



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

MEMBERS PRESENT Randy Graham, Duane Christopher, Gladys Robinson, Justin Smith, Nathan Mallard, Keith Martens

MEMBERS ABSENT Shelly Goodner

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

1. Approval of minutes of the February 2, 2021, meeting.

Referring to the February minutes, Chair Randy Graham provided a statement regarding his comments on page 3 in that his intention was to mean he was speaking for himself and not on behalf of the Commission.

Commissioner Nathan Mallard made a motion to approve the minutes from the February 2, 2021, meeting to include Chair Graham's clarification. Vice-Chair Duane Christopher seconded, the motion passed unanimously by a vote of 6-0 (Goodner 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).

Staff member Dennis Fields, Planner III, presented the staff report. He also provided the Commissioners with an email from Marco & Patty Furino in opposition to the request.

Applicant's representative, Matt Mandle, ESP Associates, 3475 Lakemont Blvd, Fort Mill, provided the Commission with a conceptual video of the development.

Applicant, Ben Stevens, Mattamy Homes, 810 Brooksmill Drive, Tega Cay, gave an overview of the project amenities, noting that these would be over and above what was required.

Applicant, Jerry Whelan, 12642 Framfield Court, Huntersville, NC, spoke specifically to the overall development features with emphasis on variations in architectural details, including front porches on all units and upgraded garage doors. He stated the intent to provide ample parking with two-car garages and two-car driveways for all units, including townhomes, in an effort to alleviate parking issues. He indicated the City's land use map, noting that the site was designed to be transitional with the more dense townhome development located to the north towards Dave Lyle Boulevard and existing apartment complex, getting less dense as the project developed one the

Sturgis Road side.

Vice-Chair Christopher asked if mass grading would be required for each of the phases and if the structures would be constructed on concrete slab. Mr. Whelan stated mass grading would be necessary and that the structures would be built on concrete slabs, but would still meet the 18" exposed foundation requirement.

Commissioner Mallard referred to the alley-loaded homes, asking if there would be full-length driveways at the rear. Mr. Whelan stated these would be approximately 20' deep.

Commissioner Mallard asked if this was stipulated in the master plan. Mr. Fields stated it was, adding that all single-family homes are required to have 2 off-street parking spaces in addition to the garage.

Commissioner Justin Smith asked if the detached garages for the rear-loaded properties could be built larger to accommodate an accessory dwelling unit. Mr. Whelan stated they would be able to have heated space above the garage.

Vice-Chair Christopher made a motion to recommend to City Council approval of Master Planned Residential (MP-R) zoning on the properties as proposed. Commissioner Smith seconded.

Commissioner Mallard commented the applicant had presented a well thought out plan.

Chair Graham called for a vote, and the motion passed unanimously by a vote of 6-0 (Goodner absent).

3. Hold public hearing and consider a recommendation to City Council on petition M-2021-13 by Clifford Sands to amend the Springdale Planned Unit Development (PUD) to remove the designation of 803 Augustus Lane as a historic site. Tax map number 669-05-01-042.

Staff member Shana Marshburn, Planner I, presented the staff report. She also provided the Commissioners with emails in opposition to the request from nearby property owners Sandra Farrow, Ronda Collins, Rhonda Bigham, and former owner Charlene Werner.

Commissioner Gladys Robinson asked for clarification of the historic designation. Ms. Marshburn stated it was not recognized on the local, federal, or state level as a historic site, only that it was noted on the PUD plans in 1993.

Commissioner Keith Martens asked why the PUD required this to be known as a historic site. Ms. Marshburn stated it was the former homesite of a Springs family member.

Commissioner Martens asked why this lot was preserved. Ms. Marshburn stated she did not know the reason for this.

Chair Graham observed that on the original PUD documentation, the lot appeared to be 2 ½ to 2 ¾ the size of the typical lots in the development. He asked if part of the historic lot had been built on. Ms. Marshburn stated the platted version was correct, that the PUD provided in the staff report had been the concept plan at that time.

Commissioner Martens asked which lot the current owner purchased. Ms. Marshburn stated the subject lot was part of the purchase when the owner bought the home on the adjacent lot to the north.

Commissioner Smith asked how this was different from the green space, observing that most of the opposition to the request centered around to the potential loss of green space in that section.

Vice-Chair Christopher asked if those who had sent the emails attended the neighborhood meeting. Ms. Marshburn stated the only attendee had been the owner of the adjacent lot, and that the emails given to the Commissioners had come after the public notice postcards had been sent.

Mr. Christopher asked if a neighborhood meeting had been required. Ms. Marshburn stated that one had taken place, and that neighborhood meetings are required whenever an amendment to an existing planned development is proposed.

Commissioner Robinson asked if the owner had been aware of the historic designation. Ms. Marshburn stated the owner was present and could best answer that question.

The applicant, Clifford Sands, 822 Thistledown Drive, stated he would like to construct a house on the lot, which he believed most people thought of as an empty lot they could treat as a dump. He stated the lot had been overgrown for the past 60 years, that the existing foundation and cellar trapped water which in turn created a mosquito problem. He stated he wanted to clean it up and build a ranch house that would be in keeping with the neighborhood. With respect to the emails in opposition, he stated he had only received one from the next-door neighbor. He stated that the former owner was friends with many of those who had written the emails, adding that if she had wanted to keep it protected, she should have kept the property or sold it to one of her friends.

