

## STANDARD REZONING: UPWARD CROSSING (P23-07-RZO)

### CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY .....	2
EXISTING ZONING & LAND USE .....	3
SITE IMAGES.....	4
SITE IMAGES.....	5
REZONING HISTORY .....	6
FUTURE LAND USE .....	7
REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE II-4) .....	8
REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE II-4) .....	10
DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT .....	11



## PROJECT SUMMARY

- Project Name & Case #:
  - Upward Crossing Rezoning
  - P23-07-RZO
- Applicant & Property Owner:
  - Chris Cormier/Carolina Specialties Construction [Applicant]
  - Satis Patel/Upward Road Hospitality [Owner]
- Property Address:
  - 0 Upward Crossing Dr
- Parcel Identification (PIN):
  - 9588-21-9113
- Project Acreage:
  - 1.5 Acres
- Current Parcel Zoning:
  - PCD – Planned Commercial Development Conditional Zoning District
- Requested Zoning:
  - CHMU – Commercial Highway Mixed Use
- Future Land Use Designation:
  - Regional Activity Center

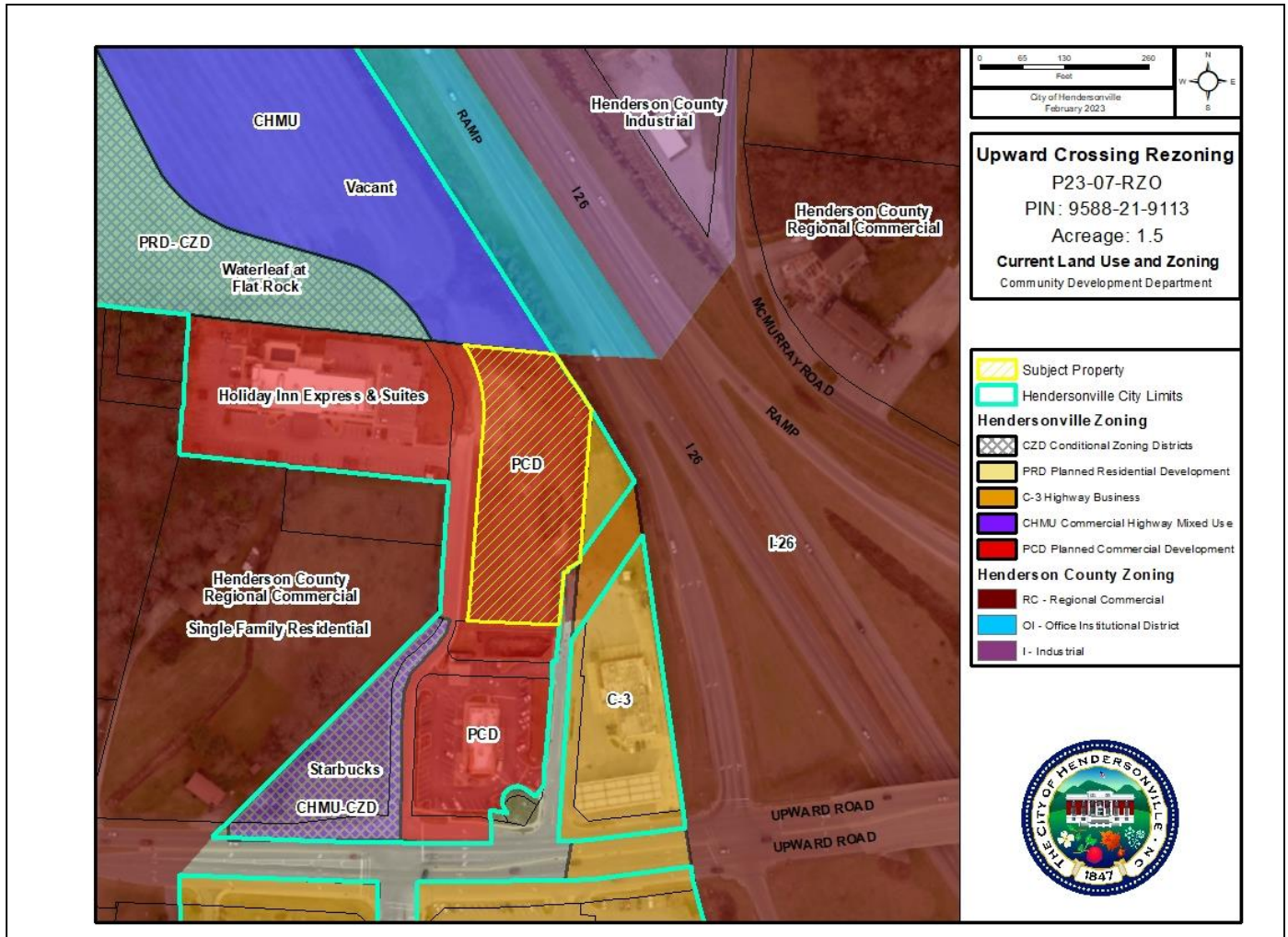


SITE VICINITY MAP

*The City of Hendersonville is in receipt of an application for a Standard Rezoning from Chris Cormier of Carolina Specialties Construction [Applicant] and Satis Patel of Upward Road Hospitality [Owner]. The applicant is requesting to rezone the 1.5 acre subject property (PIN: 9588-21-9113) located at Upward Crossing Rd, from Planned Commercial Development Conditional Zoning District (PCD) to Commercial Highway Mixed Use (CHMU).*

*If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the CHMU district would be allowed on the site. 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.*

