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Freshfields Retail Village
Planned Development District Application
Charleston County, South Carolina



Atlantic Partners, LLC
211 King Street
Suite 300
Charleston, SC 29401

May 2002



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May 31, 2002

Ms. Brana S. Rerig, AICP
Project Officer II
Charleston County Planning Department
4045 Bridge View Drive
North Charleston, SC 29405-7464

RE: Freshfields Retail Village
Planned Development District Application

Dear Ms. Rerig:

In accordance with provisions of the Charleston County Zoning and Land Development Regulations, Articles 3.4. and 3.5., please find attached an application for a zoning map amendment request to rezone approximately 60 acres of property on Seabrook Island, Charleston County, South Carolina, from an existing RSL to a proposed PDD zoning classification. This application is submitted for your review on behalf of the existing owners of the described property, Atlantic Partners, LLC.

Freshfields Retail Village is a mixed-use village center serving the combined needs of the Johns Island, Seabrook Island and Kiawah Island community. It will include a broad range of retail sales and services, and residential uses that will provide the islands' residents and guests a community center of activity within a beautiful walking environment. The proposed concept is consistent with the Charleston County Comprehensive Plan regarding long-range land use patterns.

Included for your review and evaluation are a Charleston County Zoning Change Application, fee, property description (survey/deeds), project text description, and supporting graphics and exhibits. Particular attention was given to the comments made at the various informal sessions, over the past several months, regarding proposed use types, traffic impact, and development guidelines.

The applicant and associated team members look forward to participating in your review and sharing our long-term vision.

Best regards,



Mark Permar

Cc: Mr. Charles P. Darby, III
Mr. Trenholm Walker
Mr. Ed Goodwin

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Application History:

Submittal
Charleston County Planning
Charleston County Council
First Reading
Final Reading

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A. Location Map.....

B. Survey of Real Property/Deed of Real Property

C. Aerial Photography.....

D. Natural Features

E. Master Land Use Plan.....

F. Traffic Study.....

G. Utility Service Letters/Letters of Coordination.....

H. Modifications to Charleston County Zoning and Land Development Regulations
Ordinance

I. Conceptual Organization of ARB Guidelines

PROJECT TEAM

Master Developer/Planning

Klawah Development Partners, Inc.
P. O. Box 12001
Charleston, SC 29422

Archeology

Chicora Foundation
P. O. Box 8664
861 Arbutus Drive
Columbia, SC 29202

Civil Engineering

Thomas and Hutton Engineering Company
935 Houston Northcutt Boulevard – Suite 100
Mt. Pleasant, SC 29464

Legal

Pratt-Thomas, Pearce, Epting & Walker, P.A.
16 Charlotte Street
P. O. Drawer 22247
Charleston, SC 29413-2247

Conceptual Planning/Market Research

Permar Inc.
76 Wentworth Street
Suite 400
Charleston, SC 29401

Land Planning/Landscape Development

Design Works
50 George Street
Charleston, SC 29401

Surveying

Southeastern Surveying, Inc.
147 Wappoo Creek Drive
Suite 102
Charleston, SC 29412

Traffic Analysis

Transportation Planners – Engineers, Inc.
6620 Southpoint Drive South
Suite 120
Jacksonville, FL 32216

SECTION 1 STATEMENT OF INTENT

The Freshfields Retail Village is a mixed-use village center serving the combined needs of the Johns Island, Seabrook Island and Kiawah Island community. It will feature a range of commercial and residential uses that will provide the islands' residents and guests a center of activity within a beautiful walking environment. Drawing from the long heritage of agriculture use on the site and immediate area, the village will blend the beauty of the low country agricultural landscape, parks and gardens, and intimate rural architecture.

Freshfields consists of approximately 60 acres generally bounded by Seabrook Island Drive and Kiawah Island Parkway on the north and open farm fields on the remaining property lines. A portion of the total acreage is adjacent to Haulover Creek that separates Seabrook Island and Johns Island.

Freshfields is conceived as a mixed-use activity center predominately composed of a broad range of commercial uses in combination with a limited number of residential uses characteristic of traditional rural village settings. The applicant is requesting rezoning the property to a Planned Development District (PDD) to allow for flexibility during the planning and development process, while maintaining the overall goals and objectives of the Charleston County Comprehensive Plan.

The proposed concept of a local village center providing a broad range of retail sales and services to the Johns Island, Seabrook Island and Kiawah Island area will be consistent with established and anticipated Charleston County growth policies and applicable comprehensive planning objectives. The applicant commits that the proposed Project development is in conformance with such criteria for the following reasons:

- A. The Project development is compatible with and complementary to the surrounding land uses.
- B. Project improvements are planned to be in substantial compliance with all applicable regulations.
- C. The Project development will promote design excellence by featuring amenities and permitting variations in siting, land usage, and diverse commercial and residential uses that respond to existing natural features.
- D. The Project development will result in an efficient, economical extension of community facilities and services.
- E. The Project development will be implemented in a manner that balances the community and natural environment.

SECTION 2 OWNERSHIP AND PROPERTY DESCRIPTION

2.01 Short Title

This ordinance shall be known and cited as "The Freshfields Retail Village PDD _____ Ordinance".

2.02 Intent and General Location

It is the intent of the Developer to plan and develop a Planned Development Project on approximately 60 acres located in the unincorporated area of Charleston County, South Carolina. The site is depicted on the Location Map attached as Exhibit A.

The Real Property is on Seabrook Island, as depicted on the Survey of Real Property attached as Exhibit B. The site is bounded by the Kiawah Island Parkway and Seabrook Island Road on the north, and extensive open agricultural fields along the balance of the property to the east, south and west.

