

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: September 19, 2019

SUBJECT: Rezoning Application #R-2019-05 Sirocco Properties, LLC

PRESENTER: Eric Warren, Planner

ATTACHMENTS: 1.) Staff Report

SUMMARY OF REQUEST:

Rezoning Application #R-2019-05, initiated on July 18, 2019, requests that the County rezone approximately 30.86 acres of land from Residential One to Industrial zoning district. The acreage consists of 1 parcel (PIN: 9652-86-3577) located at the intersection of Howard Gap Road and Jackson Road in the Fletcher area. The property owner is Sirocco Properties, LLC.

The Technical Review Committee reviewed the rezoning request on September 3, 2019. The TRC has forwarded to the Planning Board for further review.

Prior to the Planning Board meeting Planning Department staff sent notices of the hearing via first class mail to the owners of properties within 400 feet of the Subject Area and posted signs advertising the hearing on September 6, 2019.

PLANNING BOARD ACTION REQUESTED:

Staff requests the Planning Board make a recommendation to the Board of Commissioners on rezoning application (#R-2019-05) for approximately 30.86 acres from Residential One Zoning District (R1) to Industrial Zoning District (I).

Suggested Motion:

I move that the Planning Board forward rezoning application #R-2019-05 with a (favorable or unfavorable) recommendation for approval.

Henderson County Planning Department Staff Report

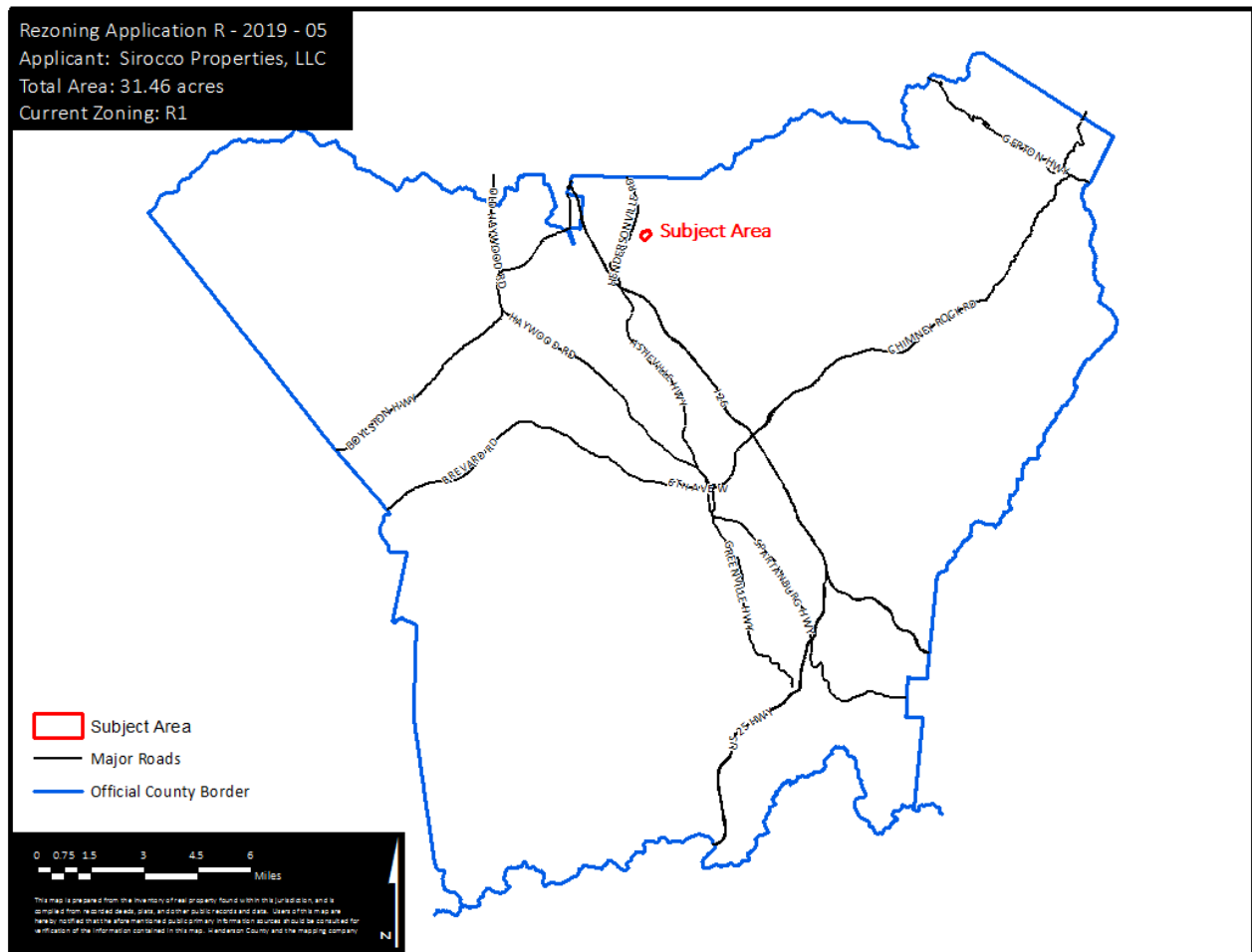
Rezoning Application #R-2019-05 (R1 to I)

