

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: January 6, 2025

SUBJECT: Public Hearing for Conditional Rezoning Application #R-2024-05-C, Hoopers Creek, Residential Two Rural (R2R) to Conditional District (CD-2024-02)

PRESENTER: Liz Hanson, Planner I

ATTACHMENTS:

1. Staff Report
2. Neighborhood Meeting Summary
3. TIA Summary
4. Site Plan
5. Certification of Public Hearing Notification
6. Resolution of Consistency
7. Staff PowerPoint Presentation

SUMMARY OF REQUEST:

Rezoning Application #R-2024-05-C was initiated on August 30, 2024, and requests that the County conditionally rezone approximately 9.85 acres of land from Residential Two Rural (R2R) to a Conditional District (CD-2024-02). The project contains all of PIN 9673-21-1888 and a portion of PIN 9673-22-2365 with direct access to Hoopers Creek Rd (SR1553). Kenneth Rhodes is the current property owner. The applicant is Hoopers Creek Land, LLC.

The applicant is proposing to develop a two-family attached residential development consisting of 38 units within 19 total structures. As a part of this project, the applicant requests the parcel to be rezoned to a Conditional Zoning District (CD-2024-02). Conditional rezonings allow the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighborhood compatibility meeting was held on Friday, November 8, 2024, in the King Street Meeting Room. A copy of the meeting report is included.

The Technical Review Committee (TRC) reviewed this application on November 19, 2024, and made a motion to forward it to the Board of Commissioners with conditions as discussed. A copy of the conditions required by the TRC is in the application staff report.

The Planning Board reviewed this application on November 14, 2024, and voted 5-1 to forward a favorable recommendation to the Board of Commissioners with the conditions discussed. A copy of the Planning Board's suggested conditions is in the application staff report.

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law, notice of the June 19, 2024, public hearing regarding rezoning application #R-2024-02-C was published in the Hendersonville Lightning on December 25, 2024, and January 1, 2025. The Planning Department sent notices of the hearing via first-class mail to the owners of properties within 400 feet of the Subject Area on December 19, 2024, and posted signs advertising the hearing on December 19, 2024.

BOARD ACTION REQUESTED:

The Board of Commissioners must hold a public hearing before taking action on the rezoning request. A suggested motion consistent with NCGS 160D is provided.

Suggested Motion:

I move that the Board (approve, approve with modifications, or deny) rezoning application #R-2024-05-C to rezone the Subject Area to a Conditional District (CD-2024-02) based on the recommendations of the 2045 Comprehensive Plan, and with any conditions stated in the staff report and additional conditions as discussed, and;

I move that the Board approve the attached resolution regarding the consistency with the 2045 Comprehensive Plan.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:
Liz Hanson, Planner I

APPLICATION #
R-2024-05-C

BOARD OF COMMISSIONERS MEETING DATE:
January 6, 2025

PROPERTY OWNER
Kenneth Rhodes
Alline Rhodes

PROPERTY LOCATION/ADDRESS
384 Hoopers Creek Rd
390 Hoopers Creek Rd, Hoopers Creek
Township

APPLICANT
Hoopers Creek Land, LLC

PIN(S):
9673-21-1888 & 9673-22-2365

SUMMARY OF REQUEST

A rezoning of the above referenced PINs (hereafter the subject area from Residential Two Rural (R2R) to Conditional District (CD-2024-02).

Existing Zoning	Residential Two Rural (R2R)
FLUM Character Area	Transitional Area
Existing Land Use	Residential
Site Improvements	NA
Request Acreage	9.85 Acres

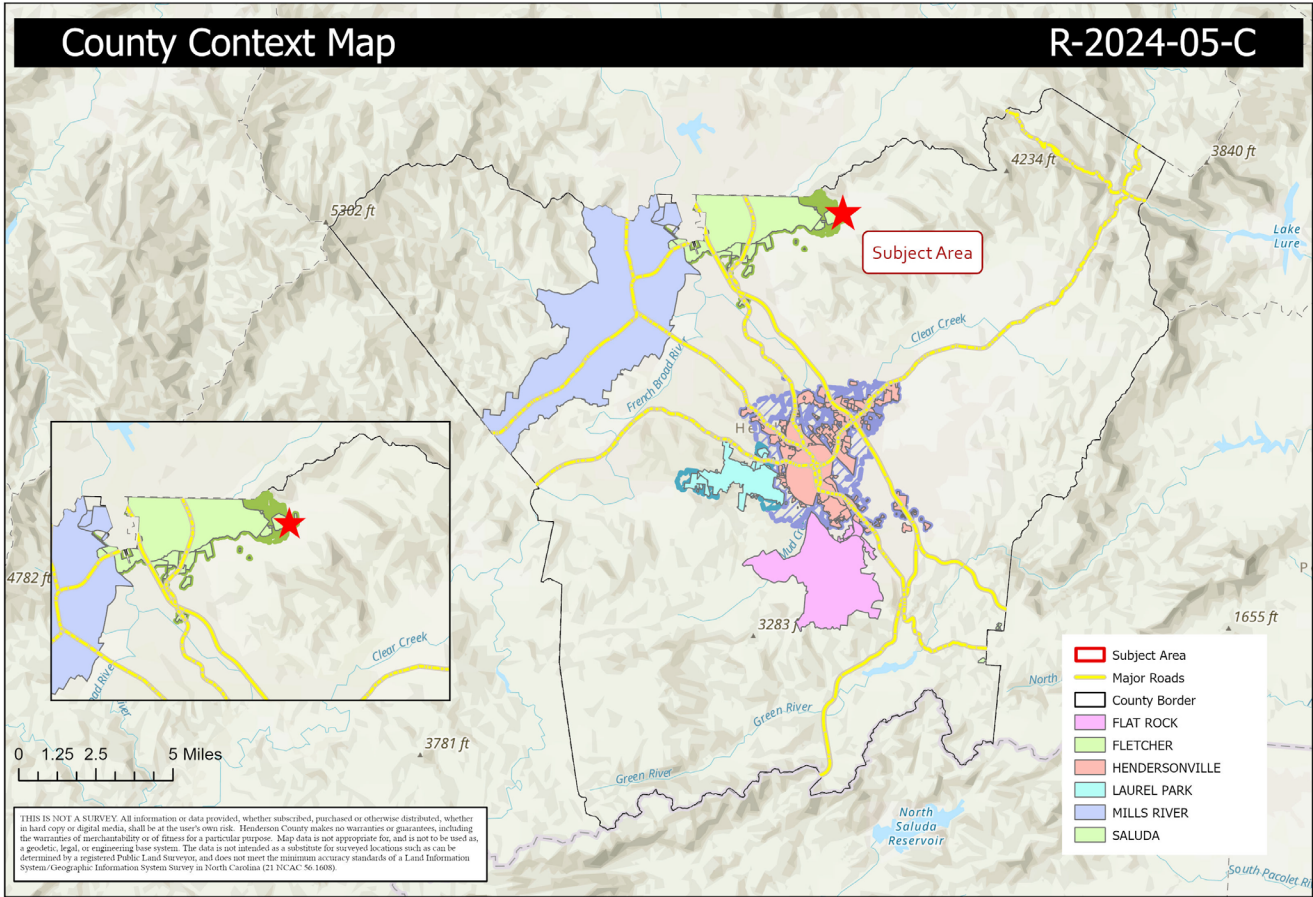
ADJACENT ZONING

North	R2R
East	R2R
South	Fletcher (R-3)
West	R2R

PROPERTY CLASS

Vacant, Residential
Commercial, Residential
Residential, Commercial
Residential

Map A: County Context



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
Total Acreage: 9.85
Residential Two Rural (R2R) to Conditional District (CD)



BACKGROUND:

The applicant, Hoopers Creek Land, LLC, is seeking to rezone all of PIN 9673-21-1888 and a portion of PIN 9673-22-2365 from Residential Two Rural (R2R) to a Conditional Zoning District (CD-2024-02). The subject area is 9.85 acres in total. The parcels each contain one residential structure and personal storage structures. The attached Master Plan is proposing a two-family attached development consisting of 38-units within 19 total structures. The applicant is also proposing approximately 3.87 acres if of passive open space, or 39% of the entire acreage.

