

MINUTES
Town of Lexington

PLANNING COMMISSION MEETING

October 17, 2012

The Town of Lexington's Planning Commission held a meeting on October 17, 2012 at 8:00 a.m. 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 and Commissioners John Bartlett, Roscoe Caughman, Jamie Fite, Edwin Gerace, and Sammy Hendrix. Commissioners Brian Amick and Lisa Gibson were absent (excused).

Others in attendance were: Council Liaison Kathy Maness, Town Administrator Britt Poole, Municipal Attorney Brad Cunningham, Director of Planning, Building and Technology John Hanson, Director of Parks, Streets and Sanitation Dan Walker, Network Administrator Darrell Pritchard and Assistant Municipal Clerk Beverly Moore.

There were approximately six (6) citizens present and no one from news media was present.

INVOCATION AND CALL TO ORDER: Vice-Chair Berry gave the invocation. Chairman Frost led in the Pledge of Allegiance and called the meeting to order at 8:05 a.m. He welcomed everyone to the meeting and introduced the Commissioners and Staff. He stated that the meeting was broadcast live on the Town's Time Warner Channel 2 and would be replayed several times during the week.

APPROVAL OF MINUTES

A motion was made by Vice-Chair Berry and seconded by Commissioner Gerace to approve the Planning Commission Minutes from September 19, 2012 as submitted. The motion to approve the Minutes was unanimously carried by all those present.

OLD BUSINESS

1. **147 Hamilton Street (Reconsideration of a recommendation on Rezoning and Road Classification):** Town Council requested the Planning Commission reconsider a request to rezone a property located at 147 Hamilton Street from Protected Residential (PR) to Office Commercial (OC). Since the parcel is currently zoned Protected Residential, it may be used only for residential uses or for other uses that are inherently compatible with a residential setting. If the property is rezoned to Office Commercial, it could be used for many commercial uses associated with this zoning classification, provided that the intended use could meet all associated land development requirements such as buffering, landscaping and parking. The property is bordered by Hamilton Street and Cherokee Trail. Both roads are classified as Local Roads.

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Chair Frost stated that the Planning Commission discussed the item at their September 19, 2012 meeting and the minutes that were just approved contain a lot of the discussion from neighbor property owners. He stated that it would not be necessary to rehash all the previous comments since they are part of the record. He called on any other citizens that were present for comments.

Mr. Brian Thornton, 129 Kleckley Lane, and owner of 147 Hamilton Street, apologized for not being able to attend the Planning Commission meeting in September. He stated that they had been renting 147 Hamilton Street for approximately ten years. They had several businesses inquire about renting the property including the dance studio. He then inquired with Mr. Hanson on how to rezone the property to Limited Commercial, but he did not realize it was so much, but he would be willing to go to a lesser commercial zone. Mr. Thornton distributed a zoning map of the property with an “x” on his property. (Copy attached.) He stated that the funeral home is located behind the property and Dr. Hines office is across the street. Mr. Thornton added that the adjacent property owner, Ms. Claudia Lee, had stated that she was not opposed to rezoning the property and her property is listed with Lexington County as “legal residence in a commercial zoned area”. He inquired with the Assessor and was told that Ms. Lee could be zoned commercial if she decided to change it. He stated that Ms. Patty Wingard’s property is also listed as “legal residence in a commercial zoned area”. Mr. Thornton gave Chair Frost copies of the Lexington County property listings. He added that Hamilton Street is a cut-through street from Highway 6 and another office facility would not increase traffic further. He stated that out of the seventeen people that presented a Petition against rezoning at the last Planning Commission meeting, only 2 live in the Town of Lexington. He added that most of the properties on Hamilton Street are located in the County, but his property and two others are in Town. He stated that the County is going to allow the other properties, including Ms. Wingard’s, to go commercial. He requested that the property be rezoned.

Chair Frost called for questions from the Commissioners. Vice-Chair Berry confirmed that the structure is 2400 square feet. Mr. Thornton added that the property was previously Mr. Cooper’s, an attorney in Lexington. Chair Frost stated that the Commissioners packages included a list of “Uses Allowed in Each District” for their review. Chair Frost called on any other citizens that wished to speak if they had not previously had the opportunity to talk regarding the rezoning of 147 Hamilton Street or wished to make additional comments. Chair Frost restated that the Planning Commission discussed the item at their September 19, 2012 and those Minutes would be made a part of the record.

Mr. Roger Caldwell, 221 Cherokee Trail, stated that his property is not in the Town limits, but he is close enough that the rezoning request would impact him since he is two houses from the property. He stated that he thought this was a “done deal” at the last meeting and he was back taking time out of his schedule to discuss it again. He added that one property burned and are now rebuilding and another property is overgrown. Mr. Caldwell stated that in the current economy many businesses start and shortly close. He believed rezoning the property would increase traffic in the area and further encroaching into the residential area. He added that he is 65 years old and does not have any intentions of moving at this point in his life and does not want any more commercial property in the neighborhood.

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Mr. Robert Murphy, 303 Cherokee Trail, stated that his property is not located in the Town limits, but rezoning would affect his property. He added that the seventeen people that signed the Petition against the rezoning should make a difference for the Commissioners' decision whether they are in Town or not. He stated that a commercial office would bring more traffic to the area than a residential owner who may have two or three cars at the property. He was concerned with the protection for the neighborhood if one property is rezoned commercial, then others would soon follow. He asked the Commissioners to not rezone the property because it is a 40 year old neighborhood and they would like to keep it residential.

Mr. Brian Thornton requested to address the Commissioners again. He stated that it is just a matter of time for the area to become commercial because the Town is stretching out. He added that Mr. Murphy stated that he wants to keep it residential, yet Mr. Murphy went up to Reed Street in 2001 and built his business in a residential area which only has a few cars at the business. He added that is all he wants is something small on Hamilton Street which he hoped would help the Town by bringing in a few jobs.

Chair Frost stated that he understands the sense of community that he has heard during the meeting. He added that this Commission deals with properties that are within the Town, yet they cannot be oblivious to those properties on the periphery because at some point they may be in the Town. He stated that they have worked very hard to build those relationships with the County so that either's actions do not adversely impact the other. He stated that the residents deserve their consideration. Chair Frost called for a motion.

A motion was made by Commissioner Caughman and seconded by Commissioner Fite to deny the request to rezone 147 Hamilton Street. The motion to deny was unanimously carried by all those present.

NEW BUSINESS ITEMS: None.

COMMENTS

Vice-Chair Berry stated that the Traffic Committee would meet again next week and he would provide an update after their meeting.

Councilmember Maness thanked the Commissioners for all their hard work and she commended them for almost a perfect attendance at the annual Boards and Commissions oyster roast. She reminded everyone that there are two more weeks of the Town's Farmers Market and she hoped everyone would come out and enjoy the market. She announced that Oktoberfest would be held on October 27th and the Veteran's Day Parade would be on November 4th.

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ADJOURNMENT: There being no further comments or questions, a motion was made by Commissioner Hendrix and seconded by Commissioner Gerace to adjourn Planning Commission meeting. The motion was unanimously carried by all those present.

The Planning Commission Meeting was adjourned at 8:46 a.m.

Chairman Frost thanked everyone for attending the Planning Commission meeting and stated that it would be replayed on the Town's Channel 2 several times during the week.

Respectfully submitted,

Becky P. Hildebrand, CMC
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.