

MINUTES

TOWN OF LEXINGTON PLANNING COMMISSION MEETING AUGUST 18, 2010

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, Brian Amick, John Bartlett, Carl Berry, Roscoe Caughman and Edwin Gerace. The following members were absent: Mike Anderson (excused) and Sammy Hendrix.

Others in attendance were Town Administrator Britt Poole, Director of Planning, Building & Technology Leah Youngblood, Director of Parks, Streets & Sanitation Dan Walker, Engineer Rosemarie Nuzzo, Building Inspector Charly Thomas, Assistant Municipal 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: Vice-Chairman Berry made a motion to approve the July 21, 2010 Planning Commission minutes and was seconded by Mr. Gerace. The minutes were unanimously approved as submitted.

OLD BUSINESS:

1. **Amendments to the Land Development Regulations Regarding Car Washes, Pet Waste Stations, and Dumpster Pads:** In an effort to keep non-point source pollution out of storm drains, it has been requested to amend the Land Development Regulations to:
 - Encourage the installation of car wash stations in new residential neighborhoods and apartment complexes and to regulate how they must be installed if they are installed.
 - Encourage developers to install pet waste stations in new residential neighborhoods and apartment complexes and to regulate how they must be installed if they are installed.
 - Require developers of the following to tie dumpster pads to the sanitary sewer system with the service running through an interceptor or grease trap to catch grit and other substances:
 - o residential amenities areas
 - o new commercial buildings
 - o commercial projects that take an action implicating the Architectural and Appearance Standards review. (Architectural and Appearance Standards review is implicated on existing commercial buildings that are undergoing extensive renovations, additions, etc.)

It is not requested to make any of these requirements retroactive on existing projects. Proposed Ordinance text is attached to the original minutes.

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Chairman Frost thanked Director of Planning, Building & Technology Leah Youngblood and the Town's Engineer Rosemarie Nuzzo for their work to reduce storm water impact. Mr. Gerace made a recommendation to Council to approve the above amendments to the Land Development Regulations Regarding Car Washes, Pet Waste Stations, and Dumpster Pads as read. Mr. Bartlett seconded the motion and it was unanimously carried.

NEW BUSINESS:

1. **Amending the Mobile Home Park Ordinance to Modify Open Space Requirement in Park Expansions:** Mr. Rod Black, owner of the Cedarcrest Mobile Home Park at 366 Railroad Avenue, has requested a text amendment to the Mobile Home Parks Ordinance. He would like to install two additional manufactured homes in his mobile home park. The Mobile Home Parks Ordinance would prohibit him from installing any additional homes due to the following sections:

Section 151.05.01 (I): which states that “in order to expand an existing park, a recreation area equal to ten percent (10%) of the gross park area (existing plus proposed area) must be provided within the park boundary.”

Section 151.05.01 (H): which states that “no recreational area shall be less than three hundred (300) square feet in area.”

The Cedarcrest Mobile Home Park does not have the land available to meet these requirements. Mr. Black is requesting to change these sections as described on his attached application such that the Ordinance would allow him to install the two additional homes. Any changes to the Mobile Home Parks Ordinance must be applied to not only the Cedarcrest Mobile Home Park but also any other mobile home parks that are located in the Town presently or in the future. Currently, one other mobile home park is located in Town—the Jackson Mobile Home Park at 170 Railroad Avenue. The Jackson Mobile Home Park contains approximately 4.4 acres of undeveloped land, so if these changes were made to the Ordinance, the owner could ostensibly locate approximately 17 additional mobile homes there. (Mr. Black has worked out an agreement with the present owners of the Jackson Mobile Home Park, Jesse and Jean Jackson, stating that they will not request to install additional homes there. However, Municipal Attorney Brad Cunningham advises that even if recorded by the Register of Deeds, such an agreement could be modified or retracted at any time by the present owners or any future owner of the park.)

Moreover, a few other mobile home parks are located either contiguous to or close to the Town's boundaries that would fall under the Mobile Home Parks Ordinance upon annexation. These include parks located at 4901 Sunset Boulevard (Victoria Lakes), 4801 Sunset Boulevard (Rolling Meadows), 142 Industrial Drive, 349 Railroad Avenue, and TMS#005426-01-004 on Railroad Avenue. Victoria Lakes also owns 21 acres of undeveloped land adjacent to its current mobile home park. As a side note, a variance is not an available option to Mr. Black because the Mobile Home Parks Ordinance is not an Ordinance of the type for which variances are allowed.

