



MEMORANDUM

TO: Planning Commissioners

FROM: Kevin P. Icard, AICP, Planning and Community Development Manager

RE: Village at Verdier / HealthSouth Rehabilitation Hospital of the Lowcountry Zoning Map/Text Amendment (ZONE 09.16.10146) – Planning Commission Workshop (UDO Section 3.2.2.F)

DATE: October 26, 2016

CC: Heather Colin, AICP, Director of Growth Management

INTRODUCTION: On September 23, 2016, Walter Nester, III of McNair Law Firm, P.A. submitted on behalf of their client, HealthSouth Rehabilitation Hospital of the Lowcountry, "HealthSouth" an application (ZONE 09.16.10146) requesting approval of a Zoning Map/Text Amendment to the Amended Village of Verdier PUD to add Health/Human Care as an allowed use (Attachment #1). Specifically, the Applicant requests to add a use category of "Health/Human Care" as an additional Planning Area in section 2.A of the Village at Verdier PUD. The proposed additional Planning Area of "Health/Human Care" is intended to allow those uses authorized in the Mixed-Use Planning Area listed in Section 2.B.6 of the Village at Verdier PUD as well as the use category of "Health/Human Care" which is consistent with Table 4.3 of the UDO.

BACKGROUND: The applicant, HealthSouth, has a contract to purchase approximately 6.8 acres of the 125.32 acres that make up the Village at Verdier (now known as "Seagrass Station"). HealthSouth proposes to construct a 46,000 square foot – 38 bed rehabilitation hospital together with associated water, sewer and stormwater infrastructure and systems. Along with the amendment to the existing PUD, the applicant has submitted an Initial Master Plan Amendment to change the portion of land under contract to purchase to change the existing land use Planning Areas from "Mixed-Use" & "Multi-Family" to "Health/Human Care".

Section 2 of the Village at Verdier Development Agreement explains the Planning Areas and the proposed changes to the use category (Attachment #2).

This amendment was submitted concurrently with an Initial Master Plan "IMP"

Amendment application (PD 02.09.170). The IMP is an amendment to the existing plan showing the location that the applicant is requesting the land use change (Attachment #3).

PLANNING COMMISSION WORKSHOP: Unified Development Ordinance Section 3.2.2.F states that the first step in the Zoning Map Amendment review process is to hold a Planning Commission Workshop for the request.

“Planning Commission Workshops are intended to be the first official presentation of a proposed project to provide the public with information and a forum to initially review the application and identify applicable application review criteria. Meetings are encouraged as opportunities for informal, non-binding communication between the Applicant and neighboring property owners who may be affected by the application.”

Following this Planning Commission Workshop, the application will return to the Planning Commission for a public hearing (tentative November 16, 2016) and recommendation to Town Council. Town Council will hear the request twice, with the second being the public hearing.

ATTACHMENTS:

1. Application
2. Proposed Section 2 of Village at Verdier Development Agreement
3. Proposed Master Plan Amendment



TOWN OF BLUFFTON
ZONING MAP/TEXT AMENDMENT 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: HealthSouth Rehabilitation Hospital of Lowcountry		Name: Security Bank of Kansas City	
Phone: 205.970.7850		Phone: 913.281.3165	
Mailing Address:		Mailing Address: PO Box 171297 Kansas City, KS 66101	
E-mail: Elizabeth.Mann@healthsouth.com		E-mail:	
Town Business License # (if applicable):			
Project Information			
Project Name: HealthSouth Rehabilitation Hospital		Acreage: 125	
Project Location: Seagrass Station (f/Village of Verdier)		Comprehensive Plan Amendment Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Existing Zoning: PUD		Proposed Zoning: Health/Human Care	
Type of Amendment: <input checked="" type="checkbox"/> Text <input type="checkbox"/> Map			
Tax Map Number(s): R610 021 0520 0000, R610 021 0649 0000			
Project Description: To amend the latest Village of Verdier PUD and add Health/Human Care as an allowable use.			
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Two (2) full sized copies and digital files of the maps and/or plans depicting the subject property. <input checked="" type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input checked="" type="checkbox"/> 3. 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: _____		By: Mark S. Berglind, Esq., Attorneys for Property Owner	
		Date: September 22, 2016	
Applicant Signature: _____		By: Walter J. Nester, III, Attorney for Applicant	
		Date: September 22, 2016	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



**TOWN OF BLUFFTON
ZONING MAP/TEXT AMENDMENT 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 Unified Development Ordinance. 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 Zoning Map Amendment Application, the Applicant is required to consult with the UDO Administrator or their designee 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 shall submit the Zoning Map Amendment Application and required submittal materials during a mandatory Application Check-In Meeting where the UDO Administrator or designee will review the submission for completeness.	
Step 3. Review by UDO Administrator	Staff
If the UDO Administrator determines that the Zoning Map Amendment Application is complete, it shall be placed on the next available Planning Commission (PC) Meeting agenda.	
Step 4. Planning Commission Workshop	Applicant, Staff & Planning Commission
The PC shall hold a Public Workshop to provide the public with information and a forum to review the preliminary application.	
Step 5. Planning Commission Meeting & Planning Commission Public Hearing	Applicant, Staff & Planning Commission
The PC shall hold a Public Hearing and review the Zoning Map Amendment 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- 1st Reading	Applicant, Staff & Town Council
Town Council shall review the Zoning Map Amendment Application for compliance with the criteria and provisions in the UDO. Town Council may approve, approve with conditions, table, or deny the application at 1 st Reading.	
Step 7. Town Council Meeting- 2nd and Final Reading & Public Hearing	Applicant, Staff & Town Council
Town Council shall hold a Public Hearing and review the Zoning Map Amendment Application for compliance with the criteria and provisions in the UDO. Town Council may approve, approve with conditions, table, or deny the application at 2 nd and Final Reading.	
Step 8. Zoning Map Amendment Approval	Staff
If Town Council approves the Zoning Map Amendment Application, the UDO Administrator shall issue an approval letter to the Applicant.	



**TOWN OF BLUFFTON
ZONING MAP/TEXT AMENDMENT APPLICATION**

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

Applicant		Property Owner	
Name: HealthSouth Rehabilitation Hospital of Lowcountry		Name: Security Bank of Kansas City	
Phone: 205.970.7850		Phone: 913.281.3165	
Mailing Address:		Mailing Address: PO Box 171297 Kansas City, KS 66101	
E-mail: Elizabeth.Mann@healthsouth.com		E-mail:	
Town Business License # (if applicable):			
Project Information			
Project Name: HealthSouth Rehabilitation Hospital		Acreage: 125	
Project Location: Seagrass Station (f/Village of Verdier)		Comprehensive Plan Amendment Yes <input checked="" type="checkbox"/> No	
Existing Zoning: PUD		Proposed Zoning: Health/Human Care	
Type of Amendment: <input checked="" type="checkbox"/> Text Map			
Tax Map Number(s): R610 021 0520 0000, R610 021 0649 0000			
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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: <i>Mark Berglind</i>		By: Mark S. Berglind, Esq., Attorneys for Property Owner	
		Date: September 22, 2016	
Applicant Signature:		Date:	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



**TOWN OF BLUFFTON
ZONING MAP/TEXT AMENDMENT APPLICATION
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Step 8. Zoning Map Amendment Approval	Staff
If Town Council approves the Zoning Map Amendment Application, the UDO Administrator shall issue an approval letter to the Applicant.	

