

# MINUTES

## TOWN OF LEXINGTON PLANNING COMMISSION MEETING June 20, 2018

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The Planning Commission held a meeting on June 20, 2018, 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 Brian Amick, Roscoe Caughman, Jarett Harrelson and Jeannie Michaels. Commissioners John Bartlett, Jamie Fite and Sammy Hendrix were absent (excused).

Others in attendance were; Councilmember Ron Williams, Director of Planning, Building & Technology John Hanson, Town Attorney Brad Cunningham, Chief Building Inspector Charly Thomas, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Town Engineer Rosemarie Nuzzo, Transportation Director Randy Edwards, Digital Media Coordinator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner. Five citizens were in attendance. No one was present from the news media.

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**CALL TO ORDER & INVOCATION:** Chairman Keith Frost welcomed everyone to the meeting. He announced that the meeting is being broadcast on the Town's information cable channel and the video would be replayed several times during the week. Commission members and Staff then introduced themselves. Vice-Chairman Berry 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:** There were no deletions of items on the agenda.

**APPROVAL OF MINUTES:** A motion was made by Vice-Chairman Berry and seconded by Commissioner Michaels to approve the Minutes from the Planning Commission Meeting on April 18, 2018 as submitted. There was no further discussion. The motion was unanimously carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- 1. Sketch Plan Approval for a New Subdivision to be Located at 191 Caughman Farm lane** – *Action Requested: consideration of the Sketch Plan pending rezoning of the property.*

Planning, Building and Technology Director John Hanson presented the request from Springdale Development who asked for sketch plan approval for a single family subdivision being planned at 191 Caughman Farm Road. The property is currently zoned Limited Commercial. A portion of the property will need to be rezoned to

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Protected Residential 2 (PR2) to be compliant with the Zoning Ordinance. The subdivision will have 47 lots on 17.75 acres and a small commercial lot on 1.15 acres.

Density: The allowable density of residential development is determined by the classification of the street that provides access to the property. Caughman Farm Lane is classified as a Local Road which allows 6 units per acre in a zero lot line or cluster development. The proposed development will have 2.6 units per acre.

Lot size: Properties with PR2 zoning do not have a minimum lot size as long as the homes can meet the minimum setbacks and driveway requirements. This subdivision has a minimum lot size of 5730sft. The average lot size is 6863sft and the maximum lot size is 11,650sft. The developer is proposing a 20 foot front yard setback, a 20 foot rear yard setback and a 5 foot side yard setback.

Open Space: The Town's Land Development Ordinance requires at least 20% of the area to be open space with at least 50% of the open space being active recreation space with tennis courts, swimming pools or other approved amenities. The proposed project meets both of these requirements with 7.51 acres of open space of which 2.22 acres are active open space. To meet the active open space requirement the plan includes a natural walking trail and a community pool. Mr. Hanson added the trail appears to connect to the Town's 14 Mile Creek Trail. No information was provided on the materials that will be used for the walking trail.

Access: Access to the development will be obtained through a single entrance off of Caughman Farm Lane. A traffic study has not been provided for this project. He added that some traffic data was submitted to his office on Friday.

Considerations: The project appears to meet the zoning and land development regulations assuming the property is rezoned to Protected Residential 2. A review of the project by the Town's Transportation Director yielded concerns about potential left turning movements into and out of Caughman Farm Lane.

Mr. Tom Rockwell introduced himself as a resident of Gates Commons in Lexington. He noted the sketch plan in the packet is hard to read and distributed enlarged copies (attached). He continued that he wanted them to know who was coming before them to ask to change the landscape of the Town with a development so he supplied John Hanson with his bibliography and a website with some of the previous projects he has done. He said one of the developments he did was called Ashley Court and it is very similar in concept to what they are proposing. He said the development they are presenting today is being referred to as Caughman Farm Villas.

Mr. Rockwell said he asked Civil Engineering to do a traffic study for this development to speak to the impact to the area. He added that as a resident driving these roads he can see the concerns of a new development. He asked Mr. Hanson if that information had been shared with the Commission. Mr. Hanson responded that he had shared the bibliography but not the traffic information since it was received three days after the

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Commission's packet had been sent out. Mr. Rockwell stated it was 25 pages of information with data from monitoring specific intersections but he would come back to that.

Mr. Rockwell said he would like to speak to how the development came to be. He said the Caughman Farm Villas project is 28 acres located north of the Kohl's department store surrounded by Bent Creek Plantation to the west, a large apartment complex to the northeast, to the east is an office building and a strip of land still in the county and on the north is the 14 Mile Creek Trail Park. He continued that the process of coming up with a plan started some time ago. There were several outreaches to the landowners of the property to the east to annex into the Town and develop in conjunction with Caughman Farm Villas but they said they had no interest. Mr. Rockwell stated the current owner of the 28 acres is Contour 360, WS Commercial Realty and Bill Smith who is also here today. He stated he met Mr. Smith when he was working on another project.

