

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY PLANNING BOARD

**MEETING DATE:** July 18, 2024

**SUBJECT:** Rezoning Application #R-2024-02 Hoopers Creek

**PRESENTER:** Liz Hanson, Planner

**ATTACHMENTS:** 1.) Staff Report  
2) PowerPoint Handouts  
3.) 2045 Plan Consistency

### **SUMMARY OF REQUEST:**

Rezoning Application #R-2024-02, submitted on May 1<sup>st</sup>, 2024, requests that the County rezone approximately 13.27 acres of land from the Residential Two Rural (R2R) zoning district to the Residential One (R1) zoning district. The zoning map amendment application is for all PINs 9673-21-1888 and 9673-22-2365 with access and frontage along Hooper Creek Rd (SR 1553). The property owners are Kenneth and Alline Rhodes, and the applicant is Hoopers Creek Land, LLC.

The Technical Review Committee reviewed the application at its meeting on June 4, 2024, and made a motion to forward it to the Planning Board for their review and recommendation.

### **ACTION REQUESTED:**

Staff requests the Planning Board make a recommendation to the Planning Board on rezoning application (R-2024-02) for approximately 13.27 acres from Residential Two Rural (R2R) to Residential One (R1).

### **Suggested Motion:**

I move that the Planning Board recommend rezoning application #R-2024-02 to rezone the subject area to an R1 (Residential One) zoning district as it is reasonable and consistent 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

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**APPLICATION #**  
R-2024-02

**PLANNING BOARD MEETING DATE:**  
JULY 18, 2024

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**PROPERTY OWNER**

Kenneth Rhodes  
Alline Rhodes

**PROPERTY LOCATION/ADDRESS**

384 Hoopers Creek Rd  
390 Hoopers Creek Rd, Hoopers Creek  
Township

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**APPLICANT**

Hoopers Creek Land, LLC

**PIN(S):**

9673-21-1888 & 9673-22-2365

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**SUMMARY OF REQUEST**

A rezoning of the above referenced PINs (hereafter the subject area from Residential Two Rural (R2R) to Residential One (R1)

**Existing Zoning**

Residential Two Rural (R2R)

