

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY PLANNING BOARD

**MEETING DATE:** July 18, 2024

**SUBJECT:** Rezoning Application #R-2024-03 Continental Divide Dr

**PRESENTER:** Liz Hanson, Planner

**ATTACHMENTS:** 1.) Staff Report  
2.) Power Point Handouts  
3.) Statement of Consistency

### **SUMMARY OF REQUEST:**

Rezoning Application #R-2024-03, submitted on May 15<sup>th</sup>, 2024, requests that the County rezone approximately 21.82 acres of land from the Regional Commercial zoning district to the Residential Two Rural (R2R) zoning district. The zoning map amendment application is for all of PINs: 9587-53-2165 and 9587-63-2346 with access and frontage along Continental Divide Dr (SR 1891) and Summit Springs Dr. The property owners are Ann Greenwood Revocable Trust (PIN 9587-53-2165) and Doris K Cole 2016 Irrevocable Trust (PIN 9587-63-2346). The applicants are Richard Greenwood (Applicant, PIN 9587-53-2165) and Michael Cole (Additional Owner, PIN 9587-63-2346).

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

### **ACTION REQUESTED:**

Staff requests the Planning Board make a recommendation to the Board of Commissioners on rezoning application (R-2024-03) for approximately 21.82 acres to rezone from Regional Commercial (RC) to Residential Two Rural (R2R).

### **Suggested Motion:**

I move to recommend rezoning application #R-2024-03 to the Board of Commissioners, 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-2024-03

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

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**PROPERTY OWNERS**  
Anne Greenwood  
Michael Cole & Doris Cole

**PROPERTY LOCATION/ADDRESS**  
Continental Divide Dr  
Blue Ridge Township

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**APPLICANT**  
Richard Greenwood

**PIN(S):**  
9587-53-2165 & 9587-63-2346

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### **SUMMARY OF REQUEST**

A rezoning of the above referenced PINs (hereafter the subject area from Regional Commercial (RC) to Residential Two Rural (R2R).

<b>Existing Zoning</b>	Regional Commercial (RC)
<b>FLUM Character Area</b>	Transitional Area
<b>Existing Land Use</b>	Vacant
<b>Site Improvements</b>	NA
<b>Request Acreage</b>	21.82

