

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING June 22, 2011

The Planning Commission met in Town Hall at 8:00 a.m. on June 22, 2011 with the following members present: Vice-Chairman Frank Berry, Brian Amick, Mike Anderson, Roscoe Caughman, Edwin Gerace, and Sammy Hendrix.

The following members were absent: Chairman Keith Frost (excused), Commission Member John Bartlett (excused), Commission Member Carl Berry (excused), Council Liaison Richard Thompson (excused).

Others in attendance were Town Administrator Britt Poole, Town Attorney Brad Cunningham, Director of Planning, Building & Technology John Hanson, Engineer Rosemarie Nuzzo, Building Inspector Charly Thomas, Municipal Clerk Becky Hildebrand, and Network Administrator Darrell Pritchard. Four (4) citizens were in attendance. No one was present from the news media.

CALL TO ORDER & INVOCATION: Vice-Chairman Berry called the meeting to order; led in the Pledge of Allegiance; and, gave the invocation. He confirmed that there were no Additions/Deletions to the agenda; no Presentations; and, no Old Business.

MINUTES: Minutes from May 18, 2011 to be presented at the next Planning Commission meeting.

NEW BUSINESS:

1. **108 Thunder Road – TMS #5423-03-006: (Recommendation regarding rezoning and road classification.)** The Mets family owns .83 acres located at 108 Thunder Road and petitioned for annexation. A private residential mobile home is located on the site. Properties adjacent to this area are zoned High Density Residential (HDR) and Protected Residential (PR). Due to the condition of Thunder Road and the residential use currently on the property, the requested zoning district for this parcel is Protected Residential (PR). The recommended road classification for Thunder Road is Limited Local (LL).

Vice-Chairman Berry called for questions and/or discussion. A motion was made by Commissioner Gerace and seconded by Commissioner Anderson to recommend Council approval of TMS #5423-03-006 (108 Thunder Road) a zoning district of Protected Residential (PR) and road classification of Limited Local (LL). The motion was unanimously carried by all those present.

2. **Park Place Court: (Recommendation regarding road classification.)** Recent disagreements about the size of medical facilities allowed in the Park Place area have

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highlighted the fact that the classification of this road may need to be reconsidered. The road intersects with Park Place Trail near the intersection of Park Place Trail and Sunset Boulevard. The area is primarily being developed as an office complex with a few medical facilities already being planned on the site. Planning Commission members were provided an aerial photograph of the site. (Copy attached.) Park Place Court is currently classified as a local road. Local roads are defined in the Zoning Ordinance as: a street that is used or intended to be used to provide access to other streets from individual properties. Medical facilities located on local roads are limited to a maximum 5,000 square feet. Collector roads are defined in the Zoning Ordinance as: a street that is used or intended to be used for moving traffic from minor streets to major thoroughfares, including the principal entrance and sometimes the circulation street or streets of a development. Reclassifying this road to a collector road would eliminate the size restriction for medical facilities in this area. However, the size of these facilities would still be regulated by the size of the lots already platted on Park Place Court. Due to the proximity of Park Place Court to Sunset Boulevard and the commercial nature of the development in the area, the Planning Commission may wish to consider recommending that this road be reclassified as a collector road.

Vice-Chairman Berry called for questions and/or discussion. He also confirmed with Mr. Hanson that the property is near Monkey Joe's; that the request is for Park Place Court only; and, that Park Place Trail turns into residential further out than was shown in the photograph. Mr. Poole stated that Darby Ambrose Road may be a collector road, but it is not completely in Town and the properties that face Highway 378 are in Town.

A motion was made by Commissioner Gerace and seconded by Commissioner Hendrix to recommend to Council to approve reclassification of Park Place Court as a collector road as requested. Commissioner Caughman wished to confirm that they were only reviewing a road classification, not rezoning as stated in error under "Action Requested". The original motion was modified by Commissioner Gerace and seconded by Commissioner Hendrix to restate the motion to define that only the road classification was being reclassified as a collector road on Park Place Court. The modified motion was unanimously carried by all those present.