Commissioner Mallard asked if Mr. Sands had had the survey drawn. Mr. Sands stated he had received it with the purchase of the property.

Commissioner Smith asked when he had purchased the property. Mr. Sands stated June or July of 2019 and that both his home and the subject property were sold and bought together. He added the original builders appeared to have installed sewer lines to the site, and that a resident who had been one of the first in the neighborhood said the developer had planned to build a neighborhood pool on that lot.

Chair Graham asked if the closing attorney had advised him of the historic designation of the lot. Mr. Sands stated he had been advised of this, adding that he was not aware of anyone coming to see the lot as a historic site, although one man had come to look at it after the public meeting notices had been posted.

Chair Graham stated he was in a quandary about this situation. He observed that while there did not appear to be any existing historical significance it might be different if there was a structure or monument in place, yet there were people in opposition to the request stating that because it was designated as a historic site on the PUD, it should remain as is. He added that Mr. Sands was aware of this when he purchased the property.

Commissioner Martens observed that most times the green space is community owned, but in this case, people liked the lot the way it was but relied on others to maintain it.

Commissioner Smith stated Mr. Sands could build a 6' fence on the lot.

Commissioner Martens commented that at the time, someone thought it should be

saved but the PUD should also have made it a neighborhood amenity.

Commissioner Mallard referred to the survey provided, noting it appeared that the properties had been combined but that it may not have been recorded properly.

Vice-Chair Christopher commented that the PUD did not indicate that maintenance was the responsibility of the homeowners' association or neighborhood.

Commissioner Martens noted there was another designated open space area on the PUD.

Commissioner Robinson asked for the opinion of Janice E Miller, Historic Preservation Specialist, regarding the historic designation. Mrs. Miller stated that as the City designated historic districts in 1988, it was possible that this site was not located in the City limits at that time, or that staff was not aware this site existed. She added that at that time, historic designation was usually placed on existing buildings and not historic sites.

Vice-Chair Christopher made a motion to recommend to City Council approval of the amendment to the existing Springdale PUD as proposed. Commissioner Mallard seconded.

Vice-Chair Christopher stated the PUD did not say it couldn't be built on, asking how this lot was to be treated. Eric Hawkins, Planning & Zoning Manager, stated the original paperwork indicated this was not a buildable lot, that if it was intended to be it would have been included in the lot numbers.

Vice-Chair Christopher asked if the survey lines as were pointed out by Commissioner Mallard were an issue. Chair Graham stated the Commission could not make that decision, only the question as to amending the PUD. He added that he understood there were issues on both sides, especially in that people had purchased property in the neighborhood based on the PUD.

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

4. Hold public hearing and consider a request by Carolina Panthers to rename Keep Pounding Way and Blue Granite Place.

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

Applicant's representative, Jackie Slavetsky, Project Manager, 3500 Providence Manor Road, Charlotte, NC, stated the request to change the road names was due to several negative connotations associated with two of the current road names.

Commissioner Smith made the motion to approve the road names as submitted. Commissioner Robinson seconded, and the motion carried unanimously by a vote of 6-0 (Goodner absent).

NEW BUSINESS

5. Consideration of a request by Strategic Capital Partners (Rich Horn) for Preliminary Plat approval for new road in Rock Hill Commerce Center. (Plan #20190997 and 20210324)

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

Vice-Chair Christopher asked if the road would be City owned. Mr. Fields stated it would be a city maintained public street.

Vice-Chair Christopher made a motion to approve the preliminary plat as presented, subject to staff comments. Commissioner Mallard seconded, and the motion carried unanimously by a vote of 6-0 (Goodner absent).

6. Consideration of a request by J.M. Cope for Major Site Plan approval for Former American Legion Site. (Plan #20201127)

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

Commissioner Martens asked when the master plan had been approved by the Commission. Mr. Fields stated this was in August or September of 2020, adding that the apartment developer, Tartan Residential LLC, was planning on beginning work in the summer.

Commissioner Mallard asked if retail would be located along the Road. Mr. Fields stated it would.

Commissioner Smith asked what the separation between the properties would be. Mr. Fields stated there would be a green area with landscaping, but no fencing was shown on the master plan, adding there would be a connection to Winthrop owned property to the east.

Commissioner Smith asked the market for self-storage in this area, observing that the Commission had approved several of these type uses. Mr. Fields stated with the growing number of multi-family projects in the downtown area, there were not a lot of storage facility options nearby to serve these uses, especially climate-controlled storage.

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

7. Other Business.

a. Staff promotions.

Planning & Zoning Manager Eric Hawkins announced that Mr. Fields had been promoted to Planner III and would be the Commission's staff liaison. Chair Graham and the Commissioners congratulated Mr. Fields on the promotion.

b. Short-term Rental regulations.

Commissioner Smith asked about the short-term rental regulations. Planning & Development Director, Leah Youngblood, stated the regulations were in place, providing an overview of the current process for approvals:

- HOAs would advise staff if these were allowed or not under the neighborhood's covenants; and
- The host is required to apply for a special exception for the use with the Zoning Board of Appeals, which involves a public hearing.

Commissioner Smith asked how the regulations were being enforced. She stated that staff would address complaints as well as proactively monitor for any new ones to ensure compliance with the regulations.

8. Adjourn.

There being no further business, the meeting adjourned at 7:31 p.m.