September 23, 2016

Walter J. Nester, III

wnester@mcnair.net
T 843.785.2171
F 843.686.5991

Via Hand Delivery

Heather L. Colin, AICP
Director of Growth Management
Town of Bluffton
20 Bridge Street
Bluffton, SC 29910

Re: HealthSouth Rehabilitation Hospital of the Lowcountry, LLC
(the **Applicant**):

Applications for Zoning Map/Text Amendment and Initial Master Plan Amendment (collectively the "**Application**") regarding Portion of Tract "A" and Parcel "A-2" of the Village at Verdier Plantation Planned Unit Development, Bluffton, SC (now known as "Seagrass Station") (the "**PUD**") Our File No. 053518.00002

Dear Heather:

Our client, HealthSouth Rehabilitation Hospital of the Lowcountry, LLC, is requesting both a Zoning Map/Text Amendment and Initial Master Plan Amendment for the property located within the PUD. Enclosed herewith, please find the following enclosures in support of the Application:

1. Town of Bluffton Zoning Map/Text Amendment Application (*2 originals, signed by the respective parties*);
2. Our Firm's check in the amount of \$500 for the Application Fee (Zoning Map/Text Amendment);
3. Town of Bluffton Initial PUD Master Plan Amendment Application (*2 originals, signed by the respective parties*);
4. Our Firm's check in the amount of \$250 for the Application Fee (PUD Master Plan Amendment);
5. Our firm's Supplement to the Application, explaining the reasons for the requested Zoning Map/Text Amendment (*original, signed*);
6. A digital copy of our Firm's Submittal Documents for the Zoning Map/Text Amendment and for the Initial Master Plan Amendment (*provided on the enclosed flash drive*); and

McNAIR LAW FIRM, P.A.
Shelter Cove Executive Park
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

Mailing Address
Post Office Drawer 3
Hilton Head Island, SC 29938

mcnair.net

Heather L. Colin, AICP
September 23, 2016
Page 2

MCNAIR
ATTORNEYS

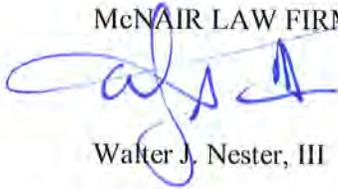
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7. Initial Master Plan Application packet from Thomas & Hutton (*1 packet w/digital packet provided on CD*).

We look forward to working with you and Town Staff as this Application is reviewed and heard, and ask that you contact me if you have any questions or comments, or if I may provide any additional information or assistance.

With best regards, I am

Sincerely,

McNAIR LAW FIRM, P.A.



Walter J. Nester, III

WJN:amb
Enclosures

cc: HealthSouth Corporation
Thomas & Hutton

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

SUPPLEMENT
TO
THE ZONING MAP / TEXT AMENDMENT APPLICATION
OF
HEALTHSOUTH REHABILITATION HOSPITAL OF THE LOWCOUNTRY, LLC
CONCERNING
A PORTION OF TRACT "A" AND PARCEL "A-2"
OF
THE VILLAGE AT VERDIER PLANTATION PLANNED UNIT DEVELOPMENT
BLUFFTON, SOUTH CAROLINA

This Supplement is submitted with and is intended to be incorporated in and comprise a part of the Application for Zoning Map / Text Amendment (the "Application") of HealthSouth Rehabilitation Hospital of the Lowcountry, LLC, a Delaware limited liability company authorized to conduct business in South Carolina (the "Applicant")¹, a wholly owned subsidiary of HealthSouth Corporation, a publicly traded entity. This narrative is submitted to the Planning Commission and the Town Council of the Town of Bluffton, South Carolina (the "Town") to describe how the Application meets the criteria of Section 3.4.3 of the Town's Unified Development Ordinance (the "UDO") as required by the Application and Section 3.4 of the UDO.

I. NARRATIVE

A. INTRODUCTION AND REQUEST.

The Applicant is the contract purchaser of an approximate 6.8 acre portion (the "Property") identified being a portion of the property identified by Beaufort County Tax Map numbers **R610 021 000 0649 0000** and **R610 021 000 0520 0000**. The Property is a part of the 125.32 acre real estate development known and described as the Village at Verdier (now known as "Seagrass Station") established by the Town by approval of the Village at Verdier Annexation Petition, Ordinance 2002-10, together with the Village at

¹ See attached Exhibit "A" - Business Filing Report of the South Carolina Secretary of State.

Verdier PUD Zoning Map Amendment by Ordinance 2002-11 (the “**PUD Ordinance**”); and, the Village at Verdier Initial Master Plan (the “**IMP**”), The PUD Ordinance and the IMP were approved on October 9, 2002 together with the approval to enter into the Village at Verdier Development Agreement (the “**Initial Development Agreement**”) by and between the Town and Longview Development Company, Inc., and Verdier Plantation L.L.C. (collectively the “**Initial Developers**”) by Ordinance 2002-12, which Initial Development Agreement was executed on December 18, 2002 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina (the “**ROD**”) in Book **1683** at Page **1210**. The Property is owned by the Security Bank of Kansas City, a Kansas Banking Corporation, (the “**Owner**”) as successor in interest under the Initial Development Agreement and in title to the Property from the Initial Developers. The Property is further subject to that certain First Amendment and Reaffirmation to the Development Agreement For Verdier Plantation, by and between the Town and the Owner, dated April 12, 2011 and recorded in the ROD in **Book 3061** at **pages 3271-3360** (the “**First Amendment to Development Agreement**”) approved by the Town by Ordinance 2011 - 05 (hereinafter the Initial Development Agreement and First Amendment to Development Agreement, collectively sometimes referred to as the “**Development Agreement**”) together with The Village at Verdier Plantation Planned Unit Development dated October 9, 2002 and amended December 29, 2010 (the “**First Amendment to the Village at Verdier PUD**”) (the PUD Ordinance and the First Amendment to the Village at Verdier PUD hereinafter sometimes collectively referred to as the “**Village at Verdier PUD**”).

The Applicant submits this Application requesting the approval of an amendment to the Town’s official zoning map, described in Section 4.1.2 of the UDO, by amending the text of the Village at Verdier PUD in order to add to the current authorized uses in the Village at Verdier PUD the use category defined in Section 9.4.6. of the UDO as “Health / Human Care”².

B. BACKGROUND.

The Owner acquired the Property pursuant to a Master’s Deed dated October 2, 2008 and recorded in the ROD in **Book 2772** at **Pages 2001-2009**.³ The Property is currently vacant land. Portions of the Village at Verdier PUD have been developed. There are existing paved roads, some utility infrastructure and developed and partially developed residential and commercial areas. The zoning district for the Property is PUD and it is located adjacent to and accessed by Seagrass Station Road, a private paved road within the

² See Section 9-4 of the UDO, Description of Land Uses, Pages 9-21 – 9-26 attached hereto as Exhibit “B”

³ See attached as Exhibit “C” - copy of Master’s Deed.

Village at Verdier PUD with access directly to South Carolina Highway 170.⁴ Together with this Application, the Applicant is submitting an application for an amendment to the IMP for the Property to allow the use thereof for a Health / Human Care facility (the “**IMP Amendment**”). The application for the IMP Amendment (“**IMP Amendment Application**”) for the Property contemplates the change of a portion of the area designated in the IMP as “Mixed Use” and a portion of the area in the IMP designated as “Multifamily” to “Health / Human Care”. The Property is the subject of a contract of sale between the Owner and the Applicant. This Application and the IMP Amendment Application are contemplated by and contingent conditions of the contract of sale and are supported by the Owner.⁵ The Applicant is a wholly owned subsidiary of HealthSouth Corporation which owns and operates medical and rehabilitative health service facilities throughout the United States. A certificate of need, as contemplated by Regulation 61-15 of the South Carolina Department of Health and Environmental Control⁶ has already been approved for the Applicant for the Property⁷.

The Applicant is proposing the construction of a 46,000 square foot – 38 bed rehabilitation hospital on the Property. The Project costs anticipated to exceed an investment of \$21,965,765.00. Within three (3) years of opening, it is expected that the facility will employ approximately 74 clinical full-time employees and 32 non-clinical employees.

C. CURRENT AND PROPOSED DENSITY AND USE.

The applicant proposes the construction of a 46,000 square foot rehabilitation hospital together with associated water, sewer and storm water infrastructure and systems (the “**Project**”). Section 2.A. of the Village at Verdier PUD provides for six Planning Areas being: 1. Town Home; 2. Neighborhood Residential; 3. Village Hamlet; 4. Private Open Space; 5. Multi-Family; and 6. Mixed-Use (hereinafter sometimes collectively referred to as the “**Planning Areas**”). These Planning Areas are intended to be used to “identify allowed land uses and density within each tract”.⁸ Allowed density for the various Planning Areas are provided in Section 2.D. of the Village at Verdier PUD. The Applicant and Owner intend that

⁴ See attached Exhibit “D” - Beaufort County Assessor’s Office GIS map of a portion of the Property.

