CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Monday, May 10, 2021 – 4:00 PM

AGENDA

1. **CALL TO ORDER**

2. **APPROVAL OF AGENDA**

3. **APPROVAL OF MINUTES**

   A. Minutes of the Planning Board Regular Meeting April 12, 2021

4. **OLD BUSINESS**

5. **NEW BUSINESS**

   A. Conditional Zoning District – Oak Preserve (P21-11-CZD) – *Matthew Manley, AICP – Planning Manager*

   B. Conditional Rezoning Amendment: West Avenue Villas (P21-24-CZD) – *Tyler Morrow, Planner II.*

6. **OTHER BUSINESS**

   A. Dark Sky Subcommittee Update- (P21-25-ZTA) – *Matthew Manley, AICP – Planning Manager, Tyler Morrow, Planner II*

7. **ADJOURNMENT**

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the Community Development Department no later than 24 hours prior to the meeting at 828-697-3010.

Minutes of the Planning Board
Regular Meeting - Electronic
April 12, 2021

Members Present: Jim Robertson (Chair), Neil Brown, Jon Blatt, Candi Guffey, Peter Hanley, Bob Johnson

Members Absent: Robert Hogan, Tamara Peacock, Hunter Jones

Staff Present: Tyler Morrow, Planner, Lew Holloway, Community Development Director, Matt Manley, Planning Manager and Terri Swann, Administrative Aide

I Call to Order. ***The Chair called the meeting to order at 4:00 pm. A quorum was established.***

II Approval of Agenda. ***Mr. Brown moved for the agenda to be approved. The motion was seconded by Mr. Hanley and passed unanimously.***

III Approval of Minutes for the meeting of March 8, 2021. ***Mr. Brown moved to approve the Planning Board minutes of the meeting of March 8, 2021. The motion was seconded by Mr. Hanley and passed unanimously.***

IV Old Business - None

Chair introduced Bob Johnson to the Board. He is a new member.

V(A) Zoning Map Amendment – Application from Tamara Peacock Architects to rezone the property at 0 Edgewood Avenue (PIN #9569-81-2770) from I-1 Industrial to R-6, High Density Residential. (File #P21-17-RZO). Mr. Manley gave the following background:

Mr. Manley stated the .03-acre lot is currently a vacant wooded lot that is adjacent to a railroad line. The use will be single-family residential. They plan to place an accessory dwelling unit on each lot. This is a standard rezoning and there is no binding site plan or restriction of uses beyond what is permitted in the R-6 district per the Zoning Code.

There is an additional vacant lot to the south of the subject property, which has been approved for development as a R-6 CZD. This property is accessed by the same platted right-of-way. Across this platted right-of-way the properties are zoned R-6. The residential use to the north of the subject property is zoned I-1 as is the railroad right-of-way to the east of this property. The development of this site would be for infill residential uses which are in high demand.

The property is within one block of a historic district and within walking distance to the 7th Avenue district. The predominate uses in the area are residential.

The current I-1 zoning does allow for residential uses but the minimum lot size, width at front building line and setback requirements are not conducive to infill, residential development.

Mr. Manley presented photos to the Board and explained the views of the property. He also showed the concept plan and stated the proposed concept plan shown is a non-binding site plan. The applicant is proposing to use the lot for single-family, working-class, financially attainable homes with ADU's.

The subject property is classified as Medium Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map. This classification provides a transition between high and low intensity neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods as a means of preserving and enhancing existing neighborhoods. The proposed residential use is in line with the existing uses in the area and aligns with the Comp Plan. This will preserve the residential character of the area will utilizing an undeveloped, overgrown lot that has been used as a dump site.

Mr. Manley stated given the size of the lot, it can be subdivided into two lots providing an opportunity for two single-family dwellings and two ADU's.

Mr. Blatt stated he felt like staff should not go there with what the applicant should do with the property. They can do whatever is permitted in the R-6 zoning if the property is rezoned to R-6. Chair stated this is correct, they would be allowed any of the uses in R-6 if the zoning is changed.

Mr. Hanley asked if there were any known drainage issues on the property. Mr. Manley stated not that he is aware of.

Mr. Johnson asked about a denser zoning for the property. Mr. Manley stated to get additional density it would have to be pursued as a minor PRD, which requires a minimum of three acres. Therefore, this lot would not qualify. Most of the properties in the area are zoned R-6 and this rezoning to R-6 makes more sense.

Ms. Guffey asked about extending Edgewood Avenue. Mr. Manley stated staff will discuss this with Public Works when they submit a site plan. This is just for the rezoning.

Chair stated the owner of the lot is a member of the Planning Board. Mr. Manley stated yes, Tamara Peacock is the owner of the lot, but she is not in attendance today. If she was, she would have to recuse herself. Joey Burnett is representing her on this item.

Joey Burnett, 511 West Chestnut Drive stated they are looking to patch together the neighborhood. R-6 is the only residential zoning in this area and it just makes sense to have this property rezoned to R-6 so they can better utilize the property. He will be happy to answer any questions.

Chair asked if there were any questions for the applicant. There were no questions.

Chair opened up the public comment time. No one had any comments.

Mr. Manley stated a neighborhood compatibility meeting was not required for a standard rezoning.

Chair closed the public comment.

Mr. Blatt moved in considering the proposed Zoning Map Amendment (rezoning) application P21-17-RZO; Edgewood Avenue Lot, the Planning Board recommends approval of the request to rezone the property at 0 Edgewood Avenue (which means no address has been assigned) PIN # 9569-81-2770, from I-1, Industrial to R-6, High Density Residential, based on the following: that the map amendment is consistent with the 2030 Comprehensive Plan, Chapter 2 – Population & Housing and Chapter 8 – Land Use Development, that the rezoning is compatible with the surrounding land uses and that it is reasonable and in the public's interest to approve the application because it will advance goals related to infill development and housing. Mr. Hanley seconded the motion which passed unanimously.

V(B) Conditional Zoning District – Application for a conditional rezoning from B & G Enterprises, LLC and Larry Holbert. The applicants are requesting to rezone the subject property, PIN 9569-47-6603 and located at 2310 Asheville Highway, from C-3, Highway Business to C-3 CZD, for the development of a 99,480 square foot mini storage facility on approximately 7.4 acres. (File #P21-10-CZD). Mr. Morrow gave the following background:

The property is located at 2310 Asheville Highway. The property currently contains a used car lot on the front portion of the property. Most of the property is currently vacant. The applicant is requesting to rezone the subject property to C-3 CZD, Highway Business Conditional Zoning District. This project required a conditional rezoning due to the floor area exceeding 50,000 square feet and due to mini warehouses not being a permitted use in the C-3 Highway Business District.

The project is for a 99,480 square foot mini storage facility consisting of 7 buildings and 2 covered storage areas. The project acreage is 7.4 acres. A Neighborhood Compatibility meeting was held February 22, 2021. Notice was given to property owners within 400 feet of the proposed project and the property was posted with a sign.

Parcels to the north are zoned C-3, Highway Business and PCD, Planned Commercial Development. They contain commercial uses. Parcels to the east are zoned I-1, Industrial and include Kimberly Clark and vacant parcels along the railroad. Parcels to the south are zone C-3, Highway Business and R-10, Medium Density Residential and contain a single-family residential neighborhood. Parcels to the west are zoned C-3, Highway Business and R-15, Medium Density Residential and contain a mix of residential and commercial uses.

Mr. Morrow stated the 2030 Comprehensive Plan's Future Land Use Map designates parcels to the north and west as Neighborhood Activity Center. Parcels to the south are classified as Neighborhood Activity Center and Medium Intensity Neighborhood. Parcels to the east are classified as Business Center.

Neighborhood Activity Center concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods.

Mr. Morrow showed photos of the property and explained each view. He also showed a proposed site plan and stated there will be 7 self-storage structures and two covered RV storage areas. There will be an office on-site. 282 units will be climate controlled and 171 units will be standard storage. The plan shows 84 units that will be future climate-controlled units and 40 units that are future RV covered storage.

Mr. Morrow explained the colored circles on the site plan and what trees are proposed to be saved. This project abuts a residential use so a Type B buffer will be required along the southern property boundary. Staff has discussed with the applicant, saving the existing buffer between the residential properties to the south. Staff feels it is important to save some of the trees but also protect the other mature plantings that currently serve as a buffer. (bamboo, shrubs, etc.)

He stated the stormwater will be contained and treated on-site.

The project meets the parking requirements and the requirement for the drive lanes for mini-storage facilities. There is a sidewalk along Asheville Highway. The site will have one entrance off of Asheville Highway, they will utilize the existing curb cut for the property.

Staff has one recommended condition: The section along the southern border that does not currently have an existing vegetative buffer shall be planted with a Type B buffer in accordance with the zoning ordinance, and that any area deemed to not have a sufficient existing buffer shall be supplemented on the final landscaping plan by the developer during the final site plan review.

Mr. Morrow stated there is also one developer proposed condition: Plant 61 evergreen shrubs, 60 deciduous shrubs and 3 small flowering trees along the southern border, while maintaining the existing vegetative buffer as shown on the preliminary landscaping plan to count as the required Type B buffer.

The applicant is proposing to save 101 trees for a total of 235 tree credits. Staff has spoken with the developer concerning retaining the existing vegetation on the southern property line since it is already an established buffer from the residential neighborhood. The existing plantings should be supplemented by new plantings where gaps occur.

Mr. Morrow stated the Tree Board reviewed this project at their meeting on April 6, 2021. The Tree Board's recommendation is as follows: They asked to remove the invasive species listed in the Recommended Tree Species List except the bamboo which is serving as a visual buffer from the adjacent neighborhood and to replant using trees from the Recommended Tree Species List. This was approved unanimously by the Tree Board.

Chair asked if there were any questions for staff.

Mr. Brown asked if based on the site plan, the car lot will be removed. Mr. Morrow stated yes. Mr. Brown asked if the drop down to the office center across the street would present any drainage issues. Mr. Morrow stated that is a question for the developer. The water cannot leave the property and must be contained on-site.

Mr. Johnson asked about the activity node and if there was a connection to this project. Mr. Morrow stated this is the Future Land Use map and all this information is on the Comp Plan. The activity node is just places that have been highlighted, places where more design standards should be put in place to get a particular look for a piece of property. Staff reviewed those requirements along with this development and staff did not see anything that would be beneficial in taking those design standards and adding it to this, basically like moving some of the buildings closer to the lot line and a lot them were not applicable due to this being a mini-storage development. A lot of those standards were designed for mixed use, commercial on the bottom and residential on top type of design standards. So, a lot of them were not applicable for this project.

Chair asked if the Tree Board recommendation has been submitted to the applicant. Mr. Morrow stated yes, and the developer can speak on that as well.

Will Buie with WGLA Engineering in Hendersonville spoke to the Board. He introduced the project owners, Bart Salvaggio is one of the owners of Eagle Self Storage. In the overflow room is his sister Dale Bradshaw and her husband Steve Bradshaw. They are all natives of Henderson County. They also have other facilities that are located in the community.

Mr. Buie reviewed their existing facilities in the area. The existing facility on Spartanburg Highway was shown. This facility was constructed 16 years ago. This facility has an office and a full staff, and the proposed project will be much like this one.

Mr. Buie showed photos of the facility on South Allen Road. They have already expanded this facility a couple of years ago. This is an automated lease space and you can lease a space through the teller without having to speak with anyone on site.

Photos of the proposed site were shown. The used car facility will be removed and aesthetically it will look much better. The site plan shows seven buildings, two of those will be for RV storage. It will be one-way in and one-way out. Parking will be south of the office building and they will meet the 25-foot aisle requirement for mini storage facilities. There will be a 10-foot loading and unloading strip and a 15-foot driveway. They met with the Fire Marshal about the driveway and no issues were noted.

They will work with the Engineering Department on the stormwater and will incorporate the BMP – Best Management Practice concerning stormwater and the retention pond.

Mr. Buie stated the neighbors to the south are residential and they plan to place the buildings away from the southern end and provide more buffer to benefit the property. He pointed out the existing trees and they are comfortable with the developer and the staff conditions. He stated Trisha King is the Landscape Architect for the project.

Mr. Buie stated there is a demand for this type of project in the area. The other facilities have a wait list and there is a need for this type of storage facility in the community.

The property has been graded and partially used and this is infill development. They will be compatible with the surrounding uses and this project is consistent with the Comp Plan. This is a very visually attractive project that will help support growth in the area. The project requires open space and they will have and preserve open space for this project. They feel this project will provide a better condition for the environment and the public interest is represented by the need for this facility.

Chair asked if there any questions for the applicant.

Mr. Johnson asked about the hatched area on the site plan. Mr. Buie explained the open space and where the large culvert was on the site. He stated they do not want to build in that area due to the culvert.

Mr. Blatt asked the applicant to describe the landscaping along Asheville Highway and the Entry Corridor requirement. Mr. Buie stated there is a requirement for small maturing trees (small because they have overhead utilities). They will have low-growth shrubs and landscaping along the frontage. The landscaping island may be grass or some low plantings in that area. Mr. Blatt asked if it was beneficial have the low plantings so that the people can see what is in there. Bart Salvaggio stated it is beneficial because it is storage and one of the reasons they want to be on this site is because they want to visually be able to be seen, so that people can easily find them. He explained the trees along the corridor and how they want to make the project aesthetically pleasing.

Chair asked about the culvert and the low spot on Asheville Highway. Mr. Buie pointed out where the culvert discharges and explained that is why they do not have any buildings in that area.

Chair stated there is also an active homeless camp on the property and asked that even though they are trespassing, that compassion be shown for them.

Mr. Hanley asked about the property to the north and water not being handled properly. Mr. Morrow stated property owners are not permitted to run their water onto another property. Mike Huffman would handle the enforcement of this.

Ms. Guffey asked about a timeline for Phase II. Mr. Salvaggio stated Phase I will be six buildings and Phase II will be one building and the RV storage. Phase II will most likely happen in three to five years. They will do the stormwater management for the entire site. They will do all of that upfront.

Chair opened up for public comment.

Ken Fitch, 1046 Patton Street stated the primary issue is that this project will contain a large area of impervious surface. He understands there is an on-site retention plan, the question is where will that water eventually go. A concern is that the project is located close to the Oklawaha Greenway and a stream restoration project. Impact to those areas should be avoided. There are existing trees on the eastern edge of the property in the railroad right-of-way and he thinks that existing buffer should remain. He also stated there is no mention of the Dark Sky Initiative. He is sure Council will want to raise that issue.

No one else had any comments.

Chair asked the developer to speak on the stormwater concerns. Mr. Buie stated there are impervious surfaces on the site and they will account for all the impervious surfaces that are exposed. They will direct the water back to where that active stream goes after the detention occurs and after the treatment occurs. That will be a better condition than what is there today in his opinion as an engineer.

Mr. Morrow stated in the motion they have it includes the staff proposed condition as well as the developer's proposed condition, if you want to take either one of those out of their recommendation they will need to state that and also the Tree Board recommendation is currently not in the motion so if you would like for it to be included they would have to state that as well.

Mr. Buie stated concerning the Tree Board's recommendation, Mr. Morrow did share that this morning they would ask that they be allowed to review that with their landscape architect so they can understand what the impact might be. They are not suggesting they would not do that, but he is not qualified to determine if this is a good thing or a bad thing. Removal of all of the invasive species might impact that buffer negatively. They are not opposed to the idea but would like to study it.

Mr. Manley stated they do not have to agree on the Tree Board condition today if the Planning Board makes the recommendation, that will be decided at the City Council stage, therefore that will give them some time. He explained there was some lengthy conservation about the removal of the invasive species and removing over 50% of that could have a negative effect on the neighbors. This can be worked on with staff and an arborist. He discussed coming up with a viable solution.

Some discussion was made about the Tree Board recommendations. They also talked about the visual impact removing the bamboo would have to the residential neighborhood.

Ms. Guffey was concerned about the removal of some of the trees or invasive species and their established root systems holding up the area. She was concerned about the removal causing erosion issues.

Chair stated the buffer itself is a pretty nice buffer except for where the fence is falling in.

Mr. Johnson asked if the Dark Sky was part of this. Chair stated currently they have a committee made up of some of the members of this Board, staff and a few from the general public that are working on an ordinance to present to City Council on the Dark Sky Initiative. It is not ready and he is not sure if it will be ready for Council to look at before this development goes into place.

Mr. Neil stated he was a Dark Sky supporter and he would love to bring it up, but we have definition and we have no enforcement. Chair stated there is a lighting ordinance, but it is not very restrictive. Mr. Johnson was concerned that this site would be well lit, and they have a neighborhood to consider.

Mr. Buie stated they only use down lighting at their other facilities, and they would commit to that here.

Mr. Manley stated the Board has made Dark Sky requirements a condition in the past and he discussed they were trying to prevent the lighting escaping from the site.

Ms. Guffey stated at this point in advance she would like to recommend before the motion that they exclude the Tree Board recommendation and it not be included.

Mr. Blatt state he has not heard from the applicant that they are ready to engage the Dark Sky requirements. Mr. Buie stated they do not understand what all is considered as far as those requirements go. What he can say is they are currently using down lighting with cut offs on all their lights so that all of lights on the facility is projected downward. They can say that today, but he does not know beyond that what else may be in the ordinance. For security and safety reasons they have to have lighting but will not project it on the neighboring properties.

Mr. Blatt moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property from C-3, Highway Business to C-3 CZD, Highway Business Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons: The development will provide additional storage options for the residents of the City of Hendersonville, the proposed use is compatible with the area, the development is in the public interest because as stated there is a great need for additional storage space and the development will not have a detrimental impact on the natural environment. Mr. Johnson seconded the motion which passed unanimously.

VI **Other Business**. Mr. Brown gave an update on the Dark Sky Committee meeting.

VII **Adjournment** - ***The meeting was adjourned at 5:13 pm.***

DRAFT

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER:	Matthew Manley, Planning Manager	**MEETING DATE:**	May 10, 2021
AGENDA SECTION:	PUBLIC HEARING	**DEPARTMENT:**	Community Development

TITLE OF ITEM: Conditional Zoning District – Oak Preserve (P21-11-CZD) – *Matthew Manley, AICP – Planning Manager*

SUGGESTED MOTION(S):

1. **For Recommending Approval:**	2. **For Recommending Denial:**
In considering the proposed Conditional District Rezoning Application Oak Preserve P21-11-CZD, the Planning Board RECOMMENDS APPROVAL of the request from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract, based on the following: *That the map amendment is consistent with the 2030 Comprehensive Plan, Chapters 3 & 8.* *That the rezoning will conform to the ordinance and be consistent with adjacent development with the following conditions:* *1) Trees slated for preservation as shown on the site plan must be protected in accordance with Section 15-4 (c) of the Zoning Code prior to construction.* That it is reasonable and in the public's interest to approve the application because it will provide additional housing while clustering development and preserving existing tree canopy [DISCUSS & VOTE]	*In considering the proposed Conditional District Rezoning Application Oak Preserve P21-11-CZD, the Planning Board RECOMMENDS DENIAL of the Conditional Rezoning application from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract, based on the following;* *That the map amendment is **inconsistent** with the 2030 Comprehensive Plan, Chapters 2 & 8.* *That it is NOT reasonable and in the public's interest to approve the application because it does not provide a variety of housing types nor address affordable housing goals.* [DISCUSS & VOTE]

SUMMARY:

The City is in receipt of a Conditional Rezoning application from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract. The property is currently vacant. The applicant is requesting to rezone the subject property to PRD (Planned Residential Development) Conditional Zoning District. This project required a conditional rezoning due to the PRD Conditional Zoning District requirements

PROJECT/PETITIONER NUMBER:	P21-11-CZD
PETITIONER NAME:	Troy Lee, TMFL Consultants, Inc.
ATTACHMENTS:	1. Staff Report 2. Neighborhood Compatibility Meeting Minutes 3. List of Uses and Conditions 4. Site Plan (C-1 – C-6) 5. Additional Site Photos 6. Application 7. Owner Signature Addendum

Oak Preserve P21-11-CZD

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

Applicant: Troy Lee, TMFL Consultants, INC.

Property Owner: OP Management, LLC (formerly owned by: Karen Pace Davis, Gene T. Davis, Robert Terrell Pace, Rebecca H. Pace, William L. Pace, Carolyn Pace and Alice Pace Darnell)

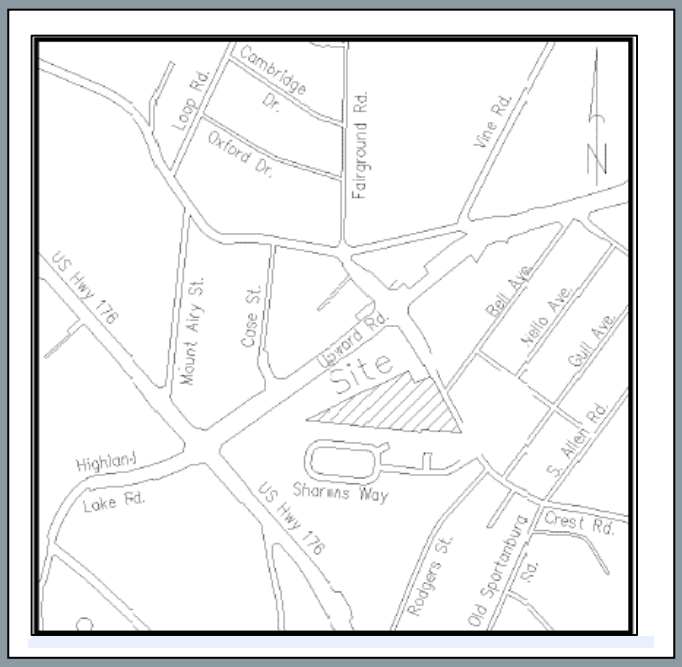
Property Address: 2201 Old Spartanburg Rd

Project Acreage: 5.6 Acres

Parcel Identification Number(s):9577-88-3870

Current Zoning: R1 (Residential District One)

Neighborhood Compatibility Meeting: April 5, 2021



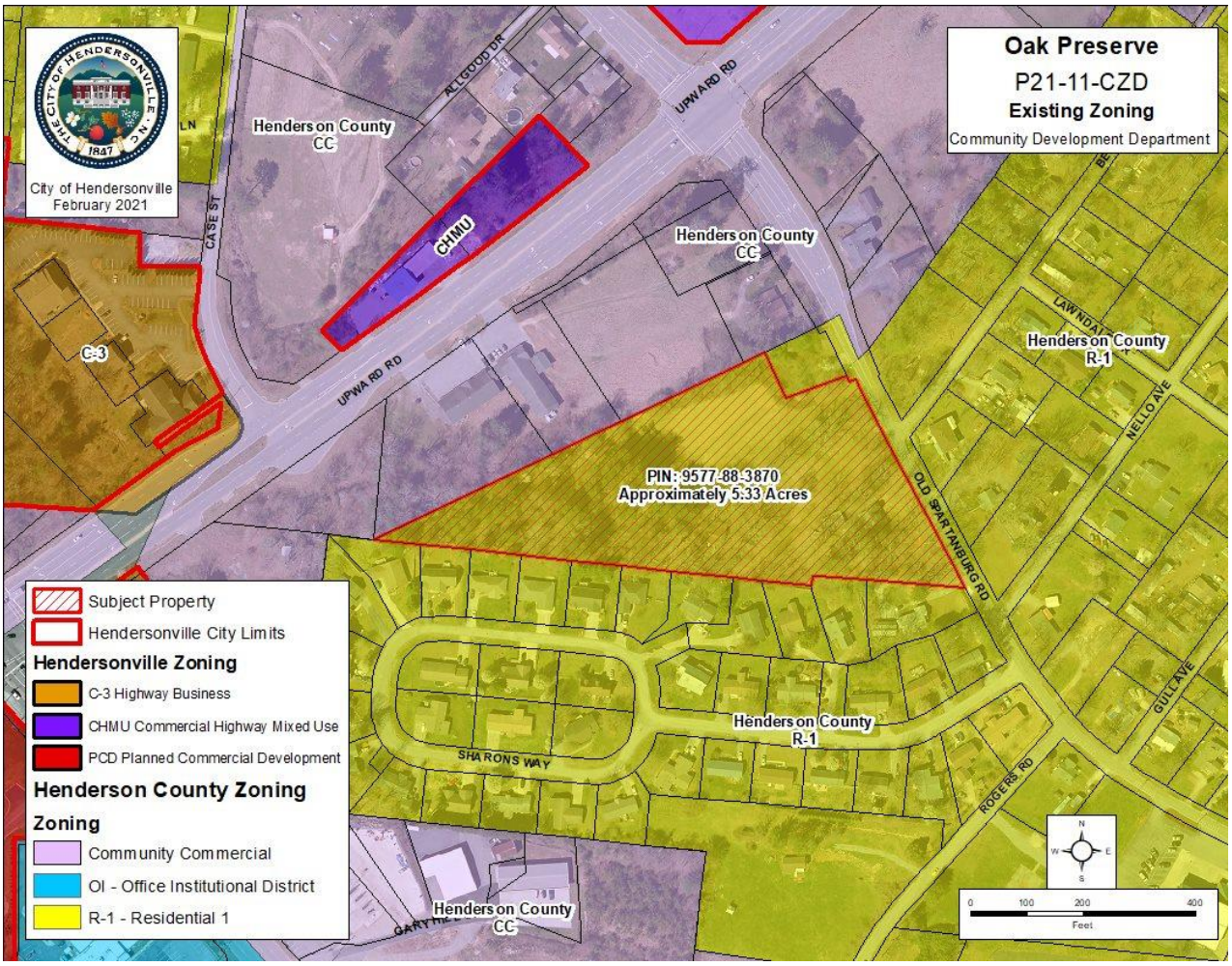
SITE VICINITY MAP

Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning application from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract. The property is currently vacant. The applicant is requesting to rezone the subject property to PRD (Planned Residential Development) Conditional Zoning District.

