

# Planning Commission

City of Rock Hill, South Carolina

September 4, 2018

A regular meeting of the Planning Commission was held Tuesday, September 4, 2018, at 6:00 PM in City Council Chambers, City Hall, 155 Johnston Street, Rock Hill, South Carolina.

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

**MEMBERS ABSENT** Gladys Robinson

**STAFF PRESENT** Eric Hawkins, Leah Youngblood, Bill Meyer, Janice Miller

## **1. Approval of minutes of the August 7, 2018, meeting.**

Mr. Christopher made a motion to approve the minutes from the August 7, 2018, meeting. Mr. Smith 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-2018-17 by the Tuttle Company to amend the Master Plan-Commercial (MP-C) zoning upon approximately 26 acres located at 396, 378, 397, 343, 354, 348, 300, & 326 Technology Center Way. The proposed amendments would update the regulations for the University Center project (formerly known as the Bleachery and Knowledge Park), regarding the allowed land uses and the required parking. Tax parcels 598-11-01-001 through -009, and adjacent right-of-way.**

Ms. Youngblood presented the staff report.

Mr. Graham asked for clarification that the craft breweries were allowed as a conditional use. Ms. Youngblood stated this was correct unless specifically excluded. She added craft breweries were a new use that had not existed when the original master plan was presented.

Mr. Smith asked about the specific number of parking spaces. Ms. Youngblood stated this number was similar to the uses originally considered but may change over time and would be reexamined as the development progressed.

Mr. Martens asked how the parking numbers could change if the uses were not known. Ms. Youngblood stated parking numbers were based on uses and it was difficult to tie down specific use types in this type of mixed-use development.

Mr. Martens asked how deviations would be handled. Ms. Youngblood stated the project was a public/private partnership and as the City had a say in the project, if less parking was needed to serve the site, fewer parking spaces would be built. Mr. Martens further asked what would happen if more were required. Ms. Youngblood stated more would be built.

Mr. Smith asked if the parking numbers applied to the entire site. Ms. Youngblood stated they did.

Mr. Christopher asked if the parking would be fee-based. Ms. Youngblood stated different options were being explored.

Mr. Graham stated several concerns over the parking, noting specifically that at full development, the project would have 365,000 square feet of office space required 1460 parking spaces used daily. Adding additional 500 spaces for the proposed student housing made the number 1960, which would not account for the additional spaces required for other uses, such as the athletic facility and restaurants. Ms. Youngblood stated the project relied on parking experts who proposed the numbers presented.

Mr. Graham stated his concern the project would be underparked when fully developed and asked if a parking study could be required at the completion of a particular phase. Ms. Youngblood stated a study could be required but noted the City would be doing studies throughout construction as part of the development contract.

Mr. Smith asked if the number proposed was in order to just have a number listed. Ms. Youngblood stated the number was due to possible land uses and the ability to have those uses may affect the parking numbers, adding the number proposed was a target number meant to be adjusted as needed.

Mr. Mallard asked about the requirements for student housing. Ms. Youngblood stated the developer was best able to answer, adding the apartments were geared towards and seniors and students. There was further discussion regarding parking requirements for retail uses.

Mr. Graham asked if, once built out, the project would meet the parking requirements of the Zoning Ordinance. Ms. Youngblood stated they would meet the requirements of the master plan.

Mr. Mallard asked if bars were now a conditional use because the Zoning Ordinance changed. Ms. Youngblood explained the various types of bars and restaurants serving alcohol, adding that as changes were made this use was added to the master plan.

Mr. Smith asked how the 3000 square foot limit for bars was determined. Ms. Youngblood stated staff had taken a look at bars around the area and found that those with higher incidences were larger.

Mr. Mallard asked about the dancing/nightclub aspect. Ms. Youngblood stated because this was a mixed-use development, nightclubs could become a nuisance.

Mr. Wes Tuttle, 332 Hawks Creek Parkway, Fort Mill, representing the Tuttle Company was available to answer questions.

Mr. Graham stated his concern over adequate parking once the project was completed, that there may be an issue with density by 2021-2022. Mr. Tuttle stated in reference to the student housing, there were 500 beds proposed but only 125

parking spots would be for those units. He added he did not know the apartment numbers but those would only have so many assigned spots as well. He added there would be a bus hub for the City's new bus line included in the project.

Mr. Smith asked if the parking spaces would be allocated to those particular projects. Mr. Tuttle stated they would be reserved.

Mr. Smith asked the number required for offices. Mr. Tuttle stated they figured 4 spaces for every 1000 square feet of office space, but would scale back the office square footage overall if required. He added the parking numbers were still fluid as development progressed.

Mr. Christopher asked if the parking garages could be built with additional floors. Mr. Tuttle stated if allowed by the City, they could go higher.

