

N. HARPER DRIVE REZONING (P21-84-RZO)

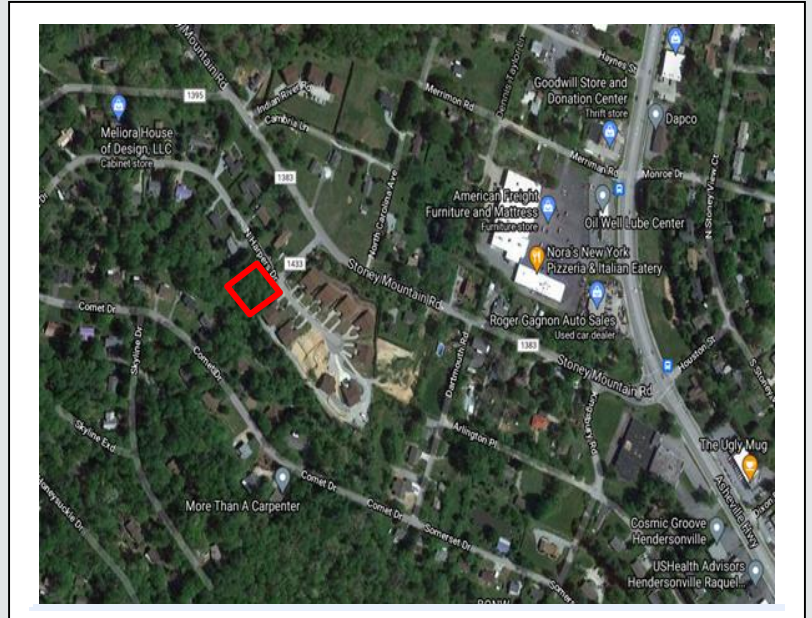
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - N. Harper Drive Rezoning
 - P21-84-RZO
- Applicant & Property Owner:
 - Charles and Sheryl Osteen of AMJESS LLC [Applicant]
 - AMJESS LLC [Owner]
- Property Address:
 - 0 N. Harper Drive
- Project Acreage:
 - 0.68 Acres
 - (±29,620.8 Square feet)
- Parcel Identification (PIN):
 - 9569-26-2653
 - 9569-26-3517
- Current Parcel Zoning:
 - R-15 Medium Density Residential
- Requested Zoning:
 - R-10 Medium Density Residential
- Future Land Use Designation:
 - Medium Intensity Neighborhood
 - Natural Resource/Agricultural

