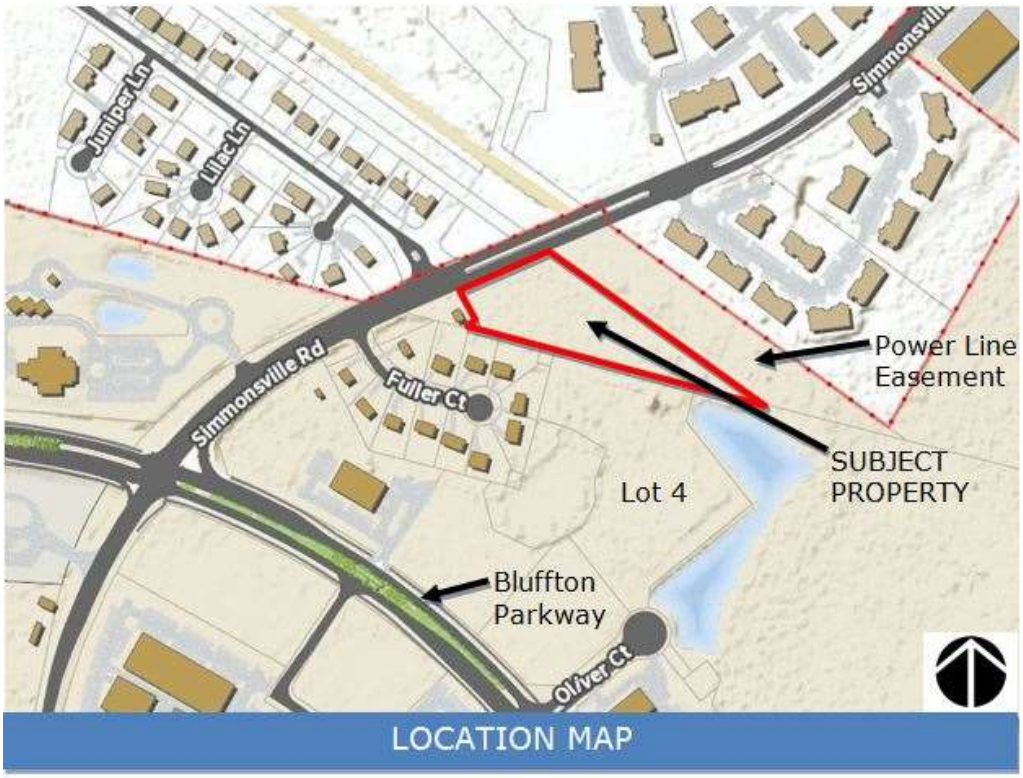
TOWN COUNCIL

STAFF REPORT
Department of Growth Management

MEETING DATE:	January 12, 2016
PROJECT:	Consideration of an Amendment to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres
PROJECT MANAGER:	Kendra Lelie, AICP, Assistant Director Growth Management Department

REQUEST: The Planning Commission recommends Town Council approve a request from Land Asset Holdings, LLC for an Amendment to the approved Master Plan for Rose Hill PUD.

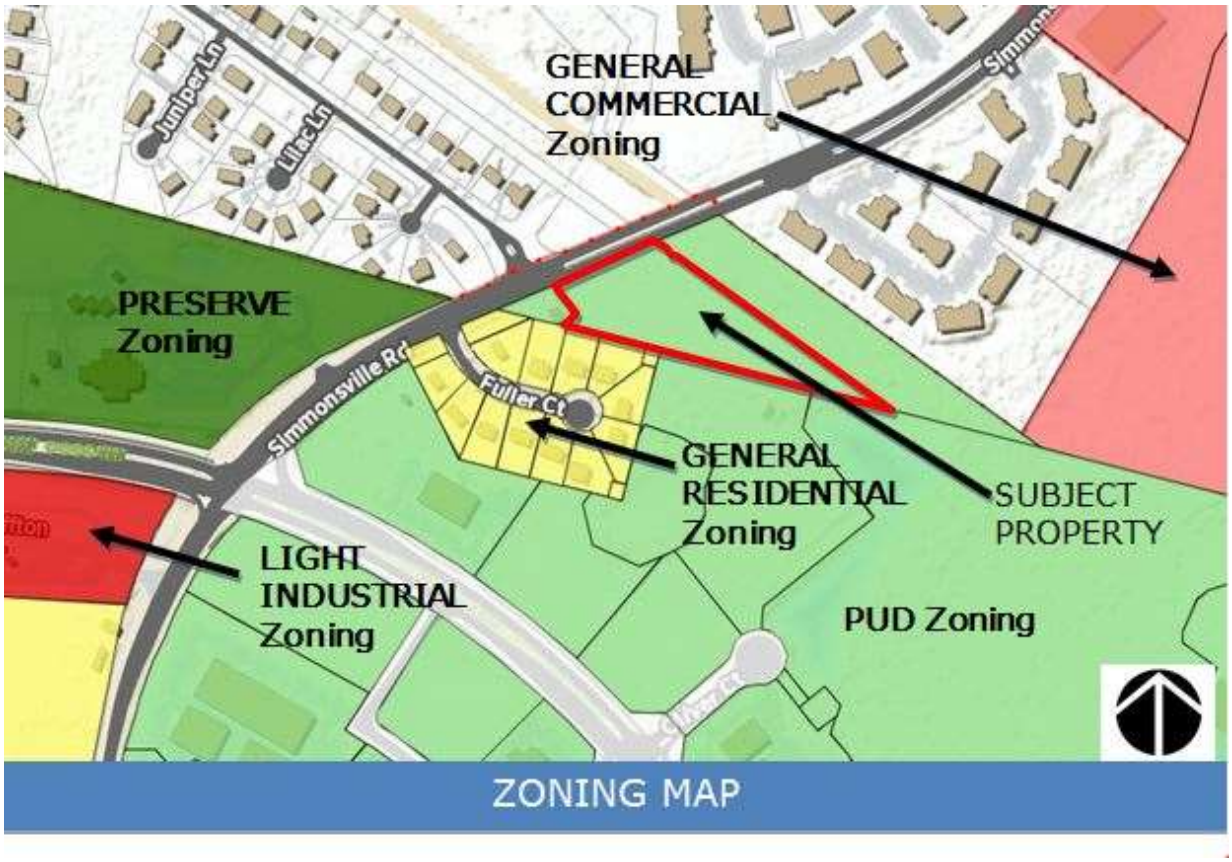
INTRODUCTION: On October 26, 2015, Land Asset Holdings, LLC submitted an application for an Amendment of the Rose Hill PUD Master Plan for a 1.9 acre tract located on Simmonsville Road (the "Property"). The purpose of the Application is to change the permitted use from Multi-family residential (16 du/acre) to limited commercial uses including self-storage facilities with outdoor storage for vehicles, recreational vehicles and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop, with site specific buffer and setback requirements for the property.



BACKGROUND:

Property: The Property is a currently undeveloped triangular shaped lot and is bounded on the west by Simmonsville Road, on the north by a Santee Cooper Power line Right-of-Way, on the southeast by Bluffton Park Business Park (Bluffton Self Storage - Lot 4), and on the southwest by New Hope Village Residential Subdivision. Lot 4 is owned by Bluffton Self Storage, LLC and is currently be developed as a self storage facility. Bluffton Self Storage, LLC has a contract with the Applicant to purchase the property contingent upon the approval of this Application. If approved, Bluffton Self Storage will connect the two properties via an internal access road and utilize the subject property for outdoor and covered storage of vehicles, recreational vehicles and boats. All of these requested uses are presently allowed by the commercial designation in the Rose Hill PUD. The residential use could still be made available to the property in the future with a Town Council approval of a Master Plan Amendment.

Rose Hill PUD Master Plan: The Property is part of the Rose Hill PUD Master Plan Area that was originally approved by Beaufort County in 1980 which included Rose Hill, Belfair, Westbury Park, the Estates at Westbury Park, Plantation Business Park, Sheridan Park and other residential and commercial properties. The Rose Hill PUD Master Plan was amended several times by Beaufort County prior to being annexed into the Town of Bluffton in December of 2005 as part of the BIS Neighborhood Annexation petition.



While the PUD zoning district allows for a broad range of uses that includes single-family estates, single-family (various densities), single-family patio, recreation, multi-

family (various densities) and commercial uses, the original and existing Land Use designation for the Property is Multi-Family Residential with a density of 16 dwelling units per acre (MF-16). With the adoption of the Unified Development Ordinance and associated Zoning Map in 2011, the majority of the Rose Hill PUD parcels were reassigned from PUD zoning to a General Mixed Use Zoning. However, a few Rose Hill parcels adjacent to, and including the subject Property remained PUD zoning with a Land Use designation of MF-16.

TOWN COUNCIL ACTIONS: The Town Council has the authority to take the following actions with respect to the application:

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

REVIEW CRITERIA & ANALYSIS: Town Council is required to consider the criteria set forth in Section 3.9.3 of the Unified Development Ordinance in assessing an application for a Master Plan Amendment. These criteria are provided below followed by a Staff Finding(s).

1. Section 3.9.3.A. **Consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.**

   Finding. The application is consistent with the Comprehensive Plan.

   The Land Use Element within the Comprehensive Plan provides a vision that ensures a balance of land uses to ensure a high quality of life, business opportunity, environmentally protected areas and property placement of residential uses. In accordance with the Comprehensive Plan, Planned Unit Development (PUD) is a recognized form of a specific development technique that provides flexibility in land uses for the overall development in exchange for community benefits such as economic development.[1] The proposed amendment removes the residential land use designation and replaces it with a limited commercial use, which is the realization of the Land Use Element vision and therefore consistent with the Comprehensive Plan.

   It is important to note that when describing Medium Intensity Commercial uses such as that proposed in this application, the Land Use Element emphasizes that the uses be integrated into surrounding residential development to serve residents of nearby neighborhoods, generally within two to five miles.[2] The Land Use Element contemplates Medium Intensity Commercial uses for numerous properties to the north of the Bluffton Parkway.[3]

[1] Comprehensive Plan, Page 8-1

[2] Comprehensive Plan, Page 8-14

[3] Comprehensive Plan, Page 8-14

Finally, the Economic Development Element looks to create a vital, diverse and sustainable local ecomony that enhances Bluffton's community resources which include human, natural and economic resources.[4] The proposed amendment will support this goal by providing the opportunity for additional business uses in lieu of a high intensity residential use.

2. Section 3.9.3.B. **Consistency with the intent of the Planned Unit Development Zoning District as prescribed in this Ordinance.**

Finding. The application is consistent with the intent of the Rose Hill Planned Unit Development Zoning.

In accordance with the Comprehensive Plan, Planned Unit Development (PUD) is a recognized form of a specific development technique that provides flexibility in the land uses for the overall development. The Property was annexed into the Town in December 2005 as part of the Buck Island/Simmonsville annexation and currently, the Property and the Santee Cooper powerline right-of-way are the only parcel's within the Town's municipal boundary which are within the Rose Hill PUD Master Plan and are designated for residential use. The current Rose Hill Master Plan does not include any site-specific development performance standards for a residential or commercial use and as a result the property would be subject to development standards set forth in the UDO (except for the site-specific standards provided below).

The Property is adjacent to Lot 4 within the Shultz Tract PUD and the Bluffton Park Master Plan. Lot 4 is designated as Business Park under the Bluffton Park Master Plan. The Business Park designation allows uses permitted with the General Commercial District, Light Industrial District and Development District as outlined in the Beaufort County 90/3 Development Standard Ordinance. The uses purposed to be permitted by the Applicant for the Property are comparable to the uses permitted on Lot 4 within the Bluffton Park Master Plan.

Given that the Property remains in the Rose Hill PUD and PUD's generally provide flexibility in land uses, the Planning Commission recommended designating the Property as limited commercial with the uses requested by the Applicant which will allow the same land uses as the adjacent property within Bluffton Park known as Lot 4, and subject to site-specific design regulations as follows:

a. Street Right-of-Way Setback and Buffer: 50 feet
b. Setback and Buffer to Residential Use: 25 feet
c. Setback and Buffer to Non-Residential Use for non-structural storage of vehicles and items: 10 feet
d. Setback and Buffer to Non-Residential Use of storage in/under structures: 25 feet
e. Conformance with the buffer requirements found in UDO Section 5.3.7.B.3.

[4] Comprehensive Plan, Page 6-1

f. Conformance with the development standards set forth in the UDO or any future modification thereof.

