

MINUTES
Town of Lexington
PLANNING COMMISSION MEETING
February 18, 2015

The Town of Lexington's Planning Commission held a meeting on February 18, 2015 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, Commissioners Roscoe Caughman, Lisa Gibson, Sammy Hendrix and Jeannie Michaels. Commissioners Brian Amick, John Bartlett and Jamie Fite were absent (excused).

Others in attendance were: Town Councilmember Kathy Maness, Town Administrator Britt Poole, Planning, Building and Technology Director John Hanson, Chief Building Inspector Charly Thomas, Engineer Rosemarie Nuzzo, Director of Transportation Randy Edwards, Network Administrator Darrell Pritchard and Assistant Municipal Clerk Karen Hanner.

There were seven members of the public 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 not being broadcast live on the Town's Time Warner Channel 2 due to technical problems but it would be replayed several times during the week. Commission members and Staff then introduced themselves. Commissioner Lisa Gibson 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 Commissioner Sammy Hendrix to approve the Minutes from January 21, 2015 as submitted. The motion was seconded by Vice Chairman Berry. The vote on the motion to approve the Minutes was unanimous in favor. (Chairman Frost abstained.)

OLD BUSINESS: None

NEW BUSINESS ITEMS:

1. Site Plan Approval for an Apartment Complex and Zero Lot Line Subdivision Located on Darby Ambrose Lane Near Northside Boulevard: *preliminary approval*

Director of Planning, Building and Technology John Hanson presented the request from Mr. Tony Berry and Lexington Land Development Company for approval of a planned development for an apartment complex and zero lot line subdivision being proposed on 37 acres adjacent to Darby Ambrose Lane. Last month this project was reviewed separately with the apartment complex receiving conditional approval. Transportation concerns primarily involving vehicular access to Darby Ambrose Lane created a sticking point for the projects during the previous review. Today's proposal attempts to address these concerns by creating a boulevard drive along the front of the apartments to establish the preferred connectivity. To include this in the project Mr. Berry is proposing to increase the number of apartment units, reduce the number of parking spaces and reduce the buffers and setbacks in some areas of the

apartment project. This will require either variances from the zoning ordinance or approval of the entire project as a single planned development.

The new apartment proposal consists of 340 units. Assuming Northside Boulevard extension is classified as a Collector Road, the Zoning Ordinance allows 11 units per acre. This proposal requests 11.5 units per acre. With some exceptions, the Zoning Ordinance requires a 100 foot buffer and 150 foot building setback for apartment facilities. This requirement is in place to provide adequate greenspace for these facilities. The proposed plan has varying buffers and setbacks that are lower than required by Lexington County storm water regulations. The number of parking spaces required under traditional zoning is based on the number and type of units in the facility. In this case, traditional zoning would require 742 spaces for the project. Mr. Berry is requesting to reduce this number by 8% to 680 spaces.

The subdivision proposal consists of 56 zero lot line homes to be constructed on 7.59 acres. This yields a density of 7.5 units per acre which would require both Northside Boulevard extension and the internal subdivision roads to be classified as Collectors.

Under traditional zoning the subdivision project would need PR2 zoning. This classification does not have a minimum lot size as long as the homes can meet the minimum yard setbacks and driveway requirements. At this time the developer has not provided information about proposed variances to the normal PR2 requirements. The lot sizes for the new proposal appear to be essentially the same as the previous one since one lot previously shown as a buildable one was converted to recreational space. The previous proposal had a minimum lot area of 2450 sft, an average lot area of 3362 sft and a maximum lot area of 5640 sft.

The Town's Land Development Ordinance requires zero lot line subdivisions to reserve at least 15% of the project area as open space and at least 50% of this space is to be improved active recreation space. The previous plan which had the required amount of open space provided 1.21 acres of recreational space and .57 acres of improved recreation space. The current plan appears to increase the overall recreational space but reduces the amount of improved space to .47 acres. This is less than the required amount of active space and no information has been provided about what type of active space will be provided.

Access to the subdivision has been improved with the current proposal as it is now obtained through a single entrance that has been aligned with the apartment project.

Finally, the plan includes a new development sign to be located on Northside Boulevard extension for both the apartment and subdivision projects. This sign would be considered an off promise sign which is not allowed by the sign ordinance. Subsequently, it should be removed from the plan.

