

Jasper County Planning and Building Services

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Jasper County Planning Commission Staff Report

May 10, 2022
Conceptual Review of a Planned Development District – Bailey Park
K & R Development, LLC
081-00-04-007 and 081-00-04-008
Action

Description: The Applicant has requested a Planned Development District (PDD) zoning designation for a mixed-use development, which will be known as Bailey Park. The project site consists of two parcels, which 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.

Analysis: In accordance with Article 8:1 of the Jasper County Zoning Ordinance, the intent of a PDD is to encourage flexibility in the development of land to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare. 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. In view of the substantial public advantage of "planned development," it is the intent of the PDD regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly in large undeveloped tracts. All PDD's shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition).

• Comprehensive Plan: According to the 2018 Jasper County Comprehensive Plan, 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 this project site is not near a municipality, it is located in an area where infrastructure and services are available to serve the site.

• Adjacent Zoning and Land Uses: Figure 1 below shows the project location and Table 1 shows the adjacent land uses and zoning designation:

Adjacent Property Existing Uses Zoning | City or County North Center Point PDD PDD Jasper County Old Bailey Road and S/F Residential Jasper County and South Residential Beaufort County Primarily Vacant, Beaufort Community Jasper County West Jasper Comprehensive Commercial and Health, and S/F Residential Residential East Vacant Community Jasper County Commercial and Residential

Table 1. Adjacent Land Uses and Zoning Designations





• *Traffic and Access*: One of the properties is accessed by North Okatie Highway (Highway 170), which is a four-lane state maintained highway, classified as an arterial road. The other property has direct access to Old Bailey Road, which is a two-lane state maintained road classified as a local road.

The Bailey Park PDD Concept Plan illustrates the proposed uses, the general layout, and access points. A Master Plan will be submitted separately and will provide additional information regarding the layout of the development.

The proposed PDD will establish the following:

- Access Points One full access point is proposed along Highway 170 and a second full access point is proposed along Old Bailey Road.
- Allowed Land Uses Tract A is proposed as Mixed Use Commercial and Community Commercial, while Tract B is proposed as Multi-Family Residential, Single-Family Residential Attached, and Single-Family Residential Detached.
- Density The overall commercial use density within Tract A shall not exceed 12,000 square feet of upland acre or a total of 65,820 square feet. The maximum residential use density within Tract B is 233 residential units, which is based on a unit density of 12 units of upland acres.
- Open Space 10% open space for residential land uses. While there is no open space requirement for the Commercial Tract, 10% of the commercial uplands will remain pervious.
- Setbacks and Buffers 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. In regard to setbacks and buffers, the International Fire Code will be met.
 - Tract B For detached single-family residential and duplexes, the side setbacks are 6', rear yard setbacks are 15', and front yard setbacks are 25' for lots with front loaded garages, and 15' setbacks for lots with side loaded garages. For attached single-family residential, townhomes, or condominiums there will be 6' side setbacks from non-common property lines. Perimeter buffer for single-family and townhomes will be a minimum of 10' and all other uses will be a minimum of 20'.
- Landscaping Standards will meet or exceed the County's requirements.
- Utilities Water and Sewer will be provided by BJWSA; Electric will be provided by Dominion Energy; Telephone Service will be provided by Hargray.

A full environmental assessment of the site has been conducted as well as a full Traffic Impact Analysis. The Bailey Park PDD meets all of the requirements for a PDD Application and Concept Plan as outlined in Article 8:1.7 of the Jasper County Zoning Ordinance.

Public Notice: 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. In addition, one (1) Zoning Application sign has been placed along Highway 170 and one (1) sign along Bailey Road.

Staff Recommendation: 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.

Bailey Park PDD Page 3 of 4

Attachments:

- 1. Application
- 2. Plat of Property
- 3. PDD Document and Concept Plan
- 4. Traffic Report
- 5. Phase I Environmental Assessment Report
- 6. Aerial Map
- 7. Aerial Map with Zoning Layer
- 8. Article 8:1 of the Jasper County Zoning Ordinance



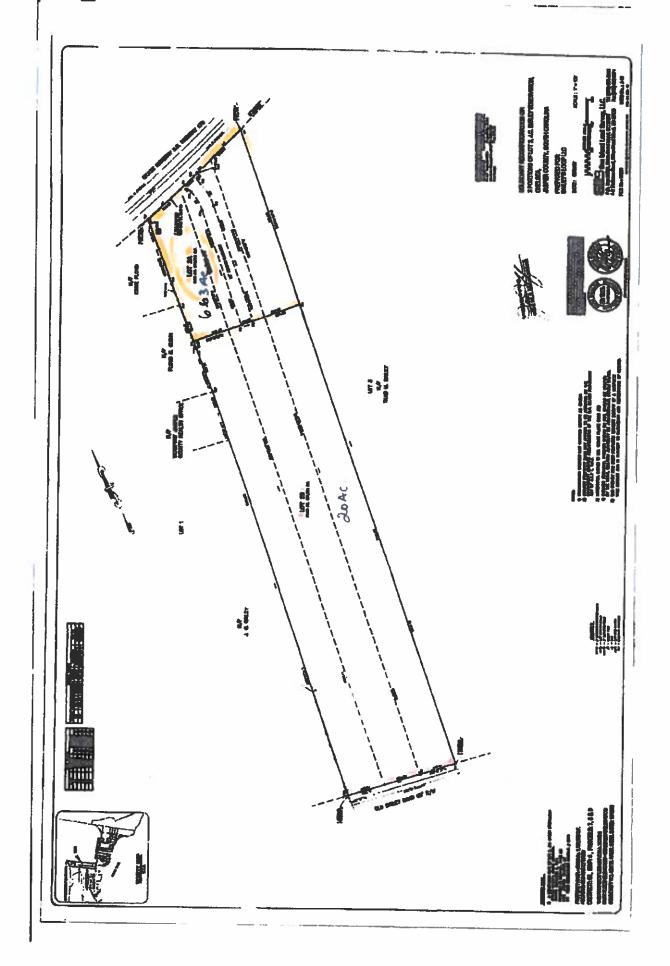
Staff Member:

Jasper County Planning and Building Services

358 Third Avenue - Post Office Box 1639 Ridgeland, South Carolina 29936 Phone (843) 717-3650 Fax (843) 726-7707

Zoning Map Amendment Application

Owner or Owner- Authorized Applicant:	K & R Development, LLC c/o Jennifer Tosky			
Address:				
Ì				
	PO Box 1590, Bluffton, SC 29910			
Telephone/Fax:				
	843-368-1782			
Email:	jen@kennethscottbuilders.com			
Property Address or Physical				
Location:	Hwy 170 & Bailey's Road (18)			
Tax Map Number(s):	081-00-04-007, 081-00-04-008, 081-00-04-009			
Gross Acreage:				
	26.63			
Current Zoning:	Community Commercial & Residential			
Proposed Zoning:	PDD			
Administrative Fee:				
(\$250 per lot)	\$500			
Date Mailed or Hand				
Delivered:	March 16, 2022			
Reason for Request:	To allow for a mixed used development in keeping with Jasper			
(attach narrative if necessary)	County PDD guidelines to promote and and encourage responsibel development beneficial to the long-term growth of Jasper County.			
necessary)	Please see attached narrative.			
A (
genrale (3/16/2022			
Signature of Owner or Owner-Au	Ulorized Applicant			
Proof of owner-authorization required)				
Internal Use Only				
Date Received:				
Amount Received:				



