

THOMAS & HUTTON

50 PARK OF COMMERCE WAY | SAVANNAH, GA 31405
912.234.5300 | WWW.THOMASANDHUTTON.COM

November 9, 2021

Mr. Kevin Icard
Town of Bluffton
Planning & Community Development
20 Bridge Street
Bluffton, SC 29910

Re: Grande Oaks – Parcel 12D Annexation
J-25312.0000

Dear Mr. Icard:

On behalf of our client, University Investments, LLC, please find enclosed the following in support of the Annexation Application:

- 13th Amendment document
- Project Narrative
- Recorded Plat
- Vicinity Map
- Annexation Petition Form
- Annexation Application Checklist
- Zoning Verification Letter

In support of the Annexation Application, please find enclosed the Development Agreement Application, Planned Unit Development (PUD) Concept Plan Application, and Zoning Map Amendment Application along with their respective supporting documents:

- Full-size copies of the updated Concept Plan
- Recorded plat
- Project Narrative
- Pictures of the site's existing conditions

We are respectfully requesting an annexation approval into the Town of Bluffton. Simultaneously, we respectfully request that Parcel 12D is rezoned to the Buckwalter Commons Planning area of the Buckwalter PUD. The property is presently zoned Grande Oaks PUD in Beaufort County. Please do not hesitate to contact me should you have any questions related to the submittal at (912) 234-5400 or at long.n@tandh.com.

Sincerely,

THOMAS & HUTTON



Nathan B. Long, PE

APPLICATION FOR 13TH AMENDMENT TO
BUCKWALTER TRACT DEVELOPMENT
AGREEMENT AND CONCEPT PLAN

PROJECT NARRATIVE

The Applicant, University Investments, LLC ("University Investments"), seeks approval of an amendment to the Buckwalter Tract Development Agreement and Concept Plan. The purpose of the amendment is to add 12.348 acres of land, which is being annexed herewith, to the Buckwalter Development Agreement and Concept Plan, to be designated as additional acreage of Buckwalter Commons. This 13th Amendment has the effect of adding an additional 12.348 acres of General Commercial acreage to the previously existing allowance for General Commercial acreage under the Concept Plan and Development Agreement, together with an additional 12.348 acre allowance of all other uses allowed within Buckwalter Commons under the Concept Plan and Development Agreement.

The land being added is a portion of the existing Grande Oaks PUD, under Beaufort County law, and this particular portion of the Grande Oaks PUD is currently designated as a Village Center (VC) land use area under the Grande Oaks PUD. This planning area is very similar to the Buckwalter Commons Land Use Area under the Buckwalter Concept Plan. Under the VC (Village Center) land use area of Grande Oaks, all residential uses are allowed, including single family and multifamily. A very broad range of commercial uses is also allowed under the VC designation, including virtually all types of retail uses, institutional/Church uses, and a broad range of civic office and facility uses. Again, these allowed uses under the Grande Oaks PUD are very similar to the allowed uses under the Buckwalter Commons Land Use Area of the Buckwalter Concept Plan.

The 12.348 acre tract, being annexed into Bluffton and the Buckwalter Commons Area of the Buckwalter Concept Plan, is located in the northeast corner of the Grande Oaks PUD, immediately to the south of, and adjacent to, the Buckwalter Commons Area of the Buckwalter Tract. While this property was transferred to University Investments with the right to develop 15 residential units as well as commercial, those additional units are not being transferred to Buckwalter Concept Plan. University Investments is the current owner of a substantial portion of the undeveloped part of Buckwalter Commons, immediately adjacent to the north of this Grande Oaks property.

This annexation and zoning to Buckwalter Commons Planning Area will allow University Investments and the Town to expand their planning at this important location near the

corner of Buckwalter Parkway and Bluffton Parkway. Current preliminary planning for this expanded area contemplates a mixed use, village style, development, perhaps built with residential above commercial (much like the Promenade), and including extensive medical services and commercial establishments. Any residential units developed on the 12.348 acre property shall come from previously approved and vested residential units within Buckwalter Concept Plan. No additional residential units are added hereunder.

It is also important to note that this annexation and zoning will allow an additional access point, off Lake Point Drive, for existing residents of Grande Oaks PUD to reach the planned commercial area of the existing Buckwalter Commons Area owned by University Investments. This important new access will lead to already approved access points to Bluffton Parkway, through the University Investments Area. Those already approved access points meet the Access Management Plan of Beaufort County, adopted by the Town, which include signalized and unsignalized accesses.

This Application presents an opportunity for Bluffton to enhance its current planning role for this important planned commercial/mixed use area, enhance the tax base of the Town, enhance vehicular access for present and future development, and do so by adding no additional development intensity to the area beyond that already allowed by existing Bluffton zoning.

This Narrative will now address the following Application Review Criteria, as established under Article 3, Section 3.8.3 of the Unified Development Ordinance:

A. **Promotion of and consistency with land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.** The Town has previously approved the Buckwalter Concept Plan, as amended, as being consistent with these primary goals of the Town. This requested change simply brings additional property into the Town's planning and permitting jurisdiction, while supplementing vehicular access to existing Town property as well as adjacent County controlled property. This Application is consistent with all of these primary goals of the Town.

B. **Consistency with the intent of the Planned Unit Development Zoning District as prescribed in Article 4.** This application simply makes a small change to the boundary of an existing Town PUD Zoning District, to facilitate the goals mentioned above, while staying consistent with the pre-existing applicable County Zoning Standards.

C. **Demonstration of innovative site planning techniques that improve the standards in other allowable Town Zoning Districts.** Again, this Application is a small extension of an existing Town PUD Zoning District, consistent with the goals and standards of the Town's existing PUD Zoning, while providing innovative opportunities to enhance planning of the

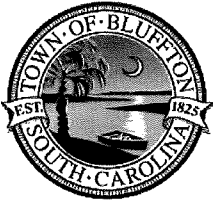
adjacent Buckwalter Commons Land Use Area, and provide innovative new access options to enhance traffic circulation.

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 areas.** As explained above, this requested annexation and zoning into Buckwalter Commons is consistent and completely compatible with adjacent land uses within the Town, as well as consistent and compatible with existing land uses within the County. The larger plans for this new property are consistent with the Town's goal of encouraging mixed use development in appropriate areas, just as the proposal remains consistent with the Beaufort County zoning for this and adjacent property within the Grande Oaks PUD

E. **Ability to be served by adequate public services, utilities, etc.** The property will become part of the existing Buckwalter Tract PUD, and has been a part of the pre-existing Grande Oaks PUD. Public services and utilities are and have been previously certified as adequate for the proposed uses. The only change will be that the newly added property will now fall within the Town's policing authority, and of course, pay Town taxes to cover any additional cost to the Town, and any applicable Development Fees.

F. **Conformance with adopted or accepted plans, policies, and practices of the Town.** As explained above in this Narrative, and in the accompanying 13th Amendment To The Development Agreement and Concept Plan for the Buckwalter Tract, this proposal is for a relatively small change to the boundaries of an existing Town PUD, and under the terms of the Buckwalter Concept Plan and Development Agreement, will conform to all adopted plans, policies, and practices which have been established for this Area, while remaining consistent with previously enacted zoning by Beaufort County.

The Applicant respectfully requests that the Town Planning Commission and Town Council approve this request for the 13th Amendment to the Buckwalter Tract Development Agreement and Concept Plan.



