

STANDARD REZONING: LIVING SAVIOR CHURCH (P23-085-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - 200 Upward Rd
 - P23-085-RZO
- Applicant & Property Owner:
 - City of Hendersonville [Applicant]
 - Living Savior Evangelical Lutheran Church [Owner]
- Property Address:
 - 200 Upward Rd
- Project Acreage:
 - 4.38 Acres
- Parcel Identification (PINS):
 - 9578-90-1278
- Current Parcel Zoning:
 - County Community Commercial (CC)
- Proposed Zoning District:
 - CHMU (Commercial Highway Mixed Use)
- Future Land Use Designation:
 - City – High Intensity Neighborhood
 - County – Industrial & Urban Services Area (residential density maximized where utilities present)



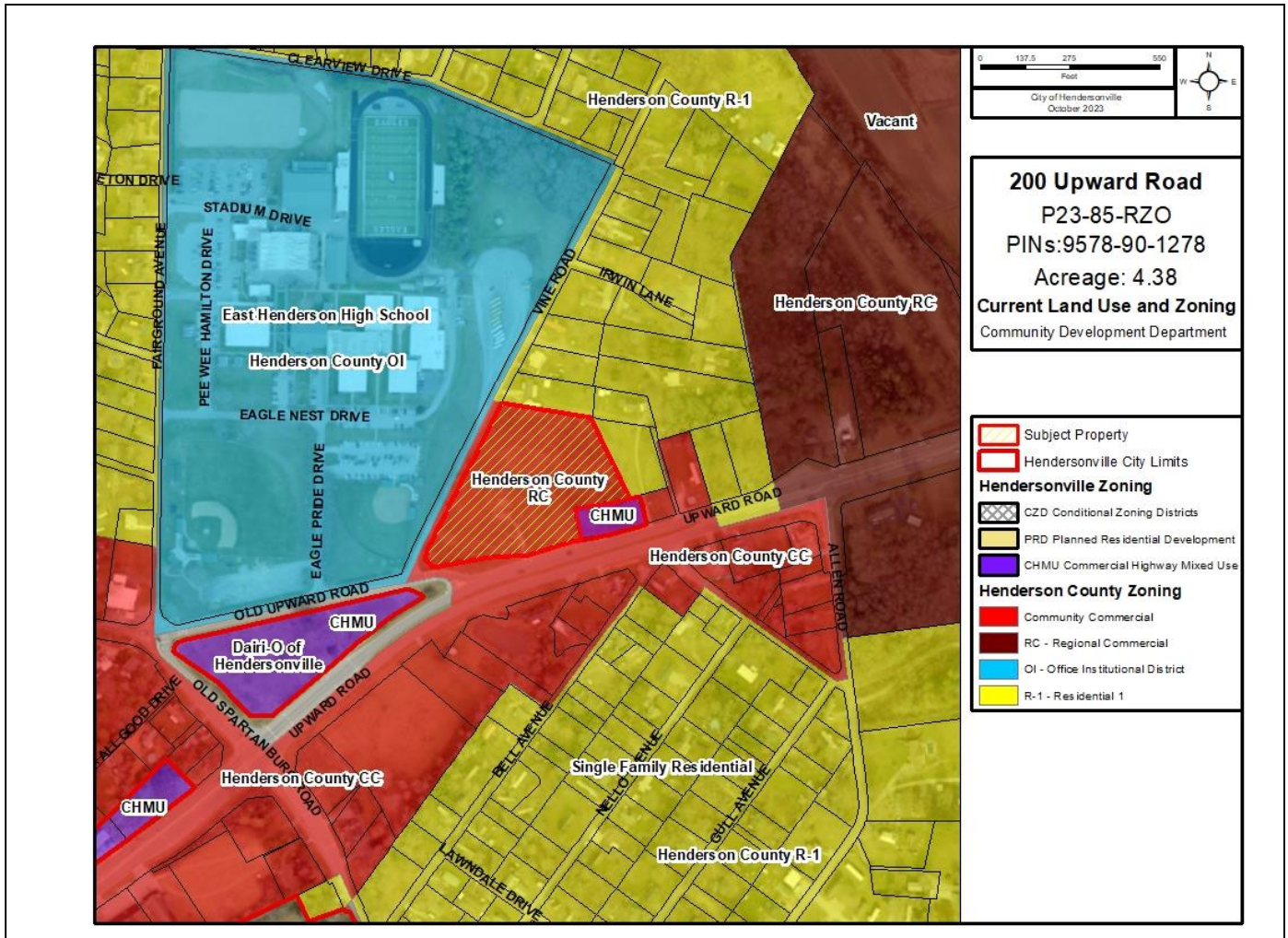
SITE VICINITY MAP

The City of Hendersonville received an Annexation application from Living Savior Evangelical Lutheran Church (owners) for a parcel totaling 4.38 Acres that is located between Upward Road and Vine Road near East Henderson High School. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel 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 including religious institutions. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned Community Commercial under Henderson County's Zoning Jurisdiction. It is 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 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. The R1 zoning is intended to "allow for medium to high-density residential development" and permits densities ranging from 4 units / acre up to 12 units / acre.

SITE IMAGES



SITE IMAGES



View of subject property from Vine Rd facing southeast



View facing north east from near the intersection of Old Upward Rd and Upward Rd

SITE IMAGES



View of current site conditions on subject property



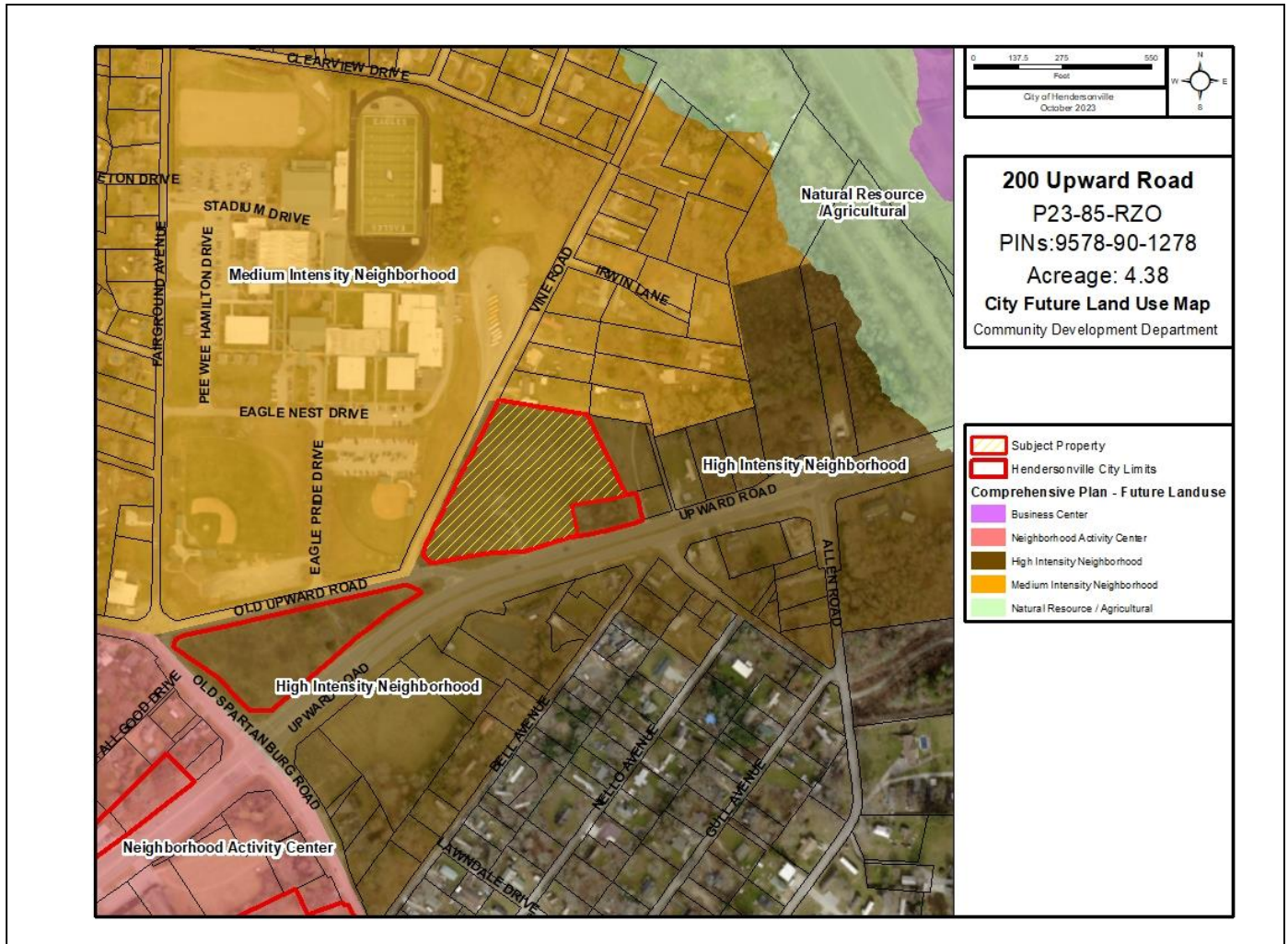
View of current site conditions on subject property

REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
N/A	N/A	N/A

- No information is known about the prior County zoning on the property

FUTURE LAND USE



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.

The parcels fronting Upward Road are also designated High Intensity Neighborhood and the parcels to the north of the subject property along Old Upward Road and Vine Street are designated as Medium Intensity Neighborhood. Upward Rd is a Boulevard according to the City's Comprehensive Plan.

The only other future land use designations in proximity to the subject property are Natural Resource / Agricultural, due to the presence of the Dunn Creek floodplain east of I-26, and Low Intensity Neighborhood, further setback from Upward Rd to the northeast of the subject property.

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	<p>The subject property is designated as <i>High Intensity Neighborhood</i> on the <i>Future Land Use Map</i>.</p> <p>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]</p>
	<p>Strategy LU-7-1. Locations:</p> <ul style="list-style-type: none"> • Priority infill development areas where high-density development is desirable and/or expected including boulevards and major thoroughfares near neighborhood activity centers [CONSISTENT]
	<p>Strategy LU-7.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> • Single-family attached and multifamily residential, planned residential developments, and open space [CONSISTENT] <p>Strategy LU-7-4 Development guidelines:</p> <ul style="list-style-type: none"> • 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 [CONSISTENT]
	<p>The subject property is designated as a <i>Priority Infill</i> on the <i>Growth Management Map 8.3a</i>.</p>
	<p>The subject property is designated as a <i>Development Opportunity</i> on the <i>Development Framework Map</i>.</p>
Land Use & Development	<p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.</p>
	<p>Goal LU-3. Promote fiscal responsibility with development, annexation and expansion of Hendersonville’s Extra-Territorial Jurisdiction (ETJ).</p>
Population & Housing	<p>Strategy PH-1.1. Promote compatible infill development.</p>
	<p>Goal PH-3. Promote safe and walkable neighborhoods.</p>
	<p>Strategy PH 3.2 – Encourage mixed land use patterns that place residents within walking distance of services.</p>
Natural & Environmental Resources	<p>No Goals, Strategies or Actions are directly applicable to this project.</p>
Cultural & Historic Resources	<p>No Goals, Strategies or Actions are directly applicable to this project.</p>

Community Facilities	<i>No Goals, Strategies or Actions are directly applicable to this project.</i>
Water Resources	<i>Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management</i>
Transportation & Circulation	<i>Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>
	<i>Strategy TC-5.2. Enhance key entrances within the City.</i>

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 -
	The corridor along Upward Rd has seen and will continue to see growth and development. The addition of manufacturing, multi-family and interstate-oriented restaurants and services is expected for the area. The subject property contained a single family home that was removed sometime after 2018.
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 -
	Additional commercial development within the City will generate additional tax revenue. Additional 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. Upward Road is designated as a boulevard on the comprehensive transportation plan and is maintained by NCDOT. Vine Road is primarily used to access a high school parking lot and residential parcels located north east of the subject property and is not identified on the Comprehensive Plan as a NCDOT maintained road. The subject property will be serviced by the City Fire Dept and will also be served by the City of Hendersonville Police.
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 -
	The subject property had featured some trees that have now been cleared.

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.*