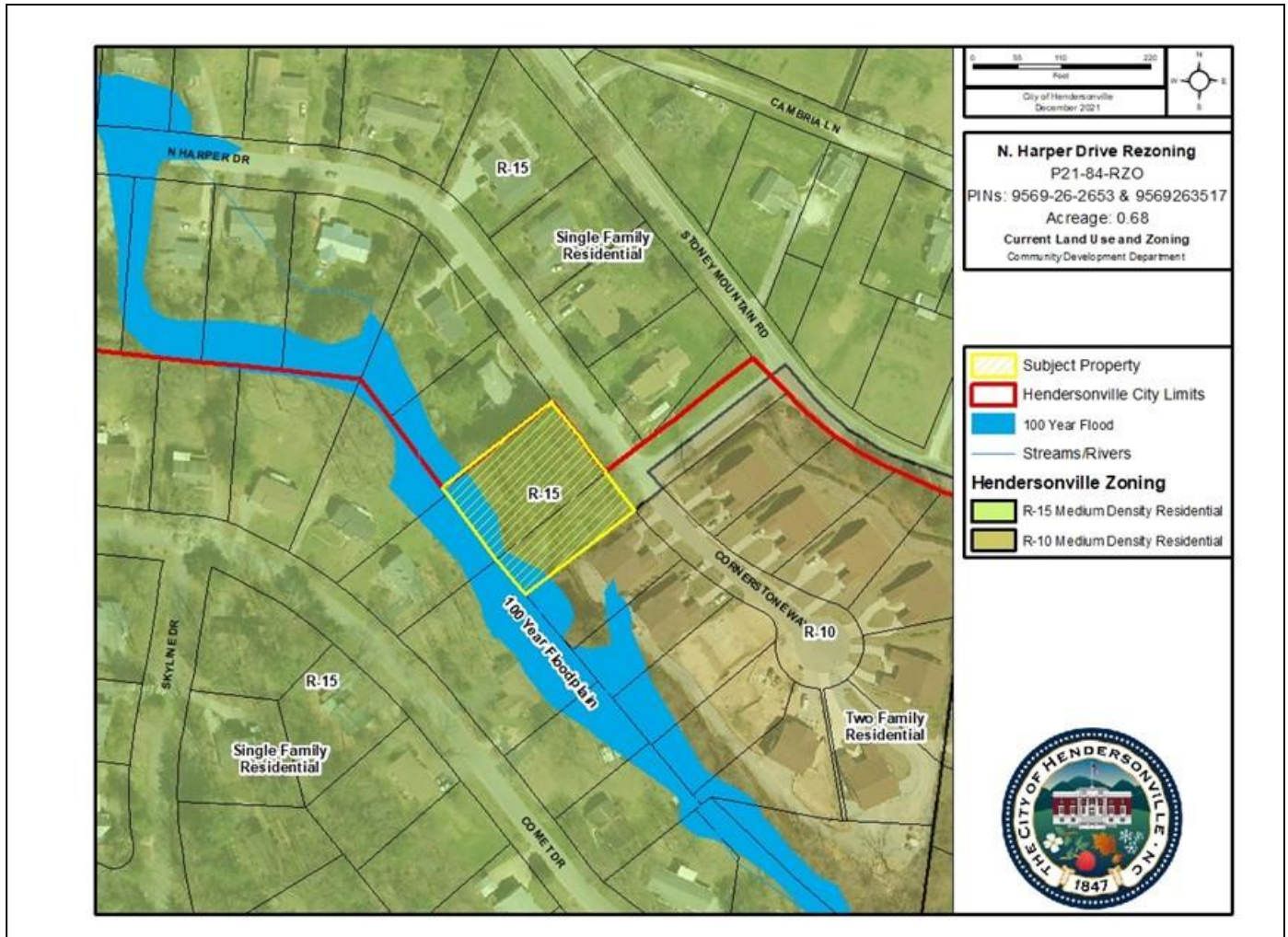


SITE VICINITY MAP

The City is in receipt of a Zoning Map Amendment (Standard Rezoning) application from Charles and Sheryl Osteen of AMJESS LLC (applicant & property owner). The applicant is requesting to rezone the subject property from R-15 (Medium Density Residential) to R-10 (Medium Density Residential). The subject parcels (PINs 9569-26-2653 & 9569-26-3517) are located on N. Harper Drive and approximately 0.68 acres in total.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the R-10 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north, west and south are zoned R-15 Medium Density Residential. The surrounding R-15 district extends to the west along Stoney Mountain Road. Stoney Mountain Road transitions to R-20 lower density residential as it continues westward into the ETJ. To the east, the parcel is bordered by R-10, Medium Density Residential. The parcels directly to the east make up a small, planned development of 11 two-family units (22 units total). The R-10 district continues to the east along Stoney Mountain Road until it is met by Asheville Highway (US 25) and C-3 zoning.

R-10 and R-15 zoning districts are the prominent districts in this area. They work as a gradual transition between the highly commercial C-3 Highway Business and the R-20 Low-Density residential of the ETJ.

The subject property has a blue line stream that runs along the rear. Due to this, the subject property has 100-year floodplain located within its boundaries. The subject property is also the last parcels on N. Harper Drive located within the corporate limits of Hendersonville.

SITE IMAGES



View of the property from east to west



View of an existing ditch running through the property

SITE IMAGES



View of PIN: 9569-26-2653



View of some of the mature trees that were removed from the site.

