
Request for Commercial Map Amendment 7

Request: R1 (Residential One) to LC (Local Commercial)

Property Owner: Leon Lamb, Owner

1. Subject Area Information

- 1.1. **PIN:** 9660-57-2754
- 1.2. **Approximate Size:** 63.26 acres
- 1.3. **Location:** Intersection of Brookside Camp Road (SR 1528) and Interstate 26 (I-26).
- 1.4. **Approximate Frontage:** 880 feet along Brookside Camp Road (SR 1528) and 4,900 feet (0.93 miles) along I-26.

2. Current and Adjacent Zoning

- 2.1. The Subject Area is currently zoned R1. R1 zoning is applied to properties to the north, west, and south. Residential Two Manufactured Housing (R2MH) zoning is applied to the property to the east (See Current Zoning Map, Pg. 21).

3. Current Uses of Subject Area and Adjacent Properties

- 3.1. **Subject Area Uses:** Largely vacant with the exception of the paintball center.
- 3.2. **Adjacent Area Uses:** Surrounding area lands are undeveloped or contain residential and recreational uses. The Outdoor Family Fun Center is located adjacent to the Subject Area to the west. Residential areas, including Grimesdale and Hickory Hills, are located in the vicinity of the Subject Area.

4. Public Water and Sewer

- 4.1. **Public Water:** Not on site. Nearest water is located 1,900 feet (0.36 miles) west of site.
- 4.2. **Public Sewer:** Not on site. Nearest sewer is located 2,500 feet (0.47 miles) west of site.

5. The Henderson County, North Carolina 2020 Comprehensive Plan (CCP) and US 25 North Zoning Study

- 5.1. The CCP Future Land Use Map identifies the Subject Area as being located in the Urban Services Area (2020 CCP, Pg. 128, Pg. 129 & Appendix 1, Map 24). 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. 129).
- 5.2. The Future Land Use Map identifies the Subject Area as being located in Conservation Area (2020 CCP, Pg. 134 & Appendix 1, Map 24). The CCP states that conservation lands “are intended to remain largely in their natural state, with only limited development,” and further that “such areas should be targeted for protection through regulations and incentives” (2020 CCP, Pg. 134).
- 5.3. The Future Land Use Map identifies the Subject Area as being appropriate for industrial development (2020 CCP, Pg. 136 & Appendix 1, Map 24). The Map does not identify the Subject Area being in the vicinity of a Community Service Center (2020 CCP, Pg. 134 & Appendix 1, Map 24).
- 5.4. The US Highway 25 North Zoning Study identifies the Subject Area as being appropriate for Rural Conservation (RC) zoning. RC zoning was applied to the Subject Area to reflect existing commercial uses which would be made nonconforming if placed in an R-30 district. The application of RC zoning was consistent with conservation recommendations of the CCP’s Future Land Use Map.

6. Staff Recommendations

Staff’s position at this time, under the guidelines of current plans, policies and studies, is it does not support the rezoning of the Subject Area to Local Commercial (LC), based on the following:

- 6.1. **The 2020 CCP:** The text and map of the 2020 CCP identify the Subject Area as being located within the “Urban Services Area” classification. While commercial development is encouraged in the USA no “Community Service Center” is applied in the vicinity of the Subject Area. Further, the CCP

indicates that commercial zoning districts should have configurations which are in keeping with the surrounding community. The configuration of this zoning district should be further evaluated given the surrounding uses. Conservation Area designation is also applied to the Subject Area.

6.2. **The US Highway 25 North Zoning Study:** The text and map of the US 25 North Zoning Study identify the Subject Area as appropriate for Rural Conservation (RC) zoning. RC zoning would allow for commercial uses existing on the Subject Area while being consistent with conservation recommendations given the existing floodplain on the Subject Area.

6.3. **Adjacent Zoning:** The Subject Area is not adjacent to any existing commercial zoning. Although the Subject Area (or a portion thereof) may be suitable for commercial development, Staff recommends further study be undertaken with a separate public hearing and notification to adjacent property owners before amending the official zoning map. A conditional rezoning may also be appropriate.

7. Technical Review Committee (TRC) Recommendations

7.1. The TRC supports Staff’s position, providing an unfavorable recommendation regarding rezoning the Subject Area from R1 (Residential One) to LC (Local Commercial). The TRC further recommends that the request be submitted as a separate rezoning application due to the need for further study. The reconfiguration of the proposed zoning district or conditional rezoning request may be appropriate.

8. Planning Board Recommendations

8.1. The Planning Board provides a favorable recommendation (with a vote of 7 to 0) regarding rezoning the Reduced Subject Area (that area bounded by Brookside Camp Road (SR 1528), I-26 and Featherstone Creek) from R1 (Residential One) to LC (Local Commercial) and recommends leaving the back portion of the property that is located in the floodway and floodplain as R1. Staff supports the Planning Board recommendation.

Current Zoning Map