**FLUM Character Area**

Transitional Area

**Existing Land Use**

Single Family Residential

**Site Improvements**

NA

**Request Acreage**

13.27

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**ADJACENT ZONING**

**North**      R2R

**East**        R2R

**South**      Fletcher (R-3)

**West**        R2R

**PROPERTY CLASS**

Vacant, Residential

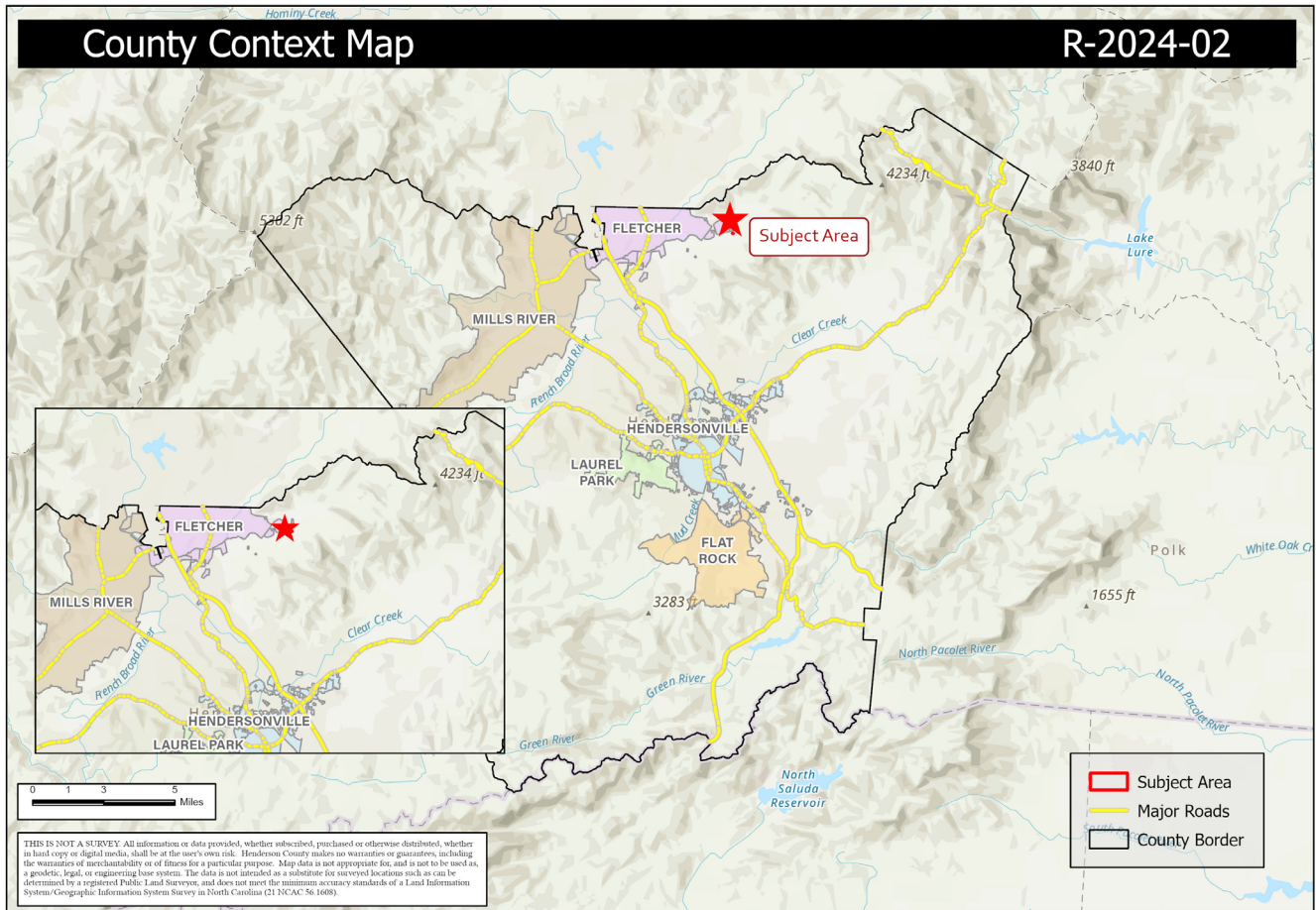
Commercial, Residential

Residential, Commercial

Residential

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### Map A: County Context



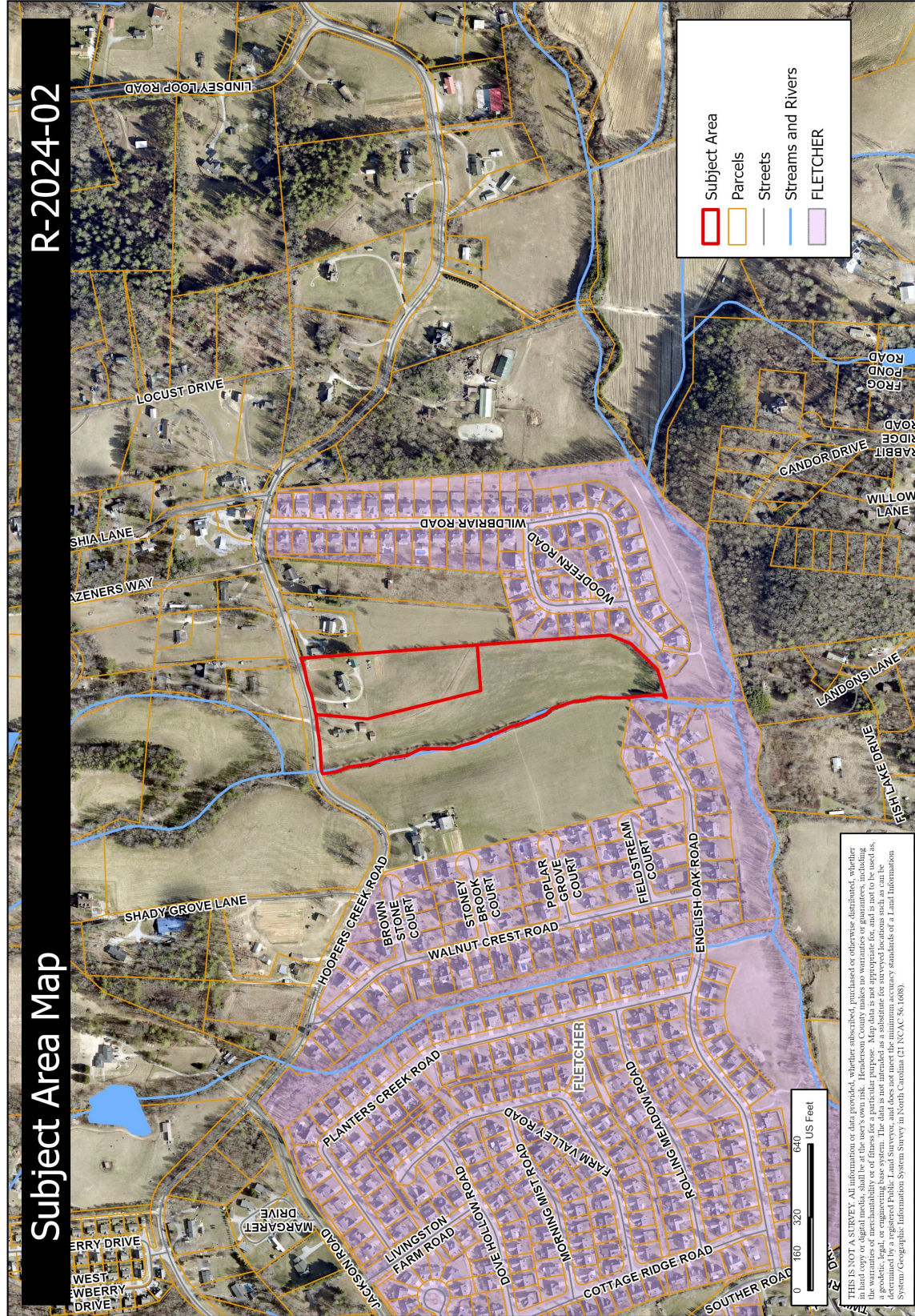
Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
Total Acreage: 13.27  
Residential Two Rural (R2R) to Residential One (R1)



