

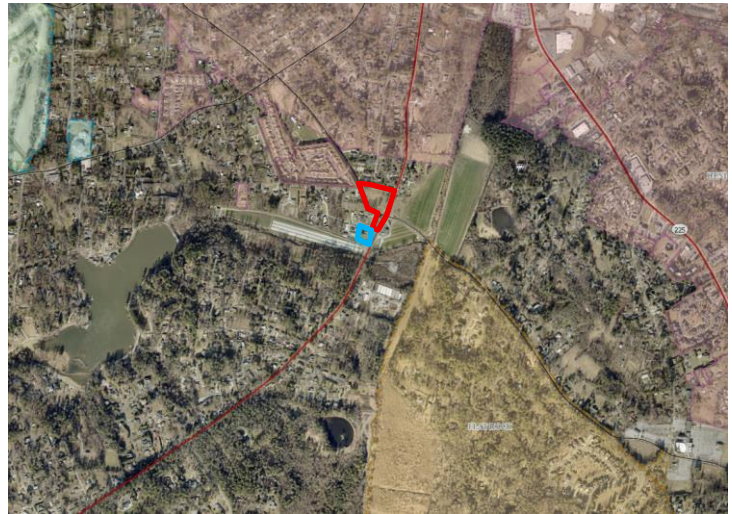
STANDARD REZONING:
KANUGA RD AREA REZONING | R-15 to C-4
(25-59+77-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT
STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - 25-59-RZO
 - 25-77-RZO
- Applicant & Property Owner:
 - Greg Grooms, Blue Pinnacle Homes [Applicant]
 - Christopher & Lisa Juedemann [Owner]
 - City of Hendersonville (Applicant)
 - Gary & Cynthia Barnwell (Owner)
 - Miken, LLC (Owner)
- Property Address:
 - 1207 Kanuga Rd (Applicant-initiated)
 - 1201 Kanuga Rd (City-initiated)
 - 1155 Kanuga Rd (City-initiated)
- Project Acreage:
 - 0.81 Acres
 - 0.23 Acres
 - 1.56 Acres
- Parcel Identification (PIN):
 - 9568-61-2215
 - 9568-61-3453
 - 9568-61-4766
- Current Parcel Zoning:
 - R-15, "Medium Density Residential"
- Requested Zoning:
 - C-4 Neighborhood Business
- Future Land Use Designation:
 - Family Neighborhood Living



