

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING August 23, 2017

The Planning Commission held a meeting on August 23, 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, John Bartlett, Roscoe Caughman, Jamie Fite and Lisa Gibson. Commissioners Sammy Hendrix and Jeannie Michaels were absent (excused).

Others in attendance were: Town Councilmembers Kathy Maness, Ron Williams, and Todd Carnes, Town Administrator Britt Poole, Director of Planning, Building & Technology John Hanson, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Town Engineer Rosemarie Nuzzo, Parks and Sanitation Director Dan Walker, Chief Building Inspector Charly Thomas, Digital Media Coordinator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner. Fifteen 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. 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.

APPROVAL OF MINUTES: A motion was made by Vice-Chairman Berry and seconded by Commissioner Gibson to approve the Minutes from the Planning Commission Meeting on June 21, 2017 as submitted. There was no further discussion. The motion was unanimously carried.

OLD BUSINESS: none

Vice-Chairman Berry recused himself on Items 3 and 4.

NEW BUSINESS

1. **Annexation of Lexington County Tax Map #4200-07-169 Located Behind 1002 West Main Street – Recommendation on Zoning.**

Director of Planning, Building and Technology John Hanson presented the request from Autumnwood Crossing LP, which owns 4.47 acres located behind 1002 West Main Street and has petitioned to annex the property. A 50 unit age restricted apartment facility along with a separate small commercial parcel is being planned on the site.

Properties in Town near this one are zoned General Commercial and Protected Residential. West Main Street is classified as an Arterial road.

For the intended use of the property to be compliant with the zoning requirements the property would need to be annexed with High Density Residential and General Commercial zoning along with a Planned Unit Development Special Overlay.

Commissioner Bartlett made a motion to approve as stated. Commissioner Gibson seconded. There was no further discussion. The motion was unanimously carried.

2. **Approval of a Mixed Use Planned Unit Development Consisting of an Age Restricted Apartment Complex and an Additional Commercial Parcel** – *Approval of the Site Plan Pending Final Annexation of the Property with the Appropriate Zoning Classification.*

Director of Planning, Building and Technology John Hanson presented the request from Autumnwood Crossing, LP which is requesting site plan approval for a Planned Development consisting of a 50 unit age restricted apartment complex and a small commercial parcel to be located behind the Taco Bell at 1002 West Main Street. The entire development will encompass 4.47 acres with the apartment complex using the bulk of the property. The primary reason for the Planned Development request is because the buffer and setbacks proposed on the apartment complex do not meet the traditional zoning requirements.

A staff review of the project yielded concerns about access to the site and other related traffic impacts as well as questions about how this project could impact the master planning of the larger parcel adjacent to it that is not being annexed at this time.

Kevin Connelly of Connelly Builders and Development on Old Chapin Road in Lexington introduced himself and stated they are building in four states; North Carolina, South Carolina, Georgia and Virginia. He began a presentation and said they are proposing a 50 unit age restricted facility for ages 55 and older that is similar to the property they developed last year off of Northwood Road. He stated the Willowbrook subdivision would be to the back, the Kmart shopping center to the right and Taco Bell in the front. The semi-urban plan is to have a mix between commercial elements and residential elements. Mr. Connelly added the building would be a secure facility with pass codes and key cards for entry. Laundry facilities, meeting space, exercise room and libraries are included. He noted the benefit would be the addition of 50 new homes in a walkable community. Mr. Connelly continued that they worked to make sure they met or exceeded the parameters of the Comprehensive Plan. He said this type of development is not a heavy traffic generator and they felt a full traffic study was not warranted. A copy of the report from Short Engineering and Consulting was distributed to Commission member. Mr. Connelly said Mr. Short and Randy Edwards discussed what measures could be taken to mitigate any increased traffic. They discussed widening or improving the intersection which would be the main course of entry and exit at the Taco Bell. Mr. Connelly commented that presently traffic slows almost to a stop due to

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a deep gutter and sharp turning radius so they would pay for those improvements to widen that radius and shallow that intersection to keep traffic from coming to a standstill.

