



CITY OF HENDERSONVILLE CURRENT PLANNING COMMITTEE

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Thursday, May 09, 2024 – 3:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Administrative Review: Alternative Building Design – Spinx-Upward Rd (A23-98-SPR) – *Matthew Manley, AICP - Strategic Projects Manager*
 - B. Administrative Review: Preliminary Site Plan– Spinx-Upward Rd (A23-98-SPR) – *Matthew Manley, AICP - Strategic Projects Manager*
 - C. Administrative Review: Preliminary Site Plan– Church Street Funeral and Cremation Parking Expansion (A24-16-SPR) – *Tyler Morrow – Planner II*
6. **OTHER BUSINESS**
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.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** May 9, 2024

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Administrative Review: Alternative Building Design – Spinx-Upward Rd (A23-98-SPR) – *Matthew Manley, AICP - Strategic Projects Manager*

SUGGESTED MOTION(S):

<p><u>For Approval:</u></p> <p>I move that the Alternative Design Committee recommended that the Planning Board grant preliminary alternative building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. It is determined that the alternative design plan does advance the general design considerations as outlined in Section 18-6 and is as good as, or better than, the design standards of Section 5-27. This approval shall allow alternative design measures as shown in the elevation included in the packet which allows for deviations to the following sections:</p> <p>1. 5-27-4.1.8 Building scale</p> <p>[DISCUSS & VOTE]</p>	<p><u>For Denial:</u></p> <p>I move that the Alternative Design Committee recommend that the Planning Board deny preliminary alternative building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. The proposed alternative design plan does not advance the general design considerations as outlined in Section 18-6 and is not as good as, or better than, the design standards of Section 5-27</p> <p>[DISCUSS & VOTE]</p>
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SUMMARY:

The City of Hendersonville is in receipt of an application for preliminary site plan review from Norman Hamilton of Site Design, Inc and Mitch Reise of the Spinx Company, LLC. The applicant is proposing to construct a 6,470 Sq Ft convenience store and 6,160 Sq Ft gas station canopy on the subject property.

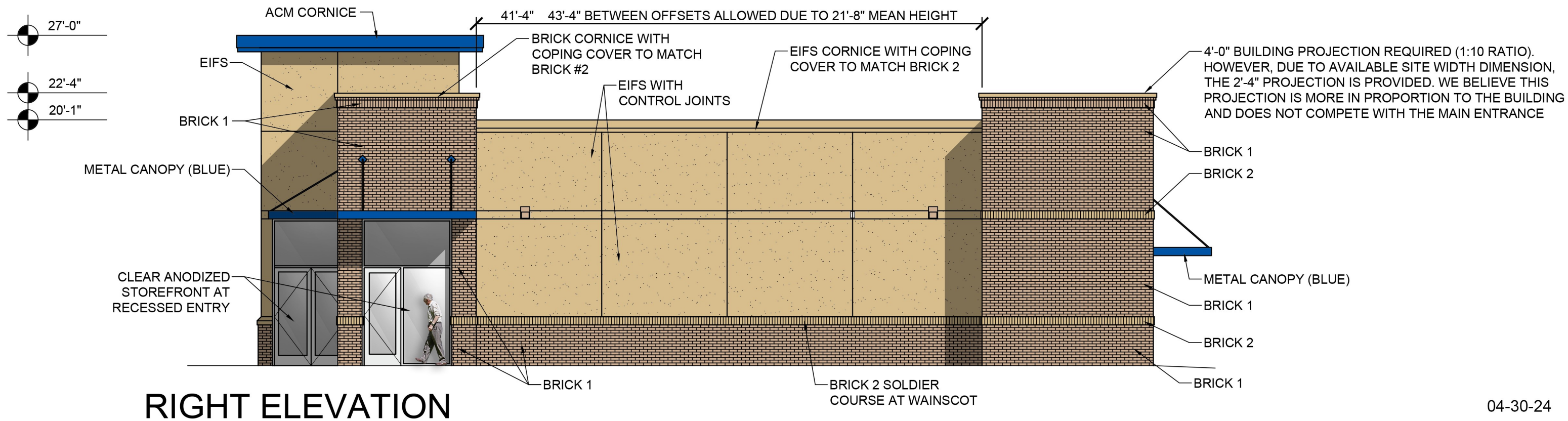
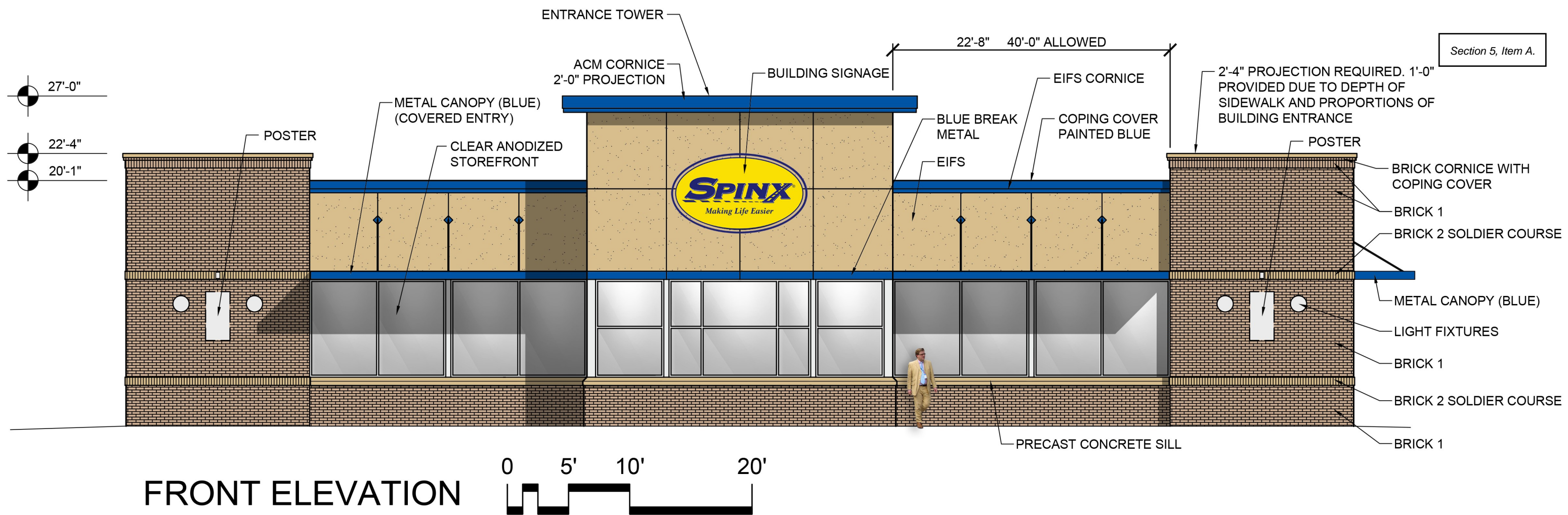
Due to this development exceeding the threshold of 30 new parking spaces, the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.

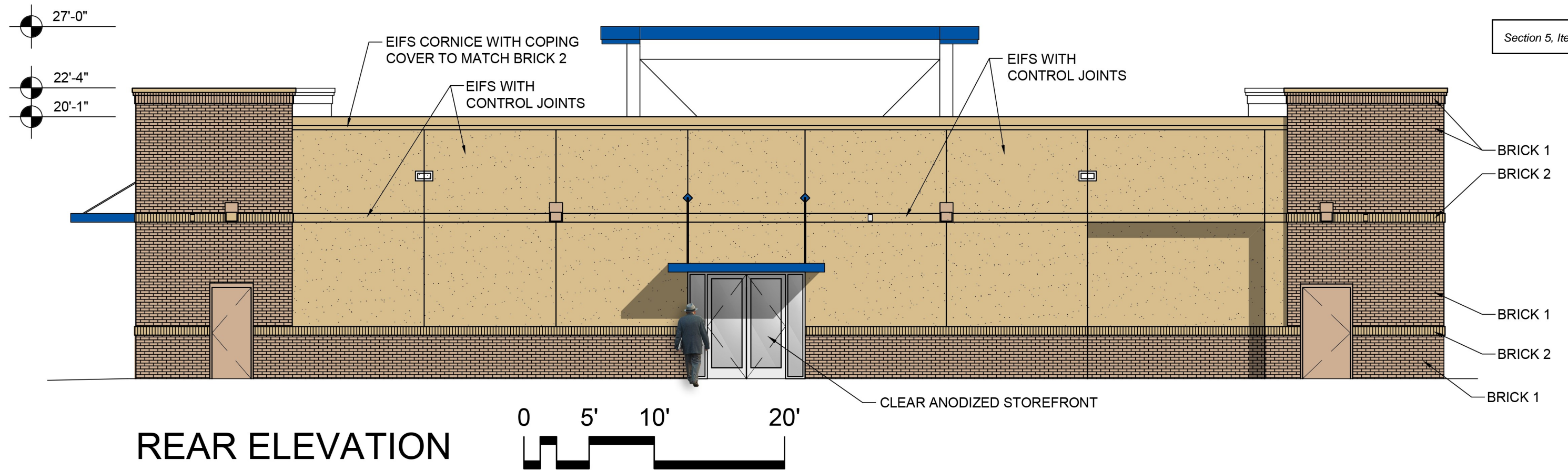
The proposed building design plan shows that the convenience store will have a height of 27’ at its highest point. The building contains at least 3 of the architectural details required by 5-27-4.1.5 (center tower, offsets in roof/building, decorative cornices). The building contains at least two contrasting building materials with brick making up at least 15% of the façade. To achieve distinctive architectural interest on buildings facing intersections, the applicants are proposing added height to the parapet, a corner entrance, and corner canopy. The applicant proposes an alternative building design to accommodate relief from the projection depth requirement of 5-27-4.1.8 ‘Building Scale’.

Article 18 of the Zoning Code provides for flexibility in the design of buildings within the City’s Mixed Use zoning districts. The article allows applicants to choose not to comply with the design standards of the base zoning district as long as an alternative design is reviewed and approved. The alternative design must be found to be as good or better than the design required by the design standards and that it is in keeping with the ‘general design considerations’ outlined in Section 18-6.

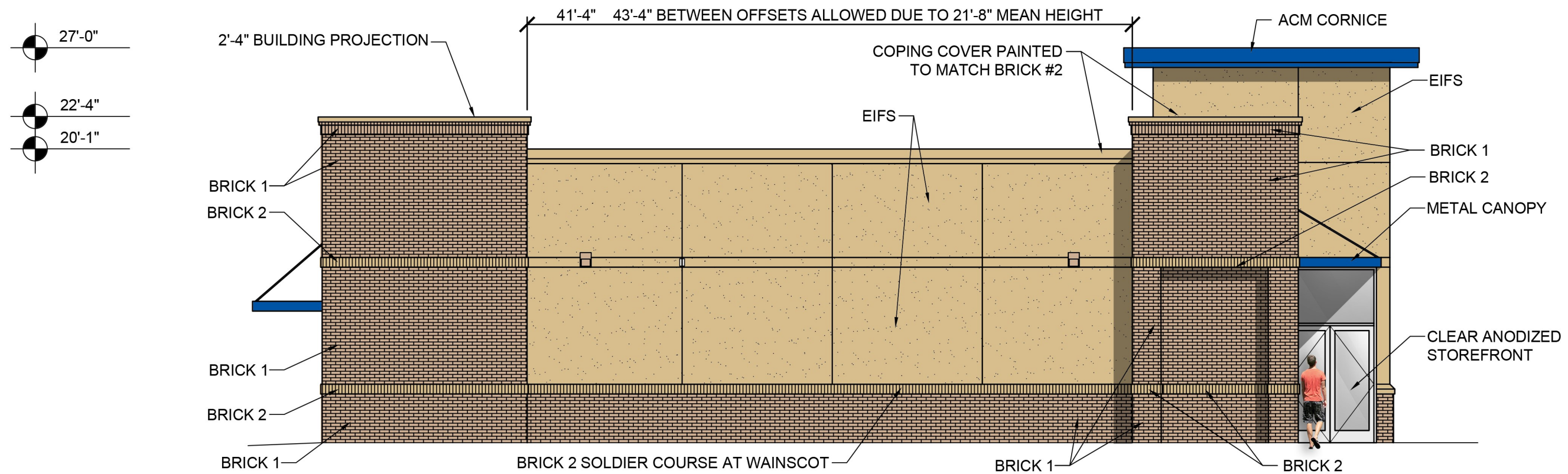
To assist in this determination, the Current Planning Committee will serve at the Alternative Design Committee and make a recommendation to the Planning Board on the appropriateness of the alternative design.

PROJECT/PETITIONER NUMBER:	(A23-98-SPR)
PETITIONER NAME:	Upward Road Hospitality, LLC [Applicant/Owner]
ATTACHMENTS:	<div><div>1. Building Elevations</div><div>2. Building Floorplan</div><div>3. Preliminary Site Plan</div><div>4. Sections 18-5 & 18-6 Mixed Use Zoning</div><div>5. Section 5-27 CHMU Zoning District Standards</div><div>6. Application / Owner Signature Addendum</div></div>



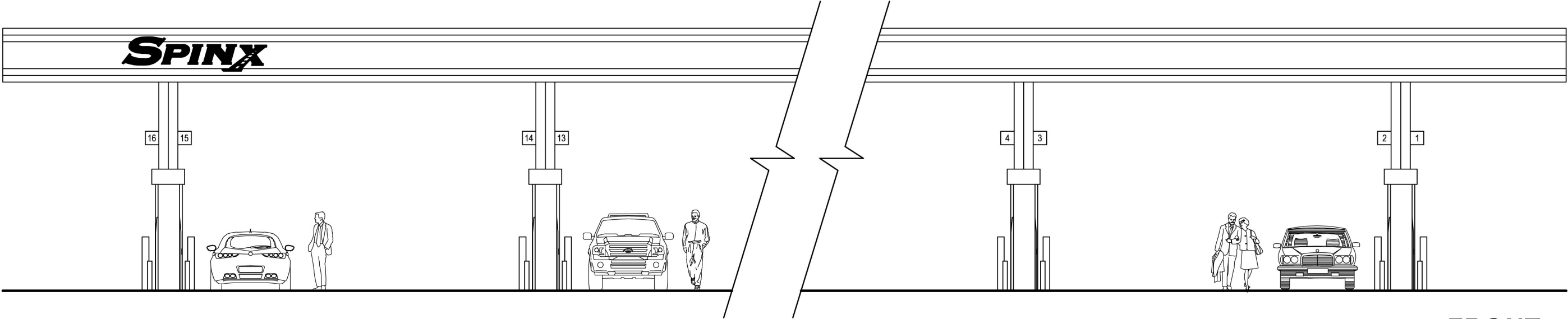


REAR ELEVATION

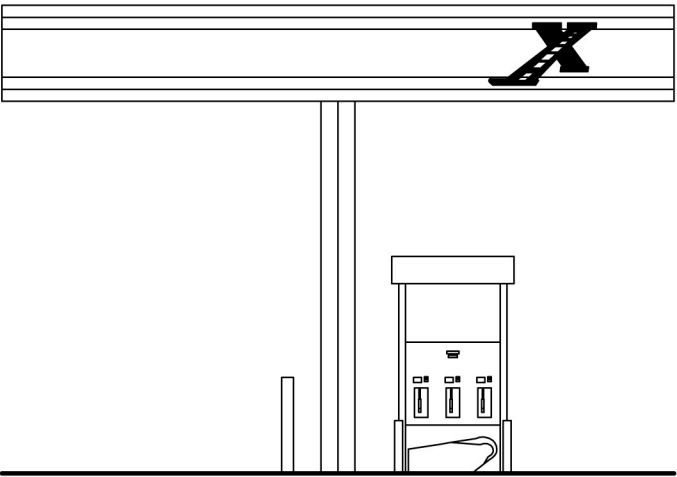


LEFT ELEVATION

04-30-24



FRONT



LEFT



FLOOD DATA:

FEMA FLOOD MAP PANEL 3700957700J
ZONE X - AREA OF MINIMAL FLOODING
ABOVE THE 500 YEAR FLOOD LEVEL.

SITE TABLE

1. TOTAL PROJECT AREA	4.4 ACRES
2. TOTAL IMPERVIOUS AREA	2.5 ACRES (57%)
3. BUILDING AREA	0.17 ACRES (3.9%)
4. STREETS AND PARKING	2.16 ACRES (49%)
5. TOTAL OPEN SPACE	1.9 ACRES (43%)
6. TOTAL COMMON SPACE	0.4 ACRES (10%)
7. DISTURBED AREA	4.7 ACRES

PARKING DATA:

CONVENIENCE STORE - 1 SPACE PER 200 GFA (6470 GFA / 200 = 32 SPACES)

REGULAR SPACES REQ'D: 30 SPACES
HC SPACES REQ'D: 2 SPACES

TOTAL REQ'D: 32 SPACES

REGULAR SPACES PROVIDED: 56 SPACES
HC SPACES PROVIDED: 4 SPACES

TOTAL PROVIDED: 60 SPACES

SITE DATA:

PIN: 9577897580, 9577896416, 9577895289, 9577896236,
9577896187
TOTAL SITE = 4.441 AC (193,455 SF)
TOTAL DISTURBED AREA = 4.7 AC

ZONING - CHMU (COMMERCIAL HIGHWAY MIXED USE)
CITY OF HENDERSONVILLE, NC

SETBACKS -
FRONT - 10' UPWARD ROAD
REAR - 15'
SIDES - 15'

LOCATION MAP

NOT TO SCALE

SITE NOTES:

- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES BY CALLING UTILITY LOCATION SERVICE AT 811 THREE (3) DAYS PRIOR TO CONSTRUCTION.
- DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTERLINE OF PARKING STALL OR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO THE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND ENTRY/EXIT PORCHES.
- ASPHALT PAVING SECTIONS SHALL BE CONSTRUCTED PER THE DETAILS.
- CONCRETE SIDEWALKS SHALL BE CONSTRUCTED WITH 3000 PSI CONCRETE 4" THICK WITH EXPANSION JOINTS AND SCORING PER DETAIL.
- THE CONTRACTOR SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.
- ALL WORK ON STATE, COUNTY, OR CITY RIGHT-OF-WAY INCLUDING DRIVEWAY APRONS, WATER AND SEWER TAPS OR ANY OTHER WORK REQUIRES AN ENCROACHMENT PERMIT FROM THE APPROPRIATE AGENCY.
- ALL CURBING TO BE 18" FORMED CONCRETE CURBING AND ROLLED CURB PER DETAILS ON C250, WITH 3000 PSI CONCRETE.
- ANY MATERIAL DEMOLISHED AS INDICATED ON THIS PLAN IS TO BE HAULED OFF-SITE TO AN APPROVED LANDFILL.
- TRUNCATED DOMES ARE TYPICAL AT ALL HANDICAP RAMPS. HANDICAP SPACES WILL BE MARKED WITH A FREESTANDING OR WALL MOUNTED SIGN. SEE DETAIL SHEETS FOR PROPER STRIPING.

