

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: May 17, 2018

SUBJECT: Rezoning Application #R-2018-04 Gagnon Property

PRESENTER: Stedman Smith, Planner

ATTACHMENTS: 1.) Staff Report
2.) PowerPoint Slides

SUMMARY OF REQUEST:

Rezoning Application #R-2018-04, which was initiated on April 2nd, 2018 at the request of applicant and owner, Mr. Roger Gagnon, who requests the County rezone approximately 0.57 acres of land (thereafter the "Subject Area") from a Local Commercial (LC) zoning district to a Community (CC) zoning district. The Subject Area is located off Asheville Highway near Ripley Avenue.

The Technical Review Committee discussed this item at its meeting on May 1st and forwarded the request to the Planning Board for further discussion.

PLANNING BOARD ACTION REQUESTED:

Staff requests the Planning Board make a recommendation to the Board of Commissioners to approve, approve with modification or deny the rezoning application (#R-2018-04) to rezone the Subject Area to a Community Commercial (CC) zoning district.

Suggested Motion:

I move that the Planning Board recommend the Board of Commissioners (approve, approve with modification or deny) rezoning application #R-2018-04 to rezone the Subject Area to a Community Commercial (CC) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan.

Henderson County Planning Department Staff Report

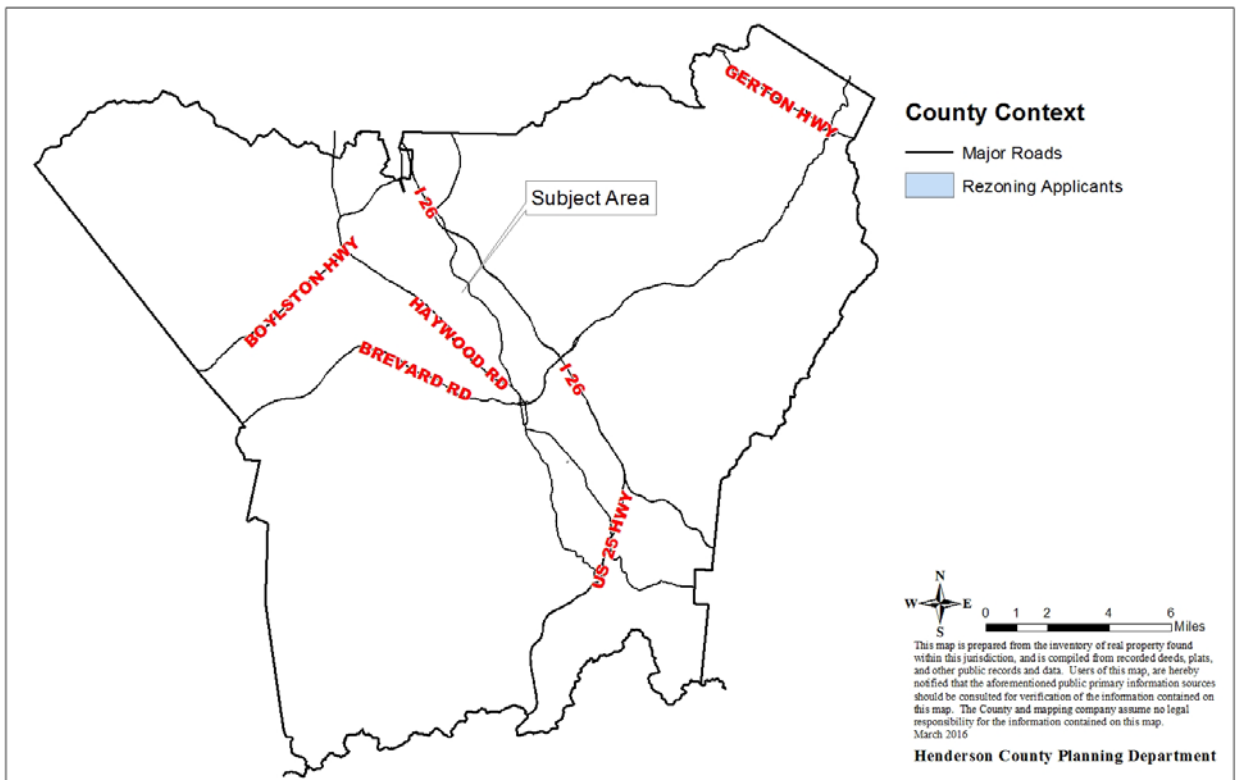
Rezoning Application #R-2018-04 (LC to CC)