The applicant plans to remove the existing residential structure and storage structures from PIN 9673-21-1888 prior to development.

Map B: Subject Area



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)

SUBJECT AREA & ADJACENT PROPERTIES:

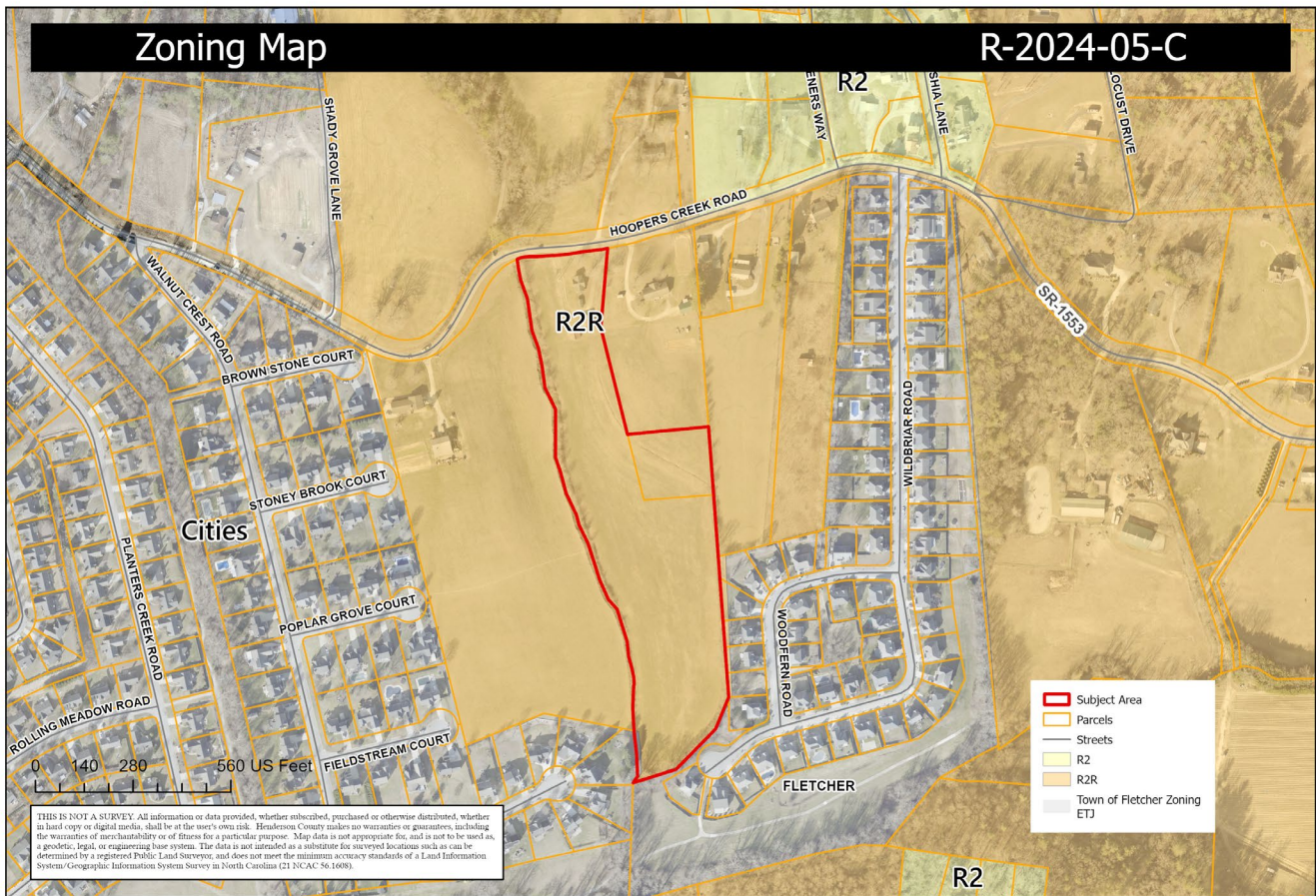
West: The property to the west of the subject area contains a residential structure and storage building. A stream separates the subject area and the parcel to the west.

South: South of the subject area is within the Town of Fletcher’s jurisdiction. The property is the Cove at Livingston Farm and the Reserve at Livingston Farm neighborhoods, including residential structures.

East: The property to the east of the subject area contains a residential structure and vacant land.

North: To the north of the subject area, across Hoopers Creek Road, is a residential structure and vacant land.

Map C: Current Zoning



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC
Total Acreage: 9.85
Residential Two Rural (R2R) to Conditional District (CD)



District Comparison:

Residential Two Rural (R2R): “The purpose of Residential District Two Rural (R2R) 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 and rural commercial and light industrial development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized outside areas designated as Utility Service Area (USA) in the *Comprehensive Plan*.” Standard residential density is 1 unit per acre. The maximum density in Residential Two Rural (R2R) is two units per acre. The maximum height is 40’. (LDC §42-27).

Conditional District (CD): “Conditional Zoning Districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and, in order to, among other reasons, carry out the purposes of the Comprehensive Plan, proposes to impose special limitations and conditions on the use of the property proposed for rezoning” (Chapter 42, Land Development Code §42-45). Conditions may be imposed in the furtherance of the purpose of the LDC and the recommendations of the County Comprehensive Plan.

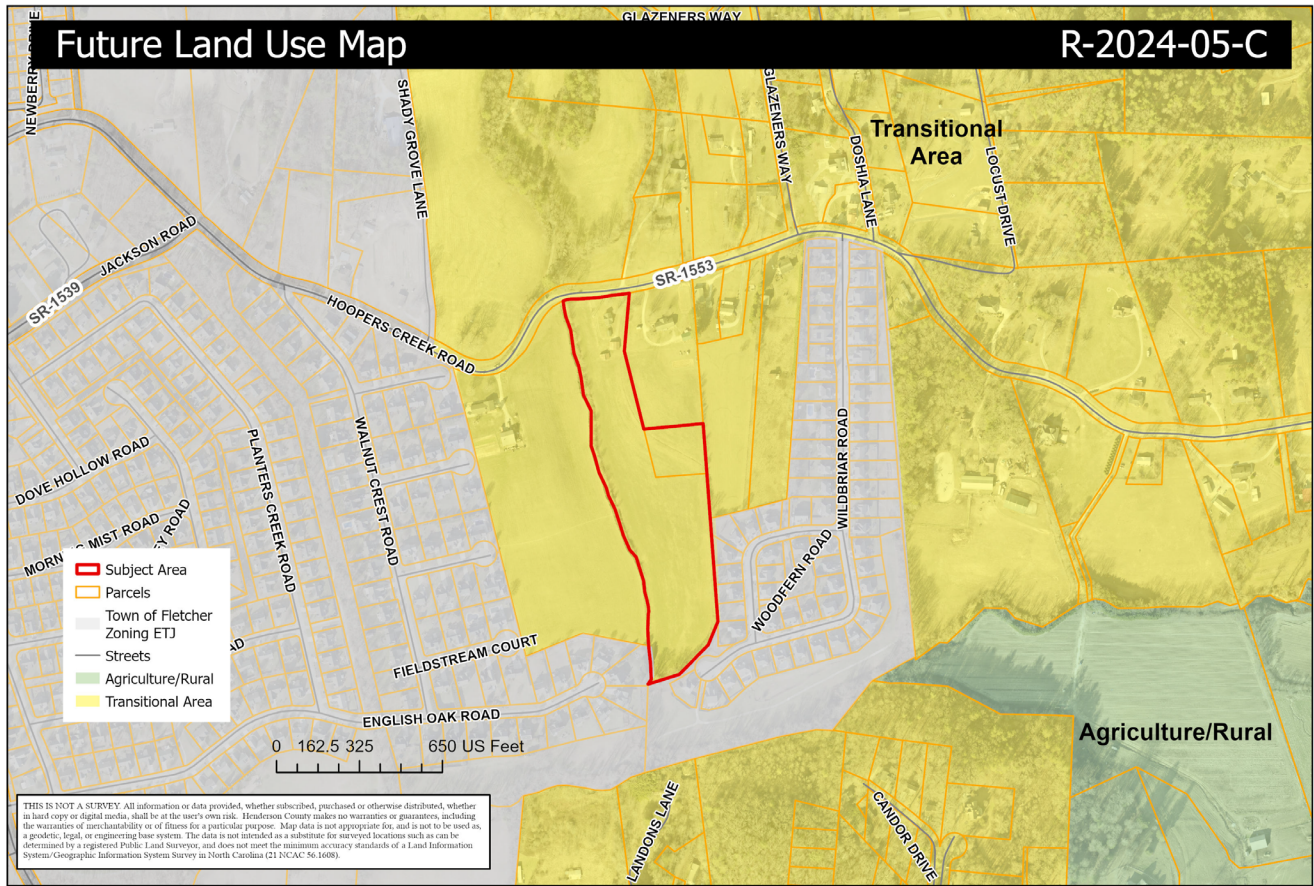
Adjacent Development:

