



Rezoning Analysis-Report to City Council

Case No. M-2009-07

Meeting Date: June 22, 2009
Staff Contact: Janice Miller, Historic Preservation Specialist

SITE INFORMATION

Petitioner: Rock Hill Telephone Company (Comporium)
Property Owner: John King, 327-331 E Main Street
Pratt Foy, 339 E Main Street
Existing Zoning: YH Overlay District
Requested Zoning: Removal of YH Overlay District
Proposed Use: Potential redevelopment with a mix of commercial and residential uses.
Location: 327, 331, & 339 E. Main Street
Tax Parcels: 327 E Main Street: 627-16-03-001 (portion)
331 E Main Street: 627-16-03-002 (portion)
339 E Main Street: 627-16-03-003
Acreage: Approx. 1.46 acres

BACKGROUND

This area achieved local historic designation as part of the Reid Street/N Confederate Avenue Historic District by Ordinance on December 23, 1991. Part of the East Town Neighborhood and touted as Rock Hill's first neighborhood, this area exhibits a variety of architecture typical during the late 19th and early 20th century with the exception of the White Home, built in the 1840s. Rapid growth of the textile industry attracted a number of merchants, professionals and government workers, all in need of residences close to the thriving downtown area. According to the National Register nomination form, this "...district is significant for the evidence it provides of the broad patterns of the history of Rock Hill. It illustrates the changing architectural styles and tastes. It also illustrates the growth of Rock Hill's commerce and industry, as many of the residents moving into the neighborhood were developing small business or professional occupations which depended on the rapid growth of the City during the late 1800's and early 1900's."

327 E. MAIN STREET

This property consists of a parking lot and porte-cochere addition to the Chris King Funeral Home. The addition was built in 1980.

331 E. MAIN STREET

This property includes the main house structure and outbuildings for the Thomas O. Flowers House/Bass Funeral Home. The original residence was constructed around 1905 for Thomas Oliver Flowers and his wife, Esther Belle Gordon Flowers. Flowers and John Setzer organized Rock Hill Hardware, as well as Rock Hill Supply Company with J.W. O'Neal and J.S. White. For 31 years, Flowers served as fire chief and building inspector for the City of Rock Hill and was the state financial agent for the Catawba Indian nation, aiding in their attempt at achieving citizenship. By 1951, Bass Funeral Home had purchased the house for its business and relocated from 241 E Main

Street to 331 E Main Street.

According to the survey card from 1988, the porch along the left bays of the façade was enclosed in 1949, and in 1980-81, the enclosed porch was extended to join the new left addition and iron railing was installed at the porch and deck. A drawing from the Rock Hill Classified Telephone Directory from 1955 is unclear as to whether the porches were enclosed at this point, while a photograph from the October 14, 1971, edition of the *Rock Hill Times* shows that the porches were enclosed between 1949 and 1971. In 1980, a building permit was issued to install vinyl siding on the entire building as well as the addition of the porte-cochere. Other additions and changes to the structure include the construction of outbuildings and other interior changes to provide room for storage, office spaces, and funeral related activities.

The original house was built around 1905. Changes to the building throughout the past 60 years have kept it from being considered a contributing building to the district on the National Register level; however, the structure still exhibits the architectural details prevalent within the district. The structure is separated from the rest of the district by several parking lots and contemporary structures, mainly the Hiers-Clarkson Building located directly next door on E Main Street, and the Rock Hill Masonic Temple located to the rear on Elizabeth Lane.

339 E. MAIN STREET

This property includes the Hiers-Clarkson Building, which is a typical multi-story brick office building constructed in the 1960s-1970s and is considered a non-contributing building within the district.

LAND USE ANALYSIS

Existing Land Use Character

Two sides of these properties are surrounded by commercial uses (south & west), with the remaining sides surrounded with a combination of residential and commercial uses.

Surrounding Zoning and Land Use

North: DTWN and SF-5 Zoning, Masonic Lodge and Residential Properties

East: NO Zoning, Residential Properties

South: DTWN Zoning, Comporium Customer Service Center

West: DTWN Zoning, Rock Hill Telephone Company Offices

Summary of Existing and Proposed Zoning Districts

Existing Zoning: DTWN with YH Overlay. The purpose of the YH Overlay is to promote the educational, cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of old, historic, and architecturally valuable structures, properties, districts and neighborhoods which serve as visible reminders of the social, cultural, economic, political, and architectural history of the City.

