

TOWN COUNCIL

STAFF REPORT

Growth Management Department



MEETING DATE:	February 14, 2023
PROJECT:	Consideration of the Acceptance of University Investments, LLC and Grande Oaks II, LLC's One Hundred Percent (100%) Annexation Petitions to Annex Certain Real Properties Contiguous to the Town of Bluffton's Corporate Boundaries Consisting of a Total of 86.36 Acres, More or Less, and Bearing Beaufort County Tax Map Nos. R600 029 000 0014 0000 and R600 029 000 2410 0000, and Referral to the Town of Bluffton Negotiating Committee if Deemed Necessary
PROJECT MANAGER:	Kevin P. Icard, AICP Director of Growth Management

REQUEST: Town Staff requests that Town Council consider the following:

1. Acceptance of University Investments, LLC and Grande Oaks II, LLC's One Hundred Percent (100%) Annexation Petitions to Annex Certain Real Properties Contiguous to the Town of Bluffton's Corporate Boundaries Consisting of a Total of 86.36 Acres, More or Less, and Bearing Beaufort County Tax Map Nos. R600 029 000 0014 0000 and R600 029 000 2410 0000; and
2. Referral of the request to the Town of Bluffton Negotiating Committee if deemed necessary.

INTRODUCTION: On November 15, 2022, in accordance with Section 5-3-150 of the Code of Laws of South Carolina and the *Town of Bluffton Annexation Policy and Procedure Manual* ("Annexation Manual"), the property owners, University Investments, LLC and Grande Oaks II, LLC, submitted a 100% Annexation Petition Application for two parcels totaling 86.36 acres located at southwest corner of the Buckwalter Parkway and Lake Point Drive Intersection and to the west of the Retreat at Grande Oaks ("Property") into the Town of Bluffton's municipal boundary (Attachment 2).

Pursuant to the Annexation Manual, the Applicant also submitted a concurrent Zoning Map Amendment application requesting the Property's incorporation into the Buckwalter Planned Unit Development ("Buckwalter PUD"). Additional concurrent applications include amendments to the Buckwalter PUD, Development Agreement, and Concept Plan to incorporate the property, add requested development rights, add a new Grande Oaks Land Use Tract, and specify any additional terms.

Per the Annexation Manual, the initial step in the public review process is an initial briefing, or “intent to annex”, to Town Council for general discussion of the request and its associated applications such as the appropriate zoning classification and possible negotiation items. At the conclusion of the discussion, Town Council votes on the approval of Intent to Annex of the Annexation Ordinance.

Town Council considered an initial application for the annexation of 13.993 acres of the Grande Oaks PUD at their October 13, 2020 meeting. Council advised the applicant to expand the proposed annexation area for consideration and did not take action on the request. As a result, the applicant revised the request to the 86.36 acre portion of the Grande Oaks Planned Unit Development (“Grande Oaks PUD”) for consideration.

BACKGROUND: The Property contains approximately 86.38 acres consisting of 35.215 upland acres and 51.165 wetland acres located within Unincorporated Beaufort County as shown on the Vicinity Map (Attachment 3). The Property contains a cellular tower and is otherwise vacant.

The Property is zoned as Grande Oaks PUD and designated as part of the Village Commercial V-1 and the Business/Professional Park Land Use Tracts as shown on the Grande Oaks Master Plan (Attachment 4) which allows a mix of residential and commercial uses such as:

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| 1. Single Family Residential | 10. Office Use |
| 2. Multi-Family Residential | 11. Restaurants |
| 3. Neighborhood Commercial | 12. Civic |
| 4. Bed and Breakfast | 13. Church |
| 5. Commercial Lodging - Hotels, Motels, etc. | 14. Storage |
| 6. Hospitals | 15. Research/Development (Business Park Only) |
| 7. Conference Center | 16. Light Industrial (Business Park Only) |
| 8. Drive Through Restaurants | |
| 9. Gasoline Service Stations | |

The immediately adjacent properties vary as to jurisdiction and zoning as follows:

Direction	Jurisdiction	Zoning District	Current Use
North	Town of Bluffton	Buckwalter Planned Unit Development	University Investments, LLC - Parcel 12 - Buckwalter Parkway - Vacant
	Town of Bluffton	Buckwalter Planned Unit Development	University Investments, LLC - Parcel 12C - Buckwalter Parkway - Vacant
	Town of Bluffton	Buckwalter Planned Unit Development	Town of Bluffton – Innovation Drive - Road Right-of-Way