To the East, South, and West of the subject area are the Cove at Livingston Farm and the Reserve at Livingston Farm neighborhoods. These residential structures are within the town of Fletcher’s jurisdiction. The average parcel size for the Cove at Livingston Farm is 0.26 acres. The average parcel size for the Reserve at Livingston Farm is 0.38 acres. The Town of Fletcher lists these adjacent neighborhoods as under R-3 High-Density Development, at a density of 4 units per acre for Single Family Residential and 10 units per acre for Multifamily Residential development (Town of Fletcher Land Development Code, Article 2.3). The approximate total acreage for the Cottages and Reserve at Livingston Farms is 109 acres with approximately 280 units, for an overall density of 2.5 units per acre. The approximate total acreage for the Cove at Livingston Farms neighborhood is 25.5 acres with approximately 61 units, for an overall density of 2.4 units per acre.

Conditional Zoning Approval:

If a petition for conditional zoning is approved, the development and use of the property shall be governed by the existing Chapter requirements applicable to the district’s category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute zoning regulations for the approved district and are binding on the property as an amendment to these regulations and to the Official Zoning Map. Only those uses and structures indicated in the approved petition and site plan shall be allowed on the subject property.

Map D: 2045 Future Land Use Map



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)



2045 Comprehensive Plan Compatibility

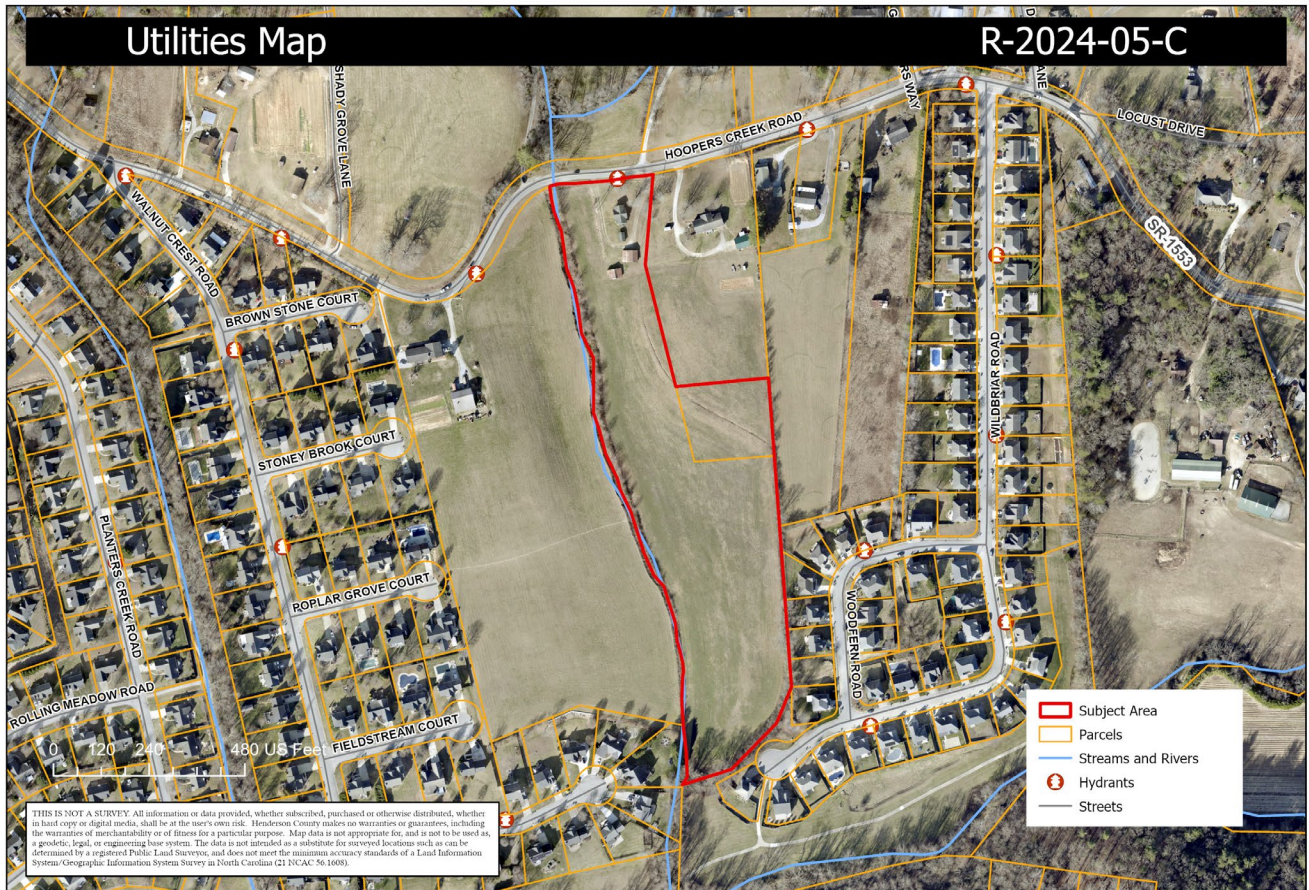
The 2045 Comprehensive Plan describes the need for Henderson County to allow for more types of housing to accommodate a wider range of occupants, especially *Middle Housing* options (see page 88). Goal 7 of the plan states specifically to “diversify housing choices and increase availability”. This project would help to accomplish this goal.

Based on the surrounding density and uses within the Town of Fletcher’s jurisdiction, the Infill character area would be a more accurate representation of what is already existing near the subject area. The approval of this rezoning would coincide with an amendment to the Future Land Use Map for this parcel and the parcel to the West.

The Infill character area consists of residentially focused areas that accommodate a variety of home types. This character area is found near existing development at a density of four to eight units per acre. The recommended uses are a mix of housing types such as single family and

townhomes. This character area is also typically served by utilities. This project aligns with the recommendations of the Infill character area and 2045 Comprehensive Plan housing goals.

Map F: Utilities Map



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
Total Acreage: 9.85
Residential Two Rural (R2R) to Conditional District (CD)



Water and Sewer

The applicant is proposing connections to Metropolitan Sewerage District (MSD) public sewer and City of Hendersonville public water, which are located on the adjacent parcel.

Existing Roads and Easements

The subject area currently has access from Hoopers Creek Road (SR 1553).

