

Planning Commission

City of Rock Hill, South Carolina

December 4, 2018

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

MEMBERS PRESENT Duane Christopher, Gladys Robinson, Justin Smith, Shelly Goodner, Keith Martens, Nathan Mallard

MEMBERS ABSENT Randy Graham

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

In the absence of Chair Randy Graham, Mr. Duane Christopher assumed the role of chair.

1. Approval of minutes of the November 13, 2018, meeting.

Mr. Smith made a motion to approve the minutes from the November 13, 2018, meeting. Mr. Mallard seconded, and the motion passed unanimously by a vote of 6-0 (Graham absent).

PUBLIC HEARING ITEMS

2. Hold public hearing and consider a recommendation to City Council on petition M-2018-23 by Iglesia Cristiana el Siloe to rezone approximately 0.4 acres at 986 Myrtle Drive from Single-Family Residential-4 (SF-4) to Office & Institutional. Tax parcel 629-18-01-003.

Mr. Hawkins presented the staff report.

Pastor Carlos Suarez, 1314 Land Grant Road, Charlotte, (applicant) was available to answer questions. He apologized for the lack of a translator. Ms. Marcella Dease, 1029 Quail Meadow Road, audience member, offered to provide translation services.

Mr. Smith asked if anything had changed between the previous meeting and this one. Pastor Suarez stated nothing had changed.

Mr. Christopher asked if Single-Family Residential-5 zoning and seeking a special exception for the proposed use would be suitable. Pastor Suarez stated this would be fine.

Mr. Smith asked if they understood what a special exception meant. Pastor Suarez stated he did. Ms. Youngblood added staff had met with the pastor and his interpreter to discuss the change and that they understood the process.

Mr. Les Dickert, 848 Eden Terrace, representing the Historic Winthrop Farms Neighborhood Association, stated he had emailed and spoken with neighbors who did not object to the SF-5 zoning designation.

Mr. Christopher asked the number of homes in the neighborhood. Mr. Dickert stated approximately 150.

Mr. Christopher asked if the majority was in favor. Mr. Dickert stated they did not take an official vote but was basing the neighborhood's decision on responses he

received from the email notification he sent out and the discussions he had had with several neighbors.

Ms. Virginia Williams, 984 Myrtle Drive, stated she was satisfied with the compromise of SF-5 zoning but did want to make sure the allowed uses were clarified and the property was not used as a parking lot.

Mr. Smith encouraged the neighbors to attend the Zoning Board of Appeals public hearing to voice any concerns on the use of the property.

There were no further questions or discussion.

Mr. Smith presented the motion to recommend to City Council approval of Single-Family Residential-5 (SF-5) zoning. Dr. Robinson seconded, and the motion carried unanimously by a vote of 6-0 (Graham absent).

3. Hold public hearing and consider a recommendation to City Council on petition M-2018-24 by Rock Hill Elks Lodge 1318 to rezone approximately 8.6 acres at 535 Hollis Lakes Road from Neighborhood Office (NO) to Office and Institutional (OI). Tax parcel 589-01-01-055.

Mr. Smith recused himself from the item, citing a possible conflict of interest due to a business relationship with the applicant.

Mr. Hawkins presented the staff report.

Mr. Christopher asked if staff had received any comments from the adjoining properties. Mr. Hawkins stated he had received a phone call from a neighbor stating they would not like to see outside lighting or tall buildings constructed, adding that the applicant had no plans for doing any of those things on the site.

Mr. Christopher asked how long the building had been vacant. Mr. Hawkins stated he was not certain but that it had been empty at least a year.

Mr. William Malone, 3173 Pinetuck Lane, President of Rock Hill Elks Lodge 1318, applicant, provided a brief history of the organization along with charities served. He noted specifically that they would be using the building as a clubroom, that there would not be any major events or parties, only the occasional wedding reception.

Mr. Christopher asked if they had spoken with the neighbors. Mr. Malone stated they had not yet spoken with them but was open to inviting the neighbors over.

Mr. Christopher asked if there would be interior renovations. Mr. Malone stated there would be.

