



November 18, 2024

Mr. Stephen Steese, Town Manager
Town of Bluffton
Post Office Box 386
Bluffton, SC 29910

Re: 333 & 335 Buckwalter Parkway
Parcel #R610 030 000 0712

Dear Mr. Steese:

Please allow this to serve as an update to the letter to the Town of Bluffton dated October 30, 2023 and as a formal request. Beaufort Memorial (“BMH”) is potentially partnering with Beaufort County (“County”) and Woda Cooper for the construction of a mixed-use development located at 333 & 335 Buckwalter Parkway with Tax Parcel Number R610 030 000 0712, collectively the “Property.”

St. Andrews by the Sea United Methodist Church sold the Property to the County for the purpose of benefiting the community. Through collaboration between the County, Town, Woda Cooper and BMH two major issues in the community can be addressed: (1) an increased demand for medical facilities, and (2) the lack of available workforce and affordable housing units to support an array of local industries. Currently the development plan includes up to 6,000 square feet of medical office space and 120 Affordable/Workforce Housing Units. This will serve the medical and housing needs of both Bluffton and the surrounding community.

The Property is part of the Buckwalter Commons Land Use tract and allows for extensive commercial development. The collaborative development team would only use what is required for the proposed medical office building and would abandon any remaining commercial development acreage.

During initial discussions about the proposed development, the Town’s Planning Staff informed the County that the Property did not have Residential Dwelling Units (RDUs) due to the PUD. The Town’s staff also provided suggestions on ways to partner with the Town to potentially acquire RDUs for the specific purpose of providing Workforce/Affordable Housing, as it is a priority of the Town as well.

In order for the proposed development to come to fruition, the County is submitting this letter as its official request for 60 Residential Dwelling Units from the Town of Bluffton’s Density Bank for use in developing Affordable/Workforce Housing in the Buckwalter Commons portion of the Buckwalter PUD. One Hundred Percent (100%) of the units will be for Affordable/Workforce

Housing. These units, in concert with the medical services to be offered, will make this Property a key piece of making the Buckwalter PUD all it can and should be for the people of Bluffton and Beaufort County.

Thank you for your consideration, and please let me know if I can provide any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RB', with a long horizontal flourish extending to the right.

Russell Baxley
President & CEO

**APPLICATION NARRATIVE
FOR
APPLICATIONS FOR BUCKWALTER DEVELOPMENT AGREEMENT AND
CONCEPT PLAN AMENDMENT
AND
BUCKWALTER CONCEPT MASTER PLAN AMENDMENT
AND
TRANSFER OF DEVELOPMENT RIGHTS
FOR
DEVELOPMENT OF AFFORDABLE HOUSING ON
10.09 ACRE PARCEL LOCATED AT 335 BUCKWALTER PARKWAY
FOR
BEAUFORT COUNTY MEMORIAL HOSPITAL
AND
LIVEWELL TERRACE L.P.**

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) BEFORE THE PLANNING COMMISSION
) AND TOWN COUNCIL OF THE
) TOWN OF BLUFFTON, SOUTH CAROLINA

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This Project Narrative is submitted with and is intended to be incorporated in and comprise a part of the application for (i) Buckwalter Development Agreement and Concept Plan amendment for the Buckwalter Planned Unit Development; (ii) application for Buckwalter Concept Master Plan amendment; and (iii) application for the Transfer of Development Rights (collectively sometimes herein the “**Application**”) of Livewell Terrace Limited Partnership (“**Applicant**”)¹. This narrative is submitted to the Planning Commission and the Town Council for the Town of Bluffton, South Carolina (the “**Town**”) to explain the

¹ See Acts and Joint Resolutions of the General Assembly of the State of South Carolina, No. 1197 attached hereto as Exhibit “A” and made a part hereof.

request and describe how the Application meets the criteria of the Town's Unified Development Ordinance (the "UDO") as required by the Application and the UDO.

