

# **1027 Fleming Street (PIN 9569-60-2811)**

## **Zoning Map Text Amendment**

### **(Rezoning)**

#### **P21-75-RZO**

#### **CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT**

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**Applicant:** Andrew Riddle of Riddle Development LLC

**Property Owner:** Hunting Creek Associates LLC

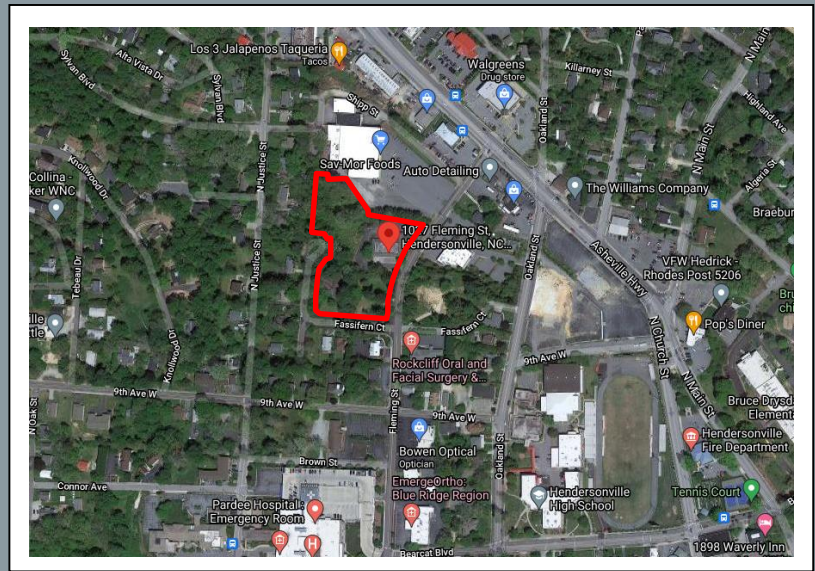
**Property Address:** 1027 Fleming Street

## Project Acreage: 3.3 Acres

**Parcel Identification Number(s):**  
9569-60-2811

**Current Zoning:** MIC- SU, Medical, Institutional, Cultural Special Use

**Proposed Zoning:** MIC – Medical Institutional, Cultural



## SITE VICINITY MAP

### Summary Statement of Applicant Rezoning Request

*The City is in receipt of a Zoning Map Amendment (Standard Rezoning) application from Andrew Riddle of Riddle Development LLC (applicant) and Hunting Creek Associates, LLC (property owners). The applicant is requesting to rezone the subject property from MIC-SU Medical, Institutional and Cultural Special Use to MIC Medical, Institutional and Cultural. The subject property, PIN 9569-60-2811 is located at 1027 Fleming Street. The subject property is approximately 3.3 acres.*

