



Rezoning Analysis-Report to City Council

Meeting Date: February 28, 2011

Location: 465 S. Herlong Ave., Tax Parcel 593-00-00-004

Site Area: Approx. 0.92 acres

Request: Annex property into the City and rezone from Business Development-III (BD-III) in York County to Limited Commercial (LC).

Proposed Development: None- existing development.

Owner/Applicant: Nancy Smith
Rock Hill, SC
803.329.1294

Site Description

The subject properties are currently developed as a multi-tenant commercial building. A restaurant is located in the northern portion of the building and the remaining space is currently vacant. The property is located on the northwest side of the City and fronts on a minor arterial roadway (Herlong Ave). Surrounding uses include undeveloped property, office, retail, restaurant, day care, and single-family residential in commercial, planned unit development, and residential zoning districts. No new development is planned for this property.

Background

The City is requiring annexation of this property in accordance with City Council's goal of annexing enclave areas that are completely surrounded by the City Limits. An annexation agreement for the property was signed in 1989 by a previous owner. Mrs. Smith was required to sign a new agreement and annexation petition last December when a new utility service was established on the property for a new tenant. The property is served by City water and sewer and is subject to annexation at the City's discretion. Annexation of enclaves promotes greater efficiency in City services and supports compact infill development and redevelopment that is consistent with strategies identified in the Comprehensive Plan.

Existing Zoning District Summary

Business Development District III (BD-III)- Permitted uses include personal service establishments, i.e. beauty shops; Laundromats; restaurants; convenience retail establishments, i.e. grocery stores; professional services, i.e. business or financial offices; commercial recreation establishments, i.e. game rooms; churches, clinics, office buildings, educational institutions, commercial schools, research facilities, townhouses, museums, motels, primary and secondary retail establishments, commercial parking lots, general business services, funeral homes, mini-warehouses, automobile service and repair shops.

Proposed Zoning District Summary

Limited Commercial (LC)- The LC district is established as a mid-level intensity commercial district that allows a wider range of non-residential uses at increasing intensities than the NC district. The uses allowed in this district include a wide range of general retail, business, and service uses, as well as professional and business offices along with integrated residential uses as allowed in the NC district, but not intensive commercial or other business activities. Uses in this district are intended to serve groups of neighborhoods instead of individual neighborhoods.

INFRASTRUCTURE CONSIDERATIONS

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

RELATIONSHIP TO PUBLIC PLANS

Vision 2020 Comprehensive Plan

The City's Vision 2020 Land Use Map indicates that this parcel is within the Community Center subarea of the Suburban Mixed Use Center Character Area. Uses located within the Community Center classification should be medium scale and serve multiple surrounding neighborhoods, but not include big box retail centers. Access from arterial roadways should be balanced with pedestrian and bicycle enhancements and circulation.

Conclusion

The requested annexation and rezoning from County Business District-III (BD-III) to Limited Commercial (LC) 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:

- January 2 & 16: Planning Commission public hearing advertisements published in *The Herald*.
- January 13: Rezoning notification signs posted on subject property.
- January 13: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 19 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 Feb.1, 2011. Two members of the public spoke in opposition.

Mrs. Nancy Smith, applicant, 1452 Museum Road, stated that the pet groomer referred to in the staff report had since moved out due to the fact that the City had forced that business to be closed during the annexation process. She noted her concern over the

Limited Commercial zoning classification and how this would affect her ability to offer flexibility for future tenants and requested that the property be zoned General Commercial (GC) instead. She also asked that the restaurant, Luke's, be grandfathered in to remain open until 2 AM since businesses serving alcohol within the City were required to close at 1 AM.

Mrs. Jennifer Luke, 288 Fairway Circle, owner of Luke's Sports Bar and Grill, requested that the business be grandfathered in and that the City not force her to make changes to her business that would be a major expense.

Mr. Graham asked Mrs. Luke if her concern were mainly over the hours of operation. Ms. Luke stated that it was.

RECOMMENDATIONS

Staff Assessment

The proposed zoning is consistent with the City's Land Use Plan and is compatible with surrounding uses.

