

STANDARD REZONING: UPWARD RD - SPINX (P24-07-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY 2
EXISTING ZONING & LAND USE 3
SITE IMAGES 4
SITE IMAGES 5
SITE IMAGES 6
SITE IMAGES **Error! Bookmark not defined.**
FUTURE LAND USE 6
REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4) 8
REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) 9
DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 10



PROJECT SUMMARY

- Project Name & Case #:
 - Upward Rd - Spinx
 - P24-07-RZO

- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Spinx Company, LLC.[Owner]

- Property Address:
 - 2120 Old Spartanburg Rd

- Project Acreage:
 - 4.58 Acres

- Parcel Identification (PINS):
 - 9577-89-7580; 9577-89-6187;
9577-89-6236; 9577-89-5289;
9577-89-6416

- Current Parcel Zoning:
 - County Community Commercial (CC)

- Proposed Zoning District:
 - CHMU (Commercial Highway Mixed Use)

- Future Land Use Designation:
 - City - High Intensity Neighborhood
 - County -Urban Services Area (residential density maximized where utilities present)



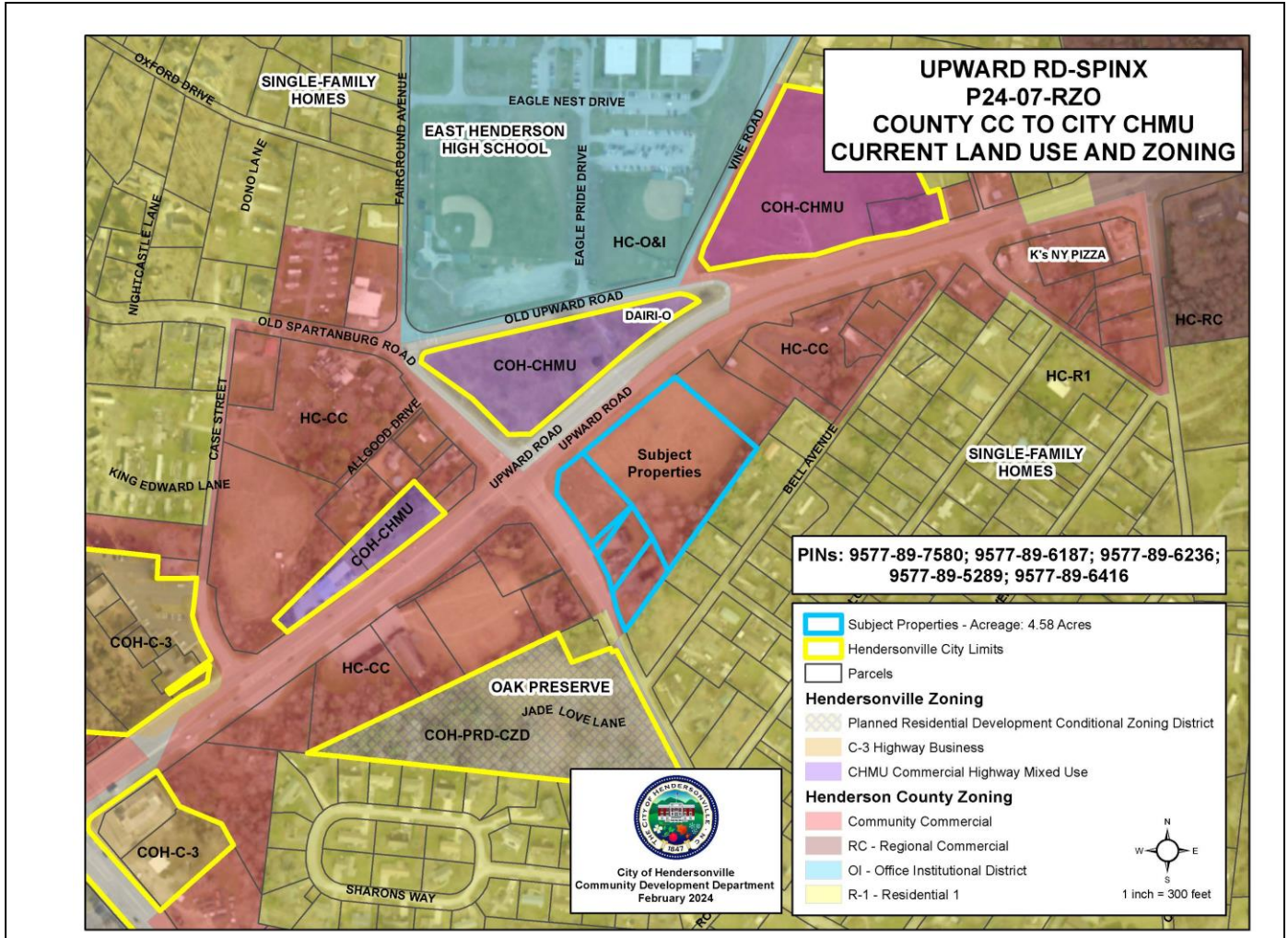
SITE VICINITY MAP

The City of Hendersonville received an Annexation application from the Spinx Company, LLC (owners) for 5 parcels totaling 4.58 Acres located along Upward Road at the southeast corner of the intersection with Old Spartanburg Rd (across from Dairi-O). The applicant has not requested zoning, therefore the City is initiating zoning for these parcels from County CC, Community Commercial to CHMU, Commercial Highway Mixed Use.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City's ETJ but within the Upward Road Planning District.