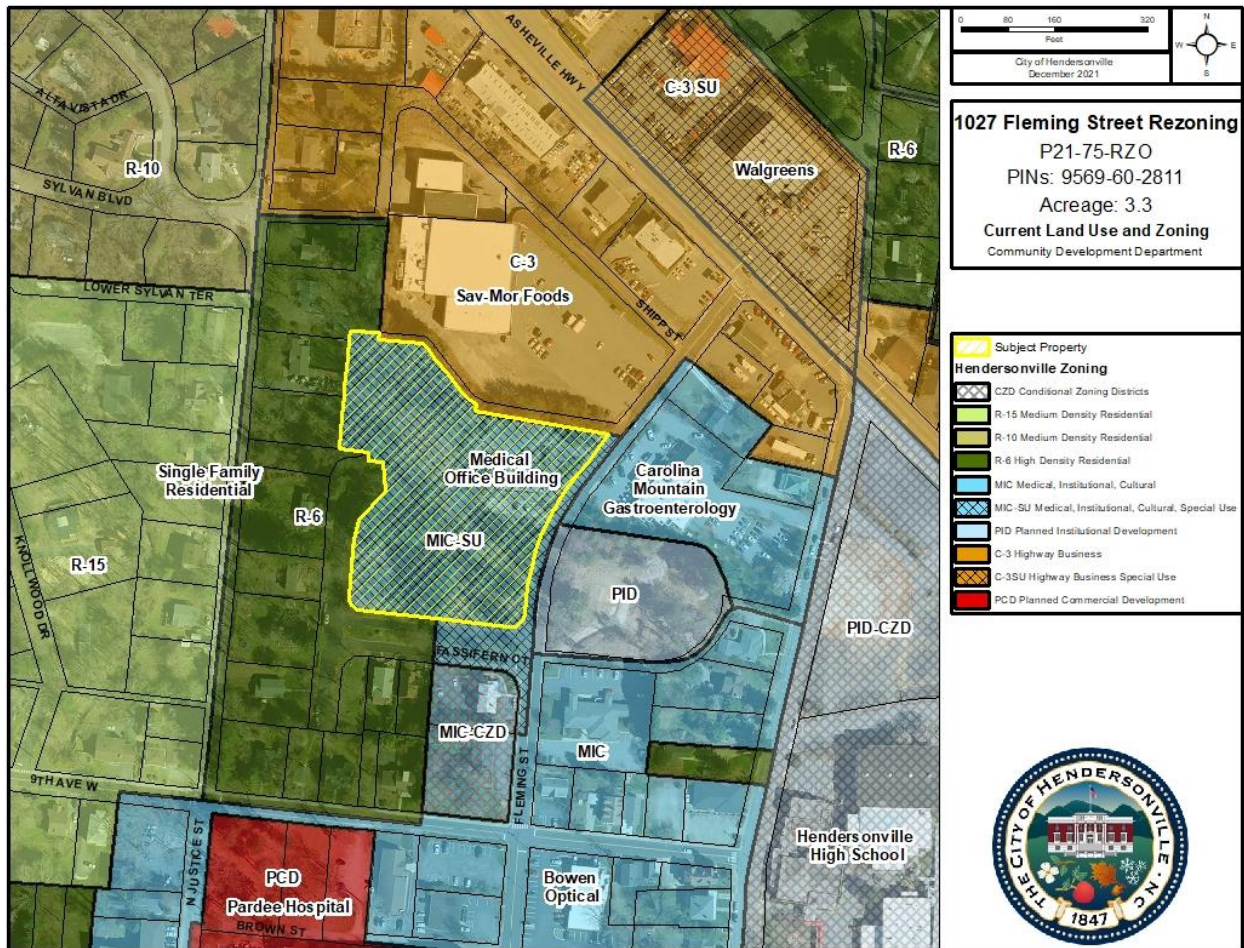
*A Special Use district was established for this parcel in 2006 and amended in 2008. The parcel was originally 5 individual parcels that were combined into one parcel.*

*Any changes to the site plan or uses under the current zoning would require that the applicant go through the Conditional Zoning District process. The applicant is requesting to rezone the parcel from the Conditional Zoning District into a Conventional Zoning District. If rezoned to MIC, Medical, Institutional and Cultural all uses within this district would be allowed on this parcel and all site plans would be reviewed by staff unless they exceed one of the square footage triggers outlined in the zoning ordinance (a proposed 50K Sq Ft project would automatically trigger the CZD process).*

*If rezoned, there will not be a binding site plan, list of uses or conditions placed 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.*



## PROJECT SUMMARY - CONTINUED



Parcels to the north are mostly zoned C-3 Highway Business. The C-3 zoning district follows the intense commercial corridor along Asheville Highway (US Hwy 25). Asheville Highway is a major artery and gateway to the City and provides frontage for a wide range of businesses with varying types of goods and services. To the west, the parcel is bordered by residential uses zoned R-6, High Density Residential and R-15 and R-10, Medium Density Residential. Most of the residential uses in this area are comprised of single-family dwellings on small lots. Parcels to the east are zoned MIC Medical, Institutional and Cultural and PID Planned Institutional Development. The majority of uses in this area are professional and medical offices. This area is intended to be a corridor that supports Pardee Hospital. To the south, parcels are zoned MIC-CZD Medical, Institutional and Cultural Conditional Zoning District, MIC Medical, Institutional and Cultural and PCD, Planned Commercial Development and contain various professional and medical uses including Pardee Hospital and a recently approved Conditional Zoning District known as “Fleming Street Medical Office Building”.



