



## Rezoning Analysis-Report to City Council

Meeting Date: June 27, 2011

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- Location:** The property proposed for rezoning includes an area in the Textile Corridor that spans from Main Street to east of White Street between Columbia and Stewart Avenues and a smaller area along the north side of Wilson Street between White Street and Ebenezer Avenue. Tax Map #'s 598-04-02-001, 598-04-02-003, 598-04-02-004, 598-04-03-001 to 598-04-03-006, 598-04-04-009 to 598-04-04-015, 598-10-01-001 to 598-10-01-003, 598-10-01-008 to 598-10-01-017, 598-10-01-019, 598-10-01-021, 598-10-02-004, 598-10-02-005, 598-10-02-018, 598-10-02-021, 598-10-02-022, 598-10-03-001, 598-10-03-014, 598-10-03-015, 598-11-01-001 (portion), 598-22-01-001, 627-22-01-001, & 627-22-01-002.
- Site Area:** Approx. 52 acres
- Request:** Rezone property from Industry Heavy (IH), Neighborhood Mixed Use (NMU), and Multi-Family Residential-15 (MF-15) to Industry Business (IB), Single-Family Residential-5 (SF-5), and Neighborhood Mixed Use (NMU).
- Applicant:** Rock Hill City Council
- Owners:** See attached list.
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### Site Description

The property to be rezoned consists of two disconnected areas: 1) approximately 36 acres roughly bounded by Main Street, White Street, Columbia Avenue, and Stewart Avenue; and 2) approximately 16 acres on the north side of Wilson Street between White Street and Ebenezer Avenue. The subject areas include a mix of developed and undeveloped properties and a variety of uses as shown on the attached maps. Surrounding uses include residential, institutional, and commercial, and undeveloped property in residential, commercial, and industrial zoning districts.

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### Proposal

The rezoning proposal was sponsored by City Council at their Feb. 14, 2011, meeting. The purpose of the proposed rezoning is to remove the Industry Heavy (IH) zoning from the Textile Corridor and preclude the establishment of industrial uses that would be incompatible with plans for redevelopment within the area. The proposal would also help avoid the establishment of uses that would be incompatible with Winthrop University and the recent residential development on Hardin Street. While a definitive redevelopment plan has not been prepared, it is clear that heavy industrial uses are not consistent with the long-term plans for the area. Examples of uses that could be established under the existing IH zoning include: Fuel Oil/Bottled Gas Distributor, General Industrial Service uses, and General Manufacturing uses. In addition to preventing undesirable uses, the proposed zoning will also allow for the re-use of buildings that will be left standing on the southern portion of the Bleachery site.

The proposed zoning is largely based on existing uses within the area and is compatible with the surrounding zoning pattern. The districts are outlined below:

- The bulk of the area is proposed to be zoned Industry Business (IB). The IB district permits most small scale distribution and light manufacturing uses, along with a series of service and support retail uses, all of which are compatible with long term redevelopment plans. This district would be applied to the Springs Distribution Facility (corner of White & Wilson Streets), Seagrave Fire Apparatus (corner of Wilson & Ebenezer Ave), a portion of the Bleachery site where buildings remain, Fourman's Repair Shop (corner of Columbia Ave & White St), a portion of the City-owned property between Lee St & Stewart Ave, and the property to the west of Constitution Blvd. The VFW hall on W. Main Street is a non-conforming use in the IH district and would continue to be non-conforming in the IB district.
- The proposed SF-5 zoning is intended to be a "holding zone" until properties are assembled into larger tracts and specific development plans are in place. At that time, further rezoning would be appropriate. There is a fence company located on Adams St. that would become non-conforming in the SF-5 district, but the owner does not object to the proposal. The City's storage yard on White St. would be non-conforming until it is relocated to the new Operations Center later this year.
- The area that is proposed to be zoned NMU is an existing parking lot for University Place Apartments which is also zoned NMU. This would bring all of the University Place properties into the same zoning district.