CAUTION



THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

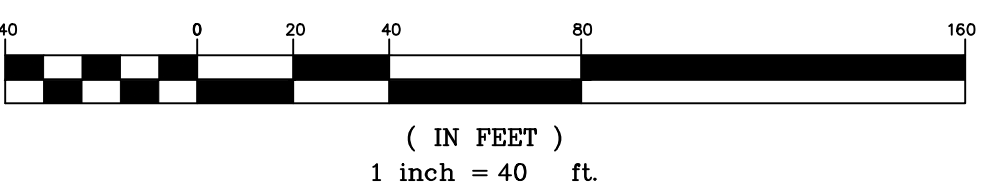
LEGEND

BL BUILDING LINE	TEL ☐ TELEPHONE PEDESTAL	⊕ GREASE TRAP MANHOLE
CL CENTERLINE	CATV ☐ CABLE TV PEDESTAL	TC/BC TOP/BOTTOM CURB
CMP CORRUGATED METAL PIPE	⊗ ELECTRIC METER	TW/BW TOP/BOTTOM WALL
CT CRIMP TOP	CB ☐ CATCH BASIN	VCP VITRIFIED CLAY PIPE
DE DRAINAGE EASEMENT	DI ☐ DROP INLET	WM WATER METER
EP EDGE OF PAVEMENT	⊗ ELEC TRANS	WV WATER VALVE
FPE FINISHED FLOOR ELEVATION	x 90.0 ELEVATION	⊕ POST INDICATOR VALVE
FG FINISHED GRADE	⊗ FIRE HYDRANT	⊕ STORMWATER FLOW
IE INVERT ELEVATION	⊗ GAS METER	→ TRAFFIC FLOW
IPO IRON PIN OLD	⊗ GAS VALVE	
IPS IRON PIN SET	LP ☐ LIGHT POLE	
N&C NAIL & CAP	PP ☐ POWER POLE	
OT OPEN TOP	GP ☐ GUY ANCHOR	
RB REBAR	SMH ☐ SD MANHOLE	
RCP REINFORCED CONC PIPE	SSM ☐ SS MANHOLE	
R/W RIGHT OF WAY	TMH ☐ TELEPHONE MANHOLE	
SD STORM DRAIN	CO ☐ CLEAN OUT	
SS SANITARY SEWER	☉ TRAFFIC SIGNAL POLE	
SSE SS EASEMENT		

LINETYPES

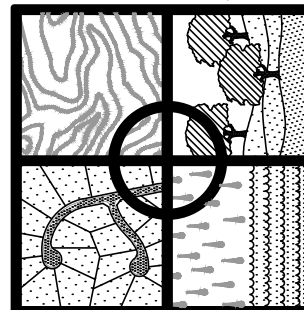
— CTV — CABLE TV	— SS — SANITARY SEWER - EXIST.
— x — CHAIN LINK FENCE (PROPOSED)	— SS — SANITARY SEWER - NEW
— x — CHAIN LINK FENCE (EXISTING)	— SF — SILT FENCE
— 680 — CONTOURS - EXIST. GRADE	— SD — STORM SEWER - EXIST.
— (675) — CONTOURS - FINISHED GRADE	— SD — STORM SEWER - NEW
— FOC — FIBER OPTIC	— UGP — UNDERGROUND POWER
— FM — FORCE MAIN	— UGT — UNDERGROUND TEL
— GAS — GAS LINE	— W — WATER LINE - EXIST.
— OHP — OVERHEAD POWER	— W — WATER - NEW
— OHT — OVERHEAD TELEPHONE	— W — WOOD FENCE
— RD — ROOF DRAIN - NEW	— NPDS — LIMITS OF DISTURBANCE

GRAPHIC SCALE



SITE DESIGN, INC.

CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS



www.sitedesign-inc.com
225 ROCKY CREEK ROAD
GREENVILLE, SC 29615
PH: (864) 271-0496

DATE

NO.

SPINX NO. 345

HENDERSONVILLE
HENDERSON COUNTY
NORTH CAROLINA

THE SPINX
COMPANY LLC

HORIZ. SCALE: 1" = 40'

VERT. SCALE: N/A

DESIGNED BY: WNH

DRAWN BY: WNH

CHECKED BY: CSW

DATE: 03/05/2024

S230494

SITE PLAN

SHEET 3 OF 15

C200

Sec. 18-5. Alternative design.

It is the intention of this article to provide a means for creative design approaches to development within the mixed use corridors so long as the design of a project advances the goals of this article.

18-5-1 Design choices.

Applicants who choose not to comply with the design standards for any mixed use zoning district classification are free to develop their projects in an alternative fashion so long as the proposed design of the project meets the general design consideration contained in section 18-6, below, and will result in a project design which is as good as, or better than, that resulting from the design standards.

18-5-2 Alternative design committee.

There shall be an ad hoc alternative design committee, composed of not less than three nor more than five persons.

18-5-2.1 Function of the committee. The committee shall serve as a resource to the planning director and to the planning board. The committee shall meet as necessary to review alternative design proposals and to make a recommendation as to whether a proposed alternative design meets the standard stated in section 18-5-1, above. The committee shall also assist the planning director, as needed, in administering the provisions of this article.

18-5-2.2 Membership of the committee. The membership of the alternative design committee shall be appointed by the mayor to serve on an as-needed basis. The members shall be chosen from the membership of the planning board, the historic preservation commission and/or the general public residing within the city limits or the extraterritorial jurisdiction, and if possible, shall contain one or more of the following professions: 1) architect, 2) landscape architect, 3) builder or developer.

Sec. 18-6. General design considerations.

NOTE: "Building design element" sub-sections noted below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Mixed use zoning districts require special attention to design because of the intermixing of land uses in close proximity. Functional integration of residential and commercial uses shall be considered during project design. This section seeks to set forth the design philosophy for the mixed use zoning districts and is intended to provide guidance to design professionals. It is also intended to provide standards for reviewing projects undergoing alternative design review pursuant to section 18-3, above.

18-6-1 General site arrangement.

Structures shall be placed and arranged so as not to adversely affect adjacent property. Adverse effects shall include, but are not limited to, the removal of lateral support on adjacent property, the creation of hazard, nuisance, danger, or inconvenience, or unreasonable loss of privacy. Development shall be arranged so as to be visually harmonious within the development site and, where appropriate, in relation to adjacent developments. Site design elements of the development shall be integrated to the degree of their compatibility with each other and shall be separated to the degree of their incompatibility. Insofar as is practicable, developments shall be arranged so as to preserve or enhance vistas.

18-6-2 Physical integration of uses.

All mixed use developments shall be designed and developed to provide an appropriate interrelationship between the various uses and structures within the development. Residential and commercial uses may be located within the same or adjoining structures.

18-6-3 Preservation of natural features and open space.

Permitted flexibility in lot sizes, setbacks, street alignments and widths, and landscaping shall be utilized to preserve natural features and drainage patterns and to provide open space.

18-6-4 Building and project design compatibility.

The mixed-use districts are proposed for corridors where there is considerable existing development, much of which is not consistent with the purpose and goals of this article. To the degree existing development is consistent with these purpose and goals, new development should be designed to be compatible with such existing development. However, where there is a conflict between the design of existing development and the purpose and goals of this article, the purpose and goals of this article shall prevail. The following elements shall be addressed to ensure compatibility.

18-6-4.1 Architectural character. NOTE: Section 18-6-4.1 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

The rich architectural vocabulary of the City of Hendersonville presents a wide variety of development opportunities using traditional forms while avoiding any perception of monotony. Each building proposed for the mixed use districts shall have a well-proportioned form consistent with the building use, and its construction materials and methods. Massing of the building(s) shall create a building envelope that reflects simple, clearly articulated building volumes. Such straight-forward building massing is distinguished from additive or collective forms which generally are not allowed unless clearly related to specific functions and uses of the building.

Assuming they are consistent with the purpose and goals of this article, as well as the general architectural standards stated above, new developments in or adjacent to existing developed areas shall be compatible with the established architectural character of such areas by using a design that is complementary. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed infill development.

18-6-4.2 Building orientation. It is preferred that primary façades face the adjacent street or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street. Where the main entrance does not face the adjacent street, buildings shall nonetheless be designed to provide an attractive streetside façade.

18-6-4.3 Building placement. Buildings shall be situated with regard to pedestrian and vehicular connectivity. It is preferred that they be located close to the pedestrian street with offstreet parking behind and/or beside the building. Important mountain vistas and/or views of significant historic sites shall be protected and accentuated to the extent practicable.

18-6-4.4 Privacy considerations. Elements of the development plan shall be arranged to maximize the opportunity for privacy by the residents of the project and minimize infringement on the privacy of adjoining land uses. Additionally, the development plan shall create opportunities for interactions among neighbors.

18-6-4.5 Architectural details. NOTE: Section 18-6-4.5 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Architectural elements like openings, sill details, bulkheads, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant is encouraged to provide a building entry, additional building mass, and distinctive architectural elements at the corner of buildings. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned wherever practical. The appearance of all exposed façades (not just the streetside façade) is important and shall be addressed in development design.

18-6-4.6 Circulation and access. Street designs shall permit the comfortable use of the street by cars, bicyclists, and pedestrians. Pavement widths, design speeds, and the number of vehicle lanes should be minimized without compromising safety. The specific design of any given street must consider the building types which front on the street and the relationship of the street to the city's street network. This Ordinance encourages the development of a network of interconnecting streets that work to disperse traffic while connecting and integrating neighborhoods with the existing urban fabric of the city. Equally as important, the Ordinance encourages the development of a network of sidewalks and bicycle lanes that provide an attractive and safe mode of travel for pedestrians and cyclists.

Minor variations and exceptions to street cross-sections may be permitted with approval of the administrative officer and the city engineer. Such exceptions include variations to the pavement width, size and location of on-street parking, tree planting areas, street grade, and centerline radii in accordance with principles below. Right-of-way widths should be preserved for continuity.

Streets shall interconnect within a development and shall be designed with due regard to designated corridors shown on the city transportation plan. Streets shall be designed as the main public space of the city and shall be scaled to the pedestrian. Applicants are encouraged to design streets so that they interconnect with adjacent properties.

Sidewalks shall be required along streets adjacent to proposed developments. They shall form a logical, safe, and convenient system for pedestrian access to all dwelling units and commercial establishments within the development and shall be required along such streets, drives and parking areas as is necessary to accomplish this. Pedestrian/bicycle pathways may be substituted for sidewalks, if appropriate.

18-6-4.7 Building walls. NOTE: Section 18-6-4.7 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Buildings shall avoid long, monotonous, uninterrupted walls or roof planes on their visible façades. It is preferred that this design goal be achieved by means of building wall offsets, including projections, recesses, and changes in floor level, and roofline offsets. Such offsets add architectural interest and variety and can assist in creating human size proportions. Parapets shall be designed as integral to the mass of the building. When multiple wall materials are combined on one façade, the designer is encouraged to place the heavier material(s) below.

18-6-4.8 Building materials. NOTE: Section 18-6-4.8 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.

Building materials shall not create excessive glare. Highly reflective building materials, such as aluminum, unpainted metal and reflective glass, have a high potential for glare, and designs utilizing such materials shall be evaluated to determine whether or not the glare would create a significant adverse impact

on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views.

APPENDIX A - ZONING ORDINANCE
ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS
Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

The Commercial Highway Mixed Use Zoning District Classification is intended to encourage a mix of high density residential development in conjunction with appropriately scaled and compatible commercial development, consisting of community and regional retail sales and services, professional offices, research facilities, restaurants, accommodations services and similar uses. Development design becomes a critical consideration when establishing regional activity centers that create attractive and functional roadway corridors which also encourage mixed-use and walkable design. In addition to the general dimensional and use provisions, the regulations contained herein, along with those in article XVIII which apply to mixed use zoning district classifications generally, address the design of buildings and development sites.

5-27-1 Permitted uses.

The following uses are permitted by right in the CHMU Commercial Highway Mixed Use Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this ordinance:

- Accessory dwelling units subject to supplementary standards contained in section 16-4, below
- Accessory uses & structures
- Adult care centers registered with the NC Department of Health and Human Services (DHSS)
- Adult care homes
- Agriculture
- Animal hospitals & clinics so long as they contain no outdoor kennels
- Automobile car washes
- Automobile sales & service
- Banks & other financial institutions
- Business services
- Camps
- Child care centers, subject to supplementary standards contained in section 16-4, below
- Child care homes
- Civic clubs & fraternal organizations, subject to supplementary standards contained in section 16-4
- Congregate care facilities, subject to supplementary standards contained in section 16-4, below
- Construction trades facilities, so long as the storage of equipment and materials is screened from view from any public rights-of-way
- Convenience stores with or without gasoline sales
- Cultural arts buildings
- Dance, health & fitness facilities
- Day care facilities

Dry cleaning and laundry establishments containing less than 6,000 square feet of floor area

Equipment rental & sales

Funeral homes

Greenhouses & commercial nurseries

Health clubs & athletic facilities

Home occupations

Hotels & motels

Laundries, coin-operated

Lawn & garden centers

Manufacturing, light

Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below

Music & art studios

Neighborhood community centers

Newspaper offices & printing establishments

Nursing homes, subject to supplementary standards contained in section 16-4, below

Offices, business, professional and public

Parking lots & parking garages

Parks

Personal services

Progressive care facilities, subject to supplementary standards contained in section 16-4, below

Public & semi-public buildings

Recreational facilities, indoors

Recreational facilities, outdoors, commercial

Religious institutions

Repair services, miscellaneous

Research & development with no outdoor storage and operations

Residential care facilities

Residential dwellings, single family

Residential dwellings, multi-family

Residential dwellings, two-family

Restaurants

Restaurants, drive-in

Retail stores (not including manufactured housing, boat & heavy equipment sales)

- Schools, post-secondary, business, technical and vocational
- Schools, primary & secondary
- Service stations
- Signs, subject to the provisions of article XIII, below
- Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below
- Theaters, indoors

5-27-2 Special uses.

The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Zoning District Classification only upon issuance of a special use permit pursuant to article X and shall be subject to supplementary standards contained in section 16-4, below:

- Bus stations
- Public utility facilities

5-27-3 Development standards.

The following standards shall apply to development within the CHMU Commercial Highway Mixed Use Zoning District Classification.

5-27-3.1 Parking and loading. The requirements of section 6-5, below, shall apply.

5-27-3.2 Dimensional requirements.

Minimum lot area in square feet:	None
Minimum lot width:	None
Open space ratio:	≥0.30
Common space ratio:	≥0.10
Yard requirements:	Varies with building type. See design standards.
Building separation:	If buildings are separated, they must be separated by at least 15 feet. This provision shall not be construed to qualify any setback provisions contained elsewhere in this ordinance.
Building height:	Varies with building type. See design standards.

5-27-3.3 Residential density. The number of residential dwellings permitted on any development tract varies with regard to the open space ratio provided as noted on the following table.

Open Space Ratio	Maximum Dwelling Units/Acre
0.40	8
0.50	10
0.60	12

5-27-4 Design standards.

NOTE: "Building design element" sub-sections noted below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

These standards are intended to apply to all development and redevelopment within the CHMU Commercial Highway Mixed Use Zoning District Classification. Applicants for authorization to undertake development or redevelopment within such zoning district shall demonstrate compliance with these standards or shall undergo alternative design review as provided for in article XVIII, below.

5-27-4.1 Standards of general applicability. The following standards shall apply to all development in the CHMU Commercial Highway Mixed Use Zoning District Classification regardless of use or building type.

5-27-4.1.1 General site development. Site development shall not result in the removal of lateral support for adjoining properties. Furthermore, development shall not create hazardous or dangerous conditions or result in the creation of a nuisance as specified in section 6-13, below.

5-27-4.1.2 Physical integration of uses. Residential and commercial uses may be located within the same or adjoining structures provided appropriate health and safety regulations are followed.

5-27-4.1.3 Building orientation. Primary façades, which may or may not contain an entrance to the building, shall face primary vehicular access or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street.

5-27-4.1.4 Common space. Common space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects. Common spaces are intended to be places for social interaction and, thus, may include impervious surfaces.