3. **Section 3.9.3.C. As applicable, consistency with the provisions of the associated Development Agreement and/or PUD Concept Plan.**

   Finding. A Development Agreement is not applicable to the Property as there is no applicable PUD Concept Plan for the Rose Hill PUD.

4. **Section 3.9.3.D. Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.**

   Finding. The application is compatible with the surrounding area.

   Given that the uses immediately surrounding the Property are mixed use in nature including general commercial uses, industrial uses, medium intensity residential and the Santee Cooper Right-of-Way, the land uses, densities, traffic circulation and design associated with the amendment are compatible with adjacent land uses and the general character of the surrounding area.

5. **Section 3.9.3.E. Ability 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 property is able to be served by adequate public services.

   The Property has direct access to public services including electrical, water, sanitary sewer and roads. Significant impact on infrastructure and services is not anticipated with the proposed amendment.

6. **Section 3.9.3.F. 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.**

   Finding. Innovative site planning techniques are included in the proposed amendment.

   The Property is proposed to be developed in conjunction with the adjacent Lot 4 as a combined self-storage, mini-warehouse and outdoor storage facility. The proposed combined development promotes interconnectivity of the sites through a shared driveway that provides egress and ingress on Simmonsville Road and Oliver Court which helps to manage traffic efficiently. The proposed interconnection of the lots represents an innovative site planning technique which represents an improvement of standards in other Town zoning districts.

7. **Section 3.9.3.G. Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.**

   Finding. The property is able to sufficiently accommodate the proposed development.

   Given the relatively small size of the 1.9 acre tract, when combined with the adjacent 4.16 acre, the lot used as one use for a self-service storage, mini-warehouse and outdoor storage facility provides a site that is sufficient to accommodate the proposed land use intensity.

8. **Section 3.9.3.H. Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.**

   Finding. The application is in conformance with adopted or accepted plans, policies, and practices of the Town.

PLANNING COMMISSION RECOMMENDATION: Planning Commission finds that the requirements of Section 3.9.3 of the Unified Development Ordinance are met and recommends approval to Town Council with the following conditions:

a. Permitted land uses shall be the same as the adjacent property within Bluffton Park known as Lot 4 and located in the Bluffton Park Business Park district limited to self-storage facilities with outdoor storage for vehicles, recreational vehicles, and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop.
b. Street Right-of-Way Setback and Buffer: 50 feet
c. Setback and Buffer to Residential Use: 25 feet
d. Setback and Buffer to Non-Residential Use for non-structural storage of vehicles and items: 10 feet
e. Setback and Buffer to Non-Residential Use of storage in/under structures: 25 feet
f. Conformance with the buffer requirements found in UDO Section 5.3.7.B.3.
g. Conformance with the development standards set forth in the UDO or any future modification thereof.
h. Inclusion of a heavy buffer to provide more opaque screening within the 25' buffer area.

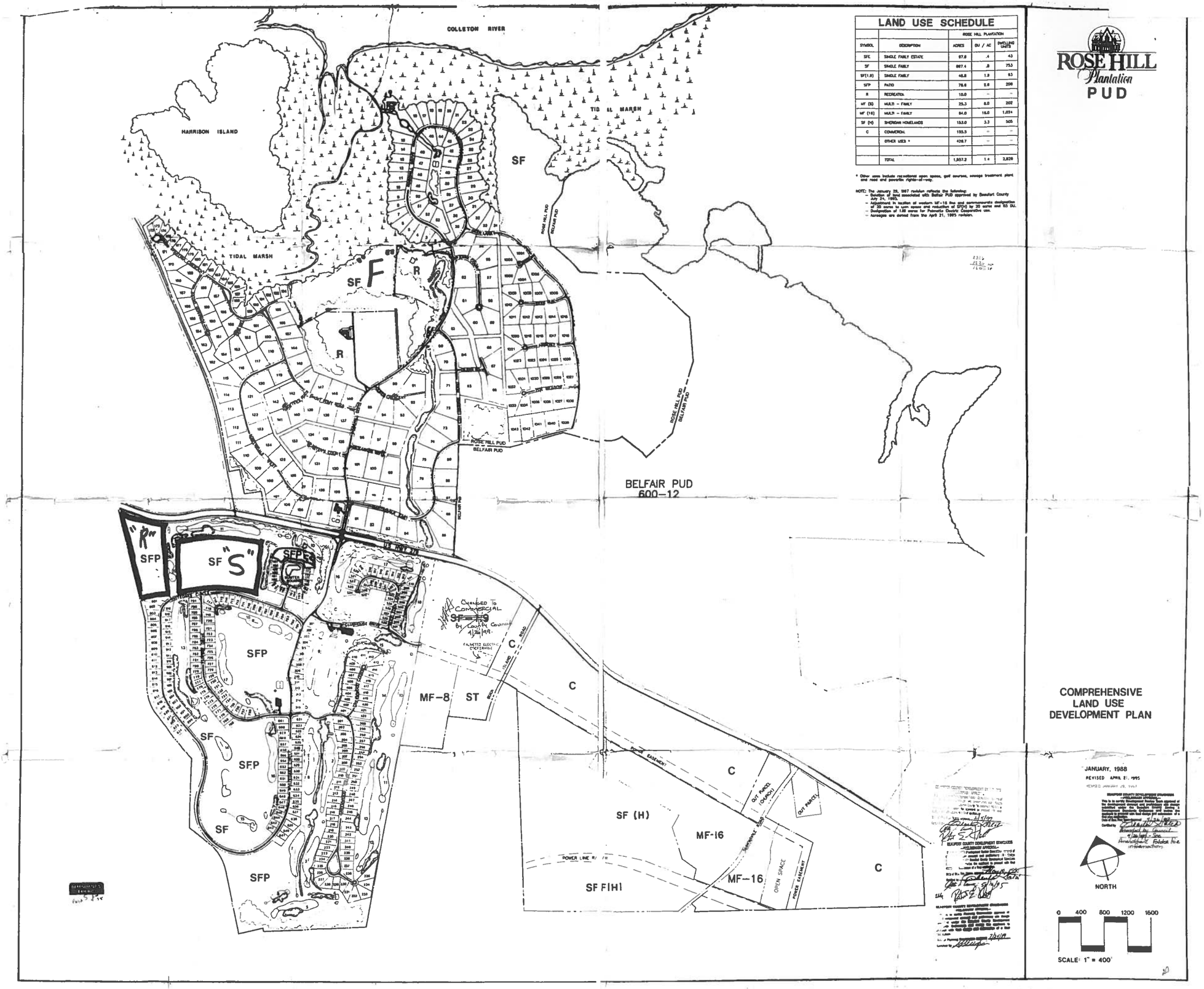
NEXT STEPS: Based on the direction of Town Council, Town Staff will begin the following next steps to implement the suggested amendments:

Master Plan Amendment Procedure		Step Completed
Step 1. Pre-Application Meeting		✓
Step 2. Application Check-In Meeting	10/26/2015	✓
Step 3. Development Review Committee Technical Review	11/17/2015	✓
Step 4. Planning Commission Consideration of the Master Plan Amendment	12/16/2015	✓
Step 5. Town Council Consideration of the Master Plan Amendment	1/12/2016	

ATTACHMENTS:

1. Approved Rose Hill Master Plan
2. Application for Master Plan Amendment
    a. Rose Hill Amended Master Plan

ATTACHMENT 1



LAND USE SCHEDULE

SYMBOL	DESCRIPTION	ROSE HILL PLANTATION ACRES	DU / AC	DWELLING UNITS
SFE	SINGLE FAMILY ESTATE	97.8	.4	43
SF	SINGLE FAMILY	887.4	.8	753
SF(1.5)	SINGLE FAMILY	46.8	1.5	63
SFP	PATIO	76.6	3.0	230
R	RECREATION	10.0	–	–
MF (8)	MULTI – FAMILY	25.3	8.0	202
MF (16)	MULTI – FAMILY	84.0	16.0	1,224
SF (H)	SHERIDAN HOMELANDS	153.0	3.3	505
C	COMMERCIAL	155.3	–	–
	OTHER USES *	428.7	–	–
	TOTAL	1,857.2	1.4	2,820

* Other uses include recreational open space, golf courses, sewage treatment plant and road and powerline rights-of-way.

NOTE: The January 28, 1987 revision reflects the following:
- Deletion of land associated with Belfair PUD approved by Beaufort County July 24, 1985.
- Adjustment in location of western MF-16 line and commensurate designation of 20 acres to open space and reduction of SF(H) by 20 acres and 53 DU.
- Designation of 1.68 acres for Palmetto Electric Cooperative use.
- Acreages are carried from the April 21, 1985 revision.

ROSE HILL Plantation PUD

COMPREHENSIVE LAND USE DEVELOPMENT PLAN

JANUARY, 1988

REVISED APRIL 21, 1995

REVISED JANUARY 28, 1997

NORTH

0 400 800 1200 1600

SCALE: 1" = 400'

ATTACHMENT 2

TOWN OF BLUFFTON
PLANNED UNIT DEVELOPMENT (PUD)
MASTER PLAN APPLICATION

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant	**Property Owner**
Name: Chester C. Williams	Name: Land Asset Holdings, LLC
Phone: (843) 842-5411	Phone: (843) 785-5017
Mailing Address: PO Box 6028 Hilton Head Island, SC 29938-6028	Mailing Address: PO Box 5032 Hilton Head Island, SC 29938-5032
E-mail: Firm@CCWLaw.net	E-mail:
Town Business License # (if applicable):	

Project Information		
Project Name: Tract VIII, Rose Hill PUD	☐ New	☒ Amendment
Project Location: Simmonsville Road	Acreage: 1.9	
PUD Name: Rose Hill Plantation PUD		
Tax Map Number(s): TMS R610-031-000-0250-0000		
Project Description: Amendment of Rose Hill Plantation PUD Master Plan		

Minimum Requirements for Submittal

- ■ 1. Two (2) full sized copies and digital files of the Master Plan.
- ■ 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO.
- ■ 3. All information required on the attached Application Checklist.
- ■ 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.

Note: **A Pre-Application Meeting is required prior to Application submittal.**

Disclaimer: **The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.**

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.

Property Owner Signature: See attached consent letter	Date:
Applicant Signature: This signature is an electronic reproduction	Date: 10/23/15

For Office Use

Application Number:	*Date Received:*
Received By:	*Date Approved:*

TOWN OF BLUFFTON
PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN APPLICATION
PROCESS NARRATIVE

The following Process Narrative is intended to provide Applicants with an understanding of the respective application process, procedures and Unified Development Ordinance (UDO) requirements for obtaining application approval in the Town of Bluffton. While intended to explain the process, it is not intended to repeal, eliminate or otherwise limit any requirements, regulations or provisions of the Town of Bluffton's UDO. Compliance with these procedures will minimize delays and assure expeditious application review.

Step 1. Pre-Application Meeting	**Applicant & Staff**
Prior to the filing of a Planned Unit Development (PUD) Master Plan Application, the Applicant is required to consult with the UDO Administrator at a Pre-Application Meeting for comments and advice on the appropriate application process and the required procedures, specifications, and applicable standards required by the UDO.	
Step 2. Application Check-In Meeting	**Applicant & Staff**
Upon receiving input from Staff at the Pre-Application Meeting, the Applicant may submit the PUD Master Plan Application and required submittal materials during a mandatory Application Check-In Meeting where the UDO Administrator will review the submission for completeness.	
Step 3. Review by UDO Administrator & Development Review Committee	**Staff**
If the UDO Administrator determines that the PUD Master Plan Application is complete, it shall be forwarded to the Development Review Committee (DRC). The DRC shall review the application and prepare written comments for review with the Applicant.	
Step 4. Development Review Committee Meeting	**Applicant & Staff**
A public meeting shall be held with the Applicant to the review the DRC Staff Report and discuss the application. The Applicant will be directed to address any comments, if any, and resubmit the application materials. The application shall be forwarded to the Planning Commission (PC).	
Step 5. Planning Commission Meeting	**Applicant, Staff & Planning Commission**
The PC shall review the PUD Master Plan Application for compliance with the criteria and provisions in the UDO. The PC may recommend that Town Council approve, approve with conditions, or deny the application.	
Step 6. Town Council Meeting	**Applicant, Staff & Town Council**
Town Council shall review the PUD Master Plan Application for compliance with the criteria and provisions in the UDO. Town Council may approve, approve with conditions, table, or deny the application.	
Step 7. PUD Master Plan Approval	**Staff**
If Town Council approves the PUD Master Plan Application, the UDO Administrator shall issue an approval letter to the Applicant.	

