

*Jasper County Planning Commission
358 Third Avenue
Ridgeland, SC 29936
843-717-3650 phone
843-726-7707 fax*

**Minutes of the May 10, 2022
Regular Scheduled Meeting**

Members Present: Chairman, Mr. Alex Pinckney; Vice-Chairman, Dr. Earl Bostick; Dr. Debora Butler; Ms. Sharon Ferguson; and Mr. Thomas Jenkins.

Members Absent: Mr. Art Rothenberg and Mr. Randy Waite

Staff Present: Ms. Lisa Wagner

Others Present: Ms. Sarah Robertson with Burr & Foreman, LLP; Ms. Jennifer Tosky with K & N Development; Mr. Dan Keefer with Whitmer-Jones-Keffer; and Mr. Jeff Ackerman with Carolina Engineering.

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased. The recorded version is available in the Office of the Planning Department Office.

Call to Order: Chairman Pinckney brought the meeting to order at approximately 6:00 p.m.

Invocation & Pledge of Allegiance: Invocation and the Pledge of Allegiance was given by Dr. Bostick.

Approval of Agenda: Dr. Bostick motioned to approve the Agenda as published, seconded by Dr. Butler. The Commission Members present voted unanimously in favor of the motion.

Approval of Minutes: Dr. Butler motioned to table the Minutes of the **April 12, 2022**, seconded by Dr. Bostick. The Commission Members present voted unanimously in favor of the motion.

New Business

Zoning Map Amendment– General Commercial, Tax Map Number(s) 039-00-06-002: Ms. Wagner said the Applicant is requesting to have the property designated as General Commercial (GC). The property is currently split zoned Community Commercial and Rural Preservation. The applicant would like to develop a warehousing and transportation (distribution) establishment at this location. The property is currently vacant but was previously used as a salvage yard for selling auto parts. The Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent

municipality for annexation. The adjacent parcels are zoned Community Commercial, Rural Preservation and Residential. The city limits of Hardeeville are nearby but are not contiguous to the property. Adjacent land uses are Commercial and vacant. The property is accessed by Speedway Boulevard, which is a four-lane divided highway, classified as a major thoroughfare. From a land use perspective, staff recommends approval of the request to have the property designated as General Commercial.

Ms. Sarah Robertson addressed the Commission. She said she is the applicant's attorney and representative. She said her clients are under contract to purchase the property.

Dr. Butler asked about the traffic and at what point do we become concerned with the traffic, since this is the second large property requesting re-zoning for distribution use. Ms. Wagner said a traffic impact analysis will be required prior to development plan approval. She said the County would like to enter into a Development Agreement with the applicant, which will include all of the properties they intend to develop, and the traffic will be reviewed prior to any approvals for development. Dr. Butler said she is concerned about the quality of life for the long-time residents that live in the community and asked who will have input into the traffic impact. Ms. Wagner said the County will hire an Engineer Consultant to do the plan review and the Fire Marshal will also review the plans. Dr. Butler asked about the environmental assessment and when that will be addressed. Ms. Wagner said that will be reviewed during development plan approval.

Mr. Jenkins inquired as to why the applicants are submitting these applications one at a time rather than all together. Ms. Robertson said her clients are buying properties owned by different people, so the paperwork is being signed at different times.

Ms. Ferguson said she is concerned about the residents that live near this property, it seems that they will be impacted by truck traffic and noise. She asked if the residents have submitted any comments. Ms. Wagner said a red zoning sign was posted on the property, but no notices have been sent yet. She said notices will be sent to everyone within 500' of the property, notifying them of the public hearing meeting once it is scheduled.

Dr. Bostick asked if the compounding effect of all three properties will be looked at rather than each single property. Ms. Wagner said yes, the development agreement will cover all three properties and the traffic associated with all of the projects will be reviewed. He asked if the property owners will be notified of all three properties so they can comment on the overall effect. Ms. Wagner said yes.