Unless interior common space is approved by the reviewing authority, common space shall be out-of-doors. Common space design shall comply with the following:

- a) **Size.** At least ten percent of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.
- b) **Trees.** One tree shall be planted for each 1,000 square feet of common space. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.
- c) **Utilities.** All utilities service lines and connections shall be underground.
- d) **Seating.** Seating shall be provided to accommodate workers, residents and/or shoppers. Seating may be accomplished in whole or in part using planters or other similar structures.
- e) **Amenities.** Common space for a development shall contain adequate amenities to animate and enliven the environment and to make it conducive for social interaction. Following is a list of such amenities: ornamental fountains, stairways, waterfalls, public art, arbors, trellises, planted beds, drinking fountains, clock pedestals, awnings, canopies, informational kiosks, and similar structures. This list is not intended to be exhaustive.

5-27-4.1.5 Architectural details. The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the

applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

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All buildings shall provide detailed design along all façades which are visible from a street or common space. Detailed design shall be provided by using at least three of the following architectural features:

Dormers.

Gables.

Recessed entries.

Covered porch, entries.

Cupolas or towers.

Pillars or posts.

Eaves (minimum 6-inch projection).

Off-sets in building face or roof.

Window trim (minimum nominal four inches wide).

Bay windows.

Balconies.

Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation).

Decorative cornices and roof lines (for flat roofs).

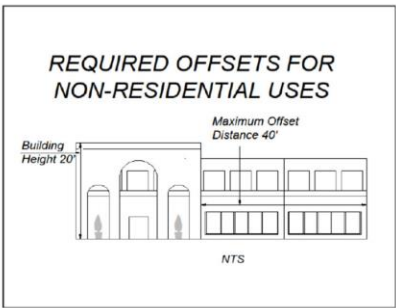
5-27-4.1.6 Building façades. Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.

5-27-4.1.7 Windows. Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

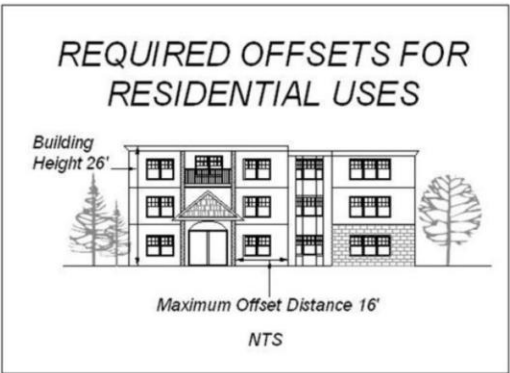
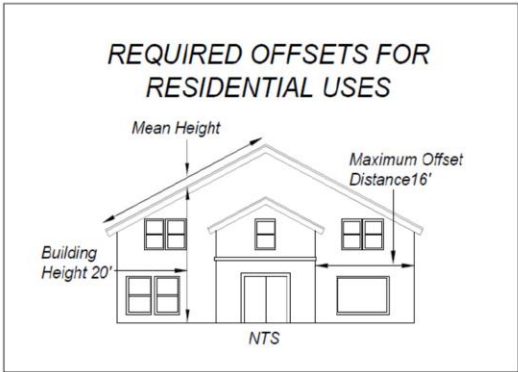
5-27-4.1.8 Building scale. The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.

- a) **Scale, buildings containing nonresidential uses.** The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:

- 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat roofs, to the top of the parapet.
- 3) The depth or projection of the offset shall be $\frac{1}{10}$ th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel shall have a two-foot offset adjacent to such wall panel.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.
- b) **Scale, buildings containing only residential uses.** The following requirements apply to any building containing only residential uses:
- 1) The distance between required offsets shall be related to the height of the building on a one-to-one basis; provided, however, no wall shall exceed 30 feet in length without an offset. A building façade which is less than or equal to the height of the building shall not require an offset. Provided, however, the provisions of this paragraph shall not be construed to require an offset for that portion of a façade containing a two-car garage.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or, for flat roofs, to the top of the parapet.

- 3) Offsets shall have a minimum depth or projection of two feet regardless of the length of adjacent wall façades.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

5-27-4.1.9 Streets and sidewalks. Streets and sidewalks shall comply with the circulation and access requirements contained in section 5-27-5 and section 18-6-4.6, below.

5-27-4.1.10 Building materials. Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.

Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); unpainted metal; exposed plain pipe columns; metal wall siding; vinyl siding and any other materials not customarily used in conventional construction.

5-27-4.2 General standards for residential developments. The following standards shall apply to developments containing only residential uses with the exception that multi-family buildings must comply with the general standards contained in section 5-27-5.3, below.

5-27-4.3 General standards for nonresidential and multi-family buildings. The following standards shall apply to all buildings containing nonresidential uses and multi-family dwellings:

5-27-4.4 Specific standards for single-family and two-family detached dwellings.

5-27-4.6 Specific standards for multi-family dwellings. Multi-family dwelling consists of three or more dwelling units vertically and/or horizontally arranged. The ground floor may be available for commercial uses.

5-27-4.7 Specific standards for commercial and institutional buildings. Commercial buildings are structures which can accommodate a variety of uses mixed either horizontally (shopping center) or vertically (dwelling unit over a store). Office buildings, hotels and inns can be placed in commercial buildings. Buildings containing both commercial and residential uses shall be classified as commercial buildings for the purposes of this section. Institutional buildings are specialized public or semi-public buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and nonprofit or charitable clubs and organizations. Note there are exceptions from the maximum height restrictions for steeples, cupolas and similar structures. These are contained in section 8-2, below.

5-27-5 Transportation.

The section is intended to put in place regulations which will provide for a multi-modal transportation environment conducive to a pedestrian-friendly mixed-use community.

5-27-5.1 Pedestrian accommodations. Pedestrian accommodations, which may be sidewalks, multi-purpose paths, or other approved alternatives, shall be provided as a part of a development on each side of all public roadways and of all private roadways which the development directly abuts unless site constraints or proposed uses make it impractical or unnecessary. Pedestrian access and circulation shall be consistent with any and all adopted corridor circulation plans.

5-27-5.2 Vehicular access. It is the intent of these regulations to create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares. Accordingly, when development parcels have potential to provide access between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than private streets or driveways. The regulations contained in this section shall apply to all new development and redevelopment within the district.

5-27-5.2.1 Driveways. Where permitted, driveways shall comply with the requirements of this section and, if applicable, the regulations of the North Carolina Department of Transportation.

- a) The number of driveways permitted for new development shall relate to the amount of linear frontage for the proposed development as depicted below:

LINEAR FRONTAGE	NUMBER OF PERMITTED
Less than 350 feet	1
Greater than 350 feet	2
Greater than 1,000 feet	3 ¹

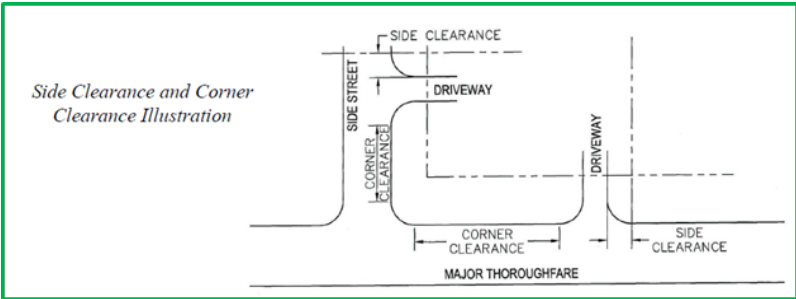
¹ With approval of the city after demonstration of need in the required TIA.

- b) All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

CLEARANCE TYPE	ALONG MAJOR THOROUGHFARE	ALONG SIDE STREET
Corner clearance ²	250 feet	100 feet
Side clearance ³	30 feet	10 feet

² Corner clearance shall be measured from the point of tangency of the radius curvature of the intersection streets.

³ Side clearance shall represent the distance from the driveway to the side property line.



- c) No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.
- d) One-way driveways are not considered full-movement driveways therefore, two, one-way driveways may be considered as a single driveway provided that:
- 1) The minimum spacing between the two driveway segments is 60 feet.
 - 2) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs.
 - 3) The maximum combined pavement width of both driveway segments at the right-of-way line is 40 feet and the minimum width of a single segment is 14 feet.

5-27-5.2.2 Outparcels. Access to development outparcels shall be oriented to the interior of the development site, not to the roadway.

5-27-5.2.3 Cross-access easements. Cross-access easements between parking areas on adjacent developments are an effective way to improve corridor circulation and to reduce vehicle trips. For each adjoining property with

accessible parking areas, applicants for development authorization shall provide either (1) a cross-access easement or (2) confirmation that the applicant has attempted to negotiate a cross-access easement with that property owner and has not been able to reach agreement thereon.

5-27-5.2.4 Connectivity. In an effort to improve and promote overall street connectivity, public streets and private drives constructed within the CHMU zoning district shall provide connections to existing adjacent public streets and adjacent parcels. Primary access from major arterials should be provided by public streets.

When no off-site stub-outs are present, the following connections shall be provided to adjacent properties at the appropriate rate indicated below.

- a) All new development with fewer than 100 dwelling units are required to provide at least one stub-out to extend and connect with future streets or drives. In the event that adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s).
- b) Residential developments containing 100 or more dwelling units shall include street connections or stub-outs at a ratio of one stub-out/connection per 100 dwelling units. In the event adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s). Required collector street connections are included in this calculation.
- c) Non-residential developments shall provide one stub-out to each adjoining parcel where, considering topography, land use compatibility and future development or redevelopment potential, it is deemed feasible and appropriate.

5-27-6 CHMUCZD Commercial Highway Mixed Use Conditional Zoning District Classification.

The purpose, requirements and standards of this classification are identical to the CHMU Commercial Highway Mixed Use Zoning District Classification except that a rezoning to CHMU Conditional Zoning District as provided for in article VII herein, is required as a prerequisite to any use or development. The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Conditional Zoning District Classification upon rezoning to CHMUCZD, regardless of the square footage or number of residential units for the use:

Telecommunications towers, subject to supplementary standards contained in section 16-4, below.

Permitted uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

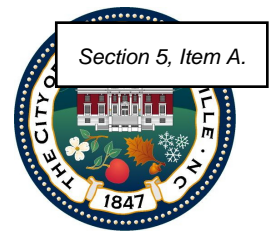
Special uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

(Ord. No. 21-44, 9-22-21; Ord. No. 22-11, 2-10-22; Ord. No. 22-22, 5-5-22; Ord. No. O-23-58, 10-5-23; Ord. No. O-23-61, 10-5-23)



CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT

100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828)697-3010 ~ Fax (828) 697-6185
<https://www.hendersonvillenc.gov/>



APPLICATION FOR SITE PLAN REVIEW

Section 7-3 City Zoning Ordinance

The following are required to constitute a complete application for preliminary site plan review:

- ~ This form including the property owner(s) signature(s).
 - ~ Appropriate fee.
 - ~ 2 copies and a digital file of the site plan containing items in Section 7.3-3.2 of the City Zoning Ordinance.
- Projects proposing any of the following must submit a complete application at least 32 days prior to any Planning Board meeting.
- Any commercial, industrial or institutional development consisting of 20,000 or more square feet of floor area.
 - Addition of more than 30 parking spaces.
 - Any minor planned residential development consisting of nine or more dwelling units.

The following are required for final site plan review:

- ~ This form including the property owner(s) signature(s)
- ~ 2 copies of the site plan containing items in Section 7-3-4.3 of the City Zoning Ordinance

Date 03/11/2024

Type of Plan Review



Preliminary



Final

Name of Project Spinx No. 345

Location/Address of Property SE corner of the intersection of Upward Rd and Old Spartanburg Rd

List 10 digit PIN or 7 digit PID number for each property 9577897580,9577896416,9577895289,

Contact Information Site Design, Inc. (Norman Hamilton)

Address 225 Rocky Creek Road, Greenville, SC 29615

Phone 864-271-0496

Fax

Email

nhamilton@sitedesign-inc.co

CHECK TYPE OF DEVELOPMENT



Residential



Commercial



Other

Current Zoning CHMU

Total Acreage 4.723

Proposed Building Sq.ft. 6470

of Dwelling Units N/A

Official Use:

DATE RECEIVED: _____ BY _____ FEE RECEIVED \$ _____

Applicant(s): (Developer)

Printed Name Mitch Riese (agent), The Spinx Company, LLC

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Mitch Riese  Digitally signed by Mitch Riese
DN: C=US, E=mriese@spinxco.com, O=Spinx,
CN=Mitch Riese
Date: 2024.03.11 14:34:45-0400'

Title Construction Manager Email mriese@spinxco.com

Address of Applicant 1414 East Washington St. Greenville, SC 29607

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Property Owners(s):

* ^ Printed Name The Spinx Company, LLC (Mitch Riese, agent)

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Mitch Riese Digitally signed by Mitch Riese
DN: c=US, E=mriese@spinxco.com,
O=Spinx, CN=Mitch Riese
Date: 2024.03.11 14:35:16-0400'

Title Construction Manager Email mriese@spinxco.com

Address of Property Owner 1414 E. Washington St. Greenville, SC 29607

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER:

Matthew Manley

MEETING DATE:

May 9, 2024

AGENDA SECTION:

New Business

DEPARTMENT:

Community Development

TITLE OF ITEM:

Administrative Review: Preliminary Site Plan– Spinx-Upward Rd (A23-98-SPR) – *Matthew Manley, AICP - Strategic Projects Manager*

SUGGESTED MOTION(S):

<p><u>For Approval:</u></p> <p>I move that the Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-27 Commercial Highway Mixed Use and 7-3-3 Review of Preliminary Site Plans) for the Spinx-Upward Rd project subject to the following conditions:</p> <ul style="list-style-type: none">No Conditions <p>I further move that the Planning Board grant preliminary building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. It is determined that the alternative design plan does advance the general design considerations as outlined in Section 18-6 and is as good as, or better than, the design standards of Section 5-27. This approval shall allow alternative design measures as shown in the elevation included in the packet which allows for deviations to the following sections:</p> <ol style="list-style-type: none">5-27-4.1.8 Building scale <p>[DISCUSS & VOTE]</p>	<p><u>For Denial:</u></p> <p>I move that the Planning Board deny the application for preliminary site plan approval for the Spinx-Upward Rd project because the applicant has failed to demonstrate compliance with the following provisions of the Zoning Ordinance:</p> <ul style="list-style-type: none">[INSERT NON-COMPLIANCE REFERENCE] <p>I further move that the Planning Board deny preliminary building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. The proposed alternative design plan does not advance the general design considerations as outlined in Section 18-6 and is not as good as, or better than, the design standards of Section 5-27</p> <p>[DISCUSS & VOTE]</p>
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SUMMARY:

The City of Hendersonville is in receipt of an application for preliminary site plan review from Norman Hamilton of Site Design, Inc and Mitch Reise of the Spinx Company, LLC. The applicant is proposing to construct a 6,470 Sq Ft convenience store and 6,160 Sq Ft gas station canopy on the subject property.

Due to this development exceeding the threshold of 30 new parking spaces, the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.

The site plan shows two access points to the subject property - one right-in/right-out access at Upward Rd and one full movement access at Old Spartanburg Rd. The site plan shows 60 parking spaces, drive aisles, sidewalks and common space.

The landscaping plan shows the distribution of new plantings including 41 trees and 611 shrubs. The applicant proposes to preserve 11 trees on the site and utilize tree credits. Due to the timing of the application (submitted 3/11/24), the applicant has “permit choice” and is not subject to the newly adopted tree preservation and tree planting standards (adopted 4/4/24).

The proposed building design plan shows that the convenience store will have a height of 27’ at its highest point. The building contains at least 3 of the architectural details required by 5-27-4.1.5 (center tower, offsets in roof/building, decorative cornices). The building contains at least two contrasting building materials with brick making up at least 15% of the façade. To achieve distinctive architectural interest on a building facing an intersection, the applicant is proposing additional height to the parapet, a corner entrance, and corner canopy. The applicant proposes an alternative building design to accommodate relief from the projection depth requirement of 5-27-4.1.8 ‘Building Scale’. The Alternative Design Committee (Current Planning Committee) will consider this request for an alternative building design and make a recommendation to the Planning Board per Article 18.

PROJECT/PETITIONER NUMBER:	(A23-98-SPR)
PETITIONER NAME:	Upward Road Hospitality, LLC [Applicant/Owner]
ATTACHMENTS:	<div><div>1. Staff Report</div><div>2. Preliminary Site Plan</div><div>3. Landscaping Plan</div><div>4. Building Elevations</div><div>5. Section 5-27 CHMU Zoning District Standards</div><div>6. Sections 18-5 & 18-6 Mixed Use Zoning</div><div>7. Application / Owner Signature Addendum</div></div>

PRELIMINARY SITE PLAN REVIEW – SPINX-UPWARD RD (A23-98-SPR)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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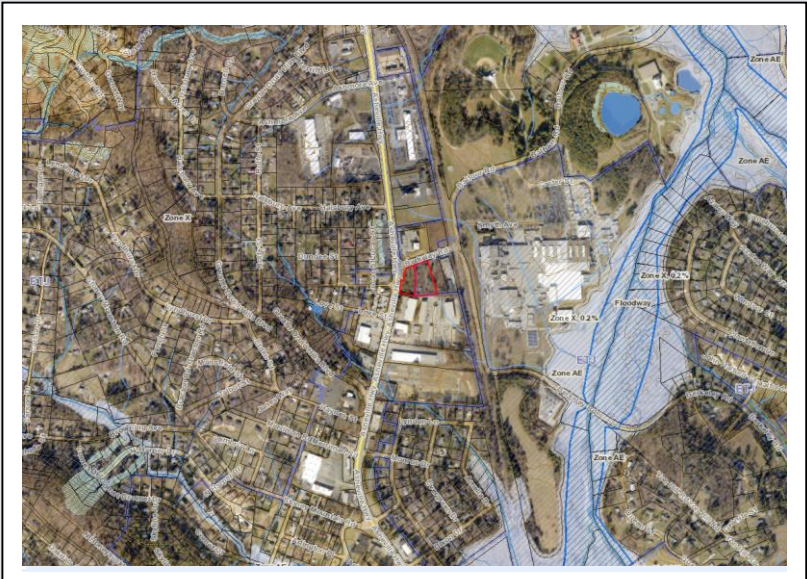
OUTSTANDING PRELIMINARY SITE PLAN COMMENTS..... 8

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PROJECT SUMMARY

- Project Name & Case #:
 - Spinx-Upward Rd
 - A23-98-SPR
- Applicant & Property Owner:
 - Norman Hamilton, Site Design, Inc. [applicant]
 - Mitch Riese, The Spinx Company, LLC. [owner]
- Property Address:
 - 2120 Old Spartanburg Rd (corner of Upward Rd/Old Spartanburg Rd)
- Project Acreage:
 - 4.4 Acres
- Parcel Identification (PIN):
 - 9577-89-7580
 - 9577-89-6416
 - 9577-89-5289
 - 9577-89-6236
- Parcel Zoning:
 - CHMU - Commercial Highway Mixed Use
- Future Land Use Designation:
 - High Intensity Neighborhood
- Requested Uses:
 - Convenience stores with or without gasoline sales
- Type of Review:
 - **Administrative-** Decisions made in the implementation, administration, or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards set forth in the Zoning Ordinance.



SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for preliminary site plan review from Norman Hamilton of Site Design, Inc. [applicant] on behalf of Mitch Riese of The Spinx Company, LLC. [owner]. The applicant is proposing to construct a 6,470 sq ft convenience store building along with a 6,160 sq ft gas service canopy featuring 8 pumps (16 service stations). The site will accommodate 60 parking spaces.

The proposed site plan shows a 65'x96' 1-story building, a 28'x220' gas canopy structure, drive aisles, parking spaces, landscaping and above ground stormwater detention. The site, which is located at the corner of Old Spartanburg Rd and Upward RD, is slated to have a full movement driveway access off Old Spartanburg Rd and a right-in/right-out access point on Upward Rd. Both of these streets are maintained by NCDOT.

Due to this development adding more than 30 parking spaces, the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.

Since this project does not exceed the 50,000 square foot trigger that requires a rezoning to a conditional zoning district, the project will be developed in accordance with the underlying CHMU zoning.

City Council at their March 7th 2024 meeting annexed the subject property into the City.

PRELIMINARY SITE PLAN REVIEW GUIDELINES**Review of Preliminary Site Plans**

Review of preliminary site plans applies to larger projects where the costs of developing detailed final plans can be substantial. It is designed to provide the applicant an opportunity to obtain authorization for a site specific development while incurring reduced expense. Review of preliminary plans is a function of the Planning Board.

Preliminary plan review is required of all development undergoing Site Plan Review for the following:

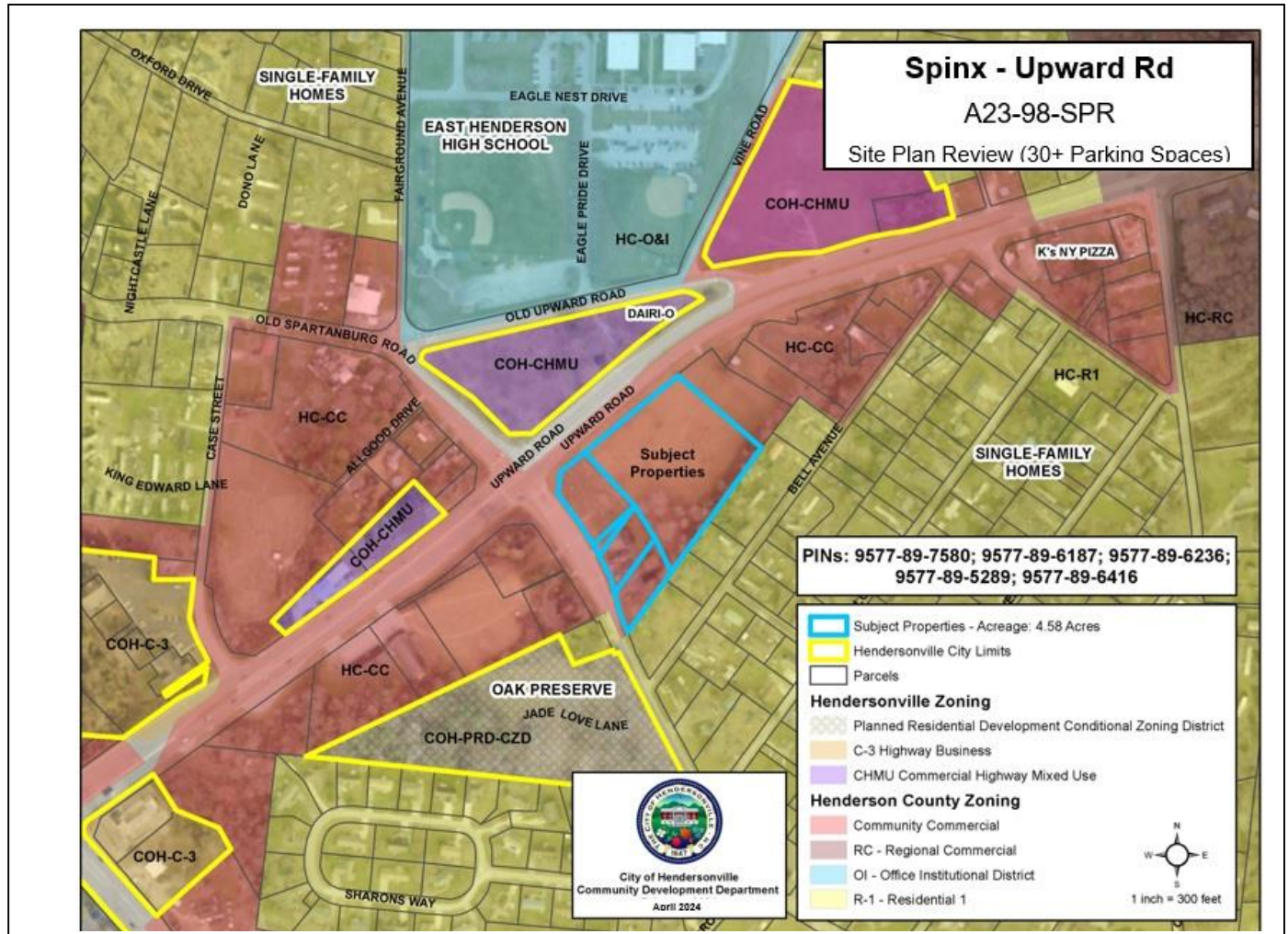
- Any commercial, industrial or institutional development consisting of more than 20,000 square feet of floor area.
- Addition of more than 30 parking spaces.
- Any Minor Planned Residential Development consisting of 9 or more dwelling units.

An application for preliminary site plan approval shall not be approved unless the Planning Board determines that the application and final site plan demonstrate compliance with this ordinance, including the provisions of section 7-11 below, and other applicable regulations.

The Planning Board may impose such reasonable conditions on an approval as will ensure such compliance with this ordinance.

Approval of a preliminary site plan shall not entitle the applicant to the issuance of a zoning compliance permit. Upon approval of the preliminary site plan by the Planning Board the applicant must then submit an application and final site plans meeting the requirements of of the zoning ordinance, in addition to any other approval including but not limited to stormwater approval, utility approval, driveway permits, land disturbance approval, etc. The applicant shall have two years from the date of such approval to obtain final site plan approval.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned CHMU (Commercial Highway Mixed Use) by the City of Hendersonville. The subject property is located in an area where some satellite parcels have been annexed into the City with zoning designations including Commercial Highway Mixed Use (CHMU) and C-3 Highway Business. The properties within these districts are developed with fast food restaurant chains, convenience stores and lodging. There is a significant amount of vacant property as well as commercial, residential and institutional uses in proximity of the subject parcel.

The County zoning in this area is predominantly Community Commercial (CC) along Upward Road and Residential One (R1) further setback from Upward Rd. The CC zoning district includes, "a variety of retail sales and services, public and private administrations, offices and all other uses done with adjacent development and the surrounding community."

SITE IMAGES



View facing west along subject property frontage on Upward Rd.



*View facing east along subject property frontage at corner of
Upward Rd. & Old Spartanburg Rd*

SITE IMAGES



View facing north along subject property frontage on Old Spartanburg Rd. Single-family home is part of subject property



Typical view of site from Upward Rd. Dense bamboo lines entire rear boundary of site. Portion of tree grove on right side of photo to be preserved.

PROPOSED DEVELOPMENT DETAILS

- **Proposed Use**
 - Convenience Store with Gas
- **Site**
 - Total Site Area = 4.4 Acres
 - Total Impervious Area = 2.5 Acres (57%)
 - Total Building Area = 0.17 Acres
 - Parking & Drive Aisles = 2.33 Acres
 - Total Area of Disturbance = 4.7 Acres
 - Working taking place in right-of-way is included in this total
 - Parts of the subject property will remain undisturbed (proposed tree preservation below).
 - Total Open Space = 1.9 Acres (43%) - 30% Required
 - Total Common Space = 0.44 Acres (10%) - 10% Required
 - No special flood hazard areas are present on the site.
- **Building Basics**
 - Total Square footage - 12,630 Sq Ft
 - Principal Building - 6,470 Sq Ft
 - Canopy - 6,160 Sq Ft
 - Proposed Height- 27'
- **Streets/ Access**
 - The site has one right in/right out access off of Upward Rd
 - The site has one full movement access off of Old Spartanburg Rd
- **Parking**
 - Convenience Store: 1 space per 200 Sq Ft GFA
 - Required: 32 Spaces
 - Proposed: 56 Regular + 4 ADA = 60 Total Spaces
- **Landscaping**
 - Proposing to preserve 11 trees for a total of 46 Tree Credits
 - Tree Credits will offset the following:
 - All 25 Bufferyard Trees
 - 17 of 25 Vehicular Use Area Trees
 - Required to plant 83 trees and 611 shrubs
 - Providing 41 trees and 611 shrubs
- **Sidewalks**
 - Sidewalks provided along all frontage.
 - Sidewalk connection to building provided from Upward Rd access point
- **Stormwater Management**
 - Proposed above ground stormwater pond in southeastern corner of site
 - The project will be required to install post construction stormwater measures. These plans will be reviewed as an aspect of the final site plan

review.

- **Public Utilities**
 - The site will be served by City of Hendersonville Water and Sewer.
- **Building Design**
 - The building contains at least 3 of the architectural details required by 5-27-4.1.5 (center tower, offsets in roof/building, decorative cornices).
 - The building contains at least two contrasting building materials with brick making up at least 15% of the façade.
 - To achieve distinctive architectural interest on a building facing an intersection, the applicant is proposing additional height to the parapet, a corner entrance, and corner canopy.
 - The applicant proposes an alternative building design to accommodate relief from the projection depth requirements.

OUTSTANDING PRELIMINARY SITE PLAN COMMENTS

COMMUNITY DEVELOPMENT

Site Plan Comments:

The preliminary site plan accompanying this petition meets the standards established by the Zoning Ordinance for developments in CHMU Highway Business (5-27), and Preliminary Site Plan (7-3-3) with the following exceptions:

- None

CITY ENGINEER

Preliminary Site Plan Comments:

- Water connection approved under separate submittal and review
- Sidewalks, crosswalks and truncated domes to meet minimum city standards for final site plan approval
- Abandon unused water meters at the main.

WATER / SEWER

Preliminary Site Plan Comments:

- None

FIRE MARSHAL

Preliminary Site Plan Comments:

- None

STORMWATER ADMINISTRATOR

Preliminary Site Plan Comments:

- Approval is needed for final site plan approval

EROSION & SEDIMENT CONTROL

Preliminary Site Plan Comments:

- SESC Approval is needed for final site plan approval

FLOODPLAIN ADMINISTRATOR
Preliminary Site Plan Comments:
○ None

PUBLIC WORKS
Preliminary Site Plan Comments:
○ None

NCDOT
Preliminary Site Plan Comments:
○ Encroachment permits required

TRANSPORTATION CONSULTANT
Preliminary Site Plan Comments:
○ A TIA was performed by JM Teague and submitted to the City on December 12, 2023. The City’s Transportation Consultant, Kimley-Horn, reviewed the TIA in conjunction with NCDOT’s review of the TIA.
○ In accordance with NCDOT standards, the Site Plan mitigates traffic impact with the right turn lane provided on Upward Rd and with the access point on Old Spartanburg Rd shifted as far as possible from the Upward Rd intersection.

STAFF ANALYSIS

Zoning Compliance:
Based on the review by staff, the submitted preliminary site plan for the Spinx-Upward Rd (Spinx No. 345) meets the Zoning Ordinance standards established for projects within CHMU, with no exceptions.

Based on the review by staff, the submitted building design for the Spinx-Upward Rd (Spinx No. 345) primarily meets the Zoning Ordinance standards established for projects within CHMU. Alternative building design approval is sought for the aspects of the project that do not align with the design standards for projects within CHMU including:
○ Deviation from Section 5-27-4.1.8 ‘Building scale’ (see building elevations for details)

FLOOD DATA:

FEMA FLOOD MAP PANEL 3700957700J
ZONE X - AREA OF MINIMAL FLOODING
ABOVE THE 500 YEAR FLOOD LEVEL.

SITE TABLE

1. TOTAL PROJECT AREA	4.4 ACRES
2. TOTAL IMPERVIOUS AREA	2.5 ACRES (57%)
3. BUILDING AREA	0.17 ACRES (3.9%)
4. STREETS AND PARKING	2.16 ACRES (49%)
5. TOTAL OPEN SPACE	1.9 ACRES (43%)
6. TOTAL COMMON SPACE	0.4 ACRES (10%)
7. DISTURBED AREA	4.7 ACRES

PARKING DATA:

CONVENIENCE STORE - 1 SPACE PER 200 GFA (6470 GFA / 200 = 32 SPACES)

REGULAR SPACES REQ'D: 30 SPACES
HC SPACES REQ'D: 2 SPACES

TOTAL REQ'D: 32 SPACES

REGULAR SPACES PROVIDED: 56 SPACES
HC SPACES PROVIDED: 4 SPACES

TOTAL PROVIDED: 60 SPACES

SITE DATA:

PIN: 9577897580, 9577896416, 9577895289, 9577896236,
9577896187
TOTAL SITE = 4.441 AC (193,455 SF)
TOTAL DISTURBED AREA = 4.7 AC

ZONING - CHMU (COMMERCIAL HIGHWAY MIXED USE)
CITY OF HENDERSONVILLE, NC

SETBACKS -
FRONT - 10' UPWARD ROAD
REAR - 15'
SIDES - 15'

LOCATION MAP

NOT TO SCALE

SITE NOTES:

- THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES BY CALLING UTILITY LOCATION SERVICE AT 811 THREE (3) DAYS PRIOR TO CONSTRUCTION.
- DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTERLINE OF PARKING STALL OR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO THE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND ENTRY/EXIT PORCHES.
- ASPHALT PAVING SECTIONS SHALL BE CONSTRUCTED PER THE DETAILS.
- CONCRETE SIDEWALKS SHALL BE CONSTRUCTED WITH 3000 PSI CONCRETE 4" THICK WITH EXPANSION JOINTS AND SCORING PER DETAIL.
- THE CONTRACTOR SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.
- ALL WORK ON STATE, COUNTY, OR CITY RIGHT-OF-WAY INCLUDING DRIVEWAY APRONS, WATER AND SEWER TAPS OR ANY OTHER WORK REQUIRES AN ENCROACHMENT PERMIT FROM THE APPROPRIATE AGENCY.
- ALL CURBING TO BE 18" FORMED CONCRETE CURBING AND ROLLED CURB PER DETAILS ON C250, WITH 3000 PSI CONCRETE.
- ANY MATERIAL DEMOLISHED AS INDICATED ON THIS PLAN IS TO BE HAULED OFF-SITE TO AN APPROVED LANDFILL.
- TRUNCATED DOMES ARE TYPICAL AT ALL HANDICAP RAMPS. HANDICAP SPACES WILL BE MARKED WITH A FREESTANDING OR WALL MOUNTED SIGN. SEE DETAIL SHEETS FOR PROPER STRIPING.