SITE IMAGES

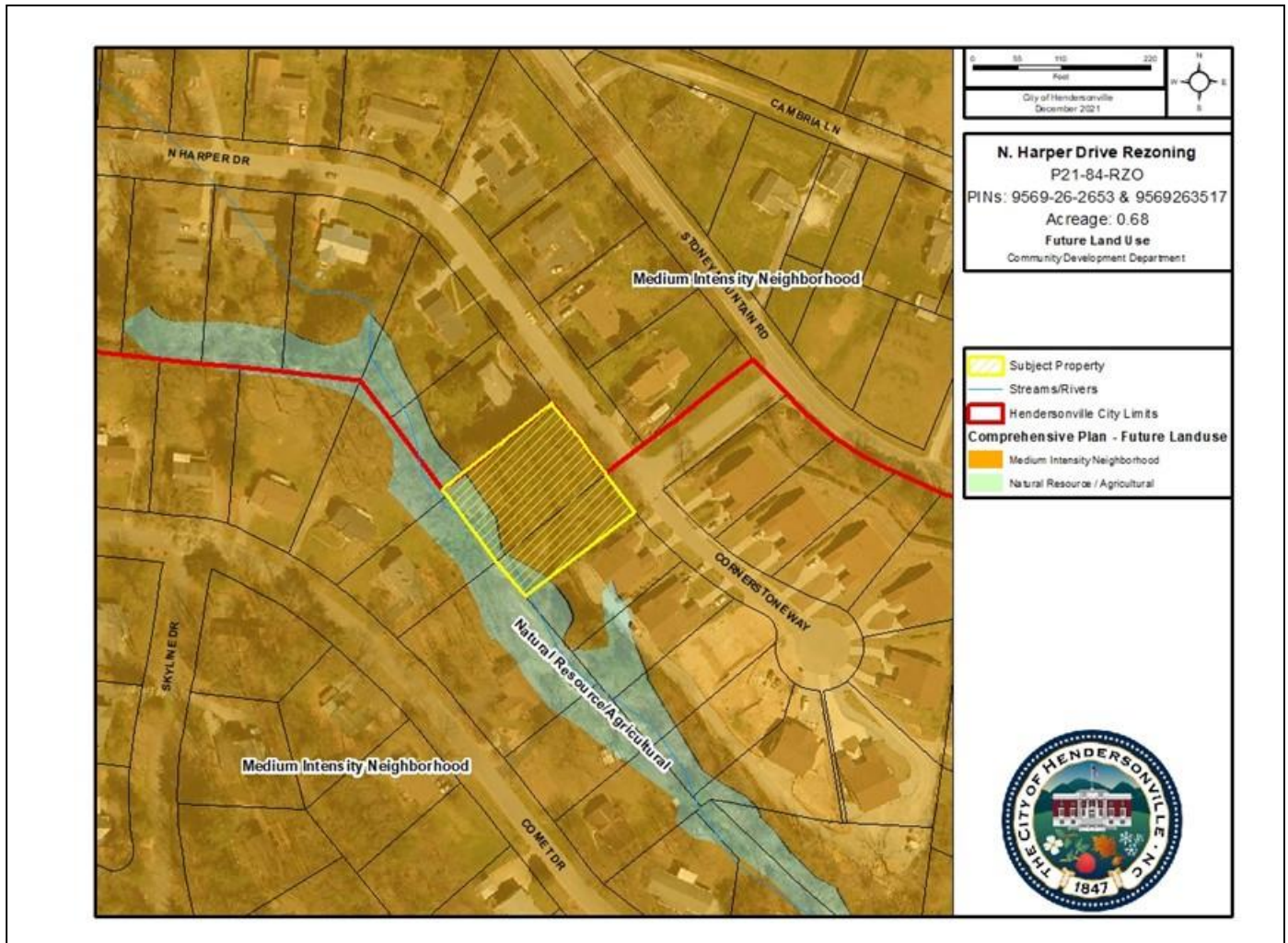


View of the blue line stream at the rear of the property



View from north to south.

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The 2030 Comprehensive Plan's Future Land Use Map designates this parcel as Medium Intensity Neighborhood and Natural Resource/Agricultural. All surrounding residential parcels are designated as medium intensity neighborhood. The medium intensity neighborhood designation aligns with the medium density residential zoning districts that are present in this area.

The natural resource/agricultural designation in this area runs along the 100 year floodplain. Any parcel under this designation has floodplain present.

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<i>Goal LU-4- Natural Resource/Agricultural Areas-Create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources.</i>
	<i>Strategy LU-4.1. Locations:</i> <ul style="list-style-type: none"> <i>• The FEMA 100-year Floodplain [consistent]</i> <i>• Areas affected by the City’s 50-foot stream buffer requirements [consistent]</i>
	<i>Strategy LU-4.2 Primary recommended land uses:</i> <ul style="list-style-type: none"> <i>• Open space & Flood storage; This portion of the subject property will be protected by the 50’ stream buffer required by Ordinance. [consistent]</i>
	<i>Strategy LU 4.4 Development guidelines:</i> <ul style="list-style-type: none"> <i>• Preservation and restoration of natural hydrology [consistent]</i>
	<i>Goal LU-6 - Medium-Intensity Neighborhood - Provide a transition between High and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods.</i>
	<i>Strategy LU-6.1. Locations:</i> <ul style="list-style-type: none"> <i>• Existing neighborhoods zoned R-15, R10, and R-6, including residential historic districts [consistent]</i> <i>• Existing or planned neighborhoods that reflect the same densities as the R-15, R-10 and R-6 zoning districts (Two to eight units per gross acre) [consistent]</i> <i>• Undeveloped properties that are surrounded by or adjacent to the above neighborhoods [consistent]</i>
	<i>Strategy LU-6.2. Primary recommended land uses:</i> <ul style="list-style-type: none"> <i>• Single-family attached and detached residential</i> <i>• Open space</i>
	<i>Strategy LU-6.4. Development guidelines:</i> <ul style="list-style-type: none"> <i>• Two to eight units per gross acre [consistent]</i>
Land Use & Development	<i>Growth Management: Designated as a “Preservation/Enhancement Areas” (Map 8.3a) -Developed areas in which few significant changes are expected, or undeveloped areas that are not considered a high priority for growth. The City should respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies [consistent]</i>

