



Location: 2360 Celanese Rd, Tax Map #636-02-03-006

Site Area: Approx. 2.14 acres

Request: Rezone property from Neighborhood Commercial (NC) to Limited Commercial (LC).

Applicant/Owner: Siu Cheung and Yan Yan Cheung
Rock Hill, SC
704.458.4022

Site Description

The subject property is fully developed for restaurant use. The current tenant, Wing King Café has been at this location since late 2009. It is located on the north side of the City and fronts on Celanese Rd, a principal arterial roadway. Surrounding uses include single-family residential, multi-family residential, and undeveloped property in residential zoning districts. A tributary of Little Dutchman Creek runs through the property just west of an existing driveway into the site.

Proposal

The applicant is requesting the rezoning in order remove the limitations on the hours of operation that apply in the NC district (6 AM-10 PM).

Existing Zoning District Summary

Neighborhood Commercial (NC)- The NC district is established and intended to provide for small-scale retail, service, and professional offices that provide goods and services to serve the residents of the surrounding neighborhood. Residential uses are encouraged on the upper floors of non-residential establishments. The district should not include establishments that attract traffic from areas of the City outside the neighborhood which is being served by the use. Non-residential uses in the NC district are limited to ten thousand (10,000) square feet in area per use in an individual building. The district should typically be located at the intersection of two (2) collector (residential or commercial) streets or a collector street and arterial/major collector street in close proximity to the residential neighborhood which they serve. The district is subject to development standards to ensure development is consistent with the neighborhood scale and form of the district, and compatible with surrounding uses through setbacks, height limitations, bulk and other dimensional standards, connectivity requirements, controls on lighting, and site design. In addition, all non-residential development in the NC district shall limit its hours of operation to between the hours of 6:00 AM and 10:00 PM.

Proposed Zoning District Summary

Limited Commercial (LC)- The LC district is established as a mid-level intensity commercial district that allows a wider range of non-residential uses at increasing intensities than the NC district. The uses allowed in this district include a wide range of

general retail, business, and service uses, as well as professional and business offices along with integrated residential uses as allowed in the NC district. Uses in this district are intended to serve groups of neighborhoods instead of individual neighborhoods.

Zoning History of the Property

The subject property was rezoned from Limited Commercial to Neighborhood Commercial in 1996 in order to establish a restaurant on the site (see attached rezoning notice). At that time, restaurants required a use variance in the LC district and were permitted outright in the NC district. Also at that time, the LC district limited hours of operation to 7:00 AM to 9:00 PM whereas the NC district limited hours to 7:00 AM to 11:00 PM. When the new zoning ordinance was adopted in 2006, hours became limited to 6:00 AM to 10:00 PM for all uses in the NC district. There have been several tenants at this location since then that complied with the current limitations of the NC district, so any grandfathering of prior hours of operation has been lost.

INFRASTRUCTURE CONSIDERATIONS

The property is fully developed and there will be no additional impact on the transportation or utility systems.

RELATIONSHIP TO PUBLIC PLANS

Comprehensive Plan

The City's Vision 2020 Land Use Map indicates that this parcel is within the Existing Suburban Neighborhoods Character Area. The Existing Suburban Neighborhoods Character Area represents the established suburban land use pattern which is dominated by single family subdivisions and individual commercial developments. The vision for this area is to better connect neighborhoods as well as integrate and mix land uses in a more pedestrian and bicycle-friendly way. Planning principles for this area seek to expand and reinforce neighborhood cohesiveness and design. Compatible mixtures of uses are encouraged; however, new commercial and office uses generally are encouraged to locate in focused Suburban Mixed Use Centers. Efforts to enhance mobility and livability in these areas are important. Higher density and intensity uses should be focused in and immediately surrounding Suburban Centers and along major corridors, or in other locations where they relate to unique institutions and amenities and can be designed with minimal land use impacts.

Conclusion

The requested rezoning 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:

- March 6 & 20: Planning Commission public hearing advertisements published in *The Herald*.

- March 18: Rezoning notification signs posted on subject property.
- March 18: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of twelve 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 April 5, 2011. No one from the public spoke on this item. The applicant was available for questions.

RECOMMENDATIONS

Staff Assessment

Although the subject property is surrounded by residential uses, it is somewhat separated from them by floodplain, wooded buffer, and Celanese Road. As noted above, the property has been subject to less stringent hours of operation in the past. Since that time, Celanese Road has been widened from two lanes to seven.

The proposed zoning is consistent with the Comprehensive Plan and is compatible with surrounding uses and development patterns.

Staff Recommendation

Staff recommends approval of the proposed Limited Commercial (LC) zoning.