Mr. Tony Berry introduced himself and stated he represented the ownership and development of the apartment community. Mr. Patrick Chambers introduced himself as representing the residential project. Mr. Berry said last month the Planning Commission expressed several concerns and after talking with staff it seemed best to combine the two projects under a PD and put together a plan that addresses most all of those concerns.

Commissioner Hendrix asked a question about the subdivision and if the Town ordinance specified 6 units per acre. Director Hanson confirmed that 6 per acre is the maximum. Mr. Chambers stated that they tried to create a similar subdivision to what was done at Saluda Springs where the density was 71 or 72 on about 9 acres. Under the PD, they want to ask for a variance to increase the density from 6 to 7.5.

Chairman Frost commented that under a Planned Development with multiple uses within a single project the Commission has the flexibility to grant approval for things that may not comply with the zoning ordinances as part of the overall project. He added that he had a concern about the density of the subdivision. He asked if they would consider complying with 6 units per acre.

Mr. Chambers responded that yes, they would be willing to do that. He added that they are early in their market research and had wanted to leave as much flexibility as they could but they would be willing to comply.

Commissioner Hendrix noted that no information about proposed variances has been included and asked when that would be received. Director Hanson stated that with the plan submitted, there was no request for any revision from required PR2 setbacks.

Vice Chairman Berry asked about the new private drive and who would maintain it. Director Hanson said the Town Land Development Ordinance requires the road to be built to County standards. The plan shows it owned by the developer so it can be beautified as the entrance to the apartments. Mr. Hanson added that under the flexibility of the PD, they could consider making it a public road but that has not been discussed at this time. Mr. Berry stated that they are agreeable to making the new private drive shown on the plan a public road.

Commissioner Hendrix questioned the planned increase in the overall recreational space with a decrease of improved space. Director Hanson stated as planned it meets the ordinance.

Commissioner Hendrix asked about the sign which does not appear to comply with the ordinance. Mr. Berry stated that it was their understanding that the requested signage has been granted before and that there is signage on Highway 378 that mirrors what they are requesting. He added that the nature of the apartment community is the need to frequently re-market and having the sign on Highway 378 is very important. He said they respectfully ask for consideration of the sign on the median.

Chairman Frost responded that there are other developments in the Town that have off-site signage. Director Hanson commented that a sign at Highway 378 could create an additional traffic issue. Commissioner Hendrix stated that there are numerous problems with signs in the Town and this one should comply with the Town ordinance. Chairman Frost added that there has been a lot of hard work done by the Commission to have a uniform appearance around Town and he encouraged staff to continue working together to come up with a more suitable sign location.

Chairman Frost listed the concerns that have been discussed as;

- 1) the zero lot line subdivision would be 6 units per acre or 46 total,
- 2) meet all the required greenspace requirements,
- 3) the road classification at RL6,
- 4) the sign as presented would be removed,
- 5) the road in front of the apartments would be a public road.

Mr. Berry said they have talked to Lexington County about the road referred to as Northside Boulevard extension and there is a question regarding whether or not it meets the standards for acceptance as a public road. He said they are happy to comply with Darby Ambrose Road being public. Director Hanson commented that a specific provision in the zoning ordinance allows for private roads if they meet the requirements and are built to Lexington County standards. The planned development should have an access agreement and he recommends that the issue be resolved before the item goes before Council for a vote.

Commissioner Hendrix said he would make a motion for approval with the discussed changes.

Administrator Poole recommended that the issue about the ownership of the road be taken out since construction standards are the same and it is in their best interest to turn it over. Commissioner Hendrix agreed.

Chairman Frost restated the motion from Commissioner Hendrix as approval of the apartment complex and zero lot line subdivision as a planned development with the reduction of units on the subdivision side to six per acre which would equal 46 units, that it meet the required greenspace requirements including improved areas, that the road classification in the subdivision would be RL6 and removal of the approval regarding the off premises sign. Commissioner Gibson seconded. The vote was unanimous in favor.

2. Annexation of Lexington County Tax Map #5300-02-019 Located in the Vintner's Wood Subdivision on Barr Road: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from Vintner's Wood, LLC who has petitioned to annex approximately 33.2 acres in the Vintner's Wood subdivision. The property is permitted by Lexington County as phases 5, 6 and 7 of the subdivision. Sixty-one single family homes are planned on the property. The setbacks for these homes will be 20' on the front, 5' on the side and 10' on the rear. Properties in Town near these lots are zoned Protected Residential (PR) and Protected Residential 2 (PR2). None of the internal subdivision roads have been classified.