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### **Existing Zoning District Summary**

**Multi-Family-15 (MF-15)**- The MF-15 district is established and intended to encourage a wide range of medium to high density housing types, especially multiple family development, even though single-family detached, single-family attached, townhouses, and two- to four-family dwellings are also allowed to meet the diverse housing needs of City residents. Neighborhood commercial and complementary uses customarily found in residential zone districts, such as schools, community facilities, religious institutions, and parks and playgrounds are encouraged. The minimum lot area for single-family detached dwellings is five thousand (5,000) square feet. The maximum residential density allowed is fifteen (15) dwelling units per acre. Buildings including street-level non-residential uses may include residential units at a density of up to twenty (20) units per acre.

**Neighborhood Mixed Use (NMU)**- The purpose of the NMU district is to:

1. Promote development with a definable center that contains a variety of uses within walking distance of residential areas;
2. Encourage the protection of natural resources and open space by concentrating development, and establishing requirements for open space conservation;
3. Allow denser developments to provide the efficient use of infrastructure including roads, water, sewer, and other utilities; and
4. Provide a variety of housing types for varying incomes and ages.

**Industry Heavy (IH)**- The IH District is established and intended to provide lands for heavy industrial uses, including manufacturing, resource extraction, uses that require

outdoor stockpiling of raw materials, and other uses whose impacts are so adverse as to require their own district. Commercial uses are allowed, but are considered incidental to the predominantly industrial nature of the district. Residential uses, other than caretaker dwellings, are not permitted.

### **Proposed Zoning District Summary**

Single-Family Residential-5 (SF-5)- The SF-5 district is established as a district in which the principal use of land is single-family detached dwellings, with two- to four-family dwellings permitted as special exception uses. The regulations of this district are intended to encourage diverse functioning neighborhoods which include various types of residential development, limited neighborhood-serving non-residential uses, and customary complementary uses. Complementary uses customarily found in residential zone districts, such as community facilities, religious institutions, parks and playgrounds, elementary schools, and middle schools are also allowed. The minimum lot area for development is seven thousand five hundred (7,500) square feet and the maximum residential density allowed is five (5) units per acre. Upper story dwellings over a street-level non-residential use may be included at densities of eight (8) units an acre.

Industry Business (IB)- The IB District is established and intended to accommodate a wide range of employment-generating office, institutional, research and development, and light manufacturing uses and associated commercial uses that serve the employment generating uses. Such uses shall take place entirely inside buildings, or shall be developed in a manner compatible with surrounding land uses, so as to minimize potential nuisances or damage to the environment. In addition, by allowing a wide range of permitted uses, the IB District is intended to accommodate the development of "flex space" arrangements, where the developer can establish different combinations of allowable uses on a site over time, as the market dictates, as long as all uses and development conform to the standards established by this Ordinance. Residential uses are limited to caretaker dwellings, live/work units, and upper story dwellings with a maximum density of five (5) units per acre.

Neighborhood Mixed Use (NMU)- See above "Existing Zoning District Summary".

### **Zoning History of the Property and Previous Rezoning Cases in the Area**

The Bleachery property was rezoned to NMU in March 2003 in order to accommodate redevelopment of the site as a mixed use center.

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## **RELATIONSHIP TO PUBLIC PLANS**

### **Vision 2020 Comprehensive Plan**

These properties are reflected on the City's Vision 2020 Land Use Map as being Urban Mixed Use as well as within the Textile Redevelopment Corridor Overlay.

The Urban Mixed Use Character Area is the historic urban core of the City. Development patterns envisioned for this area include a mix of uses, pedestrian-friendly amenities, and the visual character found in Rock Hill's existing downtown areas. The area should include a wide range of commercial, residential and civic activities; while large scale retail, light industry and heavy industry (outside of business parks) should be limited. Approved Focal Point Plans should guide decisions about redevelopment and

infill within this area. Projects should reinforce compatibility and context with the surrounding community. Other Planning Principles to be considered in redevelopment of this area are urban form (including compact development, walkable streets, mixed uses, transit oriented design, block and street orientation, integration of civic spaces) and historic character.

