

**MINUTES**  
***Town of Lexington***  
**PLANNING COMMISSION MEETING**  
November 20, 2013

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The Town of Lexington's Planning Commission held a meeting on November 20, 2013 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 Lisa Gibson. Commissioner Brian Amick was absent (excused).

Others in attendance were: Town Councilmember Kathy Maness, Town Administrator Britt Poole, Municipal Attorney Brad Cunningham, Director of Planning, Building and Technology John Hanson, Chief Building Inspector Charly Thomas, Director of Parks, Streets and Sanitation Dan Walker, Network Administrator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner.

No citizens were in attendance. No one was present from the news media

**INVOCATION AND CALL TO ORDER:** Chairman Frost introduced himself and welcomed everyone to the Planning Commission meeting. 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 Berry gave the invocation. Chairman Frost led in the Pledge of Allegiance and called the meeting to order at 8:02 a.m.

**APPROVAL OF MINUTES**

A motion was made by Vice Chairman Berry and seconded by Commissioner Gerace to approve the Planning Commission Minutes from October 23, 2013 as submitted. The vote on the motion to approve the Minutes was unanimous in favor.

**OLD BUSINESS:** None

**NEW BUSINESS ITEMS:**

**1. Annexation of 468 Old Cherokee Road, Lexington County Tax Map # 4300-05-019:**  
*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from the RBAD, LLC who owns 1 acre at 468 Old Cherokee Road and has petitioned for annexation. A small office building is located on the property. Properties in Town near this property are zoned Limited Commercial (LC) and Protected Residential (PR). Old Cherokee Road is classified as a Collector Road.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is Limited Commercial (LC) and the recommended classification for Old Cherokee Road is Collector.

Vice Chairman Berry made a motion to approve the annexation with the requested zoning and road classification. Commissioner Bartlett seconded the motion. There was no further discussion. The vote was unanimous in favor.

**2. Annexation of 158 Industrial Drive, Lexington County Tax Map # 5496-04-003:**

*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from the Southern Equipment Company who owns 2.81 acres at 158 Industrial Drive and has petitioned for annexation. A cement plant is located on the property. Properties in Town near this property are zoned Industrial (IND) and Industrial Drive is classified as Arterial Road.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is Industrial (IND) and the recommended classification for Industrial Drive is Arterial.

Commissioner Gibson made a motion to approve the annexation with the requested zoning and road classification. Commissioner Fite seconded the motion. There was no further discussion. The vote was unanimous in favor.

**3. Annexation of 116 Brickyard Road, Lexington County Tax Map # 5596-01-041:**

*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from the Wilson Trucking Company who owns 2.67 acres at 116 Brickyard Road and has petitioned for annexation. A trucking terminal is located on the property. Properties in Town near this property are zoned General Commercial (GC) and Brickyard Road has not been classified.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is Industrial (IND) and the recommended classification for Brickyard Road is Collector.

Chairman Frost commented that there was discussion regarding any other possible zoning classification on the parcel due to the proximity to US1 but the use as a trucking terminal required a classification of Industrial.

Vice Chairman Berry made a motion to approve the annexation with the requested zoning and road classification. Commissioner Gibson seconded the motion. There was no further discussion. The vote was unanimous in favor.

**4. Annexation of 5041 Augusta Road, Lexington County Tax Map # 5596-01-037:**

*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Boral Bricks who owns a parcel at 5041 Augusta Road and has petitioned for annexation. A sales office is located on the property. Properties in Town near this property are zoned General Commercial (GC). Augusta Road is classified as an Arterial Road and Brickyard Road has not been classified.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is General Commercial (GC). The recommended classification for Augusta Road is Arterial and the recommended classification for Brickyard Road is Collector Road.

Vice Chairman Berry made a motion to approve the annexation with the requested zoning and road classification. Commissioner Gerace seconded the motion. There was no further discussion. The vote was unanimous in favor.

**5. Annexation of 5045 Augusta Road, Lexington County Tax Map # 5596-01-051:**  
*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Waffle House who owns 1.89 acres at 5045 Augusta Road and has petitioned for annexation. A restaurant is located on the property. Properties in Town near this property are zoned General Commercial (GC) and Augusta Road is classified as an Arterial Road.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is General Commercial (GC). The recommended classification for Augusta Road is Arterial.

