

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
TECHNICAL REVIEW COMMITTEE

MEETING DATE: July 18, 2017

SUBJECT: Rezoning Application #R-2017-03, Relinquished ETJ in The Boulders Subdivision

PRESENTER: Allen McNeill, Planner

ATTACHMENTS: 1.) Staff Report
2.) Aerial Map

SUMMARY OF REQUEST:

Rezoning Application #R-2017-03, which was initiated on June 20, 2017, request the County rezone approximately 3.43 acre portion of land (thereafter the "Subject Area"). On July 6, 2017, the City of Hendersonville voted to remove the portion of the Subject Area from the City's ETJ. Henderson County has 90 days or until October 3, 2017 to determine and apply a County zoning designation for the Subject Area. Planning Staff recommends rezoning the Subject Area from a Hendersonville City Estate Residential (R-40) zoning district to a County Residential One (R1) zoning district to be consistent with the rezoning on the remaining portion of the Subject Area located in the county's jurisdiction. The Subject Area is located off Randy Drive inside The Boulders subdivision. The owner of the Subject Area is Mr. Peter Brower, the developer of The Boulders.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Technical Review Committee action to recommend that the Board of Commissioners approve rezoning application #R-2017-03 would be appropriate.

Suggested Motion:

I move that the TRC recommend approval of rezoning application #R-2017-03 to rezone the Subject Area to a Residential One (R1) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

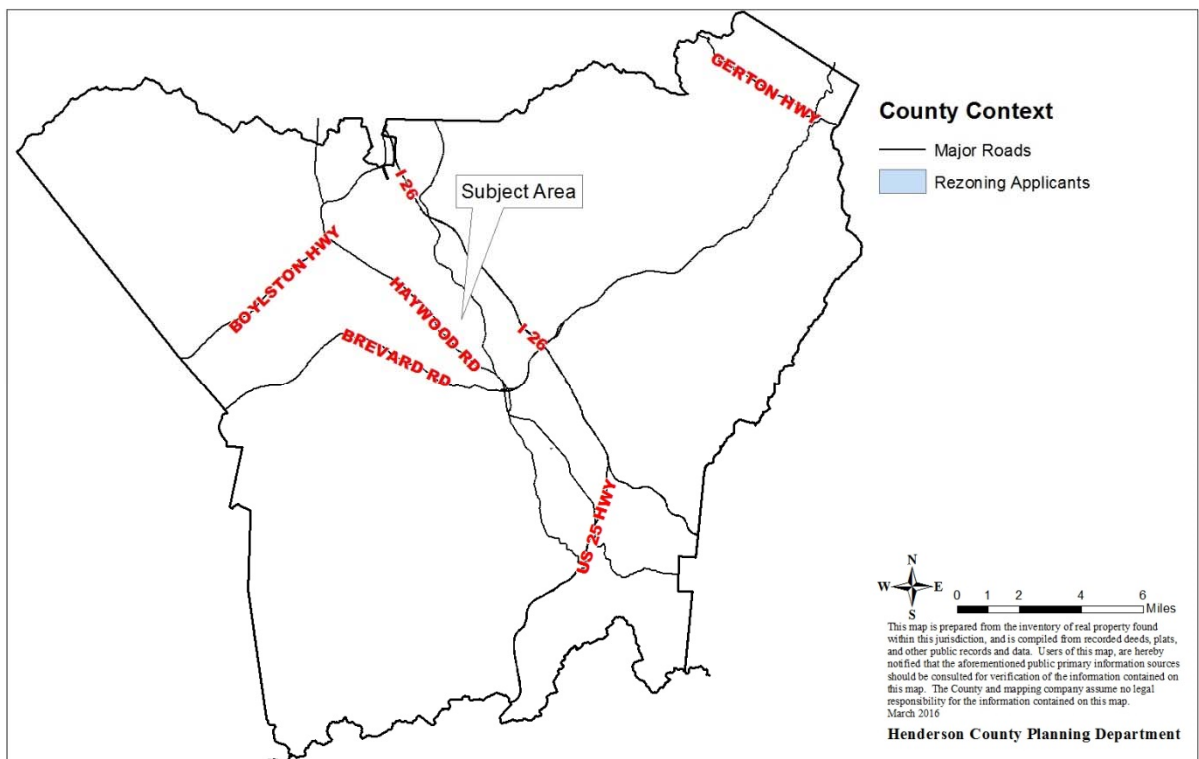
Henderson County Planning Department Staff Report
Rezoning Application #R-2017-03 (City ETJ to R1) The Boulders
Peter Brower, Cliffside at Boulders, LLC, Owner(s)
Scott Bolyard, Applicant/Agent(s)