### **Textile Corridor Master Plan**

The subject properties are within the study area of the Textile Corridor Master Plan which was adopted in 2003. The plan envisions a pedestrian-friendly, mixed-use, urban village anchored by the Bleachery site.

### **College Town Action Plan (CTAP)**

The CTAP calls for the redevelopment of the Bleachery site into an in-town neighborhood with a mix of uses that also serves as a multi-modal transportation corridor linking Cherry Road, Winthrop, and Downtown.

### **Conclusion**

The requested rezoning is generally consistent with the City of Rock Hill Vision 2020 Comprehensive Plan and Vision 2020 Land Use Map.

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## **PUBLIC INVOLVEMENT**

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

- April 3 & 17: Planning Commission public hearing advertisements published in *The Herald*.
- April 13: Rezoning notification signs posted on subject property.
- April 15: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 133 postcards were sent to properties within rezoning area and surrounding areas.

### **Public Feedback**

Excluding the City and the VFW, there are fourteen property owners in the subject area. Staff made an effort to contact these owners and four of them did not respond to phone calls or letters. Staff met or spoke with the remaining ten owners in late summer and early fall of 2010 to get their feedback. Most of the owners were agreeable to the proposed zoning although the following concerns were raised:

- Baxter Simpson, owner of the Seagrave Fire Apparatus property and other properties fronting Constitution Blvd. and W. Main St. expressed concerns about IB zoning due to the fact that some possible manufacturing uses will require a special exception to locate on the property. The additional time required for special exception approval is seen as a problem in a competitive leasing environment.
- Freedom Temple Ministries, owner of property on Lee St. that is proposed for rezoning from IH to SF-5, stated that they do not see a positive benefit in the proposal. Freedom Temple also owns several adjoining parcels that are currently zoned SF-5.

- Charles Burnett and Jimmy Galloway (Dunlap Realty Co.), owners of individual residential lots on Adams St. proposed for rezoning from IH to SF-5, expressed concerns about being down-zoned now and being required to rezone at some point in the future for anything other than single-family. They think redevelopment will come in the form of multi-family or commercial rather than single-family.

### **Public Hearing**

The Rock Hill Planning Commission held a public hearing on this application on May 3, 2011. Three members of the public spoke on the proposal.

Mr. Baxter Simpson, 1324 East Black Street, spoke in regards to his property at 251 N. Wilson St. and stated that his concern was that the move from IH to IB was an enormous change, that he would prefer that the zoning be reduced to IG (Industry General) first, then to IB if necessary. He stated that he had difficulties renting out properties within the areas with reduced zoning classifications that limited uses. Mr. Roper asked about the previous uses of the property Mr. Simpson owned. He stated that it had been a warehouse for a beer distributor, body shop, 24-hour wrecker service, and Seagrave, which was a fire truck manufacturer. Mr. Roper asked if Mr. Simpson had looked at the Table of Allowable Uses. Mr. Simpson referred to Mr. Chad Simpson.

Mr. Chad Simpson, 1324 East Black Street, stated that there were a number of uses allowed in the IG district that were not allowed in the IB district, such as body shops. Mr. Roper asked if the existing facility would be nonconforming under IG. Mr. Simpson stated that it was conforming now and would be conforming under IB as general industry. He stated that he had asked City staff about classifying businesses that did not fit under any of the listed uses. He stated that the IH zoning was valuable and that the properties within the area would probably not use IH to its fullest extent. Mr. Roper asked if the preference would be for the property to remain IH. Mr. Simpson stated that IG was acceptable. Mr. Meyer stated that the Commission could either leave out certain properties or rezone to IB, or go to a more restrictive zoning. He added that the Special Exception process existed to allow for certain uses in more restrictive classifications as determined allowable by the Zoning Board of Appeals, and that while this did add another 30 days into the process, it did allow for more investigation into the use of the property. He noted that the ten year goal for this area was to encourage employment and light industrial uses.