## EXISTING ZONING & LAND USE



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

The area around the subject property is a transitioning area which contains a wide range of interstate-oriented uses including lodging, fast food, and convenience stores, as well as recently-approved multi-family uses and industrial uses. The subject parcel is zoned PCD as it was part of a larger Planned Commercial Development – a portion of which has been developed.

The subject property is located on Upward Crossing Dr, which is a private street with access to Upward Rd. Property at the corner of Upwards Crossing and Upward Rd was recently rezoned to CHMU to allow for a Starbucks. Other recent rezonings have occurred on properties north of the site which lay between I-26 and S. Allen Rd. These properties include two PRD multi-family residential uses (under construction) that have been approved in the last two years. Additional vacant land in this area was recently annexed and zoned CHMU – a zoning district created specifically for this area. The subject property is also located in the “Upward Rd Planning District” which was adopted in 2011 along with the CHMU zoning district.

In general, this is a rapidly growing area that will continue to see growth due to its relationship with I-26.



## SITE IMAGES



*Access to the site along Upward Crossing Dr. Facing south towards Upward Rd*



*Access to the site along Upward Crossing Dr. Facing north towards future connection/access to Waterleaf Apartments*

## SITE IMAGES



*View of I-26 / Upward Rd from eastern edge of boundary*



*View of site facing west towards Upward Crossing. Existing Holiday Inn Express in background.*



## REZONING HISTORY

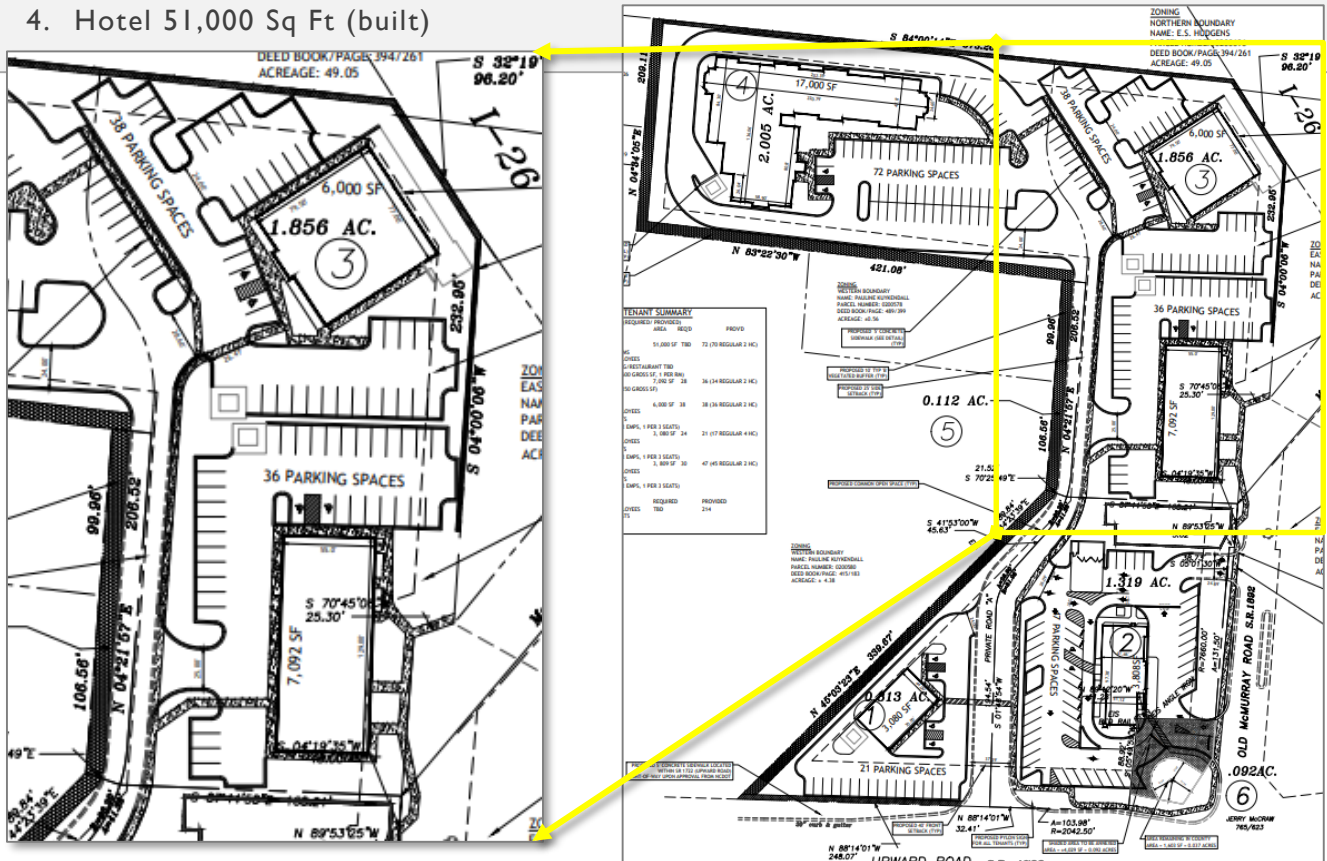
Prior Rezoning	Summary of Prior Petition	Status
Initial PCD zoning (2008) PCD Reapproved (7/3/2014) Expired (7/3/2019)	A site plan for a multi-phased retail, hotel and restaurant Planned Commercial Development.	Preliminary Site plan was approved by City Council- Final site plan was approved for portions of the development, but never fully developed.

Minutes from July 3, 2014 City Council meeting:

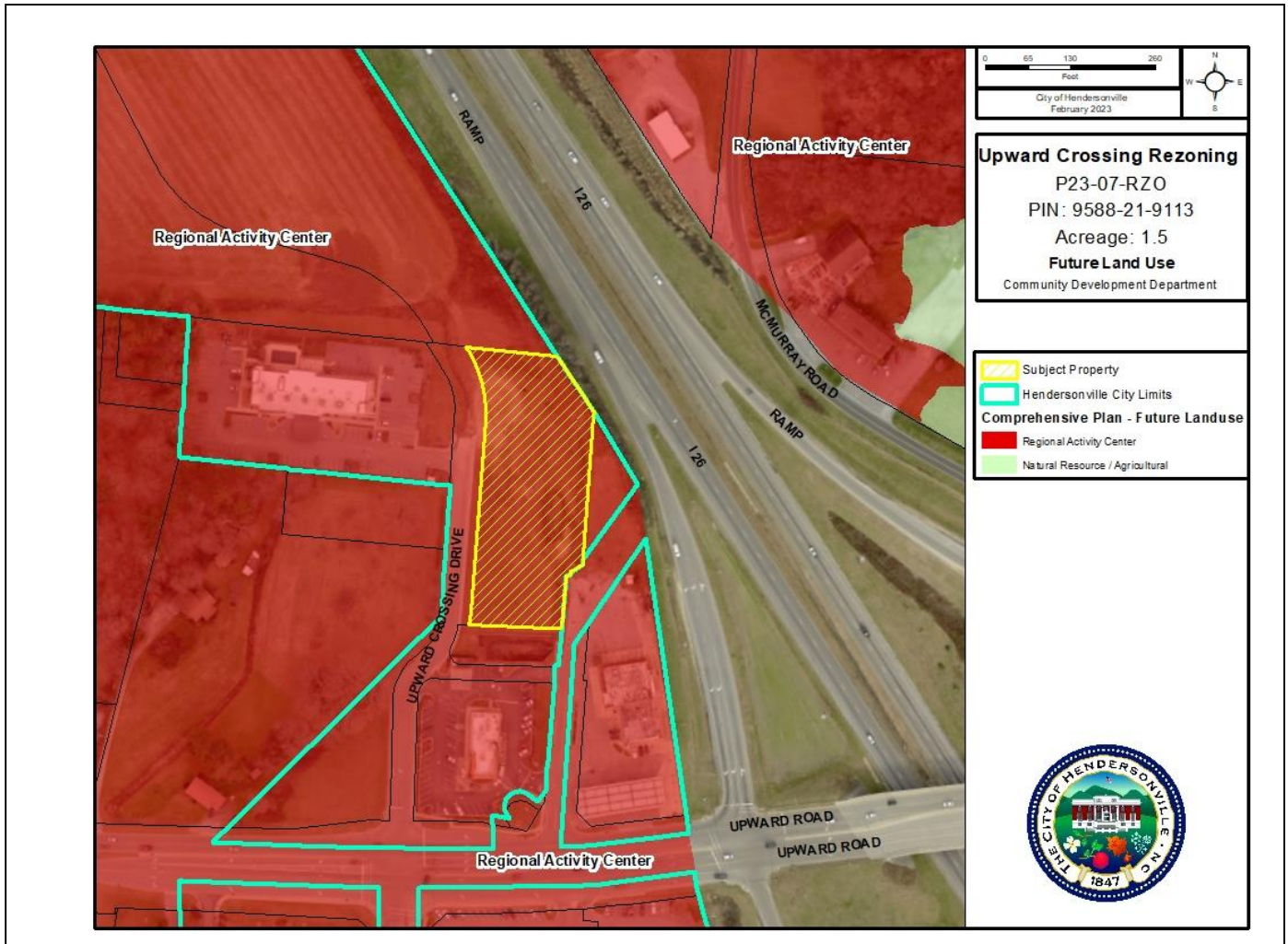
<https://library.municode.com/nc/hendersonville/munidocs/munidocs?nodeId=2d9a5168057e4>

### Upward Road Property PCD

- 6.197 Acres
- 70,981 Sq Ft of Buildings
  1. Restaurant 3,080 Sq Ft (rezoned-Starbucks)
  2. Restaurant 3,809 Sq Ft (built)
  3. Retail 7,092 Sq Ft & Restaurant 6,000 Sq Ft (current proposal)
  4. Hotel 51,000 Sq Ft (built)



## FUTURE LAND USE



City of Hendersonville Future Land Use Map

The City's 2030 Comprehensive Plan designates the subject property as **Regional Activity Center** and it is located within an **Activity Node** as indicated in the City's Future Land Use Map. Restaurants are a primary recommended land use in the Regional Activity Center designation.