Planning Commission Discussion

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

Mr. Roper asked if there was a time restriction in Limited Commercial (LC) zoning under the current zoning ordinance. Mr. Hawkins stated that there was not.

Mr. Christopher asked if a new business was established, would landscaping and parking improvements be required. Mr. Hawkins stated that there would not just in the case of a change of use or change in ownership, that the current tenant was a restaurant as had been in the past, and that only expansion or significant remodeling of the building would require these changes.

Mr. Christopher asked if there were future plans for stormwater management. Mr. Hawkins stated that he is not aware of any.

Mr. Graham wanted to clarify that because of the property location in relation to the flood plain, natural buffers and multi-family housing, this was acceptable, but that if the same request were to come before the Commission and located near a single-family residential neighborhood it would not be considered favorably. He added that these existing conditions contributed to the uniquely qualifying factors that allowed for the rezoning.

Planning Commission Recommendation

Following the public hearing at their April meeting, the Planning Commission voted 6-0 to recommend approval of the rezoning.

Attachments

- Rezoning Notice from 1996
- Property Plat
- Rezoning Map

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

- Rezoning Application

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



ROCK HILL

SOUTH CAROLINA

July 11, 1996

NOTICE OF PUBLIC HEARING

The Rock Hill City Council has received a request from **Dr. F. M. Peele, D.C.** to rezone approximately 2.2 acres located at **2360 Celanese Road**. This property is shown on the attached map as that area within the heavy-dashed lines. City tax records indicate you own property nearby or adjacent to the area requested for rezoning:

EXISTING ZONING: Limited Commercial (LC), is intended for a limited range of retail and service activities. Retail uses allowed such as antique, craft, flower, cloth, and gift shops, drug stores, art and photographer's studios are limited to 2,500 square feet and normal operation hours of 7:00 a.m. to 9:00 p.m. Under "Uses Permitted on Review" adult daycare centers, group homes (type A) and single family dwellings may be permitted by the Zoning Board of Adjustment following a public hearing.

REQUESTED ZONING: Neighborhood Commercial (NC), is intended to provide for a full range of retail and service uses with limits placed on size and/or hours (7:00 a.m. to 11:00 p.m.) of operation of retail establishments. Under "Uses Permitted on Review", adult daycare centers, group homes (type A), package stores and single family dwellings may be permitted by the Zoning Board of Adjustment following a public hearing.

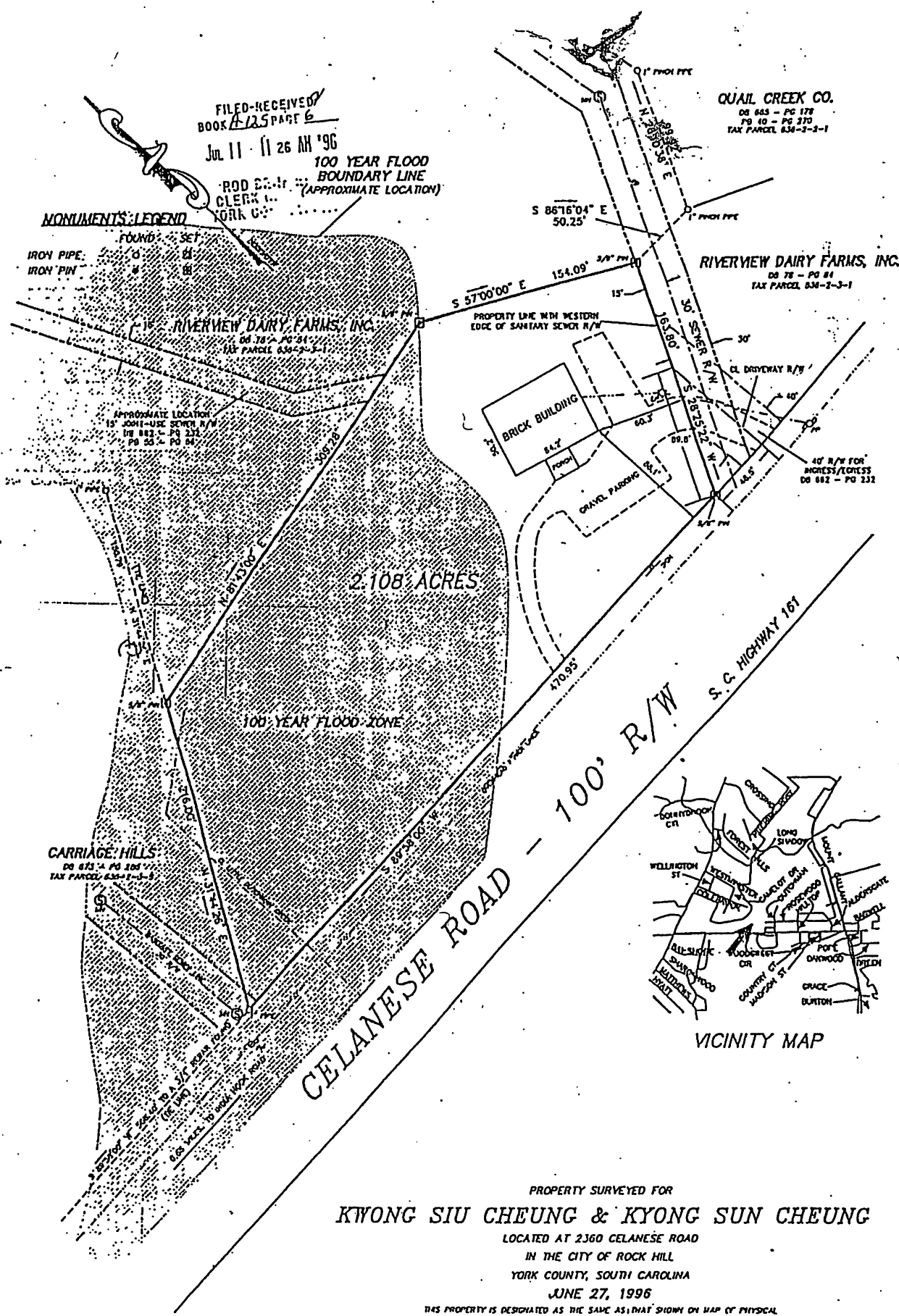
This request will be heard at a public hearing before the Rock Hill City Council and the City Planning Commission in the Rock Hill City Hall Council Chambers, 155 Johnston Street at 6:00 p.m. on **August 12, 1996**. Anyone interested in this request is invited to attend. If you have any questions concerning this notice, please contact the Planning and Development Department, 329-7080, for clarification.

