

STANDARD REZONING: BLUE RIDGE COMMERCE CENTER INITIAL ZONING  
(P23-46-RZO)

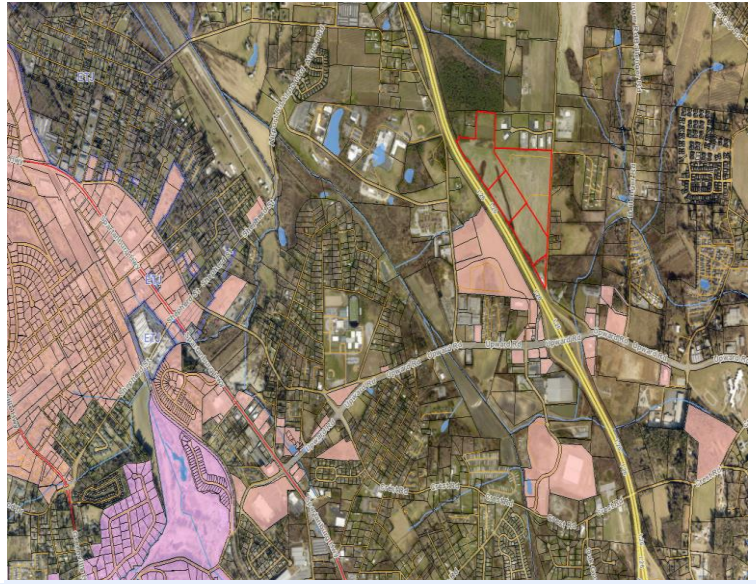
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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## PROJECT SUMMARY

- Project Name & Case #:
  - Blue Ridge Commerce Center
  - P23-46-RZO
- Applicant & Property Owner:
  - City of Hendersonville [Applicant]
  - Asheville Industrial Owner LLC & Asheville Industrial Owner II LLC [Owners]
- Property Address:
  - 337 McMurray Road
  - 117 McAbee Court
  - 542 McAbee Court
  - 118 McAbee Court
  - 405 McAbee Court
- Parcel Identification (PINs):
  - 9588-31-1844
  - 9588-22-8495
  - 9588-23-9432
  - 9588-23-3192
  - 9588-13-8975
- Project Acreage:
  - 65.31 Acres
- Current Parcel Zoning:
  - Henderson County Industrial
- Requested Zoning:
  - City of Hendersonville I-1
- Future Land Use Designation:
  - Business Center
  - Regional Activity Center