Land Use & Development	<i>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods. [consistent]</i>
	<i>Goal LU-2. Discourage development in areas needed for protection of natural and agricultural resources and protection of citizens from natural hazards. [consistent]</i>

COMPREHENSIVE PLAN CONSISTENCY	
Population & Housing	Goal PH-1- Maintain and enhance older neighborhoods so that they retain their value and viability in the face of demographic and market changes Strategy PH-1.1 – Promote Compatible infill development...
	Goal PH-2 – Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods Strategy 2.3- Allow housing arrangements in existing and new neighborhoods that provide affordable and/or multigenerational housing alternatives in single-family neighborhoods
Natural & Environmental Resources	Goal NR-1 - Preserve environmentally sensitive areas in order to protect life and property from natural hazards, protect water resources, and preserve natural habitat. Strategy NR 1.1- Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100- Year Floodplain Strategy NR 1.2- Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat Strategy NR 1.3- Encourage restoration of natural habitat and drainage patterns in developed areas.
	Strategy NR-2.1. Encourage clustered development that preserves open space while allowing a return on investment. Clustering homes on smaller lots, or clustering commercial development in multi-story buildings, preserves open space without sacrificing housing units or leasable floor area. Zoning regulations can encourage such development by avoiding minimum lot area standards and promoting flexibility in design
Cultural & Historic Resources	No Goals, Strategies, or Actions are directly applicable to this project.
Community Facilities	No Goals, Strategies, or Actions are directly applicable to this project.
Water Resources	Goal WR-2- Understanding that communities and the natural environment located downstream are dependent on clean water, strive to preserve the quality of water as it flows through Henderson County.
	Strategy 2.2-Prevent development of floodplains and stream corridors in order to preserve natural drainage patterns and improve the quality of stormwater runoff.
Transportation & Circulation	The project is located on a Local Street according to Map 7.3a.

GENERAL REZONING STANDARDS	
Compatibility	The surrounding area is exclusively made up of R-15 and R-10 zoned parcels. R-10 and R-15 allow <u>all</u> the same permitted uses, with the exception of cemeteries, which are permitted as a special use in r-15 only.
Changed Conditions	PIN 9569-26-2653 is approximately 19,602 square feet, which is a conforming lot for a single-family home in the R-15 District. PIN 9569-26-3517 is approximately 10,018 square feet which does not meet minimum lot size for the R-15 District. PIN 9569-26-3517 is considered a vacant nonconforming lot in our zoning ordinance. When a lot is considered nonconforming this limits the usability of the site for the owners. Even if the property owners moved around the lot lines, they would still not have enough square footage to create two conforming lots. Both parcels could meet the minimum lot size requirements for R-10 under their current conditions.
Public Interest	The rezoning will allow for residential infill development on currently vacant land within City limits. Potentially providing additional housing while utilizing existing infrastructure.
Public Facilities	A Water / Sewer Availability Request has not been submitted for this project. The site will be served by a NCDOT maintained street, which is classified as a “local street” in the comprehensive plan.
Effect on Natural Environment	There is a blue line stream at the rear of the property that will have a 50’ stream buffer protection in place. The property also has 100-year floodplain on it, which would require a permit from our Floodplain Administrator in order to develop those areas. The owners have done work within the stream buffer prior to this rezoning request. The City will require that they restore and revegetate the stream buffer before any certificates of occupancy can be granted for this site. This work will be done outside of this rezoning request.

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The Medium Intensity Neighborhood designation calls for Single Family Residential as a primary land use and the proposed map amendment aligns with the locations listed under LU 6.1.

We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The petition would be an extension of the adjacent R-10 zoning district.*
- *The petition allows for both parcels to become conforming lots meeting the minimum lot size for the R-10 district.*
- *The petition would potentially provide additional housing that would utilize existing infrastructure.*
- *The petition creates the opportunity for compatible infill development [Strategy PH-1.]*

DRAFT [Rational for Denial]

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