



A public hearing of the Planning Commission was held on Tuesday, February 2, 2021, at 6 p.m. in City Council Chambers, 155 Johnston Street, Rock Hill SC.

MEMBERS PRESENT Randy Graham, Duane Christopher, Justin Smith, Nathan Mallard, Shelly Goodner, Keith Martens

MEMBERS ABSENT Gladys Robinson

STAFF PRESENT Eric Hawkins, Dennis Fields, Shana Marshburn, Leah Youngblood, Janice E Miller

1. Approval of minutes of the January 5, 2021, meeting.

Vice-Chair Duane Christopher made a motion to approve the minutes from the January 5, 2021, meeting. Commissioner Keith Martens seconded and the motion passed unanimously by a vote of 6-0 (Robinson absent).

PUBLIC HEARING ITEMS

2. **Hold public hearing and consider a recommendation to City Council on petition M-2021-08 by Mattamy Homes (Jerry Whelan) to rezone approximately 64 acres at 1705 & 1725 Sturgis Road, 146 Waterford Park Drive, 2652 Dave Lyle Boulevard (portion), and adjacent right-of-way from Industry General (IG) and Single-Family Residential-3 (SF-3) in the City of Rock Hill and Rural Development District (RUD) in York County to Master Planned Residential (MP-R). A portion of the subject property is proposed to be annexed into the City of Rock Hill. Tax parcels 700-00-00-005 & -045, 700-01-01-044 & -030 (portion).**

Chair Randy Graham announced that this item had been deferred to the March public hearing at the request of the applicant.

3. **Hold public hearing and consider a recommendation to City Council on petition M-2021-09 by Baskins Road Properties to rezone approximately 5.46 acres at 1856 Baskins Road, 1643 Trimnal Lane, and adjacent right-of-way from Urban Development District (UD) in York County to Multi-Family Residential (MFR). The subject properties are proposed to be annexed into the City of Rock Hill. Tax parcels 666-01-01-022 & -023.**

Staff member Eric Hawkins, Planning & Zoning Manager, presented the staff report. He also provided the Commissioners with questions provided via email from nearby property owners Carson T. Blue, Charles P. Blue, and Jeffrey T. (Travis) Blue specifically requesting information on the development plans and impact on the surrounding area.

Commissioner Justin Smith noted that sewer service would be extended to serve the site and asked if water service was available. Mr. Hawkins stated it was.

Commissioner Smith asked about the property that is part of the York Technical College Master Planned College/University (MP-CU) district to the northwest. Mr. Hawkins stated that he is unsure of the plans for this property and that since it is owned by York Tech, it was included in the MP.

Mr. Darrell Palasciano, 1057 E Morehead Street, Charlotte, representing the Paces Foundation, provided background of the Foundation and projects they have developed, adding that their goal is to provide green and LEED-certified workforce housing projects. He stated this particular project was planned to provide 96-100 units of housing with access to services, education, retail, and transit. He added that Paces Foundation had developed over 3,000 units throughout the United States, including 73 units in Rock Hill, and that the company would still own and maintain the property after construction was completed.

Chair Graham asked the location of the Manor York project. Mr. Palasciano stated it was located off Finley Road and was one of their smaller projects.

Chair Graham referred to the questions submitted by email and asked what the foundation meant by workforce housing. Mr. Palasciano stated they considered those public sector jobs such as police, firemen, and teachers, who worked full-time but were unable to afford market rates, with an income that is 80% of the average income for the market. For Rock Hill, that would be approximately \$40,000 per year.

Chair Graham again referred to the email questions and asked if this project was considered Section 8 housing. Mr. Palasciano stated it was not Section 8 housing but that they were legally required to honor Section 8 vouchers to cover rent, adding these were privately-owned apartment buildings.

Vice-Chair Christopher asked if property management would live on-site. Mr. Palasciano stated they would not, that the company would hire a third-party management company to run the property. He noted that there would be a fulltime management and maintenance staff.

Commissioner Martens asked if this was an age restricted community. Mr. Palasciano stated this project was not, although Manor York was age restricted. He added the buildings would be composed of one- to four-bedroom units.

Mr. Travis Blue, 1851 W. Baskins Road, spoke in opposition to the request, providing his family's history of owning property in the area after leaving the Catawba Reservation 77 years prior, adding that the property under consideration had been owned by the family at one time. He noted specifically the existence of low-income residential development in the area with the trailer park and Keiger Street apartments, incidences of crime including murder and rape as well as car theft and break-ins, and the increase in loud traffic and trash. He expressed concern that the property would be directly across Baskins Road from his front door and how headlights from exiting vehicles would shine directly into his living room. Mr. Blue expressed concern about easements that may needed for a sewer extension and how the easements may affect his property.

Vice-Chair Christopher asked if anyone was living on the subject property currently. Mr. Blue stated there was not, that it had been owned by his grandfather but sold by his father's sister.