TOWN OF BLUFFTON
MASTER PLAN
APPLICATION CHECKLIST

In accordance with the Town of Bluffton Unified Development Ordinance (UDO), the following information shall be included as part of a Master Plan application submitted for review. Depending on the proposal, the amount and type of documentation will vary. This checklist is intended to assist in the provision of the minimum documentation necessary to demonstrate compliance with the UDO. Upon review of the submitted application by Town Staff, additional information may be required. The use of this checklist by Town Staff or the Applicant shall not constitute a waiver of any requirement contained in the UDO. Applicants are encouraged to work closely with Town Staff in preparing any application prior to submittal.

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

General Information.	
1.	Name and address of property owner(s) and applicant.
2.	If the applicant is not the property owner, a letter of agency from the property owner authorizing the applicant to act on behalf of the property owner.
3.	Project name and/or name of development.
4.	A detailed narrative describing the existing site conditions and uses, proposed development, proposed uses and activities that will be conducted on the site, statement of conformance with the UDO, description of any energy conservation or green technologies proposed on the site, the maintenance responsibility of any common or public areas, and publically dedicated improvements to be completed.
5.	A listing of any past development permit approval numbers associated with the site and existing conditions placed on the development property by the Town of Bluffton through past approvals including a detailed description of how the condition will be met.
6.	An explanation of why any items on this checklist are not included with the application materials.
7.	Project name and/or name of development.
8.	All plans must include the following: name of county; municipality; project location; parcel identification number(s); date of original design; all dates of revisions; north arrow; graphic scale; and legend identifying all symbology.
9.	Vicinity map.
10.	Site data table to include; total acreage, pervious versus impervious cover, required and proposed open space calculations, number and area of proposed lots, residential density, number and area of each proposed structure, area of each use of the property and buildings, and required and proposed parking calculations.
11.	Phasing plan if the development is proposed to be developed in phases.
12.	Letters of approval, including any applicable permits, from the following agencies (as necessary for the project): a) United States Army Corp of Engineers; b) South Carolina Department of Health & Environmental Control; c) South Carolina Department of Transportation; d) Beaufort County Engineering; e) Beaufort County EMS; f) Beaufort County School District; g) Bluffton Township Fire District; h) Beaufort Jasper Water Sewer Authority; i) Town of Bluffton; j) Electric Provider; k) Natural Gas provider; and l) Cable, telephone, and data provider.
Site and Existing Conditions Documentation.	
1.	Comprehensive color photograph documentation of site and existing conditions. If digital, images should be at a minimum of 300 dpi resolution.

TOWN OF BLUFFTON
MASTER PLAN
APPLICATION CHECKLIST

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

2.	Names of the owners of contiguous parcels and an indication of adjacent existing and proposed (if known) land uses and zoning.
3.	Location of municipal limits or county lines, zoning, overlay or special district boundaries, if they traverse the development property, form a part of the boundary of the development property, or are contiguous to such boundary.
4.	Location of all existing access points and intersections along both sides of any frontage or access roadway(s) within a minimum of 1,000 feet of the development property.
5.	Location, dimensions, name, and descriptions of all existing or recorded roadways, alleys, reservations, railroads, easements, or other public rights-of-way on or within 200 feet of the development property.
6.	Location, size, and type of all existing easements, rights-of-way, or utility infrastructure on or within a minimum of 200 feet of the development property.
7.	Existing topography and land cover. Contours shall be shown in intervals of 1 foot or less.
8.	Location, dimensions, area, descriptions, and flow line of existing watercourses, drainage structures, ditches, one-hundred (100) year flood elevation, OCRM critical line, wetlands or riparian corridors top of bank locations, and protected lands on the development property.
9.	Location of any existing buildings, structures, parking lots, impervious areas, public and private infrastructure, or other man made objects located on the development property.
10.	Boundary survey with bearings and distances of all property lines, tract/lot acreage, location of property markers, and seal of a Registered Land Surveyor, as well as a legal description of the property.
11.	Location of benchmarks/primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers, and similar data shall be referred.
12.	Existing deed covenants, conditions, and restrictions, including any design or architectural standards.
13.	Proposed deed covenants, conditions, and restrictions, including any design or architectural standards.
14.	Legal documents for proposed public dedications.
Lot and Building Pattern.	
1.	Schematic block and roadway type layout and design indicating access, configuration, land use and intensity by block or portion thereof, and buffers including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
Transportation Networks.	
1.	A map or sketch showing the general relationship of the development to the surrounding areas with existing and proposed access roadways referenced to the intersection of the nearest primary or secondary paved roadway.
2.	A Traffic Assessment.
3.	A Traffic Impact Analysis (TIA), if warranted by the Traffic Assessment.
4.	Proposed roadway alignment plan showing right-of-way widths with specific reference to the roadway type and design assembly.
5.	Proposed access indicating roadway names, connectivity, roadway extensions, proposed stub roads, and dead-end roadways including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
6.	Existing and proposed non-motorized vehicle lanes, paths, sidewalks, and other facilities, including transit facilities, on and within 200 feet of the development property including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
7.	Emergency access provisions.
8.	Phasing plan of proposed traffic mitigation measures, or approved payments in-lieu of such that will be provided to the Town of Bluffton or applicable agency. Plan must ensure adequate transportation network is in place to support development at time of construction.
Natural Resources, Tree Conservation, Planting, and Landscaping.	
1.	Location of existing tree canopy coverage including table summarizing canopy lot coverage area, lot area not covered by tree canopy, and tree canopy expressed as percentage of lot coverage.

TOWN OF BLUFFTON
MASTER PLAN
APPLICATION CHECKLIST

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.
2. Location and table summarizing trees listed on America's Historic Tree Register as maintained by American Forests.
3. Location of groups of trees that connect to other vegetated and/or treed areas on adjacent sites helping to create or extend a wildlife or natural corridor.
Open Space Plan.
1. Proposed open space areas, habitat areas, types, and access trails both on and off-site.
2. Proposed public lands and methods of dedication and access.
3. Proposed ownership and method of transfer through deed restrictions, covenants, public dedication, or other method acceptable to the UDO Administrator.
4. Proposed use for all portions of dedicated open space.
Stormwater Management.
1. Description of proposed methods, and general layout of stormwater drainage, water system, sewer system and open space areas.

SIGN AND RETURN THIS CHECKLIST WITH THE APPLICATION SUBMITTAL
ALL SUBMITTALS MUST BE COLLATED AND FOLDED TO 8-1/2" X 11"

By signature below I certify that I have reviewed and provided the minimum submittal requirements listed above, including any additional items requested by the Town of Bluffton Staff. Any items not provided have been listed in the project narrative with an explanation as to why the required submittal item has not been provided or is not applicable. Further, I understand that failure to provide a complete, quality application or erroneous information may result in the delay of processing my application(s).

This signature is an electronic reproduction

Signature of Property Owner or Authorized Agent

23 October 2015
Date

Chester C. Williams
Printed Name

STATE OF SOUTH CAROLINA	)	**BEFORE THE PLANNING COMMISSION OF THE TOWN OF BLUFFTON, SC**
	)	
	)	
COUNTY OF BEAUFORT	)	

ATTACHMENT 1

TO THE

COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

AND

PLANNED UNIT DEVELOPMENT AMENDMENT

APPLICATIONS OF

LAND ASSET HOLDINGS, LLC

REGARDING 1.9 ACRES,

ROSE HILL PLANTATION PLANNED UNIT DEVELOPMENT,

TRACT VIII, SIMMONSVILLE ROAD

This Attachment 1 is part of the Comprehensive Plan Future Land Use Map Amendment and Planned Unit Development Amendment Applications (the "Applications") of Land Asset Holdings, LLC (the "Applicant"), and is submitted by the Applicant to the Planning Commission of the Town of Bluffton (the "Town") to address (a) the criteria for an amendment of the Town of Bluffton Comprehensive Plan (the "Comprehensive Plan") set forth in Section 3.3.3 of the Town's Unified Development Ordinance (the "UDO"), and (b) criteria for an amendment of a Planned Unit Development ("PUD") set forth in Sections 3.9.3 and 3.9.6.B.1 of the UDO. These Applications seek approval of (1) an amendment of the Comprehensive Plan's Future Land Use Map by changing the Future Land Use designation of a 1.9 acre tract located on Simmonsville Road (the "Property"), and (2) an amendment of the Rose Hill Plantation PUD Comprehensive Land Use Development Plan (the "Rose Hill Master Plan") by changing the permitted uses and densities applicable to the Property.

©2015 Chester C. Williams, LLC

I. NARRATIVE – INTRODUCTION

The Applicant is the owner of the Property, which is located on Simmonsville Road. The Property, which was annexed into the Town on 29 December 2005 as part of the Buck Island/Simmonsville annexation,[1] is included as part of the Rose Hill Master Plan,[2] and is designated in the Beaufort County property tax records as TMS District 610, Map 31, Parcel 250.[3] The Applicant acquired the Property by way of a deed recorded on 22 November 2004.[4]

The Property is currently undeveloped. The Applicant is seeking to amend the Comprehensive Plan Future Land Use Map and to amend the Rose Hill Master Plan to change the currently approved uses and associated density on the Property.

II. NARRATIVE – BACKGROUND

A. THE PROPERTY

The Property is an undeveloped tract located on the east side of Simmonsville Road between Fording Island Road and Bluffton Parkway. The Rose Hill Master Plan currently limits the development of the property to multifamily residential use, at 16 units per acre.

The Property shares a common boundary line with a 4.16 acre tract that is Lot 4 of the Bluffton Park Business District ("Lot 4"), owned by Bluffton Self Storage, LLC, which has a contract with the Applicant to purchase the

---

[1] See the Comprehensive Plan, at Page A-26, Town Limits and Annexation.

[2] See the copy of the zoning verification letter from Shawn M. Leininger, AICP, then Principal Planner for the Town, dated 23 October 2012, attached hereto as Exhibit A.

[3] A reduced scale copy of the plat showing the Property entitled "Boundary Survey of Tract VIII, 1.897 Acres Simmonsville Road" prepared by Surveying Consultants, Terry G. Hatchell, SCRLS 11059, dated 14 June 2013, is attached hereto as Exhibit B.

[4] See the copy of the deed recorded in Beaufort County Record Book 2056 at Page 130 attached hereto as Exhibit C. The Property is part of the 2.023 acre tract described in that deed.

©2015 Chester C. Williams, LLC

Property, contingent upon the approval of these Applications. Lot 4 is in the Schultz Tract Planned Unit Development, and has been approved by the Town for development as a self-storage and mini-warehouse facility.[5]

The purposes of these Applications are to amend the Comprehensive Plan Future Land Use Map and the Rose Hill Master Plan to change the permitted current use and density on the Property to allow self-storage and outdoor storage for vehicles, RV's, and boats, general office uses, medical offices and health services, car wash, research and laboratory, and artisan workshop as permitted uses, at a density of 6,000 square feet per acre. The approval of these Applications will then allow for the development of Lot 4 and the Property as a single self-storage, mini-warehouse, and outdoor storage facility.

B. THE REQUESTS

The Applicant is requesting (i) that the Comprehensive Plan Future Land Use Map be amended to designate the Property as Medium Intensity Commercial, and (ii) that the Rose Hill Master Plan be amended to change the permitted use on the Property to include the proposed new self-storage and outdoor storage uses on the Property, as well as general office, medical offices and health services, car wash, research and laboratory, and artisan workshop uses, and to provide for site-specific buffer and setback requirements for the Property.

III. NARRATIVE – CURRENT AND PROPOSED PERMITTED USE AND DENSITY

A. THE COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Comprehensive Plan contains Future Land Use Maps that "… guide development in Bluffton and southern Beaufort County" and "… will serve as a

[5] See the copy of the Development Permit dated 04 November 2014 attached hereto as Exhibit D.

©2015 Chester C. Williams, LLC

basis for zoning code and map amendments ...."[6] The Property is currently designated as "Medium Density Residential" on Future Land Use Map 8.3. The Applicant proposes to amend the Comprehensive Plan Future Land Use Map to designate the Property as Medium Intensity Commercial.

