



CITY OF HENDERSONVILLE PLANNING BOARD - CURRENT PLANNING COMMITTEE

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Monday, June 13, 2022 – 2:30 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Rezoning: Conditional Zoning District – AAA Storage (P22-37-CZD) – *Matthew Manley, AICP – Planning Manager*
 - B. Rezoning: Standard Rezoning – Erkwood Dr - Kilpatrick (P22-48-RZO) – *Matthew Manley, AICP – Planning Manager*
 - C. Rezoning: Standard Rezoning – Upward Rd-Justus-Erwin (P22-49-RZO) – *Matthew Manley, AICP – Planning Manager*
 - D. Rezoning: Standard Rezoning – Edwards Park (P22-52-RZO) – *Matthew Manley, AICP – Planning Manager*
6. **OTHER BUSINESS**
7. **ADJOURNMENT**

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the Community Development Department no later than 24 hours prior to the meeting at 828-697-3010.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager

MEETING DATE: June 13, 2021

AGENDA SECTION: New Business

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – AAA Storage (P22-37-CZD) – Matthew Manley, AICP – Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-75-6816) from R-15 (Medium Density Residential) to PCD (Planned Commercial Development – Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated May 18, 2022,] and presented at this meeting and subject to the following::

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses

Permitted Uses:

1. Mini-warehouses

[for amendments to uses or conditions discussed and agreed upon in the Council meeting (between City & Developer) and not yet represented on the site plan, please use the following language, disregard #2 if not needed]

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:

3. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

The subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-75-6816) from R-15 (Medium Density Residential) to PCD (Planned Commercial Development – Conditional Zoning District) based on the following:

1. **The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth area’ according to the City’s 2030 Comprehensive Plan.

2. **We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:**

1. Business Center does not recommend mini-warehouses or self-storage (supportive neighborhood retail and services) along minor thoroughfares. (LU-13.3)

[DISCUSS & VOTE]

<p>area' according to the City's 2030 Comprehensive Plan.</p> <p>4. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <ol style="list-style-type: none"> 1. The development of mini-warehouses will be an extension of an existing use. 2. The mini-warehouses will be in close proximity to recently-approved affordable, multi-family housing. 3. The petition provides access from a minor thoroughfare as required in the PCD zoning district <p>[DISCUSS & VOTE]</p>	
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***SUMMARY:** The City of Hendersonville is in receipt of an application for a Conditional Zoning District from Dennis J. Dorn – CD-MAT LLC. At NC LL Company [Applicant] and Thomas and Sherry Thompson [Owners]. The applicants are requesting to rezone the subject property, PIN 9579-75-6816 located at 762 Suglarloaf Road, from R-15, Medium Density Residential to PCD CZD, Planned Commercial Development Conditional Zoning District for the expansion of the existing AAA Storage facility.*

The proposal includes the addition of 5 buildings totaling 49,692 Sq Ft. This is in addition to the existing 7 buildings and approximate 67,570 Sq Ft of mini-storage on the adjacent site.

The proposal would include a recombining of the subject property with the adjacent lot to create a single parcel. The proposed mini-storage would be on a 2.48 acre parcel. Once combined, the site will be a total of 8.28 acres.

No other uses are proposed to be permitted by the rezoning.

PROJECT/PETITIONER NUMBER:	P22-37-CZD
PETITIONER NAME:	Dennis J. Dorn – CD-MAT LLC. At NC LL Company. [Applicant] Thomas and Sherry Thompson [Owner]
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Neighborhood Compatibility Summary 3. Tree Board Summary 4. Proposed Site Plan / Elevations 5. Proposed Zoning Map 6. Draft Ordinance 7. Application / Owner Signature Addendum

REZONING: CONDITIONAL REZONING – AAA STORAGE (P22-37-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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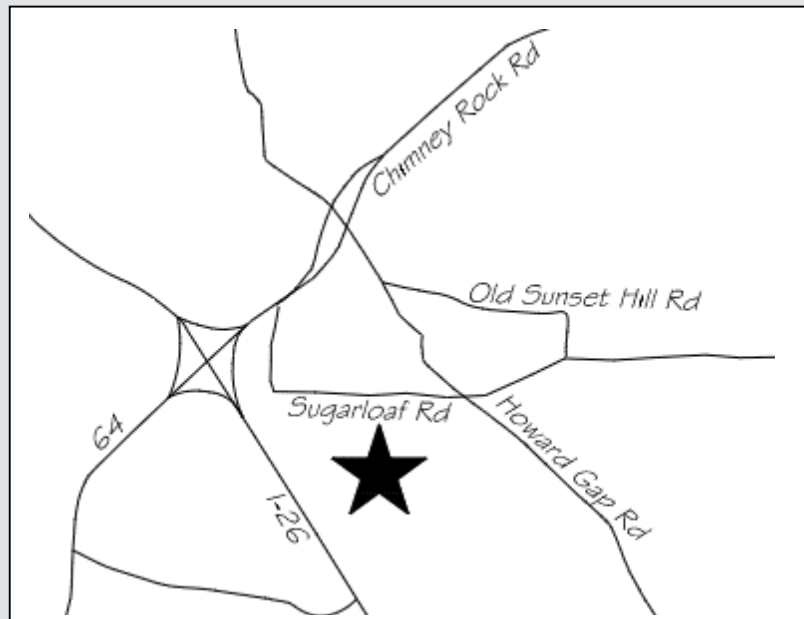
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PROJECT SUMMARY

- Project Name & Case #:
 - AAA Storage
 - P22-37-CZD
- Applicant & Property Owner:
 - Dennis J. Dorn – CD-MAT LLC. At NC LL Company [Applicant]
 - Thomas and Sherry Thompson [Owner]
- Property Address:
 - 750, 762, and 780 Sugarloaf Rd
- Project Acreage:
 - 2.25 Acres
- Parcel Identification (PIN):
 - 9579-75-6816
- Current Parcel Zoning:
 - R-15 Medium Density Residential
- Future Land Use Designation:
 - Business Center
- Requested Zoning:
 - Planned Commercial Development Conditional Zoning District (PCD)
- Requested Uses:
 - Mini-warehouses
- Neighborhood Compatibility Meeting:
 - May 4, 2022



SITE VICINITY MAP

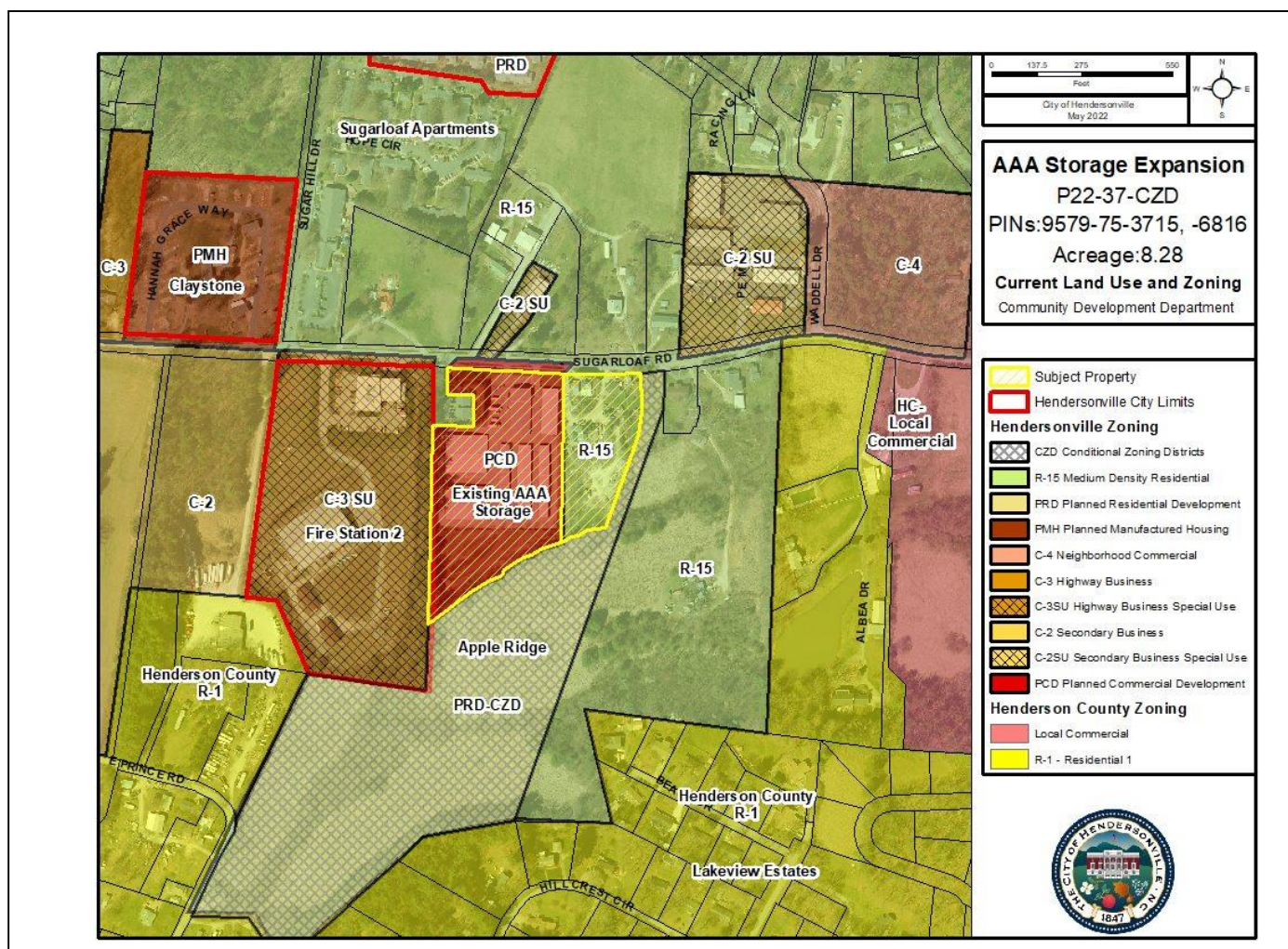
The City of Hendersonville is in receipt of an application for a Conditional Zoning District from Dennis J. Dorn – CD-MAT LLC. At NC LL Company [Applicant] and Thomas and Sherry Thompson [Owners]. The applicants are requesting to rezone the subject property, PIN 9579-75-6816 located at 762 Sugarloaf Road, from R-15, Medium Density Residential to PCD, Planned Commercial Development Conditional Zoning District for the expansion of the existing AAA Storage facility.

The proposal includes the addition of 5 buildings totaling 49,692 Sq Ft. This is in addition to the existing 7 buildings and approximate 67,570 Sq Ft of mini-storage on the adjacent site.

The proposal would include a recombining of the subject property with the adjacent lot to create a single parcel. The proposed mini-storage would be on a 2.48 acre parcel. Once combined, the site will be a total of 8.28 acres.

No other uses are proposed to be permitted by the rezoning.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is surrounded by a variety of zoning classifications and uses. The uses range from single family residential to mini warehouses and public facilities.

Parcels to the east/southeast are zoned PRD, R-15 and Henderson County R-1. This area is comprised of the recently approved Apple Ridge single-family/multi-family development and Lake View Estates neighborhood - consists of mostly single-family residences with some two-family residences mixed in.

Parcels to the west primarily contain commercial uses and zoning classifications. This area contains City of Hendersonville Fire Station # 2, existing AAA mini-storage, vacant land, and The Cascades Mountain Resort.

Parcels to the north are zoned commercial and residential. This area contains high density residential uses such as the Claystone Manufactured Housing Development and the Sugar Loaf and Sugar Hill apartments.

SITE IMAGES



View looking west along Sugarloaf Rd. Existing AAA Storage facility pictured to left.



View facing east on Sugarloaf along frontage of proposed facility expansion.

SITE IMAGES



View facing west along frontage of proposed facility



View facing towards interior of site from driveway of one of structures to be removed

SITE IMAGES



View of interior of the site where structures will be removed



View of interior of site

SITE IMAGES

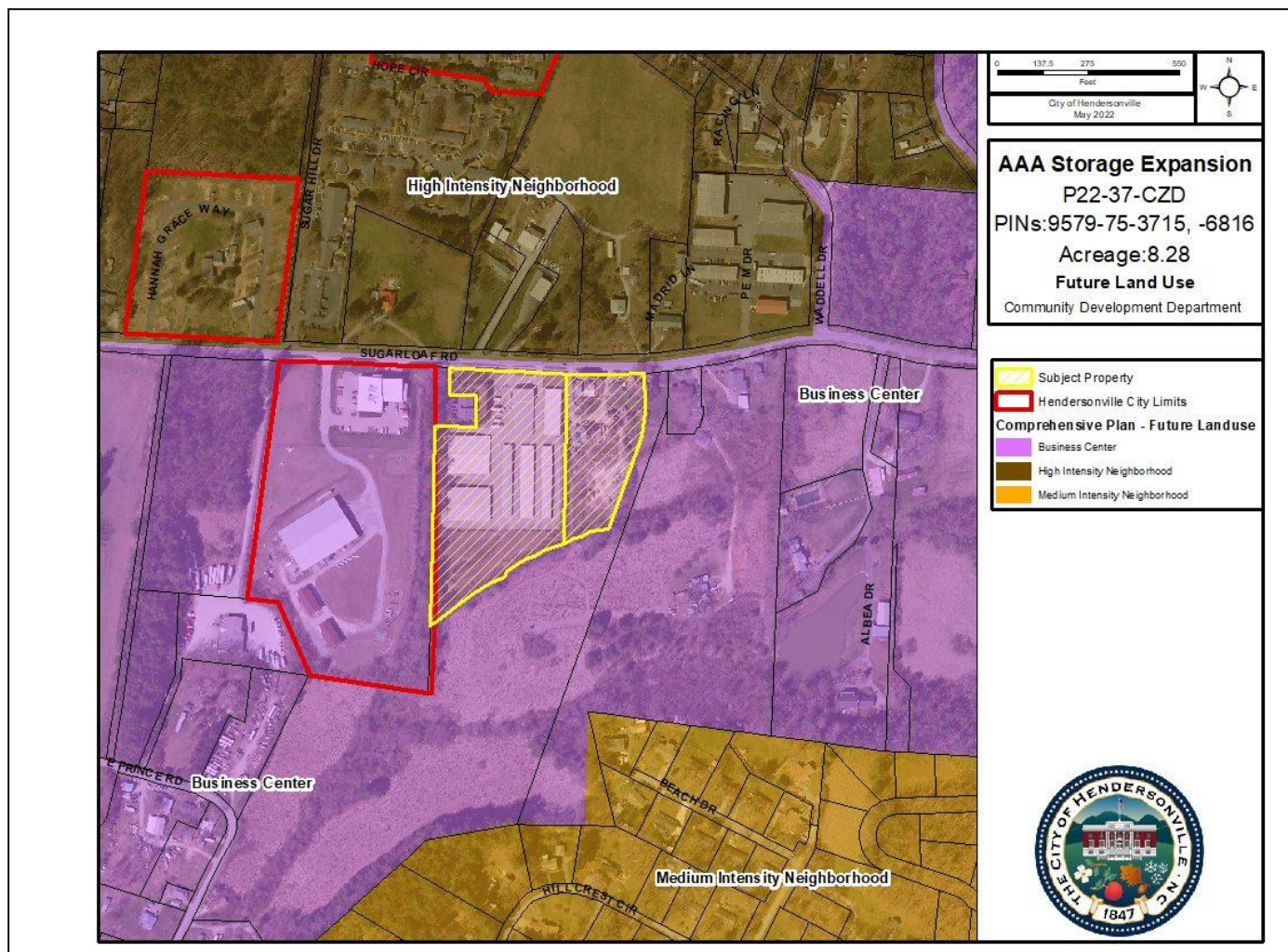


View of interior of the site where structures will be removed



View of existing self-storage structures which border the proposed expansion area. Existing tree buffer likely to be impacted by proposed project

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The site is designated as Business Center due to its proximity to I-26. Business Center is designated for parcels that:

- Front along I-26
- Areas in proximity to Blue Ridge Community College
- Existing, older industrial properties.