1. Rezoning Request

- 1.1. **Applicant/Agent:** Scott Bolyard
- 1.1 **Property Owners:** Peter Brower, Cliffside at Boulders, LLC
- 1.2. **PINs:** 9660-01-3139
- 1.3. **Request:** Rezone subject area from a City of Hendersonville Estate Residential (R-40) zoning districts to a Residential One (R1) zoning district.
- 1.4. **Size:** Approximately 3.43 acres portion of land
- 1.5. **Location:** The subject area is a portion of 1 parcel located off Randy Drive inside The Boulders subdivision and above Lyndhurst Drive just north of the City of Hendersonville. Refer to Map A for a County Context map.

Map A: County Context

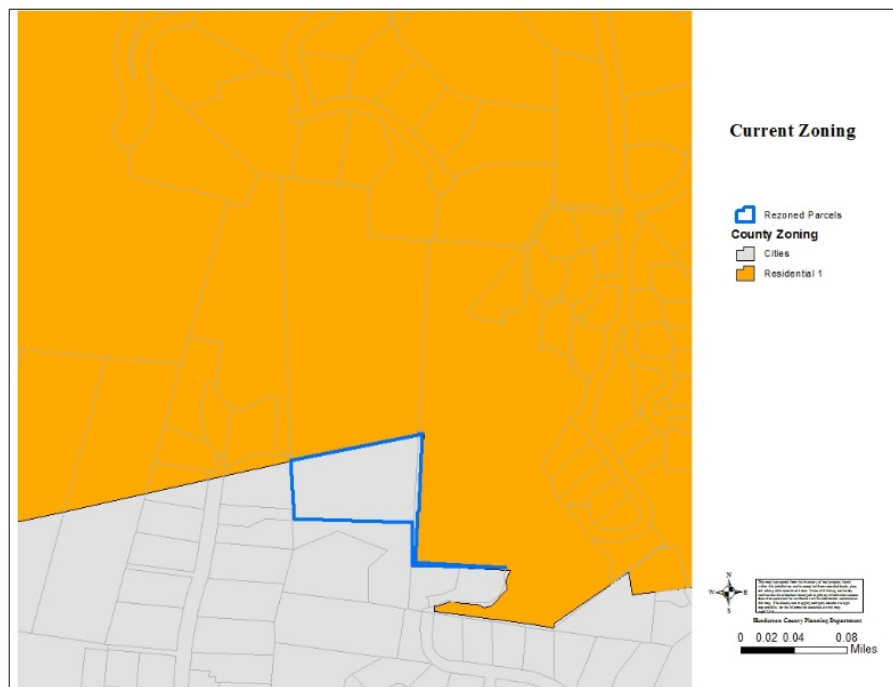
Off



2. **Current Zoning**

- 2.1. **Application of Current Zoning:** The subject area is currently zoned by the City of Hendersonville as Estate Residential (R-40).
- 2.2. **Adjacent Zoning:** The remaining portion of the subject area in the county's jurisdiction is zoned a Residential One (R1) zoning district. The subject area is adjacent to Residential District One (R1) to the North and East. City of Hendersonville Estate Residential (R-40) to the West and South.
- 2.3. **District Comparison:**
 - 2.3.1. **Residential District One (R1) District:** "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" (LDC §42-27).
 - 1) R1 requires 10 foot side and rear setbacks, maximum height 40 feet, and a standard density of four (4) unit per acre with a maximum density of sixteen units per acre (LDC §42-27).