Mr. Christopher asked if the garages would be open to the public with a fee per hour or day. Mr. Tuttle stated the garages were to be operated and maintained by the City and that the developers would lease the reserved parking areas for residential uses from the City.

Mr. Graham reiterated his concern of approving without knowing what would be built and asked if a parking study could be required in 2020 as part of the approval. Mr. Meyer stated the parking studies were done by a firm that studied the downtown area as a whole, noting this particular use only required 3.2 spaces per 1000 square feet. He noted the City would be constantly reviewing the parking numbers based on proposed development throughout construction. He added the firm recommended 1500-1600 parking spaces for this project, so the additional 300 spaces included were a safety measure. He stated more parking studies would be done but they did not want to build more spaces than needed.

Mr. Graham asked how the parking numbers would change if, for example, Site E was sold to a developer and the City required additional parking, if the developer could balk at the requirement stating the master plan only required so many. Mr. Meyer stated he did not see how this would happen, especially in the light of this being a public/private partnership.

There was no further questions or comments.

Mr. Christopher presented the motion to recommend to City Council approval of the amendments to the Master Plan-Commercial as presented. Mr. Smith seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

- 3. Hold public hearing and consider a recommendation to City Council on petition M-2018-19 by Amerco Real Estate Company to rezone approximately 10.75 acres at 2858 Heckle Boulevard and adjacent right-of-way from Business Development-III (BC-III) in York County to Commercial Industrial (CI). The subject property is proposed to be annexed into the City of Rock Hill. Tax parcel 544-00-00-011.**

Mr. Hawkins presented the staff report.

Mr. Martens asked if the current county zoning would allow the proposed use. Mr. Hawkins stated it would.

Mr. Martens asked if the proposed zoning was similar to the current zoning. Mr. Hawkins stated Commercial Industrial zoning was comparable to the Business Development-III zoning.

Mr. Smith asked what triggered the annexation process. Mr. Hawkins stated the proposed development required the City's utility services and as the property was contiguous, this started the annexation process.

Mr. David Pollock, 2727 N Central Avenue, Phoenix AZ, U-Haul International representative, provided brief details about the overall project, specifically noting that in addition to storage and truck rentals, the company provided other retail uses requiring up to 15 employees. He added the desire to clean up the area, especially around the railroad line in place, and additional landscaping. He noted the improvements in the U-Haul corporate architecture over the past several years, stating this project would meet all the City's design standards.

Mr. Smith asked why this particular location. Mr. Pollock stated the company model was to be within 3-5 miles of their U-Haul locations in order to reduce vehicle road usage. He added the site had good access and several other self-storage facilities were located nearby so they could help each other.

Mr. Graham asked about the retail component of the business. Mr. Pollock stated the retail area consisted of boxes, packing supplies, hitches, tape, and propane services. He mentioned other components of the business including a screened outdoor storage area and U-Box long-term container storage/shipping.

Ms. Brenda Carpenter, 4671 Westwind Drive, spoke regarding the request, specifically stating there were enough storage facilities in the area. She asked why the property has to be annexed if a storage facility could already be built under the County zoning. Mr. Graham noted the project needs the City's utility services.

Ms. Carpenter asked if the Snipes business was in the City or if the City could annex the Snipes property. Mr. Graham stated that property was in the county and could only be annexed if there is an existing annexation agreement on file with the City. Mr. Hawkins noted that there is no agreement on file for the Snipes property.

Ms. Carpenter asked if well and septic could be used and about the number of units on the site, required buffers and landscaping, and where she could find this information. Mr. Graham stated the applicant would have to submit site plans and include all this information before approval. Mr. Hawkins added the standards were available on the City's website and that the project would have to provide adequate landscaping and buffers.

Ms. Carpenter noted the other storage facility clear cut the land prior to construction. Mr. Hawkins stated landscaping is required and will be added in the near future before they open.

Mr. Graham asked about uses in the Commercial Industrial zoning district. Mr. Hawkins stated this zoning allowed for light industry and some commercial uses.

Ms. Carpenter asked the zoning of the adjacent property to the east. Mr. Hawkins stated this property is zoned for heavier industrial uses. Ms. Carpenter asked if these properties were in the City. Mr. Hawkins stated they were.

In reference to Ms. Carpenter's question about the well and septic, Mr. Pollock responded that they could have used septic but needed to have an adequate water service for fire protection. He added there would be very little traffic impact, approximately 33-58 trips per day.

There were no further questions or comments.