**TOWN OF BLUFFTON
ANNEXATION 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: University Investments, LLC		Name: University Investments, LLC	
Phone: 843-836-7920		Phone: 843-836-7920	
Mailing Address: 1278 May River Road, Suite 400 Bluffton, SC 29910		Mailing Address: 1278 May River Road, Suite 400 Bluffton, SC 29910	
E-mail: jreed@reedgroupsc.com		E-mail: jreed@reedgroupsc.com	
Town Business License # (if applicable):			
Project Information			
Project Name: PARCEL 12D TRACT ANNEXATION		Acreage: 12.348	
Project Location: NW CORNER OF INTERSECTION OF BUCKWALTER PKWY AND LAKE POINT DR.			
Existing Zoning: VC		Proposed Zoning: VC	
Tax Map Number(s): R600-029-000-2410-0000			
Project Description: Annexation and Rezoning of Parcel 12D, Part of the Grande Oaks Property at the NW corner of the intersection of Buckwalter Pkwy and Lake Point Dr., into the Buckwalter PUD.			
Select Annexation Method (see Annexation Policy and Procedures Manual):			
<input checked="" type="checkbox"/> 100 Percent Petition and Ordinance Method		<input type="checkbox"/> 75 Percent Petition and Ordinance Method	<input type="checkbox"/> 25 Percent Elector Petition and Election Method
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Completed Annexation Petition(s). <input checked="" type="checkbox"/> 2. Narrative per the attached Annexation Application Checklist. <input checked="" type="checkbox"/> 3. Parcel Information per the attached Annexation Application Checklist. <input checked="" type="checkbox"/> 4. Concurrent Applications per the attached Annexation Application Checklist. <input checked="" type="checkbox"/> 5. 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:		<i>John P. Reed</i>	Date: 11/8/21
Applicant Signature:		<i>John P. Reed</i>	Date: 11/8/21
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



TOWN OF BLUFFTON ANNEXATION APPLICATION PROCESS NARRATIVE

The following Process Narrative is intended to provide Applicants with an understanding of the respective application process, procedures and applicable ordinance 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 ordinances, policies and procedures. Compliance with these procedures will minimize delays and assure expeditious application review.

Consistent with South Carolina law, the Town of Bluffton regards annexation as a voluntary process and does not initiate annexation. Annexation of privately owned property is authorized in the following methods:

1. 100 percent freeholder petition and ordinance method [§5-3-150(3)];
2. 75 percent freeholder petition and ordinance method [§5-3-150(1)]; and
3. 25 percent elector petition and election method [§5-3-300 to 5-3-315].

Step 1. Pre-Application Meeting	Applicant & Staff
Prior to the filing of an Annexation 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 Town of Bluffton applicable ordinances.	
Step 2. Application Check-In Meeting	Applicant & Staff
Upon receiving input from Staff at the Pre-Application Meeting, the Applicant shall submit the Annexation 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 Annexation Application is complete, the application shall advance as prescribed in the Town of Bluffton's Annexation Policy and Procedure Manual.	



TOWN OF BLUFFTON ANNEXATION APPLICATION CHECKLIST

In accordance with the Town of Bluffton Annexation Policies & Procedures Manual, the following information shall be included as part of an Annexation application submitted for review. This checklist is intended to assist in the provision of the minimum documentation necessary to demonstrate compliance with Town of Bluffton policies and procedures. 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 Annexation Policies & Procedures Manual. Applicants are encouraged to work closely with Town Staff in preparing any application prior to submittal.

Narrative.
1. Contact information for property owner(s), applicant, attorney and any other applicable consultant/firm.
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. Reason for annexation request and anticipated benefits.
4. Parcel numbers and acreage of each.
5. Existing structure(s).
6. Current Special Districts (overlay, tax, and/or conservation).
7. Current Beaufort County Zoning District(s) and Land Use(s).
8. Proposed Zoning District(s) and Land Use(s).
9. Current versus Proposed Zoning District and Land Use Comparison.
10. Consistency with the Town of Bluffton Comprehensive Plan, Future Annexation Area Map, and Future Land Use Map.
11. Estimate of current population of Annexation Area.
12. Current utility service providers.
Parcel Information.
1. Deed(s) recorded with the Beaufort County Register of Deeds.
2. Plat(s) recorded with the Beaufort County Register of Deeds.
3. Covenants and Restriction(s) recorded with the Beaufort County Register of Deeds.
4. Easement(s) recorded with the Beaufort County Register of Deeds.
5. Agreement(s) recorded with the Beaufort County Register of Deeds.
6. Any other Document(s) recorded with the Beaufort County Register of Deeds.
7. Location Map of proposed Annexation Area showing: <ul style="list-style-type: none"> a) Existing Structures; b) Current Beaufort County Zoning District(s); and c) Adjacent Property Owners.
8. Zoning verification letter from Beaufort County providing: <ul style="list-style-type: none"> a) Current Beaufort County Zoning; and b) Special Districts such as Overlays.
9. Parcel History letter from Beaufort County providing: <ul style="list-style-type: none"> a) Special Districts such as, but not limited to, Tax Increment Finance District, Assessment District, and Multi-County Industrial Park; b) Any application(s) submitted for the past 10 years and the current status of the application; and c) Any zoning, land development, building, or county code violation(s) for the past 10 years and the current status of the violation.
10. Photographs of: <ul style="list-style-type: none"> a) Existing Structures and Land Use; and b) Adjacent Property.



**TOWN OF BLUFFTON
ANNEXATION
APPLICATION CHECKLIST**

Concurrent Applications.

1. Zoning Map Amendment application and required submittal items.
2. Other concurrent applications, as applicable:
 - a) Comprehensive Plan Amendment application and required submittal items;
 - b) Development Agreement application and required submittal items;
 - c) Concept Plan application and required submittal items; and/or
 - d) Master Plan application and required submittal items.

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

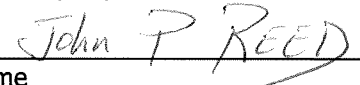
By signature below I certify that I have reviewed and provided the minimum submittal requirements listed above, including any additional items requested by the Town of Bluffton Staff. Any items not provided have been listed in the project narrative with an explanation as to why the required submittal 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).