Commissioner Gerace made a motion to approve the annexation with the requested zoning and road classification. Vice Chairman Berry seconded the motion. There was no further discussion. The vote was unanimous in favor.

**6. Annexation of 285 Cedarcrest Drive, Lexington County Tax Map # 5497-03-019:**  
*recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Insight Educational Treatment Services, Inc. who owns 1.54 acres at 285 Cedarcrest Drive and has petitioned for annexation. A behavioral treatment service is located on the property. Properties in Town near this property are zoned Protected Residential (PR) and Cedarcrest Drive is classified as a Collector Road.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is Office Commercial (OC). The recommended classification for Cedarcrest Drive is Collector.

Commissioner Gibson made a motion to approve the annexation with the requested zoning and road classification. Commissioner Bartlett seconded the motion. There was no further discussion. The vote was unanimous in favor.

**7. Annexation of Lexington County Tax Map # 004496-02-028 Near the 2600 Block of Mineral Springs Road:** *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Esther S. Walker who owns 23.4 acres located near the 2600 block of Mineral Springs Road and has petitioned for annexation. A few private residences are located on the property. Properties in Town near this property are zoned Protected Residential (PR) and General Commercial (GC). Mineral Springs Road is classified as a Collector Road.

Due to the surrounding conditions and the use of the property, the requested zoning for the parcel is Protected Residential (PR). The recommended classification for Mineral Springs Road is Collector.

Commissioner Bartlett made a motion to approve the annexation with the requested zoning and road classification. Vice Chairman Berry seconded the motion. There was no further discussion. The vote was unanimous in favor.

**8. Amendment Restricting the Location Items Defined in the Town's Drug Paraphernalia Ordinance Can Be Sold:** *consideration of new zoning ordinance*

Director of Planning, Building and Technology John Hanson stated recent concerns about the location of establishments that sell drug and tobacco paraphernalia led to Town Council requesting the Planning Commission consider recommending new restrictions on the location of these establishments.

After significant discussion it has been proposed that these establishments be defined as follows:

Drug and Tobacco Paraphernalia Establishment means any premises where drug and tobacco paraphernalia is displayed for sale, offered for sale, or sold, and which devotes more than a two foot by four foot (two feet in depth maximum) section of shelf space for drug and tobacco paraphernalia. Items included under this definition are defined by Section 133.08 of the Town Code.

The proposal also includes a requirement that the Zoning Ordinance be amended to require these establishments be located only in Industrial zoned districts at least five hundred feet from a church, school, residence, park or other Drug and Tobacco Paraphernalia Establishment.

Mr. Hanson noted that this amendment is not authorizing the sale of any items that are otherwise illegal under Town or State statute.

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

**9. Establishment of a Community Revitalization Development Plan:**

Chairman Frost told the Commission members that he had spoken to Council at the meeting on Monday night regarding the Community Revitalization Development content in the recently revised Comprehensive Plan that is under Council consideration. He stated this item will be deleted from the Planning Commission agenda until if and when the Council feels additional needs must be considered.

**COMMENTS**

Commissioner Gibson reported that the Traffic Committee met yesterday and the Phase I project was progressing well. Commissioner Gibson added that another Traffic Committee meeting is planned this week to discuss proposed projects for the Penny Sales Tax Capital Projects Commission.

Councilmember Kathy Maness thanked the Commission members for their work. She wanted to remind everyone about the many upcoming events. On Thursday, December 5 there will be a Movie in the Square beginning at 6:00 pm to start the Snowball Festival. Friday, December 6 will be the Concert and Carnival in the Square beginning at 6:30 pm with the lighting of the Christmas Tree at 8:30 pm. Saturday, December 7 has the 5k and 10k Races starting at 8 am with the Snow Ball Dance that evening at 7:00 pm. On Sunday, December 8 the Christmas Parade will be on Main Street starting at 3:30 pm. On Monday, December 9, a reception will be held at the Conference Center with a swearing in ceremony at 6:30 for the Mayor and Council Members.

Chairman Frost commented that the Planning Commission will not meet in December and he wished everyone a good holiday.

**ADJOURNMENT:** There being no further comments or questions, a motion was made by Commissioner Gibson and seconded by Vice Chairman Berry to adjourn the Planning Commission meeting. The vote on the motion was unanimous in favor. The Planning Commission meeting was adjourned at 8:21 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,

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.*