

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING June 21, 2017

The Planning Commission held a meeting on June 21, 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 Brian Amick, Roscoe Caughman, Lisa Gibson, Sammy Hendrix and Jeannie Michaels. Commissioners Jamie Fite and John Bartlett were absent (excused).

Others in attendance were: Town Councilmember Ron Williams, Assistant Town Administrator Stuart Ford, Director of Planning, Building & Technology John Hanson, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Parks and Sanitation Director Dan Walker, Digital Media Coordinator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner. Four 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 noted there were no deletions on today's agenda.

APPROVAL OF MINUTES: A motion was made by Commissioner Gibson and seconded by Vice-Chairman Berry to approve the Minutes from the Planning Commission Meeting on May 17, 2017 as submitted. The motion was unanimously carried.

OLD BUSINESS:

Vice Chairman Berry recused himself on Old Business Items 1 and 2.

1. **Annexation of Lexington County Tax Map #5498-03-002 Located Adjacent to 165 Zenker Road – Recommendation on Zoning and Road Classification**

Director of Planning, Building and Technology John Hanson presented the request from B&T Investments which owns 41.6 acres located adjacent to 165 Zenker Road and has petitioned to annex the property. Great Southern Homes is planning to construct a 105 unit subdivision on the property. Properties in Town near this one are zoned Industrial (IND) and Zenker Road is classified as a Local Road.

This annexation was reviewed in March and the Commission recommended against annexing the property with Protected Residential 2 zoning. The item came back to the Commission in April at Council's request and it was deferred to allow the developer time to explore additional options related to the zoning for adjacent properties.

Commissioner Hendrix asked Mr. Hanson if there was any response from the adjacent property owners. Mr. Hanson stated he understood an attempt was made to inquire about having those properties zoned General Commercial but the owners were not inclined to pursue that.

Mr. Scott Morrison of Great Southern Homes introduced himself and stated they had reached out to the two adjacent property owners. He said one was not inclined to downzone his property and the other was unresponsive. Mr. Morrison noted they have included additional buffering shown on the sketch plan at its greatest 390 feet and at least 250 feet to provide a transitional buffer on their property. Chairman Frost confirmed that no buffer parcel zoned General Commercial exists between the Protected Residential and Industrial parcels. Mr. Morrison agreed that was correct.

Chairman Frost stated that the Planning Commission has established zoning criteria and uses. He said part of planning and zoning is to prevent incompatible uses and that was the concern expressed last month. He added that placing residential directly adjacent to industrial creates issues and unhappiness. He offered the example of a residence near an asphalt plant that will begin work at 2 AM in the summer. Chairman Frost said he felt that without the protection of proper zoning buffers it would be difficult to give this project his support. Mr. Morrison asked if the buffers which are under their control on their property would allow enough protection. Chairman Frost responded that the adjacent property is up for sale and it is unknown what could go there. He continued that 300 feet is not a lot of buffer when it comes to an industrial activity at night near a residence. Chairman Frost added that this area is prime for development and the Commission must consider what is required of each development. He stated that one of the standards they expect is a downgrading of zoning closer to Protected Residential and in this area they don't intend to stack Residential zoning next to Industrial.

Commissioner Michaels made a motion to stay with Industrial zoning and not to recommend the change to PR2. Chairman Frost clarified that this was a denial of a recommendation to annex with PR2 zoning. Commissioner Caughman seconded. There was no further discussion. The vote was six in favor with one recused.

2. Sketch Plan Approval for a New Subdivision to be Located Adjacent to 165 Zenker Road – Consideration of the Sketch Plan

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Director of Planning, Building and Technology John Hanson presented the request from Great Southern Homes who requested sketch plan approval for a single family subdivision being planned adjacent to 165 Zenker Road. The subdivision will have 105 lots on 41.6 acres.

Density: The allowable density of residential development is determined by the classification of the street that provides access to the property. Zenker Road is classified as a Local Road which allows 6 units per acre in cluster developments. The proposed development will have approximately 2.5 units per acre.