Signature of Property Owner or Authorized Agent



Date



Printed Name



Parcel 12D and 1

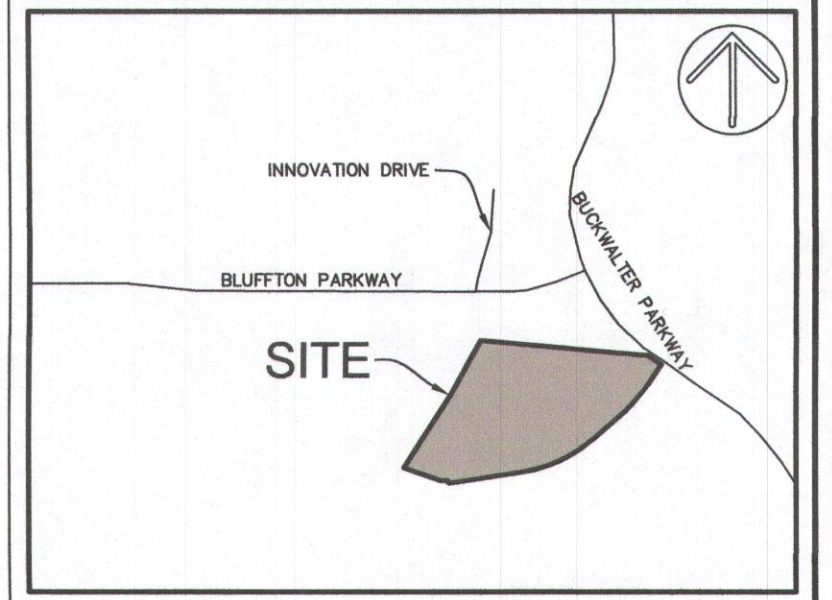
Vicinity Map
06/08/2020

Parcels

CURVE TABLE					
LABEL	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	1738.00'	723.68'	718.46'	N78°14'29"E	23°51'26"
C2	386.70'	484.88'	453.73'	S64°14'28"E	71°50'52"
C3	2070.00'	965.28'	956.56'	S42°13'12"E	78°43'05"
C4	662.00'	110.13'	110.00'	S39°10'00"W	9°31'53"
C5	200.00'	24.05'	24.04'	S40°29'12"W	6°53'28"
C6	185.00'	39.93'	39.86'	S43°14'11"W	12°22'04"
C7	717.00'	402.91'	397.63'	S65°31'42"W	32°11'49"

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S84°45'58"E	20.42'
L2	N66°18'46"E	42.77'
L3	N27°29'43"W	14.97'
L4	S89°51'47"W	34.49'

NORTH
SC GRID (NAD 83)



VICINITY MAP NOT TO SCALE

- LEGEND
- ▲ CALC POINT - CORNER NOT SET
 - CONC. MONUMENT FOUND
 - IPF IRON PIPE FOUND
 - RIGHT-OF-WAY CONC. MONUMENT FOUND
 - R.O.W. CONC. MONUMENT FOUND DISTURBED
 - 5/8" IRON REBAR SET
 - PK NAIL SET
 - ⊙ AIR RELEASE VALVE MANHOLE
 - ⊙ SANITARY SEWER VALVE MARKER
 - ⊙ SANITARY SEWER VALVE
 - ⊙ STORM DRAIN MANHOLE
 - ⊙ WETLAND FLAG
 - ⊙ WETLANDS
 - SD UNDERGROUND DRAINAGE LINE
 - EDGE OF PAVEMENT

- NOTES
- THIS PARCEL APPEARS TO LIE IN FLOOD ZONE C, FIRM PANEL 0085-D COMMUNITY 450025.
 - HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83).
 - WETLAND DELINEATION IS PER REFERENCE #4.
 - RESIDUAL ACREAGE OF PARCEL 12A WAS CALCULATED PER REFERENCES #1 & #2.
 - RESIDUAL ACREAGE OF TMS #R600 029 000 0014 0000 IS PER REFERENCE #4.
- REFERENCES
- PB:134 PG:147
 - PB:109 PG:198
 - DB:2278 PG:1264
 - A BOUNDARY SURVEY OF TMS# R600-029-000-0014, 34.356 AC, BLUFFTON TOWNSHIP, BEAUFORT COUNTY, SC, DATE: 4/8/2019 FROM COASTAL SURVEYING CO. INC.

PREPARED FOR:
UNIVERSITY INVESTMENTS, LLC.

A SUBDIVISION PLAT OF
**PARCEL 12A &
TMS# R600 029 000 0014 0000**

TAX PARCEL No.'s
R610 029 000 0611 0000 &
R600 029 000 0014 0000

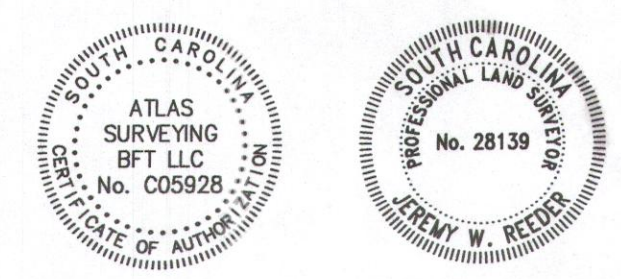
THE TOWN OF BLUFFTON
BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: HWR
FIELD CHECK: JWR
DRAWN BY: TDU
DATE: 03-09-2020
SCALE: 1"=50'
PROJECT No.: BFT-19025
FILE: BFT-19265 SUBS.DWG

EXEMPT
This plot of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Development Standards Ordinance as provided for in Article VII, Division Section 7-5.2.5(b)(3).
Certified by: *H. H. Aust*
Date: 03-31-2020

BEAUFORT COUNTY SC-ROD
BK 153 Pg 176
NS174 2020017012 RCPT#969750
DATE: 03/31/2020 11:40:48 AM
REC FEES: \$25.00
CO90.00 ST50.00 TR90.00

ATLAS SURVEYING, INC.
49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM



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.

Jeremy W. Reeder
JEREMY W. REEDER
S.C.P.L.S. No. 28139
NOT VALID UNLESS COUNTERED WITH SEAL

N/F
UNIVERSITY INVESTMENTS
TMS R610 029 000 0611 0000
RESIDUAL ACREAGE
OF PARCEL 12A
1,279,378.31 Sq.Ft.
29.370 Ac.

N/F
GRANDE OAKS II LLC
TMS R600 029 000 0014 0000
RESIDUAL ACREAGE
OF TMS #
891,374.16 Sq.Ft.
20.463 Ac.

