

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: February 21, 2019

SUBJECT: Rezoning Application #R-2018-08C Haywood Park Estates

PRESENTER: Eric Warren, Planner

ATTACHMENTS: 1.) Staff Report
2.) Master Plan
3.) PowerPoint
4.) Letter from Henderson County Public Schools

SUMMARY OF REQUEST:

Rezoning Application #R-2018-08C was initiated on December 03, 2018 and requests that the County conditionally rezone approximately 18.35 acres of land from Residential Two (R2) to Residential One Conditional District (R1-CD). The acreage consists of 8 parcels (PIN: 9650-06-9662, 9650-17-5207, 9650-16-5805, 9650-16-4528, 9650-16-1443, 9650-16-3229, 9650-16-4056). The property owner is Spano & Associates Haywood, LLC. Scott Burwell will be serving as agent.

At the regularly scheduled meeting on January 17, 2019, the Planning Board tabled this rezoning application in order to receive a statement from the Henderson County Public School Board concerning the rezoning request.

PLANNING BOARD ACTION REQUESTED:

The Planning Board has 45 days from its first consideration to provide a recommendation to the Board of Commissioners or the request is forward with a favorable recommendation. Staff requests the Planning Board make a recommendation to the Board of Commissioners to approve, approve with modification or deny the rezoning application (#R-2018-08C) to rezone the Subject Area to a Residential One conditional zoning district (R1-CD).

Suggested Motion:

I move that the Planning Board recommend the Board of Commissioners (approve, approve with modification or deny) rezoning application #R-2018-08C to rezone the Subject Area to a Residential One Conditional District (R1-CD) based on the recommendations of the Henderson County 2020 Comprehensive Plan.

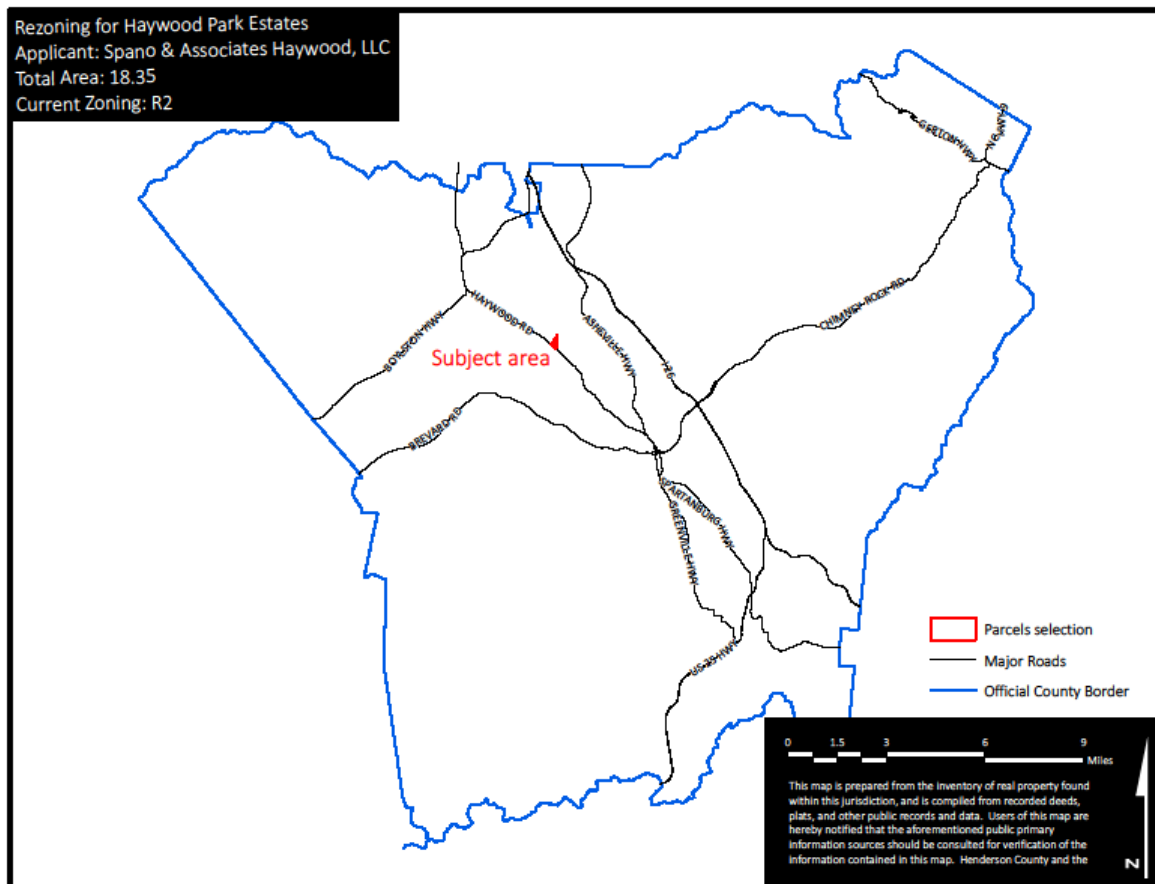
Henderson County Planning Department Staff Report
Rezoning Application #R-2018-08-C (R2 to R1-CD)