PLANNED DEVELOPMENT DISTRICT AND CONCEPT PLAN

FOR

BAILEY PARK

Jasper County, South Carolina

FOR

BAILEY PARK, LLC

BY

WITMER - JONES - KEEFER, LTD. 23 PROMENADE STREET, SUITE 201

MARCH 28, 2022

PLANNED DEVELOPMENT DISTRICT AND CONCEPT PLAN

BAILEY PARK

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Appendix I Development Schedule

BAILEY PARK

PLANNED DEVELOPMENT DISTRICT

CONCEPT PLAN

SECTION I – SITE DEVELOPMENT

A. THE PROPERTY

The Bailey Park Planned Development District (PDD) is located in Jasper County, South Carolina with frontage on Highway 170. The tract is located approximately 2 miles east of the Hwy 462 intersection and is approximately 26.63 acres. A site location map is provided in Appendix A.

The Bailey Park Tract is currently owned by K&R Development ("Owner"), its successors or assigns. The Owner proposes that this property be zoned and developed as a PDD in accordance with the Jasper County Zoning Ordinance (ZO) and Land Development Regulations (LDR) in effect at the time of submittal to Jasper County. The PDD designation will be utilized to encourage unified planning and development, promote economical and efficient land use, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

The Bailey Park Tract (TM# 081-00-04-007) is located in Jasper County, South Carolina and is adjacent to Center Point PDD to the North; undeveloped property to the east and west and residential property to the south. The property is currently vacant undeveloped land. The property has approximately 514 linear feet frontage on Highway 170 to the north and approximately 450 linear feet of frontage on Old Bailey's road to the south. A site survey is included as Appendix B. See section I.C. and Appendix H for detail related to the Conceptual Master Plan.

The property encompasses approximately 26.63 acres which consist of 1.7 acres non-jurisdictional freshwater wetlands, and 24.93 acres of upland. The property does not contain any saltwater marsh critical areas and has no frontage on critical areas. The U.S. Army Corps of Engineers (USACE) wetland verification are pending. Appendix C. Preliminary soil data has been evaluated using available on site soil data and USDA soils information. On site soils are Coosaw loamy fine sand (Cs) and Wahee fine sandy loam (Wa). The soils are expected to be acceptable and suitable for the proposed site development. USDA soils data is included as Appendix D.

The 6.63 acres of Bailey Park fronting Highway 170 is currently zoned Community Commercial and the remaining 20 acres to the south is currently zoned Residential. The adjacent land uses to the north is undeveloped Center Point PDD; to the east and west are undeveloped properties and residential property to the south. Bailey Park will be

developed in 2-3 phases over an approximately 5 year period. An aerial overlay map of the PDD and surrounding area is included as Appendix E.

Based on a review of the USGS Jasper quadrangle map and preliminary site surveys, site elevations range from approximately 17-20 feet above mean sea level. A portion of the USGS map is included as Appendix F. The site is currently forested and drainage flows towards the existing wetland along highway 170; towards a drainage ditch at the center of the property and along Old Baileys road.

Based on a review of FEMA Maps, all of the PDD property occurs outside of a designated flood zone areas A portion of FEMA Map Panel Number 410, dated October 18, 2019, is included as Appendix G.

B. PLANNED DEVELOPMENT DISTRICT (PDD) AND DEVELOPMENT AGREEMENT (DA) PROCESS

The PDD overlay zone was adopted by the Jasper County Council to permit and encourage the effective, efficient, and economical development of large tracts of land in Jasper County. The PDD application will be accompanied by a Development Agreement, the intent of which is to protect the rights and entitlements specified in the PDD for the property from the effect of subsequently enacted local legislation or from the effects of changing policies and procedures of local government agencies which may conflict with any term or provision of the PDD or in any way hinder, restrict, or prevent the development of the project. The Development Agreement will provide a reasonable certainty as to the lawful requirements that must be met in protecting vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which promote the public safety, health, and general welfare of the citizens of our State. The Development Agreement is being made and entered between Owner and The Jasper County Council, under the terms of the Act, for the purpose of providing assurances to Owner that it may proceed without encountering future changes in law which would materially affect the ability to develop under the plan, and for the purpose of providing important protection to the natural environment and long term financial stability and a viable tax base to Jasper County. The Owner as well as its successors, assigns, and future owners will adhere to the provisions of the PDD and Development Agreement for the duration that each remains in effect, unless one or both is modified or extended through mutual agreement with the Jasper County Council.

C. CONCEPTUAL MASTER PLAN

Bailey Park is an approximately 26.63 acre tract of land located adjacent to the Center Point PDD in Jasper County, South Carolina. It is anticipated that the property will be developed over a period of 5 years, in accordance with the Concept Planas set forth in this document or amended in the future. The Concepual Master Plan sets forth the general scope of the development including number of units, phasing, development

standards, open space and other issues. In addition to the Conceptual Master Plan, development of the property is controlled by other provisions of the PDD and further guaranteed by the Development Agreement (DA) between the applicant and the Jasper County Council. The Concept Planis included in Appendix H.

The goal of the development is to produce a high quality, mixed use development. The tract of land provides an opportunity for a mix of land uses that will be developed over a period of time. The PDD designation is necessary to accommodate the mix of land uses and provide for the responsible planning and development of the property over time.

The Bailey Park Conceptual Master Plan, prepared by Witmer-Jones-Keefer, shows a general access layout and a mixed use community showing areas designated for commercial and residential development. Proposed land uses in the residential and commercial development areas are detailed under Section 2 - Land Use Designation and Definitions.

The Bailey Park PDD property is a 26.3 acre property with 6.63 acres community commercial Tract 'A' and a 20 acre Residential Tract 'B'. 1.7 acres of non-jurisdictional wetlands are located within the tracts. Appropriate buffers shall be provided between incompatible land uses. Buffer widths are described in Section II.D.11 of the PDD.

Development is planned to occur in accordance with the Development Schedule presented in Appendix I which is preliminary and subject to change based on market conditions.

The proposed Concept Plan will maintain open space requirements as per Section II, D.10 of this document. The open space and amenities will be owned and maintained in the manner approved with appropriate covenants and restrictions by the developer, homeowner's association, or other legally designated entity. Property deeded to a governmental entity becomes the maintenance responsibility of that entity.

