

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING May 17, 2017

The Planning Commission held a meeting on May 17, 2017 at 8:00 AM in the Council Chambers at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meeting was attended by: Chairman Keith Frost, Vice-Chairman Frank Berry, Commissioners Roscoe Caughman, Jamie Fite, Lisa Gibson, and Jeannie Michaels. Commissioner Hendrix was present until 8:22. Commissioners Brian Amick and John Bartlett were absent (excused).

Others in attendance were: Town Councilmembers Kathy Maness and Steve Baker, Town Administrator Britt Poole, Director of Planning, Building & Technology John Hanson, Chief Building Inspector Charly Thomas, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Town Engineer Rosemarie Nuzzo, Parks and Sanitation Director Dan Walker, Digital Media Coordinator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner. Three citizens were in attendance. No one was present from the news media.

CALL TO ORDER & INVOCATION: Chairman Keith Frost welcomed everyone to the meeting and introduced the Commissioners. He announced that the meeting was being broadcast live on the Town's Time Warner Channel 2 and would be replayed several times during the week. Commission members and Staff then introduced themselves. Commissioner Gibson gave an invocation and Chairman Frost led in the Pledge of Allegiance.

Chairman Keith Frost called meeting to order at 8:02 AM.

DELETIONS TO THE AGENDA: Chairman Frost reported Old Business Items 1 and 2 were being deleted from today's agenda at the request of the developer.

APPROVAL OF MINUTES: A motion was made by Vice-Chairman Berry and seconded by Commissioner Hendrix to approve the Minutes from the Planning Commission Meeting on April 19, 2017 as submitted. The motion was unanimously carried.

OLD BUSINESS: Items 1 and 2 were deleted from the Agenda

1. **Annexation of Lexington County Tax Map #5498-03-002 Located Adjacent to 165 Zenker Road** – *Recommendation on Zoning and Road Classification*
2. **Sketch Plan Approval for a New Subdivision to be Located Adjacent to 165 Zenker Road** – *Consideration of the Sketch Plan*

NEW BUSINESS

1, **Site Plan Approval for Athletic Fields at Northside Baptist Church** – *Site Plan Approval*

Director of Planning, Building and Technology John Hanson presented the request from Northside Baptist Church which has requested site plan approval for an expansion of their athletic fields on Ginny Lane. The project will be developed in three phases beginning with a concession stand and a baseball field. Future phases will include the development of a football field with a track, five soccer fields, a softball field, a sports pavilion and associated parking. The understanding is that prior to the development of the new parking lots parking at the school will be utilized.

This project was withdrawn from the Commission's February agenda to allow the church an opportunity to provide a traffic impact study. A study that shows no impact to the AM peak hour traffic on Ginny Lane and no needed roadway improvement has been submitted.

The planning assumptions used by the engineers for the traffic study and parking for this project are based on peak usage occurring when eight soccer games are being played on a Saturday morning. Given the significant amount of property in the project as well as the amenities being proposed it is conceivable for the complex to be used for multiple events at once and other than on Saturday mornings. The Commission may wish to consider these possibilities. Finally, the Commission should consider a requirement that the project include a curb and gutter sidewalk along the Ginny Lane right of way to discourage roadway parking and enhance pedestrian safety.

Mr. Gerald Lonon from Pace Engineering and Mr. Scott Crede from Northside Baptist Church introduced themselves. Commissioner Gibson asked them about the traffic study which looked at Saturday morning soccer games but the facility is used on other days than just Saturday morning. Mr. Lonon clarified that the study was done on weekdays comparing peak hours to evening traffic. He stated that there are no soccer games held at that time now so there was no way to measure the impact. The soccer games were chosen as a peak period by the engineer. He added that no impact was shown as the peak times on Ginny Lane are on other days and at other hours. Mr. Lonon said that evening football did not show an impact on traffic which peaks at other times.

Chairman Frost noted the Saturday morning soccer game time was picked as their peak time for the facility but activities could take place which could coincide with Ginny Lane peak times. He asked about the impact during those peak times such as when school traffic is heavy. Mr. Lonon responded that was how the engineer did the study. Chairman Frost clarified that the question is about the impact of their activities during Ginny Lane peak times.

Mr. Crede stated the assumption would be that peak times are between 7 and 9AM or 3 to 5PM and activities would not be scheduled during those times. He added that baseball games would be in the afternoons and football games on Thursday or Friday at night and during peak times there wouldn't be any traffic.

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Chairman Frost asked if they meant that they have no plans now or in the future to use the athletic fields between 7 and 4PM. Mr. Crede stated they would only be used for PE classes which would not have traffic as they would walk from the church to the fields. Chairman Frost asked that if their plans for activities changed he would request that they contact Mr. Hanson or Mr. Edwards about updating their traffic plan.

Chairman Frost noted the site plan showed a sidewalk on Ginny Lane set at the back of the right of way rather than a curb and gutter system along the road and asked if there was a reason why. Mr. Lonon responded that the sidewalk couldn't be built because no one would maintain it. He added that DOT wouldn't take it and the Town wouldn't take it. He said they have decided to pay the fee.