Owner/ Applicant: Sirocco Properties, LLC

1. Rezoning Request

- 1.1. **Owner:** Sirocco Properties, LLC
- 1.2. **Applicant:** Sirocco Properties, LLC
- 1.3. **PIN:** 9652-86-3577
- 1.4. **Request:** Rezone subject area from a Residential One (R1) zoning district to an Industrial (I) zoning district
- 1.5. **Size:** Approximately 30.86
- 1.6. **Location:** The subject is located at the intersection of Howard Gap Road (SR1006) and Jackson Road (SR1539).

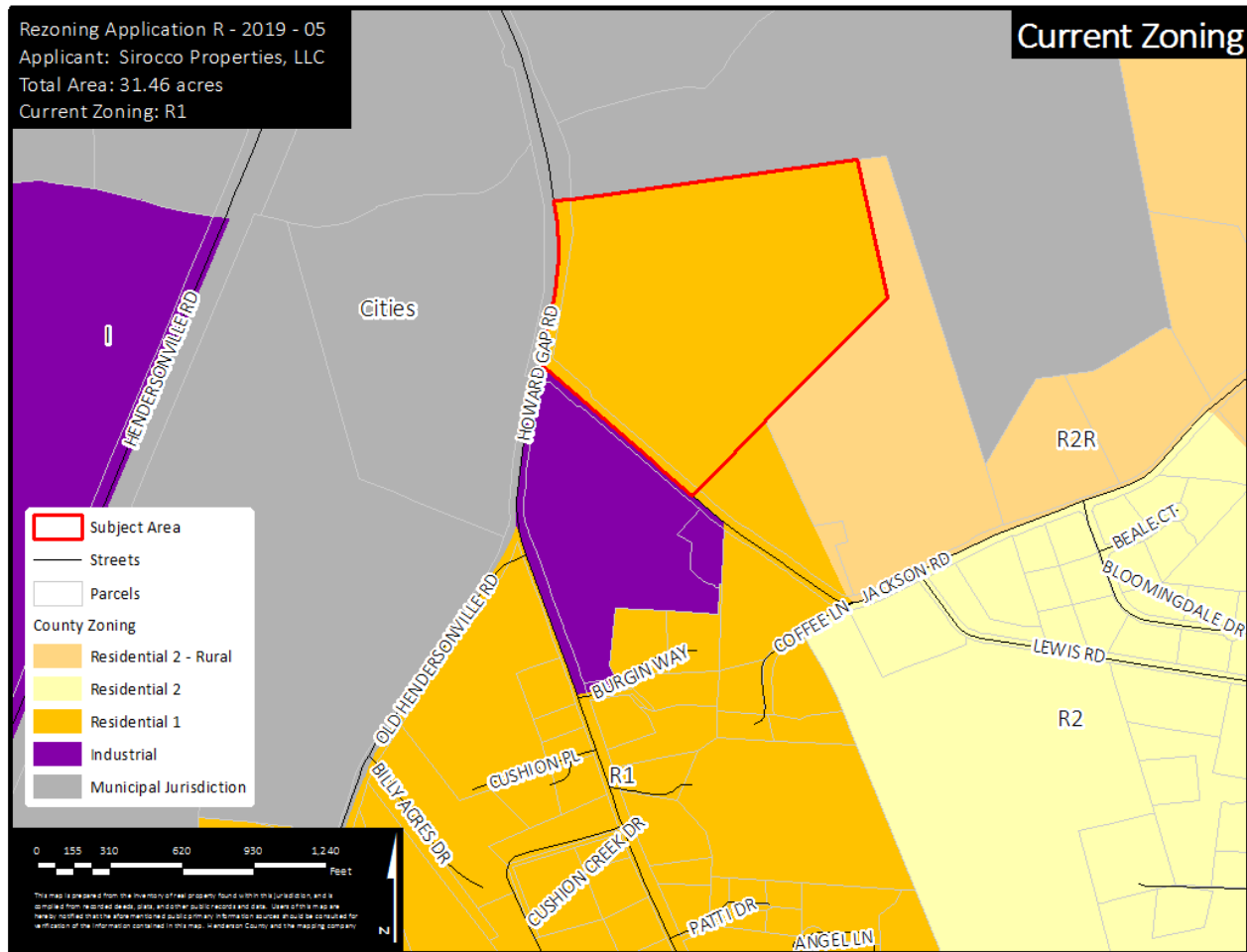
Map A: County Context



Map B: Aerial Image



Map C: Current Zoning



2. Current Zoning

2.1. **Application of Current Zoning:** The subject area is currently zoned Residential One (R1). R1 is a medium to high density residential zone.

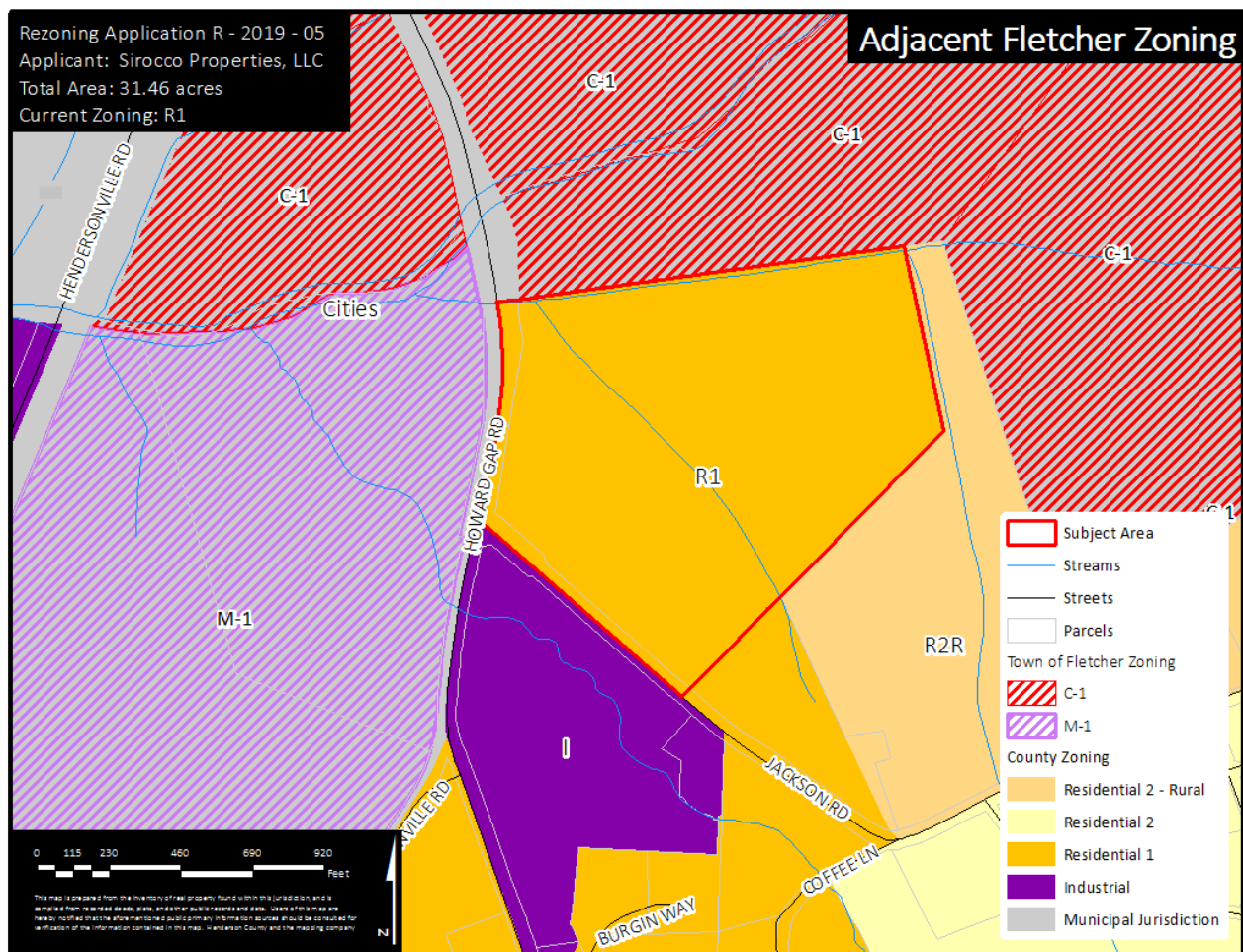
2.2. **Adjacent Zoning:** The subject area is adjacent to Residential Two Rural (R2R) to the east and south, Residential One (R1) and Industrial (I) are adjacent to the south. The subject area borders the Town of Fletcher's Manufacturing District (M-1) on the West and General Commercial District (C-1) on the North, see map D.

2.3. **District Comparison:**

2.3.1. **Residential One Zoning District (R1):** 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).

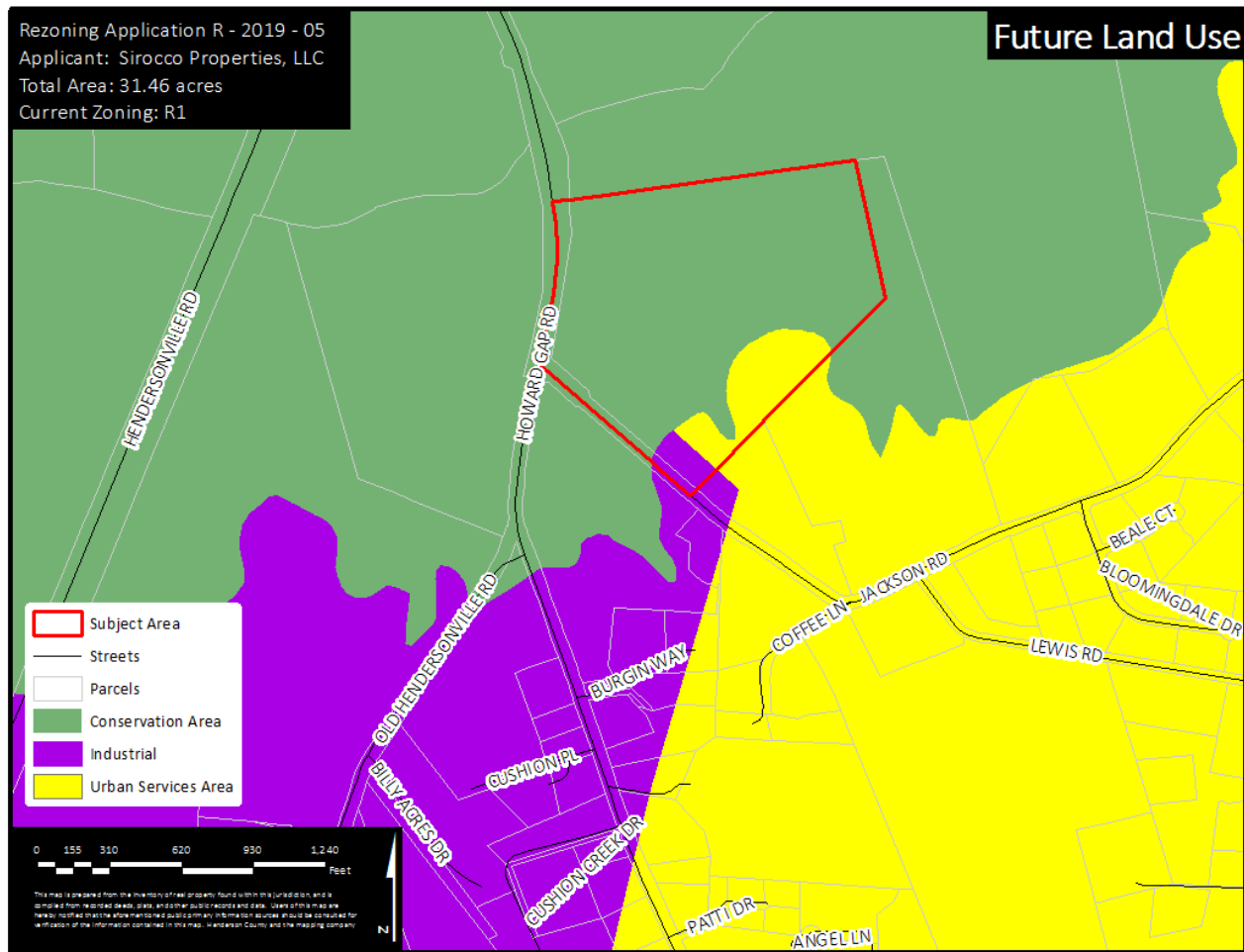
- 2.3.2. **Industrial Zoning District (I):** The purpose of the Industrial District (I) is to foster orderly growth where the principal use of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for industrial and heavy commercial development consistent with 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). (LDC §42 – 36).

Map D: Town of Fletcher Zoning



3. **Town of Fletcher Zoning:** The subject area is adjacent to the Town of Fletcher's incorporated limits. The adjacent zoning districts within the municipal jurisdiction are Manufacturing District (M-1) and General Commercial District (C-1). See Map D.

Map E: County Comprehensive Plan Future Land Use Map



4. The Henderson County Comprehensive Plan (CCP)

4.1. The CCP Future Land Use Map identifies the subject area as being covered by the **Conservation, Urban Services Area, and Industrial** classifications. (CCP, Pgs. 138-140). (See Map E).

4.1.1. **Conservation:** “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.” (CCP, Pg. 138)

4.1.2. **Urban Services Area:** “The USA will contain virtually all existing and future industrial development and will be the focus of future economic development activities. Industrial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community.” (CCP, Pg. 133)

4.1.3. **Industrial:** “Parcels containing facilities wherein raw or pre-processed resources, materials, substances, or components are mechanically, physically, chemically, or otherwise transformed into new products; waste materials are collected, treated, or disposed of; subsurface natural resources are extracted and/or processed; Livestock, cargo, merchandise, materials or hazardous substances are transferred, stored or warehoused for wholesale or other distribution; passengers or passenger vehicles are collected or transferred; water, fuel, or electricity is produced, processed, stored, transferred or transmitted.” (CCP, Appendix IV pg. 12)

5. Current Uses of Subject Area and Adjacent Properties

5.1. **Subject Area Uses:** The subject area was recently being used as a fenced in “Lay Down Yard” by Duke Energy with a temporary use permit from Henderson County. That temporary use has ceased but the gravel lot and fencing is still in place. There are no future uses proposed with this application.

