

EXECUTIVE SESSION

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, the Council went into Executive Session to discuss six 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 lease matters involving properties near Highway #161, discussed and received legal advice related to existing and potential contracts concerning the sale, lease, annexation or purchase of properties near the I-77 area of the City, and discussed background information and received legal advice concerning existing and potential contracts involving the Parks, Recreation and Tourism Department and the Utilities Department.

SPECIAL SESSION – 6:00 P.M.

Council met in Special Session with Mayor Gettys, Mayor Pro Tem Lindsay and Councilmembers Black, Faulkenberry, Reno, and P. Sutton. Councilmember K. Sutton was not in attendance. 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.

RECOGNIZED THE CITY OF ROCK HILL FOR ACHIEVING SILVER WHAT WORKS CITIES CERTIFICATION FOR 2023

The City of Rock Hill has been certified as a What Works Cities by Results for America. The rigorous certification recognizes and celebrates local governments for their exceptional use of data to inform policy decisions, allocate funding, improve services, evaluate effectiveness of programs, and engage residents. Only 74 cities in North and South America have ever received this distinction.

Lisa Brown, Director, Economic & Urban Development, presented the item to the City Council and recognized Emily Burns, Jordan Hamrick and Kimberly Byrd for their work on the application.

Upon a motion by Councilmember Reno, the City Council approved the following two agenda items:

APPROVED MINUTES OF REGULAR SESSION OF FEBRUARY 12, 2024

AN ORDINANCE TO AMEND CHAPTER 20, OFFENSES AND MISCELLANEOUS PROVISIONS OF THE CODE OF THE CITY OF ROCK HILL CONCERNING THE TRANSPORT OF AT-RISK INDIVIDUALS – Adopted

There were no changes to the ordinance since first reading.

APPROVED CONSIDERATION OF COUNCIL RULES OF PROCEDURE IN ORDER TO SUSPEND SUCH RULES AND RECONSIDER SECOND READING OF 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 9.8 ACRES LOCATED ON WHITE STREET AND CONSTITUTION BOULEVARD FROM SINGLE FAMILY RESIDENTIAL-5 (SF-5) AND INDUSTRY BUSINESS (IB) TO MASTER PLANNED RESIDENTIAL (MP-R)

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, approved consideration of Council Rules of procedure in order to suspend such rules and reconsider second reading of 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 9.8 acres located on White Street and Constitution Boulevard from Single Family Residential-5 (SF-5) and Industry Business (IB) to Master Planned Residential (MP-R).

The original agreement and reading of this ordinance was part of a series of transactions in February 2023 to facilitate the development of residential living units on both sides of Lee Street between West White Street and Constitution Boulevard. Proposed changes to the agreement to increase City Council oversight of the development and facilitate construction of a sports facility require changes to the Master Plan. The structure for approval under a reconsidered second reading was recommended by the City Attorney.

Paul Dillingham, City Attorney, presented the item to the City Council.

APPROVED SUSPENSION OF COUNCIL RULES OF PROCEDURE IN ORDER TO SUSPEND SUCH RULES AND RECONSIDER SECOND READING OF AN ORDINANCE FOR THE CONVEYANCE OF CITY OWNED PROPERTY LOCATED ON LEE STREET IN EXCHANGE FOR OTHER PROPERTY LOCATED ALONG LEE STREET IN THE CITY OF ROCK HILL BY MAKING CHANGES TO THE PROPERTY DESCRIPTIONS AND THE PARTY WITH WHOM THE EXCHANGE WILL OCCUR

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, approved suspension of Council Rules of procedure in order to suspend such rules and reconsider second reading of an ordinance for the conveyance of City owned property located on Lee Street in exchange for other property located along Lee Street in the City of Rock Hill by making changes to the property descriptions and the party with whom the exchange will occur.

Similar to the prior item, the original ordinance was part of a series of transactions to facilitate the development of residential living units on both sides of Lee Street between West White Street and Constitution Boulevard. The developer of the residential units is now going to purchase property owned on the south side of Lee Street from another owner and exchange approximately one acre of those parcels with the City parcel. This will allow residential units on the former City parcels and the City sports facility on the corner of Stewart Avenue and West White Street. The structure for approval under a reconsidered second reading was recommended by the City Attorney.