Mr. Rockwell stated he is a residential developer. He has done previous projects and he spends time seeing what other developers have done. He said he rides his bike around the Town and there are some beautiful developments such as Whiteford, Golden Hills and Carriage Lakes in Lexington. He hopes as a developer to be able to create something as attractive and appealing. Mr. Rockwell continued saying he has admired Lexington Villas as very attractive, well maintained and unique with curb appeal, described as an "active adult development" and built by Epcon. He described himself as an active adult which usually comes with age. He added many of the other developments have big homes with large yards needing upkeep and maintenance. Lexington Villas provides maintenance for residents and an attractive lifestyle. He inquired and found there is a waiting list of buyers to get into Lexington Villas with an auction planned for a property coming available this summer. The market is very underserved in the Town of Lexington. He felt the success of Lexington Villas is partly due to the location in Lexington near commercial development with proximity to shopping and restaurants.

Mr. Rockwell said he approached Bill Smith about this property that is very similar to Lexington Villas with an exclusive entrance and nestled behind commercial development with a great location. He added he was sold on the idea of a development for the active adult lifestyle since he has transitioned from a larger home to a one story type of home. He added Lexington Villas is composed of quads and singles and they started the engineering of how to layout on this 28 acres. They looked at quads and singles but the plan is now single units. He added Epcon is only building singles at this time in east Columbia.

Mr. Rockwell continued that he took a bike ride down into Wellmore next to Golden Hills. He reported that near the entrance there are single units which he called patio villa units which are single story with a two car garage, two and three bedroom floor plans with a front and back porch. He said that style of home was what he wanted to build at Caughman Farm Villas. He discovered the same builder built the patio villas at Wellmore, the Lexington Villas and the duplex where he resides in Gates Commons,

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McGuinn Homes, which has been in the area for thirty years. He went to them as a partner in the Caughman Farm Villas.

Mr. Rockwell described himself as a developer doing what he called the “horizontal” which includes coming to the Planning Commission for approval, hiring the construction, and being very hands on and there every day. He said he is responsible for the roads, sewer and water that he called the horizontal. He added he would work with McGuinn Homes in regards to building, marketing and selling them.

Mr. Rockwell stated what they would build would be very similar to Wellmore. He added they have a very good product. They are proposing 47 single story residences on 50 foot wide lots which is the width of the lots for the units in Wellmore. They will have two car garages and be two or three bedroom with a front and back porch and upscale interior amenities. He continued that the development will include an HOA meeting area or amenity center listed on the lot layout with kitchen and bathroom facilities. There will be a pool and proposed playground with a walking trail. He noted the trail is a half mile loop around the perimeter of the development with a ravine on the west side at the Town’s sewer easement as a natural buffer area. He added the trail will wrap around the detention area and come to the cul de sac at the north end of the project. He asked permission of the Planning Commission and Town Council to run a spur from their trail to the Town’s 14 Mile Creek Park Trail. He added the concept for development took about nine months. He continued Mr. Bill Smith is very interested in seeing what is built.

In May he thought they had a lot layout ready to go forward and requested a preliminary meeting to review their proposal. He met with John Hanson, Randy Edwards, Rosemarie Nuzzo, Dan Walker, Charly Thomas, Bill Smith and Bill Flowers of Civil Engineering. There were several recommendations from the meeting. The villas area needs to be rezoned from General Commercial to Protected Residential 2. He noted Randy Edwards said the parking for the amenity center needs to be off street so they created parking adjacent to the building.

Mr. Hanson asked Mr. Rockwell to focus more on the plan and less about the history.

Mr. Rockwell stated he would move on to the traffic and directed attention to the plan showing Caughman Farm Lane ending in a cul de sac. He continued that they want to eliminate the cul de sac and continue Caughman Farm Lane on through.

Chairman Frost suggested the Commission may have some questions about the traffic. Mr. Rockwell stated he said he had some notes about traffic. He said Randy Edwards had expressed concerns about left turns from Caughman Farm Lane onto Sunset Boulevard. After the preliminary meeting he went to Civil Engineering to ask about the traffic patterns of active adults and the pattern at Caughman Farm Lane. He asked them to do observations in and out of Lexington Villas and to monitor the intersection of Caughman Farm Lane and Sunset regarding how long it takes to turn left turn out. The results showed peak times traffic leaving from Lexington Villas between 9 and 11 am.

