

# AGENDA ITEM:

## XII-E

Ordinance item E

**STATE OF SOUTH CAROLINA  
COUNTY OF JASPER**

**ORDINANCE: 2020-\_\_\_\_\_**

**AN ORDINANCE  
OF JASPER COUNTY COUNCIL**

To amend the Peninsula Planned Development District (PDD) Concept Plan Map, so as to rearrange the land uses for four parcels bearing Jasper County Tax Map Numbers 067-00-01-054; 067-00-01-055; 067-00-01-056; and 067-00-01-058, as shown on the attached Exhibit, titled "Peninsula Tract 1", dated June 15, 2020.

**WHEREAS**, the owner of four parcels consisting of approximately 374 acres bearing Jasper County Tax Map Numbers 067-00-01-054; 067-00-01-055; 067-00-01-056; and 067-00-01-058, known as Peninsula Tract 1, located along Argent Boulevard has requested an amendment of the Peninsula PDD - Concept Plan Map so as to rearrange the designated land uses and the property owner submitted that request to the Jasper County Planning Commission and County Council; and

**WHEREAS**, the Jasper County Council approved a Development Agreement for the Peninsula PDD on August 2, 2004; and

**WHEREAS**, the Jasper County Planning Commission has reviewed the request, and concurs with the recommendations of the staff report as reflected in this Ordinance and recommends approval by Council; and

**WHEREAS**, this matter is now before the Jasper County Council for determination;

**NOW THEREFORE BE IT ORDAINED**, by the Jasper County Council in council duly convened and by the authority of the same:

1. Jasper County Council finds that in accordance with the staff report and the recommendation of the Planning Commission, the proposed Concept Plan Map, titled Peninsula Tract 1 is consistent with the Peninsula PDD Development Agreement and PDD Standards. Good cause having been shown, the Exhibit Peninsula Tract 1 is hereby adopted as the Conceptual Plan Map for the Peninsula PDD.
  
2. This ordinance shall take effect upon approval by Council.

\_\_\_\_\_  
**Mr. Henry Etheridge**  
**Chairman**

**ATTEST:**

\_\_\_\_\_  
**Wanda Simmons**  
**Clerk to Council**

**ORDINANCE: # 2020-\_\_**

**First Reading: October 5, 2020**

**Second Reading: \_\_\_\_\_**

**Public Hearing: \_\_\_\_\_**

**Adopted: \_\_\_\_\_**

\_\_\_\_\_  
Considered by the Jasper County Planning Commission at it's meeting on  
September 15, 2020 and recommended for approval.  
\_\_\_\_\_

Reviewed for form and draftsmanship by the Jasper County Attorney.

\_\_\_\_\_  
**David Tedder**

\_\_\_\_\_  
**Date**



THOMAS  
&  
HUTTON

**CONCEPT PLAN SUBMITTAL  
FOR**

**PENINSULA TRACT 1**

**JASPER COUNTY, SC  
PENINSULA TRACT PDD**

**J- 27525.0001**

**STARS & STRIPES 2F, LLC  
APPLICANT**

**J - 27525.0001  
AUGUST 25, 2020**

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**PROJECT TEAM**

<b>Owner:</b>	Stars & Stripes 2F, LLC	Ms. Jane Blair Myers Mr. Alex Hay Mr. Joel Tew
<b>Engineering:</b>	Thomas & Hutton Engineering Co.	Mr. Scott Monson Mr. Lamar Mercer
<b>Land Planning:</b>	Thomas & Hutton Engineering Co.	Mr. Ryan Thompson, RLA
<b>Environmental Consultant:</b>	Newkirk Environmental, Inc.	Mr. Asher Howell
<b>Corporate Legal Counsel:</b>	Nexen Prueff	Ms. Nicole Scott Mr. George Bulwinkle

## PENINSULA TRACT 1 CONCEPT PLAN NARRATIVE

### I. Project Introduction and Overview

This application is for approval of the Peninsula Tract 1 Concept Plan, which is located within the Peninsula Tract Planned Development District (PDD). All development within Peninsula Tract 1 property shall conform to the approved Peninsula PDD Concept plan, Development Agreement, and zoning regulations therein.