Owner(s)
Spano & Associates Haywood, LLC (Scott Burwell, Agent)

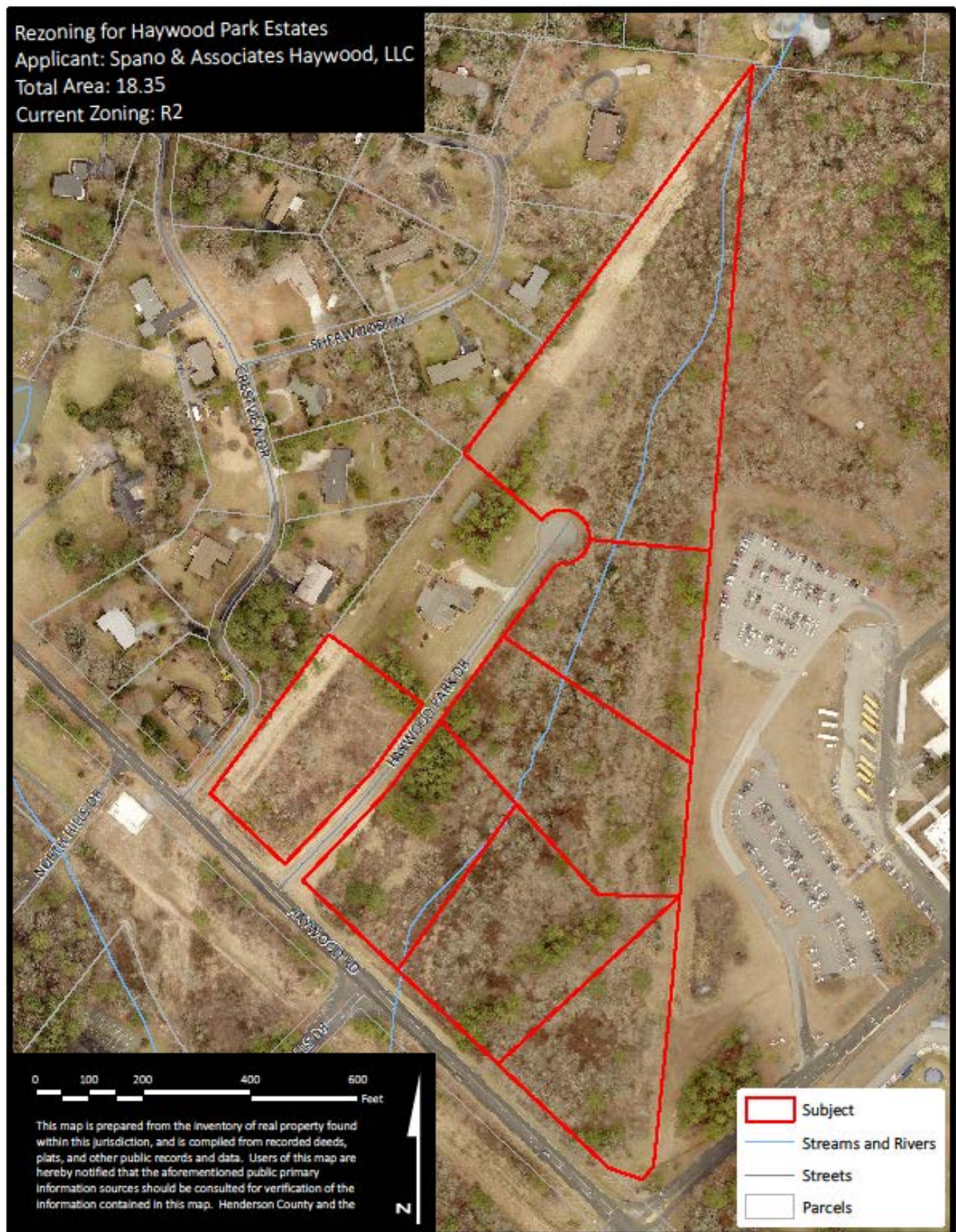
1. Rezoning Request

- 1.1. **Applicant:** Spano & Associates Haywood, LLC
- 1.2. **Property Owner:** Spano & Associates Haywood, LLC
- 1.3. **PINs:** 9650-06-9662, 9650-17-5207, 9650-16-5805, 9650-16-4528, 9650-16-1443, 9650-16-3229, 9650-16-4056
- 1.4. **Request:** Rezone subject area from a Residential Two (R2) zoning district to a Residential One Conditional (R1-CD) zoning district.
- 1.5. **Size:** Approximately 18.35 acres of land
- 1.6. **Location:** The subject area is located on Haywood Rd (NC 191) approximately a third of a mile south east of the intersection of N Rugby Rd (S.R. 1365) and South Rugby Rd (S.R. 1309). The property is adjacent to the west of West Henderson High School.