## SITE CONDITIONS – SITE IMAGES

*View of the property at the intersection of Fassifern Ct. and Fleming St.*



*View from the undeveloped portion of the property looking towards the existing medical office.*



*View of an abandoned house on the property.*





*View of the existing  
medical office  
building on the site.*



*View of mature trees  
on the site.*



*View of the property  
looking towards  
Fleming Street.*





## AERIAL PHOTOS

View from the south



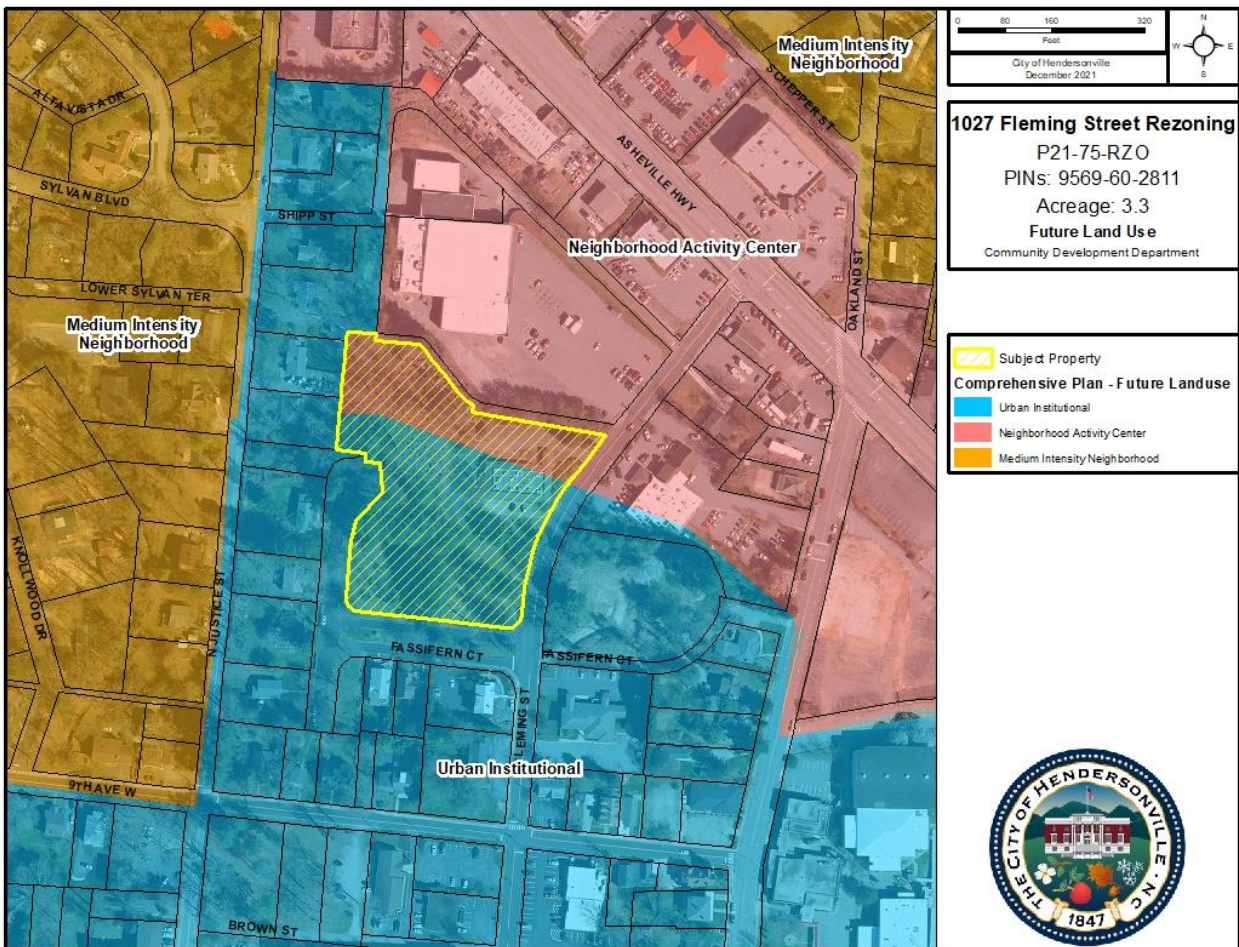
View from the north





## REZONING CRITERIA:

### COMPREHENSIVE PLAN CONSISTENCY



*The 2030 Comprehensive Plan's Future Land Use Map designates this parcel as Urban Institutional and Neighborhood Activity Center. Parcels located to the north, east and south are also designated Urban Institutional and Neighborhood Activity Center. The Urban Institutional is in this area due to its proximity to downtown and the prevalence of medical and educational institutions in the area; the most prominent being Pardee Hospital and Hendersonville High School.*

*The Neighborhood Activity Center designation follows the entry corridor along Asheville Highway which is a major commercial hub for the City.*

*The parcels to the west are designated as Urban Institutional and Medium Intensity Neighborhood. The majority of this area is comprised of single-family dwellings which is a primary recommended land use under this designation. Some of the existing single-family residences are located in the Urban Institutional designation.*

**Goal LU-12.**

***Urban Institutional: Create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses, that is integrated with Downtown.***

**Strategy LU-12.1.****Locations:**

- Area surrounding Pardee Memorial Hospital

**Strategy LU-12.2.****Primary recommended land uses:**

- Public and institutional uses
- Offices
- Structured or underground parking

**Strategy LU-12.3.****Secondary recommended land uses:**

- Single-family attached residential
- Multi-family residential
- Live-work units
- Limited retail and services

**Strategy LU-12.4.****Development guidelines:**

- Similar development standards to Downtown Support
- Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown
- Development and maintenance of traffic calming improvements

**Goal LU-8.**

***Neighborhood Activity Center: Concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods.***

**Strategy LU-8.1.****Locations:**

- Major intersections along existing local commercial corridors (US-25 and US-176)
- Emerging neighborhood activity center at US-64 and Howard Gap Road

**Strategy LU-8.2.****Primary recommended land uses:**

- Neighborhood retail sales and services

**Strategy LU-8.3.****Secondary recommended land uses:**

- Offices
- Multi-family residential
- Live-work units
- Public and institutional uses
- Pedestrian amenities (plazas, outdoor seating, etc.)
- Mixed uses

**Strategy LU-8.4.****Development guidelines:**

- Minimal parking in front of buildings (no more than one to two rows) along thoroughfares, with remainder of parking located to the side or rear
- Encouragement of buildings that are designed at a human scale, maximizing window coverage on ground floors and utilizing façade articulation
- Provision of pedestrian connections to parking and other buildings/properties





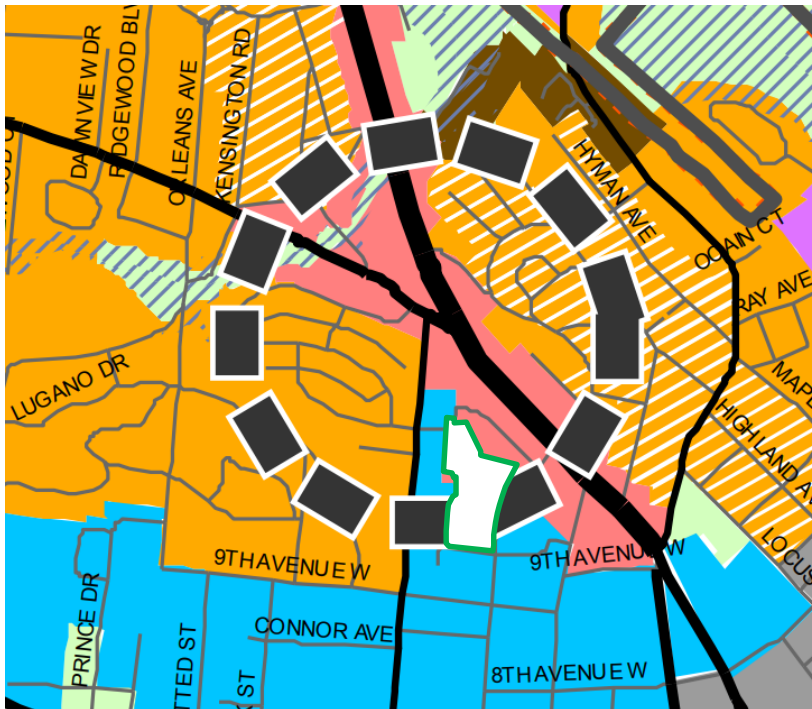
**Activity Nodes:** The Neighborhood Activity Center and Regional Activity Center categories include additional design guidance for “Activity Nodes”, which are locations identified on Map 8.3b that are planned as high-density, pedestrian-friendly community focal points. Although downtown will be Hendersonville’s primary urban focal point, the Activity Nodes will act as “satellite” nodes that bring the benefits of urban, mixed-use development and walkable design to neighborhoods and regional retail centers outside of downtown. Activity nodes encourage mixing of neighborhood or regional retail with other complementary uses within a five to 10-minute walking radius. Roadway and site design will create distinctive “centers” that serve as community gathering spots and create a unique sense of place