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### **ADJACENT ZONING**

**North**      RC

**East**        R2R

**South**      RC

**West**        R1

### **USE OF LAND**

Vacant, Residential

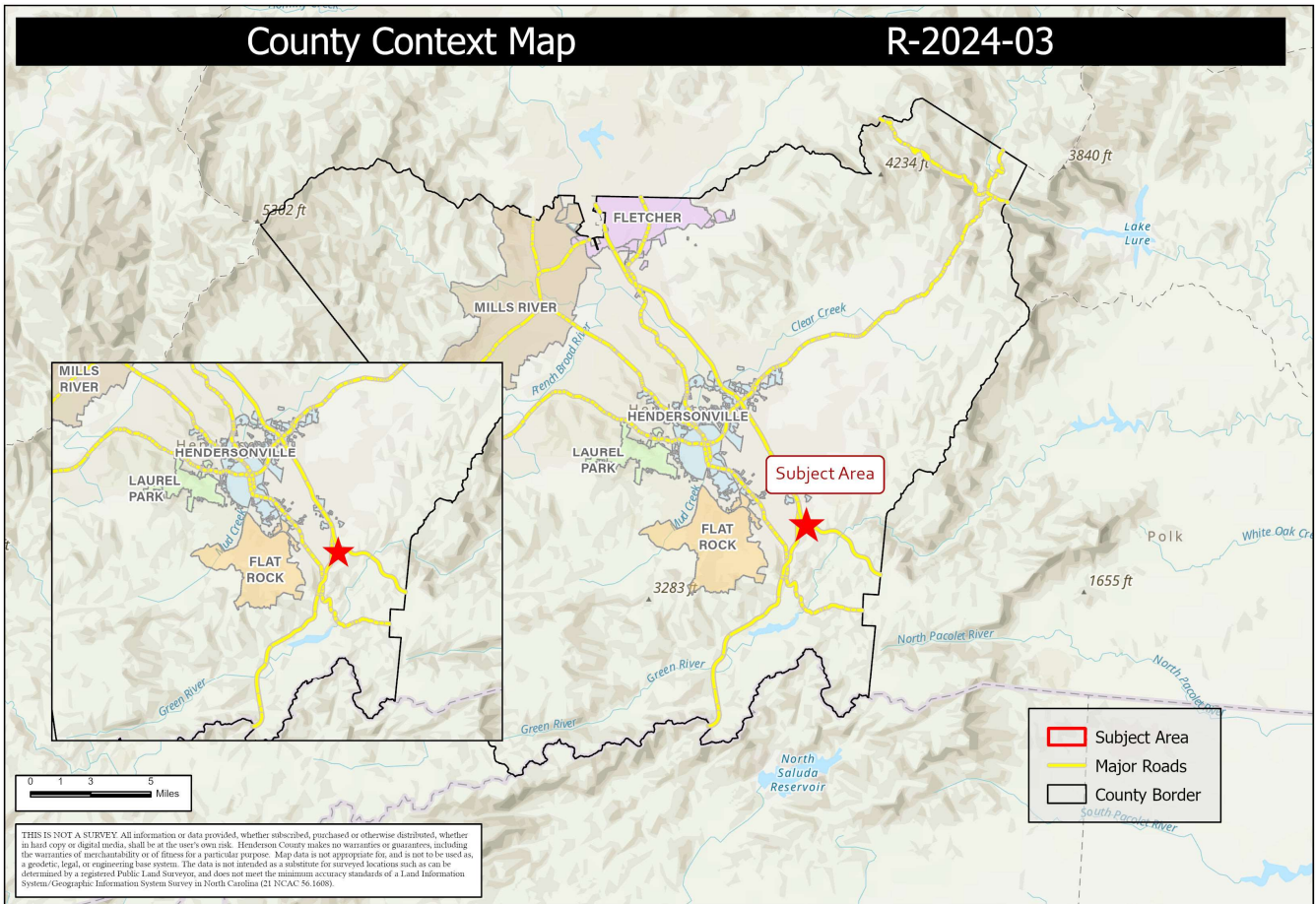
Vacant, Residential

Residential, Commercial

Residential