⁵ See attached Exhibit “E” - copy of Owner Authorization Letter.

⁶ See generally South Carolina Code of Laws Section 44-7-110 et. seq.

⁷ See Exhibit “F” attached hereto - Notice of Decision Granting Certificate of Need from SC DHEC dated July 25, 2016.

⁸ See Section 2.A of the Village at Verdier PUD.

the density for the Project will be deducted from the IMP Mixed Use Density total⁹ and no new density is requested in this Application.

The by-right permitted use for the Property under the IMP includes the Planning Areas for Mixed Use and Multi-Family. The Applicant proposes to retain the base zoning of PUD; to retain the current approved uses as alternative uses; and add the use category of “Health / Human Care” as an additional Planning Area in Section 2.A of the Village at Verdier PUD. The proposed additional Planning Area of “Health / Human Care” is intended to allow those uses authorized in the Mixed-Use Planning Area listed in Section 2.B.6. of the Village at Verdier PUD as well as the use category of “Health / Human Care”.

II. REZONING CRITERIA.

A. **Applicability.** The existing land use is PUD. Section 4.4.2 of the UDO requires that any rezoning “be based upon the recommended future land use category for the property as shown on the future land use map in the Town of Bluffton Comprehensive Plan.”. The future land use map in the Town’s Comprehensive Plan (the “Comprehensive Plan”) indicates that the Property is primarily designated as Mixed Use within the Village at Verdier PUD.

B. **Application Review Criteria.** Section 3.4.3 of the UDO sets forth the review criteria for consideration by the Town’s Planning Commission and Town Council when reviewing an application for a Zoning Map / Text Amendment. The Applicant proposes that this Application satisfies or exceeds the requirements for a Zoning Map / Text Amendment as set forth below.

1. **Consistency with the Comprehensive Plan.**

(a) **Population Vision.** *The Population Vision of the Comprehensive Plan acknowledges and accepts the Town’s diverse population and strives to offer a high quality of life for all residents, visitors and workers.*¹⁰ The proposed additional use category proposed by the Applicant is consistent with the Population Vision as it provides additional medical and healthcare services to

⁹ The total allowed density for the Mixed Use Planning Area is 404,000 square feet.

¹⁰ See Chapter 2, Page 2-1, December 9, 2014 Comprehensive Plan.

support the existing and future population of the Town.¹¹ Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town's permanent residents with the addition of medical and healthcare services.¹² Moreover, the Project proposes the construction of a facility that will employ, within three (3) years of opening, up to 74 clinical and 36 non-clinical, for a total of 106 full-time employment opportunities within the Town, thereby providing additional and higher wage employment opportunities for residents of the Town.¹³ The proposed change in use does not require additional density, does not otherwise impact the Population Vision, and is consistent with the Comprehensive Plan.

(b) Cultural Resources Vision. *The Cultural Resources Vision of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*¹⁴ The proposed amendment does not impact the Culture Resources vision of the Comprehensive Plan since the Property is within an existing PUD and all cultural resource matters were addressed prior to and as a requirement of the approval and adoption by the Town of the Village at Verdier PUD.

(c) Natural Resources Vision. *The Natural Resources Vision of the Comprehensive Plan instructs the Town to inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton's natural heritage.*¹⁵ The Applicant is seeking to amend the Official Zoning Map to authorize an additional category of use for the Property which is located in an existing PUD which does not require and does not seek an increase in the density for the Property or the Village at Verdier PUD. The Applicant's proposed amendment to add an additional approved use category for the Property does not seek to otherwise change the Village at Verdier PUD

¹¹ See Section 2.1 Population Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

¹² See Section 2.3 Population Projections Chart, Page 2-14, December 9, 2014 Comprehensive Plan.

¹³ See Section 2.10 Income, Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

¹⁴ See Chapter 3, Page 3-1, December 9, 2014 Comprehensive Plan.

¹⁵ See Chapter 4, Page 4-1, December 9, 2014 Comprehensive Plan.

which was significantly amended to reduce density to ameliorate the impacts of Stormwater on the Okatie River watershed in 2008.¹⁶ No density beyond that contemplated in the Village at Verdier PUD is requested and all development proposed shall be in conformance with the design standards of the Town and the Village at Verdier PUD and there is no new impact to the natural resources and existing natural environment of the Town nor to the Village at Verdier PUD due to the proposed additional use category. The addition of the proposed new use does, however, create an economically viable opportunity for an existing undeveloped site that does not currently have storm water management facilities or systems and has little or no vegetation. Upon approval of this Zoning Map / Text Amendment and the IMP Amendment and the receipt of appropriate development permits, the Applicant proposes to construct a rehabilitation facility with storm water systems and infrastructure in conformance with applicable design and development standards of the Town. Accordingly, the Application is consistent with the Natural Resources vision of the Comprehensive Plan.

(d) **Housing Vision.** *The Housing Vision of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*¹⁷ The Applicant's proposed amendment to add an additional use category for the Property does supports the Housing Vision as approval provides the opportunity for the Applicant to proceed with the Project. The construction of the proposed facility, while not in itself housing, supports the vision overall by serving to attract new residents and business by making available quality health care services in the Town. The proposed supports the economic development element to the Housing vision in that there is a stated need to continue the high home ownership percentage within the Town.¹⁸ The use proposed by the Applicant supports the continuation and increase of employment opportunities for skilled and unskilled workers, and provides the availability of additional

¹⁶ See generally, First Amendment to Development Agreement and First Amendment to Village at Verdier PUD.

¹⁷ See Chapter 5, Page 5-1, December 9, 2014 Comprehensive Plan.

¹⁸ See Section 5.2 Tenure and Occupancy, Needs and Goals Chart, Page 5-5, December 9, 2014 Comprehensive Plan.

medical services to the Town's residents and guests, and is consistent with the Housing Vision of the Comprehensive Plan.

(e) **Economic Development Vision.** *The Economic Development Vision of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural and economic.*¹⁹ The Comprehensive Plan recognizes that the provision of first class health care and medical services and facilities has contributed to the Town's economic success and the healthcare industry is the first of the three identified target industries.²⁰ The Applicant's proposed additional use category provides the opportunity for an economically viable development and use on the Property by a successful national leader in the healthcare industry which Section 6 of the Comprehensive Plan identifies a targeted industry. The Applicant's proposed change in use provides residents and guests of the Town and the greater Bluffton area with expanded health services and treatments and serves the goals set forth in the Economic Development Vision by facilitating the opportunity for development of a successful business enterprise with employment opportunities for skilled and unskilled workers.²¹ All of which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. Accordingly, the proposed additional use category is consistent with the Economic Development Vision of the Comprehensive Plan.

(f) **Community Facilities Vision.** *The Community Facilities Vision of the Comprehensive Plan encourages 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.*²² The approval

¹⁹ See Chapter 6, December 9, 2014 Comprehensive Plan, Page 6-1.

²⁰ See Section 6.6 Economic Development and Diversification, Target Industries Study and discussion of the 2012 Economic Development Study prepared by the Lowcountry Economic Alliance ("LEA"), December 9, 2014 Comprehensive Plan, Page 6-16.

²¹ See Section 6.6, Economic Development and Diversification Needs and Goals Chart, Page 6-23, December 9, 2014 Comprehensive Plan.

²² See Chapter 7, December 9, 2014 Comprehensive Plan, Page 2-1.

of this Application supports the Community Facilities Vision as facilitates the opportunity for development of a successful business enterprise with employment opportunities for skilled and unskilled workers which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. It is that tax revenue that provides the opportunities for the Town to provide the efficient and reliable facilities contemplated in the Community Facilities Vision of the Comprehensive Plan. Moreover, Section 7.5 of the Community Services Vision of the Comprehensive Plan describes health care facilities as a benefit and encourages the Town to attract and locate additional health care providers.²³ Additionally, the proposed Project is in an existing PUD where much of the infrastructure including roadways, sanitary sewer, solid waste, drainage, potable water, electricity, telephone and cable, is already in place. The Applicant's proposed additional use category supports and is consistent with the Community Facilities Vision of the Comprehensive Plan, as it adds the opportunity for expanded healthcare services to residents and visitors of the Town without adding additional unplanned burdens on these community facilities.