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At the Caughman Farm Lane intersection, the left turn out queue time was an average wait of 30 seconds. Chairman Frost noted they may need some more discussion about that. Mr. Rockwell responded that one observation showed a vehicle at 4:00 taking seven minutes. Chairman Frost observed that it is a difficult intersection to get in and out. Mr. Rockwell stated the graph of the wait times from AM to PM runs increasing with PM much greater. He concluded that the active adults investing in Caughman Farm Villas would have driving habits not the same as people leaving for work or school. They would leave during non-peak hours between 9 and 11. He said the report observed Lexington Villas generated very little volume and Lexington Villas is 94 units with Caughman Farm Villas planning 47 units which suggests half the volume. He concluded what they are proposing is not going to add an incremental large volume of traffic to that intersection at Caughman Farm Lane.

Chairman Frost asked if this would be a deed restricted or age restricted community. Mr. Rockwell responded that it would be an age targeted but not restricted development.

Chairman Frost said he had questions for the traffic engineer. Bill Flowers from Civil Engineering stated he did not do the actual study, his partner did, but he was unable to attend today. Chairman Frost wanted to know if he could answer some questions and asked when the study was done, weekdays or weekends. Mr. Flowers responded on weekdays. Chairman Frost observed that 9-11 at Lowes might have more traffic on a Saturday. Mr. Rockwell added it was done on either a Tuesday or Wednesday while school was still in session.

Commissioner Michaels asked if the units would all have garages. Mr. Rockwell confirmed they would be single residences with two car garages.

Commissioner Harrelson asked if the Kohl's detention pond was still in place and if that is where the road is coming. Mr. Rockwell stated the road would come in on the isthmus piece of land and the Kohl's retention pond was there at one time but now it is as currently shown on the drawing. He continued that land was purchased by Bill Smith and the stormwater retention pond was relocated. Mr. Harrelson asked if it was sized to handle the Kohl's property and this property. Mr. Rockwell said that was correct.

Vice Chairman Berry noted the proposed setbacks would be 20 feet. He added there is not much parking provided for visitors. He asked if, based on the lot depths which appear to be deeper than 120 feet, the setbacks could be 25 feet to allow parking for two cars in the driveway. Mr. Smith confirmed the depth is 120. Mr. Rockwell said yes, he liked that idea of more cars being able to park at the residence and it makes for a nicer development if the units are set back a little further. He said they would move them back as far as they can. Mr. Berry noted the Commission's concern is traffic movement, particularly the left turn from Caughman Farm Lane to Sunset. He added that Kohl's and Lowe's have private drives and an agreement would be needed to allow traffic to go through there and he didn't think they would get that. He asked what the plan was after talking with Randy Edwards for traffic improvement at Caughman Farm Lane. Mr. Rockwell stated he didn't believe the traffic from his project would incrementally be

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adding more volume to what is coming through Caughman Farm Lane. Mr. Berry asked Mr. Edwards if he had reviewed the traffic information. Mr. Edwards confirmed that he had. Mr. Berry noted the Councilmembers will need to address this issue because traffic is the number one issue in Lexington. Chairman Frost commented there is an impact regarding a service level but there is also a safety component which may be two separate things here. He agreed there may not be significant volume but turning left there on a curve at 378 is dangerous any time of day.

Mr. Edwards reported that during their meeting the left turn out was discussed specifically as the number one concern. He noted there was nothing in the data that talks about crashes in existing situations. He stated that one wait time was recorded at 1:32 in the afternoon for 7 ½ minutes and people take chances with long wait times. Mr. Edwards said they talked about mitigating that wait time and providing some type of deeded access to a traffic signal. He said a signal would not be approved at Caughman Farm Lane due to the proximity of the signal at Scotland Drive. He added they did not request a Traffic Impact Analysis because they believed it would come back showing the same thing in that this development would not make a significant impact at peak hours. He noted it was interesting that the study showed the worst wait time was not during a peak hour which indicates either there was no traffic generated or vehicles can't make a left during peak hours.

Chairman Frost asked Mr. Rockwell if they have talked to anyone about getting access to the drive behind the office supply store from Caughman Farm Lane to the signal at Scotland Drive. Mr. Rockwell stated he spoke to his real estate attorney who pulled all of the documents showing reciprocal easement agreements with maintenance sharing of the private drives. He agreed it was unlikely all three would grant an easement for his project with 47 cars when there is an apartment complex with 300 down the hill. He pointed out that the owners could shut those drives off Caughman Farm Lane if they felt it was being abused.