CAUTION



THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

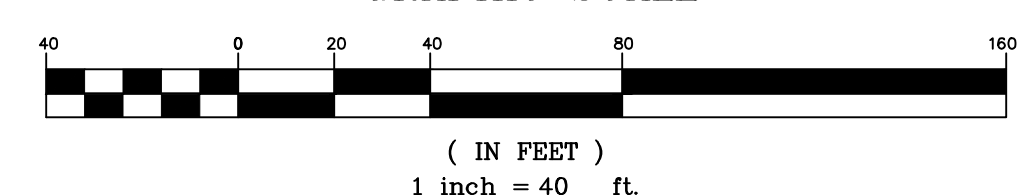
LEGEND

BL BUILDING LINE	TEL ☐ TELEPHONE PEDESTAL	⊕ GREASE TRAP MANHOLE
CL CENTERLINE	CATV ☐ CABLE TV PEDESTAL	T/C BC TOP/BOTTOM CURB
CMP CORRUGATED METAL PIPE	⊗ ELECTRIC METER	TW/BW TOP/BOTTOM WALL
CT CRIMP TOP	CB ☐ CATCH BASIN	VCP VITRIFIED CLAY PIPE
DE DRAINAGE EASEMENT	DI ☐ DROP INLET	WM WATER METER
EP EDGE OF PAVEMENT	⊗ ELEC TRANS	WV WATER VALVE
FPE FINISHED FLOOR ELEVATION	x 90.0 ELEVATION	⊕ POST INDICATOR VALVE
FG FINISHED GRADE	⊗ FIRE HYDRANT	⊕ STORMWATER FLOW
IE INVERT ELEVATION	⊗ GAS METER	→ TRAFFIC FLOW
IPO IRON PIN OLD	⊗ GAS VALVE	
IPS IRON PIN SET	LP ☐ LIGHT POLE	
N&C NAIL & CAP	PP ☐ POWER POLE	
OT OPEN TOP	GP ☐ GUY ANCHOR	
RB REBAR	SMH ☐ SD MANHOLE	
RCP REINFORCED CONC PIPE	SSM ☐ SS MANHOLE	
R/W RIGHT OF WAY	TMH ☐ TELEPHONE MANHOLE	
SD STORM DRAIN	CO ☐ CLEAN OUT	
SS SANITARY SEWER	⊗ TRAFFIC SIGNAL POLE	
SSE SS EASEMENT		

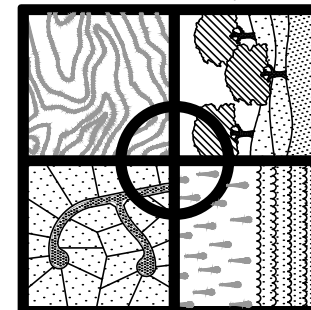
LINETYPES

— CTV — CABLE TV	— SS — SANITARY SEWER - EXIST.
— x — CHAIN LINK FENCE (PROPOSED)	— SS — SANITARY SEWER - NEW
— x — CHAIN LINK FENCE (EXISTING)	— SF — SILT FENCE
— 660 — CONTOURS - EXIST. GRADE	— SD — STORM SEWER - EXIST.
— (675) — CONTOURS - FINISHED GRADE	— SD — STORM SEWER - NEW
— FOC — FIBER OPTIC	— UGP — UNDERGROUND POWER
— FM — FORCE MAIN	— UGT — UNDERGROUND TEL
— GAS — GAS LINE	— W — WATER LINE - EXIST.
— OHP — OVERHEAD POWER	— W — WATER - NEW
— OHT — OVERHEAD TELEPHONE	— W — WOOD FENCE
— RD — ROOF DRAIN - NEW	— NPDS — LIMITS OF DISTURBANCE

GRAPHIC SCALE



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NO.	DATE
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SPINX NO. 345

HENDERSONVILLE
HENDERSON COUNTY
NORTH CAROLINA

THE SPINX
COMPANY LLC

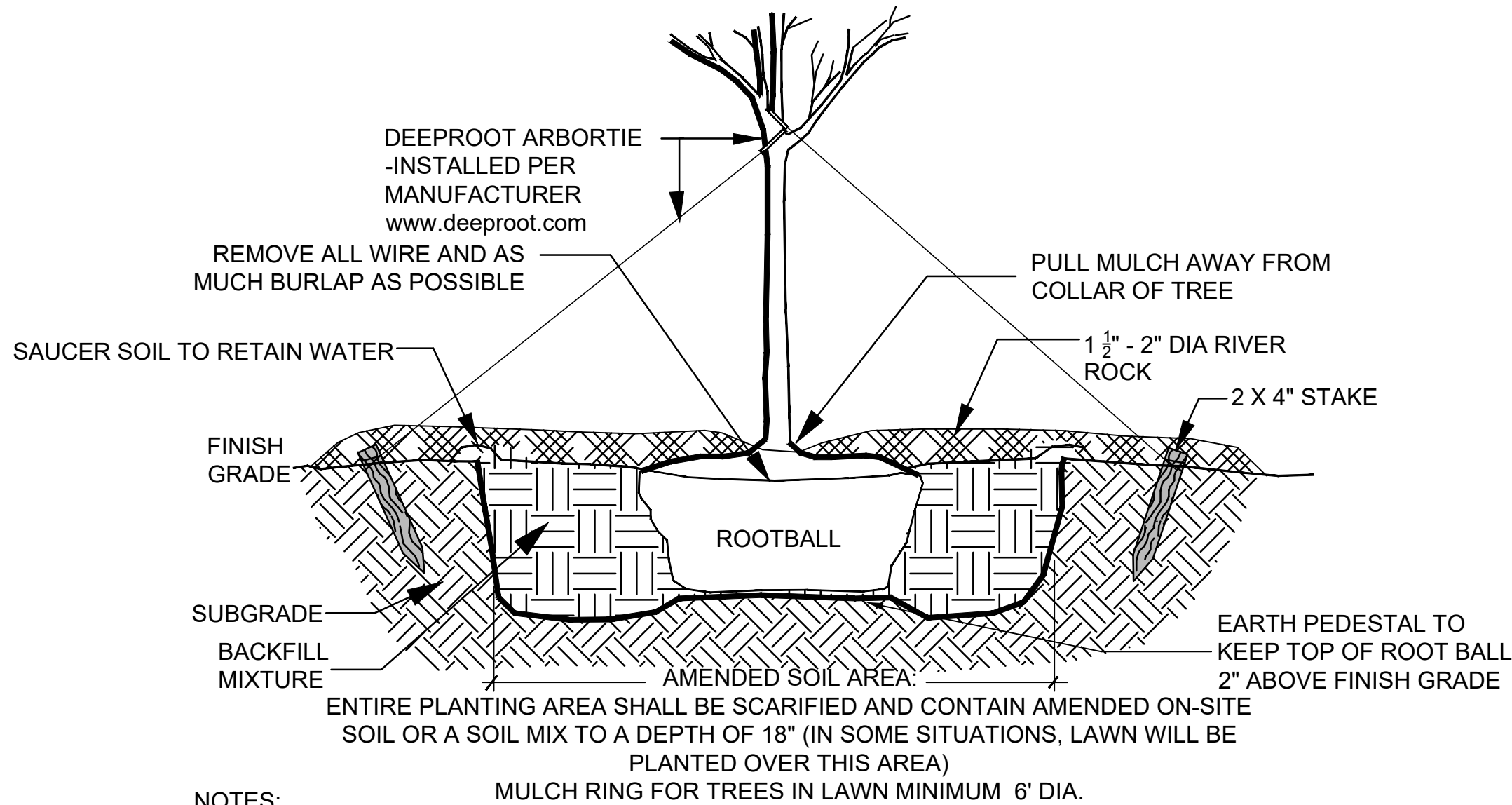
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VERT. SCALE:	N/A
DESIGNED BY:	WNH
DRAWN BY:	WNH
CHECKED BY:	CSW
DATE:	03/05/2024

S230494

SITE PLAN

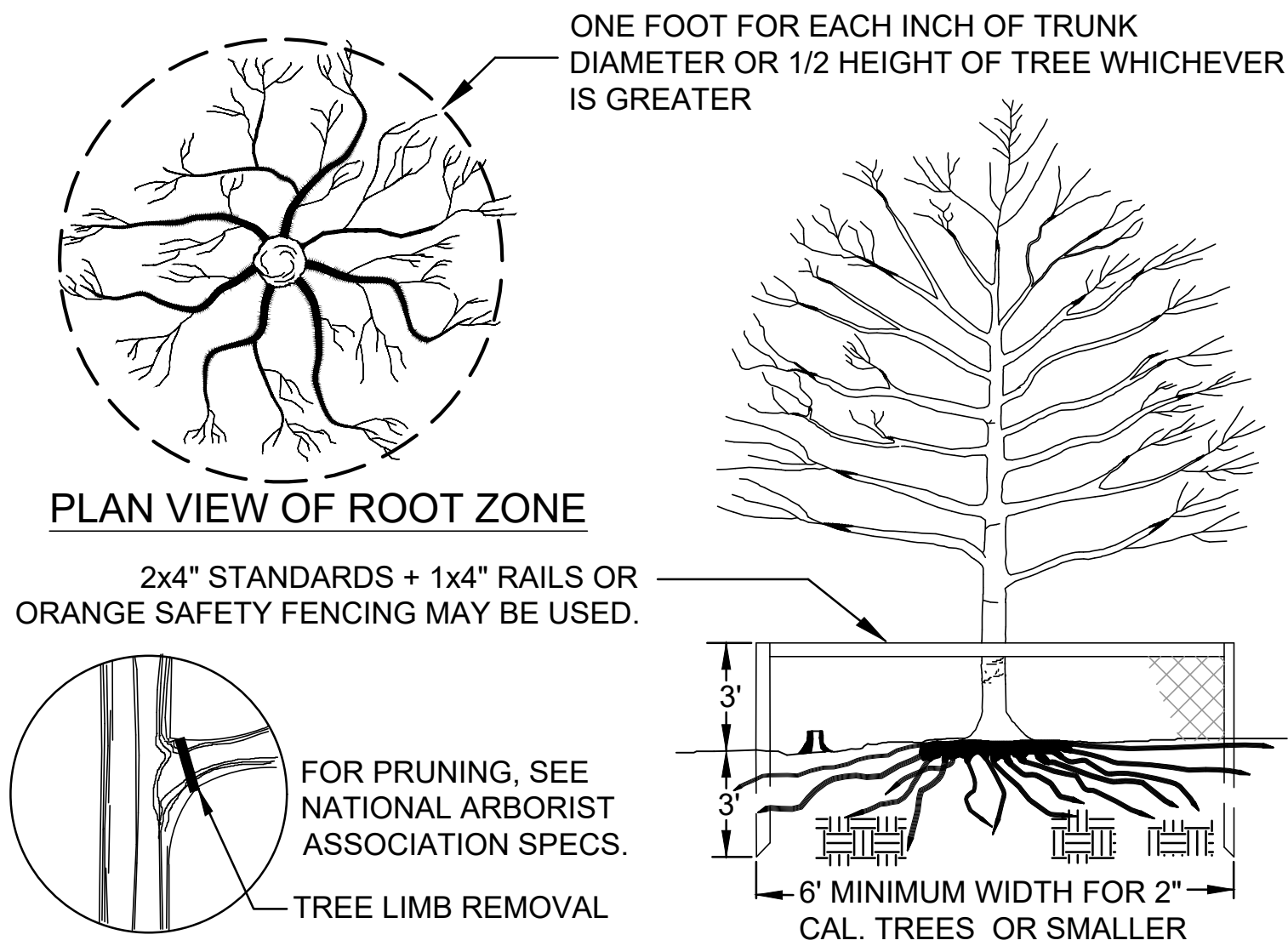
SHEET 3 OF 15

C200



- NOTES:
1. REMOVE WIRE OR NYLON TWINE FROM ROOT BALL
 2. INSTALL TOP OF BALL 2" ABOVE FINISH GRADE
 3. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION
 4. 4" SAUCER WILL BE OUTSIDE OF BACKFILL.
 5. PROVIDE WEED BARRIER UNDER MULCH

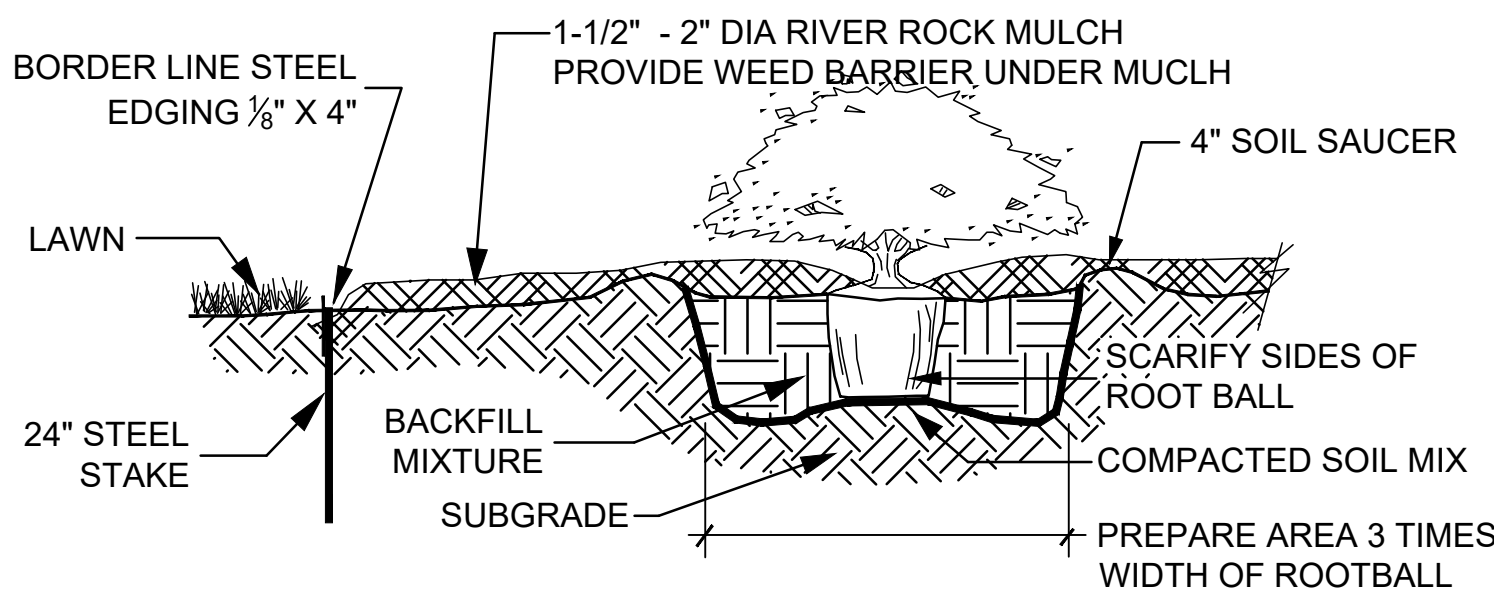
TREE OVER 2" CAL.



- NOTES:
1. NO CONSTRUCTION ACTIVITY OR STORAGE SHALL BE LOCATED WITHIN THE PROTECTION AREA.
 2. REMOVE ALL BARRIERS UPON COMPLETION OF PROJECT.
 3. SEE PLANS FOR LOCATION AND REQUIRED RADIUS OF ALL TREE PROTECTION FENCES.
 4. DEAD TREES AND SCRUB OR UNDER GROWTH SHALL BE CUT FLUSH WITH ADJACENT GRADE. NO GRUBBING ALLOWED UNDER DRIP LINE.
 5. PLACE 4" LAYER OF MULCH AT AREAS NOT PROTECTED BY BARRIER.
 6. CONTRACTOR SHALL MAINTAIN TREE PROTECTION FENCE UNTIL FINAL CERTIFICATE OF OCCUPANCY. IF THE T.P. FENCE IS DAMAGED DURING CONSTRUCTION, IT WILL BE CONTRACTOR'S RESPONSIBILITY TO REPAIR **AND** NOTIFY L.A OF ANY POSSIBLE DAMAGE TO TREES.

TREE PROTECTION FENCE

BORDER LINE STEEL LANDSCAPE EDGING BY BORDER CONCEPTS,INC.
1/8" X 4" X 10' or 16', 3/16" THICK X 24" LONG STEEL STAKES, COLOR TO BE BLACK.
PH. 704-541-5509, borderconcepts.com



- NOTES:
1. REMOVE WIRE, NYLON TWINE OR CONTAINER FROM ROOT BALL.
 2. SCARIFY SIDES AND BOTTOM OF HOLE AS WELL AS THE ROOT BALL.
 3. INSTALL TOP OF BALL 2" ABOVE FINISH GRADE
 4. ROOT BALLS GREATER THAN 2' IN DIAMETER SHALL SIT ON MOUND OF UNDISTURBED SOIL TO PREVENT SETTLING.
 5. ROOT BALLS SMALLER THAN 2' MAY SIT ON COMPACTED SOIL MIXTURE.
 6. BACKFILL PIT WITH SPECIFIED PLANTING SOIL MIXTURE IN 8" LAYERS, HAND TAMP TO REMOVE VOIDS.
 7. WHEN 3/4 BACKFILLED, FILL WITH WATER
 8. AFTER BACKFILLING AND TAMPING FINAL LAYER, WATER AGAIN UNTIL NO MORE IS ABSORBED.
 9. 4" SAUCER WILL BE OUTSIDE OF BACKFILL.

SHRUB PLANTING & STEEL BED EDGING

GENERAL NOTES & SPECIFICATIONS

LAWN INSTALLATION: Lawn areas shall be fine graded to a smooth, positively draining slope, removing all stones over 3/4". Agricultural limestone shall be incorporated into the soil at a rate of 50 pounds per 1000 square feet. Apply specified seed at recommended rate. Straw mulch or hydromulch shall be used as deemed necessary by the Landscape Contractor and Landscape Architect. The Landscape Contractor shall be responsible to establish a full stand of grass and will repair any bare spots 1'- 0" square due to uneven seed distribution, drought or erosion.

SOD INSTALLATION: Sodded lawn areas shall be fine graded to a smooth, positively draining slope, removing all stones over 3/4". Sod shall be healthy, thick sod placed so that joints are butt tight. Staple as necessary. Sod shall be trimmed to match bed lines shown on plan. Startup fertilizer shall be incorporated into the soil at the manufacturer's recommended rate. Any area of sod that fails to root, settles or dies will be replace by the Landscape Contractor.

UTILITY LOCATION: The Landscape Contractor is responsible for contacting the utility locator service and is responsible for any damage done to utilities.

QUANTITIES Plant quantities are shown for the contractor's convenience only. PLANTS SHALL BE INSTALLED AS SHOWN. Contractor is responsible for confirming all quantities prior to bidding and installation.

BIDS In order to keep all bids standard, all bids are to have unit prices listed. The Owner has the option to delete any portion of the contract prior to signing the contract or beginning work. This will be a unit price contract.

PLANT QUALITY All plants shall be nursery grown, have a full habit of growth as is characteristic of that species, and shall be free of disease or insects. General plant quality shall be as specified in the "USA Standard for Nursery Stock" (published by the American Association of Nurserymen). Please contact the Landscape Architect if there is difficulty in locating a particular plant. If necessary, a substitute plant will be recommended by the Landscape Architect.