Jasper County approved both the Concept Plan and a Development Agreement for the entire Peninsula Tract in July 2004. The Concept Plan defines the allowed land uses in the various areas of the Peninsula Tract PDD. The documents also define the development standards, which will govern all development activity within the Concept Plan, and pursuant to subsequent details to be set forth in the applicant's future Master Plan for the applicant's portion of Peninsula Tract 1. These negotiated land uses, and development standards are binding upon both Jasper County and this Applicant, so that the Concept Plan and Development Agreement set the binding framework for this Concept Plan Amendment. The Development Agreement between John Morgan, individually, his successors or assigns and Jasper County applies to future landowners. The applicant has acknowledged the binding effect of the Development Agreement with respect to the applicant's portion of the Peninsula Tract 1.

Peninsula Tract 1 is located on approximately 289 upland acres located west of SC Highway 141 and is split by the abandoned tram road within the Peninsula Tract PDD. The project will consist of approximately 960 single family units located in Neighborhoods A, B- 1, and B- 2; approximately 80 dwelling units located in Neighborhood C; approximately 210 dwelling units located in neighborhood D; approximately 305 dwelling units located in Neighborhood E; and approximately 48,000 square feet of general commercial located on 6 acres near SC Highway 141. The location of the specific neighborhoods within Peninsula tract 1 are show on the attached Concept Plan. The applicant shall have the right to convert product types and amounts based on current market conditions, as provided in the Development Agreement. The total density for the tract will be governed by the Development Agreement. The project will also include lagoons, two amenity areas, and other allowed uses as defined herein and under the Concept Plan. The primary access to the project will be off The Peninsula Spine Road. Access to the Commercial Tract will be via a proposed driveway off SC Highway 141.

This entire written narrative, together with all exhibits hereto, constitutes the full application, and upon approval, shall constitute the official Peninsula Tract 1 Concept Plan.

**II. Existing Conditions**

The subject property is owned by Stars & Stripes 2F, LLC. The applicant Stars & Stripes 2F, LLC holds title to the property and is the owner of record.

This application seeks final approval of the Concept Plan based on the conditions approved under the Peninsula Tract PDD, and the matters contained in this application.

Tree cover mostly consists of a pine plantation with scattered hardwoods. Most of the hardwood trees are located within the contiguous wetlands on the property. The contiguous wetlands drain from the southern portion of the property through the Great Swamp located on the western side of the tract.

The Peninsula Tract 1 has been planned based on the available information. Changes may be required based on constraints identified during the development permit process.

**III. Concept Plan (Exhibit A)**

The project will be developed in accordance with the Peninsula Tract PDD and the Peninsula Tract 1 Concept Plan. The exact location of roads, lagoons, open spaces, buildings, parking, recreational amenities and other elements may vary at the time of Development Permit Applications. The plan demonstrates the proposed initial configuration of Peninsula Tract 1. As stated earlier, the project will consist of approximately 960 single family units located in Neighborhood A, B- 1, and B- 2; approximately 80 dwelling units located in Neighborhood C; approximately 210 dwelling units located in neighborhood D; approximately 305 dwelling units located in Neighborhood E; and approximately 48,000 square feet of general commercial located on 6 acres near SC Highway 141. The applicant shall have the right to convert product types and amounts based on current market conditions. The total density for the tract will be governed by the Development Agreement. The designated commercial parcel, adjacent to SC Highway 141, is intended for general commercial uses as defined in the Peninsula Tract PDD. The project will also include lagoons, two amenity areas, a sales center, and other allowed uses as defined herein and under the Concept Plan. Two accesses will be provided into Peninsula Tract 1. The primary access to the project will be off of SC Highway 141 south of the existing Peninsula Tract spine road. The other access will be via a proposed intersection with the Peninsula Tract spine road.

**A. Phasing**

Preliminary phasing for Peninsula Tract 1 is forecasted to be constructed in several phases. Horizontal development and subdivision approvals are anticipated to occur over the next 5 years. Subdivision phasing, and construction of homes and residences shall be based on market absorption and may occur over an extended time period.

**B. Site Design and Development Standards**

Architectural guidelines and restrictive covenants developed for Peninsula Tract

I will set standards for design and construction materials and will meet or exceed the Jasper County Zoning & Development Standards Ordinance (DSO) approved with the Peninsula Tract PDD. The applicant intends to responsibly exercise the design functions entrusted to it as the private developer under the Concept Plan and Development Agreement.