### BACKGROUND:

The applicant, Hoopers Creek Land, LLC, is seeking to rezone PINs 9673-21-1888 and 9673-22-2365 from Residential Two Rural (R2R) to Residential One (R1). The subject area is 13.27 acres in total. The parcels each contain one residential structure and personal storage structures.

Map B: Subject Area



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 13.27  
 Residential Two Rural (R2R) to Residential One (R1)

**SUBJECT AREA & ADJACENT PROPERTIES:**

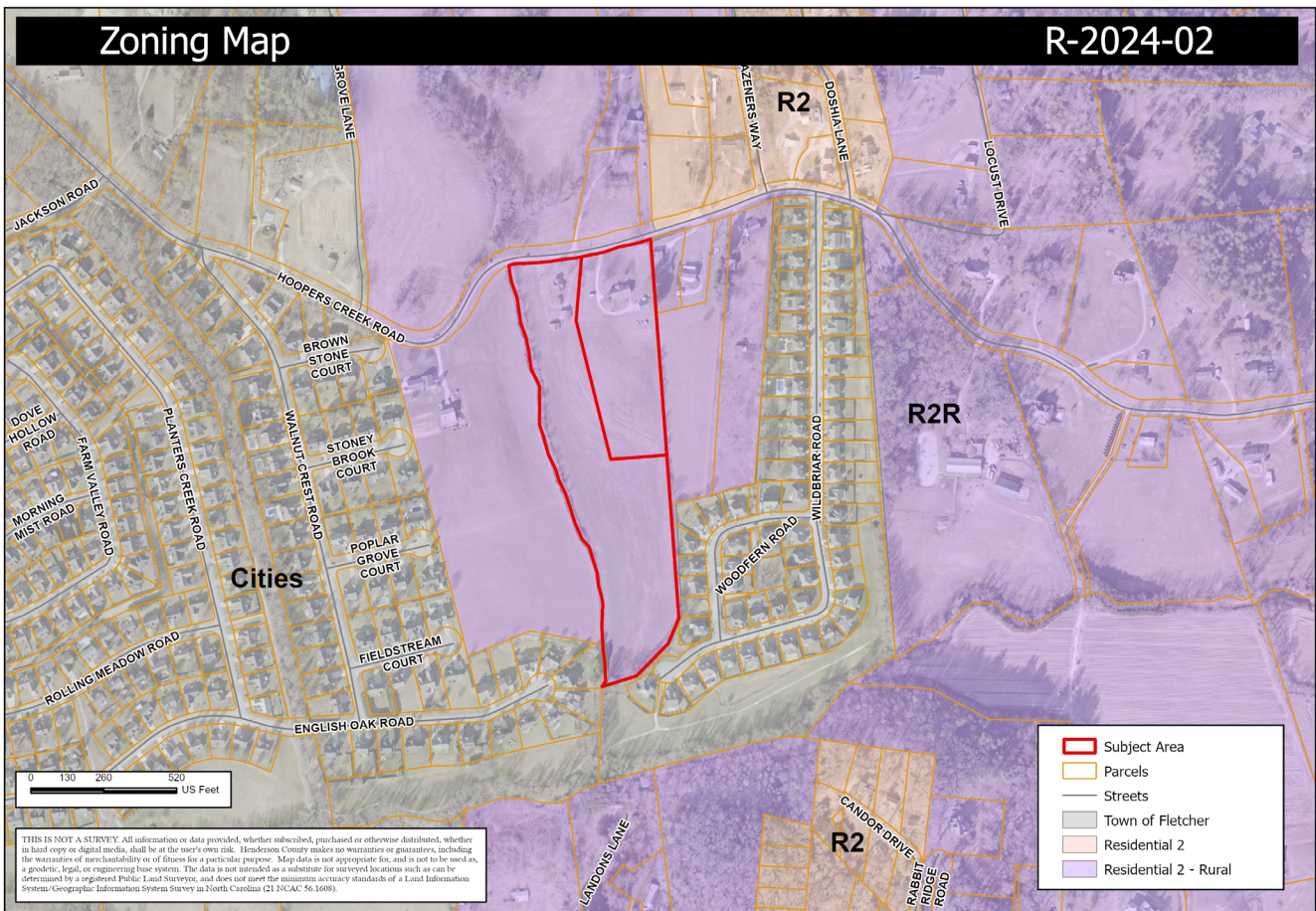
**West:** The property to the west of the subject area contains a residential structure and storage building. A stream separates the subject area and the parcel to the west.