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Map A: County Context



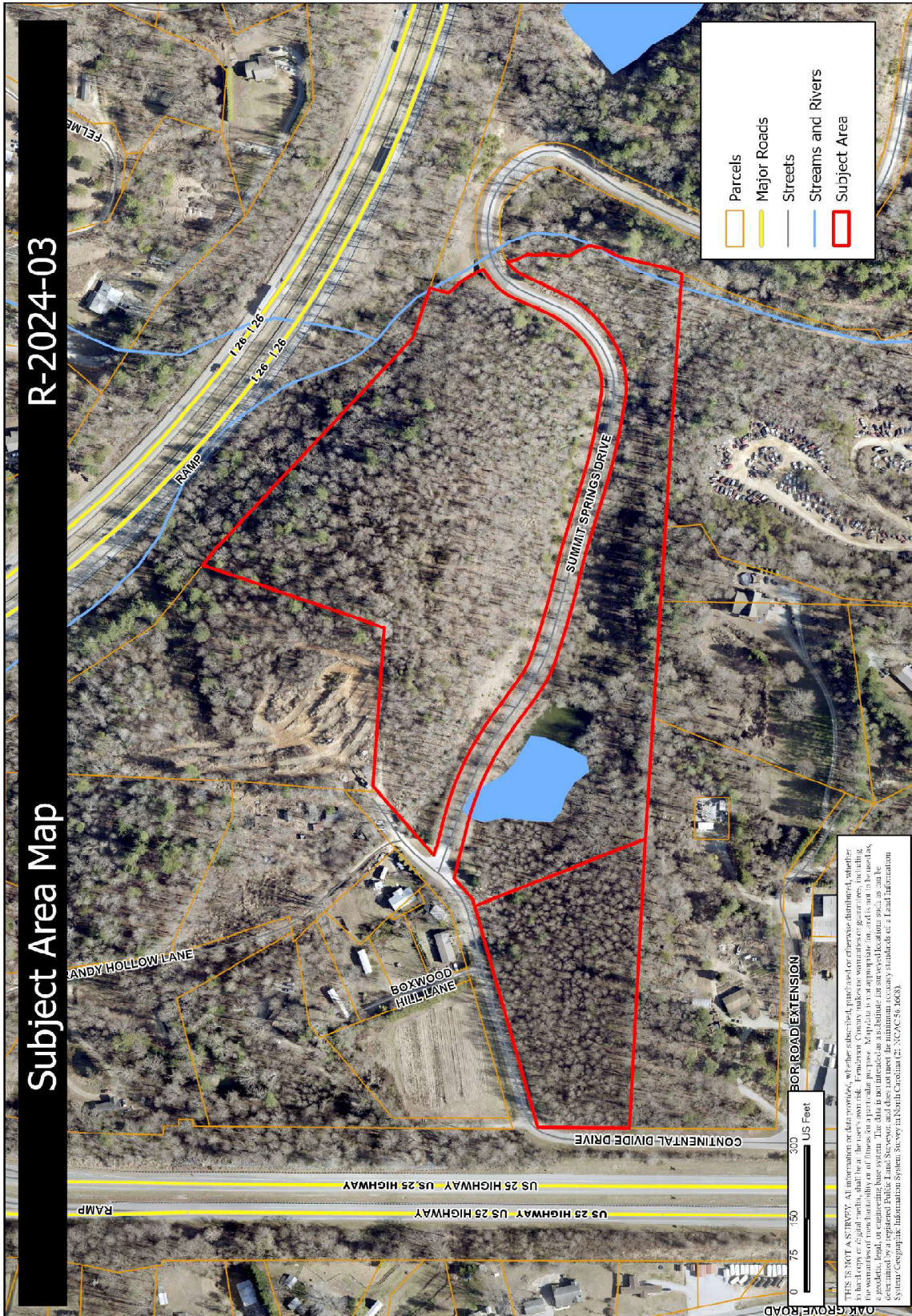
Property Owner(s): Ann Greenwood Revocable Trust & Doris K Cole 2016 Irrevocable Trust  
Total Acreage: 21.82  
Regional Commercial (RC) to Residential Two Rural (R2R)



