



Location: 101 Sedgewood Dr., Tax Map #594-02-04-003

Site Area: 6.3 acres

Request: Rezone property from Neighborhood Office (NO) to Office & Institutional (OI).

Proposed Development: Addition of a gymnasium to the property.

Owner/ Applicant: New Hope Carolinas, Inc. (Sam Phifer, Exec. Dir.)
Rock Hill, SC
328.9300

Site Description

The subject property is the location of an in-patient psychiatric treatment facility operated by New Hope Carolinas. Psychiatric treatment services are provided for children and youth. New Hope currently has approx. 140 patients and 400 staff persons at the facility. It is located on the north side of the City, just off of Ebenezer Rd. and fronts both Sedgewood Dr. and Dotson St. Surrounding uses include institutional, commercial, and single-family residential in residential and commercial zoning districts.

Background

When New Hope was established on the site in 1994, it was permitted as a hospital in the Residential General-Office (RG-O) zoning district. When the current zoning ordinance was adopted in 2006, the zoning changed to Neighborhood Office (NO). Hospitals are not permitted in the NO district and the use became non-conforming.

Development Proposal

The applicant is requesting the rezoning in order to facilitate the development of a gymnasium on the property. Because the use is non-conforming in the NO district, the property must be rezoned to a district that permits the use before any physical expansion can take place. The proposed gym would be approximately 6,000 square feet in size and specifically designed for recreation therapy and possibly office space. The proposed building would be located on the Sedgewood Dr. side of the property, close to the existing building. Additional landscaping would be provided beside the gymnasium and along Sedgewood Dr. The facility is licensed by DHEC for a maximum capacity of 150 beds and no increase in the capacity is proposed.

Although it is not directly related to the rezoning request, New Hope is also planning to sell approximately 0.6 acres of their property that fronts Dotson St. to Agape Senior Rehab. Agape would combine this property with their adjacent site and use it for additional parking. There is an existing building on the site that would be demolished to make room for the parking.

Existing Zoning District Summary

Neighborhood Office (NO)- The NO district is established to provide for a mix of small-scale professional office uses together with limited service uses, single-family detached, single-family attached, townhouse, two- to four-family dwellings, and multiple family uses in close proximity to one another, subject to design and compatibility standards. Non-residential uses shall be located in buildings that are consistent with surrounding residential uses in physical design, scale, character, and shall not exceed ten thousand (10,000) square feet in area. Legally established nonconforming Retail Sales and Services uses in existence on March 1, 2006, shall be allowed to remain, recommence, and expand in accordance with Section 8-200(D)(2), *Retail Sales and Services Uses in the Neighborhood Office (NO) District*. Structures exceeding ten thousand (10,000) square feet in size in existence on March 1, 2006 shall be allowed to remain, but in no instance shall such structures be allowed to expand. The maximum residential density allowed is five (5) dwelling units per acre. Live/work dwellings and upper story dwellings over a street-level non-residential use may be included at densities of eight (8) units an acre.

Proposed Zoning District Summary

Office and Institutional (OI)- The OI district is established to provide a wide variety of professional and business offices and institutions proximate to residential and more intense business districts so as to satisfy the City's demand for services. These regulations are designed to encourage the formation and continuance of a quiet, compatible, and uncongested environment for offices intermingled with residential and institutional uses. This district is different from the other business districts in that Retail Sales and Services uses are generally prohibited. Some limited retail uses may be allowed as a conditional or special exception use, subject to specific standards, and provided their primary purpose is to serve the office workers in the district. Multiple family residential uses, community facilities, and religious institutions are also allowed. The maximum residential density allowed is five (5) dwelling units per acre, and the minimum lot area for development for all non-residential uses is one (1) acre. Live/work dwellings and upper story dwellings over a street-level non-residential use may be included at densities of eight (8) units an acre.

INFRASTRUCTURE CONSIDERATIONS

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

RELATIONSHIP TO PUBLIC PLANS

Vision 2020 Comprehensive Plan

The City's Vision 2020 Land Use Map indicates that these parcels are 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. The OI zoning district provides for a variety of professional and business office as well as institutions proximate to residential and more intense business districts.

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:

- May 8 & 22: Planning Commission public hearing advertisements published in *The Herald*.
- May 12: Rezoning notification signs posted on subject property.
- May 19: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 52 postcards were sent to properties within rezoning area and surrounding areas.