Mr. Joe Miller, 2358 Wintercrest, spoke in favor of the request, noting that he would hope the buffer and retention pond would remain in place, the building would remain one story, and the lights stay as they were currently, no stadium lights allowed. Mr. Christopher noted lighting may be required by the City.

Mr. Christopher asked if Mr. Miller was representing a neighborhood association. Mr. Miller stated there was not an association in his neighborhood and would never have one.

Ms. Gwen Mugabe, 339 Twin Lakes Road, spoke in opposition to the request, particularly noting the building was constructed to be a church and should remain as such, that using as a club or clubhouse was against the tenets of religion.

Ms. Patricia Godlewski, 2276 Nuthatch Drive, stated she was part of Barron Estates but they did not have an active neighborhood association. She stated she was mostly worried about traffic and lighting of the site. She added that she had originally been opposed to the application but after speaking with the representatives before the meeting, she was more comfortable with the organization although she would like to see the building remain as a church.

Ms. Thandi Mhanda, 5081 Gatsby Circle, spoke in opposition to the request, stating a church building needed to be used as a church because the property had been blessed by God to be used in this manner. She asked several questions regarding the new use of the property including the size and frequency of the parties held, lighting, number of cars, and noise. She asked if the organization had looked at other places and if this was the best place for this use.

Mr. Christopher asked the location of Ms. Mhanda's home. She stated it was nearby.

Mr. Mallard noted the Elks Club had been on East Main Street for a number of years and had been looking for a new location.

Ms. Mhanda asked why the club was moving and why it had chosen a more rural area. Ms. Godlewski asked how large the social area would be.

Mr. Malone provided information based on the questions presented. He stated parties and events such as wedding receptions typically had fewer than 100 guests. He noted the 5-9 operating hours were for members only and would not be open to the public, adding that of the approximately 470 members only about 45 were active and of those, only 25 came to the location on a regular basis. He noted there was not a lot of noise but with rentals would make certain noise was controlled. He added the group had been in Rock Hill for over 100 years and hadn't had law enforcement to any events that he was aware of.

Mr. Christopher asked the reason for purchasing this particular property. Mr. Malone stated they had been at their current location on East Main Street since 1951.

Mrs. Goodner asked why the club decided to move. Mr. Malone stated the facility was dated and in need of extensive renovations, stating he understood they would have to meet restrictions of being located in an historic district (note: this property is not located within the City's Historic Overlay District zoning). He added they still wanted to remain in the City limits but did not need as large a facility.

Mr. Martens asked the amount of parking on the site. Mr. Malone stated the parking developed was for the original use as a church, approximately 40-50 spaces with green area available for overflow parking.

Mr. Martens asked if there was only one drive serving the lot. Mr. Malone stated there was.

Mr. Martens asked if a signal served the property. Mr. Malone stated there was not a signal.

Mr. Martens asked how the numbers of guests were controlled for rentals. Mr. Malone stated the current lodge was limited to 300 with tables and chairs available for 250. He noted this building was not that large and they would not allow any overflow to the outside.

Mr. Martens asked if the City controlled occupation of a building during an event. Mr. Hawkins stated the fire department determined the maximum occupancy numbers. Mr. Malone stated the entire facility would not be available for rental.

Mr. Martens asked if the 40' buffer would remain. Mr. Malone stated it would.

Mr. Christopher asked for confirmation that a special exception would be required for the proposed use. Mr. Hawkins stated this was correct.

Dr. Robinson asked if there were any future plans for expansion of the site. Mr. Malone stated they did not have any at this time as they did not need the extra space.

Mrs. Goodner noted the site was subject to the City's noise ordinance. Mr. Hawkins stated this was correct.

Mr. Christopher stated his belief that the structure was originally a church use but that a church was a group of people, not a building.

Mr. Mallard presented the motion to recommend approval of Office & Institutional (OI) zoning on the property as presented by staff. Dr. Robinson seconded.

There was brief discussion centered on the positive aspects of the Elks Club and the fact the site had been sitting vacant for quite some time. Mr. Christopher added the organization could fit in well if they would reach out to the neighbors.

Mr. Christopher called for a vote, and the motion carried unanimously by a vote of 5-0 (Smith recused, Graham absent).