Chairman Pinckney said when the applicant applies for a development permit, not only will the County's Engineer Consultant analyze the traffic, but SCDOT will too.

Mr. Jenkins motioned to forward a favorable recommendation to County Council to approve the request to change the zoning for tax map number 081-00-02-002 from split zoned Community Commercial and Rural Preservation to General Commercial, seconded by Dr. Bostick. The Commission Members present voted unanimously in favor of the motion.

Road Name Petition— Ms. Wagner said the Applicant is requesting that an existing road be named Rob Ram Road. The subject road is a private maintained road serving 9 lots that have recently been recorded

as an Exempt Subdivision through the state's exemption for lots that are 5 acres and greater where the lots abut an existing road or right of way. As part of the plat approval, the Fire Marshal determined that the road meets the International Fire Code. Emergency Services requested that the road be named because it is greater than 500' in length and will serve 9 homesites. A road name petition was properly completed and submitted to Emergency Services for review. She said the road name petition meets the criteria outlined in Section 25-126, of the *Jasper County Code of Ordinances*, for *New Road Names* with the exception of three households being located on the road. Emergency Services has determined that the road should be named to help facilitate public safety and emergency response service.

Dr. Bostick motioned to approve the road name change to Rob Ram Road, Ms. Ferguson seconded the motion. The Members present voted unanimously in favor of the motion.

Conceptual Review of a Planned Development District – Bailey Park Tax Map Number 081-00-04-007 and 081-00-04-008: Ms. Wagner said the Applicant has requested a Planned Development District (PDD) zoning designation for two parcels, which will be for a mixed-use development known as Bailey Park PDD. The properties are identified by tax map numbers 081-00-04-007 and 081-00-04-008. Tract A is tax map number 081-00-04-007 and is currently zoned Community Commercial, consisting of 6.63 acres. Tract B is tax map number 081-00-04-008 and is currently zoned Residential, consisting of 20 acres. The properties are located along Highway 170, approximately 2 miles east of the intersection of Highway 462 and has frontage along Old Bailey Road. Both properties are vacant and have not been developed. The PDD, regulations are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree and are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment. All PDD's shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition).

Ms. Wagner said the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. In these areas, new development should be thoughtfully placed within the existing landscape. The Land Use Chapter of the Comprehensive Plan recommends guiding growth and new development in or around the municipalities where infrastructure and services are available to serve new growth. While the properties are not near a municipality, they are located in an area where infrastructure and services are available to serve the site. The Bailey Park PDD Concept Plan proposes two full access points, one along North Okatie Highway (Highway 170), which is a four-lane state-maintained highway, classified as an arterial road, and the other along Old Bailey Road, which is a two-lane state-maintained road classified as a local road. Tract A is proposed as mixed use commercial and community commercial, while Tract B is proposed as multi-family and single-family residential. The overall commercial use density proposed in Tract A is a maximum of 12,000 square feet of upland acre or a total of 65,820 square feet. The proposed residential use density in Tract B is a maximum of 12 units per upland acres or a total of 233 residential units. Tract A will require a 50' buffer along Highway 170 and 15' from any adjacent residential use not separated by a road. Incompatible land uses shall comply with the buffer requirements as outlined in Article 12 of the Jasper County Zoning Ordinance. Tract B will require 6' side yard setbacks for detached single-family residential and duplexes, 15' rear yard setbacks, and 25' front yard setbacks for lots with front loaded garages, and 15' setbacks for lots with side loaded garages. There will be 6' side yard setbacks from non-common property lines for

attached single-family residential, townhomes, or condominiums. Water and Sewer will be provided by BJWSA, Dominion Energy will provide electric service, and Hargray will provide telephone service.

