REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY
TECHNICAL REVIEW COMMITTEE

MEETING DATE: June 4, 2024

SUBJECT: Rezoning Application R-2024-02 Hoopers Creek

PRESENTER: Liz Hanson, Planner

ATTACHMENTS: 1.) Staff Report
                2.) Application

SUMMARY OF REQUEST:
Rezoning Application R-2024-02, submitted on May 1st, 2024, requests that the County rezone approximately 13.27 acres of land from the Residential Two Rural (R2R) zoning district to the Residential One (R1) zoning district. The zoning map amendment application is for all of PINs: 9673-21-1888 & 9673-22-2365 with access and frontage along Hooper Creek Rd (SR 1553). The property owners are Kenneth and Alline Rhodes, and the applicant is Hoopers Creek Land, LLC.

ACTION REQUESTED:
Staff requests the Technical Review Committee make a recommendation to the Planning Board on rezoning application (R-2024-02) for approximately 13.27 acres from Residential Two Rural (R2R) to Residential One (R1).

Suggested Motion:
Motion that the Technical Review Committee forward rezoning application R-2024-02 to the Planning Board for review.
APPLICATION # R-2024-02

TECHNICAL REVIEW COMMITTEE MEETING DATE: JUNE 4, 2024

PROPERTY OWNER
Kenneth Rhodes
Alline Rhodes

PROPERTY LOCATION/ADDRESS
384 Hoopers Creek Rd
390 Hoopers Creek Rd, Hoopers Creek Township

APPLICANT
Hoopers Creek Land, LLC

PIN(S):
9673-21-1888 & 9673-22-2365

SUMMARY OF REQUEST
A rezoning of the above referenced PINs (hereafter the subject area from Residential Two Rural (R2R) to Residential One (R1)

Existing Zoning
Residential Two Rural (R2R)

FLUM Character Area
Transitional Area

Existing Land Use
Single Family Residential

Site Improvements
NA

Request Acreage
13.27

ADJACENT ZONING

PROPERTY CLASS

North
Vacant, Residential

East
Commercial, Residential

South
Residential, Commercial

West
Residential
The applicant, Hoopers Creek Land, LLC, is seeking to rezone PINs 9673-21-1888 and 9673-22-2365 from Residential Two Rural (R2R) to Residential One (R1). The subject area is 13.27 acres in total. The parcels each contain one residential structure and personal storage structures.
Map B: Subject Area

Property Owner: Kenneth & Alline Rhodes Applicant: Hoopers Creek Land, LLC
Total Acreage: 13.27
Residential Two Rural (R2R) to Residential One (R1)
SUBJECT AREA & ADJACENT PROPERTIES:

**West:** The property to the west of the subject area contains a residential structure and storage building. A stream separates the subject area and the parcel to the west.

**South:** South of the subject area is within the Town of Fletcher’s jurisdiction. The property is the Cove at Livingston Farm and the Reserve at Livingston Farm neighborhoods, including residential structures.

**East:** The property to the east of the subject area contains a residential structure and vacant land.

**North:** To the north of the subject area, across Hoopers Creek Road, is a residential structure and vacant land.

Map C: Current Zoning

Property Owner: Kenneth & Alline Rhodes
Applicant: Hoopers Creek Land, LLC
Total Acreage: 13.27
Residential Two Rural (R2R) to Residential One (R1)
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 outside areas designated as Utility Service Area (USA) in the Comprehensive Plan.” Standard residential density is 1 unit per acre. The maximum density in Residential Two Rural (R2R) is two units per acre. The maximum height is 40’. (LDC §42-27).

Residential One (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 Utility Service Area (USA) in the Comprehensive Plan.” Standard residential density in Residential One is 4 units per acre. Intermediate residential density is 6 units per acre. The maximum density in Residential One, for multifamily developments is 16 units per acre. The maximum height is 40’ (LDC §42-27).

Adjacent Development:

To the East, South, and West of the subject area are the Cove at Livingston Farm and the Reserve at Livingston Farm neighborhoods. These residential structures are within the town of Fletcher’s jurisdiction. The average parcel size for the Cove at Livingston Farm is 0.26 acres. The average parcel size for the Reserve at Livingston Farm is 0.38 acres.
Map D: 2045 Future Land Use Map

2045 Comprehensive Plan Compatibility
The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Transitional Area** character area.

**Transitional Area:** “Transitional Area encompasses residential areas of limited density” (Part 2, page 44).

- **Where:** Outside the core of the Utility Service Area and working agricultural lands.
  - The subject area is outside of the Utility Service Area and working agricultural lands
- **Density:** The maximum allowable density range is two to four units per acre (gross density).
  - Residential One (R1) has a standard density of four units per acre
- **Uses:** Single family residential, potentially some appropriately sized multi-family as part of planned developments, agricultural uses.
  - Residential One (R1) is intended for primarily residential uses.
• Utility Access: Varies.
  o The subject area is proposing a connection to the Metropolitan Sewerage District (MSD) public sewer and city of Hendersonville public water.

