

Town of Awendaw

Town Council Staff Report

Thursday, May 4, 2023

7:00 PM

Town of Awendaw

6971 Doar Road, Awendaw, SC

Agenda Item xx. x

Public Hearing

Zone Change from Agricultural General to

Planned Development (PD)

“Seewee Landing”

The Proposal for consideration is an amendment to the Zoning Map. The proposal is to change the zoning on TMS Number 680-00-00-031 from Agricultural General (AG) to Planned Development(PD) called ***Seewee Landing***.

The property is located on the northwest side of Seewee Road at the intersection of Seewee Road and Granny’s Lane. The Seewee Landing Planned Development will be constructed on a rectangular (long and narrow) tract of land containing a total of 48.97 acres of which 7.92 acres are jurisdictional and non-jurisdictional wetlands.

71% of the subdivision will be a developable area, while the remaining 29% will be in an open space designation and will not be developed.

The proposal is to construct 72 single-family homes at a maximum density of 1.47 dwelling units per acre.

The Seewee Landing Planned Development will be developed in accordance with the PD as outlined in the attached document. The PD Regulations set forth the

general scope of the development including the number of units (72), development standards, open spaces, and other issues. All matters not addressed in the PD shall be governed by the current Town of Awendaw Ordinances in effect and any conditions placed by the Town Council. Any major variations from the approved PD Regulations may require a Planned Development Amendment. All minor variations shall be handled by the Town of Awendaw Zoning Administrator.

The goal of the development is to produce a high-quality, friendly residential development while also protecting the natural beauty that abounds on the property. The development of the property will pose minimal impacts on freshwater wetlands except for road crossings. The open space and amenities will be owned and maintained by the developer, homeowner's association, or other legally designated entity.

Because the dimensions of the unusually deep and narrow property require the use of one road with ingress/egress on Seewee Road only, the road will not be a traditional cul-de-sac and will instead include a long singular roadway with two (2) oval loops to allow vehicles and fire trucks to safely change directions and traverse the neighborhood. The Town's existing street standard for rural road cul-de-sacs is a maximum length of 1,500 linear feet. This PD proposes to modify the Zoning Code to allow a longer length. The proposal in the PD would creatively permit a non-traditional cul-de-sac that would employ the use of two oval loops along the roadway. The first oval would be located at the first +1,500 foot point and the second would be located approximately 1,500 feet further away. These two oval loops alleviate much of the concern that would arise with a traditional 3,000-foot cul-de-sac. While certainly unusual, it avoids some of the common issues with long, deep cul-de-sacs.

If approved, the proposed Seewee Landing development would alter the requirements of the Zoning Code in the following manner(s):

- The proposed minimum lot size is 10,000 square feet versus the Zoning Code minimum requirement of 12,500 square feet.
- The proposed minimum lot width is 60 feet versus the Zoning Code requirement of 100 feet.

- The proposed minimum front setbacks are reduced from the 35 feet required by the Zoning Code.
- The proposed site coverage is 45% versus the Zoning Code requirement of 35%.

Planning Commission Recommendation: The Planning Commission discussed this item at their regularly scheduled meeting on March 20, 2023, and voted unanimously to deny the zone change request.

Staff Recommendation: Approve the Zone Change from Agricultural General to Planned Development for Seewee Landing with the following conditions/modifications.

1. Before the approval of the Final Plat, the Owner/Applicant shall receive approvals from all Federal, State, and local agencies that the development is acceptable to each agency responsible for approving land development activities in South Carolina.
2. Before the recordation of the Final Plat and subject to Planning Director approval, the Owner/Applicant shall have satisfied all requirements consistent with approvals from all Government agencies with Authority and with the Subdivision Ordinance of the Zoning Code.
3. The Owner/Applicant shall be required to obtain review and approval by SCDOT concerning any possible transportation impacts and encroachment permits and provide to the Town approved plans for any potential off-site improvements that might be required by SCDOT. The applicant is responsible for contacting the SCDOT for all driveway encroachment permits.
4. The developer shall contact OCRM regarding the applicability of both its stormwater and Coastal Zone Area Consistency review in that this property is within one-half mile of coastal waters and the state's NPDES stormwater program requires that anyone engaged in clearing, grading, and/or excavating activities to obtain coverage under the state's Construction General Permit (CGP) from DHEC's Stormwater Permitting division before beginning any land-disturbing activities. While smaller projects or developments located in the Coastal Zone within one-half mile of coastal receiving water **may** be automatically granted coverage under a general NPDES permit, the applicant is required to provide the Town with evidence that a technical stormwater review has been processed before approval of any Final plats. A general coastal zone consistency determination, which is issued by DHEC's Office of Ocean and Coastal Resource Management, is also required.
5. The Applicant shall record Covenants, Conditions, and Restrictions (CC&Rs) which establish a Property Owners Association (POA). This POA provides for the permanent maintenance

responsibilities of; a) Any ponds and/or stormwater system and appurtenant landscaping, fencing, and access; b) Common area landscaping; c) Plantings required for oak/hardwood tree removal mitigation; d) Septic tank inspections every three years