Neighborhood Meeting

The applicant has taken the following steps to communicate with the Fewell Park neighborhood regarding the proposal:

- March 10: The applicant met with a group of neighborhood leaders to present the proposal and get feedback. Those in attendance suggested additional landscaping and noted concerns with what could happen in the future if New Hope relocates or sells the property.
- March 31: An open neighborhood meeting was held at Fewell Park. Several questions were asked about New Hope's operations, other uses that are permitted in the OI district, and the details of the proposed gymnasium. Many residents stated that the addition of the gymnasium is a good idea. New Hope representatives agreed to provide a site plan showing the exact location of the proposed gym and expressed willingness to do additional landscaping on the site. Residents were asked to review the Table of Permitted Uses for the OI district and let New Hope know which uses they find objectionable.
- Since the March 31 meeting, the applicant has mailed out a site plan to the neighborhood and placed a copy at Fewell Park for review. The site plan shows the distance between Sedgewood Dr. and the proposed building as well as additional landscaping.

Copies of the neighborhood meeting notices and the proposed site plan are attached.

Public Hearing

The Rock Hill Planning Commission held a public hearing on this application on June 7, 2011. No one spoke in opposition, one person spoke in favor, and the applicant presented information about the proposal.

Mr. Sam Phifer, Executive Director, New Hope Carolinas, 101 Sedgewood Drive, applicant, noted that the request for the rezoning was for the construction of a gymnasium for the inpatient population and stated that the facility had met with the neighborhood and had agreed to a memorandum of understanding. Mr. Roper noted that the memorandum of understanding could not be included as part of the public hearing process.

Mr. Graham asked if there were any problematic issues with the list of uses for the new facility had been explored and if this was agreeable to the neighborhood. Mr. Phifer said that this had been done and was included in the memorandum of understanding.

Mr. Graham asked if the Mr. Phifer would re-acknowledge the maximum number of beds for the facility and the plans for additional expansion. Mr. Phifer stated that the facility was set up for 150 beds, that they were at approximately 92% capacity on any given day, and that they would not exceed the 150 bed maximum.

Mr. Eric Baumgartner, COO, New Hope Carolinas, noted that the advantage of rezoning and the construction of the gym would allow for the facility to sell an unused portion of the property to Agape, which would then demolish the existing building and create additional parking. This would clear up a number of parking issues that occur along Sedgewood Drive during business hours.

Mr. Jeremy Dreier, 1159 Winthrop Drive, spoke in support of the application, noting that the neighborhood agreed that the gymnasium served the best interests of the facility and that the sale of the property to Agape for additional parking was in the best interests of the neighborhood. He did note that there were larger issues with rezoning that took away the characteristics of residential neighborhoods, stating that deterioration of neighborhoods occurred from the outside in as commercial properties encroach into neighborhoods.

RECOMMENDATIONS

Staff Assessment

Recent amendments to the zoning ordinance changed several of the more intense uses permitted in the OI district to special exceptions. Although the OI district is of higher intensity than the NO district, the special exception process helps protect the neighborhood from the more objectionable uses. Although there are residential uses adjacent to the property on two sides, it has a long history as a hospital-type use and OI zoning is more appropriate for this type of facility. It is also important to note that the rezoning request would correct the nonconforming status that was created by the current zoning ordinance. 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 Office & Institutional (OI) zoning.

Planning Commission Discussion

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

Mr. Roper noted that New Hope was licensed for 150 beds and that there was no request for an increase in the number of beds. He asked if there would be a request for an expansion of the number of beds. Mr. Hawkins stated that there would be no increase in the number of beds, that the capacity was 150. Mr. Graham noted that he had attended both neighborhood meetings and that it was acknowledged by the applicant that there would be no increase in the number of beds at the facility.

Mr. Roper noted his concern that because a memorandum of understanding existed, that this would be considered contract zoning. Mr. Hawkins stated that the understanding was between the neighborhood and the applicant, and that it did not factor into staff's recommendation.

There was general discussion on the conditions of contract zoning.

Mr. Christopher noted that other neighbors surrounding the facility to the west or south had not come forward to speak. Mr. Smalls stated that the other parties had the opportunity to attend and be heard during the public hearing process, and reiterated that the decision of the Commission was not based on the memorandum of understanding the facility had with one neighborhood.

Planning Commission Recommendation

Following the public hearing at their June meeting, the Planning Commission voted 4-1 (Roper opposed) to recommend approval of the rezoning.