**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: 13.27  
Residential Two Rural (R2R) to Residential One (R1)



**District Comparison:**

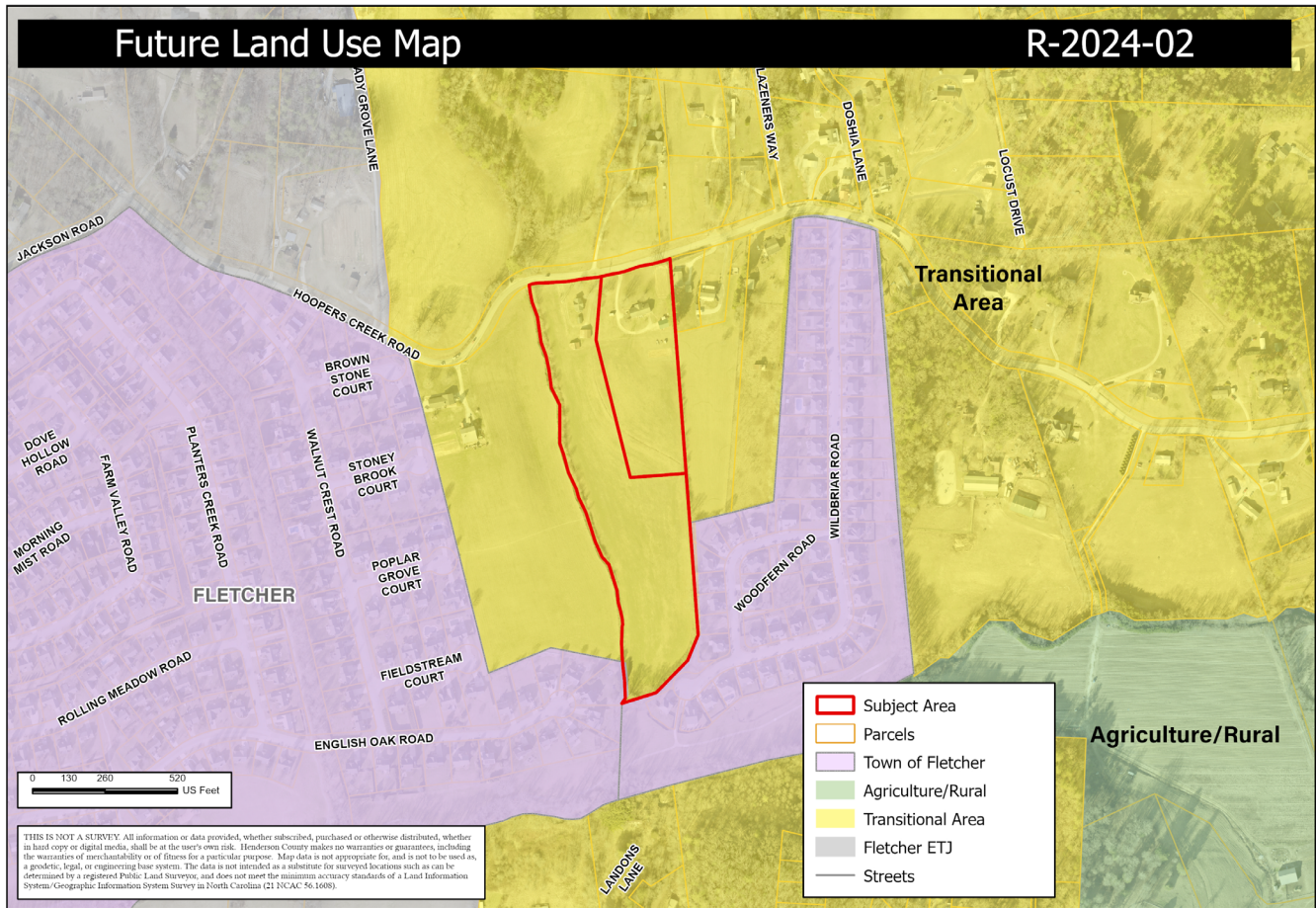
**Residential Two Rural (R2R):** “The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development and rural commercial and light industrial development 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).

**Residential One (R1):** “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 Utility Service Area (USA) in the *Comprehensive Plan*.” Standard residential density in Residential One is 4 units per acre. Intermediate residential density is 6 units per acre. The maximum density in Residential One, for multifamily developments is 16 units per acre. The maximum height is 40’ (LDC §42-27).

**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.

Map D: 2045 Future Land Use Map



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 13.27  
 Residential Two Rural (R2R) to Residential One (R1)



**2045 Comprehensive Plan Compatibility**

The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Transitional Area** character area.