Parcels to the south are designated as Medium Intensity Neighborhood. This classification represents the Lake View Estates neighborhood that encompasses the majority of this area. Parcels to the north are designated as High Intensity Neighborhood. This area has a mix of uses including commercial, multi-family housing and a manufactured housing development. Parcels to the northwest are designated as Regional Activity Center. This designation reflects the commercial node around the I-26 interchange with US 64/Chimney Rock Road.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	Goal LU-13 Business Center: <i>Create an employment corridor along I-26 that supports the growth of Hendersonville as a business destination. Create a campus-like, mixed-use environment that includes office, research, and low-impact industrial uses, as well as supportive retail amenities</i> [CONSISTENT]
	Strategy LU-13.2. Primary recommended land uses: <i>Offices, Research facilities, Educational Centers</i> [INCONSISTENT]
	Strategy LU-13.3 Secondary recommended land uses: <i>Supportive neighborhood retail and services along major thoroughfares</i> [INCONSISTENT – Sugarloaf Rd is a minor thoroughfare]
	Strategy LU-13.4. Development guidelines: <i>At least 30% open space in new developments greater than five acres</i> [INCONSISTENT] <i>Moderate front setbacks and appropriate landscaping</i> [CONSISTENT] <i>Encouragement of pedestrian connections to multi-use pathways and between uses</i> [INCONSISTENT]
Land Use & Development	<i>The property is designated as a “Priority Growth Area” on the Growth Management Map (Map 8.3a). “Areas that are considered a high priority for expansion of the ETJ, annexation, and extension of infrastructure and services”. [CONSISTENT]</i>
	<i>The project area is identified as a “development opportunity” in the Comprehensive Plan’s Map 8.2b: Development Framework. This includes vacant land, agricultural land, and single-family residential properties greater than five acres. [CONSISTENT]</i>
	<i>Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development [CONSISTENT]</i>
Population & Housing	<i>Strategy PH-1.4. Allow redevelopment and/or reuse of single-family homes that directly front on arterials into office or high-density residential uses in coordination with the Future Land Use Map</i>
	<i>Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.</i>
Natural & Environmental Resources	<i>Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat</i>
	<i>Strategy NR-1.3. Encourage restoration of natural habitat and drainage patterns in developed areas.</i>
Cultural & Historic Resources	No Goals, Strategies or Actions are directly applicable to this project.
Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	<i>Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management</i>
Transportation & Circulation	<i>Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	A mix of commercial and residential uses are found in the immediate area. Single family residential and multi-family residential are both found near the proposed project area.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The subject property was subdivided from the adjacent land to the east and south. The remainder of the subdivided land was approved for the Apple Ridge development which consist of 60 apartment units and 20 single-family homes.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	By all indications there is high market demand for additional self-storage.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The site will be served by City water and sewer service. Sugarloaf Rd is designated as a minor thoroughfare on the comprehensive transportation plan and is maintained by NCDOT. The subject property will be serviced by the City Fire Dept and will also be served by the City of Hendersonville Police.
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, streams, vegetation, wetlands and wildlife -
	The subject property features 19 trees that are proposed to be cleared. This includes 12 Pines, 5 Poplars, 1 Oak and 1 Maple. The developer has indicated that a few poplars at the rear of the property may be retained. There is also a stream at the rear of the property. A portion of this stream is proposed to be piped. A Nationwide permit from the Army Corp of Engineers would be required for the piping. The area disturbed by the piping will be revegetated.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth area’ according to the City’s 2030 Comprehensive Plan.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The development of mini-warehouses will be an extension of an existing use.*
- *The mini-warehouses will be in close proximity to recently-approved affordable, multi-family housing.*
- *The petition provides access from a minor thoroughfare as required in the PCD zoning district*

DRAFT [Rational for Denial]

- *Business Center does not recommend mini-warehouses or self-storage (supportive neighborhood retail and services) along minor thoroughfares. (LU-13.3)*

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

PROPOSED REQUEST DETAILS

- Site Plan Summary:
 - The site plan accompanying this petition contains the following provisions:
 - 5 mini-warehouse buildings totaling 49,692 Sq Ft
 - Building 1 & 2 – 12,000 Sq Ft
 - Building 3 – 6,600 Sq Ft
 - Building 4 – 8,800 Sq Ft
 - Building 5 – 10,292 Sq Ft
 - Driveways, Parking and Sidewalks totaling 27, 414 Sq Ft
 - Common Open Space totaling 11,026 Sq Ft
- Proposed Uses:
 - Mini-warehouses
- Developer Conditions:
 - Developer Proposed Concessions:
 - N/A
 - Developer Proposed Conditions:
 - A 10' Setback is proposed (along the eastern property boundary) as there is an approved Right-of-Way on the adjacent property (Apple Ridge) that has not been platted yet. Once platted, the proposed setbacks will conform with zoning code standards.

OUTSTANDING ISSUES & PROPOSED CONDITIONS

COMMUNITY DEVELOPMENT

Site Plan Comments:

The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Planned Commercial Development (5-15) with the following exceptions:

- A number technical corrections were provided to the applicant. Each of these were resolved.

Proposed City-Initiated Conditions:

- None

CITY ENGINEER

Site Plan Comments:

- Please show post-construction stormwater management facilities and erosion control basins for proposed work. [resolved]
- Are stream and wetland to be filled/piped? Is US Army COE permitting underway? [resolved]
- Show blueline stream with stream buffers [resolved]

- Has recombination occurred (2 different property owners)? Existing SCM maintenance agreement with current storage unit owner. [resolved]

Proposed City-Initiated Conditions:

- None

WATER / SEWER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FIRE MARSHAL

Site Plan Comments:

- Not within Fire District
- Add gate off proposed road for Apple Ridge

Proposed City-Initiated Conditions:

- None

STORMWATER ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FLOODPLAIN ADMINISTRATOR

Site Plan Comments:

- Differentiate on the plan work that is proposed as part of this project from work 'by others'. [resolved]

Proposed City-Initiated Conditions:

- None

PUBLIC WORKS

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

NCDOT

Site Plan Comments:

- Driveway permit and sidewalk encroach will be required at Final Site Plan

Proposed City-Initiated Conditions:

- None

TRANSPORTATION CONSULTANT

Site Plan Comments:

- The proposed use did not trigger a TIA

Proposed Condition:

- None

TREE BOARD

Site Plan Comments & Recommended Conditions:

- See attached Tree Board Summary



NEIGHBORHOOD COMPATIBILITY MEETING REPORT

AAA STORAGE (P22-37-CZD)

NCM Meeting Dates: May 4, 2022

PETITION REQUEST: Rezoning: Planned Commercial Development - Conditional Zoning District (PCD)
APPLICANT/PETITIONER: Dennis J. Dorn – CD-MAT LLC. At NC LL Company [Applicant] & Thomas and Sherry Thompson [Owner]

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on May 4, 2022 at 2pm in the City Operations Building at 305 Williams St and via Zoom. The meeting lasted approximately 17 minutes.

There were no members of the public in attendance in-person while only 1 other attended virtually. In attendance were the applicants and their development team and 2 members of City staff.

Staff gave the formal introduction and a brief overview of the request.

There were no pre-submitted.

The development team was allowed to present their project proposal for the expansion of the AAA Storage Facility.

Concerns and questions from the public related to impacts to consideration of impacts from stormwater, security, and circulation of traffic. In general, comments were favorable for the development.

Full minutes from the Neighborhood Compatibility Meeting and pre-submitted public comments are available for review by request.



TREE BOARD RECOMMENDATION

AAA STORAGE (P22-37-CZD)

MEETING DATE: MAY 17, 2022

PETITION REQUEST: Rezoning: Planned Commercial Development - Conditional Zoning District (PCD)

APPLICANT/PETITIONER: Dennis J. Dorn – CD-MAT LLC. At NC LL Company. [Applicant] & Thomas and Sherry Thompson [Owner]

TREE BOARD ACTION SUMMARY:

The developer presented to the Tree Board at a regular meeting on May 17, 2022. The following Tree Board members were present: Mark Madsen, Mary Davis, Andy Crawford, Glenn Lange, Mac Brackett, Landon Justice, and Pat Christie. The following recommendations were made:

SUMMARY

The subject property features 19 trees that are proposed to be cleared. This includes 12 Pines, 5 Poplars, 1 Oak and 1 Maple. The developer has indicated that a few poplars at the rear of the property may be retained. There are also trees on the adjacent property that is proposed to be expanded that will be impacted by the proposed development – specifically a row of maturing maples that currently serve as a buffer. These were not shown on the Tree Survey as they are not on the subject property.

MOTION

Based on the following guiding city code documents (the Municipal Code, Chapter 46, Article IV, Division I, Trees & Shrubs, Section 46, 116 & 117; the Zoning Code, Article XV Buffering, Screening & Landscaping Sections 15-1, A & C and 15-4 A; the Subdivision Ordinance, Purpose and Intent, Section 1.04, Part H; and the Comprehensive Plan, Vision Statement and Section 3.3, Goal NR-1, Strategy 1.2 and Goal NR-2, Strategy 2.3) and the City Council's adoption (Feb., 2021) of core values and beliefs as guiding principles as they apply to protection of natural resources and the prioritization of existing tree canopy, the Tree Board recommends the following development conditions be placed on this property:

1. All preserved trees must be protected from construction activities as prescribed in the zoning code 15-4c regardless of use for a tree credit.
2. Eradicate invasive plant species throughout the property as listed in the Recommended

Landscape Species List for Street Trees and Land Development Projects.

BOARD ACTION

Motion: Lange

Yeas: All

Nays: None

Recused: None

WGLA Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

AAA Storage Proposed Expansion

Hendersonville Township
Henderson County
North Carolina

Preliminary
Not For
Construction

REVISIONS	
DATE	DESCRIPTION
5/16/22	COH COMMENTS



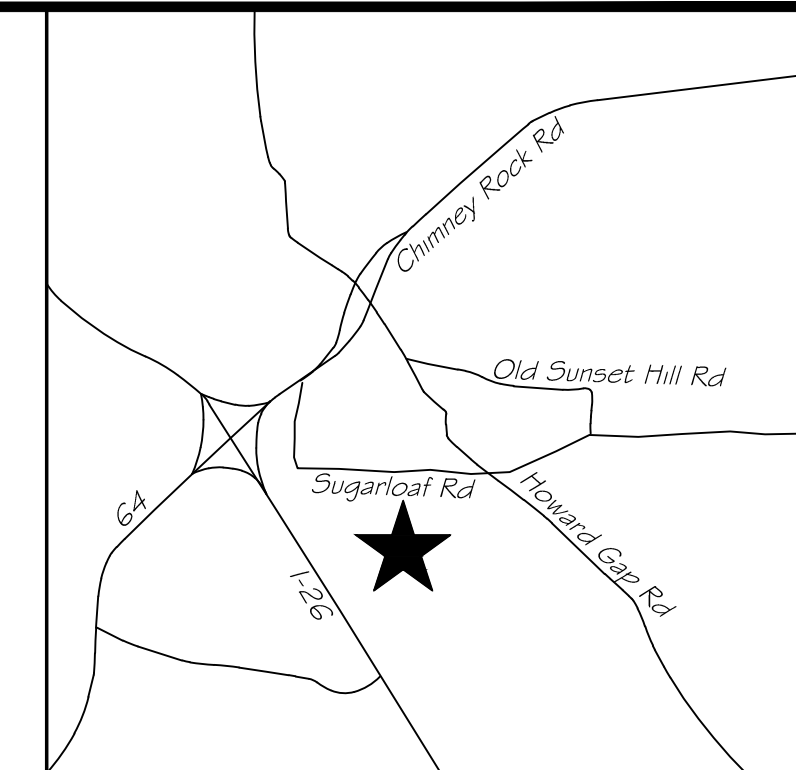
Know what's below.
Call before you dig.

PROJECT NUMBER: 21165
DATE: 2/22
DRAWN BY: KHC
CHECKED BY: WRB

Preliminary
Site Plan

C-200

SCALE: 1"=40'



- i. Date with month, day, year: 04/22/2022
- ii. Title of Project: AAA Storage
- iii. Name of Project Designer, Developer, and Property Owner
- Designer: William R. Buie, P.E.
WGLA Engineering, PLLC
724 5th Avenue West
Hendersonville, NC 28739
828-687-7177
- Developer: CD-MAT, LLC
837 Tracy Grove Road
Flat Rock, NC 28731
- Property Owner: Thomas H & Sherry S. Thompson
524 E Prince Road
PO Box 563
Dana, NC 28724
780 Sugarloaf Road
Dana, NC 28724

iv. Project Zoning: per City of Hendersonville Zoning Map
R-15 (Medium Density Residential)

Proposed Zoning PCD-C2D

Acerage Existing - 5.8 Ac
Proposed - 2.48 AC. ADDITION

Water System On Site (Public)
City of Hendersonville

Sewer System On Site (Public)
City of Hendersonville

PCD Setbacks 40' From ROW Reduced to 10' with Parking Situated
to the Side or Rear
25' From Exterior Property Line

PROPOSED ADDITION	
TOTAL PROJECT AREA	108,028 SF (2.48 AC) (100%)
SITE COVERAGE - BUILDINGS	49,692 SF (1.14 AC) (45.97%)
SITE COVERAGE - STREETS/PARKING/WALKS	27,414 SF (0.62AC) (25.00%)
SITE COVERAGE - COMMON OPEN SPACE	11,026 SF (0.25AC) (10.08%)

EXISTING IMPERVIOUS (37,993 SF) (0.89AC.) (35.17%)

PROPOSED IMPERVIOUS (77,106 SF) (1.77 AC.) (69.68%)

PARKING REQUIRED 1 SPACE/20 INTERIOR STORAGE UNITS
(150 INTERIOR UNITS PROPOSED)

PARKING PROVIDED 8 SPACES

- NOTES:
1. NO PORTION OF THIS PROPERTY IS LOCATED IN A REGULATED FLOOD HAZARD AREA.
 2. EXISTING DELINEATED STREAM IS NOT A "BLUE LINE" USGS FEATURE.
 3. PROPOSED MAXIMUM BUILDING HEIGHT 14FT.
 4. ALL OFF STREET PARKING, DRIVEWAYS AND LOADING AREAS SHALL BE PROVIDED AS REQUIRED IN ARTICLE VI AND SHALL BE PAVED ACCORDING TO THE SPECIFICATIONS OF NCDOT.