SITE VICINITY MAP

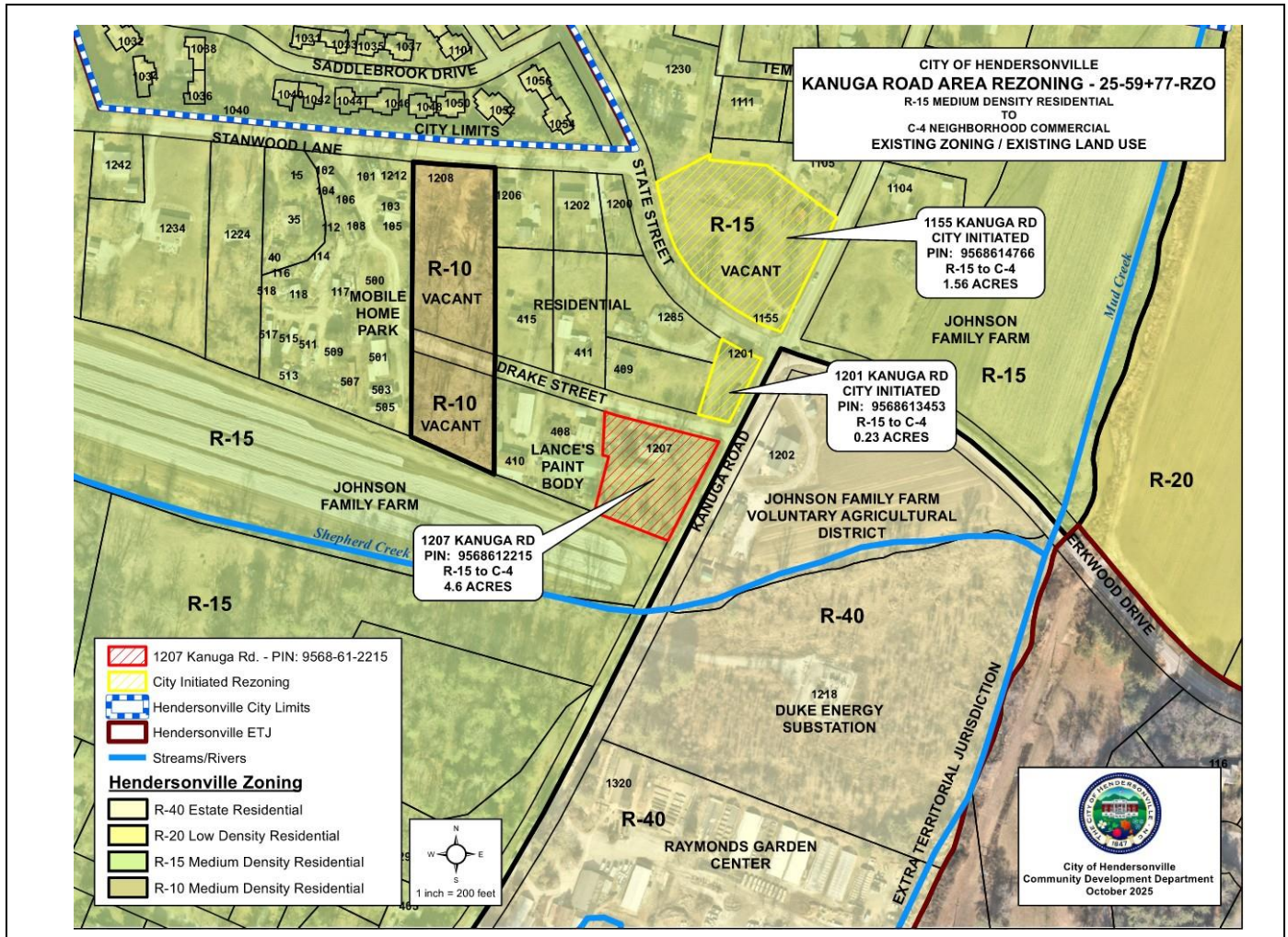
The City of Hendersonville in receipt of a zoning map amendment petition from Greg Grooms of Blue Pinnacle Homes and Christopher & Lisa Juedeman, property owners, to rezone a 0.81 Acre parcel at 1207 Kanuga Rd (PIN: 9568-61-2215) from R-15, Medium Density Residential to C-4, Neighborhood Business. Additionally, the City is initiating the rezoning of two adjacent properties in this area to create a cohesive C-4 Zoning District in conformance with the Gen H Comp Plan. Those properties include 1201 Kanuga Rd (9568-61-3453) and 1155 Kanuga Rd (9568-61-4766).

The properties are located near the intersection of Kanuga Rd and State St and at the corner of Drake St. The confluence of Shepherd Creek and Mud Creek is in close proximity and create natural borders for the neighborhood commercial district. The subject properties are primarily outside of the 100-yr floodplain.

The Future Land Use Character Area designation of two properties is Family Neighborhood Living, however the third property is designated as Neighborhood Center.

If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the C-4 zoning district would be allowed on the site.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject properties are located in the City of Hendersonville Extra-Territorial Jurisdiction (ETJ) and is located in the R-15, Medium Density Residential zoning district. A majority of properties in the vicinity are also zoned R-15 however a parcel to the west was recently rezoned to R-10, Medium Density Residential. Across Kanuga Rd to the East, the properties are zoned R-40, Low Density Residential. The closest commercial zoning is near Kanuga Rd. at Hebron Rd.

Though this area is primarily residential in character there are agricultural, utility and commercial uses in close proximity to the subject property. Abutting the property to the south and across Kanuga Rd to the east, are parcels associated with the Johnson Family Farm. The Johnson Family Farm has status as a Bonafide farm (Vol. Ag District) and thus is exempt from Zoning. As a result of this, the farm operates agricultural related commercial uses (retail, food trucks, etc.) at corner of Kanuga Rd & State St. Duke Energy operates a substation to the south of the Johnson Family Farm. Adjacent to the Duke Energy parcel and further to the south is Raymond's Garden Center plant nursery. And behind the subject property is a Paint & Body shop.