South	Beaufort County	Grande Oaks Planned Unit Development	Beaufort County - Lake Point Drive - Road Right-of-Way
	Beaufort County	Grande Oaks Planned Unit Development	Arborwood Willows Homes Owners Association – No Address – Common Property
	Beaufort County	Grande Oaks Planned Unit Development	Retreat at Grande Oaks Homeowners Association, Inc – No Address – Common Property
East	Beaufort County	Grande Oaks Planned Unit Development	Grande Oaks, LLC - No Address - Vacant
	Beaufort County	Grande Oaks Planned Unit Development	Retreat at Grande Oaks Homeowners Association, Inc – No Address – Common Property
West	Beaufort County	Grande Oaks Planned Unit Development	Retreat at Grande Oaks Homeowners Association, Inc – No Address – Common Property
	Beaufort County	Grande Oaks Planned Unit Development	Beaufort-Jasper Water & Sewer Authority – 1023 Innovation Drive – Pump Station
	Beaufort County	Grande Oaks Planned Unit Development	Daniel J Mendoza Chacon Sr & Maria Jimenez Maria E – 1025 Innovation Drive - Single Family Home
	Beaufort County	Grande Oaks Planned Unit Development	Aaron S & Isabel B Cleland – 1032 Innovation Drive - Single Family Home
	Beaufort County	Grande Oaks Planned Unit Development	Arborwood Willows Homeowners Association, Inc – No Address – Common Property
	Town of Bluffton	Buckwalter Planned Unit Development	HL Development, LLC – No Address - Vacant
	Town of Bluffton	Buckwalter Planned Unit Development	Hampton Lake Community Association, Inc – No Address – Common Area

The Applicant proposes to create a new Grande Oaks Land Use Tract within the Buckwalter PUD for the Property, which is similar to the existing Buckwalter Commons Land Use Tract, the most permissive land use designation which allows a broad mix of residential and commercial uses. A comparison of current Grande Oaks PUD and the proposed Buckwalter PUD Grande Oaks Land Use Tract uses is provided as Attachment 5.

University Investments, LLC currently owns several adjacent properties to the north along the Bluffton Parkway which are within the Town's jurisdiction and zoned as Buckwalter PUD and designated as part of the Buckwalter Commons Land Use Tract which follows the regulations set by the Buckwalter

Development Agreement. They currently own a 12.86 portion of the Property and are under contract with Grande Oaks, LLC to acquire the remaining 75.5 acres. The proposed annexation would allow University Investments, LLC to consolidate the properties to allow for more flexibility while creating continuity of jurisdiction, zoning, and development standards. Currently, the Properties are subject to different zoning and development standards and require review and approval by Beaufort County. If development of a site consisting of property within the Town and the proposed annexation Property were to occur today, the plans would have to adhere to different regulations and require the Town and Beaufort County's approval.

The Applicant's associated request for an amendment to the Buckwalter Development Agreement and Concept Plan includes the addition of development rights consisting of 53 residential dwelling units and 86.36 acres of general commercial. The request also includes provisions agreeing to the requirement for 20% of the requested residential development rights to be workforce/affordable housing.

The requested development rights differ from those which are currently permitted for the Property per the Grande Oaks PUD. The available residential development rights after assignments to third parties for the Sandy Point, Arborwood, Willows, Edgefield, and The Retreat neighborhoods and Buckwalter JV, LLC equate to 43 which is 10 less than the request. Next, the Grande Oaks PUD utilizes the Property's upland acres only rather than the total acreage when identifying commercial development rights as shown on the table provided on the Master Plan map and text (Attachment 4). The requested 86.36 acres of general commercial development rights represents the Property's total acreage rather than 35.215 upland acres which is 51.165 acres more than what is identified in the Grande Oaks PUD. Should Council desire to proceed with the proposed annexation, these terms may be negotiated by the referral of the request to the Negotiating Committee.

The Applicant does not have a specific plan for the Property but notes that current preliminary planning for this expanded area contemplates a mixed use, village style, development, perhaps built with residential above commercial, and including extensive medical services and commercial establishments.

Lastly, all future development of the Property would be required to be reviewed through the applicable Town of Bluffton planning processes including an Initial Master Plan, Development Plan review and Building Permits.

SCHEDULE: The proposed schedule for the applications is provided as Attachment 6.

ATTACHMENTS:

1. Presentation

2. Application Submittal
3. Vicinity Map
4. Grande Oaks PUD Master Plan Map and Text
5. Land Use Comparison
6. Draft Schedule
7. Proposed Motion