Attachments

- Rezoning Map
- Neighborhood Meeting Notices
- Proposed Site Plan

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

M-2011-08

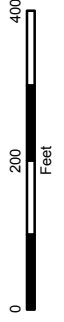
Legend

-  City Limit
-  Zoning District Boundaries
-  Area of Interest

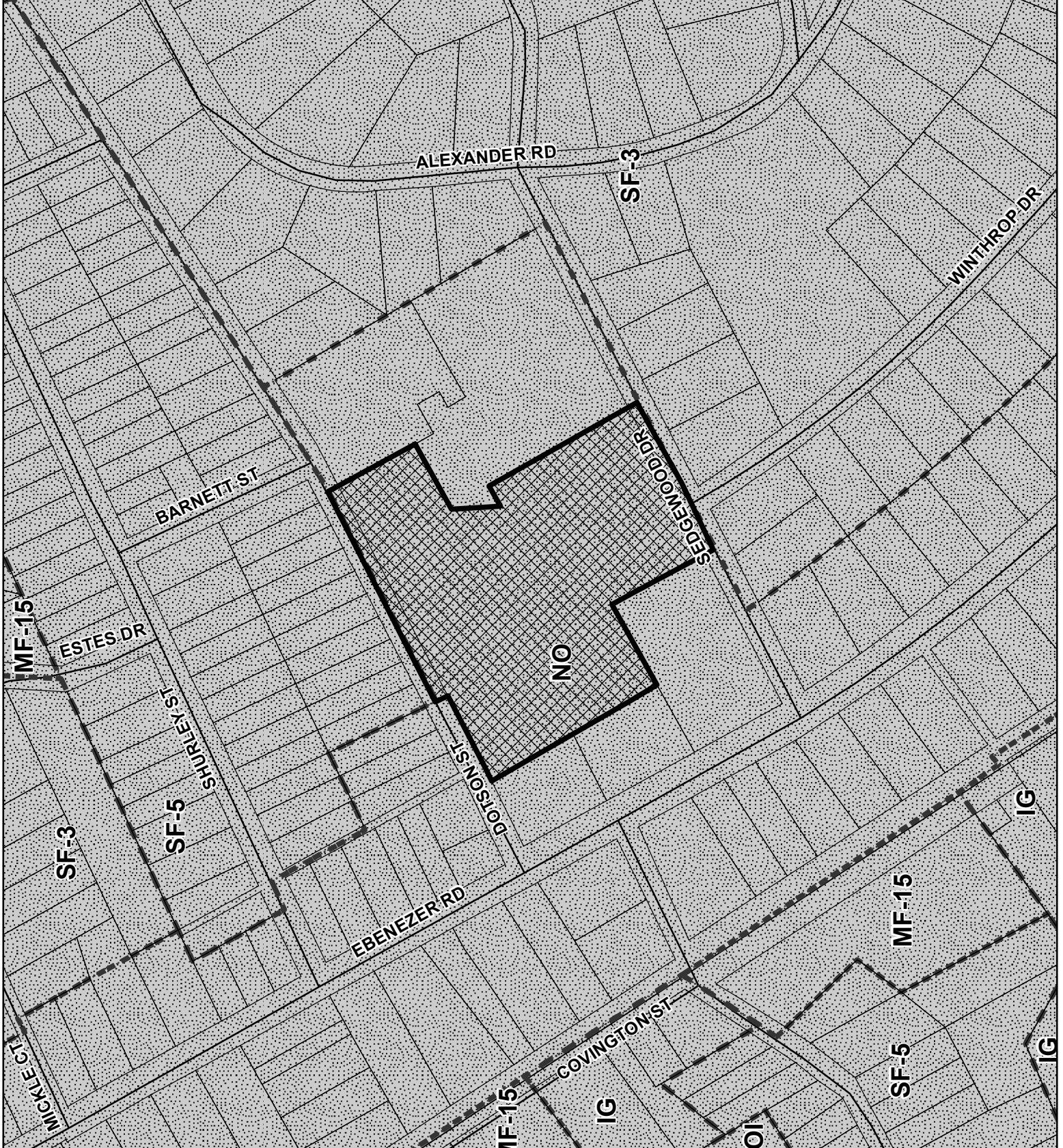
Zoning Data

Current: NO

Proposed: OI



Planning & Development
Services Department
City of Rock Hill
4/27/11



REC'D 3/11/11



*New Hope . . .
Our Name, Our Promise*

TREATMENT CENTERS

New Hope Carolinas, Inc.
101 Sedgewood Drive
Rock Hill, SC 29732

Telephone 803-328-9300
Facsimile: 803-328-0102
Toll Free: 877-328-9300
Website: www.newhopetreatment.com

March 7, 2011

Open Letter
Fewell Park Residents
Rock Hill, SC 29732

Dear Neighbor:

I am writing to apprise you of New Hope Carolinas' plans to seek rezoning for our facility.