Chairman Frost stated this same discussion was held a few months ago with another developer who was building an age restricted community on the other side of Town. The developer was required to work with the commercial development to get deeded access and he was able to do that. Chairman Frost stated he was not sure he would believe a study that says you can make a left hand turn from Caughman Farm Lane at almost any time of day in thirty seconds. He added a right turn is difficult and vehicles making a left onto Caughman Farm Lane from Sunset back up significantly. He continued he had some small technical issues with the site plan but without access to a stoplight to permit turns at a reasonable safety level he could not provide much support.

Commissioner Michaels commented that she liked the idea of the development with one level and she thinks it is a needed development. She would like it to be deed restricted to age because of the prime time traffic and deeded access was needed.

Mr. Rockwell stated he was being asked to get an easement for 47 cars that is being used by many people and he agreed that if he needed to turn left there he would go out by

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Office Depot. He said more is needed to solve traffic woes in Lexington. He said he hears what they are saying in regards to trying to make it safe for residents. He asked where the easement for his 47 people end does and where is it for all the people using it currently.

Vice Chairman Berry stated they looked at a project several years ago in this same area and addressed the same issues regarding access to the signal.

Chairman Frost agreed that they are supportive of the project, the location and the design but there is a safety issue of turning left from Caughman Farm Lane with a potentially elderly population. He said he wanted to address any other issues or comments besides traffic.

Commissioner Caughman asked a question about lots 22 and 33 on the sketch plan. He said the lots were described as having a 50 foot width but those two are squeezed in. He continued that a minimum frontage is 40 feet and flag lots are not allowed. Mr. Rockwell responded they can fix that. Chairman Frost confirmed that they would make sure all lots had a 40 foot road frontage. Mr. Rockwell said yes.

Chairman Frost asked about the natural walking area and what surface would be used. Mr. Rockwell said he likes granular limestone for a trail that is easier to walk.

Mr. John Hanson asked for clarification about the front setbacks being adjusted to 25 foot. Vice Chairman Berry noted that could be made a condition of approval.

Chairman Frost asked if they had approached any of the three entities who share the access drive to see what options might be. Mr. Rockwell said he had not.

Mr. Bill Smith of W S Commercial Realty introduced himself as the owner of the Contour 360 parcel. He referred to the beginning of Caughman Farm Lane and a meeting with their predecessors. They wanted Caughman Farm Lane to be the main access and Kohl's wanted it that way. They had the opportunity to run interconnectivity all the way to Old Cherokee Road. When they went before the Planning Commission, Randy Halfacre was on Town Council and lived in Golden Hills and he insisted the signal be placed at Kohl's and Scotland Drive and not Caughman Farm Lane. Mr. Smith said this was the concept of the Town. Caughman Farm Lane was supposed to provide access to all of that land. Contour 360 was a tract that was part of the subdivision where Mayor MacDougall lives. Mr. Smith said Joe Boles approached him about buying that land and getting access to Caughman Farm Lane with connection to three signals; at Kohl's, at Old Cherokee Road and at Whiteford. He continued that they designed the reciprocal easement so everyone could use the interconnectivity. He stated that was what it was for so people could move out. He said he never turns left out of Caughman Farm Lane, he goes to Lowe's or Kohl's. Mr. Smith added the Town may be able to get Lowe's to open their drive behind the building as it was originally intended to allow people from Caughman Farm Lane access through Whiteford. He said he lives here too and traffic is a problem but this situation is something he didn't cause.

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Chairman Frost asked who the reciprocal agreement covers. Mr. Smith replied at the time Contour 360 was not in that property. He said Mr. Edwards noted the right turn lane into Kohl's could be made larger. He continued he tried to find a project that would fit where the majority of the traffic was elderly and they could do whatever they needed without getting out onto 378. He stated he believes they have a connection by using the Kohl's access to turn left.

Vice Chairman Berry asked if any consideration had been given to access off of Hammock Drive. He said at one time that property was supposed to connect. Mr. Smith said that was a big ravine for a residential subdivision.

Chairman Frost commented that they have identified some significant hurdles that exist. He added there is an option to withdraw the request and try to address some of those concerns. Mr. Rockwell asked what his options would be if the vote was against approval. Chairman Frost noted there is a zoning request for the property that would go to Council but the site plan does not go to Council. Director Hanson clarified that the Commission would make a recommendation on zoning which would have First Reading before Council on July 16 with a Final Reading on August 20. He noted there was time to withdraw the site plan request and provide answers to the questions. He suggested a traffic study could provide some answers regarding concerns about the left turn from Caughman Farm Lane. Chairman Frost noted if the vote was against the site plan approval it would need to be modified and brought back.