Mr. Connelly said another benefit is an increased tax base with minimal burden which will revitalize the area. He added they have spoken to representatives of the Willowbrook subdivision who have shown support in part because it is proposed to address some of the stormwater issues that may be coming from that side of the property. The commercial neighbors in the shopping center support new residents coming into a walkable community and feel it may be a catalyst to making some improvements. Mr. Connelly said they have allowed for future connectivity with connector roads and sidewalks. He added this is a deed restricted 55 and older community so there would be no negative impact on the school system. A letter of support from the school district was sent to Council and Planning Commission members. He stated they have calculated this to be medium density mixed use. Mr. Connelly distributed copies of letters of support from Lexington County Recreation and Aging Commission, Central Midlands Area Agency on Aging and AARP South Carolina. He added they had no known opposition to the development.

Mr. Connelly stated they have two other properties in the area, Hampton's Crossing in Lexington and Wescott Place in Irmo. They did a voluntary survey of their residents. Responses were 27% currently employed and 73% are not employed, 30% volunteer in the community at churches and schools or other services, 49% of residents are local to the county and some of their former professions were teachers and education employees, accountants and zoo workers.

Mr. Connelly noted that when the facility on Northwood Road was developed some residents expressed concerns. When it was built and they came to the Grand Opening comments were made that it was great with little traffic or noise. He said he knows one of the concerns about this project is traffic. He stated the time of day determines which route he will take when he leaves his office. He doesn't usually turn right and go to the signal because it can be a long wait. He said he turns left and goes out Maxie Road to go behind Walmart and get to that side of town. To get to Town Hall, he will turn right and make a left come in the back way. Mr. Connelly stated the intersection is not the only option, traffic can turn right and go to Gibson or Hendrix. He added there are many places on US378 and Highway 1 that don't have traffic lights. He noted this intersection does have a turn lane so that you can turn left into the median.

Mr. Connelly commented that the proposal is to have a 100 foot buffer and the application makes it sound like the PUD is being done because they are not meeting setbacks. He said they have taken great caution in trying to present that building where it would be pulled closer to the sidewalks leaving a buffer and parking in the back. There is a 100 foot vegetative buffer and screening between this development and the residential area. They plan to build a large retention pond that will take care of half of the undeveloped area and they are reclaiming the temporary retention pond at Taco Bell to put in a stormwater management plan that would be approved by the county.

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Commissioner Gibson recused herself for this item because her property is adjacent to this project.

Chairman Frost thanked Mr. Connelly for attending the Planning Work Session to lay some of the groundwork on this project. He noted that the traffic planning considered the 50 unit development but not the commercial property and asked if there was any idea of the traffic impact from that. Mr. Connelly responded that it was discussed and a 1500 to 1800sft building is proposed which would be light office commercial. He added they don't expect to be a negligible impact. Chairman Frost confirmed it would be Office Commercial and not General Commercial. Mr. Connelly said yes.

Chairman Frost commented there had been mention of connectivity. He noted there was not a likely possibility of getting a traffic signal at the Taco Bell but there was discussion about obtaining access or an easement through the Kmart parking lot behind the barbeque place to get to the stoplight at the Shell station. He said he appreciated the efforts towards the improvements at the intersection at Taco Bell but he felt it would be worthwhile to pursue obtaining that easement working with the adjacent commercial property owners to make sure that access is assured in perpetuity. Chairman Frost stated he did not want to hold the project up and this is only the first step in a process that is not very quick.

Mr. Connelly responded that they have tried to be proactive and look at all the issues. He stated he has had conversations with Baker and Baker with a goal of seeing that area having connectivity. He added that the area needs to be redeveloped and there is a lot of stuff that has been there a long time which needs to be brought up to standards. He said he would appreciate not having an absolute requirement that would potentially kill this deal. He continued that without being asked they are already working with developers to look at ways to improve connectivity.

Chairman Frost stated that they are making a recommendation to Council regarding the Planned Unit Development and any associated conditions would give an opportunity to work as Council moves through their process.

Vice Chairman Berry asked how soon they would have a meeting with the property owners. Mr. Connelly responded very soon, this week or the next. Vice Chairman Berry asked Director Hanson about the timing of a final decision. Mr. Hanson answered that the Planning recommendation will go to Council for First Reading in early September and the Final in the first week of October.