It should also be noted that the Shepherd Creek and Mud Creek floodplains are a defining feature of this area. A very small portion of the subject property is in the 100 Yr Floodplain while all of the surrounding agricultural, commercial and utility uses are in the Floodway + Floodplain.

SITE IMAGES



View of Subject Property facing west. Front of structure faces Kanuga Rd but is substantially screened by a row of hedges.



View from the subject property facing north. Property has approx. 0.34 acres of undeveloped land in south side yard.

SITE IMAGES



View of Johnson Family Farm from Kanuga Rd facing west. This is the Shepherd Creek floodplain south of subject property.



SITE IMAGES

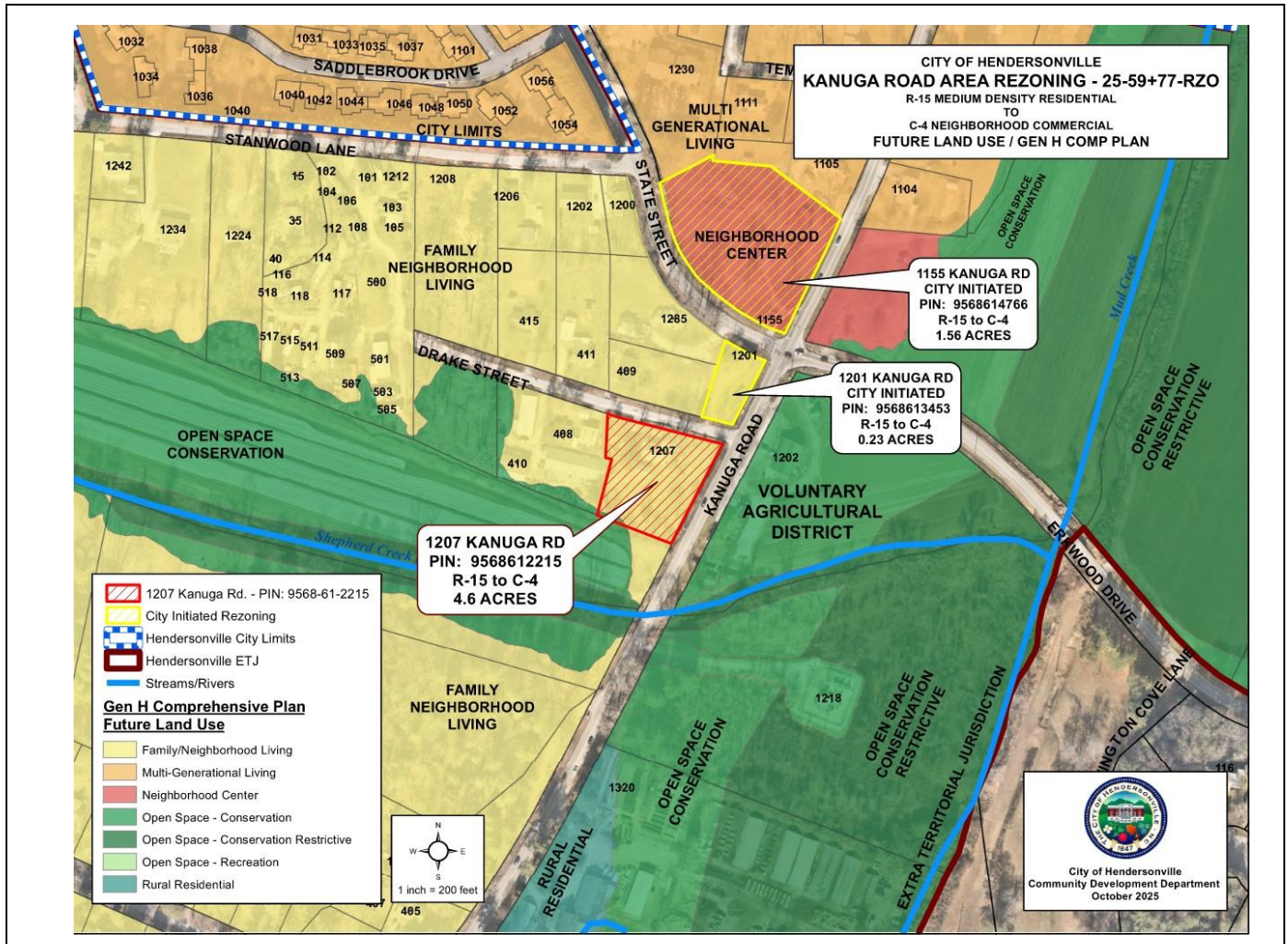


View of Johnson Family Farm commercial activities in Voluntary Agricultural District (Bonafide farm) at corner of Kanuga Rd & State St.



