

*Jasper County Planning Commission
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**Minutes of the December 13, 2022
Regular Scheduled Meeting**

Members Present: Chairman, Mr. Alex Pinckney; Vice-Chairman, Mr. Randy Waite; Dr. Debora Butler; Ms. Sharon Ferguson; Mr. Thomas Jenkins; and Mr. Art Rothenberg

Members Absent: Dr. Earl Bostick

Staff Present: Ms. Lisa Wagner and Ms. Bonnie Lawson

Others Present: Mr. Robert Patterson Farmer, Ms. Allison Farmer, Mr. Evan Bennett with Hussey Gay Bell, Mr. Preston Andrews, Mr. Nathan Sturre with Sturre Engineering, Ms. Jennifer Bihl with Bihl Engineering, Mr. Brett Buckland with Bohler Engineering, Ms. Nicole Scott with Nexsen Pruet, and Mr. Holden Sabato

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 online at: <https://www.youtube.com/watch?v=X5ilws7ImXw>

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 Mr. Jenkins.

Approval of Agenda: Mr. Jenkins motioned to approve the Agenda as published, seconded by Mr. Waite. The Commission Members present voted unanimously in favor of the motion.

Approval of Minutes: Mr. Rothenberg motioned to approve the Minutes of the **November 15, 2022** Meeting, seconded by Mr. Waite. The Commission Members present voted unanimously in favor of the motion.

Master Plan – 95 Logistics Center: Ms. Wagner said a workshop was just held prior to this meeting to review the Master Plan for the 95 Logistics Center. She said the 95 Logistics Center was approved by County Council in May 2022.

Ms. Scott addressed the Commission. She said they understand the Commissioners concerns and all of those concerns were discussed during the early stages of the PDD and the Development Agreement. She said the approved Development Agreement entitles them to do certain things and she respectfully asked for approval of the Master Plan for the 95 Logistics Center.

Mr. Tedder addressed the Commission. He said the Committee asked some insightful questions during the workshop and he appreciates the attention they paid to the details of this project. He said the Council did look at traffic and stormwater and has specific provisions in the Development Agreement.

Mr. Rothenberg said some of the various issues that the Committee is dealing with are problems that are beyond the scope of a municipality and in some cases, should be addressed by other agencies. The Commissioners expressed thanks to the applicant and his team for attending the Workshop and answering their questions.

Mr. Rothenberg motioned to approve the Master Plan for the 95 Logistics Center, seconded by Mr. Jenkins. The motion passed with Mr. Rothenberg, Mr. Jenkins, Ms. Ferguson, and Mr. Waite voting in favor of the motion. Dr. Butler opposed the motion.

Ms. Wagner said along with the 95 Logistics Center Master Plan, the applicant requested a variance on the parking spaces. She said the request is less than 10%, which staff is allowed to grant through the administrative adjustment process, but the Development Agreement allows the Planning Commission to grant the variance during master plan approval. She said County staff strongly supports the variance because the impervious surface associated with this project is a large area. Requiring additional parking spaces that aren't utilized will create more impervious surface and in turn, creates additional stormwater run-off.

Dr. Butler asked Ms. Wagner to provide more details. Ms. Wagner said the parking requirements for warehousing is 1 space per 1,000 square feet of gross floor area. She said the project is 2.24 million square feet of gross floor area, requiring 2,240 parking spaces and the applicant is asking to reduce the parking spaces to 2,069 parking spaces which is equivalent to 1 space per 1,200 square feet of gross floor area. Dr. Butler asked what the plans for the area of the reduced parking spaces are. Ms. Wagner said the area will be open space. She said the Master Plan shows the buffer areas, storm water facilities, internal roads and 2,069 parking spaces, so other than roof tops, everything else is open space. Dr. Butler said so the open areas would be better than the parking spaces for the environment. Ms. Wagner said yes.

Mr. Rothenberg motioned to approve the reduction of the parking spaces by ten percent, seconded by Mr. Jenkins. The Commission Members present voted unanimously in favor of the motion.