**Transitional Area:** “Transitional Area encompasses residential areas of limited density” (Part 2, page 44).

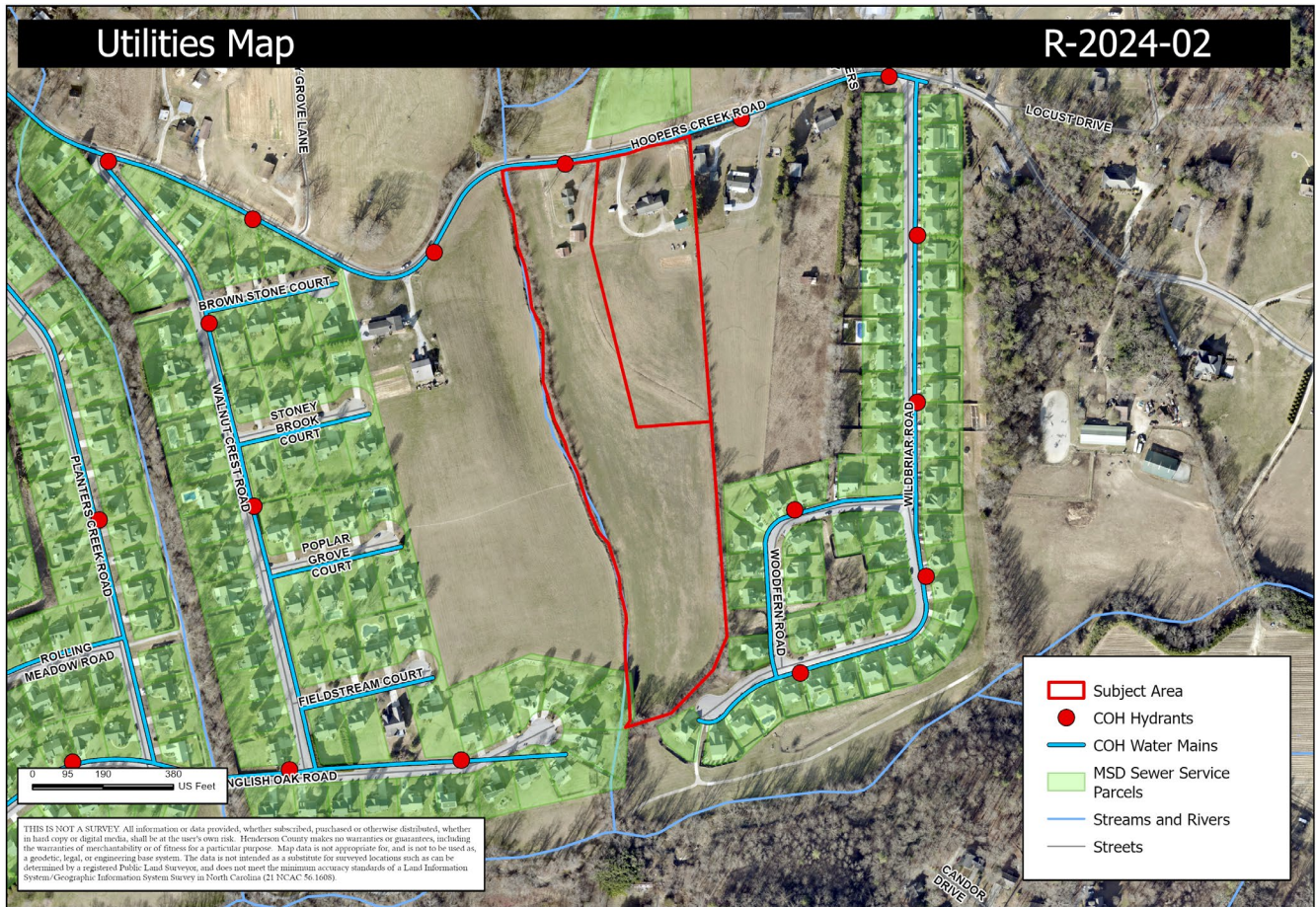
- **Where:** Outside the core of the Utility Service Area and working agricultural lands.
  - The subject area is outside of the Utility Service Area and working agricultural lands
- **Density:** The maximum allowable density range is two to four units per acre (gross density).
  - Residential One (R1) has a standard density of four units per acre
- **Uses:** Single family residential, potentially some appropriately sized multi-family as part of planned developments, agricultural uses.
  - Residential One (R1) is intended for primarily residential uses.

- **Utility Access:** Varies.
  - The subject area is proposing a connection to the Metropolitan Sewerage District (MSD) public sewer and city of Hendersonville public water.

**Goal 7: Diversify Housing Choices and Increase Availability**

- Residential One (R1) zoning helps accomplish Goal 7 of the 2045 Comprehensive Plan. R1’s primary goal is to offer more housing choices, which can help bridge the gap in Middle Housing Development (2045 Comp Plan page 86).