Commercial + Agricultural activities at Johnson Family Farm store.

FUTURE LAND USE



City of Hendersonville Future Land Use Map

According to the City's Gen H Future Land Use & Conservation Map, two of the subject properties are designated as Family Neighborhood Living (FNL) with a fraction of one parcel noted as Open Space – Conservation (OS-C). The parcels to the west are also characterized as FNL with OS designated along the Shepherd Creek floodplain. To the north of Stanwood Ln, properties shift to the Multi-Generational Living designation. Across Kanuga Rd, properties located in the Mud Creek floodplain are all designated as OS.

Most notably, one of the subject properties is part of a concentration of the "Neighborhood Center" character area is found at the intersection of State St and Kanuga Rd. This Neighborhood Center character was intended to identify the area around this intersection as a small node of neighborhood-scale business activities - reflecting both current and future economic opportunities. Neighborhood Center is described as encompassing: "...small centers (typically 100,000 sf of nonresidential space) with local-serving uses [and] may be located within walking distance of and complement surrounding residential uses. Typical uses include grocery & drug stores, coffee shops, dry cleaners, bank branches, restaurants, and a limited amount of residential." Markets, small offices and other similar uses would also be appropriate.

GENERAL REZONING STANDARDS	
1) Comprehensive Plan Consistency	<p>Land Supply, Suitability & Intensity Land Supply: One subject property is classified as Undeveloped or Underdeveloped. The other two are not. Land Suitability: 1155 Kanuga is identified as Highly Suitable for Commercial and Most Suitable for Residential. The other two are not identified. Intensity Node: The subject property is <u>not</u> located in a Intensity Node. The Intensity Node for the Southside of Hendersonville is in close proximity with “Busy Bend” located less than 1 mile away. Development Intensity: Low. This area is not identified for Intense infill development. Focus Area: The subject property is not located in a Focus Area.</p>
	<p>Future Land Use & Conservation Map- Designation: Family Neighborhood Living / Neighborhood Center Character Area Description: Inconsistent / Consistent Zoning Crosswalk: Inconsistent – FNL Character Area would need to be updated to Multi-Generational Living or Neighborhood Center for consistency.</p>
2) Compatibility	<p>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</p>
	<p>The subject properties are former residential and possibly commercial properties that currently appear to be vacant. The structure at 1207 appears to be under rehabilitation while the structure at 1201 is in complete disrepair. Directly to the south of the subject property is a portion of the Johnson Family Farm along Shepherd Creek. To the west of the subject property is a paint & body shop. To the north along Kanuga Rd is a vacant parcel with a former commercial building located on it. Across Kanuga Rd to the east are the various ag-related commercial activities of the Johnson Family Farm. Vacant land and floodplain is prevalent to the south and east. To the north, uses are generally detached single-family with a duplex development located north of Stanwood Ln.</p>
	<p>GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy and Accessible Natural Environment: Somewhat Consistent Authentic Community Character: Somewhat Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: N/A Accessible & Available Community Uses and Services: N/A</p>

