

REQUEST FOR BOARD ACTION
HENDERSON COUNTY PLANNING BOARD

MEETING DATE: February 16, 2023

SUBJECT: Rezoning Application R-2023-01 Paco Properties

PRESENTER: Liz Hanson, Planner

ATTACHMENTS: 1.) Staff Report
2.) Application
3.) Presentation

SUMMARY OF REQUEST:

Rezoning Application R-2023-01, submitted on January 6, 2023, requests that the County rezone approximately 2.25 acres (1.89 assessed acres) of land from Residential Two Rural (R2R) to Local Commercial (LC). The acreage consists of PIN: 0601-44-4366 located off Gilliam Mountain Rd (SR 1602). The property owner is Paco Properties, LLC. The applicant is Pascual Hernandez.

PLANNING BOARD ACTION REQUESTED:

Staff requests the Planning Board make a recommendation to the Board of Commissioners on rezoning application (R-2023-01) for approximately 2.25 acres from Residential Two Rural (R2R) to Local Commercial (CC).

Suggested Motion:

Motion that the Planning Board forward rezoning application R-2023-01 with a (favorable or unfavorable) recommendation for approval.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:
Liz Hanson, Planner I

CASE R-2023-01	TECHNICAL REVIEW COMMITTEE MEETING DATE February 7, 2023
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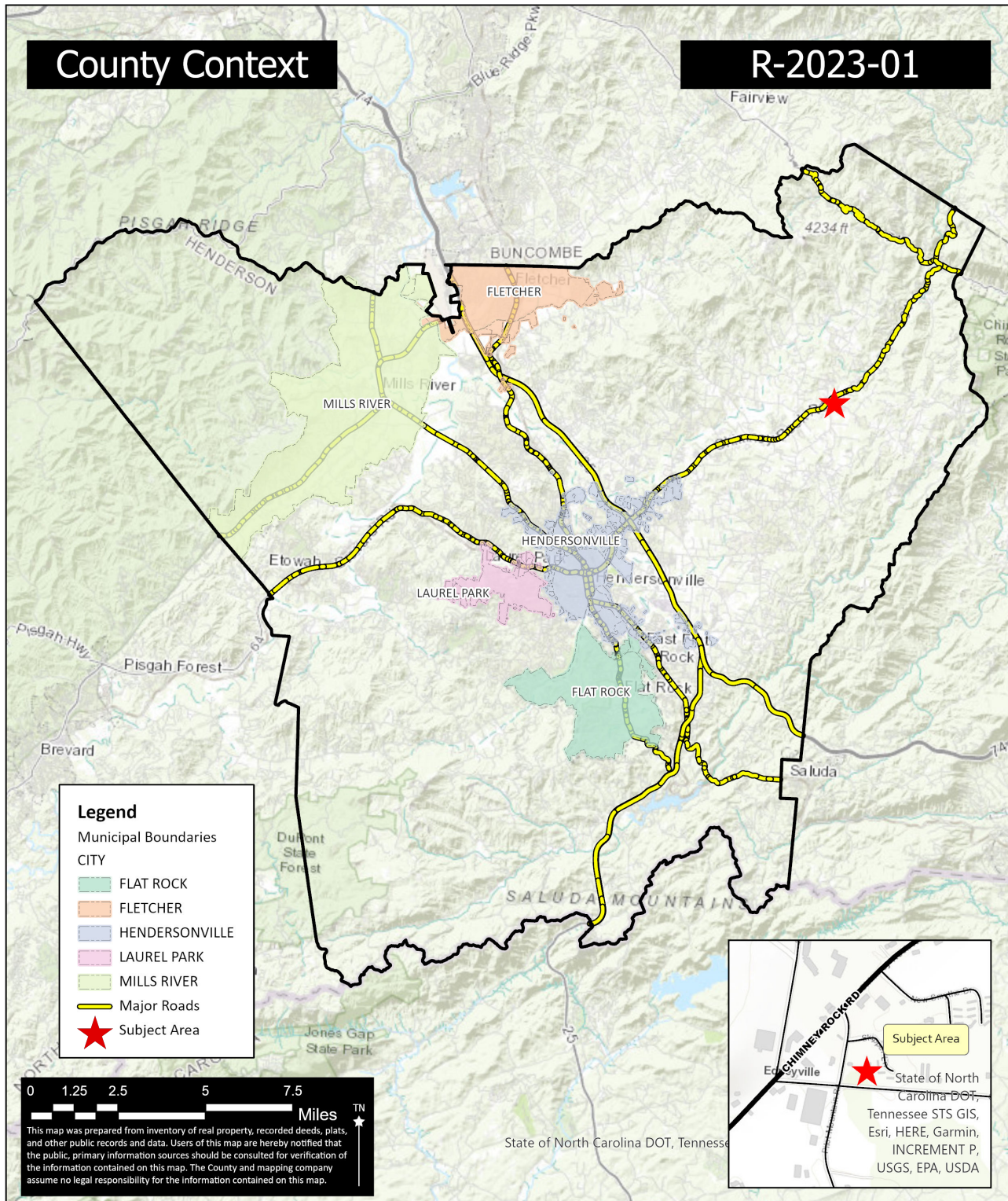
PROPERTY OWNER Paco Properties, LLC	PROPERTY LOCATION/ADDRESS 143 Gilliam Mountain Road, Edneyville Township
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AGENT/APPLICANT Pascual Hernandez	PIN 0601-44-4366
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SUMMARY OF REQUEST	A rezoning of a portion of the above PIN (hereafter the subject area from Residential Two Rural (R2R) to Local Commercial (LC).
Existing Zoning	Residential Two Rural (R2R)
Existing Land Use	Community Service Center; Rural/Urban Transition Area
Site Improvements	Two Single-Family Homes, Detached Garage
Request Acreage	2.25 acres