**Map F: Utilities Map**



Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC  
Total Acreage: 13.27  
Residential Two Rural (R2R) to Residential One (R1)



**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).

**Technical Review Committee (TRC) Recommendations**

The Technical Review Committee met on June 4, 2024, to review R-2024-02. The Technical Review Committee made a motion to forward the application to the Planning Board for its review and recommendation.

**Planning Board Recommendations**

TBD

**Board of Commissioners Public Hearing**

TBD

# Rezoning Application: #R-2024-02, Hoopers Creek

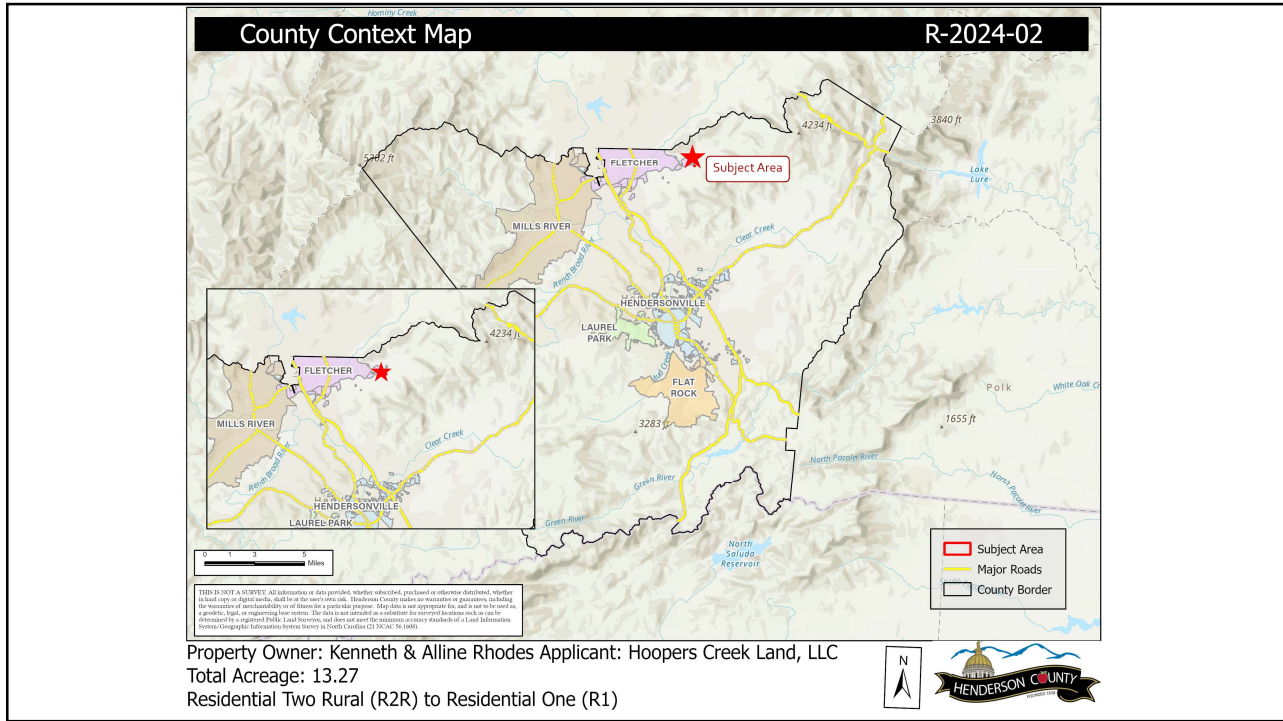
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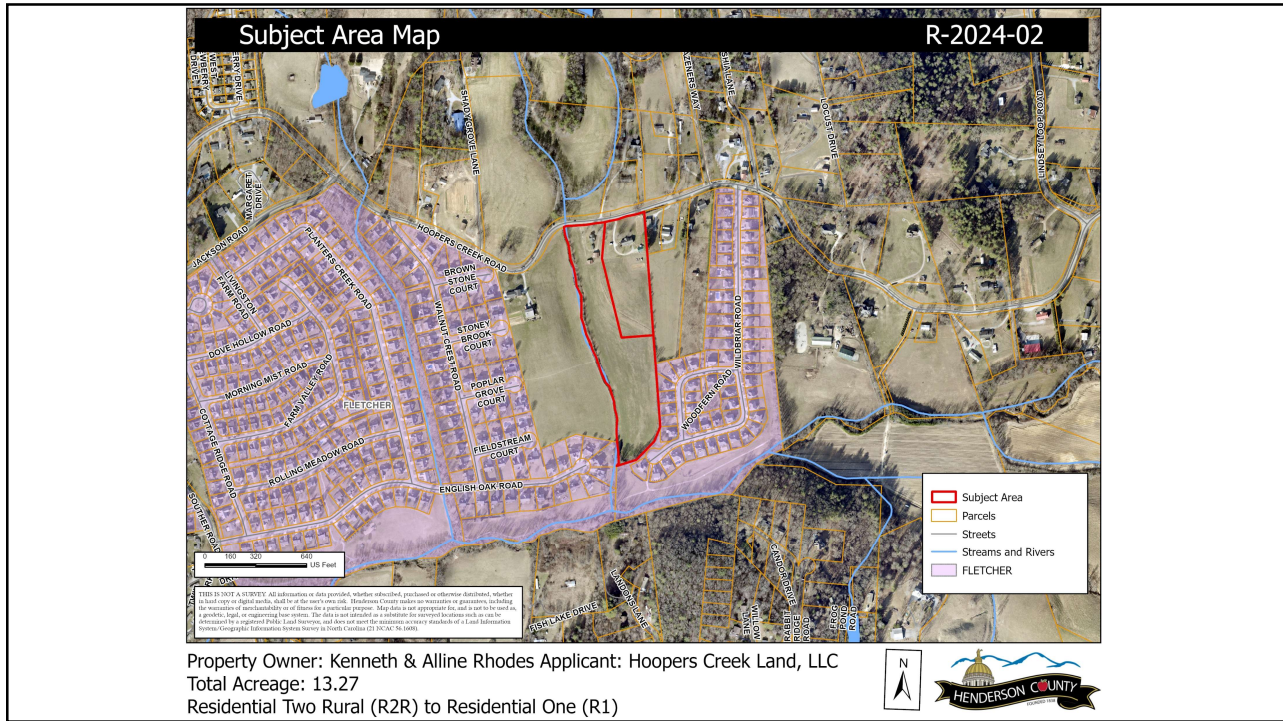
## **Application Overview:**