	<p>Resilient Community: N/A</p> <p>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV)</p> <p>Mix of Uses: Consistent</p> <p>Compact Development: Consistent</p> <p>Sense of Place: Somewhat Consistent</p> <p>Conserved & Integrated Open Spaces: Somewhat Consistent</p> <p>Desirable & Affordable Housing: Consistent</p> <p>Connectivity: Somewhat Consistent</p> <p>Efficient & Accessible Infrastructure: Consistent</p>
<p>3) Changed Conditions</p>	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</p> <p>1207 Kanuga Rd subject property was recently sold to a new owner. Commercial activities located across the street from the Subject Properties at the Johnson Farm have been added in the last 10 years and have continued to grow and evolve in that time frame. This property at the corner of Kanuga Rd and State St/Erkwood Rd is a Bonafide Farm in a Voluntary Agricultural District which makes it exempt from Zoning per state law. According to state statute Chapter 106 – Article 61, Voluntary Agricultural Districts and Enhanced Voluntary Agricultural Districts, in exchange for the preservation of farmland, enjoy other special provisions including tax exemptions, waiver of utility assessments, priority consideration for grants, special noticing requirements, and allowances to sell up to 25% non-farm products.</p>
<p>4) Public Interest</p>	<p>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 -</p> <p>The integration of mixed uses at various scales can reduce vehicular trips, combat automobile congestion, create jobs, and increase local spending. When applied at the neighborhood scale, a mix of uses can improve safety and vibrancy. When scale is maintained and new non-residential uses are concentrated around key intersections, negative impacts associated with commercial activity can be contained.</p>
<p>5) Public Facilities</p>	<p>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</p> <p>Kanuga Road, Drake St, and State St/Erkwood Dr are NCDOT maintained roads. Kanuga Rd is a Minor Arterial, Drake St is a Local Street and State St/Erkwood Dr is a Major Collector according to their NCDOT Functional Classifications. The Comprehensive Transportation Plan designates these roads as Minor Thoroughfares with Drake St as a Local Street.</p> <p>There are high volumes of traffic at this location. The intersection of Kanuga Rd & State St is a “High Injury Intersection” and Kanuga Rd south of this intersection is a “High Injury Network” route according to the French Broad River MPO’s “Safe Streets 4 All” Safety Action Plan. An improvement project for this portion of Kanuga Rd (to Price Rd) is</p>

	<p>currently unfunded, but is included in the SPOT Prioritization 8.0 (carried over from 7.0). There are no funded STIP projects in the immediate area though the White St/South Main St enhancements are in close proximity.</p> <p>The subject property is served by City of Hendersonville water and City sewer services are available.</p>
6) Effect on Natural Environment	<p>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 -</p> <p>No development is proposed at this time. Therefore, there are no known impacts on the natural environment as a result of this rezoning. Approximately 93% of the subject property (0.75 acres) is pervious greenspace. There are a few trees across the parcel with a row of hedges lining the eastern parcel boundary along Kanuga Rd.</p> <p>A ditch along the southern parcel boundary is a blue line stream and would be required to meet the standards of the natural resource provisions of the zoning ordinance. Additionally, the parcel is located in the 500-Year Floodplain with a small portion of the southern boundary in the 100-Year Floodplain.</p>

REZONING STANDARDS ANALYSIS & SUMMARY

- 1) Comprehensive Plan Consistency - Staff finds the petition to be Inconsistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map due to the Character Area Description for Family Neighborhood Living. However, the property is in close proximity to and in the same general condition as parcels identified as Neighborhood Center in the Gen H Plan.
- 2) Compatibility – C-4 Zoning is found to be compatible with the surrounding land uses and aligns with the Goals & Guiding Principles of the Gen H Comprehensive Plan – especially as it relates to providing a mix of uses and preferred patterns of development around key nodes.
- 3) Changed Conditions – The presence of a Bonafide Farm and the increase of commercial activities in this area have increased opportunities for appropriate commercial uses around the intersection of Kanuga Rd and State St.
- 4) Public Interest - Staff finds that the introduction of a mix of uses at a compatible scale can provide a number of benefits.
- 5) Public Facilities - Staff finds that the street network in this area lends itself to non-residential uses on the major routes while residential uses should be confined to local streets. There are existing City utilities available to the subject property.
- 6) Effect on Natural Environment – No impacts proposed but subject property is located adjacent to a blue line stream and 100-Year Floodplain.

The petition is found to be **inconsistent** with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition for C-4 zoning is inconsistent with the Future Land Use and Conservation Map Designation of 'Family Neighborhood Living' but consistent with the Designation of 'Neighborhood Center'.

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]

- *The proposed zoning is compatible with surrounding non-residential land uses*
- *The proposed zoning allows for a mix of uses at an intersection which experiences significant vehicular traffic*
- *The proposed zoning allows for nodal development with non-residential uses confined by floodplains and located along the minor arterial roadway*
- *Surrounding low density residential uses primarily front and gain access from Local streets.*

DRAFT [Rational for Denial]

- *The proposed zoning is incompatible with the surrounding land uses*
- *The proposed zoning would result in increased traffic congestion to the surrounding area*
- *The proposed zoning would result in environmental degradation*