### Neighborhood Activity Center

#### *Activity Nodes:*

- Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors
- Placement of new buildings close to the street along thoroughfares (less than 20 feet from right-of-way)
- Location of all parking to the side or rear of buildings or in a garage encouraged
- Improved pedestrian connections to surrounding neighborhoods
- Inclusion of traffic calming improvements (described under Strategy TC-1.4 in Chapter 7) with redevelopment projects











**Growth Management  
Priority Infill Areas  
(Beige):**

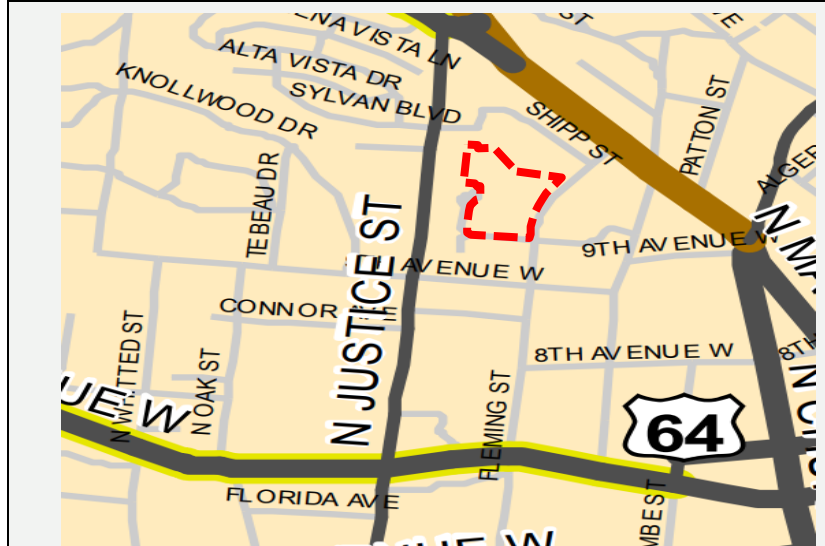
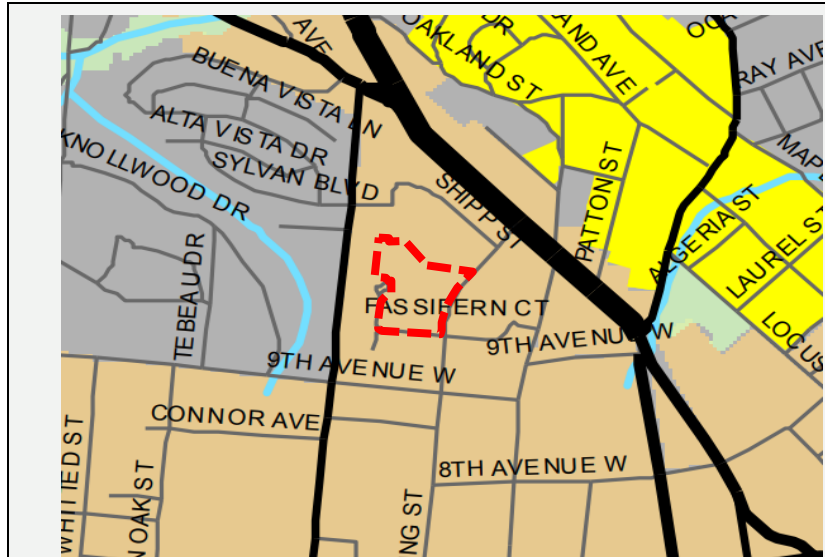
*Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties*

