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Section 11-1 of the City Zoning Ordinance

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A. Property Information

Hendersonville, NC 28792

B. Adjacent Parcel Numbers and Uses

Use:

Date Received: _____ By: _____ Fee Received? Y/N

C. Applicant Contact Information

David Mayo

* Printed Applicant Name

Merged Holdings LLC

Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other:

David Mayo

dotloop verified
11/29/22 11:17 AM EST
KADE-IKNK-KMEW-UW5M

Applicant Signature

Member Manager

Applicant Title (if applicable)

224 South Grove Street, Suite D

Address of Applicant

Hendersonville, NC 28792

City, State, and Zip Code

828-329-5087

Telephone

MergedHoldingsLLC@gmail.com

Email

* Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

D. Property Owner Contact Information (If different from Applicant)


Diane D. Ward and James S. Ward

* Printed Property Owner Name

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: Individual(s)

 dotloop verified
11/29/22 12:30 PM EST
EX1Y-AQOY-1INY-SPJU

Property Owner Signature

 dotloop verified
11/29/22 12:29 PM EST
VHRI-UOK8-FPFS-OBMK

Property Owner Title (if applicable)

129 Sandstone Lane

Address of Property Owner

Hendersonville, NC 28739

City, State, and Zip Code

828-606-8760

Telephone

DianeW@Beverly-Hanks.com

Email

Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

D. Section 11-1 Standards

The advisability of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

- a) Comprehensive Plan Consistency** – Consistency with the Comprehensive Plan and amendments thereto.

According to the City of Hendersonville Land Use and Development Comprehensive Plan; the subject parcel falls within the "Priority Infill Area" as shown on Map 8.3a. In our opinion this parcel is "underutilized" in its current use. According to Map 8.3b of the Comprehensive Plan; this property also falls into one of the identified "Activity Nodes". This changing activity node as identified by the Comprehensive Plan does facilitate a change in the current use of this parcel to better reflect the surrounding activity.

- b) Compatibility with surrounding uses** – Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property. (Also, see NCGS 160-601 (d) Down-Zoning)

The subject property is adjacent to C-3 zoning, current use is automobile sales. Across the street is C-3 zoning on which a car wash is being built and further development planned. The parcel is also approximately 250 feet from the busy 4-lane highway, Highway 176 – Spartanburg Highway.

- c) Changed Conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment. (Also, see NCGS 160D-601 (d) Down-Zoning)

Property is being sold. Property has been vacant for some time. The conversion of this property to a use more favorable to the changing area activity is the significant factor in the ability of this property to meet its highest and best use in the market. New development across the street has increased and/or potential to increase commercial activity within this node. Additionally, the creation of the traffic circle on Shepherd Street and Highway 225 has significantly increased the traffic on Shepherd Street as a connection between Flat Rock and East Flat Rock. A much busier street-front and intersection is much more conducive to a commercial use.

- d) Public Interest.** Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare. (Also, see NCGS 160D-601 (d) Down-Zoning)

As previously mentioned, this Activity Node of Highway 176, Shepherd Street and Old Spartanburg Highway have seen markedly increase in traffic and commercial activity. The conversion of this property logically fits within the pattern of development for this area. As a part of the conversion of use, the updated site would add additional lighting and better visibility for an already busy corner. This busy 4-way intersection would benefit from these changes.

- e) Public Facilities.** Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment. (Also, see NCGS 160D-601 (d) Down-Zoning)

This property is currently within the city limits of the City of Hendersonville. The existing building currently has city water, city sewer and natural gas connections. All these utilities are currently connected and in use.

- f) Effect on Natural Environment.** Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.

There will be a minimal if not overall positive impact on the environment with the zoning reclassification. The change would facilitate a 10 foot buffer along one boundary of the property which would provide for additional tree planting and vegetation. There is no known water or streams on the property. Given that the building already exists, minimal land disturbance will be incurred.