Major Subdivision – Conceptual Plan Review – Gillisonville Lakes: Ms. Wagner said the applicant, Cleland Site Prep, Inc. is seeking a conceptual review approval of a proposed major subdivision for the purpose of securing advice and/or comments prior to applying for a preliminary plat approval of a major subdivision. The subject property consists of 64.10 acres and is located along Grays Highway. The applicant proposes to develop a residential subdivision consisting of 5 total lots, 4 lots for single family residential and 1 lot for community open space consisting of a 26.4-acre aesthetic wet pond with approximately 1.5 miles of unpaved walking trails. The lots will range in size from 1.50 acres – 2.25 acres. The property is zoned Rural Preservation, which requires minimum lot sizes of 1 acre. The proposed development includes only one curb cut along Highway 278, which will provide a gravel access road that will serve each lot. Each lot will be served by a private well and a septic tank. Because of the low density that is being proposed, a traffic impact analysis is not required. The site design includes a 9' high berm along Highway 278 to provide privacy, lessen visibility from Highway 278, and reduce noise for the future residents. There are three freshwater wetland areas onsite, which total approximately 5.6 acres and will remain undisturbed. The

site design provides a 50' buffer around each wetland area. Sturre Engineering provided a site plan, which includes all of the requirements outlined in Section 2.8 of the Jasper County Land Development Regulations. Once the concept plan has been approved by the Planning Commission, the applicant will proceed with outside agency permitting and engineering review by the County's engineer consultant to comply with the specific requirements of the Jasper County Land Development Regulations for preliminary plat approval. Staff recommends approval of the conceptual plan for Gillisonville Lakes major subdivision.

Mr. Nathan Sturre addressed the Commission. He said Gillisonville Lakes is a very minor subdivision and their intent is to maintain a natural view tucked back in the woods, hidden from the road. He said they will be treating approximately 45 acres of off-site area including the right-of way, which will reduce nutrient loads and sediment to a downstream body of water that has Total Maximum Daily Loads (TMDL), meaning it is overly polluted so they are trying to help solve that with the pond.

Mr. Waite asked if they intend to have any use restrictions or if mobile homes will be allowed. Mr. Sturre said he thinks just single-family housing is intended, but he will need to check with the applicant to be sure. Mr. Waite said the Planning Commission likes to see sidewalks on subdivision plans, at least on one side of the street, so children don't have to walk on the road. Mr. Sturre asked if a concrete sidewalk would be required or if it could be unpaved, to keep the low impact feel they are trying to achieve. Mr. Waite said gravel or some sort of walkway for the children so they aren't walking in the street.

Dr. Butler asked about the size of the lake. Mr. Sturre said the lake would be approximately twenty-six acres. Dr. Butler asked if the dirt would be removed from the site or not and if the reason for the lake is because the land is low-lying. Mr. Sturre said he is not sure what they intend to do with the dirt. He said a significant amount of the dirt will be used to build the lots up, the road, and the 9' high berms. He said the land is not low-lying. They are following the contours of the land, which does slope toward the wetlands to a manmade drainage ditch that goes to a natural tributary, so they are rerouting it from the natural wetland area.

There was some discussion about whether this project is a major development or not. Mr. Sturre said they attempted to apply for a minor subdivision, but the fifth lot made it a major subdivision. Ms. Wagner said a minor subdivision is intended for projects that have 4 lots or less and does not require much infrastructure so even if the lots were reduced, staff is not comfortable approving it with a 26 acre pond. She said a pond this size will require a permit from SCDHEC as part of land disturbance approval or a mining operation. She said she spoke to SCDHEC and they told her they need to review the plans in order to determine what will be required at state level. She said as far as the county requirements, if this is a minor subdivision and the dirt leaves the site, they will need to re-zone to the Resource Extraction Zone. Dr. Butler asked if this project should go to SCDHEC before the Committee approves it. Ms. Wagner said the application is being presented to the Committee for conceptual approval only, which does not give the applicant permission to do anything. She said the applicant will need to come back for preliminary plat approval and at that time the County will have their engineer consultant review the plans before it is presented to the Committee.

Mr. Jenkins asked if these homes are for family members. Mr. Sturre said he thinks the applicant intends to hold on to the property for family members.