PLANTING AREA PREPARATION: Entire planting area shall be scarified and contain amended on-site soil or a soil mix to a depth of no less than 18". (see planting detail for more information.)

SETTING OF PLANTS The root ball of container grown plants shall be scarified in several places prior to planting. Plant shrubs and trees so that after initial settlement, the top root balls will be even with or slightly above the adjacent soil line. Around root balls, 1/2 of the original soil shall be removed from the planting hole and thoroughly mixed with the same quantity peat moss or well rotted, fine textured bark. (Only in areas where the existing soil is 100% fertile, loose topsoil (brown or black in color) can plants be placed directly in the soil with no amendments). PLANTINGS NOT DONE IN THIS MANNER SHALL BE REMOVED AND PROPERLY REPLANTED.

PREPARATION OF GROUND COVER AND SEASONAL COLOR BEDS : The existing soil in ground cover and seasonal color beds shall be thoroughly cultivated 6 inches deep, to a fine texture (no clods over 1/2") with a mechanical tiller. A plant mix of 60% screened shredded topsoil, 20% sand, and 20% well rotted sawdust or peat shall then be thoroughly incorporated into the existing soil with the tiller so that the soil mix (6" deep) is 1/2 original soil and 1/2 plant mix. All groundcover and seasonal color beds shall receive a 2" layer of fine textured, screened, pine bark mulch, or equal.

FERTILIZING Upon completion of plantings, all shrubs shall receive 1/6 cup of 16-4-8 fertilizer (50% of nitrogen slow release) evenly broadcast at the base of the plants. Trees shall receive 1/4 cup of 16-4-8 fertilizer (50% of nitrogen slow release) per inch of caliper. Ground cover beds shall be fertilized at the rate of 20 pounds of 16-4-8 (50% of nitrogen slow release) per 1000 square feet.

STAKING OF TREES Deciduous trees, 1 1/2" in caliper and over, and evergreen trees, 8' and taller shall be staked. Rubberhose to be used to cover the wire at the point of its contact with the tree. The Landscape Contractor is responsible for all wind damage to trees, (provided winds are less than 60mph) during the guarantee period, and may stake other trees (for his own protection) at his option. TRANSPLANTS All plant material to be transplanted shall be transplanted according to guidelines set by AAN standards. Transplanted material will not be guaranteed by the landscape contractor.

MULCHING As specified on planting list. A weed barrier shall be provided in all bed areas under mulch layer.

GRADING All final grading shall be the responsibility of the landscape contractor. The responsibility for any additional grading (if needed) shall be determined prior to bidding.

BACKFILL Landscape contractor to verify any additional backfill/topsoil needed prior to beginning work. A unit price for topsoil shall be included in all bid documents to allow for circumstances that might arise during installation.

STABILIZATION Landscape contractor shall ensure that all plantings are stabilized with ground covers, mulches or other approved materials to prevent soil erosion and allow rainwater infiltration.

CLEAN UP Final clean up of any disturbances occurring as a result of landscape operations shall be the responsibility of the landscape contractor.

INSPECTION It shall be the contractor's responsibility to provide for inspection of the plant material by the Landscape Architect prior to installation. All plant material will be inspected. Plants not conforming precisely to the plant list will not be accepted and shall be replaced at the contractor's own expense.

LICENSES The contractor will be responsible for obtaining all licenses necessary to complete the work.

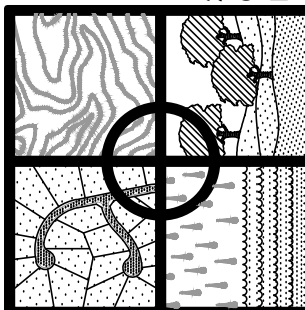
INSURANCE With the submittal of bid documents, the landscape contractor shall also submit a certificate of insurance for workman's compensation and a contractor's general liability. Contractors not providing evidence of such insurance will be ineligible to relieve the contract for the job

GUARANTEE All plant material and workmanship to be guaranteed for one year from the date of acceptance by the Owner. Plant replacement to occur only once. The contractor will not be responsible for defects resulting from neglect by the Owner, abuse or damage by others, or unusual phenomena or incidents beyond the landscape contractors control which result from natural causes such as floods, lightning, storms, freezing rains, or winds over 60 miles per hour, fire, vandalism or theft.

IRRIGATION Contractor to provide an automatic irrigation system, it will be the responsibility of the contractor to have the system designed and installed. Contractor to submit the irrigation design to the Landscape Architect for review and approval prior to installation.

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NC. REG. NO. 1163

**SPINX
UPWARD ROAD**

**HENDERSON COUNTY
NORTH CAROLINA**

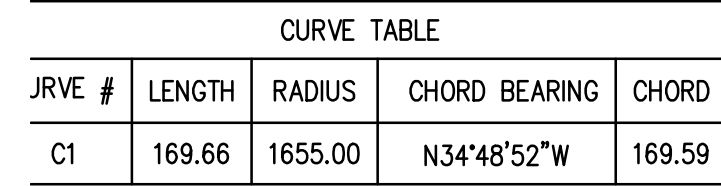
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VERT. SCALE:	N/A
DESIGNED BY:	AGB
DRAWN BY:	AGB
CHECKED BY:	NH
DATE:	11/15/2023

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**LANDSCAPE
DETAILS**

SHEET 15 OF 15

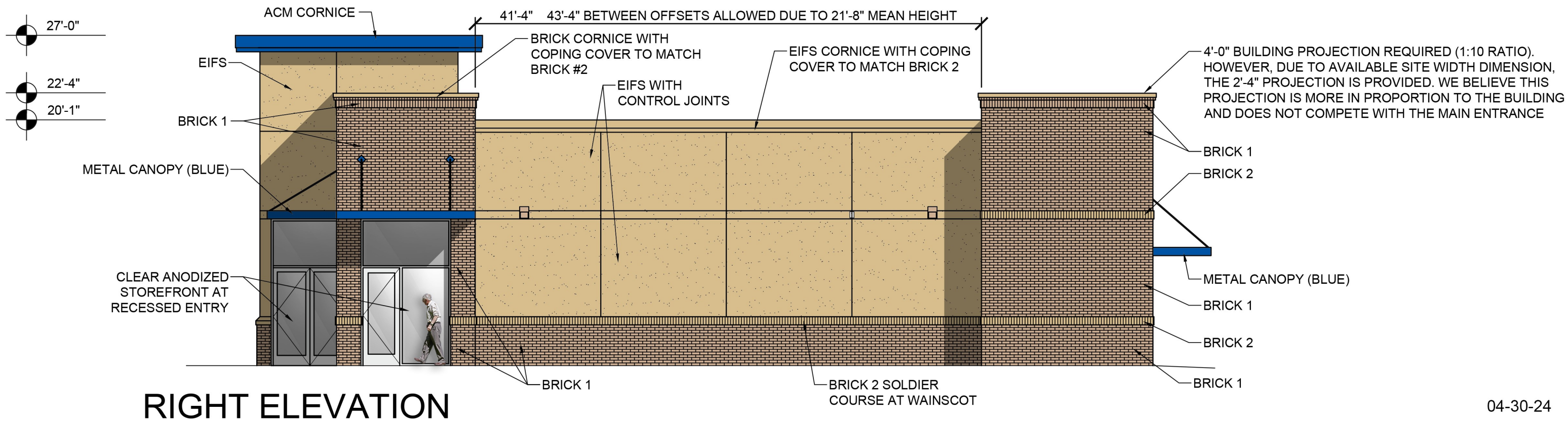
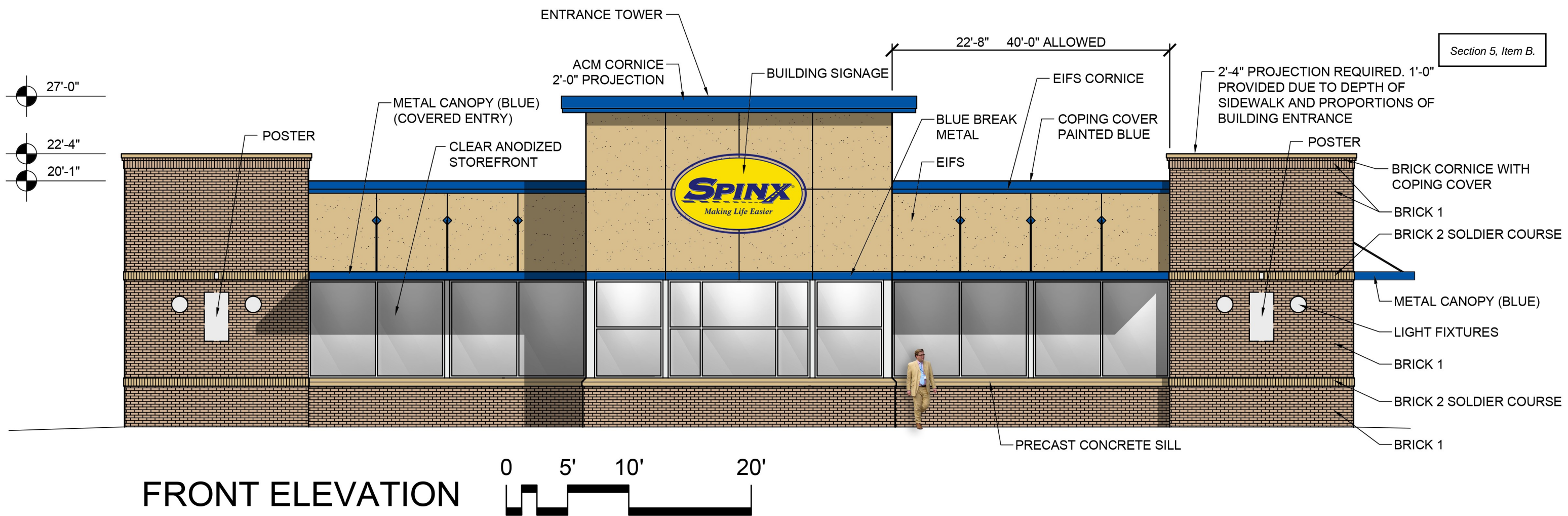
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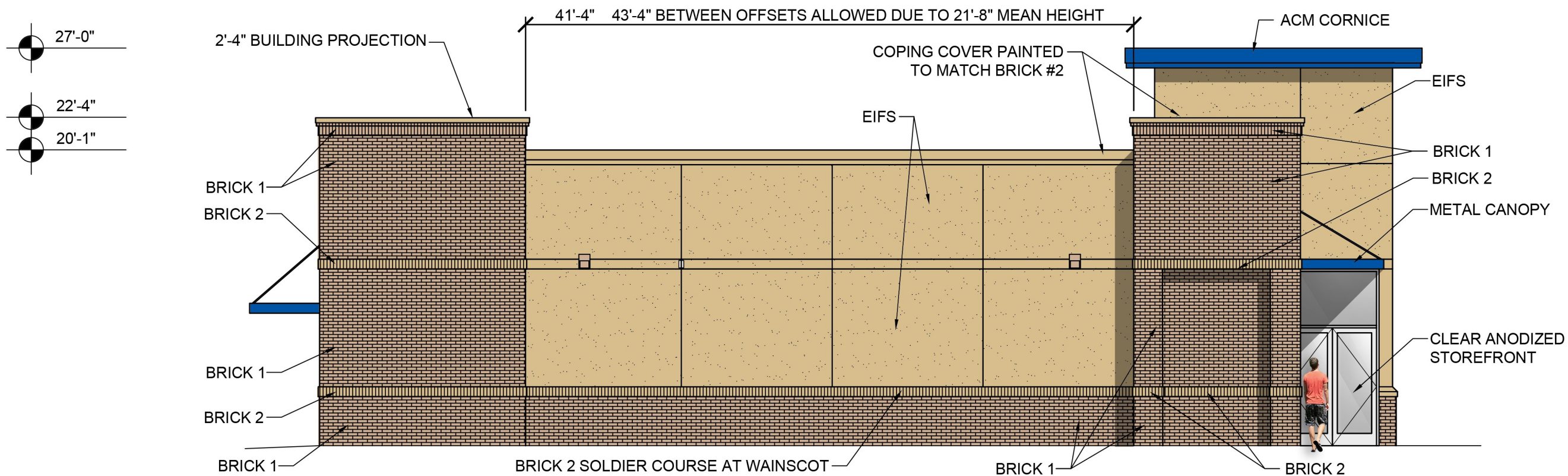
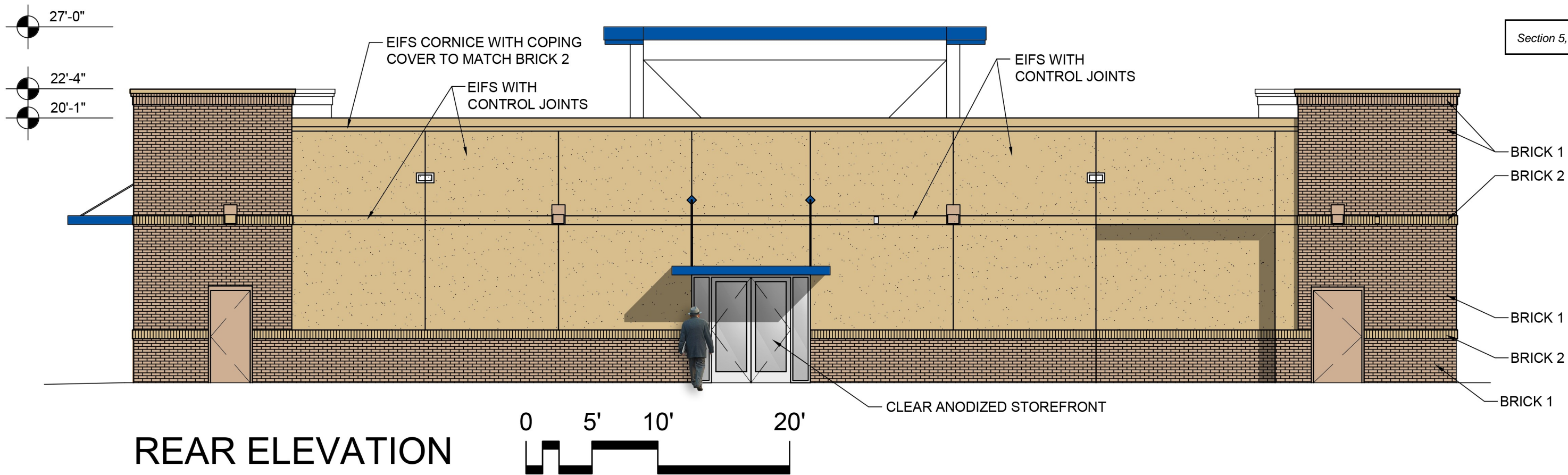


CURVE TABLE				
JRVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
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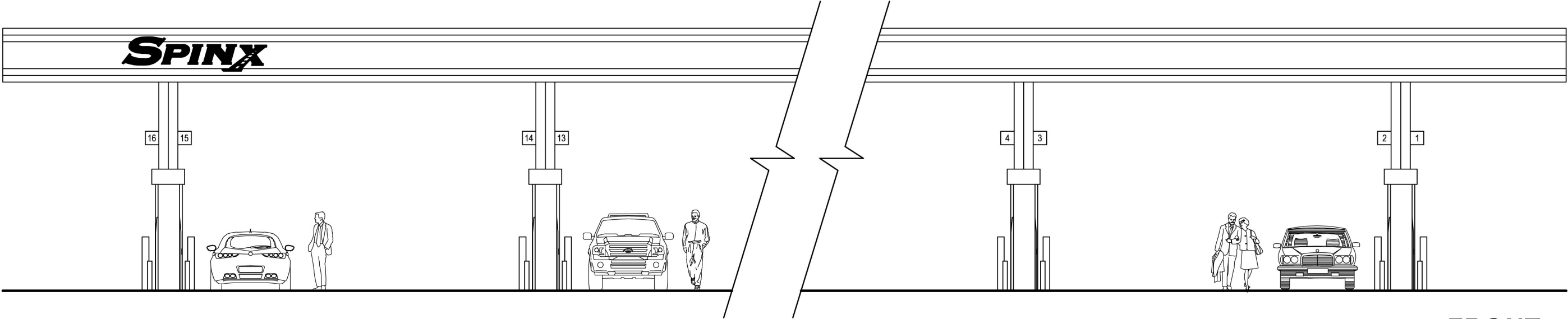
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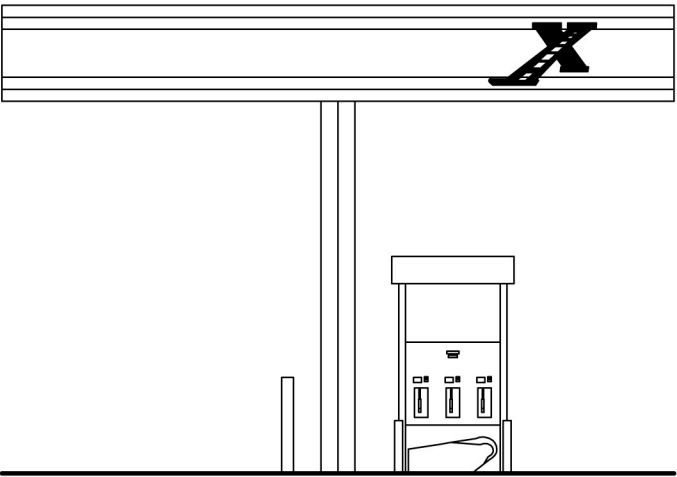




04-30-24



FRONT



LEFT



APPENDIX A - ZONING ORDINANCE
ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS
Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

The Commercial Highway Mixed Use Zoning District Classification is intended to encourage a mix of high density residential development in conjunction with appropriately scaled and compatible commercial development, consisting of community and regional retail sales and services, professional offices, research facilities, restaurants, accommodations services and similar uses. Development design becomes a critical consideration when establishing regional activity centers that create attractive and functional roadway corridors which also encourage mixed-use and walkable design. In addition to the general dimensional and use provisions, the regulations contained herein, along with those in article XVIII which apply to mixed use zoning district classifications generally, address the design of buildings and development sites.