**BACKGROUND:**

The applicant, Richard Greenwood, is seeking to rezone PINs 9587-53-2165 and 9587-63-2346 from Regional Commercial (RC) to Residential Two Rural (R2R). The subject area is 21.82 acres in total. Both parcels are currently vacant. The parcels to the East of the subject area, including PIN 9587-72-3931 and 9587-63-2346, were originally slated to be part of the Summit Springs development. However, this section of the neighborhood was never completed. This development started in 2004, when this area of the County was under Open Use. These parcels are now under private ownership. These parcels (PINs 9587-72-3931 and 9587-63-2346 are also recorded by the NC Department of Environmental Quality as a Brownfield, "Cole Orchard". The NC Brownfields Program placed Land Use Restrictions on the parcels included in the Brownfield boundary. However, a variety of residential uses are permitted.

Map B: Subject Area



R-2024-03

Subject Area Map



Property Owner(s): Ann Greenwood Revocable Trust & Doris K Cole 2016 Irrevocable Trust  
 Total Acreage: 21.82  
 Regional Commercial (RC) to Residential Two Rural (R2R)

**SUBJECT AREA & ADJACENT PROPERTIES:**

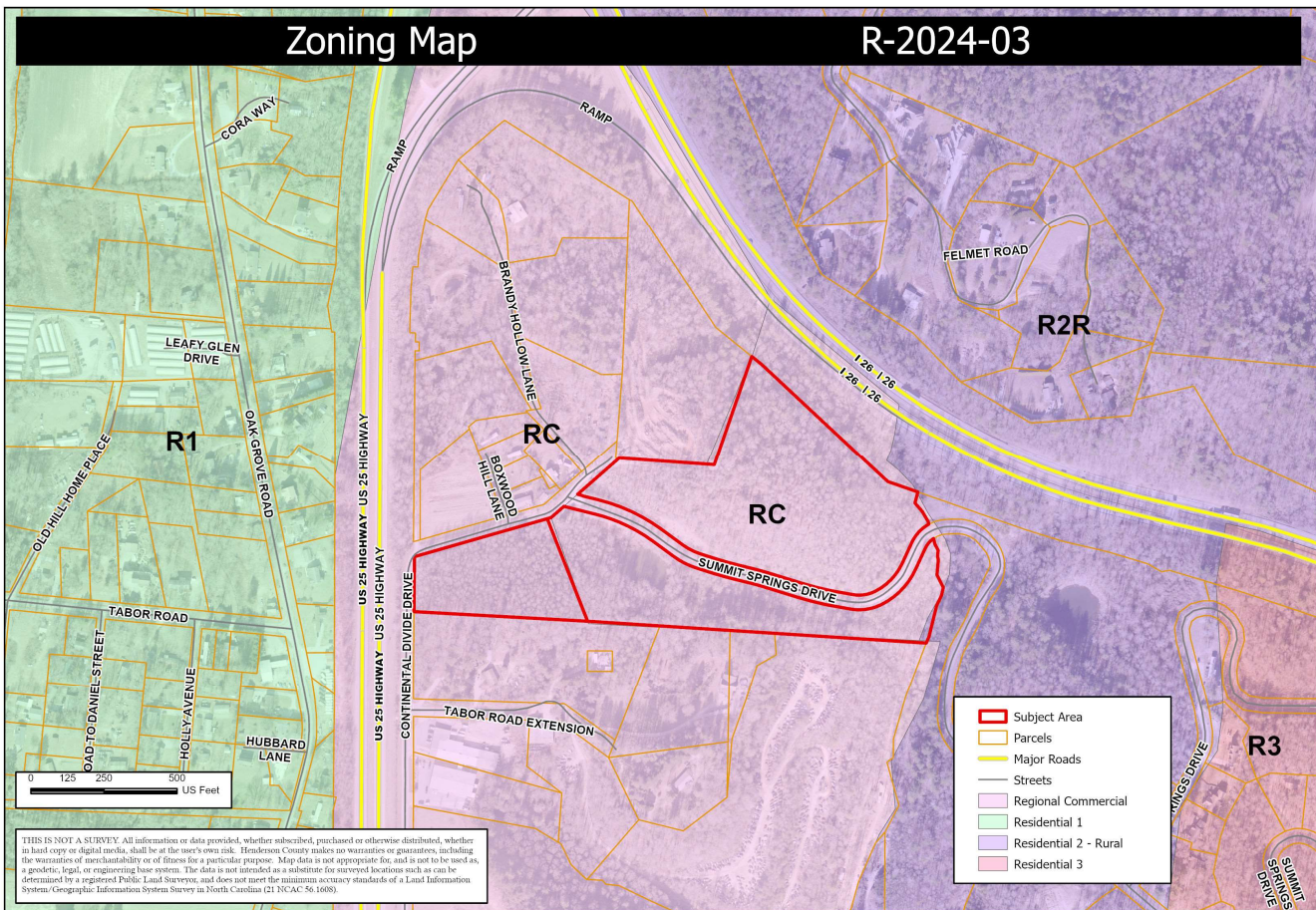
**West:** To the West of the subject area is US Highway 25. Across US-25, there are residential structures.