Activities along any external property lines of the PDD shall conform to the setback, buffer, screening as described in Section II.D.11(b) of the PDD. Height requirements shall conform to the latest adopted version of the Jasper County Zoning Ordinance (ZO) and Land Development Regulations (LDR).

The Concept Plan and Development Agreement constitute a request for a waiver from the current Jasper County ZO and LDR where differences occur. However, activities in the PDD shall conform to all other Jasper County Ordinances and Regulations where differences do not occur. The Concept Plan may introduce land uses that do not exist in the current Zoning Ordinance. Based on the PDD, Bailey Park requests deviations from the following ZO/LDR provisions:

General Requirement	Description of Proposal
No exceptions	

The provisions of the Development Agreement and the Concept Plan shall apply to development in the Bailey Park PDD. In the event of a conflict, the hierarchy of documents is the following: 1) Development Agreement; 2) PDD and Concept Plan; 3) Jasper County ZO and LDR in effect at the time of Final Adoption of the Bailey Park PDD.

D. ENVIRONMENTAL PROTECTION

Environmental protection is a priority for the Applicant. As part of the development process, Bailey Park developers will meet or exceed the stormwater management requirements of the Jasper County LDR/Stormwater Regulations and the South Carolina Department of Health's Office of Ocean and Coastal Resource Management (OCRM).

Bailey Park developers will prepare stormwater management plans for the tracts of land as they are developed. The plan will address the hydrological characteristics of the site as well as predevelopment conditions and post-development stormwater management facilities for flood control and sediment reduction.

Freshwater wetlands on the property are typical of the South Carolina Lowcountry. Approximately 15.6 percent of the site is non-jurisdictional freshwater wetlands. A plat indicating the freshwater wetlands on the property is included in Appendix C.

On-site wetland impacts resulting from the development of the Bailey Park PDD will be permitted jointly through the USACE and OCRM. All impact mitigation will be accomplished through a combination of buffers and preservation of jurisdictional wetlands located on the property and will meet or exceed state and/or federal standards.

E. CULTURAL AND HISTORICAL RESOURCES

As part of the comprehensive study of the property, a preliminary assessment of the cultural and historical resources on the site will be prepared prior to submittal of a development plan for each of the tracts. As part of Master Plan Approval and prior to final design, the South Carolina Department of Archives and History will be contacted by the Owner to request a review of the Department's cultural resource inventory database. The Owner will follow the direction and procedures of the Department of Archives and History as appropriate and if necessary, will address all cultural resource issues with the State Historic Preservation Office. A final determination will be provided as part of Master Plan Approval.

F. WATER AND SEWER SERVICE

Water and sewer service will be provided to Bailey Park by Beaufort Jasper Water & Sewer Authority (BJWSA). Currently, BJWSA has water 8" water main located within the Old Baileys road and 30" water main located within the North Okatie Highway (170) right of way and 8" force main sewer lines located within the North Okatie Highway (170) right of way, and gravity sewer within the Okatie Park Circle West right of way. Detailed planning for the water and sewer systems will commence at the time of Development Agreement and PDD approval by Jasper County. Preliminary discussions with BJWSA indicate a willingness to serve the property and to increase their capacity to serve developments in the vicinity. BJWSA has agreed to operate and maintain the water and sewer systems within their service area upon completion by the developer and acceptance by the Authority.

G. UTILITY SERVICE

Bailey Park is within the service territory of Dominion Energy for electrical power. The Owner will coordinate with Dominion Energy regarding planning for the PDD.

Hargray is able to provide telephone service to Bailey Park. The Owner will coordinate with Hargray regarding planning for the PDD.

Other utility services may be provided by legally established entities at the discretion of the Owner, provided such are in accordance with applicable franchising ordinances and licensing requirements of Jasper County.

H. ROADWAYS AND TRAFFIC

Bailey Park has frontage on SC Highway 170 to the north and Old Baileys road to the south. Establishing safe and reasonable ingress and egress for the property is a priority for the Owner, South Carolina Department of Transportation (SCDOT), and Jasper County. Full access shall be defined as access which allows any and all possible vehicular traffic movements into and out of the development. Limited access shall be defined as access which limits the movement of traffic into and out of a development (i.e., right-in, right-out). Any proposed roadway improvements shall be subject to approval by Jasper County and, where appropriate, the SCDOT.

The Concept Planprovides locations for potential internal access points for future interconnectivity.

As part of the access management plan for the project, the Owner will work with SCDOT and Jasper County to obtain one access point from Highway 170 and one access off Old Bailey Road. All proposed access points shall be accompanied by a traffic analysis that demonstrates consistency with the Jasper County and SCDOT Highway Management

Access Plans and design criteria. These accesses may be relocated to accommodate traffic modeling information, site specific characteristics and adjacent land uses as part of the access management plan.

Primary access to the interior of the development will be via the access point off Highway 170 and access off Old Baileys road as shown on the Conceptual Master Plan. Connectivity between the various development parcels and these access locations will be planned and incorporated into the site plans for the individual developments as they are submitted to Jasper County for review. Traffic circulation and access systems will be developed to maximize the public utility of full access points to Highway 170 from Bailey Park and also from adjacent and opposite parcels, to the extent practical. Interconnectivity between different proposed uses within the PDD will be promoted in order to encourage efficient traffic flow within the PDD.

The Bailey Park PDD may have roads designed with funding as outlined in the Development Agreement. Roads indicated on the Concept Planare subject to modification at the time of Development Plan approval based upon specific soil conditions, environmental concerns, physical constraints and design parameters.

The access point locations described above and shown on the Concept Planare preliminary and may be relocated during Master Plan approval and final development plans. Planning, design and construction of these accesses as well as all roadways and transportation elements shall be in accordance with SCDOT standards, Jasper County Ordinances, traffic impact assessment, PDD standards, or other engineering standards reasonably acceptable to the County engineer. Typical roadway sections will be submitted for review at the Master Plan approval stage.

Potential access across the jurisdictional wetlands surrounding adjacent tracts may be allowed if approved by OCRM and the USACE. Road linkages to adjacent properties may include impacts to jurisdictional wetlands.

Notwithstanding other provisions of this document and subject to approval by Jasper County, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. Protection and preservation of significant trees will be encouraged. Reductions of roadway and right-of-way widths may not occur unless specifically authorized by the County.

I. PARKING

The total number of required parking spaces for all land uses allowed herein shall conform to the Jasper County ZO and LDR in effect at the time of Final Adoption of the Bailey Park PDD. Modulation of those standards may be allowed provided the applicant furnishes actual documentation that the new proposed standard meets the parking needs of the proposed land use and the County agrees at Master Plan approval.

J. STORMWATER MANAGEMENT

Bailey Park PDD shall conform to the Jasper County ZO, LDR and Stormwater Management Ordinance in effect at the time of Master Plan approval for the Bailey Park PDD as well as all other applicable state and federal requirements. Sufficient stormwater best management practices will be employed in the development of the PDD to ensure runoff leaving the site does not degrade water quality within surrounding wetlands and the receiving waterways.