B. THE ROSE HILL MASTER PLAN

The purpose of the UDO's Planned Unit Development ("PUD") Districts is to achieve the objectives of the Town Comprehensive Plan and to allow more flexibility in development than could otherwise be achieved through strict application of the UDO.[7]

The Rose Hill Master Plan[8] was originally approved by Beaufort County, and over the years prior to the Buck Island/Simmonsville annexation was revised on several occasions by Beaufort County, most recently on 08 June 2005.[9] The most recent map of the Rose Hill PUD is the map entitled "Rose Hill Plantation PUD Comprehensive Land Use Development Plan" dated January, 1988, last revised 15 October 1997, containing a Beaufort County Development Standards Preliminary Approval stamp dated 08 December 1980, as amended on 08 June 2005 (identified above as the "Rose Hill Master

---

[6] See the Comprehensive Plan at Page 8-9 and Maps 8.3 and 8.4. Map 8.3, the Future Land Use Map, found at Page 8-35 of the Comprehensive Plan, is the subject of this Application.

[7] See UDO Section 4.2.13.

[8] The Rose Hill PUD was inadvertently omitted from the list of existing PUDs in UDO Section 4.2.43.B. However, the Town's 28 February 2014 Planned Unit Developments map shows the Property as part of the Rose Hill PUD.

[9] The Rose Hill PUD originally included all of what is now the Rose Hill Plantation residential, equestrian, and golf development straddling US Highway 278, all of what is now the Belfair Plantation residential and golf development, and what is now the Baywood residential development on Simmonsville Road, and what is now the Westbury Park residential and commercial developments, what is now the Plantation Center commercial development, and what is now the Sheridan Commercial Center commercial development. The separation of the Belfair PUD from the Rose Hill PUD was approved by Beaufort County in 1995. With the removal of the Belfair tract from the Rose Hill PUD, there is still almost 2,000 acres in the Rose Hill PUD. In addition to the Property, the Town's 28 February 2014 Planned Unit Developments map shows the Westbury Park commercial areas, Plantation Center, and the Sheridan Commercial Center areas as part of the Rose Hill PUD.

©2015 Chester C. Williams, LLC

Plan").[10] The only associated text for the Rose Hill Master Plan is the "Land Use Plan" chart located in the upper right corner of the Rose Hill Master Plan. That text defines uses, acreage, densities, and dwelling units for various tracts shown on the Rose Hill Master Plan. The Property is part of the lands designated on the Rose Hill Master Plan as MF (16), Multi-Family, with a density of 16 units per acre.[11] There is no other text in the Rose Hill Master Plan further defining the current use for the Property.

C. THE PROPERTY

The Town's UDO Official has determined, consistent with the Rose Hill Master Plan, that the current permitted use on the Property under the Rose Hill Master Plan is MF (16) – Multi-Family, with a density of 16 units per acre.[12]

The Property is generally triangular in shape, bounded on the west by the right-of-way of Simmonsville Road, on the north by a Santee Cooper powerline right-of-way,[13] and on the south by Lot 4, which is part of the Schultz Tract PUD, and the New Hope Village residential development. Lot 4 has been approved by the Town for development of a self-storage and mini-warehouse facility.[14]

The purposes of these Applications are to amend the Comprehensive Plan Future Land Use Map and the Rose Hill Master Plan and its associated text to change the Comprehensive Plan Future Land Use Map designation for the Property, and to change the permitted uses on the Property to allow for self-storage, outdoor storage for vehicles, RV's, and boats, general office, medical offices and health services, car wash, research and laboratory, and

---

[10] See the copy of the Rose Hill Master Plan attached to Mr. Leininger's letter at Exhibit A.

[11] Again, see the copy of the Rose Hill Master Plan attached to Mr. Leininger's letter at Exhibit A.

[12] See the copy of the zoning verification letter from Mr. Leininger attached hereto as Exhibit A.

[13] The Santee Cooper powerline right-of-way is included in the Rose Hill PUD.

[14] See the copy of the Development Permit attached hereto as Exhibit D.

©2015 Chester C. Williams, LLC

artisan workshop, with site-specific buffer and setback requirements for the Property.

IV. NARRATIVE – COMPREHENSIVE PLAN AMENDMENT CRITERIA

UDO Section 3.3.3 sets forth the criteria which the Planning Commission and the Town Council shall consider in assessing this request to amend the Comprehensive Plan Future Land Use Map to designate the Property as Medium Intensity Commercial, as follows:

A. Consistency with the intent of the overall policies in the Comprehensive Plan.

The concept of consistency with, or accordance with, the Comprehensive Plan is necessarily a question of balance. By its very nature, the Comprehensive Plan is an inherently self-contradictory document, with competing policies, needs, and goals within its various elements.

That said, this Application is consistent with the Policies, Needs, Goals, and Implementation Steps of the Comprehensive Plan. This Application will facilitate new development of a currently undeveloped tract of land which, considering its location immediately adjacent to a large right-of-way for high voltage electrical transmission lines, is not well suited for residential development. This Application is also consistent with the existing, fully permitted use on an adjacent tract, Lot 4, and therefore consistent with the intent of the overall policies in the Comprehensive Plan.

The Comprehensive Plan's **Land Use Element** seeks planning for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proper placement of residential uses,[15] and states that future land use decisions and requests for zoning changes and map amendments will be determined

[15] See the Comprehensive Plan, at Page 8-1.

©2015 Chester C. Williams, LLC

using the background information contained in the Comprehensive Plan as well as the Future Land Use Map.[16]

The proposed uses for the Property, facilities for self-service storage and outdoor storage for vehicles, RV's, and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop are described in the UDO as commercial and industrial uses.[17] In the language of the Comprehensive Plan, these uses are Medium Intensity Commercial.[18] The Comprehensive Plan proposes these uses for, among other areas, "… the area … north of the Bluffton Parkway and the south end of the BIS [the Buck Island/Simmonsville] area[19] or "… on the north end of the BIS annexation."[20] The described locations are precisely where the Property is located and, as highlighted above, the Property is contiguous with Lot 4, already permitted for development for such uses.

While the Future Land Use Map currently identifies the future use of the Property as "Medium Density Residential",[21] the Comprehensive Plan recognizes that "… more detailed neighborhood plans should be prepared for the BIS and Goethe Road areas."[22] In this instance, amendment of the Comprehensive Plan Future Land Use Map to designate the Property as Medium Intensity Commercial is likely consistent with a more detailed neighborhood plan for the BIS area.

The **Natural Resources** portion of the Comprehensive Plan directs the Town to "… inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton's natural

---

[16] See the Comprehensive Plan, at Page 8-1.

[17] See the UDO Sections 9.4.3.F at Page 9-22 and 9.4.9.G, at Page 9-26.

[18] See the Comprehensive Plan, at Page 8-14.

[19] See the Comprehensive Plan, at Page 8-14, Medium Intensity Commercial.

[20] See the Comprehensive Plan, at Page 8-14, High Intensity Commercial.

[21] See the UDO User Guide, at Page 2.

[22] See the Comprehensive Plan, at Page 8-17, Neighborhood Planning.

©2015 Chester C. Williams, LLC

heritage."[23] The Applicant's proposed amendment of the Comprehensive Plan Future Land Use Map will not have a negative impact on the Town's Natural Resources since the Property does not, to the Applicant's knowledge, have any flood plain, wetlands, ground water, geology, threatened or endangered species, prime forest lands, habitat conservation, scenic resource viewsheds, or air quality issues.[24] The development permitting process mandated by the UDO will fully address any natural resource issues that may arise. The UDO's development permitting requirements provide natural resources protections, such as tree protections, open space and pervious coverage requirements, and storm water management, as part of the permitting process.

This Application is clearly consistent with the overall intent of the policies within the Comprehensive Plan. Moreover, the Comprehensive Plan actively supports this Application in several specific areas:

The **Community Facilities Element** vision of the Comprehensive Plan directs the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.[25] The approval of this Application will not have a negative impact on the Town's community facilities. The basic infrastructure required for development of the Property, including potable water and sanitary sewer service, storm water drainage, electric, telephone, and cable utilities services, and roadways, is readily available for the Property.

The Comprehensive Plan's **Economic Development** looks to create a vital, diverse, and sustainable local economy that enhances Bluffton's

---

[23] See the Comprehensive Plan, at Page 4-1.

[24] The Applicant is confident of this assertion after an extensive review of the Property, the preparation of a Tree and Topographical Survey of the Property dated 13 June 2013, and the presence, directly adjacent to, and north of, the Property, of the Santee Cooper right-of-way and the high voltage power lines which are currently located next to the Property. The chance that this Application and proposed development of the Property will raise environmental or natural resource issues, in these circumstances, is remote.

[25] See the Comprehensive Plan, at Page 7-1.

©2015 Chester C. Williams, LLC

community resources: human, natural, and economic.[26] This Application supports the economic development of Bluffton by providing additional facilities for self-service storage and outdoor storage for vehicles, RV's, and boats. Such facilities, in turn, support local businesses, as well as individuals, by providing economically attractive storage facilities.

The Applicant submits that the Applications and the proposed development of the Property are consistent with, and promote, the land use goals, environmental objectives, and overall intent of the policies within the Comprehensive Plan.

B. Consistency with demographic changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton's goals.

The Property was incorporated into the Town as part of the Buck Island/Simmonsville annexation in 2005. In addition to the Property, the adjacent Santee Cooper powerline right-of-way, as well as the US Highway 278 commercial developments from Publix and Bank of America on the west to Sheridan Commercial Center on the east, all of which were part of the Rose Hill Master Plan area, were included in that annexation. While the US Highway 278 commercial developments are properly designated on the Future Land Use Map as High Intensity Commercial, it seems evident that the designation of the Santee Cooper powerline right-of-way for residential use has never been appropriate. The same is true for the Property, especially considering its size, shape, and proximity to the Santee Cooper powerlines. Accordingly, considering the prevailing economic trends and the advancement of the Town's goals, the Applicant believes the current designation of the Property (and, for that matter, the Santee Cooper powerline right-of-way) for Medium Density Residential use[27] should properly be changed to Medium Intensity Commercial use.

---

[26] See the Comprehensive Plan, at Page 6-1.

[27] See the Comprehensive Plan Future Land Use Map 8.3.

©2015 Chester C. Williams, LLC

The growth of the Town, and its economic development, have increased the demand for self-storage and outdoor storage facilities, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop uses for both commercial and personal use. It is consistent with best planning practices to make appropriate amendments to the Comprehensive Plan Future Land Use Map to support rezoning applications where such an amendment will address an existing anomaly in zoning, and advance the goals of the Town of Bluffton.

C. If applicable, the ability of public infrastructure and services to sufficiently accommodate the requested amendment to the Comprehensive Plan.

The Property is located on Simmonsville Road, and has direct access to electrical, water, sanitary sewer, and roads. The Buck Island/Simmonsville area is currently served by police and fire services. The public infrastructure in the Buck Island/Simmonsville area is sufficient to support the proposed amendment to the Comprehensive Plan Future Land Use Map.

Under the current zoning regulations applicable to the Property, up to 30 residential units can be developed on the Property. 30 multifamily residential units can be expected to generate about 200 average vehicle trips per day, which would all enter and exit the Property from and to Simmonsville Road.[28] Multifamily residential development of the Property would also likely requires additional police and fire protection services from the Town than would the development of the Property for commercial use.

D. Appropriate and efficient use of public funds, the future growth, development and redevelopment of its area of

[28] See *Trip Generation*, 8th Edition, at Page 327.

©2015 Chester C. Williams, LLC

jurisdiction, and consideration of the fiscal impact on property owners.

The proposed amendment to the Comprehensive Plan Future Land Use Map will not create a situation where any expenditure of public funds will be required for, or as a result of, the future development of the Property for Medium Intensity Commercial uses. The Property, assuming approval of these Applications, will be privately developed. Considering the location of the Property, this proposed amendment to the Comprehensive Plan Future Land Use Map will support appropriate growth in the Buck Island/Simmonsville area by providing self-storage and outdoor storage services and facilities, as well as the other requested uses. Given the size and shape of the Property and its proximity to the Santee Cooper high voltage power transmission lines, it would be difficult to develop the Property for residential use; and with the implantation of site-specific buffers and setbacks on the Property provided for below, the development of the Property for commercial uses will likely have no adverse fiscal impact on adjoining property owners.[29] The fiscal impact on the Applicant is positive.