Due to the surrounding conditions and the use of the property the recommended zoning is Protected Residential 2 (PR2) and the recommended classification for all adjacent subdivision roads is RL4.

Chairman Frost asked about the benefit to the Town of annexing a partial subdivision which is to be developed. Director Hanson said there is the potential to annex 100 new \$300-400,000 residences and increase the footprint of the community next to the Barr Lake subdivision.

Commissioner Gibson asked if the Town is able to support police and fire service to these new homes. Administrator Poole responded that fire service would not change as it is provided by Lexington County and the Chief of Police feels comfortable with these annexations.

Vice-Chairman Berry asked if the existing portion of the subdivision could annex into the Town. Administrator Poole responded that the Town could annex the subdivision as a group and would work with HOA meetings if requested but annexation would not be required.

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

3. Annexation of Lexington County Tax Map #5311-01-074 & 124 Located in the Vintner's Wood Subdivision on Barr Road: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from the Vintner's Wood Homeowners Association, Inc. who owns approximately 28 acres on two parcels and has petitioned to annex the property. These properties are the common areas for the Vintner's Wood subdivision. Properties in Town near this one are zoned Protected Residential (PR) and Protected Residential 2 (PR2). None of the adjacent streets have been classified yet.

Due to the surrounding conditions and the use of the property the recommended zoning is Protected Residential 2 (PR2). The recommended classification for Barr Road is a Collector Road and the recommended classification of all subdivision streets adjacent to this annexation is RL4.

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

4. Annexation of Lexington County Tax Map #3500-03-031 Located at 5100 Sunset Boulevard: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from 5100 Associates Inc. who owns 3.3 acres located at 5100 Sunset Boulevard and has petitioned to annex the property. A small commercial center is being planned on the site. Properties in Town near this one are zoned General Commercial (GC) and Sunset Boulevard is classified as an Arterial Road.

Due to the surrounding conditions and the intended use of the property the same zoning and road classifications are recommended for this property.

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

5. Annexation of Lexington County Tax Map #4498-01-046 & 047 Located at 5146 Augusta Road: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request William and Beverly Whitworth who own 1.3 acres located at 5146 Augusta Road and have petitioned to annex the property. A Dollar General Store is being planned on the site. Properties in Town near this one are zoned General Commercial (GC) and Augusta Road is classified as an Arterial Road.

Due to the surrounding conditions and the intended use of the property the same zoning and road classification is recommended for this property.

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

6. Annexation of Lexington County Tax Map #4319-05-005 Located at 604 Northwood Road: *recommendation on zoning and road classification*

Director of Planning, Building and Technology John Hanson presented the request from R. A and K. H. Montgomery who own property at 604 Northwood Road and have petitioned to annex. A single family residence is located on the property. Properties in Town near this one are zoned General Commercial (GC) and Limited Commercial (LC). Northwood Road and Round Knob Road are classified as Local Roads.

The owner has requested a commercial zoning classification for the property. The recommended zoning is Limited Commercial (LC) and the recommended classification of both adjacent roads is Local Road.

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

OTHER BUSINESS: (Information Only)

Chairman Frost reminded members that a Work Session is planned for the Tuesday evening before the March Planning Commission meeting.

Vice-Chairman Berry reported on the Traffic Committee meeting. The Adaptive Signal bids have been opened and Phase 1 construction is expected to begin in March. Phase 2 signals have right of way issues to be resolved.

Councilmember Kathy Maness announced that the Lexington County Electronic Recycling event will be held on Saturday, February 21, 2015 from 9:00 a.m. to 12 noon at 1070 South Lake Drive. The US Army Community Listening Session will be held on February 26, 2015 at 2 p.m. at Shandon Baptist Church. Mayor MacDougall will present the State of the Town address on

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Monday, March 2, 2015 at 6:30 p.m. at the regular Council meeting. The Flashlight Easter Egg Hunt is scheduled for Friday evening, March 20, 2015 at the Gibson Road Soccer Complex.

ADJOURNMENT: There being no further comments or questions, a motion was made by Commissioner Hendrix 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 8:42 a.m.

Chairman Keith 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.