



Rezoning Analysis-Report to City Council

Meeting Date: January 10, 2011

Location:	A portion of the property at 2280 Saluda Rd., fronting Harper Gault Rd., Tax Map #604-06-01-118 (portion).
Site Area:	Approx. 1 acre
Request:	Rezone property from Single-Family Residential-3 (SF-3) to Community Commercial (CC).
Proposed Development:	Communications Tower
Owner/Applicant:	Rock Hill Country Club (Kevin Hart, GM) 803.328.1894

Site Description

The subject property is at the corner of the Country Club's driving range, in the area that is currently used to store sand. It is located on the south side of the City and fronts on a local roadway (Harper Gault Rd). Surrounding uses include the driving range, golf course, and single-family residential lots in residential and commercial zoning districts. The northernmost portion of the driving range, at the Saluda Rd/Harper Gault Rd intersection, is zoned BD-III in York County. Approximately 40% of the area proposed for rezoning is within a high-tension power line right-of-way.

Development Proposal

The applicant is requesting the rezoning in order to facilitate the development of a communications tower on the property. The proposed tower would be 200' high and located on a 100' x 100' site leased from the Country Club. Access would be provided by an existing drive from Harper Gault Rd. The proposed tower would be a self-supporting steel lattice structure. In addition to the minimum building setbacks of the CC zoning district, self-supporting towers are required to provide an additional setback equal to 10% of the tower height.

Please see attached letter from Keith Powell, on behalf of the applicant, providing information on the need for the rezoning and outlining how the proposal relates to the factors that are considered in the review of rezoning applications.

Please note that the applicant has considered the option of applying to York County to place the tower on the property that is zoned BD-III at the Saluda Rd/Harper Gault Rd intersection. The applicant decided not to pursue this option because it would be a much more visible location.

Existing Zoning District Summary

Single-Family Residential-3 (SF-3)- The SF-3 district is established as a district in which the principal use of land is single-family detached residential development at a moderate density. The regulations of this district are intended to discourage any use that would substantially interfere with the development of single-family detached dwellings and that would be detrimental to the quiet residential nature of the district.

Complementary uses customarily found in residential zone districts, such as community facilities, religious institutions, parks and playgrounds, and elementary schools, are also allowed. The minimum lot area for development is fourteen thousand (14,000) square feet and the maximum density allowed is three (3) units per acre.

Proposed Zoning District Summary

Community Commercial (CC)- The CC district is established and intended to provide lands for business uses that provide goods and services to residents of the entire community, including shopping centers and large retail establishments over twenty thousand (20,000) square feet in size. These commercial uses should provide appropriate appearance, parking, traffic movement, and landscaping elements, and protect abutting residential areas from adverse impacts. The CC district should typically be located along major arterials, at the intersection of arterials, and along growth corridors as identified in the *General Plan*, but should not create or promote strip commercial development. Higher density residential uses are allowed above street-level, and as separate stand-alone uses.

INFRASTRUCTURE CONSIDERATIONS

Transportation

The property has frontage on and will be accessed from Harper Gault Rd, a local street. The traffic impact of the proposed development would be negligible.

Public Utilities

All necessary utilities are available to the site.

RELATIONSHIP TO PUBLIC PLANS

Comprehensive Plan

The City's Livable Land Use Map indicates that this parcel has a Neighborhood Mixed Use (NMU) land use designation on the property. The NMU classification is applied to areas of the City that have or are envisioned to have a diverse mix of moderately dense residential housing and neighborhood scale, nonresidential land uses. The intent of the NMU classification is to create an interesting and lively residential community by integrating a diverse mix of housing choices with complementary neighborhood-scale nonresidential land uses to serve the immediate neighborhood community such as public parks and recreation facilities, restaurants, barber shops or hair salons, post offices, libraries, retail centers, offices, day cares, places of workshop, education facilities, and other similar uses. The NMU classification should not be used to support and/or continue strip type commercial development. NMU areas should have immediate access to collector or arterial type roadways.

