

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING NOVEMBER 23, 2011

The Planning Commission met in the Town Hall at 8:00 a.m. with the following members present: Vice-Chairman Frank Berry, Brian Amick, Roscoe Caughman, Jamie Fite, Edwin Gerace and Lisa Gibson. The following members were absent: Chairman Keith Frost, John Bartlett and Sammy Hendrix (all excused). Carl Berry had recently turned in his resignation from the Planning Commission.

Others in attendance were Council Liaison Richard Thompson, Town Administrator Britt Poole, Town Attorney Brad Cunningham, Director of Planning, Building & Technology John Hanson, Director of Parks, Streets & Sanitation Dan Walker, Engineer Rosemarie Nuzzo, Building Inspector Charly Thomas, Assistant Municipal Clerk Beverly Moore, and Network Administrator Darrell Pritchard. Five citizens were in attendance. No one was present from the news media.

CALL TO ORDER & INVOCATION: Vice-Chairman Frank Berry called the meeting to order, led in the Pledge of Allegiance and gave the invocation.

MINUTES: Commissioner Gerace made a motion to approve the October 19, 2011 Planning Commission minutes and was seconded by Commissioner Caughman. The minutes were unanimously approved as submitted.

NEW BUSINESS:

1. **Review & Approval of Proposed Site Plan for 125 & 127 Old Chapin Road:** Connelly Builders has submitted a site plan for a commercial development at 125 and 127 Old Chapin Road, The plan is for an office building and storage building as well as a speculative commercial building to be built in a future phase.

Except for not including sidewalks along all road frontages and including driveway access onto Snellgrove Road, the site plan appears to meet all other zoning requirements. The Commission should discuss these two items with the developer and consider requiring some alterations to the plan before granting site plan approval. The developer is asking for approval of the site plan pending final approval to rezone the property to Limited Commercial (LC).

Mr. Kevin Connelly was present to answer any questions. The Planning Commission addressed two issues that needed to be resolved. Mr. Connelly assured the Commissioners that the curb cut on Snellgrove Road would be protected by a gate and would be for emergency use only. Vice-Chairman Berry stated that sidewalks along the property were required. Mr. Connelly acknowledged that he was unaware of the requirement. He felt that the 700 feet of frontage was too narrow and that there would be drainage issues. The Town Administrator explained that if sidewalks could fit the site, it was required to have them. If not, the developer would need to pay into the sidewalk fund. Mr. Connelly agreed that paying into the fund was the better solution.

Commissioner Gerace made a motion to approve the site plan for 125 and 127 Old Chapin Road with the stipulation of a controlled gate on Snellgrove Road. Commissioner Gerace amended his motion to include Council approval of pending rezoning and was seconded by Commissioner Amick. The amended motion was unanimously carried.

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- 2. Recommendation on Zoning for Annexation of 211 Swartz Road:** CJG Development, LLC owns .32 acres located at 211 Swartz Road and is petitioning for annexation of the property. The property is currently being used as residential although there are a variety of land uses in the area and adjacent properties are zoned Industrial (IND). The property owner has requested Industrial zoning for the property. Swartz Road is already classified as a local road in front of this property and there doesn't appear to be any need to revisit this classification. Due to the surrounding conditions and the property owner's request, the recommended zoning for this parcel is Industrial (IND).

Commissioner Gerace made a motion recommending Council approval to rezone 211 Swartz Road as Industrial and was seconded by Commissioner Gibson. The motion was unanimously

- 3. Recommendation on Zoning & Road Classification of 121 Riverchase Way for Annexation:** Lexington County owns 1.43 acres located at 121 Riverchase Way and is petitioning for annexation of the property. The property is contiguous to public right of way within the corporate limits of the Town. A County Fire Department is located on the property and adjacent properties are either commercial or undeveloped.

Due to the surrounding conditions and the property's proximity to Interstate 20, the requested zoning for this parcel is General Commercial (GC) and Riverchase Way is requested to be a collector road.

A motion was made by Commissioner Gerace recommending Council approval to annex 121 Riverchase Way with a zoning of General Commercial and classification of Riverchase Way as a Collector Road. Commissioner Caughman seconded the motion and it was unanimously carried.

- 4. Request for Final Plat Approval of Settlers Point Phase One & Two:** Mr. Darren Holcombe of Cox and Dinkins Engineers has requested final plat approval of the Settlers Point subdivision on behalf of KB Homes. Under the Land Development ordinance, final plat approval may be granted either by the Zoning Administrator or the Planning Commission. The Planning Commission is being asked to review this particular request due to an issue involving one specific requirement in the Land Development ordinance. To obtain final plat approval, the Land Development ordinance requires that a plat be accompanied by the following certification signed by an engineer licensed in South Carolina:

I hereby certify that the streets, drainage system, sewer system, and water system in Subdivision as shown on the Record Drawings dated _____ prepared by _____ have been installed in accordance with the Preliminary Plat and Construction Plans approved by the Town of Lexington's Authorized Approving Authority on _____.

KB Homes is unable to provide the required certification and has offered to submit an alternate certification which says:

I hereby certify that to the best of my knowledge, information and belief the roads and storm drainage systems in Settlers Point Subdivision as shown on Plat dated 8-11-11, prepared by Cox and Dinkins, Inc. have been installed essentially in accordance with the Preliminary Plat (construction drawings) approved by Town of Lexington.

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While it appears that KB Homes may have met the majority of the requirements needed to obtain final plat approval, there are concerns about the company's inability to provide the required engineer's certification with the final plat. Altering the certification to meet this particular project's requirements could create a precedent that may negatively impact the quality of future projects in Town.

Mr. Darren Holcombe was present to answer any questions. Mr. Holcombe explained that his engineering company was not original to the project; the previous company having quit before the project was finished. All roads and storm water drainage systems have since been brought into compliance with Town requirements.

It was the consensus of the Planning Commission, however, that the developer must be held accountable and the proper certification be required because any alternative would set a precedent for future development. Commissioner Caughman made a motion to deny final plat approval of Settlers Point Phase One and Phase Two. Commissioner Amick seconded the motion and it was unanimously carried.

OTHER BUSINESS: INFORMATION ONLY

Vice-Chairman Berry thanked Councilmember Thompson for representing Council as Council Liaison for the Planning Commission. Mr. Thompson stated that he had enjoyed being Liaison and by doing so, he had learned of the dedication and cohesiveness of the Planning Commission members. He also appreciated the hard work and thoroughness of Staff. Councilmember Thompson reminded everyone of the upcoming Town celebrations in December.

The Town Administrator welcomed the two new Planning Commission members; Ms. Jamie Fite and Ms. Lisa Gibson.

ADJOURNMENT: There being no further business to come before the Planning Commission, Commissioner Amick made a motion to adjourn and was seconded by Commissioner Gerace. The motion was unanimously carried and the meeting adjourned at 8:40 a.m.

Respectfully Submitted,

Beverly Moore
Assistant Town Clerk

APPROVED:

Frank Berry
Vice-Chairman