This project required a conditional rezoning due to the PRD Conditional Zoning District requirements.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north fronting Upward Rd are zoned Community Commercial (County) and contains vacant tracts and a commercial use in Rex's Gun Shop/Range. Parcels to the east are zoned R-1 Residential (County) and include single-family homes and some manufactured homes. Parcels to the south are zoned R-1 Residential (County) and contain a single-family residential neighborhood (Sharon's Crossing). Parcels to the west are zoned Community Commercial (County) and further west, fronting Spartanburg Highway, are C-3, Highway Business (City) containing Carolina Carwash

SITE CONDITIONS – SITE IMAGES

View of two large oaks in southern central portion of lot (facing west)	
View of homes to the west (Sharon's Crossing) – (facing west)	
View of north central portion of property (facing west)	

SITE CONDITIONS – SITE IMAGES CONTINUED

View of strand of pines that mark edge of proposed cul de sac at center of property (facing west)

View of neighboring gun shop / shooting range (facing north)

View of Spring on the property in the "point" of the property

SITE CONDITIONS – SITE IMAGES CONTINUED

View of dense vegetation in the point of the property.

View of open meadow on north portion of property from Old Spartanburg to strand of pines (facing west)

View of Oaks lining Old Spartanburg Rd on southern edge of frontage (facing west)

AERIAL PHOTOS

Plan View - Oriented North

Bird's Eye View - Facing South

SITE PLAN OVERVIEW

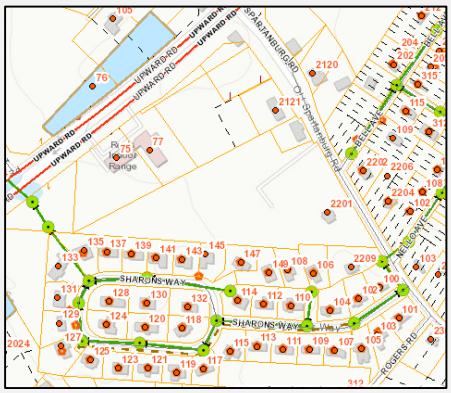
Proposed Site Plan

Site Features:

The site plan shows the following:

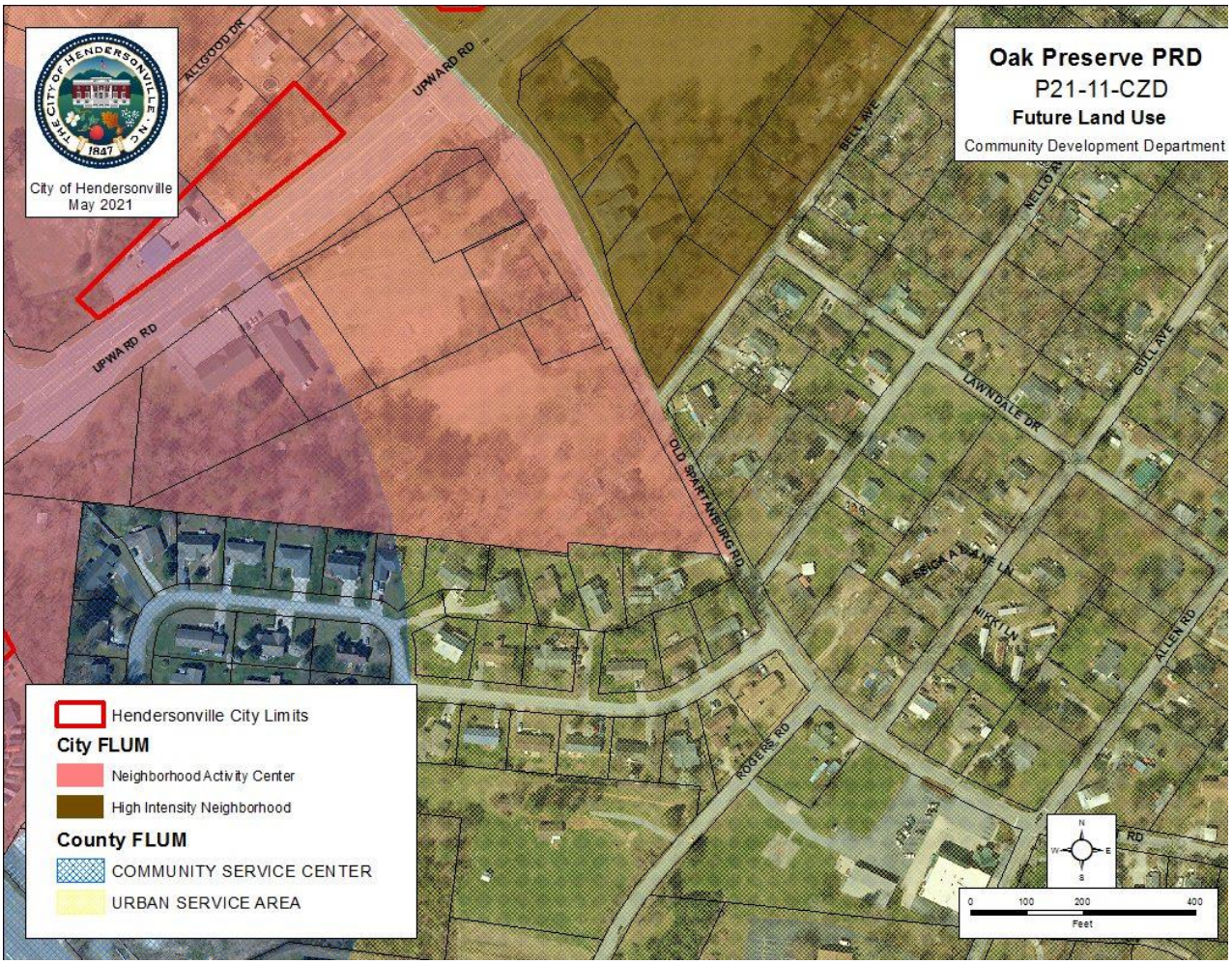
- *15 duplex structures (30 units) totaling 29,880 Sq Ft (1,992 Sq Ft / Structure)*
- *Private Drive with sidewalks*
- *Walking trail around perimeter*
- *Stormwater pond*
- *Setbacks and area of disturbance*
- *Proposed Maximum Building Height- 29.25'*
- *Preservation of Existing Trees:*
  - *Proposing to preserve 103 trees (greater than 12" dbh) - 61 hardwoods, 40 pines*
  - *Proposing to remove 37 trees (greater than 12" dbh) – 22 hardwoods / 15 pines*

    ** It should be noted that the site features hundreds of trees below12" dbh that will also be retained.*
- *Utilities: Water is available along Old Spartanburg Rd. Sewer is not available along Old Spartanburg Rd or Upward Rd, however it is present in nearby residential areas (see map above). The exact location point for the sewer connection will be determined in the Final Site Plan.*
- ***Site Plan Assessment**: Based on the review by staff, the submitted site plan for this project appears to meet the Zoning Ordinance standards established in Article 11-4 of the City Zoning Ordinance.*



Sewer Availability Map

REZONING CRITERIA – COMP PLAN CONSISTENCY



Due to the location of the subject parcel, this parcel and the surrounding parcels are featured in both the City and County's Future Land Use Maps. The goals of the two jurisdictions generally align at this location.

<u>City</u> - The City's 2030 Comprehensive Plan's Future Land Use Map designates the subject parcel as Neighborhood Activity Center. It is located at the periphery of the Old Spartanburg Rd/Upward Rd Activity Node. Parcels to the north are designated as Neighborhood Activity center while parcels to the east are High Intensity Neighborhood.

<u>County</u> – In the County's Future Land Use Map, the subject parcel is split between a designation as Urban Service Area (east) and Community Service Area (west). Parcels to the north, south and east, are designated as Urban Service Area. Parcels to the west are classified as Community Service Center. According to the Henderson County Comprehensive Plan, the Urban Services Area is that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020. Furthermore, Community Service Centers are located at key nodes / intersections and are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas.

REZONING CRITERIA – COMP PLAN CONSISTENCY

Goal LU-8.

***Neighborhood Activity Center*: Concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods.**

Strategy LU-8.1.

Locations:

- Major intersections along existing local commercial corridors (US-25 and US-176)
- Emerging neighborhood activity center at US-64 and Howard Gap Road

Strategy LU-8.2.

Primary recommended land uses:

- Neighborhood retail sales and services

Strategy LU-8.3.

Secondary recommended land uses:

- Offices
- Multi-family residential
- Live-work units
- Public and institutional uses
- Pedestrian amenities (plazas, outdoor seating, etc.)
- Mixed uses

Example of a mixed-use Neighborhood Activity Center

Strategy LU-8.4.

Development guidelines:

- Minimal parking in front of buildings (no more than one to two rows) along thoroughfares, with remainder of parking located to the side or rear
- Encouragement of buildings that are designed at a human scale, maximizing window coverage on ground floors and utilizing façade articulation
- Provision of pedestrian connections to parking and other buildings/ properties

Activity Nodes:

- Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors
- Placement of new buildings close to the street along thoroughfares (less than 20 feet from right-of-way)
- Location of all parking to the side or rear of buildings or in a garage encouraged
- Improved pedestrian connections to surrounding neighborhoods
- Inclusion of traffic calming improvements (described under Strategy TC-1.4 in Chapter 7) with redevelopment projects

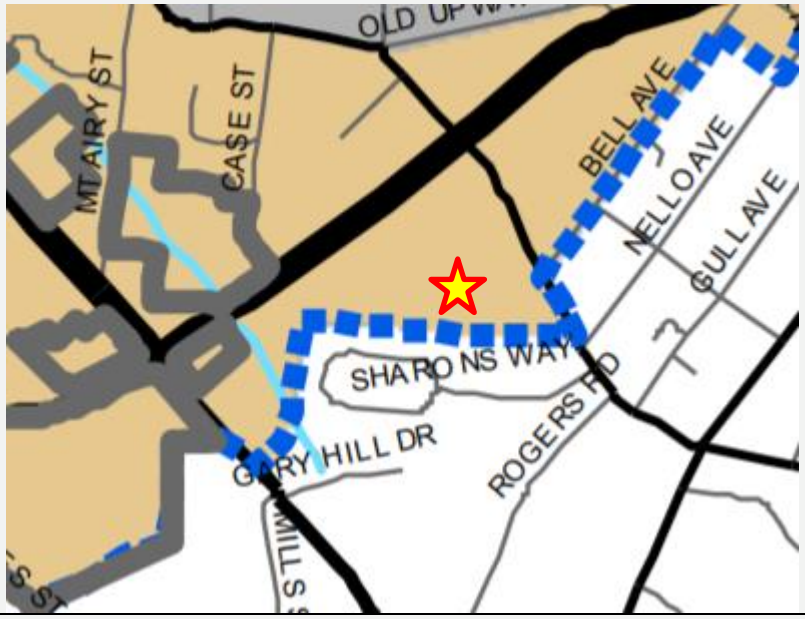
Activity Nodes: The Neighborhood Activity Center and Regional Activity Center categories include additional design guidance for "Activity Nodes", which are locations identified on Map 8.3b that are planned as high-density, pedestrian-friendly community focal points. Although downtown will be Hendersonville's primary urban focal point, the Activity Nodes will act as "satellite" nodes that bring the benefits of urban, mixed-use development and walkable design to neighborhoods and regional retail centers outside of downtown. Activity nodes encourage mixing of neighborhood or regional retail with other complementary uses within a five to 10-minute walking radius. Roadway and site design will create distinctive "centers" that serve as community gathering spots and create a unique sense of place.

Chapter 8: Land Use & Development designates the subject property as *Neighborhood Activity Center* on the 2030 Future Land Use Map.

The subject property is also located just outside of the "*Activity Node*" concentrated around the intersection of Upward Rd and Spartanburg Hwy.

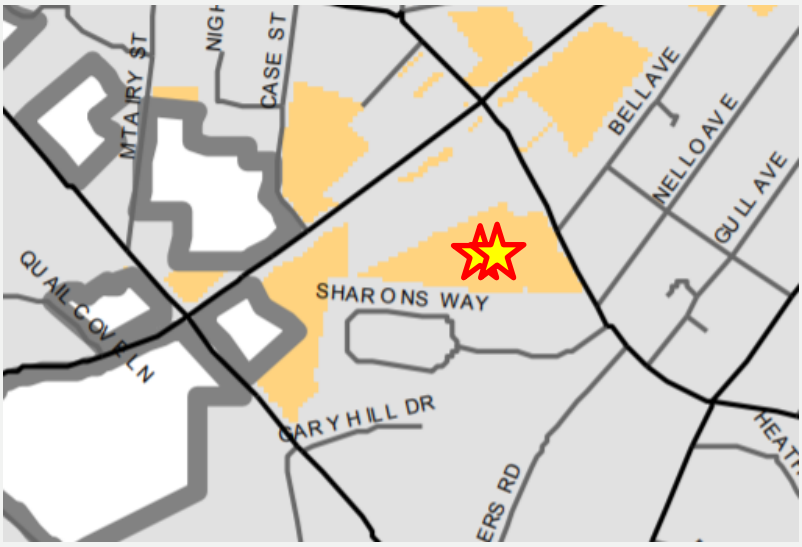
The **Transportation & Circulation** (Chapter 7 of the City's Comprehensive Plan) designates Old Spartanburg Rd as a Minor Thoroughfare and Upward Rd as a Boulevard (slated for Proposed Improvements) while Spartanburg Hwy is also designated as a Boulevard with a "potential greenway" running adjacent to it.

Growth Management Priority Infill Areas (beige): *Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties*

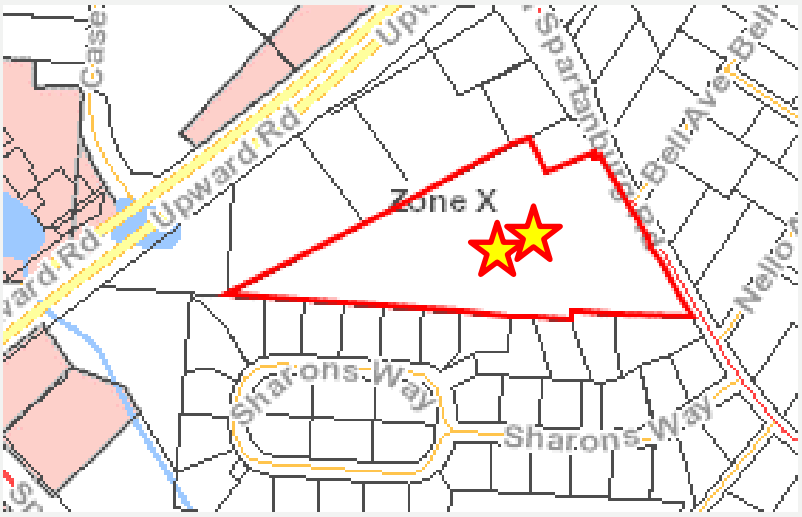


Development Framework Map: *The map depicts locations of greenfield development opportunities in Hendersonville and surrounding areas*

Development Opportunities (includes vacant land, agricultural land, and single-family residential properties greater than five acres)

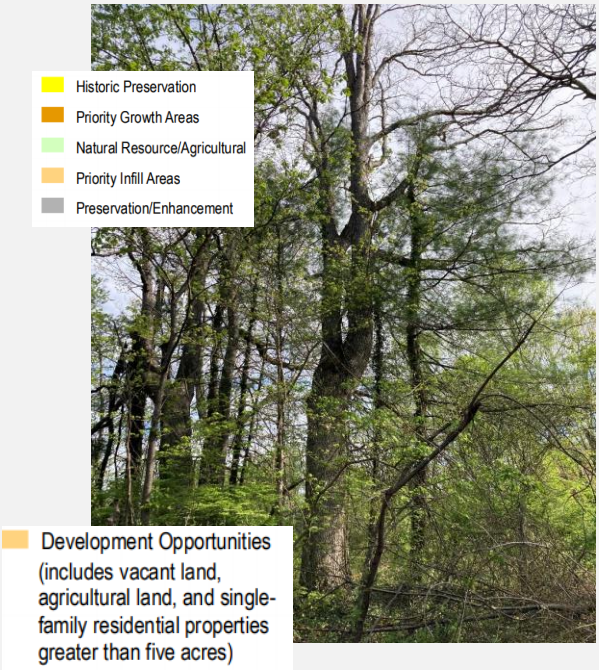


Floodplain Considerations: *The Subject Property is outside of the floodplain and no blue line streams are present on the site.*



Chapter 3: Natural & Environmental Resources

Aligning with the strategies of the Natural and Environmental Chapter of the Comprehensive Plan, the proposed development provides open space and preserves existing forest by clustering the development towards the front of the tract.



Chapter 2: Population and Housing

While the development is not slated to provide affordable housing, the development of duplexes rather than single-family homes doubles the density of the site. However, the development lacks variety in its offering of housing types.

While sidewalks and walking trails are proposed for the site, the design appears to prioritize cars with parking areas in the front of the houses. Connectivity to surrounding parcels is also not provided.

Goal NR-2.
Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements.

Strategy NR-2.1.
Encourage clustered development that preserves open space while allowing a return on investment. Clustering homes on smaller lots, or clustering commercial development in multi-story buildings, preserves open space without sacrificing housing units or leasable floor area. Zoning regulations can encourage such development by avoiding minimum lot area standards and promoting flexibility in design.

Action NR-2.1.1
Maintain density bonuses that allow additional density in return for open space preservation.

Strategy NR-2.3.
Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville's identity. Trees provide several additional community benefits, as described in Figure 3.3c.

Goal PH-2.
Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.

Action PH-3.
Encourage pedestrian-friendly design features in residential developments, such as recessed or rear garages and front porches in single-family development, and rear parking lots and front entrances in multi-family developments.

STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY

Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan for this project meets the Zoning Ordinance standards established for Planned Residential Development CZDs (Section 5-14) and Site Plan Review (Section 7-3).

Furthermore, staff finds that the application / proposed site plan is in keeping with the standards for a CZD zoning map amendment as established in Article 11-4 of the City Zoning Ordinance.

Final zoning ordinance compliance will be established at the time of Final Site Plan review and approval.

Comprehensive Plan Consistency:

Neighborhood Activity Center calls for Multi-Family Residential as a Secondary Land Use. Neighborhood Activity Centers are intended to concentrate dense walkable neighborhoods at major intersections, Upward Road and Spartanburg Hwy in this case. The subject property is removed from the immediate environs of both corridors and is adjacent to existing single family residential. While Neighborhood Activity Centers are designed to facilitate high intensity land use, allowances are made for use variations, as the Comp Plan notes that "Recommended Land Uses" are not intended to be exhaustive lists. Within the plan duplexes are categorized as "Single Family Attached" (townhomes, duplexes, etc.) versus "Multi-Family" (apartments).

Staff finds that the proposed Conditional Rezoning is consistent with the City's 2030 Comprehensive Plan for the following reasons:

1) Single-Family Attached is a use which is in keeping with the mixed-use development pattern established by the Neighborhood Activity Center land use designation (*Chapter 8)*.
2) Given the prevailing land uses in the area are single-family residential to the south and east and commercial to the north and west, this rezoning provides a compliment to the two dominant uses in the area (*Chapter 8*).
3) Duplexes add to the variety of housing options available in Hendersonville (*Chapter 2*).
4) The development has been laid out to minimize the impact to environmentally-sensitive resources on the site and to preserve existing vegetation (*Chapter 3*).

Staff Proposed Conditions: Staff have no standalone recommendations for conditions. The Tree Board recommended a condition related to the replacement of any trees proposed for preservation which do not survive for one reason or another. Staff have included the Tree Board's recommended condition in the proposed List of Uses and Conditions.

PUBLIC COMMENT

A Neighborhood Compatibility Meeting was held on April 5, 2021 for this project. Eight members of the public attended along with three members of the planning staff and a representative from the developer's engineering firm. Written statements submitted prior to the meeting were read into the record and addressed by the development team. Primary concerns were voiced by residents of the adjacent Sharon's Crossing subdivision. These concerns revolved around compatibility of the development as it related to ownership/rentals, utilities, security, stormwater, traffic, and loss of privacy,

TREE BOARD / PLANNING BOARD - SUMMARY OF ACTION

Summary of Tree Board Recommendation

April 20 - Oak Preserve – Matthew Manley, Tyler Morrow, and Adam Merritt were present to discuss this project. The developer has proposed to remove 37 trees (22 hardwood and 15 pines), proposing to save 103 trees (61 hardwood and 42 pines) and the developer may plant some street trees. This project does not fall under the parking lot landscape ordinance requirements. **A motion was made for the developer to protect the trees that they have proposed to save in accordance with Section 15-4 (C) Protection of Existing Trees of the Zoning Ordinance. Motion by Mark Madsen. Roll call vote – all ayes.**

Summary of Planning Board Recommendations [RESERVED]

Planning Board Motion [RESERVED]

SUGGESTED MOTION(S) & CONSISTENCY STATEMENTS

PLANNING BOARD - APPROVAL

In considering the proposed Conditional District Rezoning Application Oak Preserve P21-11-CZD, the Planning Board RECOMMENDS APPROVAL of the request from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract based on the following:

That the map amendment is consistent with the 2030 Comprehensive Plan, Chapters 2, 3 & 8.

That the rezoning will conform to the ordinance and be consistent with adjacent development with the following condition:

1) Trees slated for preservation as shown on the site plan must be protected in accordance with Section 15-4 (c) of the Zoning Code prior to construction.

That it is reasonable and in the public's interest to approve the application because it will provide additional housing while clustering development and preserving existing tree canopy.

CITY COUNCIL - APPROVAL

In considering the proposed Conditional District Rezoning application Oak Preserve P21-11-CZD, City Council APPROVES the request from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract, based on the following; based on the following:

That the map amendment is consistent with the 2030 Comprehensive Plan, Chapters 2, 3 & 8.

That the rezoning will conform to the ordinance and be consistent with adjacent development with the following condition:

1) Trees slated for preservation as shown on the site plan must be protected in accordance with Section 15-4 (c) of the Zoning Code prior to construction.

That it is reasonable and in the public's interest to approve the application because it will provide additional housing while clustering development and preserving existing tree canopy.

PLANNING BOARD - DENIAL

In considering the proposed Conditional District Rezoning Application Oak Preserve P21-11-CZD, the Planning Board RECOMMENDS DENIAL of the Conditional Rezoning application from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract, based on the following;

*That the map amendment is **inconsistent** with the 2030 Comprehensive Plan, Chapters 2 & 8.*

That it is NOT reasonable and in the public's interest to approve the application becauseit does not provide a variety of housing types nor address affordable housing goals.

CITY COUNCIL - DENIAL

In considering the proposed Conditional District Rezoning application Oak Preserve P21-11-CZD, City Council the Conditional Rezoning application from Troy Lee of TMFL Consultants, INC. for the development of 30 units (15 duplexes) on a 5.6 Acre tract, based on the following;

*That the map amendment is **inconsistent** with the 2030 Comprehensive Plan, Chapters 2 & 8.*

That it is NOT reasonable and in the public's interest to approve the application becauseit does not provide a variety of housing types nor address affordable housing goals.

ATTACHMENTS:

1) Neighborhood Compatibility Meeting Minutes
2) List of Uses and Conditions
3) Site Plan (C-1 – C-6)
4) Additional Site Photos
5) Application
6) Owner Signature Addendum

Planning Report
Neighborhood Compatibility Meeting
Application for a Conditional Zoning District
Oak Preserve File # P21-11-CZD
Monday, April 5, 2021 2:00 p.m.

Matt Manley, Planner Manager, convened the compatibility meeting at 2:00 pm in the Council Chambers of City Hall. Approximately seven adjacent property owners and three City staff were in attendance. The follow attended:

Name	***Address***	***Name***	***Address***
Matt Manley	staff	Perri Smith	135 Sharon's Way
Tyler Morrow	staff		
Terri Swann	staff		
Jean O'Rourke	104 Sharon's Way		
Terry Hill	119 Sharon's Way		
Crystal Gera	132 Sharon's Way		
Joan Gera	141 Sharon's Way		
Paula Meek	143 Sharon's Way		
Ken Meek	143 Sharon's Way		

Mr. Manley opened the meeting explaining this is the first step in a three-step process. He explained the conditional rezoning process adding anyone who received notice of this meeting would receive notice of the City Council Public Hearing. Minutes of this meeting will be forwarded to Planning Board and City Council. Mr. Manley said the project will go before the Planning Board for their recommendation and City Council will hear the project and make a final decision. This will also go before the Tree Board. Mr. Manley stated this meeting is for the neighbors to learn about the project and they should focus on the compatibility of the project in the neighborhood. This is a virtual meeting and Mr. Manley explained the process and the steps to participate in the meeting. This is an informal meeting so state your name and address before making any comments as minutes of this meeting are being taken.