Lot size: Properties with Protected Residential (PR2) zoning do not have a minimum lot size as long as the homes being constructed can meet the minimum setbacks and driveway requirements. This subdivision has a minimum lot area of 7779 sft. The average lot area is 8670 sft and the maximum lot area is 19,838 sft. The minimum lot area on this project exceeds the minimum required for a PR1 subdivision but the requested setbacks require the project to be submitted as a cluster development with PR2 zoning. The developer is proposing a 20 foot front yard setback and a 10 foot secondary setback for corner lots. The proposed rear yard setback is 10 feet and the proposed side yard setbacks are 5 feet.

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 amount of open space provided meets the requirement of the ordinance with 11.8 acres.

To meet the active open space requirement the plan includes a 2.25 acre park/picnic area in common area four and a mulched walking trail along the wetland areas. No additional information has been provided about the features that will be added to the picnic/park area.

Access: Access to the development will be obtained through a single entrance off of Zenker Road. A traffic study was completed for the project. The study recommended no changes to the road system in the area.

Considerations: A review of the project yielded questions about whether the proposed open space amenities meets the active open space requirement in the ordinance. Additionally, concerns were raised about the project's location adjacent to industrial properties and how these uses may conflict.

Chairman Frost asked where common area four is located. Mr. Hanson responded it is the back left corner on the plan near the property for sale. Chairman Frost asked about other amenities in addition to picnic tables and other passive uses. Mr. Morrison noted

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walking is active. He added they are open to suggestion but amenities such as swimming pools and tennis courts were not included as cost prohibitive.

Commissioner Michaels asked about planned setbacks and the possibility of making the driveways longer. Mr. Morrison noted it would increase costs and set the streetscape further back. He added they like to keep the front of the house close to the street but keep the 20 foot setback to provide a parking spot in addition to the garage. Chairman Frost asked if the garage was for one or two cars. Mr. Morrison said some have one and some have two. Chairman Frost commented that the lots have 20 foot front and 10 foot rear setbacks. He asked if there was a way to adjust that to address the narrow streets with cars possibly parked along them or provide sufficient parking in front of the house on the driveways. Mr. Morrison stated the 20 foot setback would allow parking on the driveway outside of the street right of way. He added that along with the garage there would be at least two and up to four parking spots. Commissioner Hendrix asked the width of the streets. Mr. Morrison stated he believed it is 25 feet back to back as the County standard. Chairman Frost asked if they had considered wider streets. Mr. Morrison responded they typically use the standard.

Chairman Frost noted a Traffic Impact study has been done which included Zenker Road with Wildlife and Industrial Boulevard intersections. It showed no significant impact but identified the Industrial intersection as having some concerns. He asked what their proposal would be if there was a request for improvements at that intersection which would handle the majority of the traffic from this development. Mr. Morrison said they could certainly look at that but he didn't know what that would entail. Chairman Frost added that this project is small but this area is ripe for significant development and he felt they needed to be proactive to plan for traffic. He continued that he wanted it to be commensurate with the project and felt some improvements could be made that would be reasonable and would help as things move forward. Mr. Morrison said they could meet with Randy to discuss that.

Commissioner Gibson stated she had concerns about the common area and the parcel next to it for sale that is zoned Industrial. Chairman Frost noted there is a significant amount of property to the west and north that is undeveloped and this is a transitional area. He added there are some zoning issues that need to be worked through.

Director Hanson commented that without a recommendation to annex with the Protected Residential 2 zoning, the sketch plan would need to be denied until Town Council has voted on the annexation request but Mr. Morrison has received information to work on until the issue is resolved.

Commissioner Hendrix made a motion to deny approval of the sketch plan.

Commissioner Gibson seconded. There was no further discussion. The vote was six in favor with one recused.