2.03 Legal Description of the Property

Tract I-D

All that certain piece, parcel, or tract of land situate, lying and being on Seabrook Island, County of Charleston, State of South Carolina, containing 52.659 acres, more or less, and shown and designated as "Tract D" on a plat prepared by Southeastern Surveying, Inc., entitled "A SUBDIVISION PLAT OF TRACT I-D OWNED BY HAULOVER CREEK DEVELOPMENT COMPANY, LLC, LOCATED ON SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA" dated June 22, 1999, last revised on July 13, 2000, and recorded in Plat Book EE at page 192, in the R.M.C. office for Charleston County, South Carolina, said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tract VII

All that certain piece, parcel, or trace of land situate, lying and being on Seabrook Island, County of Charleston, State aforesaid, know and designated at "Tract VII" containing 4.277 acres of highland above the DHEC-OCRM Critical Line, more or less, and 2.489 acres of marsh lying below the DHEC-OCRM Critical Line, more or less, as shown on a plat prepared by Southeastern Surveying, Inc., entitles "A SUBDIVISION PLAT OF TRACTS I-A, I-B, I-C, II, III, III-A, IV THRU X, C, D, AND A PUMP STATION OWNED BY EAST SEABROOK LIMITED PARTNERSHIP LOCATED IN THE TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA" dated January 2, 1998, last revised on January 20, 1998, and recorded in Plat Book EE at pages 194 through 202, in the R.M.C. Office for Charleston County, South Carolina, said property having such location, butts and bounds, metes, courses, and distances as will by reference to said plat more fully appear.

SECTION 3 GENERAL PLAN OF DEVELOPMENT

3.01 Purpose

The Project will be a mixed-use commercial village serving the retail sales and service needs of the lower portion of Johns Island, and the residential resort communities of Seabrook and Kiawah Islands. The Project will be located on property that has been identified for such uses as outlined in the Charleston County Comprehensive Plan (April 20, 1999).

This new community village of approximately 60 acres consists of two parcels adjacent to the primary access roadways of Seabrook Island Road and the Kiawah Island Parkway, and is at the terminus of the Betsy Kerrison Parkway. The property has been substantially cleared of vegetation as a result of hundreds of years of agricultural use. The exceptions of this are the tree-lined roadways and the edge along Haulover Creek along the northern property line.

It is the intent of the Developer to create an active village center that combines the best of sales and service for necessities (groceries, pharmacy, dry cleaning, hardware, professional offices, etc.) as well as shopping as entertainment (restaurants, specialty retail, movies, etc.) within a pleasant walking environment. When combined with park space suitable for special events, the Freshfields Retail Village will be a center for community-wide activities.

The project will employ infrastructure design and placement that minimizes disruption to the mix of existing natural features while maintaining a high level of efficiency and economy. The purpose of this ordinance is to encourage environmentally sound development of the Real Property, improve the quality of life for area-wide residents and guests and establish guidelines and standards for development of the Real Property.

The standards provided herein are intended to permit the innovation necessary to accomplish this purpose. This ordinance, therefore, contemplates creative yet slight modifications from the strict application of every requirement found in the County's zoning and other regulations and ordinances. These modifications to the County's Zoning and Land Development Regulations Ordinance are set forth in Exhibit H.

The Developer has had extensive experience applying appropriate criteria in similarly sensitive coastal areas. The proposed standards strike a practical balance between more general countywide performance standards and the particular land areas comprising the Freshfields Retail Village.

The applicant is requesting a Planned Development classification in order to allow a flexible mixed-use development over a multiple phase time period. The proposed PD-FV (Freshfields Village) classification would allow for combined retail sales/services, office, and residential uses in a rural village setting. To address specific requirements of the Planned Development approach, the applicant outlines the following:

Art. 3.5. Planned Development
3.5.3. Results

A. Greater choice in the type of environment and living units available to the public.

The proposed concept plan will include a composition of multiple uses (retail sales/services, offices, and residential) in single use and combined use structures. Living units of varying sizes will be located above some of the retail buildings, as well as freestanding buildings. This form of residential type, within a village setting, will be a positive addition to the range of residential types that presently exist. This housing type (in a village setting) is not presently available within the immediate market area, and will therefore provide additional diversity to the range of existing residential types.

B. More open space

The proposed concept plan approach includes substantial buffers along the major contiguous roadways (Kiawah Island Parkway 100', Seabrook Island Road 50' to the South and 30' to the North). In addition, the plan proposes a combination of planted open fields, interior gardens, "garden like" streetscapes, and a large open water area in order to provide contrast in the open space system. It is estimated that approximately one third of the land area will be one of the variable categories of open space noted above. Maximum building cover will be limited to no greater than 40% of the total area. Additional efficiency will be gained by locating select office and residential uses on upper floors.

C. A creative approach to the use of land and related physical development.

A key structuring element of the proposed concept plan is concentrating uses in a village setting that is characterized by reasonable walking distances from one point to another. The garden like atmosphere will be further accentuated with public gathering areas adjacent to diverse retail uses. This would include outdoor seating/eating areas, parks, and an outdoor amphitheatre designed specifically for community-wide special events throughout the year.

D. An efficient use of land resulting in smaller networks of utilities and streets, and thereby lower housing costs.

The concept plan will be developed in a way that concentrates retail sales/services for the John's Island, Seabrook Island, and Kiawah Island market area. This concentration of community-wide commercial in a central, easily accessible location will be a clear alternative to continuous strip commercial development that is often the norm for rural retail growth.

It is further anticipated moderate density housing over retail and freestanding village residential structures is an alternative to the continuous pattern of low density detached residential development throughout the area. While addressing a market need for the area, by locating residential units within a short walking distance of the village retail, many of the vehicular trips between uses will be reduced. This will have a positive impact on existing and anticipated traffic patterns in the islands' area.

