

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
TECHNICAL REVIEW COMMITTEE

MEETING DATE: April, 18th 2017

SUBJECT: Rezoning Application #R-2017-01 Matthew Dyer, Applicant

PRESENTER: Brian Burgess, Planner

ATTACHMENTS: 1.) R-2017-01 Staff Report
2.) Aerial Map

SUMMARY OF REQUEST:

Rezoning Application #R-2017-01, which was initiated on March 15, 2017 at the request of applicant and agent, Matthew Dyer, who requests the County rezone approximately 4.87 acres of land (thereafter the "Subject Area") in a Residential One (R1) zoning district to an Industrial (I) zoning district. The Subject Area is located on Old Hendersonville Road approximately a quarter mile north of Old Brickyard Road and south of Howard Gap Road.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Planning Staff requests the Technical Review Committee make a recommendation to the Planning Board and Board of Commissioners to approve, approve with modification or deny the rezoning application (#R-2017-01) to rezone the Subject Area to an Industrial (I) zoning district.

Suggested Motion:

I move that the TRC recommend the Planning Board and Board of Commissioners (approve, approve with modification or deny rezoning application #R-2017-01 to rezone the Subject Area to an Industrial (I) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan with the conditions as discussed.

Henderson County Planning Department Staff Report

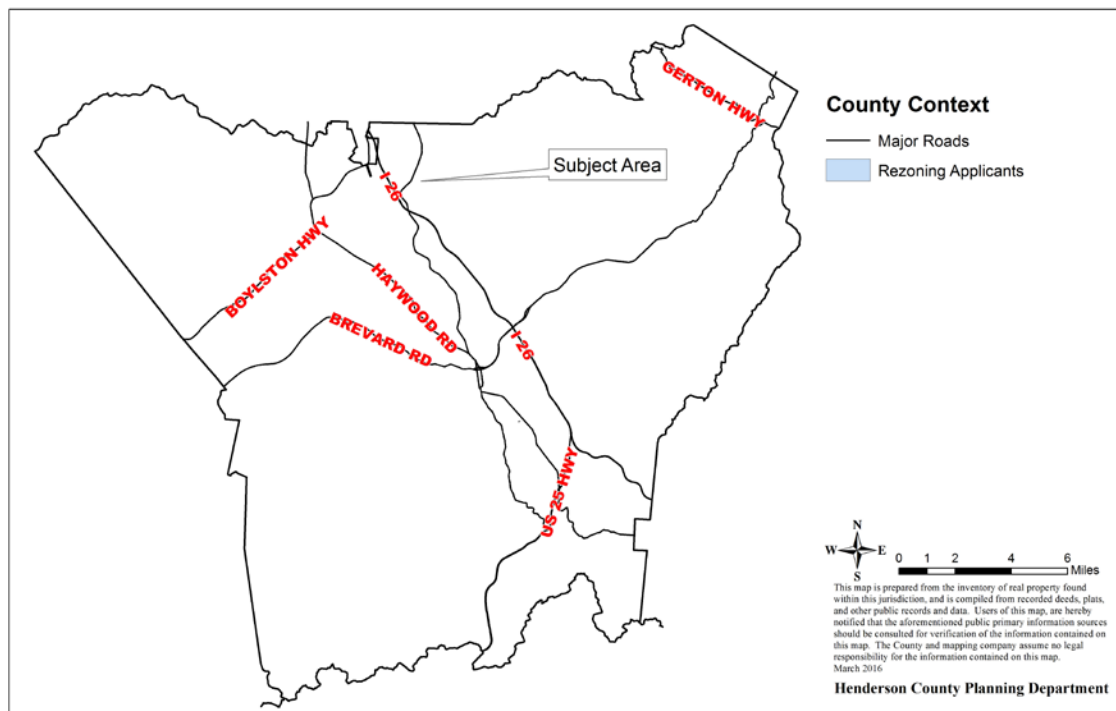
Rezoning Application #R-2017-01 (R1 to I)

Dyer Properties LLC, Owner
Matthew Dyer, Applicant/Agent

1. Rezoning Request

- 1.1. **Applicant/Agent:** Matthew Dyer
- 1.2. **Property Owners:** Dyer Properties LLC
- 1.3. **PINs:** 9652-73-0943
- 1.4. **Request:** Rezone subject area from a Residential One (R1) zoning district to an Industrial (I) zoning district.
- 1.5. **Size:** Approximately 4.87 acres of land
- 1.6. **Location:** The subject area is located on Old Hendersonville Hwy. Refer to map A for a County Context map and map B for an aerial photo map.