CONDITONS TABLE	
DEVELOPER PROPOSED CONCESSIONS	DEVELOPER PROPOSED CONDITIONS
	A 10' SETBACK IS PROPOSED AS THERE IS AN APPROVED ROW ON THE ADJACENT PROPERTY THAT HAS NOT BEEN PLATTED YET. ONCE PLATTED, THE PROPOSED SETBACKS WILL CONFORM WITH ZONING CODE STANDARDS.

Brett M & Jennifer Case
Allsbrook
9579-76-4234
D.B. 1375, Pg. 319
Zoned: R15

Joshua Logan Howard
Monica Taylor Howard
9579-76-6624
D.B. 3798, Pg. 357
Zoned: R15

Marie H Thompson
9579-76-7255
D.B. 397, Pg. 135
Zoned: R15

Thomas H &
Sherry S Thompson
9579-75-8913
D.B. 1599, Pg. 671
Zoned: R15

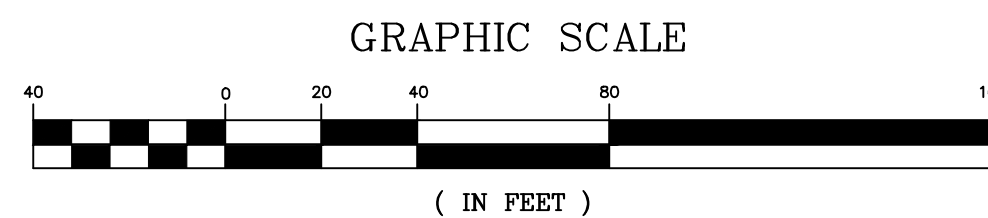
Travis Oats & Molly
Oats Sherrill
9579-75-8324
D.B. 1207, Pg. 298
Zoned: R15

Thomas H. & Sherry S.
Thompson
9579-74-0966
D.B. 1599, Pg. 665
Zoned: PRD-C2D

CD-Mat LLC A NC LL
Company
9579-75-3715
D.B. 1496, Pg. 698
Zoned: R15

CD-MAT, LLC
D.B. 1496, Pg. 698
Plat Slide 8423

City of Hendersonville
D.B. 1418, Pg. 202
Zoned: C3SU



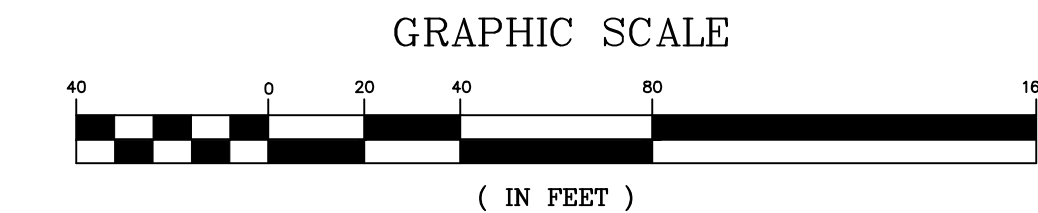
Hendersonville Township
Henderson County
North Carolina

**Preliminary
Not For
Construction**

PROJECT NUMBER: 2111
DATE: 2/2/00
DRAWN BY: KH
CHECKED BY: WF

C-300

SCALE: 1"=40'



WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

AAA Storage

Hendersonville Township
Henderson County
North Carolina

**Preliminary
Not For
Construction**

[illegible]

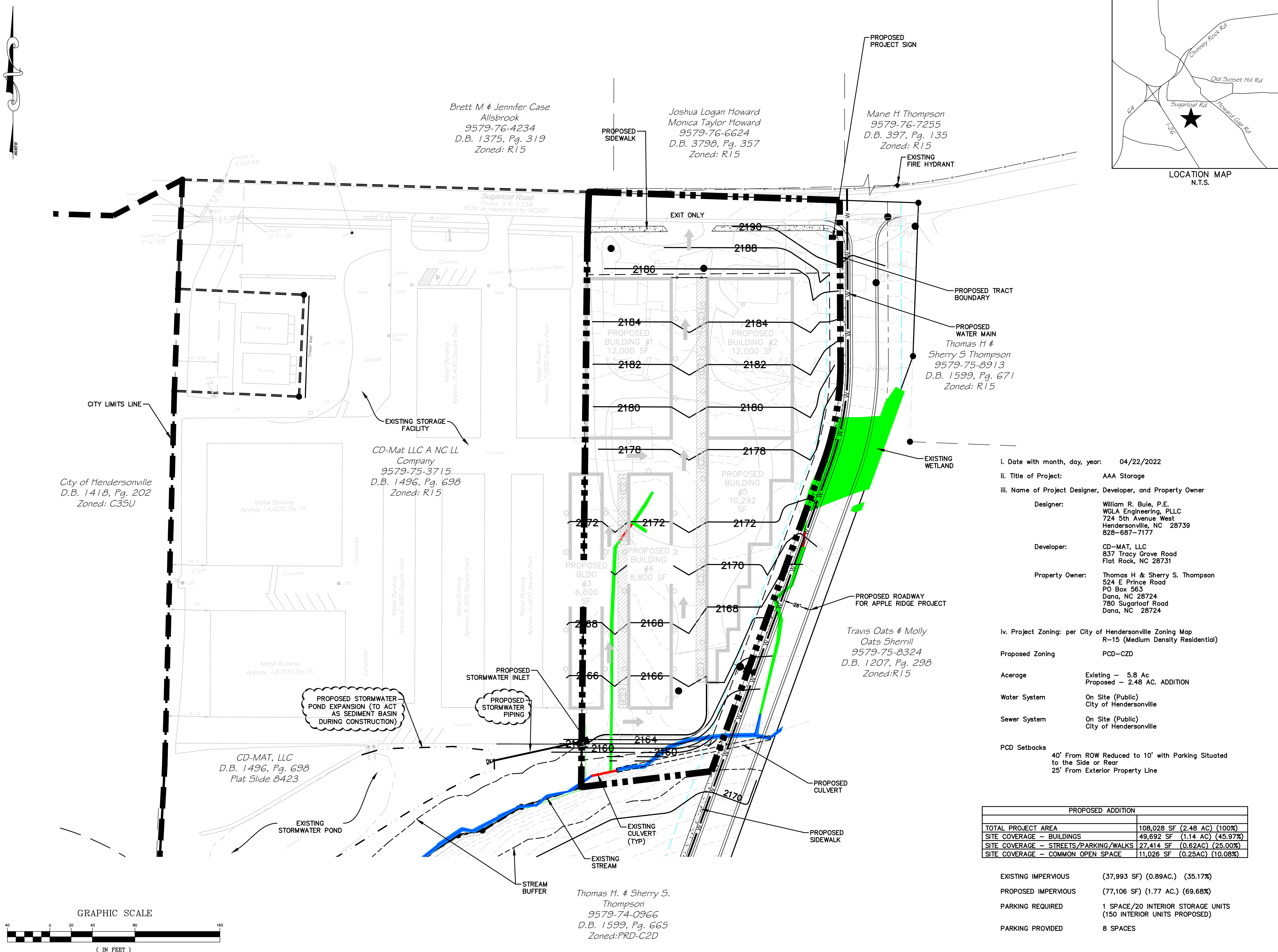
Know what's below.
Call before you dig.

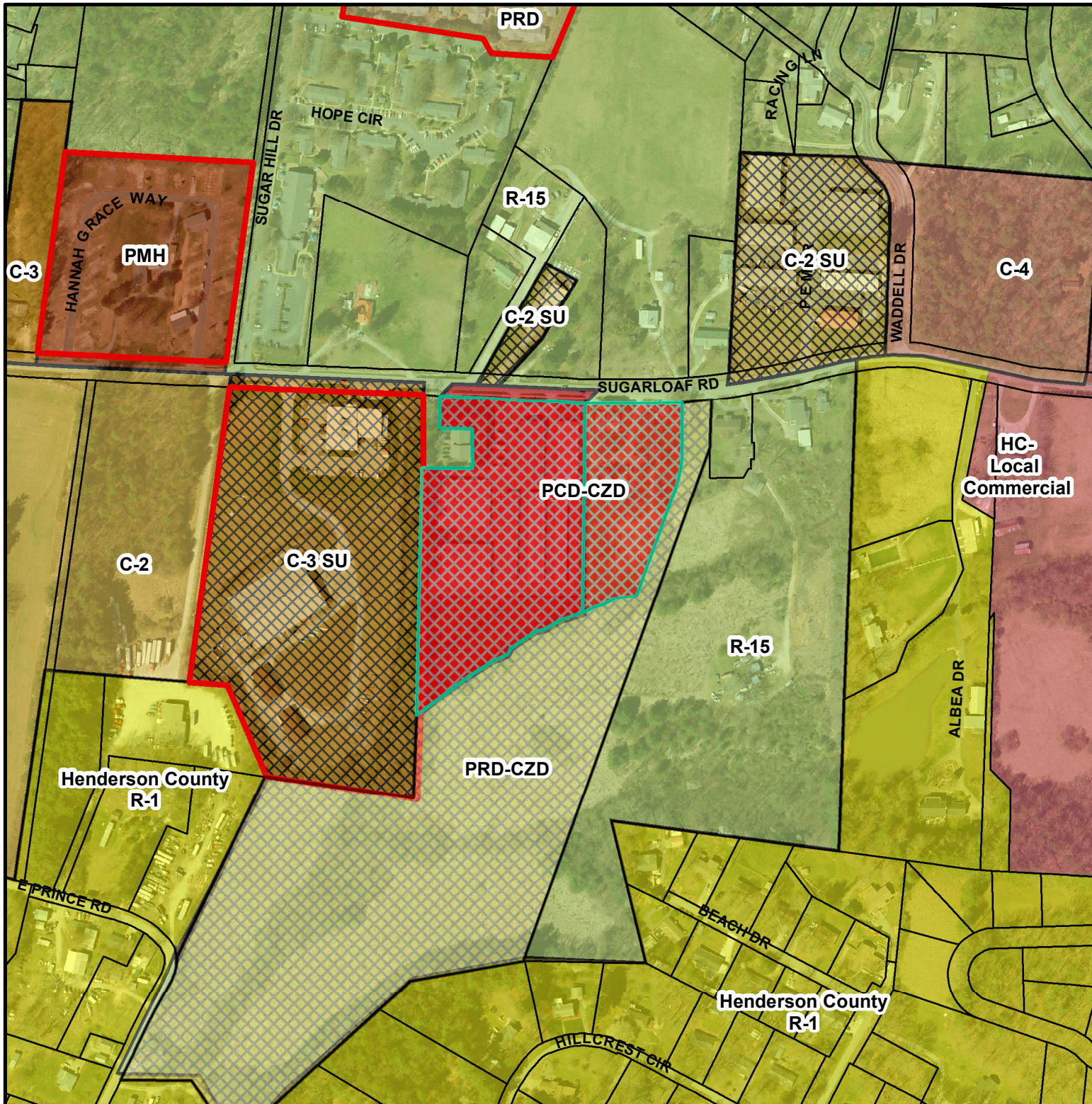
PROJECT NUMBER: 21165
DATE: 2/22
DRAWN BY: KHC
CHECKED BY: WRE

Preliminary Stormwater Management Plan

C-400

SCALE: 1"=40'





AAA Storage Expansion
P22-37-CZD
PINs:9579-75-3715, -6816
Acreage:8.28
Proposed Zoning
Community Development Department

- Subject Property
- Hendersonville City Limits
- Hendersonville Zoning**
 - CZD Conditional Zoning Districts
 - R-15 Medium Density Residential
 - PRD Planned Residential Development
 - PMH Planned Manufactured Housing
 - C-4 Neighborhood Commercial
 - C-3 Highway Business
 - C-3SU Highway Business Special Use
 - C-2 Secondary Business
 - C-2SU Secondary Business Special Use
 - PCD Planned Commercial Development
- Henderson County Zoning**
 - Local Commercial
 - R-1 - Residential 1



Ordinance #____-____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL
POSSESSING PIN NUMBER 9579-75-6816 BY CHANGING THE ZONING DESIGNATION
FROM R-15 (MEDIUM DENSITY RESIDENTIAL) TO PCD (PLANNED COMMERCIAL
DEVELOPMENT – CONDITIONAL ZONING DISTRICT)**

IN RE: Parcel Number: 9579-75-6816
Addresses: 750, 762, and 780 Sugarloaf Rd
AAA Storage (File # P22-37-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Dennis J. Dorn – CD-MAT LLC. At NC LL Company and property owners, Thomas and Sherry Thompson for the development of 5 mini-warehousing structures on approximately 2.48 acres as an expansion of the existing AAA Storage Facility, and

WHEREAS, the Planning Board took up this application at its regular meeting on June 13, 2022; voting 0-0 to recommend City Council deny an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on July 7, 2022, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9579-75-6816 from R-15 (Medium Density Residential) to PCD (Planned Commercial Development – Conditional Zoning District).
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be based on the site plan submitted by the applicant and conditions listed therein and subject to the following.
 - a. Permitted uses shall include:
 - i. Mini-warehouses
 - b. Conditions that shall be satisfied prior to final site plan approval include:
 - i. The development shall be consistent with the preliminary site plan and conditions therein as submitted and dated May 18, 2022 [or as modified and presented].
3. This ordinance shall be not be effective until the stipulated list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 7th day of July 2022.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to the imposition of all conditions stated.

IN RE: Parcel Number: 9579-75-6816

Addresses: 750, 762, and 780 Sugarloaf Rd
AAA Storage (File # P22-37-CZD)

Applicant/Developer: Dennis J. Dorn – CD-
MAT LLC. At NC LL Company

Signature:_____

Printed Name:_____

Title: _____

Date:_____

Property Owner: Thomas H. Thompson

Signature:_____

Printed Name:_____

Title:_____

Date:_____

Property Owner: Sherry S. Thompson

Signature:_____

Printed Name:_____

Title:_____

Date:_____



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King Street, Hendersonville, NC 28792

Phone (828) 697-3010|Fax (828) 698-6185

www.hendersonvillenc.gov

**Conditional Zoning District Petition
Section 7-4 and Article 11 City Zoning Ordinance**

The following are the **required** submittals for a complete application for rezoning a property or properties to a Conditional Zoning District. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Scheduled Pre-Application meeting with Planning Staff
 - 1a. Completed Neighborhood Compatibility Meeting – Contact Staff & Review CZD Checklist for additional information
- ☐ 2. Water and Sewer Availability Request
- ☒ 3. Completed Application Form
- ☒ 4. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- ☒ 5. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- ☒ 6. Detailed explanation of any Proposed Development Description
- ☒ 7. Application Fee

Note: Additional Approvals prior to the issuance of a Zoning Compliance Permit may include, but are not limited to the following:

- Henderson County Sedimentation & Erosion Permit
- Stormwater Management Plan
- Utility Approval
- NCDOT Permit
- Any other applicable permits as determined by the Community Development

[Application Continued on Next Page]

Office Use:

Date Received: _____ By: _____ Fee Received? Y/N

A. Applicant Contact Information

Dennis J. Dorn

* Printed Applicant Name

CD-MAT LLC at NC LL Company

Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____



Applicant Signature

Manager

Applicant Title (if applicable)

847 Tracy Grove Road

Address of Applicant

Flat Rock, NC 28731

City, State, and Zip Code

828-243-9100

Telephone

dennisdornnams@hotmail.com

Email

* Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

[Application Continued on Next Page]

B. Property Owner Contact Information (if different from Applicant)

Thomas H and Sherry S Thompson

*Printed Owner Name

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Thomas H. Thompson Sherry S. Thompson
Property Owner Signature

Property Owner Title (if applicable)

Dana, NC 28724

City, State, and Zip Code

828-329-1304

Telephone

~~thomasthompson@bellsouth.net~~ thomashthompson@bellsouth.net

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

Note: Additional Owner Signature pages attached.

C. Property Information

Name of Project: AAA Storage Expansion

PIN(s): 9579-75-6816

Address(es) / Location of Property: 780 Sugarloaf Road

Type of Development: ___ Residential X Commercial ___ Other

Current Zoning: R-15

Total Acreage: 2.48

Proposed Zoning: PCD CZ

Proposed Building Square Footage: 49,692 SF

Number of Dwelling Units: 0

List of Requested Uses: mini storage warehouse

D. Proposed Development Conditions for the Site

In the spaces provided below, please provide a description of the Proposed Development for the site.



CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager
MEETING DATE: June 13, 2021

AGENDA SECTION: New Business
DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – Erkwood Dr - Kilpatrick (P22-48-RZO) – Matthew Manley, AICP – Planning Manager

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council <u>adopt</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9577-18-7316) from Henderson County R-40, Estate Residential zoning district to City of Hendersonville GHMU (Greenville Highway Mixed Use) based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p>The proposed zoning presents an opportunity for compatible infill development and a mix of land uses as called for in Chapters 2, 8 and 9 of the City’s 2030 Comprehensive Plan.</p> <p>2. Additionally, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <p>1. Greenville Highway is the predominant zoning in this area</p> <p>2. The petition aligns with the Henderson County’s Future Land Use designation</p> <p>3. Furthermore, we recommend designating the Future Land Use of the parcel as High Intensity Neighborhood and Natural / Agricultural Resources for the portion of the subject property located in the 100-year Floodplain.</p> <p>[DISCUSS & VOTE]</p>	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council <u>deny</u> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9577-18-7316) from Henderson County R-40, Estate Residential zoning district to City of Hendersonville GHMU (Greenville Highway Mixed Use) based on the following:</p> <p>1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p>The proposed zoning presents an opportunity for compatible infill development and a mix of land uses as called for in Chapters 2, 8 and 9 of the City’s 2030 Comprehensive Plan.</p> <p>2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <p>1. The proposed zoning would permit development that does not align with the County’s current R-40 zoning</p> <p>[DISCUSS & VOTE]</p>
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***SUMMARY:** The City of Hendersonville received an Annexation application from Cameron & Kina Kilpatrick (owner) for a 1.89 Acre tract along Erkwood Dr near the intersection of Greenville Highway and Shepperd St adjacent to city limits on the southern edge of Hendersonville. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County R-40, Estate Residential District to GHMU, Greenville Highway Mixed Use.*

GHMU permits a range of lower intensity commercial uses along with single-family, two-family and multi-family residential. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft as well as by buildings which have a footprint exceeding 12,000 Sq Ft.

In absence of a Future Land Use Designation, the County’s Future Land Use Designation of Community Service Center states the following:

Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas.

PROJECT/PETITIONER NUMBER:	P22-48-RZO
PETITIONER NAME:	City of Hendersonville [applicant] Cameron & Kilna Kilpatrick [owner]
ATTACHMENTS:	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map

STANDARD REZONING: ERKWOOD DR (P22-48-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4) 9

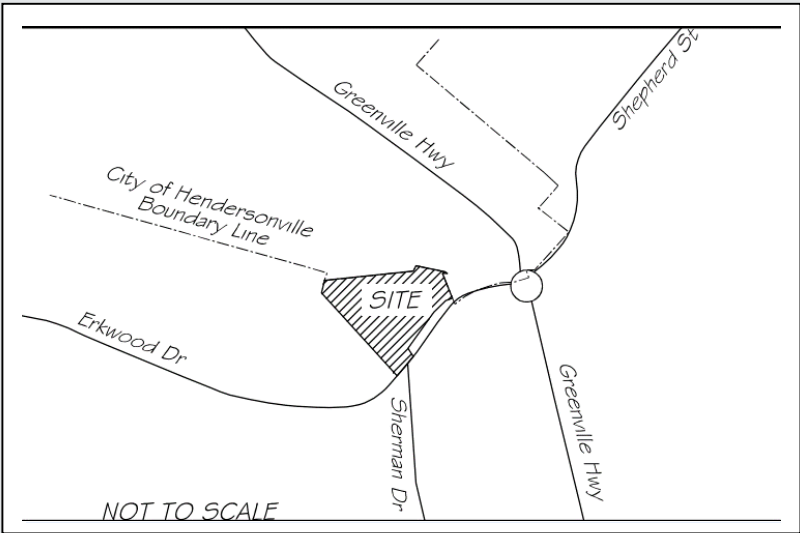
REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) 10

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 11



PROJECT SUMMARY

- Project Name & Case #:
 - Erkwood Drive (Kilpatrick)
 - P22-48-RZO
- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Cameron Kilpatrick [Owner]
 - Kina Kilpatrick [Owner]
- Property Address:
 - No Address Assigned
- Project Acreage:
 - 1.89 Acres
- Parcel Identification (PIN):
 - 9577-18-7316
- Current Parcel Zoning:
 - R-40 (County)
- Proposed Zoning District:
 - GHMU (Greenville Highway Mixed Use)
- Future Land Use Designation:
 - City – Not Mapped
 - County – Community Service Center



SITE VICINITY MAP

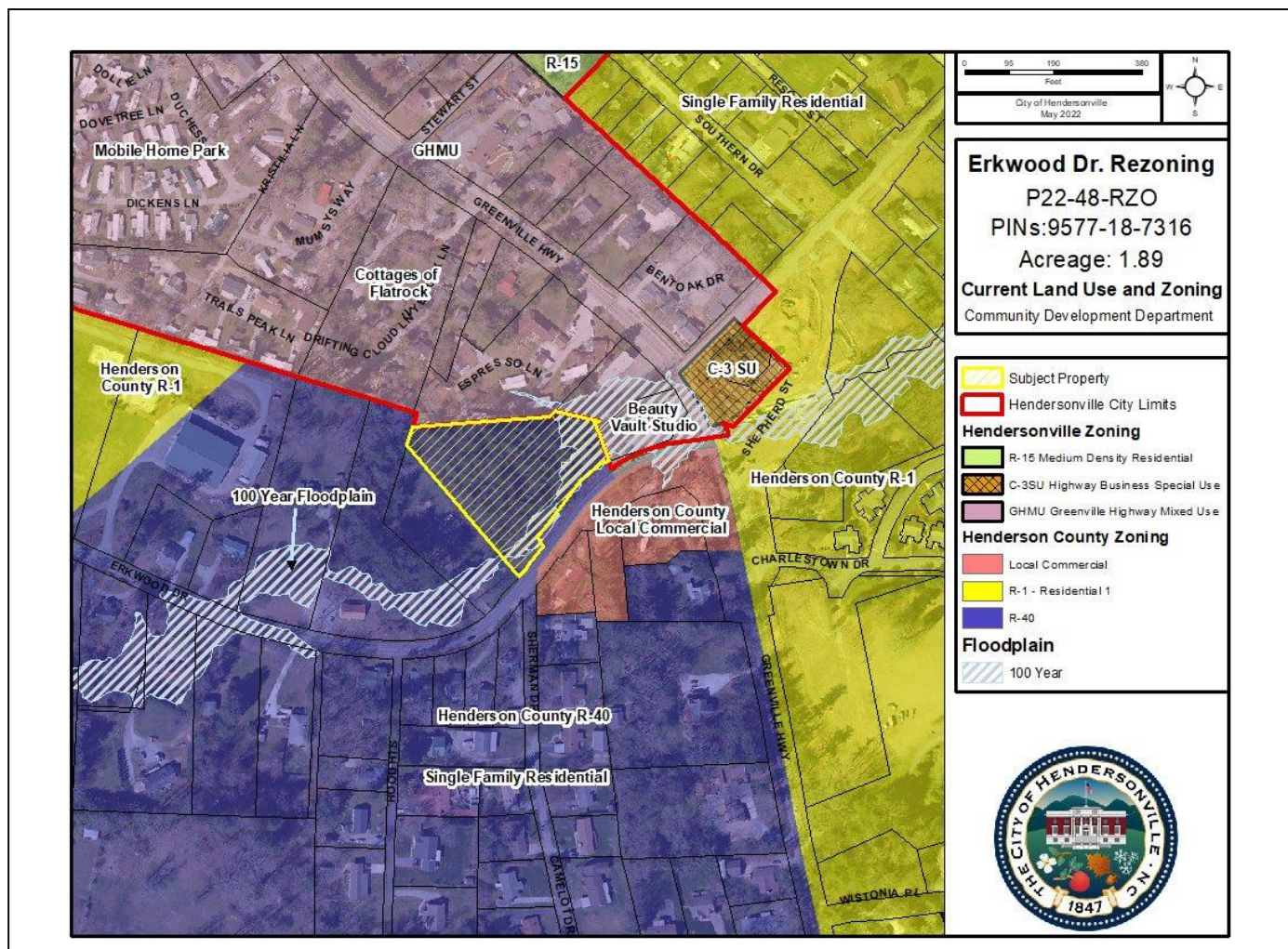
The City of Hendersonville received an Annexation application from Cameron & Kina Kilpatrick (owner) for a 1.89 Acre tract along Erkwood Dr near the intersection of Greenville Highway and Shepperd St adjacent to city limits on the southern edge of Hendersonville. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County R-40, Estate Residential District to GHMU, Greenville Highway Mixed Use. The subject property is within the area that can be annexed according to the Annexation Agreement with the Village of Flat Rock

GHMU permits a range of lower intensity commercial uses along with single-family, two-family and multi-family residential. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft as well as by buildings which have a footprint exceeding 12,000 Sq Ft.

In absence of a Future Land Use Designation, the County’s Future Land Use Designation of Community Service Center states the following:

Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned R-40 under Henderson County's Zoning Jurisdiction. It is located adjacent to the City Limits in an area where Greenville Highway Mixed Use (GHMU) is the predominant zoning district. There is one parcel zoned C-3 Special Use at the corner of Shepherd St and Greenville Highway. The only other zoning district within the City's jurisdiction in vicinity of the subject property is the R-15 district which flanks either side of the GHMU zoning that runs along the Greenville Hwy corridor.

The County zoning in this area is predominantly R-40, which is a very low density (1 unit/acre) single-family (estate) zoning district. The R-1 residential zoning is also found nearby on the opposite side of Greenville Highway.

Land uses in the area include a mix of commercial and residential including: short-term lodging, auto-parts retail, professional office, single-family residential, townhomes and mobile homes.

There is a 100-year floodplain on the subject property running alongside Erkwood Dr.

SITE IMAGES



Creek at eastern edge of property



View along Erkwood Dr facing southwest

SITE IMAGES



Culvert/crossing providing access to parcel

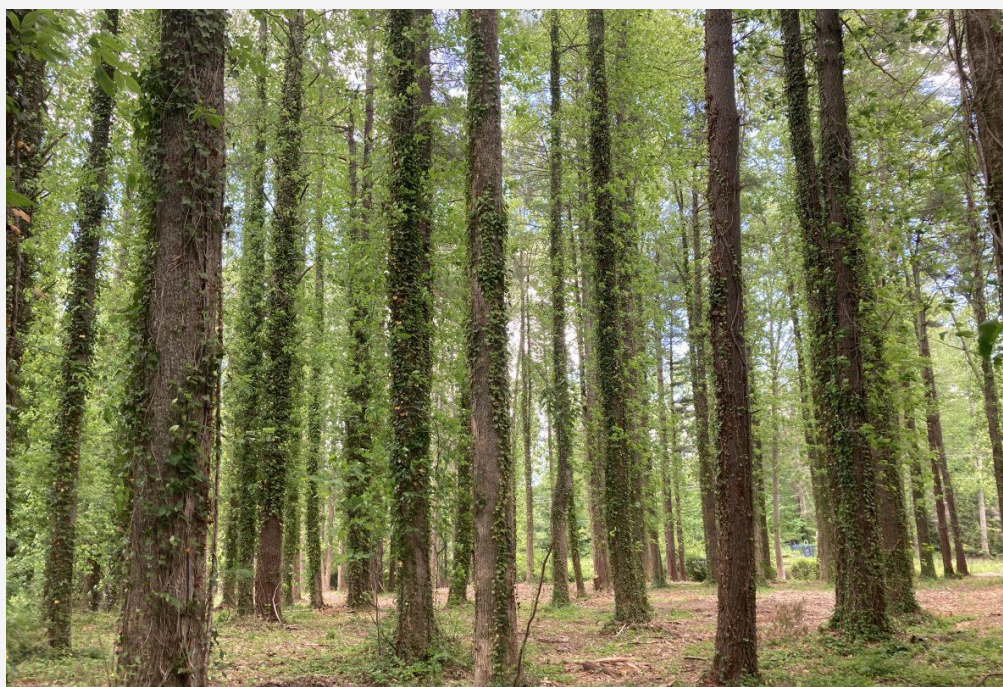


Creek entering property from southwest

SITE IMAGES



View of center of parcel from culvert



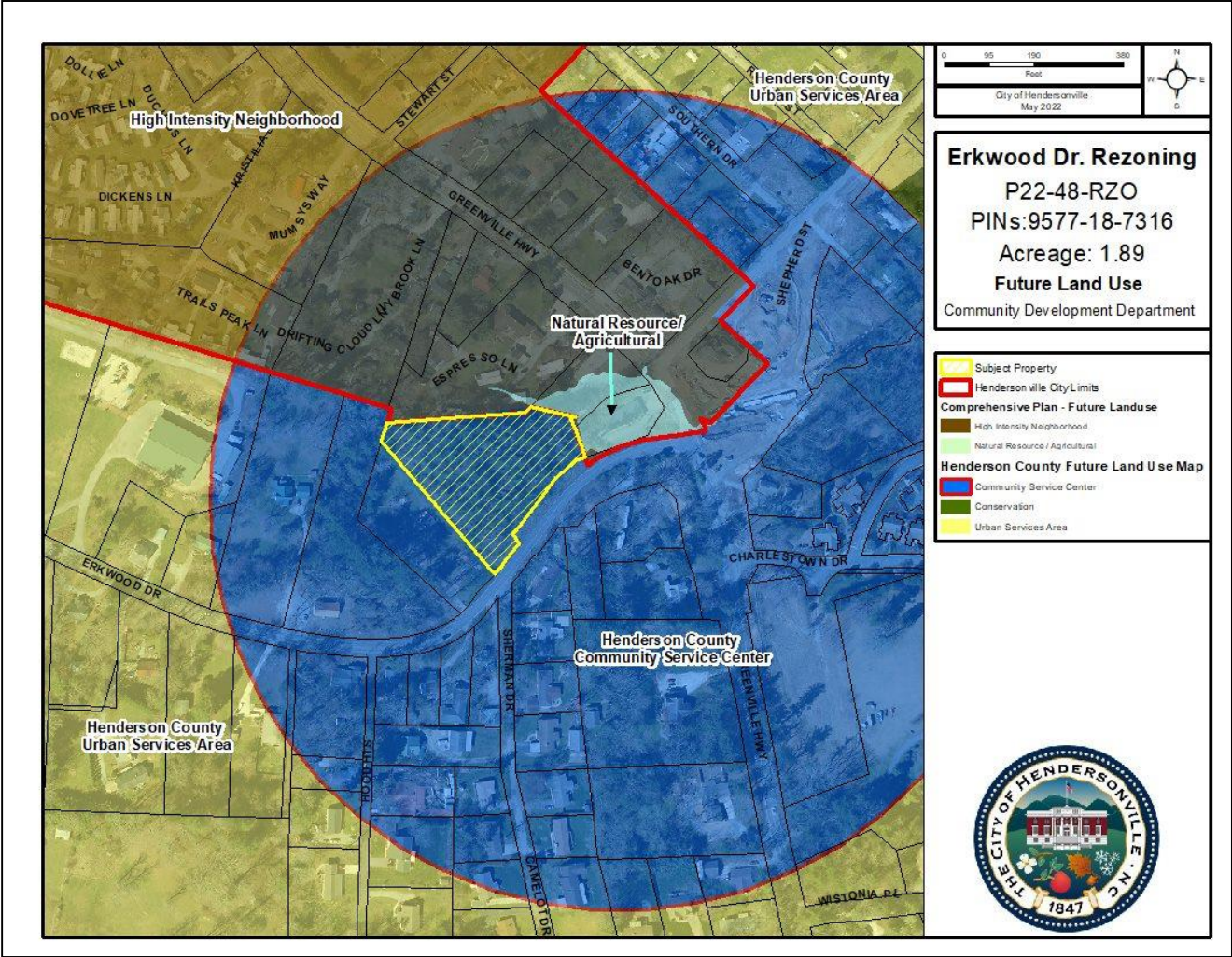
View of center of site facing east

REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
N/A	N/A	N/A

- No information is known about the prior County zoning on the property

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is outside of the boundary of the Future Land Use Map. The City's Future Land Use Map does designate High Intensity Neighborhood for the properties adjacent to the subject property to the north and Natural Resource/Agricultural for property to the east.

The County's Future Land Use Map designates the subject property and the surrounding area as Community Service Center.

Staff recommends a Future Land Use designation of High Intensity Neighborhood and Natural Resource / Agricultural for the portion of the parcel in the 100-year Floodplain.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>N/A – The subject property is not within the boundaries of the Future Land Use Map. It is adjacent to High Intensity Neighborhood and Natural Resource / Agricultural</p> <p>Staff recommends designating the Future Land Use for the subject property as High Intensity Neighborhood and Natural/Agricultural Resources</p>
Land Use & Development	<p>N/A – The subject property is not within the boundaries of the Growth Management Map. It is adjacent to a Priority Infill Area.</p>
	<p>N/A – The subject property is not within the boundaries of the Development Framework Map.</p>
	<p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.</p>
Population & Housing	<p>Strategy PH-1.1. Promote compatible infill</p>
	<p>Goal PH-2. Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.</p>
	<p>Strategy PH-3.1. Establish neighborhood design guidelines that promote safe, walkable and bikeable neighborhoods while accommodating the automobile.</p>
	<p>Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.</p>

Natural & Environmental Resources	<ul style="list-style-type: none"> • Strategy NR-1.1. Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100-Year Floodplain
	<ul style="list-style-type: none"> • Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat.
	<ul style="list-style-type: none"> • Strategy NR-2.3. Promote preservation of woodlands
Cultural & Historic Resources	No Goals, Strategies or Actions are directly applicable to this project.
Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	No Goals, Strategies or Actions are directly applicable to this project.
Transportation & Circulation	Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.
	Goal TC-5. - Enhance key gateways to the community in order to present a positive first impression and increase civic pride.
	Strategy TC-5.2. - Enhance key entrances within the City, as indicated on Map 7.3a

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	There are a mix of medium density residential and neighborhood-scale non-residential uses in proximity to the subject property. Rezoning the property to GHMU would permit compatible uses in the area.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The GHMU district has been in place for approximately 20 years. The private development in proximity to the subject property have been in place for a number of years. The improvement to the intersection of Shepherd St/Erkwood Dr and Greenville Highway with the installation of a roundabout has enhanced the transportation infrastructure in the area.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	The addition of low-intensity commercial uses and/or residential uses in the area would provide additional opportunities for businesses and/or housing on the far south edge of town.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The site will be served by City water and sewer service. Erkwood Dr. is classified as a Minor Thoroughfare in the Comprehensive Plan's Transportation Chapter. It is also shown as slated for improvements though no improvement project for this area, beyond the recent roundabout installation, is currently funded by NCDOT. The petition has been reviewed by the City Fire Dept and will also be served by the City of Hendersonville Police.
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, streams, vegetation, wetlands and wildlife -
	The subject property is heavily wooded and features a blue line stream as well as a 100-year floodplain in close proximity to Erkwood Dr.

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed zoning presents an opportunity for compatible infill development and a mix of land uses as called for in Chapters 2, 8 and 9 of the City’s 2030 Comprehensive Plan.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- Greenville Highway Mixed Use is the predominant zoning district in this area*
- The petition aligns with the Henderson County’s Future Land Use designation*

DRAFT [Rational for Denial]

- The proposed zoning would permit development that does not align with the County’s current R-40 zoning.*

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL POSSESSING PIN NUMBERS 9577-18-7316 BY CHANGING THE ZONING DESIGNATION FROM MIC HENDERSON COUNTY R-40, ESTATE RESIDENTIAL ZONING DISTRICT TO CITY OF HENDERSONVILLE GHMU (GREENVILLE HIGHWAY MIXED USE) ZONING DISTRICT

IN RE: Parcel Numbers: 9577-18-7316
Erkwood Dr – Kilpatrick (File # P22-48-RZO)

WHEREAS, the City is in receipt of an Annexation application from owners, Cameron & Kina Kilpatrick, for a 1.89 Acre tract along Erkwood Dr near the intersection of Greenville Highway and Shepperd St adjacent to city limits, and

WHEREAS, the Planning Board took up this application at its regular meeting on June 13, 2022; voting 0-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on July 7th, 2022,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9577-18-7316 from Henderson County R-40, Estate Residential Zoning District to City of Hendersonville GHMU (Greenville Highway Mixed Use).
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

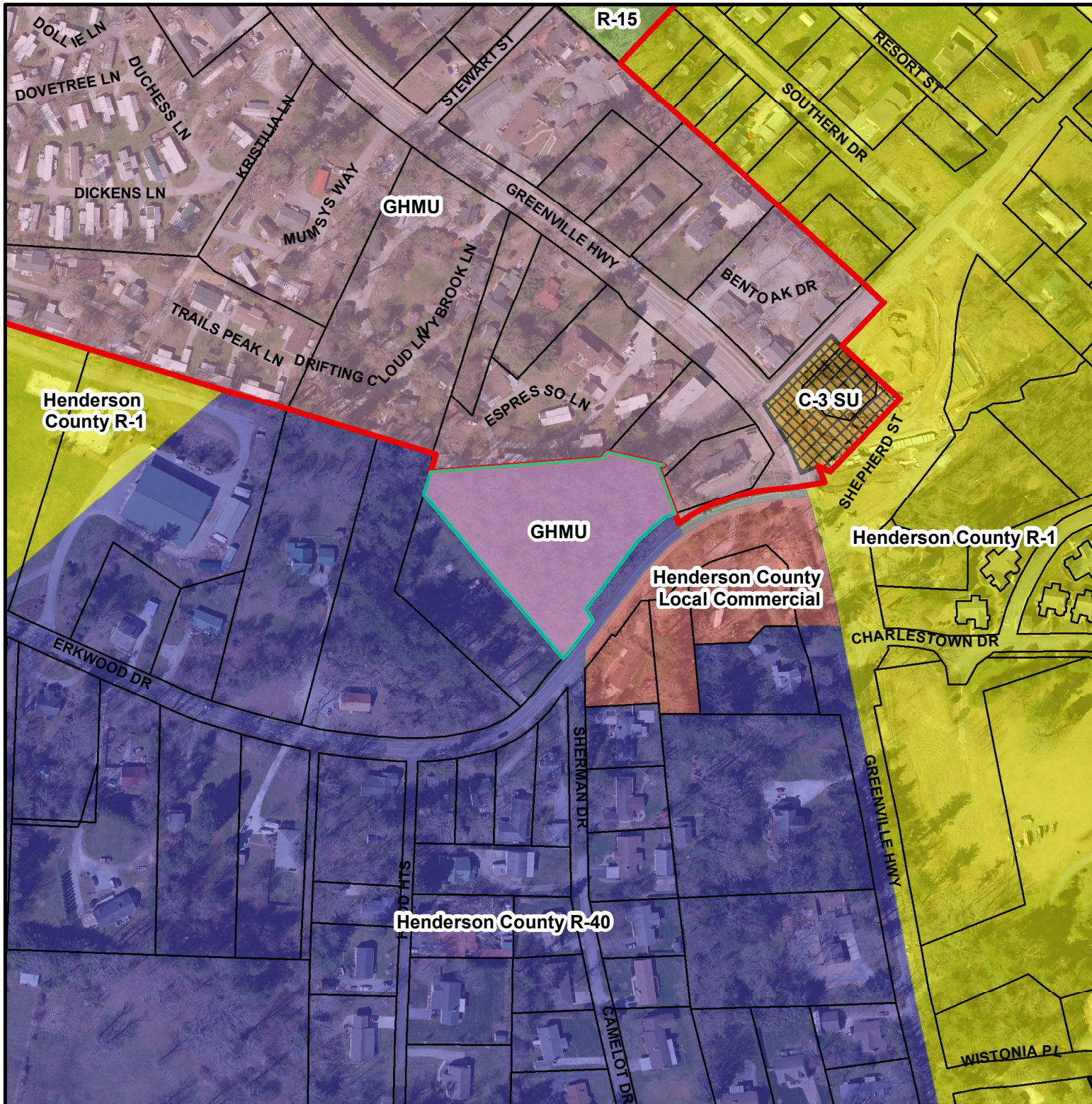
Adopted this 7th day of July 2022.

Attest: Barbara G. Volk, Mayor, City of Hendersonville









Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Erkwood Dr. Rezoning
P22-48-RZO
PINs:9577-18-7316
Acreage: 1.89
Proposed Zoning
Community Development Department

-  Subject Property
 Hendersonville City Limits
- Hendersonville Zoning**
-  R-15 Medium Density Residential
 -  C-3SU Highway Business Special Use
 -  GHMU Greenville Highway Mixed Use
- Henderson County Zoning**
-  Local Commercial
 -  R-1 - Residential 1
 -  R-40





CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager

MEETING DATE: June 13, 2021

AGENDA SECTION: New Business

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – Upward Rd-Justus-Erwin (P22-49-RZO) – Matthew Manley, AICP – Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9588-40-6934; 9588-40-7844; 9588-40-8795) from Henderson County RC, Regional Commercial zoning district to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning provides design standards which align with most of the design guidelines outlined under Strategy LU-9.4 of the City’s 2030 Comprehensive Plan.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area
2. The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area
3. The property is located in an area designated as a “Priority Growth Area”

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9588-40-6934; 9588-40-7844; 9588-40-8795) from Henderson County RC, Regional Commercial zoning district to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning provides design standards which align with most of the design guidelines outlined under Strategy LU-9.4 of the City’s 2030 Comprehensive Plan.

2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-9.4, not all of the guidelines are requirements of this zoning district.

[DISCUSS & VOTE]

according to the City’s Comprehensive Plan	
[DISCUSS & VOTE]	

SUMMARY: The City of Hendersonville received an Annexation application from Jeff Justus and James & Ruth Erwin (owners) for a group of 3 parcels totaling 3.795 Acres along Upward Rd at the intersection of Ballenger Rd. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County Regional Commercial to CHMU, Commercial Highway Mixed Use.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City’s ETJ but within the Upward Road Planning District.

CHMU permits a range of intense commercial uses along with single-family, two-family and multi-family residential. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft.

PROJECT/PETITIONER NUMBER:	P22-49-RZO
PETITIONER NAME:	City of Hendersonville [applicant] Jeff Justus [Owner] James & Ruth Erwin Jr [Owner]]
ATTACHMENTS:	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map

STANDARD REZONING: UPWARD RD – JUSTUS/ERWIN (P22-49-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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SITE IMAGES..... 6

REZONING HISTORY 7

FUTURE LAND USE 8

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4) 9

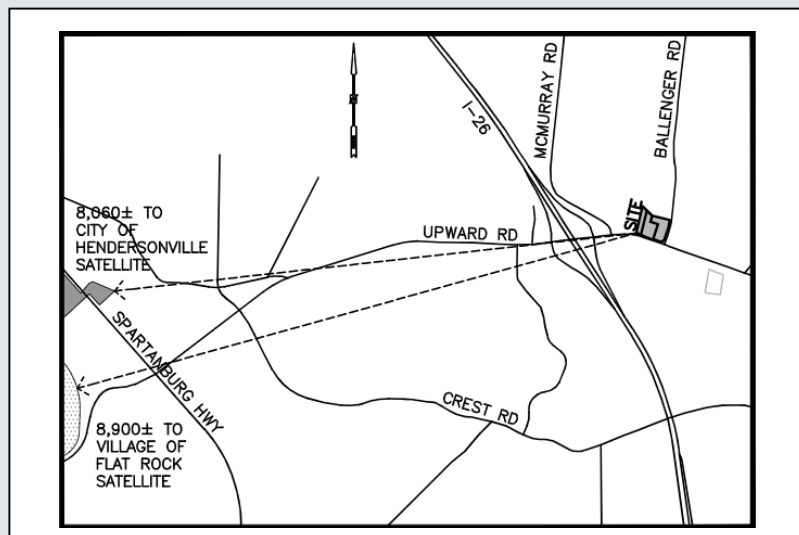
REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) 11

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 12



PROJECT SUMMARY

- Project Name & Case #:
 - Upward Rd – Justus/Erwin
 - P22-49-RZO
- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Jeff Justus [Owner]
 - James & Ruth Erwin Jr [Owner]
- Property Address:
 - 775 & 779 Upward Rd
- Project Acreage:
 - 3.795 Acres
- Parcel Identification (PINS):
 - 9588-40-6934; 9588-40-7844; 9588-40-8795
- Current Parcel Zoning:
 - RC - Regional Commercial (County)
- Proposed Zoning District:
 - CHMU (Commercial Highway Mixed Use)
- Future Land Use Designation:
 - City – Regional Activity Center
 - County – Community Service Center & Industrial



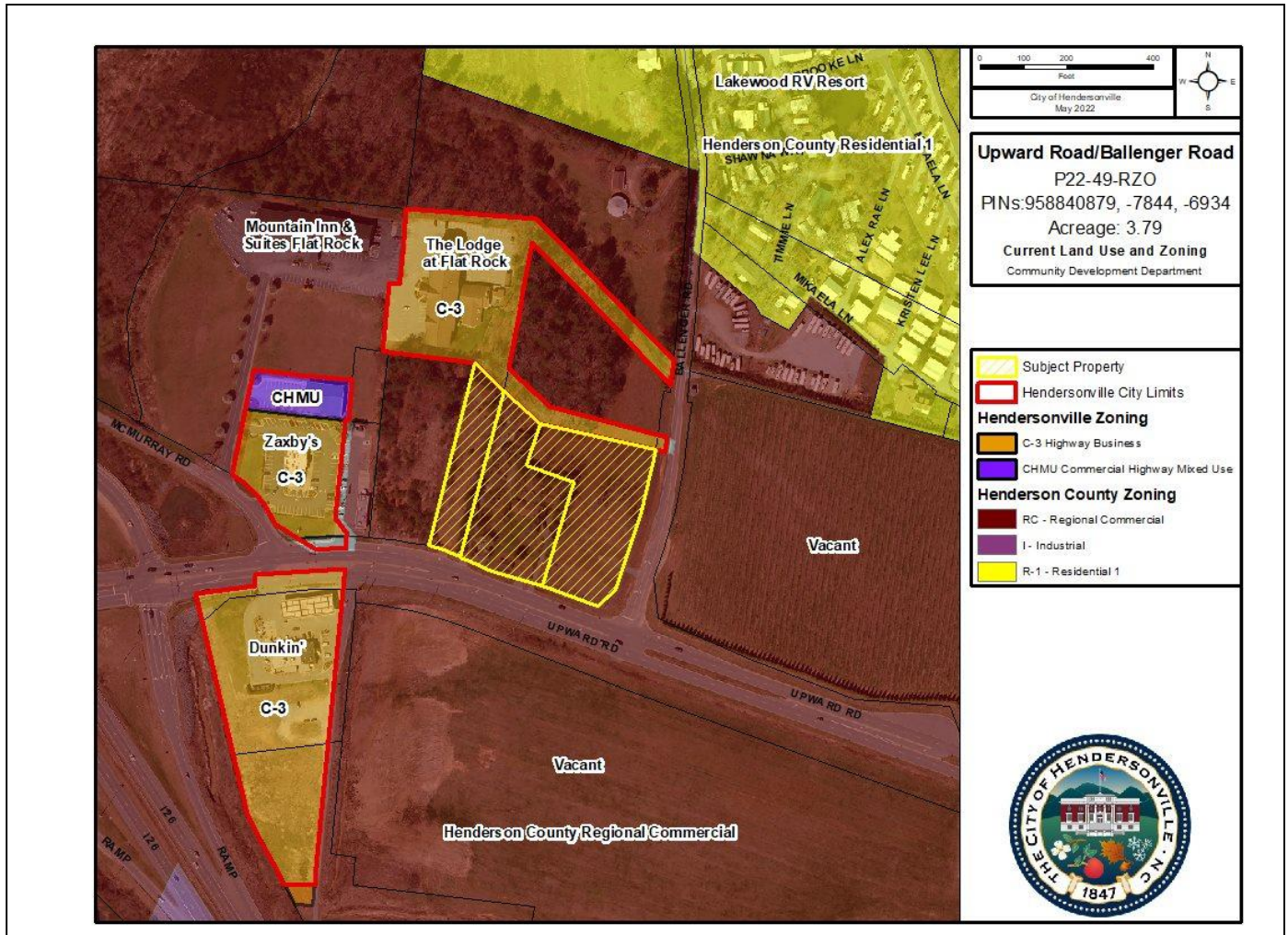
SITE VICINITY MAP

The City of Hendersonville received an Annexation application from Jeff Justus and James & Ruth Erwin (owners) for a group of 3 parcels totaling 3.795 Acres along Upward Rd at the intersection of Ballenger Rd. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County RC, Regional Commercial to CHMU, Commercial Highway Mixed Use.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City's ETJ but within the Upward Road Planning District.

CHMU permits a range of intense commercial uses along with single-family, two-family and multi-family residential. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned Regional Commercial under Henderson County's Zoning Jurisdiction. It is located outside of the corporate City Limits in an area where some satellite parcels have been annexed into the City with zoning designations including Commercial Highway Mixed Use (CHMU) and C-3 Highway Business. The properties within these districts are developed with fast food restaurant chains and lodging. There is a significant amount of vacant property as well as commercial and institutional uses in proximity of the subject parcel.

The County zoning in this area is predominantly Regional Commercial (RC) with some Residential I (RI) further setback from Upward Rd. The RC zoning includes "a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on the local, community, and regional level." The RC allows for up to 16 units / acre for residential development. The RI zoning is intended to "allow for medium to high-density residential development" and permits densities ranging from 4 units / acre up to 12 units / acre.

SITE IMAGES



View facing north along Ballenger Rd



View facing west along Upward Rd from Ballenger Rd

SITE IMAGES



View of subject property from Upward Rd



View facing east along Upward Rd towards Ballenger Rd

SITE IMAGES



View of current site conditions on subject property



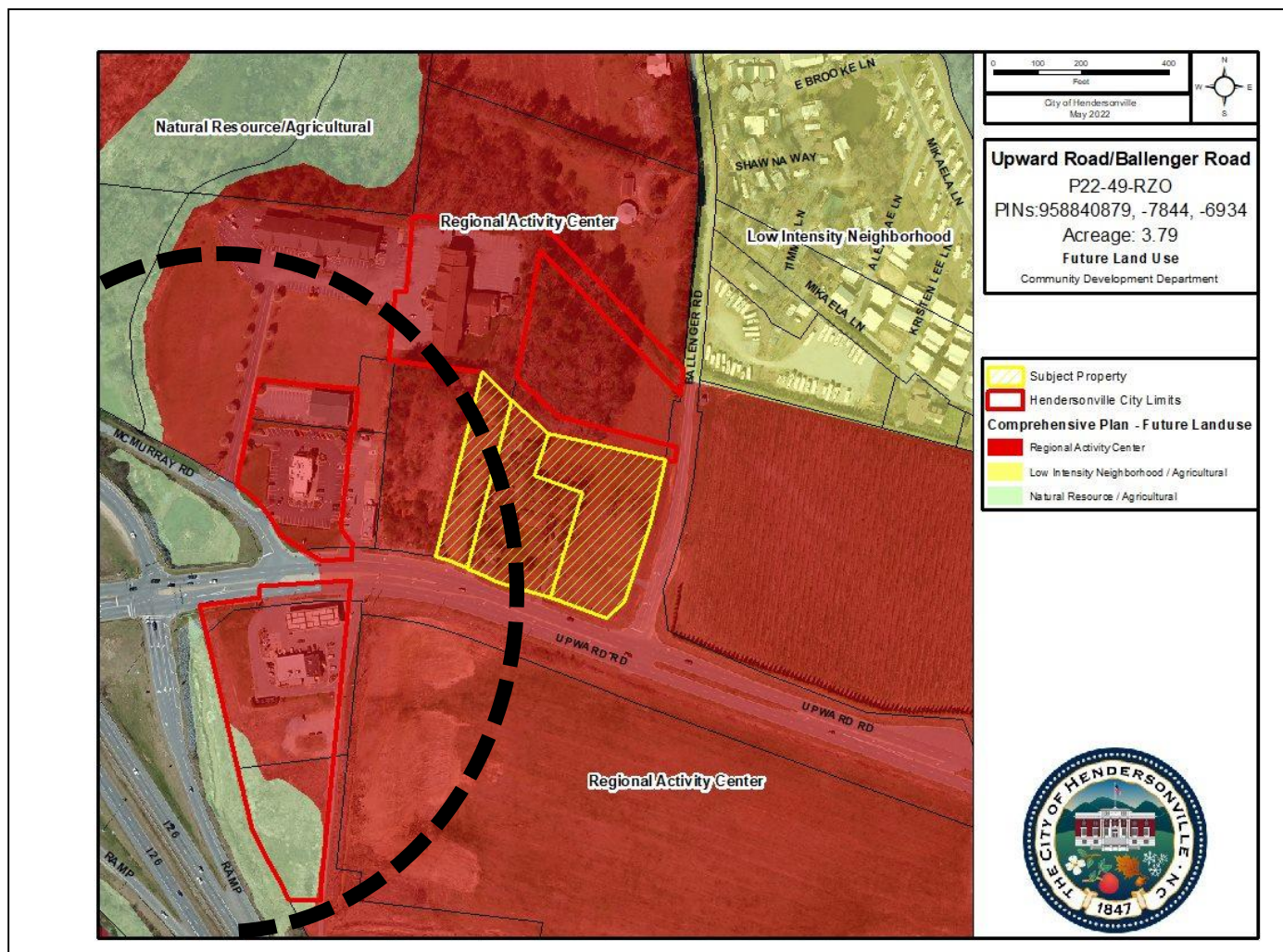
View of current site conditions on subject property

REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
N/A	N/A	N/A

- No information is known about the prior County zoning on the property

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The City's 2030 Comprehensive Plan designates the subject property as Regional Activity Center and it is located along the perimeter of an Activity Node as indicated in the City's Future Land Use Map.

All parcels in the surrounding area share this same designation which can be attributed to the proximity to the interchange with I-26 and Upward Rd. I-26 is classified as a Freeway and Upward Rd is a Boulevard according to the City's Comprehensive Plan.

The only other future land use designations in proximity to the subject property are Natural Resource / Agricultural, due to the presence of the Dunn Creek floodplain east of I-26, and Low Intensity Neighborhood, further setback from Upward Rd to the northeast of the subject property.

The subject parcel is also part of the Upward Rd Planning Area which was adopted in 2011 in response to the need to manage growth outside the ETJ in an area where sewer service would be desired.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

Future Land Use	The subject property is designated as <i>Regional Activity Center</i> on the <i>Future Land Use Map</i> . Goal LU-9. Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects [CONSISTENT]
	Strategy LU-9.2. Primary recommended land uses: • Community and regional retail sales and services [CONSISTENT]
	Strategy LU-9.4. Development guidelines: • Mitigation of bulk of large buildings through façade detailing and window coverage [CONSISTENT] • Hiding of large parking lots (more than one double-row deep) from thoroughfares with outlot structures [INCONSISTENT] • Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT]
	Activity Nodes: • Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors [CONSISTENT] • Placement of new buildings close to the street along thoroughfares (less than 20 feet) encouraged [CONSISTENT] • Location of all parking to the side or rear of buildings or in a garage encouraged [INCONSISTENT] • Improved pedestrian connections to surrounding neighborhoods [CONSISTENT]
	The subject property is designated as a <i>Priority Growth Area</i> on the <i>Growth Management Map</i> .
	The subject property is designated as a <i>Development Opportunity</i> on the <i>Development Framework Map</i> .
Land Use & Development	Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment...
	Goal LU-3. Promote fiscal responsibility with development, annexation and expansion of Hendersonville's Extra-Territorial Jurisdiction (ETJ).
Population & Housing	Strategy PH-1.1. Promote compatible infill
	Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.
Natural & Environmental Resources	No Goals, Strategies or Actions are directly applicable to this project.
Cultural & Historic Resources	No Goals, Strategies or Actions are directly applicable to this project.

Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management
Transportation & Circulation	Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.
	Strategy TC-5.2. Enhance key entrances within the City.

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	Considering the vehicular traffic along Upward Rd (boulevard) and the interchange with I-26 (freeway), the CHMU zoning district permits uses that are compatible with this area and the design guidelines of the CHMU further support compatibility.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The corridor along Upward Rd has seen and will continue to see growth and development. The addition of manufacturing, multi-family and interstate-oriented restaurants and services is expected for the area. Two of the parcels have been vacant, while the center parcel featured two structures that have since been removed.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	Additional commercial development within the City will generate additional tax revenue. Additional residential development within the City would provide needed housing.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The site will be served by City water and sewer service. Upward Road is designated as a boulevard on the comprehensive transportation plan and is maintained by NCDOT. The Comp Plan designates Ballenger as a Local Street and it is also an NCDOT maintained street. The subject property will be serviced by the City Fire Dept and will also be served by the City of Hendersonville Police.
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, streams, vegetation, wetlands and wildlife -
	The subject property had featured some trees that have now been cleared.

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The Goals & Strategies of LU-9. “Regional Activity Center” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area*
- *The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area*
- *The property is located in an area designated as a “Priority Growth Area” according to the City’s Comprehensive Plan*

DRAFT [Rational for Denial]

- *While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-9.4, not all of the guidelines are requirements of this zoning district.*

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL POSSESSING PIN NUMBERS 9588-40-6934; 9588-40-7844; 9588-40-8795 BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY RC, REGIONAL COMMERCIAL ZONING DISTRICT TO CITY OF HENDERSONVILLE CHMU (COMMERCIAL HIGHWAY MIXED USE)

IN RE: Parcel Numbers: 9588-40-6934; 9588-40-7844; 9588-40-8795
Upward Rd-Justus-Erwin (File # P22-49-RZO)

WHEREAS, the City is in receipt of a Annexation petition from applicants/owners, Jeff Justus and James & Ruth Erwin Jr for a group of three parcels totaling 3.795 Acres along Upward Rd at the intersection of Ballenger Rd., and

WHEREAS, the Planning Board took up this application at its regular meeting on June 13, 2022; voting 0-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on July 7th, 2022,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9588-40-6934; 9588-40-7844; 9588-40-8795 from Henderson County RC, Regional Commercial Zoning District to City of Hendersonville CHMU (Commercial Highway Mixed Use)
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

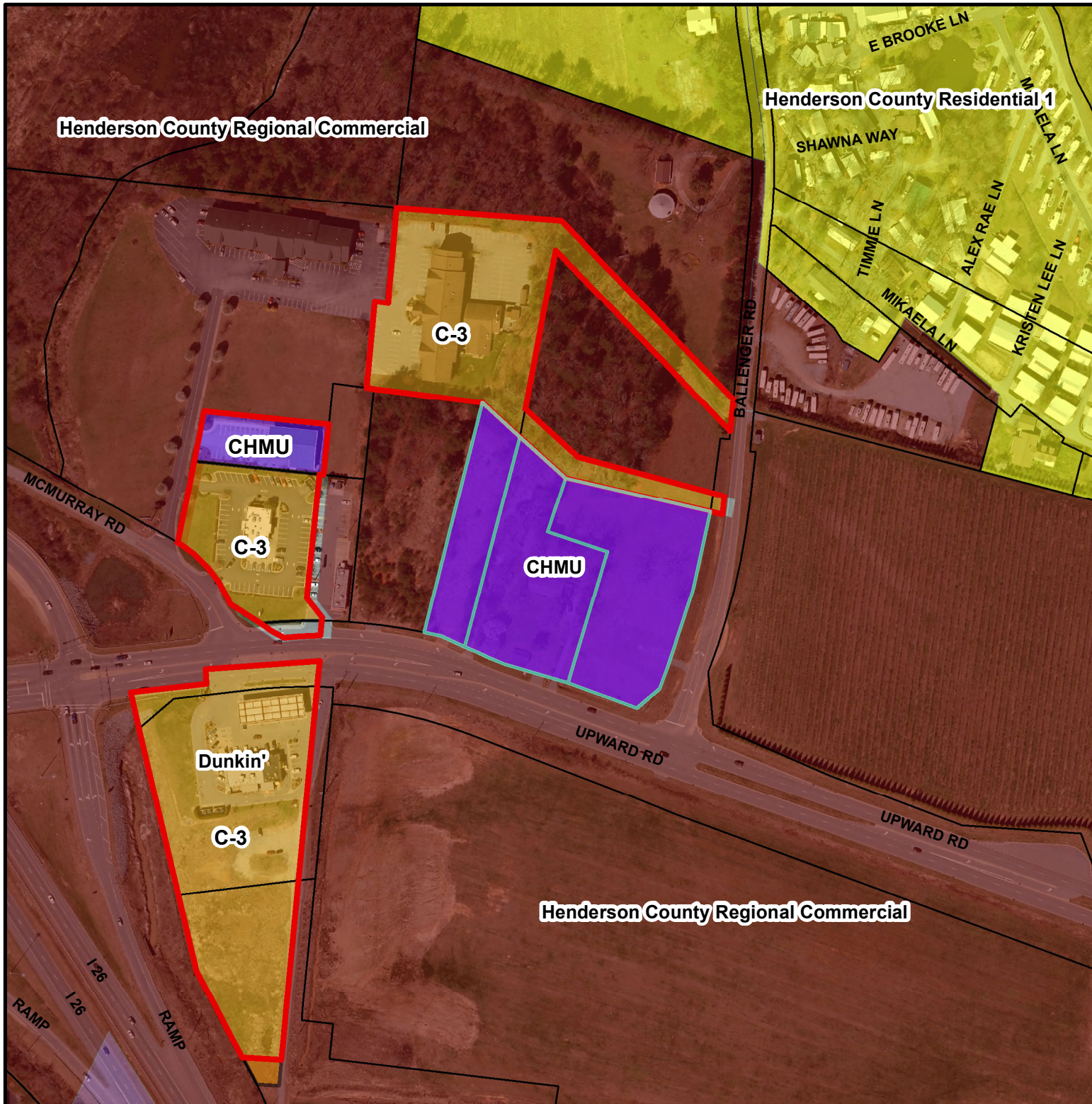
Adopted this 7th day of June 2022.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Upward Road/Ballenger Road
P22-49-RZO
PINs:958840879, -7844, -6934
Acreage: 3.79
Proposed Zoning
Community Development Department

- Subject Property
- Hendersonville City Limits
- Hendersonville Zoning**
 - C-3 Highway Business
 - CHMU Commercial Highway Mixed Use
- Henderson County Zoning**
 - RC - Regional Commercial
 - I - Industrial
 - R-1 - Residential 1





CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager

MEETING DATE: June 13, 2021

AGENDA SECTION: New Business

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – Edwards Park (P22-52-RZO) – *Matthew Manley, AICP – Planning Manager*

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9569-70-5860) from C-3, Highway Business & R-6, High Density Residential to R-6, High Density Residential based on the following:

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

The Future Land Use designation of Natural Resource / Agricultural Area recommends primary uses which are compatible with publicly-owned properties zoned R-6, High Density Residential.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. R-6 zoning would be an expansion of the primary zoning classification of the subject property
2. R-6 zoning permits uses which are compatible with surrounding land uses
3. R-6 zoning contains dimensional standards which are compatible with the surrounding built environment

[DISCUSS & VOTE]

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9569-70-5860) from C-3, Highway Business & R-6, High Density Residential to R-6, High Density Residential based on the following

1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

The Future Land Use designation of Natural Resource / Agricultural Area recommends primary uses which are compatible with publicly-owned properties zoned R-6, High Density Residential.

2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. R-6 zoning would reduce the number of permitted uses on a portion of the subject property

[DISCUSS & VOTE]

SUMMARY: The City of Hendersonville is initiating a rezoning for a remnant of property zoned C-3 on a parcel (PIN: 9569-70-5860) owned by the Hendersonville Board of Education. The parcel is split zoned R-6 & C-3. The total parcel is 1.47 acres. The portion currently zoned R-6 makes up approximately 93% of property. The remaining 1/10th of an acre is zoned C-3. An exempt subdivision occurred involving the subject property on September 3, 2021 which reduced the size of the parcel and reduced the portion zoned C-3. The proposed rezoning would eliminate the split zoning making the entire parcel R-6, High Density Residential. This would be considered a downzoning and would change the dimensional requirements as follows:

<u>C-3 (non-residential)</u>	<u>C-3 (residential)</u>
Front: 35'	20'
Side: 15'	8'
Rear: 20	10'

R-6

Front: 20'
Side: 8'
Rear: 10'

PROJECT/PETITIONER NUMBER:	P22-52-RZO
PETITIONER NAME:	City of Hendersonville [applicant] Hendersonville Board of Education [owner]
ATTACHMENTS:	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map

STANDARD REZONING: EDWARDS PARK (P22-52-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 12



PROJECT SUMMARY

- Project Name & Case #:
 - Edwards Park
 - P22-52-RZO
- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Hendersonville Board of Education [Owner]
- Property Address:
 - 1001 N Main St
- Project Acreage:
 - 1.47 Acres Total Parcel
 - 0.10 Acres to be rezoned
- Parcel Identification (PIN):
 - 9569-70-5860
- Current Parcel Zoning:
 - R-6
 - C-3
- Proposed Zoning District:
 - R-6
- Future Land Use Designation:
 - Natural Resource / Agricultural



SITE VICINITY MAP

The City of Hendersonville is initiating a rezoning for a remnant of property zoned C-3 on a parcel (PIN: 9569-70-5860) owned by the Hendersonville Board of Education. The parcel is split zoned R-6 & C-3. The total parcel is 1.47 acres. The portion currently zoned R-6 makes up approximately 93% of property. The remaining 1/10th of an acre is zoned C-3. An exempt subdivision occurred involving the subject property on September 3, 2021 which reduced the size of the parcel and reduced the portion zoned C-3. The proposed rezoning would eliminate the split zoning making the entire parcel R-6, High Density Residential. This would be considered a downzoning and would change the dimensional requirements as follows:

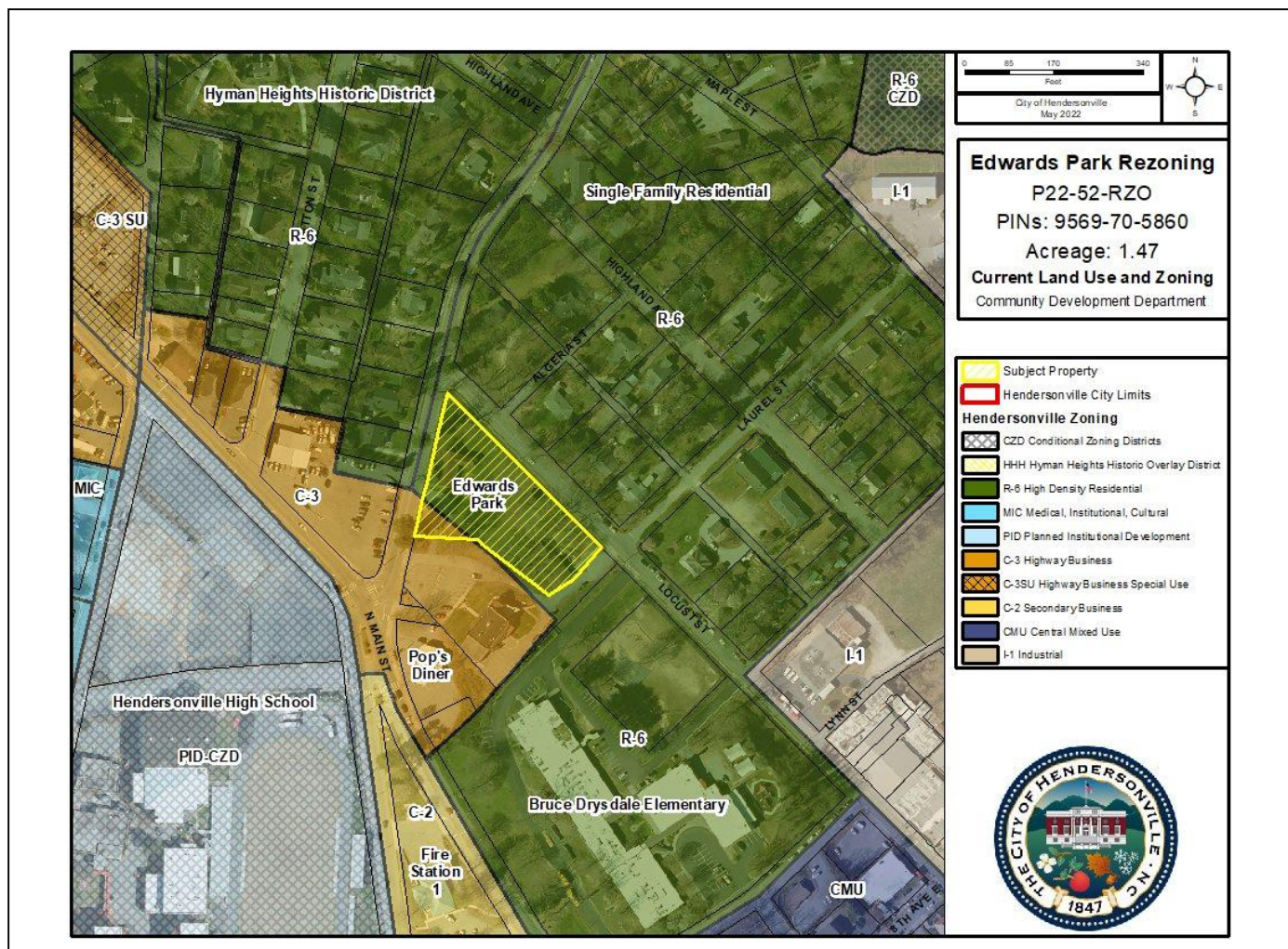
C-3 (non-residential) C-3 (residential)

Front:	35'	20'
Side:	15'	8'
Rear:	20	10'

R-6

Front:	20'
Side:	8'
Rear:	10'

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property currently serves as a portion of Edwards Park. The property is split zoned R-6 and C-3.

The R-6 zoning extends south covering Bruce Drysdale Elementary School and to the northwest, northeast and east covering the historic residential areas of Hyman Heights (Local Historic District) and Cold Spring Park (National Register Historic District).

The C-3 Zoning extends northwest along Asheville Highway from the intersection with N. Main St. C-2 Zoning is found at the southern corner of N. Main St and Asheville Hwy at the location of Fire Station 1.

Planned Institutional Development zoning is located on the parcels that make up Hendersonville High School.

SITE IMAGES



View looking northeast along N. Main St



View of existing conditions at center of site

SITE IMAGES



View of existing conditions including Scout Huts. Facing north towards the VFW building



View of additional Scout Huts on the property. View from Locust St.

SITE IMAGES



View of Scout Huts facing towards N. Main St

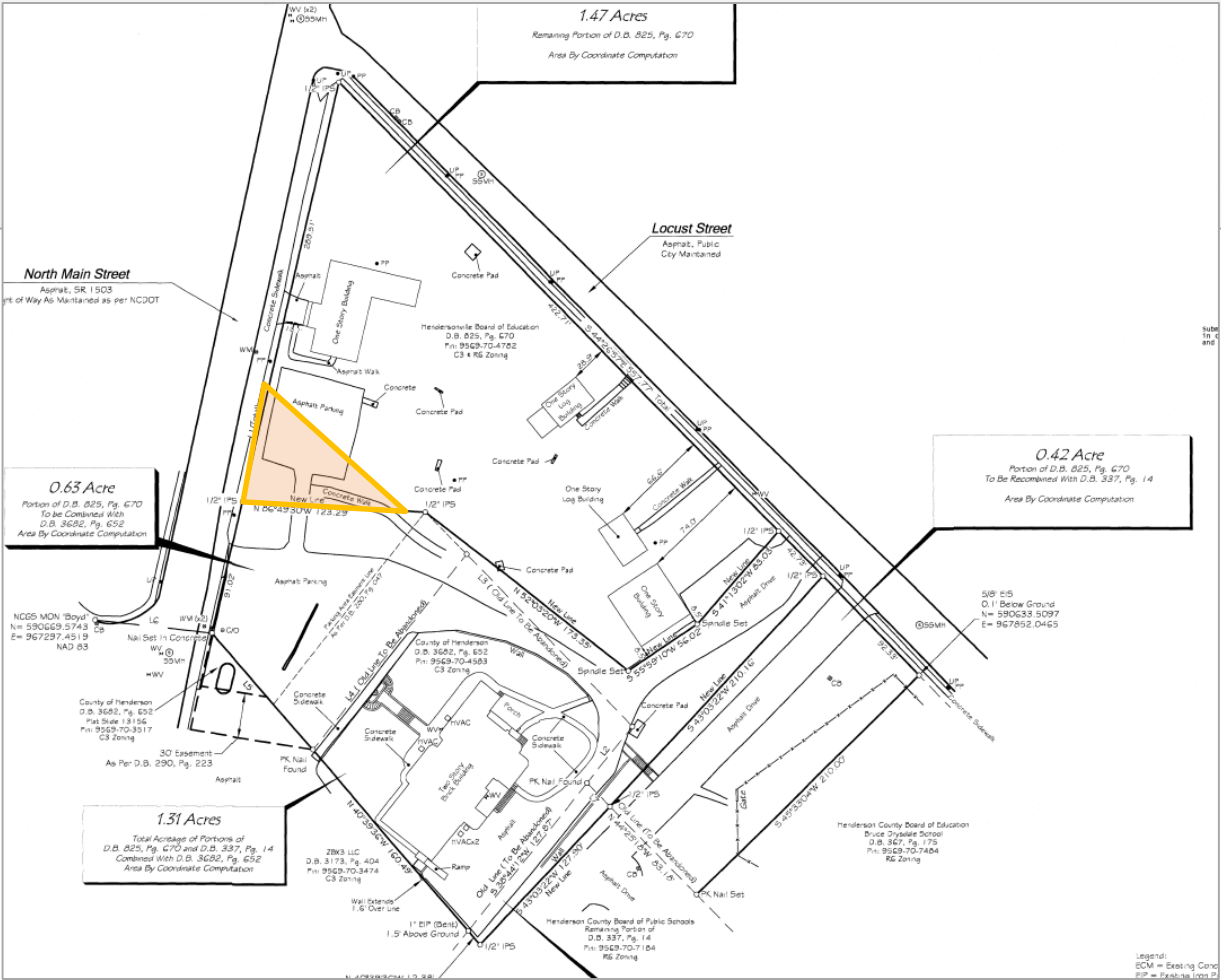


View of center of site facing intersection of N. Main & Asheville Hwy / Hendersonville High School