(g) **Land Use Vision.** *The Land Use Vision of the Comprehensive Plan encourages the Town to plan for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proposer placement of residential uses.*²⁴ The Property is located in the Village at Verdier PUD. The Land Use Vision of the Comprehensive Plan identifies PUD's as a useful planning tool which have been used extensively in the greater Bluffton area to create high quality and unique master planned developments.²⁵ The Applicant's proposed additional use category is a creative way to enhance development opportunities in an existing PUD and provide the opportunity for an economically viable and needed use.²⁶ The Applicant's proposed use for the Property is supported by the existing infrastructure on the Property and within

²³ See Section 7.5, Public Safety and Emergency Services, Health Facilities, December 9, 2012 Comprehensive Plan, Page 7-22.

²⁴ See Chapter 8, December 9, 2014 Comprehensive Plan, Page 8-1.

²⁵ See Section 8.3 Zoning and Regulation, December 9, 2014 Comprehensive Plan, Page 8-24.

²⁶ See Exhibit "F" attached hereto - Notice of Decision Granting Certificate of Need from SC DHEC dated July 25, 2016.

the Town and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure, and is consistent with the Land Use Vision of the Comprehensive Plan.²⁷

(h) Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to plan an efficient, adequate and safe transportation network for all users, including motorists, cyclists and pedestrians.*²⁸ The Applicant's proposed use is consistent with and supports the Transportation Vision of the Comprehensive Plan. The proposed change in use does not provide for increased density rather it uses existing, available and unused density in an existing PUD. Moreover it does not require new or expanded access points and has essentially direct access to the South Carolina Highway 170 ("SC 170") which is a designated principal arterial intended to move traffic in high volumes.²⁹ The additional use category proposed by the Applicant has no negative impact on the Town's transportation system, and is consistent with the Transportation Vision of the Comprehensive Plan.

(i) Priority Investment Act Vision. *The Priority Investment Act Vision of the Comprehensive Plan encourages the shared commitment with neighboring jurisdictions and agencies to work together to plan and construct the public infrastructure needed by the residents of Bluffton and Beaufort County.*³⁰ The adoption of an Official Map is identified as a tool to implement the Comprehensive Plan by identifying property for future rights of way and other public uses and restricting the development on such property once such areas are identified.³¹ The Property is located within the Village at Verdier PUD and the planning for the public rights of way and other uses has already been completed and are not contemplated for the Property. Accordingly, the Application's proposed additional use category for the Property does not implicate the Priority

²⁷ See Land Use Table, Goals and Implementation Steps, Section 8.2, Page 8-22.

²⁸ See Chapter 9, December 9, 2014 Comprehensive Plan, Page 9-1.

²⁹ See Section 9.2 Road Classification, December 9, 2014 Comprehensive Plan, Page 9-5.

³⁰ See Chapter 10, December 9, 2014 Comprehensive Plan, Page 10-1.

³¹ See Section 10.2 Official Map, December 9, 2014 Comprehensive Plan, Page 10-5.

Investment Act Vision of and is therefore consistent with the Comprehensive Plan.

2. **Compatibility of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed in the proposed zoning district.** The Property is located in the Village at Verdier PUD an existing PUD within the Town. The physical, geological and other environmental features of the Property and the Village at Verdier PUD have already been reviewed, planned, designed and approved for a variety of uses including commercial uses set forth in the UDO. Many such uses have a greater and more intense impact than the proposed additional use category of Health / Human Care and the PUD is designed to be capable of handling uses more intense than the uses available under Health / Human Care.³² Furthermore, the Applicant is not seeking additional density for the additional use category intending to use a portion of the Mixed Use Density already assigned and existing in the PUD. Accordingly, the Property and the PUD can support the uses available under proposed additional use category.

3. **Compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning, and potential influence on property values.**

- (a) **Compatibility with surrounding uses and zoning districts – location.** The Applicant believes that the Property is uniquely suitable for the “Health / Human Care” use category proposed in the Application, particularly the use defined as “Hospital”. The Property is located in the Village at Verdier PUD which provides for a variety of residential, civic, commercial and mixed uses. The additional uses complement those various uses by providing health and human care services to the residents and guests of the PUD. Furthermore, to the west of the Village at Verdier PUD is the Sun City Community and while not within the Town. Sun City is a very large age restricted residential community whose citizens will

³² See Section 9.4 of the UDO, Description of Uses of Land and Buildings.

also be able to take advantage of the proposed new use in the Village at Verdier.³³

- (b) **Compatibility with surrounding uses and zoning districts – impacts on the environment.** The Property which is located in the existing Village at Verdier PUD. The Applicant’s proposed amendment to add an additional approved use category for the Property does not seek to otherwise change the Village at Verdier PUD which was significantly amended in 2008 to reduce density to ameliorate the impacts of storm water on the Okatie River watershed. No new density beyond that currently existing in the Village at Verdier PUD is requested and all development proposed shall be in conformance with the design standards of the Town and the Village at Verdier PUD. Therefore, there are no new impacts to the natural resources and existing natural environment of the surrounding uses or zoning districts.
- (c) **Compatibility with surrounding uses and zoning districts – noise.** The uses allowed under the use category Health / Human Care are not the type of uses that create the type or level of noise beyond that created by the uses currently allowed in the Village at Verdier PUD.
- (d) **Compatibility with surrounding uses and zoning districts – density.** No additional density is requested by this application.
- (e) **Compatibility with surrounding uses and zoning districts – nature of use.** The applicant proposes the construction of a rehabilitative hospital, which is an allowed use in the use category Health / Human Care. The Village at Verdier PUD currently allows some of the uses available under the use category Health / Human Care including Family Day Care Home, Group Day Care Home, and Child Care Center. To the north west along SC 170 are medical offices, outpatient-care, treatment and diagnostic

³³ See attached “Exhibit “ ” – Letter of Support / Seagrass Station Master Property Owners’ Association

facilities and to the south along SC 170 are nursing home facilities. The uses proposed by the Application are compatible with surrounding uses.

- (f) **Compatibility with surrounding uses and zoning districts – traffic impacts.** Reference is made to traffic study submitted with and a part of the IMP Amendment Application.
- (g) **Compatibility with surrounding uses and zoning districts – aesthetics.** The Village at Verdier is governed by restrictive land use covenants that provide for architectural review to maintain appropriate architectural design and standards within the PUD. In addition, the applicant will be subject to the design standards of the UDO.
- (h) **Compatibility with surrounding uses and zoning districts – ability to develop adjacent properties under existing zoning.** The addition of the new use category for the Property has no adverse impact on the development of adjacent properties as they may continue to be developed as provided in the Village at Verdier PUD. The Project may likely foster other new development on the adjacent properties as contemplated in the PUD.
- (i) **Compatibility with surrounding uses and zoning districts – potential influence on property values.** The approval of this Application provides the opportunity for the Project. The Project has the potential of increasing property values in the Village at Verdier PUD and surrounding properties.

4. Compatibility of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district without compromising the public health, safety and welfare of the Town. The Property has nearly direct access to SC 170, a principal arterial with excellent connections to U.S. Highway 278, the Bluffton Parkway, South Carolina Highway 46 and beyond. The Property has all necessary and readily available utilities and storm water drainage facilities that are suitable for the proposed use. No additional density is requested and therefore there is no adverse impact on the public facilities and services contemplated to serve the Village at Verdier PUD.

- 5. Public need for the potential uses permitted in the requested zoning district.** The Applicant proposes that the issuance of a Certificate of Need for the Project by DHEC is appropriate evidence that there is a need for the proposed use on the Property.