Map A: County Context



Map B: Aerial Photo**2. Current Zoning**

2.1. **Application of Current Zoning:** The subject area is currently zoned as Residential One (R1)

2.2. **Adjacent Zoning:** The subject area is adjacent to The Town of Fletcher's Manufacturing One (M1) to the North. Residential One (R1) to the East, West and South, and small contact with Industrial (I) on the southern corner.

2.3. District Comparison:

2.3.1. **Residential One (R1) District:** "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 §42A-27).

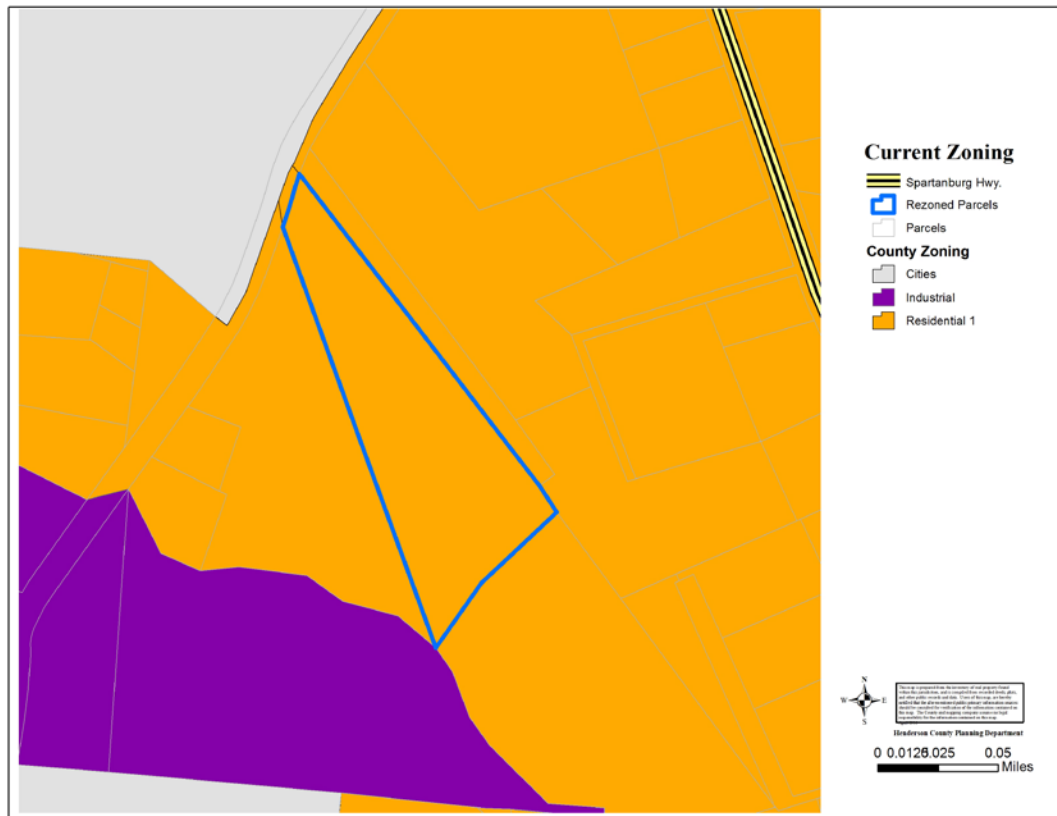
1) R1 requires 10 foot side and rear setbacks, maximum height 40 feet, and a standard density of four (4) units per acre (maximum density of 16 units per acre).

2.3.2. The purpose of the Industrial District (I) is to foster orderly growth where the principal use of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for industrial and heavy commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide industrial and heavy commercial development that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between land uses;

and (3) is sensitive to its impact on surrounding land uses and the environment (natural and man-made).

- 1) (I) requires 20 foot side and rear setbacks, maximum height 72 feet, and limits impervious surface to a maximum of 80%.

Map C: Current Zoning



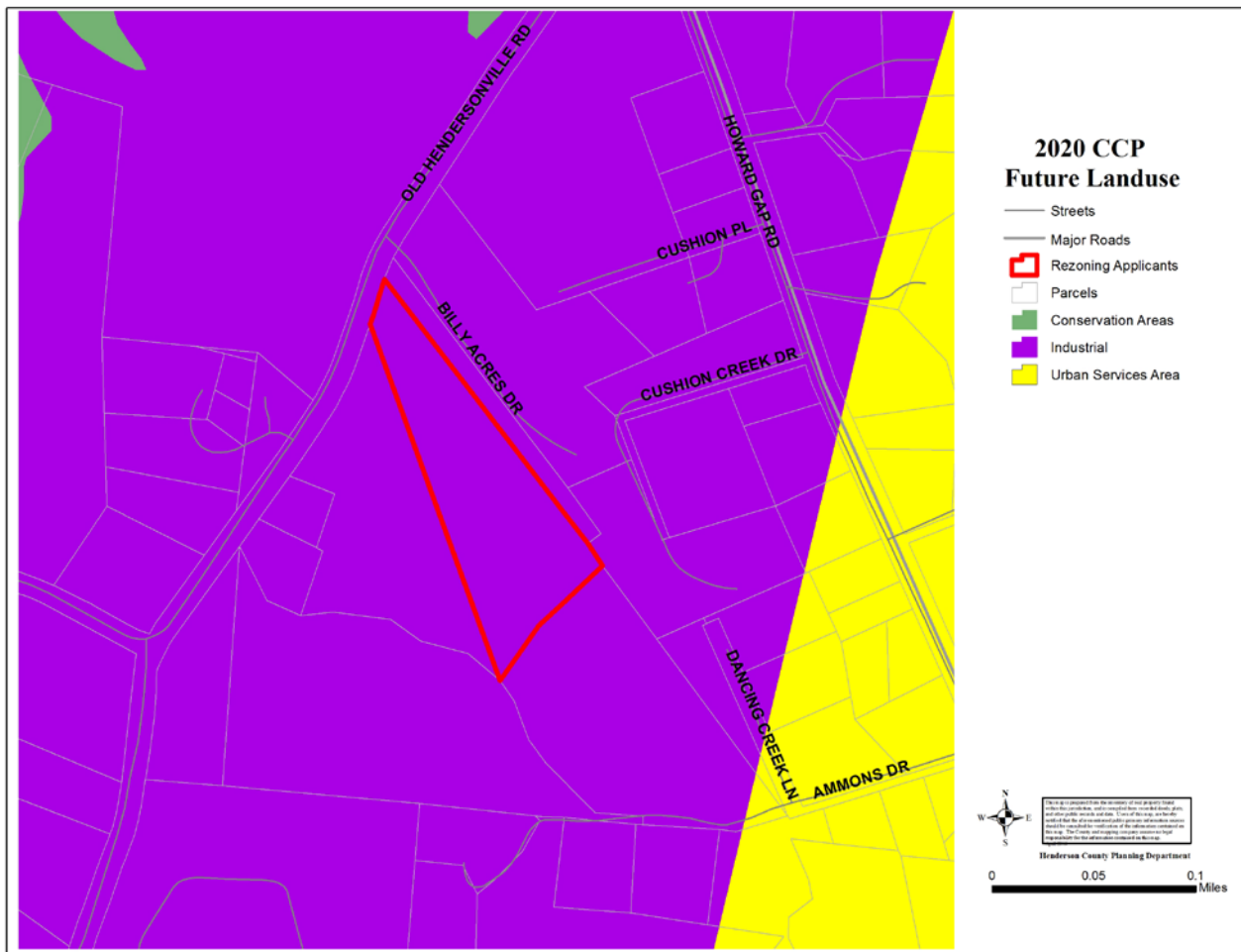
3. Current Uses of Subject Area and Adjacent Properties

- 3.1. **Subject Area Uses:** The subject area is currently vacant.
- 3.2. **Adjacent Area Uses:** The surrounding properties contain primarily residential uses.

4. The Henderson County 2020 Comprehensive Plan (CCP)

- 4.1. The CCP Future Land Use Map identifies the subject area as being located in the Industrial area (2020 CCP, Pgs. 140 & Appendix 1, Map 24). (See Map D).