Commissioner Amick asked how lighting would affect the single family homes adjacent to the project and if the detention pond is on their property. Mr. Connelly responded the detention pond is on property owned by someone else with a stormwater easement agreement. He added the lighting is minimized with down lighting and wall packs on the buildings. Vice Chairman Berry asked about screening between the project and the residential property. Mr. Connelly stated they would comply with the Town's

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requirements such as installing an eight foot fence. The area will be planned for a natural appearance with landscaping. Mr. Hanson added the PUD did not address other requirements than the setbacks issue and it would have to meet the lighting, parking and landscape requirements of the Town. Mr. Hanson noted that Mr. Connelly indicated the commercial property would be light office but the plan indicated retail and would need to be adjusted.

Commissioner Fite noted the development narrative described Derrick Street. She asked if there is a named street there. Mr. Connelly responded he believes the GIS referred to it as Derrick Street Extension and they have deeded access to 378/1 by that driveway. Director Edwards stated he was not aware of that being a named street and thought it was a driveway. Administrator Poole commented the 911 system names some things such as driveways for addressing purposes.

Vice Chairman Frank Berry made a motion to approve the Planned Unit Development with the discussed screening, lighting and parking requirements and the zoning of the outparcel Office Commercial. Commissioner Bartlett seconded the motion. Chairman Frost requested the motion be amended to include the access easement to the stoplight requirement. Vice Chairman Berry stated he forgot to include that and agreed to amend his motion. Chairman Bartlett agreed with the amended motion. The vote was unanimous in favor with one recused.

3. **Annexation of Lexington County Tax Map #5300-02-006 Located on Buck Drive**
–Recommendation on Zoning and Road Classification.

Director of Planning, Building and Technology John Hanson presented the request from Barr Lake Associates, LLC which owns 56.7 acres located on Buck Drive and has petitioned to annex the property. This is the remaining property that will constitute Phase Three of the Barr Lake Subdivision which is being planned on this parcel and the adjacent one that was previously annexed.

Properties in Town near this one are zoned Protected Residential 2 (PR2). This parcel does not have any road frontage. Due to the surrounding conditions and the intended use of the property the recommended zoning is PR2 and the recommended classification of the neighborhood streets is RL-4 once they are completed.

Commissioner Bartlett made a motion to approve as recommended. Commissioner Gibson seconded. There was no further discussion. The vote was unanimous in favor with one recused.

4. **Sketch Plan Approval for Barr Lake Subdivision Phase III** – *Consideration of the Site Plan.*

Director of Planning, Building and Technology John Hanson presented the request from Power Engineering who requested site plan approval for Phase Three of the Barr Lake Subdivision located on Wildlife and Barr Roads. Phase Three will add 89.8 acres to the subdivision with 237 additional lots.

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Density: The allowable density of residential developments is determined by the classification of the street that provides access to the property. The Barr Lake subdivision currently is accessed by Wildlife Road. Phase Two included adding an access point from Barr Road that has not been completed yet. Wildlife Road and Barr Road are both classified as Collector roads allowing 8 units per acre. This phase will have approximately 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. Phase three has a minimum lot area of 7849sft. The average lot area is 10,321sft and the maximum lot area is 54,113sft.

Open Space: The Town's Land Development Ordinance requires at least 20% of the project 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 in this phase is 17.7% but when it is combined with the open space provided in the other phases the requirement is met assuming the pond is restored and the amenity area is completed.

Access: Access to the Phase Three is intended to occur through an existing entrance on Wildlife Road and a new entrance from Barr Road. A new decel lane and left turn lane will be installed with the Barr Road access.

Mr. David Parr from Power Engineering introduced himself and offered to answer any questions.

Commissioner Bartlett asked if this phase of development will be like the other phases with the same road widths and setbacks. Mr. Powers confirmed that it is the same. Commissioner Bartlett noted the open space requirement mentioned the restoration of the pond but how do they guarantee when the pond will be restored. Mr. Parr responded the developer is working with Heritage Engineering to get the dam rebuilt. He said they have been working with DHEC for a while to get the parameters. Chairman Frost stated he had hoped a representative with the developer would be present to give an indication of when this would happen. At some point there needs to be some assurance when doing approvals for site plans that required amenities and green space are there.