E. Enhancement of the health, safety, and welfare of the Town of Bluffton.

The proposed amendment to the Comprehensive Plan Future Land Use Map will have no negative effect on the health, safety, or welfare of the Town of Bluffton. If these Applications are approved and the Property is developed as contemplated, the general welfare of the Town will be enhanced by the availability of additional, and attractive, self-storage and outdoor storage facilities, or general office, medical offices

[29] The New Hope Village development to the south of the Property also abuts Lot 4, which is already approved for development of self-storage and mini-warehouse uses. There is also a small tract abutting the Property on Simmonsville Road, which according to the Beaufort County Assessor's Office records, is the site of a church and cemetery, which will probably not be negatively affected by the development of the Property for commercial use, especially considering the buffers and setbacks which will be required on the Property.

©2015 Chester C. Williams, LLC

and health services, car wash, research and laboratory, and artisan workshop facilities.

F. Consistency with applicable South Carolina Planning law and consideration of case law.

The Comprehensive Plan has been adopted in accordance with applicable South Carolina planning law.[30] Likewise, the procedure for amending the Comprehensive Plan Future Land Use Map contained in the UDO is consistent with South Carolina planning law. The Applicant is unaware of any relevant case law which would prohibit or limit the approval of these Applications.

G. Impact of the proposed amendment on the provision of public services.

The proposed amendment of the Comprehensive Plan Future Land Use Map will likely have little or no adverse impact on the provision of public services in the Town. Arguably, the development of the Property for up to 30 multifamily residential units, as currently permitted under the Rose Hill Master Plan, would place a greater burden for services, such as police and fire protection, and a greater burden on public infrastructure, such as new vehicle trip on the roadway system, and a corresponding outlay of public funds, than the development of the property for commercial use.

H. The application must comply with applicable requirements in the Applications Manual.

To the Applicant's knowledge, this Application complies in all respects with the applicable requirements of the Applications Manual.

[30] The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws of South Carolina (1976), as amended.

©2015 Chester C. Williams, LLC

V. NARRATIVE – REZONING CRITERIA

UDO Sections 3.9.3 and 3.9.6.B.1 set forth the criteria which the Planning Commission and the Town Council shall consider in assessing this request to amend the Rose Hill Master Plan, as follows:

A. Promotion of and consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.

The concept of consistency with, or accordance with, the Comprehensive Plan is necessarily a question of balance. By its very nature, the Comprehensive Plan is an inherently self-contradictory document, with competing policies, needs, and goals within its various elements.

That said, this Application is consistent with the Policies, Needs, Goals, and Implementation Steps of the Comprehensive Plan. This Application will facilitate new development of a currently undeveloped tract of land, consistent with the existing, fully permitted uses on an adjacent tract, and not in conflict with the Comprehensive Plan.

The Comprehensive Plan's **Land Use Element** seeks planning for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proper placement of residential uses,[31] and states that future land use decisions and requests for zoning changes and map amendments will be determined using the background information contained in the Comprehensive Plan as well as the Future Land Use Map.[32]

The proposed uses for the Property, facilities for self-service storage and outdoor storage for vehicles, RV's, and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop uses are described in the UDO as commercial and

[31] See the Comprehensive Plan, at Page 8-1.

[32] See the Comprehensive Plan, at Page 8-1.

©2015 Chester C. Williams, LLC

industrial uses.[33] In the language of the Comprehensive Plan, these uses are Medium Intensity Commercial uses.[34] The Comprehensive Plan proposes these uses for, among other areas, "… the area … north of the Bluffton Parkway and the south end of the BIS [the Buck Island/Simmonsville] area[35] or "… on the north end of the BIS annexation."[36] The described locations are precisely where the Property is located and, as highlighted above, the Property is contiguous with Lot 4, already permitted for development for such uses.

The **Natural Resources** portion of the Comprehensive Plan directs the Town to "… inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton's natural heritage."[37] The Applicant's proposed amendment of the Rose Hill Master Plan will not have a negative impact on the Town's Natural Resources since the Property does not, to the Applicant's knowledge, have any flood plain, wetlands, ground water, geology, threatened or endangered species, prime forest lands, habitat conservation, scenic resource viewsheds, or air quality issues.[38] The development permitting process mandated by the UDO will fully address any natural resource issues that may arise. The UDO's development permitting requirements provide natural resources protections, such as tree protections, open space and pervious coverage requirements, and storm water management, as part of the permitting process.

---

[33] See the UDO Sections 9.4.3.F at Page 9-22 and 9.4.9.G, at Page 9-26.

[34] See the Comprehensive Plan, at Page 8-14.

[35] See the Comprehensive Plan, at Page 8-14, Medium Intensity Commercial.

[36] See the Comprehensive Plan, at Page 8-14, High Intensity Commercial.

[37] See the Comprehensive Plan, at Page 4-1.

[38] The Applicant is confident of this assertion after an extensive review of the Property, the preparation of a Tree and Topographical Survey of the Property dated 13 June 2013, attached hereto as Exhibit F, and the presence, directly adjacent to, and north of, the Property, of an easement for high voltage power lines which are currently located on that easement. The chance that this Application and proposed development of the Property will raise environmental or natural resource issues, in these circumstances, is extremely remote.

©2015 Chester C. Williams, LLC

This Application is clearly consistent with the overall intent of the policies within the Comprehensive Plan. Moreover, the Comprehensive Plan actively supports this Application in several specific areas:

The **Community Facilities Element** vision of the Comprehensive Plan directs the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.[39] The approval of this Application will not have a negative impact on the Town's community facilities. The basic infrastructure required for development of the Property, including potable water and sanitary sewer service, storm water drainage, electric, telephone, and cable utilities services, and roadways, is readily available for the Property.

The Comprehensive Plan's **Economic Development** looks to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural, and economic.[40] This Application supports the economic development of Bluffton by providing additional facilities for self-service storage and outdoor storage for vehicles, RV's, and boats. Such facilities, in turn, support local businesses, as well as individuals, by providing economically attractive storage facilities.

The Applicant submits that the Application and the proposed development of the Property promotes and is consistent with the land use goals, environmental objectives, and overall intent of the policies within the Comprehensive Plan.

---

[39] See the Comprehensive Plan, at Page 7-1.

[40] See the Comprehensive Plan, at Page 6-1.

©2015 Chester C. Williams, LLC

B. Consistency with the provisions of the Planned Unit Development Zoning District as prescribed in the Ordinance.

UDO Section 4.2.13 provides that the purpose of the PUD Districts is to achieve the objectives of the Town Comprehensive Plan and to allow more flexibility in development than could otherwise be achieved through strict application of the UDO.[41]

The Property was annexed into the Town on 29 December 2005 as part of the Buck Island/Simmonsville annexation. In addition to the Property, the adjacent Santee Cooper powerline right-of-way, as well as the US Highway 278 commercial developments from Publix and Bank of America on the west to Sheridan Commercial Center on the east, all of which were part of the Rose Hill Master Plan area, were included in that annexation. The rest of the Rose Hill Master Plan properties are still located in Beaufort County.

The Property and the Santee Cooper powerline right-of-way are the only portions of the Rose Hill Master Plan area properties currently designated for residential use.[42] Currently, the Rose Hill Master Plan does not include any site-specific development performance standards for residential use. Therefore, the development of the Property for up to 30 multifamily residential units could possibly result in a less than desirable site plan for a parcel with substantial visibility on Simmonsville Road, likely with adverse effects on the Comprehensive Plan's objective.

If this Application is approved, the Applicant asks that site-specific buffers and setbacks, as well as other development restrictions, for the Property be incorporated into the Rose Hill

---

[41] See UDO Section 4.2.13.

[42] This disparity in permitted uses on the properties within the Town that are part of the Rose Hill Master Plan area is curious, given the care exercised by the Town in undertaking the Buck Island/Simmonsville annexation.

©2015 Chester C. Williams, LLC

Master Plan and be made applicable to the Property. Specifically, in order to further the objectives of the Comprehensive Plan and the purposes of the PUD District, the Applicant proposes that any commercial development of the Property be subject to (a) an adjacent street buffer and setback of 50' from the right-of-way of Simmonsville Road at the generally western boundary of the Property, (b) an adjacent use buffer and setback of 25' along the generally southern boundary of the Property, except for the portion that is the common boundary with the Schultz Tract PUD, where no buffer or setback will be required, and (c) an adjacent use buffer and setback of 25' along the generally northern boundary of the Property for a distance of 160' feet from the right-of-way of Simmonsville Road, and of 10' along the remainder of the generally northern boundary of the Property. In addition, no commercial structures shall be allowed on the Property adjacent to any buffer that is 10' in width, any site plan for the development of the Property, including, without limitation, proposed landscaping materials for all buffer areas, shall be reviewed and approved by the Town's Development Review Committee, and any commercial development on the Property shall be limited to a maximum density of 8,000 square feet per acre.[43]

The Applicant submits that the approval of this Application, with the requested site-specific buffers and setbacks and other development restrictions will be consistent with the provisions of the PUD District as provided for in the UDO.

[43] A Master Plan for the development of the Property, showing the proposed site-specific buffers and setback and other development parameters has been delivered to the Town along with this Application.

©2015 Chester C. Williams, LLC

C. As applicable, consistency with the provisions of the associated Development Agreement and/or PUD Concept Plan.

There is no Development Agreement applicable to the Property, and there is no applicable PUD Concept Plan for the Rose Hill PUD.

D. Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.

The Property is bordered on the north by the Santee Cooper right-of-way with high voltage powerlines, on the west by the right-of-way of Simmonsville Road, and on the south by a church also fronting on Simmonsville Road, by a portion of New Hope Village,[44] and by Lot 4.

Considering the mixed use nature of the Buck Island/Simmonsville area where the Property is located, the high voltage power lines to the north, and the directly adjacent, permitted self-storage and mini-warehouse use on Lot 4, the Applicant submits that the proposed land uses on the Property are compatible with the adjacent land uses and environmental features, and the character of the surrounding area. As noted above, the New Hope Village residential development abuts Lot 4, and therefore this Application is not seeking approval of any use that is not already fully permitted in the area.

E. Ability to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services.

The Property is located on Simmonsville Road, a public road, and has direct access to electrical, water, sanitary sewer, and roads. The

[44] Town maps show New Hope Village as part of the Town, yet the Comprehensive Plan, at Page A-20 describes New Hope Village as "… just outside the Town limits."

©2015 Chester C. Williams, LLC

Buck Island/Simmonsville area is currently served by police and fire services, and, unlike the currently permitted residential use of the Property, the new uses proposed for the Property do not require school services.

F. 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.

The Applicant submits that requested site-specific buffers and setbacks, building location and density restrictions that will be applicable to the Property if this Application is approved clearly demonstrate compliance with this criterion, as those development restrictions are greater than the development standards generally required by the UDO in other zoning districts. These site development restrictions on the Property will be an integral part of the development permit process with the Town after these Applications are approved.

G. Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.

The Property is a 1.9 acre tract which is proposed to be developed in conjunction with the adjacent Lot 4 as a combined self-service storage, mini-warehouse and outdoor storage facility. The Applicant submits that the combined 6.06 acres of the Property and Lot 4 (1.9 acres plus 4.16 acres) is clearly sufficient to accommodate the density and land use intensity of the proposed development, including appropriate setbacks, buffers, open space, and pervious areas.

©2015 Chester C. Williams, LLC

H. Conformance with adopted or accepted plans, policies and practices of the Town of Bluffton.

With one exception, to the Applicant's knowledge, these Applications conform to the Comprehensive Plan, the provisions of the UDO, other accepted plans, policies, and practices of the Town. The only current non-conformity is with the current designation for the Property on the Comprehensive Plan Future Land Use Map, discussed above. The Comprehensive Plan Future Land Use Map is subject to modification by additional planning for the Buck Island/Simmonsville area,[45] and its amendment is the subject of the first of these Applications.

VI. NARRATIVE – CONCLUSION

The Applicant believes the foregoing narrative demonstrates that these Applications are in conformance with the UDO and the Comprehensive Plan, and meet the criteria set forth in UDO Sections 3.3.3 for amendment of the Comprehensive Plan, and UDO Sections 3.9.6.B.1 and 3.9.3 for amendment of the Rose Hill PUD. Accordingly, the Applicant respectfully requests that the Planning Commission:

(a) consider these Applications and the testimony and supporting documentation that will be entered into the record;

(b) find with respect to the proposed amendment of the Comprehensive Plan Future Land Use Map:

1. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map is consistent with the intent of the overall policies in the Comprehensive Plan; and

[45] Note that the Future Land Use Map also identifies the land occupied by the high voltage power lines as Low Density Residential. The Applicant submits that this area of the Buck Island/ Simmonsville area was not the subject of a detailed review for the creation of the Future Land Use Map, which is recognized by the Comprehensive Plan calling for additional planning for this area.