**South:** The parcels to the South of the subject area contain commercial structures and Gosnell's Used Auto Parts.

**East:** The property to the east of the subject area is vacant. This parcel was originally part of the Summit Springs development, but it was never completed. It is now under private ownership. There are no related restrictions on the property.

**North:** To the North of the subject area, across Continental Divide Dr are residential structures and vacant land.

**Map C: Current Zoning**



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Total Acreage: 21.82  
Regional Commercial (RC) to Residential Two Rural (R2R)

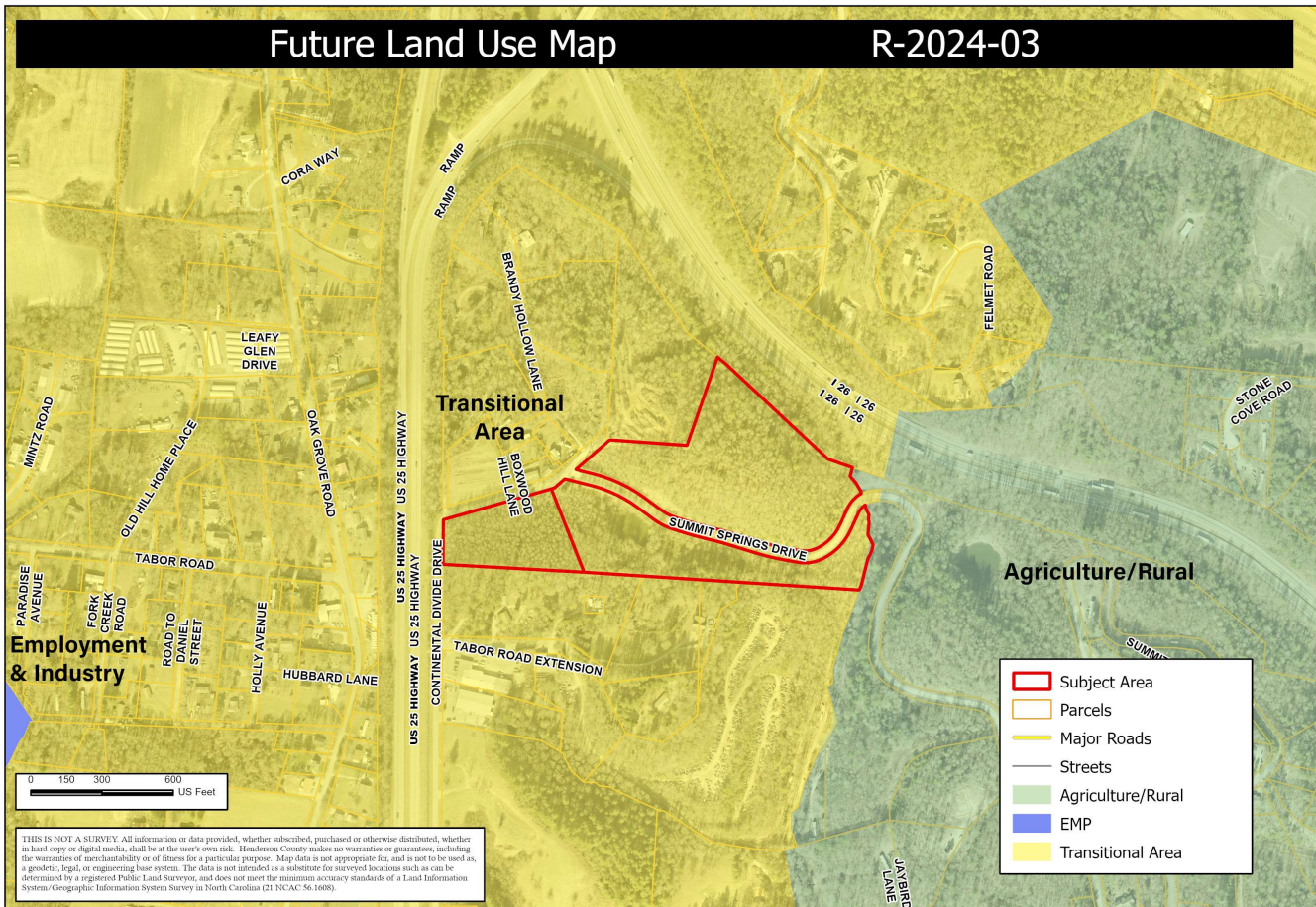


**District Comparison:**

**Regional Commercial (RC):** “The purpose of the Regional Commercial District (RC) is to foster orderly growth where the *principal use* of land is commercial. The intent of this district is to allow for *commercial development* that includes a variety of retail sales and services, public and private administrations, offices and all other *uses* done primarily for sale or profit on the local, community, and regional level. This general *use district* is meant to be in the Utility Service Area (USA) as defined in the *Comprehensive Plan*.” Residential uses are restricted in this district. (LDC §42-35).

**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 and a maximum height of 40’. (LDC §42-27).

**Map D: 2045 Future Land Use Map**



Property Owner(s): Ann Greenwood Revocable Trust & Doris K Cole 2016 Irrevocable Trust  
 Total Acreage: 21.82  
 Regional Commercial (RC) to Residential Two Rural (R2R)



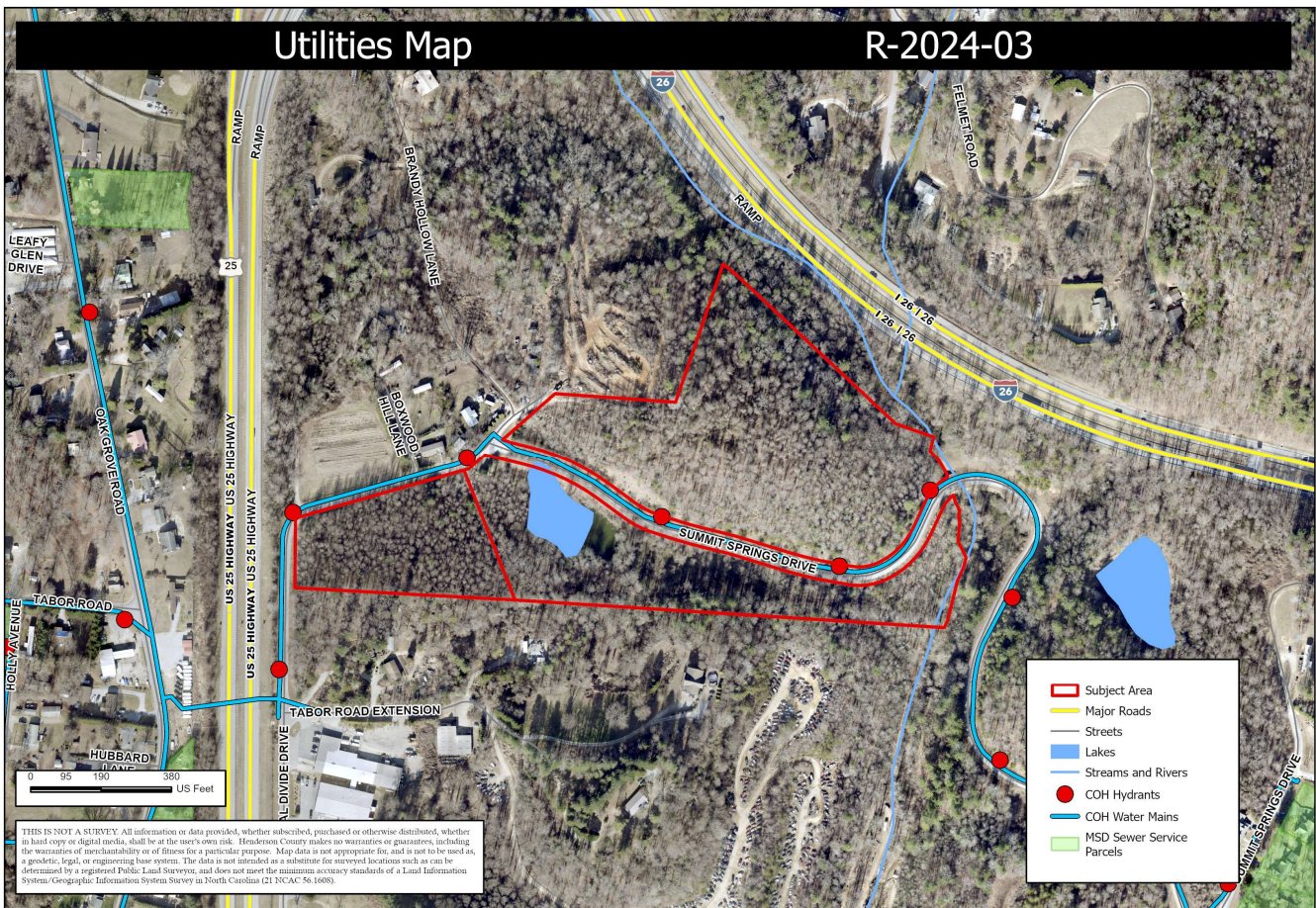
**2045 Comprehensive Plan Compatibility**