E. Implementation of the Comprehensive Plan

The Comprehensive Plan for this location within Charleston County anticipated the need for community oriented retail sales/services as well as nearby residential uses. By concentrating such convenience uses at the intersection of three significant roadways, it is further predicted that the village will have a positive impact on circulation flow patterns.

3.02 Master Land Use Plan

Exhibit E, the Master Land Use Plan, is a conceptual design plan, which illustrates tentative, schematic land uses and locations of potential use types. The Master Land Use Plan is not intended to show the final land uses and Parcel boundaries. The final design of development use and locations as well as Parcel boundaries may be shifted to satisfy market objectives, respond to natural conditions, and be consistent with the overall general goals and approach for development provided herein. When used herein, the Master Land Use Plan shall mean the Master Land Use Plan then in effect. The Master Land Use Plan establishes an overall Project limit of 480,000 sq. ft. of commercial uses (including 100 hotel/inn rooms), and 200 dwelling units of residential uses.

3.03 Land Use Density

The Real Property encompasses approximately 60 acres within the unincorporated area of Charleston County, South Carolina. Approximately 240 residential Dwelling Units would be authorized under current zoning within the entire Project, which would result in an average overall Density of 4 Dwelling Units per highland acre. The Master Land Use Plan suggests a commercial land use type and residential density type that is consistent with the Charleston County Comprehensive Plan (April 20, 1999).

The intent of this Development and this application is that the Developer will have multiple alternatives in assigning Densities and commercial types to the various Parcels. Therefore, the Developer may vary Densities of individual tracts or building Parcels including the type of structures to be placed on such tract, and the final configuration of that tract, provided the overall Density Cap of 480,000 sq. ft. of commercial uses (350,000 on the first floor, and 130,000 on the second floor), 200 units of residential uses, and 100 hotel rooms, is not exceeded.

The proposed density and use allowance increase was based upon research evaluation of existing and future growth patterns of the immediate area. This included projections of permanent resident housing units and population, and resort guest and non-owner resident patterns.

It is anticipated that as the village is phased, both categories will not be maximized. This theoretical allowance results in an overall density of 3 dwelling units per acre and 8,000 square feet of non-residential per acre; however, the exact mix and final composition of residential/non-residential cannot be determined. As part of each phase, the applicant will provide the planning staff an accounting of residential density and retail area.

3.04 Development Sequence, Scheduling, Phasing

Phasing for the Project will ultimately be based on economic and marketing factors influencing applicable demands. Throughout the development process, phasing will vary, as refinements of these demands are determined along with preferences of the residential markets served by this community. It is the intent of the Developer to complete the land development over a 12-15 year program. Phases would generally be in segments of 100,000 to 150,000 sq. ft. of retail sales/services and offices, and 20-50 dwelling units. Three to four primary phases are anticipated.

3.05 Relationship to Zoning and Land Development Regulations Ordinance

The Project is consistent with the primary objectives of the Zoning and Land Development Regulations Ordinance (Nov 20, 2001), as outlined in Article 1.5 Purpose and Intent; however, the Developer is proposing certain alternatives or modifications to select sections of the Ordinance so as to allow for innovative solutions consistent with such objectives. Alternatives to specific sections of the Ordinance, as outlined in Exhibit H, are intended to enhance the flexibility of achieving the objectives without adversely impacting goals of other sections of the Ordinance.

This flexibility is critical to creating a multi-phased development that must respond to changes in market conditions, and consumer preferences while balancing long range community-wide goals and objectives.

3.06 Utility Services and Easements

The Developer anticipates the Real Property will be served by a community water and sewer system. The Developer shall grant the easements necessary and/or required to insure the continued operation and maintenance of all storm water management features, utilities, and other essential services. The Developer anticipates that utility services will be provided by the following:

Electric:	Berkeley Electric Cooperative
Telephone	BellSouth
Water:	St. John's Water Company
Sewer:	Seabrook Island Utility Commission

Attached as Exhibit G are copies of letters from these utility providers indicating their willingness to provide service to the Real Property.

Water and sewer infrastructure shall be installed by the Developer and then transferred to the service provider.

3.07 Roadways/Traffic Study

The developer will construct the roadways serving the Project. The Master Land Use Plan, Exhibit E, illustrates the approximate location of the circulation systems. These locations are subject to change by the Developer depending on topography, natural features, subdivision layouts, amenities, utilities' locations, and other pertinent considerations.

Major collector/minor collector and local roads within the Project will be private. Certain road improvements immediately adjacent to the Project are anticipated as a result of the Project. The Developer has indicated to the appropriate governing bodies its willingness to contribute resources in order to advance improvements to existing road infrastructure. Specifically, the Applicant has presented to the towns of Seabrook Island and Kiawah Island road improvements for intersections that will provide ingress and egress for users.

The County shall have no maintenance obligation or responsibility for those roadways that remain private, which shall be maintained by the Developer and/or one or more duly organized homeowners' associations.

The Developer agrees to participate in such roadway improvements adjacent to the Property as deemed required as part of the Traffic Study (Exhibit F), required as a part of this application. In particular, a coordinated effort by Charleston County and the towns of Seabrook and Kiawah Island is presently evaluating proposed improvements at the intersection of Betsy Kerrison Parkway, Seabrook Island Road, and the Kiawah Island Parkway that will be coordinated with the planning of the Project. The Applicant has agreed to contribute up to 3.8 acres of land area to properly execute the future intersection improvement.