Mr. Roper referred to other City initiated rezoning cases, and that the Commission was reluctant to approve rezoning of a particular property against the property owner's wishes. He noted, however, that these cases were brought at the request of an entire neighborhood against several property owners in order to improve conditions. Additionally, he noted that Mr. Simpson's property was separated by the railroad line, and was not in direct impact with the other properties. Mr. Graham noted that the same situation existed on the Constitution Boulevard area properties owned by Mr. Simpson.

Mr. Roper asked for comments on the proposed NMU classification on Columbia Avenue adjacent to University Place Apartments. There were no comments or questions from the audience.

Mr. Roper asked for comments on the proposed IB classification on the corner of Columbia and White Street. There were not comments or questions from the audience.

Mr. Roper asked for comments on the proposed IB classification on either side of Constitution Boulevard.

Mr. Baxter Simpson spoke in reference to properties he owned fronting W. Main St. and Constitution Blvd. He noted that these had been zoned for heavy industry since the 1960's and that he wanted them to stay at IH or IG in order to allow for more use options. He noted that one client, Bearing Distributors, has been looking for an area to add light manufacturing to their operation. He added that there were few opportunities for renting commercial properties because of the economy. He noted several residential properties that were being allowed to remain IG along Columbia Avenue and W. Main St.

Mr. Roper stated that the Commission could not recommend IG to City Council. He asked if Mr. Simpson would prefer the property to remain IH. Mr. Simpson stated that if this is what it would take so that he was not deprived the use of his property, he would be fine with IH zoning.

There was general discussion regarding the businesses along W. Main St. Mr. Graham asked if the Glidden Paint Store was a conforming use in IH. Mr. Hawkins stated that this business was classified as more for contractors and wholesale sales, that it was a Special Exception in IB and allowed in IH.

Mr. Roper asked for comments on the SF-5 classification along Adams and Lee Streets.

Miss Sharon Pettit, 626 West White Street, stated that her concern was over the fact that the residential properties were purchased by a business and used for that business, yet still retained the residential look, and that the properties were not being kept up, referring specifically to Adams Street. She also asked about the area being exempt. Mr. Roper explained the zoning classifications for mills and mill villages, and that it was not known why these residences were not rezoned to SF-5 when all the other properties associated with mills were rezoned to residential classifications. Mr. Roper stated that this was being corrected at this time, and that in the future, this type of business use would not be allowed in this residential zoning. Miss Pettit asked if the fence company would have to close. Mr. Roper stated that it would be grandfathered in and would be allowed to remain but could not expand, and that no other business such as this would be allowed to establish in the residential area. She stated her concern was over the purchase of residential properties and using the areas for a business that didn't appear to be either a business or residence. She asked if they were exempt. Mr. Roper stated they were not exempt but grandfathered in and could not add a new building as part of that business.

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## **RECOMMENDATIONS**

### **Staff Assessment**

One of the three Core Community Values identified in the Vision 2020 Comprehensive Plan is to "Grow Inside First". The City has committed to grow with an inward focus, carefully focusing on infill and redevelopment of existing areas while emphasizing good community design and active public spaces that serve to enhance the community. The Plan also identifies seven priority policy directions to implement the City's vision, including the directive to "promote redevelopment and infill development along key

corridors". The Textile Corridor is a key link between Winthrop University and Downtown, providing a unique opportunity for higher density mixed-use development. The proposed rezoning will help preserve this opportunity until a definitive redevelopment plan is prepared.

### **Staff Recommendation**

Staff recommends approval of the proposed rezoning.

### **Planning Commission Discussion**

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

Mr. Graham presented the motion to recommend approval of the rezoning with the exclusion of the properties owned by Mr. Baxter Simpson to the west of Constitution at Constitution Boulevard and Main Street (parcels 598-10-02-005, 598-10-02-022, 598-10-03-001, & 598-10-03-015), and the properties located on the corner of Wilson Street and Ebenezer Avenue (parcels 627-22-01-001 & 627-22-01-002). Mr. Smalls seconded the motion.

Mr. Graham stated that he has a problem with rezoning properties against the wishes of the owners. Mr. Graham stated that he thinks that IB is a better zoning category overall for the property, but he has an issue with mandating that they have to change it if they don't want to.