Chuck Chorak, Senior Planner
Planning and Development Department

Attachment: M-6-8-96

Jerry\hearing3.aug

CITY OF ROCK HILL
155 JOHNSTON STREET, P.O. BOX 11706
ROCK HILL, SC 29731-1706, 803/329-7000



FILED-RECEIVED
 BOOK H-125 PAGE 6
 Jul 11 11 26 AM '96

100 YEAR FLOOD
 BOUNDARY LINE
 (APPROXIMATE LOCATION)
 ROD CLERK YORK CO.

MONUMENTS LEGEND

- FOUND: SET
- IRON PIPE: IRON PIN

QUAIL CREEK CO.
 DG 643 - PG 178
 PG 40 - PG 270
 TAX PARCEL 636-2-3-1

RIVERVIEW DAIRY FARMS, INC.
 DG 78 - PG 84
 TAX PARCEL 636-2-3-1

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 DG 78 - PG 84
 TAX PARCEL 636-2-3-1

APPROXIMATE LOCATION
 IS 2011-USE SEWER R/W
 DG 882 - PG 232
 PG 55 - PG 84

2.108 ACRES

100 YEAR FLOOD ZONE

CARRIAGE HILLS
 DG 673 - PG 183
 TAX PARCEL 636-2-3-3

CELANESE ROAD - 100' R/W

S.C. HIGHWAY 161



VICINITY MAP

PROPERTY SURVEYED FOR
KWONG SIU CHEUNG & KYONG SUN CHEUNG

LOCATED AT 2360 CELANESE ROAD
 IN THE CITY OF ROCK HILL
 YORK COUNTY, SOUTH CAROLINA
 JUNE 27, 1996

THIS PROPERTY IS DESIGNATED AS THE SAME AS THAT SHOWN ON MAP OF PHYSICAL
 FEATURES ON PROPERTY OF CURTIS P. BRAMBLETT, RECORDED IN PG 53, PG 66.
 TAX PARCEL 636-2-3-8

I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown. This is to certify that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and found that the above described is located in a special flood hazard area, to the extent shown.
 FLYA BOND #130196 00071 EFFECTIVE DATE FEB 1 1991

J. B. Fisher
 J.C. H.L.S. 4179-D

J.B. FISHER, SURVEYOR
 2051 EBENEZER ROAD
 ROCK HILL, S.C. 29732
 1-803-327-1232
 1-800-535-9920



ROCK HILL
SOUTH CAROLINA

M-2011-06

Legend



City Limit



Zoning District Boundaries

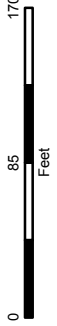


Area of Interest

Zoning Data

Current: NC

Proposed: LC



Planning & Development
Services Department
City of Rock Hill
3/30/11