Proposed Zoning: Removal of YH Overlay. The proposed removal of the YH Overlay Zone would not impact the underlying base DTWN Zoning District.

PUBLIC NOTIFICATION

The following public notification actions have been taken:

Notifications For Board of Historic Review

- April 22: Board of Historic Review public hearing advertisements published in *The Herald*.
- April 22: BHR public hearing notification signs posted on subject properties.

Notifications For Planning Commission

- May 3 & 17: Planning Commission public hearing advertisements published in *The Herald*.
- May 15: Rezoning notification signs posted on subject properties.
- May 15: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 26 postcards were sent to properties within rezoning area and surrounding areas.

PUBLIC MEETINGS

Board of Historic Review Public Hearing

A public hearing on this application was held on Thursday, May 7, 2009, before the Rock Hill Board of Historic Review. The applicant presented information about the proposal. John Misskelley, President of the East Town Neighborhood Association, stated that the association was in favor of the rezoning application.

Planning Commission Public Hearing

A public hearing on this application was held on Tuesday, June 2, 2009, before the Rock Hill Planning Commission. One member of the public spoke in opposition and one spoke in favor of the rezoning proposal. The applicant presented information about the proposal.

Mr. William Aiton, 143 Reid Road (opposed). He stated that if the historic designation was removed, the building will obviously be demolished. Mr. Aiton also stated that Rock Hill has just been named as part of "Preserve America" and it would be a shame to remove the historic designation from this building, and let it be demolished.

Mr. Alex Fewell, 852 Milton Avenue (in favor). Mr. Fewell stated that it is their belief that the funeral home hurts the value of downtown Rock Hill, and if the historic designation is removed, the redevelopment that could take place would help this section of town.

Mr. John Barnes spoke on behalf of the applicant and stated that they want to help in the redevelopment of downtown Rock Hill. Comporium has worked closely with the Mayor and Economic Development, and feel that this corner has the potential to help revitalize downtown.

Mr. Christopher asked if the intent is to tear down the home. Mr. Barnes stated that that is the intent at a future date, but there are no definite plans now.

Mr. Smalls asked if some facet of the structure could be saved and reused. Mr. Barnes stated that they do intend to save and reuse or sell the columns, windows, and anything else of historic value.

Mr. Roper asked Ms. Miller if she was aware of what architectural changes have taken place to the building. Ms. Miller stated that it is hard to say, but that changes such as closing in the front porch

and adding vinyl siding have compromised the historic architecture.

Mr. Roper stated that he is in favor of removing the historic designation, not because the property is a funeral home, but because of all of the architectural changes that have taken place. He also stated that the Board of Historic Review supporting the request is telling.

ROCK HILL BOARD OF HISTORIC REVIEW RECOMMENDATION

Following the public hearing at their May 7, 2009 meeting, the Rock Hill Board of Historic Review voted 5-0 to recommend approval of the rezoning.

PLANNING COMMISSION RECOMMENDATION

Following the public hearing at their June 2, 2009 meeting, the Planning Commission voted 4-0 to recommend approval of the rezoning.

ATTACHMENTS:

- Rock Hill Board of Historic Review Minutes, 5-18-2009
- Rezoning Map
- Historic District Map
- Rezoning Application
- Public Notice Affidavits

ROCK HILL BOARD OF HISTORIC REVIEW – Minutes

City of Rock Hill, South Carolina

May 18, 2009

A regular meeting of the Rock Hill Board of Historic Review was held Thursday, May 7, 2009 at 6:00 pm in Room 373, City Hall, 155 Johnston Street, Rock Hill, York County, South Carolina.

MEMBERS PRESENT Joe Marett, Michael James, Cassandra Atcherson, Martin Goode and Phillip Jerauld

STAFF PRESENT Janice Miller, Rox Burhans

1. Call to Order

Mr. Joe Marett, Vice-Chair, called the meeting to order at 6:00 pm.

2. Approval of the minutes for the April 2, 2009 public hearing.

Mr. Marett called for approval of the minutes from the April 2, 2009, public hearing. Mr. Phillip Jerauld presented the motion to approve the minutes, Mr. Michael James seconded, and the motion carried.