Mr. Rothenberg asked if the intent was to remove sand from the property to create this pond would that be permitted in Rural Preservation. Ms. Wagner said it would be allowed if it is a part of their development plan, they meet all of the County requirements for a subdivision approval, and they get all of their state permits. Mr. Rothenberg said it would not have to be a Resource Extraction Zone. Ms. Wagner said that's right, but if they do not go through the subdivision process and they want to dig the pond to remove the dirt then they would be required to rezone to the Resource Extraction District.

Mr. Waite asked about the depth and the slope of the pond. Mr. Sturre said the pond is designed to the Jasper County Stormwater Code with all of the appropriate safety benches, slope, and safety fence, to protect the environment as much as possible to include enhanced buffers on wetland areas. He thinks the plan for the depth of the pond is 20' deep. Mr. Waite said 20' sounds like mining. Mr. Sturre said the pond may be 10' deep, the total depth of the ponds have not been discussed yet. He said if the Commission wants a specific depth, he is sure they will work with them. Mr. Waite said he just wanted to know whether it is mining or if they are trying to use the sand on this site. Ms. Wagner said when it comes back for preliminary plat approval, they will have their state permits and we will know more about how the pond will be permitted through SCDHEC.

Mr. Waite motioned to approve the Conceptual Plan for Gillisonville Lakes Subdivision, seconded by Dr. Butler. The Commission Members present voted unanimously in favor of the motion.

Zoning Map Amendment - Resource Extraction, a 31.504 acre Portion of Tax Map Number 050-00-04-011:

Ms. Wagner said the subject property consists of 31.504 acres and is located at 11421 Gillison Branch Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Resource Extraction. The property is currently zoned Rural Preservation and is utilized as the applicant's primary residence. The applicant intends to apply for a SCDHEC mining permit in order to create a 5-acre recreational pond and remove the dirt from the site. In accordance with the Jasper County Zoning Ordinance, any mining or excavation activity is only allowed within the Resource Extraction Zone. The Jasper County Comprehensive Plan's Future Land Use Map identifies this area as Rural Conservation, which are areas that seek to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Non-residential development may be appropriate if it is buffered correctly. It should be noted that the property is located approximately 1 mile from a designated "Community Village District" on the Comprehensive Plan Projected General Land Use Map. The Community Village District promotes the "small-town" or neighborhood-oriented character of these communities. The properties immediately adjacent to the site are zoned Rural Preservation and Residential. Within one-half (½) mile radius there are 12-14 properties that are zoned Rural Preservation and approximately 40-43 properties that are zoned Residential. The adjacent land uses are single family residential and undeveloped properties. While there are several properties that are zoned Residential and are undeveloped, there are approximately 20 properties within one-half (½) mile radius of the subject property, that are developed with single family homes. The property is accessed by Gillison Branch Road, which is a two-lane state-maintained road classified as a collector road.

Ms. Wagner said the intent of the Resource Extraction (RE) Zone is to protect, preserve, sustain, and protect activities which specifically extract or harvest natural resources for commercial or industrial purposes, such as mining, excavations, excavation operations and activities, while concurrently ensuring protection of the health, safety, welfare of nearby residents and the value of nearby property. The Resource Extraction District will protect economically important mineral resources of the County for

current and future use and will protect existing land uses adjacent to potential lands from undue harm that may result from mineral extraction activity. Businesses extracting resources are essential activities that may present unique challenges when considering adjacent properties and protection of public health, safety, and welfare. However, it is intended that this zoning classification only apply to those portions of the County where the potential for conflict between adjacent current and future land uses and the mineral extraction activities are minimal. Any zoning map amendment to designate a property as RE should be carefully considered by assessing the impact on environmentally sensitive areas and critical natural resources, impact on health, safety and welfare of the Jasper County residents, impact on the character of existing communities, impact on adjacent land value, traffic generation and potential mitigation. The Resource Extraction Zone allows mining and excavation as a conditional use.

Ms. Wagner said all excavation activities will be adequately buffered from nearby properties, because the subject property is surrounded on all sides by a larger parcel of land owned by the applicant, except for the western boundary line. The pond will be setback 300' from all property lines. While this excavation as proposed is smaller in scale and the setbacks and appropriate buffering can be provided, the zoning map amendment request is not consistent with the Comprehensive Plan and is not compatible with the existing community and land uses. She said staff does not support the request to have the property designated as Resource Extraction.

