



Location:	Located at Intersection of Eastview Road and Golden Gate Court. Tax Map #'s: 504-01-01-015, 504-01-01-023 thru -031, 504-01-01-044 thru -069, and 504-01-01-072.
Site Area:	Approximately 45 acres
Request:	Annex property into the City and rezone property from RUD-I in York County to Rural Holding (RH).
Proposed Development:	Property is proposed to be developed into a public, K-12 charter school for approximately 1,200 students.
Applicant/Owner:	Hock RH, LLC (Gary M. Hock, Mgr.) Durham, NC 919.471.2895

Site Description

The subject property is located on the southwest side of the City at the intersection of Eastview Road and Golden Gate Court. The subject property was previously approved in York County as *The Gates* single-family residential subdivision. While roadways and other infrastructure improvements have already been installed within the subdivision, no houses have been constructed on the lots proposed for annexation. Surrounding uses include single-family residential located in the Rock Hill Single-Family Residential-3 (SF-3) zoning district, York County Rural Development District (RUD), RUD-I, and Residential Conservation-I (RC-I) zoning districts. The surrounding residential areas are largely characterized as large-lot or rural, low density home sites with smaller, more suburban lots located on the east side of Eastview Road. A limited section of an intermittent stream, which is a tributary of Fishing Creek is located in the far southeastern section of the subject property.

This site was proposed for annexation in the spring of 2010 with a proposed zoning of Office & Institutional (OI). Planning Commission recommended approval of the proposed zoning in June, 2010, and the application was subsequently withdrawn before any action was taken by City Council. The bulk of the property within The Gates has subsequently been purchased by Hock RH, LLC, an affiliate of G.M. Hock Development, and they are working with York Preparatory Academy on the development plan for the property proposed for annexation.

Development Proposal

The applicant is requesting the annexation and rezoning in order to gain access to City water and sewer utilities and construct a permanent facility for York Preparatory Academy on the site. Approximately 37 of the 71 platted single-family lots within The Gates are planned be recombined into a single 45 acre parcel to create the school site. The YPA Board of Directors is scheduled to take action on the applicant's proposal to construct the school in early March. YPA is currently located at the former Trinity Christian School site on University Drive and is limited to grades K-8. Construction of

the permanent facility will accommodate expansion of the school to serve grades K-12. Total enrollment of the school at buildout will be approximately 1,200 students. If annexed into the City, the proposed school would be subject to a Major Site Plan approval by the Rock Hill Planning Commission.

The proposed school site is planned to have multiple educational and recreational buildings, while also having outdoor athletic facilities for soccer, track, tennis, and other sports. The existing public roads within the subject property (limited section of Gateview Ct. and Majestic Rose Dr.) will be closed and will become private drives.

Existing Zoning District Summary

York County Rural Development I District (RUD-I)- The Rural Development I District is intended to protect and preserve the rural character of an area by allowing growth which is not as rapid yet requiring larger lots (one acre) thus maintaining a rural character within developed areas. This district should be utilized wherever development pressure is increasing, but public water and sewer are not readily available. Permitted uses include low density single-family residential, agricultural uses, religious institutions, campgrounds, family daycares, etc.

Proposed Zoning District Summary

Rural Holding (RH)- The Rural Holding (RH) district is established to preserve and protect lands which are currently rural in character, environmentally-sensitive, or being used for agricultural purposes. The district is intended to act as a “holding zone” for land not yet ready for urban development. Low density residential uses are allowed, and are typically served by on-site water and wastewater facilities. The minimum lot area for development is five (5) acres in size and the maximum residential density is one (1) unit per five (5) acres except when a Conservation Subdivision is approved in accordance with this Ordinance (see Section 7-200).