Applicant/Owner: Roger Gagnon

1. Rezoning Request

- 1.1. **Applicant/Agent:** Roger Gagnon
- 1.2. **Property Owner:** Roger Gagnon
- 1.3. **PIN:** 9650-88-6117
- 1.4. **Request:** Rezone subject area from an Local Commercial (LC) zoning district to a Community Commercial (CC) zoning district.
- 1.5. **Size:** Approximately 0.57 acres of land
- 1.6. **Location:** The subject area is located near the corner of Ripley Avenue and Asheville Highway (US 25) 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 (see Map C)

2.1. **Application of Current Zoning:** The subject area is currently zoned Local Commercial (LC)

2.2. **Adjacent Zoning:** The subject area is adjacent to Local Commercial (CC) and Community Commercial (CC) is below the subject area along Hwy. 25

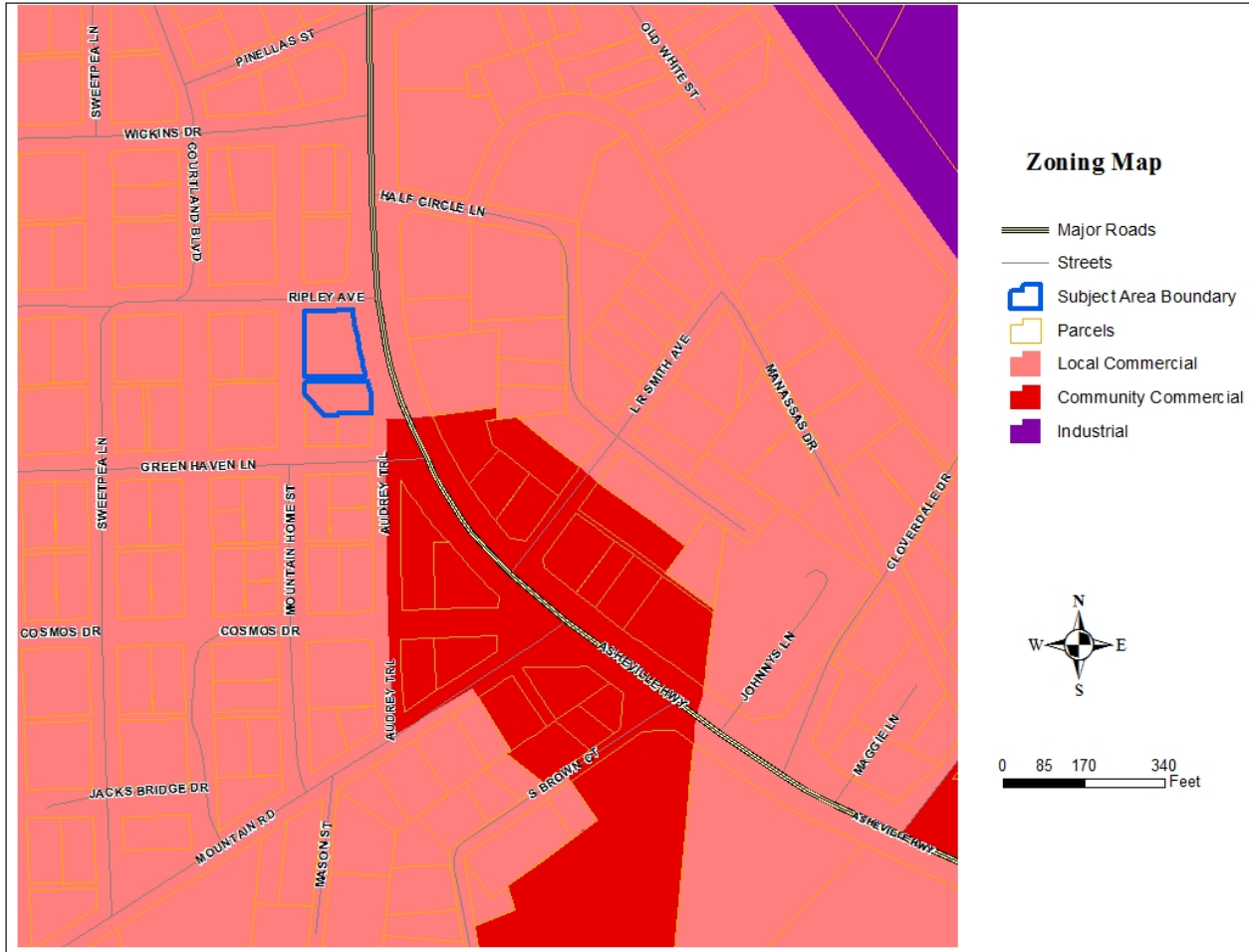
2.3. District Comparison:

2.3.1. **Community Commercial (CC):** “The Community Commercial District (CC) is established to foster orderly growth where the principal use of land is commercial.”(Chapter 42, Land Development Code §42-37).

- 1) CC accommodates retail sales/services, offices, and other commercial uses, as well as Outdoor Storage.

2.3.2. **Local Commercial (LC):** The purpose of Local Commercial (LC) zoning is to foster orderly growth with residential and commercial uses. Local Commercial does not allow Outdoor Storage over 5,000 square feet.

Map C: Current Zoning



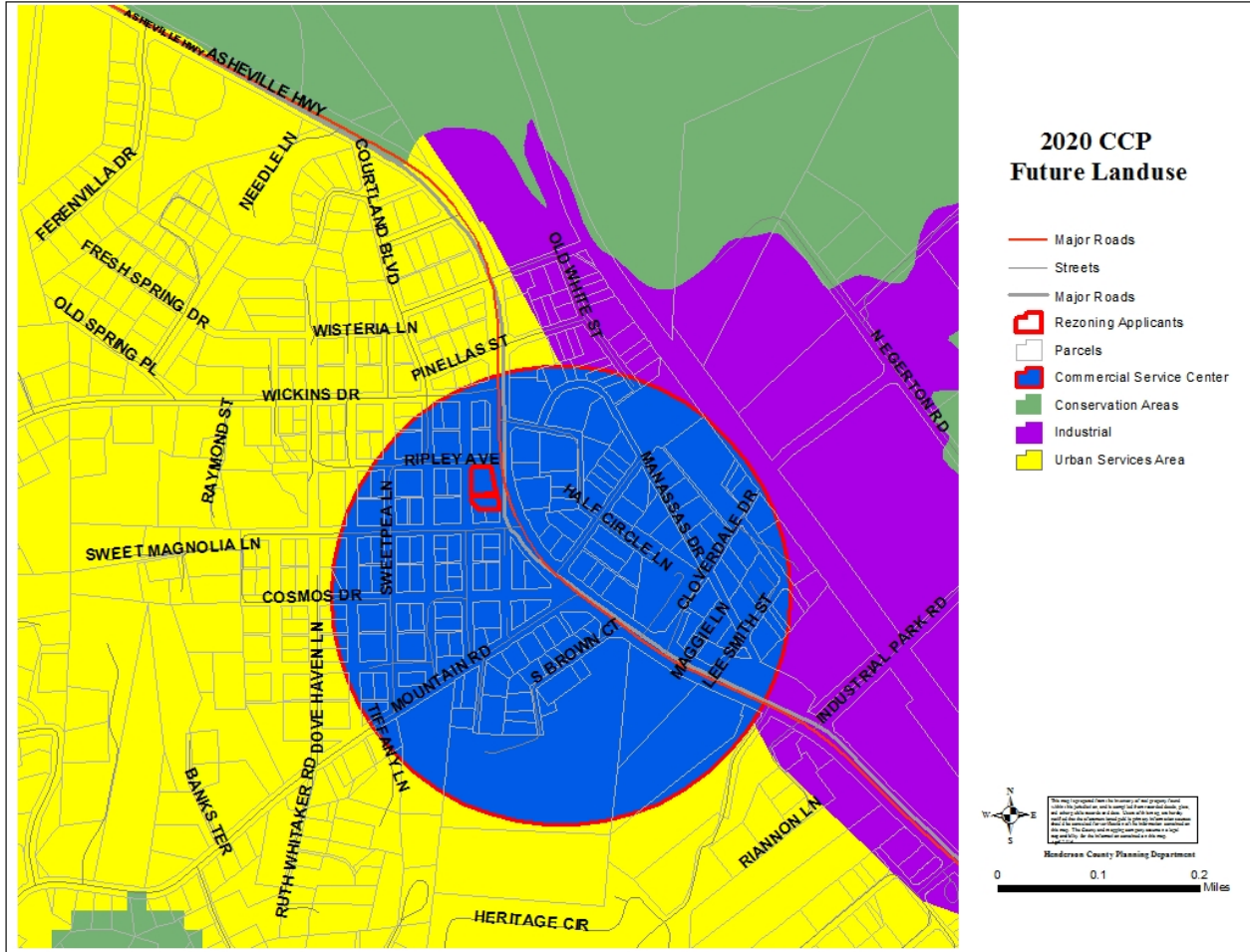
3. Current Uses of Subject Area and Adjacent Properties