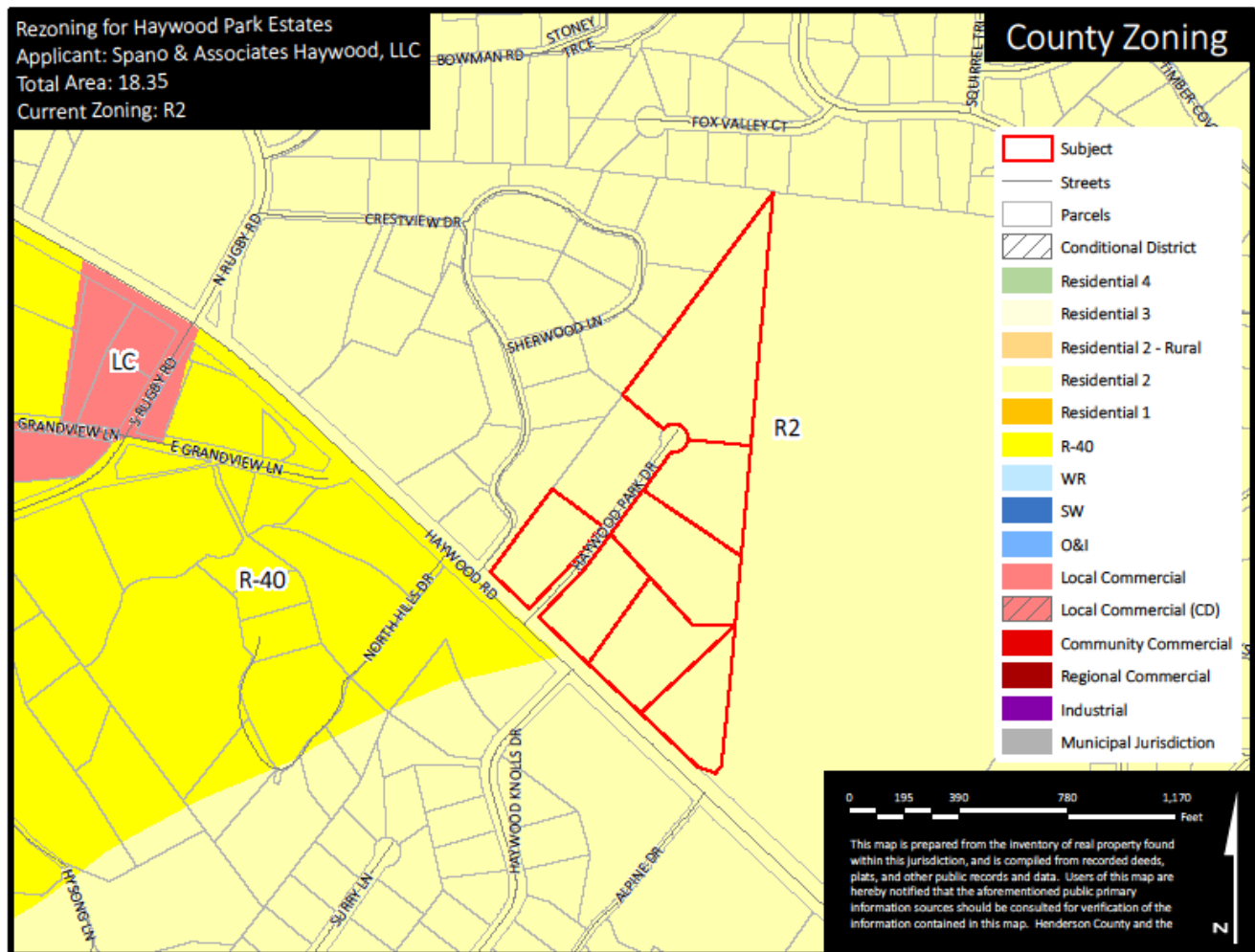
Map A: County Context



Map B: Aerial Image



Map C: Current Zoning



2. Current Zoning

2.1. **Application of Current Zoning:** The subject area is currently zoned Residential Two (R2). (See Map C).

2.2. **Adjacent Zoning:** The subject area is adjacent to mainly Residential Two (R2) zoning. There is a section of Estate Residential (R-40) zoning across Haywood Rd. (NC 191) to the south.