Paul Dillingham, City Attorney, presented the item to the City Council.

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 12.8 ACRES LOCATED ON WHITE STREET AND CONSTITUTION BOULEVARD FROM SINGLE FAMILY RESIDENTIAL-5 (SF-5) AND INDUSTRY BUSINESS (IB) TO MASTER PLANNED RESIDENTIAL (MP-R) - Adopted

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 Reno, which was duly seconded and unanimously approved, approved Second Reading of 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 12.8 acres located on West White Street and Constitution Boulevard from Single Family Residential-5 (SF-5) and Industry Business (IB) to Master Planned Residential (MP-R).

This ordinance will enact the MP-R zoning for the revised area of the property to be part of the development including properties on Lee Street, Constitution Boulevard, West White Street, Stewart Avenue, and Hardin Street.

David Vehaun, City Manager, presented the item to the City Council.

AN ORDINANCE FOR THE CONVEYANCE OF CITY OWNED PROPERTY LOCATED ON LEE STREET IN EXCHANGE FOR OTHER PROPERTY LOCATED ALONG LEE STREET IN THE CITY OF ROCK HILL - Adopted

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.

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved Second Reading of an Ordinance for the conveyance of City owned property located on Lee Street in exchange for other property located along Lee Street in the City of Rock Hill.

As part of the anticipated development of property near Lee Street, the City is willing to enter into a swap of certain parcels of real estate with the developer once the developer becomes the adjoining property owner. The swap of property will close once the City has completed and approved related agreements concerning the redevelopment plans for this area. The City Manager and City Attorney recommended approval.

David Vehaun, City Manager, presented the item to the City Council.

APPROVED AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR ANNEX SITE/LEE STREET DEVELOPMENT

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.

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved an Amended and Restated Development Agreement for Annex Site/Lee Street Development.

This Amended and Restated Development Agreement amends and restates the Development Agreement approved at Council's June 13, 2022 meeting to reflect changes made with regard to the Lee Street Development and the obligations of the parties related thereto. The developer agrees to develop no more than 87 residential housing units in two phases on both sides of Lee Street with a minimum per unit sales price of \$350,000-\$400,000, between 6,000-12,000 square feet of commercial, and invest a minimum of \$15 million. The City agrees to construct (or have constructed) an approximately 40,000 square foot sports facility containing four courts and related improvements on a roughly one-acre portion of the site located at the corner of Stewart Avenue and West White Street received in a land

exchange with the developer with a minimum investment of \$13 million. Phase I of the developer's development is to begin no later than 12 months after the certificate of occupancy for the City facility is issued. City to assist the developer with a reduction in riparian buffer, abandonment of Lee Street as necessary and relocation of utilities. Staff recommended approval.

David Vehaun, City Manager, presented the item to the City Council.
Mayor Pro Tem Lindsay returned the gavel to Mayor Gettys.

APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2024-01 BY ROBERT READ (SHOWTIME THEATRE COMPANY) TO REZONE APPROXIMATELY 3.9 ACRES AT 696 & 713 AUTOMALL PARKWAY AND ADJACENT RIGHT-OF-WAY, FROM URBAN DEVELOPMENT (UD) IN YORK COUNTY AND GENERAL COMMERCIAL (GC) TO COMMUNITY COMMERCIAL (CC). THE PARCEL LOCATED IN YORK COUNTY IS PROPOSED TO BE ANNEXED INTO THE CITY OF ROCK HILL

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding petition M-2024-01 by Robert Read (Showtime Theatre Company) to rezone approximately 3.9 acres at 696 & 713 Automall Parkway and adjacent right-of-way, from Urban Development (UD) in York County and General Commercial (GC) to Community Commercial (CC). The parcel located in York County is proposed to be annexed into the City of Rock Hill.

The applicant is requesting annexation and rezoning to construct a dance studio building on the property. The Planning Commission recommended approval of the proposed CC zoning at their February 6, 2024 meeting by a vote of 5-0 (Graham recused, Nazeer absent at time of vote).