Mr. Greene asked why the Hardin property was not excluded from the proposed rezoning. Mr. Roper stated that Mr. Hardin did not object to the rezoning request and the current uses were more compatible with the proposed IB zoning classification.

Mr. Roper requested an amendment to the motion to exclude the VFW property (parcel 598-10-03-014) from the rezoning also in order to keep the zoning contiguous. Mr. Graham and Mr. Smalls accepted the amendment and Mr. Graham clarified that the only properties that would be rezoned to IB within that section would be the Hardin properties.

Mr. Greene stated that he had reservations because it looks like we're trying to protect a piece of property which we don't have a plan for and we don't know what's going there. He stated concerns with rezoning the property to a district that is different than the premise of the zoning that was in effect when the property was purchased. He doesn't think it is right for us to do that when we don't have a definite plan for the piece of property that the City owns.

Mr. Graham stated that his reasoning for his motion was due to the fact that Mr. Simpson was present with his concern. Mr. Greene noted that while Mr. Simpson was present to speak out against the rezoning, there may be other property owners that were against the rezoning as well, but who were unable to attend the hearing, and that his concern was that they might be limiting the reasonable use of these properties.

### **Planning Commission Recommendation**

Following the public hearing at their May meeting, the Planning Commission voted 5-1 (Greene opposed) to recommend approval of the rezoning with the exception of the Baxter Simpson and VFW properties on Constitution and W. Main St. (parcels 598-10-02-005, 598-10-02-022, 598-10-03-001, 598-10-03-014, & 598-10-03-015) and with the exception of the Baxter Simpson properties on Wilson St. and Ebenezer Ave (parcels

627-22-01-001 & 627-22-01-002). The parcels that the PC recommended for exclusion from the rezoning area are called out on the attached rezoning maps.

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### **Attachments**

- Rezoning Maps
  - Ownership Exhibits
  - List of Property Owners
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**Staff Contact:** Eric S. Hawkins, AICP, Planner III  
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803.329.8763



**ROCK HILL**  
SOUTH CAROLINA

# M-2011-04 Rezoning Map

Sheet 1 of 2

## Legend

Zoning District  
Boundaries

NMU (Proposed)

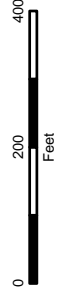
IB (Proposed)

SF-5 (Proposed)

