

MINUTES
Town of Lexington

Council Work Session

May 17, 2021

1

Town Council held an Executive Session and a Special Council meeting prior to the Council Work Session (see separate minutes) starting at 6:15 p.m. on May 17, 2021 at Town Hall in the Eli Mack, Sr. Room located at 111 Maiden Lane, Lexington, South Carolina. The meetings were attended by: Mayor Steve MacDougall, Mayor Pro-Tem Hazel Livingston, Councilmembers Todd Carnes, Ron Williams, Steve Baker and Todd Lyle. Councilmember Kathy Maness was excused following the Executive Session.

Staff members present were: Town Administrator Britt Poole, Assistant Town Administrator Stuart Ford, Municipal Attorney Brad Cunningham, Transportation Director Randy Edwards, Police Chief Terrence Green, Planning, Building and Technology Director John Hanson, Chief Building Inspector Brent Hawkins, Utilities and Engineering Director Allen Lutz, Finance Director Kathy Pharr, Parks and Sanitation Director Dan Walker, Assistant Parks and Sanitation Director Johnny Dillard, Communications Manager Laurin Barnes, Assistant Municipal Clerk Karen Hanner and Municipal Clerk Becky Hildebrand.

There were approximately fifteen (15) citizens present and no members of the news media were present.

OPENING STATEMENT and CALL TO ORDER

Mayor MacDougall welcomed everyone to the Council Work Session. He read an opening statement to explain the procedures of a Council Work Session which stated: *“Work Sessions are less formal business meetings that enable Council to obtain and discuss information regarding Town issues from Staff members and/or consultants. Like Regular Council Meetings, citizens are encouraged to attend and observe Work Sessions; however, they do not include Public Hearings, but do allow for public comments at the end of the Work Session unless otherwise called on by Council. Council does not take an action vote on items during a Work Session other than to vote to place an item on Council’s next Regular Council Meeting agenda for consideration and an official vote. Council Work Sessions are taped for use by the Municipal Clerk only and Minutes are taken and posted on the Town’s web page following approval of Council.”*

Mayor MacDougall called the meeting to order at 6:20 p.m.

DELETIONS ON AGENDA: None.

MINUTES
COUNCIL WORK SESSION
May 17, 2021

APPROVAL OF MINUTES: A motion was made by Councilmember Williams and seconded by Councilmember Baker to approve the minutes as submitted for Council's Regular Meeting held on May 3, 2021. The motion was unanimously carried by all those present. (Copy attached.)

BUSINESS ITEMS: (For discussion and recommendation for Council's June 14, 2021 Regular Council Meeting.)

1. **Approval of a Planned Unit Development on Lexington County Tax Map Number 5596-02-032 and 5596-02-033 located in the 4800 Block of Augusta Road – Director of Planning, Building and Technology John Hanson:** JCF Living requested approval of a Planned Unit Development (PUD) located on two parcels located in the 4800 block of Augusta Road and along Dooley Road. The total PUD area is 62.76 acres. It will consist of an apartment project that will occupy 52.2 acres on the rear of the site and two commercial outparcels fronting Augusta Road.

The apartment portion of the PUD will have 256 units located in 140 duplex or single buildings. The remainder of the PUD incorporates the two commercial outparcels. The type of commercial uses that will occupy these parcels has not been determined but they will meet all traditional zoning and land development requirements.

Town Council deferred this item and two associated items from the last regular Council Agenda to allow representatives from JCF Living to attend the Work Session to discuss the project. Discussion and direction was the action requested from Town Council.

Mr. Hanson advised Council that representatives from JCF Living were present tonight to answer any questions from Council.

Mayor MacDougall asked the representatives to come forward and share any additional information followed by questions from Council.

Mr. Brian Coil, representing JCF Living, introduced Mr. John Fitzmaurice, owner and CEO of JCF Living, stated that they were looking at developing the 62 acres into 256 units with a new product for single family/duplex rental community. He added that 10 acres would be left for commercial development on Augusta Road.