Transportation Director Randy Edwards said the site plan shows a sidewalk on private property and SCDOT wouldn't maintain that. He added that a sidewalk done in the right of way and approved in an encroachment permit would be maintained by SCDOT. Chairman Frost asked if the sidewalk would line up with some of the improvements being planned for Ginny Lane. Mr. Edwards confirmed the Town's Ginny Lane widening project from US 378 to Saluda Pointe Drive included curb and gutter sidewalks. He noted the addition of the church section of sidewalk on Ginny Lane would leave a small gap of about 1000 feet between the two projects that could be connected in the future for a continuous sidewalk from Northside to US 378 and now would be a good time to get that sidewalk in place.

Mr. Lonon clarified that SCDOT told them when they tried for the encroachment permit that they would not take the sidewalk. Chairman Frost stated part of the concern is people parking along Ginny Lane and he added the curb and gutter sidewalk would aid significantly in preventing that situation along with a connection with the planned improvements on Ginny Lane. He continued that it was a strong requirement and it may be a significant hurdle to overcome.

Mr. Hanson clarified that the Ordinance states they must put a sidewalk in and the issue has been whether the sidewalk is in the right of way or on private property. The Ordinance states that if the owner of the road will not allow a sidewalk, then the developer would pay into the sidewalk fund. He continued that haven't seen a statement from DOT that they would not accept the sidewalk. Mr. Hanson suggested that the Commission recommend that there be a curb and gutter sidewalk in the right of way.

Commissioner Michaels noted the church is growing and asked if there are future plans for more school buildings. Mr. Crede stated the church would dictate the size of the school and once at capacity, that would be that. He stated they have a waiting list now. He continued that they do not have plans to build any more buildings. Commissioner Michaels asked if they have a future goal for the student population. Mr. Crede stated their goal was not to be big but to be the very best school. They don't mind having a waiting list. He said whatever the church capacity will be is the size of the school. Chairman Frost asked if the church had a Master Plan or twenty year plan to provide an

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understanding of what potential expansion goals are. Mr. Crede stated they don't have anything formal to submit for future plans.

Mr. Lonon asked about the sidewalk ordinance and said it doesn't specify curb and gutter. Mr. Hanson stated that is what would be required for a sidewalk on Ginny Lane. Mr. Lonon noted the ordinance doesn't require a curb and gutter. Mr. Hanson clarified that the ordinance requires a sidewalk and SCDOT requires curb and gutter sidewalks. Mr. Lonon stated he had a drawing of a sidewalk that was separate from the road. Chairman Frost stated the Commission would expect the sidewalk to be in the road right of way and SCDOT requires it to be the curb and gutter sidewalk. Mr. Hanson added that curb and gutter also helps to control parking on Ginny Lane. Mr. Lonon stated the ordinance offers the option to pay the fee instead of building the sidewalk. Administrator Poole clarified that there is an option of paying a fee in the ordinance but it is not the developer's option. If a sidewalk cannot be built because the road owner will not permit it such as with an orphaned sidewalk that doesn't connect to anything, at that point the fee can be paid. Mr. Lonon stated the ordinance doesn't say that and they feel that they are reconciled to pay the fee. Chairman Frost said the Commission discussion has indicated the sidewalk may be a requirement for approval. Administrator Poole clarified that the ordinance specifically states: "Should the owner of the street not allow sidewalks to be constructed" then they could pay into the fund.

Director Edwards noted that SCDOT has required the installation of the sidewalk on the Town's Ginny Lane improvement project which is 1500 feet from the church project. The Town's concern is with limited parking on the site even with ample parking at the church nearby. He offered the example of the Polo Road soccer fields where the parking is at a distance and the street provides a convenient place to park. He said a sidewalk in an open area could invite parking on the sidewalk while the curb and gutter sidewalk would discourage parking along the road.

Director Edwards added that Ginny Lane's worst peak traffic is the weekday AM time frame which would not likely conflict with soccer games at the facility. He noted there would be some heavy traffic in the 4 to 6PM time frame but the schools have already let out. Chairman Frost asked if that possible coinciding traffic would need to be reevaluated. Mr. Edwards stated that it was reviewed and didn't show a need for any improvements. Chairman Frost asked if the facility use changed and a conflict created a traffic issue, could the Commission reevaluate road improvements. Mr. Hanson replied not once it was permitted.

Vice Chairman Berry made a motion to approve the site plan with the condition that a sidewalk is installed in the right of way according to SCDOT standards as required by ordinance and if SCDOT will not allow installation of a sidewalk in the right of way, the church must provide some form of verification to the staff here at the Town and pay into the sidewalk fund. Commissioner Gibson confirmed a curb and gutter sidewalk and seconded the motion. There was no further discussion. The vote was carried unanimously by those present.