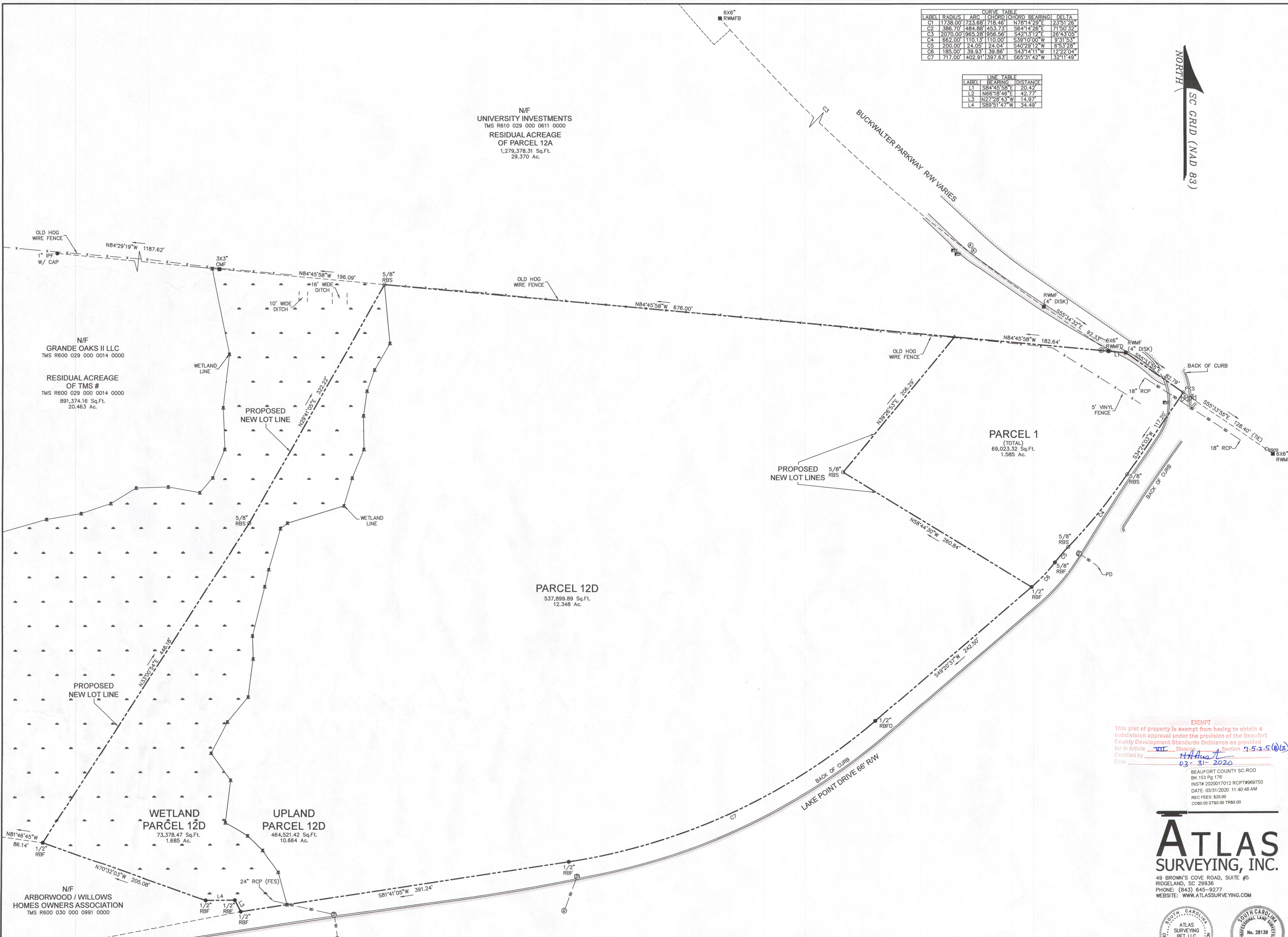
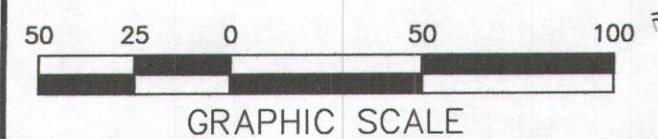
PARCEL 1
(TOTAL)
69,023.32 Sq.Ft.
1.585 Ac.

PARCEL 12D
537,899.89 Sq.Ft.
12.348 Ac.

WETLAND
PARCEL 12D
73,378.47 Sq.Ft.
1.685 Ac.

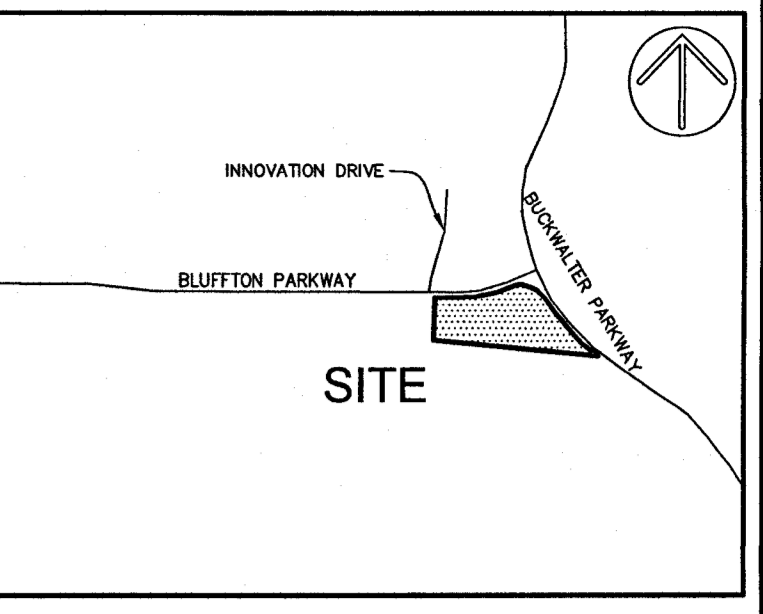
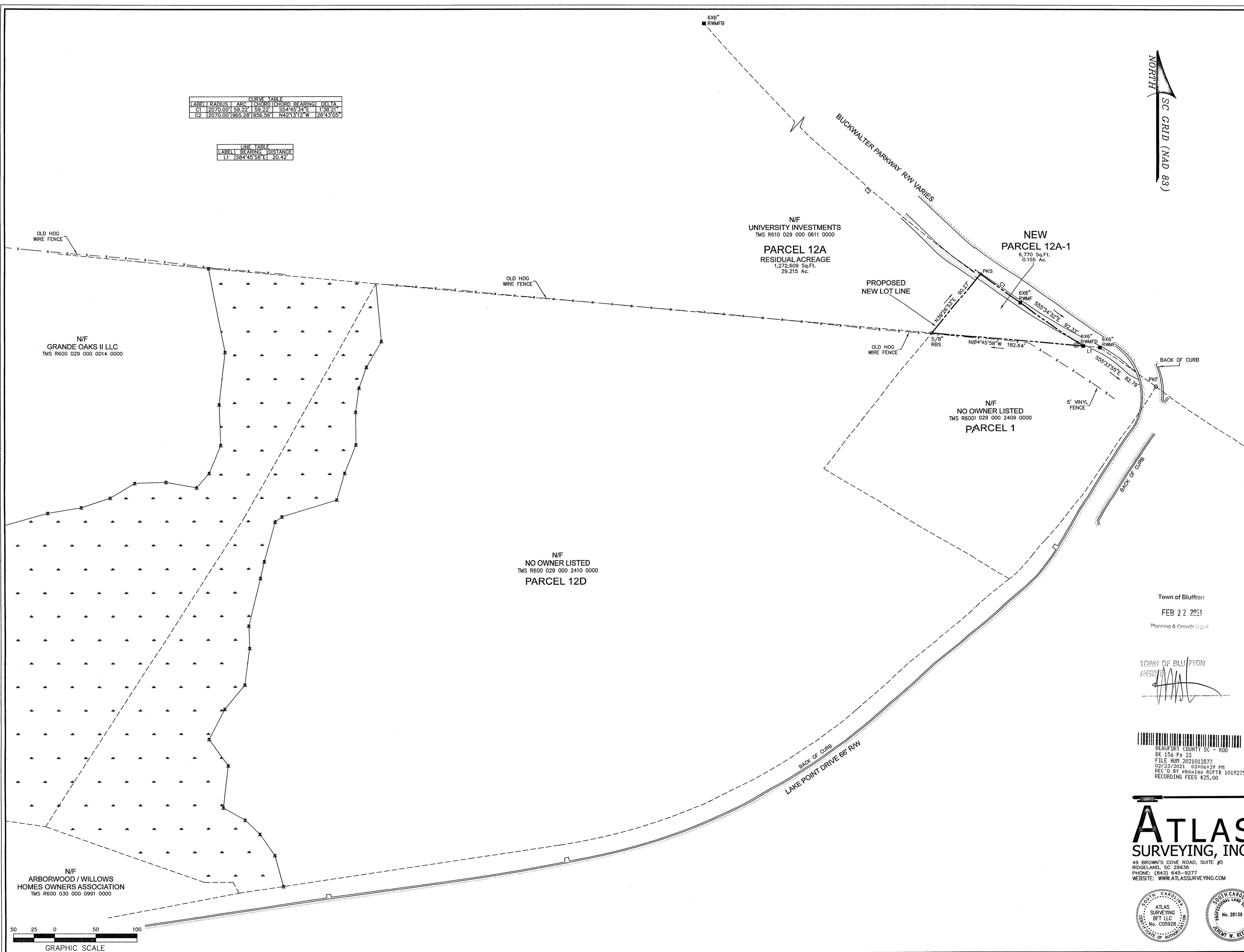
UPLAND
PARCEL 12D
464,521.42 Sq.Ft.
10.664 Ac.