**Natural Features:**

*There are two streams in proximity to this property. However, neither of the streams are on the subject property and no stream/floodplain regulations would be applicable for this property.*

**Road Designations**

-  Freeway
-  Boulevard
-  Major Thoroughfare
-  Minor Thoroughfare
-  Proposed Improvement
-  Local Street

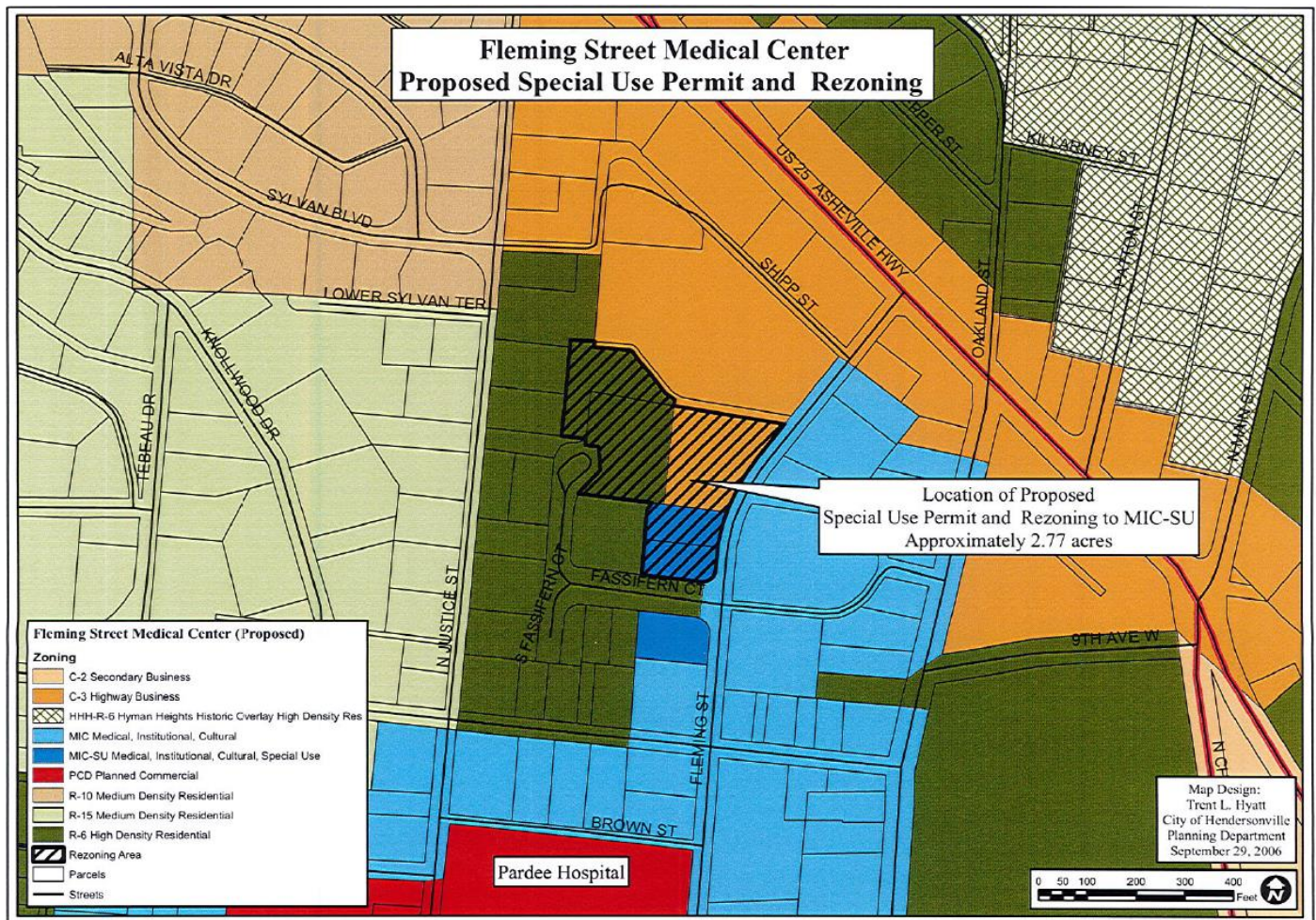




## CURRENT CONDITIONAL ZONING DISTRICT/ SPECIAL USE DISTRICT

The subject property was rezoned into a Special Use district in 2006. Due to changes made in 160D, Special Use Districts are now converted to Conditional Zoning Districts and will follow the City's requirements for Conditional Zoning Districts and any amendment thereto.

The Special Use Permit for this property was established on December 7th, 2006. The subject property was comprised of 4 individual parcels which were later combined. The properties were zoned C-3 Highway Business, R-6 High Density Residential and MIC SU Medical, Institutional, Cultural Special Use. The Special Use for the property on the south eastern corner was for a medical office that was never constructed. A zoning map from 2006 showing the areas to be rezoned is shown below.



The special use permit allowed for the construction of two medical office buildings totaling 28,470 square feet. One was a two-story 11,220 square foot building and the other was a three-story 17,250 square foot building. The entire development, including an existing 11,518 square foot medical office building, would have totaled 39,988 square feet. The site plan that was approved by City Council is below.





## Special Use Amendment:

In 2008 the property owners petitioned City Council to amend their Special Use permit. The amendment was approved on July 10<sup>th</sup>, 2008 and allowed the following:

- 1) the Rezoning of 0.52 acres from R-6 High Density Residential to MIC-SU Medical Institutional Cultural Special Use and