3. Case H-2009-06: Consider a Certificate of Appropriateness Application for demolition, 374 Pendleton Street.

Mrs. Janice Miller stated that the applicant, Ms. Brenda Young, requested the Board move to consider this application at the June 4, 2009, regular meeting. Mr. Marett called for a vote, Mr. Jerauld presented the motion to consider the application at the June 4th meeting, Mr. James seconded, and the motion carried.

4. Case H-2009-07: Consider a Certificate of Appropriateness Application for the construction of a handicap ramp to the rear façade of 258 E White Street, White Home.

Mrs. Miller presented the staff report, noting that Mrs. Neily Pappas was present to answer any questions from the Board.

There were no questions or comments from the audience.

Mr. Martin Goode presented the motion to approve the application as submitted, Mr. Jerauld seconded, and the motion carried.

5. Case H-2009-08: Consider a Rezoning Application to remove 327-331 E Main Street, Chris King Funeral Home, and 339 E Main Street, Hiers-Clarkson Building, from the YH Historic District Overlay by Rock Hill Telephone Company/Comporium.

Mrs. Miller presented the staff report, noting that Mr. John Barnes of Comporium was present to answer questions.

Mr. Barnes stated that the Barnes family and Comporium were dedicated to preserving the company family and was asked to get involved. The company is currently working to restore the Barnes Home for use as a family office and accommodations for out of town corporate visitors. He stated that the historic significance of the TO Flowers Home, 331 E Main Street, no longer existed because of the changes the building had gone through and that it had not been preserved as well as the other buildings have been preserved. Additionally, the property is isolated from the neighborhood and that the potential uses for the property are more beneficial to the surrounding area than the current use. He presented preliminary plans for redevelopment which included retail and residential uses. He stated that the desire is to dismantle the structure and use components in the new development project being proposed and also to provide warehousing for architectural salvage within the new development. He added that the potential development would be under the design guidelines set forth by the Old Town standards and that it would blend in and accent the area.

Mr. James asked about the reactions from the Reid Street residents.

Mr. Barnes stated that there were positive comments from the residents.

Mr. John T. Misskelley, President of the East Town Neighborhood Association, stated that the association supported the rezoning application.

Mr. John King, owner of the Chris King Funeral Home, stated that while the building does have a history, and that he supports the redevelopment effort.

Mr. Russ Frase stated that demolition should not be considered for this property and that it needed to be repurposed for future generations.

Mr. John Misskelley, speaking as a private citizen, stated that he was in support of the rezoning application.

Mrs. Miller clarified for the Board that they were considering a rezoning application, not demolition or redevelopment plans for the area, and that the final decision regarding rezoning would be made by City Council.

Mr. Marett stated that he was glad the residents were supportive of the removal, that he was hesitant to remove properties from historic designation because of the difficulty associated with getting properties designated in the first place.

Mr. Goode stated that he was pleased the neighbors were being involved in the process.

Mr. Jerauld presented the motion to recommend removal of the subject properties from the YH Historic District Overlay, Mr. James seconded and the motion carried.

6. Other Business

Mrs. Miller reminded the Board of the workshop to be held on May 30th.

There being no further business, the meeting adjourned at 6:35 pm.

Respectfully submitted,





Janice Miller



ROCK HILL
SOUTH CAROLINA

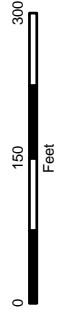
M-2009-07

Legend

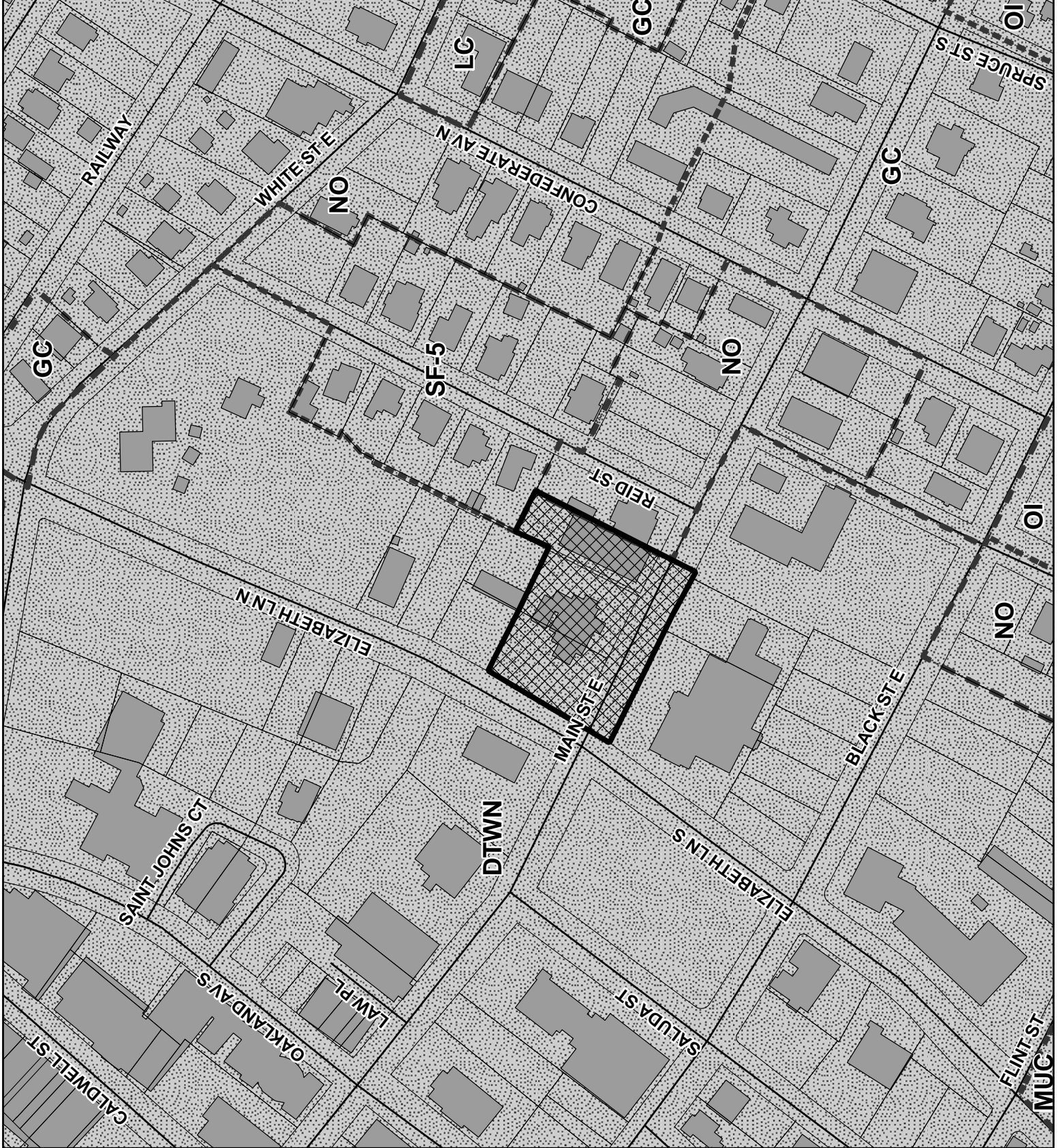
-  City Limit
-  Building
-  Zoning District Boundaries
-  Area of Interest