2. **Annexation of Portions of Lexington County Tax Map #3300-04-014 Located at 1120 Old Cherokee Road** –*Recommendation on Zoning and Road Classification.*

Director of Planning, Building and Technology John Hanson presented the request from Old Cherokee Investors LLC which owns 20.03 acres located adjacent to 1120 Old Cherokee Road and has petitioned to annex portions of the property. The portions to be annexed are shown as Parcel A-1 which is 16.71 acres and a thirty foot strip shown across the property. Both portions are depicted on the attached annexation exhibit. The property is currently undeveloped but these are part of several parcels associated with the Sterling Bridge Subdivision that Mungo Homes is developing. Properties in town near this one are zoned Limited Commercial and Protected Residential. Old Cherokee Road is classified as a Collector Road.

Due to the surrounding conditions and the use of the property the recommended zoning for the property is Protected Residential 2.

Chairman Frost noted that this annexation is related to the next two items but they only covers about half of the provided sketch plan. Mr. Hanson responded that all of the parcels are included except for the back portion which is under contract but not closed at this time. Mr. Poole added it is their intention to annex that parcel after closing.

Commissioner Gibson made a motion to approve as recommended. Vice Chairman Berry seconded. There was no further discussion. The vote was carried unanimously by those present.

3. **Annexation of Lexington County Tax Map #3300-04-033 and 106 Located at 665 Old Chapin Road** –*Recommendation on Zoning and Road Classification.*

Director of Planning, Building and Technology John Hanson presented the request from Sterling Bridge Development, LLC, which owns 31.49 acres on two parcels located at 665 Old Chapin Road and has petitioned to annex the property. These are two of several properties associated with the Sterling Bridge subdivision that Mungo Homes is developing. Properties in Town near these are zoned Limited Commercial and Protected Residential. Old Chapin Road is classified as a Collector road.

Due to surrounding conditions and the intended use of the property the recommended zoning classification is Protected Residential 2. The recommended classification of Old Chapin Road is a Collector road.

Vice Chairman Berry made a motion to approve as recommended. Commissioner Gibson seconded. There was no further discussion. The vote was carried unanimously by those present.

4. **Annexation of Lexington County Tax Map #3300-04-012 Located at 1118 Old Cherokee Road** –*Recommendation on Zoning and Road Classification.*

Director of Planning, Building and Technology John Hanson presented the request from Lexington County School District One which owns 37.8 acres located at 1118 Old Cherokee Road and has petitioned to annex the property. New Providence Elementary

School is located on the site. Properties in Town near this one are zoned Limited Commercial and Old Cherokee Road is classified as a Collector road. Due to the surrounding conditions and the use of the property the same zoning and road classification is recommended for this property.

Vice Chairman Berry made a motion to approve as recommended. Commissioner Gibson seconded. There was no further discussion. The vote was carried unanimously by those present.

5. Recommendation to add Corley Mill Road to the Town's Commercial Corridor Special Overlay District—*Recommendation to Amend Overlay District.*

Director of Planning, Building and Technology John Hanson stated the Commercial Corridor Special Overlay District requires properties to adhere to the Town's Architectural and Appearance Ordinance. This overlay is currently attached to all of the properties on the Town's major roadways and any new properties on these roadways that are annexed are automatically added to the district. Currently, properties on Corley Mill Road are not part of this overlay. Considering the large amount of property that has recently been annexed on Corley Mill Road, the Commission may wish to consider a recommendation to amend the Zoning Ordinance so the Commercial Corridor overlay extends to this road.

Chairman Frost agreed this seems appropriate as the area is already included in Lexington County's scenic corridor. Commissioner Gibson asked how this would apply to existing properties. Mr. Hanson said if they make a change that is greater than 50% of the assessed value of the property or if there is any new construction it would fall under the requirements of the overlay. Vice Chairman Berry asked if the County Scenic Corridor regulations would apply. Mr. Hanson stated the County regulations would not apply to the areas now in the Town but this could be a tool used to apply some of the same criteria.

Vice Chairman Berry made a motion to make the recommendation as stated. Commissioner Michaels seconded. There was no further discussion. The vote was carried unanimously by those present.

REPORT FROM COUNCIL LIAISON OFFICER: Councilmember Maness announced the Thursday night Lexington Live concert with the Root Doctors at the Icehouse Amphitheater from 6:30 to 9:30 PM. The Farmers Market is held on Lexington Square on Saturday mornings from 9:00 to noon. The Big South Baseball Championship runs from May 23 to 27. A Southern Gathering Gospel Concert is at the Icehouse Amphitheater on May 26 at 6:00 PM and Chase Martin Concert on May 27 and Lexington Baptist Memorial Day Concert on May 28.

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ADJOURNMENT: There being no further business to come before the Planning Commission, Commissioner Gibson made a motion to adjourn. The motion was seconded by Vice-Chairman Berry and unanimously carried.

The Planning Commission meeting adjourned at 8:38 a.m.

Respectfully Submitted,

Karen Hanner
Assistant Municipal Clerk

APPROVED:

Keith Frost
Chairman

FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirements.