



Memorandum

To: David Vehaun, City Manager

From: Bill Meyer, Planning & Development Director

Subject: Public Hearing Information Regarding Annexation of the Miller Pond and Old York Road Area II

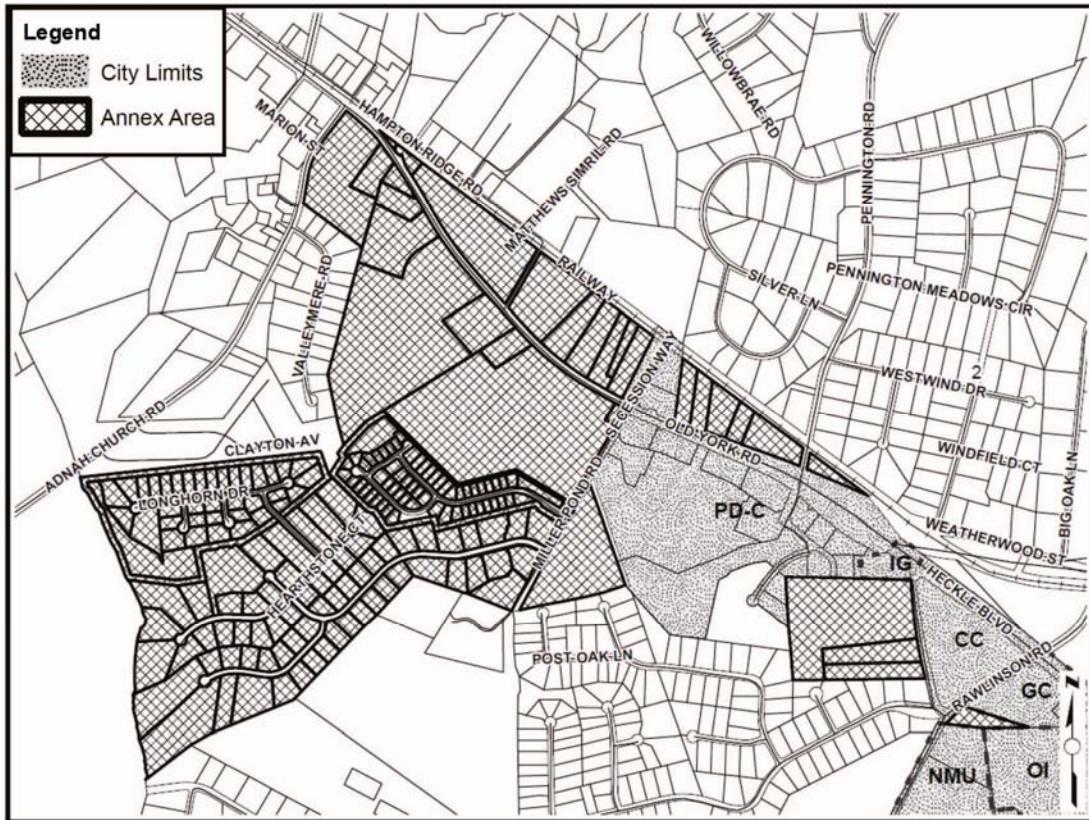
Date: March 21, 2011

Attached is the information required to be presented at public hearing under South Carolina Code of Laws section 5-3-150 to annex this area.

We have also provided public notice of this hearing through legal advertisement in *The Herald* and notice to property owners and other affected parties as required by law.

A separate report has been forwarded covering the public hearing held before the Planning Commission regarding the proposed zoning of the property with annexation.

Miller Pond and Old York Road Area II Annexation



LEGAL DESCRIPTION

Beginning at a point at the intersection of Thornburg Road and Hampton Ridge Road such point being at the westernmost edge of the Thornburg Road right of way and the northernmost edge of the Hampton Ridge Road right of way and continuing in a SE direction for the estimated distance of 3,327.5 feet, more or less, to a point on the Northern edge of the Southern Railroad right of way directly across the from the northeast corner of tax parcel number 543-00-00-009 (n/f); thence turning and crossing such railroad right of way and continuing along the southeastern most boundary of tax parcel number 543-00-00-009 (n/f) and continuing in a SW direction for the estimated distance of 674.58 feet, more or less, across Old York Road to a point on tax parcel number 543-00-00-011 (n/f); thence turning and continuing in a SE direction to a point at the NE corner of tax parcel number 543-00-00-011 (n/f); thence turning and continuing in a SW direction for the estimated distance of 674.58 feet, more or less, along the easternmost portion of tax parcel number 543-00-00-111 (n/f) to a point on tax parcel number 543-00-00-111 (n/f); thence turning and continuing in a SE direction across Miller Pond Road for the estimated distance of 1,017.5 feet, more or less, to a point in the SE corner of tax parcel number 543-00-00-104 (n/f); thence turning and continuing in a SW direction and crossing Miller Pond Road for the estimated distance of 1,003.75 feet, more or less, to a point in the SE corner of tax parcel number 543-00-00-157 (n/f); thence turning and continuing in a NW direction for the estimated distance of 825 feet, more or less, to a point at the division line and edge of tax parcel numbers 543-00-00-152 (n/f) and 543-00-00-151 (n/f); thence turning and continuing in a SW direction and continuing with the curves for the estimated distance of 2,983.75 feet, more or less, along the eastern edges of tax parcel numbers 543-00-00-151 (n/f), 543-00-00-150 (n/f), 543-00-00-149 (n/f), 543-00-00-148 (n/f), 543-00-00-147 (n/f), 543-00-00-146 (n/f), 543-00-00-145 (n/f), 543-00-00-144 (n/f), 543-00-00-143 (n/f), 543-00-00-142 (n/f), 543-00-00-141 (n/f), 543-00-00-140 (n/f), 543-00-00-139 (n/f) to a point at the furthest SW corner of tax parcel number 543-00-00-139 (n/f); thence turning and continuing in a NW direction and continuing with the curves for the estimated distance of 2,965 feet, more or less, along the western edges of tax parcel numbers 543-00-00-139 (n/f), 543-00-00-138 (n/f), 543-00-00-177 (n/f), 543-00-00-176 (n/f), 543-00-00-175 (n/f) and 543-00-00-229 (n/f) to a point in the NW corner of tax parcel number 543-00-00-229 (n/f); thence turning and continuing in a NE direction along the northern edge of tax parcel number 543-00-00-229 (n/f) for the estimated distance of 2,062.5 feet, more or less, to a point in the NE corner of tax parcel number 543-00-00-229 (n/f); thence turning and continuing in a SE direction for the estimated distance of 204 feet, more or less, to a point in the SE corner of tax parcel number 543-00-00-229 (n/f); thence turning and continuing in a NE direction along the western edge of tax parcel number 543-02-01-

057 (n/f) for the estimated distance of 275 feet, more or less, to a point in the SW corner of tax parcel number 543-00-00-061 (n/f); thence turning and continuing in a NW direction along the western edge of tax parcel numbers 543-00-00-061 (n/f) and 543-00-00-235 (n/f) and continuing with the curves for the estimated distance of 1,760 feet, more or less, to a point in the SE corner of tax parcel number 543-00-00-041 (n/f); thence turning and continuing in a NW direction to a point along the western edge of Adnah Church Road right of way which runs along tax parcel number 543-00-00-041 (n/f) and turning and running with Adnah Church Road in a northeastern direction, all being for the estimated distance of 632.5 feet, more or less, to the point of beginning. The property described above being more particularly shown and described as a portion of the property to be annexed on that certain plat entitled "Miller Pond and Old York Road Area II Annexation to the City of Rock Hill," by James Kiley, dated July 13, 2010, which is attached to the "PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF MILLER POND AND OLD YORK ROAD AREA II LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JULY 13, 2010," reference to such plat is hereby made for a more particular description of the property described above. In addition to the above described property, the below described property is also a portion of the description of the Annexation Area.

