

MINUTES
TOWN OF LEXINGTON
PLANNING COMMISSION MEETING
March 22, 2023

The Planning Commission held a meeting on March 22, 2023, at 8:00 AM in the Council Chambers at Town Hall, 111 Maiden Lane, Lexington, South Carolina. The meeting was attended by Chairman Frank Berry, Vice-Chairman Jarett Harrelson, Commissioners Brian Amick, Roscoe Caughman, Jamie Fite, Sammy Hendrix, Jeannie Michaels and Joe Robertson. Commissioner J. T. Stephenson was absent.

Others in attendance were Town Administrator Britt Poole, Planning, Building and Technology Director John Hanson, Chief Building Inspector Brent Hawkins, Assistant Zoning Administrator Jessica Lybrand, Town Attorney Brad Cunningham, Town Engineer Rosemarie Nuzzo, GIS Analyst Woody Evans and Municipal Clerk Becky Hildebrand. Five (5) citizens were present and no one was present from the news media.

CALL TO ORDER & INVOCATION: Chairman Berry welcomed everyone to the meeting. He announced that the meeting would be available for viewing on the Town's information cable channel 1301 and the Town of Lexington YouTube Channel. Planning Commission members introduced themselves. Commissioner Michaels gave the invocation and Chairman Berry led the Pledge of Allegiance.

Chairman Berry called the meeting to order at 8:02 a.m.

DELETIONS: None.

APPROVAL OF MINUTES: A motion was made by Commissioner Hendrix and seconded by Vice-Chairman Harrelson to approve the Minutes from the Planning Commission Meeting held on February 22, 2023 as submitted. The vote was unanimous in favor.

NEW BUSINESS:

1. **Appeal of an Administrative Decision Related to Addressing at 105 West Main Street –**
Action Requested: Ruling on the appeal.
Planning, Building and Technology Director Hanson presented the request. He added that this item is different than the Commission has handled before and does not come up often, but the SC Comprehensive Planning Act places addressing and street naming under the authority of the Planning Commission. The Town received an Appeal of an Administrative Decision related to the assigned addresses for a new building being constructed at 105 West Main Street. Under the South Carolina Comprehensive Planning Act, addressing and street naming is a responsibility of the Planning Commission. Mr. Craig Otto submitted an appeal requesting a change to the suite addresses for the suites inside the Icehouse on Main building. Town Staff assigns addresses in coordination with the Lexington County 911 office. The 911 office has no preference on whether suites are assigned numerical or alphabetical addresses if they re consistent with nearby buildings.

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Staff assigned alphabetic addresses to the four suits in this building consistent with how they were identified on the building plans and consistent with how surrounding buildings are addressed.

Since the addresses were assigned over a year ago, they have been disseminated to Lexington County Emergency Services and the United States Postal Service. They have also been used by the Town of Lexington Utilities Department and Dominion Energy to identify the utility meters for each suite. Mr. Otto requested to change the suite addresses to a numerical system that identifies the first floor suites with a 100 address and second floor suites with a 200 address. Planning, Building and Technology Director Hanson advised the Commissioners that Mr. Otto was present if they had any questions. (Copies attached.)

Chairman Berry called on Mr. Craig Otto.

Mr. Craig Otto, Architect and Partner for Icehouse on Main building, stated that he had never developed a two-story building before and certainly not with the addressing. He stated that the way they ended up with the A, B, C and D was when the building was designed about a year and a half ago, you have to delineate who is who so they assigned A, B, C and D to the different suites. He added that then the electrical engineer had to put an electrical panel in each suite and he did the same thing assigning them A, B, C and D. Mr. Otto stated that they never anticipated what their actual address would be, but it seemed logical at the time. He stated that now it is not going to work for them and it is not very logical. He described the building with two tenants on the first floor and four tenants on the second floor. His architectural firm and a design firm will be on the second floor which is one of his buddies and they share some of the costs. He added that it is the same case with the attorneys on the second floor. Eric Bland has his law firm and Chris Moran has his firm, but they are separate and independent firms and share a space. Mr. Otto stated that on the first floor they have a space in the front for the restaurant and on the right side is a retail space that is currently going to be operated by one tenant but it can be divided into two tenant spaces. He added that they could eventually house as many as seven different tenants and right now they have six. Mr. Otto stated that with A, B, C and D addresses they do not have enough letters assigned. He added that what they hope to do is like a regular multi story building, is to have the first floor assigned starting at "100" and the second floor starting at "200" so when you walk in the lobby the directory would not show Craig Otto Suite D, but would show Suite 201. Mr. Otto stated that downstairs the retail space would be 101 and if it is ever split the second portion would be 102. He added that they would have mailboxes located in the lobby with the correct suite number if they can be assigned that way and they could add mailboxes in the future. He stated that the bottom line was that he nor Staff did anything wrong, but a year and a half ago when the plans were designed and each suite was lettered A, B and C they had no idea that would eventually translate into the actual addresses. Mr. Otto stated that right now they are already very limited because Eric Bland's office is in Suite C and so is Chris Moran's office so how can you distinguish that when their mail comes, when visitors come or when the 911 call comes in. He stated that he is requesting an appeal because they need to assign a better addressing system for this specific building which would be better for the 911 service and the mail service to have numbers rather than letters.