Map B: Current Zoning



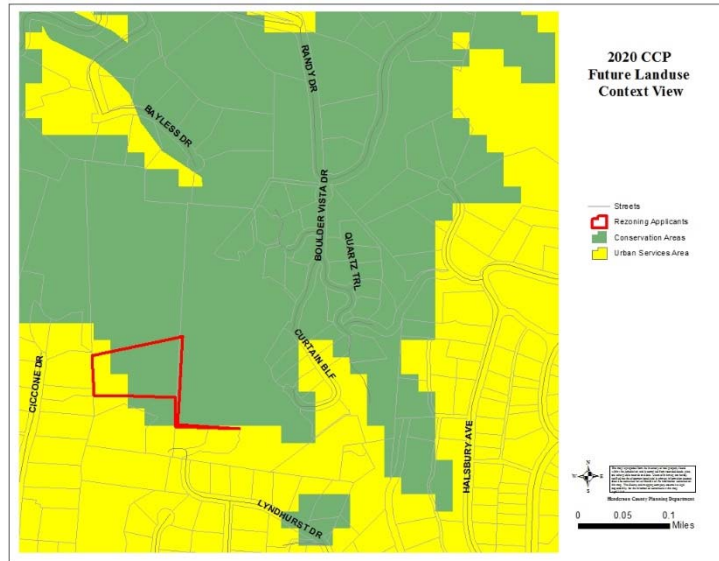
3. **Current Uses of Subject Area and Adjacent Properties**

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

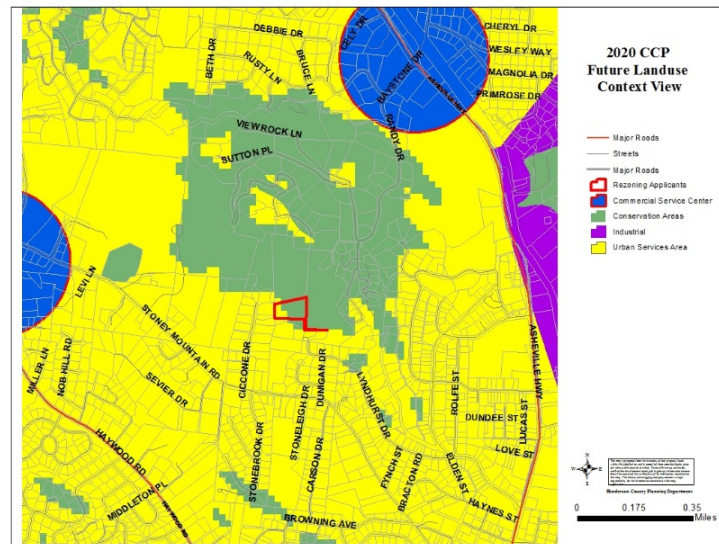
4. **The Henderson County 2020 Comprehensive Plan (CCP)**

- 4.1. The CCP Future Land Use Map identifies the subject area as being located in the Urban Services area and Conservation Area (2020 CCP, Pgs. 129 & Appendix 1, Map 24). (See Map C).

