

A public hearing of the Planning Commission was held on Tuesday, February 6, 2024, at 6 p.m. in City Council Chambers, 155 Johnston Street, Rock Hill SC.

MEMBERS PRESENT Duane Christopher, Carl Dicks, Shelly Goodner, Randy Graham, M. Stephanie Haselrig, Jonathan Nazeer, Darrell Watts

MEMBERS ABSENT None (Nazeer arrived mid meeting)

STAFF PRESENT Dennis Fields, Shana Marshburn, Ryan Hammond

1. Approval of minutes of the December 5, 2023 meeting.

- a.) Commissioner Christopher made a motion to approve the minutes from the December 5, 2023, meeting. Commissioner Dicks seconded, and the motion passed unanimously by a vote of 6-0 (Nazeer Absent).

2. PUBLIC HEARING ITEMS

- a.) **Hold public hearing and consider a recommendation to City Council on 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 District (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. Tax Parcels 662-00-00-013 (portion) & 662-07-01-055(portion).**

Chair Graham recused himself from this agenda item.

Vice Chairman Christopher introduced the item.

Dennis Fields, Planner III, presented the staff report.

Vice Chair Christopher opened the floor to the applicant. The applicant was not present.

Vice Chair Christopher opened the floor for public comment and there was none.

Mr. Dicks made a motion to recommend approval the Community Commercial zoning district. The motion was seconded by Watts and was approved by a vote of 5-0 (Nazeer absent, Graham recused).

Chair Graham rejoined the Commission.

- b.) **Hold public hearing and consider a recommendation to City Council on petition M-2024-03 by Mixson Properties, LLC (Jeff Mixson) to rezone approximately 178 acres at 1734 Hopewell Road, from Residential Mixed-Use 20 (RMX-20) in York County to Industry General (IG). The subject property is proposed to be annexed into the City of Rock Hill. Tax Parcel 696-00-00-014.**

Dennis Fields, Planner III, presented the staff report.

Commissioner Nazeer joined the meeting.

Mr. Christopher asked if there would be any single-family or multi-family uses as part of this proposal. Mr. Fields stated no. He also asked if there was more or less traffic for industrial uses versus single-family residential uses. Mr. Fields answered that it depends on how much manufacturing or assembly uses versus warehouse uses go there, since manufacturing has more employees. He added that these are spec buildings and no users have been determined, and no flexibility is asked for.

Mr. Watts asked if there is an agreement with Legacy Park for the street connection for the trucks. Mr. Fields stated that the right-of-way is existing and was approved with a preliminary plat at a previous meeting a few months ago.

Mr. Watts asked how the trucks would be restricted from access to Hopewell Road. Mr. Fields stated that there would be signage, in addition to physical constraints at the intersection to make it difficult for trucks to navigate. He added that if trucks continued to use Hopewell, that it would be a code enforcement issue, and could be handled that way.

Chair Graham asked if there was a neighborhood meeting. Mr. Fields stated that it is not a requirement to have a neighborhood meeting for a standard rezoning request, only for Master Plans; however, the applicant did have some informal meetings with neighbors that he can share with the commission.

Chair Graham opened the floor to the applicant.

Jeff Mixson, with Mixson Properties, thanked staff for their hard work. He introduced the Pursley family and his development team. He gave a brief history of the site planning process. He stated that he had met with a group of neighbors at the fireworks store and some informal meetings at people's homes. He stated that some neighbors indicated that there was a preference for industrial uses since it would have less traffic. He said they got questions about annexation into the city, the RFATS street collector plan, and growth in general. He added that the industrial would have less traffic than what would be allowed as single-family.

Mr. Christopher asked if sewer and water was available. Mr. Mixson stated that it was. Mr. Christopher asked how many homes could have been built under the current zoning. Mr. Mixson answered that it could be up to 350 to 380 units, a former plan from a residential developer showed about 333 units.