SECTION II – LAND USE

A. INTRODUCTION AND NARRATIVE

The Bailey Park PDD has a total area of 26.63 acres, including 1.7 acres of non-jurisdictional freshwater wetlands, as indicated on the Conceptual Master Plan.

The Concept Planconsists of the following land use areas:

List types of proposed uses:

Of the approximately 24.93 upland acres, approximately 6 upland acres are intended for Commercial/ mixed use, approximately 19.445 upland acres are intended for residential uses and 10% (2.5%) upland acres are intended for community space use and stormwater management.

The majority of the commercial mixed use acres are intended for retail and office use. Of the residential units, initial plans call for multi-family, townhouse and single family homes.

The land use areas indicated on the Concept Plan are not intended to be rigid exact boundary lines for future land use and improvements. The Concept Plan for the Bailey Park PDD shall maintain flexibility to accommodate specific soil conditions, environmental concerns, pedestrian friendly requirements, physical constraints, market conditions and design parameters and as such, the exact location of boundary lines between land uses and their subsequent location and size indicated within the planning area shall be subject to change at the time Development Permit Plan(s) are submitted for development; provided, however, that maximum densities and other conditions of this PDD and the Development agreement between the Owner and Jasper County, South Carolina, will be strictly adhered to, unless adjustment is requested by the Owner and approved by the County. The boundaries of the PDD may be modified to include adjacent acreage subject to the approval of Jasper County by appropriate petition/application to the County to amend the PDD and the Development Agreement.

B. ALLOWED LAND USES

The following land uses shall be permitted in the Bailey Park PDD. The purpose of this portion of the PDD document is to state which land uses shall be allowed within the Bailey Park PDD; however, by allowing these uses this does not obligate the developer to provide the uses or facilities stated herein.

The following land uses and definitions shall be permitted in the Bailey Park PDD:

List types of proposed uses:

Tract A: Mixed Use Commercial and Community Commercial

Tract B: Multi Family Residential; Single Family attached and Single Family Detached Residential

Any easement that occurs within the property shall have the same land uses as any of the adjacent land uses. Any restrictions shall be based on the legal definition of the easement.

Design Regulations and Performance Standards will be established for each area at the time of the Master Plan approval. Unless otherwise agreed at Master Plan approval or in this PDD, the standard for uses and design criteria from the Jasper County ZO and LDR will apply.

C. ALLOWED DENSITY

Of the approximately 24.93 upland acres, the Concept Planfor the Bailey Park PDD consists of approximately 6.63 acres of Mixed Use Commercial/Community Commercial, approximately 20 acres of Residential uses. The Concept Plan may be modified at Master Plan approval, taking into consideration the potential need to change the exact locations of the proposed use(s) in order to address traffic considerations and in response to market conditions.

The overall Commercial use density within Tract A for the PDD shall not exceed 12,000 square feet/upland acre or a total build-out cap of 65,820 square feet for the entire PDD.

The Bailey Park PDD is planned to include a maximum of 233 residential units, which is based on a unit density of 12 units/upland acre for Tract B. Overall residential density shall include both Attached and Detached Single-Family Residential and Multi-Family Residential. Bed and Breakfast and Guesthouses shall not count against residential density. Detached guesthouses, "Mother-in-Law" Apartments, and Garage Apartments (for rent or not) on the same lot with a single family unit will be allowed as one structure per lot up to a maximum of 20% of the total residential units, with the exception of TND land use areas which shall not be subject to this 20% restriction; the second structure will

not be counted against the density cap but shall be counted as 0.5 units for the purposed of Development Fees. Fractional Ownership/Time Shares and Condo/Hotels count as 0.5 residential units for purposes of density, but count as commercial for Developer Fees under the Development Agreement. Condo/Hotels are defined as primarily transient, short term lodging facilities which have units owned by individuals/entities and may be under some type of common management/leasing program.

Commercial to Residential Conversion Rate: Commercial land uses in Tract A may be converted to multi-family or assisted living residential units. The allowable conversion rate shall be 1 DU per 625 SF of allowable Commercial SF or 19.2 DU per Acre. Both Short and Long term multi-family rentals and units for sale are allowed.

Commercial acreage shall include the commercial uses of Institutional/Civic as well as other uses and shall have no cap placed on unit density (building square footage/acre), provided compliance with stormwater, parking, buffering, landscaping and other site design requirements of the PDD and the Jasper County ZO and LDR are met. Hotel/Inn/Bed and Breakfast Properties, and assisted living, congregate care, and nursing home facilities shall not have a specified dwelling unit per acre maximum, provided compliance with stormwater, parking, buffering, landscaping and other site design requirements of the PDD and the Jasper County Ordinances and Regulations are met. All commercial development shall be subject to the provisions of the Jasper County ZO and LDR unless specifically exempted by this document. In addition to the Prohibited Uses specified in Section II(D)(5), trucking terminals will not be a permitted use in the commercial use areas.

D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS

In the absence of a term definition in this Concept Plan or in the Bailey Park
Development Agreement with Jasper County, the definitions of the Jasper County Zoning
Ordinance shall apply in the interpretation of this Concept Plan. The definitions below
shall generally describe the allowed uses within the PDD.

1. Tract A - General Commercial

The general commercial designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Bailey Park PDD and surrounding area.

a. Permitted Uses:

(1) Establishments engaged in selling goods or merchandise to the general public for personal or household consumption (e.g., regional mails, outlet

centers, shopping centers, supermarkets, department stores, convenience stores, gas stations, automobile and boat dealerships, etc.) and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including but not limited to eating and drinking establishments, personal service and repair business and entertainment establishments (e.g. movie theatres, bowling alleys, etc.); medical and health facilities/office buildings and/or office for government, business professional or general purposes, unless specifically prohibited under Prohibited Uses below.

- (2) Assembly and Worship
- (3) Colleges and Professional Schools, Neighborhood (elementary, middle and high school)
- (4) Storage facility
- (5) Assisted living and continuing care facility
- (6) Daycare, commercial
- (7) Utilities including Cell Towers
- (8) Public Services
- (9) Government Office
- (10) Commercial lodging (hotel and motel)
- (11) Commercial Retail
- (12) Office
- (13) Medical and Health Facilities
- (14) Restaurant (including outdoor seating)
- (15) Service Businesses
- (16) Dry-cleaning and Laundry Services
- (17) Parking Garages
- (18) Gas-convenient stores
- (19) Commercial Amusement (indoor)
- (20) Christmas Tree Sales
- (21) Roadside Stands (on designated areas only)
- (22) Commercial Outdoor Sales (related to existing retail)
- (23) Public Interest and Special Events (permitted, located, and scheduled ahead of time)
- (24) Nightclub and entertainment
- (25) Movie Theaters and Bowling alleys
- (26) Grocery
- (27) Mini-warehouse facilities
- (28) Outdoor go-cart racing facilities subject to the Jasper County Ordinances
- (29) Single family attached, detached residential and Multi-family residential
- b. Sidewalk displays are permitted directly in front of an establishment, if at least five (5) feet of sidewalk is maintained for adequate and uncluttered pedestrian access.
- c. Commercial uses shall provide a minimum buffer of Fifteen (15) feet from any adjacent residential use not separated by a road right of way, excluding TND uses.

d. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards
- (2) Gambling facilities not authorized by law
- (3) Sexually-oriented businesses

2. Hotel, Inn, Resort and Condo/hotel

This designation is for hotels, inns, timeshare projects, resorts and spas that consist of building or buildings with guest rooms for sleeping, kitchens and or a dining room(s) to provide meals for guests, including public restaurants, bars, and entertainment areas. Hotels, inns, and spas shall be considered a commercial land use. Conference facilities may or may not accompany the hotel/inn and may be integral to the hotel/inn or detached. Resorts under this land use may include fractional ownership. Hotels, inns, and spas shall be considered a commercial land use and will not count against the residential unit cap except for Fractional Ownership/Time Shares and Condo/Hotels, which count as 0.5 residential units for purposes of density, but count as a commercial unit (Hotel/Motel) for Developer Fees under the Development Agreement.

Maximum building height shall meet the requirements of the Jasper County Ordinances and Regulations for group dwellings and multiple family dwellings.

3. Tract B - Residential (Multi-family and Single family)

- a. The maximum number of residential dwelling units on the property will be 233 units, as determined by specific soil conditions, environmental concerns, pedestrian friendly requirements, physical constraints, market conditions and design parameters.
- b. For detached single family residential and duplexes, (i) the average lot size may vary as to specific, individual master plans, but the overall average lot size on the Property shall not be less than 4,500 square feet and (ii) the minimum side setbacks shall be 6 feet on each side. Side setbacks can be reduced at the discretion of the County's Planning staff. The primary standard, to be utilized in allowing the variance shall be the maintenance of the County's Insurance Services Organization fire safety rating. As for dwelling units, a minimum front-yard setback of 25 feet shall be imposed on lots with front-loaded garages; a minimum setback of 15 feet from the back lot line; and a minimum setback of 5 feet from a pool or deck. For corner lots, the second street setback shall be 15 feet.

- c. For attached single family residential, townhomes, or condominiums (i) there shall be no minimum lot size or setbacks, and (ii) 6 foot side setbacks shall be required for all non-common lot line sides.
- d. Multi-family residential units (which are not separated by a ground-to-roof wall) are allowable up to a maximum of 12 units per acre. Multifamily residential consists of attached or detached residential including both short term and long term rentals, but excludes Hotel/Inn/Bed and Breakfast and Guesthouse. Multifamily units do not have a lot size designation. Multi-family units do not have a lot size designation. Multi-family units shall be limited to a maximum of four (4) stories and 55 feet in height above finished grade, as applicable, not including minor uninhabitable architectural elements above basic roof lines, subject to provisions of the Jasper County Ordinances.
- e. The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that the Property can be developed at the identified maximum. Lot sizes range from the square footage of the foundation of cottage-type product to larger single family lots.
- f. Single-family residential consists of attached (2 or more units separated by a ground-to-roof wall) and detached residential, including both short and long term rentals. Product mix may include full size lots, attached zero lot line product subject to Master Plan Review, townhouses, patio home sites and cottages. Residential improvements shall be limited to a maximum of three (3) stories in height above parking or base flood elevation, as applicable, not including minor uninhabitable architecture elements above basic roof lines, subject to provisions of the Jasper County Ordinances. Single family managed rental communities shall not be an allowable use in the development.
- g. Additional lot size designations and bulk requirements shall be provided for each type of proposed residential use at the Master Plan phase.

4. Community Recreation, Amenities and Parks:

This designation allows for the recreational complexes and amenities to serve the Bailey Park PDD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and unlighted recreation facilities, establishments and services that include active and passive sports and entertainment, ancillary facilities such as restaurants serving such public recreational facilities. Community Recreation enhances the quality of life and provides recreational needs for the Bailey Park community and shall not be counted against the overall allowed acreage for commercial uses within the Bailey Park PDD. Permitted uses include:

a. Outdoor Recreational Facilities including but not limited to:

- 1. Public or Private Clubhouse and pavilions (maximum 3 stories and 45' height above finished grade, subject to provisions of the Jasper County Ordinances)
- 2. Swimming pool and support facilities
- 3. Event space and green for outdoor recreation and restrooms
- 4. Recreation fields, sports courts and other recreation related amenities.
- 5. Sidewalks and pedestrian trails
- 6. Recreational Building including but not limited to uses such as indoor recreation, meetings, assembly, banquet, fitness, and hobby space.
- 7. Accessory Buildings
- 8. Community Offices/Administration Buildings shall not be counted against commercial acreage.
- 9. Maintenance and Storage Facilities
- 10. Pro shops, snack bars, grills, restaurants and lounges associated with clubhouses
- 11. Ancillary uses associated with community recreation facilities such as craft centers, fitness centers, etc.

5. Institutional/Civic

This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout the Bailey Park PDD. Institutional and civic land uses shall be reviewed at the Master Plan phase with total square footages counting at a rate of 50% towards the commercial cap.

- a. Civic, cultural, municipal, governmental, educational (public or private), conference centers, research or other similar facilities which may include dormitories or other similar living quarters for students, staff, faculty and professionals.
- b. Churches, synagogues, temple and other places of worship provided that such uses are housed in a permanent structure.
- c. Cemeteries provided that such use does not include a funeral home or crematorium.
- d. Medical and health facilities, assisted living facility, nursing home and congregate care facility.
- e. Public emergency service facilities, library, museum, day care facilities, social/community centers, etc.

6. Maintenance Areas

The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties within the Bailey Park PDD. These facilities may be congregated on a central site or located in separate convenient sites for

different services such as general community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance. Permitted uses include:

- a. Vehicle maintenance
- b. Storage of vehicles and parts, boats, recreational vehicles and resident storage
- c. Fuel storage
- d. Shops for woodwork, metalwork and painting.
- e. Greenhouses, plant propagation areas and holding yards
- f. Mulching facility and mulch storage.
- g. Storage of chemicals and bulk materials as permitted by law.
- h. Offices associated with community and maintenance.

7. Model Home/Sales Center

This designation allows for the model homes and office/administrative facilities associated with the primary sale of residential lots and homes. The facility(s) may be permanent or temporary in nature with the model homes being sold as single-family residences in the future or the facility(s) may relocate from time to time during the period of development to meet the needs of development phasing. From time to time model homes may be constructed and later sold as permanent residences when no longer needed as models. Permanent model homes will count towards the total residential density cap and towards associated residential development fees. Temporary sales centers will not count against commercial square footage density or development fees.