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- The zoning map amendment application is for all of PINs: 9673-21-1888 & 9673-22-2365 with access and frontage along Hooper Creek Rd (SR 1553).
- The property owners are Kenneth and Alline Rhodes, and the applicant is Hoopers Creek Land, LLC.
- Moved forward to Planning Board at June 4, 2024, TRC meeting

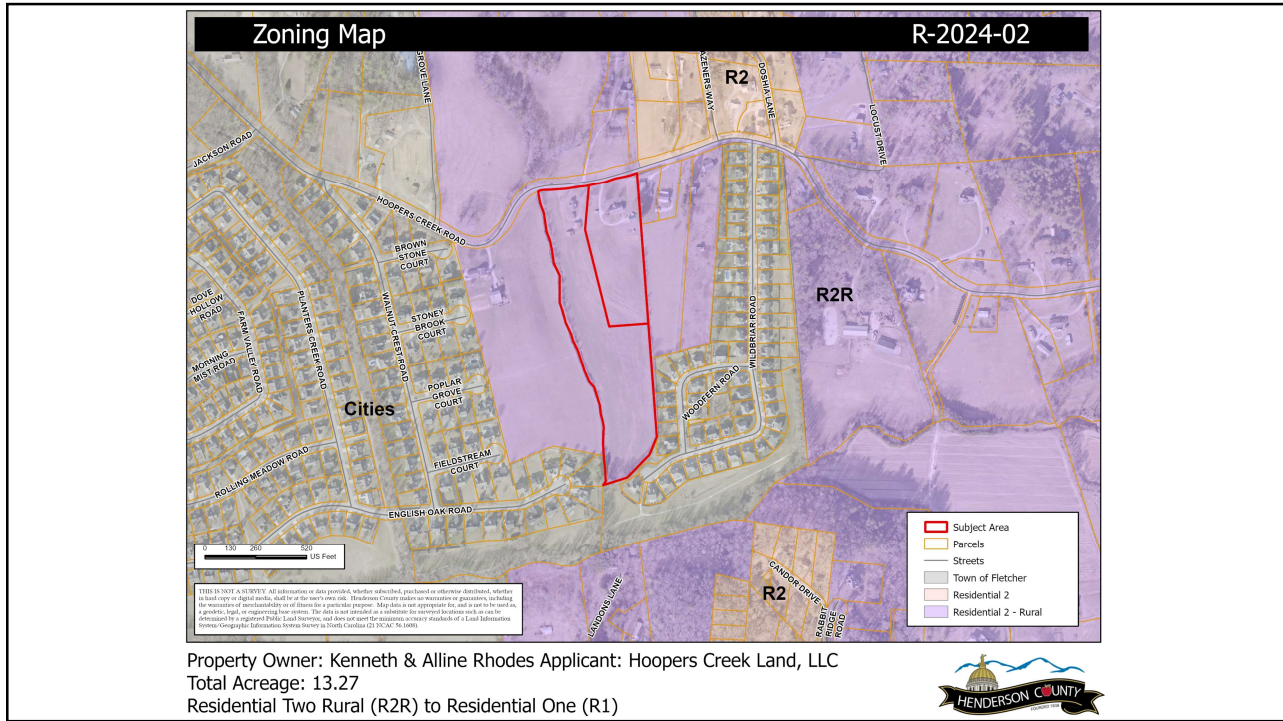
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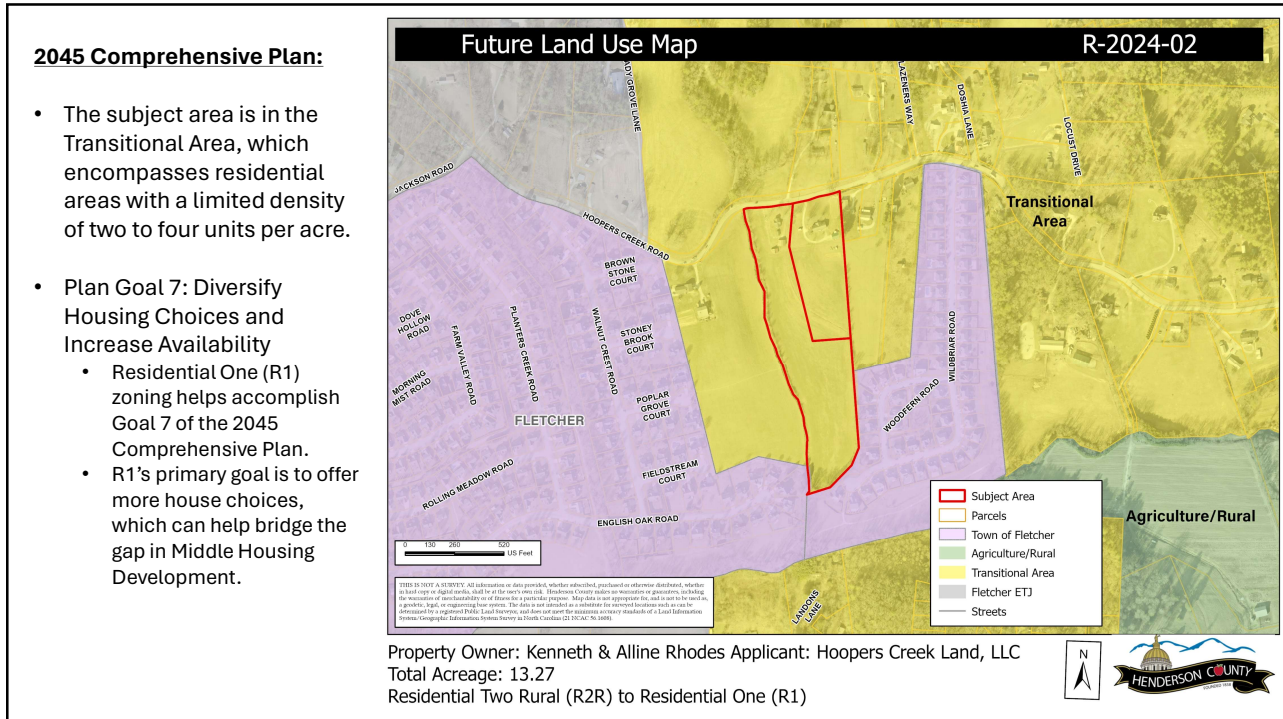
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**2045 Comprehensive Plan:**

- The subject area is located outside the Utility Service Area and working agricultural lands.
- The subject area has access to COH water and MSD sewer.



Property Owner: Kenneth & Aline Rhodes Applicant: Hoopers Creek Land, LLC  
 Total Acreage: 13.27  
 Residential Two Rural (R2R) to Residential One (R1)



**2045 Plan Consistency**

A draft statement of consistency with the 2045 Comprehensive Plan is included as an attachment. The statement addresses the plan's consistency and reasonableness and other goals and outcomes.

# Questions?





## **PLANNING BOARD REVIEW – APPLICATION R-2024-02 CONSISTENCY WITH THE 2045 COMPREHENSIVE PLAN**

On July 18, 2024, the Planning Board reviewed map amendment application R-2024-02. Based on the following determinations, the Board finds that the application is consistent with the 2045 Comprehensive Plan.

1. The Board determined that it is reasonable, in the public interest, and is consistent with the 2045 Comprehensive Plan located therein because of the following reasons:
  - The subject area is located in the Transitional Area, which encompasses residential areas with a limited density of two to four units per acre.
  - The subject area is located outside the Utility Service Area and working agricultural lands.
  - Plan Goal 7: Diversify Housing Choices and Increase Availability
    - Residential One (R1) zoning helps accomplish Goal 7 of the 2045 Comprehensive Plan. R1's primary goal is to offer more house choices, which can help bridge the gap in Middle Housing Development.
2. The Board determines that the proposed amendment provides for the sound administration of the Land Development Code while balancing property rights and promoting reasonable growth within the County.