I. **NARRATIVE.**

A. **Introduction, Background And Request.**

Beaufort County Memorial Hospital is the owner² (the "Owner") of an approximate 10.09 acre parcel of real property (the "Property") identified by Beaufort County Tax Map number **R610 030 000 0712 0000** located on Buckwalter Parkway in the Town. The 411 address for the Property is #335 Buckwalter Place Boulevard and it is more specifically shown and described as "Parcel C6-B" on that certain plat of survey entitled "A ALTA/ACSM Land Title Survey of Parcel C6-B Buckwalter Parkway", dated January 14, 2003 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina ("ROD") in **Plat Book 91 at Page 147**³.

The Property is unimproved and is currently zoned Buckwalter Planned Unit Development with a use designation of General Commercial with the allocation of 10.9 acres of Commercial Development Rights.⁴ The Property is subject to the Development Agreement and Concept Plan for the Buckwalter Tract, recorded in the ROD in Book 1288 at Page 1, as amended (the "Development Agreement"). It is the intent of Owner to construct one hundred twenty (120) apartments. One hundred percent (100%) of the apartments shall be designated as affordable housing units with that use being confirmed by a restrictive covenant (the "Affordable Housing Restrictive Covenant") in the form attached hereto and made a part hereof.⁵ The Applicant is proposing the development be named Livewell Terrace. Applicant is seeking transfer of sixty (60) residential development rights ("RDUs") from the Town of Bluffton and a corresponding one hundred percent (100%) density bonus pursuant to Section 6.5.4 of the UDO ("Density Bonus"). In addition, a portion of the Property shall also be developed by Owner as a 6,000 square foot medical office building and sufficient development rights shall be retained by the Applicant. The balance of the 10.09 acres of General Commercial development rights ("GC Rights") shall be transferred to the Town.

Owner has provided an authorization letter.⁶

The Applicant submits this Application requesting the approval of:

1. Approval of an amendment to the Development Agreement together with an amendment to the Buckwalter Concept Master Plan ("Concept Master Plan")⁷ as described herein;
2. Approval of the Transfer of Development Rights described herein; and

² See deed recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in **Book 4423 at Pages 1991** attached hereto as Exhibit "B" and made a part hereof.

³ See said boundary plat attached hereto as Exhibit "C" and made a part hereof.

⁴ See Zoning Letter attached hereto as Exhibit "D" and made a part hereof.

⁵ Attached hereto as Exhibit "E".

⁶ See letter attached hereto as Exhibit "F".

⁷ See proposed amended Concept Master Plan attached hereto as Exhibit "G" and made a part hereof.

3. Approval of the Density Bonus described herein.

II. AMENDMENT TO DEVELOPMENT AGREEMENT AND CONCEPT PLAN.

A. **Applicability.** The Property is currently zoned Buckwalter PUD and within the Buckwalter Commons Land Use Tract and the Buckwalter Commons Phase I Master Plan and this application seeks to amend the Development Agreement and Concept Master Plan for Buckwalter Tract (“**Concept Master Plan Amendment**”) to allocate 120 RDUs to the Buckwalter Commons Land Use Tract, subject to the Affordable Housing Restrictive Covenant, and to transfer the GC Rights to the Town and to update the current Density Summary Tables in the Concept Master Plan to reflect the additional residential development rights contemplated herein. The Applicant submits that it is appropriate to amend the Development Agreement and Concept Master Plan (collectively sometimes hereinafter the “**Amendment**”) and assign the Property the density as more particularly described herein.

1. Consistency with the Comprehensive Plan.

- a. Cultural Resources. *The Cultural Resources Element of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*⁸ The proposed Amendment will not adversely affect the Culture Resources vision of the Comprehensive Plan since the Property is currently undeveloped and no historical or cultural resources will be removed or impacted. The proposed Amendment allows more diverse housing options which will provide housing opportunities for a more diverse population to live in the Town and to contribute the cultural vision of the Comprehensive Plan.
- b. People. *The People Element of the Comprehensive Plan acknowledges and accepts the Town’s diverse population and strives to offer a high quality of life for all residents, visitors and workers.*⁹ The proposed Amendment is consistent with the People Element as it provides affordable housing to support the current and future population of the Town located in the Buckwalter PUD.¹⁰ Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town’s permanent residents and increase resources available to an increasingly diverse population. The proposed Amendment is therefore consistent with the People Element of the Comprehensive Plan.
- c. Economy. *The Economy Element of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton’s community resources: human, natural and economic.*¹¹ The Economy Element of the Comprehensive Plan recognizes the need to ensure a balanced local economy through revisions to zoning and land use regulations and also the need to foster and environment that

⁸ See Element 1, Blueprint Bluffton Comprehensive Plan 2022, Page 29.