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Mr. Rod Black was present to answer questions. The Director of Planning, Building & Technology stated that Cedarcrest had been grandfathered into the Town as nonconformity. The Planning Commission voiced its concerns about the lack of required common greenspace, which is part of the Town's Master Plan, and the fact that an amended ordinance would affect all mobile parks in Town or in the future. The Planning Commission felt it was inappropriate to modify the ordinance for an individual property and was not justifiable to deviate from the Master Plan for just one property owner.

Vice-Chairman Berry made a motion recommending to Council that the Mobile Home Parks Ordinance not be amended. Mr. Caughman seconded the motion and was unanimously carried.

2. **Addition of Two More Lots in the Laurel Falls Neighborhood:** Mr. Buddy Stevens, who owns lots 29 and 30 in the Laurel Falls neighborhood, would like to subdivide each of them into two parcels.

The existing site plan for Laurels Falls was approved by Lexington County prior to the annexation of the neighborhood into the Town. However, now that the neighborhood is located within the Town of Lexington, any changes to the site plan need to go through the Town's review process. The addition of these two lots in Laurel Falls meet the Town's zoning requirements with respect to density and lot size.

Density: The roads in the neighborhood have a classification of Residential Local 4 (RL4), which allows a density of 4 units per acre. At 16.37 acres with 38 home sites currently platted, the neighborhood has a density of 2.32 units per acre. Increasing the number of lots by 2 units to 40 total units would increase the density to 2.44 units per acre. Thus, the road classification would allow the increased density.

Lot size: Laurel Falls is zoned Protected Residential (PR), which has a minimum lot size of 7,260 square feet. The smallest of the proposed new lots is 12,632 square feet. Therefore, the requested subdivisions meet the zoning district's requirements regarding minimum lot size.

The Director of Planning, Building & Technology stated that the owner was not present to address the request and that a site plan was needed for review. As the Planning Commission has a 60 day period for review, the request was tabled until the September Planning Commission meeting. No action was taken.

3. **Site Plan Approval for a New Training Facility & Training Field at Moore Orthopaedic Clinic:** Mr. George Genero of Campbell Engineering and Associates has submitted a site plan for the addition of a training facility and a training field at the Moore Orthopaedic Clinic. The business, located at 104 Saluda Pointe Drive, currently has a medical building on site. The training facility and training field would operate in conjunction with the medical building. This property is zoned General Commercial (GC) with the Commercial Corridors and Preservation Corridors special overlay districts.

The new training facility and training field appear to meet all zoning requirements. This project would be required to meet the Town's Architectural and Appearance Standards.

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The developers of this project would be required to install sidewalks along all road frontages on the portion of the site to be developed or pay a fee in lieu of installing the sidewalks there.

Mr. George Genero and Mr. Matthew Frick, with Moore Orthopaedic Clinic, were present to answer questions. It was noted that parking was more than adequate, with 52 spaces, for the clinic as well as the training facility and field. Mr. Genero also said that he was proposing new sidewalks along the frontages. Mr. Berry asked if the clinic was planning combine events beyond rehabilitation training and was told they would be included during non-routine hours such as Friday afternoons.

Mr. Berry made a motion recommending site plan approval with the stipulation that combine events must be held during non-business hours for the facility. Mr. Gerace seconded the motion and it was unanimously carried.

OTHER BUSINESS: INFORMATION ONLY

Vice-Chairman Berry had no Traffic report.

The Town Administrator welcomed Mr. Carl Berry as the newest member of the Planning Commission. The Director of Parks, Streets & Sanitation reminded everyone of a ribbon cutting for the new scenic overlook at Gibson Pond Park on August 31st at 11:00 a.m.

ADJOURNMENT: There being no further business to come before the Planning Commission, Vice-Chairman Berry made a motion to adjourn and was seconded by Mr. Gerace. The motion was unanimously carried and the meeting adjourned at 8:35 a.m.

Respectfully Submitted,

Beverly Moore
Assistant Town Clerk

APPROVED:

Keith Frost
Chairman