Previous Rezoning Cases in the Area

The Stoneridge Hills Planned Development-Residential (PD-R) rezoning located approx. a half mile to the northeast at Eastview Rd. and Plantation Hills Dr. was approved by City Council in March 2009.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The property has frontage on Eastview Road, a Major Collector street and Golden Gate Court, a local street. The primary access to the site will be from Golden Gate Court off of Eastview Road. A second access point will likely also be provided onto Eastview Rd., south of Golden Gate Ct. Turn lanes will be required on Eastview Road at Golden Gate Court and at the secondary access point. The traffic impact analysis (TIA) that was prepared in the spring of 2010 is being revised by the applicant in consultation with City, County, SCDOT, and South Carolina Office of School Facilities staff. As part of the school development, frontage sidewalks will be required along the site’s Eastview Road, Golden Gate, and Lamp Post Lane road frontages. (Note: The previous proposal included a second access to the school from Landsford Rd. that has now been eliminated from the plan with the approval of SCDOT. The applicant now plans to

abandon the portion of Landsford Rd. that connects to Eastview Rd. through the school site and create a cul-de-sac at the end of Landsford Rd., adjacent to the school property.)

Eastview Road is scheduled for re-paving by SCDOT in the spring of 2012, dependent on the availability of funds. As part of the York County *Pennies For Progress* road improvement project, the intersection of SC 5 at Adnah Church Rd./Eastview Rd. is being realigned with a traffic signal and will have left and right turn lanes incorporated into the approaches to the intersection. The intersection of McConnells Highway and Eastview Road is being improved with left and right turn lanes and the likely closure of Falls Road Extension.

Historic traffic volumes in the area are shown below:

Street	Vehicles Per Day				Capacity*
	2009	2004	1999	1994	
Eastview Road	3,900	3,600	3,200	2,800	8,600

*Capacity denotes Level of Service "C".

Public Utilities

Water and sewer utilities can be provided to the subject property by extension of the existing lines within The Parks subdivision across Eastview Road. The remaining residential lots in The Gates subdivision that are not part of the school site will be served by well and septic systems, as originally developed.

RELATIONSHIP TO PUBLIC PLANS

Vision 2020 Comprehensive Plan

The subject property is located at the outskirts of the City's Vision 2020 Planning Area; however, this area falls within the Edge Management sub-area of the Suburban Neighborhoods Character Area Land Use Map designation. The Edge Management area represents the transition from traditional city development patterns to lower density non-urban patterns. Office and institutional uses are permitted uses within this land use category. Public uses should be integrated into and be connected to the surrounding neighborhoods with emphasis on pedestrian and bicycle connectivity. Open space preservation and natural resource protection are important. Low-density development should reflect a compact land use pattern that promotes an efficient use of land and minimizes negative impacts. Growth and development should occur contiguous to existing development wherever practical and feasible.

Conclusion

The requested annexation and rezoning from County Rural Development District-1 (RUD-1) to City Rural Holding (RH) is generally consistent with the City of Rock Hill Vision 2020 Comprehensive Plan and Vision 2020 Land Use Map.

PUBLIC INVOLVEMENT

Staff hereby certifies that the required public notification actions have been completed as follows:

- January 2 & 16: Planning Commission public hearing advertisements published in *The Herald*.
- January 13: Rezoning notification signs posted on subject property.
- January 13: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 34 postcards were sent to properties within rezoning area and surrounding areas.

Public Hearing

The Rock Hill Planning Commission held a public hearing on this application on Feb. 1, 2011. Eight members of the public spoke in opposition and the applicant presented information about the proposal.

Mrs. Terri Westphal, 2100 Laurel Glen Drive, spoke in opposition to annexation, stating that there were no other properties on that side of Eastview in the City Limits and that there would be a negative effect to the area and overall quality of life due to the additional population and traffic. She stated that while there was not an organized neighborhood association in her subdivision, there are sixteen resident owners out of eighteen properties that did sign a petition against annexation. She noted that there were a number of others in the audience present to speak in opposition to the application. Mr. Graham stated that the reason he asked the question about the county zoning classification was to confirm that a school could still be allowed even without the City's annexation. Mrs. Westphal stated that this was understood, but that water and sewer were required and that the amount necessary for a large facility would be impossible to get within the county, that it would have to come from the City. Mr. Roper stated that as a follow up to Mr. Graham's comments, a property owner had certain rights and that if they wished for a property to be annexed, the City should honor this request. He added that the Planning Commission would seek to recommend a zoning classification that was most compatible with the county zoning classification. Mrs. Westphal stated that the Office & Institutional (OI) zoning proposed originally was not acceptable to the surrounding residents, that the zoning classification proposed was more acceptable but that the residents were opposed to the annexation happening at all.