CHMU permits a range of intense commercial uses and residential uses (up to 12 units/acre) and includes design standards for all uses other than single-family and two-family (per State Statute). As a standard rezoning, all uses would be permitted if approved, including "convenience stores with or without gasoline sales". CZD would be triggered by projects exceeding 50 units or exceeding a cumulative square footage of 50,000 Sq Ft.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently in the Zoning Jurisdiction of Henderson County. The parcels are primarily zoned Community Commercial. They are located outside of the corporate City Limits in an area where some satellite parcels have been annexed into the City with zoning designations including Commercial Highway Mixed Use (CHMU) and C-3 Highway Business. The properties within these districts are developed with fast food restaurant chains and lodging. There is a significant amount of vacant property as well as commercial, residential and institutional uses in proximity of the subject parcel.

The County zoning in this area is predominantly Community Commercial (CC) along Upward Road and Residential One (R1) further setback from Upward Rd. The CC zoning district includes, "a variety of retail sales and services, public and private administrations, offices and all other uses done with adjacent development and the surrounding community." The CC allows for up to 16 units / acre for residential development.

SITE IMAGES



View facing west along subject property frontage on Upward Rd.



View facing east along subject property frontage at corner of Upward Rd. & Old Spartanburg Rd

SITE IMAGES



View facing north along subject property frontage on Old Spartanburg Rd. Single-family home is part of subject property



Typical view of site from Upward Rd. Dense bamboo lines entire rear boundary of site. Site of tree grove on right side of photo.