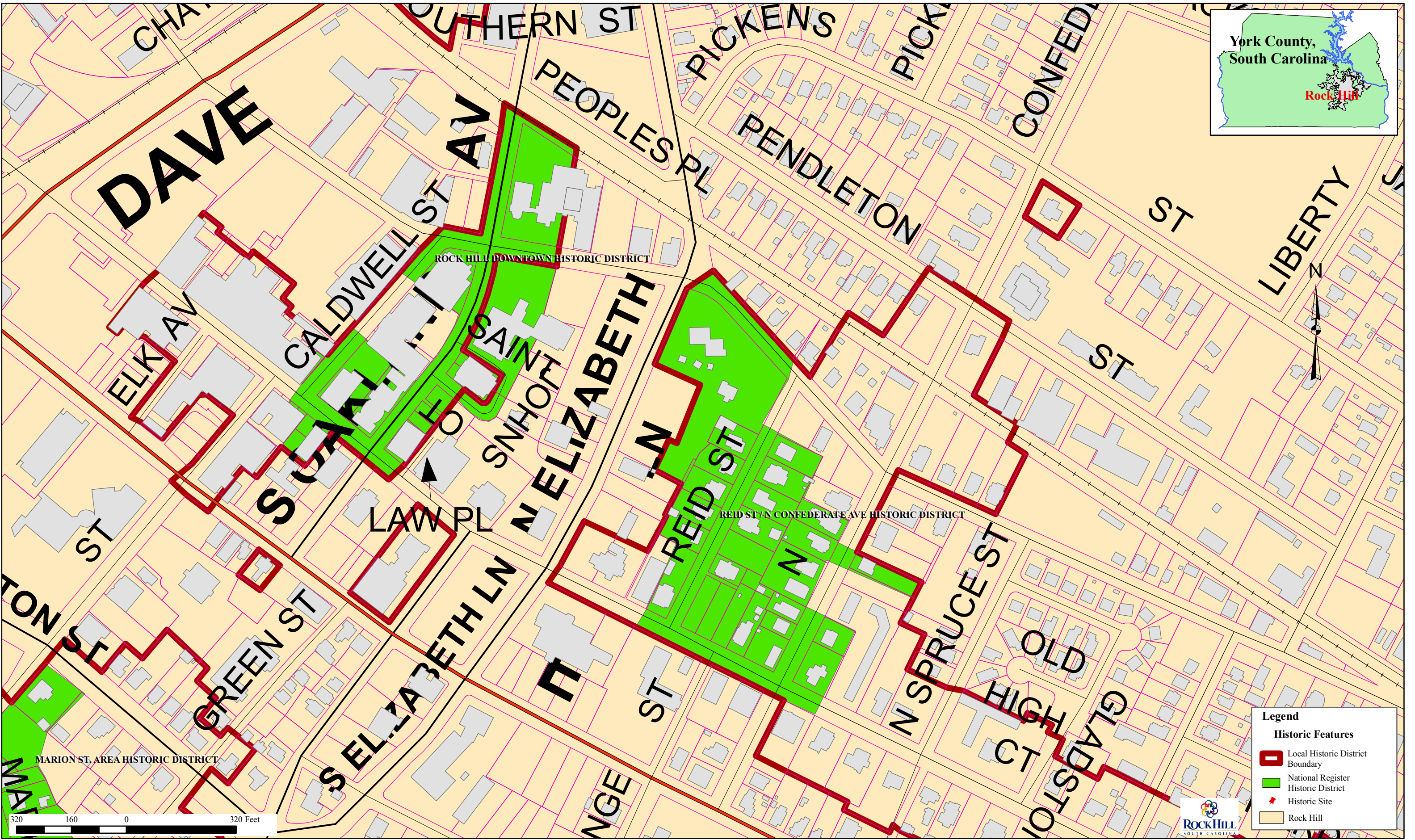
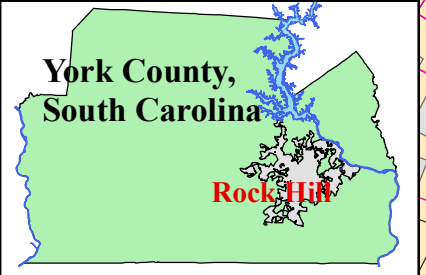
Zoning Data

**Proposed:
Removal of the
YH Overlay
District**



Development Services
Department
City of Rock Hill
5/26/09

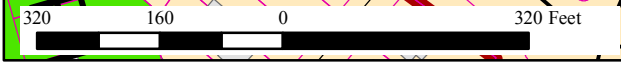




Legend

Historic Features

- Local Historic District Boundary
- National Register Historic District
- Historic Site
- Rock Hill



THE CITY OF ROCK HILL AND ITS MAPPING CONTRACTORS DO NOT WARRANT THE ACCURACY OF THE DISPLAYED INFORMATION AND SPECIFICALLY DISCLAIM ANY WARRANTY FOR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

Reid Street/ North Confederate Avenue Historic District



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(803) 326-7577
 (803) 326-7154 (Fax)
 Forrest.Emerson@Comporium.com

330 E. Black Street
 PO Box 470
 Rock Hill, SC 29731-6470

April 28, 2009

Development Services - Permit Application Center
 P.O. Box 11708
 Rock Hill, SC 29731

Re: Certificate of Appropriateness (COA) - Historic Property

Dear Sirs:

Rock Hill Telephone Company, d.b.a. Comporium Communications ("Comporium"), hereby withdraws its COA application filed on April 20, 2009 for 327, 331, and 339 E. Main Street (Tax Map Numbers 6271803001, 002, and 003, respectively) (the "Properties"). The COA contemplated the proposed demolition of the Kings Funeral Home and the Hiers-Clarkson buildings.