- 3.1. **Subject Area Uses:** The subject area is currently used for an auto detailing business and storage of cars.
- 3.2. **Adjacent Area Uses:** The surrounding properties contain primarily residential uses with some commercial in the area.

4. The Henderson County 2020 Comprehensive Plan (CCP)

- 4.1. The CCP Future Land Use Map identifies the subject area as being located in a Commercial Service Center (2020 CCP, Pgs. 138 & Appendix 1, Map 24). (See Map D).

Map D: 2020 County Comprehensive Plan Future Land Use Map



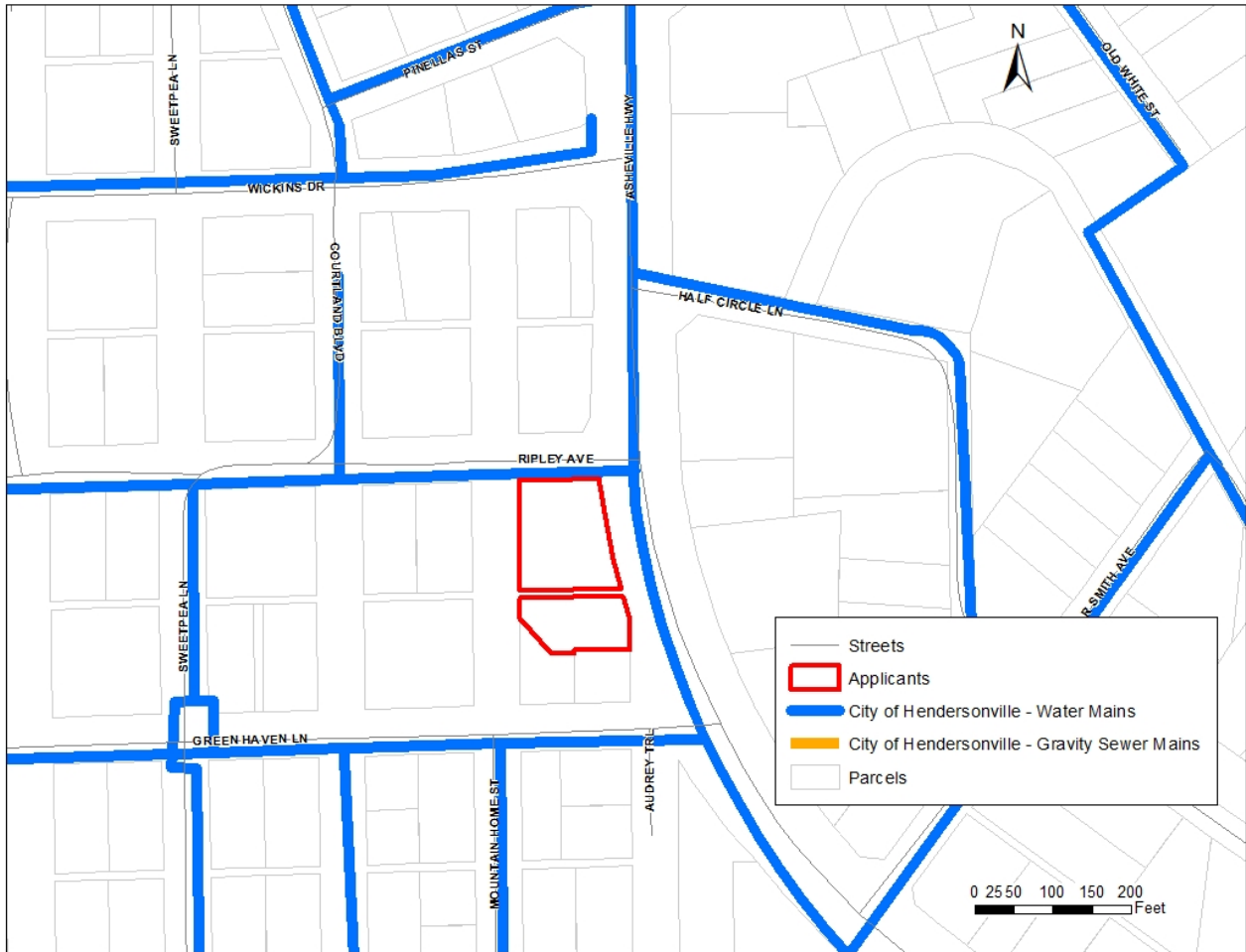
Commercial Service Center: The CCP states that, “*Community Service Centers* are located in unified development concentrations at intersections of selected thoroughfares and in central locations that are convenient to nearby residential development so as to minimize problems associated with “strip” commercial development. *Community Service Centers* should be priority targets of investments for sewer and water, public transportation, greenways, other general road improvements, and other appropriate infrastructural improvements.”