Site development within the Peninsula Tract 1 property is governed by the Development Standards included as part of the original Peninsula Tract Concept Plan approval. Stars & Stripes 2F, LLC will control internal site standards using architectural guidelines and restrictive covenants. The covenants and restrictions, if not attached, will be submitted during the Development Permit process.

Lot building setbacks will vary from product type to product type within the master plan area. There will be a minimum building setback of three feet or as required by the local Fire Code having jurisdiction within the Peninsula Tract PDD.

### **C. Preliminary Stormwater Management**

Peninsula Tract 1 will adhere to the major drainage patterns identified within the Stormwater Management Plan developed as part of the Peninsula Tract Planned Development District. The proposed interconnected lagoon system and the existing freshwater wetland system will function as the primary means of conveyance for runoff leaving the developed property. All runoff will be attenuated to pre-development levels for the twenty-five (25) year, twenty-four (24) hour storm through detention facilities. Stormwater runoff entering the lagoons will receive treatment through best management practices (BMP's) prior to being released to adjacent wetlands. Final stormwater design will be submitted along with other final engineering at the time of Development Permit Applications.

The stormwater management report will address the hydrological characteristics of the entire site, as well as adjacent drainage patterns of relative importance. The plan will address pre-development conditions and post-development stormwater management for flood control and sediment reduction. This plan will also address storm water quality using several types of BMP's (as established by the local, state and federal stormwater standards) to enhance water quality and protect the surrounding freshwater wetlands.

### **D. Utility Services**

#### **1) Potable Water Distribution**

Potable Water will be provided by Beaufort-Jasper Water & Sewer Authority (BJWSA). A 16" water main will be installed along the entrance road as part of the Peninsula Tract Entrance Road – Phase II prior to the development of Peninsula Tract 1 property. Additional water lines and their final design will be submitted along with other final engineering at the time of Development Permit Applications. The system will be designed to provide potable water to Peninsula Tract 1 as well as provide sufficient fire protection.

2) Wastewater Collection

Wastewater Collection will be provided by a gravity system within the development parcel and will connect to an existing gravity system to be constructed as part of the Peninsula Entrance Road – Phase II. Peninsula Entrance Road – Phase II will be constructed prior to the development of Peninsula Tract 1 property. The wastewater will flow into BJWSA Pump Station "CP 84", located in the Peninsula Tract, and ultimately be pumped to the Cherry Point Wastewater Treatment Facility.

3) Power Supply and Service

The electrical service will be provided by Palmetto Electric. Service will be extended as development progresses. Master Plan approval does not amend any rights provided to a landowner by the Public Service Commission or South Carolina law.

4) Telecommunication Service

Stars & Stripes 2F, LLC is coordinating its plans with licensed and franchised telecommunications service providers in the Master Plan area. The telecommunications infrastructure will include voice, data, and video facilities. Service will be extended and activated as development progresses. Master Plan approval does not amend any rights provided to a landowner or telecommunications provider as granted by the Public Service Commission.

5) Jasper County Emergency Services

The community falls within the jurisdiction of Jasper County Emergency Services. The water supply system will be designed to provide sufficient fire flow to the development.

**E. Proposed Streets**

Roads in Peninsula Tract 1 will be privately owned and maintained by the Property Owner's Association, or other entity assigned with the legal responsibility. Access restriction will be at the owner's discretion. The Owner reserves the right to seek future County ownership and maintenance of some or all subdivision roads.

Roads indicated on the Peninsula Tract 1 Concept Plan are subject to modification at the time of Development Plan approval based on specific soil conditions, environmental concerns, physical constraints and design parameters.

**F. Ownership and Maintenance of Common Areas and Utilities**

1) Common Areas

Development in Peninsula Tract 1 will be controlled by restrictive covenants that will establish guidelines for Common Area ownership and maintenance, unless otherwise provided at the time of Development Approval. The Common Areas, which include road rights-of-way, easements, protected

wetlands, open space (including ponds), amenities, etc., will be owned by the Property Owners Association or some other legal entity, established in the Covenants and Restrictions.

2) Utilities

Beaufort– Jasper Water & Sewer Authority will own and operate the water and sewer facilities necessary for this project. Electrical power facilities will be owned and operated by Palmetto Electric, or other provider as approved by the Public Service Commission.