NEW BUSINESS

1, **Site Plan Approval for Commercial Development on a Parcel Located Adjacent to 230 Saluda Springs Road – Site Plan Approval**

Director of Planning, Building and Technology John Hanson presented the request from CDG-Lexington for the site plan approval for a parcel located adjacent to 230 Saluda Springs Road. The parcel was created from .35 acres of excess land that was acquired to install the secondary entrance to the Lexington Marketplace shopping center. The parcel will be accessed through this driveway so an additional curb cut on Saluda Springs Road will not be required. The intended use of the parcel is a 3000 square foot office building but the General Commercial zoning would allow a variety of different uses to be located on the site.

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

2. **Rezoning of Lexington County Tax Map Number 5596-02-032 Located Adjacent to 4863 Augusta Road – Recommendation on Rezoning**

Director of Planning, Building and Technology John Hanson presented the request from Wilson Shealy, LLC for rezoning a parcel located adjacent to 4863 Augusta Road. The entire 61 acre property is currently zoned General Commercial. The applicant is requesting to split zone the parcel with General Commercial and Protected Residential 2 and including a Planned Development Special Overlay. The primary purpose of the overlay is to reduce the required buffer and setback between a potential Commercial Center and the residential portion of the property. Traditional zoning would require up to a 70 foot buffer and a 100 foot setback between these uses. The Planned Development submitted for this request proposed reducing the buffer to 20 feet and the setback to 25 feet. Mr. Hanson noted there is also a change in the height ratio. The PUD proposes to adhere to all other traditional zoning requirements in the ordinance for any development that will be located on the site.

Mr. Patrick Chambers of 1312 Hummingbird Drive in West Columbia introduced himself and stated he was present on behalf of the Wilson Shealy family. He said this property has had many proposed uses over the years. Mr. Chambers suggested downzoning a portion of the property to single family use to help generate some traffic and extract some of the value with commercial use in the front. He noted the buffers and setbacks required between General Commercial and Residential would be in middle of the property which would cut back the usability of the front portion. He added that this is a multi-step process and if approved, they would come back with actual sketch plans.

Chairman Frost asked about Mr. Chamber's representation for the Shealy family. Mr. Chambers stated he is a real estate broker. Chairman Frost noted that historically PUDs are considered by the Commission when given conceptual designs and plans at the same time. He stated he was not sure about approving a PUD without seeing a plan for the use of the property. He added he had some concerns such as access to the site. Chairman Frost stated there had been discussion about access on Dooley Road as opposed to using Augusta Road. Chairman Frost said the plan indicates use of the existing full service and existing right in right out at Bojangles plus two additional full

service accesses which seems excessive. He continued that an additional signalized access seems unlikely since it is near a stoplight. Mr. Chambers said it would depend on the use and there is substantial frontage on US1.

Chairman Frost asked about the status of a site plan. Mr. Chambers responded that it is very preliminary at this point. A plan was submitted to SCDOT to get comments. They stated the right in right out could be eliminated and two additional cuts could be added if the required separations were met. Mr. Chambers stated he understood the caution about approval prior to seeing a sketch plan and he felt this may be different from a typical PUD in that a portion would be downzoned to single family and less intensive residential use. Chairman Frost agreed that it was a more attractive option than a high density residential use. He stated he understood the economic issue of a 100 foot buffer in the middle of the property but he felt from a planning perspective the required buffers separating commercial activities and residential are not a bad thing. He added without seeing the development process there are a lot of unanswered questions and it would be hard to support a PUD approval without the concept.

Chairman Frost asked if there had been any discussion regarding access to Dooley Road. Mr. Chambers responded there is a creek on that side and the expense of putting in a creek crossing makes an exit on Dooley Road not feasible. Chairman Frost asked about access through one of the parcels closer to Augusta Road. Mr. Chambers said there have been attempts made by the property owners in the past that he understood were to no avail.