Proposed Conditional District (CD-2024-02) Development

As part of the rezoning application, the applicant has submitted a master plan of the proposed development. The applicant is proposing to use the site for a residential development. When applying under a Conditional Rezoning, the Board of Commissioners may place conditions or restrictions on the property. This is a binding, mutual agreement between the Board of Commissioners and the applicant. Below is an overview of the proposed development.

- Two-family attached residential dwellings
 - 19 total residential structures
 - 38 total residential units
 - Two-story structures no taller than 32'
 - 46' x 95' lot dimensions (approximately 0.10 acres)
 - 15' ROW setback
 - 10' side and rear setback
- Amenities
 - 39% passive open space (approximately 3.87 acres)
 - Vegetative buffer to remain along creek and 30' perennial and intermittent surface water setback
 - 5' sidewalks throughout development
- Private roadway
 - 24' wide private roadway
 - Two 24' wide branch turnarounds within development

Traffic Impact Analysis / Trip Generation Assessment

This proposed development is not required to submit a Traffic Impact Analysis (TIA) based on Henderson County's Land Development Code guidelines (Chapter 42, Land Development Code §42-135). The applicant chose to have a Trip Generation Assessment of Hoopers Creek Road (SR 1533) completed by TDP Inc. and submitted as part of the application.

Neighborhood Compatibility Meeting

A neighborhood compatibility meeting for this proposed development was held on November 8, 2024. A summary of the meeting is included as an attachment.

Technical Review Committee (TRC) Recommendations

The Technical Review Committee reviewed this application at their November 19, 2024, meeting and suggested the following conditions:

- MSD sewer application to be amended for duplexes rather than townhomes
- Demolition permit required for existing structures
- NCDOT driveway permit required and encroachment agreement for utilities
- Abandonment permit required for existing well and septic systems
- Erosion control and stormwater permit required

Planning Board Recommendations

The Planning Board reviewed this application at their November 14th, 2024, meeting and suggested the following conditions:

- Replace T-turnaround with a cul-de-sac
- Consider similar HOA requirements as adjacent developments (The Cove and The Reserve at Livingston Farms)

The Planning Board voted 5-1 to forward the application to the Board of Commissioners with a favorable recommendation.

Note: Following the Planning Board meeting, staff met with the Fire Marshall to discuss the cul-de-sac condition recommended by the Planning Board. The Fire Marshall stated that the T-turnaround met the Fire Code, and a cul-de-sac is not required.

Board of Commissioners Public Hearing

The Board of Commissioners will hold a public hearing on this application at their January 6, 2025, meeting.



Neighborhood Compatibility Meeting
Conditional Zoning Request #R-2024-05-C (Hoopers Creek)
November 8, 2024, at 1:00 PM.
King Street Meeting Room located at 100 N. King Street, Hendersonville, NC

Letters about the meeting were mailed to property owners within 400 feet of the proposed development. Both County staff and the applicant(s) agent were present at the meeting. There were approximately five neighboring property owners that attended the meeting.

Ms. Autumn Radcliff opened the meeting and provided a welcome and introductions. She stated that the purpose of the meeting is for nearby neighbors to learn about the proposed project and ask questions of the applicant prior to formal review by the Planning Board and Board of Commissioners (BOC).

Project Overview by the Applicant: The developer, Brett Basnight, was present at the Neighborhood Compatibility Meeting on behalf of the applicant, Hoopers Creek Land LLC. Mr. Basnight provided an overview of the proposed development, alongside a copy of the proposed site plan. The applicant is proposing to develop a two-family attached residential development consisting of 38-units within 19 total structures. The residential structures are limited to two stories and comprised of 3–4-bedroom units. Each structure will also have two front loading garages. In addition, the project is proposing approximately 39% passive open space throughout the development. The applicant is also proposing 5' sidewalks along a 24' wide private roadway that extends off Hoopers Creek Rd (SR 1553). The applicant is proposing to keep as much existing vegetation as possible to buffer adjacent development. The applicant also stated that they are not interested in nor have plans to purchase and/or develop the adjacent vacant parcel to the West of the subject area.

Questions and Answer Discussion: Below is a list of questions or comments asked or stated by the adjacent residents that attended the meeting followed by the applicant's response/explanation.

1. It was stated that there was concern regarding the traffic on Hoopers Creek Rd, specifically leaving the Livingston Farms neighborhood. It was asked how this traffic concern would be mitigated, if at all. The applicant explained the Trip Generation Memo that was created for the proposed project, and the some of the results of the study.
 - a. Does the Trip Generation Memo consider peak rush hours? (i.e. Weekday mornings and evenings). The applicant stated that the Trip Generation Memo does consider peak rush hours for traffic.
 - b. Does the Trip Generation Memo consider car accidents on Hoopers Creek Rd? The applicant stated that this specific study did not consider car accidents since it is not a full Traffic Impact Analysis, as it was not required for this size of project. The Trip Generation Memo primarily measures trip generation, road volume, and capacity.
 - c. What would be done if there was a need to upgrade or improve Hoopers Creek Rd due to the Traffic Impact Analysis? Since Hoopers Creek Rd is a state-maintained road, the Department of Transportation would not condemn any properties to make improvements since it is not a part of a DOT-specific project. The applicant would have to buy out property owners individually, if necessary.

2. It was stated that there were concerns over flooding and runoff from the subject property onto neighboring properties. The applicant would be required to obtain a stormwater, floodplain, and erosion control permit to mitigate any potential impacts prior to development.
3. It was stated there were concerns over utility tie-ins with the City of Hendersonville in other developments causing issues on neighboring properties. The applicant will have to work with the City of Hendersonville to obtain all required permits prior to receiving utility access.
4. It was stated that there was previous mention of this development being considered “affordable housing”. The applicant stated that this development is not affordable housing.
5. Will there be an HOA and what are their responsibilities? The applicant stated that the homes would be owner-maintained and open space would be maintained through the HOA. The applicant stated that the HOA would be formed after the last unit turnover.
6. After Hurricane Helene, were there any proposed home site impacted by flooding? There were no proposed home sites impacted by flooding. The portion of the subject property that did experience flooding is slated as open space and not developed.
7. How long will the construction period be if approved? The applicant stated that construction would take approximately 12-16 months.
8. What would be the selling price for these homes? The applicant stated that they would be priced at approximately \$300 per square foot, or around \$600,000 total.
9. If this Conditional Rezoning is denied again, can the applicant reapply? To reapply, the applicant would have to propose a development that is different from the current site plan or wait a minimum of twelve months to reapply.

Next Steps: The Planning Board will review this application at its November 14th meeting and make a recommendation to the BOC. The BOC will hold a public hearing before acting on the application, which would likely occur at the first meeting in January. Ms. Radcliff stated that property owners within 400 ft of the project will receive a mailed notice of both the Planning Board and the BOC meetings. The public hearing will be advertised in the Hendersonville Lightning and the property will be posted. The BOC has the final approval authority on the project.

With no further comments or questions the meeting was concluded at 1:50 p.m.

MEMO

Trip Generation Assessment

To: Brett Basnight
Longbranch Development, LLC

RE: Hoopers Creek Townhomes Traffic Assessment
Henderson County, NC
TPD No. BREA 000003

Preparer: Colin Kinton, PE
TPD Inc.

Date: September 18, 2024

As requested, TPD, Inc. has completed a trip generation assessment of the proposed Hoopers Creek Development to be located on Hoopers Creek Road (SR-1533) in Henderson County, NC.

Hoopers Creek Road is a NCDOT maintained, rural two-lane roadway with frequent curves and minimal shoulders. Hoopers Creek Road has a posted speed limit of 35 mph with an annual average daily traffic (AADT) of 3,700 vehicles for the Year 2022. Traffic growth on Hoopers Creek Road has averaged 1.5% over the last 6-8 years. Land uses in the vicinity include suburban single family residential and rural, large-tract homes and farms. The Town of Fletcher is immediately adjacent and to the west of the proposed development. The project site location map and proposed site plan are attached at the end of the assessment.