Conclusion

The requested rezoning is generally not consistent with the adopted City of Rock Hill Comprehensive Plan and Livable City Land Use Map because it is not within an area that is designated as a Commercial Activity Center.

PUBLIC INVOLVEMENT

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

- Nov. 7 & 21: Planning Commission public hearing advertisements published in *The Herald*.
- Nov. 19: Rezoning notification signs posted on subject property.
- Nov. 19: Rezoning notification postcards sent to property owners within 300' of the subject property. A total of 12 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 7, 2010. No one from the public spoke. The applicant presented information about the proposal.

Mr. Keith Powell, Oasis Consulting Inc., 886 Johnny Dodds Blvd, Suite 104, Mt. Pleasant, SC, (applicant's representative) stated that his company had been working with the country club and Comporium Communications for over a year on this property and have looked at many different options. This is an ideal location. We try to locate towers in areas where there are similar uses to provide a camouflaging effect. People are used to seeing the power line towers in this area. The small size of the parcel is intended to limit the use of the property to the tower use. The CC zoning is the only district that would allow a tower of the height needed and the proposed tower is shorter than the height that is allowed in the CC district.

Mr. Roper asked that Mr. Powell address the poor service area as was stated in the letter submitted with the staff report. Mr. Powell stated that as the population grows, so do communications needs and as people transition more to wireless phone use, Comporium was striving to provide a better coverage area. He stated that a tower would best serve that area of the City. He added that there were not any structures in that area at the height needed to provide for collocation.

RECOMMENDATIONS

Staff Assessment

Although the proposed CC zoning may not be in concert with the Comprehensive Plan's land use designation, this proposal presents a unique situation. The need for improved telecommunications infrastructure should also be considered. The Community Commercial district is intended to accommodate large-scale business uses in high-traffic areas but it is also the least intense district that would allow a communications tower of the height needed to serve this area. The following aspects of the site and the surrounding area help to ease staff's concerns with the proposed zoning:

- The site's limited size and the fact that it is owned by the Country Club severely limit the possibility of any other type of development occurring on the site.
- The adjacent high-tension power lines are similar in appearance to the proposed tower.

- The adjoining residential lots contain mature vegetation that will help reduce the visual impact of the proposed tower.

In the absence of another zoning alternative, the Planning Commission should weigh all of these factors in determining the recommendation to City Council. The regulations for communications towers were written many years ago and have largely gone unchanged. Staff will be reviewing these regulations over the coming months to determine what updates are needed based on the continually evolving nature of the wireless communications industry.

Staff Recommendation

Staff recommends approval of the proposed Community Commercial (CC) zoning.

Planning Commission Discussion

At their December 7, meeting, the Planning Commission held the following discussion:

Mr. Roper asked about the distance between the subject parcel and the parcel that is zoned BD-III, to the north. Mr. Hawkins stated that it is about 370' from the northern tip of the subject property to the southern edge of the BD-III parcel.

Mr. Roper asked what the minimum lot size is to not have spot zoning. Mr. Hawkins stated that the minimum lot size in the Community Commercial (CC) zoning district is one acre and that there are other factors to be considered.

Mr. Roper asked if the county's zoning classification of BD-III was comparable to Community Commercial (CC). Mr. Hawkins stated that it was.

Mr. Greene indicated the parcel to the north at the intersection of Saluda Road and Harper Gault Road and asked if the country club could decide to place the tower on that parcel. Mr. Hawkins stated that it could, provided it was approved by the county's zoning board.

Mrs. Easley asked if any of the residents had contacted staff about the application. Mr. Hawkins stated there had been none.

Mrs. Easley asked if there were any additional deed restrictions. Mr. Hawkins stated that none had been indicated by the applicant that prohibited a tower and that he was unaware of any additional restrictions.