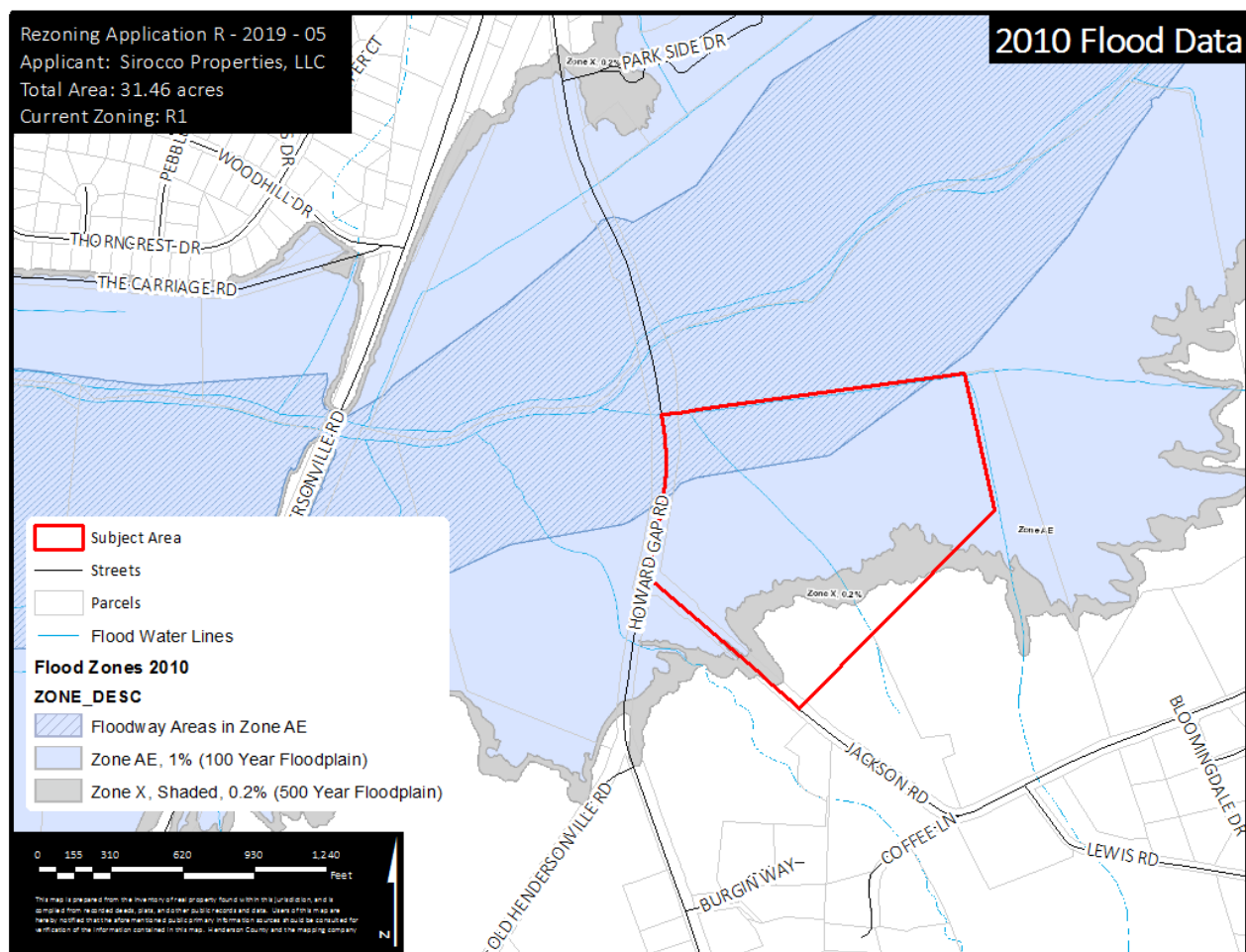
5.2. **Adjacent Area Uses:** The adjacent properties contain multiple uses. There are some residential uses to the east of the subject area. To the North of the subject area is adjacent to the Southern Tee golf course. To the South across Jackson Rd. the subject area is adjacent to Jennings Building Supply. Across Howard Gap Rd. the subject area is adjacent a closed private waste water treatment facility.

6. Community Planning Boundary

6.1. The subject area is within the Hoopers Creek community planning area. The Hoopers Creek Community Plan has not yet been completed or adopted, therefore there are no community recommendation for the subject area.

7. **Water and Sewer:** The subject is not served by water or waste water systems at this time. City of Hendersonville water lines and Cane Creek Sewer District lines are in close proximity along Howard Gap Rd.

Map F: Flood Hazard Areas



8. **Flood Plain:** As seen in Map F, the subject area contains the Floodway and both 100-year and 500-year floodplains.

9. **Staff Comments:**

- 9.1. **CCP:** The CCP Future Land Use Map (See Map E) places the subject area in the Conservation, Urban Services Area, and Industrial future land use areas. The Growth Management Strategy in the CCP shows this area being in the Urban Services Area.
- 9.2. **Adjacent Zoning:** The subject area is adjacent to Residential One (R1), Residential Two Rural (R2R), Industrial (I), Town of Fletcher Manufacturing District (M-1), and Town of Fletcher General Commercial District (C-1).
- 9.3. **District Comparison:** Residential One (R1) zoning district is a medium to high density residential zone. Industrial (I) zoning district is an industrial and heavy commercial zone for 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). The Industrial zoning district does not allow for any residential uses.

10. **Technical Review Committee Recommendations**

- 10.1. **Flood Development Permit:** any development on parcels located within the floodway or special flood hazard areas are subject to permitting through the Flood Damage Prevention Program
- 10.2. **Erosion & Stormwater Management Permit:** development may require permitting for erosion control and stormwater management measures.
- 10.3. **Special Fill Permit:** subject parcel may be eligible for a 20% special fill permit for area within the flood fringe area but nowhere within the floodway.
- 10.4. **NCDOT Driveway Permit:** any new use will require approval of an NCDOT Driveway Permit.

11. **Planning Board Recommendations**

- 11.1. The Planning Board will review this application on September 19, 2019