N/F
ARBORWOOD / WILLOWS
HOMES OWNERS ASSOCIATION
TMS R600 030 000 0991 0000



CURVE TABLE					
LABEL	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	2070.00	59.22'	59.22'	S54°45'34"E	1°39'21"
C2	2070.00	1965.28'	1956.56'	N42°13'12"W	26°43'05"

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S64°43'58"E	20.42'



- LEGEND
- CMF ■ CONC. MONUMENT FOUND
 - RWMF ■ RIGHT-OF-WAY CONC. MONUMENT FOUND
 - RWMFD ■ R.O.W. CONC. MONUMENT FOUND DISTURBED
 - RWMFB ■ R.O.W. CONC. MONUMENT FOUND BROKEN
 - RBS ○ 5/8" IRON REBAR SET
 - PKF ○ PK NAIL FOUND
 - PKS ○ PK NAIL SET
 - WETLANDS
 - EDGE OF PAVEMENT
 - ⊙ SANITARY SEWER MANHOLE

- NOTES
1. THIS PARCEL APPEARS TO LIE IN FLOOD ZONE C, FIRM PANEL 0085-D COMMUNITY 450025.
 2. HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83).
 3. RESIDUAL ACREAGE OF PARCEL 12A WAS CALCULATED PER REFERENCES #1 & #2.

- REFERENCES
1. PB-134 PG:147
 2. PB-109 PG:198
 3. DB-2278 PG:1264
 4. A BOUNDARY SURVEY OF TMS# R600-029-000-0014, 34.356 AC, BLUFFTON TOWNSHIP, BEAUFORT COUNTY, SC. DATE: 4/8/2019 FROM COASTAL SURVEYING CO. INC.
 5. PB-153 PG: 176

Town of Bluffton
FEB 22 2021
Planning & Growth Dept

TOWN OF BLUFFTON
APPROVED

BEAUFORT COUNTY SC - ROD
BK 156 Pa 23
FILE NUM 2021012877
02/22/2021 03:04:29 PM
REC'D BY pboxley RCPT# 1019275
RECORDING FEES \$25.00

ATLAS SURVEYING, INC.
49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM

ATLAS SURVEYING
BTL LLC
No. 005928

ATLAS SURVEYING
No. 28139
JEREMY W. REEDER

PREPARED FOR:
UNIVERSITY INVESTMENTS, LLC.

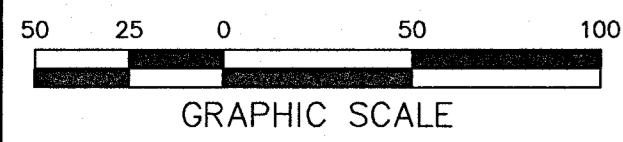
A SUBDIVISION PLAT OF
PARCEL 12A
TAX PARCEL No.
R610 029 000 0611 0000

THE TOWN OF BLUFFTON
BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: N/A
FIELD CHECK: JWS
DRAWN BY: TOJ
DATE: 12-17-2020
SCALE: 1"=50'
PROJECT No.: BTL-19285
FILE: BTL-19285 SUB6.DWG

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.

JEREMY W. REEDER
S.C.P.L.S. No. 28139
NOT VALID UNLESS CRIMPED WITH SEAL



June 30, 2020 Draft

DRAFT October 19, 2021

STATE OF SOUTH CAROLINA)	THIRTEENTH AMENDMENT TO
)	DEVELOPMENT AGREEMENT AND
COUNTY OF BEAUFORT)	CONCEPT PLAN
)	BUCKWALTER TRACT

This Thirteenth Amendment (“Thirteenth Amendment”) to Development Agreement and Concept Plan is made and entered into this _____ day of _____, 2021 by and between the TOWN OF BLUFFTON, South Carolina (“Town”), and University Investments, LLC (“University Investments”), a South Carolina Limited Liability Company, its successors and assigns.

WHEREAS, Town and The Branigar Organization, Inc. (Branigar) executed and approved a Development Agreement (“Development Agreement”), dated April 19, 2000, and recorded in the Office of the Register of Deeds (“ROD”) for Beaufort County, South Carolina in Official Record Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract, originally containing approximately 5,680 acres of land, more particularly described in the Development Agreement and amendments thereto; and,

WHEREAS, concurrently with the execution of the Development Agreement, the Town of Bluffton annexed the Buckwalter Tract into the Town boundaries and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and the Concept Plan (“Concept Plan”) for Buckwalter Tract, adopted April 19, 2000; and,

WHEREAS, subsequent to the execution and approval of the original Development Agreement and Concept Plan, Town has approved Twelve(12) Amendments to the Buckwalter Development Agreement and Concept Plan as follows:

1. First Amendment, which added the 11.721 acre Robertson Tract and no additional Density to the Buckwalter Development Agreement and Concept Plan was executed on June 21, 2002 and recorded in the Beaufort County Office of the Register of Deeds in Book 1599 Page 1149; and

2. Second Amendment, which added the 43.48 acre Johnson Tracts as well as 55 Dwelling Units to the Buckwalter Development Agreement and Concept Plan was executed on February 4, 2003 and recorded in the Beaufort County Office of the Register of Deeds in Book 1709 Page 1440; and

3. Third Amendment, which added the 173.62 acre Cypress Lake Tract from the Jones Estate Development Agreement and Concept Plan as well as 600 Dwelling Units and 90 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan was executed on October 10, 2005 and recorded in the Beaufort County Office of the Register of Deeds in Book 2256 Page 189; and

4. Fourth Amendment, which added the 59.91 acre Rose Dhu Creek Phase III Tract as well as 18 Dwelling Units to the Buckwalter Development Agreement and Concept Plan was executed on October 10, 2005 and recorded in the Beaufort County Office of the Register of Deeds in Book 2256 Page 204; and

5. Fifth Amendment, which added the 58.85 acre Graves Tract as well as 58.85 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan was executed on November 2, 2005 and recorded in the Beaufort County Office of the Register of Deeds in Book 2305 Page 410; and

6. Sixth Amendment, which added the 2.687 acre Jacoby Tract and no additional Density to the Buckwalter Development Agreement and Concept Plan was executed on May 10, 2006 and recorded in the Beaufort County Office of the Register of Deeds in Book 2816 Page 1746; and

7. Seventh Amendment, which added the 6.5 acre University Investments Tract and no additional Density to the Buckwalter Development Agreement and Concept Plan was executed on January 7, 2008 and recorded in the Beaufort County Office of the Register of Deeds in Book 2671 Page 2250; and

8. Eighth Amendment, which added 324 Dwelling Units through Transfer of Development Rights Permit for Buckwalter Place Initial Master Plan to the Buckwalter Development Agreement and Concept Plan was executed on November 6, 2007 and recorded in the Beaufort County Office of the Register of Deeds in Book 2823 Page 384; and

9. Ninth Amendment, which added the 163 acre Willow Run Tract, the reallocation of Land Uses for the Northern Tract, as well as 260 Dwelling Units and 162 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan was executed on February 25, 2008 and recorded in the Beaufort County Office of the Register of Deeds in Book 2724 Page 1787; and

10. Tenth Amendment, which approved certain changes in use to the 9.18 acre Robertson Site, and related conditions, was executed on February 10, 2012 and recorded in the Beaufort County Register of Deeds in Book 3119 at page 2458; and

11. Eleventh Amendment, which changed the land use designation of a 70± acre tract within Buckwalter PUD from Sandhill Tract to Buckwalter Commons, and included Deeds in Book _____ at Page _____; and

12. Twelfth Amendment, which added the _____ acre Catholic Church property to the Buckwalter Development Agreement and Concept Plan, with the details of use and density stated therein, executed on _____, 2021, and recorded in the Office of the Register of Deeds in Deed Book _____ at Page _____.