Mr. Don Smith, 2118 Chickasaw Loop, spoke in opposition to annexation, stating that traffic conditions were already bad and that he wanted to know what else could be built in that area besides the school. Mr. Roper stated that this was unknown at this time and asked if the remaining lots within the subdivision were to remain as currently zoned. Mr. Hawkins stated that these were intended to remain as single-family residential lots and that there were no plans for annexation or rezoning of any areas outside the school site. Mr. Graham stated that this hearing was about the zoning only, that the commission was not approving any site plans where specifics would be addressed at this time. Mrs. Easley added that the commission was not voting to approve annexation.

Mrs. Sandra Altier, 2269 Eastview Road, spoke in opposition to annexation, noting that she would lose \$25,000 in property for the construction of the turning lanes. She asked what other forum the homeowners could address in order to not have the school built. Mr. Roper stated that there was an extensive review process by the state for school development and this could always be addressed with the Office of School Facilities. Mrs. Altier asked if there was a way to oppose this with the City. Mr. Roper stated that City Council would be voting on the annexation of this property.

Mr. Keith Klawes, 2099 Cardinal Hill Drive, spoke in opposition to annexation, stating that he was not opposed to education, that his concern was regarding the traffic on Eastview Road, that even with limited bus service and 600-800 cars twice a day would cause a great deal more damage to the road as well as access to the road by residents. He added that no decisions should be made until the Department of Transportation made a decision regarding road repair and resurfacing.

Mr. Dennis Rieff, 2336 Joseph Court, spoke in opposition to annexation, stating that additional traffic would be an issue with dropping off, picking up, and other activities increasing the amount of traffic, that access to Zinker Road would become an issue, and that people would not buy houses within the adjoining areas because of the increase in traffic. Mr. Roper stated that if access off Landsford Road was presented, at least one commission member would vote against this since it has already been represented that Landsford Rd. would be changed to a cul-de-sac.

Mr. Roy Blake, 1340 Holland Road, asked for clarification on the annexation process, the Zoning Board of Appeals process, and the role of the Planning Commission with reference to this property. He asked if the developer could still tap into the City's water and sewer system even if the property was not annexed. Mr. Roper stated that the policy required that any property requesting City services be annexed into the City limits. He added that if other means of water and sewer services were available to the property owner, the school could still be built.

Mr. Sydney Fogle, 2194 Chickasaw Loop, spoke in opposition to annexation, noting that there were currently issues with traffic at this time, and that there would be significant impact to the area with this construction, including increased noise level, traffic congestion, and reduction in air quality.

Mr. Wayne Clark, 1064 Eagle Drive, property owner of 2291 Landsford Road, spoke in opposition to the application, stating that he understood when purchasing the property that it was to be used as residential and agriculture only, and that he was greatly concerned over the impact and possible liability.

Mr. Keith Rains, The Rains Group, 3333 Harmony Road, Catawba, applicant's representative, stated that plans would be submitted at the major site plan approval process and would address in detail the traffic impact, improvements that will be required by the state, the DOT, and the Office of School Facilities. He noted that as far as Eastview Road was concerned, there would be significant improvements to the condition of the road due to construction of the turn lanes for the school. He noted that the cul-de-sac on Landsford Road would be built on The Gates property then turned over to the county for continued maintenance. He stated that the additional residential lots would be continued to be owned by Hock RH, LLC, and would be held until the market for residential housing became profitable again. He added that the property

could have a private water and sewer system depending upon the existing soil conditions and what the state would require. He noted that the all of the details would be addressed in the major site plan approval process. Mr. Smalls asked about Landsford Road. Mr. Rains stated that the cul-de-sac would be built with no loss of property by any adjoining property owners. Mr. Christopher asked about the timetable for the project. Mr. Rains stated that the new school should be constructed by August 2012 depending upon the property owner's agreement with the school and development process.

Additional Public Feedback

See attached letter from the residents of the Laurel Glen subdivision in opposition to the application. The letter requests that a representative of the neighborhood be permitted to speak at the City Council meeting.

RECOMMENDATIONS

Staff Assessment

The proposed zoning is generally consistent with the City's Land Use Plan and is compatible with the surrounding development.

Staff Recommendation

Staff recommends approval of the proposed Rural Holding (RH) zoning.