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 Two Rural (R2R) has a standard residential density of one unit per acre.
- **Uses:** Single family residential, potentially some appropriately sized multi-family as part of planned developments, agricultural uses.
  - Residential Two Rural (R2R) primary use is residential.
- **Utility Access:** Varies.
  - The subject area is connected to City of Hendersonville public water but not sewer service.

**Map F: Utilities Map**



Property Owner(s): Ann Greenwood Revocable Trust & Doris K Cole 2016 Irrevocable Trust  
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**Water and Sewer**

The subject area is connected to City of Hendersonville public water. The subject area does not have sewer service.

**Existing Roads and Easements**

The subject area currently has access from Continental Divide Drive (SR 1891) and Summit Springs Drive (private).

**Technical Review Committee (TRC) Recommendations**

The Technical Review Committee reviewed application R-2024-03 at their June 4, 2024, meeting. The Technical Review Committee made a motion to forward the application to the Planning Board for their review and recommendation.

**Planning Board Recommendations**

TBD

**Board of Commissioners Public Hearing**

TBD



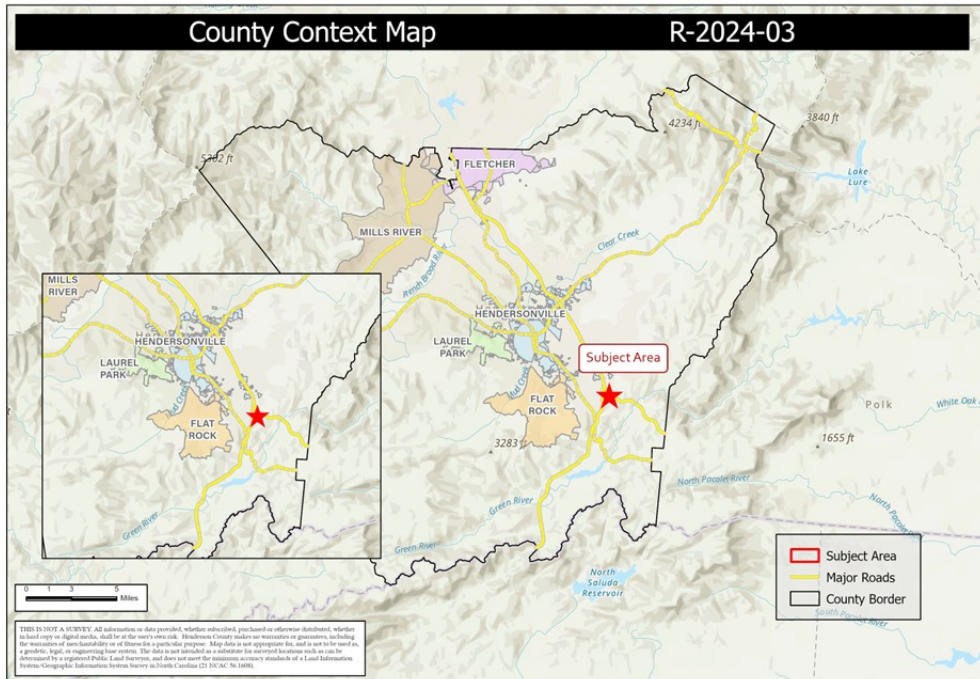
# Rezoning Application: R-2024-03

Planning Board – July 18, 2024 – 5:30 PM

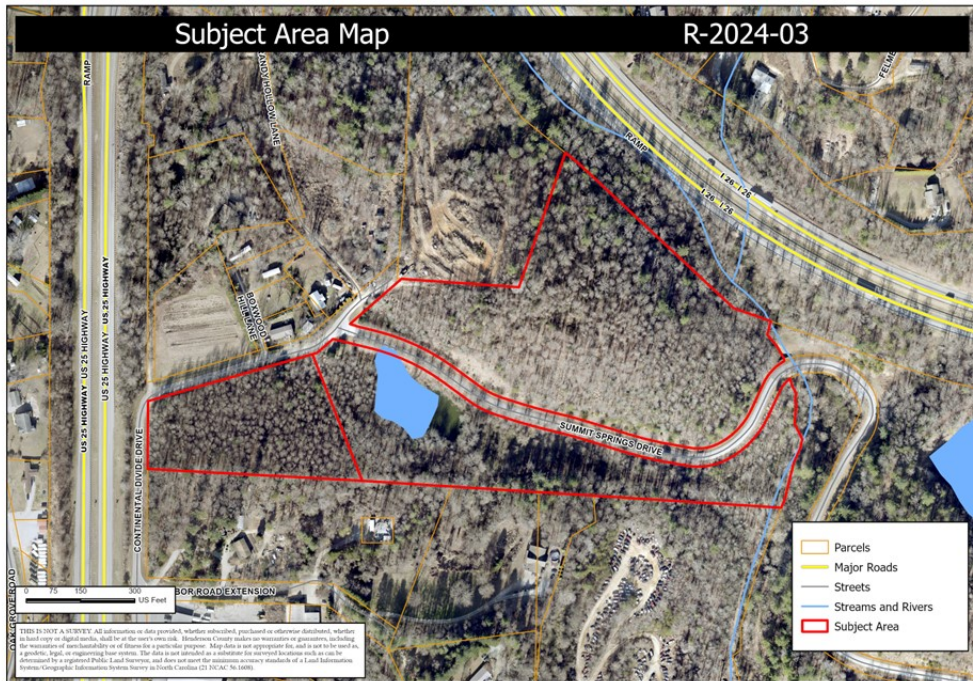
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- The applicants are Richard Greenwood (Applicant, PIN 9587-53-2165) and Michael Cole (Additional Owner, PIN 9587-63-2346).
- Moved forward to Planning Board at June 4, 2024, TRC meeting

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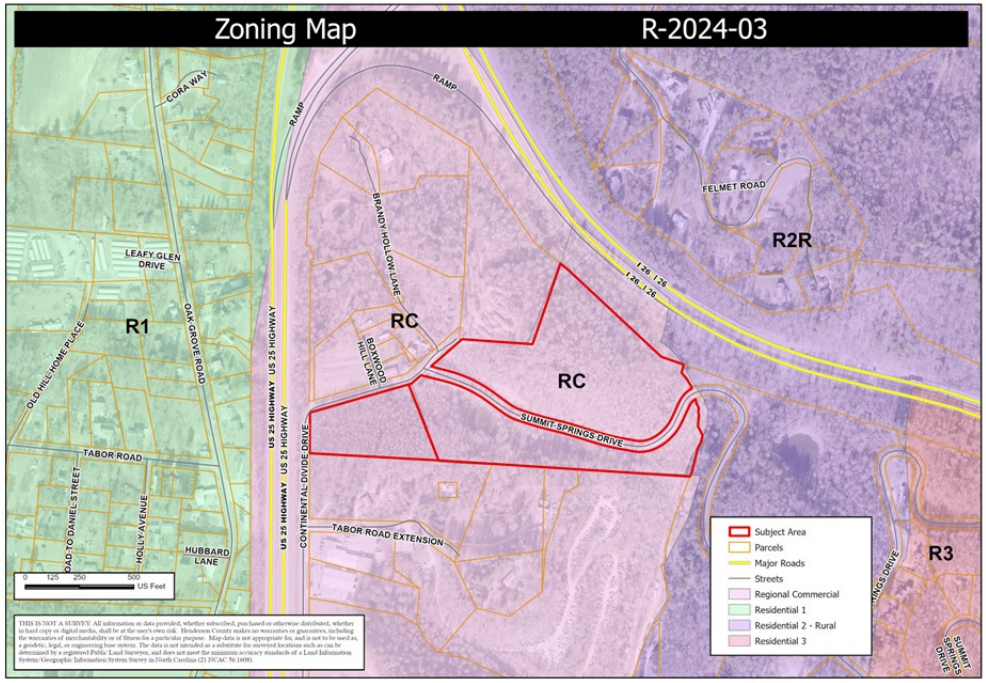