WHEREAS, University Investments is the owner of a certain 12.348 acre tract, located adjacent to the current Buckwalter Concept Plan, and currently a part of the adjacent Grande Oaks PUD within Beaufort County, South Carolina, said tract being designated hereunder as Parcel 12D, containing 12.348 acres, and said tract being more particularly described in Exhibit A hereto; and

WHEREAS, the Parcel 12D Tract was originally designated to have allowed uses and densities as provided for the Grande Oaks PUD, under the land use designation VCI, which allows a broad range of commercial uses as well as single family and multifamily uses, all as shown in the current Beaufort County PUD approval; and

WHEREAS, it is now the desire and intention of Town and University Investments to effectuate this Thirteenth (13th) Amendment to the Development Agreement and Concept Plan to provide for the designation of the Parcel 12D Tract as a part of the Buckwalter PUD, as Buckwalter Commons, concurrently with the annexation of Parcel 12D Tract into the Town; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, Town and University Investments agree as follows:

1. **Recitals**. The above recitals are hereby incorporated herein by reference.
2. **Amendment of Development Agreement**. That certain Development Agreement, dated April 19, 2000, and recorded in Official Records Book 1288 at Page 1 in the Office of the Register of Deeds for Beaufort County, South Carolina, as previously amended, is hereby further amended, so that the Additional Property described more fully in Exhibits A hereto is included in the Legal Description of the Buckwalter Tract, and Exhibit B to the Development Agreement is hereby so amended. The effect of this Amendment is to add the Additional Property described in Exhibit A hereto, as depicted on the plat attached as Exhibit “B” hereto, to the terms and coverage of the Development Agreement, as previously amended, as fully and completely as if said property had been originally included under Exhibits A and B to the Development Agreement, including subsequent Amendments thereto, and further, to approve the Amended Concept Plan attached hereto as Exhibit “C”, under the terms set forth below.

3. **Land Use Designation / Density.** All of the additional Property is hereby added to the Buckwalter Concept Plan and designated as 12.348 acres of additional Buckwalter Commons Tract as depicted on the Amended Concept Master Plan attached hereto as Exhibit “C”. Development within the Additional Property shall be governed by the Zoning Regulations (as defined in the Buckwalter Development Agreement), and by the Amended Concept Plan, attached hereto as Exhibit “C”. Specifically, the land uses and development standards applicable to Buckwalter Commons shall control development within the Additional Property, as set forth in the original Concept Plan and Development Agreement, and as previously amended, provided that the parties hereto agree that while traditional village design is an allowed development type within Buckwalter Commons, such design is not required within the Additional Property. The current allowance, by right, of 15 residential density units under Beaufort County approvals, shall be abandoned hereunder. This 13th Amendment further has the effect of adding an additional 12.348 acres of General Commercial acreage to the previously existing allowance for General Commercial acreage under the Concept Plan and Development Agreement, together with an additional 12.348 acre allowance of all other uses allowed within Buckwalter Commons under the Concept Plan and Development Agreement. **It is specifically noted that the existing Grande Oaks PUD, under Beaufort County law, had allowed for commercial and residential density on this Property, so that the effect hereof is to reduce residential density for the area, without expanding allowed commercial acreage. Any residential density developed on the 12.348 acre property shall come from previously approved and vested residential units within Buckwalter Concept Plan. No additional density units are added hereunder.**
4. **Consistency With Comprehensive Plan.** The Town of Bluffton confirms that the matters contained herein are consistent with the Comprehensive Plan of the Town, and consistent with long-range traffic planning for the Town, wetland protection and other planning goals.
5. **Miscellaneous.** Except as expressly modified hereby, and as previously modified of record, the Development Agreement and Concept Plan for the Buckwalter Tract shall continue in full force and effect. By their signatures below, the parties hereto consent to this Amendment to the Development Agreement and to the Amendment of the Concept Plan to include the Exhibit A Property, as designated in Exhibit “C” hereto.
6. **Binding Effect.** This Thirteenth Amendment to the Buckwalter Development Agreement and Concept Plan shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

In Witness Whereof, the parties hereto, in and through their authorized representatives, have caused these instruments to be executed on their behalf effective the date first above written.

WITNESSES:	TOWN OF BLUFFTON, SOUTH CAROLINA
_____	By: _____
_____	Its: _____
	Attest: _____

STATE OF SOUTH CAROLINA)	
)	ACKNOWLEDGMENT
COUNTY OF BEAUFORT)	

I, _____, Notary Public for South Carolina do hereby certify that _____ on behalf of Town of Bluffton, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this the ___ day of _____, 2021.

Notary Public for South Carolina
My Commission Expires: _____

June 30, 2020 Draft

EXHIBIT A TO THE THIRTEENTH AMENDMENT

Property Description - Parcel 12D

All that certain property shown and described as Parcel 12D, containing 12.348 acres, on a plat prepared by Atlas Surveying, Inc., executed by Jeremy W. Reeder, S.C.P.L.S. No. 28139, said plat being dated March 9, 2020, and recorded in Book 153 at Page 176 on March 31, 2020, in the Register of Deeds Office of Beaufort County, South Carolina.

