

**EXECUTIVE SESSION**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, the Council went into Executive Session to discuss eight matters. None of the matters were scheduled to appear on the agenda. The Council discussed background information and received legal advice as to potential and existing agreements related to the expansion of City and related services near University Center, Knowledge Park and the City's Urban Core, received legal advice concerning two zoning related matters, and discussed background information and received legal advice concerning potential litigation matters involving the City's Utility Department.

**SPECIAL SESSION – 6:00 P.M.**

Council met in Special Session with Mayor Gettys, Mayor Pro Tem Lindsay and Councilmembers Black, Faulkenberry, Reno, K. Sutton, and P. Sutton. Also present were City Manager David Vehaun, Deputy City Manager Jimmy Bagley, Deputy City Manager Steven Gibson, City Attorney Paul Dillingham, and Municipal Clerk Anne P. Harty. No members of the media were in attendance.

Upon a motion by Councilmember K. Sutton, the City Council approved the following four agenda items. The third and fourth items of the six published consent agenda items were deferred without objection.

**APPROVED MINUTES OF REGULAR SESSION OF MARCH 11, 2024**

**APPROVED MINUTES OF THE WORK SESSION WITH AIRPORT COMMISSION OF MARCH 13, 2024**

**AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING, AND WARD DESIGNATION OF AUTOMALL PARKWAY AREA VII LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. – Deferred**

An Ordinance entitled AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING, AND WARD DESIGNATION OF AUTOMALL PARKWAY AREA VII LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C was deferred without objection.

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 3.9 ACRES LOCATED ON AUTOMALL PARKWAY FROM URBAN DEVELOPMENT (UD) AND GENERAL COMMERCIAL (GC) TO COMMUNITY COMMERCIAL (CC) – Deferred**

An Ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 3.9 ACRES LOCATED ON AUTOMALL PARKWAY FROM URBAN DEVELOPMENT (UD) AND GENERAL COMMERCIAL (GC) TO COMMUNITY COMMERCIAL (CC) was deferred without objection.

**AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING, AND WARD DESIGNATION OF HOPEWELL ROAD AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C.** – Adopted

The ordinance was amended to add the requirement that loading docks not face Hopewell Road. There were no other changes since first reading.

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 178 ACRES LOCATED ON HOPEWELL ROAD FROM RESIDENTIAL MIXED 20 (RMX-20) TO INDUSTRY GENERAL (IG) AND DESIGN OVERLAY DISTRICT (DOD)** – Adopted

The ordinance was amended to add the requirement that loading docks not face Hopewell Road. There were no other changes since first reading.

**ORDINANCE TO APPROVE A POLE ATTACHMENT LICENSE AGREEMENT BETWEEN THE CITY OF ROCK HILL AND GIGAPOWER, LLC** – First Reading

An Ordinance entitled AN ORDINANCE TO APPROVE A POLE ATTACHMENT LICENSE AGREEMENT BETWEEN THE CITY OF ROCK HILL AND GIGAPOWER, LLC was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

The proposed agreement with Gigapower, LLC follows similar agreements between the City and other telecommunication providers for the use of City utility poles. The agreement allows Gigapower to attach certain equipment to City utility poles and infrastructure in accordance with the terms and provisions set forth therein. The City encourages the joint use of poles and infrastructure as a means to reduce the number of telecommunications structures in its municipal limits. Staff recommended approval.

Jimmy Bagley, Deputy City Manager, presented the item to the City Council.

**ORDINANCE GRANTING A PUBLIC RIGHT OF WAY USE AND FRANCHISE BY AGREEMENT BETWEEN THE CITY OF ROCK HILL AND GIGAPOWER, LLC FOR TELECOMMUNICATIONS SERVICES** – First Reading

An Ordinance entitled AN ORDINANCE GRANTING A PUBLIC RIGHT OF WAY USE AND FRANCHISE BY AGREEMENT BETWEEN THE CITY OF ROCK HILL AND GIGAPOWER, LLC FOR TELECOMMUNICATIONS SERVICES was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

The proposed agreement with Gigapower, LLC follows similar agreements between the City and other telecommunication providers. The agreement allows use of the City right of way

subject to the terms of the agreement and Article 20 of Chapter 9 of Title 58 of the 1976 Code of Laws of South Carolina (“Telecommunications Act”). Charges and fees are set forth and governed by the Telecommunications Act which further requires the City to manage its public rights-of-way on a competitively neutral and nondiscriminatory basis. Staff recommended approval.

Jimmy Bagley, Deputy City Manager, presented the item to the City Council.

**APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2024-02 BY THE ROCK HILL CITY MANAGER TO REZONE APPROXIMATELY 76.1 ACRES AT 757 S ANDERSON ROAD, 754, 776, AND 804 MORNINGSIDE DRIVE, AND ADJACENT RIGHT-OF-WAY FROM SINGLE-FAMILY RESIDENTIAL-4 (SF-4) AND MULTI-FAMILY RESIDENTIAL (MFR) TO OFFICE AND INSTITUTIONAL (OI). TAX PARCELS 669-04-01-018, -043, -091 (PORTION), & -132**

Upon a motion with the condition that buffers are required to be 100-150 feet against residential uses by Councilmember K. Sutton, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding petition M-2024-02 by the Rock Hill City Manager to rezone approximately 76.1 acres at 757 S Anderson Road, 754, 776, and 804 Morningside Drive, and adjacent right-of-way from Single-Family Residential-4 (SF-4) and Multi-Family Residential (MFR) to Office and Institutional (OI). Tax Parcels 669-04-01-018, -043, -091 (portion), & -132.

The City is looking to expand the laydown yard and construct future maintenance and storage facilities. The Planning Commission recommended approval of the rezoning at their March 5, 2024 meeting by a vote of 4-0 (Goodner, Haselrig, and Nazeer absent). The expansion of the Operations Center is considered a special exception in OI, so the Zoning Board of Appeals must approve this use.

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

**ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 76.1 ACRES LOCATED NEAR ANDERSON ROAD AND MORNINGSIDE DRIVE FROM MULTI-FAMILY RESIDENTIAL (MFR) AND SINGLE FAMILY RESIDENTIAL-4 (SF-4) TO OFFICE AND INSTITUTIONAL (OI) – First Reading**

An Ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 76.1 ACRES LOCATED NEAR ANDERSON ROAD AND MORNINGSIDE DRIVE FROM MULTI-FAMILY RESIDENTIAL (MFR) AND SINGLE FAMILY RESIDENTIAL-4 (SF-4) TO OFFICE AND INSTITUTIONAL (OI) was given first reading with the condition that buffers are required to be 100-150 feet against residential uses upon a motion by Councilmember K. Sutton, which was duly seconded and unanimously approved.

This ordinance will enact the OI zoning for the properties at 757 S Anderson Road, and 754, 776, & 804 Morningside Drive.

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

**APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2024-04 BY WREG ROCK HILL WEST, LLC (LEE FREEMAN) TO AMEND THE PORTER'S LANDING MASTER PLANNED COMMERCIAL (MP-C) DEVELOPMENT AT 3040, 3045, & 3057 CHERRY ROAD; 1080, 1082, & 1084 RIVERSIDE DRIVE; AND ADJACENT RIGHT-OF-WAY. TAX PARCELS 662-07-01-188, -189, & -191**

Mayor Gettys recused himself from the item due to a potential conflict of interest. An official copy of his statement is made part of these minutes. Mayor Pro Tem Lindsay received the gavel from Mayor Gettys.

Upon a motion by Councilmember K. Sutton, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding petition M-2024-04 by WREG Rock Hill West, LLC (Lee Freeman) to amend the Porter's Landing Master Planned Commercial (MP-C) Development at 3040, 3045, & 3057 Cherry Road, 1080, 1082, & 1084 Riverside Drive, and adjacent right-of-way. Tax Parcels 662-07-01-188, -189, & -191.

The applicant is requesting an amendment to the Porter's Landing Master Plan to change the mixed-use buildings along Cherry Road to commercial only. The Planning Commission recommended approval of the proposed amendments at their March 5, 2024 meeting by a vote of 4-0 (Goodner, Haselrig, and Nazeer absent).

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

**ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 32.19 ACRES LOCATED ON CHERRY ROAD AND RIVERSIDE DRIVE FROM MASTER PLANNED COMMERCIAL (MP-C) TO AMENDED MASTER PLANNED COMMERCIAL (MP-C) – First Reading**

Mayor Gettys recused himself from the item due to a potential conflict of interest. An official copy of his statement is made part of these minutes.

An Ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 32.19 ACRES LOCATED ON CHERRY ROAD AND RIVERSIDE DRIVE FROM MASTER PLANNED COMMERCIAL (MP-C) TO AMENDED MASTER PLANNED COMMERCIAL (MP-C) was given first reading upon a motion by Councilmember K. Sutton, which was duly seconded and unanimously approved.

This ordinance will enact the Amended MP-C for the properties at 3040, 3045, & 3057 Cherry Road, and 1080, 1082, & 1084 Riverside Drive as recommended by the Planning Commission.

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

Mayor Pro Tem Lindsay returned the gavel to Mayor Gettys.

**APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2024-06 BY NUCYCLE, LLC (MARK SALEH) TO AMEND THE PLANNED UNIT DEVELOPMENT MANUFACTURING HEAVY (PUD-MH) PLAN AT 1360 & 1376 FLINT STREET EXTENSION, AND 234, 236, 280, & 284 PORTER ROAD. TAX PARCELS 626-09-01-159, -213, -223, & -296**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding petition M-2024-06 by Nucycle, LLC (Mark Saleh) to amend the Planned Unit Development Manufacturing Heavy (PUD-MH) plan at 1360 & 1376 Flint Street Extension, and 234, 236, 280, & 284 Porter Road. Tax Parcels 626-09-01-159, -213, -223, & -296.

