

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING NOVEMBER 12, 2008

The Planning Commission met in the Town Hall at 8:00 a.m. with the following members present: Chairman Keith Frost, Vice-Chairman Frank Berry, Mike Anderson, John Bartlett, Roscoe Caughman, Edwin Gerace and Sammy Hendrix. The following members were absent: Brian Amick and Chris Berry (excused).

Others in attendance were Town Administrator Jim Duckett, Town Attorney Brad Cunningham, Assistant Town Administrator Britt Poole, Zoning Administrator Leah Davis, Director of Parks, Streets & Sanitation Dan Walker, Council Liaison Richard Thompson, Central Midlands Advisor Wayne Shuler, Assistant Town Clerk Beverly Moore, and Network Administrator Darrell Pritchard. Five citizens were in attendance. No one was present from the news media.

CALL TO ORDER & INVOCATION: Chairman Keith Frost called the meeting to order, led in the Pledge of Allegiance and gave the invocation.

MINUTES: The September 17, 2008 Planning Commission minutes were unanimously approved as submitted.

NEW BUSINESS:

1. **Zoning District & Road Classification for Annexation of 1091 Three Chop Run:** Hugh Simril has petitioned for annexation of 1091 Three Chop Run. He uses the property residentially and is requesting a zoning district of Protected Residential (PR). Three Chop Run is currently classified as a Residential Local 4 (RL4) road.

Vice-Chairman Berry made a motion recommending Council approve annexation of 1091 Three Chop Run with a zoning district of Protected Residential and road classification as Residential Local 4. Mr. Gerace seconded the motion and it was unanimously carried.

2. **Zoning District & Road Classification for Annexation of 414 Old Cherokee Road:** Genie Shealy and Lynn Baldwin have petitioned for annexation of 414 Old Cherokee Road. A residence currently sits on the property. The owners would like to rent the residence out for either residential or commercial use and are requesting Limited Commercial (LC) zoning. This parcel should also be zoned with the Commercial Corridors Special Overlay District and the Preservation Corridors Special Overlay District. Old Cherokee Road is classified as a Collector road.

A motion was made by Mr. Gerace recommending Council approve annexation of 414 Old Cherokee Road with a zoning district of Limited Commercial with the Commercial Corridors Special Overlay District and the Preservation Corridors Special Overlay District and road classification as Collector. The motion was seconded by Vice-Chairman Berry and it was unanimously carried.

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- 3. Rezoning of 115 Fox Street:** The owners of 115 Fox Street have requested to rezone it from Limited Commercial (LC) to Protected Residential (PR). A residence currently sits on the property, and the owners have no intention of using this property for commercial purposes in the future. They would like for the zoning of their property to reflect the use of the property as residential.

Mr. Joe Boles, the property owner, was available to answer any questions. Mr. Boles explained that in 1984 zoning was changed by Lexington County to IDD instead of PRD. Because of commercial encroachment, he needed to protect his residential property. Mr. Anderson made a motion recommending Council approve rezoning 115 Fox Street from Limited Commercial to Protected Residential. The motion was seconded by Mr. Gerace and it was unanimously carried.

- 4. Rezoning of 103 & 105 George Street:** The owners of 103 and 105 George Street have requested a rezoning of their properties from Protected Residential (PR) to Limited Commercial (LC). The properties have been used residentially for years, but over time have been almost completely surrounded by commercial development. For this reason, the owners of the properties believe that they are best suited to commercial use now. George Street is classified as a Local road.

Ms. Elizabeth Sligh, representing CODAEL Investments, LLC, was available to answer any questions. Ms. Sligh gave Commission members printed information concerning the family owned business and the proposed project (a copy is attached to the original minutes). Chairman Frost commended the Sligh family for their efforts to improve this area of town and for reusing the existing buildings. A motion was made by Mr. Hendrix recommending Council approve rezoning of 103 and 105 George Street from Protected Residential to Limited Commercial. Vice-Chairman Berry seconded the motion and it was unanimously carried.

- 5. Sketch Plan Approval for Berkshire Business Park:** Mr. Roy Hurley of Capital Construction would like to develop a business park at 334 Old Cherokee Road, which is located in front of the entrance to the Berkshire neighborhood. He has obtained a variance from the Board of Zoning Appeals, which would allow him to sell each building in fee simple on its footprint. (Each owner would also receive an interest in the common area of the development.) This is the same mechanism that Mr. Hurley used to develop the Old Cherokee Road office park, which is located down the road from this site. Mr. Hurley would be required to install sidewalks or pay into the sidewalk fund, receive architectural approval for buildings and signage and meet landscape and tree requirements. This project appears to meet all other zoning requirements.

Mr. Mike Ray, with HB Engineering, was available to answer questions. The project meets all setback and buffering requirements and the developer has a verbal agreement with SCDOT for the curb cut. The developer also worked with the Berkshire Home Owners Association and all property owners have been informed.

Mr. Bartlett made a motion recommending Sketch plan approval for Berkshire Business Park located at 334 Old Cherokee Road. The motion was seconded by Vice-Chairman Berry and it was unanimously carried.

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OTHER BUSINESS: INFORMATION ONLY

1. **Scheduling of Work Shops:** The Zoning Administrator stated that normally there was no Planning Commission meeting in December but if an issue came up a meeting may be required. Commission members were in agreement to do the same this year. The Zoning Administrator also announced that, unless there was a called meeting, there would be no work shop in December.
2. **Town Administrator:** The Town Administrator wished everyone Happy Holidays and reminded the Planning Commission of the upcoming Boards and Commissions Appreciation Dinner on December 15th at Town Hall.
3. **Council Liaison:** Councilmember Thompson stated that the local election had been grueling but Mayor Randy Halfacre was reelected for a second four year term and three Council members were reelected, unopposed, for four year terms.

ADJOURNMENT: There being no further business to come before the Planning Commission, Mr. Hendrix made a motion to adjourn the meeting and was seconded by Mr. Gerace. The motion was unanimously carried and the meeting adjourned at 8:32 a.m.

Respectfully Submitted,

Beverly Moore
Assistant Town Clerk

APPROVED:

Keith Frost
Chairman