6. Title to the common [OPEN SPACE, WETLANDS) areas shall be held by a non-profit association or the Homeowners Association(HOA). Wetlands may not be conveyed to a private homeowner. The holding entity will maintain the wetlands in their natural state and not allow any type of structure that might otherwise degrade the quality of the wetland.
7. To reduce stormwater runoff, allow for infiltration, reduce pollutants, and minimize degradation of stormwater quality from the development, parking lots, buildings, structures, streets, and other paved surfaces, the Owner/Applicant shall agree to limit the maximum impervious area on any lot to 35%. *The Planned Development proposal is for 45% which staff believes is too high for this location within a half mile of Cape Romain.*
8. To reduce the impact on Seewee Road, all construction-related vehicles, equipment staging, and storage areas shall be located onsite and away from the Seewee Road right of way. The Owner/Applicant shall provide all construction personnel & the Town with written notice of this requirement and a description of approved parking, staging, and storage areas.
9. Without a public wastewater system in the Town, all proposed lots will be served with onsite septic systems. The applicant shall provide copies of SCDHEC approvals for individual sewage disposal systems before approval of a Final Plat by the Director. DHEC approval WITH the septic site locations will be attached to any zoning permit packages for construction on any of the individual lots.
10. To decrease the chances of failure of the proposed septic systems, the Applicant shall agree to require within the recorded CC&Rs that the homeowners association (HOA) shall be required to retain and have a qualified third-party inspection of each of the individual septic systems every three years.
11. Prescribed burning is vital to the health and protection of federally protected lands and forests. As to not interfere with this important activity, the Applicant has agreed to include in the recorded CC&Rs prescribed fire smoke easements with the US Forest Service and US Fish & Wildlife Service.
12. To reduce light pollution, the Applicant has agreed to coordinate with Berkeley Electric Co-op on the location and number of overall fixtures to lessen the impact on the surrounding natural areas. These fixtures shall be by “full cutoff” type and shall not impact Birds of Prey and Cape Romain Wildlife Refuge.

13. To decrease the impact on the local solid waste system, the Applicant has agreed that the POA will establish regular solid waste pick-up for all residents.
14. The Applicant shall agree to limit the hours of construction to Charleston County standards.
15. The applicant shall agree to implement a 50-foot exterior boundary “no-build” setback buffer on all four sides of the exterior PD property and shall be shown/depicted on the Final Plat before the Town can approve it. Ponds, wetlands, and other zoned open spaces are not required to implement the 50-foot setback.
16. Vinyl siding may not be used on any elevation of the primary structure or garage.
17. Each owner may legally build up to 40% of the square footage of the lot size. If the lot is 10,000 square feet, the primary home plus any accessory dwelling unit(ADU) can be a total of 4,000 square feet.
18. Each lot will have public water provided by the Town of Awendaw Water and approved by SCDHEC.
19. No parcel shall be smaller than 12,500 square feet.
20. All wetlands shall be required to have a 40-foot setback from any horizontal or vertical structure and that setback shall be illustrated on the Final Plat.
21. Minimum lot width shall be 100 feet at the front setback.
22. Minimum front setback shall be 35 feet.
23. Maximum site coverage for parcels under 21,780 square feet shall not exceed 30%.
24. Maximum site coverage for parcels over 21,780 square feet shall not exceed 20%.
25. The Plat for the subdivision of land shall illustrate open space locations where additional vehicular ingress and egress could be located should an adjacent property owner agree to a reciprocal access agreement.
26. The final PD shall contain a zoning map that illustrates where residential zones are and where open space zones (including wetlands) are with a legend that articulates the gross acreage of both zones.
27. NO homes shall be located on the interior of the proposed loop roads.
28. The applicant shall insert a statement in the PD regulations as to how many total inches of tree mitigation will be required. It shall include the species and proposed sizes of the new trees planted.
29. The location of any private R/V/Boat Storage shall be shown on the PD Zoning Map and shall not be called out as Open Space.

30. The maximum building height shall not exceed thirty-five (35) feet.
31. Failure to submit a Final PD Plan and Subdivision Plat by January 15, 2029, shall result in the expiration of the PD zoning district classification, the PD Master Plan, the PD Conditions, and the prior zoning district classification of Agricultural General (AG) shall thereupon be re-established.