



# **CITY OF HENDERSONVILLE PLANNING BOARD - CURRENT PLANNING COMMITTEE**

**Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792  
Monday, July 11, 2022 – 2:30 PM**

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## **AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES**
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
  - A. Rezoning: Standard Rezoning – Crest Rd – US Army (P22-47-RZO) – *Matthew Manley, AICP – Planning Manager*
  - B. Rezoning: Standard Rezoning – 1027 Fleming St-Riddle (P22-57-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:** July 11, 2022

**AGENDA SECTION:** New Business  
**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Standard Rezoning – Crest Rd – US Army (P22-47-RZO) – *Matthew Manley, AICP – Planning Manager*

**SUGGESTED MOTION(S):**

<p><b><u>For Recommending Approval:</u></b></p> <p>I move Planning Board recommend City Council <b><u>adopt</u></b> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9587-68-8771) from Henderson County Industrial Zoning District to City of Hendersonville I-1 (Industrial) Zoning District based on the following:</p> <p><b>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:</b></p> <p style="padding-left: 40px;">The proposed Industrial zoning presents an opportunity to improve the land use balance as called for in Chapter 8 of the City’s 2030 Comprehensive Plan.</p> <p><b>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:</b></p> <p style="padding-left: 40px;">1. The proposed zoning is compatible with surrounding land uses</p> <p style="padding-left: 40px;">2. The proposed zoning presents an opportunity for additional employment</p> <p><b>3. Furthermore, we recommend designating the Future Land Use of the parcel as Regional Activity Center.</b></p> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>	<p><b><u>For Recommending Denial:</u></b></p> <p>I move Planning Board recommend City Council <b><u>deny</u></b> an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9587-68-8771) from Henderson County Industrial Zoning District to City of Hendersonville I-1 (Industrial) Zoning District based on the following:</p> <p><b>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:</b></p> <p style="padding-left: 40px;">The proposed Industrial zoning presents an opportunity to improve the land use balance as called for in Chapter 8 of the City’s 2030 Comprehensive Plan.</p> <p><b>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:</b></p> <p style="padding-left: 40px;">1. The proposed zoning would be incompatible with future residential development in the area</p> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>
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**SUMMARY:** The City of Hendersonville received an Annexation application from the United States Army Corp of Engineers (owner) for a 19.96 Acre tract along Crest Rd adjacent to Upward Elementary School off of Upward Road. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County - Industrial to City of Hendersonville I-I, Industrial.

I-I permits a wide range of high intensity commercial and industrial uses along with residential uses. This zoning district is considered to be the City’s most intense zoning district classification and does not include design standards. The I-I zoning district provides exceptions to the size limitations which trigger CZDs. However, Government Facilities are not one of the uses that are exempted from the 50,000 Sq Ft trigger.

In absence of a Future Land Use Designation, the County’s Future Land Use Designation of Urban Service Area states the following (excerpt):

The Urban Services Area is that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.

<b>PROJECT/PETITIONER NUMBER:</b>	P22-47-RZO
<b>PETITIONER NAME:</b>	City of Hendersonville [applicant] United States of America - Army Corps of Engineers – Savannah District [owner]
<b>ATTACHMENTS:</b>	1. Staff Report 2. Proposed Zoning Map 3. Draft Ordinance

STANDARD REZONING: CREST RD – ARMY CORP (P22-47-RZO)  
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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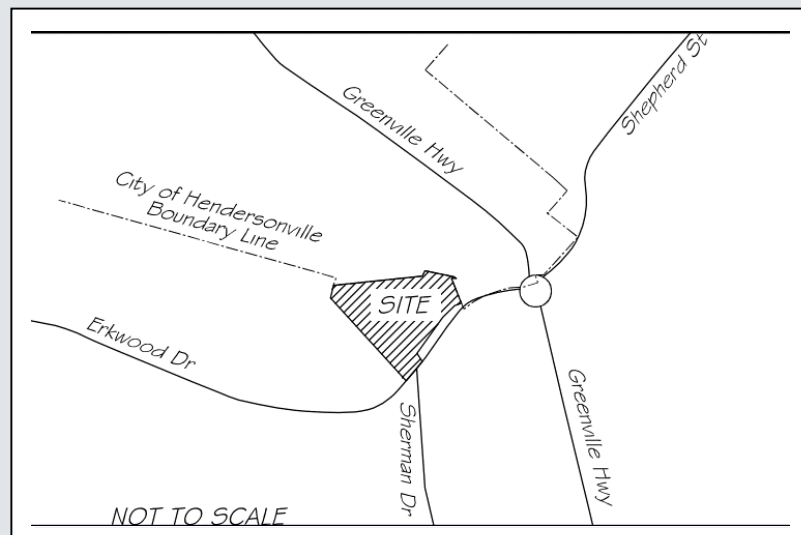
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## PROJECT SUMMARY

- Project Name & Case #:
  - Crest Rd (Army Corp of Engineers)
  - P22-47-RZO
- Applicant & Property Owner:
  - City of Hendersonville [Applicant]
  - United States of America - Army Corps of Engineers – Savannah District [Owner]
- Property Address:
  - No Address Assigned
- Project Acreage:
  - 19.96 Acres
- Parcel Identification (PIN):
  - 9587-68-8771
- Current Parcel Zoning:
  - Industrial (County)
- Proposed Zoning District:
  - I-1 (Industrial)
- Future Land Use Designation:
  - City – Not Mapped (Adjacent to Regional Activity Center)
  - County – Urban Service Area