The Applicant, Mr. Farmer addressed the Commission. He said he and his wife reside at this property and they plan to build a home there. He said they want to build a 5 acre fishpond on their property. He believes that truck traffic is probably the biggest concern for a project like this. The pond will only be five acres and the property is accessed by a state maintained road. The daily truck traffic is pretty low and should be very minimal. He anticipates the project will be completed within a year once they begin construction, so it will be minimal activity to the County.

Mr. Jenkins said he is always concerned about safety with a pond. Mr. Farmer said the property is currently gated and locked. He said they are planning to build a fence around the pond area prior to operations with no trespassing signs.

Mr. Waite asked about the easement and road access. Mr. Farmer said the access easement is existing. When he platted the 31-acre portion of the property, he included the access easement off of Gillison Branch Road to the 31 acre property, but they own both of the properties. Mr. Waite asked about the hours of operations and how the traffic will be mitigated. Mr. Farmer said the hours of operations will be Monday through Saturday and there will not be any night operations. They will run swells on either side of the road. He does not believe any turn lanes will be required and he is willing to get a letter from a traffic engineer. He said there is an existing driveway, but he will have to get an encroachment permit from SCDOT and there will be road signs warning of truck traffic. Mr. Waite asked how deep the pond would be. Mr. Farmer said the pond will be 20' deep.

Dr. Butler asked Ms. Wagner to explain how this project does not fit into the Comprehensive Plan. Ms. Wagner pointed out the residential community right across the street from the subject property and the other residential properties in the immediate vicinity. She said there are approximately 20 homes located within ½ mile of the property. She said the project site is just over a mile from the intersection of Highway 278 and Gillison Branch Road, which is designated as a Community Village District on the General Land Use Map and the Comprehensive Plan states the Community Village District is intended to promote the "small

town” or neighborhood-oriented character of the community. The Comprehensive Plan also states a special area plan should be created for this community to protect the history of this area, so mining is not a compatible land use with the existing community. Dr. Butler asked if removing the dirt from the site makes it inconsistent. Ms. Wagner said yes. She said the County Ordinance provides an exemption for fishponds where the dirt remains onsite. Dr. Butler said she is concerned about safety because there are a lot of residences nearby and she asked about a fence. Mr. Farmer said they plan to fence in the entire 68-acre property simultaneously with this project starting on the side of Gillison Branch Road. Dr. Butler asked if this re-zoning is approved, would they be able to expand the size of the pond in the future without the Planning Commission’s approval. Ms. Wagner said no because the 31 acres they are asking to re-zone is only enough land area for the 300’ setback from all property lines and the 5 acre pond. Dr. Butler asked if the pond would be sloped. Mr. Farmer said yes it would be a typical pond bank just like the ponds in a subdivision and it would not just drop down.

Mr. Rothenberg asked if the property to the north and west are farmlands and/or pastures, Mr. Farmer said there is some property that is used for pasture, but is mostly silviculture land. He said in response to Ms. Wagner’s opinion about the Comprehensive Plan and traffic in that area, there is currently truck traffic in the area due to timbering operations and other mining operations and their traffic will be very minimal. Mr. Rothenberg asked about the number of homes in the immediate vicinity of where the trucks turn out, the timing of the project and the daily number of trucks. Mr. Farmer said there are a couple of homes across the street and about 3 homes that are located immediately adjacent to the site where the trucks will be turning onto the road. He said the project will be completed in 6-12 months from the start of construction and there will be 5-10 trucks a day.

Chairman Pinckney said this area is a populated area and there are a lot of residences in the area. He said General Chester Newton’s family property is located in this same area. Dr. Butler asked if there has been any feedback from the community. Ms. Wagner said a red sign was posted on the property, but no feedback has been received. Mr. Sturre said he has not spoken with any of his neighbors about this project. Chairman Pinckney said a 5 acre pond at 20’ deep is a lot of dirt.

Ms. Ferguson asked if the neighbors are going to be notified about this re-zoning request and given an opportunity to comment. Ms. Wagner said the application is forwarded to County Council with either a favorable or unfavorable recommendation and if it passes 1st Reading then a Public Hearing will be scheduled. Notices of the public hearing will be sent to the neighbors, and they will have an opportunity to comment on the proposal.