4. Hold public hearing related to petition T-2018-03 by Rock Hill City Council regarding a proposed and pending amendment to the Zoning Ordinance affecting Chapter 4: Land Use: Primary Uses, in relation to Self-storage uses.

Mr. Meyer presented the staff report.

Mr. Christopher asked for confirmation on allowing self-storage as a conditional use in the Industry General (IG) and Industry Heavy (IH) zoning districts. Mr. Meyer stated these two zoning districts would be most suitable for allowing self-storage outright at the current time until staff was able to study how self-storage facilities would fit in with the more commercial areas of the City.

Mr. Christopher asked how "conditional" worked. Mr. Meyer stated the use would be allowed provided the project met the conditions outlined in the Zoning Ordinance.

Mr. Mallard asked if staff would make the final decisions on projects in those zoning districts. Mr. Meyer stated they would.

Mr. Christopher asked if any other boards would review these projects. Mr. Meyer stated with conditional status, they would be subject to any board review.

Mr. Christopher asked if a new report would come back to the Commission at the end of the six-month moratorium. Mr. Meyer stated they would, that it would be similar to the Multi-Family report done several years before.

Mr. Christopher asked if what was being presented was the Commission's final recommendation. Mr. Meyer stated this was correct.

Mr. Smith asked for recent examples of self-storage projects that brought about this change in the ordinance. Mr. Meyer stated the Cherry Road project where a storage facility replaced the previous Queen City Appliance store. He added the City wanted to find the best way to incorporate self-storage in commercial areas, especially in areas where the City wanted to encourage mixed residential and commercial uses as a walkable community.

Mr. Smith asked if there had been a more recent case approved. Mr. Meyer stated the recent project along Heckle Boulevard which was annexed into the City elicited strong comments by City Council on the number of self-storage facilities being constructed.

Mr. Christopher asked about the potential for the K-Mart site on Cherry Road being developed as a self-storage facility. Mr. Meyer stated they Commission may be hearing from a member of the public on this situation.

Mr. Mallard asked the length of time on the moratorium. Mr. Meyer stated six months.

Mr. Martens asked for confirmation that no projects could be constructed under the moratorium. Mr. Meyer stated this was correct except for those constructed in the IB and IH zoning districts.

There was general discussion regarding the process under which the moratorium and pending ordinances were enforced.

Mr. Ben Johnson, 306 College Avenue, representing Madison Capital Group, stated he had filed a legal objection with the City attorney regarding this amendment. He noted the K-Mart project had been in process prior to the moratorium and his client wanted to make certain the application proceeded as planned without affect by this amendment. He provided information regarding the potential project, noting the current building would be rehabilitated and updated, and new commercial buildings would be constructed along Cherry Road. Mr. Johnson submitted a copy of his letter to the City Attorney for the record.

There were no further questions or comments.

Mr. Christopher presented the motion to recommend approval of the amendments as presented. Dr. Robinson seconded.

There was general discussion regarding the amendments and moratorium. Mr. Mallard stated he felt this was a whiplash reaction to The Herald's Facebook posting regarding the K-Mart redevelopment into a self-storage facility, adding he did not think the amendments were reasonable. Mrs. Goodner stated the moratorium allowed for staff to have six months to research how self-storage would fit into all the districts, adding self-storage may be allowed in other zoning districts at that time. Mr. Meyer added the initial reaction by City Council was with the annexation and rezoning of the property at Heckle Boulevard, not the K-Mart project.

Mr. Martens stated he agreed the City needed to be proactive in researching how self-storage can fit into a mixed use area, especially instituting better design parameters. Mr. Meyer noted that within the Rock Hill school district area, there was over a million square feet used for self-storage.

Mr. Christopher called for a vote and the motion carried by a vote of 5-1 (Mallard opposed, Graham absent).

NEW BUSINESS

5. Other Business.

Mr. Hawkins distributed copies of the approved 2019 meeting calendar.

He reminded the Commission of their upcoming holiday dinner on December 19 at Hickory Tavern.

He also distributed the gifts from the Boards & Commissions Dinner held in October.

6. Adjourn

There being no further business, the meeting adjourned at 7:26 pm.