June 30, 2020 Draft

EXHIBIT B TO THE THIRTEENTH AMENDMENT

Copy of Plat of Annexed Property

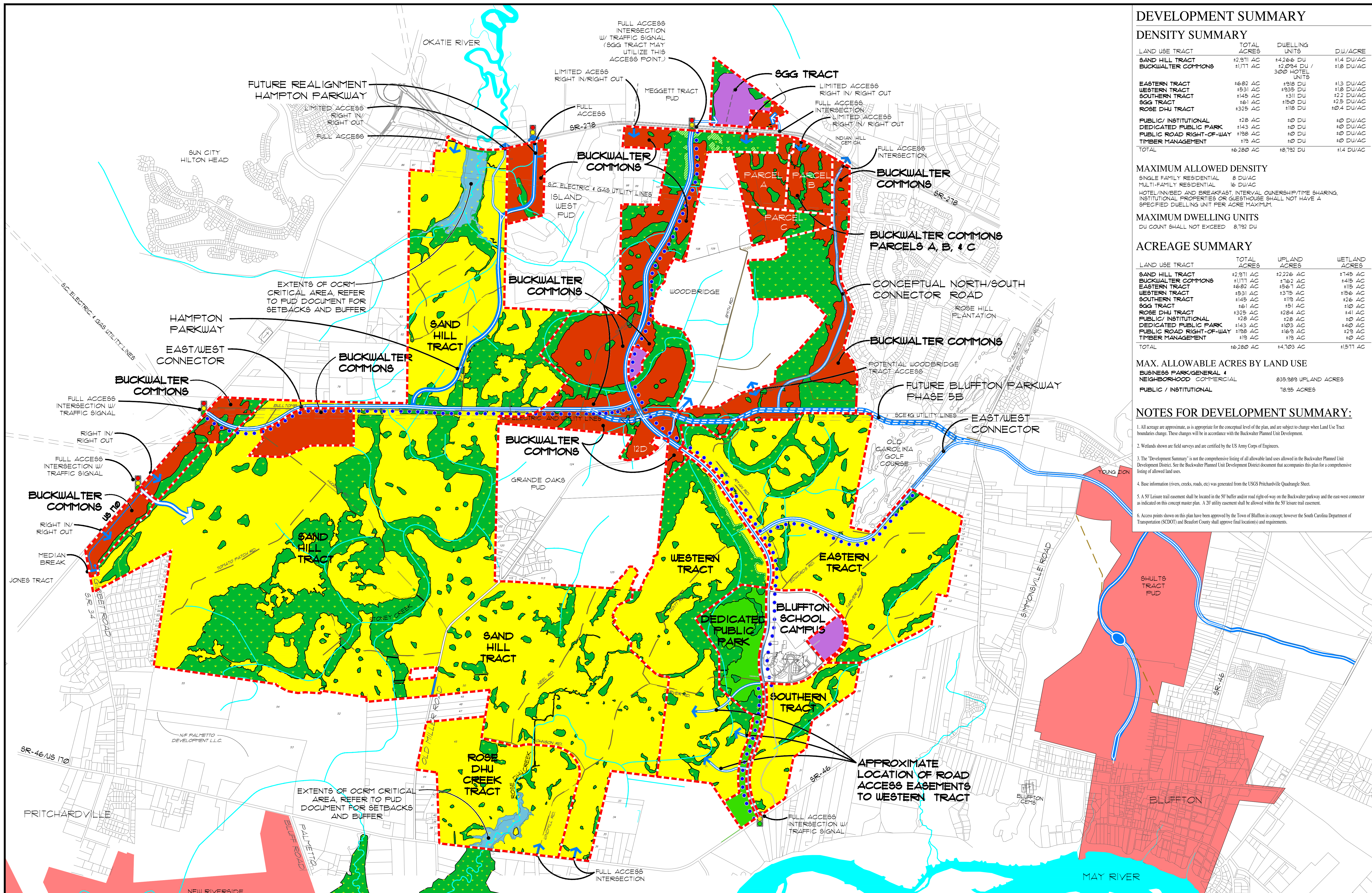
Attached hereto for convenient reference is a copy of that certain plat more particularly described in Exhibit A hereto.

June 30, 2020 Draft

EXHIBIT C TO THE THIRTEENTH AMENDMENT

Amended PUD Concept Plan

Attached hereto is the Amended Buckwalter PUD Concept Plan, with changes as adopted under this Thirteenth Amendment.



DEVELOPMENT SUMMARY

DENSITY SUMMARY

LAND USE TRACT	TOTAL ACRES	DWELLING UNITS	D.U./ACRE
SAND HILL TRACT	12,911 AC	14,266 DU	1.14 DU/AC
BUCKWALTER COMMONS	11,171 AC	12,054 DU / 300 HOTEL UNITS	1.08 DU/AC
EASTERN TRACT	16,82 AC	1,918 DU	0.11 DU/AC
SOUTHERN TRACT	15,31 AC	1,535 DU	0.10 DU/AC
SGG TRACT	145 AC	1,311 DU	9.07 DU/AC
ROSE DHU TRACT	161 AC	1,150 DU	7.15 DU/AC
	1,325 AC	118 DU	0.09 DU/AC
PUBLIC/ INSTITUTIONAL	128 AC	10 DU	0.08 DU/AC
DEDICATED PUBLIC PARK	143 AC	10 DU	0.07 DU/AC
PUBLIC ROAD RIGHT-OF-WAY	198 AC	10 DU	0.05 DU/AC
TIMBER MANAGEMENT	119 AC	10 DU	0.08 DU/AC
TOTAL	16,280 AC	18,192 DU	1.14 DU/AC

MAXIMUM ALLOWED DENSITY

SINGLE FAMILY RESIDENTIAL 8 DU/AC
 MULTI-FAMILY RESIDENTIAL 16 DU/AC

HOTEL/INBED AND BREAKFAST, INTERVAL OWNERSHIP/TIME SHARING, INSTITUTIONAL PROPERTIES OR GUESTHOUSE SHALL NOT HAVE A SPECIFIED DWELLING UNIT PER ACRE MAXIMUM.

MAXIMUM DWELLING UNITS

DU COUNT SHALL NOT EXCEED 8,192 DU

ACREAGE SUMMARY

LAND USE TRACT	TOTAL ACRES	UPLAND ACRES	WETLAND ACRES
SAND HILL TRACT	12,911 AC	12,226 AC	1,745 AC
BUCKWALTER COMMONS	11,171 AC	11,621 AC	1,415 AC
EASTERN TRACT	16,82 AC	15,671 AC	1,115 AC
SOUTHERN TRACT	15,31 AC	15,175 AC	1,116 AC
SGG TRACT	145 AC	119 AC	126 AC
ROSE DHU TRACT	161 AC	151 AC	110 AC
PUBLIC/ INSTITUTIONAL	128 AC	128 AC	141 AC
DEDICATED PUBLIC PARK	143 AC	128 AC	140 AC
PUBLIC ROAD RIGHT-OF-WAY	198 AC	169 AC	129 AC
TIMBER MANAGEMENT	119 AC	119 AC	140 AC
TOTAL	16,280 AC	14,703 AC	1,511 AC

MAX. ALLOWABLE ACRES BY LAND USE

BUSINESS PARK/GENERAL & NEIGHBORHOOD COMMERCIAL	835,989 UPLAND ACRES
PUBLIC / INSTITUTIONAL	78.95 ACRES

- NOTES FOR DEVELOPMENT SUMMARY:**
- All acreage are approximate, as is appropriate for the conceptual level of the plan, and are subject to change when Land Use Tract boundaries change. These changes will be in accordance with the Buckwalter Planned Unit Development.
 - Wetlands shown are field surveys and are certified by the US Army Corps of Engineers.
 - The "Development Summary" is not the comprehensive listing of all allowable land uses allowed in the Buckwalter Planned Unit Development District. See the Buckwalter Planned Unit Development District document that accompanies this plan for a comprehensive listing of allowed land uses.
 - Base information (rivers, creeks, roads, etc.) was generated from the USGS Pritchardville Quadrangle Sheet.
 - A 50' Leisure trail easement shall be located in the 50' buffer and/or road right-of-way on the Buckwalter Parkway and the east-west connector as indicated on this concept master plan. A 20' utility easement shall be allowed within the 50' leisure trail easement.
 - Access points shown on this plan have been approved by the Town of Bluffton in concept; however the South Carolina Department of Transportation (SCDOT) and Beaufort County shall approve final locations and requirements.