Planning Commission Discussion

At their February meeting, the Planning Commission held the following discussion:

Mr. Graham asked if schools were permitted in the Rural Holding (RH) zoning classification. Mr. Hawkins stated that schools were allowed as a conditional use within this zoning classification, which requires the applicant to demonstrate adequate access and circulation. He added that a major site plan would have to be approved by the Planning Commission. He noted that there was no further review required by the Zoning Board of Appeals or City Council.

Mr. Roper asked if a house was located at the proposed cul-de-sac area on Landsford Road. Mr. Hawkins stated that this area was a pasture.

Mr. Roper asked if any other properties would be impacted by the closing of Landsford Road in terms of access. Mr. Hawkins stated there were no other properties accessed from Landsford Road.

Mr. Graham asked if the county RUD zoning classification allowed for schools. Mr. Hawkins stated that it did.

Mr. Christopher asked if the cul-de-sac construction and demolition of the remainder of the road was the responsibility of the developer. Mr. Hawkins stated that it was.

Mr. Graham noted that the Planning Commission did not have much of a choice, that they could not deny a property owner zoning if the property owner requested annexation, that the use was allowed currently, and the commission could only look at appropriate zoning for the property based on the current county zoning and that the zoning request presented was appropriate.

Mr. Christopher stated that if there were concerns over traffic patterns, the residents should take a look at the University Drive area where the school was currently located in the former Trinity School. There had been traffic issues in the beginning at that location but these had been resolved. He noted that the Eastview area was becoming a major development area and added that in his experience, a school increased the property values of the area and that the school should not make as much of an impact as forty additional residential properties would.

Mr. Graham stated that he was pleased that a more restrictive zoning was proposed because of the limited possible uses that could go there if a school was not built.

Planning Commission Recommendation

Following the public hearing at their Feb. 1, 2011, meeting, the Planning Commission voted 6-0 to recommend approval of the proposed RH zoning.

Attachments

- Annexation Map
- Rezoning Map
- Letter from Laurel Glen Residents

For copies of the following attachments, see the digital version of the report on the City's website:

- Annexation Application
 - Rezoning Application
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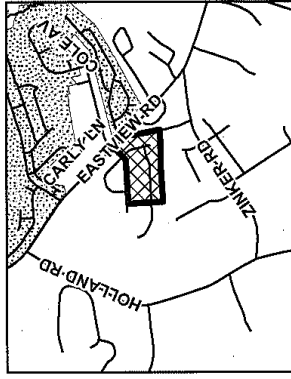
Staff Contact: Eric S. Hawkins, AICP, Planner III
ehawkins@cityofrockhill.com
803.329.8763



ROCK HILL

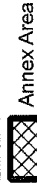
SOUTH CAROLINA
ANNEXATION MAP
Eastview Road
IV Area

ANNEXATION TO THE CITY OF ROCK HILL



ZONING: RH
WARD: WARD 4
ACREAGE: 45

City Limits



Annex Area



THIS MAP WAS COMPILED FROM PLATS AND
OTHER AVAILABLE INFORMATION.
NO ACTUAL FIELD SURVEY WAS PERFORMED.

DATE: 2/16/11
GIS ADMINISTRATOR: [Signature]



ADJACENT OWNERS

- 5040000005 Daniel Parks
- 5040000099 Danny & Jennifer Culter
- 5040000071 Robert & Sandra Allier
- 5040000070 Joshua Collins
- 5040000071 John & Sharon Pifer
- 5040000072 Bryan & Caitlyn Davidson
- 5040000003 David & Ann Clark
- 5040101043 John & Phillis Medford
- 5040101043 Gregory & Karen Helms
- 5040101034 Holdings LLC
- 5040101033
- 5040101032
- 5040101014
- 5040101013
- 5040101012
- 5040101011
- 5040101021
- 5040101028 Hook RH LLC
- 5040101017 Big Vision LLC
- 5040101016
- 5040101001 Hook RH LLC
- 5040000088
- 5040000071 Eastview Oaks HOA
- 5040000139 Robert & Linda Szymilowicz
- 5020301111 Her Lee LLC
- 5020301001
- 5020301001 Adams Homes AEC LLC