Vice Chairman Berry stated he was concerned about the volume of traffic. He estimated that with 130 to 150 units there would be approximately 300 vehicles at a very congested location. He added he drives that route often and has seen U-turns in the intersection at Dooley Road. Without seeing a plan he would not be in favor of any type of rezoning. Mr. Chambers stated developers are reluctant to spend dollars on a piece of property without zoning and they are here to try to establish some type of criteria to justify the planning. Chairman Frost stated there is a request to reduce setbacks and protections which makes them more cautious. Without some type of traffic plan and site access it is difficult to move forward.

Mr. Chambers said he would bring back a sketch plan at a later date. Mr. Hanson clarified that the request is being withdrawn. Mr. Chambers confirmed that it will be withdrawn for now and will be brought back when the traffic studies are done.

3. **Annexation of Lexington County Tax Map #3500-03-160 Located at 565 Corley Mill Road –Recommendation on Zoning and Road Classification.**

Director of Planning, Building and Technology John Hanson presented the request from JZP, LLC which owns 1.6 acres located at 565 Corley Mill Road and has petitioned to annex the property. A dentist office is located on the site. Properties in Town near this one are zoned Office Commercial and Protected 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 Office Commercial and the recommended classification of Corley Mill Road is a Collector road. Mr. Hanson added it could be done as Limited Commercial.

Chairman Frost asked if the adjacent parcel approved as part of the PUD was Limited Commercial. Mr. Hanson said it was done as Office Commercial.

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

4. Annexation of Lexington County Tax Map #5424-03-001 Located at 889 South Lake Drive –Recommendation on Zoning and Road Classification.

Director of Planning, Building and Technology John Hanson presented the request from Royalty Properties, LLC which owns 1.9 acres located at 889 South Lake Drive and has petitioned to annex the property. Circle-K is planning to construct a new convenience store on the property. Properties in Town near this one are zoned General Commercial and Industrial. South Lake Drive and Glassmaster Road are both classified as Arterial Roads.

Due to the surrounding conditions and the intended use of the property the recommended zoning for this parcel is General Commercial and both adjacent roads are recommended to continue their Arterial Road classifications.

Chairman Frost questioned the Glassmaster Road classification as Arterial. Mr. Hanson confirmed that it is. Vice Chairman Berry asked if there would be an entrance on South Lake Drive. Mr. Hanson stated there has not yet been a submission of a site plan. Vice Chairman Berry stated it would likely need to be a right in right out. Chairman Frost agreed that there would be a conflict with the left turn lane on South Lake Drive. Mr. Hanson stated the site plan would not come to the Planning Commission for approval unless requested but that would be noted for the review.

Commissioner Hendrix made a motion to approve as recommended with the site plan to come to the Planning Commission for approval. Vice Chairman Berry seconded. Chairman Frost asked to amend the motion to add classification of Glassmaster Road as a Collector. Commissioner Hendrix and Vice Chairman Berry agreed to the amended motion. The vote was unanimous in favor.

OTHER BUSINESS

Assistant Town Administrator Ford thanked the Commission for their hard work and wished everyone a good summer. Commissioner Hendrix asked about the One Way Pairs project. Assistant Administrator Ford stated the project has gone out for bids.

REPORT FROM COUNCIL LIAISON OFFICER: Councilmember Williams thanked the Commission for their work and announced Movies in the Park on June 23 at the

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Icehouse Amphitheater with *The Princess Bride* at 8:30 PM. The Farmers Market is held every Saturday at Lexington Square from 9 AM to noon but there will be no market held on July 1. The 246th Army Band Concert will be held July 3 at the Icehouse Amphitheater starting at 7 PM with fireworks following the concert. Movies in the Park on July 14 will show *La La Land* at 8:30 PM. He wished everyone a safe 4th of July holiday weekend.

Commissioner Gibson asked about the status of repairs to the Park Road water main break. Councilmember Williams stated the boil water advisory is still in effect and when it is lifted a notice will be sent out.

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

The Planning Commission meeting adjourned at 8:52 AM.

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.