At the same time, Comporium is requesting to have the Properties removed from the YH Historic Overlay Zoning District. Based on previous conversations with City staff, this proposed rezoning may be placed on the Rock Hill Board of Historic Review's May 7, 2009 meeting agenda.


Comporium has entered into contracts for the purchase of the Properties, and the owners of the Properties have indicated by their signature below their consent to the attached Rezoning application.

Sincerely,


 Forrest M. Emerson

ACKNOWLEDGED AND AGREED TO:


 W. Foy Pratt
 Owner, 339 E. Main St.


 John R. King, for Christopher Kings Funeral Home, LLC
 Owner, 327 and 331 E. Main St.

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Submit by Email

Print Form

Development Services - Permit Application Center

P.O. Box 11706, or 156 Johnston Street
Rock Hill, South Carolina 29731-1706
Phone: 803-326-7080 or 803-329-7069
FAX: 803-326-7228 -- Website: www.cityofrockhill.com



ZONING MAP AMENDMENT: Sections 2-200 and 2-300 of the Zoning Code establish the requirements and processes for amending the Official Zoning Map. An application for rezoning may be submitted by the land owner, or any other person having a recognized interest in the land upon which the rezoning is proposed, or their authorized agent. If the applicant is not the owner, the owner must sign a consent to the submission. If there are multiple owners, a letter (or attachment) signed by the other owners or an entity representing the owners consenting to or joining in the application shall be submitted.

A pre-application conference with appropriate City staff is required prior to the submission of a Zoning Map Amendment application. Contact the Permit Application Center, above.

Application Information: Please complete the following:

NAME: Rock Hill Telephone Company
ADDRESS # 330 St: E. Black Street CITY/ST/ZIP: Rock Hill, SC 29730
PHONE: 803-326-7577 FAX: 803-326-7154 EMAIL: forrest.guerson@compurum.com

PROPERTY ADDRESS # SEE ATTACHMENT 1
TAX PARCEL(S): SEE ATTACHMENT 1 : : :
OWNER (if different) SEE ATTACHMENT 1

Current Zoning: _____ Requested Zoning: _____
Area of subject property: _____ acres and/or _____ square feet

BRIEF DESCRIPTION OF Request (refer to the zoning code, when applicable):
Applicant requests the removal of the attached tax parcels from the Historic District overlay.

Please review the attached CHECKLIST for additional information on fees, required supporting information, and timetables.

FOR OFFICE USE ONLY: Case #: _____ Date Filed: _____ Rec'd by: _____	
<input type="checkbox"/> Pre-App?	<input type="checkbox"/> Request Complete? <input type="checkbox"/> Additional Information Requested/Date: _____
Comment: _____	
<input type="checkbox"/> Request Returned? Date: _____	<input type="checkbox"/> Action: by: _____
Date Advertised: _____	Date Posted: _____ <input type="checkbox"/> Written Notice? Date: _____
PG Date: _____	CC Date: _____ Final Date: _____ <input type="checkbox"/> Legal ad filed?
Action: _____	
<input type="checkbox"/> Written Response By: _____	Date: _____

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ZONING Map Amendment - Rezoning Checklist

BACKGROUND: Applications will be accepted to amend any City of Rock Hill zoning designation (see Articles 3 and 4 of the Zoning Code for standards), *except the following*, which have been declared obsolete and may not be created on the map: Mobile Home Park (MHP); General Commercial (GC); Neighborhood Mixed Use (NMU).

APPLICATION FEES: The appropriate fee must be included with the application. Please make checks payable to the "City of Rock Hill."

- For the first lot of record or first two acres, whichever is smaller in area \$300
- For each additional lot of record or acre, whichever is smaller in area \$50
- Planned Developments (all applications) \$1,000

The maximum fee for a rezoning application shall not exceed \$1,000.