Mr. Roper asked if there were any traffic counts for Saluda Rd and Harper Gault Rd. Mr. Hawkins stated that there were and Mr. Roper asked that those be included in the record. Mr. Roper observed that Harper Gault Road was not a major arterial and that Saluda Road was a major arterial. Mr. Hawkins added that Harper Gault Road experienced some school traffic but nothing to the level of Saluda Road.

Mr. Smalls stated that the indicated location for the tower was much better than the location at the intersection because of the inability to use the land for anything else and the number of trees on the parcel.

Mrs. Gathings asked if this would be a freestanding tower. Mr. Hawkins stated that it would be freestanding and that there would be no guy wires. He added that the tower was of a steel lattice construction that provided for a smaller footprint.

Planning Commission Recommendation

Following the public hearing at their Dec. 7, 2010, meeting, the Planning Commission voted 5-0 to recommend approval of the rezoning.

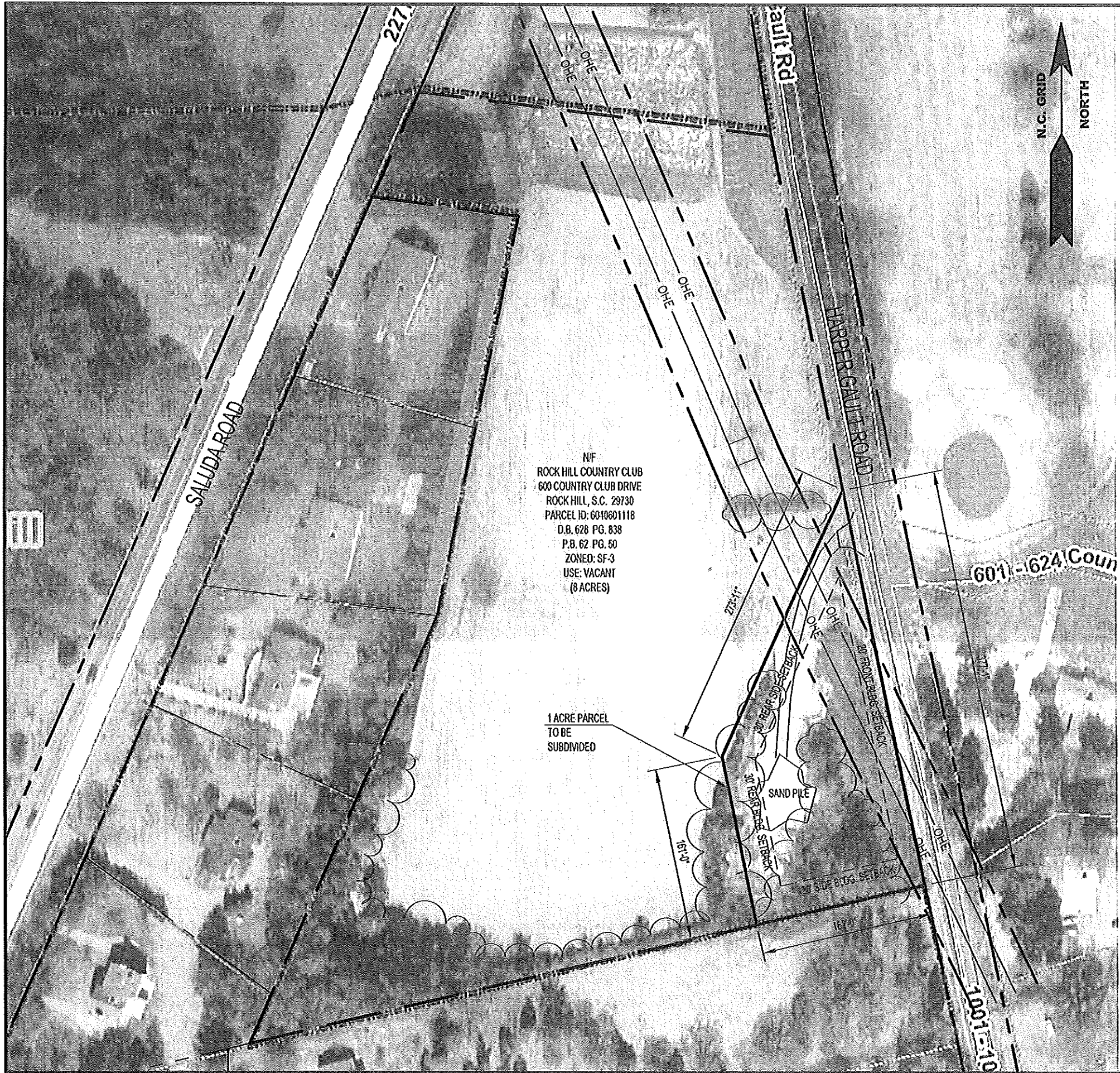
Attachments

- Site Map
- Site Map with Aerial Photo Overlay
- Rezoning Map
- Letter from Keith Powell dated Nov. 19, 2010

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

- Rezoning Application
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Staff Contact: Eric S. Hawkins, AICP, Planner III
ehawkins@cityofrockhill.com
803.329.8763



N/F
 ROCK HILL COUNTRY CLUB
 600 COUNTRY CLUB DRIVE
 ROCK HILL, S.C. 29730
 PARCEL ID: 6040601118
 D.B. 628 PG. 838
 P.B. 62 PG. 50
 ZONED: SF-3
 USE: VACANT
 (8 ACRES)

1 ACRE PARCEL
 TO BE
 SUBDIVIDED

NOTE:
 THIS DRAWING IS AN EXHIBIT ONLY PREPARED FROM
 GIS AND OTHER AVAILABLE INFORMATION.

McCutchen Engineering Associates, PC
 888 W. Saint John St., Spartanburg, S.C. 29301
 Phone: 864 582 0585 | Fax: 864 582 0581

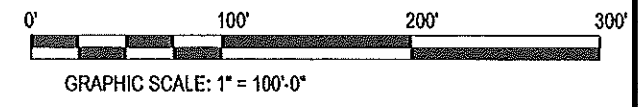
GOOCH & ASSOCIATES, P.A. - SURVEYORS
 P.O. BOX 587
 SPARTANBURG, S.C. 29304
 PHONE 864 - 582-1709