Commissioner Smith asked Chair Graham to clarify the role of the Planning Commission. Chair Graham did so, reiterating that the Commission was a recommending body to City Council on the appropriate zoning of the property in the event it was annexed into the City. He stated that the proposed use was allowed in York County, adding the Commission would be reviewing the site plan for the project.

Mr. Carson Blue, 1863 W. Baskins Road, spoke in opposition to the request,

specifically noting that he likes his privacy but this project would no longer allow him to live a quiet lifestyle. He added that residents needed to have respect for their property, especially as he had relatives visit every weekend and cross Baskins Road to visit local relatives.

Commissioner Smith reiterated that the Commission's role was not to vote on whether the property should be annexed but as to the appropriate zoning, adding he understood their concerns.

Chair Graham again stated the project could move forward as it was zoned in the county by right but that in order to receive utility services, the City required the property be annexed.

Mr. Travis Blue asked if the Commission could deny the request. Chair Graham stated it could not as they could not deny something that could be built by right in the county.*

Mr. Travis Blue asked how the Commission could help the current landowners. Commissioner Smith stated annexation would provide more protection as there were regulations and design standards in the City the developers would be required to meet.

Mr. Hawkins clarified that City Council would vote on the Planning Commission's recommendation for the zoning district as well as the annexation, adding that they could theoretically develop the site as proposed in the county, but the City required annexation in order to get utilities. He noted that the Commission does normally take the county zoning into account when considering the proposed City zoning.

Vice-Chair Christopher noted the current county zoning allowed for both commercial and residential development. Mr. Hawkins stated this was correct, and the county's UD zoning designation allows a wide variety of uses.

Commissioner Martens observed that it would not be feasible for a development of this size be constructed without City water. Mr. Hawkins stated it would not, adding that a well and septic system would not work for a development this size. He added that DHEC would require City services with it being so close to the City's sewer system.

Commissioner Smith asked if any road improvements were planned. Mr. Hawkins stated there were not any currently.

Commissioner Martens stated he had concerns and that it would not be impossible for the applicant to locate another tract of land for the project.

Vice-Chair Christopher stated the project was workforce and not low-income housing, and that if it was built the way it was presented the project would increase values in the area, although he did add that he agreed with Mr. Travis Blue in that he would not want apartments directly across the street from his house either. He noted that the Commission could not dictate how a property could be developed by its owner, but that the final decision on the zoning and annexation was up to City Council.

Chair Graham stated if the current zoning was single-family, the Commission would look at the request differently, but that this request was for a use that was allowed under York County zoning. He reiterated that the Commission was not approving the development, just the proper zoning.

Vice-Chair Christopher made a motion to recommend approval of the proposed Multi-Family Residential zoning. Commissioner Smith seconded.

Commissioner Nathan Mallard stated the Commission would be reviewing the site plan for the project.

Mr. Travis Blue asked for clarification on what this vote meant. Chair Graham explained the Commission made the recommendation to City Council and that City Council would decide if annexation was appropriate.

Commissioner Martens asked who owns the property. Mr. Hawkins stated it is owned by Baskins Road Properties and the applicant has the property under contract to purchase.

Mr. Travis Blue stated that the trailer park next door has the same owner. Mr. Palasciano stated they are not purchasing the trailer park.

There being no further discussion, Chair Graham called for a vote and the motion carried by a vote of 5-1, with Commissioner Martens voting in opposition (Robinson absent).

*At the March 2, 2021, public hearing, Chair Graham clarified that he did not mean to imply he was speaking for the Commission as a whole.

- 4. Hold public hearing and consider a recommendation to City Council on petition M-2021-10 by Keith Bauer to rezone approximately 4.91 acres at 751, 757, 801, 823, 826, & 833 Cel-River Road, two unaddressed parcels on Cel-River Road, 822 Wilkerson Road, and adjacent right-of-way from Single-Family Residential-3 (SF-3) in the City of Rock Hill and Business Development District III (BD-III) and Residential Conservation District I (RC-I) in York County to Limited Commercial (LC). A portion of the subject property is proposed to be annexed into the City of Rock Hill. Tax parcels 662-01-01-002, -017, & -018; 662-07-01-311 to -313; and 662-00-00-044 & -047.**

Staff member Eric Hawkins, Planning & Zoning Manager, presented the staff report.

Commissioner Mallard asked if the industrial space Mr. Hawkins referred to was the lumber yard across Wilkerson. Mr. Hawkins stated it was not, that he was referring to the InChem site across Cel-River Road, adding that there is a large open area and parking lot directly across from the proposed development.

Chair Graham referred to comments in Mr. Philip Still's email included in the staff report and asked if the development potential for his property was diminished due to this new development. Mr. Hawkins stated it was not, that any use allowed in that particular zoning district could be constructed.