Ms. Wagner said a full environmental assessment of the site has been conducted as well as a full Traffic Impact Analysis. The Bailey Park PDD meets all the requirements for a PDD *Application and Concept Plan* as outlined in Article 8:1.7 of the Jasper County Zoning Ordinance. Notices have been sent to all adjacent property owners, notifying them of the Applicant's request to have the property designated as PDD and providing them with an opportunity to comment. Two zoning application signs have been posted on the property, one along Highway 170 and one along Bailey Road. A zoning designation of PDD does not entitle an applicant or owner of the affected property a right to develop or engage in any land use or land disturbing activity, other than the rights in existence at the time of the Concept Plan approval. To engage in development or any land use or land disturbing activity, a Master Plan and subsequent Development Plan(s) must be approved for the areas to be developed. While the Concept Plan is very generalized, a Master Plan is a more refined document which will be reassessed by the Planning Commission at a future date. The PDD application is supported by the Comprehensive Plan; as such, staff recommends approval of the PDD designation, the PDD document, and the Concept Plan.

Ms. Jennifer Tosky addressed the Commission. She introduced Mr. Dan Keefer and Mr. Jeff Ackerman who are working with her on this project. She said Bailey Park PDD seeks to provide both single-family and multi-family residential. She said there is a need for this along the Highway 170 Corridor and they are hoping to offer some mixed use with affordable housing.

Ms. Wagner read the five public comments that were received from adjacent landowners. A copy of each public comment is attached to these Minutes.

Ms. Ferguson asked about the letter from BJWSA and if an archeological study has been conducted for the property. Ms. Tosky said they have not commissioned an archeological study, but they had a Phase I environmental study completed, which did not return anything. Mr. Jeff Ackerman with Carolina Engineering said the BJWSA letter is dealing with the capacity of drinking water and sanitary sewer. He said as part of the process for development plan approval, they will be required to submit to South Carolina Department of Health Environmental Control (SCDHEC) for a coastal zone certification and they do an extensive search through their database and the SC Historical Office to ensure there are no archeological sites on the subject property. He said when any areas of concern are identified, they are required to do a more extensive analysis.

Mr. Jenkins said he is an advocate of affordable housing. He asked Ms. Tosky if the PDD would include low-income housing or just affordable housing and he asked what the price range of the houses will be. Ms. Tosky said they want to provide affordable housing. She said she is not familiar with low-income housing. She anticipates the multi-family product (2-3 bedroom unit) will rent for \$1,100.00 - \$1,400.00 a month. She anticipates the single-family units will sell for mid \$200,000, comparable to Okatie Park sales prices. There was some discussion about Section 8 housing. Mr. Jenkins said he believes anyone who receives federal funds to develop projects, should provide Section 8 housing. Mr. Jenkins said he would like to see them do their own archeological study rather than depending on the state's database.

Dr. Butler said based on the comments, there are longtime residents that are concerned with the density and how it will impact their quality of life. She said the document refers to other structures,

such as, guest houses, bed & breakfast, garage apartments, etc., which do not count towards the maximum density of 233 residential units and asked if we are misrepresenting information to the public. Ms. Wagner said looking at the development plan and all the things that are required, it will be impossible to get 233 lots that are big enough to allow a second structure. Ms. Wagner said other PDD's contain the same language and for the concept plan, the developer bases the maximum density on the gross acreage. She said it is the developer's intent to create a flexible plan so that it can be marketed to end users for different types of uses according to market demand. Ms. Tosky said even if they built side by side townhomes, an aggressive plan would not yield more than 170 units. Dr. Butler asked if the projected density was considered with the traffic study. Ms. Tosky said yes, the traffic study is based on the worst case scenario using the maximum density since they don't know exactly how the property will be developed. Dr. Butler asked about the open space and if it will have recreation opportunities for the residents. Mr. Dan Keefer said yes depending on the end use, it will have a mix of active gathering spaces and passive park spaces for the community. He said in regard to the density and in terms of multi-family and work-force housing, he said they could have a scenario where there are small units in a 2-3 story building which may allow enough density to get to the maximum of 233 units. Dr. Butler said she agrees with Mr. Jenkins about the archeological study and if there is the possibility of a potential historical site on this property, she thinks it should be further investigated. Dr. Butler asked Ms. Tosky if she could consider some sort of barrier for the existing residents who live adjacent to this property. Ms. Tosky said she will consider that.