REQUIRED INFORMATION:

- Does the Applicant solely own all of the property within the rezoning proposal?
 - Yes. If so, provide proof of ownership (copy of deed).
 - No. If so, attach information on property NOT solely owned by the applicant and provide letter of consent from owner(s). See ATTACHMENT 1
- Are there any recorded deed restrictions or restrictive covenants that apply to this property that are contrary to, conflict with, or prohibit the permitted activity being requested.
 - Yes. Applicant
 - No. (Attested by SWORN Forrest M. Emerson for Rock Hill Tel Co)
- Is this property proposed for annexation into the City of Rock Hill?
 - Yes. If so, please complete Annexation Request Form and submit along with this application.
 - No. Already in City.
- If requesting historic designation via the YM overlay, attach Local Register nomination application.
- Signature of Applicant/Owners:** The undersigned hereby respectfully requests that the Official Zoning Map of the City of Rock Hill be amended as described herein. It is also understood by the undersigned that, while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. (If more than one owner/applicant, attached a page with additional signature information).

Signed: Forrest M. Emerson Date April 28, 2009

Printed Name: Forrest M. Emerson for Rock Hill Telephone Company
Sr. V.P. - General Counsel

~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~

OWNERS CONSENT:

[Signature]
W. Roy Pratt

[Signature]
John R. King for Christopher Kings Funeral Home, LLC
Member

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ATTACHMENT 1

<u>PROPERTY ADDRESS</u>	<u>TAX PARCEL</u>	<u>OWNER</u>
327 E. MAIN STREET ROCK HILL, SC 29730	6271603001	CHRISTOPHER KINGS FUNERAL HOME LLC
331 E. MAIN STREET, ROCK HILL, SC 29730	6271603002	CHRISTOPHER KINGS FUNERAL HOME LLC
339 E. MAIN STREET, ROCK HILL, SC 29730	6271603003	W. FOY PRATT

PLANNING COMMISSION
CITY OF ROCK HILL, SC

AFFIDAVIT

-----X

Matter of Application of

Rock Hill Telephone Company

327, 331, & 339 E. Main Street


Rezoning Case #M-2009-07

-----X

State of South Carolina
County of York

I, Eric S. Hawkins, AICP, being duly sworn, deposes and says:

That public notice was published in accordance with the public notification Requirements on May 3 and 17, 2009, for the property located at 327, 331, & 339 E. Main Street, Rock Hill, SC, which is the subject of an application pending before the Rock Hill City Planning Commission. A copy of said notice is attached hereto.



Signature

JANICE E MILLER
Notary Public, South Carolina
My Commission Expires
July 14, 2018

Sworn to before me this

19 day of May, 20 09



Notary Public

My Commission Expires 7/14/18



PLANNING COMMISSION
CITY OF ROCK HILL, SC

AFFIDAVIT

-----x

Matter of Application of

Rock Hill Telephone Company

331, 327, and 339 E. Main


Rezoning Case # M-2009-07

-----x

State of South Carolina
County of York

I, Robin Joas, being duly sworn, deposes and says:


That the public notice sign(s) was/were posted in accordance with posting requirements, on the property located at 331, 327, and 339 E. Main, Rock Hill, South Carolina, on May 15, 2009, which is the subject of an application pending before the Rock Hill City Planning Commission. A map of said sign locations is attached hereto.



Signature

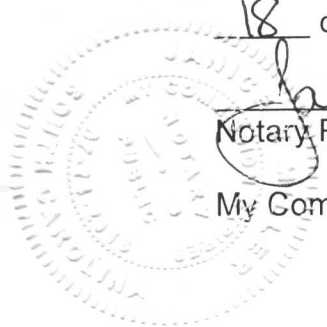
Sworn to before me this

18 day of May, 20 09



Notary Public

My Commission Expires 7/14/18



PLANNING COMMISSION
CITY OF ROCK HILL, SC

AFFIDAVIT

-----X

Matter of Application of
Rock Hill Telephone Company

331, 327, and 339 E. Main

Rezoning Case # M-2009-07

-----X

State of South Carolina
County of York

I, Robin Joas, being duly sworn, deposes and says:

That public notices were mailed in accordance with the public notification requirements to all those listed on the attached notification list who are the owners of property located wholly or partially within 300 feet of the property located at 331, 327, and 339 E. Main, Rock Hill, SC, which is the subject of an application pending before the Rock Hill City Planning Commission. Said notice was sent first class mail posted at the Rock Hill – Main Post Office. A copy of said notice and public notification list is attached hereto.

Robin Joas
Signature

Sworn to before me this
18 day of May, 2009

Janice E Miller
Notary Public

My Commission expires 7/14/18