Mr. Rockwell stated they tried to be diligent regarding the impact. He stated he would agree to making it age restricted which would limit buyers to those 55 and older. He asked if they could table the site plan and proceed with the zoning. Director Hanson responded the law requires the Planning Commission to make a recommendation on a development within a certain period of time so unless it is withdrawn they are required to vote in favor or against. He continued they can proceed with the rezoning.

Mr. Rockwell said he would heed their advice and withdraw and come back. Chairman Frost stated he hoped they could approach the participants of the interconnectivity agreement and bring back a response to help answer the question of whether that is feasible or not. Mr. Rockwell stated as a resident and developer he acknowledges the traffic problems in Lexington but he feels he is being asked to jump through a big hoop for his little group of people and he would hate to see the project fail in regards to a request that may not be able to be met. Chairman Frost agreed he would hate to see that happen as well but at this point we should see what we can work on. He clarified the intent to withdraw and work on the plan and bring it back with some resolution to the questions that have been asked.

**2. Rezoning of 191 Caughman Farm Lane - *Action Requested: recommendation on zoning change.***

Planning, Building and Technology Director John Hanson presented the request from Springdale Development who has requested to rezone a portion of 191 Caughman Farm



Lane from Limited Commercial (LC) to Protected Residential 2 (PR2). The request is being made to allow the property to be developed into a 47 unit subdivision. Properties adjacent to this one are zoned General Commercial and Protected Residential.

Chairman Michaels asked if they rezone now when they have withdrawn the request. Chairman Frost clarified the rezoning has to go through two readings before Council. If the project fails, the rezoning can be pulled before the final reading.

Vice Chairman Berry made a motion to approve the request as recommended. Commissioner Amick seconded. There was no further discussion. The vote was unanimous in favor.

**3. Annexation of Lexington County Tax Map #5311-01-242 and 243 Located at 406 and 410 Montrose Drive - Action Requested: recommendation on Zoning and Road Classification.**

Planning, Building and Technology Director John Hanson presented the request from Vintner's Woods, LLC which owns two parcels located at 406 and 410 Montrose Drive in the Vintner's Woods subdivision and has petitioned to annex the properties. Single family homes are planned to be constructed on the sites. Properties in Town near these are zoned Protected Residential 2 and Montrose Drive is already classified as an RL-4 road.

Due to the surrounding conditions and the use of the property the same zoning and road classification is recommended for this parcel. Mr. Hanson noted there was some discrepancy with the county offices when the other phases of the subdivision were annexed. Vice Chairman Berry confirmed they were already annexed.

Vice Chairman Berry made a motion to approve the request as recommended. Commissioner Caughman seconded. There was no further discussion. The vote was unanimous in favor.

**4. Annexation of Lexington County Tax Map #3500-01-071 Located at 254 Corley Mill Road - Action Requested: recommendation on Zoning and Road Classification.**

Planning, Building and Technology Director John Hanson presented the request from Shaun and April Mills who own .78 acres located at 254 Corley Mill Road and have petitioned to annex the property. A small commercial building is located on the site. Properties in Town near this one are zoned Limited Commercial and High Density Residential. Corley Mill Road is classified as a Collector road.

Due to the surrounding conditions and the use of the property, the recommended zoning for this parcel is Limited Commercial and the recommended road classification for Corley Mill Road is a Collector road.

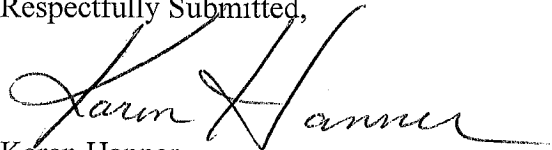
Vice-Chairman Berry made a motion to approve the request as recommended. Commissioner Michaels seconded. There was no further discussion. The vote was unanimous in favor.

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**REPORT FROM COUNCIL LIAISON OFFICER:** Councilmembers Williams thanked the Commissioners for everything they do and announced Movies in the Park at the Icehouse Amphitheater on July 22 which will feature The Greatest Showman, on July 28 there will be a Tribute to Tom Petty and on June 29 the 246<sup>th</sup> Army Band will play. Town Hall will be closed on Wednesday July 4. The One Way Pair changeover will take place on Saturday June 23 at 5AM. The Farmers Market is on Saturdays from 9AM to Noon at Lexington Square.

**ADJOURNMENT:** There being no further business to come before the Planning Commission, Chairman Frost thanked the Commissioners and without objection, the Planning Commission meeting adjourned at 9:22 AM.

Respectfully Submitted,



Karen Hanner  
Assistant Municipal Clerk

APPROVED:



Keith Frost  
Chairman



Sammy Hendrix  
Acting 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 requirement*