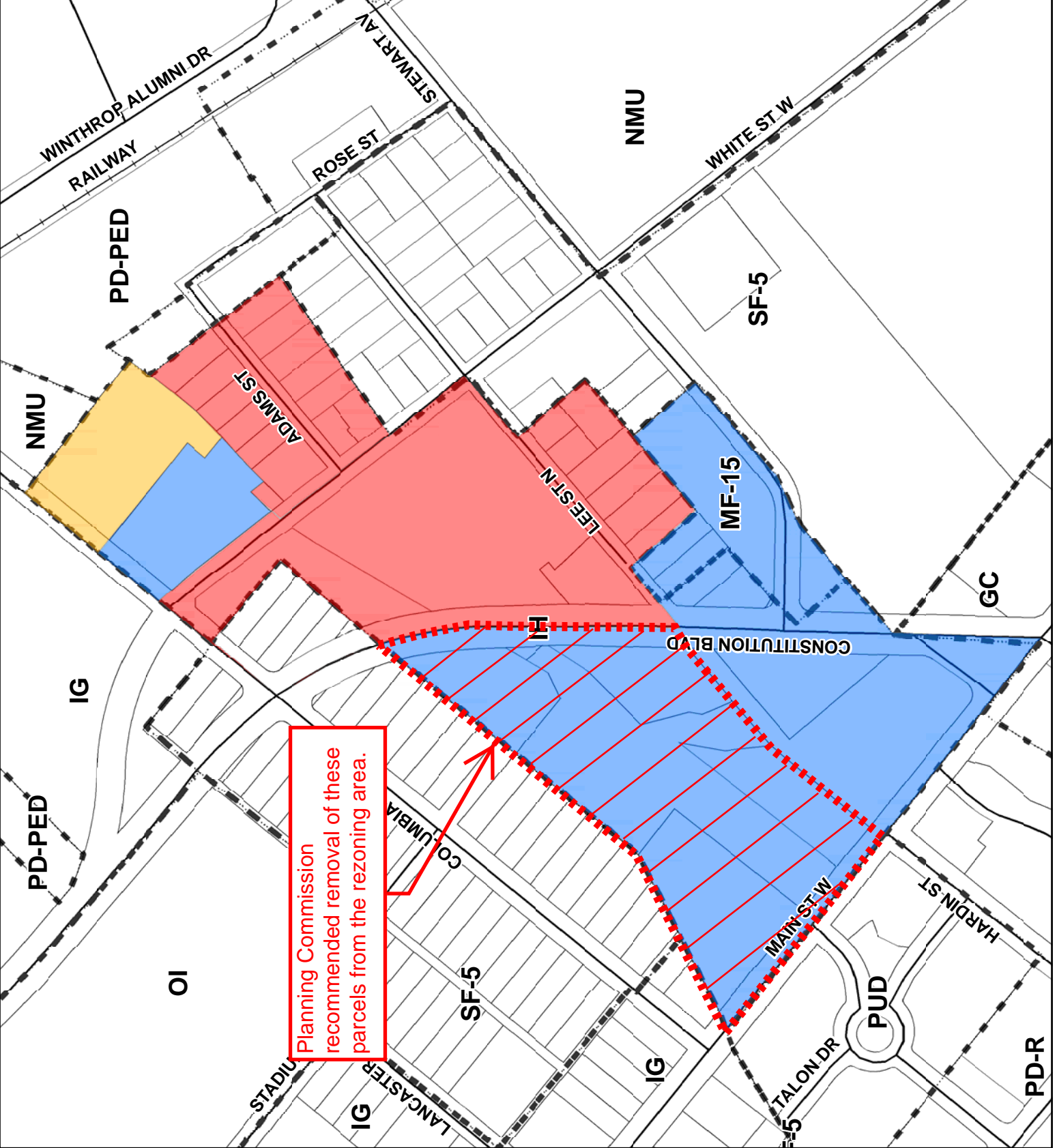
## Zoning Data

Existing: IH &  
MF-15

Proposed: IB,  
NMU, & SF-5



Planning and Development  
Department  
City of Rock Hill  
03/14/11



Planning Commission  
recommended removal of these  
parcels from the rezoning area.



**ROCK HILL**  
SOUTH CAROLINA

# M-2011-04 Rezoning Map

Sheet 2 of 2

## Legend

--- Zoning District  
Boundaries

■ IB (Proposed)