⁹ See Element 2, Blueprint Bluffton Comprehensive Plan 2022, Page 47.

¹⁰ See Element 2, Blueprint Bluffton Comprehensive Plan 2022, Page 47.

¹¹ See Element 3, Blueprint Bluffton Comprehensive Plan 2022, Page 59.

supports entrepreneurship and innovation. The Applicant's proposed Amendment provides residents and guests of the Town and the greater Bluffton area with affordable housing options which will attract a diverse population that can contribute to and grow the local economy. All of which serve to enhance the Town's human, natural and economic resources and thus and contributes to growth of local businesses and form a stable tax base. Accordingly, the proposed additional use category is consistent with the Economy of the Comprehensive Plan.

- d. Resiliency. *The Resiliency Element of the Comprehensive Plan instructs the Town to plan adapt to changes in climate and natural resources, and promote renewable power sources.*¹² The Applicant's proposed Amendment will facilitate the creation of a strong and diverse workforce who will be enabled to contribute to the innovation and new business located in the Town needed to create a resilient and strong community in the Town. The addition of affordable housing to the Town will allow a younger workforce to live and work in the Town and thus allow new thought leadership to contribute to and reinforce the resilient Town community.
- e. Housing Element. *The Housing Element of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*¹³ The Applicant's proposed Amendment supports the Housing Element as it provides affordable housing for the existing and growing workforce. The proposed Amendment directly addresses the Housing Element and will provide a community of 100% affordable housing. The proposed Amendment will allow affordable housing in and around new developments in Bluffton and thus will provide housing for the much needed workforce to sustain the growing communities in the Town.
- f. Natural Resources Element. *The Natural Resources Element of the Comprehensive Plan instructs the Town to conserve, protect, restore, and enhance natural resources in the Town.*¹⁴ The Applicant is seeking to amend the Concept Master Plan to authorize use of the Property for uses consistent within the Buckwalter PUD as well as that of other areas within the municipal limits of the Town along Buckwalter Parkway corridor and in the Buckwalter PUD. The land surrounding the Property is primarily developed pursuant to the Development Agreement and Concept Master Plan and the Applicant's proposed Amendment will not disturb existing recreational facilities nor prohibit public access to water facilities. The proposed Amendment will not also impact an ecologically sensitive natural area and is thus consistent with the Natural Resources Element.
- g. Land Use Element. *The Land Use Element of the Comprehensive Plan encourages the Town to envision a more balanced Bluffton and identify areas for development to better suit community needs.*¹⁵ The Applicant's

¹² See Element 4, Blueprint Bluffton Comprehensive Plan 2022, Page 75.

¹³ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 95.

¹⁴ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 109.

¹⁵ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 109.

proposed Amendment provides residents and guests of the Town and the greater Bluffton area with additional affordable housing options which will provide a much needed addition to the community. The Applicant's proposed use of the Property is supported by the surrounding existing infrastructure and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure.