Chair Graham asked the buffer requirements for the IG zoning district. Mr. Hawkins stated it was minimal, possibly 10', but that it would depend on the intensity of the use.

Vice-Chair Christopher noted the concept seemed to show large buffer areas. Chair Graham reiterated that this was just a concept and not an actual plan for development. Mr. Hawkins agreed that more than 10' was indicated on the sketch submitted and that this was not the final plan. Vice-Chair Christopher further observed that on the south side of the property there was considerable distance between the proposed building and the adjacent residential structure.

Commissioner Martens asked if the Commission would be reviewing the site plan. Mr. Hawkins stated that they would.

Commissioner Martens asked the height of the buildings. Mr. Hawkins stated that the

maximum height in the LC district is forty-five feet, which would allow up to four stories.

The applicant, Mr. Keith Bauer, 72 Old Stonemill Road, Marietta GA, commented on Mr. Still's email, stating that the buffer would be required to be much larger if this was a single-family residential project. He further described the project as an age-restricted independent-living facility composed of 136 one- and two-bedroom units, adding that there would not be a medical staff at the facility but there would be healthcare officials there to meet with the residents. He stated each unit would be complete residential units and that residents would do their own cooking, although if the demand was there, there would be a common area for catered meals. He stated there would be common area theater facilities, gamerooms, a pool, exercise classes, and other amenities for the residents to enjoy. He noted that the location was chosen due to its proximity to apartments and housing nearby in the Riverwalk community, adding that many of those residents are looking for a community for their parents to move into.

Vice-Chair Christopher asked if management would live onsite or elsewhere. Mr. Bauer stated it would depend on the manager, that some preferred to live offsite and others onsite, but that there would be staff onsite during the day.

Vice-Chair Christopher asked if a one-year lease would be required. Mr. Bauer stated a lease was typical but that units were usually fully occupied and there did not tend to be a great deal of turnover in residents.

Mr. Philip Still, LVC Properties, 1661 Manhasset Farm Court, Dunwoody GA, owner of the adjacent property at 842 Wilkerson Road, spoke regarding the request, specifically regarding the required buffer adjacent to this property. He recounted his experience with another property he owns that is occupied by a mechanic and when townhomes were built adjacent to it, the residents began complaining about the mechanic. He asked for clarification on the setback for the buildings on this site. Mr. Hawkins stated 10'. Mr. Still expressed concern that he would be required to increase the buffer on his property for future development. Chair Graham assured Mr. Still that he could develop his property as desired with the current zoning in place, adding he could see that property going more towards commercial uses rather than industrial. Mr. Bauer added that the plan was to construct with enough buffer on the side to allow for a firetruck to access that side of the building. He also stated that because these were rental rather than privately-owned units, complaints would be sent to the management company.

Mr. Chuck Grobusky, 645 Wilkerson Road, spoke in opposition to the request, specifically noting the potential for an increase in traffic and concern for the safety of those who bike and walk along Wilkerson Road. He added there were as many as 15-20 trucks going in and out of the Stock Building Supply nearby and that while a new gate had been opened on Corporate Boulevard, there were still a number of vehicles using Wilkerson which would increase once the Panthers facility opened. He stated additional concerns about the impact of a four-story building on the nearby properties.

Chair Graham reiterated that the Commission was not approving the sketch that was presented, only the appropriate zoning for the properties for this suggested use. Vice-Chair Christopher noted that a traffic impact study would be done for this project. Mr. Hawkins stated a traffic impact study may not be required as the number of units proposed did not meet the requirements for one, adding that this would be considered at the site plan review stage as to whether one was needed. He noted that the proposed use would be age-restricted, it would not generate much traffic during peak

hours.

Vice-Chair Christopher asked if this was a City or state-owned road. Mr. Hawkins replied that it was owned by the state and that they may require a traffic impact study.

Vice-Chair Christopher made a motion to recommend approval of the proposed Limited Commercial (LC) zoning. Commissioner Mallard seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

5. Hold public hearing and consider a recommendation to City Council on petition M-2021-11 by Clutch Coffee Bar to rezone approximately 0.38 acres at 2027 Celanese Road from Business Development District I (BD-I) in York County to Limited Commercial (LC). The subject property is proposed to be annexed into the City of Rock Hill. Tax parcel 634-11-06-003.

Staff member Dennis Fields, Planner II, presented the staff report.

Vice-Chair Christopher asked if property owners would share the driveway and parking, and if there would be an agreement in place. Mr. Fields stated they would share, that in fact the shopping center had been looking to expand their parking and that there would be a legal easement in place.

Vice-Chair Christopher asked if, in the event the proposed use was replaced by a new use, would the new use have to honor the agreement. Mr. Fields stated it would.

