

MINUTES
TOWN OF LEXINGTON
PLANNING COMMISSION MEETING
June 23, 2021

The Planning Commission held a meeting on June 23, 2021 at 8:00 AM 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 Brian Amick, Roscoe Caughman, Jamie Fite and Jarett Harrelson. Commissioners Chris Brownlee, Jeannie Michaels and Sammy Hendrix were absent (excused).

Others in attendance were Town Administrator Britt Poole, Planning, Building and Technology Director John Hanson, Assistant Zoning Administrator Jessica Lybrand, Transportation Director Randy Edwards, Parks and Sanitation Director Dan Walker, Digital Media Coordinator Darrell Pritchard and Municipal Clerk Becky Hildebrand. One citizen was present and no one was present from the news media.

CALL TO ORDER & INVOCATION: Chairman Keith Frost welcomed everyone to the meeting. He announced that the meeting was being broadcast on the Town's information cable channel 1301 and would also be available for viewing on the Town's website. Planning Commission members introduced themselves. Vice-Chairman Frank Berry gave an invocation and Chairman Keith Frost led the Pledge of Allegiance.

Chairman Keith Frost called the meeting to order at 8:04 AM.

DELETIONS: None

APPROVAL OF MINUTES: A motion was made by Vice Chairman Berry and seconded by Commissioner Harrelson to approve the Minutes from the Planning Commission Meeting on April 21, 2021, as submitted. There was no further discussion. The motion was carried unanimously in favor.

NEW BUSINESS:

1. Sketch Plan Approval for a Subdivision to be Located in the 100 Block of Nightingale Court – *Action Requested: Approval of the Sketch Plan Pending Annexation with the Appropriate Zoning and Road Classification*

Planning, Building and Technology Director John Hanson presented the request from Nightingale Adventure, LLC, who requested sketch plan approval for a new subdivision located in the 100 block of Nightingale Court. The project will consist of 66 lots on 30.66 acres. He noted Items 2 and 3 on today's Agenda will consider annexation of those properties.

Density: The allowable density of residential development is determined by the classification of the street providing access to the property. The portions of Nightingale

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Courts currently in the Town have a Local Road classification. Roads with this classification are allowed to have up to 6 units per acre for single family homes. The proposed development has 2.1 units per acre.

Lot size: This project is proposed with PR1 zoning which requires a minimum lot size of 7260 square feet. The project meets this minimum standard. The average lot size is 9,886 square feet and the maximum lot size is 27,633 square feet. The proposed setbacks also meet the requirements for a PR1 subdivision. These setbacks are 30 feet for the front yard and 10 feet for all other sides.

Open space: The Town's Land Development Ordinance requires at least 15% of the area to be dedicated open space. Using this calculation, this project needs 4.5 acres of open space. It will have 10.76 acres of open space. Mr. Hanson noted there is no requirement in PR1 for active open space.

Access: Seven 60 foot wide lots will access directly onto Nightingale Court. The access for the remaining 59 lots will be obtained through a single entrance on Nightingale Court. He added the roads within the subdivision are intended to be private.

Mr. J. T. Stevenson introduced himself as representing Power Engineering and the developer, Nightingale Adventures, LLC. Chairman Frost asked about the green space and acknowledged there is no requirement for active green space but noted the plan shows only about 3.5 acres of upland space available with the rest being wetlands which shouldn't be used for active space. He asked if there was any plan for the space such as green fields or active uses such as playgrounds. Mr. Stevenson responded it was probably to be used as the pond with a dock and maybe a walking trail around it. Chairman Frost confirmed that it would be the existing pond and not a stormwater pond. Mr. Stevenson said yes, the existing pond.

Chairman Frost noted there were eight or nine lots on Nightingale and asked about the stormwater plan for those lots. Mr. Stevenson responded sheet flow into the existing wetlands.

Chairman Frost asked about access to the three lots on the main entrance road with the power line easement crossing them. Mr. Stevenson responded that there is a sewer line easement across the front of the lots but there is a power line easement behind them.