5-27-1 Permitted uses.

The following uses are permitted by right in the CHMU Commercial Highway Mixed Use Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this ordinance:

- Accessory dwelling units subject to supplementary standards contained in section 16-4, below
- Accessory uses & structures
- Adult care centers registered with the NC Department of Health and Human Services (DHSS)
- Adult care homes
- Agriculture
- Animal hospitals & clinics so long as they contain no outdoor kennels
- Automobile car washes
- Automobile sales & service
- Banks & other financial institutions
- Business services
- Camps
- Child care centers, subject to supplementary standards contained in section 16-4, below
- Child care homes
- Civic clubs & fraternal organizations, subject to supplementary standards contained in section 16-4
- Congregate care facilities, subject to supplementary standards contained in section 16-4, below
- Construction trades facilities, so long as the storage of equipment and materials is screened from view from any public rights-of-way
- Convenience stores with or without gasoline sales
- Cultural arts buildings
- Dance, health & fitness facilities
- Day care facilities

Dry cleaning and laundry establishments containing less than 6,000 square feet of floor area

Equipment rental & sales

Funeral homes

Greenhouses & commercial nurseries

Health clubs & athletic facilities

Home occupations

Hotels & motels

Laundries, coin-operated

Lawn & garden centers

Manufacturing, light

Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below

Music & art studios

Neighborhood community centers

Newspaper offices & printing establishments

Nursing homes, subject to supplementary standards contained in section 16-4, below

Offices, business, professional and public

Parking lots & parking garages

Parks

Personal services

Progressive care facilities, subject to supplementary standards contained in section 16-4, below

Public & semi-public buildings

Recreational facilities, indoors

Recreational facilities, outdoors, commercial

Religious institutions

Repair services, miscellaneous

Research & development with no outdoor storage and operations

Residential care facilities

Residential dwellings, single family

Residential dwellings, multi-family

Residential dwellings, two-family

Restaurants

Restaurants, drive-in

Retail stores (not including manufactured housing, boat & heavy equipment sales)

- Schools, post-secondary, business, technical and vocational
- Schools, primary & secondary
- Service stations
- Signs, subject to the provisions of article XIII, below
- Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below
- Theaters, indoors

5-27-2 Special uses.

The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Zoning District Classification only upon issuance of a special use permit pursuant to article X and shall be subject to supplementary standards contained in section 16-4, below:

- Bus stations
- Public utility facilities

5-27-3 Development standards.

The following standards shall apply to development within the CHMU Commercial Highway Mixed Use Zoning District Classification.

5-27-3.1 Parking and loading. The requirements of section 6-5, below, shall apply.

5-27-3.2 Dimensional requirements.

Minimum lot area in square feet:	None
Minimum lot width:	None
Open space ratio:	≥0.30
Common space ratio:	≥0.10
Yard requirements:	Varies with building type. See design standards.
Building separation:	If buildings are separated, they must be separated by at least 15 feet. This provision shall not be construed to qualify any setback provisions contained elsewhere in this ordinance.
Building height:	Varies with building type. See design standards.

5-27-3.3 Residential density. The number of residential dwellings permitted on any development tract varies with regard to the open space ratio provided as noted on the following table.

Open Space Ratio	Maximum Dwelling Units/Acre
0.40	8
0.50	10
0.60	12

5-27-4 Design standards.

NOTE: "Building design element" sub-sections noted below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

These standards are intended to apply to all development and redevelopment within the CHMU Commercial Highway Mixed Use Zoning District Classification. Applicants for authorization to undertake development or redevelopment within such zoning district shall demonstrate compliance with these standards or shall undergo alternative design review as provided for in article XVIII, below.

5-27-4.1 Standards of general applicability. The following standards shall apply to all development in the CHMU Commercial Highway Mixed Use Zoning District Classification regardless of use or building type.

5-27-4.1.1 General site development. Site development shall not result in the removal of lateral support for adjoining properties. Furthermore, development shall not create hazardous or dangerous conditions or result in the creation of a nuisance as specified in section 6-13, below.

5-27-4.1.2 Physical integration of uses. Residential and commercial uses may be located within the same or adjoining structures provided appropriate health and safety regulations are followed.

5-27-4.1.3 Building orientation. Primary façades, which may or may not contain an entrance to the building, shall face primary vehicular access or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street.

5-27-4.1.4 Common space. Common space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects. Common spaces are intended to be places for social interaction and, thus, may include impervious surfaces.

Unless interior common space is approved by the reviewing authority, common space shall be out-of-doors. Common space design shall comply with the following:

- a) **Size.** At least ten percent of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.
- b) **Trees.** One tree shall be planted for each 1,000 square feet of common space. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.
- c) **Utilities.** All utilities service lines and connections shall be underground.
- d) **Seating.** Seating shall be provided to accommodate workers, residents and/or shoppers. Seating may be accomplished in whole or in part using planters or other similar structures.
- e) **Amenities.** Common space for a development shall contain adequate amenities to animate and enliven the environment and to make it conducive for social interaction. Following is a list of such amenities: ornamental fountains, stairways, waterfalls, public art, arbors, trellises, planted beds, drinking fountains, clock pedestals, awnings, canopies, informational kiosks, and similar structures. This list is not intended to be exhaustive.

5-27-4.1.5 Architectural details. The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the

applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

All buildings shall provide detailed design along all façades which are visible from a street or common space. Detailed design shall be provided by using at least three of the following architectural features:

Dormers.

Gables.

Recessed entries.

Covered porch, entries.

Cupolas or towers.

Pillars or posts.

Eaves (minimum 6-inch projection).

Off-sets in building face or roof.

Window trim (minimum nominal four inches wide).

Bay windows.

Balconies.

Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation).

Decorative cornices and roof lines (for flat roofs).

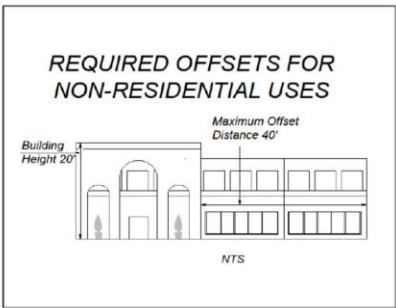
5-27-4.1.6 Building façades. Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.

5-27-4.1.7 Windows. Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

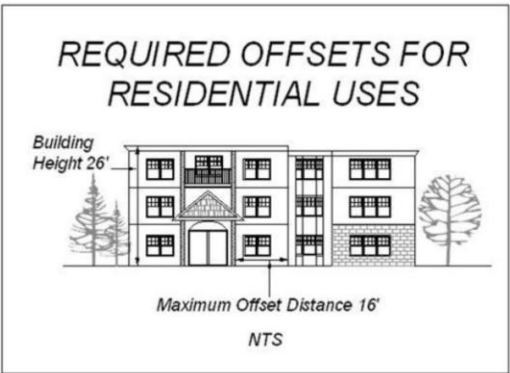
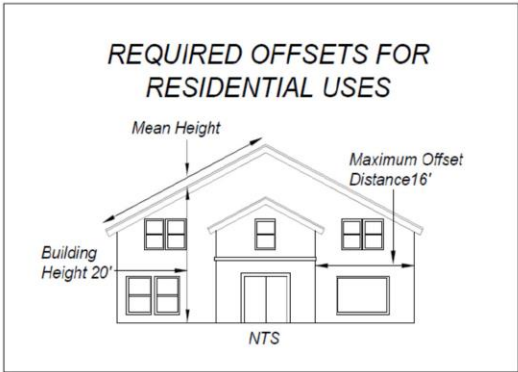
5-27-4.1.8 Building scale. The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.

- a) **Scale, buildings containing nonresidential uses.** The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:

- 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat roofs, to the top of the parapet.
- 3) The depth or projection of the offset shall be 1/10th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel shall have a two-foot offset adjacent to such wall panel.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.
- b) **Scale, buildings containing only residential uses.** The following requirements apply to any building containing only residential uses:
- 1) The distance between required offsets shall be related to the height of the building on a one-to-one basis; provided, however, no wall shall exceed 30 feet in length without an offset. A building façade which is less than or equal to the height of the building shall not require an offset. Provided, however, the provisions of this paragraph shall not be construed to require an offset for that portion of a façade containing a two-car garage.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or, for flat roofs, to the top of the parapet.

- 3) Offsets shall have a minimum depth or projection of two feet regardless of the length of adjacent wall façades.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

5-27-4.1.9 Streets and sidewalks. Streets and sidewalks shall comply with the circulation and access requirements contained in section 5-27-5 and section 18-6-4.6, below.

5-27-4.1.10 Building materials. Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.

Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); unpainted metal; exposed plain pipe columns; metal wall siding; vinyl siding and any other materials not customarily used in conventional construction.

5-27-4.2 General standards for residential developments. The following standards shall apply to developments containing only residential uses with the exception that multi-family buildings must comply with the general standards contained in section 5-27-5.3, below.

5-27-4.3 General standards for nonresidential and multi-family buildings. The following standards shall apply to all buildings containing nonresidential uses and multi-family dwellings:

5-27-4.4 Specific standards for single-family and two-family detached dwellings.

5-27-4.6 Specific standards for multi-family dwellings. Multi-family dwelling consists of three or more dwelling units vertically and/or horizontally arranged. The ground floor may be available for commercial uses.

5-27-4.7 Specific standards for commercial and institutional buildings. Commercial buildings are structures which can accommodate a variety of uses mixed either horizontally (shopping center) or vertically (dwelling unit over a store). Office buildings, hotels and inns can be placed in commercial buildings. Buildings containing both commercial and residential uses shall be classified as commercial buildings for the purposes of this section. Institutional buildings are specialized public or semi-public buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and nonprofit or charitable clubs and organizations. Note there are exceptions from the maximum height restrictions for steeples, cupolas and similar structures. These are contained in section 8-2, below.

5-27-5 Transportation.

The section is intended to put in place regulations which will provide for a multi-modal transportation environment conducive to a pedestrian-friendly mixed-use community.

5-27-5.1 Pedestrian accommodations. Pedestrian accommodations, which may be sidewalks, multi-purpose paths, or other approved alternatives, shall be provided as a part of a development on each side of all public roadways and of all private roadways which the development directly abuts unless site constraints or proposed uses make it impractical or unnecessary. Pedestrian access and circulation shall be consistent with any and all adopted corridor circulation plans.

5-27-5.2 Vehicular access. It is the intent of these regulations to create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares. Accordingly, when development parcels have potential to provide access between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than private streets or driveways. The regulations contained in this section shall apply to all new development and redevelopment within the district.

5-27-5.2.1 Driveways. Where permitted, driveways shall comply with the requirements of this section and, if applicable, the regulations of the North Carolina Department of Transportation.

- a) The number of driveways permitted for new development shall relate to the amount of linear frontage for the proposed development as depicted below:

LINEAR FRONTAGE	NUMBER OF PERMITTED
Less than 350 feet	1
Greater than 350 feet	2
Greater than 1,000 feet	3 ¹

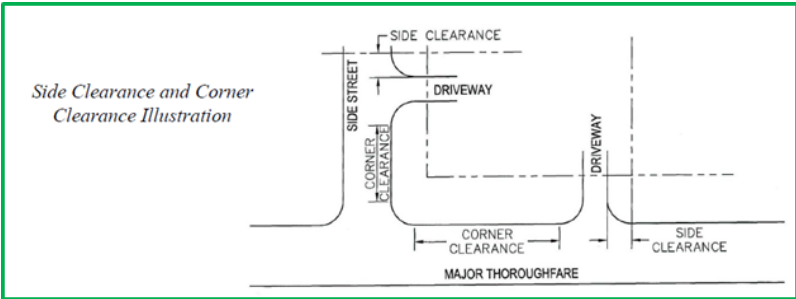
¹ With approval of the city after demonstration of need in the required TIA.

- b) All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

CLEARANCE TYPE	ALONG MAJOR THOROUGHFARE	ALONG SIDE STREET
Corner clearance ²	250 feet	100 feet
Side clearance ³	30 feet	10 feet

² Corner clearance shall be measured from the point of tangency of the radius curvature of the intersection streets.

³ Side clearance shall represent the distance from the driveway to the side property line.



- c) No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.
- d) One-way driveways are not considered full-movement driveways therefore, two, one-way driveways may be considered as a single driveway provided that:
- 1) The minimum spacing between the two driveway segments is 60 feet.
 - 2) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs.
 - 3) The maximum combined pavement width of both driveway segments at the right-of-way line is 40 feet and the minimum width of a single segment is 14 feet.

5-27-5.2.2 Outparcels. Access to development outparcels shall be oriented to the interior of the development site, not to the roadway.

5-27-5.2.3 Cross-access easements. Cross-access easements between parking areas on adjacent developments are an effective way to improve corridor circulation and to reduce vehicle trips. For each adjoining property with

accessible parking areas, applicants for development authorization shall provide either (1) a cross-access easement or (2) confirmation that the applicant has attempted to negotiate a cross-access easement with that property owner and has not been able to reach agreement thereon.

5-27-5.2.4 Connectivity. In an effort to improve and promote overall street connectivity, public streets and private drives constructed within the CHMU zoning district shall provide connections to existing adjacent public streets and adjacent parcels. Primary access from major arterials should be provided by public streets.

When no off-site stub-outs are present, the following connections shall be provided to adjacent properties at the appropriate rate indicated below.

- a) All new development with fewer than 100 dwelling units are required to provide at least one stub-out to extend and connect with future streets or drives. In the event that adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s).
- b) Residential developments containing 100 or more dwelling units shall include street connections or stub-outs at a ratio of one stub-out/connection per 100 dwelling units. In the event adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s). Required collector street connections are included in this calculation.
- c) Non-residential developments shall provide one stub-out to each adjoining parcel where, considering topography, land use compatibility and future development or redevelopment potential, it is deemed feasible and appropriate.

5-27-6 CHMUCZD Commercial Highway Mixed Use Conditional Zoning District Classification.

The purpose, requirements and standards of this classification are identical to the CHMU Commercial Highway Mixed Use Zoning District Classification except that a rezoning to CHMU Conditional Zoning District as provided for in article VII herein, is required as a prerequisite to any use or development. The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Conditional Zoning District Classification upon rezoning to CHMUCZD, regardless of the square footage or number of residential units for the use:

Telecommunications towers, subject to supplementary standards contained in section 16-4, below.

Permitted uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

Special uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

(Ord. No. 21-44, 9-22-21; Ord. No. 22-11, 2-10-22; Ord. No. 22-22, 5-5-22; Ord. No. O-23-58, 10-5-23; Ord. No. O-23-61, 10-5-23)

Sec. 18-5. Alternative design.

It is the intention of this article to provide a means for creative design approaches to development within the mixed use corridors so long as the design of a project advances the goals of this article.

18-5-1 Design choices.

Applicants who choose not to comply with the design standards for any mixed use zoning district classification are free to develop their projects in an alternative fashion so long as the proposed design of the project meets the general design consideration contained in section 18-6, below, and will result in a project design which is as good as, or better than, that resulting from the design standards.

18-5-2 Alternative design committee.

There shall be an ad hoc alternative design committee, composed of not less than three nor more than five persons.

18-5-2.1 Function of the committee. The committee shall serve as a resource to the planning director and to the planning board. The committee shall meet as necessary to review alternative design proposals and to make a recommendation as to whether a proposed alternative design meets the standard stated in section 18-5-1, above. The committee shall also assist the planning director, as needed, in administering the provisions of this article.

18-5-2.2 Membership of the committee. The membership of the alternative design committee shall be appointed by the mayor to serve on an as-needed basis. The members shall be chosen from the membership of the planning board, the historic preservation commission and/or the general public residing within the city limits or the extraterritorial jurisdiction, and if possible, shall contain one or more of the following professions: 1) architect, 2) landscape architect, 3) builder or developer.

Sec. 18-6. General design considerations.

NOTE: "Building design element" sub-sections noted below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Mixed use zoning districts require special attention to design because of the intermixing of land uses in close proximity. Functional integration of residential and commercial uses shall be considered during project design. This section seeks to set forth the design philosophy for the mixed use zoning districts and is intended to provide guidance to design professionals. It is also intended to provide standards for reviewing projects undergoing alternative design review pursuant to section 18-3, above.

18-6-1 General site arrangement.

Structures shall be placed and arranged so as not to adversely affect adjacent property. Adverse effects shall include, but are not limited to, the removal of lateral support on adjacent property, the creation of hazard, nuisance, danger, or inconvenience, or unreasonable loss of privacy. Development shall be arranged so as to be visually harmonious within the development site and, where appropriate, in relation to adjacent developments. Site design elements of the development shall be integrated to the degree of their compatibility with each other and shall be separated to the degree of their incompatibility. Insofar as is practicable, developments shall be arranged so as to preserve or enhance vistas.

18-6-2 Physical integration of uses.

All mixed use developments shall be designed and developed to provide an appropriate interrelationship between the various uses and structures within the development. Residential and commercial uses may be located within the same or adjoining structures.

18-6-3 Preservation of natural features and open space.

Permitted flexibility in lot sizes, setbacks, street alignments and widths, and landscaping shall be utilized to preserve natural features and drainage patterns and to provide open space.

18-6-4 Building and project design compatibility.

The mixed-use districts are proposed for corridors where there is considerable existing development, much of which is not consistent with the purpose and goals of this article. To the degree existing development is consistent with these purpose and goals, new development should be designed to be compatible with such existing development. However, where there is a conflict between the design of existing development and the purpose and goals of this article, the purpose and goals of this article shall prevail. The following elements shall be addressed to ensure compatibility.