3.08 Signage, Buffers & Fencing, Tree Replacement

The Developer shall provide a uniform and integrated program of signage, buffers and fencing, and tree replacement, which will be enforced through restrictive covenants imposing architectural controls. This program will be implemented through the ARB standards adopted therefore, which shall be in place prior to the construction of any Lots, tracts, or building parcels and prior to the issuance of any building certificates of occupancy. The ARB standards shall contain criteria governing placement, size, shape, and color, and shall conform to the following standards:

1. Signage, related feature walls, and landscaping shall be located such that they do not materially detract from the natural scenic beauty of the Project site.
2. Signage, related feature walls, and landscaping shall be located such that they do not obscure other identification, informational, or vehicular control signs.
3. Signage, related feature walls and landscaping, shall be permitted within rights-of-way providing they do not interfere with traffic or pedestrian safety.

These standards shall meet all development standards as outlined in the Charleston County Zoning and Development Regulations with the following exceptions that would be integrated in the PD-FV district:

Signage

9.11.1.C.

Prohibited Signs

The following signs shall be allowed:

10. Banners (for special events only)

Time period limited to two weeks prior to and including special event.

11. Sandwich Signs

Reason: These signs are consistent with the character of rural villages.

9.11.1.E.

Illumination

The first listing shall read as follows:

1. All lighted On-Premises signs shall be set back at least 100 feet from property in an PD-FV district except Freshfields Village identity signs, which may be located within 25 feet of the property line. Only exterior lighting sources will be permitted (no interior lighting).

9.11.2.A.

Table for Free-Standing On-Premises Signs

Maximum area will be limited to 100 sq.ft.

SECTION 4 PROPOSED DEVELOPMENT STANDARDS

4.01 Permitted Uses

All uses listed under the heading PDD-FV (Freshfields Village) within the Zoning and Land Development Regulations Ordinance, as modified by Exhibit H shall apply as a matter of right to the Property. This listing includes a range of residential and non-residential uses that is consistent with the vision of a rural village serving the three islands area.

4.02 Dwelling Units

The total number of single-family detached, single-family attached, or multi-family residential Dwelling Units within the Project shall not exceed 200 ("Project Cap").

Specific housing types will be evaluated prior to each phase based upon market demand and appropriate fit with the village concept. Based upon analysis at the time of application, the following is a listing and mix of housing types:

a. Single Family Detached	0
b. Town Homes	40 D.U.
c. Apartments	160 D.U.
- Over Retail	40
- Freestanding	120
TOTAL	<hr/> 200 D.U.

4.03 Building Development Standards

It is the intent of the developer to establish a Freshfields Village Architectural Review Board to oversee the implementation of development standards and specific design guidelines for architecture and landscape architecture. These guidelines will be organized by the ARB prior to submittal of the initial phase of development. A general representation of the framework for these guidelines is as indicated by Exhibit I.

The ARB shall prescribe and determine Lot area, Lot width, Lot depth, Lot coverage, setback and yard requirements, square footage limitations, building heights, number of structures per Lot, in accord with the County's Zoning and Land Development Regulations Ordinance as modified below.

All development in the PDD-FV district shall be subject to the following density, intensity and dimensional standards:

PDD-FV DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	4,000 square feet
MINIMUM LOT WIDTH	50 feet
MINIMUM SETBACKS	
Front/Street side	None
Interior Side	None
Rear	None
OCRM Critical Line	25 feet (Ave.) * No less than 20 feet
MAXIMUM BUILDING COVER	40% of lot
MAXIMUM HEIGHT	3 Habitable Floors (55' from F.F.E. to roof ridge)

I. Statement of Purpose, Intent, Objectives

The Freshfields Village district is a mixed-use village center serving the combined needs of the Johns Island, Seabrook Island and Kiawah Island Community. The district is composed of a broad range of commercial uses in combination with a limited number of residential uses characteristic of traditional rural villages.

II. Land Uses:

The uses will be as outlined in Table 6.1-1 (Exhibit H)

<u>Description</u>	<u>Acreage</u>	<u>Units</u>	<u>Density</u>
A. Residential			
1. Town Homes	Mixed Use	40 D.U.	*
2. Apartments	Mixed Use	160 D.U.	*
- Over Retail	40		
- Freestanding	120		
		200 D.U.	
* Overall density 3D.U./Ac			
	<u>Acreage</u>	<u>Structures</u>	<u>Sq. Footage</u>
B. Commercial			
- Retail Sales/Services	Mixed Use	10 -16	350,000
C. Office	Mixed Use	4 - 8	130,000

- D. Recreational
 - Buffer Areas 4 Ac.
 - Parks, Gardens, Ponds 10 Ac.

III. Setback Criteria

Setback and dimensional standards are as outlined above.

IV. Lot Size Criteria

It is the intent of the applicant to own the entire development and not further subdivide; however, if subdivision occurs, the minimum lot size is 4,000 Sq. Ft.

V. Lighting Plan

A lighting plan will be developed with each phase that is consistent with S 9.6.4.C. Site Lighting.

VI. Off-Street Parking

Off-street parking will meet all dimensional requirements as outlined in Art. 9.3. The concept plan is based upon a walking distance village concept that encourages shared parking. The applicant requests that an overall parking ratio for all uses be established at 1 space for 300 Sq. Ft. of all non-residential, and 1.5 spaces for the standard 2 bedroom dwelling unit. Restaurant use will require one space per 150 sq. ft. of seating area, plus one space per employee. Provisions will be made for peak use times and special events on adjacent grass areas.

VII. Tree Survey

The property is substantially open fields void of trees that would require survey location. Trees existing on the property area are generally included in buffer areas along Seabrook Island Road (50' on the South and 30' on the North) and the Kiawah Island Parkway (100')

VIII. Screening/Buffer Areas

Proper screening of uses as required will be identified on detailed site plans for each phase. Landscaping will meet or exceed Charleston County planting requirements at time the site is developed.

IX. Fences and Walls

If included in future development, fences and walls will be so indicated, and will meet existing criteria.