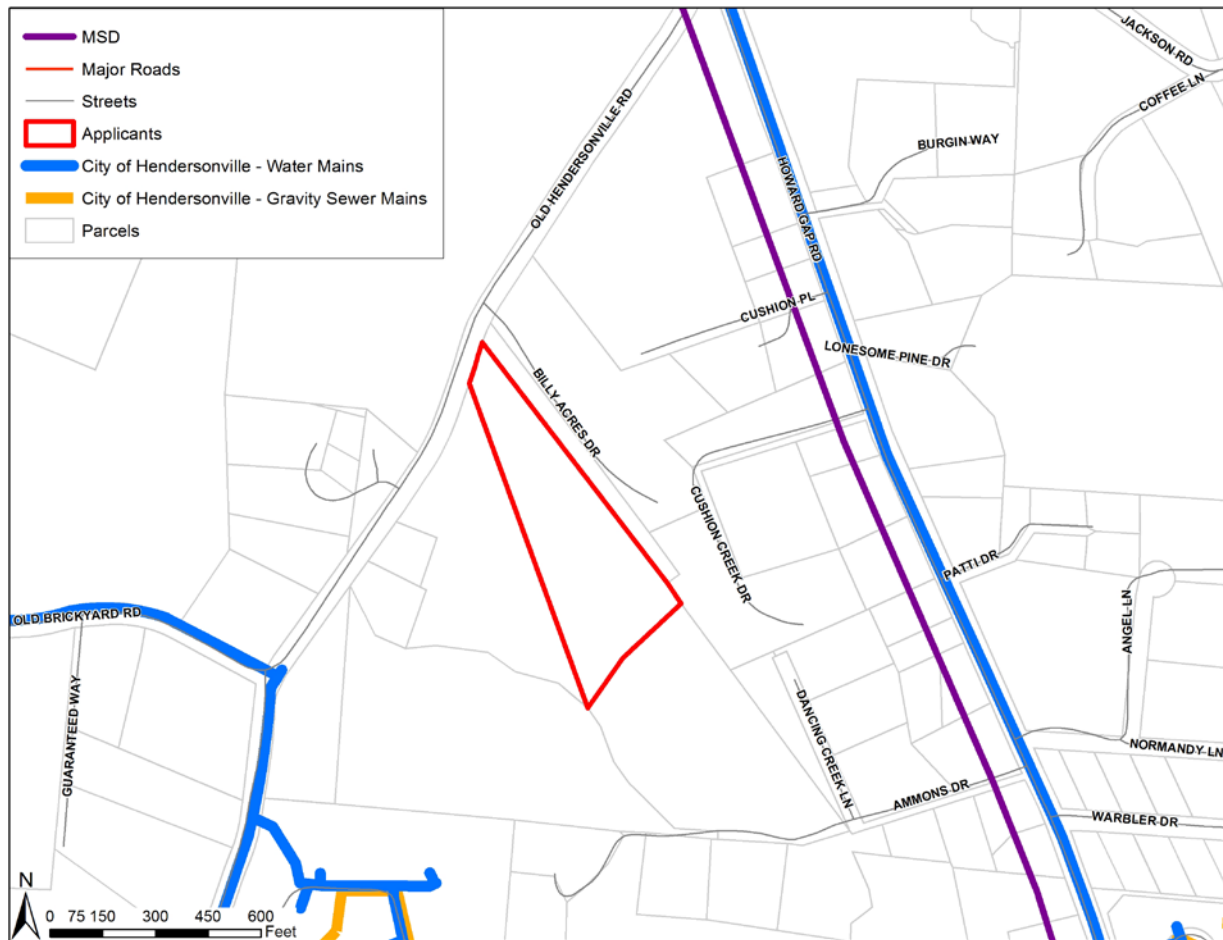
Map D: 2020 County Comprehensive Plan Future Land Use Map



4.1.1. **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. 140).

5. Water and Sewer

- 5.1. **Public Water:** City of Hendersonville water main stops approximately .2 miles from the subject area.
- 5.2. **Public Sewer:** The MSD gravity sewer main runs along Howard Gap Rd. around .25 miles north of the subject area.

Map H: Water and Sewer Map**6. Staff Comments**

- 6.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map D) places the Subject Area in the, Industrial Area classification. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for industrial development.
- 6.2. **Adjacent Zoning:** The subject area is adjacent to Fletcher's Manufacturing One (M1) to the North. Residential One (R1) to the East, West, and South, with a small contact with industrial touching the southernmost corner.
- 6.3. **Comparison of Districts:** The existing Residential 1 (R1) zoning district does not allow for new industrial development. Applying the Industrial (I) zoning district will allow for industrial development.
- 6.4. **Subject Area Background:** This parcel has been previously rezoned. In February of 2007, along with the adoption of the LDC, the applicant requested that the subject area be rezoned from T-15 (Medium Density Residential) to the new Industrial zoning district under the LDC (#R-2007-01), which was approved. In 2014 the applicant once again requested a rezoning from Industrial (I) to Residential One (R1), which was approved (#R-2014-01).

7. Staff Recommendations

7.1. It is staff's position that the Subject Area is suited for industrial development based upon previous planning efforts and recommendations, in addition to its adjacent position to industrial zoning.

7.1.1. The 2020 Henderson County Comprehensive Plan identifies the Subject Area as being within the Industrial Area.

8. Technical Review Committee Recommendations

8.1. TBD

9. Planning Board Recommendations

9.1. TBD



**Rezoning Applicants
R-2017-01**

- Major Roads
- Streets
- Rezoning Applicants
- Parcels
- Cities



This map is prepared from the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map, are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and mapping company assume no legal responsibility for the information contained on this map.

Henderson County Planning Department