©2015 Chester C. Williams, LLC

2. That this Application and the supporting testimony and documentation establish that the approval of the requested amendment of the Comprehensive Plan Future Land Use Map is consistent with demographic changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton's goals; and

3. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map is consistent with the ability of public infrastructure and services to sufficiently accommodate the requested amendment to the Comprehensive Plan Future Land Use Map; and

4. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map will not require the use of public funds, is consistent with the future growth, development and redevelopment of the area of jurisdiction, and an appropriate consideration of the fiscal impact on property owners; and

5. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map is an enhancement of the health, safety, and welfare of the Town of Bluffton; and

6. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map is consistent with applicable South Carolina planning law and case law; and

7. That this Application and the supporting testimony and documentation establish that the requested amendment of the Comprehensive Plan Future Land Use Map will not negatively impact the provision of public services; and

©2015 Chester C. Williams, LLC

8. That this Application complies in all respects with applicable requirements in the Applications Manual; and

(c) find with respect to the proposed amendment of the Rose Hill Master Plan:

1. That this Application and the supporting testimony and documentation establish that the requested amendment of the Rose Hill Master Plan promotes and is consistent with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan; and

2. That this Application and the supporting testimony and documentation establish that the approval of the requested amendment of the Rose Hill Master Plan is consistent with the intent of the Planned Unit Development Zoning District as prescribed in the UDO, as applicable; and

3. That this Application and the supporting testimony and documentation establish that the requested amendment of the Rose Hill Master Plan and its proposed land uses are compatible with the densities, traffic circulation and design of adjacent land uses and environmental features as well as the character of the surrounding area; and

4. That this Application and the supporting testimony and documentation establish that the requested amendment of the Rose Hill Master Plan is can be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, and fire services; and

5. That this Application and the supporting testimony and documentation establish that the requested amendment of the Rose Hill Master Plan demonstrates 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; and

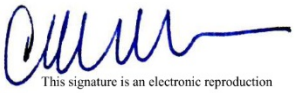
©2015 Chester C. Williams, LLC

6. That this Application and the supporting testimony and documentation establish that the approval of the requested amendment of the Rose Hill Master Plan demonstrates the ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development; and

7. That this Application and the supporting testimony and documentation establish that the approval of the requested amendment of the Rose Hill Master Plan conforms with adopted or accepted plans, policies, and practices of the Town of Bluffton; and

(d) recommend to the Town Council that they approve the requested amendments of the Comprehensive Plan Future Land Use Map and the Rose Hill Master Plan and its associated text as proposed by these Applications to change the current use and density on the Property to allow self-storage and outdoor storage for vehicles, RV's, and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop uses as permitted uses on the Property, and to require site-specific buffers and setbacks on the Property.

Respectfully submitted on behalf of the Applicant this 23th day of October, 2015.



Chester C. Williams, Esquire
Law Office of Chester C. Williams, LLC
17 Executive Park Road, Suite 2
PO Box 6028
Hilton Head Island, SC 29938-6028
843-842-5411
843-842-5412 (fax)
Firm@CCWLaw.net

©2015 Chester C. Williams, LLC

ATTACHMENT 2
Exhibit A

Lisa Sulka
Mayor
Oliver Brown
Mayor Pro Tempore
Anthony Barrett
Town Manager

Council Members
Michael Raymond
Ted Huffman
Karen Lavery
Sandra Lunceford
Town Clerk

October 23, 2012

Chet Williams
17 Executive Park Road, Suite 2
Post Office Box 6028
Hilton Head Island, SC 29938-6028

RE: Zoning Verification –Tract VIII Belfair Plantation Simmonsville Road

Dear Mr. Williams:

The property located along Simmonsville Road and known as Tract VIII in the Belfair Plantation (PIN R610 031 000 0250 0000) is in the Town of Bluffton and is zoned Rose Hill Planned Unit Development (PUD) District. More specifically, this Rose Hill PUD designates this property as MF-16 on the Rose Hill Comprehensive Land Use Development Plan last revised on October 15, 1997. The MF-16 designation allows for a multi-family residential land use at up to 16 dwelling units per acre. For your convenience I have enclosed a copy of the referenced Rose Hill Comprehensive Land Use Development Plan.

If you have any questions or I can be of further assistance, please contact me at (843) 706-4529 or via email at sleininger@townofbluffton.com.

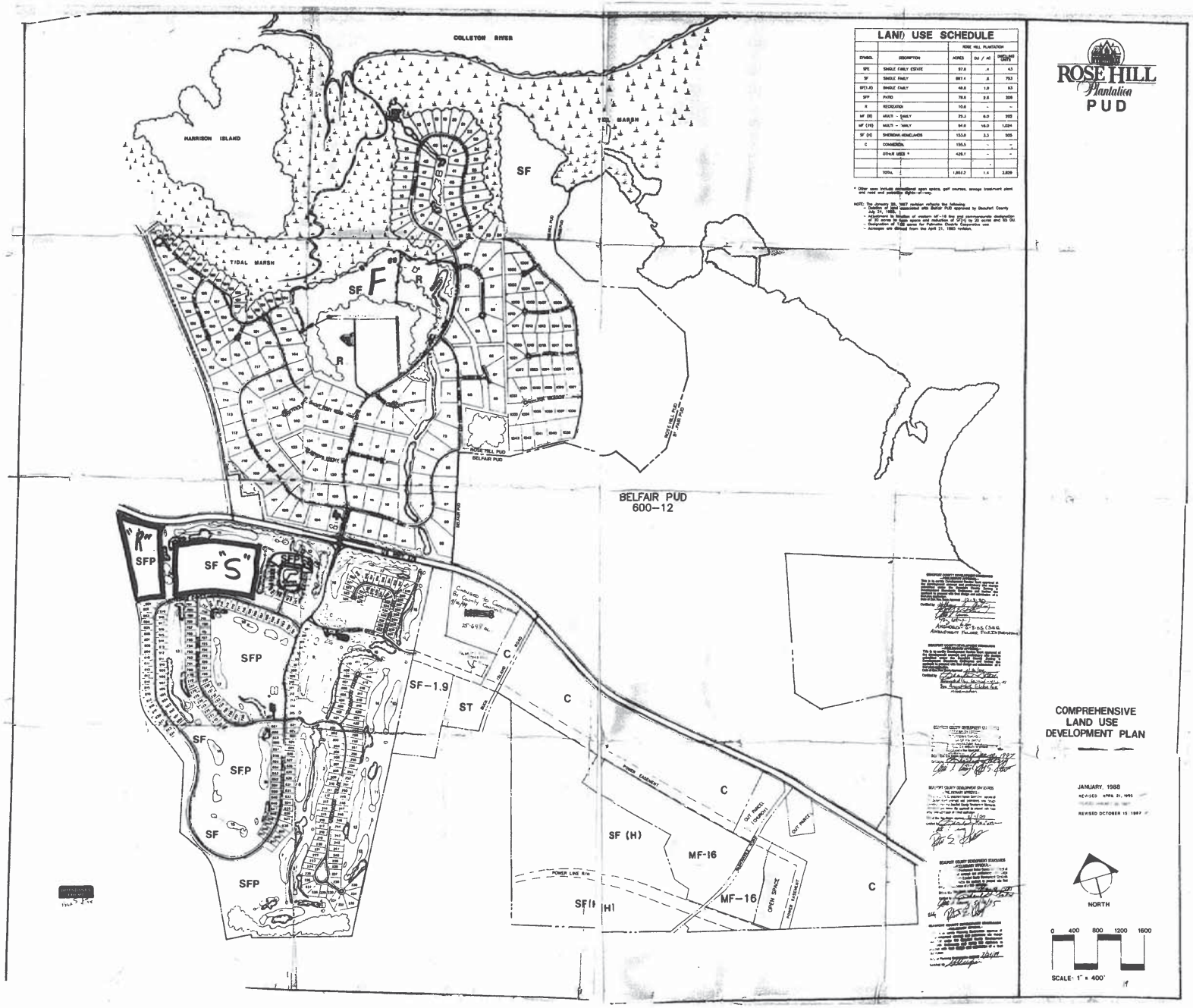
Sincerely,

Shawn M. Leininger, AICP
Principal Planner

enclosure

Theodore D. Washington Municipal Building
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
Telephone (843) 706-4500 Fax (843) 757-6720
www.townofbluffton.sc.gov

ATTACHMENT 2



LAND USE SCHEDULE

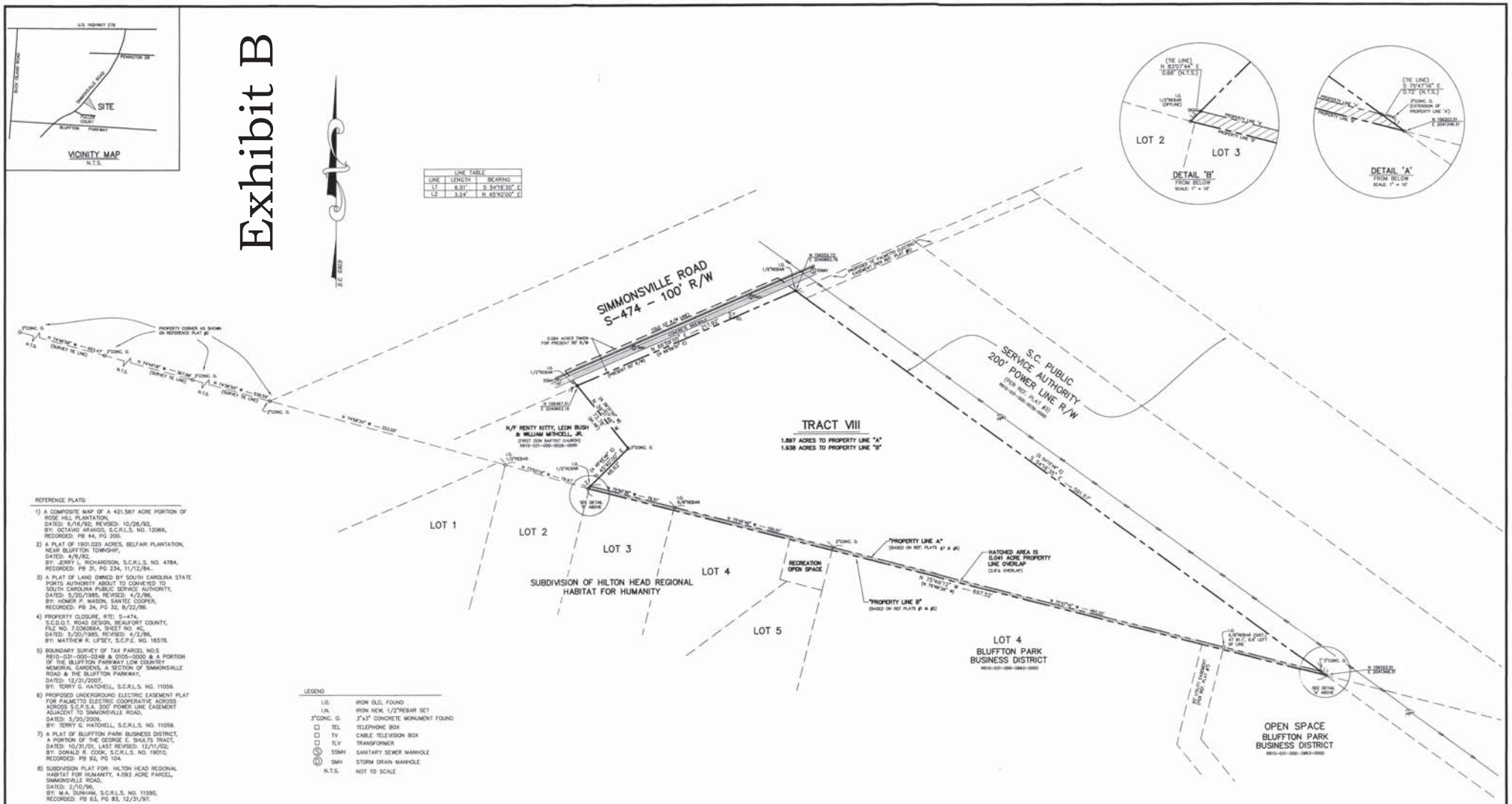
SYMBOL	DESCRIPTION	ROSE HILL PLANTATION ACRES	DU / AC	DWELLING UNITS
SFE	SINGLE FAMILY ESTATE	97.2	.4	43
SF	SINGLE FAMILY	897.4	.8	753
SF(1.9)	SINGLE FAMILY	48.8	1.9	93
SFP	PATIO	78.6	3.8	300
R	RECREATION	10.6	-	-
MF (M)	MULTI - FAMILY	29.3	6.0	200
MF (H)	MULTI - FAMILY	94.8	16.0	1,224
SF (H)	SHERGRIM HOMELANDS	153.8	3.3	505
C	COMMERCIAL	155.5	-	-
	OTHER USES *	428.1	-	-
			-	-
			-	-
	TOTAL	1,951.2	1.4	2,829

* Other uses include recreational open space, golf courses, sewage treatment plant and road and potability right-of-way.