SITE VICINITY MAP

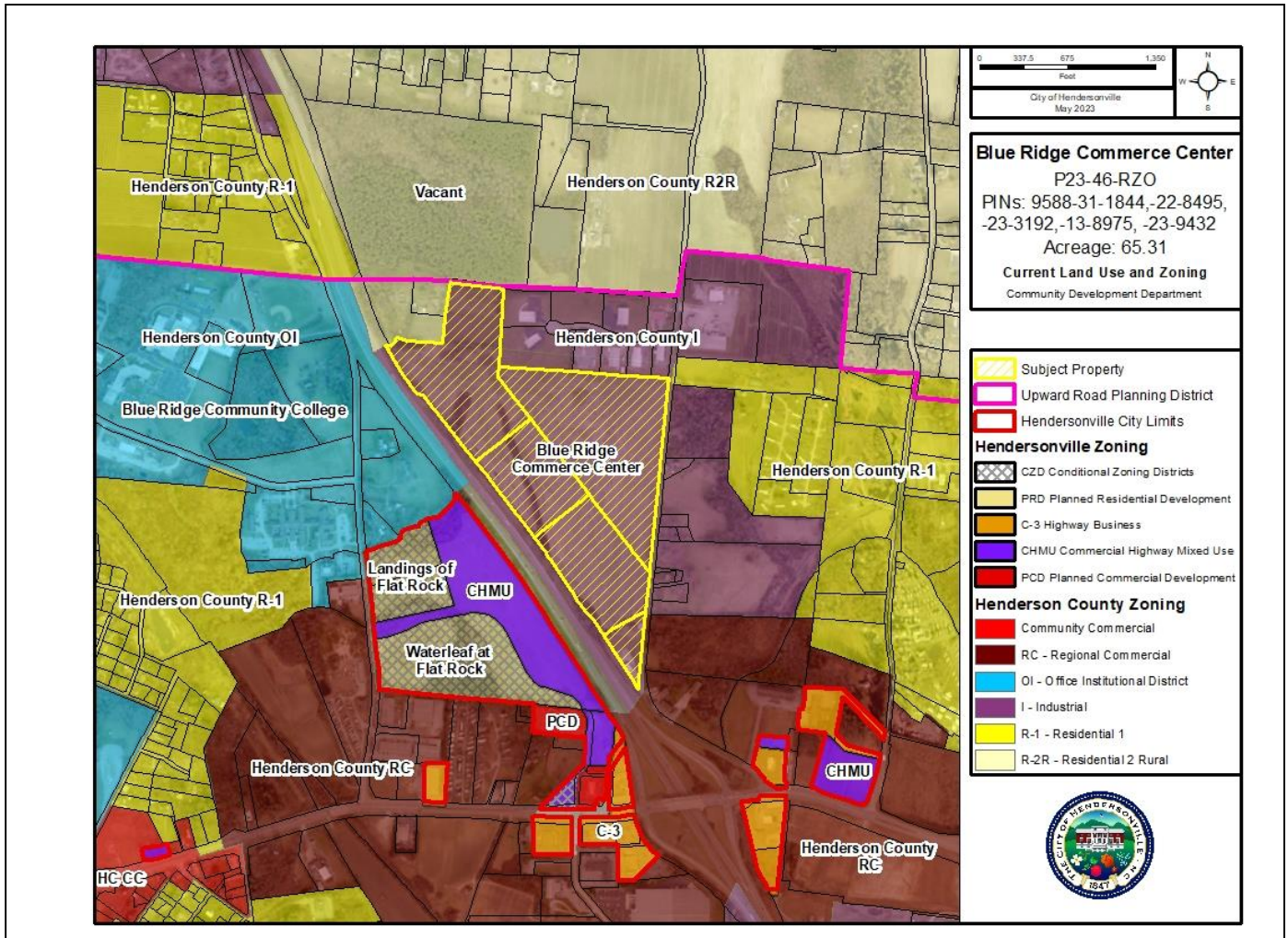
*City Council annexed the subject property at their June 1<sup>st</sup>, 2023 meeting. The County zoning can remain in effect on the subject property for 60 days after the annexation. The City Planning Department is proposing that the initial City zoning of this property should be City of Hendersonville I-1. The property is currently zoned Henderson County Industrial.*

*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. However, the developer of this property does have previously vested rights through approvals obtained through Henderson County Planning, Building Inspections for two of the parcels.*

*If rezoned, all permitted uses within the I-1 district would be allowed on the site.*

*Duke Energy selected the subject property as one of 9 properties included in the 2021 Duke Energy Site Readiness Program. <https://news.duke-energy.com/releases/duke-energy-helps-communities-across-north-carolina-prepare-sites-to-bring-local-investment-jobs>*

## EXISTING ZONING & LAND USE



### City of Hendersonville Current Zoning & Land Use Map

The subject property is located off of McMurray Road. This area is predominately under the zoning and planning jurisdiction of Henderson County with some satellite annexed properties along the Upward Road corridor.

The subject property is currently zoned Henderson County Industrial. Properties to the north are zoned Henderson County Industrial and Residential to Rural and contains a small industrial park along Reeds Way. Properties to the east are zoned Henderson County Industrial and R-1 and contain single family residential, a mobile home park, commercial uses and large vacant tracts of land. The I-26 Exit 53 interchange is to the south of the subject property, this area contains commercial uses in alignment with this type of interchange and contain multiple City zoning districts as well as Henderson County Regional Commercial. Parcels across I-26 to the west contain City of Hendersonville PRD-CZD and CHMU zoning and contain the Landings at Flat Rock Development as well as the Waterleaf at Flat Rock Apartments. Henderson County Office Institution zoning is also located in this area and contain the Blue Ridge Community College campus.

The subject property is also located within the "Upward Road Planning District" as depicted in the map above.



SITE IMAGES





SITE IMAGES



*View of PIN 9588-31-1844 looking southwest.*



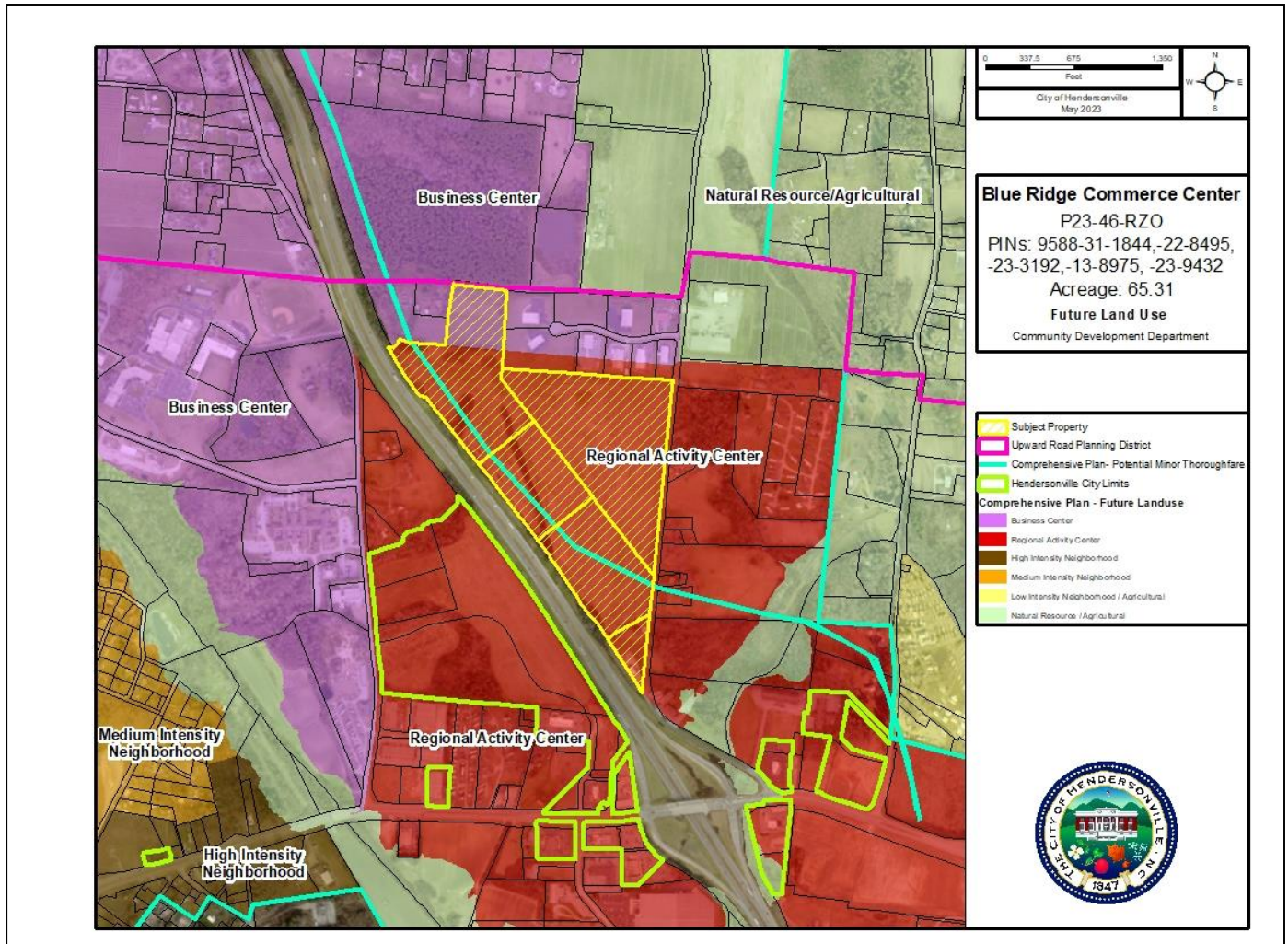
*View from the subject property looking north to south.*



SITE IMAGES



## FUTURE LAND USE



City of Hendersonville Future Land Use Map

The City of Hendersonville's 2030 Comprehensive Plan Future Land Use Map designates the majority of the property as Regional Activity Center. The remaining northern portion of the property is designated as Business Center. The 2030 Comprehensive Plan depicted a "potential minor thoroughfare" cutting through several portions of the subject property.