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

APPROVED A PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF AUTOMALL PARKWAY AREA VII LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JANUARY 30, 2024

Upon a motion by Councilmember Black, which was duly seconded and unanimously approved, approved a Petition for Annexation to the City of Rock Hill of Automall Parkway Area VII lying adjacent to the city limits of the City of Rock Hill, S.C. as shown on map dated January 30, 2024.

This is the annexation petition for the property at 696 & 713 Automall Parkway.

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

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. – First Reading

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 given first reading

upon a motion by Councilmember Black, which was duly seconded and unanimously approved.

This ordinance will enact the annexation of the property at 696 & 713 Automall Parkway. 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 3.9 ACRES LOCATED ON AUTOMALL PARKWAY FROM URBAN DEVELOPMENT (UD) AND GENERAL COMMERCIAL (GC) TO COMMUNITY COMMERCIAL (CC) – 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 3.9 ACRES LOCATED ON AUTOMALL PARKWAY FROM URBAN DEVELOPMENT (UD) AND GENERAL COMMERCIAL (GC) TO COMMUNITY COMMERCIAL (CC) was given first reading upon a motion by Councilmember Black, which was duly seconded and unanimously approved.

This ordinance will enact the CC zoning for the property at 696 & 713 Automall Parkway as recommended by the Planning Commission.

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

APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2024-05 BY COVENANT PRESBYTERIAN CHURCH TO REZONE APPROXIMATELY 5.2 ACRES AT 1830 CELANESE ROAD AND ADJACENT RIGHT-OF-WAY FROM SINGLE-FAMILY 3 (SF-3) TO LIMITED COMMERCIAL (LC) AND OFFICE AND INSTITUTIONAL (OI). TAX PARCEL 636-01-01-070

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding petition M-2024-05 by Covenant Presbyterian Church to rezone approximately 5.2 acres at 1830 Celanese Road and adjacent right-of-way from Single-Family 3 (SF-3) to Limited Commercial (LC) and Office and Institutional (OI). Tax Parcel 636-01-01-070.

The applicant is proposing to subdivide a lot of approximately one acre off the existing parcel for a commercial use. The remaining portion of the site used by the church would be zoned OI. The Planning Commission recommended approval of the rezoning at their February 6, 2024 meeting by a vote of 7-0.

Shana Marshburn, Planner II, Planning & Development, presented the item to the City of Rock Hill.

Steve Garland, 1830 Celanese Road, applicant's representative, addressed 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 5.2 ACRES LOCATED ON CELANESE ROAD AND MOUNT GALLANT ROAD FROM SINGLE FAMILY RESIDENTIAL-3 (SF-3) TO OFFICE AND INSTITUTIONAL (OI) AND LIMITED COMMERCIAL (LC) – 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 5.2 ACRES LOCATED ON CELANESE ROAD AND MOUNT GALLANT ROAD FROM SINGLE FAMILY RESIDENTIAL-3 (SF-3) TO OFFICE AND INSTITUTIONAL (OI) AND LIMITED COMMERCIAL (LC) was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

This ordinance will enact the OI and LC zoning for the property at 1830 Celanese Road as recommended by the Planning Commission.

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

APPROVED REALLOCATION OF UNDESIGNATED HOSPITALITY TAX FUNDS

Upon a motion by Councilmember P. Sutton, which was duly seconded and unanimously approved, approved reallocation of undesignated Hospitality Tax Funds.

The balance of remaining undesignated Hospitality Tax Fund from FY2023 is \$294,530 will be reallocated to the McGirt Auditorium renovations as recommended by staff.

David Vehaun, City Manager, presented the item to the City Council.

ANNOUNCED SMARTSWITCH AND CUSTOMERCONNECT WINNERS

Mayor Gettys announced Sheila D. Burns as this month's SmartSwitch winner and Elizabeth Rachel Sefton as this month's 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

City Manager Vehaun asked the Council to recognize the City's 154th birthday on this day.

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.

Anne P. Harty, Municipal Clerk