

PLANNING COMMISSION

STAFF REPORT

Department of Growth Management



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| MEETING DATE: | May 22, 2024 |
| PROJECT: | Maiden Lane Preliminary Development Plan |
| APPLICANT: | Nathan Sturre of Sturre Engineering |
| PROJECT NUMBER: | DP-12-23-018802 |
| PROJECT MANAGER: | Dan Frazier Principal Planner Department of Growth Management |

REQUEST: The Applicant, Sturre Engineering on behalf of the property owner Hinton Vacation Properties, LLC is requesting approval of a Preliminary Development Plan application. The project proposes the development of a 13-lot mixed-use subdivision containing 11 single-family residential lots, 2 mixed-use lots, common open space, and associated infrastructure. (Attachment 1).

INTRODUCTION: The properties are zoned Neighborhood General – Historic District (NG-HD) and consists of approximately 3.58 acres, identified by tax map number R610-039-00A-0042-0000 and R610-039-00A-042A-0000 located on the south side of Bruin Road west of Pritchard Street (Attachment 2).

BACKGROUND: This application is for a Preliminary Development Plan located within the NG-HD and is subject to the standards set forth in the Town of Bluffton Unified Development Ordinance (UDO). The subject properties are currently vacant and located on the south side of Bruin Road and west of Pritchard Street. The Applicant provided a set of site plan exhibits and site data as part of the preliminary development plan application (Attachment 3).

The project will be phased, with the first phase constructing all common amenities and infrastructure. According to the Applicant's narrative, "once the subdivision plan is approved and executed, the remaining lots will be sold and developed under a Development Agreement established during the design & permitting process". While the proposed single-family residential lots would not require a development plan submittal prior to submitting for building permit, a Certificate of Appropriateness – Historic District is required. Any development other than single-family residential on the mixed-use lots will require approval of a development plan and a Certificate of Appropriateness – Historic District.

A shared gravel access drive routing traffic through the proposed subdivision is proposed adjacent to the proposed residential lots and the same drive is proposed to be asphalt adjacent to the mixed-use lots. The proposed drive will be in a new 30' right-of-way and

30' Access & utility easement established for proposed Lot 12 (Attachment 4). The gravel access drive does not meet SCDOT Standards as required in UDO Section 5.9.3.A.

Staff comments on the original Preliminary Development Plan application were reviewed at the January 31, 2024, Development Review Committee meeting (Attachment 5). The Applicant provided a response to comments and revised site plans on March 26, 2024 (Attachment 3 and 6). Staff comments on the resubmitted Preliminary Development Plan application were reviewed at the May 1, 2024, Development Review Committee meeting (Attachment 7). Also included in the resubmittal is an OCRM Jurisdiction Letter from the South Carolina Department of Health and Environmental Control (Attachment 8).

The Applicant requested to proceed to the Planning Commission without providing a resubmittal. All Watershed Management comments provided at the May 1, 2024, DRC meeting will be addressed at time of stormwater permit review. All other comments provided at the May 1, 2024, DRC meeting will be addressed at time of final development plan submittal, including:

- Provide a proposed road and cross section that meets SCDOT Standards. (UDO 5.9.3.A.). The entire proposed road must include a 24' asphalted drive aisle.
- Convert the 15' drainage and access easement on Lot 3 and Lot 8 to HOA owned area since the walking trail and stormwater infrastructure are in those areas. It also allows that part of the trail to count towards your open space requirements since it won't be on private property.
- Clarify the location of the proposed 5' sidewalk. The site plan exhibits (Attachment 3) show the sidewalk adjacent to the proposed right of way, and the road cross section (Attachment 4) shows the sidewalk within the proposed right-of-way.
- Relocate the privacy fence to at least 1-foot within the subject property to ensure fence footings do not encroach on adjacent properties.
- The emergency vehicle turning exhibit shows the fire truck driving over curb at Maiden Lane. Revise the proposed right of way to ensure through passage of emergency vehicles.

Also included in the resubmittal is an OCRM Jurisdiction Letter from the South Carolina Department of Health and Environmental Control (Attachment 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. The proposed site improvements does not conform with the applicable provisions provided in Article 5, Design Standards. The UDO Administrator requires a landscape buffer to mitigate the adverse impacts of the incompatible land uses. Provide a landscape buffer between the proposed right-of-way and adjacent residential properties (18 and 22 Bruin Road). (UDO 5.3.7.B.2.a.)

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. The proposed development is not within any PUD, Development Agreement, or Subdivision 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 final development plan submittal.

Finding. The proposed development is not within any approved Master Plan or PUD.

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 proposed road and cross section do not meet SCDOT Standards. (UDO 5.9.3.A.). The entire proposed road must include a 24' asphalted drive aisle.

Finding. The Applicant proposes to bring new water and sewer onsite to serve the improvements by tying into existing BJWSA infrastructure in the Maiden Lane and Bruin Road rights-of-way. The proposed utility layout provided in Attachments 3 and 4 show all utilities to be underground and placed within the proposed 30-foot right-of-way.

Finding. Traffic Assessments will be required at time of preliminary development plan submittal for all non-single-family residential development.

Finding. Letters from the agencies providing public 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 project will be phased, with the first phase constructing all common amenities and infrastructure. Subsequent "phases" will be development on individual subdivided lots in accordance with the Town's Unified Development Ordinance. Staff finds the phasing plan to be logical, allowing each subsequent phase to function independently irrespective of the completion of other proposed phases.

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 complete.

PLANNING COMMISSION ACTIONS: The Planning Commission has the authority to take the following actions with respect to the application as authorized by Section 2.2.6.C.5 of the UDO:

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

RECOMMENDATION: The proposed development does not meet the requirements of review criteria 1 and 4 above, and therefore Town staff does not recommend approval of the preliminary development plan application as submitted.

Should the Planning Commission choose to approve the application with conditions, Town staff finds that the following conditions should be met prior to final development plan approval to be in accordance with the requirements of Section 3.10.3.A:

1. Provide a 24-foot asphalted drive aisle throughout the proposed road to meet SCDOT Standards (UDO 5.9.3.A.).
2. Provide a landscape buffer between the proposed right-of-way and adjacent residential properties located at 18 and 22 Bruin Road in accordance with UDO Section 5.3.7.B.2.a.
3. Convert the 15' drainage and access easement on Lot 3 and Lot 8 to HOA owned area.
4. Clarify whether the location of the proposed 5' sidewalk is within or adjacent to the proposed right-of-way.
5. If the privacy fence is to remain, relocate it to at least 1-foot within the subject property to ensure fence footings do not encroach on adjacent properties.

6. Revise the proposed right of way to ensure through passage of emergency vehicles.

ATTACHMENTS:

1. Application and Project Narrative
2. Vicinity Map
3. Site Plan Exhibits and Site Data
4. Proposed Road Cross Section
5. DRC Comments and Original Site Plan Submittal 01 31 24
6. Response to DRC Comments 01 31 24
7. DRC Comments 05 01 24
8. SCDHEC OCRM Jurisdiction Letter