All parcels in the surrounding area share this same designation which can be attributed to the proximity to the interchange with I-26 and Upward Rd. I-26 is classified as a Freeway and Upward Rd is a Boulevard according to the City's Comprehensive Plan.

The 2020 Henderson County Future Land Use designation for the subject property is 'Community Service Center'. The County's 2045 Draft Comprehensive Plan designates this area as 'Community Center'. In both cases, these designations represent large commercial nodes that serve broad geographic areas.

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.

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p><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.” [CONSISTENT]</p>
	<p>Strategy LU-9.1. Locations:</p> <ul style="list-style-type: none"> <li>Commercial areas surrounding the US64/I-26 and Upward Road/I-26 interchanges. [CONSISTENT]</li> </ul>
	<p>Strategy LU-9.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> <li>Community/Regional retail sales and services [CONSISTENT]</li> <li>Restaurants [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 [CONSISTENT]</li> <li>Hiding of large parking lots (more than one double-row deep) from thoroughfares with out-lot structures [CONSISTENT]</li> <li>Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT]</li> </ul> <p><u>Activity Nodes:</u></p> <ul style="list-style-type: none"> <li>Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors [CONSISTENT]</li> <li>Placement of new buildings close to the street along thoroughfares (less than 20 feet) encouraged [INCONSISTENT]</li> <li>Location of all parking to the side or rear of buildings or in a garage encouraged [CONSISTENT]</li> <li>Improved pedestrian connections to surrounding neighborhoods [CONSISTENT]</li> </ul>
Land Use & Development	<p><b>Growth Management:</b> The property is designated as a “<b>Priority Growth Area</b>” on the Growth Management Map (Map 8.3a). “Areas that are considered a high priority for expansion of the ETJ, annexation, and extension of infrastructure and services”. [CONSISTENT]</p>
	<p><b>Development Framework:</b> The subject parcel is not listed as “<b>Development Opportunity</b>” in the Comprehensive Plan’s Map 8.2b: Development Framework due to the fact that the parcel was part of a previously-approved PCD that was not fully constructed. [CONSISTENT]</p>
Population & Housing	<p>No Goals, Strategies or Actions are directly applicable to this project.</p>



<b>Natural &amp; Environmental Resources</b>	<i>Strategy NR-3.2. Enable and encourage Low-Impact Development practices in stormwater management.</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-2.3. Enable and encourage Low-Impact Development practices in stormwater management.</i>
<b>Transportation &amp; Circulation</b>	<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, as indicated on Map 7.3a</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 area around the subject property is a transitioning area which contains a wide range of interstate-oriented use. The CHMU zoning district was specifically established for this area and permits the types of uses that are likely to locate in vicinity of an interstate interchange.
Changed Conditions	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	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.
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>
	While the petition to rezone would permit by-right development of the subject property, the CHMU district contains Design Standards which provides some assurance of compatibility and quality design.
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>
	The site will be served by City water and sewer service as well as City Police and Fire. Upward Road is designated as a boulevard on the comprehensive transportation plan and is maintained by NCDOT. Upward Crossing Rd is currently privately maintained.
Effect on Natural Environment	<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>
	Site has been previously disturbed and contains no mature trees nor environmentally sensitive features.

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 Future Land Use designation of Regional Activity Center recommends Restaurants and Community/Regional Services as primary land uses and the location of the subject property aligns with the goals and strategies of LU-9.*

We 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 CHMU Zoning District features Design Standards*
- *The CHMU Zoning District permits a mix of uses including those that are consistent with the interstate-oriented development occurring in this area.*
- *The subject property is located in a “Priority Growth Area”*

*DRAFT [Rational for Denial]*

- *The proposed zoning district is incompatible with the surrounding area*