Dr. Bostick asked if someone could elaborate about the existing pond that was mentioned in one of the public comments in regard to the pond overflowing due to the current development and washing out a property. Mr. Ackerman said there is a pond south of Old Baily Road. He is not sure that the existing drainage ties into that pond, but 10-15 percent of the upland area of the subject property to be developed will have to be set aside for stormwater ponds that will be engineered to detain water after a rainfall event and after being treated for quality, it will drain off at a pre-developed or lesser level than what the community sees today. He said this is a requirement to protect the people downstream from being flooded or impacted by new development. Dr. Bostick said the document refers to the development taking place in 2-3 phases over a 5 year period and he asked Ms. Wagner if they wait closer to 5 years to develop if any consideration will be given to impacts created by new developments over that time-frame. Ms. Wagner said yes, when they come in for development plan approval or subdivision approval, the traffic will be considered taking into account nearby traffic as well as everything else required by Jasper County Ordinances.

Mr. Jenkins asked Ms. Tosky to provide the archaeological study to Ms. Wagner once it is completed. Mr. Jenkins asked Ms. Wagner about the building height. Ms. Wagner said the building height is a maximum of 35'.

Mr. Jenkins motioned to forward a favorable recommendation to County Council to approve the Concept Plan and Planned Development District designation for Bailey Park, tax map numbers 081-00-04-007 and 081-00-04-008, seconded by Dr. Bostick. The Commission Members present voted unanimously in favor of the motion.

Open Discussion:

Dr. Bostick asked if County Council Meetings are back in session in the Council Chambers. Ms. Wagner said yes, they are open to the public with a limited capacity of 20 percent.

Mr. Jenkins asked Ms. Wagner if she looked into the "No Parking" signs for county roads. Ms. Wagner said she would look into that again and get in touch with him.

Dr. Butler asked if everyone is receiving the City of Hardeeville's Planning Commission Agenda. She said she did not see everyone's name on the list. Ms. Wagner said she will notify Hardeeville to have Ms. Ferguson, Mr. Jenkins, and Mr. Rothenberg added to the mailing list.

Chairman Pinckney asked about the IGA that was on the Council's agenda. Ms. Wagner said that item was an Intergovernmental Agreement between Jasper County and the Town of Ridgeland for a water project.

Adjourn: Dr. Bostick motioned to adjourn, seconded by Dr. Butler. The Commission Members present voted unanimously in favor of the motion. The meeting adjourned at approximately 7:40 pm.

Respectfully Submitted,

Lisa Wagner

Erika Gainey

843-368-2365
1482 Old Baileys Road
Ridgeland, SC 29936
erikagainey@hotmail.com

May 8, 2022

Lisa Wagner - Director of Planning and Building Services
Jasper County Planning Department
358 Third Avenue - Post Office Box 1659
Ridgeland, SC 29936

Re: Bailey Park - PDD
Tax Map Number 081-00-04-007

Dear Lisa,

I am writing this letter to address my concerns of the future development of the property located at tax map number 081-00-04-007. I am one of the adjacent property owners to this subject property. I am also stating the concerns of my elderly grandfather Thaddeus Mathew Bailey, Jr, another adjacent property owner of this subject property.

Thaddeus Mathew Bailey, Jr has resided on Old Baileys Road for over 96 years. I have resided here for most of my life, also, around 40 years. We completely understand that this subject property has been purchased and is planning to be developed and are only wanting the development to fit into our community in the best way possible and not cause any major economical burdens.