- 2) the issuance of a Special Use permit allowing the construction of three medical office buildings totaling 38,466 square feet on the northwest corner of Fleming Street and Fassifern Court.

The new parcel was proposed to house a two story 9,996 square foot medical office building. This brought the overall development to 49,984 square feet (which included the existing medical office building). The additional parcel would take the development from 4 to 5 parcels in total. The development was designed to be constructed in 4 phases.

**LEGEND**

- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING PARKING
- PROPOSED PARKING
- EXISTING LANDSCAPING
- PROPOSED LANDSCAPING
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING CURB
- PROPOSED CURB
- EXISTING STREET
- PROPOSED STREET
- EXISTING TRAIL
- PROPOSED TRAIL
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING DRIVE
- PROPOSED DRIVE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING CURB
- PROPOSED CURB
- EXISTING STREET
- PROPOSED STREET
- EXISTING TRAIL
- PROPOSED TRAIL

**NOTES**

- TYPE B PLANTING BUFFER BUFFER AND EXISTING VEGETATION TO BE MAINTAINED IN ADDITION TO PROPOSED VEGETATION TO BE PLANTED IN LANDSCAPING FOR VEHICULAR USE AREAS.
- RIGHT OF WAY FOR PASSPORT CT. FROM COUNTY

**PARKING**

- EXISTING FACILITY (1818 SF)
- DOCKING X X = 18 SPACES
- 18 STAFF X = 18 SPACES
- 31 SPACES / 1818 SF X PER 312 SF
- TOTAL SF 44848 / 312 = 185 SPACES REQ.

**PROJECT SUMMARY**

Total Project Area	1818 SF
Site Area	1818 SF
Building	1818 SF
Open Space	1818 SF
Common Open Space	1818 SF
Parking	1818 SF
Required	1818 SF
Provided	1818 SF
Diag. Floor Area	1818 SF
Existing	1818 SF
Proposed	1818 SF
Max. Building Height	1818 SF
Fire District	1818 SF
Public	1818 SF
Private	1818 SF
Trailer	1818 SF

**PHASE MAP**

**PRELIMINARY PLAN**

**SIGNAGE**

**ELEVATION**

**SIDEWALK DETAIL**

**VIGNETTE MAP**

**VIGNETTE MAP**

- 1) Offices, businesses, professional and public
- 2) Personal Services- consistent with the purpose of this classification
- 3) Retail Stores- consistent with the purposes of this classification.