III. CONCLUSION.

The Applicant believes the foregoing narrative and analysis demonstrates that this Application is in conformance with the Town's Comprehensive Plan, and meets the criteria set forth in Section 3.4.3 of the UDO. Accordingly, the Applicant respectfully requests that the Planning Commission and Town Council:

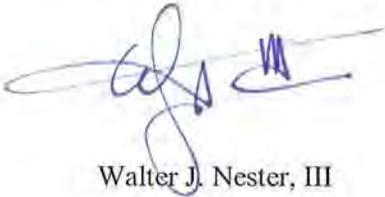
- A.** Review this Application and the supporting documentation and any testimony which will be entered into the record.
- B.** Find the following:
 - (1) That this Application and the supporting testimony and documentation establish that the requested zoning map / text amendment is consistent with the Town's Comprehensive Plan.
 - (2) That this Application and the supporting testimony and documentation establish the physical, geographical, hydrological and other environmental features of the Property support the breadth and intensity of the uses available in the proposed additional use category.
 - (3) That this Application and the supporting testimony and documentation establish that the uses available in the proposed additional use category for the Property are compatible with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning and the potential influence on property values.
 - (4) That this Application and the supporting testimony and documentation establish that the public infrastructure and services are available and capable of sufficiently accommodating the uses available in the proposed additional use category without compromising the public health, safety and welfare of the Town.

- (5) That this Application and the supporting testimony and documentation establish that there is a public need in the zoning district and the Town for the use proposed by the Application.
- (6) That this Application and the supporting testimony and documentation are in compliance with the applicable requirements in the Applications Manual.

C. Recommend approval of this Application and the rezoning of the Property to add as an additional approved use the use defined in Section 9.4.6. of the UDO as: "Health / Human Care".

Respectfully submitted on behalf of the Applicant this 22nd day of September, 2016.

McNAIR LAW FIRM, P.A.

A handwritten signature in blue ink, appearing to read "Walter J. Nester, III", is written over a horizontal line.

Walter J. Nester, III

WJN:wjn
Enclosures

EXHIBIT "A" TO SUPPLEMENT

**South Carolina Secretary of State
Business Filings Report**

(please see attached)



HEALTHSOUTH REHABILITATION HOSPITAL OF LOWCOUNTRY, LLC

*Note: This online database was last updated on 9/23/2016 3:06:07 AM.
See our Disclaimer.*

DOMESTIC / FOREIGN: Foreign
 STATUS: Good Standing
 STATE OF INCORPORATION / ORGANIZATION: DELAWARE Profit

REGISTERED AGENT INFORMATION

REGISTERED AGENT NAME: C T CORPORATION SYSTEM
 ADDRESS: 2 OFFICE PARK COURT
 CITY: COLUMBIA
 STATE: SC
 ZIP: 29223
 SECOND ADDRESS: SUITE 103
 FILE DATE: 03/08/2016
 EFFECTIVE DATE: 03/08/2016
 DISSOLVED DATE: //

Corporation History Records

CODE	FILE DATE	COMMENT	Document
Foreign LLC	03/08/2016	AT WILL	

Disclaimer: The South Carolina Secretary of State's Business Filings database is provided as a convenience to our customers to research information on business entities filed with our office. Updates are uploaded every 48 hours. Users are advised that the Secretary of State, the State of South Carolina or any agency, officer or employee of the State of South Carolina does not guarantee the accuracy, reliability or timeliness of such information, as it is the responsibility of the business entity to inform the Secretary of State of any updated information. While every effort is made to insure the reliability of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from this database does so at his own risk.

SECTION 2

**THE VILLAGE AT VERDIER PLANTATION
INITIAL MASTER PLAN DESIGNATION AND
DEFINITIONS**

A. INTRODUCTION

The Village at Verdier Plantation PUD has been divided into six Planning Areas as indicated on the Initial Master Plan for the Village at Verdier Plantation Planned Unit Development District prepared by KRA architecture & design. The planning areas include:

- 1. Town Home
- 2. Neighborhood Residential
- 3. Village Hamlet
- 4. Private Open Space
- 5. Multi-Family
- 6. Mixed-Use

The Planning Areas included above shall be used to identify allowed land uses and density within each tract. Included within the planning areas, the Village at Verdier Plantation PUD tract has approximately 11 acres of freshwater wetlands. The Tract boundaries indicated on the Initial Master Plan and Land Use Areas within Tract boundaries are not intended to be rigid exact boundary lines for future improvements. The Initial Master Plan for the Village at Verdier Plantation PUD District shall maintain constraints, tree preservation, market conditions and design parameters. Accordingly, the exact location of the boundary lines between the various planning areas and the location and size of land uses indicated within the planning area(s) shall be subject to change as Development Plan(s) (within planning area(s)) are submitted for development from time to time; provided, however, that maximum densities and other conditions of the Development Agreement between the Village Development Company and the Town of Bluffton, South Carolina, will be strictly adhered to.

B. ALLOWED LAND USES

The following land uses as designated for each individual Tract shall be permitted in the Village at Verdier Plantation PUD. The purpose of this portion of the PUD document is to state which land uses shall be allowed within the individual tracts or planning areas of the Village at Verdier Plantation PUD.

However allowing these uses does not obligate the developer to provide the uses or facilities stated herein.

The land uses permitted are referenced in the Town of Bluffton Unified Ordinance and any amendment thereto are permitted in the Village at Verdier Plantation PUD:

1. Town Home

The Town Home area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

2. Neighborhood Residential

The Neighborhood Residential area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

3. Village Hamlet

The Village Hamlet area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

4. Private Open Space

The Private Open Space area shall have the following land uses and definitions:

- a. Activities related to soil and water conservation, measurement and control
- b. Agricultural use and structures
- c. Breeding bird and endangered species habitat
- d. Forest, tree farm, game preserve or other conservation purpose
- e. Government nature preserves
- f. Publicly owned and/or operated park, open space, recreational facility or use, and the equipment necessary for servicing such use
- g. Wildlife refuge
- h. Golf learning and practice facility

5. Multi-Family

The Multi-Family area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

6. Mixed-Use

The Mixed-Use area shall have the following land uses and definitions:

- a. Two or three family dwelling
- b. Interior apartment dwelling
- c. Family Day Care Home (6 or less children)
- d. Group Day Care Home (7 to 12 children)
- e. Child Care Center (13 to 22 children)
- f. Civic or institutional use
- g. Library
- h. Museum
- i. Post Office
- j. Public emergency service facilities
- k. Public parks
- l. School
- m. Commercial Uses – all listed in Town of Bluffton Unified Ordinance

EXHIBIT "C" TO SUPPLEMENT

Copy of Master's Deed

(please see attached)

NOW, KNOW ALL MEN, that I, Marvin H. Dukes, III, as Master in Equity for Beaufort County, South Carolina, pursuant to the foregoing and also in consideration of the said bid paid as aforesaid by the Grantee herein, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released, and by these Presents do grant, bargain, and release the following described property with improvements unto the Grantee and its assigns:

All that certain piece, parcel or lot of land located in Beaufort County, South Carolina, being shown and described on that certain plat entitled "A Plat of Verdier Plantation, Town of Bluffton, Beaufort County, South Carolina, prepared for The Village Development Company" by Boyce L. Young, SCRLS #11079 of Thomas & Hutton Engineering Co., dated October 3, 2002, revised December 11, 2002 and further revised on December 16, 2002 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 90 at page 172, save and except Lots B-3, B-4, B-7 and B-25.

This being the same property conveyed to Verdier Plantation, LLC, by Deed from James W. Carter, David L. Carter and DJL Associates, LP, a Georgia Limited Partnership, dated December 18, 2002, and recorded December 19, 2002, in Deed Book 01683 at Page 1206 in the Office of the Register of Deeds for Beaufort County, South Carolina.

PID No. R613 021 000 0017 0000

TOGETHER WITH all and singular, the hereditaments, rights and members whatsoever to said real property belonging, or in anywise incident or appertaining; any reversions, remainders, rents, issues, and profits thereof, any and all fixtures and appurtenances thereon of whatsoever nature and description and also any right title, estate, interest, dower, possession, benefit, claim and demand whatsoever of the parties to the aforesaid action, and of each of them, in and to the same, and of all other persons rightfully claiming from, under or by them, or any of them.

To Have and to hold all and singular the property before mentioned unto Security Bank of Kansas City, its heirs and assigns forever.

Witness: Robert Vaux
Russell R. T. T.