X. Streets

It is intent of the applicant to design, construct, and maintain all roadway and drainage improvements privately. Detailed drawings of the proposed improvements will be prepared and advanced to Charleston County for record purposes.

XI. Phasing

It is the intent of the applicant to phase the proposed development over a 12-15 year period. Phases would generally be in segments of 20-50 Dwelling Units and 100,000 to 150,000 Sq. Ft. of retail sales/services, and offices. Three to four primary phases are anticipated.

XII. Signs

The graphic system will meet the requirements of Art. 9.11, with exceptions noted.

SECTION 5
GENERAL DEVELOPMENT COMMITMENTS

The Developer agrees, on behalf of itself, its successors and assigns, to the following commitments as part of the development of the Freshfields Retail Village:

- To act in good faith to implement the plan as described herein.
- To institute architectural restrictions and covenants ensuring quality development and augmenting governmental regulations.
- To establish the legal framework for one or more associations or some other appropriate organization to assume responsibility for any "common area" and community supported areas such as parks, wooded preserves, bike trails, private roads, etc.
- To employ high standards of planning, design, and management in all phases of development.
- To evaluate all express conditions adopted as part of this application, and if they are accepted, to faithfully abide by them.

SECTION 6
DEFINITIONS AND ABBREVIATIONS

In this Agreement, unless the word or phase is non-capitalized:

- (a) "Agreement" means this Planned Development District Application, including the recitals and exhibits attached hereto.
- (b) "ARB" means the architectural review board appointed by the Developer that will be established under a binding declaration of covenants, conditions, and restrictions imposed on the Real Property.
- (c) "Comprehensive Plan" means the master plan for the County including the official map, adopted pursuant to S.C. Code § 6-29-310 et seq.
- (d) "County" is Charleston County, South Carolina, a local governmental entity organized and existing under the laws of South Carolina.
- (e) "Density" means the number of Dwelling Units per acre. Parcel Density equals the number of Dwelling Units divided by the gross acreage above DHEC-OCRM's critical line, including fresh water Wetlands and Water Bodies. In locations where the Property Owner has created new fresh water Water Bodies or Wetlands, the calculation of Parcel Density shall include newly created lagoon acreage in determining gross acreage.
- (f) "Developer" means Kiawah Development Partners, Inc., Kiawah Resort Associates, L.P., (or any one of them) and their successors in interest or successors in title and/or assigns.
- (g) "Development" means the planning for or carrying out of a building activity or mining operation, the making of a material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels. "Development", as designated in a law or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, development refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit generality of this item.
- (h) "Development Parcel" means any tract of land on which Development may occur, including platted Lots and unplatted parcels, but excluding street rights-of-way.
- (i) "Dwelling Unit" has the same meaning as "Dwelling" in the County Zoning and Land Development Regulations Ordinance as modified by Exhibit H.
- (j) "Guest Lodging" means a room, suite, or cottage designed for occupancy as a single unit. Ancillary uses shall include meeting rooms, break rooms, dining areas and other similar spaces in support of the primary use of Guest Lodge.

- (k) "Lot" means Development Parcel identified in a Subdivision Plat recorded in the Charleston County RMC office.
- (l) "Open Areas" means areas of Pervious Cover and includes, but is not limited to, yards, vegetated areas, lagoons, lakes, Wetlands, and Water Bodies.
- (m) "Parties" are the Developer and Charleston County.
- (n) "Parcel" means any of those tracts of the Real Property that are located in the approximate areas identified on the Master Plan.
- (o) "Pervious Cover" Means land which permits the absorption of stormwater into the ground. This may include walkways and driveways, which are pervious to stormwater.
- (p) "Project" is the Development that has occurred and will occur on the Real Property.
- (q) "Project Cap" means the total number of Dwelling Units on the Real Property shall not exceed 200, the commercial uses shall not exceed 480,000 sq. ft., and hotel rooms shall not exceed 100 rooms.
- (r) "Real Property" is the real property described in Section 2.03 and includes any improvements or structures customarily regarded as part of real property.
- (s) "Setback" means and refers to the minimum distance to the nearest adjacent property line, street, or right-of-way.
- (t) "Single Family Detached Dwelling" means a building containing one Dwelling Unit that is not attached to any other Dwelling Unit and is surrounded by yards or open space.
- (u) "Subdivision Plat" means a recorded graphic description of property prepared and approved in compliance with the County's Zoning and Land Development Regulations Ordinance as modified by Exhibit H.
- (v) "Water Bodies" means property determined to be under water no less than eleven (11) months of the year and under such standing water for a continuous period of no less than nine (9) months of the year.
- (w) "Wetlands" means those properties with elevations below the mean high water line, and properties within a pond, lagoon, or other Water Bodies.
- (x) "Zoning Board of Adjustment" or "ZBA" means the duly appointed Zoning Board of Adjustment for the County.

EXHIBIT H
Modifications To Charleston County Zoning And Land Development
Regulations Ordinance

DESCRIPTION

The applicant proposes certain modifications or replacement wording to select sections of the Zoning and Land Development Regulations Ordinance (As adopted November 20, 2001). These proposed modifications are intended to allow additional flexibility in meeting the intent of the ordinance as outlined in Art. 1.5 Purpose and Intent while responding to unique siting conditions and concept development for the Freshfields Retail Village.

These proposed modifications are specifically intended to address the unique attributes located near the resident neighborhoods of Johns Island, Seabrook and Kiawah as well as unique characteristics of the seasonal population of the coastal islands. The proposed mixed use village concept combining both residential and retail sales/services can best be executed when certain development standards (such as shared parking) are integrated. Additionally, a balance between technical requirements and aesthetics (such as signage and landscape design) is addressed by an Architectural Review Board.

