

**MINUTES**  
**TOWN OF LEXINGTON**  
**PLANNING COMMISSION MEETING**  
**July 20, 2022**

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The Planning Commission held a meeting on July 20, 2022 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, J. T. Stephenson, III, Joe Robertson and Jeannie Michaels.

Others in attendance were Councilmember Todd Carnes, Town Administrator Britt Poole, Economic Development Catalyst Jack Stuart, Planning, Building and Technology Director John Hanson, Assistant Zoning Administrator Jessica Lybrand, Town Attorney Brad Cunningham, Town Engineer Rosemarie Nuzzo, Parks and Sanitation Assistant Director Johnny Dillard, Digital Media Coordinator Michael Tolbert and Assistant Municipal Clerk Karen Hanner. Two citizens were present and no one was present from the news media.

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**CALL TO ORDER & INVOCATION:** Chairman Frank 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 Jeannie Michaels gave an invocation and Chairman Frank Berry led the Pledge of Allegiance.

Chairman Frank Berry called the meeting to order at 8:01 AM.

**DELETIONS:** None.

**APPROVAL OF MINUTES:** A motion was made by Vice-Chairman Jarett Harrelson and seconded by Commissioner Hendrix to approve the Minutes from the Planning Commission Meeting on June 22, 2022, as submitted. There was no further discussion. The motion was carried unanimously in favor.

**NEW BUSINESS:**

- 1. Simple Property Subdivision of the K-Mart Shopping Center Located in the 700 Block of West Main Street**– *Action Requested: Approval of Subdivision Sketch Plan*  
Planning, Building and Technology Director John Hanson distributed additional handouts (attached) and presented the request from Mr. Ryan Maltba with Baker and Baker for a commercial property simple subdivision of the K-Mart shopping center located at 748 West Main Street. The purpose of the request is to facilitate the redevelopment of the center. The effect of this will be to immediately allow the old K-Mart building to convert to climate controlled storage and to allow the Circle K at the front of the center to be redeveloped on a larger parcel. Additionally, a single large parcel will be created where the Maurice's Barbecue and Kestner's Automotive are located and a new second row parcel will be created for future redevelopment. During the redevelopment process the plan proposes to eliminate four existing access points on West Main Street and convert a fifth to a restricted access drive. Finally, the plan creates a common signage plan for parcels one and two located at the rear of the site.

Chairman Frank Berry clarified that the two driveways at the Circle K would go away. Director Hanson confirmed that the two on West Main Street would be removed. He added the Circle K is ready to move forward so that proposal would happen rather quickly and the other curb cut changes would proceed as other leases are renewed or changed. Vice-Chairman Harrelson asked if the access would be through Topside Court. Director Hanson confirmed either there or at the central driveway which would convert to right in right out when the K-Mart redevelops.

Mr. Ryan Maltba of Baker and Baker introduced himself and stated the idea is to allow for some flexibility with future development of this parcel. He referred to the design and noted the outparcels are very shallow compared to other outparcels which would limit the redevelopment of the corner long term. He added the leases on Maurice's and Kestner's expire in three years and they do have options but they don't know if they will exercise them. He said this would allow a substantial width and depth parcel on that corner and allow development of the asphalt parking lot in the center with the storage facility in the back.

Commissioner Michaels confirmed that the large center parcel is not intended as parking. Mr. Maltba said yes but it will also allow various options as the storage facility will need less parking.

Commissioner Hendrix asked about the timeline for the storage facility. Mr. Maltba responded they have had several calls from storage users and if this is approved they could go under contract. He continued they are in negotiations with Circle K to allow them to expand and with approval those two will happen quickly. He added the Kestner's and Maurice's are under a lease and that will run its course.

Commissioner Robertson stated he appreciated the restriction and consolidation of accesses. Mr. Maltba responded there are seven right now and this will allow good access even with the elimination of individual curb cuts.

Director Hanson commented that when this is separated into different parcels and they each redevelop they will all have to meet current standards for landscaping. The asphalt lot does not meet current requirements and anything that goes in there will have to meet current setbacks and landscaping as a separate parcel. He added it will help beautify the area. Chairman Berry noted the two curb cuts at the Circle K would go away and that strip could be landscaped. Director Hanson responded the plan they have received is to demo the current building and build as shown in the packet. Mr. Maltba added the Circle K intends to construct their new prototype there and they need a deeper lot which is part of the redevelopment project.

Vice-Chairman Harrelson made a motion to approve. Commissioner Hendrix seconded the motion. There was no further discussion. The vote was unanimous in favor.

**2. Amendments to Section 155.03.07 of the Zoning Ordinance – Required Setbacks – Action Requested: Review and Recommendation on Proposed Ordinance Amendments**

Planning, Building and Technology Director John Hanson stated over the last few months, Town Council has been discussing amendments to the zoning ordinance for Protected Residential 2 developments. The attached ordinance addresses the concern that have been raised during these

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discussions. State law requires the Planning Commission to review and provide a recommendation on all amendments to the zoning ordinance.