The proposed development will consist of 38 single family attached (duplex). The site will be served by one full-access driveway on Hoopers Creek Road. The proposed development generates fewer than 50 new trips during any peak hour on an average weekday. Furthermore, the trip generation will not necessitate road improvements to support the development.

Projected trip generation details and anticipated site traffic distribution are attached.

CONCLUSIONS

NCDOT requires a TIA for proposed developments anticipated to generate 3,000 daily trips or greater. The proposed development will generate less than 8% of the daily minimum required trips for a TIA. The proposed Hoopers Creek development will generate fewer than 50 new trips during any peak hour on an average weekday; therefore, no traffic impact analysis (TIA) is required.

In consideration of NCDOT turn lane warrants, no auxiliary turn lanes will be required along Hoopers Creek Road at the proposed development's entrance based on speed and volume of traffic. No roadway improvements are necessary to support the proposed development.

The proposed driveway is close to horizontal, and vertical curves on Hoopers Creek Road and a sight distance

analysis is recommended for the proposed driveway location. TPD will evaluate the proposed site driveway for NCDOT driveway design standards regarding location, width, and sight distance to support permitting through NCDOT.

If you require additional information, please feel free to contact us.

Sincerely,
TPD



S. Colin Kinton, PE,
Senior Project Manager

Ckinton@TPDinc.com

Attachments:

- Trip Generation Analysis
- The site location map
- The project site plan

TRIP GENERATION ANALYSIS

The trip generation data rates for this assessment were obtained from the manual *Trip Generation*, Eleventh Edition, 2021, an Institute of Transportation Engineers (ITE) Informational Report. TPD utilized land use code (LUC) 215 Single-Family Attached Housing for this assessment. **Table 1** illustrates the anticipated site traffic volumes for the proposed development during the weekday peak-hour time periods.

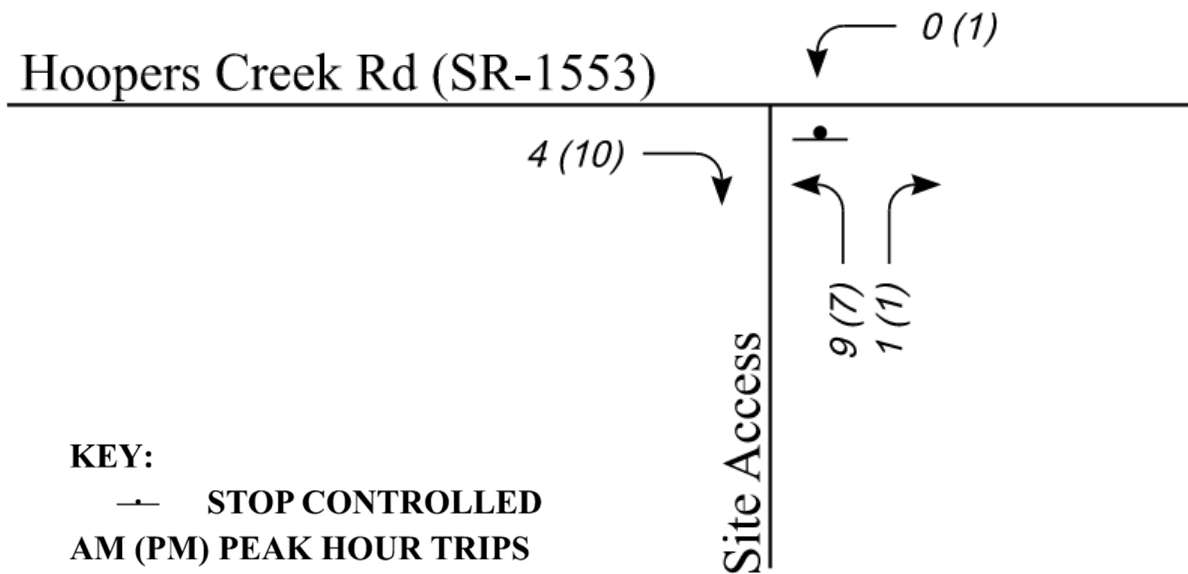
TABLE 1
TRIP GENERATION

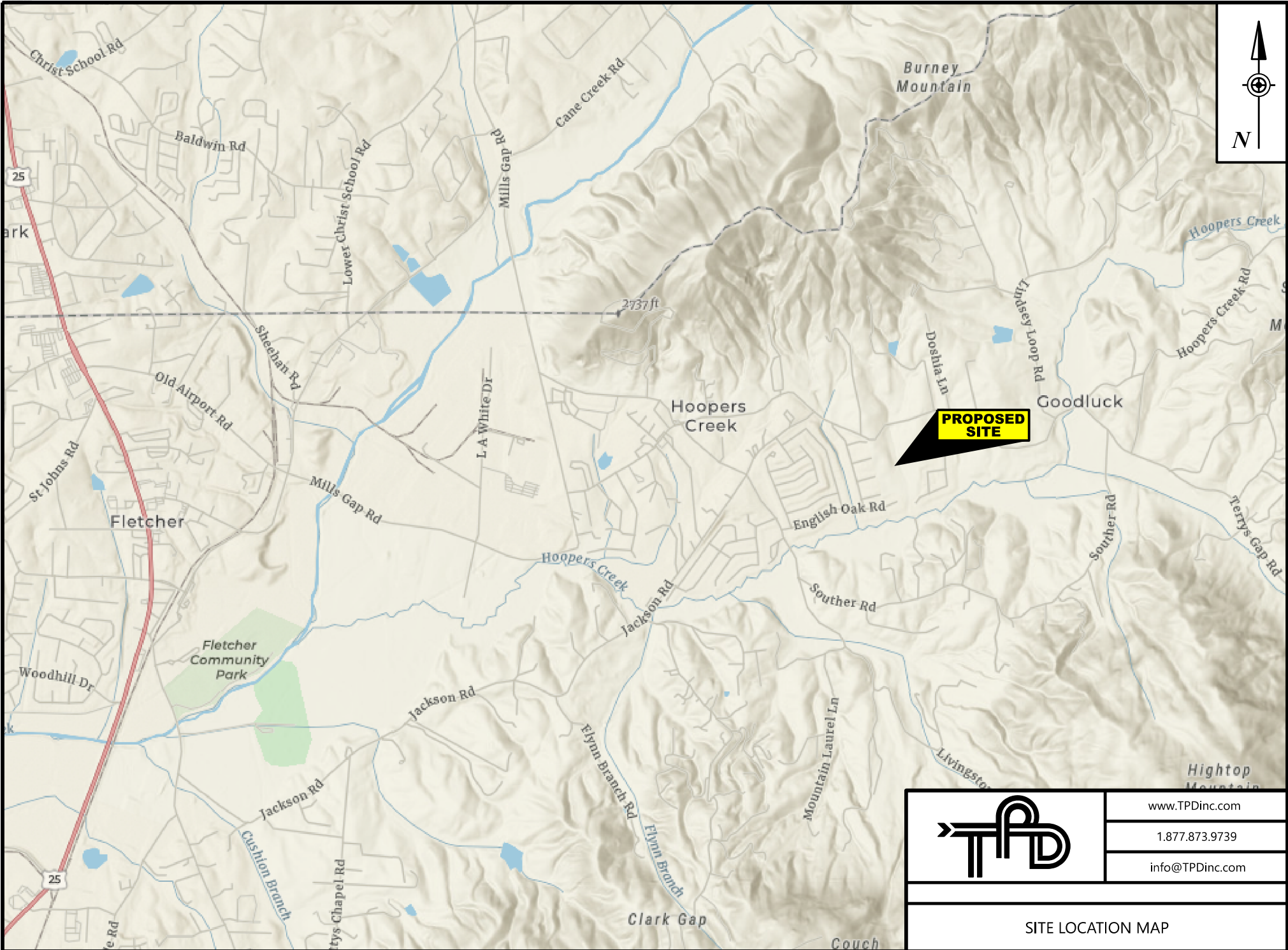
Time Period	Total Trips		
	Total	Enter	Exit
A.M. Peak Hour	14	4	10
P.M. Peak Hour	19	11	8
Weekday	239	120	119

Based on the information contained in Table 1 above, the proposed site will generate 239 total new trips during the average weekday, with 14 new trips during the AM and 19 new trips during the PM weekday peak-hours.

Figure 1 illustrates the hourly site generated traffic on Hoopers Creek Road for the weekday AM and PM peak-hours.

FIGURE 1
SITE GENERATED TRAFFIC





www.TPDinc.com
1.877.873.9739
info@TPDinc.com

SITE LOCATION MAP



TABULATIONS (HENDERSON CO)

HOUSING TYPE:
SINGLE FAMILY ATTACHED- DUPLEX

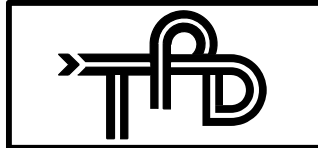
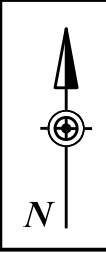
LAND AREA:
9.85 ACRES

PROPOSED DENSITY
38 UNITS
BUILDING HEIGHT - 2 STORIES

SETBACKS:
FRONT: 15'
REAR: 10'
SIDE: 10'
CREEK BUFFER: 30'

LOT DIMENSIONS
WIDTH: 46'
DEPTH: 95'

PASSIVE OPEN SPACE
APPROX. 3.87 ACRES



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HOOPERS CREEK
REZONING APPLICATION R-2024-02
HOOPERS CREEK, NC

SITE PLAN

TABULATIONS (HENDERSON CO)

HOUSING TYPE:
SINGLE FAMILY ATTACHED - DUPLEX

LAND AREA:
9.85 ACRES

PROPOSED DENSITY
38 TOTAL UNITS (19 STRUCTURES)
BUILDING HEIGHT - 2 STORIES

SETBACKS:
FRONT: 15'
REAR: 10'
SIDE: 10'
CREEK BUFFER: 30'

LOT DIMENSIONS
WIDTH: 46'
DEPTH: 95'

PASSIVE OPEN SPACE
APPROX. 4.25 ACRES

ESTIMATED ACREAGE PER LOT
APPROX. 0.1 ACRES PER LOT

*ESTIMATED ACREAGE SUBJECT TO
FIELD SURVEY REVISIONS



UNIT DETAILS:
-38 UNITS TOTAL (19 STRUCTURES)
-APPROX. 0.1 ACRES
-EACH TO HAVE THEIR OWN LOT: 38 LOTS
-46'X95' LOT DIMENSIONS

SETBACK REDUCED TO 18'-6" TO MAINTAIN LOT SIZE

APPROXIMATE DISTANCE OF DUPLEX TO CLOSEST NEIGHBORING HOME: APPROX. 75'

APPROXIMATE DISTANCE OF DUPLEX TO CLOSEST NEIGHBORING HOME: APPROX. 228'

APPROXIMATE DISTANCE OF PROPERTY TO CLOSEST NEIGHBORING HOME: APPROX. 36'

HOOPERS CREEK

REZONING APPLICATION R-2024-02

HOOPERS CREEK, NC

Certification of Notice of Public Hearing

In accordance with NCGS 160D-343 the Planning Department certifies notice of the June 19, 2024 hearing regarding Rezoning Application #R-2024-05-C were:

1. Submitted to the Hendersonville Lightning on December 17, 2024 to be published on December 25, 2024 and January 1, 2025 by Liz Hanson;
2. Sent, via first class mail, to the owners of properties adjacent to the Subject Area(s) on December 19, 2024 by Liz Hanson;
3. Sent, via first class mail, to the property owner on December 19, 2024 by Liz Hanson; and
4. Signs were posted on the Subject Area(s) on December 19, 2024 by Liz Hanson.

The signatures herein below indicate that such notices were made as indicated herein above:

1. *Liz Hanson*

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

I, Toby Linville , a Notary Public, in and for the above County and State, do hereby certify that

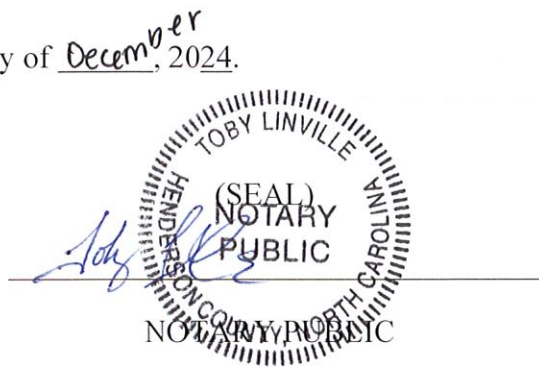
 Liz Hanson

personally appeared before me this day.

WITNESS my hand and notarial seal, this the day of December , 2024.

My commission expires:

 6/29/26





BOARD OF COMMISSIONER ENACTMENT 2024- _____

RESOLUTION OF CONSISTENCY WITH THE 2045 COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §160D, Article 1, the Henderson County Board of Commissioners exercises regulations relating to development within the County’s jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2024-05-C; and

WHEREAS, pursuant to N.C. General Statute §160D-601, the Planning Director provided the prescribed public notice, and the Board held the required public hearing on January 6, 2025; and

WHEREAS, N.C. General Statute §160D-605 requires the Board to adopt a statement of consistency with the 2045 Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. The Board reviewed the proposed map amendment (#R-2024-05-C Hoopers Creek) and determined that it is reasonable, in the public interest, and it is consistent with the 2045 Comprehensive Plan located therein because:
 - The 2045 Comprehensive Plan describes the need for increased housing availability and additional types of housing to diversify housing choices and
 - The subject area is located in the Transitional Character Area, which encompasses residential areas with a limited density of two to four units per acre and
 - The subject area is located outside of the Utility Service Area and working agricultural lands.
2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS, the 6th day of January 2025.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
William Lapsley, Chairman

ATTEST:

Denisa Lauffer, Clerk to the Board

[COUNTY SEAL]

	<h1>CONDITIONAL REZONING #R-24-5-C HOOPERS CREEK</h1>	
	<p>Board of Commissioners • January 6, 2025 • 5:30 PM</p>	

1

<p>PUBLIC HEARING NOTICE</p>	<ul style="list-style-type: none">• Legal Advertisement was published in the Hendersonville Lightning on December 25, 2024 and January 1, 2025• The property was posted on December 19, 2024• Letters were mailed to property owners within 400 feet of the Subject Area on December 19, 2024
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2

CONDITIONAL DISTRICTS

2

Conditional Rezoning's are:

- Legislative decisions
- Require a site-specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

3

APPLICATION SUMMARY

4

- Conditional Rezoning Application: R-2024-05-C
- Owner: Kenneth Rhodes
- Applicant: Hoopers Creek Land, LLC
- Property Location: 384 Hoopers Creek Rd & 390 Hoopers Creek Rd
- PINs: 9673-21-1888 & 9673-22-2365
- Request: Conditionally rezone from Residential Two Rural (R2R) to a Conditional District (CD-2024-02)
- Approximately 9.85 acres

4

PROJECT SUMMARY

5

Two-family attached residential dwellings

- 19 total residential structures
- 38 total residential units
- Two-story structures, no taller than 32'
- 46' x 95' lot dimensions (approximately 0.10 acres)
- 15' ROW setback
- 10' side and rear setbacks