- h. Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to connect residents with destinations and expand the integrated active transportation network and expand public transportation.*¹⁶ The Applicant's proposed use is consistent with and supports the Transportation Element of the Comprehensive Plan. Access and road infrastructure for the Property will tie into existing developed transportation networks seamlessly. The development of the Property will provide an opportunity for residents to live close to their work and thus allow for greater use of public transportation and already developed transportation networks.
 - i. Community Facilities Element. *The Community Facilities Element of the Comprehensive Plan encourages the Town to unite the community through shared facilities and plan for future growth.*¹⁷ The approval of this Application supports the Community Facilities Element by allowing for the future growth of the Town by providing affordable housing for a younger, more diverse population to live and work in Bluffton. The proposed Amendment will allow the development of an affordable housing community with new utilities systems that will reduce waste and will not negatively impact surrounding development.
 - j. Priority Investments Element. *The Priority Investments Element of the Comprehensive Plan encourages the realization of community priorities through consistent and responsible funding.*¹⁸ The Applicant's proposed Amendment already benefits from State funded tax credits for affordable housing. Accordingly, approval of the proposed Amendment will support the State initiatives to allow affordable housing in communities throughout the State. The proposed Amendment will not require funding from the Town and will be consistent with the Priority Investment Element.
2. Consistency with the intent of the Planned Unit Development Zoning District. Section 4.2.13 of the UDO describes the purpose of the PUD district as one to "achieve the objectives of the Town of Bluffton *Comprehensive Plan* and to allow flexibility in development than could otherwise be achieved through strict application of this Ordinance." The Owner submits that the proposed Amendment will achieve this flexibility and will result in achieving the purpose of the PUD which is to "improve[] design, character and quality of walkable mixed-use developments and preserve natural and scenic features of open spaces."¹⁹

¹⁶ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 155.

¹⁷ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 173.

¹⁸ See Element 5, Blueprint Bluffton Comprehensive Plan 2022, Page 193.

¹⁹ See Section 4.2.13, Planned Unit Development, Town of Bluffton Unified Development Ordinance

- a. Eligibility. The Owner submits that the proposed Amendment meets the required eligibility criteria as outlined below.
 - i. Preservation of Significant Natural and Historic Features. The Applicant submits that the proposed Amendment does not alter or diminish the existing preservation and enhancement natural and historic features of the Buckwalter PUD.
 - ii. Preservation of Usable Open Space. The Applicant submits that the proposed Amendment will not alter or diminish the existing preservation of usable open space. The addition of the Property adds usable open space to the Buckwalter PUD.
 - iii. Incorporation of a Complementary Mixture of Uses. The Applicant submits that the proposed Amendment will complement the current mixture of uses in the Buckwalter PUD because of the affordable housing and medical office spaces uses proposed for the Property.
 - iv. Inclusion of Creative Design of as Nonconforming Site. The Applicant submits that the Property is in conformance with the Ordinance and the inclusion of the Property in the Buckwalter PUD will maintain compliance with the Ordinance and further implements the goals of the Comprehensive Plan.
 - v. Economic Development. The Applicant submits that the proposed Amendment will provide economic development consistent with the Comprehensive Plan as outlined in this Application.
 - b. Public Services. The Applicant submits that the proposed Amendment will not impact the Buckwalter PUD's ability to be served by adequate public services. In fact, the inclusion of the Property will add to the public services offered through the addition of the affordable housing opportunity for residents of the Town.
 - c. Allowed Uses. The Applicant submits that the land uses proposed on the Property are consistent with the uses within the Buckwalter Commons Land Use Tract.
 - d. Affordable Housing. The Applicant submits that the proposed Amendment will not negatively impact the existing affordable and workforce housing located within the Buckwalter PUD but will enhance and add to the available affordable housing in the community at large.
 - e. Dimensional Requirements. The Applicant submits that proposed Amendment will not cause deviations from the current standards for dimensional requirements.
3. Consistency with Development Agreement and Concept Plan. The proposed Amendment is consistent with the Development Agreement and Concept Master Plan for Buckwalter PUD. The Town and Branigar Organization, Inc. executed and approved the Development Agreement, which Development Agreement, as amended, governs the use and development of a tract of land known as the

Buckwalter Tract. Concurrently with the execution of the Development Agreement, the Town of Bluffton annexed Buckwalter Tract into the Town boundaries and granted Concept Master Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan for Buckwalter Tract, adopted April 19, 2000. Subsequent to the execution and approval of the Development Agreement, the Town Approved thirteen (13) Amendments to the Buckwalter Development Agreement and Concept Plan. The Owner submits that the change of use for affordable residential multi-family and medical office use for the Property is consistent with the Development Agreement and Concept Master Plan for Buckwalter PUD and therefore submits a proposed Amendment to Development Agreement and Concept Plan - Buckwalter Tract attached hereto as Exhibit "H" and made a part hereof.