Mr. Christopher asked how long Mr. Mixson been in the development business and if he saw projects like this reducing property values around his other project. Mr. Mixson stated he has been developing property for 25 years and that no property values are typically not negatively affected by new development.

Mr. Dicks asked what triggers the need for an additional road connection. Mr. Mixson stated that the roads shown are what would be built, and it would be developed in phases.

Chair Graham asked if this would be an extension of the legacy park industrial park or a separate project. Mr. Mixon stated that it would be a new development all together.

Chair Graham opened the floor for public comment.

Micah Wynn, 837 Winnridge Drive, stated he lives right across the road from the Pursley property and is all about landowner rights, but that he would like to have some input into what is developed there. He stated that there is no buffer shown along Hopewell Road. He does not want to see 18 wheelers on Hopewell Road and worried that they will still do that.

Victoria Mulch, 1765 Hopewell Road, stated that she objects to the rezoning, and she lives adjacent to the property. They moved there for the small town, and rural character. She stated that both the City's and County's future land use plans show the property as designated as residential. She agrees that they have the right to development but should be developed as dictated by the City's comprehensive plan as residential. She believes that it will be a wealth transfer from the neighbors to the industrial developers.

Ms. Haselrig asked staff if the property is listed as residential in the comprehensive land use plan. Mr. Fields stated that the City's comprehensive plan is not parcel specific, but rather a bubble or area plan. The property is shown in the residential character area, but also close to the employment center character area, therefore the property could be developed for either use. He added that for this site, staff was supportive of the industrial use since it was bordered by Hopewell Road and the large FEMA floodplain areas along the creek, which makes a natural use buffer.

Lorri Mangan, 1118 Shady Oak Lane, stated that her family owns 21 acres in the area. They recently built a house there and loves the rural residential feel. She feels the industrial develop would change the character of the area and is concerned with trucks and infrastructure for the development.

Laura Lawrence, 774 Cambridge Circle, stated that Hopewell Road and Cambridge Circle are used as a throughfare and racetrack for people to bypass Springdale Road. She said the development will add more traffic and speeding. She is worried about the children.

Mr. Christopher asked if she was located within the City of Rock Hill. Ms. Lawrence stated no. He asked if she contacted the Sherriff's Department. She said that is who they told her to contact, and then they put up children at play signs. She would like a sign that says no throughfare.

Gordon Summey, 1025 Shady Oak Lane, said he is not 100% against the rezoning, but is concerned about the collector road map that shows his property bisected by the roadways.

Steve Wrights, 1557 Hopewell Road, stated he is right across from the proposed development and is concerned about the traffic all day and night. One of the roads is going right into his house, and he would get lights from the cars in his front windows. He stated there have been several car accidents along the curve of the road in that area already. He is worried he won't be able to see the sunsets when the buildings go in.

Hailey Wade, 2005 Nelly Store Road, stated that she has lived on her property her entire life. She referenced a letter that was given to the Planning Commissioners at the meeting, which included a 50-signature petition of people who are opposed to the rezoning. She said she is opposed for reasons already stated and also because of the school traffic that uses Springdale to get to school. She feels the additional truck traffic will make it more unsafe.

Wayne Childers, 1487 Hopewell Road, lives across Hopewell Road from the proposed development. He believes that Hopewell Road cannot handle the additional traffic, including at the intersection with Springdale Road. He stated that trucks already back up from Ross. He said he doesn't want to wake up and see a warehouse across the street.

Rebecca Harris, 2005 Neely Store Road, stated that her property has been in her family for over 100 years and stated what if it was you.

Richard Morrison, 650 Peachtree Road, he stated that he does not believe that Hopewell Road is the right area for industrial. He said he has worked in a lot of warehouse developments and believes this doesn't fit in. He said that people are building nice homes in the area and the industrial uses would impact their investment.

Seth Rainey, 3063 Shandon Road, stated that there are two parcels right by the creek where they are building homes, pouring the concrete that week. They have several children, and they drive the roads everyday and are concerned about the additional traffic. He wants to see the 178 acres be the remain wooded and act as the buffer.