2.3. **District Comparison:**

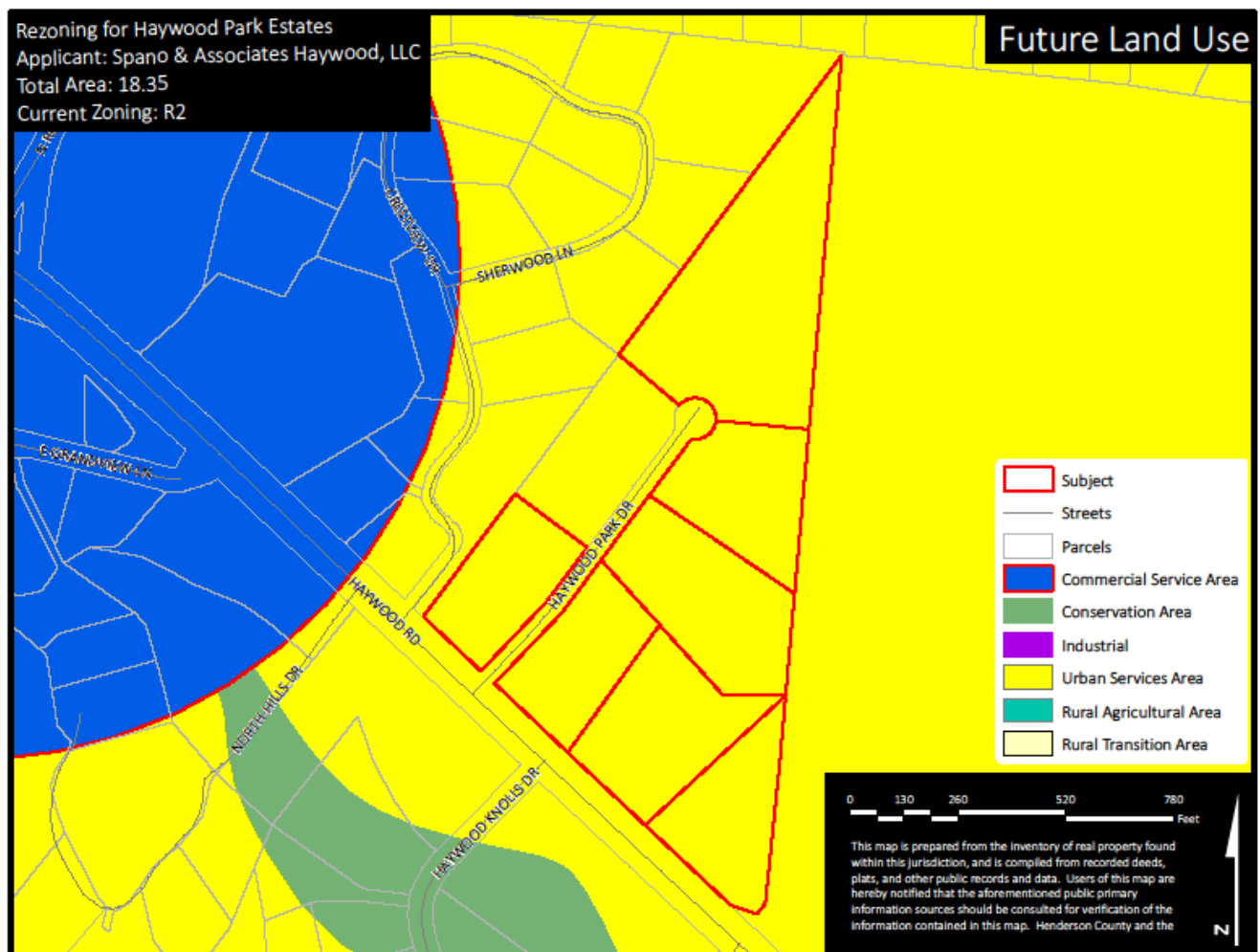
2.3.1. **Residential Two (R2):** “The purpose of Residential District Two (R2) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density *residential development* consistent with the recommendations of the *Comprehensive Plan*. It is also the intent of this district to allow for flexibility in the continuation of existing nonresidential *uses*. This general *use district* is typically meant to be utilized in areas designated as Transitional (RTA) in the *Comprehensive Plan*.” Standard density is one unit per acre with a max density of two units per acre (LDC §42A-28).

2.3.2. **Residential One Conditional District (R1-CD):** “Conditional Zoning Districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and, in order to, among other reasons, carry out the purposes of the Comprehensive Plan, proposes to impose special limitations and conditions on the use of the property proposed for rezoning.”

2.3.3. Residential density calculations will follow the Residential One (R1) zoning district.

2.4. **Water Supply Watershed:** The subject property is located within the WS-IV-PA and allows a maximum built upon limit of 24% under the Low-Density option.

Map D: 2020 County Comprehensive Plan Future Land Use Map



3. Current Uses of Subject Area and Adjacent Properties

3.1. **Subject Area Uses:** The subject area is comprised of 7 vacant lots created by an approved 8 lot, residential subdivision plan for Haywood Park Estates from 2007.

3.2. **Adjacent Area Uses:** The surrounding properties contain mainly residential uses with a high school adjacent to the east. Henderson County Public School system has provided

a letter concerning their position on new development adjacent to West Henderson High School.

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 (USA). A Community Service Center node is located 192 feet to the north west of the subject area (2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24). (See Map D).

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. The USA will essentially contain all existing and future industrial developments, which will be the future focus of economic development activities” (2020 CCP, Pg. 129).

5. Water and Sewer

5.1. **Public Water:** The project will utilize public water. City of Hendersonville water currently serves the project site along Haywood Park Dr.

5.2. **Public Sewer:** The applicant proposes connection to the Cane Creek Sewer District sewer system. Gravity sewer lines are in place on the southern and eastern boundary of the project site.