Beginning at a point on the northern boundary of the Southern Railroad right of way directly across from the NW corner of tax parcel number 543-00-00-077 (n/f) and continuing in a SE direction for the estimated distance of 1,966.25 feet, more or less, to a point on the SE corner of tax parcel number 543-00-00-057 (n/f); thence turning and continuing in a NW direction for the estimated distance of 1,773.75 feet, more or less, to a point in the SW corner of tax parcel number 543-00-00-077 (n/f); thence turning and continuing in a NE direction for the estimated distance of 550 feet, more or less, to the point of beginning. The property described above being more particularly shown and described as a portion of the property to be annexed on that certain plat entitled "Miller Pond and Old York Road Area II Annexation to the City of Rock Hill," by James Kiley, dated July 13, 2010, which is attached to the "PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF MILLER POND AND OLD YORK ROAD AREA II LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JULY 13, 2010," reference to such plat is hereby made for a more particular description of the property described above. In addition to the above described property, the below described property is also a portion of the description of the Annexation Area.

Beginning at a point in the NE corner of tax parcel number 543-00-00-051 (n/f) and continuing in a SE direction for the estimated distance of 866.25 feet, more or less, to a point in the SE corner of tax parcel number 543-00-00-232 (n/f); thence turning and continuing in a SW direction for the estimated distance of 1,127.5 feet, more or less, to a point in the SW corner of tax parcel number 543-00-00-051 (n/f); thence turning and continuing in a NW direction for the estimated distance of 893.75 feet, more or less, to a point in the NW corner of tax parcel number 543-00-00-051 (n/f); thence turning and continuing in a SE direction for the estimated distance of 1,072.5 feet, more or less, to the point of beginning. The property described above being more particularly shown and described as a portion of the property to be annexed on that certain plat entitled "Miller Pond and Old York Road Area II Annexation to the City of Rock Hill," by James Kiley, dated July 13, 2010, which is attached to the "PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF MILLER POND AND OLD YORK ROAD AREA II LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JULY 13, 2010," reference to such plat is hereby made for a more particular description of the property described above. In addition to the above described property, the below described property is also a portion of the description of the Annexation Area.

Beginning at a point in the NW corner of tax parcel number 544-00-00-200 (n/f) and continuing in a SE direction for the estimated distance of 591.25 feet, more or less, to a point in the SE corner of tax parcel number 544-00-00-200 (n/f); thence turning and continuing in a SW direction and continuing with the curves for the estimated distance of 715 feet, more or less, to a point in the SW corner of tax parcel number 544-00-00-200 (n/f); thence turning and continuing in a NE direction for the estimated distance of 220 feet, more or less, to the point of beginning. The property described above being more particularly shown and described as a portion of the property to be annexed on that certain plat entitled "Miller Pond and Old York Road Area II Annexation to the City of Rock Hill," by James Kiley, dated July 13, 2010, which is attached to the "PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF MILLER POND AND OLD YORK ROAD AREA II LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JULY 13, 2010," reference to such plat is hereby made for a more particular description of the property described above.

Public Services to be Assumed or Provided Upon Annexation (anticipated, April 11, 2011)

Fire Service

The Newport Volunteer Fire Department is currently providing fire protection services to the subject annexation area. The City of Rock Hill Fire Department will assume fire protection services, effective upon annexation. Initially, the area will be served by Rock Hill Fire Station #4 located at 1400 Heckle Boulevard. It is anticipated that Fire Station #6, located at 284 Airport Road approximately 2 miles from the subject annexation area, will assume service provision once it is fully staffed in the spring. There are no anticipated personnel or additional equipment needed to service this area.

Police Protection

The subject annexation area is under the jurisdiction of the York County Office of the Sheriff. The City of Rock Hill Police Department will assume police protection, effective upon annexation. Police patrol service will be assigned to the City of Rock Hill in Patrol Zone 2. There are no anticipated personnel or additional equipment needed to service this area.

Sanitation Service

Weekly residential solid waste collection, disposal and recycling services will be provided to area residences by the Rock Hill Public Works Department, effective upon annexation. Bulk container collection and recycling services are also available by contract to commercial customers upon request. There are no anticipated personnel or additional equipment needed to service this area.