Commissioner Smith asked if there was an existing curb along the back of the shopping center. Mr. Fields stated there was, that a drive-through had been planned originally but that it had not been completed.

Commissioner Martens asked if the new use would be solely drive-through. Mr. Fields stated that this was the plan and did not think there would be any indoor seating.

Commissioner Smith asked if this would come back to the Commission for site plan review. Mr. Fields stated it would not.

Commissioner Smith observed that there may be traffic issues leaving the site. Mr. Fields stated that the South Carolina Department of Transportation (SCDOT) had some concerns over this as well, that a suggestion had been made for this project to share the driveway with the adjacent residential property, but that this was not considered suitable by either the City or the residential property owner.

Commissioner Smith asked if this would be a one-way drive. Mr. Fields stated this was how the shopping center site was currently and that there were concerns if this drive were to be developed with two-way traffic.

Chair Graham stated the Commission was only to consider the appropriate zoning district for this property.

The applicant's representative, Mr. Jonathon Murdock, R Joe Harris & Associates, 1186 Stonecrest, Tega Cay, SC, stated the new driveway could not be shared with the residential property but that the shopping center was agreeable to working with them to find a solution, which was what was presented as part of the application.

Vice-Chair Christopher noted that the project was put in front of the Commission so they could make the appropriate recommendation. Chair Graham agreed.

Commissioner Mallard made a motion to recommend to City Council approval of Limited Commercial (LC) zoning as presented by staff. Commissioner Smith seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

6. Hold public hearing and consider a recommendation to City Council on petition M-2021-12 by Bridwell Homes (Rich Bridwell) to rezone approximately 0.087 acres at 642 Morris Street from Single-Family Residential-5 (SF-5) to Single-Family Attached (SF-A). Tax parcel 628-02-02-001 (portion).

Staff member Dennis Fields, Planner II, presented the staff report.

The applicant, Rich Bridwell, 7333 Starvalley Drive, Charlotte NC, was available to answer questions.

Vice-Chair Christopher made a motion to recommend to City Council approval of Single-Family Residential Attached (SF-A) zoning as presented by staff. Commissioner Martens seconded, and the motion passed unanimously by a vote of 6-0 (Robinson absent).

NEW BUSINESS

7. Consideration of a request by VHB for Major Site Plan and Preliminary Plat approval for Porter's Landing. (Plan #20160717)

Staff member Shana Marshburn, Planner I, presented the staff report.

Commissioner Smith requested clarification on the proposed mixed uses for Buildings 1 and 2. Ms. Marshburn stated these would be a mix of first-floor retail and offices with apartments above.

Commissioner Smith asked if there was a phasing plan in place. Ms. Marshburn stated there was, with:

- 1a – Cherry Road having two mixed use buildings with retail and apartments;
- 1b – Apartments constructed to the rear of the property;
- 1c – Retail and office.

Chair Graham asked how the numbers presented by staff were computed. Ms. Marshburn stated this was the sum of all the units proposed on this plan, compared with the previous plan presented to the Commission.

Commissioner Smith asked if all the properties would be managed and maintained by a single entity. Ms. Marshburn stated this was best answered by the applicant.

Mr. Wayne Robinson, VHB, 121 W Trade Street, Charlotte NC, planner and architect for the project was available to answer questions.

Mr. Robert Settle, Commercial Carolina, 1515 Mockingbird Lane, Charlotte NC, provided the Commission with the opportunity to speak with Mr. Lee Freeman, Watkins Real Estate Group, 1958 Monroe Drive, Atlanta GA, via telephone to answer questions.

Vice-Chair Christopher asked if stormwater would be dealt with under the parking lot. Mr. Robinson stated he did not expect to have to deal with stormwater as the property was located near a wetlands area and was situated directly off the Catawba River, adding they would be most concerned with addressing water quality.

Vice-Chair Christopher asked if they would connect to the trail along the Catawba River. Mr. Robinson stated they would connect.

Vice-Chair Christopher asked they had worked out the issues of crossing Celanese Road. Mr. Robinson stated they were working with SCDOT and the City for an easement under the bridge.

Vice-Chair Christopher asked if this would be a multiuse trail. Mr. Robinson stated it would. Mr. Hawkins noted there was an easement under Highway 21 and I-77 so a precedent had been set, it was simply a matter working with SCDOT to obtain access.

Commissioner Smith asked where the project currently stood in the process. Mr. Freeman stated they were in the design stage.

Commissioner Smith made a motion to approve the Major Site Plan and Preliminary Plat as submitted, subject to staff comments. Vice-Chair Christopher seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

8. Other Business.

Planning & Development Director Leah Youngblood announced that Mr. Hawkins had been promoted to Planning & Zoning Manager. Chair Graham and the Commissioners congratulated Mr. Hawkins on the promotion.

9. Adjourn.

There being no further business, the meeting adjourned at 7:52 p.m.