Mr. Christopher presented the motion to recommend to City Council approval of the Commercial Industrial (CI) zoning as presented. Mrs. Goodner seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

**4. Hold public hearing and consider a recommendation to City Council on petition T-2018-02 by Rock Hill City Council to amend or replace the following sections of the Zoning Ordinance of the City of Rock Hill as follows:**

- **Remove *Article 1: General Provisions* and replace it with *Chapter 1: General Provisions* in order to restructure and clarify the content;**
- **Remove *Article 2: Administration* and replace it with *Chapter 2: Administration* in order to modify authority for review and processes associated with review of different types of zoning applications, particularly as they relate neighborhood meetings, certificates of appropriateness and hardship exemptions for historic properties, administrative adjustments, variances, appeals, and certificates for recording; and to modify the vested rights section;**
- **Amend *Chapter 3: Zoning Districts* to clarify the role of the S.C. Aeronautics Commission in reviewing proposals for properties in the City's Airport Overlay District and to move the Old Town map to this section;**
- **Amend *Chapter 4: Land Use: Primary Uses* related to communications towers; outdoor areas for bars/teen clubs; separation for wholesale and warehouse (general), parcel services, and truck or freight terminal uses; indoor recreation uses; and hotel/motel uses;**
- **Amend *Chapter 5: Land Use: Accessory and Temporary Uses* related to accessory structures; in-home day cares; and recreational vehicles;**
- **Amend *Chapter 6: Community Design Standards* related to setbacks; garage areas and parking areas for single-family uses; driveway surface materials; the height of structures; and street trees;**
- **Amend *Chapter 7: Construction Standards for Subdivisions, Public Improvement, and Site Infrastructure* related to stormwater management and erosion control;**
- **Amend *Chapter 8: Development Standards* related to traffic impact studies, tree protection standards, landscaping standards, parking for industrial uses, and signs (particularly regarding the standards for flags, interstate signs, the use of neon in historic districts; and "now hiring" signs); and to**

- **create standards for timbering;**
- **Amend *Chapter 9: Site and Building Design Standards* related to the design standards for single-family residences; garage and carport design; outdoor areas for single-family attached uses; and alleys and parking for single-family attached and multi-family developments;**
- **Remove *Article 8: Nonconformities* and replace it with *Chapter 10: Nonconformities* in order to modify sections pertaining to nonconforming uses, nonconforming structures, nonconforming lots, nonconforming signs, and site feature nonconformities;**
- **Remove *Article 9: Enforcement* and replace it with *Chapter 11: Enforcement* in order to clarify code enforcement processes and penalties, particularly as they relate to refusal to issue permits, perform other types of inspections and issue certificates of occupancy, and also to add remedies related to signs, tree clearing violations, violations on historic properties, and stormwater maintenance violations;**
- **Remove *Article 10: Definitions*; and**
- **Update chapter names, section references, and definitions throughout.**

#### **HISTORIC DESIGN REVIEW GUIDELINES**

The replacement of the existing Historic Design Review Guidelines with an updated version. Changes are proposed throughout the document. The primary areas of proposed substantive change include the authority for review of modifications to historic properties, the processes and standards of review for the different types of applications, and the use of substitute materials to replace wood siding. This proposal also suggests the removal of specified properties from the Historic Overlay District; the actual rezonings to effectuate that change would take place later through a rezoning process if City Council decides to move forward with it.

Ms. Youngblood presented the staff report.

Mr. Graham asked the catalyst for changing the separation requirements. Ms. Youngblood stated the Legacy project had gone through most the approval process but was almost derailed when approval by the Zoning Board of Appeals for a variance was required.

Mr. Graham asked if the Board of Historic Review would still have the authority to review exterior color and landscaping. Ms. Youngblood stated these would only be reviewed as part of a larger project.

Mr. Graham asked if paint color was reviewed currently. Ms. Youngblood stated it was not, that normally staff was asked for advice regarding color but did not generally review.

Mr. Graham asked if there was a review process for paint color. Ms. Youngblood stated there was not, that the Zoning Ordinance required muted colors but there was no palette or permit for painting.

Mr. Smith asked the review process for wall art and signage. Ms. Youngblood stated the language of the Zoning Ordinance referred to what a sign consisted of, that an image on a wall unrelated to the products or services within the associated building or done by a nonprofit were considered art.

Mr. Smith asked about a particular image within the Downtown area (Dust Off Brewing) and asked the City's jurisdiction in that matter. Ms. Youngblood stated if proposed as a sign it could be permitted as a sign.

Mr. Christopher asked for more information about the HardiPlank information provided within the historic guidelines and the Board of Historic Review approval process. Mr. Smith stated he has seen this dealt with on a case-by-case basis.

Mr. Mallard asked about removing the use of neon in the Old Town area. Ms. Youngblood stated neon was not considered historic in the downtown area.

Ms. Lindsay Stuber, 427 Tyson's Forest, Program Director with Historic Rock Hill, spoke in support of the Historic Design Review Guidelines amendments, stating Historic Rock Hill saw these changes were appropriate for the size of Rock Hill and had faith that staff made correct decisions within the historic districts.