- 3. U.S. Highway 1 and Dooley Road Commercial Development: (Consideration of site plan.)** The Town received a request to approve a new commercial site located at the intersection of Dooley Road and U.S. Highway 1. The property owner requested that two parcels be subdivided from a much larger tract. One of the parcels is planned to be a Murphy USA gasoline station. The other parcel is expected to be a restaurant site. Copies of the entire site are included in your packet along with a site plan for the gasoline station. The property is zoned General Commercial (GC) with the Commercial Corridors and Preservation Corridors Special Overlay Districts. The gasoline station appears to meet all zoning requirements, but the project will still

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need to meet Architectural and Appearance Standards. The developer would be required to install sidewalks along all road frontages on the portion of the site to be developed or pay a fee in lieu of installing the sidewalks.

Mr. Hanson confirmed that the Planning Commission was being asked to consider approval of the site plan for the gas station only and approval of the subdivision and curb cut between the two properties. He added that the gas station had been reviewed and meets the Town's zoning requirements. Vice-Chairman Berry called on anyone present wishing to speak regarding the site plan.

Mr. David Curry, with the development team, stated that there are also representatives present from Murphy Oil and Bojangle's. He stated that the developers own a 70 acre tract, but the gas station is the only thing they are currently working on. He confirmed that the gas station would be located on the corner property as shown in the conceptual site plan. (Copy attached.) Mr. Curry confirmed that the two properties in question are approximately three acres.

Vice-Chairman Berry called for questions and/or discussion. He stated that in regard to the SCDOT Traffic Study, the drawing that was submitted to the Planning Commission does not show the full service entrance lining up with property across the street (exterminating company) and for the Commission to approve an item, the drawing needs to show the correct information. Mr. Poole advised Vice-Chairman Berry that the Commission could require that as a condition of their approval. Mr. Curry stated that SCDOT's letter of June 14, 2011 listed the drive ways lining up as a condition. (Copy of letter attached.)

Commissioner Hendrix referred to SCDOT's letter from Mr. John Walsh dated April 5, 2011. (Copy attached.) He asked if the correction had been made concerning the minimum driveway throat length of 50 feet, which would not be met as proposed with a 40 foot access. Mr. Curry confirmed that the correction had been made on the new encroachment. Commissioner Hendrix also confirmed with Mr. Curry the property had access from the back to the Dooley Road side which is adjacent to the railroad tracks and could be used for future development. Mr. Curry added that there is approximately 700 feet of frontage next to the railroad tracks which comes forward toward the Oswalt property. Mr. Curry stated that there is no access on the Highway 1 side because of a thin track of land in front of his property that blocks it from Highway 1.

Commissioner Amick wished to clarify that the Planning Commission was only considering the single shared access located between the two properties (Murphy Oil/gas station and Bojangle's) and not the single Murphy Oil entrance as indicated on Sheet #C-1Site Plan. Mr. Hanson confirmed that a second entrance was shown on site plan CSP 11, but they are only considering the single shared access/driveway to be located between the two businesses. Vice-Chairman Berry stated that if the Planning Commission granted the full service shared access, the other single access to the gas

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station would probably be granted as a right-in, right-out only. Mr. Poole stated that SCDOT requires that before any further development or curb cuts are granted, the property owner must obtain a traffic impact study for the entire site. Mr. Poole added that it is his understanding that the developer would have to comply with the recommendations of SCDOT and SCDOT could make different requirements depending on the type of business that is proposed. Mr. Poole advised the Planning Commission that it was within their right to make SCDOT's requirements part of their recommendation as a condition. The Bojangle's representative confirmed for Vice-Chairman Berry that they were well aware of the SCDOT requirements as stated by Mr. Poole.

Commissioner Caughman confirmed with Mr. Hanson that the traffic study was already completed for Murphy Oil and Bojangle's and had to be done in order to get approval from SCDOT. He asked if the storm water management pond was large enough for both businesses. Mr. Curry responded that the storm water pond was designed for both businesses. He added that utilities had also been planned to serve both businesses in a joint effort.