8. Open Space

Bailey Park PDD shall provide at least ten (10) percent open space for all residential land uses. There shall be no requirement for additional open space for the Commercial portions of the development; however 10% of the overall Commercial uplands will remain pervious. No wetlands, rights of way, easements or other lands already subject to use restrictions shall be used to generate the ten percent (10%) open space reservation for residential land uses. Open space may be located in restricted access, gated communities and shall consist of the following:

- (1) Landscaped areas including manicured village greens
- (2) Forest, wildlife preserves/corridors, wetland conservation areas, stormwater management areas and greenbelts
- (3) Community garden plots
- (4) Recreation areas including swimming pools, tennis courts, playgrounds, ball fields, lawn game fields, gardens, public or private regulation or par three golf courses, etc.
- (5) Pedestrian/bicycle trail, sidewalk easements and right-of-ways
- (6) Buffer and setback areas

9. Setbacks and Buffers

Setbacks and buffers required by the HCOD shall apply according to the LDR if and when necessary. All other buffers and setbacks shall be maintained as described below:

- a. Setbacks and buffer standards within the Bailey Park PDD shall include:
 - (1) There shall be no minimum setbacks applied to the Concept Plan other than those described in the HCOD where necessary, those required by Fire Code, and those described elsewhere in this document. Residential setbacks are described in Section II.D.4 of this document.
 - (2) Buffers between non-compatible land uses shall comply with the LDR. The required buffers shall be a total width and can be met by sharing a buffer across a property line.
 - (3) At jurisdictional wetlands or recorded conservation easements the setbacks and buffers shall be as determined by the state and federal agencies having jurisdiction over the wetlands. The project shall also comply with Section 7.4 of the LDR with regards to riparian buffering. The project shall have the right to buffer average in accordance with USACE and OCRM standards.
 - (4) A 10-foot setback shall be required for all drainage systems and retention ponds within the development.
- b. Perimeter buffer for single family and townhomes shall be a minimum of 10', all other uses shall be required a minimum 20' Buffer. Stormwater features related to the outfall from a detention, retention or filtration system shall be allowed within the perimeter setbacks and buffers. Only temporary flood control and soil erosion control devices shall be permitted in the perimeter setback and buffer areas during construction. These devices shall be immediately removed upon stabilization of these areas.

10. Signage Control

Signage for the Bailey Park PDD shall be governed by the Jasper County ZO and LDR in effect at the time of the submission of final development plans or as herein contained.

11. Wetlands

This designation allows the following uses within wetlands. Freshwater wetlands on the property shall be those areas over which the applicable governmental agencies claim jurisdiction for freshwater wetlands. Unless restricted via a future Memorandum of Agreement (MOA) to the contrary, the following are permitted uses:

- a. Buffers
- b. Conservation areas
- c. Activities in all wetland areas as permitted by the USACE and OCRM
- d. Disposal of reclaimed water as permitted by SCDHEC
- e. Stormwater management and recreational lakes
- f. Boardwalks, trails, bridges and other permitted structures
- g. Game Management

12. Utilities

This designation allows for utility service to serve the planned tracts of the Bailey Park PDD. Utility types and facilities not germane to the development will be subject to review by the Planning Commission as part of the Master Plan review process. The following land uses shall be allowed:

- a. Potable water supply and distribution
- b. Wastewater collection, treatment and disposal
- c. Stormwater collection, treatment and detention
- d. Irrigation
- e. Communication towers (except in residential land use areas)
- f. Satellite antennas
- g. Cable television facilities
- h. Telephone facilities
- i. Power transmission and distribution
- j. Fiber optic lines
- k. Other utility services (i.e., Internet access and other telecommunication uses)

Certain community-wide infrastructure is required for the development of any large, master-planned community. This infrastructure may include, but is not limited to the following:

- a. Arterial streets and primary access roads
- b. Water supply
- c. Wastewater treatment and effluent disposal
- d. Power substations
- e. Central telephone facilities
- f. Stormwater management lagoons
- g. Natural gas supply

In the case of this Concept Plan, the community-wide infrastructure may serve more than one planning tract. Infrastructure serving the community (on-site and off-site) will be approved as part of the Master Plan approval process. Infrastructure projects must receive a Jasper County Development Permit prior to construction.

13. Traditional Neighborhood Development (TND)

This Land Use Category allows for the development of a Traditional Neighborhood Development within the Bailey Park PDD typified by the culture, value and traditions exemplified in the Historic Districts of Savannah, GA, Charleston, SC and Seaside, FL. This development is to be a traditional neighborhood, which is characterized by a pedestrian-friendly environment of grid streets, neighborhood parks, sidewalks, front porches, alleys, on-street parking, mixed uses and a tight scale to unify the district. Homes within the neighborhood are planned to be within a five minute walk of the community hall, civic buildings and other mixed use areas.

The traditional neighborhood will be a mixed-use development consisting of neighborhood-commercial, single-family residential, multi-family residential, recreational, civic uses and open space. There shall be allowance for mixed-use capabilities (live/work units) as well as an allowance for accessory buildings to have residential capacity (such as garage apartments). Other distinctive features of this traditional neighborhood that will be allowed within this district are outlined in this land use category.

Design Standards shall be submitted at Master Plan stage, and may have standards deviating from the Jasper County Ordinances or this PDD, provided that health, safety, ingress/egress, and fire protection concerns are addressed to the satisfaction of the County.

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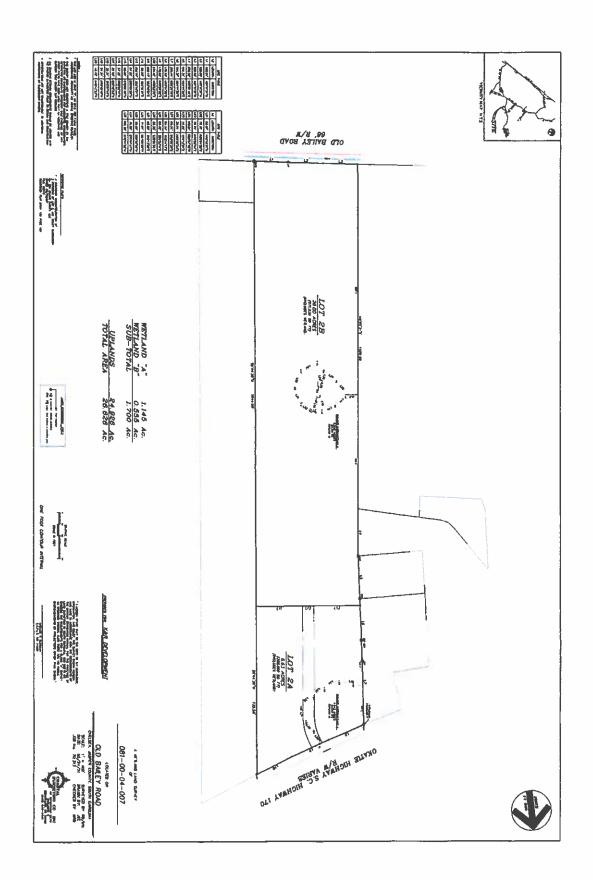
APPENDIX A