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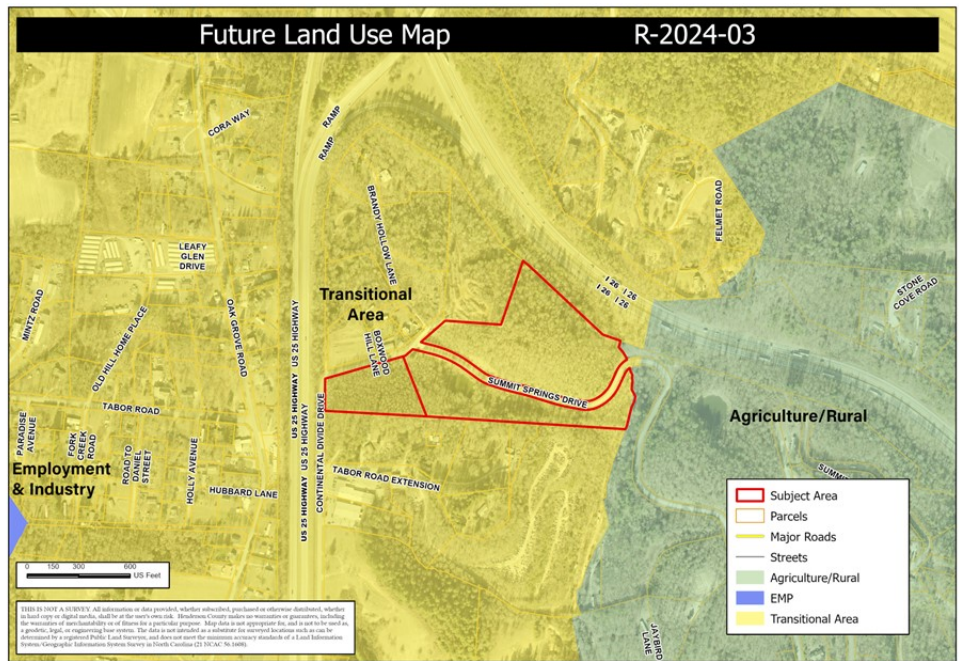


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 Total Acreage: 21.82  
 Regional Commercial (RC) to Residential Two Rural (R2R)



**2045 Comprehensive Plan:**

- The subject area is in the Transitional Area, which encompasses residential areas with a limited density of two to four units per acre.
- 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.



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 Regional Commercial (RC) to Residential Two Rural (R2R)



**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(s): Ann Greenwood Revocable Trust & Doris K Cole 2016 Irrevocable Trust  
Total Acreage: 21.82  
Regional Commercial (RC) to Residential Two Rural (R2R)



## 2045 Plan Consistency

Attached is a draft statement of reasonableness and consistency with the 2045 Comprehensive Plan. The statement addresses the plan's consistency, reasonableness, and other goals and outcomes.

Thank you!

Questions?





**PLANNING BOARD REVIEW – APPLICATION R-2024-03  
CONSISTENCY WITH THE 2045 COMPREHENSIVE PLAN**

**PLANNING BOARD REVIEW – APPLICATION R-2024-03  
CONSISTENCY WITH THE 2045 COMPREHENSIVE PLAN**

On July 18, 2024, the Planning Board reviewed map amendment application R-2024-03. The Board finds that the application is consistent with the 2045 Comprehensive Plan based on the following determinations.

- 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:
  - The subject area is located outside of the Utility Service Area and working agricultural lands.
  - Plan Goal 7: Diversify Housing Choices and Increase Availability
    - Residential Two Rural (R2R) zoning helps accomplish Goal 7 of the 2045 Comprehensive Plan. Residential Two Rural's (R2R) primary use is residential development.
- That 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.