The applicant is requesting a change to the existing PUD to remove the requirement for landscaping materials within the rear buffer, since it is adjacent to city-owned property containing a former landfill. The Planning Commission recommended approval of the proposed PUD amendment at their March 5, 2024 meeting by a vote of 4-0 (Goodner, Haselrig, and Nazeer absent).

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

**ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 54 ACRES LOCATED ON PORTER ROAD FROM PLANNED UNIT DEVELOPMENT-MANUFACTURING HEAVY (PUD-MH) TO AMENDED PLANNED UNIT DEVELOPMENT-MANUFACTURING HEAVY (PUD-MH) – First Reading**

An Ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 54 ACRES LOCATED ON PORTER ROAD FROM PLANNED UNIT DEVELOPMENT-MANUFACTURING HEAVY (PUD-MH) TO AMENDED PLANNED UNIT DEVELOPMENT-MANUFACTURING HEAVY (PUD-MH) was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

This ordinance will enact the Amended PUD-MH zoning for the properties at 1360 & 1376 Flint Street Extension, and 234, 236, 280, & 284 Porter Road as recommended by the Planning Commission.

Shana Marshburn, Planner II, Planning & Development, presented the item to the City Council.

**APPROVED INVOLUNTARY DEMOLITION**

Upon a motion with condition that the demolition be delayed by 30 days by Councilmember K. Sutton, which was duly seconded and unanimously approved, approved an Involuntary Demolition of the property at 1142 Evans Avenue.

The property at 1142 Evans Avenue meets the Municipal Code's requirements for condemnation and has been deemed unfit by the City's Code Official. In accordance with the ordinance's process, a public hearing was advertised and held, and the property placarded as condemned. Once approved, the property will be scheduled for an involuntary demolition, and a lien will be filed to recover the cost.

Trey Parrish, Code Official, Neighborhood Services, presented the item to the City Council.

**APPROVED DESIGNATING THE 2024 UCI BMX WORLD CHAMPIONSHIPS AS A CITY-WIDE SPECIAL EVENT FOR THE PERIOD OF MAY 1-31, 2024**

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, approved designating the 2024 UCI BMX World Championships as a City-wide Special Event for the period of May 1-31, 2024.

Many local businesses want to acknowledge the upcoming UCI BMX World Championships with some special signage. As done in the past (2017 UCI BMX World Championships) staff recommend that the City Council designate the period from May 1-31 as a City-wide Special Event in honor of this event. Under the Zoning Ordinance, businesses are permitted a sign in conjunction with permitted special events, and this will allow any business to utilize an additional 32 square foot temporary sign or banner to welcome the BMX racers and fans. Given the nature of this event, all permits and fees would be waived for these signs as long as their primary message is to acknowledge the BMX Championships.

Telly Shinas, Zoning Manager, Planning & Development, presented the item to the City Council.

John Taylor, Director, Parks Recreation & Tourism, addressed the City Council.

### **APPROVED A FEDERAL USDOT NEIGHBORHOOD ACCESS AND EQUITY GRANT AWARDED TO SCDOT TO SUPPORT THE CITY OF ROCK HILL'S DAVE LYLE BOULEVARD PEDESTRIAN BRIDGE PROJECT**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved a Federal USDOT Neighborhood Access and Equity Grant awarded to SCDOT to support the City of Rock Hill's Dave Lyle Boulevard Pedestrian Bridge Project.

The City will receive funding to reimburse costs associated with constructing a bicycle and pedestrian bridge across Dave Lyle Boulevard and the railroad tracks. Once completed, the bridge will connect Rock Hill's northern and southern sides of downtown for pedestrians, cyclists, and those with mobility issues. The total award is \$10,109,074 over a three-year period to cover 100% of allowable costs for the bridge's design and construction.

Jeremy Winkler, Director, Office of Government Affairs, presented the item to the City Council.

### **ANNOUNCED SMARTSWITCH AND CUSTOMERCONNECT WINNERS**

Mayor Gettys announced Jason A. Davis as the SmartSwitch winner and Sherry Childers as the CustomerConnect winner. Both were chosen at random by computer and each will receive a \$50 credit on their next utility bill.

### **CITY COUNCIL COMMITTEE REPORTS**

There were no committee reports.

### **MISCELLANEOUS BUSINESS**

There was no miscellaneous business.

### **RETURNED TO EXECUTIVE SESSION**

### **RETURNED TO SPECIAL SESSION**

Mayor Gettys reported that City Council met in executive session and that no action was taken.

There being no further business the meeting was adjourned.

Minutes approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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Anne P. Harty, Municipal Clerk