**ROCK HILL COUNTRY CLUB
 COMPOSIUM WIRELESS
 NEAR 1020 HARPER GAULT ROAD
 ROCK HILL, S.C. 29730
 YORK COUNTY**

JSG
 Surveyor
 WGW
 Drawn By
 09/20/10
 Date
 0 INITIAL ISSUE 10/13/10

Project Number
 1002.002
**AERIAL OVERLAY
 SURVEY SKETCH**

Sheet Number:
RZP 002









ROCK HILL
SOUTH CAROLINA

M-2010-13

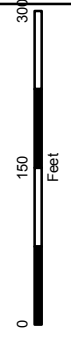
Legend

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

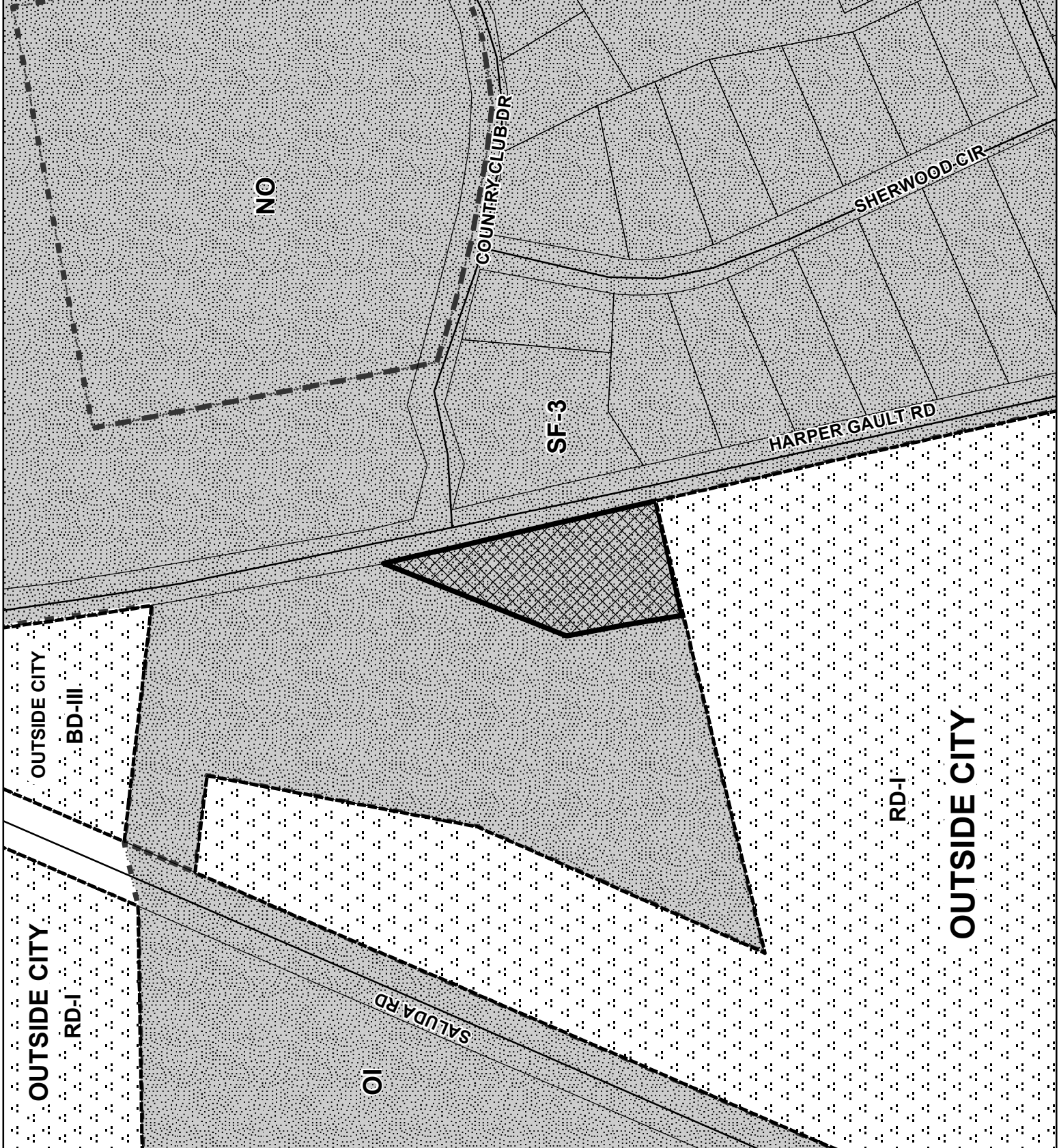
Zoning Data

Current: SF-3

Proposed: CC



Development Services
Department
City of Rock Hill
11/30/10



OUTSIDE CITY
RD-I

OUTSIDE CITY
BD-III

OI

RD-I

OUTSIDE CITY



Keith Powell
Oasis Consulting of the Carolinas, LLC
886 Johnny Dodds Blvd., Suite 104
Mount Pleasant, SC 29464

Via Email

November 19, 2010

Eric Hawkins
City of Rock Hill
155 Johnson Street
Rock Hill, SC 29732

Re: Rock Hill Country Club property rezoning (portion of TMS parcel #6040601118)

Dear Mr. Hawkins,

I hope this letter finds you well. The information provided below are responses to Staff Comments regarding project 2010427, Rock Hill Country Club Rezoning, 600 Country Club Drive. You requested additional information to consider and weigh the relevance of the following factors: (Responses to the requested factors are listed below the factor in **bold print**):

1. Consistent with General Plan, Focal Point, and Sub-Area Plans

Whether and the extent to which the proposed amendment is consistent with the General Plan, and any relevant adopted Focal Point or Sub-area Plans.