Chair Graham stated that the property will likely be developed, as it is the property owner's right to do so. For people that mentioned they want to leave it wooded is unrealistic and didn't want to misrepresent that nothing would happen if this proposal was turned down.

Shannon Kimbrell Thompson, 2058 Hopewell Road, stated that she was the first newer home on Hopewell Road in the past several years and purchased her property to be long term owners like others in the area that have passed down their property for generations. The appearance of Hopewell Road has changed a lot in the past several years.

Richard Jalland, 1527 Hopewell Road, lives directly across the street from the subject property. Had two trucks turn over on his property. Not a good site for a new road connection since there is poor visibility. The drainage on the road is bad, water goes over the culverts during bad storms. He doesn't want to look at concrete walls across the street. Lived at the property for 12 years.

Kevin Baker, 1070 Shady Oak Lane, said he has the largest portion of property that is across the creek from the proposed development. He believes that residential would create the same or less traffic than light industrial. He is concerned about noise within the development. He asked would there be a wall or fencing installed. He said that he hunts on his property there and doesn't want the new development to impact that.

Chair Graham closed the public hearing.

Mr. Watts asked staff if Legacy Park was annexed for the industrial use at the time it was brought in and asked if it was also zoned residentially in the county prior to that. Mr. Fields stated that he was unsure of the previous zoning of that property in the County, but that there are some existing homes at the end of Vistawood Rd that remained. He added that the property was annexed specifically for the industrial use, and zoned Master Planned Business Industrial Park (MP-BIP).

Ms. Goodner asked staff to describe the required buffers from the surrounding uses. Mr. Fields stated that buffers are determined by the uses that go in each building and if dock doors or truck areas face the property lines. These would increase the depth of the required buffers, but the creek will likely have larger buffers than what the code requires. He added that the site will likely develop in phases and buildings could require walls for grading not so much for screening purposes. The site will be required to meet the landscaping and tree save requirements, which includes landscaping and screening from dock doors and truck circulation area. He reminded the Commission that the question before them tonight isn't about the site plan, but rather is the industrial use appropriate for this property.

Mr. Dicks stated that he would like to see the applicants meet with the neighbors because some of the concerns about visibility of the buildings and blocking sunshine could be worked out. He feels that if the developer got more input that they could get something that people could get some buy-in to. He said that they don't know how tall the buildings would be because they aren't that far yet.

Chair Graham stated that they can't really discuss the site plan, since that isn't what is before the commission, only if industrial use would be appropriate for the area. The Commission would review the site layout and buildings at the Major Site Plan stage.

Mr. Nazeer asked Staff if there was a previous residential use proposed for the site. Mr. Fields stated yes, there was a request from a previous developer to construct single-family homes on the site for roughly 330 homes, then had a second version that showed senior residential with 55 and older but he couldn't remember how many homes that version of the plan had. The developer made application for rezoning, held a neighborhood meeting at City hall in 2020 or 2021, but it was withdrawn prior to going to the Planning Commission.

Mr. Nazeer asked if the previous developer withdrew because of opposition from the neighbors. Mr. Fields stated that he believed the developer withdrew because they would have needed a bit more density. The neighbors and City Council wanted to see larger lots, but the developer needed more homes to make the project work.

Ms. Haselrig stated that they have a tough decision tonight and although the property owner has the right to develop their property, the thing that concerned her the most is the fact that the comprehensive plan showed the property as residential, and it feels like they are putting an industrial park in

the middle of a neighborhood. Additionally, the truck traffic so close to the schools is a concern.

Chair Graham stated that he drove out to the property today and what stuck out to him today was the character of the area feels very different once you turn down Hopewell Road. He stated that we rely heavily on our comprehensive plan, and it is shown as residential. He added that if it were shown differently for business uses, we would rely on that a lot more. He noted the neighbors that looked at the comprehensive plan prior to buying their homes and it showed the property as residential. He stated that when the Planning Commission was looking at annexing a lot of industrial land along Porter Road, there was also an area there that felt a bit out of place and into the neighborhood, rather than being adjacent to the interstate, and this property has that same feel. He can't support the proposal for those reasons.