Mr. James Carter of Barr Lake said he was previously a resident in Hunters Ridge for twenty two years. He said he purchased his lot in Barr Lake seventeen months ago and he has never seen the pond which they promised to restore. He is a small business owner in the Town and he paid a \$30,000 surcharge to be on the pond which is being advertised on the builder's website as a "lake view community" with walking trails, pool clubhouse and green area. He said right now there is no green area. He noted the improvements to the turn lane entrance to the subdivision on Wildlife Road and the delay in building more houses for the safety of the residents. He stated he understands that for the safety of the current residents new construction can be delayed on additional homes until things are compliant. Mr. Carter stated that in the seventeen months he has

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lived there he has received two letters advising him that they are working with an engineering firm but he felt they were not putting forth enough effort and something should have been done. As a resident of Barr Lake he asked the Commission to halt any additional construction for another 237 residents that may be disappointed about amenities and green space.

Chairman Frost asked Mr. Parr if he could address anything about timing of the amenities and the tie in on Barr Road. Mr. Parr stated the plans have been submitted to SCDOT and comments were received and addressed. They are waiting for approval from SCDOT soon. He said he doesn't have any information about the dam, which is being handled by Heritage. Mr. Hanson suggested that the request could be withdrawn until some answers could be obtained. Chairman Frost commented that it was difficult to make a decision without some idea of where this was going. Mr. Parr read the letter from Dan Creed at Heritage Engineering regarding Design Progress for the Restoration of Barr Lake Dam (attached). Chairman Bartlett commented it would take months to obtain permits before they could start construction. Chairman Frost said he had hoped to get some idea of a projected schedule.

Mr. Carter stated the neighbors are not against completing the subdivision but they felt the residents in Phase 1 and Phase 2 need to be taken care of before granting permission to move on to Phase 3. There is a buildup of tension that they don't have the green space as required and they want it done properly. Chairman Frost commented they have some jurisdiction but they may not be able to hold it up for the year or more it may take to complete the dam. He was hoping to obtain answers to questions about a timing plan.

Commissioner Bartlett asked if Wildlife Road was the only entrance and exit. Mr. Carter confirmed that as correct at this point and they were told it was the back entrance. The subdivision was being built from back to front and the Barr Road entrance would be the second entrance. Chairman Frost stated they are getting close to the number of residences that would require completion of the Barr Road entrance.

Commissioner Gibson asked if the item could be withdrawn to allow the developer to come back and answer the numerous questions. Mr. Parr asked if the item required multiple readings. Chairman Frost responded that the site approval would be done in one reading. Mr. Hanson added that the Town can't issue any permits until the property is annexed which wouldn't be for Final Reading until October which would allow some time to get more answers.

Ms. Judy Tiner of 204 Rapala Way introduced herself and said when they bought their lot there were no other homes near them. They moved in last June and were told amenities would be built after the lake was completed. She said she had asked about the green spaces and the pool. She was concerned that she doesn't know when that would happen and about the lack of green space. Ms. Tiner stated traffic is also a problem with the lack of completion of the second entrance and construction vehicles going through the neighborhood where children are playing. She said she was concerned about emergency vehicles and residents being able to get in and out. She reported nearly being

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sideswiped by a dump truck. She asked for a construction vehicle entrance before approval of more construction. Chairman Frost acknowledged the concerns regarding safety and traffic. He agreed that some answers to questions regarding access and amenities are needed and thanked her for her comments.

Commissioner Gibson asked how long can Barr Lake not have green space and at what point does the Town take some action. Chairman Frost commented that is before the Commission this morning in what to do about the next phase when amenities or an outline are not provided regarding Phase 1 and 2. He said they need feedback from the developer.

Mr. Parr stated the developer does intend to make the Barr Road connection as soon as the permits are issued which should be soon. He added the amenity area is planned to be used as a staging area for reconstruction of the new dam.

Chairman Frost asked Mr. Parr if he wanted to proceed to a vote or withdraw and come back with some answers to the questions. Mr. Parr asked if the annexation will move forward and Chairman Frost confirmed that it will go to Council. Mr. Parr stated that he will withdraw the request at this time and bring it back with more information.

Commissioner Amick left the meeting at this time.

5. **Annexation of Lexington County Tax Map#5498-05-003 Located Adjacent to 169 Industrial Drive – Recommendation on Zoning and Road Classification**

Director of Planning, Building and Technology John Hanson presented the request from GCI, LLC, which owns 4.38 acres located adjacent to 169 Industrial Drive and has petitioned to annex the property. A 24,000 square foot warehouse is being planned on the site. Properties in Town near this one are zoned Industrial and Industrial Drive is classified as an Arterial road. Due to the surrounding conditions and the intended use of the property the same zoning and road classification is recommended for this parcel.