The proposed rezoning is consistent with nearby zoning districts, however does not lie within any General Plan, Focal Point, or Sub-area Plans. No major use or roadway are being changed, disturbed, or altered. Additionally, the proposed zoning change and the proposed subdivision will not change the primary use (Duke high tension power easement infrastructure, RHCC driving range, and accessory golf course raw material storage) of the parent parcel.

2. Changed Conditions

Whether and the extent to which there are changed conditions that require an amendment.

The changing environment, growth patterns, and demands for wireless infrastructure within this general vicinity of City of Rock Hill. Wireless infrastructure is no different than other common infrastructure needed to serve this growing area.

3. Community Need

Whether and the extent to which the proposed amendment addresses a demonstrated community need.

Cellular telephone coverage in this area is very weak or non-existent for Comporium and other wireless carriers. The proposed communication facility will provide a necessary community need for communication, but also will provide additional infrastructure that enhances connection and effective access to E-911 and first responder service for fire, police, and EMS service. On a daily basis in South Carolina, between 50% to 70% of all 911 calls are made from wireless communication devices. In addition, approximately 20% of all residences have gone wireless only. This number continues to grow on a monthly basis.

4. Compatible with Surrounding Uses

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land.

This is an ideal location for the proposed communications facility due to the presence of the existing Duke high tension power line and related infrastructure. The proposed communications facility will be an un-manned facility that provides local wireless communications services. The adjacent uses surrounding this proposed parcel are a golf course, golf course maintenance facility, driving range, overhead high tension utilities, and residential properties. The proposed facility would be allowed on the immediately adjacent properties in unincorporated York County (Those which are zoned RD-1 and immediately adjacent to high tension power lines.)

The RHCC and Comporium feel the rezoning and location of this proposed parcel and facility is an ideal location. The proposed rezoning of the one-acre (+or-) parcel will restrict the available uses due to the size and location of the existing Duke high tension power line and related infrastructure. By locating on this parcel the proposed facility will be camouflaged due to the current uses and the natural buffer which effectively shields the view of the existing ground equipment from adjacent properties. Due to the minimal size of the proposed parcel remaining after development, it will be highly unlikely for the parcel to be utilized for any other uses available under the CC zoning.

5. Development Patterns

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern, or deviate from logical and orderly development patterns.

The purpose of the proposed and facility is to provide wireless infrastructure to serve the surrounding area. Locating common infrastructure elements (Duke high tension power line infrastructure, Wireless Communications infrastructure) is a normal and preferred method of implementing vital and necessary infrastructure resulting in a logical and orderly development pattern of the surrounding area.

6. Premature Development

Whether and the extent to which the proposed amendment would encourage pre-mature development.

Not applicable. Due to the size and compatibility of infrastructure uses, and consequently, no premature development would occur.

7. Strip or Ribbon Commercial Development

Whether and the extent to which the proposed amendment would result in strip or ribbon commercial development.

Not applicable. Due to the size and compatibility of infrastructure uses, and consequently, no strip or ribbon development would occur.

8. Isolated Zone District

Whether and the extent to which the proposed amendment will result in the creation of an isolated zone district unrelated to adjacent and surrounding zone districts.

There are similar zoned parcels located in the City of Rock Hill and unincorporated York County within 370-feet of the proposed parcel.

9. Property Values

Whether and the extent to which the proposed amendment will result in significant adverse impacts on the property values of surrounding lands.

After extensive review and due diligence, it has been determined that communications facilities do not result in any adverse impact on property values to adjacent properties. The proposed use is almost identical to the existing use on this and nearby and adjacent parcels.

10. Effect on Natural Environment

Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The proposed zoning change and applicable use will have no impact the natural environment.

In the meantime, if you have any questions please feel free to contact me at 843-324-9745. Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Powell', written in a cursive style.

Keith Powell
Oasis Consulting of the Carolinas, LLC