Mr. Manley stated the property is located at 2201 Old Spartanburg Road. The property is zone R1 by Henderson County. The rezoning is for a PRD CZD, Planned Residential Development Conditional Zoning District. The proposed project will consist of 15 buildings and 30 units. Mr. Manley showed the site plan and the aerial view. He stated the land uses in the area. The property is approximately 5.33 acres. The preliminary site plan will be reviewed by staff. The developer is on the zoom call to give a presentation.

Adam Merritt with Pesterfield Civil Engineering stated he would give a brief summary. The property is currently zoned R1 by Henderson County and they plan to rezone it to City of Hendersonville PRD CZD, Planned Residential Development Conditional Zoning District. They will be consistent with the rules and regulations of the City of Hendersonville's requirements for PRD's. They will construct sidewalks in the development and the access will be from Old Spartanburg Road.

Mr. Merritt stated the Henderson County zoning would allow for intermediate to high density, which means they can have 33 units and as much as 67 units under the county zoning. They only plan to have 30 units and will meet the PRD requirements. This project will help to solve the current housing crisis in the area.

Mr. Merritt stated they plan annex into the city for sewer service and they plan to keep as much vegetation as possible. The developer plans to be responsible to the environment and plans to install a nature trail around the site.

The units will be rental units and will not be low income housing units. The development will not be gated. They will obtain the proper stormwater permits and erosion control permits. They fully intend to handle the stormwater on-site. There was no need for a traffic study

Mr. Merritt stated they have heard comments concerning the 15 buildings and how that is a lot for the 5.6 acres, but they are going with fewer units than what the current zoning will allow. Several neighbors were concerned about the dead trees and having them removed from the lot. They will pass these comments along to the developer. They are proud of the results of this project and the design. The developer will integrate this project seamlessly into the community.

Mr. Manley stated he will open the public comment. Anyone attending can come into the room one at a time and state their comments. He will also read the written comments into the record.

The written comments are below:

Sharon Franklin, Chairperson of Sharon's Crossing HOA Homeowner of 145 Sharon's Way
In regards to the conditional zoning of property at 2201 Old Spartanburg Rd, I have listed my questions/concerns below. I am not in favor of the development as it will directly affect my property and its value as well as the value, security and charm of Sharon's Crossing community.

1) Will the units be for rent or purchase? Will this be low income/affordable housing?
   a) If for purchase-
      i) What will the purchase price be?

ii) Will there be an HOA?
iii) What is the allowable rental percentage?

2) What is the square footage of each unit?
3) What is the plan for traffic?
   a) Will there be only one way in/out?
   b) Will Old Spartanburg Road be widened to allow for turning, or will there be a new traffic light?
4) What security will there be for homeowners of adjacent properties? Is there plan for a privacy fence/wall along the Sharon's Crossing /adjacent property border? If so, will that be built at the start of the project?
5) What is the plan for Big Oak Park?
6) What type of outdoor lighting will be installed?
7) Will the remaining trees be removed? Will trees be planted throughout property?
8) Currently, SC drainage/water runoff (i.e. during heavy rain) is directed or naturally flows into the woods or ditch.
   a) Will the developer's plans impede this natural drainage from SC?
   b) Will any storm drains be installed?
   c) How big will storm pond be and what exactly is the plan for routing drainage there?
9) What will the plan be for sewage? Septic system?
10) What is the plan for solid waste? Separate bins or dumpster?
11) I see that there is a dog area at the lower end of the property. How will this area be maintained so as not to have unsanitary conditions?
12) Assuming the rezoning is allowed, when will (you) break ground? What is the projected completion date?

Mr. Merritt stated the units will be for rent and will not be low income housing.

Austin Greenhalge with Pesterfield Civil Engineering stated he is also one of the engineers working on this project. The rent will be $2500 a month. They will have a HOA and ensure the common space is managed appropriately. These will all be rental units. The square footage is 1,840 square feet per unit. They will have two floors. Traffic is one-way in and one-way out. They fall below the threshold of a TIA and no signal will be required. Concerning the security of the adjacent properties, there is a vinyl fence there now and they have no intention of building a fence. They will not have a dog park, but they will have a nature trail and a stormwater pond. They plan to beautify the area. They will not have any outdoor lighting. Street trees will be planted and they will only remove the trees that need to be removed. There will be minimal impact to the existing vegetation. They will have an area of the stormwater system under the trail. They are not sure if it will be a retention pond or a detention pond. The stormwater will be managed properly on site. It is important to the

developer to work well with the neighbors. Once they go through the process they will have a clearer picture on the groundbreaking and completion date.

Paula Meek

Address
143 Sharons Way, East Flat Rock, North Carolina 28726

Public Comment
1. 15 units is a lot for 5.5 acres. Are they to be Rentals or sold?
2. Will they put up a wall or fence between units and Sharons Crossing development?
3. How many Bedrooms per unit?
4. Are they low income housing?
5. If sold will it have an HOA?
6. How will the development be accessed? Upward road? or Old Spartanburg.
7. Noise, more traffic, school buses, ER vehicles,
8. Is it a gated development?
9. Will it have side walks?

Mr. Merritt stated these will be rentals and will not be sold. There will be four bedrooms per unit. They will have a HOA. The access will be from Old Spartanburg Road. The development will not be gated.

Mr. Greenhalge stated the only traffic will be the residents of the development. He is not sure about school buses. The cul-de-sac will be large enough to handle the largest firetruck the city has and it will meet all requirements. The sidewalk will have curb and gutter and the development will be very nice.

Name
Crystal Gera

Address
132 Sharons Way, East Flat Rock, North Carolina 28726

Public Comment
I have concerns about the effect the new development will have on traffic on Old Spartanburg Road. There is a lot of pedestrian traffic on Old Spartanburg road daily as well as children waiting for school buses and High School students walking to East Henderson HS. There will be a large increase in traffic on this road, due to the entrance to the new development being on Old Spartanburg Road. What safety measures will be implemented to protect the pedestrians and school kids?
I also have concerns about the effect on property values in Sharon's Crossing. Will this be section 8 housing? Gated Community? The new development will increase traffic noise and result in loss of green space.
The wooded area that will be destroyed houses a variety of wildlife -Will you be planting new trees and keeping any green spaces?
For the homeowners that have property adjacent to the property line will have a significant loss of privacy. Will the developers install privacy fences between Sharon's Crossing properties and the New development?
What are the regulations regarding a firing range so close to a residential area?

Mr. Merritt stated this will not be Section 8 housing. The community will not be gated. Concerning the safety of the pedestrians, everything will be kept out of the site triangle.

There is no exiting sidewalk on Old Spartanburg Road and they do not plan to construct one.

Mr. Manley asked about the closeness of the structures. Mr. Greenhalge stated the closest structure would be 40 feet. Units 19/20 will be 65 feet and units 15/16 will be as much as 75 feet.

Name
Jean O'Rourke

Address
104 Sharons Way, East Flat Rock, North Carolina 28726

Public Comment
I have the following concerns/questions pertaining to this project as follows: 5.5 acres with 30 residences seems very dense. Will these be for sale or will they be rental units? Plans to address wetlands? Barrier/ fencing to protect our property? Spartanburg Hwy only access/ egress?
As a neighbor I am concerned my quiet neighborhood may abut 30 " apartments" severely changing the demographic I recently bought into.

Mr. Merritt stated it is the developers desire to prevent any impact to the areas ecological system. They plan to stay away from the wetlands.

Name
Robert Parks

Address
147 Sharon's Way, East Flat Rock, North Carolina 28726

Public Comment
I have a few concerns that I hope can be brought to the table during this meeting today. The questions are as follows:
1. Will there be a fence or wall built between the proposed property and the current residences in Sharon's Way? if so what type?
2. How will the water and runoff from the new construction be diverted away from the Sharon's Way properties?
3. What type of Duplex community is being built? Section 8? If it is section 8, will back ground checks be required for residence? We currently have a very safe neighborhood for our children at Sharon's Way and we certainly want to make sure that it remains that way.
4. Per the map that we have been provided, there will be a section of the wooded area that back up to our community that will remain. Will the new developers be removing the large amount of dead Oak trees and Ivy that continues to deteriorate and fall onto our properties and grow over our fences. I currently have multiple sections of my rear fence that have been damaged and the roof of my metal shed has been compromised and is leaking. We have continued to have to cut falling trees and debris from off of our properties as well as cutting back the invasive ivy. (I would like to speak with someone regarding these issues)

Mr. Merritt stated the run-off will be away from Sharon's Crossing. Mr. Greenhalge stated the developer's intent is to clean up any existing dead trees and trash, etc., that is on the property now. As far as the stormwater runoff, they will be doing curb and gutter and the runoff will be captured onsite and rerouted. The lay of the land is very workable and stormwater runoff will not be an issue. They will be happy to come and meet with any of the neighbors on site.

Name
Joan Gera

Address
141 Sharon's Way, East Flat Rock, North Carolina 28726

Public Comment
Needless to say that I am distressed to learn of the proposed rezoning of said property and the increased noise and air polution it will add to the area. I have the following comments and questions that I hope you will adddress. I belive that the number of units that you propose on the small acreage of 5.5 is excessive. Is this development planned for low income residential or rental? A gated community with a HOA? Where do you plan for the entrance and exit to the community? How will traffic be controled? Most households are of two cars. That will be 60 cars plus visitors, mail car, garbage trucks, school bus, delivery trucks, service and maintenance trucks etc. (Sounds like a peaceful morning) A lot of traffic for a small area.. Are you considering widening Old Spartanburg Road? How are utilities being addressed? Are electrical wires going underground? Are you considering a privacy and noise barrier between properties such as double row of evergreen Arborvitae trees/shrubs or other? We have plenty of noise from the traffic on Upward road and from Rex's Gun Range that is a constant seven days a week. How will the residents of your development handle that. Last year there was so much noise coming from the range I had called the owner and voiced my concern for my own safety in my own back yard being only 180 feet from their property as they were shooting outside. I asked him what kind of weapons were being used and he said they were testing rifles and shooting in a barrel and I wasn't in danger. Sure,I thought ! I suggested he add more sound proofing to his indoor range stating how loud it was and he said sorry he was there before Sharon's Crossing. Back to the point.....When you clear out the wooded area you are also taking away the nesting of birds (I put up a bird feeder and bird bath a week ago and have been so very excited to attract five different species so far) and they fly in from the woods. In the spring a lot of rabbits will be hopping across the lawns along with other wildlife. Would you believe a deer! Surly all will be disturbed and disrupted. Several weeks ago I questioned the surveyor while in my yard and he said the owners would not build behind my property because it was swampy and that they were going to make a pond and a dog run further down. I asked if it was for the community and he said no. It was private. Said he is member of the planning committee.????Guess that was not reliable information. So those are my key points at this time. I would like to be a good and compatible neighbor but this does not look well to me being right on the property line. I would not like to see this rezoned for multiple dwellings. Sorry. Have a nice day. I plan to attend the meeting.

Mr. Manley asked about the utilities being underground. Mr. Merritt stated that has not been discussed with the developer yet. They have not heard back from Henderson County concerning the gun range.

Name
Nance Ray

Address
231 Bell Ave, E Flat Rock, North Carolina 28726

Public Comment
Team,
we searched the Henderson Cty Planning Website for information on the proposed "Oak Preserve" but was unable to locate any solid information, so along with some fellow neighbors we have the following basic questions:

1) Since Old Spartenburg Rd is narrow, has a traffic study been done to determine the impact of adding 45-60 additional auto's in that small area?

2) Has anyone considered how close the units will be to the Firing Range(the noise issue)?

3) One question that kept coming up among us local residents, does this developer have a good track record/history of developing similar developments? Do they have experience developing and building projects of this size? Where? We all know the quality of the projects around Highland lake area, so we would like to have the confidence of this project.

4) We believe we need a few additional weeks to better understand this project and get our arms around it.

Mr. Greenhalge stated the developer is aware of the firing range and he understands there is a gun range nearby. The units will serve as a buffer to the residents of Sharon's Crossing. These developers are proactive and they want to put their money back in the community. The development will be very nice and they plan to bring more information to the Planning Board meeting. They will ask that the developer attend that meeting

also. He stated he understands the frustration of the neighbors when the meeting was postponed but they wanted to be better prepared. They will have additional information at the Planning Board meeting.

Ken Fitch, 1046 Patton Street stated there is a compatibility issue with the closeness of the units numbered 17 and 18 and the adjacent property to units 23 and 24. The setback is much narrower there. Also, is it permissible for the nature trail to be in the setback. Will the trail be paved? Will the HOA be housed on site? Is the only parking in the driveways? Will pets be allowed? Will the road be public or private? How will they handle the garbage? Parking for guests may be an issue. Will services be provided by the city and if not then by who? Are exterior sidewalks required?

Mr. Manley stated sidewalks will be required on Old Spartanburg Road.

Mr. Merritt stated it is his understanding that the nature trail can be in the setback. The trail will not be paved. Pets will be allowed. The HOA will uphold the rules. They will not have a dumpster area and any garbage receptacles will be blocked from view and will be hidden. If sidewalks are required on Old Spartanburg Road then they will put them in.

Mr. Greenhalge stated the driveways are extra deep with curb and gutter. He explained the distance from the driveway to the porch. They designed the parking to meet the demand and it goes above and beyond what is required. The setbacks are much larger and they do not encroach on any 30 foot setback. All the buildings meet the separation requirement for the fire code.

Terry Hill, 119 Sharon's Crossing stated stormwater is an issue. In March they had heavy rains and at least 4 to 6 inches of rain fell causing a tremendous amount of water. There was as much as a 10-foot width of running water going down the property. He understands they plan to install curb and gutter but he has been in the area for 25 years and it has been this way the whole time. Sharon's Crossing sits low and collects water from about 15 acres. They will need a 36 inch drain pipe to handle the amount of water from their site.

Mr. Merritt stated they will do whatever is needed to fully understand the amount of water and to do their calculations. They have been doing this for several years and they feel they will be able to handle the water and will take into account the 15 acres. They will take care of the stormwater on site.

Mr. Greenhalge stated the contour on site will be graded and will not sit at the existing grade. They will direct the water where it needs to go.

Mr. Hill stated if any back filling will be done, that will impact their property as well. Mr. Merritt stated they will take care of any issues early in the grading process. Mr. Hill asked if the HOA covenants have been recorded at the courthouse so that he can have a copy. Mr. Merritt stated that will come later in the process. They will ask the developer to share those once they have been recorded. Mr. Merritt asked Mr. Hill to reach out to him so they can discuss his issues further.

Mr. Manley asked if anyone else would like to comment. No other comments were made.

Mr. Manley stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well. The property will also be posted with the meeting information on the sign. This project should go before the Planning Board on May 10th and City Council on June 3rd .

With no further comments or questions, Mr. Manley closed the meeting at 3:00 pm.

LIST OF USES & CONDITIONS:

Oak Preserve Rezoning (File # P21-11-CZD)

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

- Two-Family Residential Dwellings

II. Conditions:

(1) Shall Be Attached to the Conditional Rezoning and Satisfied Prior to Issuance of Final Site Plan Approval:

City Initiated Conditions:

1. Trees slated for preservation as shown on the site plan must be protected in accordance with Section 15-4 (c) of the Zoning Code prior to construction.

Applicant Initiated Conditions:

1. None

(2) Shall Be Attached to the Conditional Rezoning:

1. Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and all applicable provisions of the Hendersonville Zoning Ordinance and Code of Ordinances.

With their signatures below, Applicant and Property owner indicate their consent to these conditions.

Applicant: Troy Lee, TMFL Consultants,Inc.

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Troy Lee, OP Management, LLC.

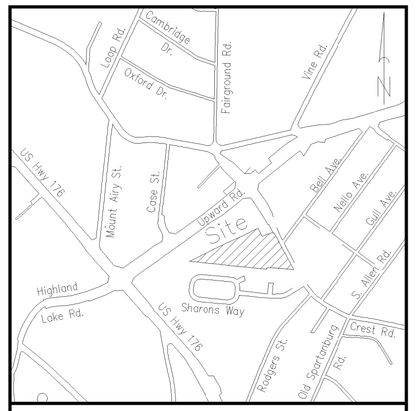
Signature:_____

Printed Name:_____

Date:_____

OAK PRESERVE
PLANNED RESIDENTIAL DEVELOPMENT
for TMFL CONSULTANTS, INC.

HENDERSON COUNTY, NORTH CAROLINA
APRIL 22, 2021



VICINITY MAP
(NOT TO SCALE)

PROJECT CONTACTS:

PROPERTY OWNERS
KAREN PACE DAVIS
147 WEB PLACE
MILLS RIVER, 28759
WILLIAM L. PACE III
1012 CADENCE LANE
DURHAM, NC 27703
ROBERT TERRELL PACE
8830 HOMEWOOD DRIVE
LEWISVILLE, NC 27023
ALICE PACE DARNELL
107 OAK HILL DRIVE
HUNTERSVILLE, NC 28078

BUYER / DEVELOPER
TMFL CONSULTANTS INC.
5375 NW 159TH STREET
MIAMI LAKES, FL 33014
(305)-509-1220
email: troy.a.lee@gmail.com

SURVEYOR
PATTERSON & PATTERSON SURVEYING
PAUL PATTERSON
117 W BARNWELL STREET
HENDERSONVILLE, NC 28792
(828)-692-6629

PLANNING AND ZONING
CITY OF HENDERSONVILLE PLANNING
TYLER MORROW, LEW HOLLOWAY
100 N. KING STREET
HENDERSONVILLE, NC 28792
828-697-3010
email: tmorrow@hvlnc.gov
email: lholloway@hvlnc.gov

DRAWING INDEX:

C-1 COVER SHEET
C-2 SITE SURVEY (COMPLETED BY OTHERS)
C-3 PROPOSED SITE LAYOUT PLAN
C-4 ADDITIONAL PROJECT INFORMATION
C-5 PROPOSED UTILITY LAYOUT
C-6 TREE SURVEY

PROJECT LIMITS
SCALE: 1" = 60'-0"

LOCATION OF CLOSEST FIRE HYDRANT
DISTANCE = 64'
LOCATION = CORNER OF NELLO AVE
AND OLD SPARTANBURG RD

SITE SUMMARY	
PRD CONDITIONAL REZONING - MAJOR PRD	
CURRENT ZONING	R1 (COUNTY)
PARCEL IDENTIFICATION #	9577-88-3870
PARCEL ACREAGE	5.60 ACRES
PARCEL SQ FOOTAGE	244,040.36 SQ FT
PERVIOUS PAVING (SQ FT)	15,181.21 SQ FT
% IMPERVIOUS	19.42 %
IMPERVIOUS AREA (SQ FT)	47,390.36 SQ FT
PAVING AREA (SQ FT)	19,575.66 SQ FT
TOTAL BLDNG (SQ FT)	29,880.00 SQ FT
BLDG FOOTPRINT (SQ FT)	1,992 SQ FT
SIDEWALK (SQ FT)	5,968.35 SQ FT
DISTURBED AREA (SQ FT)	111,216.55 SQ FT
OPEN SPACE (SQ FT)	175,258.76 SQ FT
% OPEN SPACE	71.82 %
BUILDING HEIGHT	29.25 FT
DENSITY OF SITE	5.35 UNITS PER ACRE

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

CIVIL ENGINEERS:

PESTERFIELD
CIVIL ENGINEERING
4005 Asheville Highway Hendersonville, NC 28791
828.252.8423 www.pesterfieldengineering.com

REVISIONS / SUBMITTALS

REV. #	DATE	DESCRIPTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 022081 BRONTE C. PESTERFIELD III

NCBELS CERTIFICATE #: P-1627

FOR REVIEW BY GOVERNING AGENCY

PLAT OF SURVEY OF THE

JEANNE A. PACE ESTATE

HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

JANUARY 3rd, 2018
SCALE 1"= 50'

I, STEVEN LLOYD WAGGONER, PROFESSIONAL LAND SURVEYOR, certify that this plat represents a survey of an existing parcel or parcels of land and does not create a new street or change an existing street. G.S. 47-30 (f) (11) (c)

I, STEVEN LLOYD WAGGONER, a PROFESSIONAL LAND SURVEYOR, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book AS, Page SHOWN); that the boundaries not surveyed are clearly indicated drawn from information found in Book AS, Page SHOWN; that the ratio of precision as calculated is 1/ 10,000; that this plat was prepared in accordance with G.S 47-30 as amended. Witness my original signature, registration number and seal.
this _____ day of _____, A.D., 20____.

PROFESSIONAL LAND SURVEYOR

State of North Carolina
County of _____

I, _____, Review Officer of _____ County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.
Date _____ Review Officer

REGISTER OF DEEDS

Filed for registration on the _____ day of _____
at _____ and recorded on plat slide _____

REGISTER OF DEEDS

TABLE OF NUMBERED CALLS ALONG CENTER LINE OF ROAD

COURSE	BEARING	DISTANCE
1	N 27°40'44"W	87.63'
2	N 27°22'04"W	160.79'
3	N 25°21'18"W	173.07'
4	N 22°18'21"W	30.41'

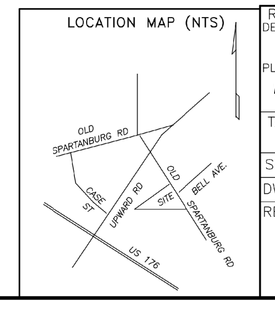
NOTES:

1) AREA DETERMINED BY COORDINATE COMPUTATION
2) THE CURRENT OWNER OF RECORD IS THE JEANNE A. PACE ESTATE.
3) AREA INCLUDES ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND/OR EASEMENTS, EITHER ACQUIRED OR CLAIMED.

LEGEND

- EXISTING CORNER MONUMENT AS NOTED
- NEW IRON PIPE SET OR AS NOTED
- COMPUTED POINT–NOT STAKED
- CONCRETE MONUMENT AS NOTED

LOCATION MAP (NTS)



REFERENCES:
DEED: D.B.377 PG.175
PLAT: PLAT SLIDE 9870
TAX ID REFERENCE: 9577883870
SCRN FILE 17-093
DWG FILE:
REVISIONS:

DATE: JANUARY 3rd, 2018

SURVEY BY
STEVEN LLOYD WAGGONER
NC PLS 2874

WAGGONER & RHODES
LAND SURVEYORS, PLLC.
N.C.FIRM #C-1129
545 SOUTH GROVE STREET
HENDERSONVILLE, NORTH CAROLINA 28792
PHONE: 828-693-1022
FAX: 828-693-4019

DRAWN BY: SLW JOB NUMBER: 17-093

1 NTS C2 SITE SURVEY (COMPLETED BY OTHERS)

Know what's below. Call before you dig.

PESTERFIELD CIVIL ENGINEERING
4705 Asheville Hwy., Hendersonville, NC 28791
828.262.9523 www.pesterfieldengineering.com

PROJECT TITLE: OAK PRESERVE PRD
CITY OF HENDERSONVILLE - HENDERSON COUNTY

CLIENT: TMFL CONSULTANTS INC.

REV. #	DATE	DESCRIPTION
5		
4		
3		
2		
1		

DRAWING TITLE: SITE SURVEY (COMPLETED BY OTHERS)

SCALE: NOT TO SCALE
DRAWN BY: AMG/CAM
CHECKED/APPROVED BY: BCP
DATE: 02/19/2021 PRINT DATE: 04/22/2021
PROJECT NO. 2021-009
SHEET NO. C2 of 5
DRAWING NO. C2

FOR INFORMATION ONLY

LEGEND

PROPERTY LINE	
MAJOR CONTOURS	
MINOR CONTOURS	
DISTURBED AREA	
SETBACK LINE	
CENTERLINE OF RD	
ROAD ROW	
NATURE TRAIL	

CONCEPTUAL SIDEWALK, A LICENSED ARBORIST OR LANDSCAPE ARCHITECT HAS BEEN RECOMMENDED BY THE CITY TO HELP WITH A PATH THAT ALLOWS FOR THE MATURE TREES TO BE SAVED THAT ARE CURRENTLY IN ITS PATH

SITE SUMMARY

PRD CONDITIONAL REZONING - MAJOR PRD	
CURRENT ZONING	R1 (COUNTY)
PARCEL IDENTIFICATION #	9577-88-3870
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% OPEN SPACE	71.82 %
BUILDING HEIGHT	29.25 FT
DENSITY OF SITE	5.35 UNITS PER ACRE

1 PROPOSED SITE LAYOUT PLAN

60 | C3

GENERAL SITE NOTES:

1. IT IS OUR CLIENT'S WISH TO CONDITIONALLY REZONE THIS PARCEL, PIN# 9577-88-3870, FROM R-1 RESIDENTIAL ZONING DISTRICT (COUNTY) TO PLANNED RESIDENTIAL DEVELOPMENT ZONING DISTRICT CLASSIFICATION (CITY) AND TO USE THE LAND TO BUILD A MAJOR SIZE PRD.