Rezoning would allow us to build a gymnasium to provide secure, indoor recreation for our children. The gymnasium would be specifically designed for recreation therapy and possibly office space. We are prohibited from expanding our bed space, as this can only be done through the obtainment of a Certificate of Need, and we perceive that we do not have the property size to properly provide care, treatment and services beyond our current licensed capacity.

Although we have an existing building which we could renovate for this purpose, we are working closely with our neighbor, Agape Senior Rehabilitation of Rock Hill (as evidenced by their endorsement of this letter), to sell them this property, as they have outgrown their current parking spaces. This should alleviate the street parking currently occurring on Dotson Street.

A neighborhood meeting is scheduled for March 31st at the Fewell Park Neighborhood Center, located at 1204 Alexander Rd from 6:30 to 7:30 pm. to provide you with an opportunity to meet with our leadership and ask any questions you may have regarding this plan.

New Hope Treatment Centers has built a strong reputation on a local, state and national level as a world class behavioral healthcare provider of quality care and services to our patients and their families, and we look forward to a continued positive relationship with the Rock Hill community.

Sincerely,

Sam E. Phifer, LCSW
Executive Director

Danny Belk, President
Agape Senior



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New Hope Carolinas, Inc.
101 Sedgewood Drive
Rock Hill, SC 29732

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Our Name, Our Promise*

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Toll Free: 877-328-9300
Website: www.newhopetreatment.com

April 21, 2011

Open Letter
Fewell Park Residents
Rock Hill, SC 29732

Dear Neighbor:

I am writing as agreed in the Fewell Park/New Hope Carolinas/Agape meeting held March 31, 2011 at the Fewell Park Community Center.

It was brought to our attention that the letter sent out on March 7, 2011, regarding our efforts to get rezoned to be able to build a gymnasium, was not sent to/received by all residents of Fewell Park. We were following instructions from the city and apologize to anyone who was left out. Below is an excerpt from that letter outlining our intent and commitment:

Rezoning would allow us to build a gymnasium to provide secure, indoor recreation for our children. The gymnasium would be specifically designed for recreation therapy and possibly office space. We are prohibited from expanding our bed space, as this can only be done through the obtainment of a Certificate of Need, and we perceive that we do not have the property size to properly provide care, treatment and services beyond our current licensed capacity.

Although we have an existing building which we could renovate for this purpose, we are working closely with our neighbor, Agape Senior Rehabilitation of Rock Hill, to sell them this property, as they have outgrown their current parking spaces. This should alleviate the street parking currently occurring on Dotson Street.

For those of you who came to the meeting on March 31, 2011, we appreciate your participation and feedback.

As requested in the meeting, we enlisted an architect to develop a site plan, which I have attached. We will also be placing a copy at the Fewell Park Community Center. As also

discussed in the meeting, we are open to considering deed restrictions that would limit the permitted uses under Office and Institutional (OI) if New Hope Carolinas ever sold the 101 Sedgewood Drive Property. Copies of The Rock Hill Table for Allowed Uses will also be available for viewing at the Fewell Park Community Center.

Finally, to apprise you of upcoming dates, the Rock Hill Planning Commission will be hearing our request for rezoning (from Neighborhood Office to Office and Institutional) on May 3, 2011. On May 23, 2011, the City Council will have the first reading of the Planning Commission's recommendation regarding our application for rezoning and a second reading or finalization.

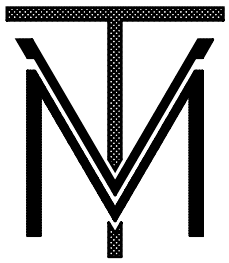
We take pride in being good neighbors and hope to grow the strong relationship we have had with the Fewell Park Community over the past years. If you have any questions or suggestions, please feel free to contact Sam Phifer, Executive Director of New Hope Carolinas, at (803) 328-9300 or me at (843) 572-3498 / ericb@newhopetreatment.com.