The Henderson County's 2020 comprehensive plan designates the subject property as Industrial (map attached in packet). The Henderson County 2045 comprehensive plan that is currently going through the review/approval process has designated this area as "Employment and Industry". The 2045 plan states "Employment and Industry areas offer job-generation, site-ready parks, accessible road networks, and utilities. Industries come in many different forms including manufacturing, agriculture, distribution, office, research, and development (R&D), etc. The design of development sites in these areas should be tailored to be compatible with other nearby uses."

## COMPREHENSIVE PLAN CONSISTENCY

Future Land Use	<p><b>MAJORITY OF THE SITE:</b>  <b>Goal LU-9 - Regional Activity Center:</b> Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects.</p>
	<p>Strategy LU-9.2 Primary Land Uses:</p> <ul style="list-style-type: none"> <li>Community and regional retail sales and services [CONSISTENT]</li> <li>Restaurants [CONSISTENT]</li> </ul>
	<p>Strategy LU-9.3 Secondary Land Uses:</p> <ul style="list-style-type: none"> <li>Multi-family residential [CONSISTENT]</li> <li>Offices [CONSISTENT]</li> <li>Public and institutional uses [CONSISTENT]</li> <li>Pedestrian amenities [CONSISTENT]</li> </ul>
	<p>Strategy LU-9.4 Development Guidelines:</p> <ul style="list-style-type: none"> <li>Mitigation of bulk of large buildings through façade detailing and window coverage [INCONSISTENT]</li> <li>Hiding of large parking lots (more than one double-row deep) from thoroughfares with outlot structures [INCONSISTENT]</li> <li>Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT]</li> </ul>
	<p><b>NORTHERN PORTION OF THE SITE:</b>  <b>Goal LU-13. Business Center:</b> Create an employment corridor along I-26 that supports the growth of Hendersonville as a business destination. Create a campus-like, mixed-use environment that includes office, research and low-impact industrial uses, as well as supportive retail amenities.</p>
	<p>Strategy LU-13.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> <li>Offices [CONSISTENT]</li> <li>Research facilities [CONSISTENT]</li> <li>Educational centers [LIMITED]</li> </ul>
	<p>Strategy LU-13.3. Secondary recommended land uses:</p> <ul style="list-style-type: none"> <li>Supportive neighborhood retail and services along major thoroughfares [INCONSISTENT] McMurray Road is a local road.</li> <li>Restaurants [CONSISTENT]</li> <li>Light manufacturing, fabrication and distribution if designed to be compatible with office uses. [CONSISTENT]</li> <li>Multi-family residential [CONSISTENT]</li> <li>Redevelopment and adaptive reuse of older industrial structures near Downtown into uses that complement adjacent land use categories [INCONSISTENT]</li> </ul>
	<p>Strategy LU-13.4. Development guidelines:</p> <ul style="list-style-type: none"> <li>Moderate front setbacks and appropriate landscaping [CONSISTENT]</li> <li>Encouragement of pedestrian connections to multi-use pathways and</li> </ul>