Mr. John Fitzmaurice, JCF Living owner, wished to shed some light on the new product. He stated that this new product has been in the works for 10 years and it is an alternative to three story apartment building. Mr. Fitzmaurice added that "housement" is a registered name for modular homes, which means 80% of the home is built in a factory, one which they purchased a year ago. He stated that modular homes are built to State Code, not HUD Code which is for manufactured homes. Mr. Fitzmaurice

MINUTES
COUNCIL WORK SESSION
May 17, 2021

stated that about 30% of Pulte Homes are built in a factory including trusses and walls. He stated that their homes are about 75% to 80% built in a factory and the balance of the home is built onsite. Mr. Fitzmaurice stated that their homes are set on foundations, not slabs, and cannot be picked up and relocated. He added that it results in a low density product and doesn't tax the school system. He stated it is all about the green. Mr. Fitzmaurice stated that inside is full granite, stainless steel appliances, high end wood floors and they are high end homes with private drive ways. Mr. Fitzmaurice stated that they have built a new complex in Huntsville, Alabama and the idea is to have two entrances, not just one because when you see the building it looks like a single family home, but it is not and the wall runs perpendicular so both units have their own space. He added that after they built the first phase in Huntsville, the Mayor asked him to build six more. Mr. Fitzmaurice stated that they also have a project underway in Lebanon, Tennessee and it took nine months to convince them what it was. He was not there to fight them so he offered for them to go see the project in Huntsville and if they did not like it he would drop the submission. They came back from Huntsville and told him they had two more sites for him to build. Mr. Fitzmaurice stated that the units draw young working adults because they would rather not live in a three story building. He added that they take care of all the landscaping and you cannot install a pool. He brought one book to show an example of their product, which he usually does not give out because there are a lot of trade secrets in the book but the word is out on what they are doing. He added that they will also be in the Coastal Living magazine. Mr. Fitzmaurice confirmed that they have about five projects under construction and 6 or 7 under contract including two in Florida, Freeport, Orlando, Hardeeville, Lebanon and Huntsville.

Mayor MacDougall thanked Mr. Fitzmaurice and stated that Council would like to see interior photographs because they had only seen small exterior photographs. He asked if they knew who would build on the two commercial lots. Mr. Fitzmaurice responded that they do not have anyone yet, but they do not want a negative there because of their high end homes. He added that in Huntsville they are on 80 acres and built a \$7.5 million club house. He stated that with their high rents he could afford to build it. He had three developers in California contact him recently to see if he would partner with them. Mayor MacDougall asked about the size of the community pool. Mr. Coil responded that it would be about 9,000 square feet. Mr. Fitzmaurice stated that all they are trying to sell to Lexington residents is an alternative that involves green. He added that owning the factory allows them to economize the product, but the land makes it more per unit with low density. He stated that you still spend \$200,000. Mr. Fitzmaurice stated that they could make it denser, if the city allows it, but they do not want to because it is all about the green.

Mayor MacDougall stated that he knew JCF Living went through the whole process with the Planning Commission who are second to none and

MINUTES
COUNCIL WORK SESSION

May 17, 2021

Council banks on what the Commissioners tell them, but they just did not have enough information. Mr. Fitzmaurice stated that he could forward a video that would show Council more about their project. Mayor MacDougall asked him to forward it to Communications Manager Barnes. Mayor MacDougall confirmed that the units are two units per building. Mr. Fitzmaurice stated that they never use the duplex word because they have two front doors and their floor plans are patented and includes lots of windows. Mayor MacDougall asked if he rented a unit for 10 years could he then buy it. Mr. Fitzmaurice responded, no. Mayor MacDougall asked the brand name of the appliances. Mr. Fitzmaurice responded, Whirlpool.

Councilmember Carnes asked about the footprint of the units. Mr. Coil responded that the one bedrooms average out to 690 square feet and the two bedrooms average out to be 990 square feet and the overall footprint of the building is 30 x 56 feet or 1,680 square feet total. Mr. Fitzmaurice added that it will include about 25 single family homes. He encouraged Mr. Hanson to look at the book there were leaving and he would see the single family homes, floor plans, coastal design with ceiling to floor windows. Mr. Coil stated that they use LBT plank, subway back splashes, and granite countertops. Mr. Fitzmaurice stated that they also include a washer and dryer, cut the grass, trim the flowers, etc. so when you move in you do not have to lift a finger, which is also great for retirees.

Mayor MacDougall asked how many steps to the front porch. Mr. Fitzmaurice responded about two to three steps and it could be modified for a ramp if needed. He added that he built 70 units in Kokomo, Indiana in three years, which was not to make profit, but was a lab where they modified floor plans to determine the best plan. He stated that it is all about controlling the factory so you can edit your product. He confirmed for Mayor Pro-Tem Livingston that their factory is in Tennessee run by a Carolina native.