Vice-Chairman Berry called for a motion. Commissioner Hendrix wished to confirm the stipulations that were previously mentioned in order to make them part of the motion. Mr. Poole noted the stipulations as (1) the curb cut must line up with the exterminating company across the road on Highway 1; and, (2) that a traffic impact study must be done prior to additional development of the two parcels. Vice-Chairman Berry noted the third stipulation as (3) the access east of Bojangle's would be right-in right-out only for future development, but could get a full service curb cut further down the property. Mr. Poole stated that the developer was only asking for one curb cut at this time.

Mr. Walter Monteith, NAI Avant and representing Bojangle's in the area, stated that it was his understanding that Bojangle's received approval last Friday from SCDOT for right-in right-out on the eastern side and was accepted by Bojangle's. Mr. Hanson stated that he was unaware of SCDOT's approval. Mr. Poole asked for a copy of the encroachment permit and advised the Planning Commission that they could stipulate approval as right-in right-out as long as it concurs with SCDOT's permit. Vice-Chairman Berry stated that there were so many traffic issues on Highway 378 that they did not want to compound it on Highway 1 in that this Commission had worked very hard with interconnectivity between parcels. Commissioner Caughman confirmed with Mr. Monteith that the driveway lines up properly with Four Oaks Farms' entrance. Mr. Monteith stated that he had a reduced handwritten site plan that shows the driveway lined up with the exterminator company. (Copy not provided.) Commissioner Anderson confirmed with Mr. Monteith that if their driveway lined up the exterminating company and Four Oaks Farms there would be enough room.

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Mr. Monteith added that SCDOT had told them it would be enough room. Commissioner Hendrix wished to confirm that SCDOT had approved two curb cuts and they appropriately lined up with the two drive ways located across Highway 1 so he could make it part of the stipulation. Mr. Monteith could not confirm that the second curb cut lined up with Four Oaks Farms, but the first driveway lines up with the exterminating company all of which he understood was approved by SCDOT. Mr. Poole stated that he doubted that the second driveway lined up with Four Oaks Farms because you could not get the property distance. He added that SCDOT would probably not look to line them up since a right-in right-out entrance would not affect the driveway on the other side of the road.

A motion was made by Commissioner Hendrix and seconded by Commissioner Gerace to approve the Highway 1 and Dooley Road Commercial Development Site Plan with the following stipulations:

- (1) The full service entrance must line up with the exterminating company located across Highway 1.
- (2) Any further curb cuts will require a Traffic Impact Study.
- (3) SCDOT's approval must be received for the right-in right-out entrance located east of Bojangle's. (Per Mr. Monteith, approval has been received.)

Commissioner Caughman confirmed that the 50 foot minimum driveway throat length had been corrected as requested by SCDOT and did not need to be addressed as a stipulation. The motion was unanimously carried by all those present.

OTHER BUSINESS (INFORMATION ONLY):

Town Administrator Poole encouraged everyone to come out to the Town's Farmers Market which is held from 8:00 to 12:00 on Main Street the second and third Saturdays of the month until October. He added that he has attended several of the markets and there has been a great turnout from citizens and vendors.

Commissioner Hendrix asked if some of the entrances on Highway 378 and a few others could have the "X" painted on the road for "Do Not Block Intersection". He described Caughman Road which runs into Columbia Avenue and the public uses it as a through street in order to avoid the school zone. Mr. Poole stated that generally SCDOT has to approve those requests and they have been very helpful. He stated that the Town has had several painted at Harmon Street and Highway 378 as well the intersection of Azalea Street and Highway 6. He added that it has been his experience that the SCDOT rule is when you have a non-signalized street that runs into one of their roads that traffic backs up from a signalized intersection, they will general paint the "X". Mr. Poole asked Commissioner

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Hendrix if he had a list of intersections that he would be glad to take it to the Traffic Committee or to SCDOT.

ADJOURNMENT: There being no further business to come before the Planning Commission, Commissioner Hendrix made a motion to adjourn. The motion was seconded by Commissioner Gerace and unanimously carried by all those present.

The Planning Commission meeting adjourned at 8:30 a.m.

Respectfully Submitted,

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Frank Berry
Vice-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.