

*Jasper County Planning Commission
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**Minutes of the December 13, 2022
WORKSHOP**

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, Ms. Bonnie Lawson, and Attorney David Tedder

Others Present: Ms. Jennifer Bihl with Bihl Engineering; Ms. Nicole Scott, Esquire with Nexsen Pruet; Mr. Holden Sabato with Silverman Group; and Mr. Brett Buckland with Bohler 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 online at: <https://www.youtube.com/@jcmedia6537/streams>

Call to Order: Chairman Pinckney brought the meeting to order at approximately 5:00 p.m.

Invocation & Pledge of Allegiance: Invocation was given by Mr. Waite and the Pledge of Allegiance was said in unison.

Review of the 95 Logistics Center Master Plan: Ms. Wagner said the purpose of the workshop is to review the 95 Logistics Center Master Plan and answer questions that the Commissioners had at last month's meeting. She said the Master Plan was developed in accordance with the 95 Logistics Center Planned Development District (PDD), Development Agreement (DA) and Concept Plan, which was approved by Jasper County Council on May 2, 2022. She said their approval included the traffic impact analysis (TIA). She said the applicant has provided everything required by the Jasper County Zoning Ordinance for a Master Plan and the Master Plan is in conformance with the County Ordinances and the approved PDD and DA. Ms. Wagner pointed out the developer, Mr. Holden Sabato and his project team; Ms. Jennifer Bihl with Bihl Engineering, who is the traffic engineer; Ms. Nicole Scott with Nexsen & Pruet, who is the developer's attorney; and Mr. Brett Buckland with Bohler Engineering, who is the civil engineer.

Mr. Buckland addressed the Commission. He said the Master Plan adheres to the zoning regulations as well as the PDD regulations and the Development Agreement. He said both the PDD and DA required adherence to the SCDOT approved TIA, as well as the stormwater and environmental requirements. The property is 227 acres planned for two logistic warehouses totaling 2.2 million s.f., located along Highway

17 just south of Exit 8. A waiver is being requested to reduce the parking spaces from 1 space per 1,000 s.f. to 0.8 spaces per 1,000 s.f. and to reduce the parking space size from 9'x20' to 9'x18'.

Attorney Scott said the approval process took several months, during which time the County held four public hearings on the DA and the PDD. She said during this time, the County Council also approved a Fee-in-Lieu of Tax (FILOT) Agreement for this project, which is an incentive to bring industry into the County. The DA allows up to 2.6 million s.f. of distribution, warehouse, and other related space for light industrial uses as long as the developer complies with the terms of the Agreement. She said the DA states, "the County agrees that the property is approved and fully vested for intensity, density, development fees, uses and height, and shall not have any obligations for on or off site transportation or other facilities or improvements other than what is provided in the Agreement, but must adhere to then current PDD Plan, Master Plan, and subdivision plat and development plan procedural guidelines. The County may not impose additional development obligations or regulations in connection with the ownership or development of the Property, except in accordance with the procedures and provisions of Section 6-31-80 (B) of the Act."

Mr. Buckland pointed out the transportation improvements that are required as part of this project and the approved traffic impact analysis. These improvements are at the intersection of Highway 17 and Highway 278, Highway 278 at I-95 SB On-Ramp/Off-Ramp and NB On-Ramp/Off-Ramp, and the intersection of Highway 17 and John Smith Road. He said there are several turn lanes and signal improvements that will be required to occur as part of this project.

Attorney Tedder asked Ms. Bihl if there was some coordination between SCDOT and this project about the Exit 8 interchange. She said yes and their coordination will continue. Dr. Butler asked if this project would coincide with the SCDOT widening project and when do they plan to have trucks on the road. Mr. Sabato said it is his understanding that the construction for the I-95 widening is scheduled to begin in 2025. He said as far as having trucks on the road, it depends on the market, but his best guess is to have the first million square feet built and occupied by the end of 2024. Dr. Butler said there will be an overlap between the two processes.

Ms. Bihl said once 500,000 s.f. of construction is operational, they will be required to monitor the north bound ramp of I-95 to see how it is being occupied and to make sure the trucks are able to turn left. Ms. Scott said at the request of the County and in accordance with DA, trucks will not be able to turn left out of either site driveways. Dr. Butler said the trucks will be able to come through the City of Hardeeville. Ms. Bihl said that is a possibility, but they cannot control which road the trucks take to or from the site. She said it should be noted that the County had the traffic study peer reviewed by an independent consultant. She said the traffic study was approved by SCDOT and the County. Dr. Butler asked about the improvements at John Smith Road. Ms. Bihl said the right turn lane, northbound on Highway 17, at the intersection of John Smith Road will be improved. Mr. Rothenberg asked about the proposed improvement on the west side of the ramp at Exit 8. Ms. Bihl said that is part of the area that will be monitored once the facility becomes operational to see if any other improvements are warranted. She said the Exit 8 interchange is also part of the I-95 widening improvements. Ms. Scott said the majority of the roads near this project are within SCDOT's authority and they are not at liberty to install a traffic light at an intersection until SCDOT says it is warranted.

Mr. Jenkins said during the holidays or when there is wreck on I-95, the traffic backs up on Highway 17 from Hardeeville to Ridgeland. Ms. Ferguson said on a normal day there is so much traffic on Highway 17 it is impossible to make a left turn off of John Smith Road. Mr. Waite said it was mentioned at the last meeting, that SCDOT will not restrict truck traffic from traveling through Hardeeville, but he has seen cities prohibit trucks going through their town. He asked how does that work and what triggers that. Ms. Bihl said in order to restrict trucks from going through a certain area, there must be an alternate route for the trucks. She said there was a discussion of potentially limiting trucks on John Smith Road and there is a process that the City of Hardeeville would have to go through with SCDOT to figure that out. Dr. Butler asked why I-95 can't be an alternate route for the trucks. Mr. Waite said the biggest issue for the Commissioners is the truck traffic coming through Hardeeville when they are coming from the ports. He said it will be a burden to everyone living in Hardeeville. Attorney Scott said this problem was discussed extensively during the County Council meetings and they are doing what is required of them in accordance with the Development Agreement, and they cannot be required to do any more.