SITE LOCATION MAP



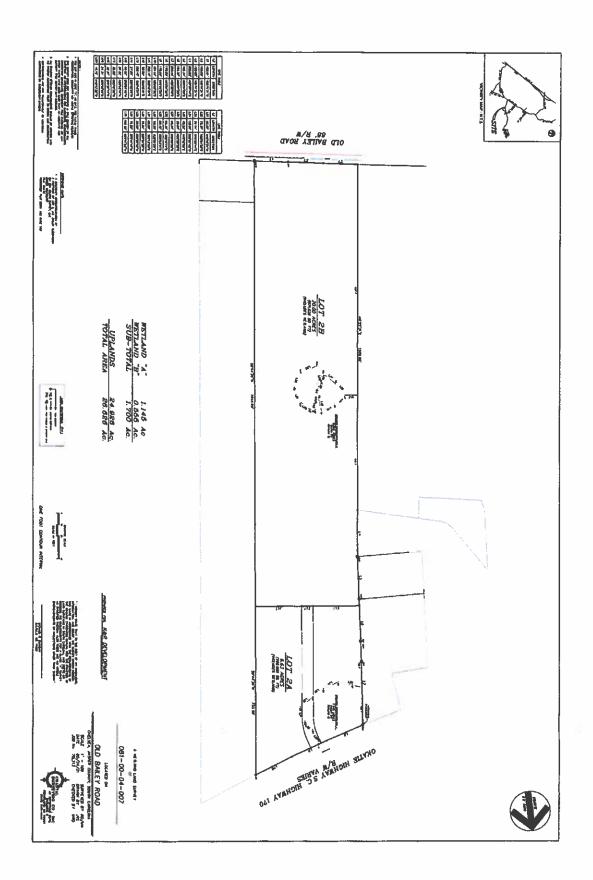
APPENDIX B

SITE SURVEY



APPENDIX C

FRESHWATER WETLANDS DELINEATION



APPENDIX D

USDA SOILS DATA

Area of Interest (AOI) Special Point Features 0 Lava Flow Soll Map Unit Points Soll Map Unit Lines Soil Map Unit Polygoni Area of Interest (AOI) Sodic Spot Sinkhole Severely Exoded Spot Rock Outcrop **Gravelly Spot** Gravel Pil Closed Depression Chay Spot Sendy Spot Perennial Vilder Macallaneous Water Mine or Quarry Blowout Slide or Slip Spot Marsh or swemp Borrow PII MAP LEGEND Water Features ŧ 8 Local Roads US Routes Streems and Canada Aeriel Photography Major Roads Other Wed Spol Very Story Spot Interetate Highways Special Line Features Storry Spot Spoil Area Your area of interest (ACI) includes more than one soil survey area. These survey areas may have been mapped at different eaches, with a different land use in mind, at different symbols, soil properties, and fortal. This may result in map unit symbols, soil properties, and interpretations that do not completely agree Date(s) serial images were photographed: Feb 21, 2021—Feb 23, 2021 Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil fine placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed This product is generated from the USDA-NRCS certified data as of the version date(s) listed below. Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Abbers equal-area covic projection, should be used if more Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857) 1:50,000 or larger. Soil map units are labeled (as space allows) for map acades across soil survey area boundaries. Soil Survey Area: Jasper County, South Carolina Survey Area Data: Version 16, Aug 30, 2021 Soil Survey Area: Beaufort County, South Carolina Survey Area Data: Version 17, Aug 27, 2021 accurate calculations of distance or area are required. Please rely on the bar scale on each map sheet for map Warning: Soil Map may not be valid at this scale. The soil surveys that comprise your AOI were mapped at 1:20,000. MAP INFORMATION

MAP LEGEND

MAP INFORMATION

The orthophoto or other bese map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Katural Resources
Conservation Service

Web Soil Survey National Cooperative Soil Survey

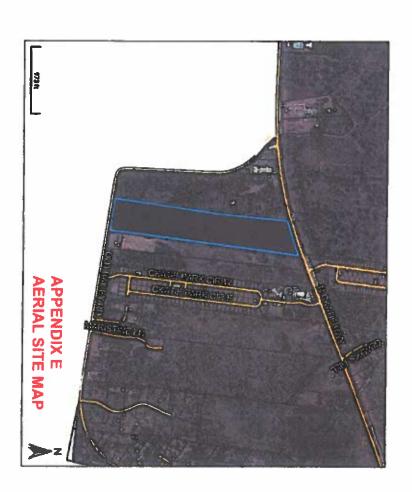
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AQI
Cs	Coosaw loamy fine sand	0.1	0.5%
Subtotals for Soil Surve	r Area	0.1	0.5%
Totals for Area of Interes	1	29.1	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Cs	Coosew loamy fine sand	8.6	29.5%
Wa	Wahee fine sandy loam	20.4	70.1%
Subtotals for Soil Survey A	irea	28.9	99.5%
Totals for Area of Interest		29,1	100.0%

APPENDIX E

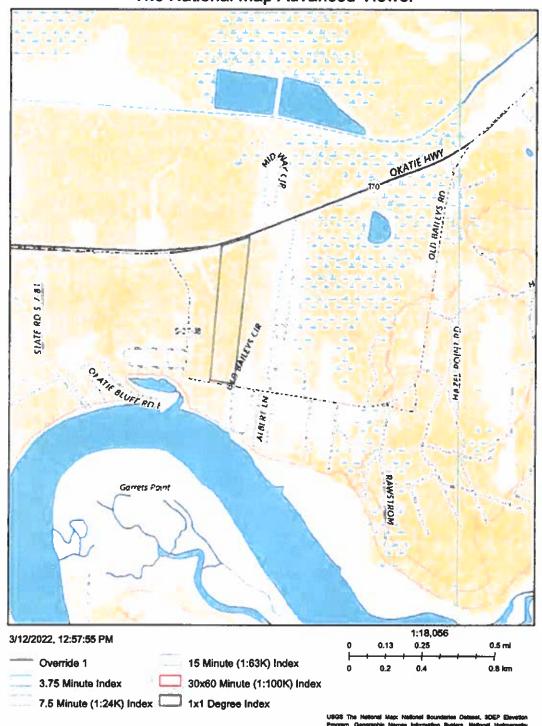
AERIAL SITE MAP



APPENDIX F

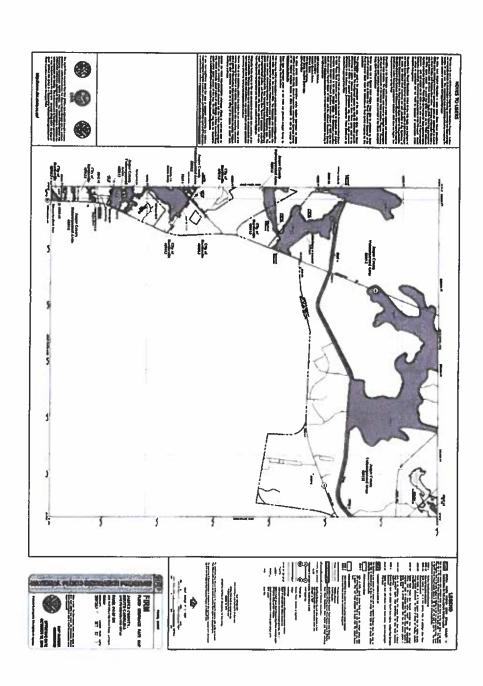
USGS QUADRANGLE MAP

The National Map Advanced Viewer



USGS The National Map: National Soundaries Dataset, 20EP Elevation Program, Geographia Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems, U.S. Careaus **APPENDIX G**

