

PLANNING COMMISSION

STAFF REPORT

Department of Growth Management



MEETING DATE:	June 23, 2021
PROJECT:	Parcel 7A Preliminary Development Plan
APPLICANT:	Parcel 7A, LLC Tom Zinn
PROJECT NUMBER:	DP-01-21-14886
PROJECT MANAGER:	Will Howard Principal Planner – Land Development

REQUEST: A request by Parcel 7A, LLC for approval of a Preliminary Development Plan. The project consists of grading, limited clearing, grubbing, leveling & restabilizing in the Townes at Buckwalter. The property is zoned Buckwalter Planned Unit Development and identified by tax map numbers R610 030 000 2004 0000, R610 030 000 2003 0000 and R610 030 000 1857 0000, located northeast of the intersection of Buckwalter Parkway and Buckwalter Towne Boulevard. (DP-01-21-014886) (Attachment 1)

INTRODUCTION: The property is zoned Buckwalter Planned Unit Development and has been subdivided into 3 parcels, identified by tax map numbers R610 030 000 2004 0000, R610 030 000 2003 0000 and R610 030 000 1857 0000, comprising approximately 1.5 acres. (Attachments 2 and 3)

BACKGROUND: This application is for a Preliminary Development Plan located within the Buckwalter PUD and is subject to the standards set forth in the Buckwalter PUD Concept Plan, Development Agreement, and the Buckwalter Commons Phase 1 Master Plan. The applicant is not proposing to develop or construct buildings, roads or parking to serve a specific use on the property but is instead proposing to clear all remaining trees, fill and grade the 1.5 acre site, that was previously cleared in 2009. (Attachments 4, 5, and 6)

Comments on the Preliminary Development Plan were reviewed at the February 10, 2021 meeting of the Development Review Committee. The applicant has provided a response to address the comments provided. (Attachments 7 and 8)

REVIEW CRITERIA & ANALYSIS: The Planning Commission shall consider the criteria set forth in Section 3.10.3.A of the Unified Development Ordinance in assessing an application for a Preliminary Development Plan. The applicable criteria are provided below followed by Staff Finding(s) based upon review of the application submittals to date.

1. **Section 3.10.3.A.1. Conformance with the applicable provisions provided in Article 5, Design Standards.**

Finding. As the site is located within the Buckwalter PUD it is not subject to the Design Standards set forth in Article 5 of the Unified Development Ordinance.

- 2. Section 3.10.3.A.2. The proposed development shall be in conformance with any approved Development Agreement, PUD Concept Plan, PUD Master Plan, Subdivision Plan, or any other agreements or plans that are applicable.**

Finding: Per the Demolition Plan provided, the applicant is proposing to remove all remaining trees on site. Per Beaufort County Zoning and Development Standards Ordinance (ZDSO) 90/3 Section 5.2.7.9.D, clearcutting is prohibited. (Attachment 9)

Finding. The applicant is requesting a permit for clearing, filling and grading only and has not proposed a specific use or locations of buildings, roadways, parking or open space. At this time, the future use of the property is unknown and a determination cannot be made as to the conformance with the Development Agreement or Master Plan.

- 3. Section 3.10.3.A.3. If the proposed development is associated with a previously approved Master Plan, then the traffic and access plans shall adhere to the previously approved traffic impact analysis or assessment, where applicable. If an application is not associated with a previously approved PUD Master Plan, then a traffic impact analysis shall be required at development plan submittal.**

Finding: A Traffic Impact Analysis was included with the Buckwalter PUD Development Agreement as well as the Buckwalter Commons Phase 1 Master Plan.

Finding: As no specific use has been proposed, no additional information relating to traffic and access has been provided.

- 4. Section 3.10.3.A.4. The proposed development must be able to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services, the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.**

Finding: The Applicant has noted that the required utilities including electrical, telephone, water and sewer are available to the site. Letters from the agencies providing these services will be required at time of Final Development Plan submittal per the Applications Manual.

- 5. Section 3.10.3.A.5. The phasing plan, if applicable, is logical and is designed in a manner that allows each phase to fully function independently regarding services, utilities, circulation, facilities, and open space, irrespective of the completion of other proposed phases.**

Finding. The applicant is proposing grading and earthwork only and is not proposing the construction of infrastructure, roads, parking, utilities, or buildings that would require phasing. The clearing, filling, and grading is proposed to be completed in a single phase.

6. Section 3.10.3.A.6. The application must comply with applicable requirements in the Applications Manual.

Finding: The application has been reviewed by Town Staff and has been determined to be incomplete.

Finding: Per the comments provided at DRC review on February 10, 2021, the application is lacking the following materials and/or information that are required per the Development Plan Application List:

- *A signed Development Plan Application Checklist*
- *A narrative describing the proposed development and uses for the site.*
- *A schematic layout and design indicating overall site configuration to include roadway design; building locations; building size, general setbacks and orientations.*
- *General location and ingress/egress of parking areas on the site.*
- *Proposed Open Space Areas.*
- *Narrative or plan notes describing the proposed exterior lighting scheme for the property.*

Finding: The applicant maintains that the application is for a "grading only" permit and therefore the application requirements for specific use, site configuration, traffic access, etc. do not apply. There is no provision within the Town of Bluffton for a "grading only" permit. The grading and land disturbance that are described and requested are only permitted in conjunction with a development permit, that is issued upon approval of a Final Development Plan.

PLANNING COMMISSION ACTION: The Planning Commission has the authority to take the following actions with respect to the application:

1. Approve the application as submitted.
2. Approve the application with conditions; or
3. Deny the application as submitted.

STAFF RECOMMENDATION: Staff is recommending the application be denied as submitted as it is incomplete and lacking the following information listed in the review criteria, item 6. **Section 3.10.3.A.6.:**

- *A signed Development Plan Application Checklist*
- *A narrative describing the proposed development and uses for the site.*
- *A schematic layout and design indicating overall site configuration to include roadway design; building locations; building size, general setbacks and orientations.*

- *General location and ingress/egress of parking areas on the site.*
- *Proposed Open Space Areas.*
- *Narrative or plan notes describing the proposed exterior lighting scheme for the property.*

ATTACHMENTS:

1. Application package
2. Location Map
3. Location Map - 2
4. Grading Plans
5. Aerial Photo 2008
6. Aerial Photo 2009
7. DRC Staff Comments
8. Applicant's response to DRC Comments