5. **Water and Sewer (see Map E)**

5.1. **Public Water:** City of Hendersonville water main lies adjacent to the subject area.

5.2. **Public Sewer:** The property currently does not have access to gravity sewer mains.

Map E: 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, Community Service Center classification.
- 6.2. **Adjacent Zoning:** The subject area is adjacent to Local Commercial zoning with Community Commercial in the vicinity.
- 6.3. **Comparison of Districts:** The applicant wishes to be zoned Community Commercial for the purposes of acquiring a permit to have Outdoor Storage on the property that is larger than currently permitted in the existing Local Commercial zoning.
- 6.4. It is staff's position that the TRC determine whether the subject area meets the technical requirements to become a Community Commercial zoning district.

7. Technical Review Committee Recommendations

- 7.1. TRC reviewed the application at its May 1st, 2018 meeting. The committee voted to send the request to the Planning Board for further review. It noted the current use is in violation of the LDC. If the rezoning is approved, the applicant with then have to seek a Special Use Permit to be in conformance with the LDC. The property is contiguous with existing Community Commercial zoning but only via a right of way on Asheville Highway.

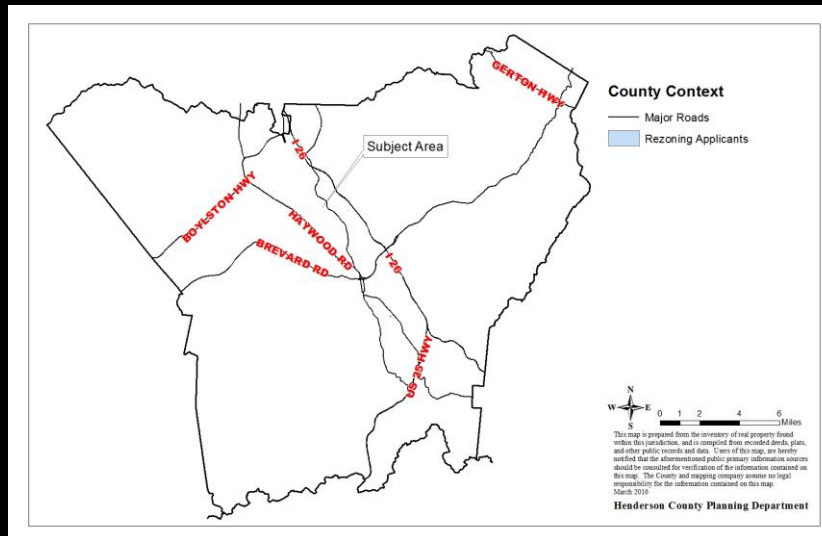
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County Context Map