Marvin H. Dukes, III
Master in Equity for Beaufort County
10-2, 2008
Beaufort, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, the undersigned notary public, do hereby certify that the within named Marvin H. Dukes, III, Master in Equity for Beaufort County, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 2 day of October, 2008.

Russell R. T. T.
Notary Public for South Carolina
My Commission Expires: 3/29/2016

This Deed prepared by Vaux & Marscher, P.A., 1251 May River Road, Post Office Box 769, Bluffton, South Carolina, 29910 without title examination.

STATE OF SOUTH CAROLINA) BEAUFORT COUNTY ROD
) AFFIDAVIT OF TRUE CONSIDERATION and
COUNTY OF BEAUFORT) CLAIM FOR EXEMPTION from RECORDING FEES

PERSONALLY appeared before me the undersigned, who is duly sworn, deposed, and says that the following is a true and correct statement concerning the CONSIDERATION for the conveyance set forth below, and concerning any EXEMPTION claimed by the Filer under the laws of the State of South Carolina, the Town of Hilton Head, or as otherwise provided by law.

GRANTOR NAME: Verdier Plantation, LLC, pursuant to Master's Deed

GRANTEE NAME: Security Bank of Kansas City

GRANTEE MAILING ADDRESS: Post Office Box 171297, Kansas City, Kansas 66117

DATE OF CONVEYANCE: October 2, 2008

TRUE CONSIDERATION: Order of Foreclosure

TAX DISTRICT/MAP/PARCEL NO.: R613 021 000 0017 0000

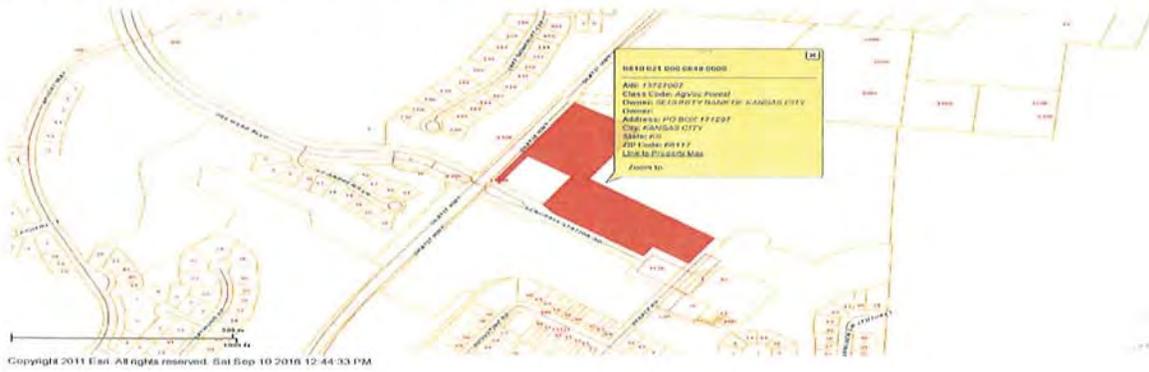
STATE RECORDING FEE EXEMPTION: S.C. Code Section 12-24-40(13)

Signed: *Mark S. Berglund*
Printed Name: Mark S. Berglund
As Attorney for Security Bank of Kansas City

SWORN TO BEFORE ME,
this 8 day of October, 2008
SIGNED: *Mark S. Berglund*
Notary Public for South Carolina
My Commission Expires: Sept 8, 2011

EXHIBIT "D" TO SUPPLEMENT
Beaufort County Assessor's Office
GIS map of a portion of the Property

R610 021 000 0649 0000





Beaufort County, South Carolina

generated on 9/23/2016 10:28:18 AM EDT

Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of
R610 021 000 0649 0000	13727007	115 VERDIER PLANTATION RD, Town of Bluffton	9/17/2016

Current Parcel Information

Owner	SECURITY BANK OF KANSAS CITY	Property Class Code	AgVac Forest
Owner Address	PO BOX 171297 KANSAS CITY KS 66117	Acreage	7.2400
Legal Description	VERDIER PLANTATION SUBJ TO ROLL BACK TAX LIEN PB121 P92 COMMERCIAL PARCEL NORTH~05/11 0.49 AC DEEDED TO TOWN OF BLUFFTON R/W		

Historic Information

Tax Year	Land	Building	Market	Taxes	Payment
2015	\$651,600		\$651,600	\$5,943.85	\$5,943.85
2014	\$651,600		\$651,600	\$5,859.58	\$5,859.58
2013	\$651,600		\$651,600	\$5,711.65	\$5,711.65
2012	\$1,086,000		\$1,086,000	\$8,468.55	\$8,468.55
2011	\$1,347,000		\$1,347,000	\$0.00	\$501.35
2010	\$1,347,000		\$1,347,000	\$0.00	\$20,775.07
2009	\$1,347,000		\$1,347,000	\$17,674.52	\$17,674.52
2008	\$404,100		\$404,100	\$5,945.12	\$5,945.12
2007				\$4,928.91	\$5,668.25
2006				\$4,597.55	\$5,287.18

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
VERDIER PLANTATION LLC	2772 2007	10/2/2008	Ma		\$22,000,000
		12/31/1776	Or		\$0
UNKNOWN OWNER 13727007		12/31/1776	Or		\$0

EXHIBIT "E" TO SUPPLEMENT

Owner Authorization Letter

(please see attached)



September 21, 2016

Ms Heather Colin, AICP
Director of Growth Management
Town of Bluffton
20 Bridge Street
Bluffton, SC 29910

Re: HealthSouth Rehabilitation Hospital of the Lowcountry, LLC ("HealthSouth");
Application for Zoning Map / Text Amendment and Master Plan Amendment (the "Applications")

Dear Ms. Colin:

Security Bank of Kansas City ("Security Bank") is the owner of real property identified by Beaufort County Tax Map Numbers **R610 021 000 0649 0000** and **R610 021 000 0520 0000**. A portion of this real property is the subject of the Applications as well as a contract of sale between Security Bank, as seller, and HealthSouth, as purchaser.

Security Bank, as owner of large portions of the property in the Seagrass Station PUD, and as successor in interest to the original developer, believes the addition of HealthSouth's proposed rehabilitation hospital would be an important and beneficial addition to the Seagrass Station PUD and to the greater Bluffton community. This letter is being provided with the intent that it be included with the Applications to advise the Planning Commission and Town Council of the Town of Bluffton of Security Bank's complete and enthusiastic support of the requests set forth in the Applications. Security Bank respectfully requests the support and approval of the Planning Commission and Town Council for the Applications.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven C. Lynn".

Steven C. Lynn
Executive Vice President
Security Bank of Kansas City

EXHIBIT "F" TO SUPPLEMENT
South Carolina DHEC
Notice of Decision Granting Certificate of Need



Article #: 92148969009997901405476466

July 25, 2016

VIA CERTIFIED MAIL. RETURN RECEIPT REQUESTED

Robin Gage
 Senior Consultant
 Research & Planning Consultants, LP
 6300 La Calma Drive, Suite 170
 Austin, TX 78752

Re: **Decision Granting Certificate of Need for:**
 Construction of a new freestanding thirty-eight (38) bed Comprehensive
 Medical Rehabilitation (CMR) Hospital at a total project cost of \$21,965,765.
 Applicant: HealthSouth Rehabilitation Hospital of Lowcountry, LLC
 Matter No. 2320
 Beaufort, South Carolina

Dear Ms. Gage:

The South Carolina Department of Health and Environmental Control (Department) has reviewed the application of HealthSouth Rehabilitation Hospital of Lowcountry, LLC (HealthSouth) to receive a Certificate of Need for the construction of a new freestanding thirty-eight (38) bed Comprehensive Medical Rehabilitation (CMR) Hospital at a total project cost of \$21,965,765 (Project). After consideration of the entire administrative record of this matter, the Department concludes HealthSouth has presented substantial evidence that the Project complies with the relevant project review criteria and with the *South Carolina Health Plan*, enacted August 13, 2015 (*Plan*). Accordingly, it is the decision of the Department that a Certificate of Need be issued for this Project. This decision is based on the following findings:

Compliance with the Need Outlined in the South Carolina State Health Plan

Certificate of Need Standards

1. *The need for beds is calculated based on rehabilitation service areas.*
2. *The methodology takes the greater of the actual utilization of the facilities in the service area or the statewide average number of beds per 1,000 of the 65+ population cohort to project need.*
3. *For service areas without existing rehabilitation units and related utilization data, 75% of the overall state use rate was used in the projections.*

According to the *Plan*, there is a bed need of 38 in the service area consisting of Beaufort, Hampton, and Jasper Counties. The instant application requests 38 beds for the Project.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.1.