4. **Compatibility of Proposed Land Uses, Densities, Traffic Circulation, Environmental Features and Design with Adjacent Land Uses as well as Character of Surrounding Area.**

- a. Land Uses. The Property is already in the Buckwalter PUD and the uses are consistent with the uses already existing in the Buckwalter PUD and are derived from uses allowed in the Town and specifically within the Buckwalter PUD. Across Buckwalter Parkway exists Buckwalter Place with commercial and medical facilities. To the South East of the Property is the Townes at Buckwalter, a residential community.
- b. Density. The Property currently has 10.9 acres of General Commercial density. The requested density of 60 RDUs and a 100% density bonus per Section 6.5.4 of the UDO is consistent with surrounding density and uses and that found in the Buckwalter PUD, Development Agreement and Concept Master Plan and therefore the proposed density of the Property is compatible with the density and development along Buckwalter Parkway within the municipal limits of the Town and that along the Buckwalter PUD.
- c. Traffic Circulation. The Property is served by Buckwalter Parkway which provides direct access to U.S. Highway 278. Other than the Bluffton Parkway which leads to South Carolina Highway 170, no other public rights of way are nearby. Much of the surrounding land is already developed and traffic impacts have or are being addressed. Development of the Property shall comply with applicable traffic requirements.
- d. Environmental Features. Much of the surrounding property is already developed with commercial uses and the impacts on natural resources and the existing natural environment have been considered, planned and already approved. Accordingly, the Applicant submits that the proposed Amendment will not result in any major or unanticipated impacts to the natural resources and existing environmental features of the surrounding areas. Further, the development proposed will adhere to all stormwater requirements of the Town.
- e. Character of Surrounding Areas. Much of the surrounding property is already developed with commercial and residential uses institutional uses and design, aesthetics and character have already been considered and

addressed. Applicant intends to develop the Property consistent with the character of the surrounding existing development.

5. **Ability to be served by adequate public services.** The Property has direct access to Buckwalter Parkway and indirect access to U.S. Highway 278, a major arterial with excellent connections to the Bluffton Parkway, South Carolina Highway 46 and 170 and beyond. The Property has ability to connect to all necessary and readily available utilities and storm water drainage facilities that are suitable for the proposed use and those available in the Buckwalter PUD.
6. **Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare.** Much of the surrounding property is already developed with commercial and residential uses. The proposed Amendment will ensure that the balance of the Property is developed in accordance with the surrounding Buckwalter PUD and will not negatively impact the Town of Bluffton's health, safety and welfare.
7. **Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.** Much of the surrounding property is already developed with commercial and residential uses in conformance with policies and practices of the Town of Bluffton. For a discussion of compatibility with the Town of Bluffton Comprehensive Plan please refer to Section IIA.1 of this Application Narrative.
8. **Compliance with applicable requirements in the Application Manual.** The Applicant submits that this Application is compliant with the applicable requirements of the Town's Applications Manual.

III. **TRANSFER OF DEVELOPMENT RIGHTS AND DENSITY BONUS.**

- A. **Applicability.** Pursuant to Section 6.6 of the UDO, Applicant seeks the Transfer of Development Rights from the Town's Development Rights Bank in the amount of sixty (60) RDUs and a 100% density bonus pursuant to Section 6.5.4 of the UDO for affordable/workforce housing. Applicant intends to develop an affordable housing apartment complex on the Property called Livewell Terrace. The development of the Property will include the following features:
 1. Total number of units will be 120. This number assumes the 100% density bonus as described in Section 6.5.4 of the UDO is granted.
 2. Units will be available to Beaufort County Memorial Hospital employees and any other persons seeking affordable housing.
 3. Affordable Housing Description:
 - a. Number of Units by number of bedrooms: 30 one-bedroom units, 60 two-bedroom units, 30 three-bedroom units.
 - b. Unit Area Median Income Breakdown: 30 units restricted to 40% Area Median Income, 60 units restricted to 60% Area Median Income, 30 units

restricted to 80% Area Median Income. Income restrictions to be proportionally divided by unit types and sizes.