Water Service

The City's water distribution system currently provides potable water to many residential and retail customers within the subject annexation area. City water services will continue to be provided to existing customers as noted in **Figure 1**. Water service is also available to currently unserved properties upon request, subject to the City's utility extension and service policies, as amended. Pursuant to those policies, extension of mains may require customer funding.

Sewer Service

The City's sanitary sewer system currently collects and treats wastewater from many residential customers within the subject annexation area. City sewer services will continue to be provided to existing customers as noted in **Figure 1**. Sewer service is also available to currently unserved properties upon request, subject to the City's utility extension and service policies, as amended. Pursuant to those policies, extension of mains may require customer funding.

Stormwater

Stormwater maintenance will be assumed by the Rock Hill Public Works Department, effective upon annexation.

Roadway and other Infrastructure Maintenance

Upon annexation, principal arterial roadways (Old York Rd) and other major facilities owned by the state (Adnah Church Rd, Pennington Rd, and Hampton Ridge Rd) will remain under the jurisdiction of SCDOT. Maintenance of local roads currently under county jurisdiction (Miller Pond Rd, Creekbridge Dr, Gristmill Dr, Yellowood Ct, Hearthstone Ct, Mallard Head Dr, Nantucket Way, Cape Cod Way, Grand Oak Dr, Longhorn Dr, Spurs Ct, Cowboys Cir) and included infrastructure will be assumed by Rock Hill.

Street Lights

Upon annexation, the City will assume financial responsibility for the existing street lights in the area.

Other City Services

Other City services that will be immediately available to residents and stakeholders within the subject annexation area upon annexation include code enforcement, neighborhood services (including neighborhood inspections and empowerment), planning, building inspection and other development services, parks and recreation services, and general administrative services.

Figure 1: Classes of Service to Properties

Properties with water, sewer, sanitation[^], police, fire, stormwater, road and other infrastructure maintenance, street lights and other City services*.

543-02-01-001 through 543-02-01-062, 543-00-00-193 through 543-00-00-230

Properties with water, sanitation[^], police, fire, stormwater, road and other infrastructure maintenance, street lights and other City services*.

543-00-00-119 through 543-00-00-184, 543-00-00-188, 543-00-00-104, 543-00-00-185

Properties with sanitation[^], police, fire, stormwater, road and other infrastructure maintenance, street lights and other City services*.

543-00-00-009 through -012, 543-00-00-036 through -041, 543-00-00-044, 543-00-00-045, 543-00-00-049, 543-00-00-051, 543-00-00-057, 543-00-00-061, 543-00-00-077 through -078, 543-00-00-109, 543-00-00-111, 543-00-00-112, 543-00-00-115, 543-00-00-116, 543-00-00-190, 543-00-00-232, 543-00-00-235, 544-00-00-200

[^] At this time, commercial sanitation service is optional and available on request.

*Other City services include code enforcement, neighborhood services (including neighborhood inspections and empowerment), planning, building inspection and other development services, parks and recreation services, and general administrative services.

General Information

Existing Land Use

The subject annexation area consists of 196 parcels, totaling approximately 306.43 acres. There are 88 vacant/undeveloped parcels, or approximately 127.14 acres. 82 parcels, or approximately 79.96 acres, contain residences. Commercial buildings occupy 23 parcels, or approximately 81.23 acres. Tax exempt properties owned by churches and educational institutions comprise 3 parcels, or approximately 18.10 acres.

Estimated Taxes and Fees

Public Safety

All property owners within the area being annexed are required to pay a one-time fire impact fee at the time of annexation to offset debt to fund fire station improvements based upon the following schedule:

- Single-Family Residential Detached - \$495
- Multi-Family Residential - \$430 Per 1,000 square feet, 1,000 square feet minimum
- Commercial & Institutional - \$221 Per 1,000 square feet, 1,000 square feet minimum
- Industrial & Manufacturing - \$132 Per 1,000 square feet, 1,000 square feet minimum

Single-family residential property owners will be given the option of paying the \$495 fire impact fee at the time of annexation or \$27.50/month for 18 months, added to the utility bill.