Dr. Butler addressed the Planning Commission Members. She said she does not understand why this project was coming back to the Planning Commission, because it seems like it is staff's responsibility to make sure all of the boxes are checked. She said the PDD regulations for master plan review gives the Planning Commission the authority to look at the project and make sure there are no adverse effects on the community. She thinks the Planning Commission can look at this plan in spite of any other documents associated with the project. Ms. Scott said she does not disagree, but she thinks the Commission's scope is limited. After some discussion about what the PDD regulations state, Dr. Butler said she thinks the Commission should work more cooperatively with the developer to see if there is a way to bring this company to Hardeeville without destroying the community. Mr. Waite agreed. He said he understands that they cannot control the truck traffic, but he thinks it should be mitigated as much as possible. He said at last month's Planning Commission meeting there was a suggestion about adding something to the leases to prevent truck traffic from coming through the City of Hardeeville. Ms. Scott said they are not going to negotiate lease agreements with anybody. She said she disagrees with Dr. Butler's assessment of the Ordinance. She believes in the absence of a Development Agreement the Planning Commission would be entitled to construct the way certain things are done.

Mr. Tedder said he represented the County Council in the negotiations of the Development Agreement for the 95 Logistics Center. He said the Council required a physical barrier to be constructed onsite to keep the trucks from turning left out of the facility and going through Hardeeville. Additional traffic studies will be required after twenty five percent of the space is built and operational to see if there are additional traffic warrants needed, and if so, the developer will have to pay for any needed mitigation, which includes additional traffic lighting, stacking lanes, and/or improvements along Highway 17 from the project site to the intersection of Highway 278. Development agreement fees will be imposed, which will generate funds to pay for anything that pops up as the I-95 widening and interchange improvements are being refined. The development agreement fee is \$660 per 1,000 square feet, which is 1.2 million dollars based on two million square feet. He said 112 million dollars, which is 25% of the tax bill, will be paid into a fund so that the County will have funds for any other traffic improvements that may be necessary. In addition, a Fee-in-Lieu of Tax (FILOT) Agreement was created which has 15% credit to generate funds that the County will be able to use for any needed traffic improvements. He said the County Council put a lot of work into addressing any future traffic improvements that may come up without being at the mercy of SCDOT or anybody else. He said the developer can voluntarily do anything they want to, but they cannot be required to do anything unless the traffic study shows it is needed.

Mr. Jenkins said the trucks will be traveling on state maintained roads, which are already in bad shape. He asked if the expectation is for the state to repair the roads every time a truck tears up the road. Ms. Wagner said the County is collecting development agreement fees, which can be used for road improvements or repairs without depending on the state.

Dr. Butler said the trucks will be in a concentrated area, which is downtown Hardeeville. She said on a normal day, the traffic in Hardeeville is bad and she can't imagine what it will be like for the existing businesses once there are hundreds of trucks daily, in and out of this facility. She said she can not support this business bringing this kind of traffic to Hardeeville. Chairman Pinckney asked Dr. Butler why she thinks the trucks are going to get off at Exit 5. He said if he was a truck driver, he would not get off at that exit. Dr. Butler said I-95 is going to be widened and trucks are not going to stay on I-95 when the traffic gets backed up. Mr. Waite said he agrees the trucks traveling northbound from the south won't get off at Exit 5, but the trucks coming from the port are going to come down Highway 17 through Hardeeville.

Ms. Bihl said in the morning during peak hour, which is 1 hour between 7:00 am and 9:00 am, 259 trips are expected to enter the facility and 78 trips will exit. She said the traffic will be coming from the north, south, and east, and they will not all be trucks. She said employee traffic is included in the number of trips. She said in the peak hour afternoon, which is 1 hour between 4:00 pm and 6:00 pm, 92 trips are expected to enter the facility and 259 trips will exit, and they will come from all directions, and include employee traffic. Dr. Butler said at last month's meeting Mr. Waite brought up the fact that the trip generation was most likely underestimated. Mr. Waite said the data used was from 2019 and a 4% increase was used for the growth rate. Ms. Bihl said trip generation number is based on national information from many sites with the same land use. She said the existing traffic is data collected based on SCDOT's count stations and then it is increased up to a future year based on the actual growth rate for the area. SCDOT has 4 count stations in this area. She said the 4 % growth rate is based on actual vehicle counts and the count stations are located on Highway 17 near the project site, one on Highway 278, and two on John Smith Road, so the number is based on actual cars on the road and SCDOT has this data. Mr. Rothenberg asked if there is any way to break down the numbers to quantify regular vehicle traffic versus truck traffic Ms. Bihl said it is approximately 20% truck traffic and 80 % employee traffic during the peak hour.

Chairman Pinckney said the zoning designation was approved for this project by the Planning Commission and County Council, so something is going to go on this site, which will produce traffic. He said when this project leaves the Planning Commission, there are other steps it will go through. He said if the Commission disapproves the project, they will need to report the reasons for their objection. He said the applicants have done everything that was asked of them by the County.

Adjourn: Dr. Butler motioned to adjourn, seconded by Mr. Waite. The meeting adjourned at approximately 6:05 p.m.

Respectfully Submitted,

Lisa Wagner