Sincerely,



Eric Baumgartner
Chief Operating Officer
New Hope Treatment Centers

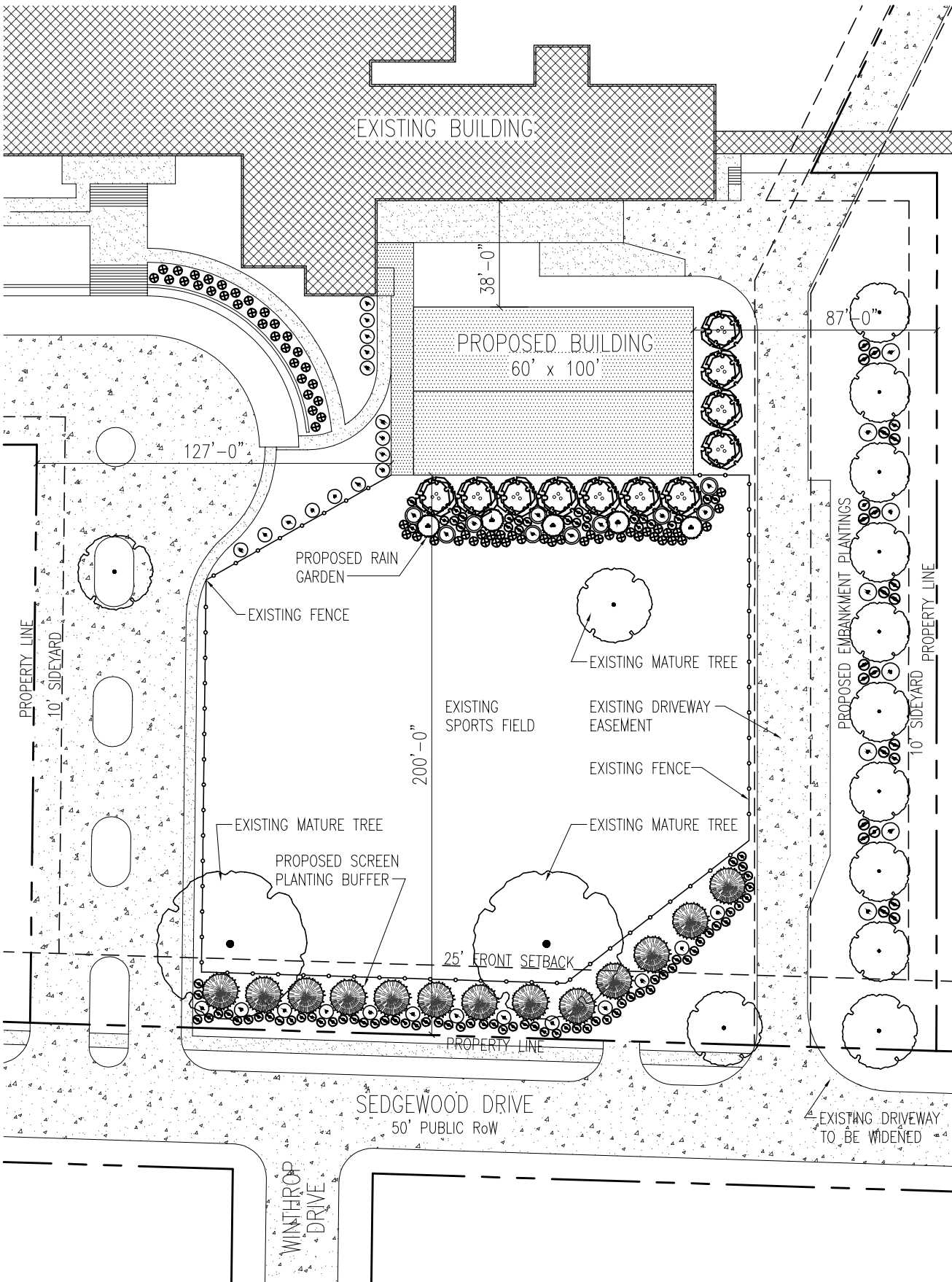
Cc: Randy Graham, Rock Hill Planning Commission
Eric Hawkins, Planner 3 City of Rock Hill



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ARCHITECTURE

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NEW HOPE CAROLINAS
Proposed Gymnasium Addition
101 Sedgewood Drive
Rock Hill, South Carolina 29732



Start Date: 4/4/11
Plot Date: 4/8/11
Content: SITE PLAN
Pricing:
Revisions:
Drawn By: MW

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SITE PLAN OF PROPOSED BUILDING AND PLANTINGS

1"=50'-0"