The first concern that we have is the traffic flow on Old Baileys Road. Old Baileys Road is not built to handle large volumes of traffic. Whatever development of this subject property is allowed, we are requesting that the main entrance to the development come out onto Highway 170, just as the previous development on Old Baileys Road does, Okatie Park. That would allow a much more "norm" to the current land owners and neighbors of the Old Bailey Road Community. As I am sure you are aware, Okatie Park is located behind the commercial portion (Webster's Marine) located on Highway 170, but it still has its main entrance there and the old bailey road access entrance is roped off.

The second concern that we have is the drainage of the storm water after the overflow of the retention ponds on the subject property. By design, water flows downhill. Most of the ditches are obviously connected and the storm water from

all properties on Old Baileys Road run into a pond located on another property (Riverfront Portion of Old Baileys Road, 25 Old Bailey's Circle) owned by Thaddeus Matthew Bailey, Jr. When this pond reaches capacity it overflows the embankment next to the Okatee River causing major erosion of the property around it, including his driveway. That erosion has to then be repaired, burdening him with the out of pocket costs of repair. Please consider this when approving the subject property and the effects of the storm water drainage to neighboring land owners personal property. Okatie Park has its retaining ponds located at the back portion of the community, the Old Baileys Road area, which does make it nice since the homes in the development are not located right on Old Baileys Road.

The third concern that we have is the type of development that is being requested by the developer. Single family housing may be considered but maybe with larger lots to cut down on the number of people that would be moving into the area. Apartments or even town homes would only allow many more people to move into the Old Baileys Road area and take away from the calm, and tranquil atmosphere that we have all enjoyed here for so many years. Maybe a fence around the parameter of the subject property at the expense of the developer could be a requirement to prevent trespassing issues as this new development will also increase the crime in our area.

We are asking that you and each of the Jasper County Planning Department Commissioners consider each of these concerns that we have when considering what type of developing you will permit the developer to do with the said subject property. We know that our area is growing rapidly but we are hoping to preserve the lifestyle and atmosphere that our neighbors and we both have become acquainted to for so many years in the Old Baileys Road neighborhood.

Sincerely,


Erika I. Gainey


Thaddeus Mathew Bailey, Jr

Lisa Wagner

From: Andy Richard <andy@cbmconcrete.com>
Sent: Monday, May 9, 2022 9:31 AM
To: Lisa Wagner
Subject: Bailey Park PDD 081-00-04-007

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Ms. Wagner,

I hope you are going well and had a good weekend. I'm reaching out as a concerned neighboring resident of the proposed Bailey Park PDD located off of Bailey's Rd. I ask that the planning department please deny this request. The possibility of 233 residential units and 65,000 sf of commercial property in a rural area such as this one would be detrimental to the entire area for the following reasons:

- 1) Storm water and drainage issues. The proximity of this development to the Okatie river would wreak havoc on the local flora and fauna.
- 2) Increased need for more law enforcement and other public services.
- 3) The roads system on Old Bailey's is not able to handle this kind of traffic. The roads currently are full of trash and potholes.

These are just a couple of things that initially come to mind. I'm not against progress and change, but control and having an expectation of what can happen if something like this is approved is paramount. I trust that those in your department will have the foresight to make sure these changes do not have a negative impact on those that currently reside in these areas.

Thank you for your consideration and have a wonderful day!

Andy Richard
CFO
P. 843.628.6886



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Michael C Bailey
843-987-9330
277 Old Baileys Road
Okatie, SC 29909

May 9, 2022

Lisa Wagner - Director of Planning and Building Services
Jasper County Planning Department
358 Third Avenue - Post Office Box 1659
Ridgeland, SC 29936

Re: Bailey Park - PDD
Tax Map Number 081-00-04-007

Dear Lisa,

I am writing you this letter to address my concerns of the future development of the property located at tax map number 081-00-04-007. I am 69 years old and I grew up on Old Baileys Road. My residence is located across the street from this property. I am asking you to consider the effects that re-zoning this property will have on our community.

The Old Baileys Road community has grown over the past decade but has still been able to remain "Rural". Any development besides what it is currently zoned as would cause the need for a major upgrade in the communities infrastructure. This is something that I am strongly against.