CONCEPT MASTER PLAN

For:
Buckwalter
 PLANNED UNIT DEVELOPMENT
 Bluffton, South Carolina

Prepared For:
Branigar Organization
 Savannah, Georgia



A company of
 INTERNATIONAL PAPER

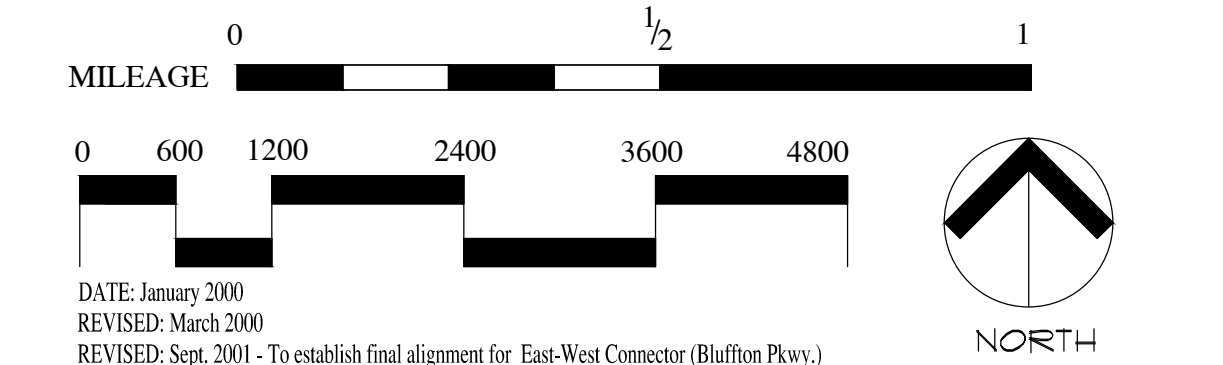
Prepared By:
Wood+Partners, Inc.
 Landscape Architects/Land Planners
 Hilton Head Island, South Carolina
Thomas & Hutton Engineering Co.
 Savannah, Georgia

LEGEND:

- ROADS / PUBLIC RIGHT-OF-WAY
- INTERSECTION/ ACCESS POINTS
- EXISTING DIRT ROADS
- STREAMS / WATER CHANNELS
- LAND USE TRACT LIMIT
- LEISURE TRAIL

PUD LAND USE AREAS

- RESIDENTIAL
- COMMERCIAL
- PUBLIC/INSTITUTIONAL
- WETLANDS
- TIMBER MANAGEMENT
- OCRM CRITICAL AREA
- DEDICATED PUBLIC PARK



DATE: January 2000
 REVISED: March 2000
 REVISED: Sept. 2001 - To establish final alignment for East-West Connector (Bluffton Pkwy.)
 REVISED: October 2001 - To provide leisure trail along East / West Connector
 REVISED: May 2002 - Property addition to the Sand Hill Tract
 REVISED: August 2002 - Property addition to the Sand Hill Tract
 REVISED: October 2004 - Property addition to Sand Hill Tract & Buckwalter Commons
 REVISED: December 2004 - Property addition to the Sand Hill Tract
 REVISED: May 2005 - Hampton Parkway addition
 REVISED: July 2005 - Graves Tract Addition
 REVISED: October 2005 - Rose Dhu Phase 3 addition
 REVISED: January 2006 - Jacody addition
 REVISED: May 2007 - Buckwalter Commons
 REVISED: November 2007 - Willow Run Tract
 REVISED: February 2008 - Unit Counts
 REVISED: March 23, 2009 C-1 278 Parcel
 REVISED: November 2011 - Buckwalter 110th Amendment - Robertson Site
 REVISED: February 2012 - Modified Bluffton Parkway Phase 5B Alignment
 REVISED: October 2012 - Modified Sand Hill Tract/Buckwalter Commons Connector Tract to add 70 Acres into Buckwalter Commons
 12th Amendment - REVISED: September 2020 - Amended Saint Gregory the Great Tract (SGG Tract). Modification includes addition of 50.45 acres wetlands/ forestation and 10.65 acres of commercial and added 150 Residential Dwelling Units.
 Included future: Bluffton Parkway Phase 5b
 13th Amendment - REVISED: October 2021 - Modified Buckwalter Commons to include Parcel 12D. Acreage increased by 12,348 acres.



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Community Development

Multi Government Center • 100 Ribaut Road
Post Office Drawer 1228, Beaufort, SC 29901-1228

OFFICE (843) 255-2170

FAX (843) 255-9446

June 05, 2020

Mr. Rusty Windsor, PE
Thomas & Hutton
50 Park of Commerce Way
Savannah, GA 31405

Re: Zoning Verification Letter
District 600, Map 029, Parcel 2409

Dear Mr. Windsor:

Per your request, I hereby certify as follows:

1. That I am the duly appointed Zoning Administrator for Beaufort County and have access to the information required to make the following certifications.
2. That the referenced property is zoned Grande Oaks PUD (PUD 600-18), pursuant to the Beaufort County Official Zoning Map.
3. Information for this PUD is located at www.beaufortcountysc.gov. (Planning Department)
4. I am not aware of any zoning violations with respect to the property or any action or proceeding pending before any Court or administrative agency with respect to the zoning of the property or any improvement located hereon.

If I may be of further assistance, please do not hesitate to contact me at 843.255.2173 or by email at hillarya@bcgov.net.

Sincerely,

Hillary A. Austin
Zoning & Development Administrator

Dist	Map	SMap	Parcel	Block	Week
R600	029	000	2410	0000	00

RECORDED
2021 Aug -23 03:11 PM


BEAUFORT COUNTY AUDITOR

BEAUFORT COUNTY SC - ROD
BK 4019 Pgs 1098-1099
FILE NUM 2021040398
06/02/2021 03:04:02 PM
RCPT# 1037850
RECORDING FEES 15.00
County Tax County 687.50
State Tax State 1,625.00

This deed was prepared in the law offices of
BURR & FORMAN LLP
23-B Shelter Cove Ln #400, Post Office Drawer 3
Hilton Head Island, SC 29928
(843) 785-2171

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

TITLE TO REAL ESTATE
(Limited Warranty)

KNOW ALL PERSONS BY THESE PRESENTS, that Grande Oaks II, LLC, hereinafter referred to as "Grantor," in the State aforesaid, for and in consideration of the sum of Six Hundred Twenty-Five Thousand and 00/100 Dollars (\$625,000.00) to Grantor in hand paid by

University Investments, LLC
P.O. Box 23767
Hilton Head Island, SC 29925

hereinafter referred to as "Grantee," the receipt of which is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions set forth in the legal description below, unto the said Grantee, the following described property:

ALL that certain piece, parcel or tract of land, situate, lying and being in Beaufort County, South Carolina and being designated as Parcel 12D as shown on that certain plat prepared by Atlas Surveying, Inc., Jeremy W. Reeder, SCPLS No. 28130, dated December 17, 2020, and recorded in the Beaufort County Records in Plat Book 156 at Page 23.

SAVE AND EXCEPT, ALL that certain piece, parcel or tract of land, situate, lying and being in Beaufort County, South Carolina and being designated as Parcel 1 as shown on that certain plat prepared by Atlas Surveying, Inc., Jeremy W. Reeder, SCPLS No. 28130, dated December 17, 2020, and recorded in the Beaufort County Records in Plat Book 156 at Page 23.

The property intended to be conveyed herein is a portion of the same property conveyed to the within Grantor by Deed from Robertson Real Estate Partnership, a South Carolina Partnership, dated September 14, 2011, and recorded in Book 3093 at Page 104, Beaufort County Records, on October 25, 2011.

This Deed was prepared without benefit of title examination in the Law Offices of Burr & Forman LLP, Post Office Drawer 3, Hilton Head Island, South Carolina 29938, by Walter J. Nester, III.