ANNEXATION OWNERS

- 5040101081
- 5040101015
- 5040101058
- 5040101031
- 5040101057
- 5040101024
- 5040101055
- 5040101054
- 5040101054
- 5040101053
- 5040101028
- 5040101028
- 5040101030 Hook RH LLC
- 5040101049
- 5040101048
- 5040101047
- 5040101046
- 5040101045
- 5040101069
- 5040101068
- 5040101067
- 5040101065
- 5040101064
- 5040101064
- 5040101062



ROCK HILL
SOUTH CAROLINA

M-2011-02

Legend



City Limit



Zoning District Boundaries

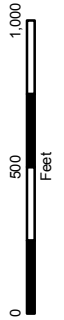


Area of Interest

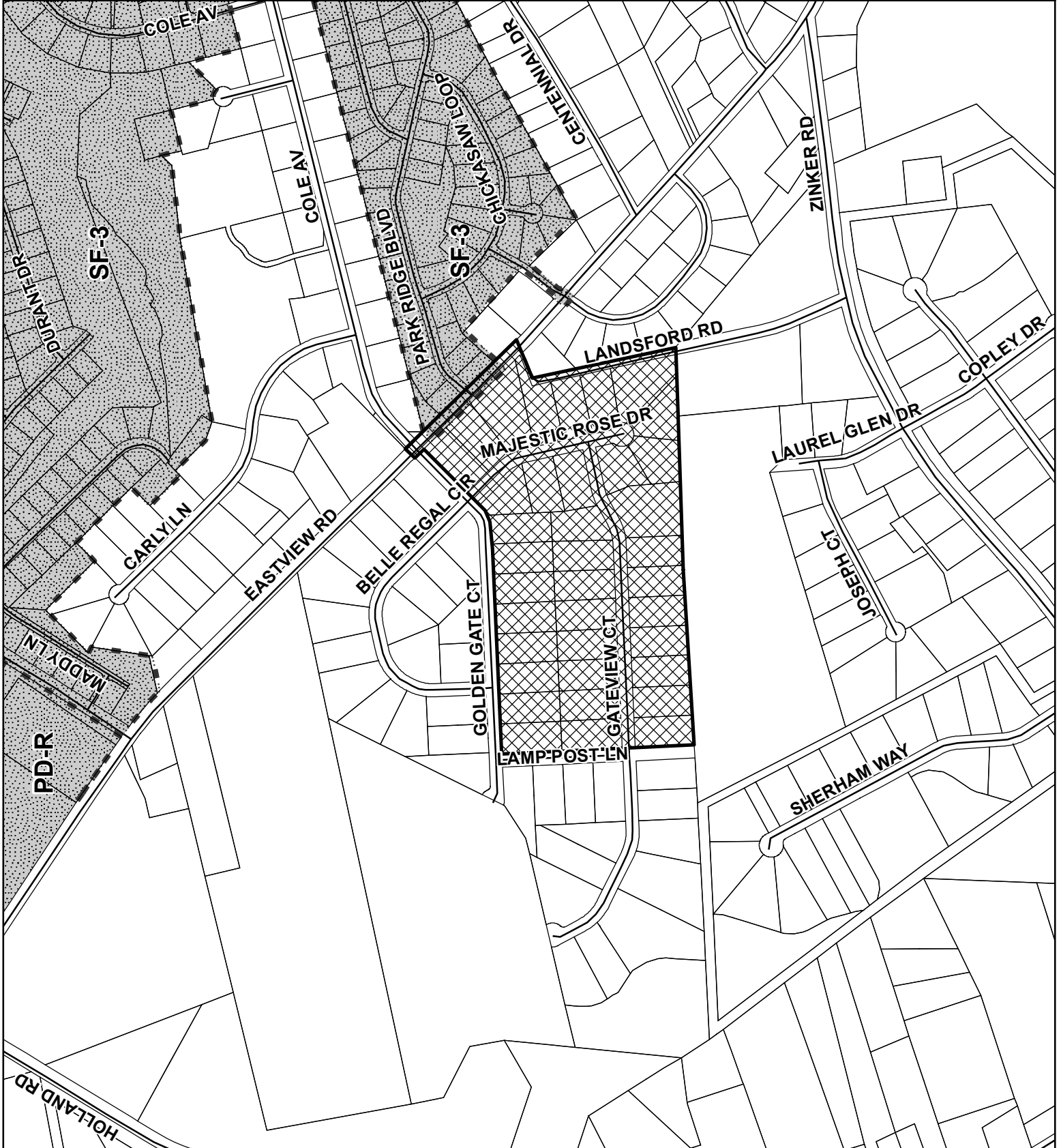
Zoning Data

**Current: RUD-1
(County)**

Proposed: RH



Planning & Development
Services Department
City of Rock Hill
1/20/11



2-20-11

Introduced by:

Residents of the Laurel Glen Subdivision
Laurel Glen Drive, Joseph Court and Zinker Road
Rock Hill, SC 29732

Subject: Opposition to the proposed annexation and rezoning of 45 acres located at The Gates at Eastview off Eastview Road (M-2011-02)

To Mayor Doug Echols and Members of the Rock Hill City Council:

We are writing to you in opposition to the petition by Hock RH, LLC to amend the official zoning map of the City of Rock Hill by the annexation of approximately 45 acres located in The Gates of Eastview Subdivision at 2365 Eastview Road. The reasons on which we oppose this petition are genuine concerns of annexation of a portion of a large rural residential development.

Reasons of Concern by All Laurel Glen Residents:

- The annexation of this county property into the City of Rock Hill could facilitate the developer's ability to redevelop the rural residential property in a way that could negatively impact the value of homes, the growth of traffic, the continued damage to the roads and the quality of life in the surrounding rural residential, farm and equine community
- The 45 acres located in the Gates is located at the outskirts of the City's Vision 2020 Planning Area and does not fall within the Edge Management area of the Suburban Neighborhoods Character Area Land Use Map designation.

Reasons of Concern by Majority of Laurel Glen Residents:

- The negative impact to the surrounding rural communities with the construction of a proposed permanent facility that would accommodate expansion of a school to serve grades K-12 with a planned total enrollment of said school at build out to be approximately 1,200 students including multiple educational and recreational buildings, while also having outdoor athletic facilities for soccer, track, tennis, and other sports.
- The unstable success rate and low financial achievement of charter schools in South Carolina and the outcome of the buildings if the proposed school was not successful and closed

As a result of what we think are valid concerns the Residents of the Laurel Glen Subdivision respectfully request the Rock Hill City Council to not approve the proposed annexation of 45 acres within the rural residential development of The Gates at Eastview.

Therefore, we are requesting your sincere consideration of these issues. At your discretion we request that a Laurel Glen Representative has a chance to speak and answer any questions at the upcoming council meeting on February 28, 2011. Thank you for your time and consideration of this important matter.

Sincerely,
Residents of the Laurel Glen Subdivision

2-2-2011

Introduced by:
Residents of the Laurel Glen Subdivision
Laurel Glen Drive, Joseph Court and Zinker Road
Rock Hill, SC 29732

Subject: Opposition to the proposed annexation and rezoning upon 45 acres located at The Gates at Eastview off Eastview Road (M-2011-02)

Name	Address
Scott & Terri Westphal	2100 Laurel Glen Dr.
Patti Bohm	2350 Zinker Rd. Rock Hill, SC
M & Harp	2354 ZINKER RD.
Donno Franklin	2360 Zinker Rd. Rock Hill SC
Denise McDaniel	2101 Laurel Glen Dr.
Melanie D Ward	2116 Laurel Glen Dr Rock Hill SC
Boyd	2303 Joseph Ct Rock Hill SC
Ron Swinn	2311 Joseph Ct RH SC
Bobbie Sims	2312 Joseph Ct RH SC
Tracy Harper	2318 Joseph Ct. ^{SC} 29732
Merle Anderson	2324 Joseph Ct 29732
Kara Long	2330 Joseph Ct 29732
Kelcie Biehl	2336 Joseph Ct 29732

Subject: Opposition to the proposed annexation and rezoning upon 45 acres located at The Gates at Eastview off Eastview Road (M-2011-02)

Name	Address
John Arcudi Valerie Arcudi	2335 Joseph Ct. R.H., SC
Luise Masaroca	2325 Joseph Ct R.H SC
Bill Holschicht	R7V - SC
Shirley Holschicht	2317 JOSEPH CT.