All development in the PDD-FV district shall be subject to the following density, intensity and dimensional standards:

PDD-FV DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	4,000 square feet
MINIMUM LOT WIDTH	50 feet
MINIMUM SETBACKS	
Front/Street side	None
Interior Side	None
Rear	None
OCRM Critical Line	25 feet (Ave.) * No less than 20 feet
MAXIMUM BUILDING COVER	40% of lot
MAXIMUM HEIGHT	3 Habitable Floors (55' from F.F.E. to roof ridge)

I. Statement of Purpose, Intent, Objectives

The Freshfields Village district is a mixed-use village center serving the combined needs of the Johns Island, Seabrook Island and Kiawah Island Community. The district is composed of a broad range of commercial uses in combination with a limited number of residential uses characteristic of traditional rural villages.

II. Land Uses:

The uses will be as outlined in Table 6.1-1 (Exhibit H)

<u>Description</u>	<u>Acreage</u>	<u>Units</u>	<u>Density</u>
A. Residential			
1. Town Homes	Mixed Use	40 D.U.	*
2. Apartments	Mixed Use	160 D.U.	*
- Over Retail	40		
- Freestanding	120		
		200 D.U.	
* Overall density 3D.U./Ac			
	<u>Acreage</u>	<u>Structures</u>	<u>Sq. Footage</u>
B. Commercial			
- Retail Sales/Services	Mixed Use	10 -16	350,000
C. Office	Mixed Use	4 - 8	130,000

- D. Recreational
 - Buffer Areas 4 Ac.
 - Parks, Gardens, Ponds 10 Ac.

III. Setback Criteria

Setback and dimensional standards are as outlined above.

IV. Lot Size Criteria

It is the intent of the applicant to own the entire development and not further subdivide; however, if subdivision occurs, the minimum lot size is 4,000 Sq. Ft.

V. Lighting Plan

A lighting plan will be developed with each phase that is consistent with S 9.6.4.C. Site Lighting.

VI. Off-Street Parking

Off-street parking will meet all dimensional requirements as outlined in Art. 9.3. The concept plan is based upon a walking distance village concept that encourages shared parking. The applicant requests that an overall parking ratio for all uses be established at 1 space for 300 Sq. Ft. of all non-residential, and 1.5 spaces for the standard 2 bedroom dwelling unit. Restaurant use will require one space per 150 sq. ft. of seating area, plus one space per employee. Provisions will be made for peak use times and special events on adjacent grass areas.

VII. Tree Survey

The property is substantially open fields void of trees that would require survey location. Trees existing on the property area are generally included in buffer areas along Seabrook Island Road (50' on the South and 30' on the North) and the Kiawah Island Parkway (100')

VIII. Screening/Buffer Areas

Proper screening of uses as required will be identified on detailed site plans for each phase. Landscaping will meet or exceed Charleston County planting requirements at time the site is developed.

IX. Fences and Walls

If included in future development, fences and walls will be so indicated, and will meet existing criteria.

X. Streets

It is intent of the applicant to design, construct, and maintain all roadway and drainage improvements privately. Detailed drawings of the proposed improvements will be prepared and advanced to Charleston County for record purposes.

XI. Phasing

It is the intent of the applicant to phase the proposed development over a 12-15 year period. Phases would generally be in segments of 20-50 Dwelling Units and 100,000 to 150,000 Sq. Ft. of retail sales/services, and offices. Three to four primary phases are anticipated.

XII. Signs

The graphic system will meet the requirements of Art. 9.11. with exceptions noted.

TABLE 6.1-1

PDD-FV (Freshfields Village)

- Use permitted as a Matter-of-Right

AGRICULTURAL USES		
ANIMAL PRODUCTION		
Animal Aquaculture, including Finfish Farming, Fish Hatcheries, or Shrimp or Shellfish Farming (in ponds)		
Apiculture (Bee Keeping)		
Horse or Other Animal Production		
Concentrated Animal Feeding Operations		
CROP PRODUCTION		
Greenhouse Production or Food Crops Grown Under Cover	●	
Horticultural Production or Commercial Nursery Operations	●	
Hydroponics		
Crop Production		
FORESTRY AND LOGGING		
Commercial Timber Operations		
Lumber Mills, Planing, or Saw Mills, including Chipping or Mulching		
STABLE		
Stable		
SUPPORT ACTIVITIES FOR AGRICULTURE USES		
Agricultural Processing		
Agricultural Sales or Services		
Roadside Stands, including the sale of sweetgrass baskets	●	
RESIDENTIAL		
Congregate Living for the elderly (up to 15 residents)		
Duplex	●	
Dwelling Group	●	
Farm Labor Housing (up to 10 residents)		
Farm Labor Housing (Dormitory) (more than 10 residents)		
Child Caring Institution (more than 20 children)	●	
Group Care Home, Residential (up to 20 children)		
Group Residential, including Fraternity or Sorority Houses, Dormitories, or Residence Halls		
Manufactured Housing Unit		
Manufactured Housing Unit, Replacement		
Manufactured Housing Park		
Multi-Family, including Condominiums or Apartments	●	
Retirement Housing	●	
Retirement Housing, Limited (up to 10 residents)		
Single-Family Attached, also known as Townhouses or Rowhouses	●	
Single-Family Detached	●	
Single-Family Detached [affordable]		
Single-Family Detached/Manufactured Housing Unit (Joint) or Two Manufactured Housing Units (Joint)		

TABLE 6.1-1

PDD-FV (Freshfields Village)

