

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: October 18, 2012

SUBJECT: Rezoning Application #R-2012-04

PRESENTER: Parker Sloan, Planner

ATTACHMENTS:

1. Staff Report
2. Aerial Photo Map
3. Residential One (R1) District Text
4. Residential Two (R2) District Text
5. PowerPoint Handouts

SUMMARY OF REQUEST:

On August 6, 2012 the Grimesdale Homes Association requested that the County rezone their neighborhood from a Residential One (R1) zoning district to a Residential Two (R2) zoning district. Staff also received a letter from the Hickory Hills Homeowners Association requesting the County to rezone that neighborhood from a R1 zoning district to a R2 zoning district. The subject area is approximately 200 acres in size and contains 248 separate parcels of land.

The primary concern cited by the Grimesdale Homes Association and Hickory Hills Homeowners Association is to reduce the potential of higher density development, including multi-family housing, on vacant or larger tracts of land within the neighborhoods. They requested that the rezoning include the Cannon Woods neighborhood as well. The Planning Board at its meeting on August 16, 2012 voted to initiate a zoning map amendment for the area including Grimesdale, Hickory Hills and Cannon Woods neighborhoods as requested by the association boards.

Planning staff posted the property giving notice of the Planning Board meeting on October 8, 2012. The Planning Board has 45 days from its first consideration of a rezoning application to make a recommendation to the Board of Commissioners. Thus, the deadline for a Planning Board recommendation to the Board of Commissioners regarding this application is Friday, November 30, 2012. If no recommendation is made by November 2, 2012, the application proceeds to the Board of Commissioners with an automatic favorable recommendation. Upon request of the Planning Board, the Applicant may choose to grant a 45-day extension, at which time the deadline for a Planning Board recommendation would become Monday, January 14, 2013.

Planning Board action to recommend that the Board of Commissioners approve, approve with modifications, table, or deny rezoning action #R-2012-04 would be appropriate.

Suggested Motion:

I move the Board recommend approval of rezoning application #R-2012-04 to rezone the subject area to a Residential Two (R2) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

Henderson County Planning Department Staff Report

Rezoning Application #R-2012-04

Grimesdale Neighborhood Homeowners Association, Applicant

1. Rezoning Request

- 1.1. **Applicant:** Grimesdale and Hickory Hill Homeowner Associations
- 1.2. **Request:** Rezone 248 parcels from Residential One (R1) to Residential Two (R2)
- 1.3. **Size:** Total of 200 acres to be rezoned.
- 1.4. **Location:** The subject area is located to the south east of Brookside Camp road (SR 1528) and US Highway 25 North (Asheville Highway).

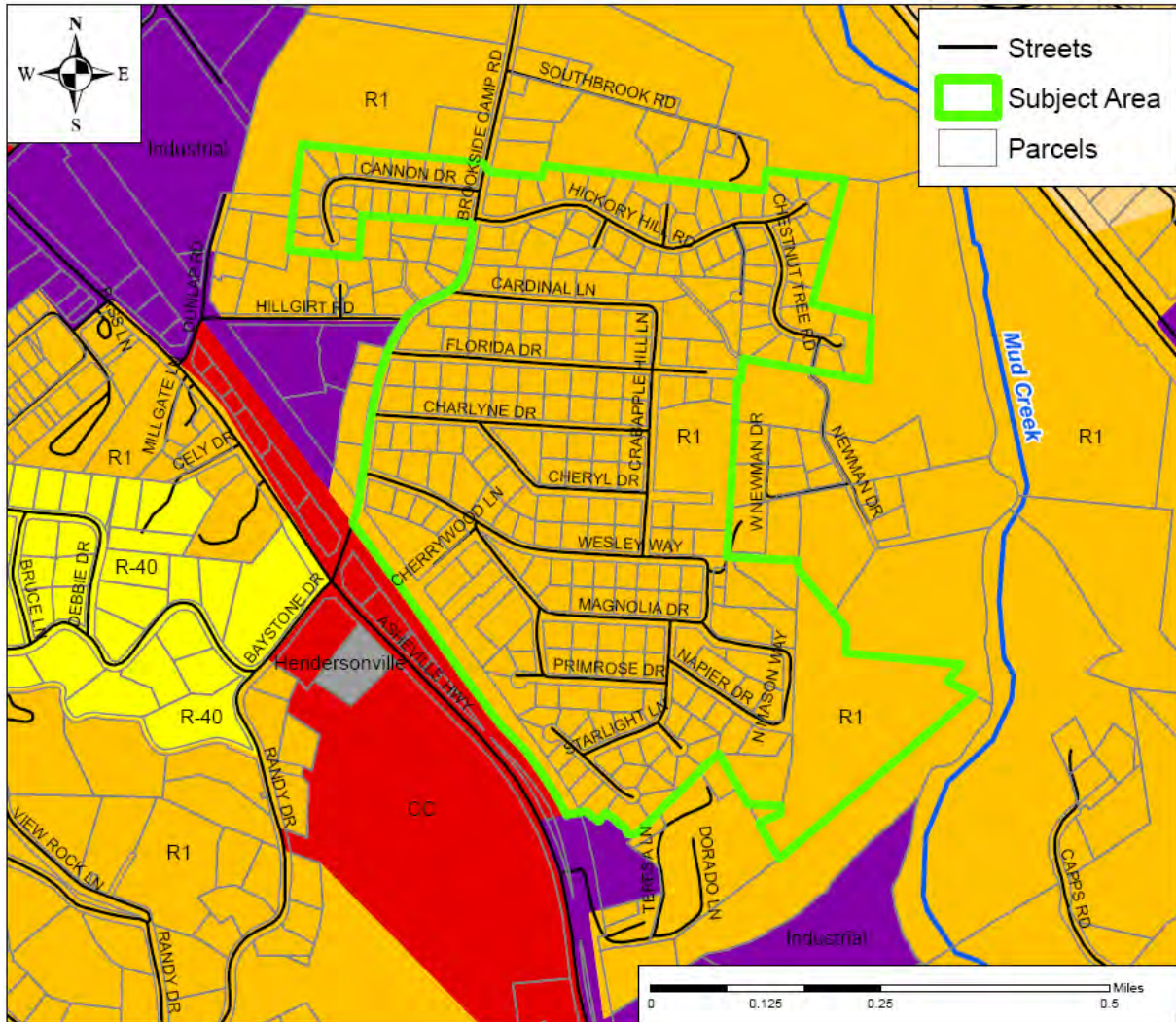
Map A: Aerial Photo



2. **Current Zoning**

2.1. **Application of Current Zoning:** The subject area was zoned Residential One (R1) on September 19, 2007 with the adoption of the Land Development Code.

Map B: Current Zoning



2.2. **Adjacent Zoning:** The subject area is primarily surrounded by Residential One (R1) zoning. The subject area is adjacent to Community Commercial zoning to the west across Asheville highway. The subject area also boards a small portion of Industrial (I) zoning to the south and north.

2.3. **District Comparison:**

2.3.1. **R1 Residential District One:** *“The purpose of Residential District One (R1) is to foster orderly growth where the principle use of land is residential. The intent of this district is to allow for medium to high density residential development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized in areas designated as Urban in the Comprehensive Plan”* (Chapter 200A, Land Development Code §200A-27).

R1 requires 10 foot side and rear setbacks, maximum height 40 feet, and a standard density of four (4) units per acre (maximum density of 16 units per acre).

2.3.2. **R2 Residential District Two:** *“The purpose of Residential District Two (R2) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development consistent with the recommendations of the Comprehensive Plan. It is also the intent of this district to allow for flexibility in the continuation of existing nonresidential uses. This general use district is typically meant to be utilized in areas designated as Transitional (RTA) in the Comprehensive Plan.”* (Chapter 200A, Land Development Code §200A-28).

R2 requires 10 foot side and rear setbacks, maximum height 40 feet, and a standard density of four (1) units per acre (maximum density of 2 units per acre).

3. **Current Uses of Subject Area and Adjacent Properties**

3.1. **Subject Area Uses:** The subject area parcel currently contains numerous single family residences.

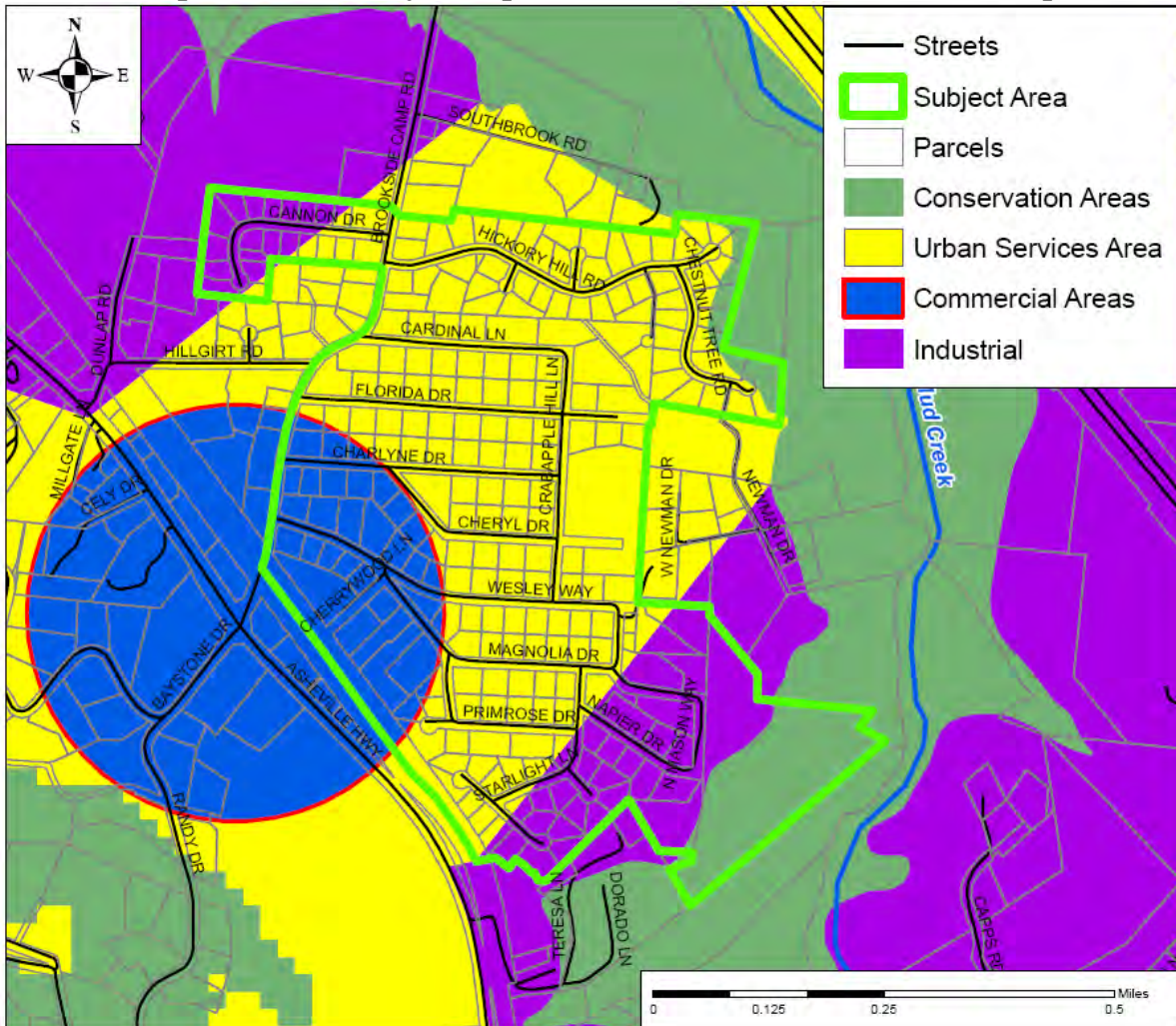
3.2. **Adjacent Area Uses:** The properties within the subject area and the surrounding properties are primarily residential uses. There is an apartment complex located along the west side of Brookside Camp Road just outside the project area. The Jackson Steel company is located adjacent to the southern corner of the subject area. Stoney Mountain Baptist Church and an Enmark gas station are adjacent to the subject area to the west along Highway 25 (Asheville Highway) near the corner with Brookside Camp Road (SR 1528).

4. The Henderson County 2020 Comprehensive Plan (CCP)

The CCP Future Land Use Map identifies the subject area as being located in the Urban Services Area, Industrial Area, Conservation Area, and within a Commercial Service Center node (USA)(2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24) (See Map C). The conservation area is applied to the subject area because of the flood plain and flood way associated with Mud Creek.

- 4.1. **Urban Services Area:** The CCP states that, “the USA will contain considerable commercial development at a mixture of scales,” and further, “all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 129).
- 4.2. **Industrial Area:** The CCP states that, “most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses” (2020 CCP, Pg. 136).

Map C: 2020 County Comprehensive Plan Future Land Use Map

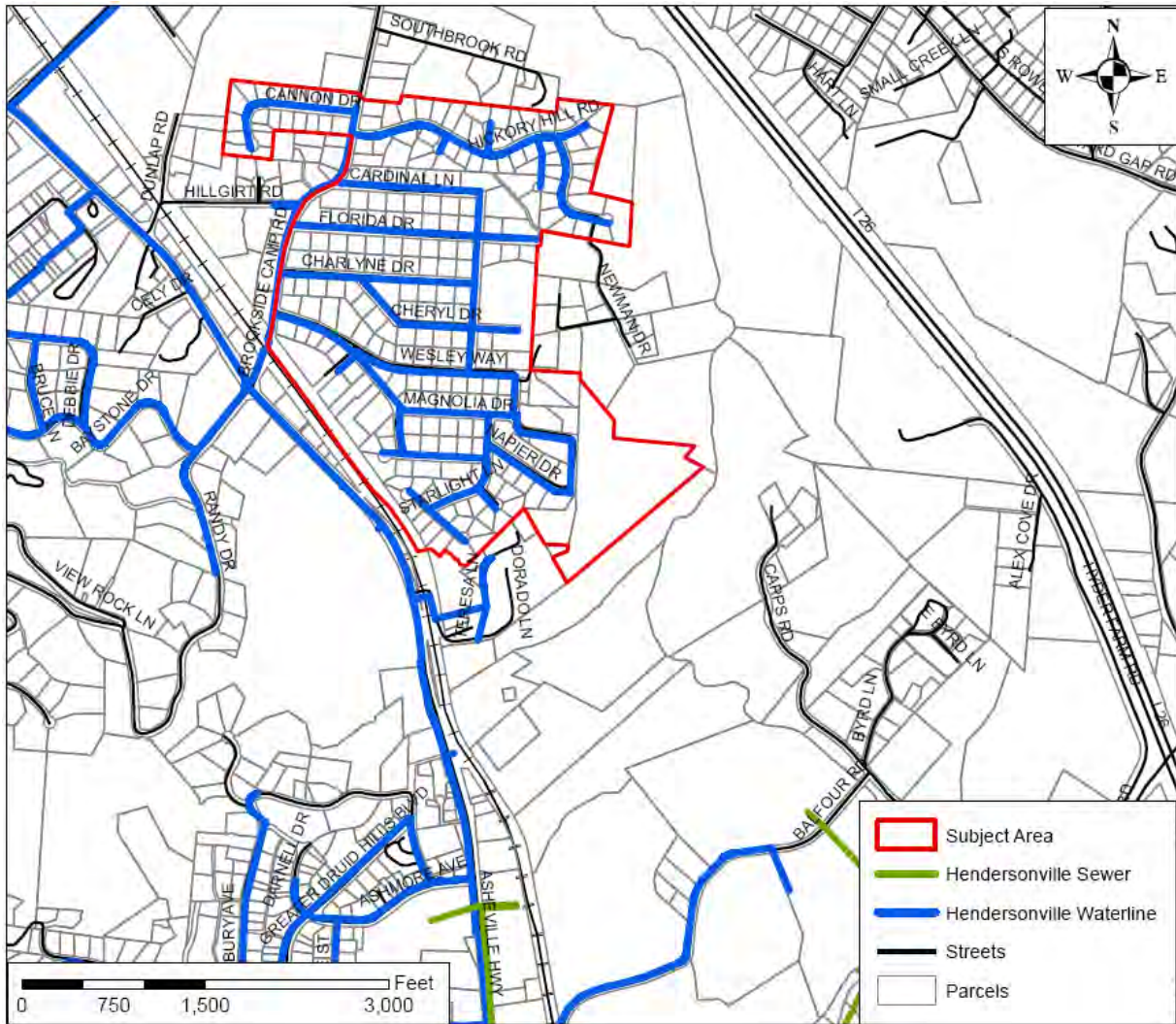


5. Water and Sewer

5.1. **Public Water:** City of Hendersonville public water lines serve the majority of the properties within the subject area, as well as along US Highway 25 North (Asheville Highway). (See Map E).

5.2. **Public Sewer:** Public sewer provided by the City of Hendersonville is currently located approximately 4,500 feet to the south east of the Subject Area along US Highway 25 North near the intersection with Ashmore Avenue (SR 1392). (See Map E).

Map E: Water and Sewer Map



6. Survey

6.1. As requested by the Planning Board, all residents and property owners within the subject area were sent a letter and survey on September 10, 2012. A total of 200 letters were mailed with 150 respondents. The following two questions were asked with the corresponding survey results:

1. Change the zoning in your neighborhood from R1 to R2?			
For It	Against It	No Opinion	Don't Know
2. Allow higher density housing (apartments, townhomes, etc.)?			
For It	Against It	No Opinion	Don't Know

Survey Responses

	Question 1	Question 2
For It	139 (92.6%)	4 (2.6%)
Against It	10 (6.6%)	138 (92%)
No Opinion	1	2
Don't Know	0	0
No Response	0	6

*139 respondents were in favor of the rezoning request

7. Staff Comments

- 7.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map C) places the Subject Area in the “Urban Services Area” classification. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for high-density residential, commercial or industrial development. The CCP indicates that the USA may be suitable for commercial development provided the development is in keeping with the surrounding community. The CCP also indicates that commercial may be suitable for the area as the Subject Area falls within close proximity of a commercial service center node within the USA.
- 7.2. **Adjacent Zoning:** The Subject Area is not adjacent to existing Residential Two (R2) zoned properties. However, the proposed subject area is large enough in size to not be considered a spot zoning change.
- 7.3. **Comparison of Districts:** The existing Residential One (R1) zoning allows for all types of residential uses except for single wide mobile homes with a standard density of 4 units per acres. R1 also allows, with a special use permit,

all types of multi-family residential uses with a maximum residential density of up to 16 units per acre. Applying Residential Two (R2) zoning will continue to allow for residential uses however, eliminate the ability to construct all forms of multi-family residential. Applying R2, will also reduce the development density from a standard four (4) units per acre to a standard one (1) unit per acre.

8. Staff Recommendations

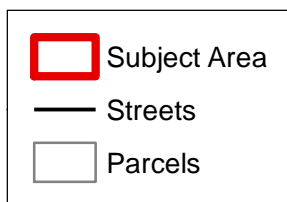
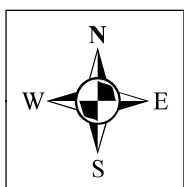
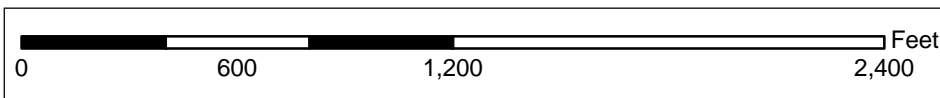
8.1. Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the Subject Area to Residential Two (R2) consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

9. Technical Review Committee Recommendations

9.1. TBD.

10. Planning Board Recommendations

10.1. TBD.



Rezoning Application R-2012-04

Grimesdale, Hickory Hill, and Cannon Woods Neighborhoods

§200A-27 Residential District One (R1)

- A. **Purpose.** The purpose of Residential District One (R1) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for medium to high-density *residential development* consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Urban (USA) in the *Comprehensive Plan*.
- B. **Density and Dimensional Requirements.** Each *use* allowed in this district shall, at a minimum, conform to the following requirements (in the case of a nonresidential *use* the *residential density* requirements shall not apply). In some cases a specific *use* may be required to meet the Supplemental Requirements as set forth in §200A-63 (Supplemental Requirements).

Table 2.1. R1 Density and Dimensional Requirements			
(1) Residential Density (units/acre)		(2) Standard	4
		(3) Intermediate	8
		(4) Maximum	16
(5) Yard Setbacks (feet)	Front or Right-of-Way (ROW)	<i>Local</i>	15
		<i>Collector</i>	20
		<i>Thoroughfare</i>	35
		<i>Boulevard</i>	50
		<i>Expressway</i>	60
		<i>Freeway</i>	90
		<i>Side</i>	10
	<i>Rear</i>	10	
		(6) Maximum Height (feet)	40

- (1) *Residential density* shall be calculated utilizing the entire acreage of a *tract* of land. Under this scenario, *residential density* shall be determined based on the following formula:

<p><i>Lot size</i> x allowable units per acre = permitted <i>dwelling units</i></p> <p>The following example assumes a 5 acre tract with an allowable density of 4 units/acre:</p> <p>5 acres x 4 units per acre = <u>20 permitted dwelling units</u></p>
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The maximum *residential density* for portions of the *tract* with a *slope* of 60 percent or greater (where such *slope* areas of the *tract* account for ten (10) percent or more of the *tract*) shall be one-half (1/2) the eligible density.

- (2) Standard *residential density* shall be applied:
- On a *lot* existing at the time of the initial adoption of this Chapter, where there is not adequate area to comply with the applicable standard *residential density* requirement;
 - To single-family residential *uses*; and
 - To multifamily residential *uses* with fewer than five (5) units.

- (3) Intermediate residential density shall be available when individual dwellings would be served by both: (1) a *municipal water supply system* and (2) a *sewage disposal system* (of the following types: municipal, approved public, or approved community) which meet the requirements of applicable local or state authorities having jurisdiction thereof.
- (4) Maximum residential density shall be available to applicants proposing five (5) or more dwellings in any combination of the following unit types (duplexes, triplexes, quadraplexes and multifamily dwellings with five (5) or more units and specifically excluding single-family units) where:
 - a. A total of at least five (5) units would be permitted by standard residential density, and
 - b. Such dwellings are generally served by both: (1) a *municipal water supply system* and (2) a *sewage disposal system* (of the following types: municipal, approved public, or approved community) which meet the requirements of the local or State authorities.
- (5) *Accessory structures* shall be located in *side* or *rear yards* and shall be *setback* a minimum of 5 (5) feet from any property line.
- (6) Maximum height may be exceeded in multifamily developments as detailed in §200A-63 (Supplemental Requirements) SR 1.6. (Dwelling, Multifamily, Five (5) or More Units), provided such developments do not exceed 50 feet in height.

§200A-28 Residential District Two (R2)

- A. **Purpose.** The purpose of Residential District Two (R2) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for low to medium density *residential development* consistent with the recommendations of the *Comprehensive Plan*. It is also the intent of this district to allow for flexibility in the continuation of existing nonresidential *uses*. This general *use district* is typically meant to be utilized in areas designated as Transitional (RTA) in the *Comprehensive Plan*.
- B. **Density and Dimensional Requirements.** Each *use* allowed in this district shall, at a minimum, conform to the following density and dimensional requirements (in the case of a nonresidential use the *residential density* requirements shall not apply). In some cases a specific *use* may be required to meet the Supplemental Requirements as set forth in §200A-63 (Supplemental Requirements).

Table 2.2. R2 Density and Dimensional Requirements			
(1) Residential Density (units/acre)	(2) Standard	1	
	(3) Maximum	2	
(4) Yard Setbacks (feet)	Front or ROW	Local	15
		Collector	20
		Thoroughfare	35
		Boulevard	50
		Expressway	60
		Freeway	90
	Side	10	
	Rear	10	
(5) Maximum Height (feet)		40	

- (1) Residential density shall be calculated utilizing the entire acreage of a tract of land. Under this scenario, residential density shall be determined based on the following formula:

Lot size x allowable units per acre = permitted *dwelling units*

The following example assumes a 5 acre tract with an allowable density of 1 unit/acre:

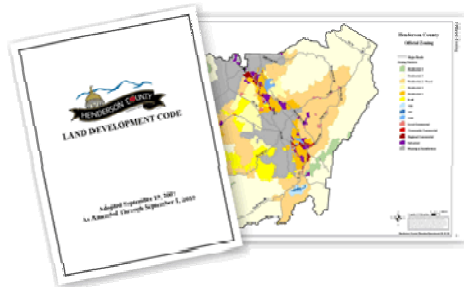
5 acres x 1 unit per acre = **5 permitted dwelling units**

The maximum *residential density* for portions of the *tract* with a *slope* of 60 percent or greater (where such *slope* areas of the *tract* account for ten (10) percent or more of the *tract*) shall be one-half (1/2) the eligible density.

- (2) Standard *residential density* shall be applied:
 - a. On a *lot* existing at the time of the initial adoption of this Chapter, where there is not adequate area to comply with the applicable standard *residential density* requirement;
 - b. To single-family residential *uses*; and

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- (3) Maximum residential density shall be available to applicants proposing five (5) or more dwellings in any combination of the following unit types (duplexes and triplexes and specifically excluding single-family units) where:
- a. A total of at least five (5) units would be permitted by standard residential density, and
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- (4) *Accessory structures* shall be located in *side* or *rear yards* and shall be *setback* a minimum of 5 (5) feet from any property line.
- (5) Maximum height may be exceeded in multifamily developments as detailed in §200A-63 (Supplemental Requirements) SR 1.6. (Dwelling, Multifamily, Five (5) or More Units), provided such developments do not exceed 50 feet in height.

Grimesdale / Hickory Hills / Cannon Woods Zoning Request R-2012-04



Henderson County Planning Board
Thursday, October 18th, 2012
Presentation by: Parker Sloan, Planner

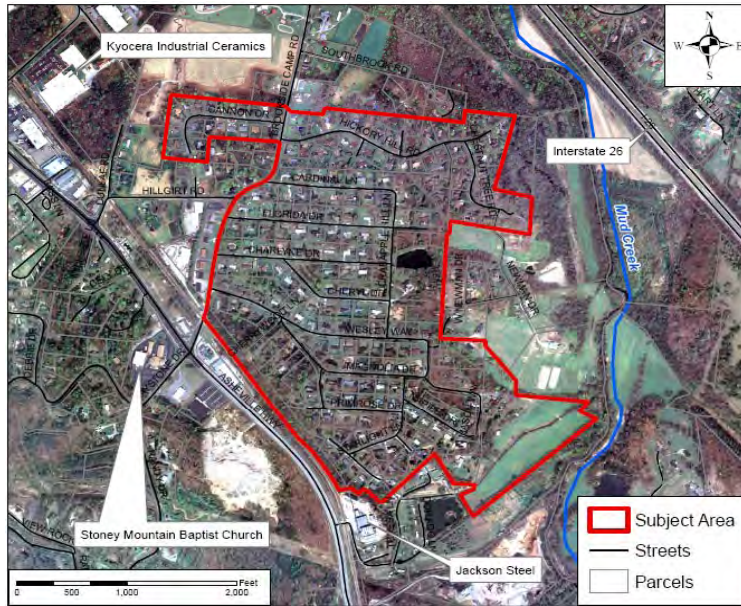
Henderson County Planning Department

Zoning Request

- On August 6, 2012 the Grimesdale Homes Association requested that the County rezone the neighborhood from a Residential One (R1) zoning district to a Residential Two (R2) zoning district. Subject Area includes 200 acres and about 248 parcels
- The Planning Board at its meeting on August 16, 2012 voted to initiate a zoning map amendment for the area including Grimesdale, Hickory Hills and Cannon Woods neighborhoods, as requested.
- The primary concern cited by the Grimesdale Homes Association and Hickory Hills Homeowners Association is to reduce the potential of higher density development, including multi-family housing, on vacant or larger tracts of land within the neighborhoods. They requested that the rezoning include the Cannon Woods neighborhood as well.

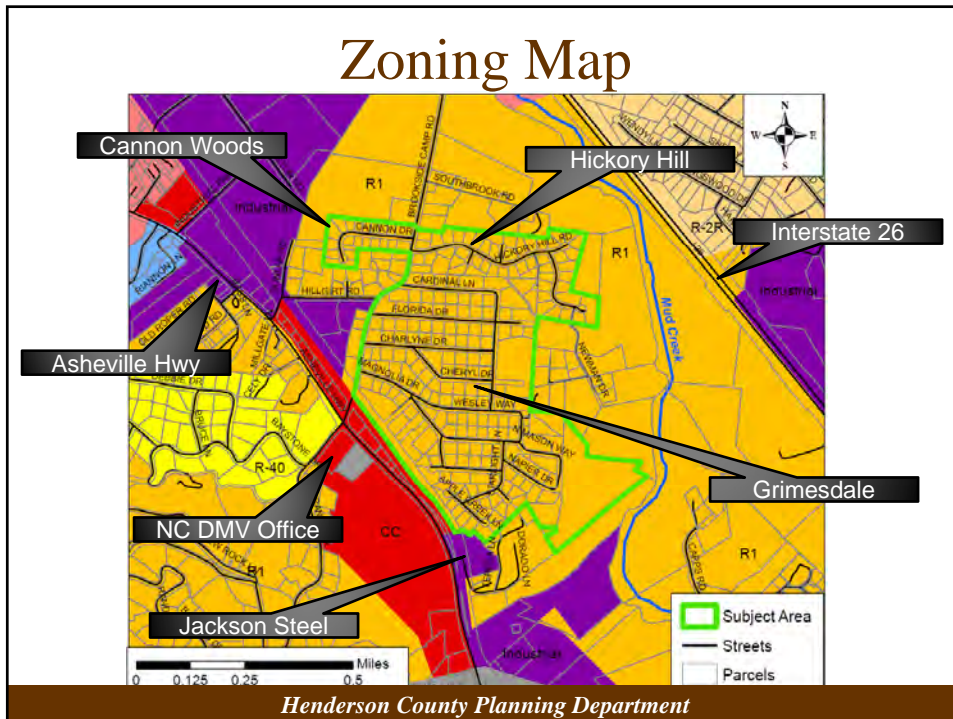
Henderson County Planning Department

Subject Area Map



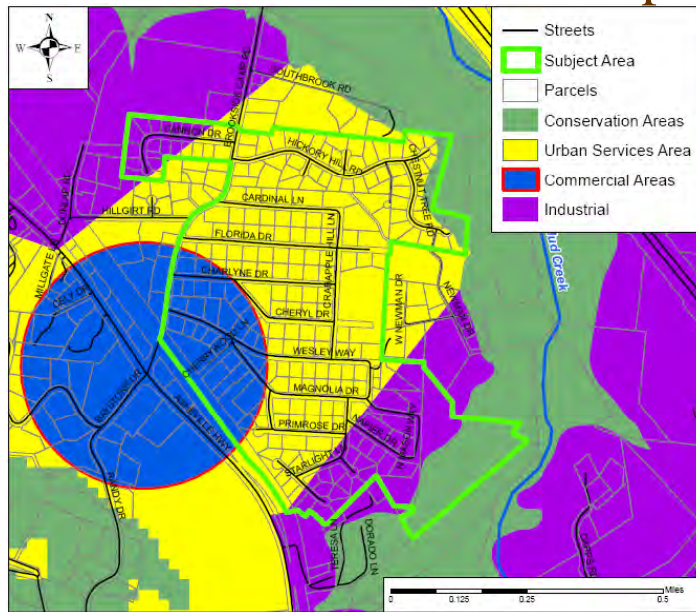
Henderson County Planning Department

Zoning Map



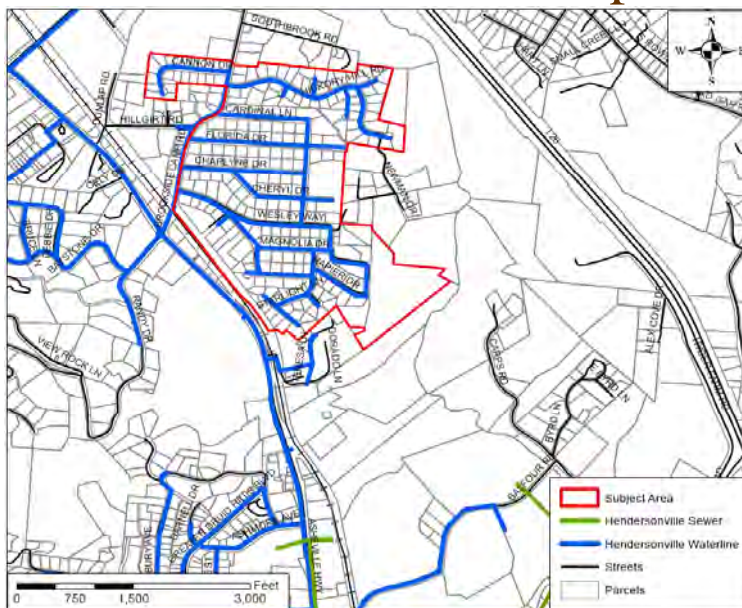
Henderson County Planning Department

CCP Future Land Use Map



Henderson County Planning Department

Water & Sewer Map



Henderson County Planning Department

Survey

As requested by the Planning Board, all residents and property owners within the subject area were sent a letter and survey on September 10, 2012. A total of 200 letters were mailed with 150 respondents.

The following two questions were asked:

1. Change the zoning in your neighborhood from R1 to R2?

For it Against It No Opinion Don't Know

2. Allow higher density housing (apartments, townhomes, etc.)?

For it Against It No Opinion Don't Know

Henderson County Planning Department

Survey Results

Surveys returned to Henderson County provided the following results:

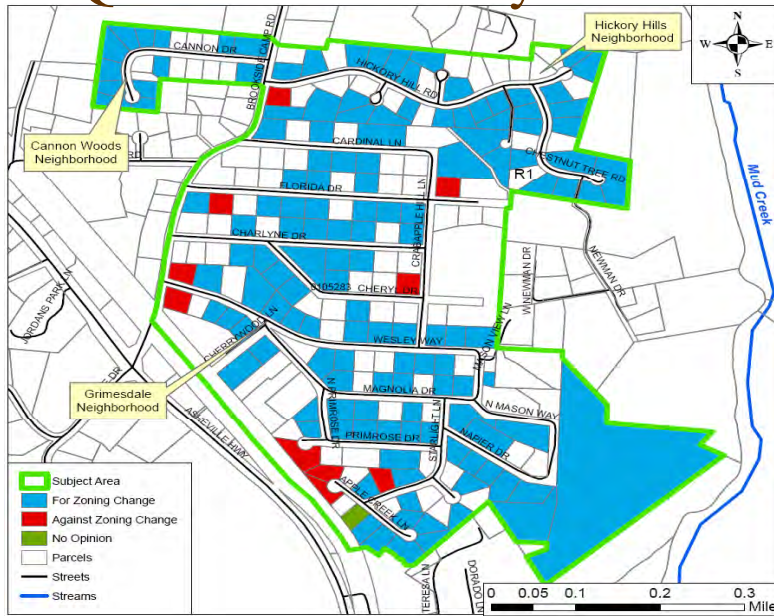
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For It	139 (92.6 %)	4 (2.6%)
Against It	10 (6.6%)	138 (92%)
No Opinion	1	2
Don't Know	0	0
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* 139 respondents were in favor of the rezoning request

** percent shown reflects percent of the 150 survey participants

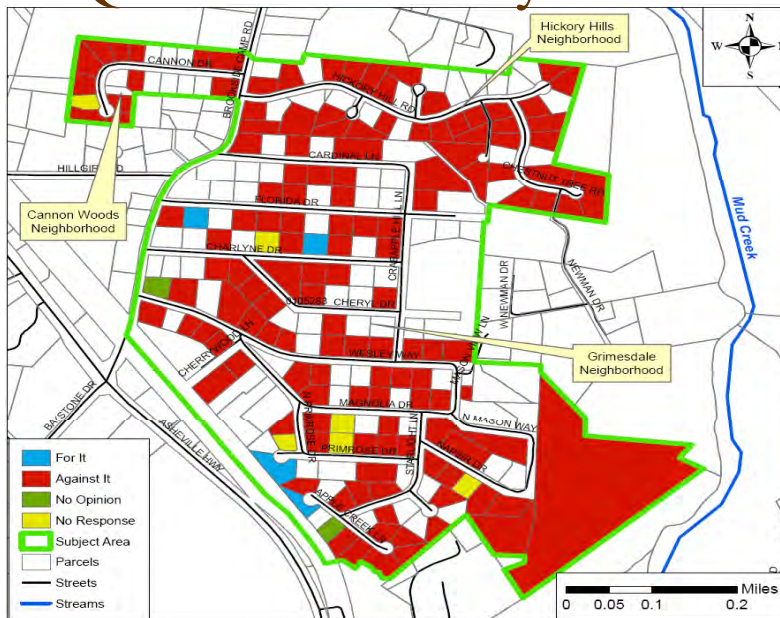
Henderson County Planning Department

Question #1 Survey Results



Henderson County Planning Department

Question #2 Survey Results



Henderson County Planning Department

R-2012-04

Public Comment



Henderson County Planning Department

Suggested Motion

Staff's position at this time, under the guidelines of current plans, policies and studies, is it supports the rezoning of the Subject Area to Residential Two (R2) consistent with the recommendations of the Henderson County 2020 Comprehensive Plan.

Suggested Motion:

I move the Board recommend approval of rezoning application #R-2012-04 to rezone the subject area to a Residential Two (R2) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

Henderson County Planning Department