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

6. **Annexation of a Portion 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 at 1120 Old Cherokee Road and has petitioned to annex a portion of the property. The portion to be annexed is the balance of parcel A-2 on the attached annexation exhibit that was not already annexed. The Commission recommended annexing a 30 foot strip across this parcel with PR-2 zoning in May. The property is currently undeveloped but a climate controlled self-storage facility is being planned on the site. Properties in Town near this one are zoned Limited Commercial and Protected Residential. Old Cherokee Road is classified as a Collector road.

For the intended use of the property to be compliant with the current zoning ordinance this parcel and the 30 foot strip would need to be zoned General Commercial. Since the majority of the property in this area is zoned Limited Commercial the recommended zoning for this parcel is also Limited Commercial. However, the Commission should also consider recommending a text amendment that would allow this type of facility to be located on property zoned Limited Commercial. The recommended classification of Old Cherokee Road is a Collector.

Vice-Chairman Berry asked if this annexation is parcel A-1. Director Hanson referred to the map in the packet and pointed out the 30 foot strip that is already annexed in the blue outlined parcel.

Vice-Chairman Berry made a motion to approve with the recommendation of Limited Commercial as stated. Commissioner Bartlett seconded. There was no further discussion. The vote was unanimous in favor.

7. Annexation of a Lexington County Tax Map #5498-05-056 Located at in the 100 Block of Industrial Drive: *recommendation on Zoning and Road Classification*

Director of Planning, Building and Technology John Hanson presented the request from Murrah Properties, LLC, which owns 3.3 acres located in the 100 Block of Industrial Drive and has petitioned to annex the property. Carolina Industrial Products is planning to construct a new facility on the site. Properties in Town near this one are zoned General Commercial and Industrial. Industrial Drive is classified as an Arterial road. Due to the surrounding conditions and the intended 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 unanimous in favor.

8. Recommendation to Expand the Downtown Overlay District: *recommendation on Zoning Change*

Director of Planning, Building and Technology John Hanson stated the Downtown Overlay District allows some flexibility in the zoning and landscape requirements for properties that are part of the overlay. The purpose of the overlay is to encourage occupancy of existing buildings and protect the unique character of the area. With the One Way Pair Project about to begin, the Commission may wish to consider a recommendation to expand this district to include the properties along Church Street and North Lake Drive between Main Street and the intersection of Church Street and North Lake.

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

9. **Recommendation to Amend the Zoning Ordinance Allowing Climate Controlled Self Storage Businesses to be Located in Limited Commercial Zones:**
recommendation on Zoning Change

Director of Planning, Building and Technology John Hanson stated mini-storage facilities over 7500 square feet in size are currently allowed only in General Commercial and Industrial zones. A change in the industry has occurred with more construction of self-contained climate controlled facilities and fewer of the “traditional” mini-storage facilities with drive-up accessibility. As a result, the staff is recommending the Commission consider a proposal to create a distinction between these two types of businesses by separating climate controlled facilities from the aforementioned mini-storage warehouse. The proposal would allow climate controlled facilities in a single building that has limited customer access points to be located on property zoned Limited Commercial with Collector road access. The setbacks for this type of business would be ten feet on the front, five feet on the side and rear if the property lines are shared with another business. If the business is adjacent to a residential area, the setback would be 30 feet.

Commissioner Gibson asked if Limited Commercial was required to meet landscaping requirements. Director Hanson confirmed that.

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

REPORT FROM COUNCIL LIAISON OFFICER: Councilmember Maness thanks Commission members for their work and announced the successful Eclipse Fest at the Icehouse Amphitheater with observers filling up Lexington Square and Gibson Pond Park. The Lexington Farmers Market continues on Saturday mornings from 9:00 AM to 12 noon through September 30. The Coffee with a Cop event will be held on Friday August 25 at the Chick Fil A at Saluda Point from 7:30 to 9:30 AM. Town Hall will be closed on Monday September 4 in observance of Labor Day. The Town Council Meeting will be Tuesday September 5 at 6:30 PM. She reminded everyone that school is back in session and watch for the school zones.

Chairman Frost thanked the Commission for several hours of hard work on these items to find the best for the community.

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 9:20AM.

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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.