No fire impact fee is due for vacant properties until the time of development.

No additional fees are required from property owners for police service.

Sanitation

The current rate for single-family residential City sanitation service including trash, recycling, yard waste and bulk item collection is \$18.59/month. The current cost for a garbage rollcart is \$50 and can be billed in one payment, or ten monthly payments of \$5.00. There is also an initial fee for the optional YardCart,

which can be billed in one payment, or ten monthly payments of \$5.00. If the homeowner chooses not to use the YardCart, he/she will be responsible for either composting or properly disposing of yard waste.

Commercial sanitation and recycling services are optional. Rates vary depending on bulk container size and number of monthly pick-ups.

Utilities

Residential customers that received City water and/or sewer service will be given a credit to their City utility bill based upon in-city rates which shall be retroactive to the date such customer signed his/her annexation petition in accordance with sections 29-112 and 29-54 of the Rock Hill Code of Ordinances, as amended. In-city water and sewer rates will result in most utility bills decreasing by half.

Any new City water or wastewater service connections will be subject to the current impact fee rates based upon meter size.

Properties currently served by Duke Energy will continue their service with this company. Upon annexation, the City will begin paying for any HOA costs associated with maintaining streetlights. Additionally, a portion of the area's streetlights are not compliant with City standards and will cost approximately \$2,000 to upgrade. The City will cover these improvement costs.

Storm Water

A recurring annual storm-water utility fee is required for all developed properties in the City limits, which is billed monthly to users by being included on the combined utility system bill. City rates for stormwater fees are divided into the following categories:

- Single-Family Residential
 - <10,000 SF parcel \$2.37 per month
 - >10,000 SF parcel \$2.88 per month
- Multifamily Residential
 - \$2.37 per month per unit
- Non-Residential
 - Varies based on amount of impervious area - (ex. concrete, gravel, rooftop, asphalt, and water surface)
 - Undisturbed property is assigned a C-Factor of 0.00
 - Undeveloped property is assigned a C-Factor of 0.05