I completely understand that this property has been purchased and is planning to be developed. I would like for the development to fit into our community the best way possible and not cause major economical burdens. New developments should not change the current lifestyle of the other people that have lived in the community for so many years.

This piece of property was in the Bailey Family for many generations. This particular portion of the Bailey Land was always known to be an Indian burial ground. Although I cannot prove this, many artifacts have been found on this property ,including arrow heads, pottery bowls and occasionally bones. I feel this is important information for a developer to know.

Sincerely,

Michael C Bailey

Reply all | Delete Junk | ...



Sandra Cooler Billeaud's Response to Proposed BAILEY PARK, PDD



Debbie Cooler <mdebracooler@gmail.com>

Today, 1:37 AM

Lisa Wagner

Reply all |

Inbox

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention: Lisa Wagner and Members of the Jasper County Planning Department

My family has lived in this community for over 250 years. My greatest concern is for the safety of the many children who live in the area. I feel the ENTRANCE and EXIT for this new development should be on Highway #170, NOT on Old Bailey Road.

In hindsight, with the explosive population we are experiencing in Beaufort and Jasper Counties, there is concern about the increased crime, traffic, and overall safety. We have an opportunity to keep some areas rural - Old Bailey Road is such an area.

Sandra Cooler Billeaud
Granddaughter of Thaddeus Matthew Bailey, Sr.

Mary Debra Cooler's Response to Proposed BAILEY PARK, PDD



Debbie Cooler <mdebracooler@gmail.com>

Today, 1:04 AM

Lisa Wagner

Reply all

Inbox

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention: Lisa Wagner and the Jasper County Planning Department

This correspondence is in response to the proposed BAILEY PARK, PDD, located between Old Baileys Road and Highway #170, Okatie, SC, Tax Map # 081-00-04-007.

As Representative for the THOUSAND PLUS RESIDENTS on OLD BAILEY ROAD and the LOW BOTTOM AREA, we are greatly concerned about the SHORT NOTICE and INABILITY to MEET in PERSON with the Jasper County Planning Board to discuss our grievances regarding BAILEY PARK, PDD.

Our grievances include, but are not limited to:

- 1- ONLY 3 1/2 DAYS RESPONSE TIME to development that will greatly impact our QUALITY of LIFE
- 2- Old Bailey Road is a RURAL road, and we do not support INCREASED TRAFFIC on our narrow, unkept road.
- 3- We DO NOT SUPPORT an ENTRANCE or ACCESS from Old Bailey Road. The proposed development is just beyond a CURVE, and it will be DANGEROUS for cars entering or exiting from the proposed development.
- 4- We request BUFFERS between the proposed development, Old Bailey Road, and current residential housing.
- 5- The HOUSING DENSITY of the proposed development is alarming with regards to the PERSONAL SECURITY of CURRENT RESIDENTS and the SAFETY of CHILDREN playing along OLD BAILEY ROAD.
- 6- CUMULATIVE WATERSHED EFFECT on the environment will be highly detrimental with the proposed maximum housing.
- 7- SURFACE RUNOFF IMPACT
- 8- NOISE and LIGHT POLLUTION from the EXCESS NUMBER of RESIDENTIAL UNITS
- 9- QUALITY of DRINKING WATER
- 10- QUALITY of the OKATEE RIVER, one of the FEW REMAINING PRISTINE WATERS in our LOWCOUNTRY
- 11- EROSION to the QUALITY of LIFE that has been PRESERVED for CENTURIES

The land allotted for the proposed BAILEY PARK, PDD has been in our BAILEY/JOHNSON family for, at least, EIGHT GENERATIONS and was part of an ORIGINAL LAND GRANT.

We respectfully request our concerns to be given consideration. Thank you.



Reply all



Delete

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...

Mary Debra Cooler

Granddaughter and Heir of Thaddeus Matthew Bailey, Sr.