6. Proposed Residential One Conditional District

6.1. **Proposed Use:** The subject area is comprised of 7 vacant lots created by an approved 8 lot, residential subdivision plan for Haywood Park Estates from 2007. The applicant is proposing to use the site for a residential development. Based on the number of proposed lots within the subject area the applicant is requesting a higher density conditional zoning district in order to maximize the density of the development. The Conditional District will also allow the Board of Commissioners to place conditions or restrictions on the property as needed. The applicant proposes the following development:

- 33 lots for single family dwelling units
- 1.20 acres of open space (6.54%)
- Average lot size of 0.52 acres (22,638 sq. ft.)
- Average Density of 1.80 units per acre
- 2 parking spaces per single family dwelling unit
- 1,802.54 linear feet (0.34 miles) of new roadway

7. Staff Comments

7.1. The current owner of Lot 2 (PIN 9650-16-1982) from the existing subdivision has been notified of the rezoning application by the Henderson County Planning Department.

7.2. **The 2020 CCP:** The CCP Future Land Use Map (See Map D) places the Subject Area in the Urban Services. The text and map of the 2020 CCP suggest that the Subject Area would be suitable for residential development.

- 7.3. **Adjacent Zoning:** The subject area is adjacent to Residential Two (R2). Adjacent to Estate Residential (R-40) to the south across Haywood Rd (NC 191).
- 7.4. **Comparison of Districts:** The existing Residential Two (R2) zoning district allows for primarily residential type developments. The proposed density on the subject area is not currently permitted within the R2 zoning district. The Residential One Conditional District (R1-CD) allows a proposed development of higher density, under an approved site-specific plan with the option for additional conditions. Proposed residential density calculations follow the Residential One (R1) zoning district. (Refer to Attachment: Zoning District Comparison)
- 7.5. **Master Plan:** The rezoning request requires a site-specific plan which includes a master plan requirement for the proposed development phases. (See Attached Master Plan Report)
- 7.6. **Conditional Zoning Districts:** In approving a petition for the reclassification of property to a Conditional Zoning District, the Planning Board may recommend, and the Board of Commissioners may request that reasonable and appropriate conditions be attached to the approval of the petition. Conditions and site-specific standards shall be limited to those that address the conformance of the development and *use* of the site to County ordinances and any officially adopted *Comprehensive Plan* or other land *use* plan, that address the impacts reasonably expected to be generated by the development or *use* of the site. (LDC §42-48)

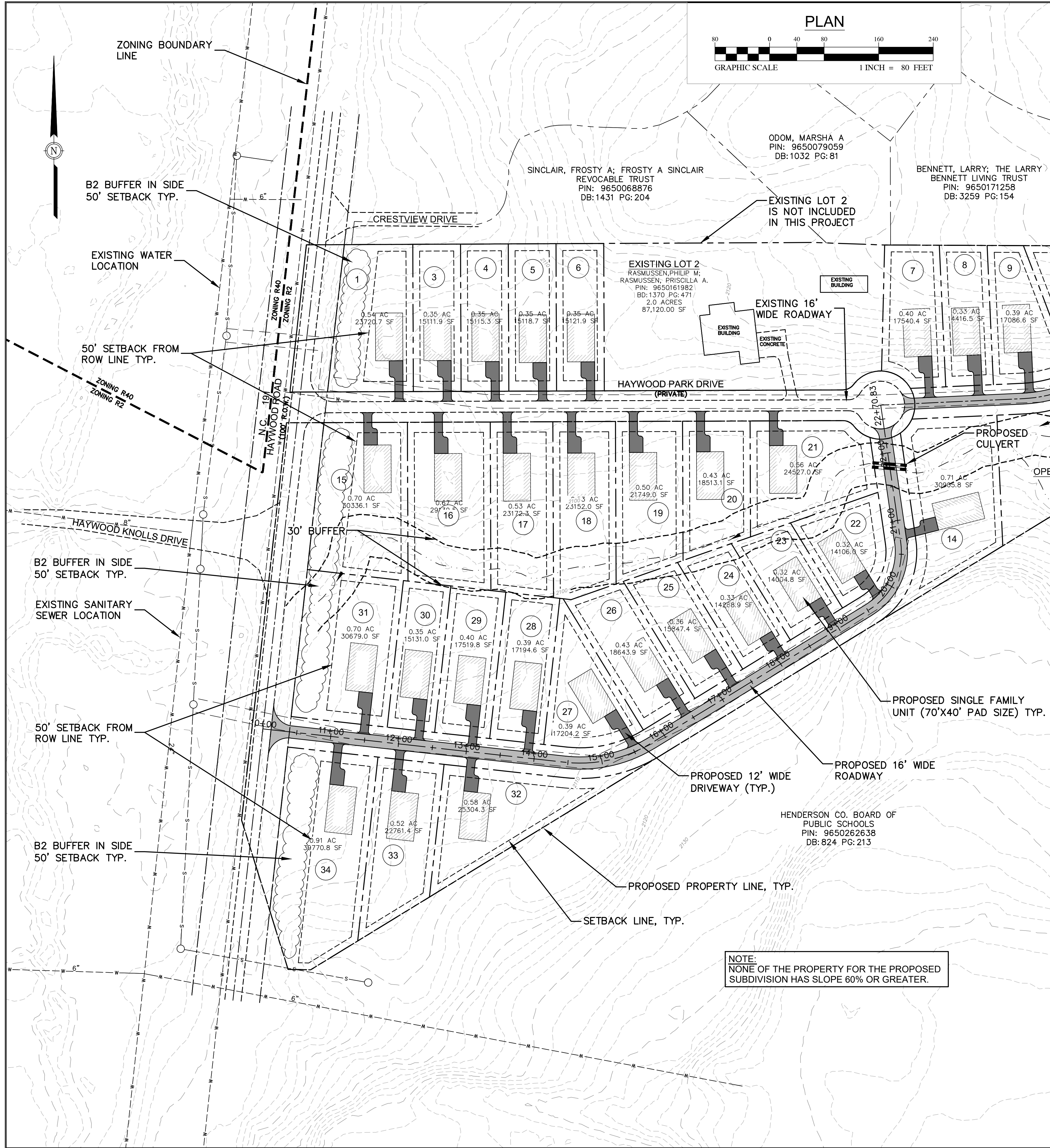
8. **Technical Review Committee (TRC) Recommendation**

- 8.1. The TRC reviewed the subject application at the scheduled January 15, 2019 meeting. A motion was approved to forward the application to the Planning Board for further review.
- 8.2. **TRC Conditions:**
 1. **City of Hendersonville Water:** a utility plan and flow test are required for connection to municipal water system
 2. **Erosion Control and Watershed Permit:** for development, all necessary permits must be obtained from the County Engineering Department before construction may begin.
 3. **Cane Creek Sewer District:** a utility plan and sewer easement are required for connection to the Cane Creek sewer system.
 4. **NCDOT Driveway Permit:** for driveway permit approval NCDOT is requiring the second entrance on site plan to allow right turn in, right turn out only. Applicant has modified site plan and have received approval from NCDOT concerning the second entrance.

9. **Planning Board**

- 9.1. At the regularly scheduled meeting on January 17, 2019 the Planning Board moved to table the request to receive a statement from the Henderson County Public School System concerning the development adjacent to West Henderson High School.

I:\Drawings\2018\18.001\3\Design\Civil\Drawings\18.00143 - C-101 Master Plan.dwg 12/28/2018 2:52 PM TREVIOR HENDRIX



PROJECT SUMMARY

NAME AND LOCATION OF PROJECT:
HAYWOOD PARK ESTATES SUBDIVISION
3700-3710 HAYWOOD ROAD
HENDERSONVILLE, NORTH CAROLINA 28791

CURRENT PROPERTY OWNER:
SPANO & ASSOCIATES, HAYWOOD LLC
409 LANGHOLM DR
WINTER PARK, FL 32789

DEVELOPER:
RALPH SPANO
SPANO & ASSOCIATES HAYWOOD, LLC
1540 INTERNATIONAL PKWY, SUITE 2000
LAKE MARY, FLORIDA 32746

DESIGN ENGINEER:
SCOTT BURWELL, PE
MCGILL ASSOCIATES, P.A.
55 BROAD STREET
ASHEVILLE, NORTH CAROLINA 28801
PHONE NUMBER: 828-252-0575
EMAIL: SCOTT.BURWELL@MCGILLENGINEERS.COM