- Use permitted as a Matter-of-Right

	Transitional Housing, including Homeless and Emergency Shelters, Pre-Parole Detention Facilities, or Halfway Houses	
CIVIC/INSTITUTIONAL		
COURTS AND PUBLIC SAFETY		
	Court of Law	
	Correctional Institutions	
	Parole Offices or Probation Offices	
	Safety Services, including Emergency Medical or Ambulance Service, Fire Protection, or Police Protection	●
DAY CARE SERVICES		
	Adult Day Care Facilities	●
	Child Day Care Facilities, including Group Day Care Home or Child Care Center	●
	Family Day Care Home	
DEATH CARE SERVICES		
	Cemeteries or Crematories	
	Funeral Services, including Funeral Homes or Mortuaries	
EDUCATIONAL SERVICES		
	Pre-school or Educational Nursery	●
	School, Primary	
	School, Secondary	
	College or University Facility	
	Business or Trade School	
	Personal Improvement Education, including Fine Arts Schools or Automobile Driving Schools	
HEALTH CARE SERVICES		
	Medical Office or Outpatient Clinic, including Psychiatrist Offices, Abortion Clinics, Chiropractic Facilities, or Ambulatory Surgical Facilities	●
	Community Residential Care Facilities	●
	Convalescent Services, including Nursing Homes	
	Counseling Services, including Job Training or Placement Services	
	Intermediate Care Facility for the Mentally Retarded	
	Public or Community Health Care Centers	
	Health Care Laboratories, including Medical Diagnostic or Dental Laboratories	●
	Home Health Agencies	
	Hospitals, including General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric or Substance Abuse Hospitals, or Hospices	
	Outpatient Facilities for Chemically Dependent or Addicted Persons	
	Rehabilitation Facilities	
	Residential Treatment Facility for Children or Adolescents (mental health treatment)	
MUSEUMS, HISTORICAL SITES AND SIMILAR		
	Historical Sites (Open to the Public)	-
	Libraries or Archives	●
	Museums	●

TABLE 6.1-1

PDD-FV (Freshfields Village)

● Use permitted as a Matter-of-Right

Nature Exhibition	●
Botanical Gardens	●
Zoos	
POSTAL SERVICE	
Postal Service, United States	●
RECREATION AND ENTERTAINMENT	
Community Recreation, including Recreation Centers	●
Fishing or Hunting Guide Service (Commercial)	●
Fishing or Hunting Lodge (Commercial)	
Golf Courses or Country Clubs	
Parks and Recreation	●
Recreation and Entertainment, Indoor, including Billiard Parlors, Bowling Centers, Ice or Roller Skating Rinks, Indoor Shooting Ranges, Theaters, or Video Arcades	●
Recreation and Entertainment, Outdoor, including Amusement Parks, Fairgrounds, Miniature Golf Courses, Race or Go-Cart Tracks, or Sports Arenas	●
Drive-In Theaters	
Golf Driving Ranges	
Outdoor Shooting Ranges	
Recreation or Vacation Camps	
RELIGIOUS, CIVIC, PROFESSIONAL AND SIMIL	
Business, Professional, Labor, or Political Organizations	●
Social or Civic Organizations, including Youth Organizations, Sororities, or Fraternities	●
Religious Assembly	●
Social Club or Lodge	●
UTILITIES AND WASTE-RELATED USES	
Utility Service, Major	
Electric or Gas Power Generation Facilities	
Utility Substation	●
Electrical or Telephone Switching Facility	●
Sewage Collector or Trunk Lines	●
Sewage Disposal Facilities	
Utility Pumping Station	●
Water Mains	●
Water or Sewage Treatment Facilities	
Water Storage Tank	
Utility Service, Minor	
Electric or Gas Power Distribution	●
Sewage Collection Service Line	●
Water Service Line	●
Waste-Related Uses	
Hazardous Waste Treatment or Disposal	
Nonhazardous Waste Treatment or Disposal	
Septic Tank Installation, Cleaning, or Related Services	
Solid Waste Combustors or Incinerators, including Cogeneration Plants	
Solid Waste Landfill (Public)	

TABLE 6.1-1

PDD-FV (Freshfields Village)

● Use permitted as a Matter-of-Right

	Waste Collection Services	●
	Waste Transfer Facilities	
COMMERCIAL		
ACCOMODATIONS		
	Bed and Breakfast Inns	●
	Hotels or Motels	●
	Rooming or Boarding Houses	
	RV (Recreational Vehicle) Parks or Campgrounds	
ANIMAL SERVICES		
	Kennel	●
	Pet Stores or Grooming Salons	●
	Small Animal Boarding (enclosed building)	●
	Veterinary Services	●
FINANCIAL SERVICES		
	Banks	●
	Financial Services, including Loan or Lending Services, Savings and Loan Institutions, or Stock and Bond Brokers	●
FOOD SERVICES AND DRINKING PLACES		
	Bar or Lounge (Alcoholic Beverages), including Taverns, Cocktail Lounges, or Member Exclusive Bars or Lounges	●
	Catering Service	●
	Restaurant, Fast Food, including Snack or Nonalcoholic Beverage Bars	●
	Restaurant, General, including Cafeterias, Diners, Delicatessens, or Full-Service Restaurants	●
	Sexually Oriented Business	
INFORMATION INDUSTRIES		
	Communication Services, including Radio or Television Broadcasting Studios, News Syndicates, Film or Sound Recording Studios, Telecommunication Service Centers, or Telegraph Service Offices	●
	Communications Towers	
	Data Processing Services	
	Publishing Industries, including Newspaper, Periodical, Book, Database, or Software Publishers	●
OFFICES		
	Administrative or Business Office, including Bookkeeping Services, Couriers, Insurance Offices, Personnel Offices, Real Estate Services, Secretarial Services or Travel Arrangement Services	●
	Government Office	●
	Professional Office, including Accounting, Tax Preparation, Architectural, Engineering, or Legal Services	●
OTHER NONRESIDENTIAL DEVELOPMENT		
	Convention Center or Visitors Bureaus	●
	Heavy Construction Services or General Contractors, including Paving Contractors, or Bridge or Building Construction	●
	Office/Warehouse Complex	
	Off-Premises Sign (e.g. Billboard)	