Mr. Joe Sherrill, 538 East Main Street, representing East Town Neighborhood Association, stated the neighborhood had voted to oppose the proposed changes to the guidelines. He stated most of the residents had spent a number of years and money in working to preserve Rock Hill's history. He noted the changes proposed were too broad and vague, and gave staff too much control. He added the subject of HardiPlank was contentious but wood siding was readily available. He noted historic buildings should be maintained and did not want East Town to look like Riverwalk.

Mr. Graham noted Mr. Sherrill's objections were not confined to siding. Mr. Sherrill stated they were not, that he felt staff would have too much control, there would be no public notification, and the changes were too broad. He added he didn't have issues with the guidelines in effect when he was on the Board of Historic Review.

Mr. Smith asked Ms. Youngblood if the current guidelines addressed HardiPlank. Ms. Youngblood stated they did not, that the request had to go to the Board of Historic Review and that it was a contentious issue. She added the East Town Neighborhood appeared to be divided over the issue and that only 7 people had attended the meeting where the vote to oppose had been held. She noted the inclusion of the topic was designed to create a compromise.

Mr. Russ Frase, owner of 334 North Confederate Avenue, spoke in opposition to the changes, noting the character of a house was important and provided his insight on how the character of the house located at 662 East Main Street had changed when HardiPlank had been installed with approval of the Board of Historic Review. He added wood manufacturers had come out with primed wood products in the same dimensions of original wood siding and stated historic property owners could always ask for help.

Mr. Smith noted, as an architect, he had to deal with this a lot. He noted there was a lack of education about particular products and while the effort should be to go back

with original materials but sometimes this can't be done. He asked how the process would change. Ms. Youngblood stated as HardiPlank was not addressed, there were no standards to apply in this situation, but the goal was to apply materials that were as close in resemblance as possible. She added having the tier system would provide discretion as to who could request HardiPlank or engineered siding.

Mr. Christopher asked if the proof for replacement was placed on the applicant. Ms. Youngblood stated it was.

Mr. Martens asked the requirements for replacing siding on contributing properties. Ms. Youngblood stated this would be reviewed prior to installation but the owner wouldn't have to prove significant deterioration.

Mr. Christopher asked Mr. Sherrill the number of members in the East Town Neighborhood Association. Mr. Sherrill stated there were over 100 and that all had received copies of the proposed changes.

Mr. John Miskelley, 131 North Confederate Avenue, spoke in opposition to the amendments, noting neon had been used on downtown buildings for a number of years and were historic. He added that a person buying a house in the historic districts knew the rules about what was required.

There was general discussion regarding the process.

Mr. Christopher presented the motion to recommend to City Council approval of the amendments as proposed. The motion failed due to a lack of a second.

Mr. Martens presented the motion to recommend to City Council approval of the Zoning Ordinance amendments with the exception of the Historic Design Review Guidelines, reasoning that the Zoning Ordinance articles and chapters were separate from the historic guidelines. Mr. Christopher seconded. Mr. Graham asked staff if the Commission could follow this process of separating the items for the vote. Ms. Youngblood stated they could.

Mr. Martens expressed concern that the Zoning Ordinance amendments having nothing to do with the historic guidelines would not be approved even if they had no effect on the historic amendments. Mr. Graham asked Mr. Martens to restate the motion.

Mr. Martens presented the motion to recommend to City Council approval of the Zoning Ordinance amendments with the exception of the Historic Design Review Guidelines. Mr. Christopher seconded, and the motion carried unanimously by a vote of 6-0 (Robinson absent).

Mr. Martens presented the motion to recommend to City Council approval of the Historic Design Review Guidelines as presented. Mr. Christopher seconded.

Mr. Smith asked if he could get some clarification from Ms. Stuber. With Mr. Graham's approval, Mr. Smith asked if, in her experience, there had been a great issue with the process up to currently. Ms. Stuber stated the issue was there was no mention of HardiPlank in the guidelines at all which created confusion and was

contentious. She added Historic Rock Hill had faith in staff and that it really fell to educating the owners of historic properties.

Mr. Christopher asked if there were tax incentives for historic properties. Mrs. Miller explained there were tax incentives available at the local, state, and federal level, but that the incentives were dependent upon the owner following the Secretary of the Interior's Standards for Historic Preservation and could lose those incentives if the process was not followed. She added that staff worked with property owners in educating them about proper preservation methods.

Mr. Christopher noted that houses on the National Register listing have to have a strong burden of proof in order to replace the siding.

Mr. Graham called for a vote and the motion passed unanimously by a vote of 6-0 (Robinson absent).

### **NEW BUSINESS**

#### **5. Other Business**

Mr. Graham thanked staff for their work with Mr. Tom Roper's retirement dinner.

#### **6. Adjourn**

There being no further business, the meeting adjourned at 8:20 pm.