

MINUTES
Town of Lexington
PLANNING COMMISSION MEETING
July 10, 2013

The Town of Lexington's Planning Commission held a meeting on July 10, 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, Lisa Gibson and Sammy Hendrix. Commissioners Brain Amick and Edwin Gerace were absent (excused).

Others in attendance were: Town Councilmember Kathy Maness, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Director of Planning, Building and Technology John Hanson, Chief Building Inspector Charly Thomas, Network Administrator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner.

Three 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 Gibson gave the invocation. Chairman Frost led in the Pledge of Allegiance and called the meeting to order at 8:06 a.m.

APPROVAL OF MINUTES

A motion was made by Vice-Chairman Berry and seconded by Commissioner Gibson to approve the Planning Commission Minutes from June 19, 2013 as submitted. The vote on the motion to approve the Minutes was unanimous in favor by those present.

OLD BUSINESS: None

NEW BUSINESS ITEMS:

1. An Ordinance Annexing Lexington County Tax Map #3500-04-068: *Recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Stivers Realty, LLC, who petitioned for annexation of their 4.98 acres across from Northside Baptist Church on Sunset Boulevard. The property is currently undeveloped. Properties in Town near this property are zoned General Commercial (GC) and Sunset Boulevard is classified as an Arterial Road. Due to the surrounding conditions and the potential use of the property, the requested zoning for the parcel is General Commercial (GC). The recommended road classification for Sunset Boulevard is Arterial.

Chairman Frost asked if there was any planned use for the property. Mr. Hanson stated there are no specific plans at this time and surrounding property is General Commercial.

Commissioner Gibson asked if there was anyone present who could address the question about potential use.

Mr. Mike Ray introduced himself and said he was with HP Engineering. He said there are no plans yet but they have been told it is intended for office use.

Vice-Chairman Berry made a motion to approve the annexation with zoning as General Commercial and road classification as Arterial. Commissioner Bartlett seconded the motion. There was no further discussion. The vote was unanimous in favor by those present.

2. An Ordinance Annexing Lexington County Tax Map # 4200-02-020 Located at 168 Highway 378 West: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Mr. Henry Charles Dooley who petitioned for annexation of .62 acres located at 168 Highway 378 West. Dooley's Bait Shop is located on the property. Properties in Town near this property are zoned General Commercial (GC) and Highway 378 West is classified as an Arterial Road. Due to the surrounding conditions and the use of the property, the same zoning and road classification is recommended for this property.

Commissioner Hendrix made a motion to approve the annexation with zoning as General Commercial and road classification as Arterial. Vice-Chairman Berry seconded the motion. There was no further discussion. The vote was unanimous in favor by those present.

3. Final Plat Approval of Laurel Falls Subdivision: *approval of final plat*

Director of Planning, Building and Technology John Hanson presented the request from Mr. Walter Long for final plat approval of the Laurel Falls subdivision. Under the Land Development Ordinance, final plat approval may be granted by the Zoning Administrator or the Planning Commission. The Planning Commission is being asked to review this request because of the unique circumstances involved with this development particularly as it relates to compliance with the private road requirements in the Zoning Ordinance.

Mr. Tom Runge of Adams and Reese introduced himself and said he was working with the bank on this project. He stated he had gone to the Secretary of State's website to confirm the creation of the HOA ten years ago. There was recent activity on May 22, 2013 showing a change in the registered agent from an individual to a property management firm called Synergy Community Specialists.

Chairman Frost asked about the road maintenance agreements, covenants and restrictions that have been filed with Lexington County. Mr. Runge responded that the bonded plat was recorded in October 2006 and a road maintenance agreement was recorded in conjunction with the plat. He stated the road maintenance agreement specifically requires each owner within the subdivision be responsible for their pro rata portion of the road maintenance. When the bank took over in 2010, they recorded a subsequent set of covenants and

restrictions that applied to those lots not already sold and included provisions addressing the road maintenance responsibility of the homeowners.

Commissioner Gibson asked if there was a record of the HOA maintenance fees being collected in the period from 2006 to 2010. Mr. Runge reported the date on the HOA charter as September 2011. He stated that the road maintenance agreement was recorded in 2006 but there weren't any residents at that time.

Chairman Frost stated that it is understood that the roads are designed and intended to be Private and it is not anticipated that the Town accept ownership and maintenance responsibility for these roads now or in the future. Mr. Runge replied that is correct and that is the intent of the road maintenance agreement.

Chairman Frost asked Mr. Mike Ray, as he signed the certification agreement on the plans, if he could confirm that the roads were built to the specifications they were expected to be. Mr. stated he didn't have knowledge regarding the actual construction but Lexington County did an inspection and punch list requiring the bank to do corrections.

Municipal Attorney Brad Cunningham requested that the road maintenance agreement be filed with the Planning Commission minutes. Chairman Frost agreed and requested the covenants and restrictions that the bank filed in 2010 also be included.

Commissioner Hendrix made a motion to approve the final plat. Vice-Chairman Berry seconded. There was no further discussion. The vote was unanimous in favor by those present.

COMMENTS

Assistant Town Administrator Stuart Ford wished everyone a good summer.

Councilmember Kathy Maness thanked the Commissioners for their service. She reminded everyone that the Town Farmers Market is held every Saturday from 9:00 am to 1:00 pm on North Church Street. The Movie in the Park event at the Gibson Road Soccer Complex will be on Friday, July 12. She announced the upcoming change to Residential Trash Collection where all services will be done every Tuesday starting July 30.

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

The Planning Commission Meeting was adjourned at 8:24 a.m.

Planning Commission
July 10, 2013

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.