## Zoning Data

Existing: IH &  
NMU

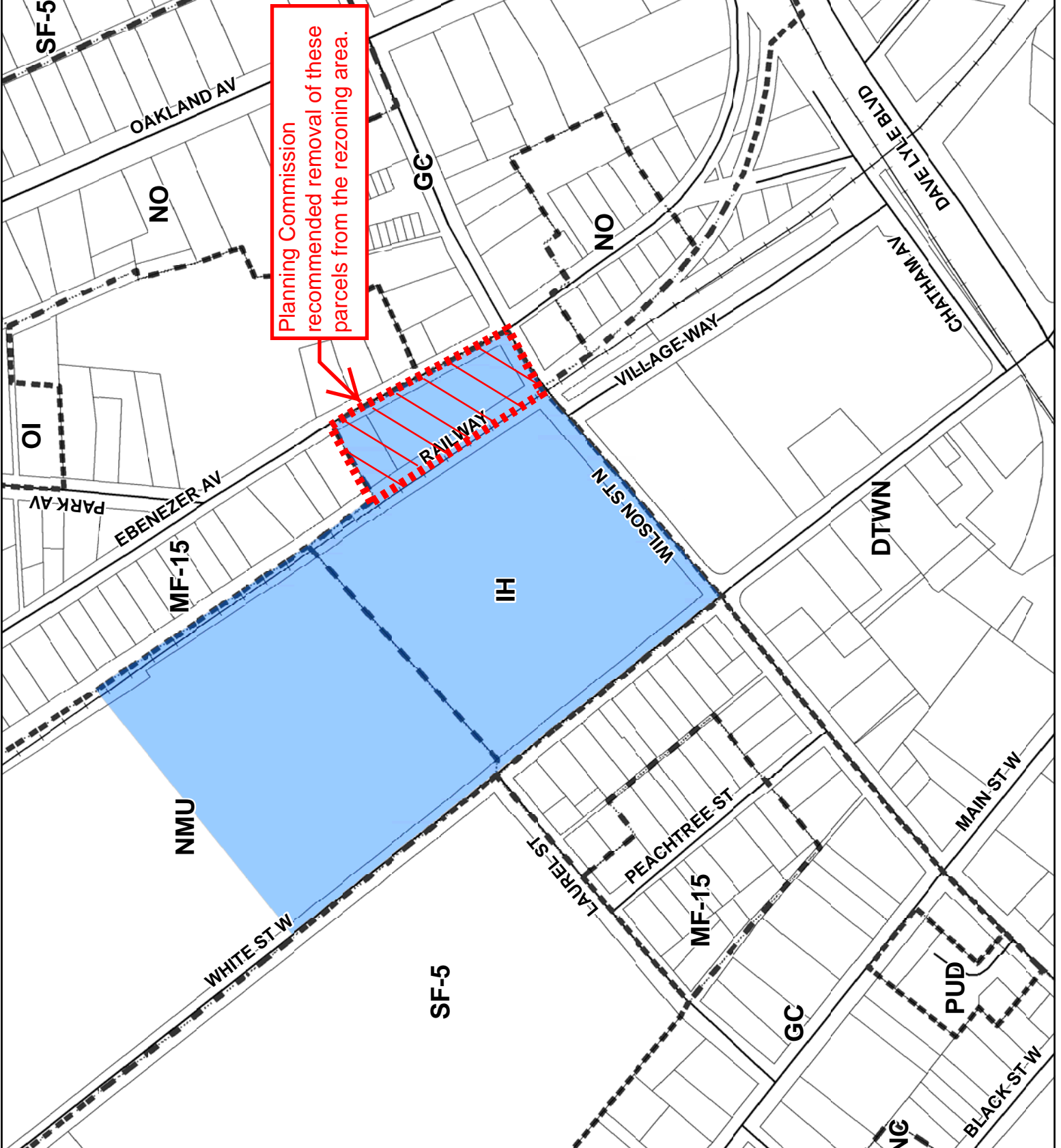
Proposed: IB



0 205 410  
Feet

Planning and Development  
Department  
City of Rock Hill

3/24/11



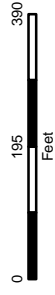
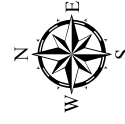
# Ownership Exhibit