TABLE 6.1-1

PDD-FV (Freshfields Village)

● Use permitted as a Matter-of-Right

Special Trade Contractors (Offices)	●
Building Equipment or other Machinery Installation Contractors	
Carpentry Contractors	●
Concrete Contractors	●
Drywall, Plastering, Acoustical or Insulation Contractors	●
Electrical Contractors	●
Excavation Contractors	●
Masonry or Stone Contractors	●
Painting or Wall Covering Contractors	●
Plumbing, Heating or Air-Conditioning Contractors	●
Roofing, Siding or Sheet Metal Contractors	●
Tile, Marble, Terrazzo or Mosaic Contractors	●

Office Use (No Material Storage)

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PARKING, COMMERCIAL

Parking Lots	●
Parking Garages	●

RENTAL AND LEASING SERVICES

Charter Boat or other Recreational Watercraft Rental Services	●
Commercial or Industrial Machinery or Equipment Rental or Leasing	
Construction Tools or Equipment Rental	●
Consumer Goods Rental Centers	●
Consumer Goods Rental Service, including Electronics, Appliances, Formal Wear, Costume, Video or Disc, Home Health Equipment, Recreational Goods, or other Household Items	●
Heavy Duty Truck or Commercial Vehicle Rental or Leasing	
Self-Service Storage / Mini Warehouses	
Vehicle Rental or Leasing, including Automobiles, Light or Medium Duty Trucks, Motorcycles, Moving Vans, Utility Trailers, or Recreational Vehicles	●

REPAIR AND MAINTENANCE SERVICES

Boat Yard	
Repair Service, Consumer, including Appliance, Shoe, Watch, Furniture, Jewelry, or Musical Instrument Repair Shops	●
Repair Service, Commercial, including Electric Motor Repair, Scientific or Professional Instrument Repair, Tool Repair, Heavy Duty Truck or Machinery Servicing and Repair, Tire Retreading or Recapping, or Welding Shops	
Vehicle Repair, Consumer, including Muffler Shops, Auto Repair Garages, Tire or Brake Shops, or Body or Fender Shops	●
Vehicle Service, Limited, including Automotive Oil Change or Lubrication Shops, or Car Washes	●

RETAIL SALES

Nonstore Retailers	
Direct Selling Establishments	

TABLE 6.1-1

PDD-FV (Freshfields Village)

- Use permitted as a Matter-of-Right

Electronic Shopping or Mail-Order Houses	
Fuel (except liquefied petroleum gas) Dealers, including Heating Oil Dealers	
Liquefied Petroleum Gas (Bottled Gas) Dealers	
Vending Machine Operators	
Building Materials or Garden Equipment and Supplies Retailers	●
Hardware Stores	④
	④
Garden Supplies Centers	●
Outdoor Power Equipment Stores	④
Paint, Varnish, or Wallpaper Stores	④
Food Sales, including Grocery Stores, Meat Markets or Butchers, Retail Bakeries, or Candy Shops	④
Liquor, Beer, or Wine Sales	●
Retail Sales or Services, General	●
Art, Hobby, Musical Instrument, Toy, Sporting Goods, or Related Products Store	④
Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Store	●
Convenience Stores	④
Drug Stores or Pharmacies	④
Duplicating or Quick Printing Services	●
Electronics, Appliance, or Related Products Store	④
Florist	④
Furniture, Cabinet, Home Furnishings, or Related Products Store	④
Pawn Shop	
Private Postal or Mailing Service	④
Tobacconist	④
Warehouse Clubs or Superstores	
Service Stations, Gasoline (with or without convenience stores)	●
Truck Stop	
Vehicle Sales (new or used)	
Automobile, or Light or Medium Duty Truck Dealers	
Heavy Duty Truck or Commercial Vehicle Dealers	
Manufactured (Mobile) Home Dealers	
Motorcycle, Watercraft, or Recreational Vehicle Dealers	
Vehicle Parts, Accessories or Tire Stores	●
RETAIL OR PERSONAL SERVICES	
Consumer Convenience Service	④
Automated Bank / Teller Machines	④
Drycleaners or Coin-Operated Laundries	●
Drycleaning or Laundry Pick-up Service Stations	④
Locksmith	④
One-Hour Photo Finishing	④
Tailors or Seamstresses	④
Hair, Nail, or Skin Care Services, including Barber Shops or Beauty Salons	●

Design Source Center

EXHIBIT 13.14.A
VEGETATIVE BUFFER – FRESHFIELDS VILLAGE
11.05.2013

1. The following setback zones will be established along the Kiawah Island Parkway to screen existing and future parking areas (as indicated on graphic below):
 - A. 50' vegetative setback from the existing Kiawah Island Parkway R.O.W. composed of trees, plant material and/or berms. Trails, utility easements and fencing will be permitted in this area provided that the goal of the parking area screening is substantially maintained.
 - B. 25' vegetative setback from the existing roundabout R.O.W. composed of trees, plant material and/or berms. Trails, utility easements and fencing will be permitted in this area provided that the goal of the parking area screening is substantially maintained.
 - C. 100' open field and or vegetative setback from the original Kiawah Island Parkway composed of trees, plant material and grassy areas. Trails, utility easements, road accessways and fencing will be permitted in this area. This area may also be used for overflow parking as may be needed or required for special events. It should be noted that an area to the east and west of the existing intersection of Freshfields Village Drive and the Kiawah Island Parkway is partially open fields to improve the visibility of egressing/ingressing traffic.