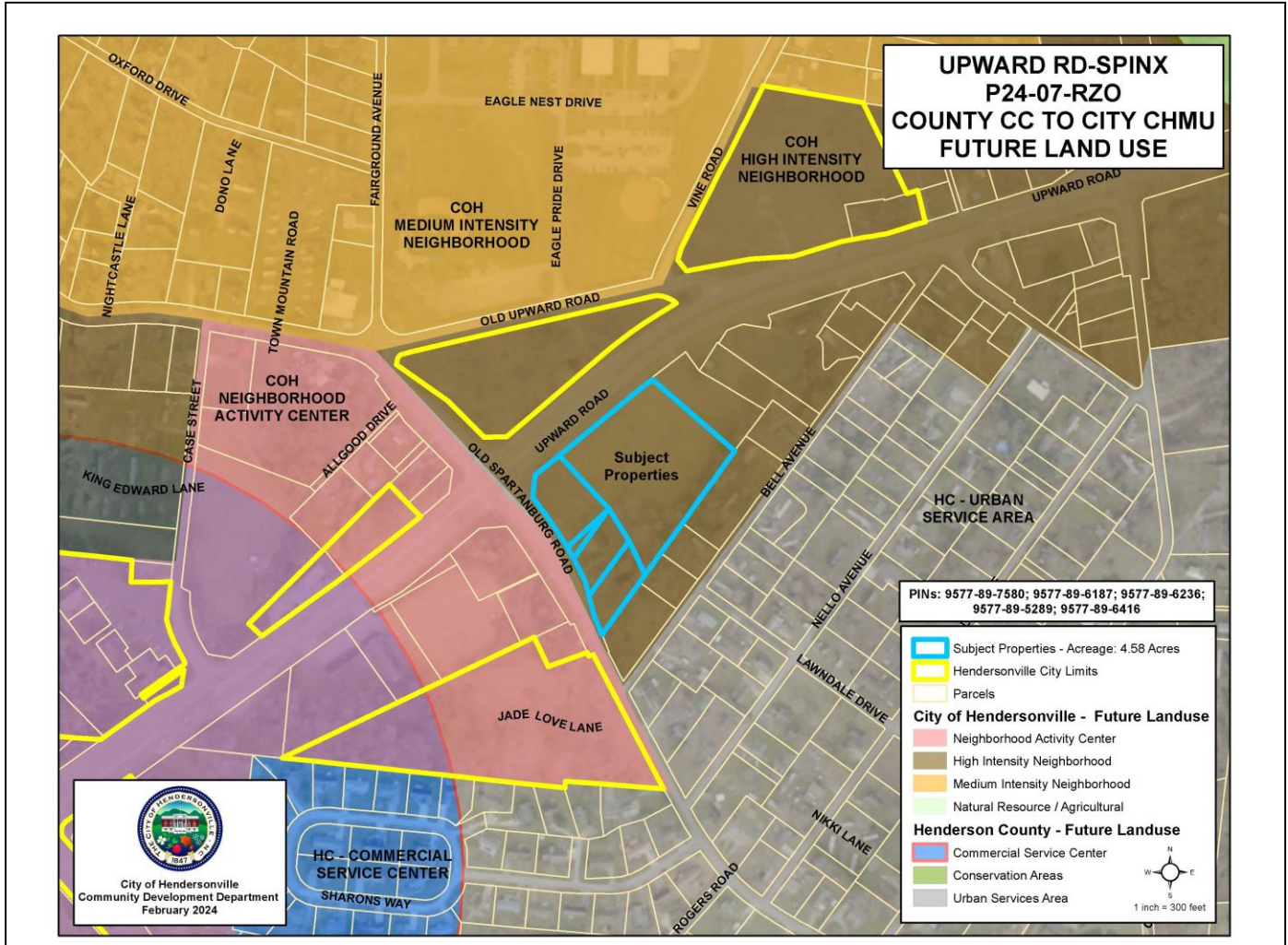
SITE IMAGES



View of tree grove in south/southwest area of the site (behind existing single-family home). Remainder of the site is field.



View of sinkhole or drainage basin at rear edge of subject property



City of Hendersonville Future Land Use Map

The City’s 2030 Comprehensive Plan designates the subject property as High Intensity Neighborhood in the City’s Future Land Use Map.

Adjacent parcels to the east on Upward Road are also designated High Intensity Neighborhood. Parcels to the west along Upward Rd are designated as Neighborhood Activity Center. Properties southeast of Bell Ave are outside of the City’s Future Land Use Map study area.

The County’s 2020 Future Land Use Map designates the properties to the rear of the subject property as Urban Service Area. It is also in close proximity to an area designated as Community Service Center where “a mix of commercial uses will be contained and residential densities are to be maximized where utilities are present.”

The subject parcel is also part of the Upward Rd Planning Area which was adopted in 2011 in response to the need to manage growth outside the ETJ in an area where sewer service would be desired.

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	The subject property is designated as <i>High Intensity Neighborhood</i> on the <i>Future Land Use Map</i> . Goal LU-7 Encourage low-maintenance, high density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. [CONSISTENT]
	Strategy LU-7-1. Locations: • Priority infill development areas where high-density development is desirable and/or expected including boulevards and major thoroughfares near neighborhood activity centers [CONSISTENT]
	Strategy LU-7.2. Primary recommended land uses: • Single-family attached and multifamily residential, planned residential developments, and open space [CONSISTENT] Strategy LU-7-4 Development guidelines: • Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors [CONSISTENT] • Placement of higher-intensity uses close to boulevards and major thoroughfares [CONSISTENT] • Architectural guidelines to encourage compatibility between different land uses [CONSISTENT] • Encouragement of walkable neighborhood design [CONSISTENT] • At least 60% open space in new residential developments of greater than 3 acres [PARTIALLY CONSISTENT]
	The subject property is designated as a <i>Priority Infill</i> on the <i>Growth Management Map 8.3a</i> .
	The subject property is primarily designated as a <i>Development Opportunity</i> on the <i>Development Framework Map</i> .
Land Use & Development	Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.
	Goal LU-3. Promote fiscal responsibility with development, annexation and expansion of Hendersonville’s Extra-Territorial Jurisdiction (ETJ).
Population & Housing	Strategy PH-1.1. Promote compatible infill development.
	Strategy PH 3.2 – Encourage mixed land use patterns that place residents within walking distance of services.
Natural Resources	No Goals, Strategies or Actions are directly applicable to this project.
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	No Goals, Strategies or Actions are directly applicable to this project.
Transportation & Circulation	Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	Considering the vehicular traffic along Upward Rd (boulevard) and the interchange with I-26 (freeway), the CHMU zoning district permits uses that are compatible with this area and the design guidelines of the CHMU further support compatibility.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 9 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.
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 -
	Design guidelines found in CHMU support the creation of compatibility, high quality development. Additional quality commercial development within the City will generate additional tax revenue. Additional quality residential development within the City would provide needed housing.
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
	The site will be served by City water and sewer service, as well as City Fire and Police. Upward Road is designated as a Boulevard in the comprehensive transportation plan and is maintained by NCDOT. Old Spartanburg Rd is maintained by NCDOT and classified as a Collector. The City's Comprehensive Plan designates this road as a Minor Thoroughfare.
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 -
	As a standard rezoning, there is no proposed development consider as part of the rezoning process. The subject property features an existing single-family home. The site is primarily field with one small hardwood tree grove located in the southwest portion of the site. The rear property line is lined by a dense grove of bamboo.

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 Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

We [**find/do not 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]

- *Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area*
- *The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area*
- *The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan*

DRAFT [Rational for Denial]

- *While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-7.4, not all of the guidelines are requirements of this zoning district.*