Sheet 1 of 2

## Zoning Data

Existing: IH  
MF-15

Proposed: IB,  
OI, and SF-5



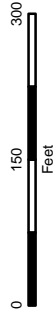
# Ownership Exhibit

Sheet 2 of 2

## Zoning Data

Existing: IH

Proposed: IB



## Property Owner List

Parcel #	Owner Name	Owner Address	Owner City
5980402001	FOURMAN GARRY E	274 COUMBIA AVE	ROCK HILL S C 29730
5980402003	BARE JERRY N	3978 SALUDA RD	ROCK HILL S C 29730
5980402004	UNIVERSITY PLACE LIMITED PARTNERHSIP	PO BOX 2452	ROCK HILL S.C. 29732
5980403001	A 1 FENCE COMPANY INC	PO BOX 3605	ROCK HILL SC 29731
5980403002	RAYFIELD ROBERT D & JAMES C	P O BOX 3605	ROCK HILL S C 29731
5980403003	A 1 FENCE COMPANY INC	218 ADAMS STREET	ROCK HILL S C 29730
5980403004	DIXON DEWEY M	1130 DOBY CT	FORT MILL S.C. 29715
5980403005	DIXON DEWEY M	1130 DOBY CT	FORT MILL S.C. 29715
5980403006	DIXON DEWEY M	1130 DOBY CT	FORT MILL S.C. 29715
5980404009	W2C SIX LLC	PO BOX 488	ROCK HILL S C 29731
5980404010	DUNLAP REALTY CO	P O BOX 66	ROCK HILL S.C. 29731
5980404011	BURNETTE CHARLES	1790 OVERBROOK DR	ROCK HILL S C 29732
5980404012	RAYFIELD JAMES C	956 KEMPER CIR	ROCK HILL S.C. 29732
5980404013	RAYFIELD JAMES C & ROBERT D	P O BOX 3605	ROCK HILL SC 29731-1591
5980404014	RAYFIELD ROBERT D	952 D MT LAKES RD	CHESTER SC 29706
5980404015	NGUYEN DUC & HUONG	1511 BRECKENWOOD DR	ROCK HILL S.C. 29732
5981001001	HARDIN JOHN A ET AL	P O BOX 10790	ROCK HILL S C 29731
5981001002	HARDIN JAMES C & JOHN A HARDIN	P O BOX 10790	ROCK HILL S C 29731
5981001003	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S C 29731
5981001008	FREEDOM TEMPLE MINISTRIES	145 EAST WHITE ST	ROCK HILL S C 29731
5981001009	FREEDOM TEMPLE MINISTRIES	215 E MAIN ST	ROCK HILL S C 29730
5981001010	FREEDOM TEMPLE MINISTRIES	215 E MAIN ST	ROCK HILL S C 29730
5981001011	FREEDOM TEMPLE MINISTRIES	215 E MAIN ST	ROCK HILL S C 29730
5981001012	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S C 29731
5981001013	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL SC 29731
5981001014	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S C 29731
5981001015	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S C 29731
5981001016	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL SC 29731
5981001017	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL SC 29731
5981001019	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S.C. 29730
5981001021	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL SC 29732
5981002004	ROCK HILL CITY OF	P O BOX 11706	ROCK HILL S C 29730
5981002005	SIMPSON BAXTER G JR	1324 EAST BLACK ST	ROCK HILL SC 29730
5981002006	ROCK HILL CITY OF	155 JOHNSTON ST	ROCK HILL S.C. 29730
5981002007	ROCK HILL CITY OF	155 JOHNSTON ST	ROCK HILL S.C. 29730
5981002008	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S C 29731
5981002009	ROCK HILL CITY OF	P O BOX 11706	ROCK HILL S.C. 29730
5981002010	ROCK HILL CITY OF P O BOX 11706	ROCK HILL S.C. 29730	ROCK HILL S.C. 29730
5981002018	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL S.C. 29730
5981002021	ROCK HILL CITY OF	PO BOX 11706	ROCK HILL SC 29731
5981002022	SIMPSON BAXTER G JR	1324 E BLACK STREET	ROCK HILL S C 29730
5981003001	SIMPSON BAXTER G JR	1324 BLACK ST	ROCK HILL S C 29730-5944
5981003014	FAIRES J W ETAL TRUSTEES OLD HICKORY POST 2889	961 W MAIN ST	ROCK HILL S C 29730
5981003015	SIMPSON BAXTER G JR	1324 BLACK ST	ROCK HILL S C 29730-5944
5981101001	ROCK HILL CITY OF	155 JOHNSTON ST	ROCK HILL S.C. 29730
5982201001	CPG PROPERTIES LLC	300 CHATHAM AVE STE 100	ROCK HILL S C 29730
6272201001	B G SIMPSON SR FAMILY LTD PARTNERSHIP	1324 E BLACK ST	ROCK HILL S C 29730
6272201002	B G SIMPSON SR FAMILY LTD PARTNERSHIP	1324 E BLACK ST	ROCK HILL S.C. 29730