Chairman Frost asked about the private road crossing the dam and what will be required from the SCDOT and SCDHEC perspective to bring the dam up to sufficient code to put a road across it. Mr. Stevenson responded they are working on that and will drain the pond to find out exactly what the dam looks like. Mr. Frost added he would assume it is presently insufficient for a road bed.

Commissioner Fite asked about the open space and a possible walking trail and dock and added "maybe" is big. Mr. Stevenson responded it can be done if that is what the

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Commission would want but it is very preliminary at this stage. He added they would like to incorporate the pond into the community.

Chairman Frost stated incorporating the pond would be great but they would like to have some active space. He added it is not required but it would be good to have something like a park and that would be a preference.

Chairman Frost asked about the seven lots on Nightingale and if there would be individual drives for each. Mr. Stevenson stated they would probably have to do shared driveways to meet spacing. Mr. Frost asked if they have been working with the Town or the County or SCDOT. Mr. Stevenson said he thought they would be getting a County encroachment permit and he believed their standards are the same as DOT for spacing. Vice-Chairman Berry asked what the spacing was. Mr. Stevenson said there was no speed limit on Nightingale but assuming it is 30mph, the spacing is 75 feet edge of drive to edge of drive. Chairman Frost asked how they plan to handle that if it is annexed into the Town and the Town's Ordinances do not allow shared drives. Mr. Stevenson said then they won't have shared drives. Chairman Frost noted there are some options and one would be to seek a Variance through the Board of Zoning Appeals. He added the Land Use and Zoning Ordinances are currently under review and they are working on figuring out the right opportunity for shared drives such as suitable locations and projects. Chairman Frost stated they hope to have revised Ordinances in the next four months. Mr. Stevenson added they may have the opportunity to get a Variance from the County as it is a dead end road. Chairman Frost noted if the property is annexed into the Town the Town's Ordinances would apply. He added it is not impossible but some work may need to be done. Vice Chairman Berry asked how soon those lots would be brought on line versus the rest. Mr. Stevenson stated they hoped to bring those seven lots on soon and the issue with the dam will need some time to work out. Director Hanson stated the quickest way to handle it under the current regulations would be to request a Variance.

Commissioner Fite asked about the condition of the road and noted they had concerns. Chairman Frost added if there had been any thoughts about the impact this development would have on the road. Mr. Stevenson said they have observed some potholes and alligator cracking but they didn't feel it was in disrepair. He added if they have to improve the road, the PR1 zoning wouldn't work and they would have to look at PR2 just to cover the cost. Chairman Frost asked if there had been discussions with the County about access and road conditions. Mr. Stevenson said not yet.

Commissioner Harrelson made a motion to approve. Vice Chairman Berry seconded the motion and asked to amend his second with the recommendation that the seven lots at the front on Nightingale Court be shared drives. Commissioner Harrelson retracted his initial motion and stated he would make a motion to approve with a recommendation to submit a Variance Request for the shared drives on Nightingale.

Vice Chairman Berry seconded the new motion. There was no further discussion. The vote was unanimous in favor.

2. Annexation of Lexington County Tax Map Number 4200-02-031 Located at 167 Nightingale Court – Action Requested: Recommendation on Zoning and Road Classification

Planning, Building and Technology Director John Hanson presented the request from Rosa K. Hendrix who owns 14.9 acres located at 167 Nightingale Court and has petitioned to annex the property. A 66 lot subdivision is being planned on this and an adjacent lot. Properties in Town near this one are zoned Protected Residential and Protected Residential 2. Nightingale Court is classified as a Local Road.

Due to the surrounding conditions and the intended use of the property the recommended zoning for this parcel is Protected Residential and the recommended classification of Nightingale Court is a Local Road.

Vice Chairman Berry made a motion to approve the annexation as recommended. Commissioner Fite seconded the motion. There was no further discussion. The vote was unanimous in favor.

