



## Rezoning Analysis-Report to City Council

Meeting Date: December 14, 2009

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<b>Location:</b>	1915, 1921, & 1925 Ebenezer Rd, Tax Parcels 593-04-02-002, 004, & 005
<b>Site Area:</b>	Approx. 5 acres
<b>Request:</b>	Rezone property from Neighborhood Office (NO) to Multi-family-8 (MF-8).
<b>Proposed Development:</b>	Construct additional building for existing nursing home.
<b>Applicant:</b>	White Oak Manor, Inc.
<b>Owners:</b>	White Oak Manor, Inc. (1915 & 1921 Ebenezer Rd) Kazuko Kaneshiro (1925 Ebenezer Rd)

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### Site Description

The subject property is partially developed and includes the existing White Oak Manor at 1915 Ebenezer Rd and Salon.com at 1925 Ebenezer Rd. It is located on the north side of the City and fronts on a minor arterial roadway (Ebenezer Rd). The Norfolk-Southern rail line runs along the rear boundary of the property. Surrounding uses include single-family residential, multi-family residential, institutional, office, and personal service uses in residential and commercial zoning districts.

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### Development Proposal

The applicant is requesting the rezoning in order to facilitate the development of an additional building for the existing nursing home on the property. The NO zoning district has a 10,000 square foot building size limit and the proposed building would be approximately 15,800 square feet. There is no building size limit in the MF-8 district and it permits fewer uses than the current zoning. The existing White Oak Manor building is approximately 40,000 square feet. Impacts on the surrounding properties will be minimal due to the site of the building, the nature of the use, and the separation provided from single-family residential by the railroad right-of-way. If the rezoning is approved, the applicant must seek a special exception for the nursing home use prior to construction of the new building.

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### 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**

Multi-Family-8 (MF-8)- The MF-8 district is established and intended to encourage a wide range of medium 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, and the minimum lot width is sixty (60) feet. The maximum residential density allowed is eight (8) dwelling units per acre. Buildings including street-level non-residential uses may include residential units at a density of up to ten (10) units per acre.

**Zoning History of the Property**

Prior to the adoption of the new zoning ordinance in 2006, the property was zoned RG-O and there was no restriction on building size for nursing homes.

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**INFRASTRUCTURE CONSIDERATIONS**

**Transportation**

The property has frontage on Ebenezer Road, a minor arterial roadway. Ebenezer Rd is planned to be widened to three lanes with curb and gutter and sidewalks between Frank Gaston Blvd and Celanese Road as part of the 2003 Pennies for Progress program. The schedule for this project is to be determined in the future by funding availability. The proposed Ebenezer Rail Trail corridor runs along the west side of the site.

Historic traffic volumes in the area are shown below:

Street	Vehicles Per Day				Capacity*
	2008	2003	1998	1993	
Ebenezer Road	6,700	6,800	7,700	7,300	10,800

\*Capacity denotes Level of Service "C".

**Public Utilities**

All necessary utilities are available to the site.

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## **RELATIONSHIP TO PUBLIC PLANS**

### **Comprehensive Plan**

The City's Livable Land Use Map indicates that this property has a Community Mixed Use land use designation. The CMU classification is intended to create a regional destination environment providing housing, shopping, entertainment, employment, and gathering opportunities, located on or adjacent to major transportation corridors that provide high levels of access and visibility. This site has direct visibility and access to Ebenezer Road. Appropriate land uses should include a mix of relatively intense nonresidential uses integrated with the highest density housing, including high density residential, commercial, office, services, entertainment, educational, civic and other appropriate uses. The CMU classification should not be used to support or continue "strip type" commercial development.

### **Conclusion**

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

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## **PUBLIC INVOLVEMENT**

The following public notification actions have been taken:

- Nov. 1 & 15: Planning Commission public hearing advertisements published in *The Herald*.
- Nov. 13: Rezoning notification signs posted on subject property.
- Nov. 13: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 29 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 December 1, 2009. No one from the public spoke on this item. The applicant presented information about the proposal (see Planning Commission Discussion section below).

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## **RECOMMENDATION**

### **Staff Assessment**

Staff found that there is little potential for negative impacts on the surrounding property based on the following analysis of existing and proposed conditions:

- The railroad right-of-way provides separation from the closest single-family residential uses.
- There are existing buildings on the site and across Ebenezer Road that are much greater than 10,000 square feet. Proper siting and design of the proposed building will ensure that it is not out of character with other buildings in the vicinity.

- The proposed use is not anticipated to have any noise, light, traffic, or visual impact on surrounding properties.
- The range of permitted uses will be reduced under the proposed zoning, therefore limiting the potential for this property to be converted to a use that would have negative impacts on the surrounding property.

The proposed zoning is consistent with the land use plan and is not incompatible with the adjoining zoning districts.

### **Staff Recommendation**

Staff recommends approval of the proposed Multi-family-8 (MF-8) zoning.

### **Planning Commission Discussion**

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

Mr. Graham asked about the concerns with OI zoning. Mr. Hawkins stated that hotels and other higher traffic uses are of concern with OI zoning.

Mr. Roper asked if staff would have a problem with a future development of over 40 multi-family units should the nursing home no longer exist. Mr. Hawkins stated that would not be an unreasonable number of units for the property.

Mr. Roper made general comments regarding the 10,000 square foot limit for properties located in the NO district that do not necessarily fit into the OI or MF-8 zoning classifications, especially with regards to traffic impact.

Mr. Roper asked about the size of a new structure that could be built if the salon is torn down. Mr. Hawkins stated that limits will depend upon the impervious surface area and height limits, not zoning.

There was general discussion on the Zoning Board of Appeals' role in this situation.

Mr. Hawkins added that the expansion will not increase the number of beds but will change the configuration of the interior from a four-bed ward system to a private and semi-private room situation.

Ms. Jane Alexander, Administrator, White Oak Manor, 1915 Ebenezer Road, Rock Hill, stated the building was constructed in 1972 with an addition constructed in 1977. She stated that the plans will improve the living conditions for the residents. She added that the salon is to remain and that no further expansions are planned beyond this application.

### **Planning Commission Recommendation**

Following the public hearing at their December meeting, the Planning Commission voted 4-0 to recommend approval of the rezoning.

NOTE: Following the conclusion of this item, Mr. Roper presented a motion directing staff to inform the Zoning Board of Appeals of the rezoning and recommend that if the Special Exception is approved, it be limited to this expansion only, and that any further expansions will have to be reviewed by the ZBA. Mr. Graham seconded this motion, and the motion carried by a vote of 4-0.

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### Attachments

- Property Plat
- Rezoning Map

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

- Rezoning Application
- Public Notice Affidavits

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**ROCK HILL**  
SOUTH CAROLINA

**M-2009-22**

**Legend**

-  City Limit
-  Building
-  Zoning District Boundaries
-  Area of Interest

**Zoning Data**

**Current: NO**

**Proposed: MF-8**



Development Services  
Department  
City of Rock Hill  
11/23/09