Director Hanson reviewed the eight proposed revisions from the Planning Work Session (attached handout).

He noted the first section of the proposal included requiring a fifteen foot buffer of common area that is owned and maintained by an established Homeowners Association to be created around the entire perimeter of a project area for townhomes, patio homes, duplex or other development like that. Setbacks for the individual structures within the development will be measured from inside the common area.

Director Hanson said the second section stated on the original proposal all residential lots will have a minimum width of at least twenty five feet of road frontage. At the Planning Work Session it was proposed as twenty four feet of road frontage unless the lot is alley loaded and then the lot width can be reduced to a minimum of twenty two feet of road frontage.

On the third section, Director Hanson noted the side yard setbacks for individual free standing homes will be no less than five feet with a minimum of ten feet being required between each residential unit.

The townhome and duplex buildings will have a minimum seven foot side yard setback with no less than fourteen feet between individual structures.

Director Hanson stated they changed the proposal for alley-loaded products from the current ten foot front setback to fifteen foot front setback.

He stated the sixth revision was that townhome buildings shall have no more than four units under one roof.

Director Hanson stated for a townhome project there would be a minimum of two feet of variation between individual units and allowed corresponding adjustment to the rear yard minimum setbacks.

He said there was discussion of Item Eight and greenspace requirements. The proposal has variations in the requirement for greenspace based on the number of units that are proposed for the project. At the Work Session it was proposed that this item needs further study.

Chairman Berry thanked everyone on the Commission for their work on this. He noted they were in agreement on Items One through Seven and they had discussed the greenspace again this morning. The consensus was in agreement with the fifteen foot buffer around the entire project, increasing side setbacks to seven feet and changing the open space from 20% to 25%.

Vice-Chairman Harrelson made a motion to approve the recommended revisions to Items One through Seven as stated and change Item Eight to 25% of open space with fifteen foot buffers. Commissioner Fite seconded the motion. There was no further discussion. The vote was unanimous in favor.

3. **Amendments to Section 159.03.02 and 159.07.03 of the Zoning Ordinance – Commercial Center Signs** – *Action Requested: Review and Recommendation of Proposed Sign Amendments*  
Planning, Building and Technology Director John Hanson stated over the last few months Town Council has discussed amendments to the sign ordinance for Commercial Center signage. The attached ordinance addresses the concerns raised during these discussions. The effect of these amendments will be to allow additional signage for Commercial Centers in certain situations and to increase the allowable size of unpermitted signs regardless of whether they are located within a Commercial Center or not (handout attached).

Director Hanson noted the current sign ordinance allows a one square foot sign without a permit. One section of the proposed amendment would increase that to a two by two sign without a permit. He added the second section refers to Commercial Center signage and is intended to eliminate some of the conflicts seen at the Board of Zoning Appeals. Currently the ordinance reads that in a Commercial Center there can be one wall sign and one space in the group development sign. Businesses often request a variance to allow a sign on the back of the building in addition to the front of the building in situations where the back of the building faces a major roadway.

Chairman Berry commented that there was a lengthy discussion about this during their Work Session.

Commissioner Robertson referred to the first section of the proposed amendment and stated the he felt quadrupling the allowed size without permit to four square feet may be excessive and something in the middle might be better

Chairman Berry referred to the handout showing the recommended amendments. He noted Section 1 would not change, Section 2 would change to two square feet and Section 3 would be eliminated. Director Hanson confirmed that was the discussion at the Work Session.

Commissioner Hendrix made a motion to approve as stated by the Chairman. The motion was seconded by Vice-Chairman Harrelson. There was no further discussion. The vote was unanimous in favor.

**OTHER BUSINESS:** Town Councilmember Todd Carnes thanked the Commission for their work and added the Town is driven by volunteers on the Boards and Commissions. He announced Sister Hazel will be at the Icehouse Amphitheater on Saturday, July 23 and tickets are on sale for \$32. The Market at Icehouse is being held each Saturday until September from 9 AM to 1 PM. The For the Love of Hops Craft Beer Festival will be held on Saturday, August 20.

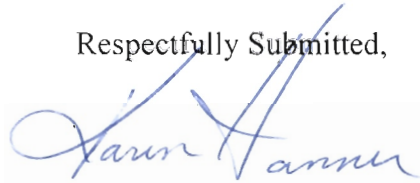
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**ADJOURNMENT:** Vice-Chairman Harrelson made a motion to adjourn. Commissioner Hendrix seconded the motion. The vote was unanimous.

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 8:25 AM.

Respectfully Submitted,



Karen Hanner  
Assistant 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*