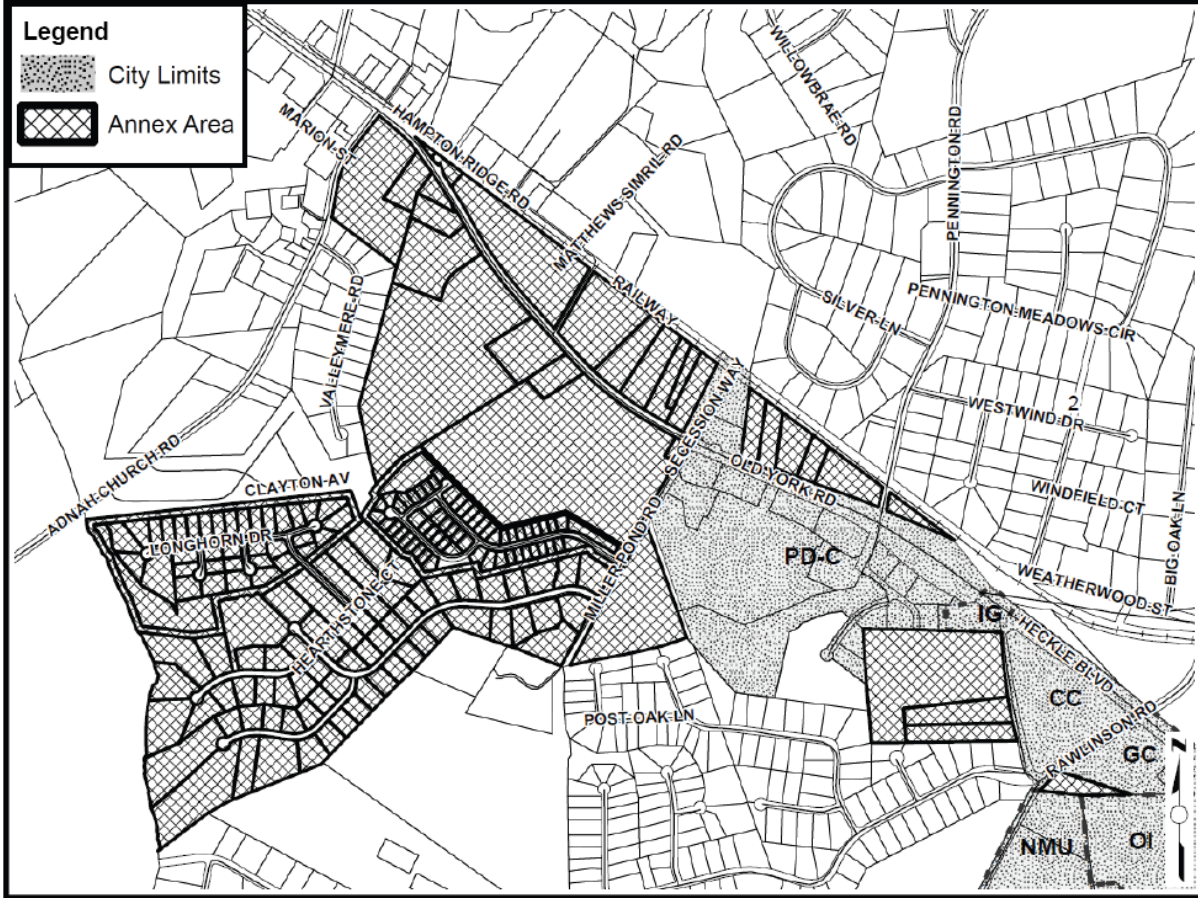
Business License

All businesses operating within the City limits are required to obtain a City of Rock Hill business license and to pay an annual fee for such license. Annual fees are based on the rate class associated with the North American Industry Classification System (NAICS) and the gross income from business conducted in the City.

Property Taxes

Although the subject properties are set to be annexed into the City limits in 2011, they will not be placed on the City tax rolls until January 2012. City taxes would then be due by January 2013. For information purposes only, the Rock Hill 2010 tax rate applied to real and personal property is 95 mils.

NOTICE OF PUBLIC HEARING ON ANNEXATION



The Mayor and Council of the City of Rock Hill will conduct a Public Hearing at City Hall Council Chambers on March 28, 2011 at 6:00 p.m. pursuant to S.C. Code § 5-3-150(1) on a petition for annexation of the Miller Pond and Old York Road Area II as shown on the map and described in the attached legal description.

The following services for the area will be assumed or provided by the City of Rock Hill on the following timetable:

Public Services to be Assumed or Provided Upon Annexation (anticipated, April 11, 2011)

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Figure 1: Class of Service to Properties	
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Properties with water, sanitation [^] , police, fire, stormwater, road and other infrastructure maintenance, street lights and other City services*.	543-00-00-119 through 543-00-00-184, 543-00-00-188, 543-00-00-104, 543-00-00-185
Properties with sanitation [^] , police, fire, stormwater, road and other infrastructure maintenance, street lights and other City services*.	543-00-00-009, 543-00-00-010 through -012, 543-00-00-036 through -041, 543-00-00-044, 543-00-00-045, 543-00-00-049, 543-00-00-051, 543-00-00-057, 543-00-00-061, 543-00-00-077 through -078, 543-00-00-109, 543-00-00-111, 543-00-00-112, 543-00-00-115, 543-00-00-116, 543-00-00-190, 543-00-00-232, 543-00-00-235, 544-00-00-200
[^] At this time, commercial sanitation service is optional and available on request.	
*Other City services include code enforcement, neighborhood services (including neighborhood inspections and empowerment), planning, building inspection and other development services, parks and recreation services, and general administrative services.	

The petition requests that the property be zoned Single-family Residential-2 (SF-2), Single-family Residential-4 (SF-4), Single-family Residential-5 (SF-5), Office & Institutional (OI), Limited Commercial (LC), Industry Business (IB), and Industry General (IG).

The petition is available for public inspection at the Planning and Development Department in City Hall, 155 Johnston St., Rock Hill, SC during normal business hours.