Mr. Waite motioned to forward a favorable recommendation to County Council to change the zoning from Rural Preservation to Resource Extraction for a 31 acre portion of Tax Map Number 050-00-04-011, seconded by Mr. Jenkins. The Commission Members present voted unanimously in favor of the motion.

Zoning Map Amendment – General Commercial, Tax Map Number – 038-00-02- 002: Ms. Wagner said the subject property consists of 3.14 acres and is located on the south side of the intersection of Alligator Alley and Speedway Boulevard. The Applicant has requested a Zoning Map Amendment to have the properties designated as General Commercial. The property is currently zoned Rural Preservation and is undeveloped. During the 2007 county-wide rezoning project, this property was zoned Community Commercial and was re-zoned to Rural Preservation at the owner’s request in 2011 or 2012. The applicant would like to have the property re-zoned to allow the development of a truck transfer facility. The Comprehensive Plan’s

Future Land Use Map identifies this area as “Resource Conservation,” which are areas that should be used primarily for conservation and recreation because these areas are vital components to the riverine systems and provide critical habitat for plants and wildlife. These areas are dominated by hydric soils, which are frequently associated with wetlands. Any development should be very low in impact. The adjacent properties are zoned Community Commercial and Rural Preservation. The adjacent land uses are commercial, recreational, and undeveloped property. The subject property is accessed by Alligator Alley, which is a two-lane state maintained road classified as an arterial road. Staff does not recommend approval of the request because it is not supported by the Comprehensive Plan.

Mr. Evan Bennett addressed the Commission. He said he is with Hussey Gay Bell and is representing the applicant. He said the plan is to develop this property as a truck lot because the trucking industry has exploded, especially in this area. He said under the current zoning there is not much that can be done with this property. This site is not good for residential as it butts up to Speedway Boulevard and the overpass. The property is not a good site for retail uses because of its location to the overpass. They feel this is the best and highest use for the property. The site was previously zoned Community Commercial. There are 5 or 6 warehousing and transportation projects planned along Speedway Boulevard and a car lot was recently approved. All of these properties are designated the same as the subject property on the Land Use Map. He said although the Land Use Map does not agree with their request, their request is in line with the existing land uses and a lot has changed since the Land Use Map was developed in 2018. They intend to access the property off of Off Ramp Road with one single gated entrance. The adjacent property located to the south and west has a large pond on it and a cell tower so it is unlikely anything else can be developed on that property and in their view serves as a significant buffer between the subject property and the wetlands on Alligator Alley.

Mr. Rothenberg asked what exactly their proposed use is. Mr. Bennett said it is a truck transfer facility where a truck comes from the Port and may drop off a container or pick up a container and then it is taken to its destination. Mr. Rothenberg asked if there would be any fueling or repairing of the trucks and if the site will be paved or graveled. Mr. Bennett said no fueling or repairing of trucks will take place and the site will be graveled. Mr. Rothenberg asked if gravel would meet the County code. Ms. Wagner said gravel would be allowed. Mr. Rothenberg said he is always concerned about trucks being on gravel because if diesel fuel leaks it goes into the drinking water. Mr. Bennett said the trucks will not remain on site for extended periods, they will be coming and going. Mr. Rothenberg asked how high the containers will be stacked. Mr. Bennett said he is not sure what the height requirement is, but the containers would not exceed whatever that requirement is per the zoning ordinance. Ms. Wagner said the zoning ordinance does not allow structures to be more than 35’ high, accessory structures are 20’ high and the International Fire Code (IFC) has some height requirements, which she thinks is 20’ high, but she is not positive about that.

Dr. Butler asked if Community Commercial would allow the proposed use and if there is any General Commercial (GC) Zoning in this area. Ms. Wagner said the use is not allowed in Community Commercial. She said there is not GC Zoning in this area, but there is GC at the intersection of Highway 315 and south to the state line. The Gateway Corridor, which runs along Speedway Boulevard from Strain Place to Alligator Alley allows quite a bit of GC uses. Some of the GC uses were prohibited that were identified as undesirable uses. Mr. Bennett said a truck transfer facility is allowed in the GCOD. Dr. Butler asked if stacking of containers is part of the applicants plan and if this site will be shielded from the public. Ms. Wagner said the County does have height limitations. Mr. Bennett said there is a buffer between Speedway

Boulevard and Off-Ramp Road which will help block a good portion of the view, but the applicant intends to incorporate buffers along the frontage too. He said they have discussed developing this property using the same standards as the Gateway Corridor Overlay District if that would help to get this approved.