Staff Recommendation

Staff recommends approval of the proposed Limited Commercial (LC) zoning.

Planning Commission Discussion

There was general discussion regarding improvements within the communication system between the City and businesses working in the City limits.

Mr. Roper asked about the grandfathering issue and if time of closing was addressed in General Commercial zoning. Mr. Hawkins stated that bar closing times were not addressed in the Zoning Ordinance.

Mr. Roper asked if General Commercial zoning was still being considered. Mr. Hawkins stated that General Commercial is an obsolete zoning classification and that properties were no longer being suggested for that classification.

Mr. Graham clarified that that the next closest zoning classification was Community Commercial and that it was only for the big box stores. Mr. Hawkins stated that CC zoning was intended for large commercial areas, such as a mall, which would be inappropriate for this location.

Mr. Graham asked if hours were specific for Limited Commercial zoning. Mr. Hawkins stated that there were no hours of operation limitations based on LC zoning, that this was a City ordinance issue for businesses serving alcohol.

Planning Commission Recommendation

Following the public hearing at their February meeting, the Planning Commission voted unanimously to recommend approval of the proposed LC zoning.

Attachments

- Annexation Map
- Rezoning Map

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

- Annexation Application
- Rezoning Application

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803.329.8763

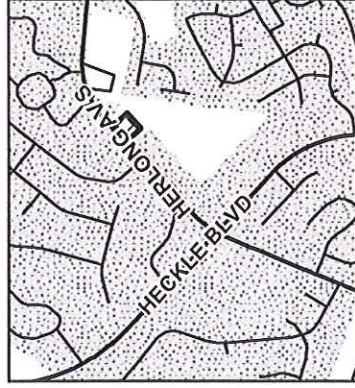


ROCK HILL SOUTH CAROLINA

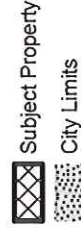
ANNEXATION MAP

Herlong/Heckle V Area

ANNEXATION TO THE CITY OF ROCK HILL

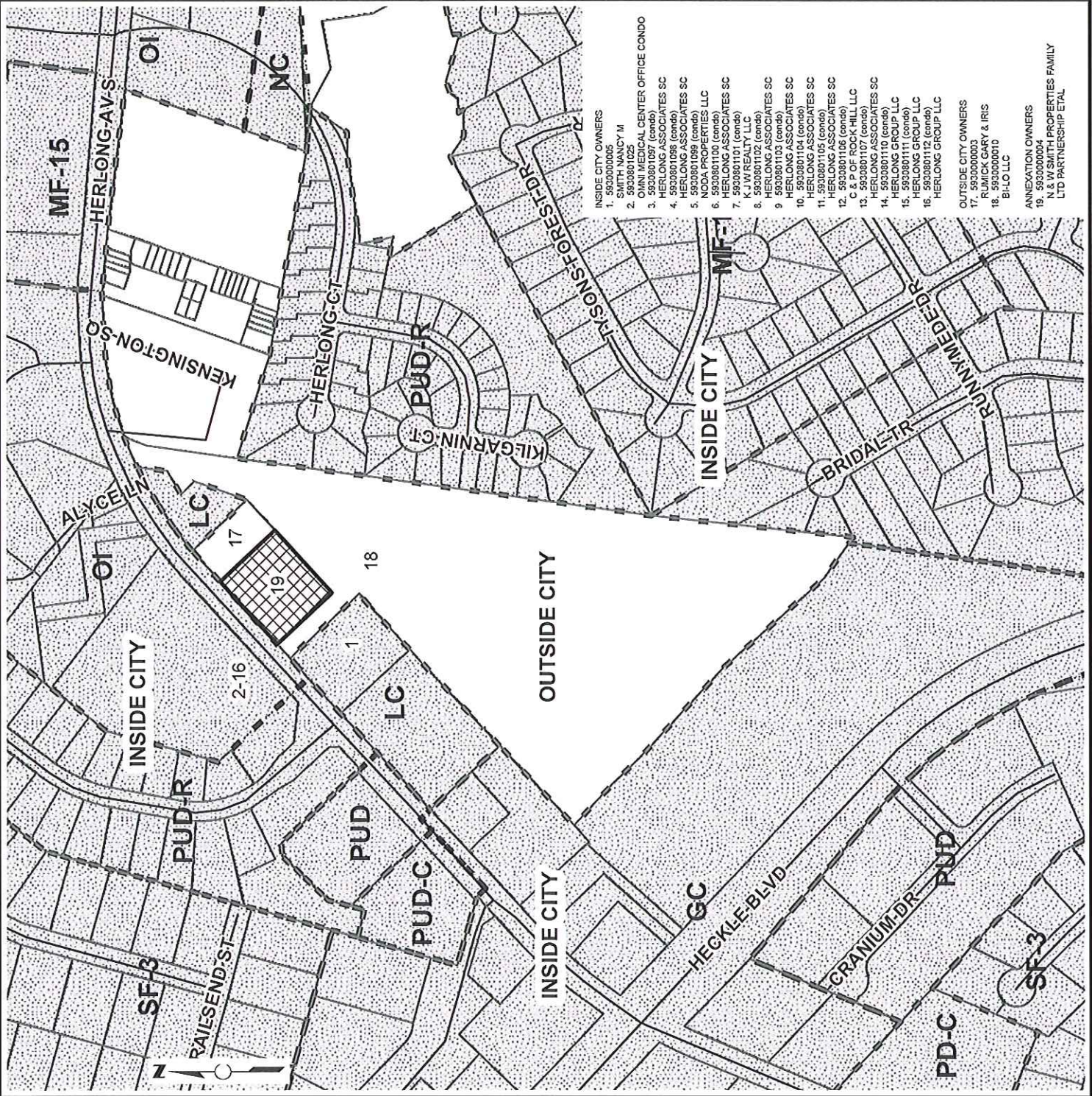


ZONING: LC
WARD: WARD 4
ACREAGE: 0.92



THIS MAP WAS COMPILED FROM PLATS AND
OTHER AVAILABLE INFORMATION.
NO ACTUAL FIELD SURVEY WAS PERFORMED.

DATE: 12/16/10
ADMINISTRATOR: [Signature]







- INSIDE CITY OWNERS
1. 5930000005
SMITH NANCY M
 2. 5930011025
CENTRAL CENTER OFFICE CONDO
 3. 5930011027 (condo)
HERLONG ASSOCIATES SC
 4. 5930011038 (condo)
HERLONG ASSOCIATES SC
 5. 5930011059 (condo)
NODA PROPERTIES LLC
 6. 5930011100 (condo)
HERLONG ASSOCIATES SC
 7. 5930011101 (condo)
HERLONG ASSOCIATES SC
 8. 5930011102
HERLONG ASSOCIATES SC
 9. 5930011103 (condo)
HERLONG ASSOCIATES SC
 10. 5930011104 (condo)
HERLONG ASSOCIATES SC
 11. 5930011105 (condo)
HERLONG ASSOCIATES SC
 12. 5930011106 (condo)
ROCK HILL LLC
 13. 5930011107
HERLONG ASSOCIATES SC
 14. 5930011110 (condo)
HERLONG GROUP LLC
 15. 5930011111 (condo)
HERLONG GROUP LLC
 16. 5930011112 (condo)
HERLONG GROUP LLC
- OUTSIDE CITY OWNERS
17. 5930000003
RUMICK GARY & IRIS
 18. 5930000010
BI-LO LLC
- ANNEXATION OWNERS
19. 5930000004
N & W SMITH PROPERTIES FAMILY LTD PARTNERSHIP ETAL



ROCK HILL
SOUTH CAROLINA

M-2011-01

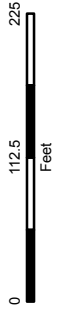
Legend

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

Zoning Data

Current:
BD-III(County)

Proposed: LC



Development Services
Department
City of Rock Hill
1/27/11