Amenities

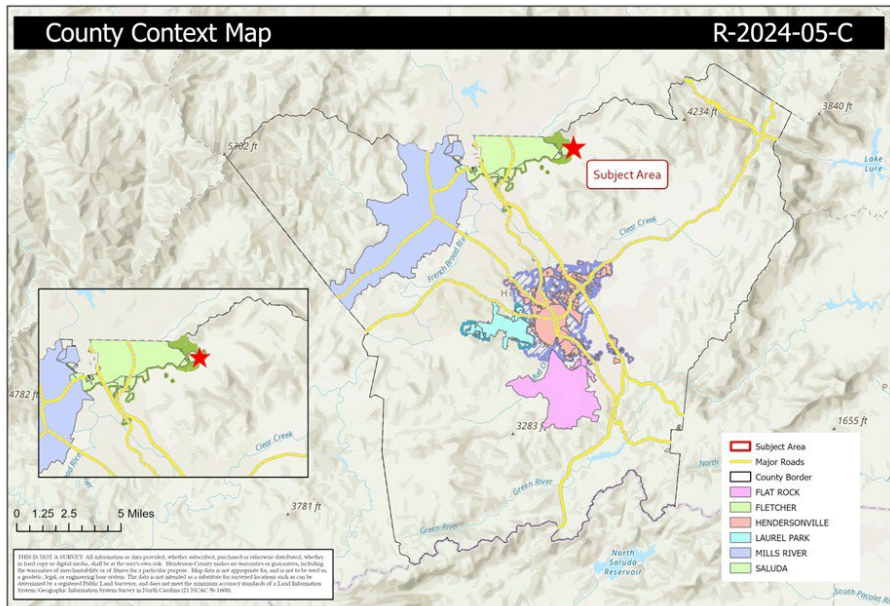
- 39% passive open space (approximately 3.87 acres)
- Existing vegetative buffer to remain along creek
- 5' sidewalks throughout development

Private Roadway

- 24' wide private roadway
- Two 24' wide branch turnarounds

5

CONTEXT MAP



6

AERIAL MAP

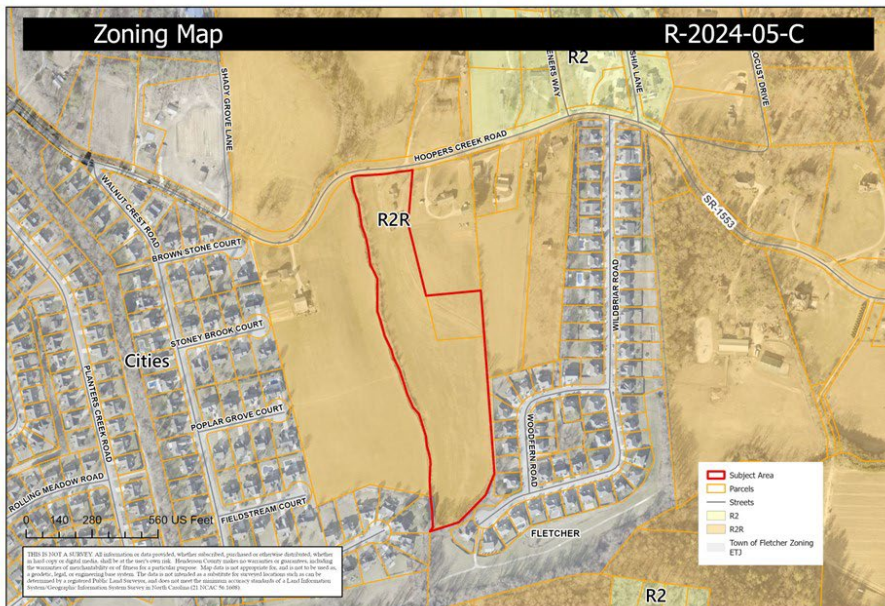


Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)



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ZONING MAP

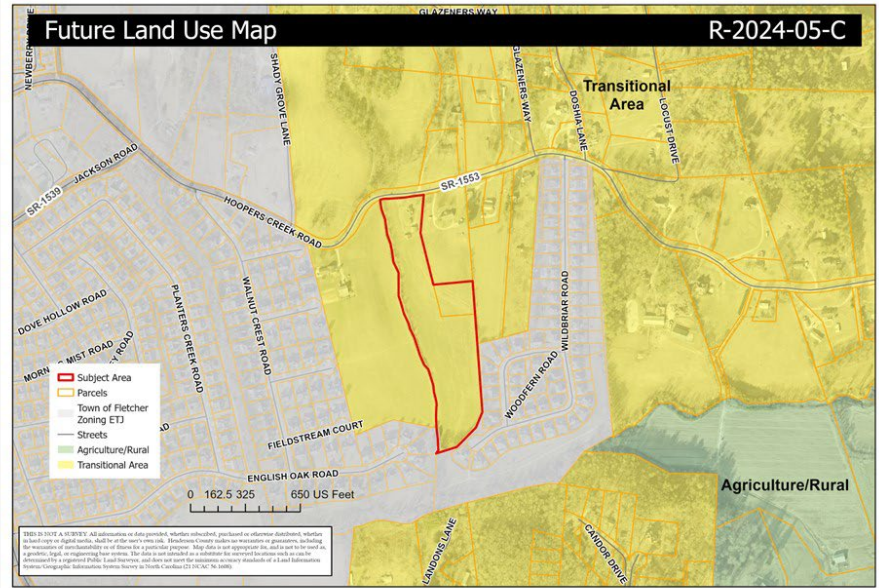


Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)



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FUTURE LAND USE MAP



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)



2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan describes the need for Henderson County to allow for more types of housing to accommodate a wider range of occupants, especially Middle Housing options (see page 88). Goal 7 of the plan states specifically to **“diversify housing choices and increase availability”**. This project would help to accomplish this goal.

Based on the surrounding density and uses within the Town of Fletcher’s jurisdiction, the **Infill character area** would be a more accurate representation of what is already existing near the subject area. The approval of this rezoning would coincide with an **amendment** to the Future Land Use Map for this parcel and the parcel to the West.

The Infill character area consists of residentially focused areas that accommodate a **variety of home types**. This character area is found near existing development at a density of four to eight units per acre. The recommended uses are a mix of housing types such as single family and townhomes. This character area is also typically served by utilities.

This project aligns with the recommendations of the Infill character area and 2045 Comprehensive Plan housing goals.

Utilities

The applicant is proposing connections to the Metropolitan Sewerage District (MSD) public sewer and the City of Hendersonville public water located on an adjacent parcel.



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC
 Total Acreage: 9.85
 Residential Two Rural (R2R) to Conditional District (CD)



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Subject Area - South Portion
 January 2024