	<p><i>between uses [LIMITED]</i></p> <ul style="list-style-type: none"> <li>• <i>At least 30% open space in new developments greater than five acres [INCONSISTENT]</i></li> <li>• <i>Requirement of façade articulation and window coverage to break up large facades. [INCONSISTENT]</i></li> <li>• <i>Mitigation or avoidance of negative visual and environmental impacts on residential areas. [CONSISTENT]</i></li> </ul>
<b>Land Use &amp; Development</b>	<i>Growth Management (Map 8.3a): Designated as “Priority Growth Area”. Areas that are considered a high priority for expansion of the ETJ, annexation, and extension of infrastructure and services.</i>
	<i>Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a.</i>
	<i>Strategy LU-3.4 Promote fiscal responsibility for the City with the expansion of infrastructure and services.</i>
<b>Population &amp; Housing</b>	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
<b>Natural &amp; Environmental Resources</b>	<i>Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat.</i>
	<i>Strategy NR-4.4. Discourage leapfrog development patterns that fragment agricultural land.</i>
	<i>The property is located in a Voluntary Agricultural District “The Voluntary Agricultural District program, established by Henderson County, encourages farmers to preserve and identify their properties as farmland. The program maps and posts signs that identify participating properties as active farms.”</i>
<b>Cultural &amp; Historic Resources</b>	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
<b>Community Facilities</b>	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
<b>Water Resources</b>	<i>Strategy WR-2.2. Prevent development of floodplains and stream corridors in order to preserve natural drainage patterns and improve the quality of stormwater runoff</i>
<b>Transportation &amp; Circulation</b>	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>

GENERAL REZONING STANDARDS	
Compatibility	<b>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</b>
	The subject property is currently zoned Industrial by Henderson County. I-I is the City's comparable zoning district to Henderson County Industrial. Henderson County's 2020 and 2045 Comprehensive plans both designate this area as industrial uses. The proposed initial zoning to I-I would be in alignment with the current and future land use goals that Henderson County has placed on this property and surrounding areas. The subject property was selected for the Duke Energy Site Readiness program which prepares sites for future industrial development. It was one of 9 sites selected for the program in 2021.
Changed Conditions	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	<p>The property was previously reviewed and approved under the Henderson County's Planning process. They are voluntarily annexing into the City in order to receive sewer service. Due to this annexation requirement, the City must zone the subject property under its zoning jurisdiction. I-I zoning is the most comparable zoning district that aligns with previous approvals and future site development plans.</p> <p>Two of the proposed buildings for site are already vested under NC General Statutes due to their obtainment of building permits. These approvals were obtained through a review by Henderson County. The City shall honor these site plan approvals even after the property is annexed.</p>
Public Interest	<b>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 -</b>
	The subject property as proposed will provide additional industry to the City. This could potentially allow for additional jobs for City residents as well as the extension of public utilities into areas not previously served.
Public Facilities	<b>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</b>
	<p>Water / Sewer plans have been submitted to the City's Water and Sewer Department and will be under review if annexed.</p> <p>The site will be served by an NCDOT maintained road, which is classified as a "local street" in the comprehensive plan. There are currently no sidewalks on McMurray Road.</p> <p>Sanitation, Police and Fire service will be provided to the parcel upon voluntary annexation approval.</p>



<p><b>Effect on Natural Environment</b></p>	<p><b>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 -</b></p>
	<p>The site was previously mass graded prior to discussions with the City of Hendersonville concerning annexation. The development proposed on the site did go through all the required Henderson County site plan review procedures. This includes but is not limited to Planning review and Soil and Erosion Control review. There is an existing tree line that abuts I-26 still in place to act as a buffer between this development and I-26.</p> <p>There does appear to be a couple of blueline streams depicted on the most recent USGS seven-and-one-half minute quadrangle topographic maps covering the City of Hendersonville. Since this property was not reviewed under the City's zoning prior to the land disturbing activity, the City's requirements for stream buffers did not apply. The streams on site may have been piped which would exempt them from these standards, but that has not been confirmed with the developer.</p>

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 Regional Activity Center and Business Center designations' Recommended Primary and Secondary Land Uses generally align with uses permitted in the I-1 zoning district and the property is located in an area designated as a priority growth area.*

*DRAFT [Rationale for Approval]*

- *The proposed I-1 zoning district is compatible with the current Henderson County Zoning and Future Land Use Designations.*
- *The proposed I-1 zoning allows for a wide range of uses that align with similar types of developments in this area.*
- *The proposed I-1 zoning provides the City with industrial zoning fronting the I-26 corridor.*

*DRAFT [Rational for Denial]*

- *The proposed I-1 zoning is not a suitable zoning district for the subject property for these reasons....*
- *And due to these reasons, the site should be initially zoned \_\_\_\_ zoning district.*