SITE VICINITY MAP

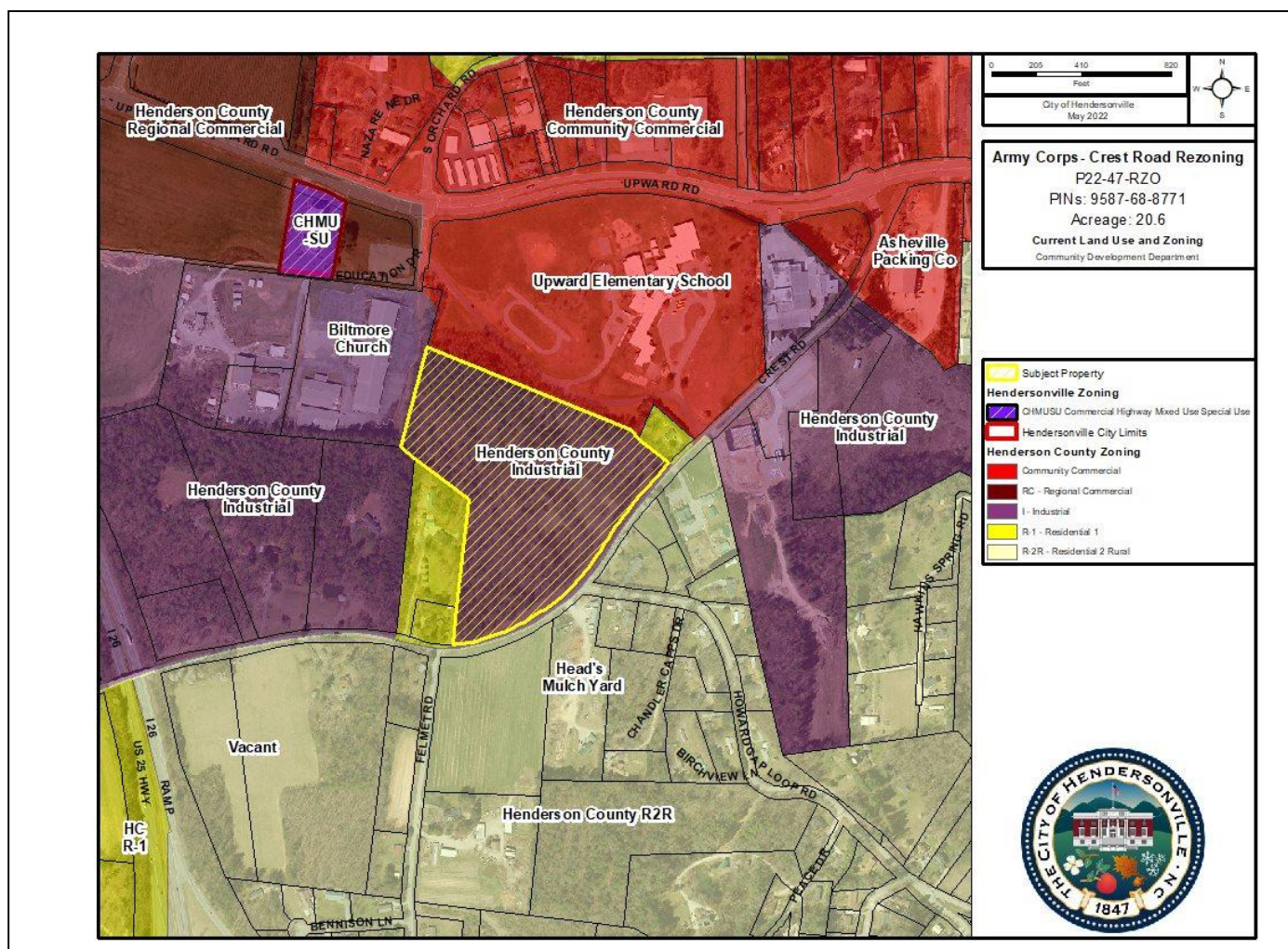
*The City of Hendersonville received an Annexation application from the United States Army Corp of Engineers (owner) for a 19.96 Acre tract along Crest Rd adjacent to Upward Elementary School off of Upward Road. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County - Industrial to City of Hendersonville I-1, Industrial.*

*I-1 permits a wide range of high intensity commercial and industrial uses along with residential uses. This zoning district is considered to be the City's most intense zoning district classification and does not include design standards. The I-1 zoning district provides exceptions to the size limitations which trigger CZDs. However, Government Facilities are not one of the uses that are exempted from the 50,000 Sq Ft trigger.*

*In absence of a Future Land Use Designation, the County's Future Land Use Designation of Urban Service Area states the following (excerpt):*

*The Urban Services Area is that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.*

# EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned Industrial under Henderson County's Zoning Jurisdiction. It is located beyond the corporate City Limits in an area outside of the ETJ and outside the City's Upward Rd Planning District.

North of Crest Rd, in the area containing the subject property, County zoning allows for higher intensity uses with the predominance of Industrial, Community Commercial and Regional Commercial zoning districts. While some R-1 is present north of Crest Rd (and adjacent to the subject property), a majority of low density Residential zoning (R-2R, Residential 2 – Rural) is found south of Crest Rd. Industrial zoning is also present south of Crest Rd closer to the intersection with Upward Rd.

City zoning in the immediate area is limited to one CHMU-SU parcel north of Biltmore Church fronting Upward Rd.



SITE IMAGES



*View facing northeast on Crest Rd from subject property  
boundary near intersection of Howard Gap Loop Rd*



*View facing southwest on Crest Rd from subject property  
boundary near intersection of Howard Gap Loop Rd*



SITE IMAGES



*View of limited pasture area on the subject property*



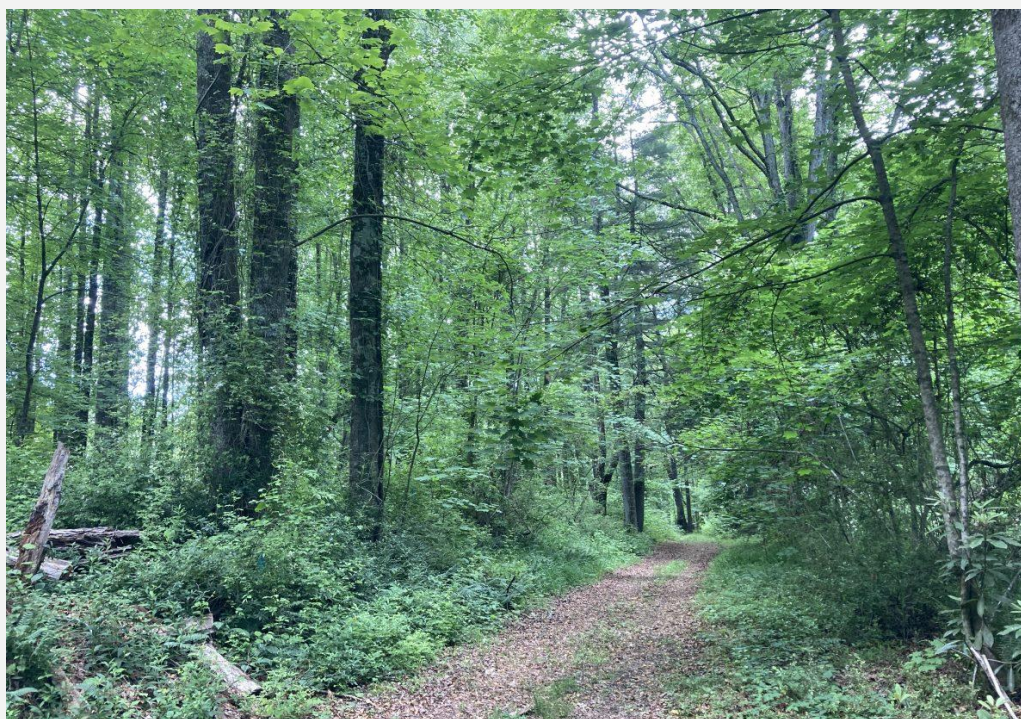
*View of limited pasture area on the subject property*