PIN NUMBER:
9650-06-9662, 9650-17-5207, 9650-16-5805,
9650-16-4528, 9650-16-1443, 9650-16-3229,
9650-16-4056

ZONING DISTRICT:
R2-RESIDENTIAL DISTRICT TWO

WATER SUPPLY WATERSHED:
UPPER FRENCH BROAD RIVER - (WS-IV)

PROPOSED BUILDINGS:
(33)- SINGLE FAMILY UNITS
TOTAL NUMBER OF DWELLING UNITS: 33
GROSS DENSITY (UNITS/AC): 1.80

BUILDING SETBACKS:
FRONT 15'
REAR 10'
SIDE 10'

FIRE DISTRICT:
MOUNTAIN HOME

UTILITIES (PUBLIC):
CANE CREEK SEWER DISTRICT
CITY OF HENDERSONVILLE WATER

TOTAL TRACT AREA TO BE SUBDIVIDED:
18.35 ACRES (EXISTING LOT 2 NOT INCLUDED).

TOTAL LENGTH OF ROADWAYS:
1,802.54 LINEAR FEET OR 0.34 MILES OF NEW ROADWAY
870.00 LINEAR FEET OR 0.16 MILES OF EXISTING ROADWAY

TOTAL BUILT UPON AREA (IMPERVIOUS AREA):
EXISTING ROAD = 17,349 SF
PROPOSED ROAD = 34,966 SF
PROPOSED DRIVEWAYS = 28,558 SF
PROPOSED BUILDINGS = 92,400 SF

TOTAL BUILT UPON AREA = 173,273 SF / 3.98 ACRES
21.68% OF TOTAL SUBDIVISION

OPEN SPACE / COMMON AREA:
52,441 SF / 1.20 AC

TOTAL OPEN SPACE / COMMON AREA = 1.20 AC
6.54% OF TOTAL SUBDIVISION

PROPOSED USE:
RESIDENTIAL

PARKING:
TWO PARKING SPACES PRE-SINGLE FAMILY UNITS WILL BE PROVIDED

PROPOSED LOT SIZE:
AVERAGE LOT SIZE IS 22,638 SF (NOT INCLUDING OPEN SPACE OR EXISTING LOT 2)

NO.	DATE	BY	REVISION DESCRIPTION

McGill ASSOCIATES
ENGINEERING • PLANNING • FINANCE
55 BROAD STREET ASHEVILLE, NC 28801 PH: (828) 252-0575 FIRM LICENSE # C-0459

FOR REVIEW ONLY

SUBDIVISION RE-DEVELOPMENT

HAYWOOD PARK ESTATES
HENDERSON COUNTY, NORTH CAROLINA

MASTER PLAN

SHEET
C-101



HENDERSON COUNTY PUBLIC SCHOOLS

414 Fourth Avenue West, Hendersonville, NC 28739-4261
Bo Caldwell, Superintendent

Board of Public Education
Amy Lynn Holt, *Chairperson*
Mary Louise Corn, *Vice Chairperson*
Michael Absher
Dot Case
Blair Craven
Jay Egolf
Rick R. Wood

January 28, 2019

Henderson County Planning Department
100 N King St
Hendersonville, NC 28792

RE: Haywood Park Estates Development

To Whom It May Concern:

I am writing to you today on behalf of the members of the Henderson County Board of Public Education regarding the proposed Haywood Park Estates Development.

It is my understanding that action on this proposed development was tabled at a January 17 meeting of the Planning Board, in order that the details of this proposal might be considered by the Board of Public Education. We sincerely appreciate such consideration and opportunity.

Ultimately, the Henderson County Board of Public Education is charged with serving the students who live in our community. Should development increase the number of school age children in any area of Henderson County, our Board of Education and staff will make the necessary recommendations and provisions to provide for their education.

We are proud to have a shared responsibility with other community resources to serve future generations of children in Henderson County, and I am confident that our schools will continue to provide the very best possible education experiences for every child in our community.

Sincerely,

HENDERSON COUNTY BOARD OF PUBLIC EDUCATION
Amy Lynn Holt, Chairperson

cc: Members, Henderson County Board of Public Education
Mr. Bo Caldwell, Superintendent