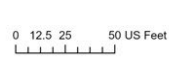
0 12.5 25 50 US Feet



12



**Subject Area - South Portion
October 2024**



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FLOOD MAP



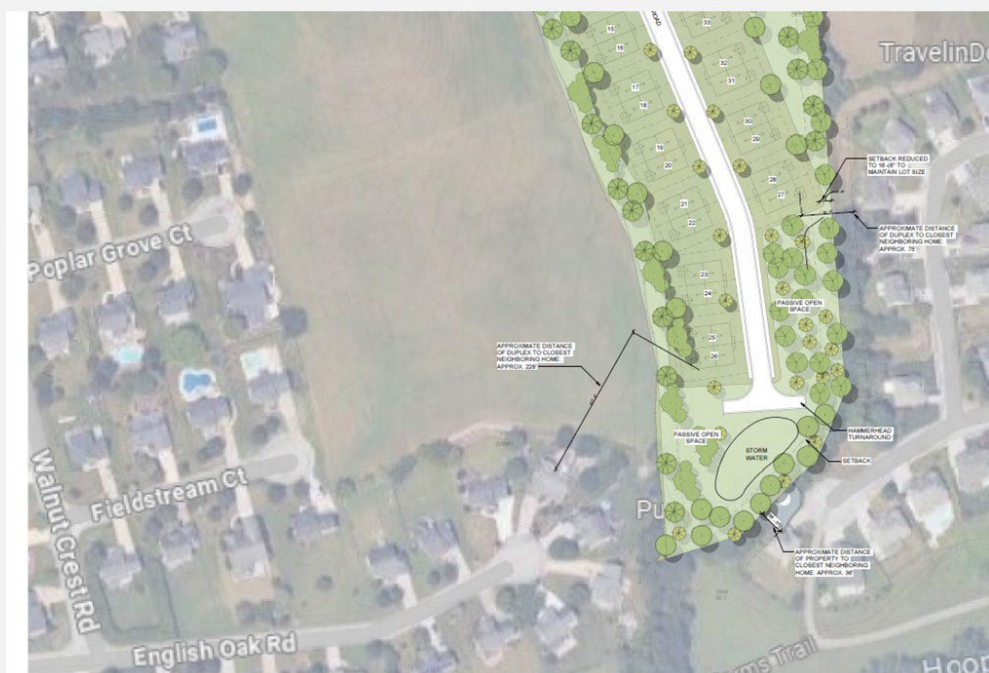
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SITE PLAN



15

SITE PLAN



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CONDITIONAL REZONINGS

The Staff Report contains conditions required by the LDC and additional conditions and requests made by the TRC and Planning Board.

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COMPREHENSIVE PLAN CONSISTENCY

A draft resolution of consistency with the 2045 Comprehensive Plan is included as an attachment.

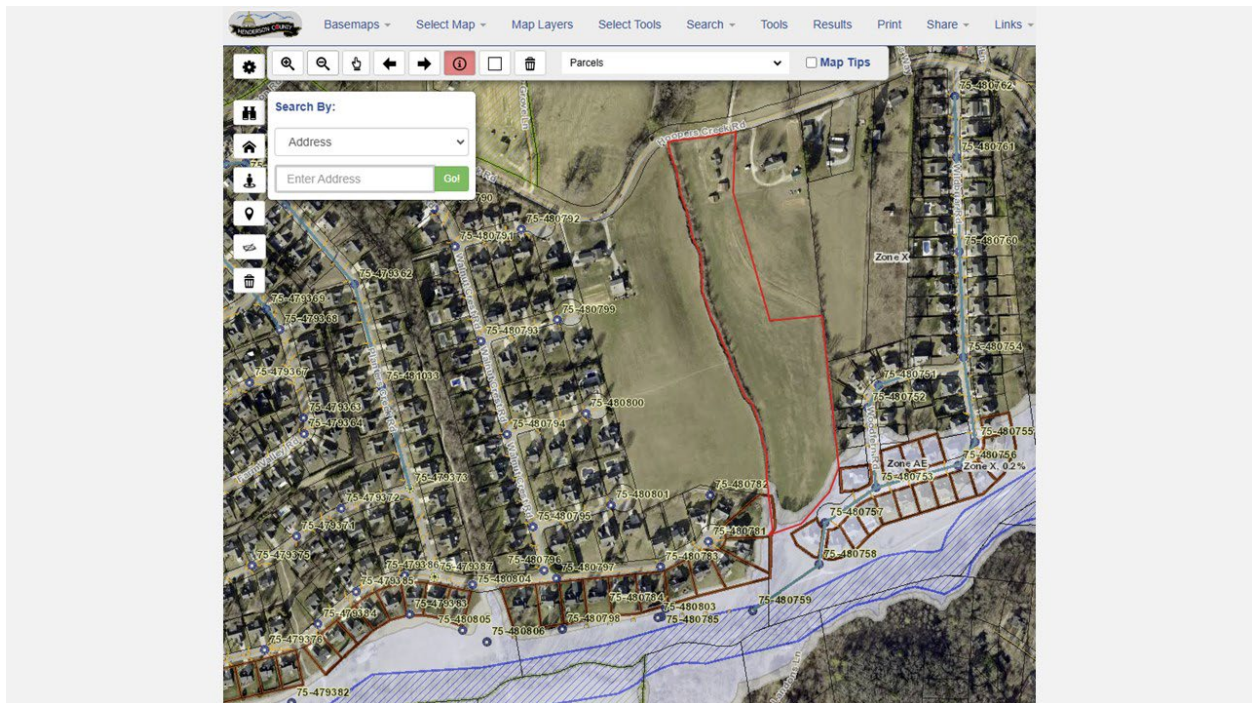
The resolution addresses the consistency and reasonableness with the goals and outcomes of the 2045 Comprehensive Plan.

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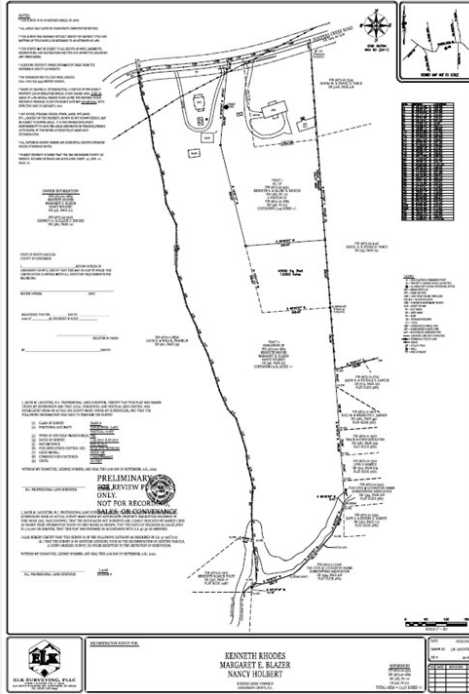
BRETT BASNIGHT

Developer/Applicant Presentation

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AE Flood Zone

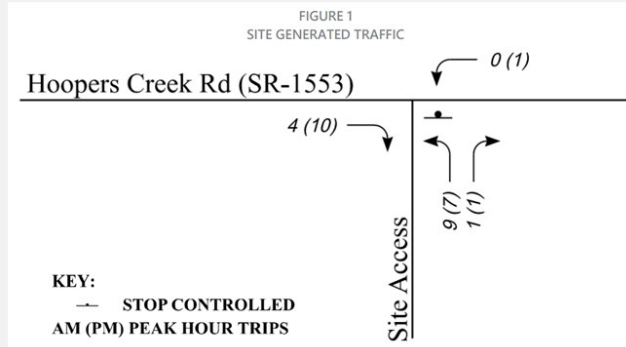
22

	SUBJECT (PROPOSED)	THE COVE
ZONING		
Listed Zoning	Conditional Zoning	R-3 High Density
Density Per Acre	3.86	4.0
Structures Per Acre	1.92	4.0
PHYSICAL STRUCTURE		
Home Height	2 Story	2 Story
Height	40'	40'
Estimated SF	2,300	2,444
SETBACKS		
Front	15'	15'
Side	10'	10'
Rear	10'	10'
OPEN SPACE		
Common Acreage / Parcel Size	43%	26%
Sidewalks	Yes	No
FLOOD ZONES		
Homes in AE Zone	0	21
Homes w/ LOMR	0	17
HOA COMPARISON		
Governing Docs	x	x
Board	x	x
Maintenance Specifications	x	x
Architectural Specifications	x	x
Architectural Vernacular	x	x
Materials	x	x
TRANSPORTATION		
Homes Serviced by NCDOT Driveway	38	64
2045 COMP PLAN		
#1 Growth w/ Infrastructure	x	x
#3 Protect & Conserve Nature Resources	x	x
#5 Expand Utility Network	x	x
#6 Stimulate Economic Dev	x	x
#7 Diversity of Housing	x	x
#8 Promote Healthy Living	x	x

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Rezoning #R-2024-05-C
 Hoopers Creek

PUBLIC HEARING COMMENTS

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