ADJACENT ZONING	USE OF LAND
North Residential Two Rural (R2R)	Manufactured Home Park
East Residential Two Rural (R2R)	Manufactured Home Park
South Residential Two Rural (R2R)	Vacant Land
West Local Commercial (LC)	Single-Family Home

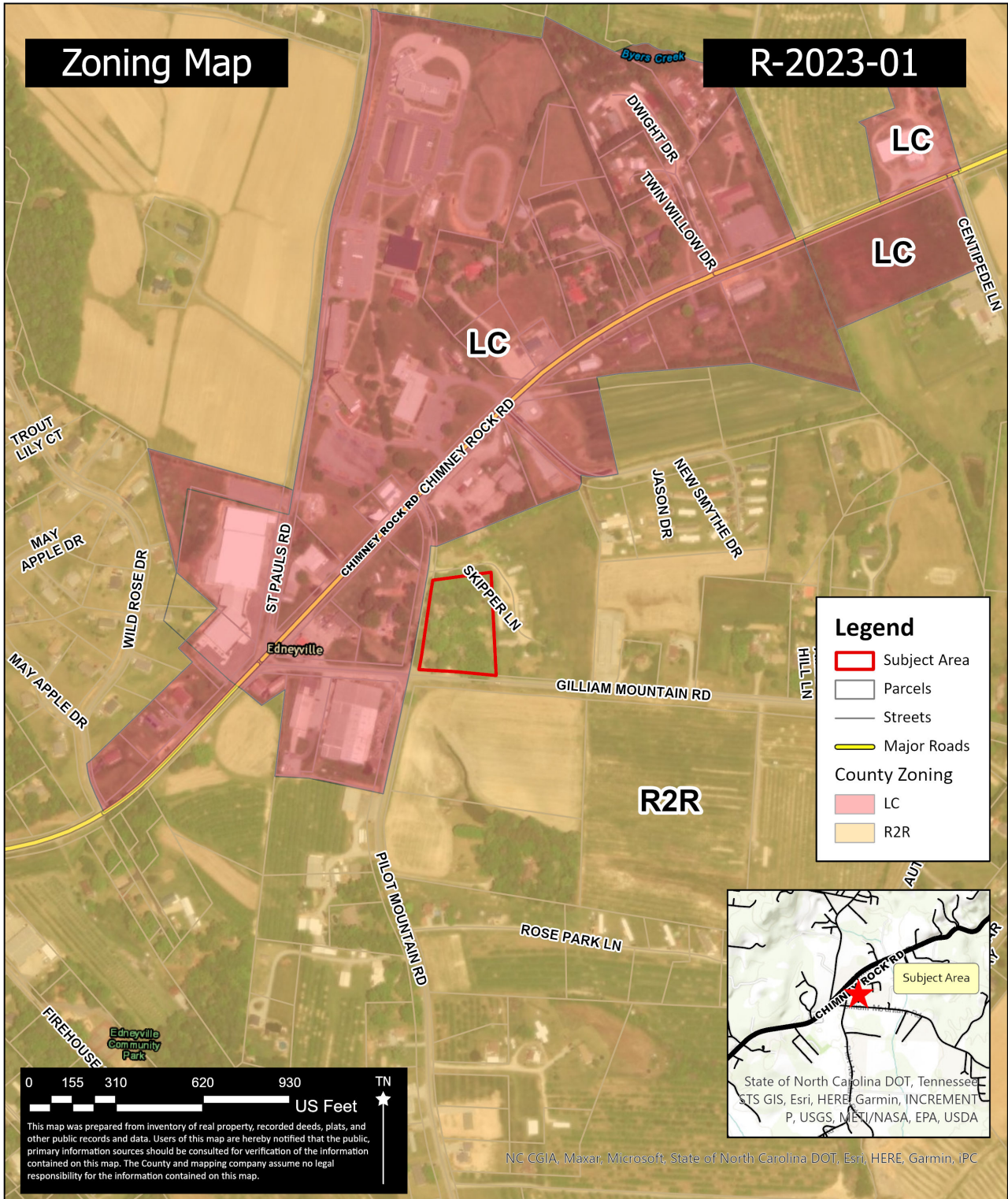
Map A. County Context



Applicant: Pascual Hernandez
Total Surveyed Area: 2.25 Acres
Current Zoning: Residential Two Rural (R2R)



Map C. Current Zoning



Applicant: Pascual Hernandez
Total Surveyed Area: 2.25 Acres
Current Zoning: Residential Two Rural (R2R)



BACKGROUND

The applicant, Pascual Hernandez is seeking to rezone one parcel from Residential Two Rural (R2R) to Local Commercial (LC). The parcel is 2.25 acres.

ANALYSIS

District Comparison:

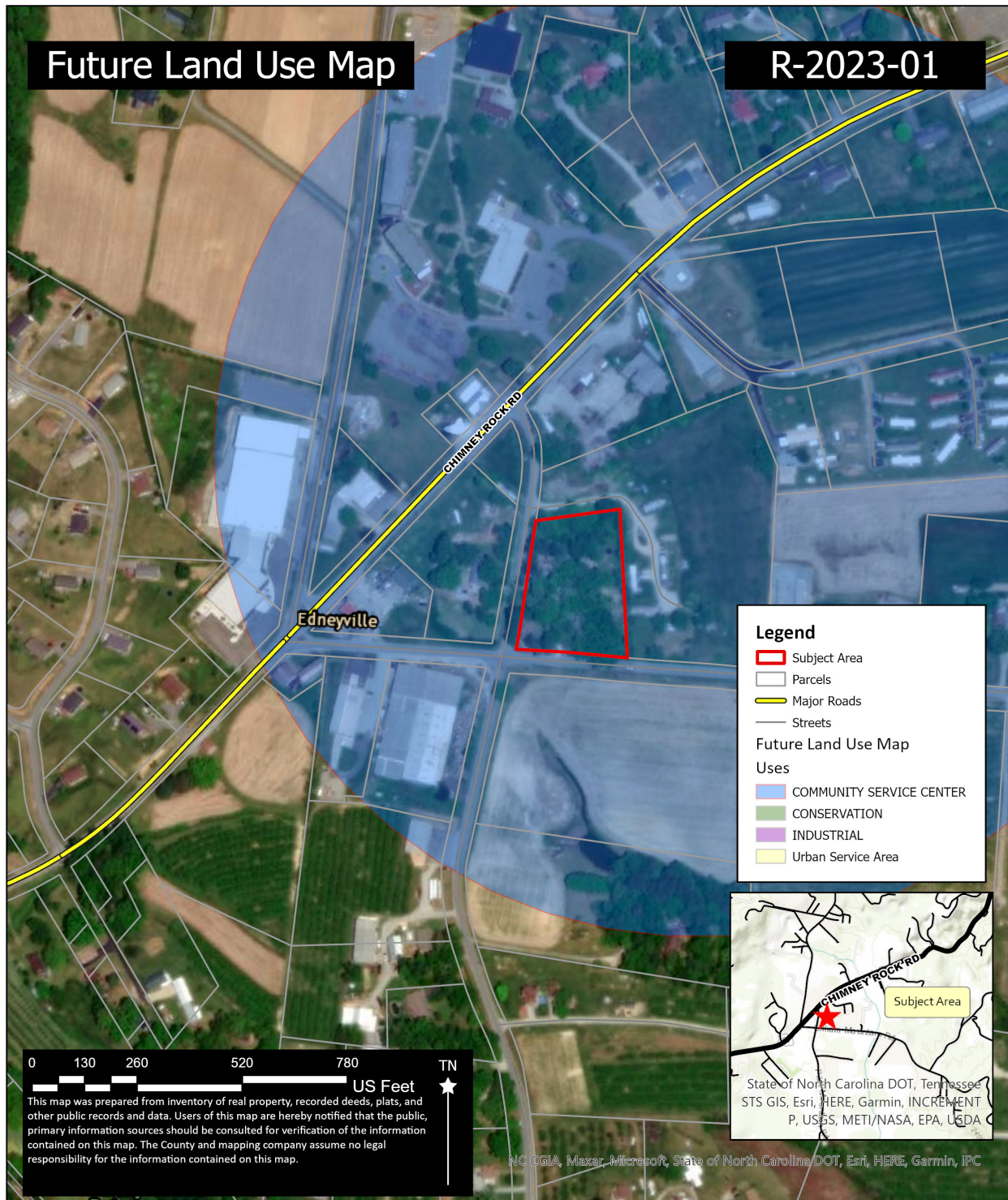
Residential Two Rural (R2R): The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development and rural commercial and light industrial development consistent with the recommendations of the Comprehensive Plan.

This general use district is typically meant to be utilized in areas designated as Transitional (RTA) in the Comprehensive Plan. (LDC §42-29.)

Local Commercial (LC): The purpose of the Local Commercial District (LC) is to foster orderly growth where the principal use of land is commercial and residential. The intent of this district is to allow for commercial development consistent with the recommendations of the Comprehensive Plan. In accordance with the Comprehensive Plan, the district will allow for and provide commercial and residential development that: (1) includes a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on a local or neighborhood scale; (2) is directed largely to Community Service Centers as defined in the Comprehensive Plan; (3) is compatible with adjacent development and the surrounding community; and (4) will minimize congestion and sprawl. This general use district is meant to be utilized in all service areas. (LDC §42-33.)

Comparison: The Local Commercial (LC) district principal land use is a mix of commercial and residential. The Residential Two Rural (R2R) district is defined as where the principal land use is residential with allowances for rural commercial and light industrial development. Local Commercial (LC) districts provide compatibility with adjacent development and surrounding community. Retail Trade uses are not permitted in Residential Two Rural (R2R).