2. THE USE OF THIS ZONING WILL REQUIRE US TO APPLY FOR A CONDITIONAL-USE PERMIT WITH REGARD TO ARTICLE X.

3. PARKING SPOTS REQUIRED:

5-14-6.7 OFF-STREET PARKING.

OFF-STREET PARKING REQUIREMENTS FOR PLANNED RESIDENTIAL DEVELOPMENTS SHALL BE AS FOLLOWS:

A MINIMUM OF ONE-AND-ONE-HALF SPACES PER RESIDENTIAL UNIT CONTAINING ONE OR TWO BEDROOMS. A MINIMUM OF TWO SPACES PER RESIDENTIAL UNIT CONTAINING THREE OR MORE BEDROOMS. ENCLOSED GARAGES AND CARPORTS COUNT TOWARDS MEETING THE PARKING REQUIREMENT. ALL PARKING SPACES SHALL BE LOCATED WITHIN 75 FEET OF THE RESIDENTIAL UNIT THEY SERVE.

30 UNITS X 2 SPOTS = 60 SPOTS MINIMUM REQUIRED
60 SPOTS ARE PROVIDED

4. OPEN SPACE

5-14-6.1 OPEN SPACE AND FOOTPRINT REQUIREMENTS. PLANNED RESIDENTIAL DEVELOPMENTS SHALL HAVE A MAXIMUM FOOTPRINT OF 20% OF THE SITE AND SHALL HAVE, AS A MINIMUM, 60% OF THE SITE AS OPEN SPACE. IN ADDITION, PLANNED RESIDENTIAL DEVELOPMENTS SHALL MEET THE COMMON OPEN SPACE REQUIREMENTS OF SECTION 6-16.

6-16-2 COMMON OPEN SPACE RECUIREMENT FOR RESIDENTIAL DEVELOPMENTS.

THESE REQUIREMENTS SHALL APPLY TO ALL PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICTS AND MAJOR SUBDIVISIONS (CONSISTING OF NINE OR MORE LOTS):

a) THERE SHALL BE RESERVED FOR THE USE OF ALL RESIDENTS OF THE DEVELOPMENT EITHER 10% OF THE PROJECT AREA OR 500 FT2 PER DWELLING UNIT, WHICHEVER IS MORE.
b) LAND RESERVED TO MEET THE REQUIREMENTS OF THIS SECTION SHALL MEET THE FOLLOWING STANDARDS:
   -OPEN WATER, WETLANDS, AND FLOOD PLAINS MAY BE USED FOR UP TO 50% OF THE RESERVATION REQUIREMENT;
   -LAND THAT IS BURDENED WITH EASEMENTS MAY BE USED PROVIDED THAT THE EASEMENTS DO NOT INTERFERE WITH THE USE OF THE LAND FOR OPEN SPACE AND RECREATION PURPOSES AND DO NOT PERMIT FUTURE DEVELOPMENT; AND
   -SETBACKS MAY PROVIDE UP TO 50% OF THE REQUIRED COMMON OPEN SPACE, EXCLUSIVE OF PERIMETER LANDSCAPING AND BUFFERING.
c) THE FOLLOWING TYPES OF LAND ARE UNACCEPTABLE FOR COMMON OPEN SPACE RESERVATION:
   1) LAND OCCUPIED BY STREETS, DRIVES, PARKING AREAS, OR STRUCTURES OTHER THAN RECREATIONAL STRUCTURES;
   2) LAND CONTAINING OR CONTAMINATED BY HAZARDOUS MATERIALS OR OTHER MATERIALS CONSIDERED OBJECTIONABLE BY THE DEVELOPMENT ASSISTANCE DIRECTOR OR A DESIGNEE;
   3) LAND WHICH EXCEEDS A 33% SLOPE FOR MORE THAN 50% OF THE PROPERTY AREA;
   4) LAND WITH A MINIMUM WIDTH OF LESS THAN 24 FEET UNLESS SPECIFICALLY APPROVED BY THE DEVELOPMENT ASSISTANCE DIRECTOR OR A DESIGNEE; AND
   5) AREAS DESIGNATED AS OPEN SPACE FOR INDIVIDUAL UNITS
d) ALL COMMON OPEN SPACE SHALL BE SET ASIDE AND IMPROVED NO LATER THAN THE FOLLOWING APPLICABLE DATE:
   1) FOR SUBDIVISIONS: PRIOR TO THE SALE OF ANY LOT;
   2) FOR PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICTS: NO LATER THAN THE DATE ON WHICH CERTIFICATES OF OCCUPANCY ARE ISSUED FOR THE FIRST 75% OF THE TOTAL NUMBER OF DWELLING UNITS TO BE CONSTRUCTED IN THE PROJECT AREA.
e) ANY STRUCTURES LOCATED IN ANY COMMON OPEN SPACE SHALL BE ACCESSORY TO RECREATIONAL USE OF THE SPACE.
f) THE REQUIRED COMMON OPEN SPACE SHALL BE PLANNED AND IMPROVED SO THAT IT IS ACCESSIBLE AND USABLE BY PERSONS LIVING IN THE DEVELOPMENT. COMMON OPEN SPACE CONTAINING NATURAL FEATURES WORTHY OF PRESERVATION MAY BE LEFT UNIMPROVED.
g) ARRANGEMENTS FOR THE PERPETUAL MAINTENANCE OF COMMON OPEN SPACE MUST BE APPROVED IN WRITING BY THE DEVELOPMENT ASSISTANCE DIRECTOR OR A DESIGNEE. ANY CONVEYANCE TO A HOMEOWNERS ASSOCIATION SHALL BE SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENTS REVIEWED BY THE DEVELOPMENT ASSISTANCE DIRECTOR OR A DESIGNEE AND RECORDED AND FILED IN ACCORDANCE WITH THE TIMES SPECIFIED IN PARAGRAPH D), ABOVE. THE COVENANTS AND EASEMENTS SHALL PROHIBIT FUTURE DEVELOPMENT OF ANY COMMON OPEN SPACE FOR OTHER THAN OPEN SPACE OR RECREATION PURPOSES AND SHALL PROVIDE FOR CONTINUED MAINTENANCE OF ANY COMMON OPEN SPACE AND RECREATIONAL FACILITIES.

5. SIGN TO BE LOCATED AT THE ENTRANCE, OUTSIDE OF THE 10' X 70' SIGHT TRIANGLE. REFER TO ARTICLE 13 FOR SPECIFICS.

6. NO OUTDOOR LIGHTING IN THE PLAN BUT IF THAT SHOULD CHANGE IT SHALL BE DESIGNED TO THE CODE, REFER TO THE FOLLOWING:

6-13-4 LIGHTING.

LIGHTING FACILITIES IF PROVIDED, SHALL BE AIMED, DIRECTED, SHIELDED OR ARRANGED SO THE LIGHT SOURCES FOR SUCH FACILITIES DO NOT CAUSE UNDUE GLARE ON NEIGHBORING PROPERTIES OR INTERFERE WITH THE SAFE USE OF PUBLIC RIGHTS-OF-WAY.

7. THERE ARE NO RESTRICTIVE COVENANTS OR RESERVATIONS ASSOCIATED WITH THIS PROPERTY.

8. THERE ARE NO PHASING LINES ASSOCIATED WITH THIS PROJECT.

9. THIS PROJECT WILL NOT REQUIRE A TRANSPORTATION IMPACT ANALYSIS

10. THERE ARE NO RIGHTS-OF-WAY COMPLIANCE APPLICATIONS TO THIS PROJECT

COMPREHENSIVE PLAN COMPLIANCE:

WE ARE PROPOSING A MEDIUM DENSITY HOUSING THAT WILL SUPPORT THE NEIGHBORHOOD ACTIVITY CENTER BLOCKS AWAY AND PROVIDE A TRANSITION FROM IT TO THE ADDITIONAL MEDIUM INTENSITY AND LOW DENSITY NEIGHBORHOODS, AS WELL AS THE COUNTY AND THE SURROUNDING NATURAL RESOURCE AND CONSERVED AREAS. OUR DESIGN WAS CREATED TO ENSURE THE CITY'S GOAL OF PROMOTING A WALK-ABLE NEIGHBORHOOD DESIGN THAT CREATES ATTRACTIVE AND FUNCTIONAL ROADWAY CORRIDORS IS MET.

THE CLOSEST ZONING CLASSIFICATION IN THE CITY'S COMPREHENSIVE PLAN THAT CAN APPLY IS MEDIUM INTENSITY NEIGHBORHOOD, WHICH ENCOURAGES PLANNED RESIDENTIAL DEVELOPMENTS AS A SECONDARY USE WITHIN IT. WHILE THE SITE WOULD BE PERFECT FOR HIGH DENSITY DEVELOPMENT OF 8 OR MORE UNITS PER ACRE, WE FEEL THAT A MEDIUM DENSITY OF 6 UNITS PER ACRE WOULD BE A GOOD COMPROMISE. THE DEVELOPER HAS CHOSEN THE SMALLER DENSITY TO PREVENT A BIGGER ENVIRONMENTAL IMPACT TO THE PARCEL AND THE IMPACT OF TRAFFIC A HIGH DENSITY DEVELOPMENT WOULD BRING TO THE AREA. WE ARE PROPOSING THAT THIS PARCEL BE REZONED FOR A MAJOR PRD. THIS LAND USE IS MEANT TO BE LOCATED BETWEEN THE NEIGHBORHOOD ACTIVITY CENTER LAND USES/HIGH DENSITY RESIDENTIAL AREAS AND THE LOW DENSITY NEIGHBORHOODS & CONSERVATION LAND.

(FOR CONSISTENCY IN THE COUNTY'S PLAN, THE SURROUNDING COUNTY PROPERTY'S FUTURE LAND USE IS SET TO BE RESIDENTIAL WITH MAXIMIZED DENSITY)

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

811 Know what's below. Call before you dig.

PESTERFIELD CIVIL ENGINEERING
4705-D Asheville Hwy., Hendersonville, NC 28791
828.252.9523 www.pesterfieldengineering.com

OAK PRESERVE PRD
CITY OF HENDERSONVILLE - HENDERSON COUNTY

TMFL CONSULTANTS INC.

PROJECT TITLE

CLIENT

REV. #	DATE	DESCRIPTION
1		
2		
3		
4		
5		

DRAWING TITLE: PROPOSED SITE LAYOUT PLAN

SCALE: AS NOTED

DRAWN BY: AMGICAM

CHECKED/APPROVED BY: BCP

DATE: 02/19/2021 PRINT DATE: 04/22/2021

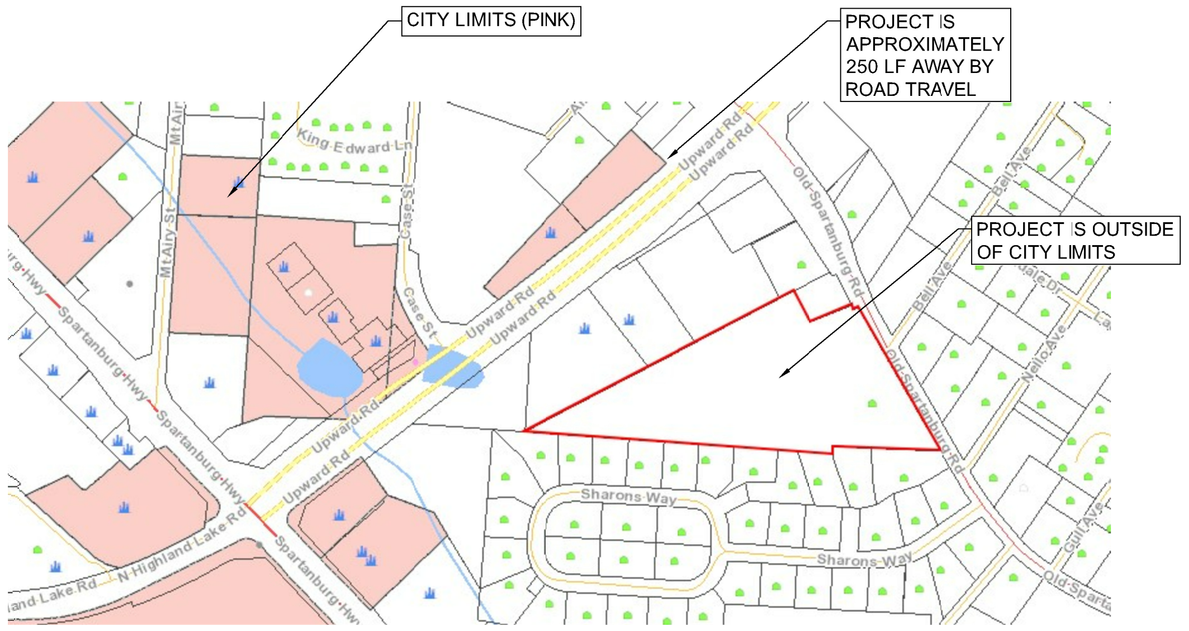
PROJECT NO. 2021-009

SHEET NO. C3 of 5

DRAWING NO. C3

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 022081 BRONCE C. PESTERFIELD III

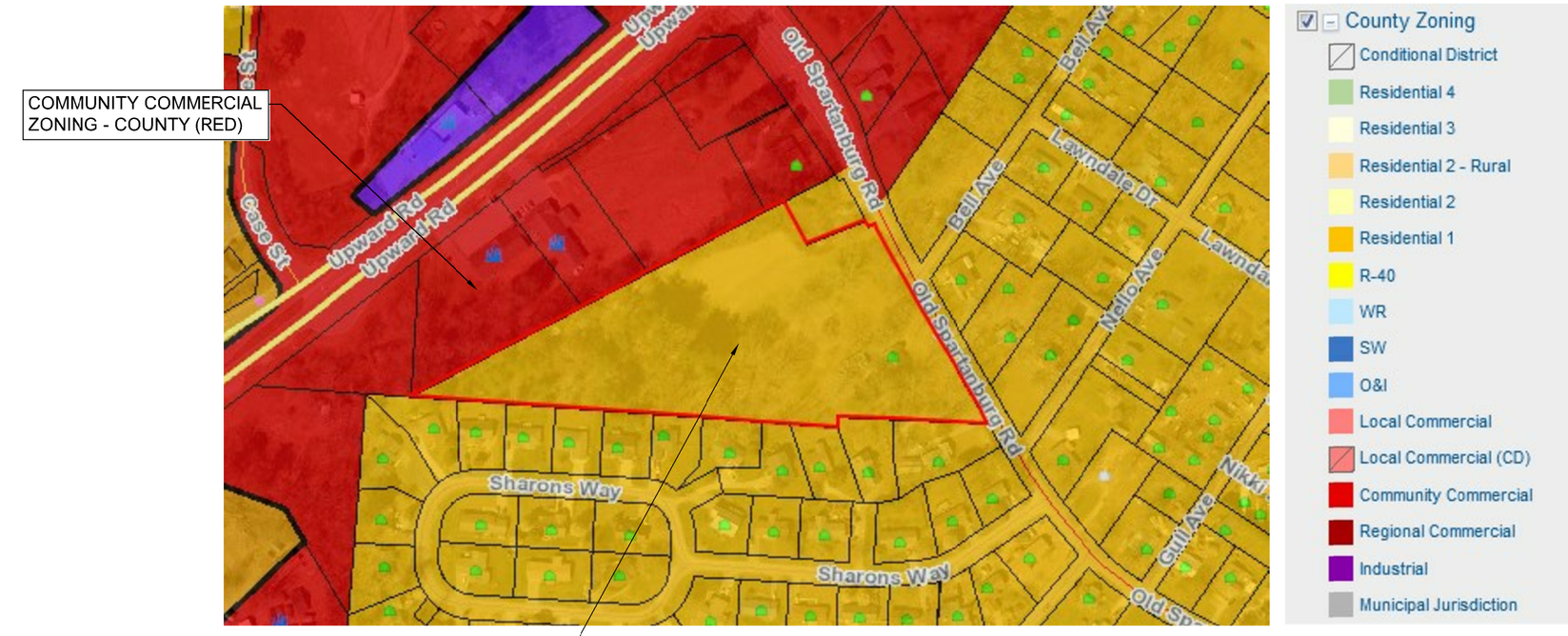
CERTIFICATE: P-1627



CITY LIMITS

SCALE: NOT TO SCALE

1 / C4



ZONING

SCALE: NOT TO SCALE

2 / C4

SECTION 5-14 PRD PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT CLASSIFICATION.

THIS ZONING DISTRICT CLASSIFICATION IS DESIGNED TO ACCOMMODATE PLANNED RESIDENTIAL DEVELOPMENTS WITH A REZONING TO A PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT IN ACCORDANCE WITH ARTICLE VII HEREIN. SUCH REZONING TO A PLANNED RESIDENTIAL CONDITIONAL ZONING DISTRICT IS REQUIRED AS A PREREQUISITE TO ANY USE OR DEVELOPMENT IN THE PRD ZONING DISTRICT CLASSIFICATION, AND NO USE SHALL BE PERMITTED EXCEPT PURSUANT TO SUCH THE REZONING SHALL INSURE THAT THE PROPOSED USE OR DEVELOPMENT IS CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION AND MAY FURTHER SPECIFY THE TIMING OF DEVELOPMENT, THE LOCATION AND EXTENT OF RIGHTS-OF-WAY AND OTHER AREAS TO BE DEDICATED FOR PUBLIC USE, AND OTHER SUCH MATTERS AS THE APPLICANT MAY PROPOSE AS CONDITIONS UPON THE REQUEST. IN GRANTING THE REZONING FOR A PLANNED RESIDENTIAL DISTRICT, CITY COUNCIL MAY IMPOSE SUCH ADDITIONAL REASONABLE AND APPROPRIATE SAFEGUARDS UPON SUCH APPROVAL AS IT MAY DEEM NECESSARY IN ORDER THAT THE PURPOSE AND INTENT OF THIS CHAPTER ARE SERVED, PUBLIC WELFARE SECURED AND SUBSTANTIAL JUSTICE DONE.

5-14-1 APPLICATION. THE RECLASSIFICATION OF PROPERTY TO PRD PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT SHALL CONSTITUTE AN AMENDMENT OF THE OFFICIAL ZONING MAP WHICH MAY BE INITIATED ONLY BY THE OWNER(S) OF A LEGAL INTEREST IN THE AFFECTED PROPERTY, OR ANY PERSON(S) HAVING AN INTEREST IN THE PROPERTY BY REASON OF A WRITTEN CONTRACT WITH THE OWNER(S). SUCH AMENDMENT SHALL BE INITIATED BY MEANS OF AN APPLICATION FOR REZONING TO A PRD PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT. NO PERMIT SHALL BE ISSUED FOR ANY DEVELOPMENT WITHIN A PRD PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT EXCEPT IN ACCORDANCE WITH AN APPROVED REZONING.

5-14-2 PERMISSIBLE USES SUBJECT TO REZONING TO A PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT. A BUILDING OR LAND SHALL BE USED ONLY FOR THOSE PURPOSES SPECIFIED IN THE REZONING FOR THE PROJECT WHICH MAY INCLUDE ONE OR MORE OF THE FOLLOWING:

PLANNED RESIDENTIAL DEVELOPMENTS (MAJOR)

5-14-6.2 SETBACKS. ALL DWELLINGS AND THEIR ACCESSORY STRUCTURES SHALL BE SET BACK NOT LESS THAN 40 FEET FROM THE NEAREST RIGHT-OF-WAY LINE FOR ANY STREET OR RAILROAD ADJOINING THE SITE; PROVIDED, HOWEVER, SUCH SETBACK MAY BE REDUCED TO TEN FEET WHEN PARKING IS SITUATED TO THE SIDE OR REAR OF THE LOT AND SCREENED FROM VIEW FROM PUBLIC RIGHTS-OF-WAY. FURTHERMORE, SUCH BUILDINGS AND STRUCTURES SHALL BE SET BACK NOT LESS THAN 30 FEET FROM ANY EXTERIOR PROPERTY LINE WHICH IS NOT A RIGHT-OF-WAY.

THE PLANNING BOARD OR CITY COUNCIL, AS THE CASE MAY BE, SHALL REQUIRE RESERVATIONS OF RIGHTS-OF-WAY, AS WELL AS INCREASED SETBACKS, FOR ROADS IDENTIFIED IN THE COMPREHENSIVE TRANSPORTATION PLAN, INCLUDING EXISTING ROADS TO BE WIDENED AS WELL AS CORRIDORS OF NEW ROADS.

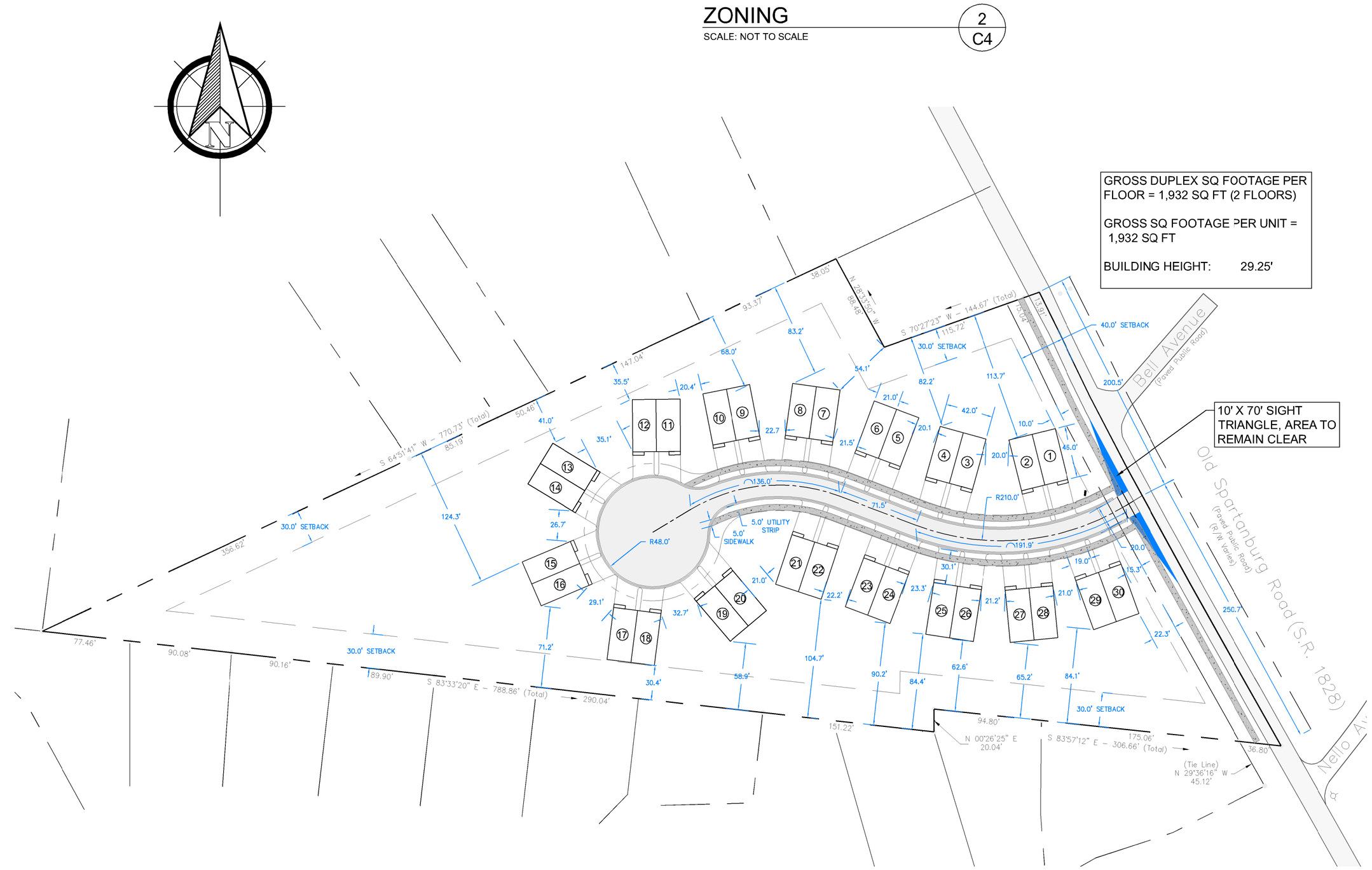
ALL DWELLINGS AND THEIR ACCESSORY STRUCTURES SHALL BE LOCATED AT LEAST TEN FEET FROM THE EDGE OF THE PAVING FOR ANY STREET OR DRIVE AND AT LEAST FIVE FEET FROM THE EDGE OF THE PAVING FOR ANY AREA DEVOTED PRINCIPALLY TO PARKING. CARPORTS SHALL BE SITUATED AT LEAST TEN FEET FROM THE EDGE OF THE PAVING FOR ANY STREET OR DRIVE AND MAY BE PHYSICALLY CONNECTED TO THE PRINCIPAL STRUCTURE WHICH THEY SERVE. IN ADDITION, DWELLINGS AND ACCESSORY STRUCTURES ABUTTING A STREET INTENDED TO SERVE MORE THAN 32 DWELLING UNITS OR INTENDED TO BE DEDICATED AS A PUBLIC STREET MUST BE SET BACK A MINIMUM OF 35 FEET FROM THE CENTER LINE OF SUCH STREET. THE APPROVED SETBACK LINES SHALL BE SHOWN ON THE PLAN OF DEVELOPMENT AND ON ANY RECORDED SUBDIVISION PLAT.