- c. All 120 affordable housing units to be developed in a single phase.
- d. Affordable housing units to be available to anyone looking for housing pursuant to SC Housing requirements.
- e. Annual rent and income limits are determined by the Area Median Income by unit size for Beaufort County. The U.S. Department of Housing and Urban Development (“HUD”) determines the median income for each household size annually. Then for each income restricted unit, the household can earn an income no more than the restricted percentage of that median income. For example, a one-person household living in an 80% Area Median Income unit can earn no more than 80% of what HUD determines is the median income for a one-person household in Beaufort County to be eligible to live in the unit. The rent caps are then determined by HUD’s assumption that each unit is occupied by 1.5 persons per bedroom. For example, a two-bedroom unit will have rent limits established under the assumption that a three-person household is living in the unit. This might not always be the case as SC Housing requires the occupancy standards to permit 1-2 persons per bedroom, so a two, three, or four person household would be permitted to live in a two-bedroom unit. The rents are then capped at 30% of the monthly income limit. So, in the example of a two-bedroom unit at 80% Area Median Income, the max rent will be determined by taking the three-person household median income, multiplying it by 80% to get the 80% Area Median Income, dividing by 12 to get the monthly income limit, and then multiplying by 30% to get the rent limit.
- f. The above description includes details as to how a household qualifies in terms of income eligibility. In addition to this eligibility, background checks (including criminal, credit, etc.) are performed on every household to confirm qualification with the management team’s occupancy requirements.

B. **Criteria for Release of Development Rights.** Pursuant to resolutions adopted by the Town on January 14, 2025 (the “**Town Resolution**”), Applicant agrees to comply with the requirements and criteria set forth in the Town Resolution and the following requirements in order to receive Development Rights from the Town:

- 1. The Town will hold the sixty (60) RDUs and the Density Bonus in the Town’s Development Rights Bank until such time as their release and assignment from the Town to Owner as necessary to construct affordable housing as described herein.
- 2. The release of the RDUs will occur at the time Building Permit Applications are submitted for each multi-family structure on the Property. The RDUs will be transferred by Assignment of Rights and Obligations Under Development Agreement which shall be recorded in the Beaufort County Register of Deeds.

3. Applicant has prepared an Affordable Housing Restrictive Covenant which is attached hereto as Exhibit "E" and made a part hereof. Upon approval, such covenants shall be recorded in the Beaufort County Register of Deeds. Future revisions to the covenants shall require approval of the Town Manager.
4. Use of the 120 RDs (60 RDUs plus the density bonus) once assigned to Owner, shall be limited to the Property and may not be transferred or utilized elsewhere within Buckwalter PUD or the Town.
5. Owner shall transfer to the Town via an Assignment of Rights and Obligations Under Development Agreement recorded in the Beaufort County Register of Deeds, the residual general commercial development rights after it has determined rights required for the development of the medical facilities on the Property.

IV. CONCLUSION.

- A. The Applicant believes the foregoing narrative and analysis demonstrates that this Application is in conformance with the Town's Comprehensive Plan, and meets the criteria set forth in Section 3.4.3 of the UDO. Accordingly, the Applicant respectfully requests that the Planning Commission and Town Council:
 1. Review this Application and the supporting documentation and any testimony which will be entered into the record.
 2. Find the following:
 - a. That this Application and the supporting testimony and documentation establish the physical, geographical, hydrological and other environmental features of the Property support the breadth and intensity of the uses available in the proposed additional use category.
 - b. That this Application and the supporting testimony and documentation establish that the uses available in the proposed additional use category for the Property are compatible with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning and the potential influence on property values.
 - c. That this Application and the supporting testimony and documentation establish that the public infrastructure and services are available and capable of sufficiently accommodating the uses available in the proposed additional use category without compromising the public health, safety and welfare of the Town.
 - d. That this Application and the supporting testimony and documentation establish that there is a public need in the zoning district and the Town for the use proposed by the Application.

- e. That this Application and the supporting testimony and documentation are in compliance with the applicable requirements in the Applications Manual.
- 3. Recommend approval of this Application with uses and density as set forth in the proposed Amendment to the Buckwalter Development Agreement and Concept Master Plan.

Respectfully submitted on behalf of the Applicant this 6th day of May, 2025.

Burr & Forman LLP