FEMA MAP



National Flood Hazard Layer FIRMette



Legend



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Prophylic Data Amended

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map complies with FEMA's standards for the use of it flood maps if it is not void as described below, essening shown complies with FEMA's begonsep may standards

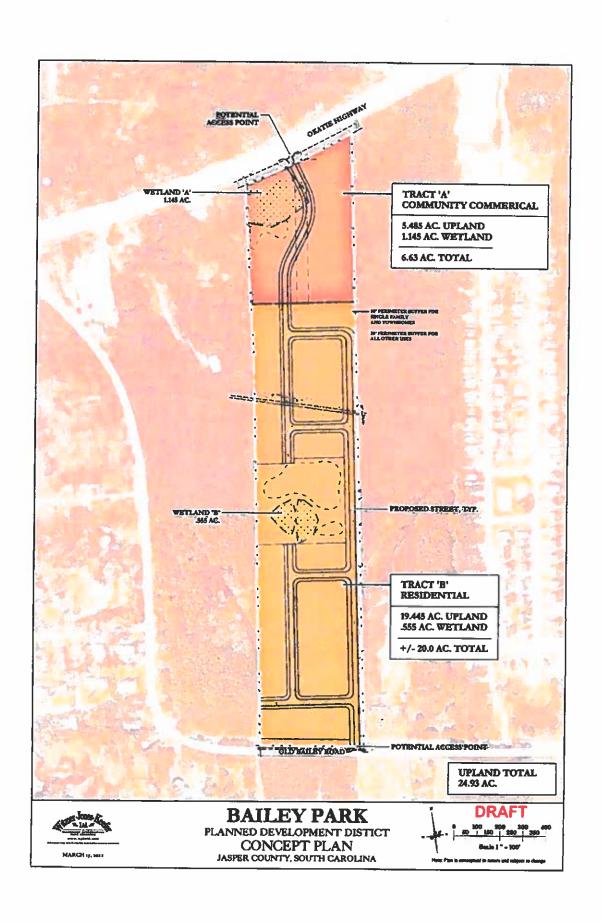
Thood hased information is derived offeely from the horitable IPML was perivated by ERMA. This map is exported on 3/12/2022 at 1,012 PMI and does not ext changes or amendments sedengeant to this date and c. The IPML and offectible information may change or onthe supermedical by new data year time.

its map though is void if the one or more of the following map imments do not appear: bearings imaginy, flood zone labels, glood, scale but, map overation delice, community identifiers, If the penal neurose; and ITMA effective date. Map lengtes for immepped end simmedimized invest carnot be used for globiny purposes.



APPENDIX H

CONCEPT PLAN



APPENDIX I

DEVELOPMENT SCHEDULE

The following is a Preliminary Development Schedule for Bailey Park PDD that is subject to change based on market conditions and other factors:

Year	Commercial (sq ft)	Residential (dwelling units)
Phase 1 - 2022-2024	35,820	180 DU's
Phase 2 -2025-2027	30,000	53 DU's







6 SNAKE ROAD, OKATIE, SC 29909-3937
Phone 843.987.8100 | Fax 843.548.0096
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Our mission: Inspire trust and enhance public health

JOE MANTUA, PE, GENERAL MANAGER

March 02, 2022

Jen Tosky K & R Development 254 Red Cedar St., #12 Bluffton, SC 29910

Via email: jen@kennethscottbuilders.com

Subject: Water and Sewer Availability - Highway 170 & Bailey's Road, PIN 081-00-04-007.

Dear Jen,

This letter is in response to the water and sewer availability request for Bailey Park at the above referenced parcel. Water is available from BJWSA's 8" water main located within the Old Baileys Road and 30" water main located with the North Okatie Highway (170) right of way. With respect to sanitary service, there is an 8" force main wastewater line located within the North Okatie Highway (170) right of way, and gravity sewer within the Okatie Park Circle West right of way. Please be advised, depending on the amount of water and sewer capacity required to serve the development, the developer maybe responsible for offsite improvements or upgrades to the existing system.

If or when you wish to proceed with this development, please have your engineer contact BJWSA's engineering department to schedule a predesign meeting. Upon conceptual approval by this office, design drawings and calculations must be submitted by a professional engineer to BJWSA's Engineering Department for review and approval. Upon approval, capacity and project fees will be determined based on the information provided. These fees must be paid in full before a capacity commitment can be issued or a pre-construction meeting may be held. If construction on the proposed water and sewer systems has not started within twelve (12) months from the date of this letter, this availability will be invalid.

Should you have questions or require additional information, please contact me at 843-987-8082 or iames.clardy@bjwsa.org.

Sincerely,

James Clardy

Development Projects Manager

JBC/mya



Letter of Power Availability

April 21, 2022

Jen Tosky Kenneth Scott Builders Bluffton, S.C.

Re: Bailey Park, Highway 170, Jasper County, S.C.

Ms. Tosky,

I am pleased to inform you that Dominion Energy will be able to provide electric service to the above referenced project. Electric service will be provided in accordance with Dominion Energy General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the company's standard operating policies and procedures. To begin engineering work for the project, the following information will need to be provided:

- Detailed utility site plan (AutoCAD format preferred) showing water, sewer, and storm drainage as well as requested service point/transformer location.
- Additional drawings that indicate wetlands boundaries, tree survey with barricade plan and buffer zones (if required), as well as any existing or additional easements will also be needed.
- 3. Electric load breakdown by type with riser diagrams and desired metering specifications.
- 4. Dominion Energy has specific requirements for electric service to new water and sewer pump- stations. If your project requires these facilities, please contact me for more details.

Please note that for multi-occupancy residential developments per SC Public Service Commission Regulation 103-327(A): All service delivered to new multi-occupancy residential premises at which units of such premises are separately rented, leased, or owned shall be delivered by an electric utility based on individual meter measurement for each dwelling.

Dominion Energy construction standards and specifications are available here: https://www.dominionenergy.com/south-carolina/start-stop-service/new-construction

If you have any questions, please contact me at 843-540-1315.

Sincerely,

Parks Moss

Parks Moss
Dominion Energy South Carolina