NOTE: The January 28, 1997 revision reflects the following:
- Deletion of 22.64 acres located into Belfair PUD approved by Beaufort County Council, 1996.
- Adjustment to location of western MF-16 line and corresponding designation of 50 acres to open space and reduction of DU(s) to 20 acres and 93 DU.
- Designation of 1.00 acres for Palmetto Electric Cooperative use.
- Acreages are derived from the April 21, 1995 revision.

ATTACHMENT 2

Exhibit B



LINE TABLE		
LINE	LENGTH	BEARING
L1	8.61'	S 54°16'30" E
L2	3.24'	N 45°42'00" E

REFERENCE PLATS:

1) A COMPOSITE MAP OF A 421.587 ACRE PORTION OF ROSE HILL PLANTATION, DATED: 6/16/92, REVISED: 10/26/92, BY: OCTAVIO ARANGO, S.C.R.L.S. NO. 12066, RECORDED: PB 44, PG 200.
2) A PLAT OF 1901.020 ACRES, BELFAIR PLANTATION, NEAR BLUFFTON TOWNSHIP, DATED: 4/8/82, BY: JERRY L. RICHARDSON, S.C.R.L.S. NO. 4784, RECORDED: PB 31, PG 234, 11/12/84.
3) A PLAT OF LAND OWNED BY SOUTH CAROLINA STATE PORTS AUTHORITY ABOUT TO CONVEYED TO SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, DATED: 5/20/1985, REVISED: 4/2/86, BY: HOMER P. MASON, SANTEE COOPER, RECORDED: PB 34, PG 32, 8/22/86.
4) PROPERTY CLOSURE, RTE: S-47A, S.C.D.O.T. ROAD DESIGN, BEAUFORT COUNTY, FILE NO. 7.036066A, SHEET NO. 4C, DATED: 5/20/1985, REVISED: 4/2/86, BY: MATTHEW R. LIFSEY, S.C.P.E. NO. 16576.
5) BOUNDARY SURVEY OF TAX PARCEL NO.S R610-031-000-0248 & 0105-0000 & A PORTION OF THE BLUFFTON PARKWAY LOW COUNTRY MEMORIAL GARDENS, A SECTION OF SIMMONSVILLE ROAD & THE BLUFFTON PARKWAY, DATED: 12/31/2007, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059.
6) PROPOSED UNDERGROUND ELECTRIC EASEMENT PLAT FOR PALMETTO ELECTRIC COOPERATIVE ACROSS ACROSS S.C.P.S.A. 200' POWER LINE EASEMENT ADJACENT TO SIMMONSVILLE ROAD, DATED: 5/20/2009, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059.
7) A PLAT OF BLUFFTON PARK BUSINESS DISTRICT, A PORTION OF THE GEORGE E. SHULTS TRACT, DATED: 10/31/01, LAST REVISED: 12/11/02, BY: DONALD R. COOK, S.C.R.L.S. NO. 19010, RECORDED: PB 92, PG 104.
8) SUBDIVISION PLAT FOR: HILTON HEAD REGIONAL HABITAT FOR HUMANITY, 4.093 ACRE PARCEL, SIMMONSVILLE ROAD, DATED: 2/10/96, BY: M.A. DUNHAM, S.C.R.L.S. NO. 11590, RECORDED: PB 63, PG 83, 12/31/97.

LEGEND

I.O.	IRON OLD, FOUND
I.N.	IRON NEW, 1/2"REBAR SET
3"CONC. O.	3"x3" CONCRETE MONUMENT FOUND
TEL	TELEPHONE BOX
TV	CABLE TELEVISION BOX
TLV	TRANSFORMER
SSMH	SANITARY SEWER MANHOLE
SMH	STORM DRAIN MANHOLE
N.T.S.	NOT TO SCALE

NOTES

1) I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO OBVIOUS, APPARENT OR VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
2) AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE C, NOT A SPECIAL FLOOD HAZARD ARE AS DETERMINED BY H.U.D. PANEL 85-C, COMMUNITY No. 450025, MAP DATED 9/29/86, BASE ELEVATION N/A. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
3) BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN OR NOT SHOWN ON THIS SURVEY, ARE EXPLAINED IN THE COVENANTS, EASEMENTS & SETBACKS SHOWN SHOULD BE VERIFIED THRU THE APPROPRIATE ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY.
4) UNDERGROUND UTILITES NOT LOCATED EXCEPT AS SHOWN.
5) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
6) BEARINGS SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES ESTABLISH FROM OPS-OPUS STATIC OBSERVATION. BEARINGS SHOWN IN PARENTHESIS ARE FROM REFERENCE PLATS 1 & 2.

PREPARED FOR: LAND ASSET HOLDINGS, INC.
ADDRESS: SIMMONSVILLE ROAD
TAX PARCEL I.D. NO. R610-031-000-0250-0000

SOUTH CAROLINA SURVEYING CONSULTANTS, INC. No.C000635 CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA REGISTERED LAND SURVEYOR 11059 TERRY G. HATCHELL

GRAPHIC SCALE 0 40 80 120

BOUNDARY SURVEY OF

TRACT VIII, 1.897 ACRES

SIMMONSVILLE ROAD

TOWN OF BLUFFTON, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 40' DATE: 6/14/2013 JOB NO: SC130063

SURVEYING CONSULTANTS
17 Sherington Drive, Suite C, Bluffton, SC 29910
SC Telephone: (843) 815-3304 FAX (843) 815-3305
GA Telephone: (912) 826-2775

2056 P 130

Exhibit C

①

BEAUFORT COUNTY, SC - ROD
BK 02056 PGS 0130-0133
FILE NUM 2004084109
11/22/2004 12:08:07 PM
REC'D BY V GARVIN RCPT# 289802
RECORDING FEES 10.00
County Tax 11.00
State Tax 26.00

RECORDED
2005 Jan -18 10:52 AM
Sharon G. Burris
BEAUFORT COUNTY AUDITOR

Record and Return to:
Novit, Scarminach & Akins, P.A.
Post Office Drawer 14
Hilton Head Island, SC 29938
EBM/File # 13708-3

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF BEAUFORT)

KNOW ALL MEN BY THESE PRESENTS:

THAT ROSE HILL PLANTATION DEVELOPMENT COMPANY LIMITED PARTNERSHIP (the "Grantor"), in the state aforesaid, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable consideration to it in hand paid at and before the sealing of these presents by LAND ASSET HOLDINGS, LLC, a South Carolina limited liability company (the "Grantee"), having a mailing address of P.O. Box 5032 HILTON HEAD IS., SC. in the state aforesaid, the receipt of which is acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee, its successors and assigns, forever, in fee simple, the following described property, to-wit:

ALL those certain pieces, parcels or tracts of land situate, lying and being in Bluffton Township, Beaufort County, South Carolina, containing 421.587 acres, more or less, shown and described as "260.774AC.", "11.378AC.", "41.247AC.", "2.023 AC.", "3.721AC." and "102.444 AC." on that certain plat entitled "A Composite Map of a 421.587 Acre Portion of Rose Hill Plantation: prepared by Thomas & Hutton Engineering Co., Octavio Arango, SCRLS12066, dated September 16, 1992 and recorded in the Register of Deeds Office for Beaufort County, South Carolina, in Plat Book 44 at Page 200.

SAVING AND EXCEPTING THEREFROM, that certain 3.869 acre tract known as Phase I of Sheridan Homelands, as shown and described on that certain plat recorded in Plat Book 32 at Page 227 in said Register of Deeds Office.

FURTHER SAVING AND EXCEPTING THEREFROM, Lots 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24 and 25 of Phase II of Sheridan Homelands, as shown and described on that certain plat recorded in Plat Book 33 at Page 7 in said Register of Deeds Office.

FURTHER SAVINGS AND EXCEPTING THEREFROM, Lots 26, 28, 30, 32, 33, 35, 36, 37, 38, 39, 40 and 41 of Phase III of Sheridan Homelands (a/k/a Baywood Subdivision), as shown and described on that certain plat recorded in Plat Book 37 at Page 36 in said Register of Deeds Office.

ADD DMP Record 1/18/2005 10:48:48 AM
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R600	031	00D	0029	0000	00

ADD DMP Record 1/18/2005 10:48:57 AM
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R600	031	00B	0045	0000	00

CP

FURTHER SAVING AND EXCEPTING THEREFROM, Lots 44, 45, 46, 49, 50, 51, 52, 53 and 55 of Phase IV of Sheridan Homelands (a/k/a Baywood Subdivision) as shown and described on that certain plat recorded in Plat Book 38 at Page 10 in said Register of Deeds Office.

FURTHER SAVING AND EXCEPTING THEREFROM, Lots 2, 9, 11A, 13 and 15, as shown and described on that certain plat entitled "A Plat of Sheridan Commercial Centre, A Section of Belfair Plantation" recorded in Plat Book 34 at Page 52 in said Register of Deeds Office.

FURTHER SAVING AND EXCEPTING THEREFROM, Lot 1 of Sheridan Commercial Centre, as shown and described on that certain plat entitled "A Plat of Sheridan Commercial Centre, being a portion of Belfair Plantation" recorded in Plat Book 35 at Page 174 in said Register of Deeds Office.

FURTHER SAVING AND EXCEPTING THEREFROM, that certain 0.064 acre tract, as shown and described on that certain plat entitled "Plat of a 0.064 Acre Portion of Sheridan Commercial Centre" prepared by Octavio Arango, SCRLS 12066, of Thomas & Hutton Engineering Co. dated December 17, 1990, and as also shown and described as "Well Site Beaufort Jasper Water and Sewer Authority" on said plat of Parcel III.

THOSE certain portions of said property located within Sheridan Homelands (a/k/a Baywood Subdivision) are conveyed subject to applicable convents, restrictions, obligations, limitation and easements recorded in said Register of Deeds Office in Deed Book 430 at Page 1907, in Deed Book 442 at Page 66, in Deed Book 527 at Page 1462, in Deed Book 540 at Page 200 and in Deed Book 560 at Page 593.

THOSE certain portions of said property located within Sheridan Commercial Centre are conveyed subject to applicable covenants, restrictions, obligations, limitations and easements recorded in said Register of Deeds Office in Deed Book 465 at Page 401, in Deed Book 493 at Page 541and in Deed Book 551 at Page 1818.

SAID property is further conveyed subject to those easements and restrictions recorded in said Register of Deeds Office in Deed Book 106 at Page 88, in Deed Book 484 at Page 1277, in Deed Book 541 at Page 1427 and in Deed Book 569 at Page 383.

THIS being a portion of the same property conveyed to Grantor herein by Deed dated March 22, 1994 and recorded April 21, 1994 in Book 698 at Page 2008 in said Register of Deed's Office.

This deed was prepared in the law offices of Novit, Scarminach & Akins, P.A., Post Office Drawer 14, Hilton Head Island, SC 29938, by Elizabeth B. Mayo, Esquire.

TMS: District 600, Map 31, Parcel 104
TMS: District 600, Map 31, Submap B, Parcel 45, 36
TMS: District 600, Map 31, Submap B, Parcel 98-100, 102, 105
TMS: District 600, Map 31, Submap D, Parcel 3-8, 12, 13, 27, 16, 17-26, 29

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the Grantee, its successors and assigns, forever.