Goal 7: Diversify Housing Choices and Increase Availability
• Residential One (R1) zoning helps accomplish Goal 7 of the 2045 Comprehensive Plan. R1’s primary goal is to offer more housing choices, which can help bridge the gap in Middle Housing Development (2045 Comp Plan page 86).

Map F: Utilities Map

Water and Sewer
The applicant is proposing connections to Metropolitan Sewerage District (MSD) public sewer and City of Hendersonville public water, which are located on the adjacent parcel.
Existing Roads and Easements
The subject area currently has access from Hoopers Creek Road (SR 1553).

Technical Review Committee (TRC) Recommendations
TBD

Planning Board Recommendations
TBD

Board of Commissioners Public Hearing
TBD
MAP AMENDMENT APPLICATION FORM

GENERAL INFORMATION
Date of Application: 4/12/2024
Previously Submitted: Yes ☑ No
Date of Pre-Application Conference: 1/30/2024
Type of Map Amendment (Circle One): ☑ Rezoning ☐ Conditional Zoning ☐ Special Mixed Use/Conditional
Site Plan Attached: Yes ☑ No
Permission to acquire aerial footage of subject area: Yes ☑ No

PARCEL INFORMATION*
PIN: 9673211888
Deed Book/Page: 2008E / 147
Tract Size (Acres): 8.85
Zoning District: County Fire District: Fletcher Watershed: French Broad Floodplain: Zone AE
Location of property to be developed:
384 Hoopers Creek Rd.

*If subject area contains multiple PIN’s please attach a list and the above parcel information for each tract or individual PIN.

REZONING REQUEST
Attached is:
X A description of the property in question sufficient to unequivocally describe and identify said property. Such description may take the form of a property survey, a legal description or a legible copy of a County cadastral or composite tax map clearly annotated with district lines which follow political boundaries, geographical features or property lines.

Current Zoning District: R2R Requested Zoning District: R1

CONTACT INFORMATION
Property Owner:
Name: RHODES, KENNETH; RHODES, ALLINE D.
Address: 384 HOOPERS CREEK RD
Phone: 
City, State, and Zip: Fletcher, NC 28732

Applicant:
Name: Hoopers Creek Land, LLC
Address: 2435 East North, STE 1108-373
Phone: 864-210-8400
City, State, and Zip: Greenville, SC 29615
<table>
<thead>
<tr>
<th>Contact Information</th>
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</thead>
<tbody>
<tr>
<td><strong>Property Owner:</strong></td>
</tr>
<tr>
<td>Name: Ken Rhodes, Margaret Ella Blazer and Nancy Holbert</td>
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<tr>
<td>Phone:</td>
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<tr>
<td>Email:</td>
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<tr>
<td><strong>Agent:</strong></td>
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<tr>
<td>Name: Derek Allen</td>
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<tr>
<td>Phone: 828-254-4778</td>
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<tr>
<td>Email: <a href="mailto:dia@asklawnc.com">dia@asklawnc.com</a></td>
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<tr>
<td><strong>Plan Preparer:</strong></td>
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<tr>
<td>Name: John Kinnaird</td>
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<tr>
<td>Phone: 828-232-4700</td>
</tr>
<tr>
<td>Email: <a href="mailto:john.kinnaird@cdge.com">john.kinnaird@cdge.com</a></td>
</tr>
</tbody>
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I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

[Signatures]

Print Applicant (Owner or Agent) Date

[Signatures]

Signature Applicant (Owner or Agent) Date

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**COUNTY STAFF ONLY**

Fee: $__________ Paid: __________ Method: __________ Received by: __________

Community Planning Area: __________

Date Current Zoning Applied: __________
I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

Print Applicant (Owner or Agent) 

Attorney-in-fact for Nancy Holbert 

Signature Applicant (Owner or Agent)
APPOINTMENT OF AGENT FORM (OPTIONAL)

Ken Rhodes, Margaret Ella Blazer and Nancy Holbert

I ___________ owner of property located on 384 Hoopers Creek Road

_(Name) (Street Name)_

recorded in 4145 /407 and having a parcel identification number of 9673-21-1889

_(Deed Book/Page) (PIN)_

located in Henderson County, North Carolina, do hereby appoint Allen Stahl Kilbourne

_(Agent’s Name)_

to represent me in an application to the Planning Department and authorize him/her to act as my agent in all matters, formal and informal except as stated herein, and authorize him/her to receive all official correspondence.

I however understand that as the listed property owner, I must sign all affidavits and statements required by any applicable ordinance.

Margaret E Blazer 2/1/2024

Property Owner Date

Stephanie McCarson

Attorney-in-fact for Nancy Holbert

[Signature]