no amount place 0).
 (c) _____ Subtract Line 6(b) from Line 6(a) & place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor
8. Check if property other than Real Property is being transferred on this Deed.
 (a) _____ Mobile Home (b) _____ Other
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Rosemary Salisbury Ward
ROSEMARY SALISBURY WARD, GRANTOR

Sworn to before me this 30
day of January, 2013.

Donna Bonds
Notary Public for South Carolina
My Commission Expires: 10/21/2013

**UDO AMENDMENT
STAFF REPORT
PLANNING COMMISSION
September 21, 2020**

Description: Amendment of Chapter 3, Section 3.4.8.A Drive-Thru/Drive-In Facility (UC-MX)

Reason for request: The requested amendment was made by staff at the behest of an applicant. This language provides greater flexibility for properties within the UC-MX zoning district that are corner properties. While flexibility is added, staff does not feel that it changes the intent of the ordinance, as the DRB still maintains the ability to require the stacking lanes not front the secondary road if they do not feel it is appropriate.

AN ORDINANCE

TO AMEND THE SUMMERVILLE UNIFIED DEVELOPMENT ORDINANCE, SECTION 3.4.8, SUBSECTION (A) ENTITLED DRIVE-THRU/DRIVE-IN FACILITY (UC-MX), OF THE TOWN OF SUMMERVILLE CODE OF ORDINANCES

BE IT ORDAINED by the Mayor and Council members of the Town of Summerville, in Council assembled, that the Summerville Unified Development Ordinance, Section 3.4.8 Vehicular, subsection (A) entitled Drive-Thru/Drive-In Facility (UC-MX) is amended as follows:

3.4.8. Vehicular

A. Drive-Tru/Drive-In Facility (UC-MX)

1. Design Review Required for UC-MX: All new Drive-Through Facilities shall be subject to Design Review and shall be subject to the following standards:

a. Rear Location: Drive-thru service facilities must be located in the rear of properties.

b. May Not Face Primary Street: The drive-thru window shall not be located on the façade of the building facing the primary street.

c. Maximum Stacking: The stacking area may not encroach into the front yard.

d. Maximum Number of Stacking Lanes: 1 (May be increased subject to Design Review)

e. Location of Stacking Lanes: Stacking lanes are prohibited from circulating between the building and the primary street. Stacking lanes circulating between the building and a secondary street may be approved at the discretion of the DRB. If approved by the DRB, screening is required in the form of a knee wall and/or an appropriate amount of landscape planting to screen the lane effectively from view from the public ROW.

Ratified this _____ day of _____, 2020 A.D.

Richard Waring, Mayor

Beth Messervy, Town Clerk

PUBLIC HEARING: _____

FIRST READING: _____

SECOND READING: _____