Map D: County Comprehensive Plan Future Land Use Map



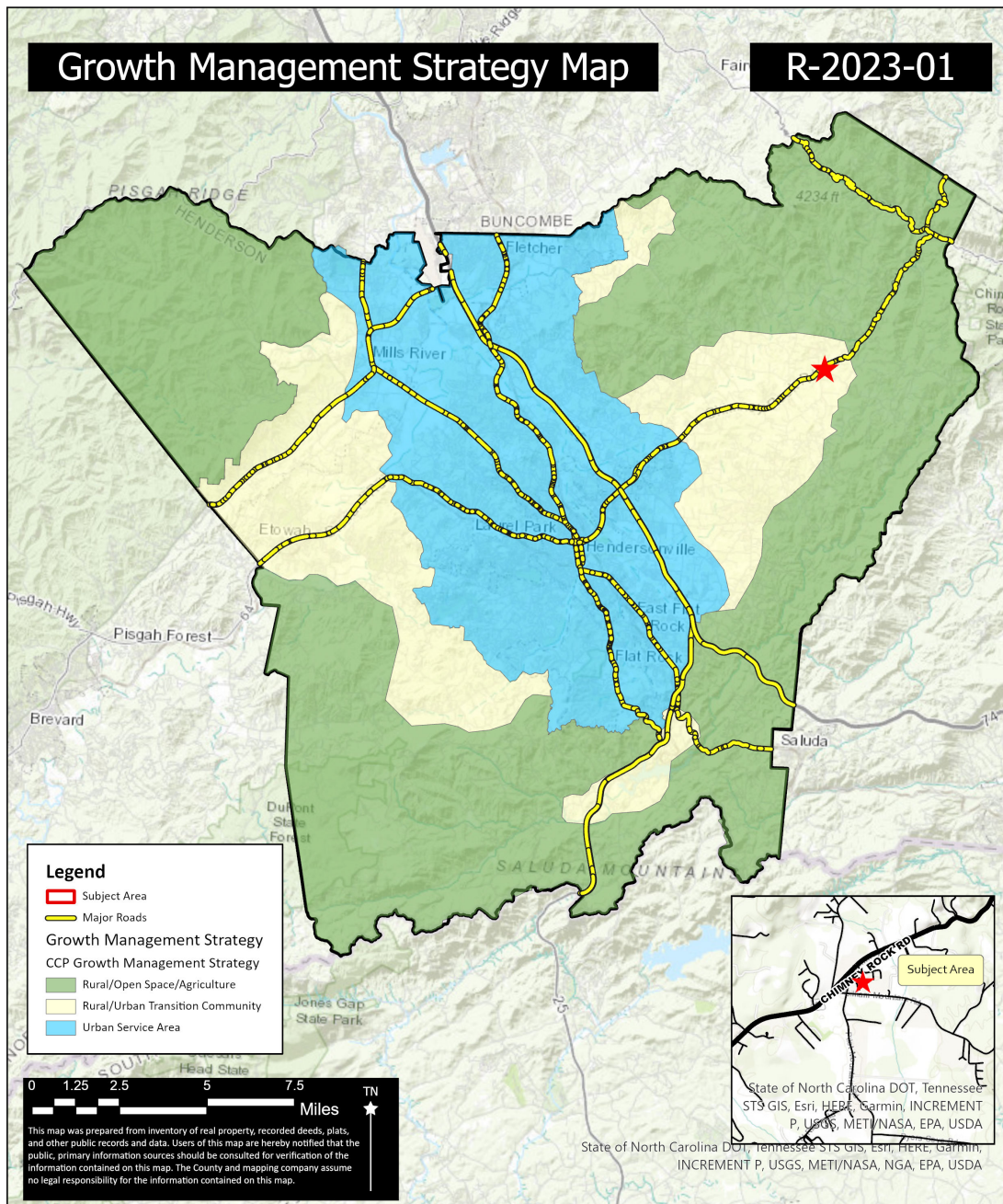
Applicant: Pascual Hernandez
Total Surveyed Area: 2.25 Acres
Current Zoning: Residential Two Rural (R2R)



County Comprehensive Plan (CCP) Compatibility

The CCP Future Land Use Map identifies the subject area as being in the **Community Service Center and Urban/Rural Transition Community**.