Map C: 2020 County Comprehensive Plan Future Land Use Map



Map D: 2020 County Comprehensive Plan Future Land Use Map Context View



- 4.1.1. **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. 133).
- 4.1.2. **Conservation:** The CCP states that the “This category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives.” (2020

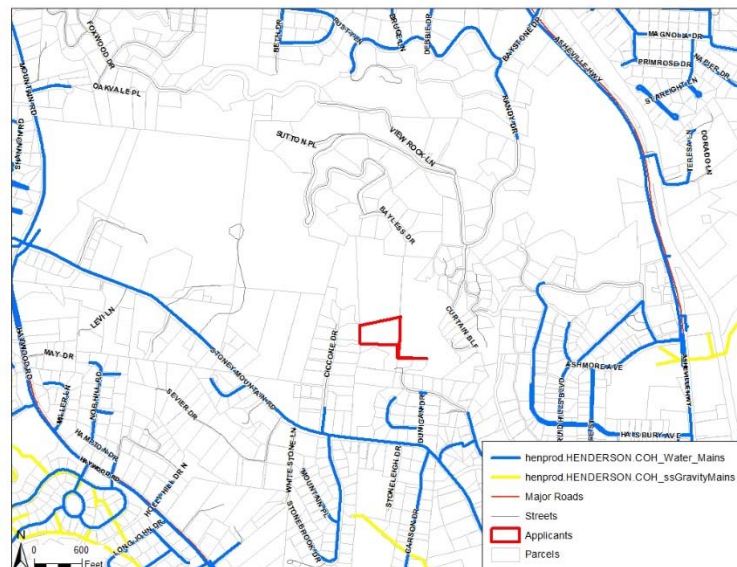
CCP, Pg. 138) The RAA also states that “Conservation areas are lands that generally exhibit any of the following characteristics: 1. Conservation areas are lands that generally exhibit any of the following characteristics: 1. Sensitive natural areas such as steep slopes, floodplains, major wetlands, forest reserves and wildlife conservation areas, and key watersheds, 2. Areas of historic and archeological significance, 3. Local, state or federally-managed natural areas, 4. Areas managed for agricultural or forestry land uses, 5. Other areas yet to be defined ” (2020 CCP, Pg. 138)

- 4.1.3. **Explanation of Map D:** Since the subject area is located in both the Urban Services Area and Conservation Area, it is important to note that there are two Commercial Service Centers within the vicinity of the subject area and that the majority of the surrounding land will be used primarily for residential and conservational purposes.

5. Water and Sewer

- 5.1. **Public Water:** City of Hendersonville’s records show that there is access for water connection adjacent to the subject area.
- 5.2. **Public Sewer:** City of Hendersonville records shows that sewer access is not available near the subject area.

Map E: Water and Sewer Map



6. Staff Comments

- 6.1. **The 2020 CCP:** The CCP Future Land Use Map (See Map C) places part of the subject area in the, Urban Services Area classification. The text and map of the 2020 CCP suggest that this part of the subject area would be suitable for industrial development. The CCP Future Land Use Map also places part of the subject area in the, Conservation Area classification. The text and map of the 2020 CCP suggest that this portion of the subject area is intended to remain largely in its natural state with limited development.
- 6.2. **Adjacent Zoning:** The subject area is adjacent to Residential District One (R1) to the North and East. City of Hendersonville Estate Residential (R-40) to the West and South.
- 6.3. **Comparison of Districts:** The existing Hendersonville City Estate Residential (R-40) zoning district is compatible with new residential development. Applying the Residential District One (R1) zoning district will allow for continued residential development.

7. Staff Recommendations

- 7.1. It is staff’s position that the subject area meets the technical requirements for medium to high density residential development.

Staff Report for Rezoning #R-2017-03 The Boulders

- 7.1.1. The 2020 Henderson County Comprehensive Plan identifies parts of the subject area as being within the Urban Services Area (USA). The USA “will contain considerable commercial development at a mixture of scales: Local, Community, and Regional, as defined below.” (CCP 2020, Pg. 133).
- 7.1.2. The 2020 Henderson County Comprehensive Plan identifies parts of the subject area as being within the Conservation Area. The Conservation Area “should be targeted for protection through regulations and incentives.” (CCP 2020, Pg. 138).

8. Technical Review Committee Recommendations

- 8.1. TRC will review the application at its meeting on July 18th, 2017.

9. Planning Board Recommendations

- 9.1. The Planning Board will review the application at its meeting on July 20th, 2017.

Aerial Map