3. Annexation of Lexington County Tax Map Number 4200-02-033 Located in the 100 Block of Nightingale Court – Action Requested: Recommendation on Zoning and Road Classification

Planning, Building and Technology Director John Hanson presented the request from Frank Bouknight and Martha Williamson who own 17.5 acres located in the 100 block of Nightingale Court and have petitioned to annex the property. A 66 lot subdivision is being planned on this and an adjacent lot. Properties in Town near this one are zoned Protected Residential and Protected Residential 2. Nightingale Court is classified as a Local Road.

Due to the surrounding conditions and the intended use of the property the recommended zoning for this parcel is Protected Residential and the recommended classification of Nightingale Court is a Local Road.

Commissioner Harrelson made a motion to approve the annexation as recommended. Commissioner Fite seconded the motion. There was no further discussion. The vote was unanimous in favor.

4. Annexation of Lexington County Tax Map Number 5423-03-003 Located at 110 Mill Street – Action Requested: Recommendation on Zoning and Road Classification

Planning, Building and Technology Director John Hanson presented the request from Rion Property Solutions, LLC which owns a parcel located at 110 Mill Street and has petitioned to annex the property. A single family home is located on the site. Properties in Town near this one are zoned Protected Residential and Mill Street is classified as a Local Road.

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

Commissioner Harrelson made a motion to approve the annexation as recommended. Commissioner Amick seconded the motion. There was no further discussion. The vote was unanimous in favor.

5. Annexation of Lexington County Tax Map Number 3420-01-031 Located at 140 Pilgrim Point Drive – Action Requested: Recommendation on Zoning and Road Classification

Planning, Building and Technology Director John Hanson presented the request from Barry J. Bernstein who owns a parcel located at 140 Pilgrim Point Drive and has petitioned to annex the property. A single family home is located on the site. Properties in Town near this one are zoned Protected Residential and Pilgrim Point Drive is classified as a Local Road.

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

Director Hanson noted this is the last built lot to be annexed in this subdivision. There is one vacant lot left that is not yet annexed.

Commissioner Harrelson made a motion to approve the annexation as recommended. Vice Chairman Berry seconded the motion. There was no further discussion. The vote was unanimous in favor.

OTHER BUSINESS: Town Administrator Britt Poole announced there are a number of events coming up. Independence Day Celebrations with the Town will be on Friday, July 2, at the Icehouse Amphitheater with the 246th Army Band from 7:00 to 9:00 PM followed by fireworks. On Friday, July 16, the Local Boys will perform a bluegrass concert from 7:00 to 9:00 PM. On Friday, July 23, the Flannel Fest will host a tribute to grunge with tickets at \$12.00. Tickets are on sale for the Love of Hops Craft Beer Festival scheduled on August 21 for \$30.00 in advance. Tokyo Joe's Rocketman, a Tribute to Elton John will be on September 10 and tickets are \$27. The Market is held each Saturday except on July 3 at the Icehouse Pavilion from 9:00 AM to 1:00 PM until the end of September.

Assistant Zoning Administrator Jessica Lybrand reminded the Commission that there will be a Training Session on Friday June 25 in the Third Floor Conference Room from 2:00 to 5:00 PM.

Chairman Keith Frost commented that he has been doing this for twenty years and this is the first meeting where there has been nothing but PR1 on the Agenda. He thanked the Commission for what they have accomplished, what they have done and where they have been. He added it is amazing to see the growth and see the character they have maintained.

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He said it is a great honor and privilege to be a part of and this will be his last meeting. He stated they have decided to relocate just outside of town so he won't be part of the Commission but he will be close and they will be engaged. He acknowledged that there is a lot of time and work put into this. He thanked the Mayor and Council and especially Kathy Maness for their support over the years and he appreciated John Hanson who has done a great job of keeping them in the road and out of the ditch while giving them the flexibility to make good decisions for the Town and to look out for the citizens and the business community.

ADJOURNMENT: Chairman Keith Frost thanked everyone and stated without objection the meeting would adjourn. The meeting adjourned at 8:26.

Respectfully Submitted,

Karen Hanner
Assistant Municipal Clerk

APPROVED:

Chairman

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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