Map E: Growth Management Strategy Map



Applicant: Pascual Hernandez
Total Surveyed Area: 2.25 Acres
Current Zoning: Residential Two Rural (R2R)



Community Service Center: The CCP Future Land Use Map shows the subject area located in the Community Services Center. The CCP states, "Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas....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." (CCP 2020, p. 138) (See Map D.)

Local Commercial (LC): Additionally, the CCP states, "Local Commercial areas are located within defined Community Service Centers. They serve small market areas and are intended to be located within the residential neighborhoods that they serve. They contain a range of commercial uses that can be safely intermixed with residential uses." (CCP 2020, p. 139)

Rural/Urban Transition Community: The CCP Future Land Use Map shows the subject area located in the Rural/Urban Transition Community and for Growth Management Strategy. The CCP states, "The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development... Land use policies and regulations will encourage moderate to low - density residential development that is consistent with a rural setting, with more dense residential development around defined Community Service Centers... Commercial development and Community Facilities (see definition below) will be encouraged within defined Community Service Centers (see definition below). Commercial development will be at Local and Community scales (see definitions below), while Regional Commercial development will be generally discouraged within the RTA." (CCP 2020, p. 134-135, # 1,5,7) (See Map E.)

Residential Two Rural (R2R): Residential Two Rural (R2R) is a low to medium density residential development and rural commercial and light industrial development. Per the request from the CCP, "New mixed-use districts will be created and applied in Community Service Centers throughout the county." (CCP 2020, p. 141, # 4)

Additional Studies and Plans: The subject area falls within Edneyville Township and the Edneyville Community Plan (2010). Under Goal LUD2.1 Local Commercial (LC), the plan states, "To preserve small local businesses, local scale commercial development should be the Planning Area's principal type of commercial development. LC zoning should be applied in the following areas: 3. US Highway 64 East/Gilliam Road intersection (See Map 9B (p. 71))" (p. 56)

Water and Sewer

Currently, the subject area is served by an individual well and water provided by the City of Hendersonville.

Existing Roads and Easements

The subject area is contiguous with the intersection of Gilliam Mountain Road (SR 1602) and Pilot Mountain Road (SR 1783). A gravel drive runs through the subject area, connecting Gilliam Mountain Road and Pilot Mountain Road.

Technical Review Committee (TRC) Recommendations

The Technical Review Committee (TRC) heard the request for rezoning at their February 7, 2023 meeting. The Committee motioned to move the rezoning ahead to Planning Board with no issues.

Planning Board Recommendations

The Planning Board will hear the rezoning at their February 16, 2023 meeting.

Board of Commissioners Public Hearing

The Board of Commissioners will hear the case following the Planning Board.

Staff Conclusion

Staff finds no issue regarding R-2023-01.