Mr. Nazeer stated that he also grows his own food and thinks about those homesteaders. We lose a lot of property to development every day. He stated he is conflicted though because the property owner has a right to develop their property. Things there need to be a balance that needs to happen. He feels like he could support a plan for residential on the property.

Mr. Christopher made a motion to approve the rezoning from RMX-20 to IG and DOD zoning. Nazeer seconded.

Mr. Christopher stated that the Planning Commission hears different cases each month and they take all the comments into consideration. He stated that traffic will always be an issue, but roadways do not get improvements generally unless more homes or businesses locate there. Good design of a site can help, but they are not here to comment on that.

The chairman asked for a vote, which failed 0-7.

Chairman Graham stated that this would be a recommendation of denial to the City Council, but that they have the final decision on rezoning items. He mentioned that the City Council would hear this item for first reading at their March 11th meeting.

Chairman Graham called for a five-minute recess, before continuing to the next agenda item.

- c.) **Hold public hearing and consider a recommendation to City Council on 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.**

Shana Marshburn, Planner II, presented the staff report.

Chair Graham opened the floor to the applicant. There were no further comments.

Chair Graham opened the floor for public comment and there was none.

Mr. Watts asked if they would need to remove pews in the church to meet the parking requirement. Ms. Marshburn explained the three options for meeting

the parking through removing pews, having a deed restriction for shared parking on the newly created lot, or having a shared parking agreement with an adjacent property, such as Food Lion.

Chair Graham stated that the parking issue must be dealt with at the time of the sale.

Ms. Marshburn stated that she had talked with the pastor, and he stated that they currently do not use all of the seating, so it wouldn't be an issue removing pews.

Ms. Haselrig stated that she goes to another business in the area and wants to make sure the businesses have adequate parking. She asked if staff knew who the commercial user would be. Ms. Marshburn stated that the commercial user was not known at this time.

Ms. Goodner made a motion to approve the Limited Commercial (LC) and Office and Institutional (OI) zoning. The motion was seconded by Mr. Christopher and was approved by a vote of 7-0.

3. NEW BUSINESS

a.) Consideration of a request by First Calvary Baptist Church for Preliminary Plat approval at 559 Whitner Street (Plan#20232424).

Ryan Hammond, Planner I, presented the staff report.

Chair Graham opened the floor to the applicant. There was no further comment.

Mr. Christopher made a motion to approve the Preliminary Plat subject to resolution of outstanding staff comments. The motion was seconded by Nazeer and was approved by a vote of 7-0.

b.) Consideration of a request by True Homes for Preliminary Plat Approval for The Enclave at Wild Rose Subdivision at 2098 Dutchman Drive. (Plan#20230846).

Shana Marshburn, Planner II, presented the staff report.

Chair Graham opened the floor to the applicant.

Mr. Watts stated that he remembers this property, he believed the changes were good, and the neighbors were heard and should be well aware of the project.

Mr. Christopher asked about the dumpsters along Dutchman Drive. Ms. Marshburn explained that those were existing dumpsters for the apartment complex across the street and that the single-family homes would have roll carts.

Mr. Christopher made a motion to approve the Preliminary Plat subject to resolution of staff comments. The motion was seconded by Ms. Haselrig and was approved by a vote of 7-0.

c.) Consideration of a request by Comporium Inc for Preliminary Plat approval for Bates Street Extension at 200 Old Rawlinson Road (Plan#20221967).

Dennis Fields, Planner III, presented the staff report.

Mr. Christopher asked if the road would be paved. Mr. Fields replied yes.

Ms. Haselrig made a motion to approve the Preliminary Plat subject to resolution of staff comments. The motion was seconded by Mr. Dicks and was approved by a vote of 7-0.

4. Other Business.

No other business

5. Adjourn.

There being no further business, the meeting adjourned at 8:15 p.m.