Chairman Berry asked the Commissioners if they had any questions. Commissioner Michaels confirmed the address for the building is 105 West Main Street.

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Planning, Building and Technology Director Hanson wished to respond to Mr. Otto and stated that each individual business does not get their own address. He added that if there are individual businesses within an office suite, they are part of that suite. Chair Berry confirmed that the Town addressed the building plus each office suite. Mr. Hanson responded that if you have two businesses within one office suite, they do not receive two addresses plus it would be impossible to keep up with it.

Chairman Berry stated that the addresses were assigned on February 28, 2022 plain as day in an email to Mr. Robby Wilkins, a partner, and they come back a year later and want to change it. He explained that is where he has some heartburn about it because they knew in the beginning what they were going to be which was labeled along with the type of tenant on the architectural drawing listed as 105 West Main Street, Suites A through D. Mr. Otto responded that was over a year ago and now as they are approaching moving into the building, they realized it does not work. Chairman Berry stated at that same time service was set up for water meters and relayed to Dominion Energy for power. Mr. Otto stated that was exactly right but everything can change and everyone can be notified to make a change. He added that it is paperwork and he knew it was a hassle for folks but this will affect them and their tenants forever in that they have a 10-year lease signed. He stated that they are not satisfied with the addresses as assigned and it does not represent where each tenant is located. Mr. Otto stated that Eric Bland's address will be 105 Suite D and Chris Moran's address will be 105 Suite D so how do you find that when you are looking at a directory. He added that the retail space is now Suite B and if it is split in half, then it cannot have Suite B and C because C and D are already occupied making the first floor Suite B and Suite E if it is ever split. Mr. Otto stated that upstairs could be Suite C and F which would make no logical sense for a two-story building when you walk in looking for directions. He added that it does not make sense to 911 either during an emergency.

Commissioner Hendrix stated that Mr. Otto's answer would be to do an internal directory. He gave the County Court House and Administration building as an example. He added that they could be set up as BB or B1 and B2 but the Town has set the addresses up consistent with what is next door and other buildings on Main Street. Commissioner Hendrix stated that the Town has the policy of adopting the County's policy for how these addresses are suppose to be made. Mr. Otto responded that back in February had they known where they are now, he would have asked for the addresses to be 100 and 200 which should be the same thing as asking for it now. He added that whether it was done a year ago or now, he could not imagine that the Town would have said no and would have probably changed it.

Commissioner Robertson stated that there are five other multi-tenant buildings on Main Street and they are lettered suites which is consistent with the policy. Mr. Otto asked if they were two stories. Commissioner Robertson gave the example of Alodia's which is next door.

Chairman Berry called for a motion. A motion was made by Commissioner Robertson and seconded by Vice-Chairman Harrelson to deny the appeal request based on the discussion and information that was provided today and the addresses, as they are assigned, are consistent with the Lexington County policy and confirmed through the 911 verification system and are consistent with other buildings on Main Street. The motion to deny the appeal was unanimously carried.

2. Bonded Plat Approval for Barr Lake Subdivision Phase III – C, G and J – Action Requested:
Approval of the Bonded Plat.

Planning, Building and Technology Director Hanson presented the request. Power Engineering requested Bonded Plat approval for Barr Lakes Phases III C, G and J. This phase consists of 61 lots on 17.08 acres. Staff requested the Commission review and approval of the plat for this phase due to the ongoing concerns about the pace of the subdivision amenity development. Once this phase is complete, which they have discussed many times before, there will be approximately 30 more lots to be bonded in this subdivision. Planning, Building and Technology Director Hanson advised the Commissioners that a representative was present from Stanley Martin Homes. (Copies attached.)

Chairman Berry called on the Stanley Martin Homes representative.