AND the Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns, against itself and its successors and assigns and all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS the hand and seal of the Grantor this 31ST day of December, 2003, in the Two Hundred Twenty-Eighth year of the Sovereignty and Independence of the United States of America.

WITNESSES:

Shirley W. Mazo

Monica A. Strong

ROSE HILL PLANTATION DEVELOPMENT COMPANY LIMITED PARTNERSHIP

By: Weston C. Wilhelm

Its: PRESIDENT OF MANAGING GENERAL PARTNER

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGMENT
COUNTY OF BEAUFORT)

I, the undersigned Notary Public, do hereby certify that Weston C. Wilhelm, as Pres. of Managing General Partner of ROSE HILL PLANTATION DEVELOPMENT COMPANY LIMITED PARTNERSHIP personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this the 31st day of December, 2003.

Monica A. Strong
Notary Public for South Carolina
My Commission Expires: 9/23/2013

I:\DOCS\MS\DEED - WELTON DEED.doc

STATE OF SOUTH CAROLINA)
) **AFFIDAVIT OF CONSIDERATION**
COUNTY OF BEAUFORT)

PERSONALLY appeared before me ELIZABETH B. MAYO, who is duly sworn, deposes and says that the following is a true and correct statement concerning the consideration for the conveyance set forth below:

Grantor: **Rose Hill Plantation Development Company Limited Partnership**

Grantee: **Land Asset Holdings, LLC**
Post Office Box 5032, Hilton Head Island, SC 29938

Property: TMS: District 600, Map 31, Parcel 104
TMS: District 600, Map 31, Submap B, Parcel 45, 36
TMS: District 600, Map 31, Submap B, Parcel 98-100, 102, 105
TMS: District 600, Map 31, Submap D, Parcel 3-8, 12, 13, 27, 16, 17-26, 29

DATE OF DEED: December 31, 2003

CONSIDERATION: $10,000.00

EXEMPTION (if applicable): This transfer is exempt from the fee requirement of Town Ordinance 90-26 based on Section 4-5-80, subparagraph _____.

ELIZABETH B. MAYO
Legal Representative of Purchaser

SWORN TO before me this
18th day of March, 2004.

Monica A. Strong
Notary Public For South Carolina
My Commission Expires: 9/23/2013

****

RMC OFFICE AND TOWN USE ONLY

Transfer Fee Collected: $_____

Recording Data:
Date:_____ Deed Book_____ Page _____

ATTACHMENT 2

Exhibit D

Lisa Sulka
Mayor

Ted Huffman
Mayor Pro Tempore

Anthony Barrett
Town Manager

Council Members
Fred Hamilton
Karen Lavery
Larry Toomer

Sandra Lunceford
Town Clerk

TOWN OF BLUFFTON
DEVELOPMENT PERMIT

DATE:	11/4/2014
PERMIT NUMBER:	DEVP-11-14-6267
PROJECT NAME:	Bluffton Self Storage
LOCATION:	4 Oliver Court – Bluffton Park
APPLICANT:	Evans and Bradshaw, LLC
ADDRESS:	P.O. Box 8, Hilton Head Island, SC 29938
PROPERTY PIN(s):	R610 038 000 0049 0000

DESCRIPTION OF DEVELOPMENT ACTIVITY

The development consists of a self storage facility on 4.16 acres on Oliver Court in the Bluffton Park Business Park. The project will be constructed in two phases. Approval is based on site development plans prepared by Carolina Engineering Consultants, Inc., last revised 10/24/2014 and landscape plans prepared by Kenneth F.P. Skodachek,last revised 10/18/2014. (DP-9-14-8353)

This Permit certifies that the above named development, upon satisfaction of the approval conditions, has met and is in accordance with the Town of Bluffton zoning regulations, development standards, conditions of approval, and PUD Ordinances, where applicable.

APPROVED BY: _____ DATE: 11/4/2014
Pat Rooney,
Principal Planner

SEE ATTACHED CONDITIONS OF PERMIT APPROVAL

20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
Telephone (843) 706-4500 Fax (843) 757-6720

TOWN OF BLUFFTON
DEVELOPMENT PERMIT DEVP-6-14-5593

STANDARD CONDITIONS OF APPROVAL

1. All permits expire two (2) years from the date of approval unless substantial development has occurred.
2. Any changes from the approved plans must be approved by the Town of Bluffton Growth Management Department prior to construction.
3. Commercial, Industrial, and Institutional projects may not be occupied until a Final Certificate of Compliance and Certificate of Occupancy have been issued. The developer, nor agents, should request a final certificate of compliance inspection until all site work has been completed.
4. Subdivision approvals are for construction of infrastructure only unless infrastructure bonding has been posed and accepted and Final Approval certified on the final subdivision plat.
5. Subdivision infrastructure bonding is for a period of one (1) year. In order to obtain a release of bond, all infrastructure must be completed within one (1) year and a final Certificate of Compliance inspection requested. A letter from the project engineer must accompany any request for a release of bond(s).
6. Subdivision plats may not be recorded and sale of lots is not permitted until Final Approval is affixed and certified on the final subdivision plat and the plat duly recorded by the Beaufort County Registrar of Deeds.
7. All general and sub-contractors must comply with the Town's Noise Control Ordinance. Construction preparation, construction, and building activity is allowed only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday and 12:00 p.m. and 7:00 p.m. on Sunday and any such work certified by the Town Manger or his designees to be necessary to address an emergency situation.
8. All general and subcontractors must obtain business licenses with the Town of Bluffton before work commences. Copies of said licenses shall accompany this permit.
9. All construction traffic shall avoid SC Hwy. 46 and the Old Town.
10. All points of entry and exit to the project site must contain gravel aprons (or similar feature) to minimize the departure of soil and sediment from the construction site.
11. All erosion control must be installed and authorization to proceed requested and granted prior to further site work and issuance of a Town of Bluffton Building Permit.
12. Stabilize bare areas immediately with gravel and temporary vegetation as construction takes place.
13. The use of Best Management Practices shall be implemented for oil storage and equipment maintenance to minimize oil spills.
14. All tree protection barriers and buffer staking must be installed and inspected by the UDO Administrator or his designee prior to any land disturbance. Applicants shall contact the Town of Bluffton Growth Management Office to request a site

TOWN OF BLUFFTON
DEVELOPMENT PERMIT DEVP-6-14-5593

inspection and authorization to proceed. Protective barriers shall not be removed until final landscaping is installed.

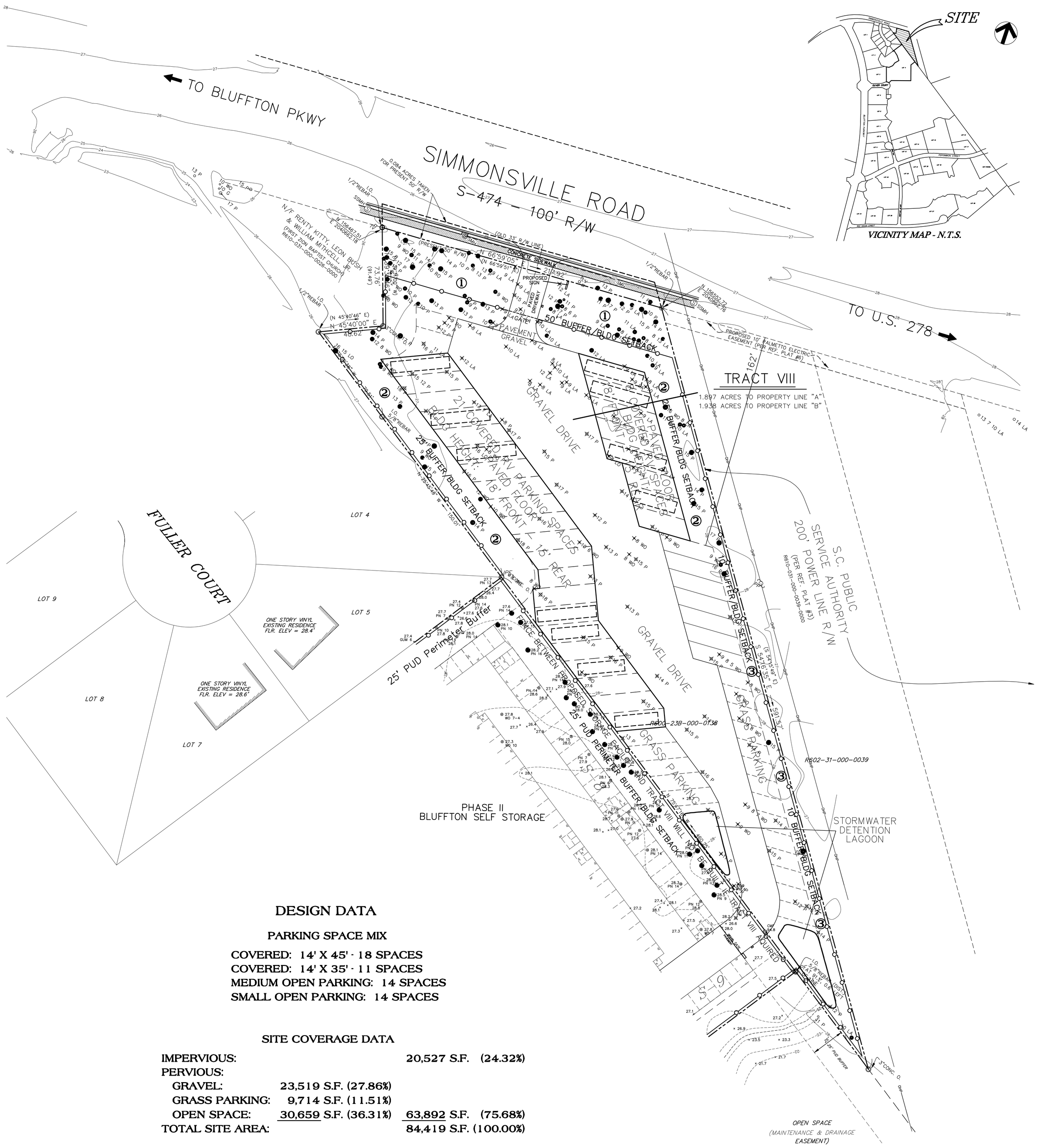
15. All construction litter must be removed from the site daily.
16. Bonding must be done in accordance with the Town of Bluffton Unified Development Ordinance.

AUTHORIZATION TO PROCEED: _____ DATE: _____
Stormwater Department

I _____ understand the terms of this Development Permit and agree to comply with each of the aforementioned conditions.

APPLICANT: Joan W Bradden DATE: 4-22-15

PRELIMINARY MASTER PLAN
TRACT VIII - ROSE HILL P.U.D.
Proposed Boat & RV Storage Facility
BLUFFTON, SOUTH CAROLINA



DESIGN DATA

PARKING SPACE MIX

COVERED: 14' X 45' - 18 SPACES
COVERED: 14' X 35' - 11 SPACES
MEDIUM OPEN PARKING: 14 SPACES
SMALL OPEN PARKING: 14 SPACES

SITE COVERAGE DATA

IMPERVIOUS:		20,527 S.F. (24.32%)
PERVIOUS:		
GRAVEL:	23,519 S.F. (27.86%)	
GRASS PARKING:	9,714 S.F. (11.51%)	
OPEN SPACE:	30,659 S.F. (36.31%)	63,892 S.F. (75.68%)
TOTAL SITE AREA:		84,419 S.F. (100.00%)

PERIMETER BUFFER DATA

① 50' HIGHWAY SETBACK/BUFFER
② 25' BLDG. SETBACK/BUFFER FROM ADJACENT PROPERTY
③ 10' SETBACK/BUFFER FROM ADJACENT PROPERTY

PREPARED FOR

THE BRADSHAW GROUP
HILTON HEAD ISLAND, SOUTH CAROLINA

SCALE IN FEET
6 JUNE 2014
Revised: 22 July 2015
The above drawing is conceptual and is subject to change.

DESIGN TEAM

LAND PLANNING & LANDSCAPE DESIGN: KENNETH F.P. SKODACEK, BLUFFTON, SOUTH CAROLINA
CIVIL ENGINEERS: CAROLINA ENGINEERING CONSULTANTS, INC., BEAUFORT, SOUTH CAROLINA
ARCHITECT: MICHAEL GRIFFITH, HARDEEVILLE, SOUTH CAROLINA
SURVEYING: ATLAS SURVEYING, RIDGELAND, SOUTH CAROLINA