

BUNCOMBE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
REZONING ANALYSIS

CASE NUMBER : **ZPH2014-00025**
PROPOSED ZONING CHANGE : PS and R-1 TO CR
LOCATION : Christmont
PIN : See agenda

APPLICANT: Michael P. Murphy
222 Fern Way
Black Mountain, NC 28711

CASE NUMBER : **ZPH2014-00026**
PROPOSED ZONING CHANGE : R-2 to CR
LOCATION : Lutheridge
PIN : See agenda

APPLICANT: Novusway, Inc. (Lutheridge and Lutherock Ministries DBA)
28 Spruce Drive
Arden, NC 28704

DEPARTMENT RECOMMENDATION: **APPROVAL**

BOARD CONSIDERATIONS: The Board must determine if there is a reasonable basis for the requested change. An applicant's showing of reasonableness must address the totality of the circumstances and must demonstrate that the change is reasonable in light of its effect on all involved. Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002). Determination must be, the "product of a complex of factors." Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988). Among the factors relevant to this analysis are the size of the tract in question; the compatibility of the disputed zoning action with an existing comprehensive zoning plan; the benefits and detriments resulting from the zoning action for the owner of the newly zoned property, his neighbors, and the surrounding community; and the relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts. Id.

REZONING ANALYSIS: The applicants are requesting the rezoning of large conference centers and recreation facilities to CR (Conference Center/Resort District). The current conference/resort uses in the proposed map amendments include Christmont (Black Mountain) and Lutheridge (Arden).

The proposed map amendments are consistent with the Buncombe County Land Use Plan as the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that large conference centers and recreation facilities be zoned more appropriately through a Conference Center/Resort District. The Plan indicated that the facilities considered for this zoning should be 100 acres or more and managed through a common entity (Buncombe County Comprehensive Land Use Plan 2013 Update, Section 6 Issues and Recommendations). Therefore, the proposed map amendments would be reasonable and in the public interest.

The Conference Center/Resort District is appropriate for the subject properties and supported by the Buncombe County Land Use Plan. Therefore the Buncombe County Planning and Development Department recommends **APPROVAL** of the request.

LAND USE PLAN CONSISTENCY STATEMENTS

CONSISTENT: The proposed map amendments are consistent with the Buncombe County Land Use Plan as the Buncombe County Comprehensive Land Use Plan 2013 Update recommends that large conference centers and recreation facilities be zoned more appropriately through a Conference Center/Resort District. The Plan indicated that the facilities considered for this zoning should be 100 acres or more and managed through a common entity (Buncombe County Comprehensive Land Use Plan, 2013 Update Section 6 Issues and Recommendations). Therefore, the proposed map amendments would be suitable as indicated within the Update. The proposed map amendments are appropriate and therefore reasonable and in the interest of the public.

NOT CONSISTENT: The map amendments are not consistent with the Buncombe County Comprehensive Land Use Plan as the Land Use Constraint maps within the Buncombe County Comprehensive Land Use Plan 2013 Update show the following regarding the subject properties:

- Have areas of slope greater than 25%

Therefore, the proposed map amendments would not be suitable for the Conference Center/Resort District as indicated on the suitability matrix within the Update. Development within these environmentally sensitive areas would be detrimental to the owners, adjacent neighbors, and surrounding communities as they are not consistent with the surrounding area. Therefore, the requested zonings would not be reasonable and in the interest of the public.