Mr. Shane Alford, Director - Stanley Martin Homes, stated that he represents the home builder in the community, not the developer. He added that it was a pleasure to give the Commissioners an update last year on the amenities site. He was pleased to tell the Commissioners that the building itself is complete and they are waiting on DHEC permit to operate the water just for that facility. Mr. Alford stated that they hope to get the permit in the next couple of weeks at which time they will have the water meter set and the final inspection. He added that as he had stated at the end of last year, he hoped to have it completed by the first quarter of 2023 and here near the end of March 2023 they are well on their way to having it complete. Mr. Alford stated what will follow is DHEC's review and approval of the pool facility and their objective is to have the facility ready for the Memorial Day holiday weekend. He distributed a photograph of the completed building. (Copy attached.)

Chairman Berry stated that he was in that neighborhood last Thursday driving through the parking lot of the amenity pool area and it looks great. Mr. Alford invited all the Commissioners to come out and visit anytime.

Commissioners Robertson agreed with Chairman Berry that the facility looks great. He knew Mr. Alford was not the person with the information the last time, but there was some concern about the growth in the lake and had Mr. Alford had any discussion with the developer about it. Mr. Alford responded that they did have a brief conversation about it, but he did not have any additional information at this time. Chairman Berry added that as they said last time, that will be an issue that the Homeowners Association will need to address and not through the Planning Commission.

Chairman Berry called for a motion. A motion was made by Vice-Chairman Harrelson and seconded by Commissioner Hendrix to approve the Bonded Plat for Barr Lake Subdivision Phase III – C, G and J as stated. The motion to approve was unanimously carried.

Chairman Berry wished to state for the record that the remaining last phase, with two sub-phases, of Barr Lake would be approved at the Staff level, unless there is an issue and assuming that the pool is opened, since it will be at least a year away. Planning, Building and Technology Director Hanson stated that Staff would be happy to do that

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and they would also be happy to get this issue behind us. He did not know if there were other amenities planned that would come under the purview of the Planning Commission. Vice-Chairman Harrelson stated that amenities overall are not left up to this body to govern and if they can move the last phase to Staff for approval would be great. Chairman Berry stated that he felt certain that the pool would be open by Memorial Day. Planning, Building and Technology Director Hanson stated he did not.

**3. Annexation of Lexington County Tax Map #5596-01-003 located at 135 Fergon Road –
*Action Requested: Recommendation on Zoning and Road Classification***

Planning, Building and Technology Director Hanson presented the item. Empire, LLC owns approximately 3.78 acres located at 135 Fergon Road and petitioned to annex the property. A heavy equipment repair business is located on the site. Properties in Town near this one are zoned Industrial and General commercial. Fergon Road is classified as a Local Road. Due to the surrounding conditions and the use of the property the recommended zoning for this parcel is Industrial and the recommended classification of Fergon Road is a Local Road.

Chairman Berry wished to confirm that this request is in compliance with the Town's Comprehensive Plan and Land Use Map. Planning, Building and Technology Director Hanson responded, yes it is in compliance.

Chairman Berry confirmed that no one was present to represent Empire, LLC.

Chairman Berry called for a motion. A motion was made by Vice-Chairman Harrelson and seconded by Commissioner Robertson to approve the request as stated. The motion to approve was unanimously carried.

OTHER BUSINESS

Town Administrator Poole announced that (1) April 6, 2023 is the kick-off for the free Spring Concert Series with eight shows on each Thursday through May 25, 2023. (2) A Great Lexington Egg Hunt is on-going and they may have a postcard showing the locations of the eggs hidden around Town. Kids can turn in the form at Town Hall by 5:00 p.m. on April 10, 2023 and there will be a drawing for prizes. You can also get the information on the Town's website at lexsc.com. (3) He reminded everyone to get out and vote at the Town's Special Election on May 2, 2023. Four candidates are running for Town Council. (4) On May 13, 2023 the Wine Walk will be held at the Icehouse Amphitheater. Tickets are \$40.00; week of are \$35.00; and day of is \$45.00.

ADJOURNMENT: There being no further questions, Chairman Berry called for a motion to adjourn. A motion was made by Vice-Chairman Harrelson and seconded by Commissioner Fite to adjourn the Planning Commission meeting. The vote was unanimously carried.

Chairman Frank Berry thanked everyone for attending the meeting and announced a recording will be shown on the Town of Lexington information channel 1301 and on the Town of Lexington YouTube page.

The meeting adjourned at 8:23 a.m.

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Respectfully Submitted,



Becky Hildebrand, CMC
Municipal Clerk

APPROVED:



Chairman Frank Berry

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 requirement