SITE IMAGES



*Typical view of woodlands on subject property*



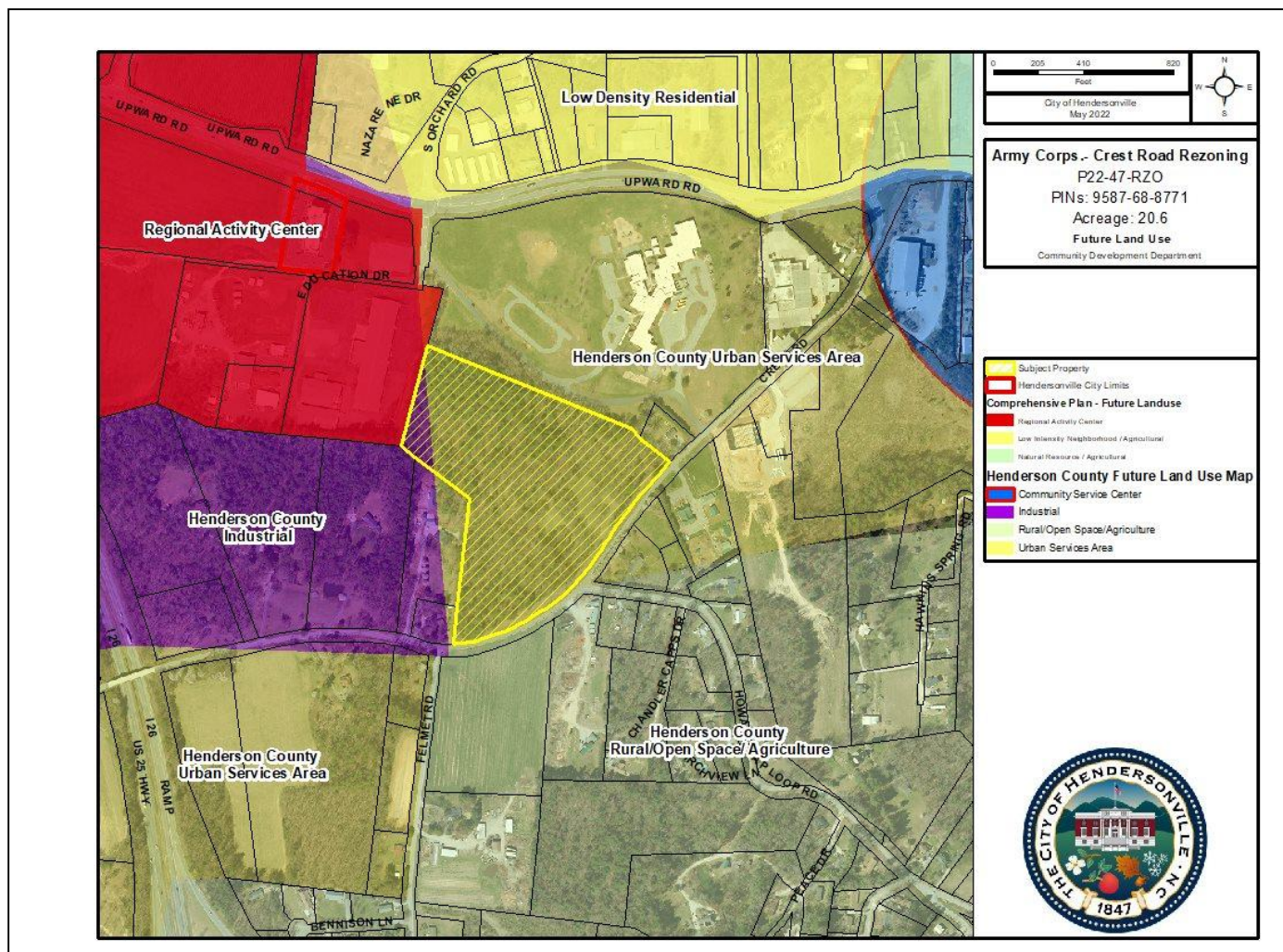
*Typical view of woodlands on subject property*

REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
Rezoned by County on 10-02-2017	Previous Zoning was R1 (County)	Rezoned to Industrial (County)



## 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 Regional Activity Center for the properties adjacent to the subject property to the northwest. Those same adjacent properties are designated as 'Priority Growth Areas' on the City's Growth Management Map.

*The County's Future Land Use Map designates the subject property and properties to the north, east and southwest along Crest Rd as Urban Service Area - where residential density is to be maximized based on the availability of utilities. A small portion of the subject property and parcels to the west are designated as Industrial in the County's Future Land Use Map. Properties east of Crest Rd and to the south of the subject property are designated as Henderson County Rural/Open Space/Agriculture*

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

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<b>N/A</b> – The subject property is not within the boundaries of the <i>Future Land Use Map</i> . It is adjacent to <i>Regional Activity Center</i> .
Land Use & Development	<b>N/A</b> – The subject property is not within the boundaries of the <i>Growth Management Map</i> . It is adjacent to <i>Priority Growth Area</i> .
	<b>N/A</b> – The subject property is not within the boundaries of the <i>Development Framework Map</i> .
	<b>Goal LU-3.</b> Promote orderly development, annexation and expansion of Hendersonville's Extra-Territorial Jurisdiction (ETJ). <ul style="list-style-type: none"> <li>• Strategy LU-3.1. Expand the City's ETJ to include land expected to experience significant growth pressure. [CONSISTENT]</li> <li>• Strategy LU-3.2. Annex developed and developing areas in a contiguous manner that promotes fiscal responsibility for the City. [INCONSISTENT]</li> <li>• Strategy LU-3.3. Encourage annexations that improve the land-use balance in the City of Hendersonville [CONSISTENT]</li> </ul>
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	• Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat
	• Strategy NR-2.1. Encourage clustered development that preserves open space while allowing a return on investment
	• Strategy NR-2.3. Promote preservation of woodlands
Cultural & Historic Resources	<b>No Goals, Strategies or Actions are directly applicable to this project.</b>
Community Facilities	<b>No Goals, Strategies or Actions are directly applicable to this project</b>
Water Resources	<b>No Goals, Strategies or Actions are directly applicable to this project</b>
Transportation & Circulation	<b>No Goals, Strategies or Actions are directly applicable to this project</b>



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

GENERAL REZONING STANDARDS	
Compatibility	<b>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</b>
	There are a mix of large parcel developments with significant open space in the vicinity of the subject property. Some of these uses include institutional, religious, wholesale business, veterinarians, and vacant land. Bufferyards required for Industrial uses are the most stringent of any land use.
Changed Conditions	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	The nearby Upward Road Corridor has seen continued non-residential growth and development, particularly in vicinity of the I-26 interchange. Residential and non-residential development is likely to continue to grow in this area.
Public Interest	<b>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 -</b>
	The addition of industrial zoning holds the potential to provide for additional employment opportunities. Additionally, some industrial uses could be considered incompatible with surrounding land uses, particularly residential uses.
Public Facilities	<b>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</b>
	The site will be served by City water and sewer service. Crest Road is classified as a Minor Thoroughfare in the Comprehensive Plan's Transportation Chapter and is maintained by NCDOT. The subject property will be served by City Fire Dept and will also be served by the City of Hendersonville Police.
Effect on Natural Environment	<b>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 -</b>
	The subject property is heavily wooded and features a blue line stream and a wet-weather conveyance along the northern property boundary.

# 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 proposed Industrial zoning presents an opportunity to improve the land use balance as called for in Chapter 8 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:

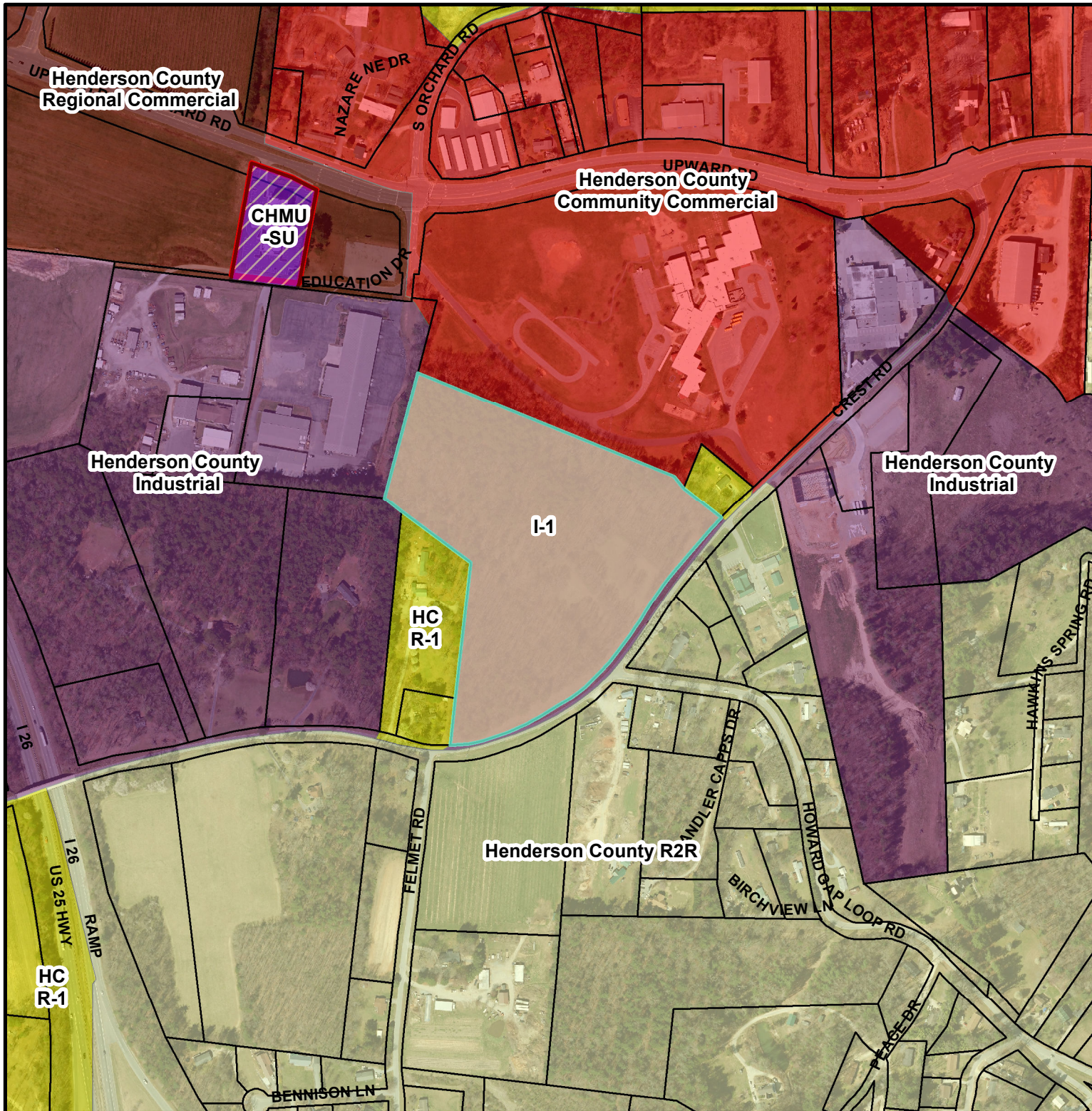
## DRAFT [Rationale for Approval]

- *The proposed zoning is compatible with surrounding land uses*
- *The proposed zoning presents an opportunity for additional employment*

## DRAFT [Rational for Denial]

- *The proposed zoning would be incompatible with future residential development in the area*





**Army Corps.- Crest Road Rezoning**  
 P22-47-RZO  
 PINs: 9587-68-8771  
 Acreage: 20.6  
**Proposed Zoning**  
 Community Development Department

- Hendersonville Zoning**
- CHMUSU Commercial Highway Mixed Use Special Use
  - Hendersonville City Limits
- Henderson County Zoning**
- Community Commercial
  - RC - Regional Commercial
  - I - Industrial
  - R-1 - Residential 1
  - R-2R - Residential 2 Rural





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 9587-68-8771) CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY INDUSTRIAL ZONING DISTRICT TO CITY OF HENDERSONVILLE I-1 (INDUSTRIAL) ZONING DISTRICT**

IN RE: Parcel Numbers: 9587-68-8771  
Crest Rd-US Army (File # P22-47-RZO)

**WHEREAS**, the Planning Board took up this application at its regular meeting on July 11, 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 took up this application at its regular meeting on August 4, 2022, 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 August 4, 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: 9587-68-8771 from Henderson County Industrial Zoning District to City of Hendersonville I-1 (Industrial) Zoning District.
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 4th day of August 2022.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

### PLANNING DIVISION

**SUBMITTER:** Matthew Manley, Planning Manager

**MEETING DATE:** July 11, 2022

**AGENDA SECTION:** New Business

**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Standard Rezoning – 1027 Fleming St-Riddle (P22-57-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: 9569-60-2887) from MIC-SU (Medical, Institutional & Cultural – Special Use) zoning district to MIC (Medical, Institutional & Cultural) 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 Goals & Strategies of LU-12 – ‘Urban Institutional’ calls for primary recommended land uses which align with the proposed MIC zoning.

**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. MIC is the zoning district established for the area surrounding Pardee Hospital
2. The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan
3. The subject property contains an existing office building and is well-suited to house a range of uses permitted in the MIC.

##### **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: 9569-60-2887) from MIC-SU (Medical, Institutional & Cultural – Special Use) zoning district to MIC (Medical, Institutional & Cultural) 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 Goals & Strategies of LU-12 – ‘Urban Institutional’ calls for primary recommended land uses which align with the proposed MIC zoning.

**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. The rezoning would permit a greater number of uses than those approved as part of the Special Use Permit

**[DISCUSS & VOTE]**

[DISCUSS & VOTE]	
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*SUMMARY: The City of Hendersonville is in receipt of a Zoning Map Amendment petition from Andrew Riddle of Riddle Development, LLC for the subject property (PIN: 9569-60-2887) located at 1027 Fleming St to rezone the property from MIC-SU to the base MIC zoning district.*

*The subject property was a part of a 3.33 acre development which received Special Use zoning (zoning for large-scale projects which predated what is now known as Conditional Zoning) and was approved in 2006 and modified in 2008 for the construction of professional office and retail uses. The existing building at this site was already constructed and zoned C-3 prior to the approval of the Special Use zoning. The remainder of the proposed development was never constructed. The 2008 Site Plan approved for this development is now voided.*

*The .98 acre subject property, that was part of the larger 3.33 acre parcel, was part of a minor subdivision approved in late 2021. The effect of the proposed standard rezoning would be to place only the .98 acre parcel back into a base zoning which would allow for all by-right uses and development permitted in the MIC. The remaining 2.35 acres would still be subject to the process for modifying a Special Use / Conditional Zoning District should development be desired on this remaining land.*

<b>PROJECT/PETITIONER NUMBER:</b>	P22-57-RZO
<b>PETITIONER NAME:</b>	Andrew Riddle [applicant] Riddle Development, LLC. [Owner]
<b>ATTACHMENTS:</b>	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map 4. Application

STANDARD REZONING: 1027 FLEMING ST-RIDDLE (P22-57-RZO)  
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT  
STAFF REPORT

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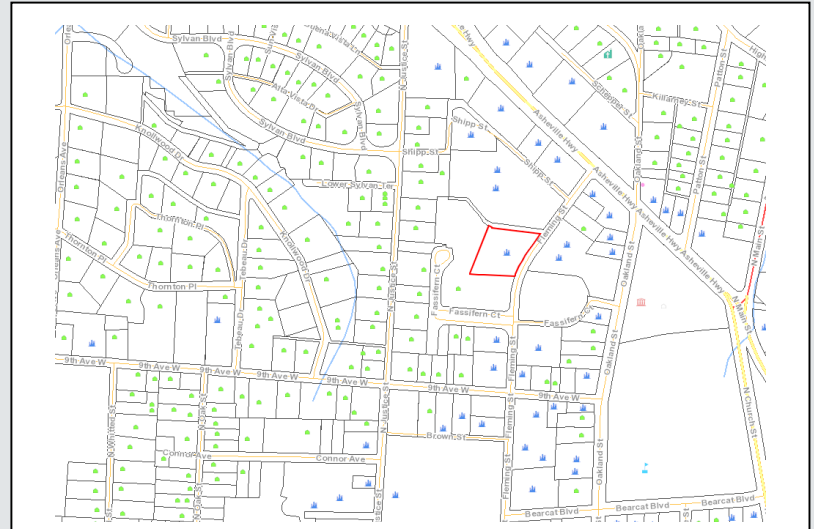
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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT ..... 10



# PROJECT SUMMARY

- Project Name & Case #:
  - 1027 Fleming St-Riddle
  - P22-57-RZO
- Applicant & Property Owner:
  - Andrew Riddle [Applicant]
  - Riddle Development, LLC [Owner]
- Property Address:
  - 1027 Fleming St
- Project Acreage:
  - 0.98 Acres
- Parcel Identification (PINS):
  - 9569-60-2887
- Current Parcel Zoning:
  - MIC-SU (Medical, Institutional, & Cultural – Special Use)
- Proposed Zoning District:
  - MIC (Medical, Institutional, & Cultural)
- Future Land Use Designation:
  - Urban Institutional



SITE VICINITY MAP

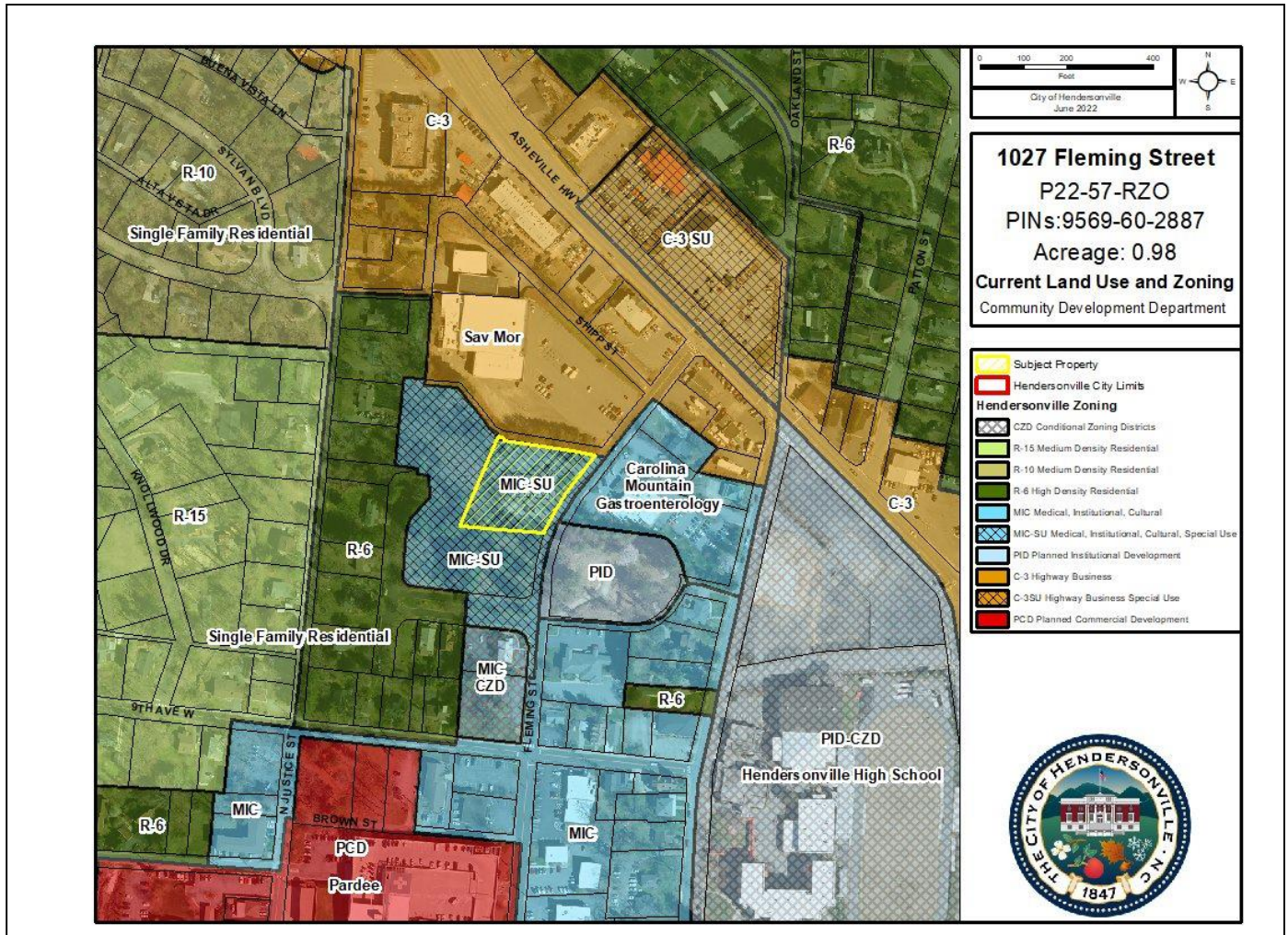
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*The subject property was a part of a 3.33 acre development which received Special Use zoning (zoning for large-scale projects which predated what is now known as Conditional Zoning) and was approved in 2006 and modified in 2008 for the construction of professional office and retail uses. The existing building at this site was already constructed and zoned C-3 prior to the approval of the Special Use zoning. The remainder of the proposed development was never constructed. The 2008 Site Plan approved for this development is now voided.*

*The .98 acre subject property, that was part of the larger 3.33 acre parcel, was part of a minor subdivision approved in late 2021. The effect of the proposed standard rezoning would be to place only the .98 acre parcel back into a base zoning which would allow for all by-right uses and development permitted in the MIC. The remaining 2.35 acres would still be subject to the process for modifying a Special Use / Conditional Zoning District should development be desired on this remaining land.*



# EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north of the subject property are mostly zoned C-3 Highway Business. The C-3 zoning district follows the commercial corridor along Asheville Highway (US Hwy 25). Asheville Highway is a major artery and gateway to the City and provides frontage for a wide range of businesses with varying types of goods and services. To the west, the parcel is bordered by the remaining tract of the MIC-SU district which was approved in 2008 and never constructed. Further to the west are residential uses zoned R-6, High Density Residential and R-15 and R-10, Medium Density Residential. Most of the residential uses in this area are comprised of single-family dwellings on small lots.

Parcels to the east and south are zoned MIC (Medical, Institutional and Cultural) and PID (Planned Institutional Development). The majority of uses in this area are professional and medical offices. To the east is Hendersonville High School. To the south is Pardee Hospital. The surrounding area contains uses which supports Pardee Hospital. Directly to the south, at the corner of 9<sup>th</sup> Ave & Fleming St, is an approved Conditional Zoning District known as "Fleming Street Medical Office Building" which has not been constructed.



SITE IMAGES



*View of south side of existing building on subject property looking towards Fleming St*



*View of rear (west facing) side of the existing building*



SITE IMAGES



*View facing north from subject property parking lot towards Sav-Mor Grocery*



*View of 1 of 2 access points to the subject property from Fleming St*



## REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
C-3, R-6 & MIC-SU to MIC-SU	Below	Voided as of 12/12/2015

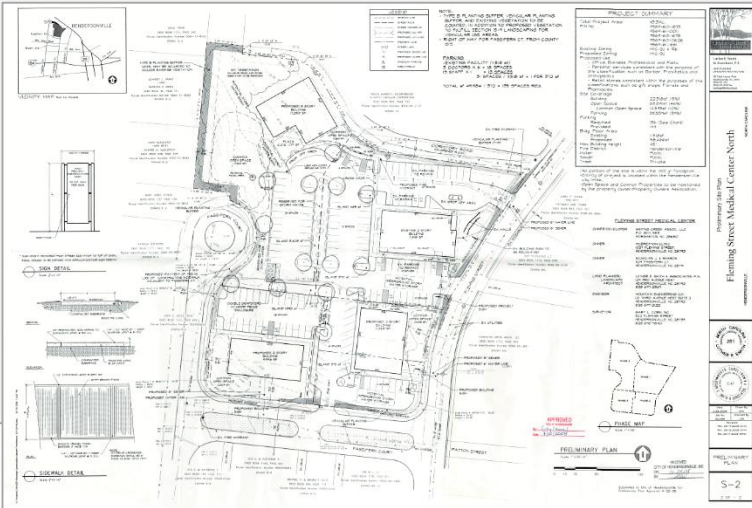
The subject property was part of a group of parcels that were rezoned to a Special Use district in 2006 and later amended in 2008. Due to changes made in G.S. 160D, Special Use Districts are now converted to Conditional Zoning Districts and must follow the City's requirements for Conditional Zoning Districts and any amendment thereto.

The existing medical office building on the site today, which is the subject of this rezoning, existed prior to the Special Use and was previously zoned C-3. The Special Use Permit for this property was established on December 7th, 2006. The subject property was 1 of 4 individual parcels which were later combined. The properties were zoned C-3 Highway Business (subject property), R-6 High Density Residential and MIC-SU Medical, Institutional, Cultural-Special Use (this Special Use was specific to a property at Fassifern Ct & Fleming St was for a medical office that was never constructed). The 2006 Special Use permit allowed for the construction of 2 medical office buildings totaling 28,470 Sq Ft. In 2008, the property owners petitioned City Council to amend their Special Use permit. The amendment was approved on July 10<sup>th</sup>, 2008 allowing for inclusion of an additional parcel and the construction of 3 medical office buildings totaling 38,466 Sq Ft. The deadline for completing construction on this project was December 12, 2015. The development was never constructed. Any new development or use of this property would require one of the following:

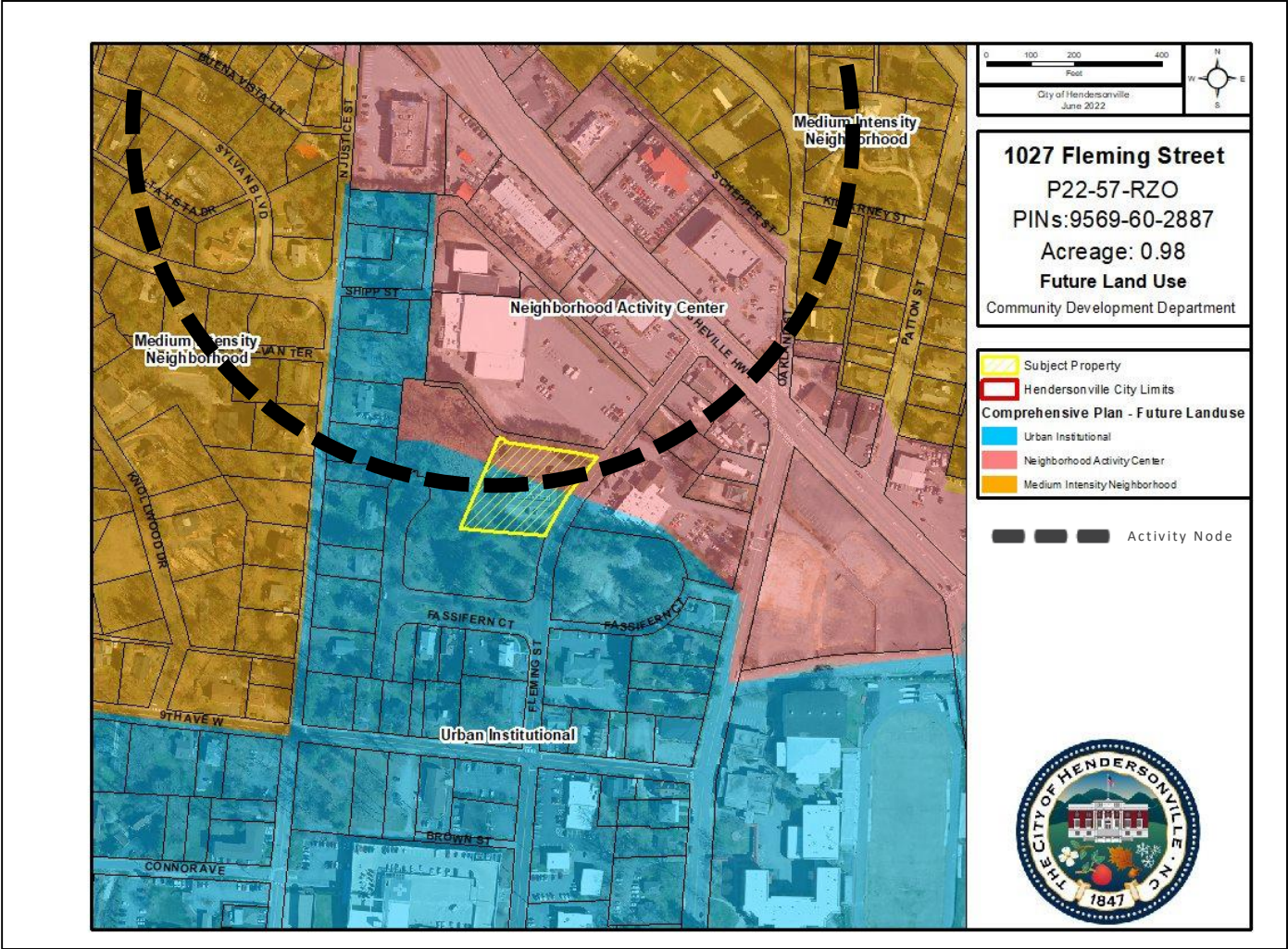
- 1) A CZD amendment to the site-specific approval and/or the list of stated uses through the Conditional Zoning District process under the City's current zoning standards, or
- 2) A Zoning Map Amendment whereby the property is rezoned to a base zoning district which permits all uses within the approved zoning district and would allow by-right development in conformity with the zoning code.

The 2008 Special Use Permit was issued for the following uses:

1. Offices, businesses, professional and public
2. Personal Services- consistent with the purpose of this classification
3. Retail Stores- consistent with the purposes of this classification.



FUTURE LAND USE



City of Hendersonville Future Land Use Map

The 2030 Comprehensive Plan's Future Land Use Map designates this parcel as Urban Institutional and Neighborhood Activity Center and it is located at the fringe of an Activity Node. Parcels located to the north, east and south are also designated Urban Institutional and Neighborhood Activity Center. The Urban Institutional is in this area due to its proximity to downtown and the prevalence of medical and educational institutions in the area; the most prominent being Pardee Hospital and Hendersonville High School.

The Neighborhood Activity Center designation follows the entry corridor along Asheville Highway which is a major commercial hub for the City.

The parcels to the west are designated as Urban Institutional and Medium Intensity Neighborhood. The majority of this area is comprised of single-family dwellings which is a primary recommended land use under this designation. Some of the existing single-family residences are located in the Urban Institutional designation.

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

## GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

Future Land Use	<b>Goal LU-12 - Urban Institutional:</b> Create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses, that is integrated with Downtown [CONSISTENT]
	Strategy LU-12.1. Locations: • Area surrounding Pardee Memorial Hospital [CONSISTENT]
	Strategy LU-12.2. Primary recommended land uses: • Public and institutional uses [CONSISTENT] • Offices [CONSISTENT] • Structured or underground parking [CONSISTENT]
	Strategy LU-12.3. Secondary recommended land uses: • Single-family attached residential [CONSISTENT] • Multi-family residential [INCONSISTENT] • Live-work units [INCONSISTENT] • Limited retail and services [CONSISTENT]
	Strategy LU-12.4. Development guidelines: • Similar development standards to Downtown Support • Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown [INCONSISTENT] Strategy LU-11.4 (Downtown Support) Development Guidelines: • Minimal front setback [INCONSISTENT] • Rear or limited side parking only [INCONSISTENT] • Façade articulation [INCONSISTENT] • Ground-floor storefronts and/or architectural detailing on parking structures [INCONSISTENT]
	<b>Growth Management</b> (Map 8.3a): Designated as a “ <b>Priority Infill Area</b> ” - Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties [CONSISTENT]
Land Use & Development	<b>Goal LU-1.</b> Encourage infill development that utilizes existing infrastructure in order to maximize public investment...
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	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.



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

GENERAL REZONING STANDARDS	
Compatibility	<b>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</b>
	MIC Zoning permits a range of uses that are existing in the surrounding area. The subject property is adjacent to retail uses and C-3 zoning. The subject property is buffered from and not contiguous to residential uses. Other properties adjacent to and in vicinity of the subject property are vacant and classified as Special Use Districts. These vacant properties are likely to require a rezoning in order to be developed.
Changed Conditions	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	The subject property and the area immediately surrounding it have seen little change in recent years. While there have been proposals for development adjacent to and in vicinity of the subject property, these proposals have not been constructed.
Public Interest	<b>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 -</b>
	Establishment of MIC zoning on the subject property would reestablish base zoning and remove the restrictions of the Special Use currently associated with the property. The rezoning would serve to expand the existing MIC zoning that is present in the area of town surrounding Pardee Hospital and Hendersonville High School. The expanded number of uses made available to the subject property presents opportunities for additional employment and provision of services.
Public Facilities	<b>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</b>
	The site will be served by City water and sewer service. Fleming St is designated as a Local Street on the comprehensive transportation plan and is maintained by the City of Hendersonville. The subject property is serviced by the City of Hendersonville Fire Dept and Police.
Effect on Natural Environment	<b>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 -</b>
	There are no anticipated environmental impacts associated with the petition.

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-12 – ‘Urban Institutional’ calls for primary recommended land uses which align with the proposed MIC 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:

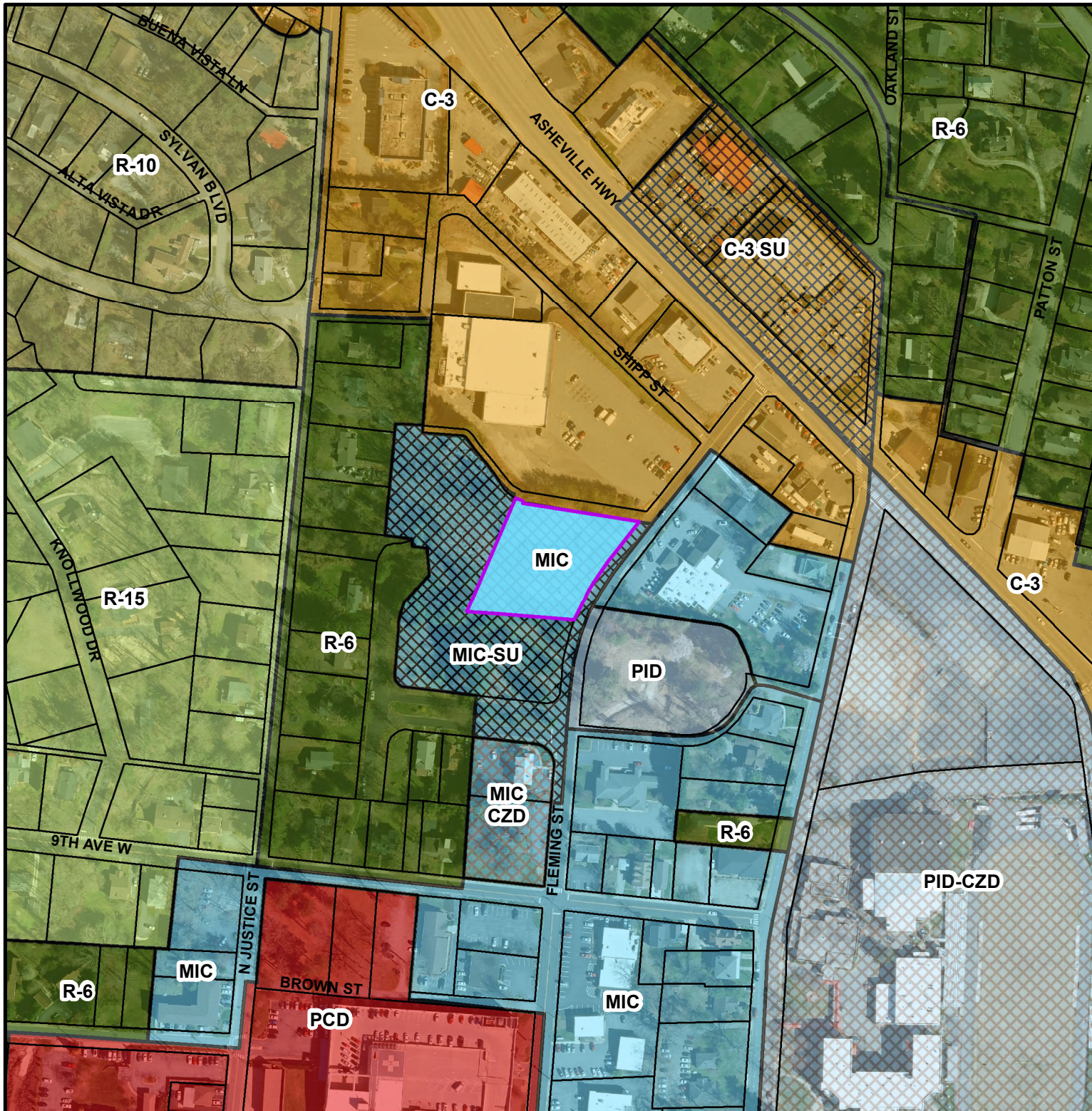
*DRAFT [Rationale for Approval]*

- *MIC is the zoning district established for the area surrounding Pardee Hospital*
- *The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan*
- *The subject property contains an existing office building and is well-suited to house a range of uses permitted in the MIC.*

*DRAFT [Rational for Denial]*

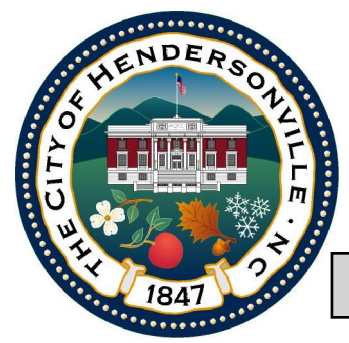
- *The rezoning would permit a greater number of uses than those approved as part of the Special Use Permit.*





**1027 Fleming Street**  
**P22-57-RZO**  
**PINs:9569-60-2887**  
**Acreage: 0.98**  
**Proposed Zoning**  
 Community Development Department

- Hendersonville Zoning**
- Subject Property
  - Hendersonville City Limits
  - Hendersonville Zoning**
  - CZD Conditional Zoning Districts
  - R-15 Medium Density Residential
  - R-10 Medium Density Residential
  - R-6 High Density Residential
  - MIC Medical, Institutional, Cultural
  - MIC-SU Medical, Institutional, Cultural, Special Use
  - PID Planned Institutional Development
  - C-3 Highway Business
  - C-3SU Highway Business Special Use
  - PCD Planned Commercial Development





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: 9569-60-2887 BY CHANGING THE ZONING DESIGNATION FROM MIC-SU (MEDICAL, INSTITUTIONAL & CULTURAL – SPECIAL USE) ZONING DISTRICT TO MIC (MEDICAL, INSTITUTIONAL & CULTURAL) ZONING DISTRICT**

IN RE: Parcel Number: 9569-60-2887  
1027 Fleming St-Riddle (File # P22-57-RZO)

**WHEREAS**, the Planning Board took up this application at its regular meeting on July 11, 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 took up this application at its regular meeting on August 4, 2022, 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 August 4, 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 Number: 9569-60-2887 from MIC-SU (Medical, Institutional & Cultural – Special Use) Zoning District To MIC (Medical, Institutional & Cultural) Zoning District.
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 4th day of August 2022.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

Entry #: 9

Unread

Date Submitted: 6/3/2022 10:33 AM

Date:

6/3/2022

Address/Location of Property:

1027 Fleming Street

Current Zoning:

MIC-SU

Proposed Zoning:

MIC

List the adjacent property parcel numbers and uses.

PIN or PID #

9569612123

Adjacent Property Use:

Grocery Store

PIN or PID #

9569601824

Adjacent Property Use:

Vacant Land

PIN or PID #

9569605897

Adjacent Property Use:

Dr's Office

PIN or PID #

9569604631

Adjacent Property Use:

Vacant Land

Applicant Name:

Andrew Riddle

Address

109 Glengary Drive, Flat Rock, North Carolina 28731

Phone

(828) 243-3610

Email

andrew@riddledevelopment.com

Property Owner Name:

Riddle Development, LLC

Address

P.O. Box 1025, Flat Rock, North Carolina 28731

PIN or PID #

9569602887

Signature



Printed Name:

Andrew Riddle

Official Use Only:

Date Recieved:

Received By:

Fee Received:

**Section 11-4 Standards:** The advisability of amending the text of the Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

**a) Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.**

This Amendment allows the property to consistently be used as it always has been since 1981 and not be tied to a special use condition that will never be used.

**b) Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.**

This proposed Amendment is consistent with the surrounding area as there is no change in the use of the property.

**c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.**

The special use designated to this property is null and void. It's a fact the special use site plan is expired and the property is subdivided therefore no longer needing the special use

**d) 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.**

Changing from MIC-SU to MIC would have no impact on the existing use of the property, public interest or surrounding neighborhood.

**e) Public facilities. Whether and to the extent 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 public facilities are existing and require no change

**f) Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly affect the natural environment including but not limited to water, air, noise, stormwater management, streams, vegetation, wetlands and wildlife.**

The property has been abandoned for 6 years allowing homelessness. The applicant has cleaned up the property , improved the surroundings, cut back kudzu and removed dead trees. The special use designation limits further improvements.