IN ADDITION TO THE FOREGOING SETBACK REQUIREMENTS, MINIMUM SPACING BETWEEN BUILDINGS SHALL BE PROVIDED AS PER THE NC STATE BUILDING CODE VOLUME V-FIRE PREVENTION

ZONING DISTRICT STANDARDS

SCALE: NOT TO SCALE

3 / C4



DIMENSIONS

SCALE: 1" = 60'-0"

4 / C4

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

811 Know what's below. Call before you dig.

PESTERFIELD CIVIL ENGINEERING
4705 Asheville Hwy., Hendersonville, NC 28791
828.262.9523 www.pesterfieldengineering.com

PROJECT TITLE: OAK PRESERVE PRD
CITY OF HENDERSONVILLE - HENDERSON COUNTY

CLIENT: TMFL CONSULTANTS INC.

REV. #	DATE	DESCRIPTION
5		
4		
3		
2		
1		

DRAWING TITLE: ADDITIONAL PROJECT INFORMATION

SCALE: AS NOTED
DRAWN BY: AMG/CAM
CHECKED/APPROVED BY: BCP
DATE: 02/19/2021 PRINT DATE: 04/22/2021
PROJECT NO.: 2021-009
SHEET NO.: C4 of 5
DRAWING NO.: C4

NORTH CAROLINA PROFESSIONAL SEAL 022081 ENGINEER BRUCE C. PESTERFIELD, III
CERTIFICATE: P-1627

SITE SUMMARY	
PRD CONDITIONAL REZONING - MAJOR PRD	
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OPEN SPACE (SQ FT)	175,258.76 SQ FT
% OPEN SPACE	71.82 %
BUILDING HEIGHT	29.25 FT
DENSITY OF SITE	5.35 UNITS PER ACRE

1. THERE ARE NO STREAMS ON THIS SITE.
2. NOT LOCATED IN A FLOOD ZONE.
3. ALL OPEN SPACE MAINTENANCE TO BE TAKEN CARE OF BY PROPERTY OWNER.
4. WATER AND SEWER WILL BE EXTENDED TO PRD

1 PROPOSED UTILITY LAYOUT

60 | C3

SEC. 24-143. - STORMWATER REVIEW PROCEDURES.

(a) PERMIT REQUIRED; MUST APPLY FOR PERMIT. A STORMWATER PERMIT IS REQUIRED FOR ALL DEVELOPMENT AND REDEVELOPMENT UNLESS EXEMPT PURSUANT TO THIS ARTICLE. A PERMIT MAY ONLY BE ISSUED SUBSEQUENT TO A PROPERLY SUBMITTED AND REVIEWED PERMIT APPLICATION, PURSUANT TO THIS SECTION.

(b) EFFECT OF PERMIT. A STORMWATER PERMIT SHALL GOVERN THE DESIGN, INSTALLATION, AND CONSTRUCTION OF STORMWATER MANAGEMENT AND CONTROL PRACTICES ON THE SITE, INCLUDING STRUCTURAL BMPS AND ELEMENTS OF SITE DESIGN FOR STORMWATER MANAGEMENT OTHER THAN STRUCTURAL BMPS.

THE PERMIT IS INTENDED TO PROVIDE A MECHANISM FOR THE REVIEW, APPROVAL, AND INSPECTION OF THE APPROACH TO BE USED FOR THE MANAGEMENT AND CONTROL OF STORMWATER FOR THE DEVELOPMENT OR REDEVELOPMENT SITE CONSISTENT WITH THE REQUIREMENTS OF THIS ARTICLE, WHETHER THE APPROACH CONSISTS OF STRUCTURAL BMPS OR OTHER TECHNIQUES SUCH AS LOW-IMPACT OR LOW-DENSITY DESIGN. THE PERMIT DOES NOT CONTINUE IN EXISTENCE INDEFINITELY AFTER THE COMPLETION OF THE PROJECT; RATHER, COMPLIANCE AFTER PROJECT CONSTRUCTION IS ASSURED BY THE MAINTENANCE PROVISIONS OF THIS ARTICLE.

(c) AUTHORITY TO FILE APPLICATIONS. ALL APPLICATIONS REQUIRED PURSUANT TO THIS CODE SHALL BE SUBMITTED TO THE STORMWATER ADMINISTRATOR BY THE LAND OWNER OR THE LAND OWNER'S DULY AUTHORIZED AGENT.

(d) ESTABLISHMENT OF APPLICATION REQUIREMENTS, SCHEDULE, AND FEES.

(1) APPLICATION CONTENTS AND FORM. THE STORMWATER ADMINISTRATOR SHALL ESTABLISH REQUIREMENTS FOR THE CONTENT AND FORM OF ALL APPLICATIONS AND SHALL AMEND AND UPDATE THOSE REQUIREMENTS FROM TIME TO TIME. AT A MINIMUM, THE STORMWATER PERMIT APPLICATION SHALL DESCRIBE IN DETAIL HOW POST DEVELOPMENT STORMWATER RUNOFF WILL BE CONTROLLED AND MANAGED, THE DESIGN OF ALL STORMWATER FACILITIES AND PRACTICES, AND HOW THE PROPOSED PROJECT WILL MEET THE REQUIREMENTS OF THIS ARTICLE.

(2) SUBMISSION SCHEDULE. THE STORMWATER ADMINISTRATOR SHALL ESTABLISH A SUBMISSION SCHEDULE FOR APPLICATIONS. THE SCHEDULE SHALL ESTABLISH DEADLINES BY WHICH COMPLETE APPLICATIONS MUST BE SUBMITTED FOR THE PURPOSE OF ENSURING THAT THERE IS ADEQUATE TIME TO REVIEW APPLICATIONS, AND THAT THE VARIOUS STAGES IN THE REVIEW PROCESS ARE ACCOMMODATED.

(3) PERMIT REVIEW FEES. THE CITY SHALL ESTABLISH PERMIT REVIEW FEES AS WELL AS POLICIES REGARDING REFUND OF ANY FEES UPON WITHDRAWAL OF AN APPLICATION, AND MAY AMEND AND UPDATE THE FEES AND POLICIES FROM TIME TO TIME.

(4) ADMINISTRATIVE MANUAL. FOR APPLICATIONS REQUIRED UNDER THIS CODE, THE STORMWATER ADMINISTRATOR SHALL COMPILE THE APPLICATION REQUIREMENTS, SUBMISSION SCHEDULE, FEE SCHEDULE, A COPY OF THIS ARTICLE, AND INFORMATION ON HOW AND WHERE TO OBTAIN THE DESIGN MANUAL IN AN ADMINISTRATIVE MANUAL, WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC.

(e) SUBMITTAL OF COMPLETE APPLICATION. APPLICATIONS SHALL BE SUBMITTED TO THE STORMWATER ADMINISTRATOR PURSUANT TO THE APPLICATION SUBMITTAL SCHEDULE IN THE FORM ESTABLISHED BY THE STORMWATER ADMINISTRATOR, ALONG WITH THE APPROPRIATE FEE ESTABLISHED PURSUANT TO THIS SECTION. AN APPLICATION SHALL BE CONSIDERED AS TIMELY SUBMITTED ONLY WHEN IT CONTAINS ALL ELEMENTS OF A COMPLETE APPLICATION PURSUANT TO THIS ARTICLE, ALONG WITH THE APPROPRIATE FEE. IF THE STORMWATER ADMINISTRATOR FINDS THAT AN APPLICATION IS INCOMPLETE, THE APPLICANT SHALL BE NOTIFIED OF THE DEFICIENT ELEMENTS AND SHALL BE PROVIDED WITH AN OPPORTUNITY TO SUBMIT A COMPLETE APPLICATION. HOWEVER, THE SUBMITTAL OF AN INCOMPLETE APPLICATION SHALL NOT SUFFICE TO MEET A DEADLINE CONTAINED IN THE SUBMISSION SCHEDULE ESTABLISHED ABOVE.

(f) REVIEW. THE STORMWATER ADMINISTRATOR SHALL REVIEW THE APPLICATION AND DETERMINE WHETHER THE APPLICATION COMPLIES WITH THE STANDARDS OF THIS ARTICLE.

(1) APPROVAL. IF THE STORMWATER ADMINISTRATOR FINDS THAT THE APPLICATION COMPLIES WITH THE STANDARDS OF THIS ARTICLE, THE STORMWATER ADMINISTRATOR SHALL APPROVE THE APPLICATION. THE STORMWATER ADMINISTRATOR MAY IMPOSE CONDITIONS OF APPROVAL AS NEEDED TO ENSURE COMPLIANCE WITH THIS ARTICLE. THE CONDITIONS SHALL BE INCLUDED AS PART OF THE APPROVAL.

(2) FAILS TO COMPLY. IF THE STORMWATER ADMINISTRATOR FINDS THAT THE APPLICATION FAILS TO COMPLY WITH THE STANDARDS OF THIS ARTICLE, THE STORMWATER ADMINISTRATOR SHALL NOTIFY THE APPLICANT AND SHALL INDICATE HOW THE APPLICATION FAILS TO COMPLY. THE APPLICANT SHALL HAVE AN OPPORTUNITY TO SUBMIT A REVISED APPLICATION.

(3) REVISION AND SUBSEQUENT REVIEW. A COMPLETE REVISED APPLICATION SHALL BE REVIEWED BY THE STORMWATER ADMINISTRATOR AFTER ITS RE-SUBMITTAL AND SHALL BE APPROVED, APPROVED WITH CONDITIONS OR DISAPPROVED.

IF A REVISED APPLICATION IS NOT RE-SUBMITTED WITHIN 30 CALENDAR DAYS FROM THE DATE THE APPLICANT WAS NOTIFIED, THE APPLICATION SHALL BE CONSIDERED WITHDRAWN, AND A NEW SUBMITTAL FOR THE SAME OR SUBSTANTIALLY THE SAME PROJECT SHALL BE REQUIRED ALONG WITH THE APPROPRIATE FEE FOR A NEW SUBMITTAL.

ONE RE-SUBMITTAL OF A REVISED APPLICATION MAY BE SUBMITTED WITHOUT PAYMENT OF AN ADDITIONAL PERMIT REVIEW FEE. ANY RE-SUBMITTAL AFTER THE FIRST RE-SUBMITTAL SHALL BE ACCOMPANIED BY A PERMIT REVIEW FEE ADDITIONAL FEE, AS ESTABLISHED PURSUANT TO THIS ARTICLE.

LEGEND

PROPERTY LINE	
MAJOR CONTOURS	
MINOR CONTOURS	
DISTURBED AREA	
WATER LINE	W W
WATERLINE ROW	
SEWERLINE	SS SS
SEWERLINE ROW	

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

Know what's below. Call before you dig.

PESTERFIELD CIVIL ENGINEERING
4705-C Albemarle Hwy., Hendersonville, NC 28791
828.252.9523 www.pesterfieldengineering.com

PROJECT TITLE
OAK PRESERVE PRD
CITY OF HENDERSONVILLE - HENDERSON COUNTY

CLIENT
TMFL CONSULTANTS INC.

DRAWING TITLE
PROPOSED UTILITY LAYOUT

REV. #	DATE	DESCRIPTION
1		
2		
3		
4		
5		

SCALE: AS NOTED
DRAWN BY: AMG/CAM
CHECKED/APPROVED BY: BCP
DATE: 02/19/2021
PRINT DATE: 04/22/2021
PROJECT NO.: 2021-009
SHEET NO.: C5 of 5
DRAWING NO.: C5

NORTH CAROLINA PROFESSIONAL SEAL 022081 ENGINEER BRONCE C. PESTERFIELD, III
CERTIFICATE: P-1627

WHEN CARRYING OUT THE TREE SURVEY, THE PROPERTY LINES WERE NOT WELL MARKED SO ALL TREES IN THE AREA WERE RECORDED. UPON BRINGING IN THE DATA TO CAD, THERE WERE MANY TREES THAT WERE ON THE PROPERTY LINES OR JUST A FEW FEET INTO THE NEIGHBORING PROPERTY. TREES LOCATED OUTSIDE OF THE PROPERTY LINES HAVE BEEN REMOVED BUT THE TREE SCHEDULE DOESN'T REFLECT THE TREES REMOVED.

1 TREE SURVEY

60 | C6

5-14-6.6 BUFFERING, SCREENING AND LANDSCAPING.

THE APPLICANT SHALL PROPOSE AND PLANT, CONSTRUCT AND MAKE SATISFACTORY ARRANGEMENTS FOR THE PRESERVATION OF A BUFFER AND/OR SETBACKS ADEQUATE TO PROTECT ADJOINING PROPERTIES FROM THE IMPACTS OF THE PROPOSED DEVELOPMENT. PARKING AND SERVICE AREAS AND DUMPSTERS SHALL BE SCREENED FROM VIEW BY ADJACENT SINGLE-FAMILY RESIDENCES. EXISTING VEGETATION SHALL BE PRESERVED WHENEVER POSSIBLE. IN ADDITION, THE DEVELOPER SHALL PROVIDE AN APPROPRIATE LANDSCAPING PLAN WITHIN THE PROJECT.

TRASH RECEPTACLES WILL BE REQUIRED TO BE LOCATED NEATLY AGAINST THE SIDE OF THE BUILDING AND SCREENED FROM VIEWING FROM THE ADJACENT SINGLE-FAMILY RESIDENCES.

DEVELOPER INTENDS TO LEAVE AS MUCH OF THE EXISTING VEGETATION ON SITE AS POSSIBLE. AS YOU CAN SEE ON SHEET C3 AND ABOVE, THE DEVELOPER PLANS TO HAVE A NATURE TRAIL IN THE OPEN SPACE AREA SURROUNDING THE DUPLEXES.

OPEN SPACE TO BE MAINTAINED BY THE OWNER.

SECTION 15-5 GENERAL STANDARDS.

THE FOLLOWING GENERAL STANDARDS SHALL APPLY TO ALL LANDSCAPING REQUIREMENTS IN THIS ARTICLE.

a) UNLESS OTHERWISE SPECIFIED, THE EXACT PLACEMENT OF REQUIRED PLANTS AND STRUCTURES SHALL BE THE DECISION OF THE DEVELOPER. THE TYPE OF PLANTS USED SHALL BE LIMITED TO THOSE ON THE APPROVED "SPECIES LIST" WHICH SHALL BE PUBLISHED AND REVISED FROM TIME TO TIME BY THE PLANNING DIRECTOR IN CONSULTATION WITH THE TREE BOARD. REQUIRED LANDSCAPING SHALL BE DESIGNED IN SUCH A MANNER AS TO IMPART ITS AESTHETIC CHARACTER WHEN VIEWED FROM ANY AREA ACCESSIBLE TO THE PUBLIC OR FROM ADJACENT PROPERTIES.

c) INSTALLATION. ALL LANDSCAPING/SCREENING SHALL BE INSTALLED IN A SOUND, WORKMANLIKE MANNER AND ACCORDING TO ACCEPTED GOOD PLANTING PROCEDURES WITH THE QUANTITY AND QUALITY OF PLANT MATERIALS AS DESCRIBED. ALL ELEMENTS OF LANDSCAPING SHALL BE INSTALLED SO AS TO MEET ALL OTHER APPLICABLE ORDINANCES AND CODE REQUIREMENTS.

g) SPECIES DIVERSITY. WHEN THE TOTAL NUMBER OF TREES REQUIRED UNDER THE PROVISIONS OF THIS ARTICLE EQUALS 20 OR MORE, THEN NO SINGLE TREE SPECIES SHALL COMPRISE MORE THAN 25% OF THE TREES PLANTED ON THE DEVELOPMENT SITE.

LEGEND

HARDWOOD

PINE

TREES TO BE PRESERVED

TREES TO BE REMOVED

1. PROPOSING TO REMOVE 37 TREES (22 HARDWOODS, 15 PINES)
2. PROPOSING TO PRESERVE 103 TREES (61 HARDWOODS, 40 PINES)

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

TREE SURVEY DATA

~~1. 15" SOURWOOD~~	99. 16" SHORT LEAF PINE
~~2. 29" EASTERN WHITE PINE~~	100. 27" BLACK OAK
~~3. 31" EASTERN WHITE PINE~~	101. 32" EASTERN WHITE PINE
~~4. 24" CHINGLE OAK~~	102. 25" EASTERN WHITE PINE
~~5. 23" CHESTNUT OAK~~	~~103. 10" EASTERN WHITE PINE~~
~~6. 23" EASTERN WHITE PINE~~	104. 31" EASTERN WHITE PINE
~~7. 25" BOX ELDER~~	105. 13" WHITE ASH
~~8. 20" WHITE OAK~~	106. 16" EASTERN WHITE PINE
~~9. 10" SHORT LEAF PINE~~	107. 13" EASTERN WHITE PINE
~~10. 20" PIN OAK~~	108. 23" WHITE OAK
~~11. 10" EASTERN WHITE PINE~~	109. 29" WHITE OAK
~~12. 10" EASTERN WHITE PINE~~	110. 13" POPLAR
13. 17" EASTERN WHITE PINE	111. 18" WHITE OAK
14. 13" EASTERN WHITE PINE	112. 31" POPLAR
15. 13" EASTERN WHITE PINE	113. 20" WHITE ASH
16. 13" EASTERN WHITE PINE	114. 33" CHESTNUT OAK
17. 23" SHORT LEAF PINE	115. 37" CHESTNUT OAK
18. 13" SHORT LEAF PINE	116. 42" CHESTNUT OAK
19. 32" SHORT LEAF PINE	117. 14" CHESTNUT OAK
~~20. 20" EASTERN WHITE PINE~~	118. 13" BLACK WALNUT
~~21. 25" CHINGLE OAK~~	119. 15" BLACK WALNUT
~~22. 10" EASTERN WHITE PINE~~	120. 12" BLACK WALNUT
~~23. 32" HICKORY~~	121. 12" BLACK WALNUT
~~24. 15" SCARLET OAK~~	122. 30" BLACK WALNUT
~~25. 17" EASTERN WHITE PINE~~	123. 27" BLACK WALNUT
~~26. 29" WHITE ASH~~	124. 35" WHITE OAK
27. 18" SHINGLE OAK	125. 28" WHITE OAK
28. 21" SWEET GUM	~~126. 21" WHITE ASH~~
29. 19" SHORT LEAF PINE	~~127. 17" WHITE OAK~~
30. 13" YELLOW POPLAR	~~128. 27" BLACK WALNUT~~
~~31. 29" WHITE ASH~~	~~129. 18" WHITE ASH~~
~~32. 13" WHITE ASH~~	~~130. 12" WHITE OAK~~
~~33. 13" WHITE ASH~~	~~131. 27" WHITE ASH~~
~~34. 20" WHITE ASH~~	~~132. 18" WHITE OAK~~
~~35. 31" BUCKEYE~~	~~133. 17" WHITE OAK~~
~~36. 26" WHITE ASH~~	~~134. 16" WHITE OAK~~
37. 12" SHORT LEAF PINE	~~135. 18" BLACK WALNUT~~
38. 13" BLACK GUM	~~136. 17" EASTERN WHITE PINE~~
39. 28" EASTERN WHITE PINE	~~137. 17" EASTERN WHITE PINE~~
40. 21" EASTERN WHITE PINE	~~138. 20" EASTERN WHITE PINE~~
41. 13" SHORT LEAF PINE	~~139. 29" EASTERN WHITE PINE~~
42. 18" WHITE ASH	140. 12" WHITE OAK
43. 18" SHORT LEAF PINE	141. 12" SYCAMORE
44. 23" WHITE ASH	142. 12" WHITE ASH
45. 17" WHITE ASH	~~143. VOID~~
46. 20" SHORT LEAF PINE	144. 19" SHORT LEAF PINE
~~47. VOID~~	145. 18" SHORT LEAF PINE
48. 12" EASTERN WHITE PINE	146. 22" EASTERN WHITE PINE
49. 18" SHORT LEAF PINE	147. 12" SYCAMORE
50. 13" EASTERN WHITE PINE	~~148. 17" WHITE ASH~~
51. 16" RED OAK	149. 17" BLACK OAK
52. 17" RED OAK	150. 24" POPLAR
53. 15" RED OAK	~~151. 10" WHITE OAK~~
~~54. 15" WHITE ASH~~	152. 17" WHITE OAK
55. 14" SHORT LEAF PINE	153. 25" WHITE OAK
56. 21" SHORT LEAF PINE	154. 26" RED OAK
~~57. 10" EASTERN WHITE PINE~~	155. 31" WHITE OAK
58. 15" EASTERN WHITE PINE	156. 72" BLACK OAK
59. 17" EASTERN WHITE PINE	157. 38" ELM
60. 16" RED OAK	158. 74" POPLAR
61. 12" WHITE OAK	159. 15" WHITE ASH
62. 21" BEECH NUT	160. 19" POPLAR
63. 23" RED OAK	161. 16" POPLAR
64. 18" RED OAK	162. 19" POPLAR
65. 21" RED OAK	163. 17" BLACK WALNUT
66. 19" WHITE OAK	164. 20" BLACK WALNUT
67. 13" RED OAK	165. 19" BLACK WALNUT
68. 15" RED OAK	166. 23" BLACK OAK
69. 15" RED OAK	167. 18" BLACK WALNUT
70. 15" SHORT LEAF PINE	168. 20" BLACK OAK
71. 24" WHITE OAK	169. 20" BLACK OAK
72. 15" RED OAK	170. 18" BLACK OAK
73. 13" EASTERN WHITE PINE	171. 18" BLACK WALNUT
74. 18" WHITE OAK	172. 25" BLACK WALNUT
75. 39" SHORT LEAF PINE	173. 24" BLACK WALNUT
76. 18" SOURWOOD	174. 21" WHITE ASH
77. 21" EASTERN WHITE PINE	175. 22" WHITE OAK
78. 19" EASTERN WHITE PINE	176. 24" WHITE OAK
79. 18" EASTERN WHITE PINE	~~177. VOID~~
80. 10" RED OAK	178. 35" WHITE OAK
81. 29" EASTERN WHITE PINE	179. 18" WHITE ASH
~~82. 12" EASTERN WHITE PINE~~	180. 20" WHITE ASH
~~83. 31" ELM~~	181. 27" EASTERN WHITE PINE
~~84. VOID~~	182. 22" WHITE OAK
85. 20" SHORT LEAF PINE	183. 23" WHITE OAK
86. 20" SHORT LEAF PINE	184. 23" WHITE OAK
87. 17" SHORT LEAF PINE	185. 17" WHITE OAK
88. 18" SHORT LEAF PINE	186. 17" EASTERN WHITE PINE
89. 25" BLACK OAK	187. 17" EASTERN WHITE PINE
90. 29" EASTERN WHITE PINE	188. 18" EASTERN WHITE PINE
91. 27" EASTERN WHITE PINE	189. 17" EASTERN WHITE PINE
92. 31" EASTERN WHITE PINE	190. 19" WHITE ASH
93. 33" EASTERN WHITE PINE	191. 28" WHITE OAK
94. 23" EASTERN WHITE PINE	192. 16" RED MAPLE
95. 17" SHORT LEAF PINE	193. 48" WHITE OAK
96. 19" SHORT LEAF PINE	194. 25" BLACK WALNUT
97. 17" SHORT LEAF PINE	
98. 16" SHORT LEAF PINE	

Know what's below. Call before you dig.

PESTERFIELD CIVIL ENGINEERING
4705 Asheville Hwy., Hendersonville, NC 28791
828.282.9523 www.pesterfieldengineering.com

PROJECT TITLE: OLD SPARTANBURG RD PRD
HENDERSON COUNTY

CLIENT: TMFL CONSULTANTS INC.

DRAWING TITLE: TREE SURVEY

REV. #	DATE	DESCRIPTION
1		
2		
3		
4		
5		

SCALE: AS NOTED
DRAWN BY: AMG/CAM
CHECKED/APPROVED BY: BCP
DATE: 02/19/2021 PRINT DATE: 04/22/2021
PROJECT NO.: 2021-009
SHEET NO.: C6 of 6
DRAWING NO.: C6

NORTH CAROLINA PROFESSIONAL SEAL 022081 ENGINEER BRONCE C. PESTERFIELD, III
CERTIFICATE: P-1627

Additional Oak Preserve Tree Photos

Conditional Zoning District Petition

Thank you for filling out the form. Your application has been submitted.