Rezoning R-2023-01

HENDERSON COUNTY
PLANNING
DEPARTMENT

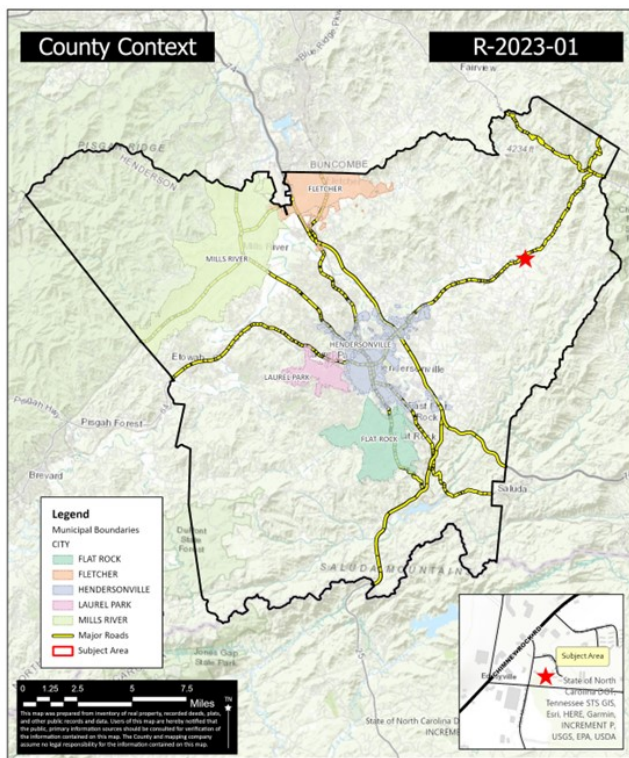
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Background

The applicant, Pascual Hernandez, is seeking to rezone one parcel of property to **Local Commercial (LC)** from **Residential Two Rural (R2R)**. The parcel is approximately **2.25 acres**.



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Applicant: Pascual Hernandez
 Total Surveyed Area: 2.25 Acres
 Current Zoning: Residential Two Rural (R2R)



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Applicant: Pascual Hernandez
 Total Surveyed Area: 2.25 Acres
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District Comparison

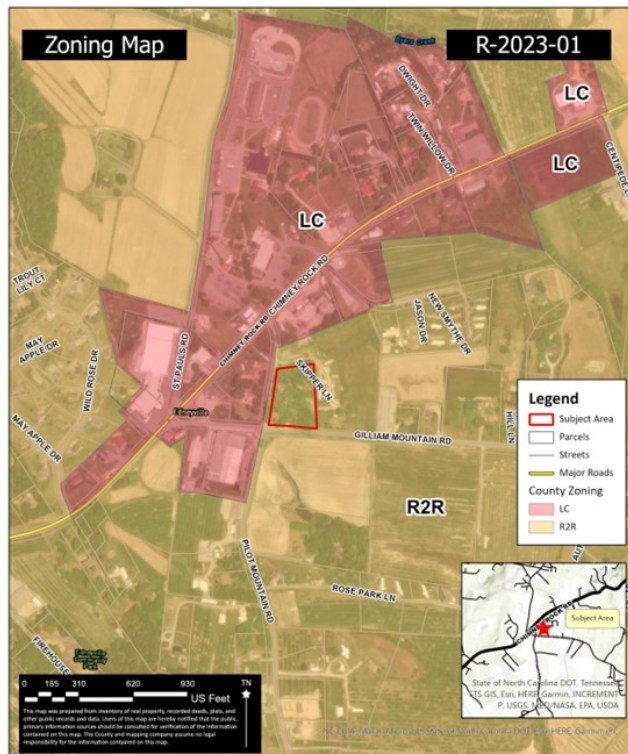
RESIDENTIAL TWO RURAL (R2R)

- Principle land use is residential
- Low to medium density residential development
- Rural commercial and light industrial development consistent with the recommendations of the Comprehensive Plan
 - Transitional (RTA)
- Retail Trade uses are not permitted in Residential Two Rural (R2R)

LOCAL COMMERCIAL (LC)

- Principle land use is commercial and residential
- Commercial development consistent with the recommendations of the Comprehensive Plan
 - Ex. 1) includes a variety of retail sales and services....2) is directed largely to Community Service Centers....