Mr. Preston Andrews addressed the Commission. He said he is with the developer and there will not be any stacking of containers on this site. He said for a stacking facility the economics do not work for anything less than 10 acres. He said no containers will come off of their chastity at this site and no container doors will be opened.

Mr. Waite asked if the site will be fenced for security. Mr. Andrews said yes. Mr. Waite asked if Off Ramp Road is a two lane road. Mr. Bennett said yes. He said most of the truck traffic will be coming from Alligator Alley and they will turn right on Off Ramp Road and enter the facility. Mr. Waite asked where the traffic will come from. Mr. Andres said 90% of the trucks will come from the Ports and then will go back to the Port or the larger warehouse buildings in Georgia. Mr. Jenkins asked for clarity if there will be no truck traffic on Highway 17. Mr. Andrews said he would not say zero traffic, but the majority of it will be coming from the Georgia Ports and going back to the Port.

Ms. Ferguson asked if the Oakwood Subdivision community has been notified of this project. Mr. Andrews said not that he is aware of. He said the viaduct on Speedway Boulevard is tall and blocks the view of this site. He said they plan to adopt the regulations of the GCOD to make this site appealing and that it will be appropriately screened and buffered. Mr. Andrews was asked about noise and hours of operation. He said there would not be any noise and their operations would be typical business hours and may include Saturdays.

Ms. Wagner said listening to the conversation surrounding this project, she thinks it may be better to see about extending the Gateway Corridor Overlay District, which would allow the use, while providing better site design regulations because she is worried that if the request is approved, there could be a claim of spot zoning since there is not any other properties zoned General Commercial in the immediate area. Chairman Pinckney said the applicant is requesting General Commercial and if approved, the Commission has to consider all of the other uses that are allowed in General Commercial. He thinks it may be better to look at extending the GCOD.

Mr. Waite motioned to table this application while staff investigates the possibility of extending the Gateway Corridor Overlay District to include this property, seconded by Dr. Butler. The Commission Members present voted unanimously in favor of the motion.

Approval of 2023 Planning Commission Schedule: Ms. Wagner said the 2023 Schedule reflects the 2nd Tuesday of each month with the meetings beginning at 6:00 pm. She said a note was added to the Schedule to check the date, time and location of the meetings, so the meetings could be in-person or virtual. There was a question about the School Board Election. Ms. Wagner said she was not aware of that election. She said if any conflicts arise, she will get with the Chairman to reschedule a meeting date.

Mr. Jenkins motioned to adopt the 2023 Planning Commission Schedule as presented, seconded by Mr. Rothenberg. The Commission Members present voted unanimously in favor of the motion.

Open Discussion: There was some discussion about how long the Commissioners have to retain the paperwork they receive each month. Ms. Wagner said she keeps a copy of each month's package, and the material is being added to the County's website each month, so she does not think they have to retain the paperwork they receive each month.

Dr. Butler said she knows the Commission works as one body and the majority rules, but she thinks when the agenda items are presented to Council it would be a good idea to make the Council aware of the discussion or concerns of the dissenters. Chairman Pinckney said prior to the pandemic, County Council assigned a Council Member to different committees and one Council Member used to come to all of the Planning Commission Meetings and they would report back to Council, but things have changed since the pandemic.

Chairman Pinckney said with the Port coming and all of the spin-off from the Port, eventually the residential property in Hardeeville is going to be valued very high and property is going to be in high demand. He said with the review of the Comprehensive Plan, the Commissioners can look at these areas and make the process for re-zoning a little easier.

Adjourn: Mr. Jenkins motioned to adjourn, seconded by Mr. Rothenberg. The Commission Members present voted unanimously in favor of the motion. The meeting adjourned at approximately 8:05 p.m.

Respectfully Submitted,

Lisa Wagner