Date:
3/26/2021

Name of Project
OAK PRESERVE PLANNED RESIDENTIAL DEVELOPMENT

Address/Location of Property
2201 OLD SPARTANBURG RD

List 10 digit PIN or 7 digit PID number for each property
9577-88-3870

Check type of Development
Residential

Current Zoning
R1 COUNTY

Proposed Zoning
PRD CITY

List requested uses
"MAJOR" PLANNED RESIDENTIAL DEVELOPMENT

Total Acreage
5.33

Proposed Building Sq. ft.
29880

Dwelling Units
30

Conceptual Plan

C1.pdf
5.37 MB

C2.pdf
3.31 MB

C3.pdf
2.65 MB

C4.pdf
7.08 MB

C5.pdf
1.56 MB

Conditional Zoning District Petition
(Continued)

Proposed conditions for the site:
THE SITE WILL HOUSE 30 INDIVIDUAL DWELLINGS MADE UP OF 15 BUILDINGS. EACH DWELLING WILL HAVE AMPLE PARKING SPACE. THE UNITS ARE 4 BEDROOM UNITS WITH 2 STORIES. UTILITIES WILL BE PROVIDED TO EACH UNIT. THE ROADWAY CORRIDOR WILL MEET CITY SPECIFICATIONS AND THERE WILL BE SIDEWALK ACCESS FROM THE ENTRANCE OF THE PRD TO THE CUL-DE-SAC.

It is important that the applicant consider the following factors. See Section 11-4 of the Zoni Ordinance for more information. Please use additional pages and/or attachments if necessa

Explain consistency with the City's Comprehensive Plan:

AS THE PARCEL IS IN COUNTY ZONING CURRENTLY, THE COUNTY COMPREHENSIVE PLAN CALLS FOR THE AREA TO BE RESIDENTIAL WITH DENSITY MAXIMIZED WHERE UTILITIES ARE PRESENT. IT IS IMPORTANT TO NOTE THAT THIS DEVELOPMENT WOULD BE ACCEPTABLE UNDER THE COUNTY'S COMPREHENSIVE PLAN AS WELL.

REGARDING THE CITY'S COMPREHENSIVE PLAN, WE ARE PROPOSING A MEDIUM DENSITY HOUSING THAT WILL SUPPORT THE NEIGHBORHOOD ACTIVITY CENTER BLOCKS AWAY AND PROVIDE A TRANSITION FROM IT TO THE OTHER MEDIUM AND LOW INTENSITY NEIGHBORHOODS AND THE COUNTY AND THE SURROUNDING NATURAL RESOURCE AND CONSERVED AREAS. OUR DESIGN WAS CREATED TO ENSURE THE CITY'S GOAL OF PROMOTING A WALK-ABLE NEIGHBORHOOD DESIGN THAT CREATES ATTRACTIVE AND FUNCTIONAL ROADWAY CORRIDORS IS MET.

Explain compatibility with surrounding land uses:

THE CLOSEST ZONING CLASSIFICATION IN THE CITY'S COMPREHENSIVE PLAN THAT CAN APPLY IS MEDIUM INTENSITY NEIGHBORHOOD WHICH ENCOURAGES PLANNED RESIDENTIAL DEVELOPMENTS AS A PRIMARY USE WITHIN IT, WE ARE PROPOSING THAT THIS PARCEL BE REZONED FOR A MAJOR PRD. THIS LAND USE IS MEANT TO BE LOCATED BETWEEN THE NEIGHBORHOOD ACTIVITY CENTER LAND USES AND THE MEDIUM/LOW INTENSITY NEIGHBORHOOD'S LAND USES. (AND FOR CONSISTENCY IN THE COUNTY, THE SURROUNDING COUNTY PROPERTY'S FUTURE LAND USE IS SET TO BE RESIDENTIAL WITH MAXIMIZED DENSITY)

Explain whether changed conditional require a map amendment:

THIS CHANGE WOULD REQUIRE A MAP AMENDMENT AND THE ZONING WOULD BE TIED TO THE DEVELOPMENT PERMANENTLY.

Explain how the petition is in the public interest:
THE IMMEDIATELY SURROUNDING LOW DENSITY RESIDENTIAL AREAS WILL BENEFIT FROM HAVING THE MEDIUM DENSITY RESIDENTIAL AREA BUILT BETWEEN THEMSELVES AND THE NEIGHBORHOOD ACTIVITY CENTER/COMMERCIAL AREAS OFF UPWARD ROAD AND OLD SPARTANBURG HIGHWAY AS AN ATTRACTIVE TRANSITION. THIS TRANSITION WILL HAVE APPROPRIATE WALK-ABLE AND DRIVE-ABLE INFRASTRUCTURE DESIGNED TO BE AESTHETICALLY PLEASING.

Explain whether adequate public facilities are available:
THESE WILL BE PRIVATE RENT-ABLE RESIDENCES, NO PUBLIC FACILITIES ARE REQUIRED. ADEQUATE UTILITIES WILL BE PROVIDED TO EACH RESIDENCE.

Explain the impact the petition would have on the natural environment:
THE SITE WILL BE DEVELOPED WITH THE MINDSET OF CAUSING THE LEAST AMOUNT OF IMPACT TO NATURAL ENVIRONMENT AS POSSIBLE. THE DEVELOPER WILL MAKE EVERY EFFORT TO SAVE AS MUCH CURRENT VEGETATION ON SITE AS POSSIBLE THROUGH OUT THE CONSTRUCTION PROCESS AND THE NATURE TRAIL CREATION. THE INCREASE IN IMPERVIOUS SURFACE WILL CAUSE A NEED FOR ENGINEERED STORM WATER FEATURES IN THE DESIGN AND THE DEVELOPER COMMITS TO PROPERLY HANDLING AND TREATING THE STORM WATER AS NECESSARY BEFORE ALLOWING IT TO LEAVE THE SITE.

Additional information:
N/A

Note additional approvals prior to issuance of Zoning Compliance Permit may include, but are not limited to:

1. Henderson County Sedimentation & Erosion Control Permit
2. Stormwater management plan
3. Utility approval
4. NCDOT permit
5. Any other applicable permits as determined by the Development Assistance Department

Signature pages for Conditional Zoning District Petition

Designated Agent
Pesterfield Civil Engineering, PLLC

Address
4005 Asheville Hwy, Hendersonville, North Carolina 28791

Phone
(828) 252-8423

Email
austin@pcels.com

Applicant Name
TMFL Consultants Inc

Address
5375 NW 159th Street, Miami Lakes, Florida 33014

Phone
(305) 509-1220

Signature

Signature of the property owner acknowledges if the property is rezoned the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Property Owner Name
Karen Pace Davis

Address
147 Web Place, Mills River, North Carolina 28759

PID or PIN #
9577-88-3870

Signature

Property Owner Name
Robert Terrell Pace

Address
8830 Homewood Drive, Lewisville, North Carolina 27023

PID or PIN #
9577-88-3870

Signature

Signature pages for Conditional Zoning District Petition (continued)

Signature of the property owner acknowledges if the property is rezoned the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Property Owner Name
William L. Pace III

Address
1012 Cadence Lane, Durham, North Carolina 27703

PID or PIN #
9577-88-3870

Signature

Property Owner Name
Alice Pace Darnell

Address
107 Oak Hill Drive., Huntersville, North Carolina 28078

PID or PIN #
9577-88-3870

Signature

Property Owner Name

Address

PID or PIN #

Signature

City of Hendersonville
General Application
Owner Signature Addendum

Application Information

Date of Application 04/28/2021 Application Number P21-11-CZD

Name of Project Oak Preserve PRD Phase # (if subdivision) _____

Parcel Identification Number(s) (PIN) 9557-88-3870

Additional Owners: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name OP Management, LLC
☐ Corporation ☒Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature Troy Lee

Title Managing Member Email troy.a.lee@gmail.com

Address of Property Owner 2626 Glenwood Ave Ste 550 Raleigh, NC 27608

---

* ^ Printed Name _____
☐ Corporation ☐Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

---

* ^ Printed Name _____
☐ Corporation ☐Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

---

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

^ If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

CITY OF HENDERSONVILLE
PLANNING BOARD
AGENDA ITEM SUMMARY

SUBMITTER: Tyler Morrow

MEETING DATE: 5-10-21

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Community Development Department

TITLE OF ITEM: Conditional Rezoning Amendment: West Avenue Villas (P21-24-CZD) – *Tyler Morrow, Planner II.*

SUGGESTED MOTION(S):

PLANNING BOARD - APPROVAL

I move Planning Board recommend that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville by changing the zoning designation of the subject property from CMU-CZD, Central Mixed Use Conditional Zoning District to CMU-CZD, Central Mixed Use Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons:

[Please state reasons describing why this development is good for the community. Examples follow, or to include your own]

1.The additional unit will allow for more housing options close to downtown [if applicable];
2.The proposed development is compatible with the area. [if applicable]
3.The development is in the public interest because [state why if applicable]
4.The site has the needed infrastructure to accommodate the additional unit. [if applicable]

PLANNING BOARD - DENIAL

I move the Planning Board recommend that City Council deny the application to rezone the subject property for the following reasons:

[Please state reasons describing why you are moving to deny the application. Examples follow or include your own.]

1. The development is not consistent with the Comprehensive Plan[if applicable];
2. The development is not compatible with the surrounding uses. [if applicable]
3. The development is not in the public interest because [state why if applicable]
4. The development will have a detrimental impact on the natural environment. [if applicable]

SUMMARY:

The City is in receipt of a Conditional Rezoning District Amendment application from Andrew Riddle, of Riddle Development, LLC for the addition of one (1) garage apartment on the approved site plan. The site was approved for 10 dwelling units (2 quad-plex and 2 garage apartments) at the August 6th 2020 meeting. The applicant is requesting for a total of 11 dwellings units now be permitted for the property (2 quad plex and 3 garage apartments). The proposed zoning of the site is still CMU-CZD, Central Mixed Use Conditional Zoning District

7-6-3 Modifications of Developments Authorized Under Special Use Review and Conditional Zoning Districts*. The City Manager is authorized to approve minor modifications to the approved final plans of developments authorized under special use review and conditional zoning districts, but major modifications may only be authorized by City Council in accordance with procedures set forth herein. A modification shall be deemed minor if it is not a major modification.*

d) A substantial increase in the number of residential dwelling units.

PROJECT/PETITIONER NUMBER: P21-24-CZD

PETITIONER NAME: Andrew Riddle, of Riddle Development, LLC

ATTACHMENTS:

1. Staff Report
2. Neighborhood Compatibility Meeting minutes
3. List of Uses and Conditions
4. Full Size Site plan
5. Survey
6. Application

West Ave. Villas Amendment P21-24-CZD

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

Staff Report Contents

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PROJECT SUMMARY

Applicant: Andrew Riddle, of Riddle Development, LLC

Property Owner: Riddle Development, LLC

Property Address: No address currently- 1st Ave.

Project Acreage: 0.57 Acres

Parcel Identification Number(s):9568-77-1057

Current Parcel Zoning: CMU-CZD Central Mixed-Use Conditional Zoning District

Neighborhood Compatibility Meeting: January 30, 2020

SITE VICINITY MAP

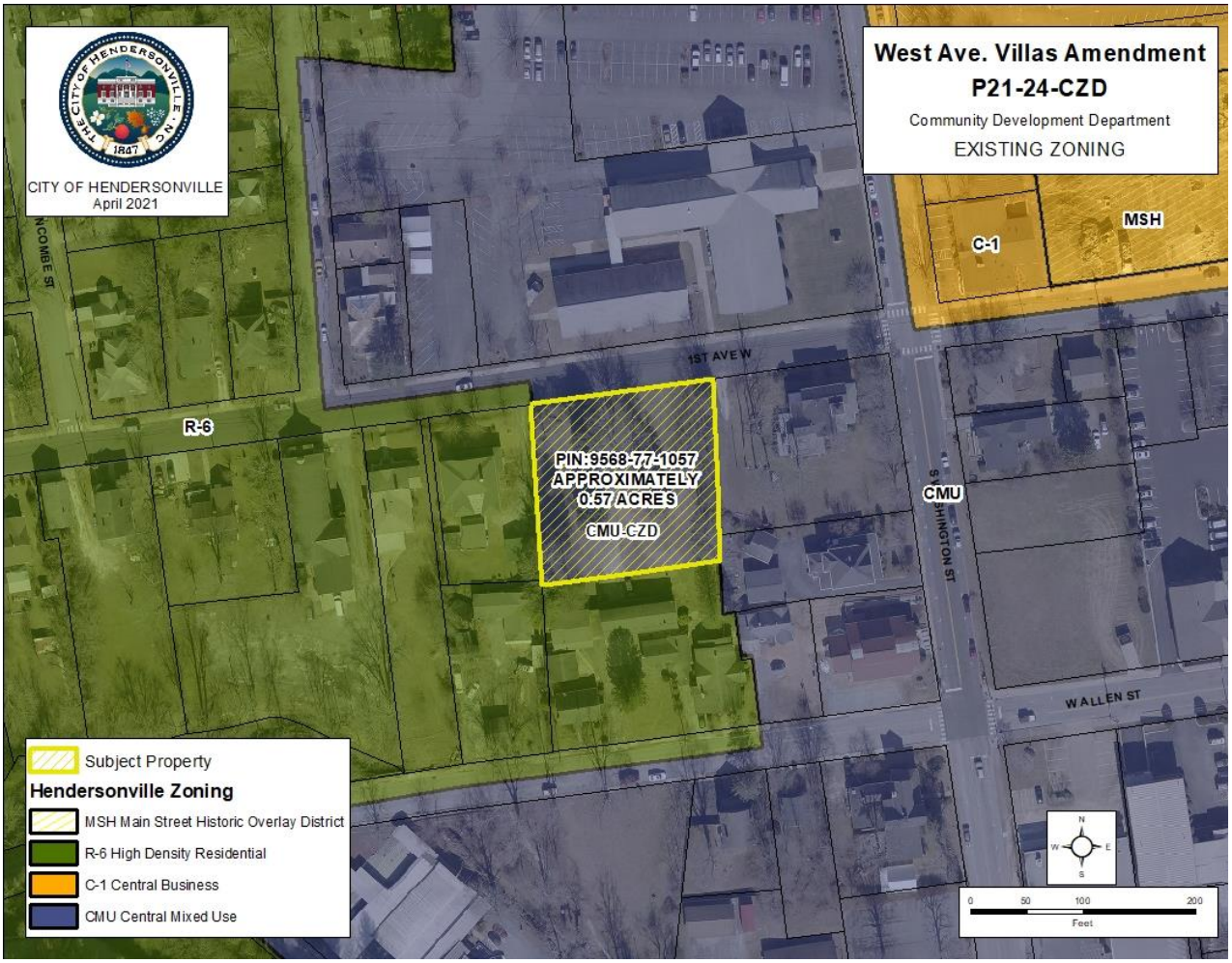
Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning District Amendment application from Andrew Riddle, of Riddle Development, LLC for the addition of one (1) garage apartment on the approved site plan. The site was approved for 10 dwelling units (2 quad-plex and 2 garage apartments) at the August 6th 2020 meeting. The applicant is requesting for a total of 11 dwellings units now be permitted for the property (2 quad plex and 3 garage apartments). The proposed zoning of the site is still CMU-CZD, Central Mixed Use Conditional Zoning District

***7-6-3 Modifications of Developments Authorized Under Special Use Review and Conditional Zoning Districts**. The City Manager is authorized to approve minor modifications to the approved final plans of developments authorized under special use review and conditional zoning districts, but major modifications may only be authorized by City Council in accordance with procedures set forth herein. A modification shall be deemed minor if it is not a major modification.*

d) A substantial increase in the number of residential dwelling units.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Existing Land Use and Zoning

Parcels to the north are zoned CMU, Central Mixed Use and contain Hendersonville First Church of the Nazarene and residential uses. Parcels located to the east are zoned CMU and include residential and commercial uses. Parcels located to the south are zoned R-6 and CMU and include commercial and residential uses. Parcels located to the west are R-6 and contain religious and residential uses.

SITE CONDITIONS – SITE IMAGES

View from 1st Avenue.

View of existing buffer along the eastern property line

View from the western property line

SITE CONDITIONS – SITE IMAGES CONTINUED

View from eastern property line

View from the South (rear property line)

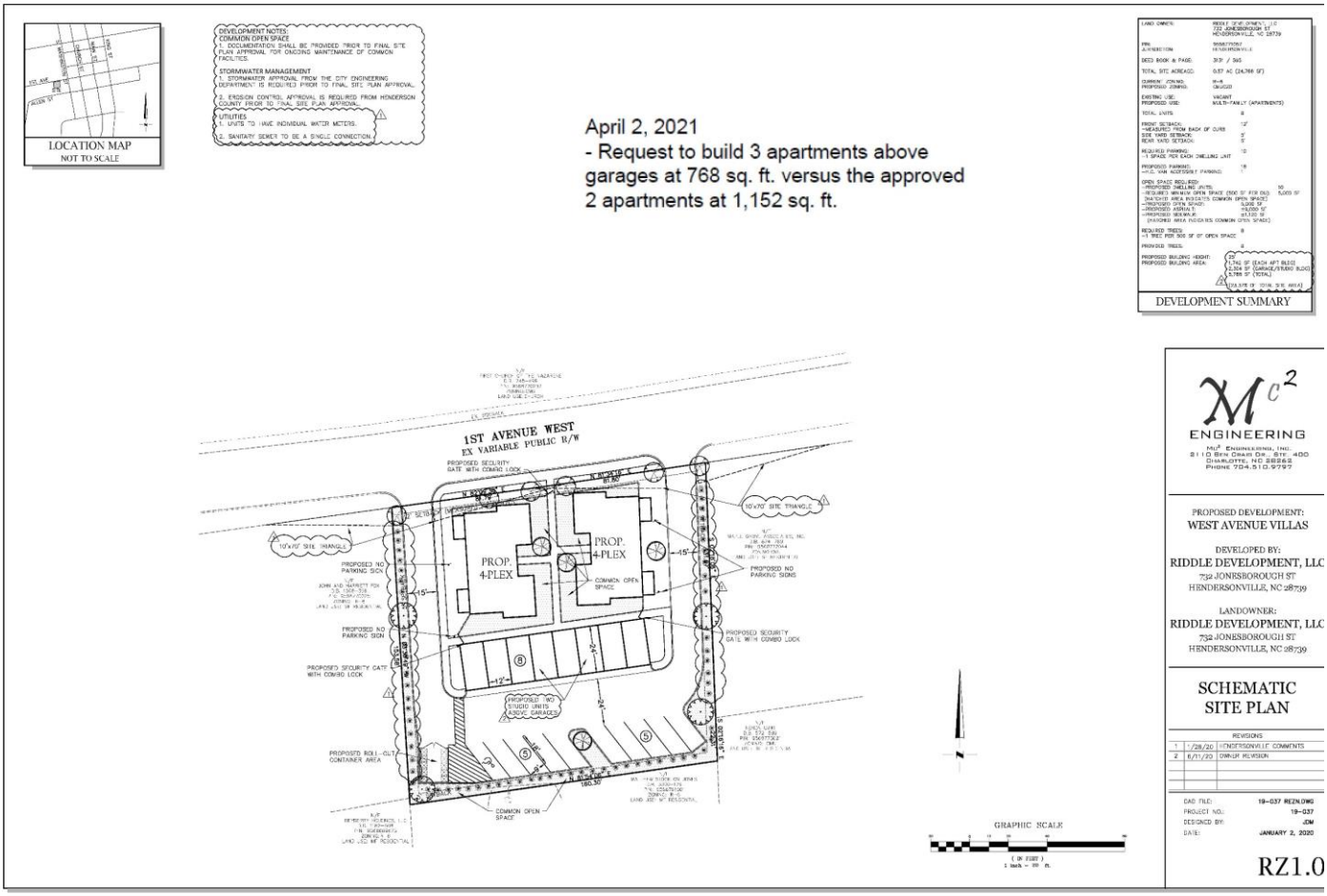
Another view of the existing buffer along the eastern property line

OBLIQUE AERIAL PHOTOS

View from the South

View from the North

REZONING/SITE PLAN TOPICS



Proposed Site Plan

Buildings

The site plan shows 3 structures. 2 Quad Plex and 1 garage structure.

2 Quad Plex buildings totaling 3,484 Square feet- 8 dwelling units

1 garage building totaling 2,304 square feet- 3 dwelling units

3 garage apartments at 768 square feet each instead of 2 garage apartments at 1,152 square feet.

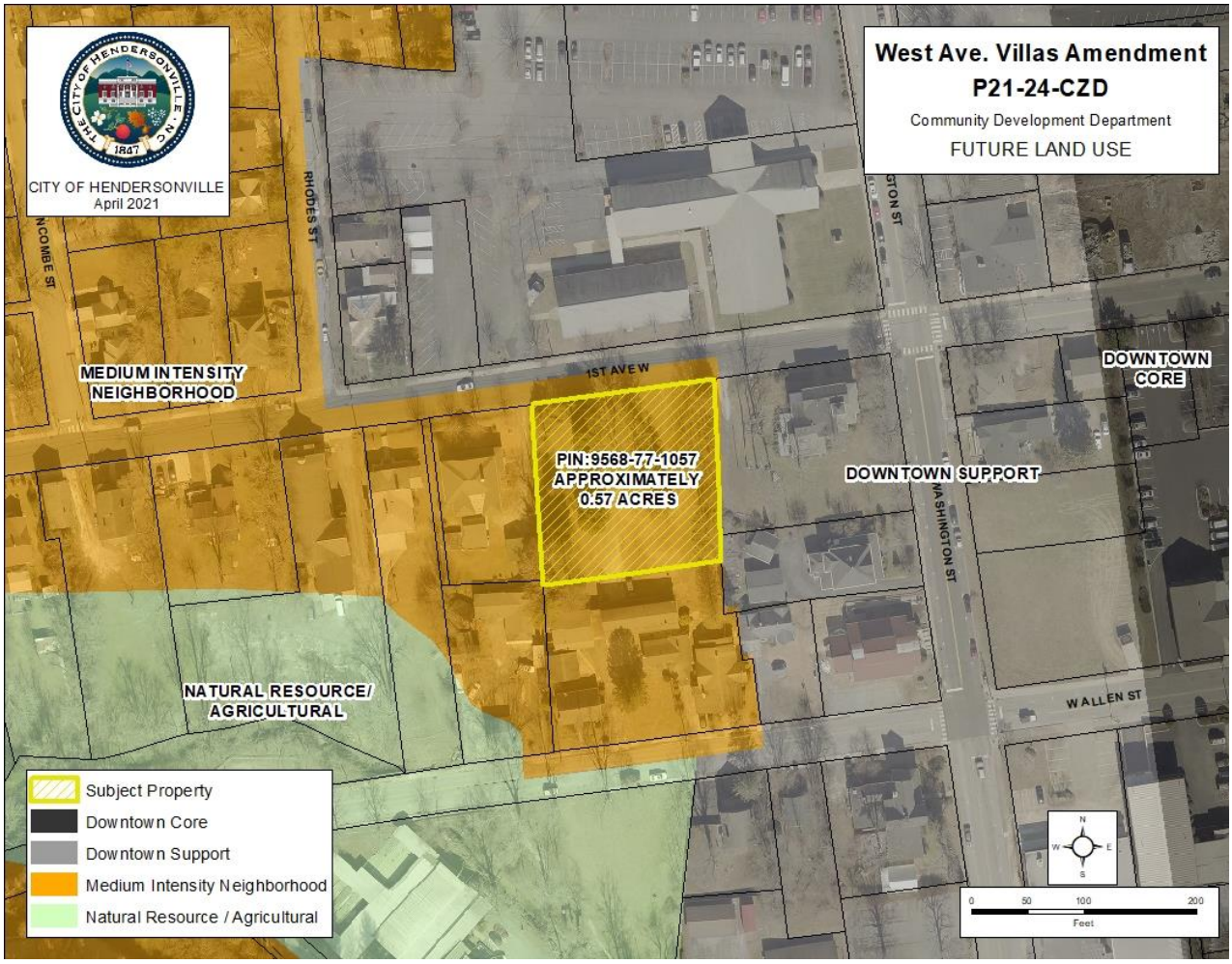
None of the structure footprints are changing from the original approval.

Total of 11 dwelling units

Proposed Building Height- 25'

REZONING CRITERIA:

COMPREHENSIVE PLAN CONSISTENCY



The 2030 Comprehensive Plan's Future Land Use Map classifies parcels located to the North and East of the subject property are classified as Downtown Support. The parcels located to the south and west of the project are classified as Medium Intensity Neighborhood and Natural Resource and Agricultural.