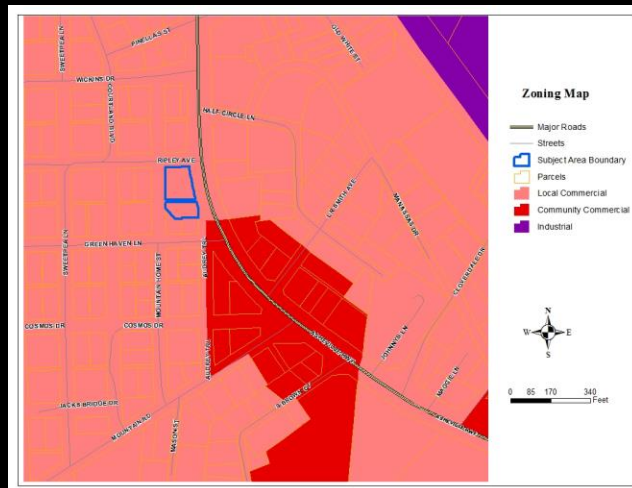
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Aerial Map



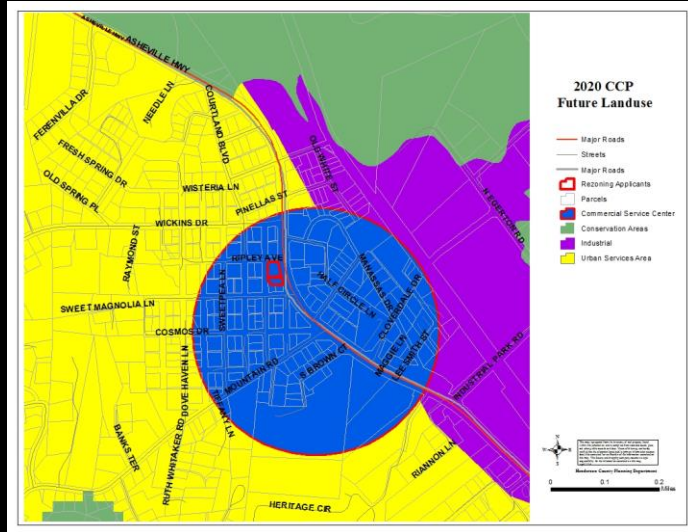
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Current Zoning Map



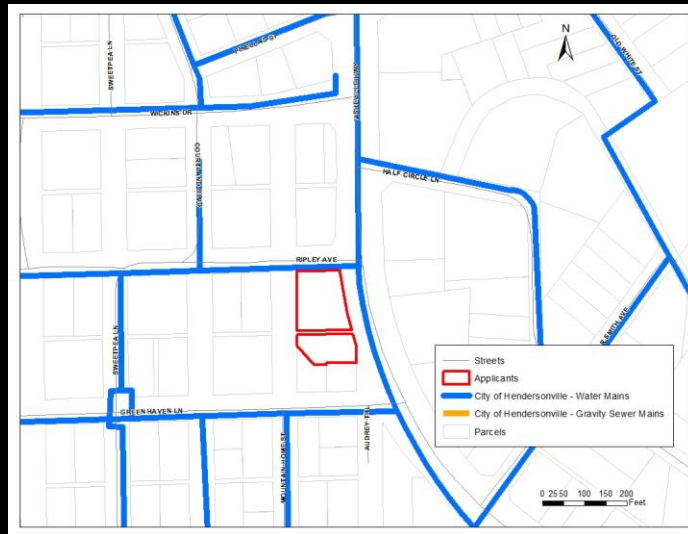
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2020 CCP Future Land Use Map



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Public Utilities



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Rezoning #R-2018-04

Questions