**IV. Development Rights and Assignments**

The Development Agreement for the Peninsula Tract was entered between Jasper County and John Morgan. Since then, the property was purchased by Stars & Stripes, LLC, who is the current owner of that portion of Peninsula Tract 1, which is included in the Concept Plan.

The Development Agreement stated that the Owner would be required to notify the County when Development Rights were transferred to a Developer, including the name and address of such Developer, the location and number of acres transferred, the residential density transferred, the commercial acreage transferred, and other relevant information. Stars & Stripes 2F, LLC has notified the County of such transfer of Developer Rights as to its portion of Peninsula Tract 1 and has requested an estoppel certificate to memorialize the transfer.

**V. Land Use Parcel Delineations and Uses**

The Peninsula Tract 1 Concept Plan (Exhibit A) delineates approximately 289 upland acres. The land uses are labeled on the Concept Plan to identify the most likely uses that are expected under current market forecasts. This Concept Plan Application does not limit those previously approved uses but identifies current forecasts.

All development on this parcel will be subject to design guidelines that comply with the development standards of Jasper County, as applicable to the Peninsula Tract 1 Concept Plan and must also comply with the architectural and site design standards of the land use covenants. All permitting processes are in accordance with Jasper County standards. All environmental standards, including Best Management Practices regarding stormwater runoff, will be demonstrated at the time of final design and Development Permit Application. Future development permits will be issued for site– specific development on each parcel upon individual applications for development approval, which demonstrate compliance with these applicable use and site standards.

**VI. Development Approvals within Peninsula Tract 1**

Such applications must meet the application standards of Jasper County, as modified and approved under the Peninsula Tract Planned Development District, the Development Agreement, and further such applications must meet all standards that are set forth in this Concept Plan approval and any applicable land use covenants. Any ambiguities or inconsistencies shall be governed by the standards established under the Planned Development District approval. Any development proposal, which demonstrates compliance with these standards, shall be approved.



**Development Summary**

Neighborhood	Updated Acres	Density DU/AC	Dwelling Units
A	7/- 63 AC	4 DU/AC	7/- 250 DU
B-1	7/- 100 AC	4 DU/AC	7/- 400 DU
B-2	7/- 78 AC	4 DU/AC	7/- 310 DU
C	7/- 10 AC	8.0 DU/AC	7/- 80 DU
D	7/- 13 AC	14.0 DU/AC	7/- 210 DU
E	7/- 19 AC	14.0 DU/AC	7/- 305 DU
<b>TOTAL</b>		<b>48,000 SF</b>	<b>7/- 1,555 DU</b>