Goal LU-6.
Medium-Intensity Neighborhood: ***Provide a transition between High- and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods.***

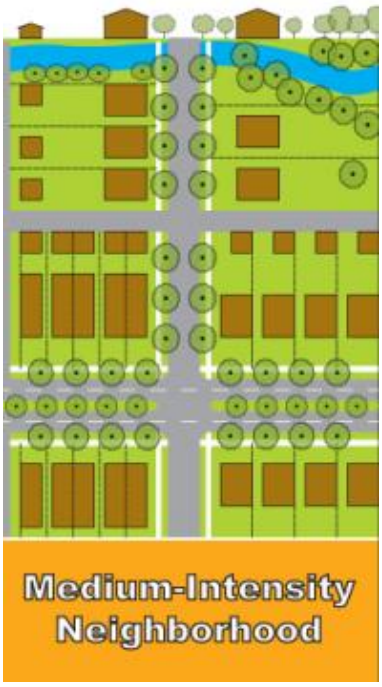
Strategy LU-6.1.
Locations:
- Existing neighborhoods zoned R-15, R-10, and R-6, including residential historic districts
- Existing or planned neighborhoods that reflect the same densities as the R-15, R-10 and R-6 zoning districts (Two to eight units per gross acre)
- Undeveloped properties that are surrounded by or adjacent to the above neighborhoods

Strategy LU-6.2.
Primary recommended land uses:
- Single-family attached and detached residential
- Open space

Strategy LU-6.3.
Secondary recommended land uses:
- Limited multi-family residential along roadways designated as Boulevards or Major Thoroughfares on the Future Land Use Map
- Planned Residential Developments
- Local public and institutional uses
- Recreational amenities

Strategy LU-6.4.
Development guidelines:
- Two to eight units per gross acre
- At least 60% open space in new developments on three or more acres
- Architectural guidelines to encourage compatibility when different housing types abut one another (e.g. similar building height, massing, roof pitch, and rhythm of windows and façade detailing)
- Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2

Single-family homes at densities comparable to Medium-Intensity Neighborhood



REZONING CRITERIA:

COMPREHENSIVE PLAN CONSISTENCY

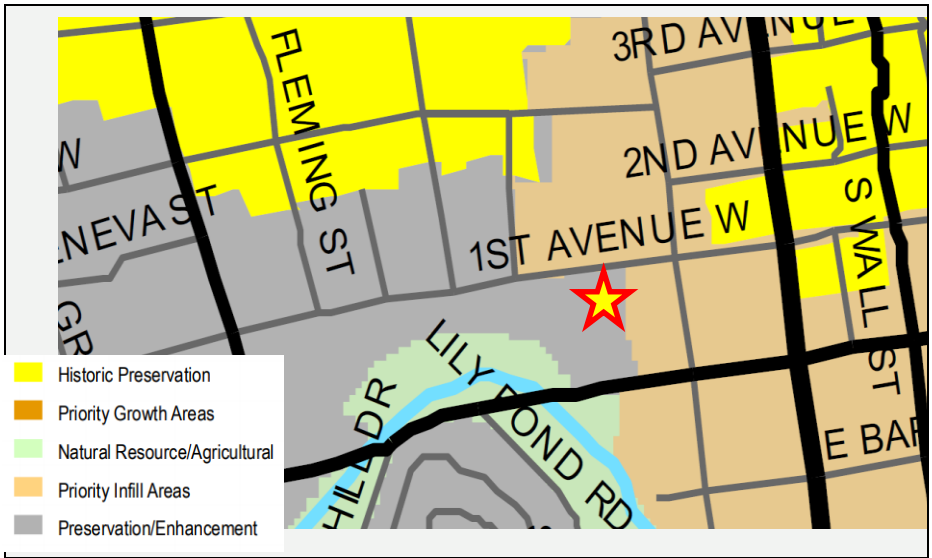
The subject area is designated Medium Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map.

Goal PH-2.
Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.

Strategy PH-1.1.
Promote compatible infill development. Compatible infill development helps to re-invigorate older neighborhoods with new housing products, amenities or services while minimizing negative impacts. Compatibility is achieved through selection of appropriate land uses and/or design strategies that smooth the transition between potentially conflicting land uses. Design strategies should address architectural compatibility and scale as well as landscape buffering.

Growth Management

Preservation/Enhancement Areas (gray): Developed areas in which few significant changes are expected, or undeveloped areas that are not considered a high priority for growth. The City should respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies.



BiPeds Sidewalk Assessment

- Both Sides Continuous
- One Side Continuous
- Both Sides Partial
- One Side Continuous and One Side Partial
- One Side Partial
- None

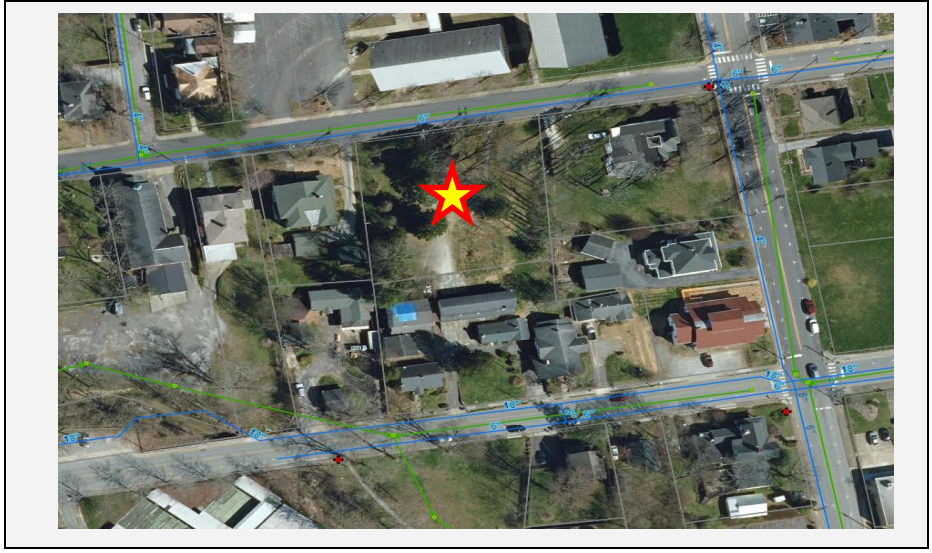
Water and Sewer Availability

Water Mains

City Water Main

Gravity Mains

Public Gravity Main

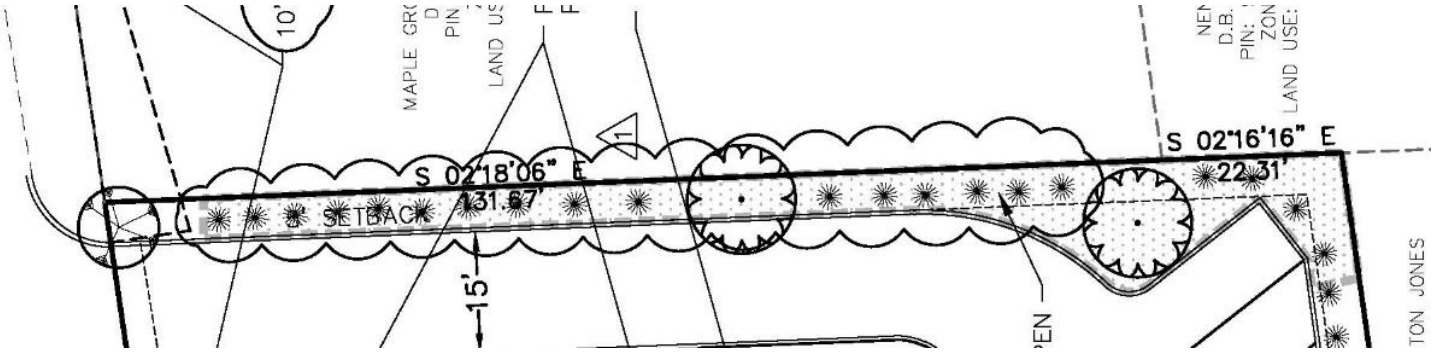


SITE PLAN REVIEW

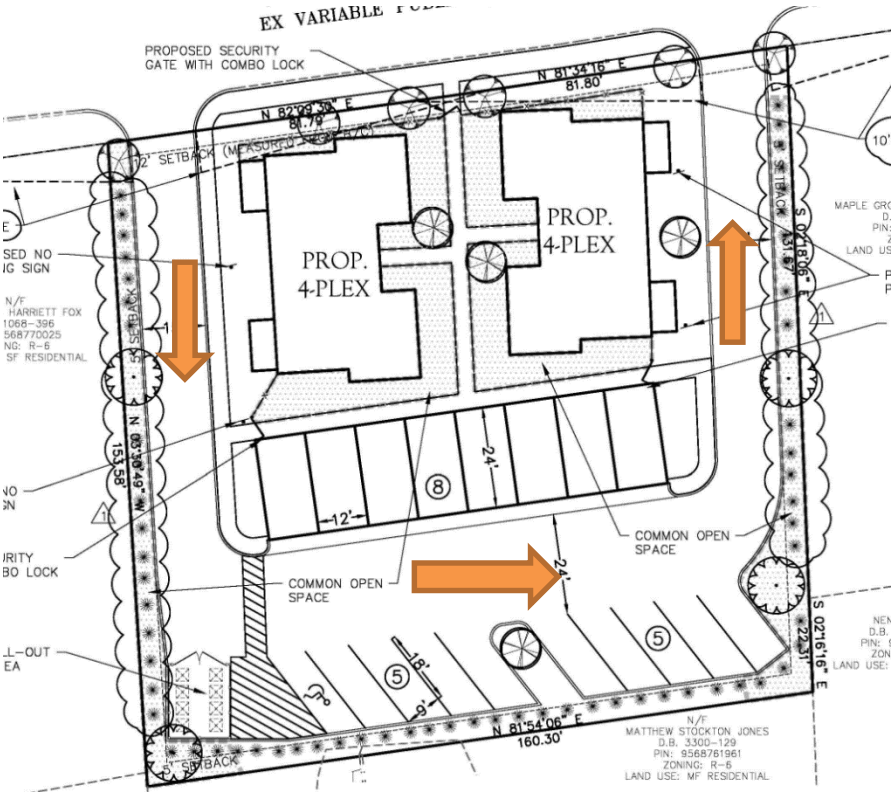
City Council Conditions from the August 2020 Decision: These conditions are still attached to the original rezoning approval. These conditions are included in the attached list of uses and conditions.

1. **The architectural style that will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters**

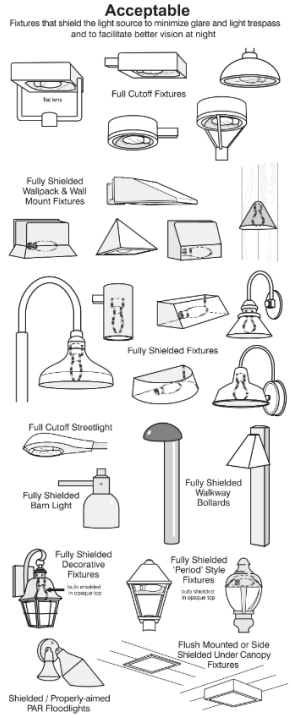
2. **The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.**



3. **The driveway widths shall be 12 feet and not 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side.**



4. **The developer use the outdoor lighting basic guidelines from the International Dark Sky Association.**



Landscaping: The applicant will be required to provide vehicular use landscaping for this project. Vehicular use landscaping consists of 1 tree and 2 shrubs for every 4,000 square feet of VUA.

The applicant will also be required to plant a planting strip which is required when a vehicular use area lot is located within 100 feet of an abutting property and no buffer yard is required, a planting strip which is a minimum of five feet wide shall be planted between the vehicular use area and the abutting property, except along approved driveway openings which run perpendicular to the planting strip. One large evergreen or deciduous tree and five evergreen or deciduous shrubs shall be planted for every 40 linear feet of property line that parallels the vehicular use area.

Stormwater/Flood Hazard Area

The land disturbance for this project does not exceed an acre; a storm water management system is not required.

Parking Requirements - Table 6-5-2

The zoning ordinance requires in CMU that residential developments shall be provided with a minimum of one off-street parking space per dwelling unit.

11 Dwelling Units proposed

11 spaces required.

18 spaces provided. 8 garage spaces and 10 surface parking spaces.

The zoning ordinance states "As far as practicable, in consideration of site constraints and reasonable development requirements, parking for non-residential and multi-family residential developments shall be situated to the side or rear of principal structures"

All parking is proposed to be located at the rear of the property

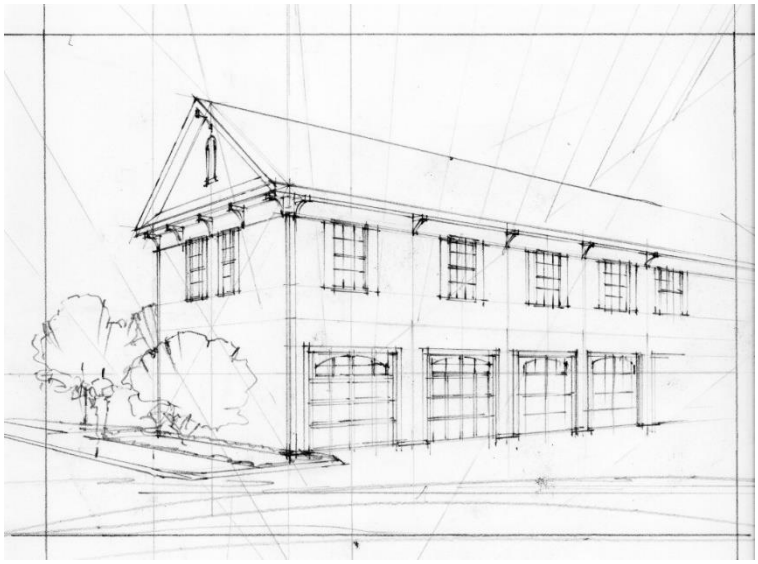
Sidewalks

Sidewalks will be provided along the property frontage on 1st Avenue

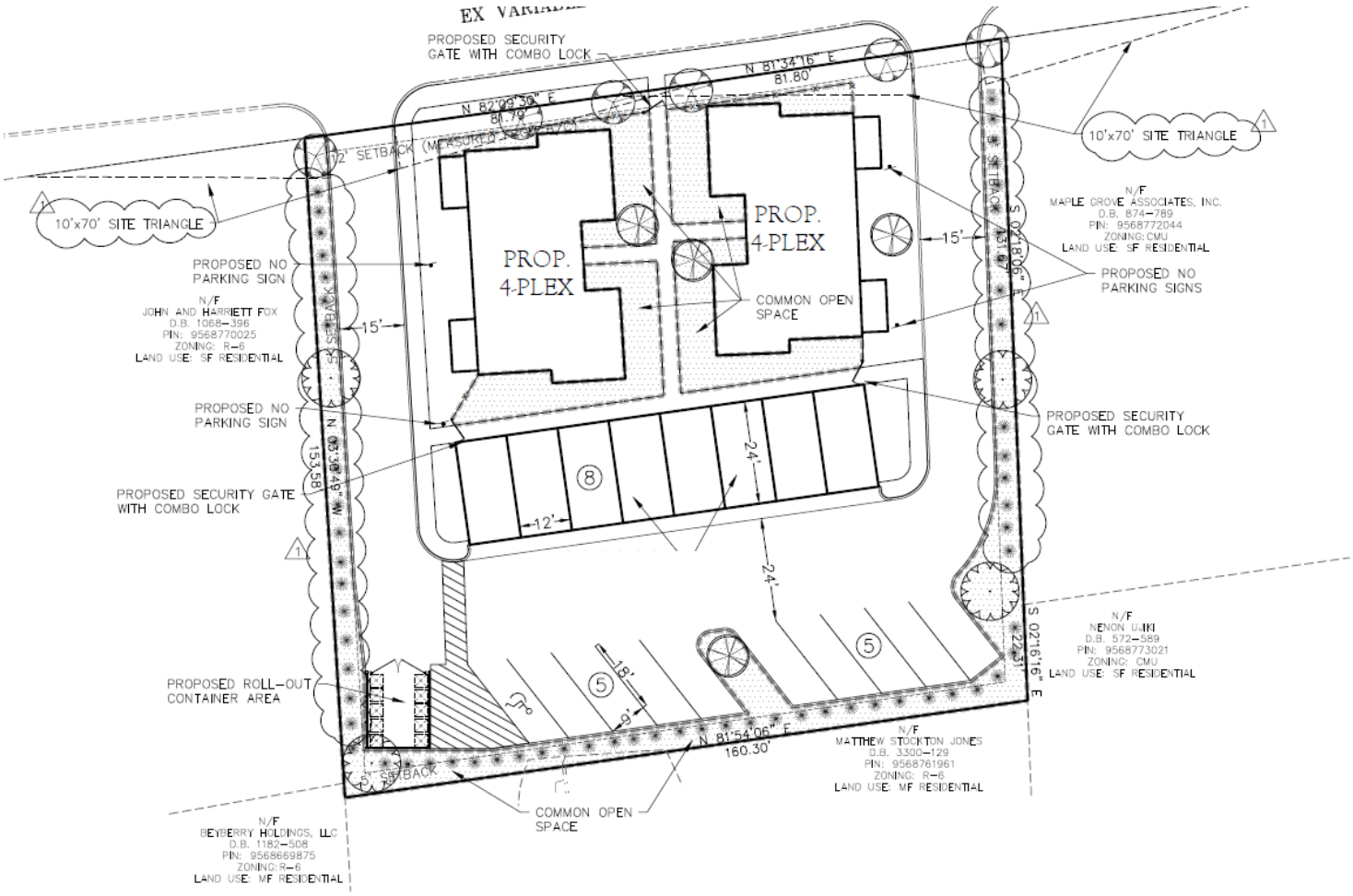
Entrance

The site will have a one-way entrance off of First Avenue.

This is an elevation provided by the applicant during the initial rezoning in August of 2020. This elevation depicts the proposed garage/garage apartment structure at the rear of the property. If approved this proposed structure would include 3 dwelling units rather than 2 as previously approved by City Council.



ZOOM - SITE PLAN



REZONING CRITERIA:

1. COMPREHENSIVE PLAN CONSISTENCY
2. COMPATABILITY
3. CHANGED CONDITIONS
4. PUBLIC INTEREST
5. ADEQUATE PUBLIC FACILITIES
6. ENVIRONMENTAL IMPACTS

TRANSPORTATION TOPICS:

TRANSPORTATION IMPACT ANALYSIS: ACCORDING TO THE 7TH EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION MANUAL

The project is not expected to meet either the 100 or more peak-hour trips or the 1,000 or more daily trips thresholds to require a TIA.

Apartment Calculation

11 Units

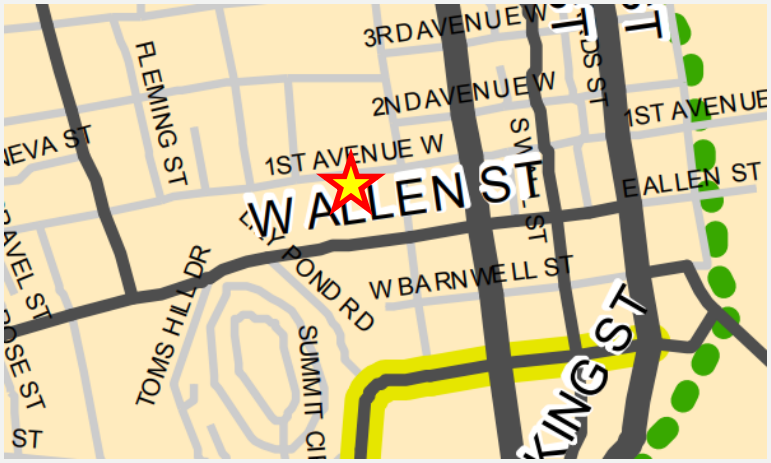
6.05 Trips AM peak hour.

7.37 Trips PM peak hour

73.92 Daily Weekday Trips.

2030 COMPREHENSIVE PLAN TRANSPORTATION MAP

Local Street



NOTABLE AREA PUBLIC WORKS PROJECTS

We don't have any improvements planned for that area other than our regular street and sidewalk maintenance program. 1st Avenue and Washington is a four way stop. No plans to change that to a signalized intersection, at this time. Washington Street has marked on-street parking spaces. 1st Avenue has marked on-street parking spaces between Washington St. and Church St. West of Washington Street, there are no marked on-street parking spaces on 1st Avenue but parking is allowed unless it is marked "no parking

-Tom Wooten, Public Works Director

STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY:

The 2030 Comprehensive Plan highlights this parcel as a Preservation/Enhancement Area, which focuses on preserving and enhancing existing neighborhood character. City Council at their last meeting approved a condition that aligned with this goal. City Council approved a condition that tied the developer to the architectural style and color shown in the elevation provided by the applicant. This aided in the building fitting in with the existing neighborhood and preserving the existing neighborhood character. This type of development would serve as a transition between the commercial focused downtown corridor and the traditionally residential area going down 1st avenue West.

The comprehensive plan discusses that the City needs to encourage a wide range of housing and price points. Staff feel like this development does this by providing various types of housing so close to different places of employment and entertainment.

The comprehensive plan states that the City should encourage infill development that utilizes existing infrastructure, this project meets this strategic goal. Staff's assessment is that the road network and water and sewer infrastructure abutting this site would be capable of serving this development.

During the site plan review process staff identified a number of small technical corrections that are required for zoning ordinance compliance which can be addressed during final site plan approval. None of these items would need to be made a condition since they are in the ordinance; they will have to be met prior to final site plan approval. The only correction that is directly tied to the additional unit is the required increase (500 SqFt) in common open space. Staff feel that there is enough area on the site plan that is currently not being utilized as common open space to meet this requirement at final site plan approval.

Staff does not have any additional conditions for this project. The 4 conditions that were approved by Council at the original meeting are attached in the list of uses and conditions.

PUBLIC COMMENT:

The Neighborhood Compatibility meeting was held on the original application on January 30th, 2020. This amendment did not require that the applicant host a new neighborhood compatibility meeting. 12 members of the public attended the original NCM. They had questions concerning the following:

Parking for the development, Type of housing, Traffic concerns, Increased density compared to surrounding properties, Compatibility with the surrounding area

PLANNING BOARD - SUMMARY OF ACTION

SUMMARY OF PLANNING BOARD RECOMMENDATIONS

PLANNING BOARD MOTION

SUGGESTED MOTION(S) & CONSISTENCY STATEMENTS:

PLANNING BOARD - APPROVAL

I move Planning Board recommend that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville by changing the zoning designation of the subject property from CMU-CZD, Central Mixed Use Conditional Zoning District to CMU-CZD, Central Mixed Use Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons:

[Please state reasons describing why this development is good for the community. Examples follow, or to include your own]

1.The additional unit will allow for more housing options close to downtown [if applicable];
2.The proposed development is compatible with the area. [if applicable]
3.The development is in the public interest because [state why if applicable]
4.The site has the needed infrastructure to accommodate the additional unit. [if applicable]

PLANNING BOARD - DENIAL

I move the Planning Board recommend that City Council deny the application to rezone the subject property for the following reasons:

[Please state reasons describing why you are moving to deny the application. Examples follow or include your own.]

1. The development is not consistent with the Comprehensive Plan[if applicable];
2. The development is not compatible with the surrounding uses. [if applicable]
3. The development is not in the public interest because [state why if applicable]
4. The development will have a detrimental impact on the natural environment. [if applicable]

CITY COUNCIL - APPROVAL

I move that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville by changing the zoning designation of the subject property from CMU-CZD, Central Mixed Use Conditional Zoning District to CMU-CZD, Central Mixed Use Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons:

[Please state reasons describing why this development is good for the community. Examples follow, or to include your own]

1. The additional unit will allow for more housing options close to downtown [if applicable];
2. The proposed development is compatible with the area. [if applicable]
3. The development is in the public interest because [state why if applicable]
4. The site has the needed infrastructure to accommodate the additional unit. [if applicable]

CITY COUNCIL - DENIAL

I move City Council deny the application to amend the conditional zoning district on the subject property for the following reasons:

[Please state reasons describing why you are moving to deny the application. Examples follow or include your own.]

1. The development is not consistent with the Comprehensive Plan[if applicable];
2. The development is not compatible with the surrounding uses. [if applicable]
3. The development is not in the public interest because [state why if applicable]
4. The development will have a detrimental impact on the natural environment. [if applicable]

ATTACHMENTS IN THE PACKET:

1. Neighborhood Compatibility Meeting minutes
2. List of Uses and Conditions
3. Full Size Site plan
4. Survey
5. Application

Planning Report
Neighborhood Compatibility Meeting
Application for a Conditional Zoning District
West Avenue Villas File # P20-1-CZD
Thursday, January 30, 2020 2:00 p.m.

Daniel Heyman, Planner, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Center. Approximately twelve members of the public, two application representatives and three City staff were in attendance. The follow signed in:

Name	***Address***	***Name***	***Address***
Stephen Drake (app)	Mills River	Ronnie Redden	336 1st Avenue West
Andrew Riddle (app)	First Avenue West	Mary Jo Pagent	334 3rd Avenue West
John McMahan	822 Barbara Blvd.	Jeff Fox	332 1st Avenue West
John Carnes	530 1st Avenue West	Katy Gash	400 1st Avenue West
Cynthia Chapman	530 1st Avenue West	Sherrie Hill	403 1st Avenue West
Nenon Ujiki	115 S. Washington St.	Daniel Heyman	staff
Alton King	109 Fleming Street	Tyler Morrow	staff
Ed King	105 Fleming Street	Terri Swann	staff
Jo Kay	336 1st Avenue West		

Mr. Heyman opened the meeting explaining this is the first step in a three-step process. He explained the conditional rezoning process adding anyone who received notice of this meeting would receive notice of the City Council Public Hearing. Minutes of this meeting will be forwarded to Planning Board and City Council. Mr. Heyman said the project will go before the Planning Board February 10th and City Council will hear the project March 5th. Mr. Heyman stated this meeting is for the neighbors to learn about the project and they should focus on the compatibility of the project in the neighborhood. The property is currently zoned R-6, High Density Residential. This will be a 12-unit multi-family structure. This is an informal meeting, but everyone should speak one at a time because minutes are being taken.