Community Need Documentation

HealthSouth clearly identified its target population and, using population statistics consistent with those generated by the State Demographer, HealthSouth made reasonable projections of anticipated population changes, with assumptions and methodologies clearly outlined in the application. HealthSouth has sufficiently demonstrated that the proposed Project will meet an identified need and that the projected utilization of the Project is sufficient to justify its implementation.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.2.

Distribution (Accessibility)

The Department finds that the Project will not result in unnecessary duplication or modernization of services. HealthSouth will be the second provider of CMR services in the service area, and the Project will be accessible to all area residents, limited only by the medical requirements for admission to rehabilitation and the availability of a bed. HealthSouth described its expected referral sources, the various means by which patients will access the Project, and the process by which patients will be medically evaluated for admission. HealthSouth states that the Project will have an open medical staff and will admit patients regardless of age, race, religion, national origin, ability to pay, or physical or mental handicap. In support of its application, HealthSouth submitted its Admission Policy, its Non-Discrimination in Treatment of Patients Policy, its Indigent Care Policy, and information regarding its current and proposed indigent care to demonstrate that it has established provisions to insure that individuals in need of treatment as determined by a physician have access to the Project, regardless of ability to pay.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.3.

Projected Revenues

HealthSouth presented evidence demonstrating that its charges, collection rates, and reimbursement rates are comparable and consistent with those experienced/utilized by similar facilities in the service area or state. HealthSouth projected the Project's revenues for

three years and stated that, because three-quarters of its admissions are expected to be Medicare enrollees, revenue is based predominately on Medicare's inpatient rehabilitation prospective payment system. HealthSouth sufficiently demonstrated that its projected levels of utilization are consistent with the need level of the target population.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.6.

Projected Expenses

Through narrative and documentation provided in the application, HealthSouth identified its projected expenses, which are reasonable and consistent with those experienced by similar facilities offering a similar level and scope of services.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.7.

Cost Containment

HealthSouth sufficiently demonstrated that its chosen method of funding the Project is the most feasible option, and that the impact of the Project on HealthSouth's patient charges will be reasonable. HealthSouth further demonstrated that the Project's impact on the cost and charges of other providers of similar services will be reasonable.

The Department finds that HealthSouth has sufficiently complied with 3 S.C. Code Reg. 61-15, Section 802.16.

Department Findings under S.C. Code Reg. 61-15 § 501

HealthSouth has demonstrated that the capital and operating costs of the Project and their potential impact on patient charges are reasonable; that superior alternatives to such services in terms of cost, efficiency, or appropriateness do not exist and that the development of such alternatives is not practicable; that alternatives to new construction have been considered; and that patients will experience serious problems in terms of costs, availability, or accessibility in obtaining care of the type proposed in the absence of the Project.

The Department has determined the Project complies with the requirements of S.C. Code Reg. 61-15, Section 501.

The issuance of a Certificate of Need does not constitute approval for any proposed construction, licensing, or certification changes. You should contact the following individuals for information concerning these related issues: Bureau of Radiological Health, Mr. Aaron

Gantt, (803) 545-4400; Division of Health Facilities Construction, Mr. William McCallum, (803) 545-4211; Division of Health Licensing, Ms. Gwendolyn Thompson, (803) 545-4370; and Bureau of Certification, Ms. Maryjo Roué, (803) 545-4293.

A copy of the Guide to Board Review is enclosed for your convenience.

Written By:



Maggie Parham Murdock
Senior Consultant
Certificate of Need Program

Reviewed By:



Louis Eubank
Director
Certificate of Need Program

DRAFT

SECTION 2

**THE VILLAGE AT VERDIER PLANTATION
INITIAL MASTER PLAN DESIGNATION AND
DEFINITIONS**

A. INTRODUCTION

The Village at Verdier Plantation PUD has been divided into six Planning Areas as indicated on the Initial Master Plan for the Village at Verdier Plantation Planned Unit Development District prepared by KRA architecture & design. The planning areas include:

- 1. Town Home
- 2. Neighborhood Residential
- 3. Village Hamlet
- 4. Private Open Space
- 5. Multi-Family
- 6. Mixed-Use
- 7. Health/Human Care

The Planning Areas included above shall be used to identify allowed land uses and density within each tract. Included within the planning areas, the Village at Verdier Plantation PUD tract has approximately 11 acres of freshwater wetlands. The Tract boundaries indicated on the Initial Master Plan and Land Use Areas within Tract boundaries are not intended to be rigid exact boundary lines for future improvements. The Initial Master Plan for the Village at Verdier Plantation PUD District shall maintain constraints, tree preservation, market conditions and design parameters. Accordingly, the exact location of the boundary lines between the various planning areas and the location and size of land uses indicated within the planning area(s) shall be subject to change as Development Plan(s) (within planning area(s)) are submitted for development from time to time; provided, however, that maximum densities and other conditions of the Development Agreement between the Village Development Company and the Town of Bluffton, South Carolina, will be strictly adhered to.

B. ALLOWED LAND USES

The following land uses as designated for each individual Tract shall be permitted in the Village at Verdier Plantation PUD. The purpose of this portion of the PUD document is to state which land uses shall be allowed within the individual tracts or planning areas of the Village at Verdier Plantation PUD.

However allowing these uses does not obligate the developer to provide the uses or facilities stated herein.

The land uses permitted are referenced in the Town of Bluffton Unified Ordinance and any amendment thereto are permitted in the Village at Verdier Plantation PUD:

1. Town Home

The Town Home area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

2. Neighborhood Residential

The Neighborhood Residential area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

3. Village Hamlet

The Village Hamlet area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

4. Private Open Space

The Private Open Space area shall have the following land uses and definitions:

- a. Activities related to soil and water conservation, measurement and control
- b. Agricultural use and structures
- c. Breeding bird and endangered species habitat
- d. Forest, tree farm, game preserve or other conservation purpose
- e. Government nature preserves
- f. Publicly owned and/or operated park, open space, recreational facility or use, and the equipment necessary for servicing such use
- g. Wildlife refuge
- h. Golf learning and practice facility

5. Multi-Family

The Multi-Family area shall have the following land uses and definitions:

- a. Single-family detached dwelling
- b. Single-family attached dwelling
- c. Two or three family dwelling
- d. Interior apartment dwelling
- e. Bluffton Historic Small Home
- f. Accessory dwelling unit/dependency unit
- g. Manufactured home
- h. Manufactured home park

6. Mixed-Use

The Mixed-Use area shall have the following land uses and definitions:

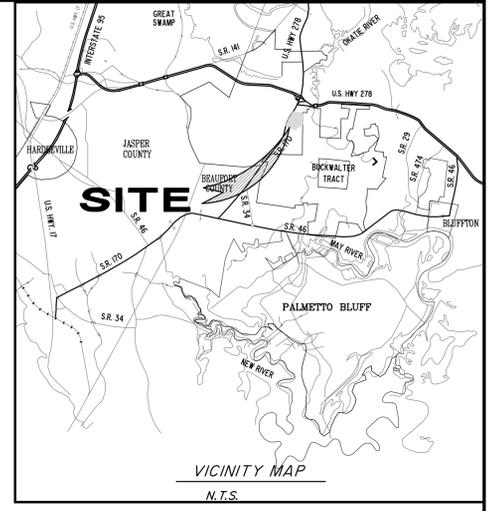
- a. Two or three family dwelling
- b. Interior apartment dwelling
- c. Family Day Care Home (6 or less children)
- d. Group Day Care Home (7 to 12 children)
- e. Child Care Center (13 to 22 children)
- f. Civic or institutional use
- g. Library
- h. Museum
- i. Post Office
- j. Public emergency service facilities
- k. Public parks
- l. School
- m. Commercial Uses — all listed in Town of Bluffton Unified Ordinance