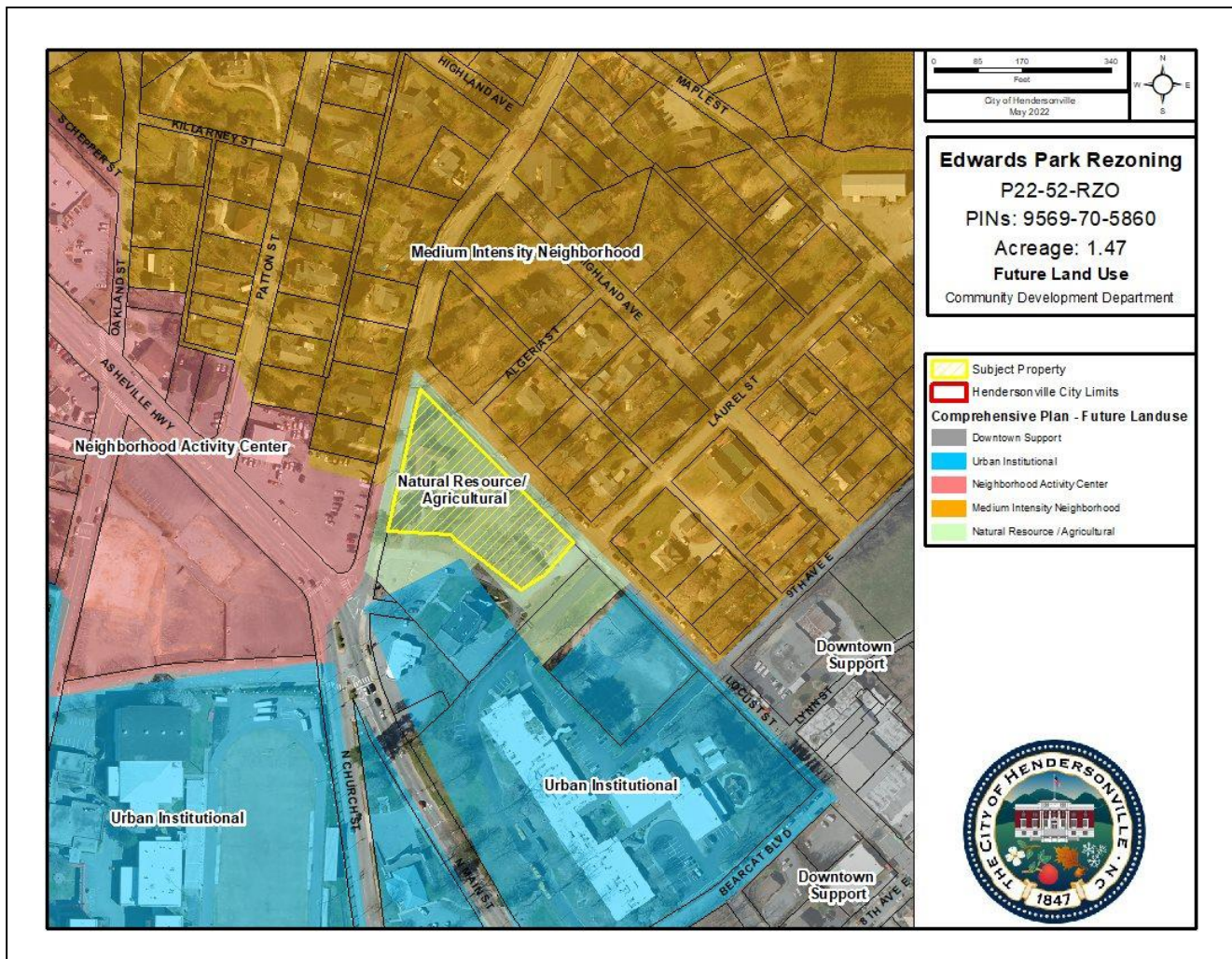
REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
N/A	N/A	N/A

- No information is known about the prior zoning on the property
- An exempt subdivision occurred on the subject property in September 2021. This reduced the amount of land associated with the subject property and increased the land associated with the VFW building. The parcel with the VFW building now includes the parking lot area fronting on N. Main St as well as access to Locust St. The subdivision reduced the amount of land zoned C-3 on the subject property but a remnant of C-3 remains (shown in orange below).



FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is designated as Natural / Agricultural Resource. This future land use designation is recommended to accommodate open space, agricultural uses, flood storage/stormwater facilities, and recreational amenities.

The subject parcel is adjacent to Medium Intensity Neighborhood to the north, northwest, and east; Neighborhood Activity Center to the west; and Urban Institutional to the south.

Properties designated as Downtown Support are in close proximity.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

Future Land Use	<p>The subject property is designated as Natural Resource / Agricultural Area on the City's <i>Future Land Use Map</i>.</p> <p>Goal LU-4. Natural Resource/Agricultural Areas: Create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources. [CONSISTENT]</p> <p>Strategy LU-4.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> • Open space • Recreational amenities [CONSISTENT] • Low-impact stormwater management facilities • Flood storage [CONSISTENT] • Agricultural uses
Land Use & Development	<p>The Growth Management Map list the subject property as Natural Resource/Agricultural Area: "Areas in which the City should discourage development and promote the preservation of environmentally sensitive features and agricultural resources." [CONSISTENT]</p> <p>Due to previous development of the site, the subject property is not listed as a Development Opportunity in the <i>Development Framework Map</i>.</p> <p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.</p> <p>Strategy LU-1.2. Enhance areas surrounding infill projects in order to incentivize and leverage the benefits of infill development.</p>
Population & Housing	<p>Goal PH-1. Maintain and enhance older neighborhoods so that they retain their value and viability in the face of demographic and market changes.</p> <p>Strategy PH-1.5. Maintain and enhance the public space in older neighborhoods.</p> <p>Action PH-1.5.4. Develop City-owned property within neighborhoods into neighborhood parks.</p> <p>Action PH-1.5.5. Seek opportunities to acquire additional property for future parks.</p>

Natural & Environmental Resources	Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat.
Cultural & Historic Resources	Strategy CR-1.4. Design the public realm to complement historic architecture through features such as uniquely designed signage and street furniture.
	Strategy CR-2.1. Incorporate interpretive and promotional elements within historic neighborhoods that educate citizens and visitors about Hendersonville's rich history
Community Facilities	Goal CF-1. Maximize the utilization of community facilities as community focal points in order to promote sound stewardship of taxpayer dollars and afford increased quality in facilities. Strategy CF-1.1. Encourage co-location of new community facilities. Strategy CF-1.2. Continue to encourage joint use of existing community facilities, as well as usage of these facilities by community organizations. Strategy CF-1.3. Encourage location of community facilities in mixed-use community centers with excellent multimodal access
	Strategy CF-3.1. Balance investment in new park space and amenities with anticipated maintenance resources.
	Strategy CF-4.1. Create a strong theme and brand for parks in order to increase their awareness and visibility
	Goal CF-5. Expand and adjust park amenities to match community needs and expectations. Strategy CF-5.2. Evaluate park facilities to determine usage and redesign or replace underutilized facilities. Strategy CF-5.4. Develop detailed recommendations for new park acquisitions, improvements to existing parkland, and replacement of underutilized equipment. Strategy CF-5.5. Ensure that new parks are designed as safe environments for users.
	Goal CF-6. Encourage that a park and/or accessible open space are available within a ten-minute walk of each neighborhood. Strategy CF-6.2. Develop existing City-owned vacant parcels within existing neighborhoods into pocket parks and gathering places
Water Resources	Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management.
Transportation & Circulation	No Goals, Strategies or Actions directly applicable to this petition

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	The proposed R-6 zoning would expand existing R-6 zoning to a remnant of the subject property zoned C-3. The subject property is publicly-owned and the R-6 zoning would permit the existing use of 'park'.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The Fire Station I location across from the subject property between N. Main St and N. Church St is being utilized for an expansion of fire department facilities. The impact of the expansion calls for a need for additional park facilities in this area of town.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	The expansion of R-6 zoning would permit uses which are in the public interest including parks and neighborhood community centers.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The subject property is in an urban location that is well served by public facilities.
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, streams, vegetation, wetlands and wildlife -
	The subject property features a piped blue line stream that runs along N. Main St on the western edge of the subject property. The stream is daylighted north of Locust St.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The Future Land Use designation of Natural Resource / Agricultural Area recommends primary uses which are compatible with publicly-owned properties zoned R-6, High Density Residential.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *R-6 zoning would be an expansion of the primary zoning classification of the subject property*
- *R-6 zoning permits uses which are compatible with surrounding land uses*
- *R-6 zoning contains dimensional standards which are compatible with the surrounding built environment*

DRAFT [Rational for Denial]

- *R-6 zoning would reduce the number of permitted uses on a portion of the subject property*

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL POSSESSING PIN NUMBERS 9569-70-5860 BY CHANGING THE ZONING DESIGNATION FROM R-6, HIGH DENSITY RESIDENTIAL & C-3, HIGHWAY BUSINESS TO R-6 HIGH DENSITY RESIDENTIAL

IN RE: Parcel Numbers: 9569-70-5860
Edwards Park (File # P22-52-RZO)

WHEREAS, the Planning Board took up this application at its regular meeting on June 13, 2022; voting 0-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City's comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on July 7th, 2022,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9569-70-5860 from R-6, High Density Residential & C-3, Highway Business to R-6 High Density Residential
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

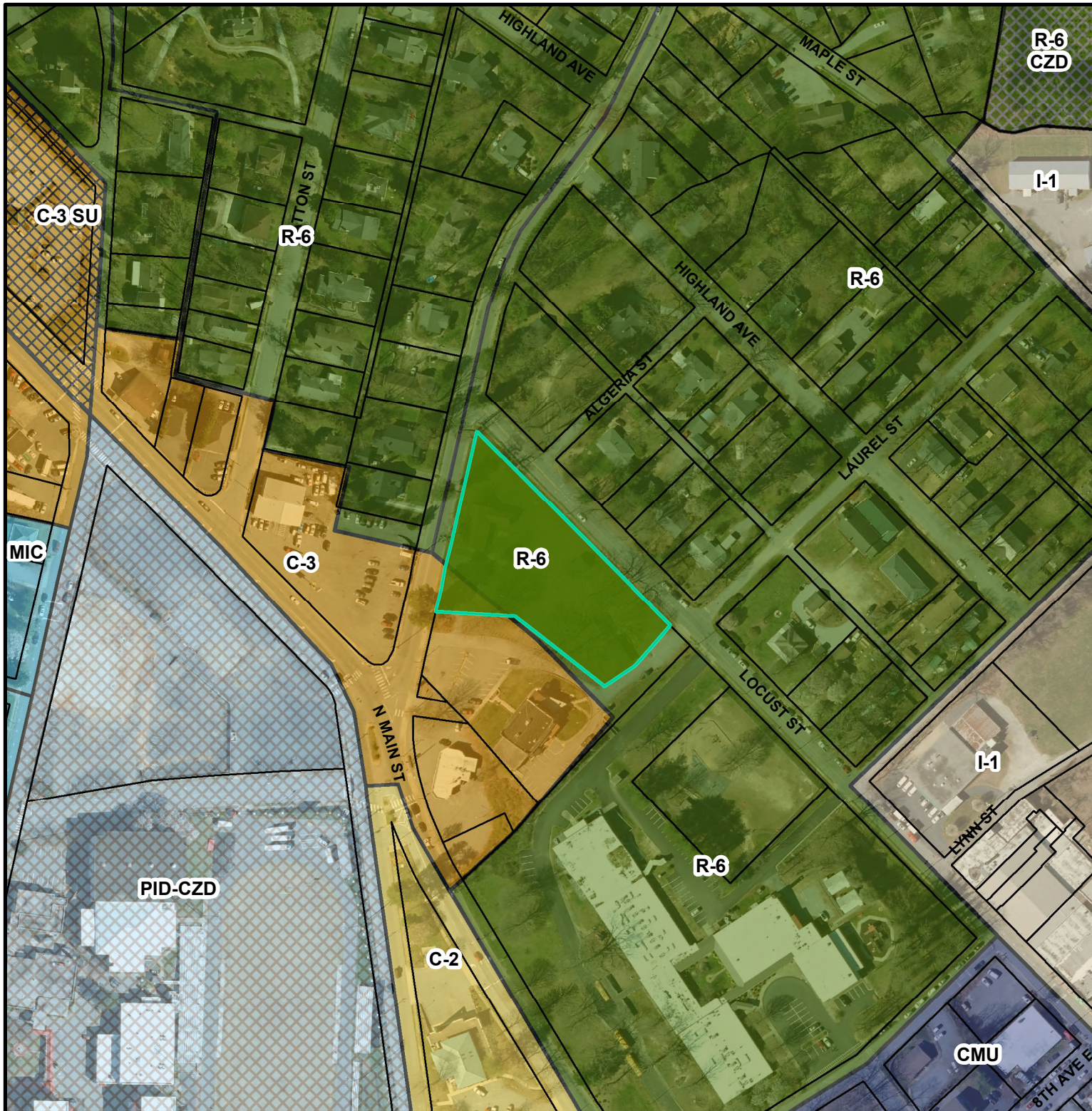
Adopted this 7th day of July 2022.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



Edwards Park Rezoning
P22-52-RZO
PINs: 9569-70-5860
Acreage: 1.47
Proposed Zoning
Community Development Department

- Hendersonville Zoning**
- Subject Property
 - Hendersonville City Limits
 - CZD Conditional Zoning Districts
 - HHH Hyman Heights Historic Overlay District
 - R-6 High Density Residential
 - MIC Medical, Institutional, Cultural
 - PID Planned Institutional Development
 - C-3 Highway Business
 - C-3SU Highway Business Special Use
 - C-2 Secondary Business
 - CMU Central Mixed Use
 - I-1 Industrial