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Applicant: Pascual Hernandez
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 Current Zoning: Residential Two Rural (R2R)



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Comprehensive Plan Compatibility



Community Service Center

Intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas

Located in unified development concentrations at intersections of selected thoroughfares and in central locations that are convenient to nearby residential development

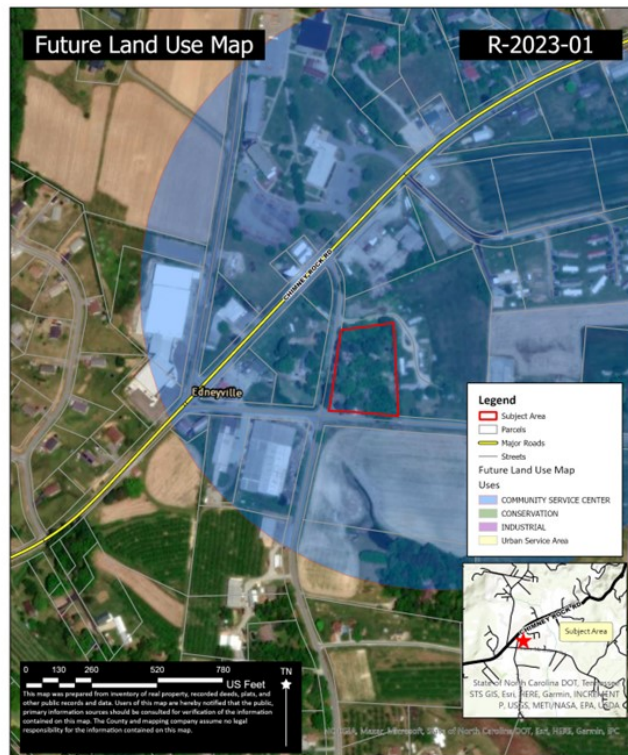


Urban/Rural Transition Community

The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development

Commercial development and Community Facilities will be encouraged within defined Community Service Centers

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Additional Plans & Studies

The subject area falls within Edneyville Township and the Edneyville Community Plan (2010).

Goal LUD2.1 Local Commercial (LC),

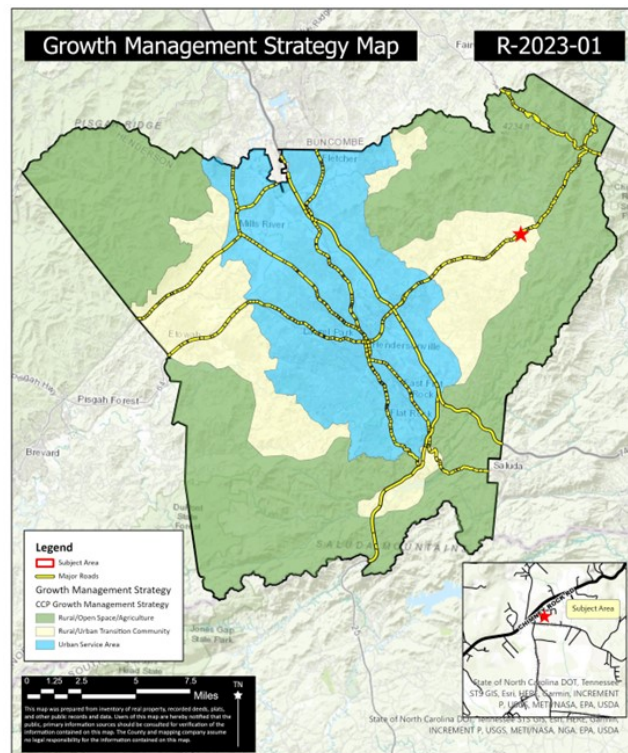
To preserve small local businesses, local scale commercial development should be the Planning Area's principal type of commercial development. LC zoning should be applied in the following areas:

3. US Highway 64 East/Gilliam Road intersection (See Map 9B (p.71)

Currently, the subject area is served by an individual well and water provided by the City of Hendersonville

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 Current Zoning: Residential Two Rural (R2R)



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Staff Conclusion:

STAFF FINDS NO ISSUE REGARDING
R-2023-01.