7. Health / Human Care

The Health / Human Care area shall have the following land uses and definitions:

- a. Family Day Care Home (6 or less children)
- b. Group Day Care Home (7 to 12 children)
- c. Child Care Center (13 or more children)
- d. Hospitals
- e. Medical Offices and Clinics
- f. Nursing Homes and Long-Term Care
- g. Uses listed in Section 2.B.6 Mixed-Use

NOTE:
FUTURE LOCATION OF THE
30,000 SF CIVIC SPACE TO BE
DETERMINED



LAND USE KEY			
LAND DESCRIPTION	SYMBOL	MPA REVISION APPROVED AUGUST 2015	PROPOSED MPA REVISION
		ACREAGE	ACREAGE
TOWN HOME	A	2.9	2.9
NEIGHBORHOOD RESIDENTIAL	B	36.0	36.0
PRIVATE OPEN SPACE	C	6.4	6.4
MULTI-FAMILY	D	22.7	20.9
VILLAGE-HAMLET	E	5.1	5.1
EXISTING OFFICE AREA	-	6.6	6.6
HEALTH/HUMAN CARE	H	0.0	6.8
MIXED USE	T	5.0	0.0
MIXED-USE	V	6.6	6.6
MIXED-USE	W	5.5	5.5
MIXED-USE	X	5.6	5.6
MIXED-USE	Y	7.1	7.1
MIXED-USE	Z	1.9	1.9
WETLAND	-	12.8	12.8
1. TOTAL ACRES =		124.2	124.2
2. REQUIRED OPEN SPACE		12.4	12.43
3. PARK AREA		3.49	3.49

- TOTAL SITE ACREAGE REDUCED FROM THE ORIGINAL MASTER PLAN BY DONATION OF LAND TO BEAUFORT COUNTY FOR HIGHWAY 170 WIDENING.
 - REQUIRED OPEN SPACE PER SECTION 2.0.2 OPEN SPACE (PRIVATE OR PUBLIC) OF THE DEVELOPMENT AGREEMENT.
 - PARK AREA IS INCLUDED IN ADJACENT LAND USE AREA AND HAS BEEN CALCULATED IN THE TOTAL AREA ABOVE.
- DENSITY AND LAND USE:**
DENSITY REMAINS CONSISTENT WITH PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT. THE FOLLOWING IS AN EXCERPT FROM THE DEVELOPMENT AGREEMENT: MIXED USE DEVELOPMENT ON THE PROPERTY SHALL BE LIMITED TO THE FOLLOWING:
- A. 404,000 SQUARE FEET OF COMMERCIAL;
 - B. 404 RESIDENTIAL DWELLING UNITS; AND
 - C. 30,000 SQUARE FEET OF CIVIC DEVELOPMENT NOTWITHSTANDING ANY OTHER PROVISIONS CONTAINED WITHIN THE UNIFIED ORDINANCE. COMMERCIAL USES WITHIN THE PROPERTY SHALL BE LIMITED TO THOSE MORE FULLY DESCRIBED IN EXHIBIT "D"
- EXHIBIT D REFERS TO THE VILLAGE AT VERDIER PLANTATION PLANNED UNIT DEVELOPMENT AMENDED DECEMBER 29, 2010
- THE "HEALTH/HUMAN CARE" LAND USE TO BE INCLUDED WITHIN THE CURRENTLY APPROVED 404,000 SQUARE FEET OF COMMERCIAL.

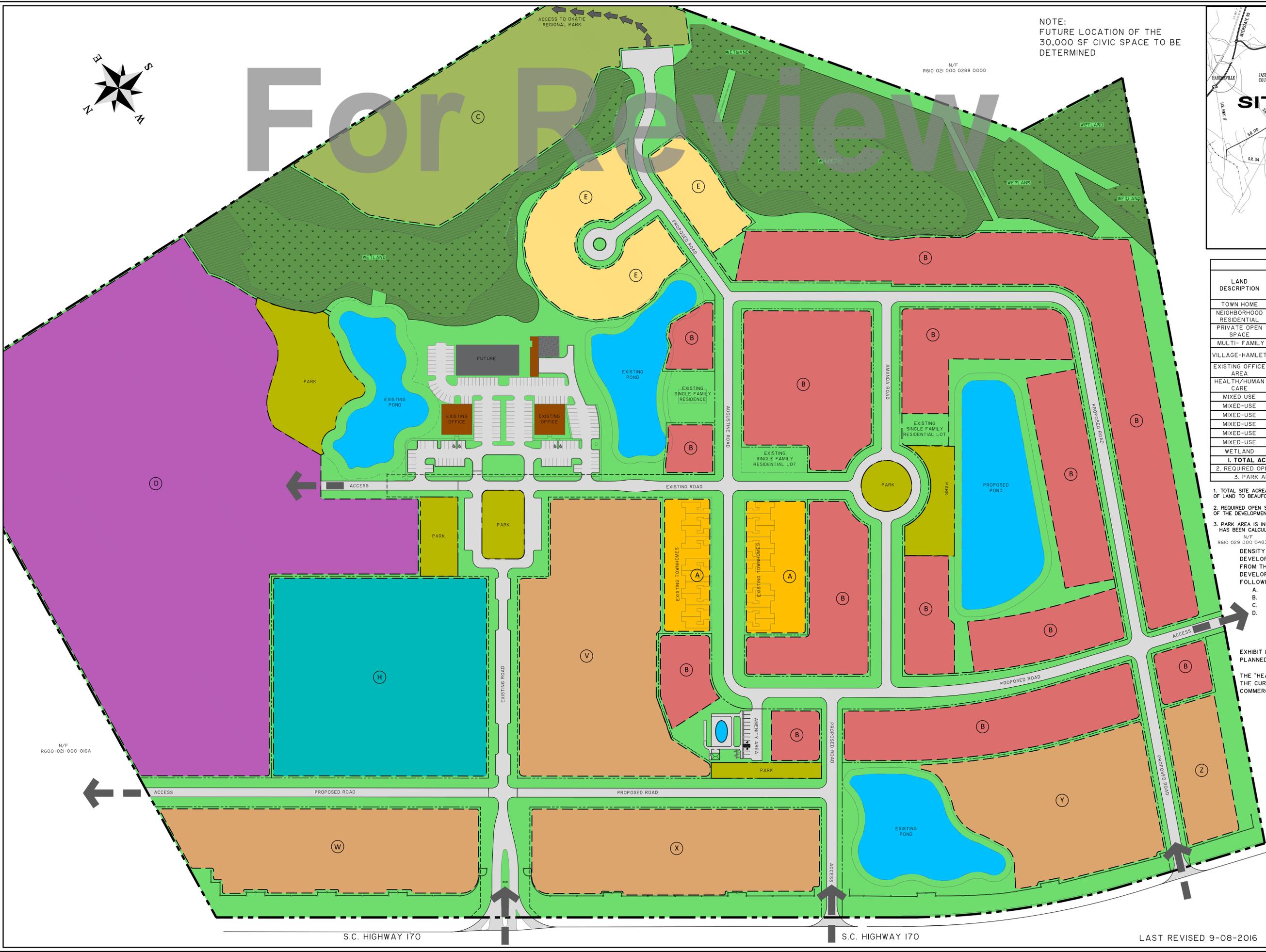
MASTER PLAN
VILLAGE AT VERDIER PLANTATION
BLUFFTON, SC

PREPARED FOR:
HEALTHSOUTH REHABILITATION HOSPITAL OF LOWCOUNTRY, LLC
PREPARED BY:

THOMAS & HUTTON
Engineering | Surveying | Planning | GIS | Consulting

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Savannah, GA 31405 • 912.234.5300
www.thomassandhutton.com

JOB NO: J-26038.0000	DATE: 09-01-16
DRAWN: JRS	SCALE: 1" = 100'
REVIEWED: JRS	SHEET: 1 OF 1



For Review

S.C. HIGHWAY 170

S.C. HIGHWAY 170

LAST REVISED 9-08-2016

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