Councilmember Lyle asked Mr. Fitzmaurice to explain Pulte Homes. Mr. Fitzmaurice responded that about 25% to 30% of their homes are pre-fabricated including all joists and trusses. He explained that he used it as an example earlier, but they take it a step further.

Mayor MacDougall called for a motion to add the item to Council's June 14, 2021 agenda for consideration. Mayor Pro-Tem Livingston stated that she was not ready to vote on the item until she could visit one of their communities and see it for herself before she voted to add it to the agenda. She added that she would be in Mexico for the next 10 days so it may take her a while to get back and visit one of the communities. Mr. Fitzmaurice suggested that Mayor Pro-Tem Livingston look at the video because it was not shot by amateurs, but was produced by a company out of Nashville. He added that she was always welcome to come, but

MINUTES
COUNCIL WORK SESSION
May 17, 2021

the video is very effective. He stated that he has never had anyone visit that didn't drop their jaw. Mayor MacDougall asked if there were any further comments from Council. He confirmed that Planning Commission Chair Keith Frost did not have any comments. There being none, Mayor MacDougall thanked the representatives from JCF Living for attending the meeting.

2. **Boards and Commissions Application – Municipal Clerk Hildebrand, Presented by Assistant Municipal Clerk Hanner:** The Town received an application from Mr. Allen Keith Benton who expressed an interest in serving on the Town of Lexington's Building Code Board of Appeals which currently has three vacancies. Mr. Benton is a Town resident and has building experience. (Copy of application attached.)

A motion was made by Councilmember Baker and seconded by Councilmember Williams to place the item on Council's June 14, 2021 agenda for consideration. Councilmember Carnes asked who was currently on the committee. Ms. Hanner responded Mr. William Lafferty and Mr. James Snell. Councilmember Carnes confirmed that Mr. Snell was Attorney Snell. He asked if it was normal to have a contractor on the Board. Mr. Poole responded that this Board allowed those that have some type of building experience and attorneys are allowed by exception because there is some type of code interpretation needed. He added that they meet about once a decade when a ruling is challenged. Mr. Hanson added that there is an appeal currently pending so three members are required in order to meet. Mr. Hawkins stated that they are in the process of getting the Board back up to speed and plan to start meeting once a quarter or every six months in order to keep the Board staffed. Mayor MacDougall encouraged everyone to think of someone that could apply and fill the vacancies on this committee even though they do not meet often they are very important. The motion was unanimously carried by all those present.

3. **Reappointments to Boards and Commissions – Municipal Clerk Hildebrand, Presented by Assistant Municipal Clerk Hanner:** The terms for the following Boards and Commissions members will expire June 30, 2021. Reappointments require approval by Council.

Advisory Committee: Terry Samuels, Madison Rogers, James Dawson
Board of Zoning Appeals: Mary Watts, Justin Brown, Reve Richardson, Troy Fite
Building Codes Board of Appeals: James Snell
Historic Preservation Board: Tim Privette, Amiel Maness
Planning Commission: Frank Berry

MINUTES
COUNCIL WORK SESSION
May 17, 2021

Traffic Committee: Susan Ruinen, Clyde Smith, Mark Churchill, Bob Ferrell, Jim Wigglesworth, Rosemary Wilson

Current Boards and Commissions Vacancies:

Advisory Committee:	one vacancy
Board of Zoning Appeals:	two vacancies
Building Code Board of Appeals:	three vacancies
Historic Preservation:	one vacancy
Traffic Committee:	two resident vacancies

A motion was made by Councilmember Williams and seconded by Mayor Pro-Tem Livingston to place the item on Council's June 14, 2021 agenda for consideration. The motion was unanimously carried.

COUNCIL/STAFF COMMENTS: None.

PUBLIC COMMENTS: None.

NEWS MEDIA COMMENTS: None.

ADJOURNMENT: Mayor MacDougall thanked everyone for attending the meeting. There being no objection from Council, Mayor MacDougall adjourned the Council Work Session at 7:30 p.m.

Respectfully submitted by:

Becky P. Hildebrand, CMC

APPROVED BY:

Steve MacDougall
Mayor

MINUTES
COUNCIL WORK SESSION
May 17, 2021

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.