JUNE 15, 2020



**Peninsula Tract 1**  
**Jasper County, SC**

# CONCEPTUAL PDD PLAN

**THE PENINSULA  
TRACT**  
HARRIS COUNTY, TEXAS - GEORGIA

PREPARED FOR  
**JOHN F. MORGAN**

PREPARED BY

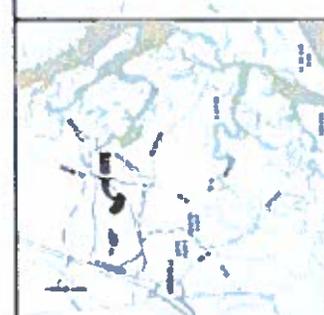
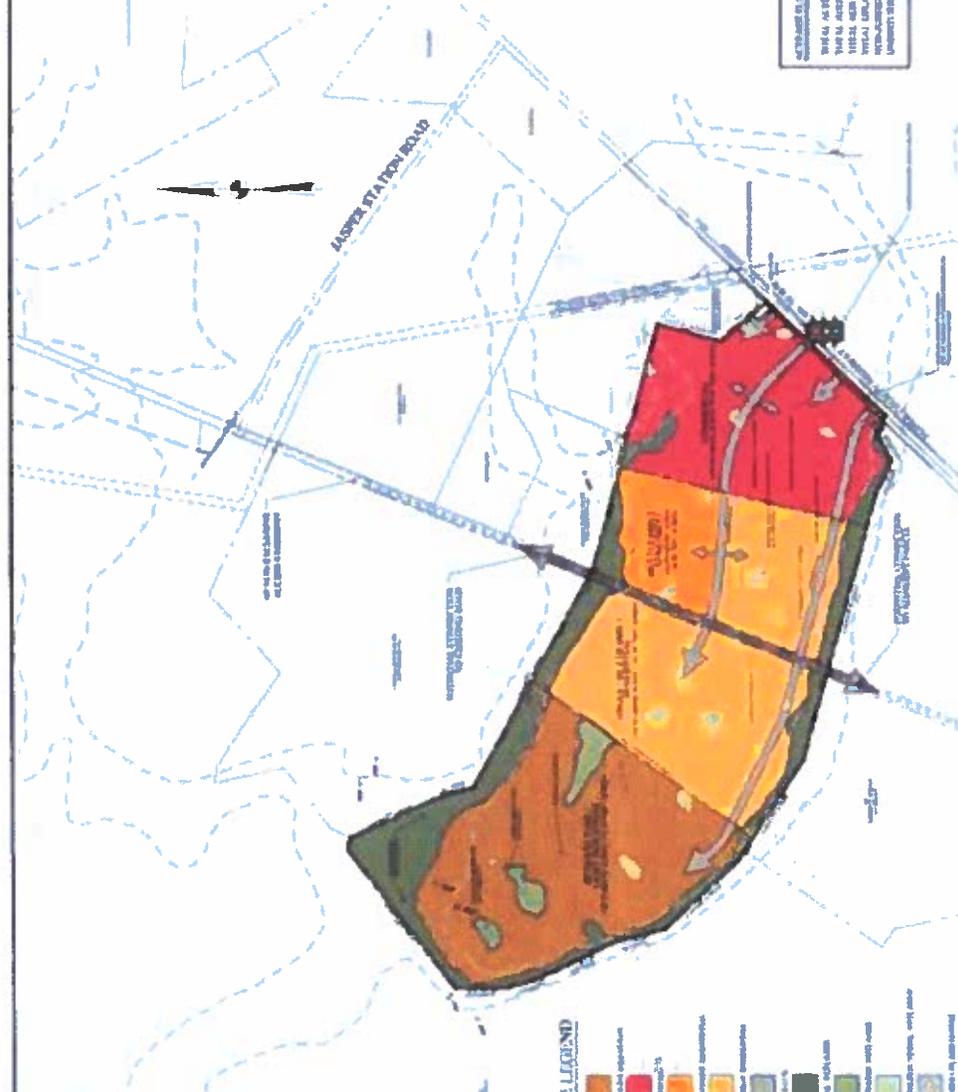


11000 GARDEN GROVE ROAD  
SUITE 200  
HOUSTON, TEXAS 77057-1000  
PHONE: 713/865-1100  
FAX: 713/865-1101

DATE: 11/11/03  
PROJECT NO.: 03030001

ACREAGE BY CATEGORY

WATER	48.11 AC
WATER BODIES	44.14 AC
WATER BODIES - AGRICULTURAL	10.20 AC
WATER BODIES - URBAN	4.94 AC
WATER BODIES - WOODLAND	1.00 AC
WATER BODIES - OTHER	1.00 AC



### LAND USE LEGEND

- WATER
- WATER BODIES - AGRICULTURAL
- WATER BODIES - URBAN
- WATER BODIES - WOODLAND
- WATER BODIES - OTHER
- OPEN SPACE - AGRICULTURAL
- OPEN SPACE - URBAN
- OPEN SPACE - WOODLAND
- OPEN SPACE - OTHER
- OPEN SPACE - WOODLAND
- OPEN SPACE - OTHER
- OPEN SPACE - WOODLAND
- OPEN SPACE - OTHER
- OPEN SPACE - WOODLAND
- OPEN SPACE - OTHER

LAND USE SUMMARY

LAND USE	AREA (AC)	PERCENTAGE	TOTAL AREA (AC)
WATER	48.11	100%	48.11
WATER BODIES - AGRICULTURAL	10.20	21.2%	10.20
WATER BODIES - URBAN	4.94	10.3%	4.94
WATER BODIES - WOODLAND	1.00	2.1%	1.00
WATER BODIES - OTHER	1.00	2.1%	1.00
OPEN SPACE - AGRICULTURAL	10.20	21.2%	10.20
OPEN SPACE - URBAN	4.94	10.3%	4.94
OPEN SPACE - WOODLAND	1.00	2.1%	1.00
OPEN SPACE - OTHER	1.00	2.1%	1.00

DATE: 11/11/03  
PROJECT NO.: 03030001  
SCALE: 1" = 100'

BY: JOHN F. MORGAN  
DATE: 11/11/03