Stephen Drake, applicant stated he is requesting the rezoning and will be rebuilding the site. This is a unique parcel as it has been vacant for a long time. This will be a residential nature and will provide homes for several families. It will be called West Avenue Villas and is a two-story building that will cater to seniors, snowbirds, empty nesters and single professionals that would like to be in a walkable community. Residents can walk to church, work, events, etc. This building will look like a larger home with smart siding or high-end vinyl. It will have a brick veneer foundation. The parking will be in the rear of the building and won't really be seen. He plans to have a landscape buffer on each side of the property. The units will be sold as condos with the possibility of being rented. Any rentals will be handled by a professional management company and applicants will be screened. This proposed development provides a great opportunity for anyone that loves downtown.

Jo Kay, 336 1st Avenue West asked what the cost of the units would be. Mr. Drake stated $240,000 to $250,000. There will be 13 spaces for the multi-family units. The target market is snowbirds, seniors and single professionals. If they see any overflow, then they could park on the street.

Cynthia Chapman, 530 1st Avenue West asked if the developer was the current owner. Mr. Drake stated no, Mr. Riddle owns the property, but Mr. Drake will be developing it. Ms. Chapman asked if any would be reserved for lower income. Mr. Drake stated no.

Nenon Ujiki, 115 A & B South Washington Street stated her mother sold her property to Sam Riddle and there are three homes in the area that he purchased. It was her family homes that belonged to her mother and aunt. She wanted to know if the structures on those properties would be torn down. Mr. Drake stated no, they did not own that property and the property they are proposing to develop is vacant. She was also concerned about who would be buying these units. You cannot make the seniors or snowbirds purchase the units. Anyone could try to purchase one.

Mr. Drake stated they are not allowed to discriminate but he builds a lot of properties like this and they tend to have more seniors purchasing them.

Ms. Ujiki believes there is more of a need for lower moderately priced housing for young couples starting out.

Mr. Drake stated this project is so small that they cannot make it work as restricted income development. They would never get approval from the agencies providing the money. He does agree that lower income housing is needed but this project is not suited for that.

Ms. Chapman stated she thinks something does need to be done with the property, but she is not sure this is the right fit.

There were some concerns about who owns this property. Mr. Drake stated the Riddle family owns this piece of land.

Andrew Riddle, property owner stated he owns this tract that they are proposing for the condos. He sold the other properties to Matt Johnes about two years ago.

Ms. Ujiki stated she thinks Mr. Johnes should be at this meeting. Mr. Riddle stated he received a letter about this meeting. She also was concerned about these units being used as vacation rentals. Mr. Drake stated they will have a Homeowner's Association in place to so that the buyers will sign an agreement not to use the units as vacation rentals.

Ms. Kay asked if the building would have an elevator. Mr. Drake stated no, there will be two sets of internal stairs in the building.

Ms. Chapman asked if the zoning was the same for condos and apartments. Is there a difference? Mr. Heyman stated they are both considered multi-family.

Mr. Ed King stated he lives at 105 Fleming Street and he is concerned about the parking on the street. Traffic is a lot heavier than when his parents built their house in 1972. Adding 12 to 15 cars parking on the street is only going to create more traffic problems. Why limit the parking they have? Why not limit the number of units to six?

Mr. Drake stated it is a very wide road out there. Mr. King stated there have been a lot of wrecks on 1st Avenue. They are saying this is not a problem, but it is a problem. Add that many cars to the street and you are going to have problems. Mr. Drake stated they can talk with NCDOT about this and maybe designate parking to one side of the street.

Jeff Fox, 332 1st Avenue West asked if the zoning has been successfully changed yet. Mr. Heyman stated no, this is a three-step process and this meeting is only the first step. It will go the Planning Board for their recommendation in February and then to City Council for final approval in March.

Mr. King asked what this project will do to the value of the surrounding properties. Mr. Drake stated he believes it will increase the value of the surrounding properties. Mr. King stated in that case he has another concern. If the value of those properties increase, then so will their taxes. These are old properties and they cannot afford their taxes going up. Some of these places will just have to be torn down because they will not be able to keep up.

Ms. Chapman stated she has four major concerns: parking on the street, increasing the density because that makes it out of character with the neighborhood, more architectural detail needs to be added to the building and the 12-foot setback is not enough. This is a massive building on a very small lot. The front setback influences the whole neighborhood and most of the homes have double the setback on the front.

Ronnie Redden, 336 1st Avenue West stated he does not think this building fits into the neighborhood. The parking is not going to work. They need at least 24 parking spaces on site. The street is wide but if you have cars parked on both sides, that narrows the street.

A neighbor asked about having a dumpster on the property. Mr. Drake stated they would not have a dumpster. They plan to have shared roll outs. The neighbors were concerned this would be an issue as well.

Mr. Redden stated this does not fit in with the neighborhood. He is not sure why the city would want this project this close to Main Street.

Mr. Drake stated having the project this close to Main Street will allow people to walk downtown.

Mr. King stated the doesn't see the need for this and throwing all this traffic on 1st Avenue. His concerns are the cars, traffic, density and trash cans. These are all big concerns.

Mr. Fox stated people park here during events and it doesn't work now. He can only imagine what parking will be like if this is built.

Mary Jo Pagent, 334 3rd Avenue West asked staff to explain the difference in a rezoning request and conditional zoning. Mr. Heyman stated this is a rezoning request to a conditional zoning district. The request is for the rezoning to be Central Mixed Use Conditional Zoning District. This means conditions may be placed on the project by the Planning Board or City Council as long as the applicant is agreeable. Mr. Heyman stated the property is currently zoned R-6 which is a strictly residential zoning. The change would make it mixed use but no commercial use will be on this development.

Ms. Chapman was concerned that the rezoning would take place and then the project would not get built and if this property was resold it could be a commercial building built on the property. Mr. Heyman explained that if the rezoning gets approval it is only for this development. If this development does not get built, any changes would have to go back through the three-step process for another approval.

Mr. Heyman stated the current zoning does not allow commercial uses on the property. Mr. Heyman explained the density requirements for the R-6 zoning district.

Katy Gash, 400 1st Avenue West had concerns about how important this meeting was. She was concerned if what was said here really matters. Mr. Heyman stated that minutes are being taken for this meeting and then put into the memo for Planning Board and City Council. Ms. Gash asked if he had already sided with the developer. Mr. Heyman explained that he did not take any sides, he is only staff. The citizens have elected officials, which is their City Council and they do take into consideration the concerns of the residents. The City Council does feel that the citizens input is important. City Council will have final decision on this project.

Mr. Heyman stated that staff does notify the adjacent property owner within 400 feet of a project. The site also gets posted and it is advertised with the media. There were quite a few letters sent out for this meeting.

Ms. Ujiki stated she would not be in town for the February or March meeting. Mr. Heyman stated he would be glad to take her written comments and concerns to the Planning Board and City Council. Ms. Ujiki stated she did not want him to do that.

Mr. Riddle stated he wants to be a good neighbor, but he does not believe both sides will be 100% agreeable. They need to work together and come up with a solution on how to grow without growing on top if each other. Yes, things can change and yes, they are flexible. He appreciates the concerns of the neighbors.

Mr. Heyman stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well.

With no further comments or questions, Mr. Heyman closed the meeting at 2:45.

City of Hendersonville Community Development Department
100 N. King Street Hendersonville, NC 28792
(828) 697-3010

LIST OF USES AND CONDITIONS

Name/Address: **West Avenue Villas (No Address)**
File #: **(File # P21-24-CZD)**
PIN#: **(PIN# 9568-77-1057)**

1. **STIPULATED USES:**

Only the following uses are authorized for the referenced development:

a) Residential dwellings, multi-family

2. **CONDITIONS:**

a) Shall be attached to the conditional rezoning and satisfied prior to issuance of final Site Plan approval:

City-Initiated Conditions:

1) The developer use the outdoor lighting basic guidelines from the International Dark Sky Association.

2) The driveway widths shall be 12 feet and not 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side.

3) The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.

4) The architectural style will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters**.**

b) Shall be attached to the conditional rezoning:

1) Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Hendersonville Zoning Ordinance and Code of Ordinances.

City of Hendersonville Community Development Department
100 N. King Street Hendersonville, NC 28792
(828) 697-3010

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to the imposition of all conditions stated.

Applicant:

Riddle Development LLC:_____

Printed Name:_____

Date:_____

Title within LLC:_____

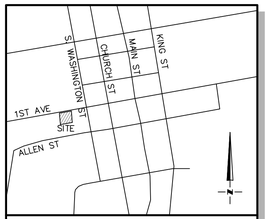
Property Owner:

Riddle Development LLC:_____

Printed Name:_____

Date:_____

Title within LLC:_____



LOCATION MAP
NOT TO SCALE

DEVELOPMENT NOTES:

COMMON OPEN SPACE

1. DOCUMENTATION SHALL BE PROVIDED PRIOR TO FINAL SITE PLAN APPROVAL FOR ONGOING MAINTENANCE OF COMMON FACILITIES.

STORMWATER MANAGEMENT

1. STORMWATER APPROVAL FROM THE CITY ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO FINAL SITE PLAN APPROVAL.

2. EROSION CONTROL APPROVAL IS REQUIRED FROM HENDERSON COUNTY PRIOR TO FINAL SITE PLAN APPROVAL.

UTILITIES

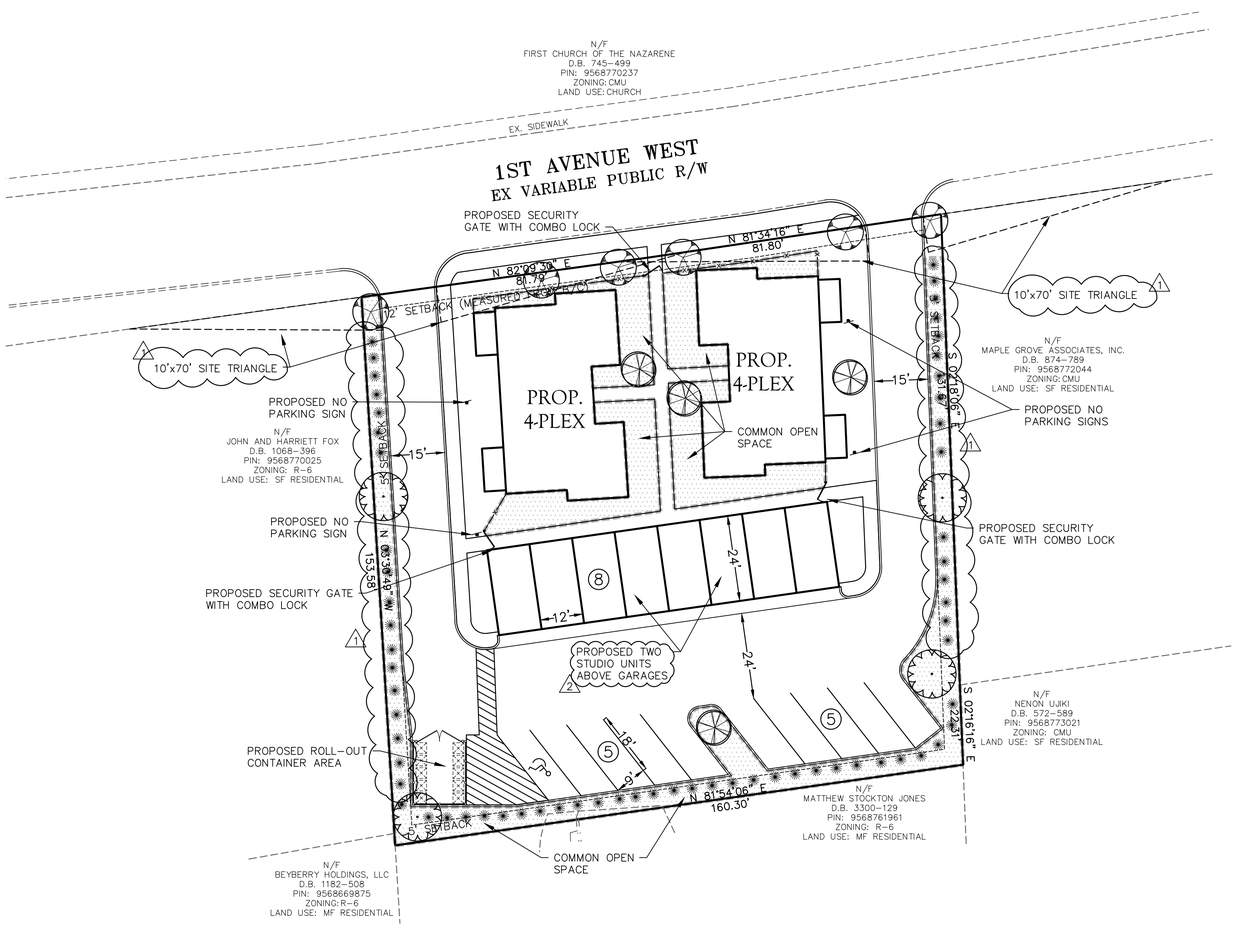
1. UNITS TO HAVE INDIVIDUAL WATER METERS.

2. SANITARY SEWER TO BE A SINGLE CONNECTION.

April 2, 2021
- Request to build 3 apartments above garages at 768 sq. ft. versus the approved 2 apartments at 1,152 sq. ft.

LAND OWNER:	RIDDLE DEVELOPMENT, LLC 732 JONESBOROUGH ST HENDERSONVILLE, NC 28739
PIN:	9568771057
JURISDICTION:	HENDERSONVILLE
DEED BOOK & PAGE:	3131 / 595
TOTAL SITE ACREAGE:	0.57 AC (24,766 SF)
CURRENT ZONING:	R-6
PROPOSED ZONING:	CMUCZD
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY (APARTMENTS)
TOTAL UNITS:	8
FRONT SETBACK:	12'
-MEASURED FROM BACK OF CURB	
SIDE YARD SETBACK:	5'
REAR YARD SETBACK:	5'
REQUIRED PARKING:	10
-1 SPACE PER EACH DWELLING UNIT	
PROPOSED PARKING:	18
-H.C. VAN ACCESSIBLE PARKING:	1
OPEN SPACE REQUIRED:	
-PROPOSED DWELLING UNITS:	10
-REQUIRED MINIMUM OPEN SPACE (500 SF PER DU):	5,000 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
-PROPOSED OPEN SPACE:	5,000 SF
-PROPOSED ASPHALT:	±9,000 SF
-PROPOSED SIDEWALK:	±1,120 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
REQUIRED TREES:	8
-1 TREE PER 500 SF OF OPEN SPACE	
PROVIDED TREES:	8
PROPOSED BUILDING HEIGHT:	25'
PROPOSED BUILDING AREA:	1,742 SF (EACH APT BLDG) 2,304 SF (GARAGE/STUDIO BLDG) 5,788 SF (TOTAL) (23.37% OF TOTAL SITE AREA)

DEVELOPMENT SUMMARY



GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

MC² ENGINEERING

MC² ENGINEERING, INC.
2110 BEN CRAIG DR., STE. 400
CHARLOTTE, NC 28262
PHONE 704.510.9797

PROPOSED DEVELOPMENT:
WEST AVENUE VILLAS

DEVELOPED BY:
RIDDLE DEVELOPMENT, LLC
732 JONESBOROUGH ST
HENDERSONVILLE, NC 28739

LANDOWNER:
RIDDLE DEVELOPMENT, LLC
732 JONESBOROUGH ST
HENDERSONVILLE, NC 28739

SCHEMATIC SITE PLAN

REVISIONS

1	1/28/20	HENDERSONVILLE COMMENTS
2	6/11/20	OWNER REVISION

CAD FILE:	19-037 REZN.DWG
PROJECT NO.:	19-037
DESIGNED BY:	JDM
DATE:	JANUARY 2, 2020

RZ1.0

NORTH CAROLINA
HENDERSON COUNTY

I, Sharon M. McCall, REVIEW OFFICER OF HENDERSON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Sharon M. McCall 2/12/19
REVIEW OFFICER DATE

NORTH CAROLINA
HENDERSON COUNTY

THIS INSTRUMENT WAS FILED FOR REGISTRATION THIS THE 12TH DAY OF FEBRUARY, 2019 AT 2:13 PM O'CLOCK IN PLAT SLIDE NUMBER 11633

William Lee King
REGISTER OF DEEDS

BY: William Lee King ~~DEPUTY~~

BOOK 2019 PAGE 11633 (1)
898307

This document presented and filed:
02/12/2019 02:13:50 PM
WLK
WILLIAM LEE KING, Henderson COUNTY, NC

SLIDE 11633

LEGEND

DB . . DEED BOOK
PG . . PAGE
MNS . . MAG NAIL SET
RBF . . REBAR FOUND
OTF . . OPEN TOP PIPE FOUND
UP . . UTILITY POLE
W . . WATER METER
CO . . CLEAN OUT
S . . SEWER MANHOLE
● . . IRON FOUND OR SET AS NOTED
○ . . CALCULATED POINT - NOT SET

REFERENCES

DB 3131 PG 595
DB 1086 PG 492
DB 1459 PG 198
SLIDE - 6250
SLIDE - 8244
DB 572 PG 589
DB 1068 PG 396
DB 1182 PG 508
DB 874 PG 789

NOTES

SUBJECT PROPERTY TIED TO NC GRID NAD '83 (2011) BY GPS OBSERVATION.

ORIGINAL BOUNDARY SURVEY COMPLETED ON MARCH 6, 2017. THIS SURVEY IS TO SUBDIVIDE PARENT TRACT.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

THE LOCATIONS OF UNDERGROUND UTILITIES ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF OTHER UNDERGROUND UTILITIES/STRUCTURES MAY BE PRESENT AND NOT SHOWN. PROPERTY SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN HEREON.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

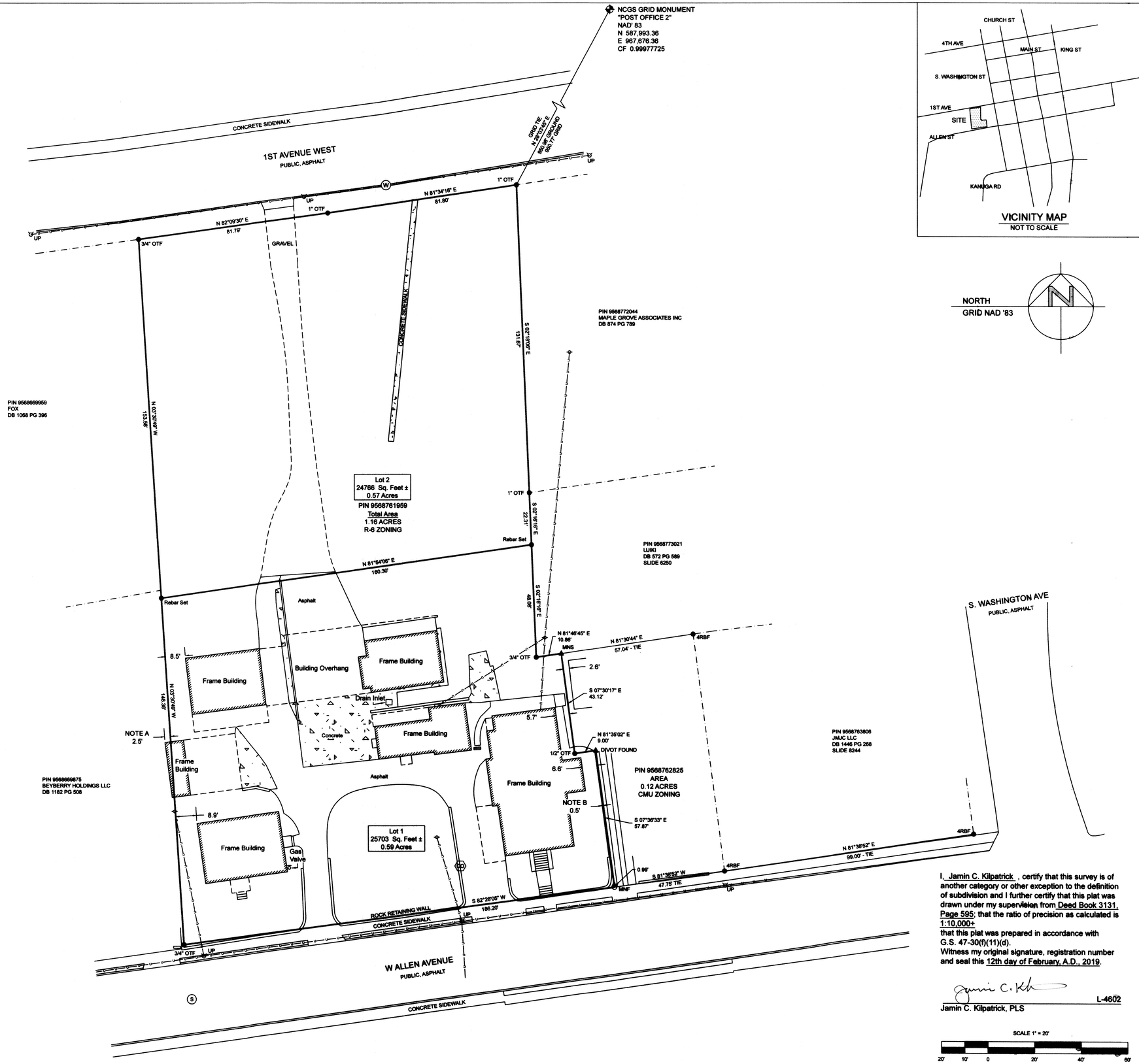
AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWED AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS.

THERE IS A POSSIBLE 2.5' BUILDING ENCROACHMENT, SHOWN HEREIN AS "NOTE A."
THERE IS A POSSIBLE 0.5' DRIVEWAY ENCROACHMENT, SHOWN HEREIN AS "NOTE B."

PIN 9568761959 CURRENTLY ZONED R-6 BY THE CITY OF HENDERSONVILLE.
SETBACKS: FRONT - 20' REAR - 10' SIDE - 8'.

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.



NORTH
GRID NAD '83

I, Jamin C. Kilpatrick, certify that this survey is of another category or other exception to the definition of subdivision and I further certify that this plat was drawn under my supervision from Deed Book 3131, Page 595; that the ratio of precision as calculated is 1:10,000+
that this plat was prepared in accordance with G.S. 47-30(f)(11)(d).
Witness my original signature, registration number and seal this 12th day of February, A.D., 2019.

Jamin C. Kilpatrick L-4602
Jamin C. Kilpatrick, PLS

SCALE 1" = 20'
20' 10' 0 20' 40' 60'

KILPATRICK LAND SURVEYING PLLC
PO BOX 2705, HENDERSONVILLE, NC 28793
828-606-4797 www.klspllc.com P-0508

SUBDIVISION OF PROPERTY FOR:
RIDDLE DEVELOPMENT, LLC

CURRENT OWNER:
RIDDLE DEVELOPMENT LLC

City of Hendersonville, Hendersonville Township
Henderson County, North Carolina

PIN 9568761959

NORTH CAROLINA PROFESSIONAL SEAL L-4602 LAND SURVEYOR JAMIN C. KILPATRICK

Date	6 MARCH 2017
Drawn By	JCK
Scale	1" = 20'
Revision	02-12-19
Dwg No.	G-17-300

CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT

100 N. King Street ~ Hendersonville, NC ~ 28792
Phone (828) 697-3010 ~ Fax (828) 697-6185
www.cityofhendersonville.org

APPLICATION FOR CONDITIONAL ZONING DISTRICT AMENDMENT

Section 7-6-3 City Zoning Ordinance

The following are required to amend a Conditional Zoning District:
- **~ This form including the property owner(s) signature(s)**
- **~ Appropriate fee**
- **~ 2 copies of the amended site plan.**

Date	3.31.2021
Name of Project	First Avenue Villas
Address / Location of Property	Vacant Land on First Avenue
List 10 digit PIN or 7 digit PID Number for each property	9568771057
Contact Information	Andrew Riddle 828.243.3610
Address	P.O. Box 1025 Flat Rock, NC 28731
Phone	828.243.3610
Fax	
Email	andrew@riddledevelopment.com
Proposed change(s) to Conditional Zoning District	Add one apartment above the garages for a total three (3) versus two (2) which have already been approved. The parking requirements are still in compliance. FILE# P20-01-CZD Aug 6, 2020
Designated Agent	Andrew Riddle
Address	P.O. Box 1025 Flat Rock NC 28731
Phone	828.243.3610

Signature Andrew Riddle
Managing Director

Official Use:
DATE RECEIVED: _____ **BY** _____ **FEE RECEIVED $** _____ **FILE NO.** _____

Signature of the property owner acknowledges if the amendment to the Conditional Zoning District is approved. The property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Property Owner: Name Riddle Development, LLC

Address P.O. Box 1025 Flat Rock NC 28731

PID or PIN 9568771057

Signature Managing Director

Printed Name Andrew Riddle

Property Owner: Name

Address

PID or PIN

Signature

Printed Name

Property Owner: Name

Address

PID or PIN

Signature

Printed Name

Property Owner: Name

Address

PID or PIN

Signature

Printed Name

Official Use:
FILE NO. _____