The development was never constructed. The only existing medical office building on the site today existed prior to the Special Use permit or amendment. The deadline for completing construction on this project was December 12, 2015. Any new amendments to this site would require the project to go through the Conditional Zoning District under the City's current zoning standards.

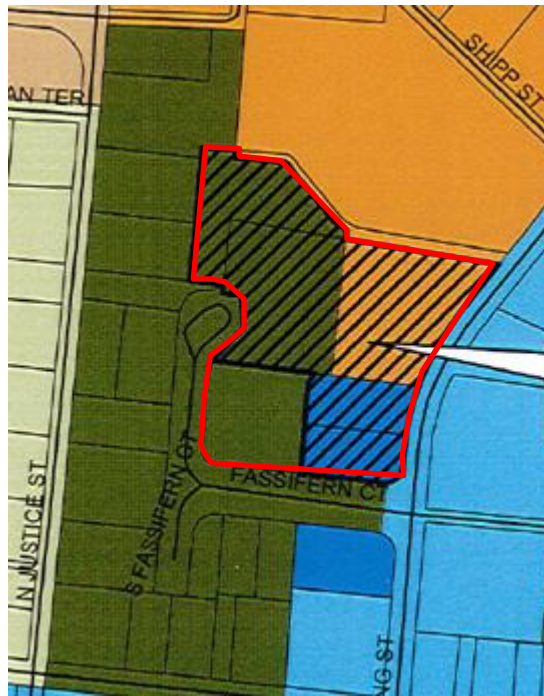


## STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY:

### Zoning Compliance:

The applicant is proposing to rezone the subject property from MIC- SU, Medical, Institutional, Cultural Special Use to MIC Medical, Institutional, Cultural. If approved, this would remove the special use permit for this parcel and would permit any of the uses allowed within the MIC district.

MIC is one of the most prominent zoning districts in this area due to location and associated uses. However, it is important to note that the 3.3-acre parcel that is present today was previously 5 individual parcels prior to the Special Use permit issuance in 2008. One of the parcels was zoned MIC and another parcel was zoned C-3 Highway Business. Both parcels fronted on Fleming Street. The remaining 3 parcels were zoned R-6 High Density Residential. The parcels that fronted on Fleming Street allowed a range commercial uses while the 3 parcels that fronted Fassifern Ct. were focused on high density residential and related uses.



The Medical, Institutional, Cultural district differs from some of our more traditional commercial districts. The uses and intent of this district is directed towards medical and educational uses. This district could provide a transitional area between the more traditional commercial uses and the high density residential to the west. An exhaustive list of what is permitted in MIC is included in your packet.

### Comprehensive Plan Compliance:

The majority of this parcel is designated as Urban Institutional. This designation was designed for areas surrounding Pardee Hospital. The uses highlighted as primary recommended land uses under this designation reflects the uses allowed in the MIC district. However, live work units and multi-family are each secondary recommended land uses in Urban Institutional, and MIC does not allow for this type of residential.

## CRITERIA FOR ZONING MAP AMENDMENTS:

Chapter XI of the Zoning Ordinance provides standards for consideration of zoning map amendments. The following criteria are to be considered as part of the decision-making process.

### Compatibility with Surrounding Uses

- The Fleming Street corridor is comprised of MIC zoning or uses that would be allowed under MIC Zoning. This zoning change would allow for this area to be developed in a similar manner with comparable uses.

### Changed Conditions

- The approved Special Use permit has expired. Any amendments would be required to go through the Conditional Zoning Process. If rezoned to MIC, this would allow the property to be developed in accordance with the zoning ordinance and would not require the full CZD process.

### Public Interest

- This parcel could serve as a transition between traditional commercial uses and the high density residential to the west.

### Public Facilities

- The site will be served by two City maintained streets. Water and Sewer are also available to serve any future development on the site.

### Effect on the Natural Environment

- There are two blue line streams in the general area, but neither of which are located on this parcel and would not be impacted due to the development of this parcel.

## PLANNING BOARD SUMMARY OF ACTION

Summary of Planning Board Discussion

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RESERVED

Planning Board Motion

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RESERVED



ATTACHMENTS:

1. Staff Report
2. List of Permitted Uses in MIC
3. Ordinance
4. Proposed Zoning Map
5. Application