18-6-4.1 Architectural character. NOTE: Section 18-6-4.1 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

The rich architectural vocabulary of the City of Hendersonville presents a wide variety of development opportunities using traditional forms while avoiding any perception of monotony. Each building proposed for the mixed use districts shall have a well-proportioned form consistent with the building use, and its construction materials and methods. Massing of the building(s) shall create a building envelope that reflects simple, clearly articulated building volumes. Such straight-forward building massing is distinguished from additive or collective forms which generally are not allowed unless clearly related to specific functions and uses of the building.

Assuming they are consistent with the purpose and goals of this article, as well as the general architectural standards stated above, new developments in or adjacent to existing developed areas shall be compatible with the established architectural character of such areas by using a design that is complementary. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed infill development.

18-6-4.2 Building orientation. It is preferred that primary façades face the adjacent street or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street. Where the main entrance does not face the adjacent street, buildings shall nonetheless be designed to provide an attractive streetside façade.

18-6-4.3 Building placement. Buildings shall be situated with regard to pedestrian and vehicular connectivity. It is preferred that they be located close to the pedestrian street with offstreet parking behind and/or beside the building. Important mountain vistas and/or views of significant historic sites shall be protected and accentuated to the extent practicable.

18-6-4.4 Privacy considerations. Elements of the development plan shall be arranged to maximize the opportunity for privacy by the residents of the project and minimize infringement on the privacy of adjoining land uses. Additionally, the development plan shall create opportunities for interactions among neighbors.

18-6-4.5 Architectural details. NOTE: Section 18-6-4.5 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Architectural elements like openings, sill details, bulkheads, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant is encouraged to provide a building entry, additional building mass, and distinctive architectural elements at the corner of buildings. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned wherever practical. The appearance of all exposed façades (not just the streetside façade) is important and shall be addressed in development design.

18-6-4.6 Circulation and access. Street designs shall permit the comfortable use of the street by cars, bicyclists, and pedestrians. Pavement widths, design speeds, and the number of vehicle lanes should be minimized without compromising safety. The specific design of any given street must consider the building types which front on the street and the relationship of the street to the city's street network. This Ordinance encourages the development of a network of interconnecting streets that work to disperse traffic while connecting and integrating neighborhoods with the existing urban fabric of the city. Equally as important, the Ordinance encourages the development of a network of sidewalks and bicycle lanes that provide an attractive and safe mode of travel for pedestrians and cyclists.

Minor variations and exceptions to street cross-sections may be permitted with approval of the administrative officer and the city engineer. Such exceptions include variations to the pavement width, size and location of on-street parking, tree planting areas, street grade, and centerline radii in accordance with principles below. Right-of-way widths should be preserved for continuity.

Streets shall interconnect within a development and shall be designed with due regard to designated corridors shown on the city transportation plan. Streets shall be designed as the main public space of the city and shall be scaled to the pedestrian. Applicants are encouraged to design streets so that they interconnect with adjacent properties.

Sidewalks shall be required along streets adjacent to proposed developments. They shall form a logical, safe, and convenient system for pedestrian access to all dwelling units and commercial establishments within the development and shall be required along such streets, drives and parking areas as is necessary to accomplish this. Pedestrian/bicycle pathways may be substituted for sidewalks, if appropriate.

18-6-4.7 Building walls. NOTE: Section 18-6-4.7 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Buildings shall avoid long, monotonous, uninterrupted walls or roof planes on their visible façades. It is preferred that this design goal be achieved by means of building wall offsets, including projections, recesses, and changes in floor level, and roofline offsets. Such offsets add architectural interest and variety and can assist in creating human size proportions. Parapets shall be designed as integral to the mass of the building. When multiple wall materials are combined on one façade, the designer is encouraged to place the heavier material(s) below.

18-6-4.8 Building materials. NOTE: Section 18-6-4.8 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.

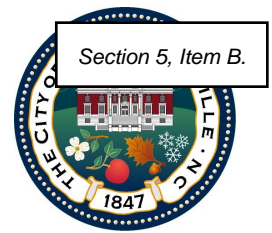
Building materials shall not create excessive glare. Highly reflective building materials, such as aluminum, unpainted metal and reflective glass, have a high potential for glare, and designs utilizing such materials shall be evaluated to determine whether or not the glare would create a significant adverse impact

on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views.



CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT

100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828)697-3010 ~ Fax (828) 697-6185
<https://www.hendersonvillenc.gov/>



APPLICATION FOR SITE PLAN REVIEW

Section 7-3 City Zoning Ordinance

The following are required to constitute a complete application for preliminary site plan review:

- ~ This form including the property owner(s) signature(s).
 - ~ Appropriate fee.
 - ~ 2 copies and a digital file of the site plan containing items in Section 7.3-3.2 of the City Zoning Ordinance.
- Projects proposing any of the following must submit a complete application at least 32 days prior to any Planning Board meeting.
- Any commercial, industrial or institutional development consisting of 20,000 or more square feet of floor area.
 - Addition of more than 30 parking spaces.
 - Any minor planned residential development consisting of nine or more dwelling units.

The following are required for final site plan review:

- ~ This form including the property owner(s) signature(s)
- ~ 2 copies of the site plan containing items in Section 7-3-4.3 of the City Zoning Ordinance

Date	03/11/2024	Type of Plan Review	<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Final	
Name of Project	Spinx No. 345				
Location/Address of Property	SE corner of the intersection of Upward Rd and Old Spartanburg Rd				
List 10 digit PIN or 7 digit PID number for each property	9577897580,9577896416,9577895289,				
Contact Information	Site Design, Inc. (Norman Hamilton)				
Address	225 Rocky Creek Road, Greenville, SC 29615				
Phone	864-271-0496	Fax		Email	nhamilton@sitedesign-inc.co
CHECK TYPE OF DEVELOPMENT		<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Other	
Current Zoning	CHMU	Total Acreage	4.723		
Proposed Building Sq.ft.	6470	# of Dwelling Units	N/A		


Official Use:

DATE RECEIVED: _____ BY _____ FEE RECEIVED \$ _____

Applicant(s): (Developer)

Printed Name Mitch Riese (agent), The Spinx Company, LLC

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Mitch Riese  Digitally signed by Mitch Riese
DN: C=US, E=mriese@spinxco.com, O=Spinx,
CN=Mitch Riese
Date: 2024.03.11 14:34:45-0400

Title Construction Manager Email mriese@spinxco.com

Address of Applicant 1414 East Washington St. Greenville, SC 29607

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Property Owners(s):

* ^ Printed Name The Spinx Company, LLC (Mitch Riese, agent)

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature Mitch Riese Digitally signed by Mitch Riese
DN: c=US, E=mriese@spinxco.com,
O=Spinx, CN=Mitch Riese
Date: 2024.03.11 14:35:16-0400'

Title Construction Manager Email mriese@spinxco.com

Address of Property Owner 1414 E. Washington St. Greenville, SC 29607

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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.

PROJECT/PETITIONER NUMBER:	(A24-16-SPR)
PETITIONER NAME:	Dignity Funeral Services Inc [Applicant/Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Preliminary Site Plan Packet3. Application / Owner Signature Addendum

PRELIMINARY SITE PLAN REVIEW-CHURCH STREET
FUNERAL & CREMATION PARKING EXPANSION (A24-16-SPR)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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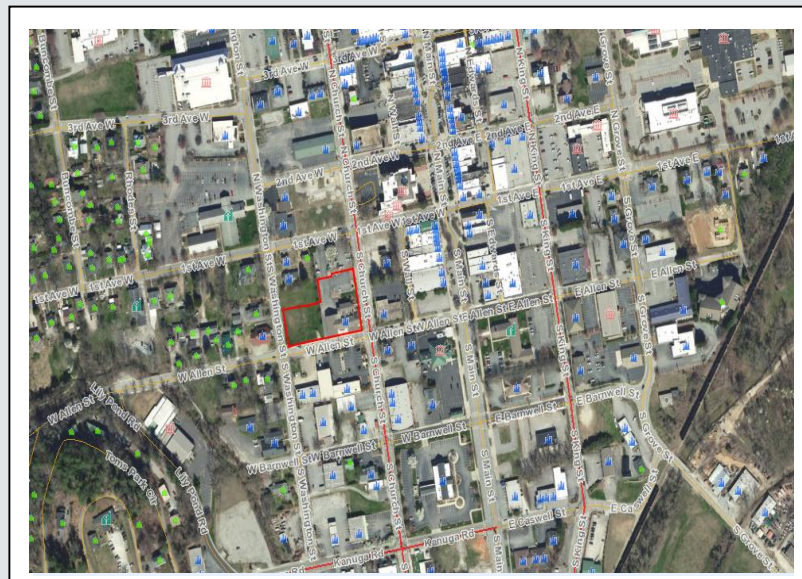
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PROJECT SUMMARY

- Project Name & Case #:
 - Church Street Funeral and Cremation Parking Expansion.
 - A24-16-SPR
- Applicant & Property Owner:
 - Dignity Funeral Services Inc. [Applicant and Owner]
- Property Address:
 - 125 S. Church Street
- Project Acreage:
 - 1.12 Acres
- Parcel Identification (PIN):
 - 9568-76-5983
- Parcel Zoning:
 - CMU-Central Mixed Use
- Future Land Use Designation:
 - Downtown Core
 - Downtown Support
- Requested Uses:
 - Funeral homes (existing use)
 - Adding additional parking for existing use.
- Type of Review:
 - **Administrative**- Decisions made in the implementation, administration, or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards set forth in the Zoning Ordinance.



SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for preliminary site plan review from James E Altmeyer Jr. of Dignity Funeral Services Inc. The applicant is proposing to construct a 13, 843 square foot parking addition to the existing 15,690 square foot parking area.

The proposed site plan shows adding 46 new parking spaces to the site. There are 14 existing parking spaces that will remain unchanged. Once completed the site will have a total of 60 parking spaces (3 of which will be accessible).

Due to this development adding more than 30 parking spaces the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.

The project will be developed in accordance with the underlying CMU, Central Mixed-Use zoning.

PRELIMINARY SITE PLAN REVIEW GUIDELINES

Review of Preliminary Site Plans

Review of preliminary site plans applies to larger projects where the costs of developing detailed final plans can be substantial. It is designed to provide the applicant an opportunity to obtain authorization for a site specific development while incurring reduced expense. Review of preliminary plans is a function of the Planning Board.

Preliminary plan review is required of all development undergoing Site Plan Review for the following:

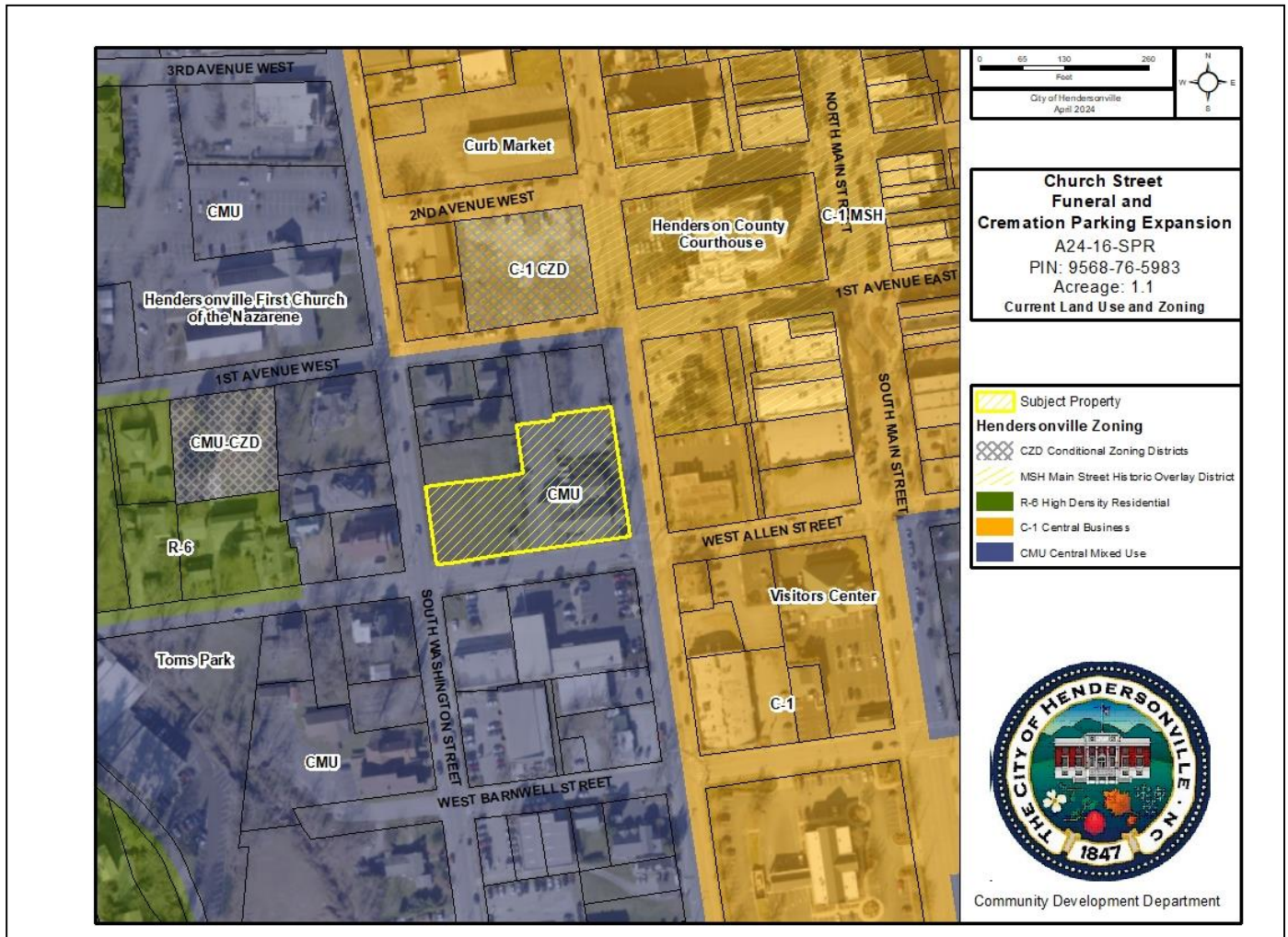
- Any commercial, industrial or institutional development consisting of more than 20,000 square feet of floor area.
- Addition of more than 30 parking spaces.
- Any Minor Planned Residential Development consisting of 9 or more dwelling units.

An application for preliminary site plan approval shall not be approved unless the planning board determines that the application and final site plan demonstrate compliance with this ordinance, including the provisions of section 7-11 below, and other applicable regulations.

The planning board may impose such reasonable conditions on an approval as will ensure such compliance with this ordinance.

Approval of a preliminary site plan shall not entitle the applicant to the issuance of a zoning compliance permit. Upon approval of the preliminary site plan by the Planning Board the applicant must then submit an application and final site plans meeting the requirements of of the zoning ordinance, in addition to any other approval including but not limited to stormwater approval, utility approval, driveway permits, land disturbance approval, etc. The applicant shall have two years from the date of such approval to obtain final site plan approval.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is zoned CMU, Central Mixed Use and contains an active funeral and cremation business.

There are various zoning districts and uses surrounding the subject property. Parcels to the east are zoned C-1 Central Business and encompasses Hendersonville's downtown core. Some of the parcels to the east are within the Main Street Historic Overlay District. Parcels to the south are zoned CMU. This area contains the commercial uses that line Church Street and South Washington Street. Parcels to the west are zoned CMU, R-6 and CMU-CZD. This area is the start of the transition between the highly commercial downtown area into the traditional residential neighborhoods on the avenues. This area has a variety of housing types including single family, two family and multi-family housing. Parcels to the north are zoned CMU, C-1, and C-1-CZD. The C-1 CZD property was reviewed and approved by City Council for a downtown boutique hotel.

SITE IMAGES



View of the vacant lot where the funeral home proposes to build their additional parking area.



View of a vacant parking lot adjacent to the subject property. The two adjacent vacant parking lots are on separate parcels and are owned by a different individual. The current owner of these lots will not allow the funeral home to use these existing lots for funeral home parking.

SITE IMAGES



View of the existing parking area.



View of the existing rear access from W. Allen where the new parking lot will tie into.

PROPOSED DEVELOPMENT DETAILS

- **Proposed Use:** Funeral homes (existing use)
 - 17,300 square feet (total)
 - 9,300 square feet (main floor)
 - 8,000 square feet (basement)
 - No changes to the building are proposed.
- **Site:**
 - 1.12 Acres
 - No floodplain is present on the site.
 - No steep slopes are present on the site.
 - Two blueline streams are shown on the USGS maps, but according to the site plan these streams were piped long ago.
- **Streets/ Access**
 - The site is proposed to continue to use its existing accesses off Church Street and W. Allen Street.
- **Parking**
 - Mortuary, funeral homes, cemeteries, mausoleums, columbariums, memorial gardens, crematoriums: 1 per each 4 seats in assembly room or chapel.
 - Required: 43 parking spaces (170 Seat Chapel)
 - Proposed: 60 Parking spaces (46 new and 14 existing/not changing).
 - 3 accessible spaces.
- **Landscaping**
 - This development will be required to provide:
 - Vehicular Use Landscaping (Sec. 15-9. - Landscaping for vehicular use areas.)
 - Interior parking lot plantings.
 - Planting strip plantings (along vacant property to the north of the new parking lot).
 - Buffer from street plantings.
 - Street trees (Sec. 5-19. -Central Mixed Use.)
 - Open Space trees and shrubs (Sec. 15-13. - Special provisions regarding open space landscaping in Mixed Use Districts)
- **Public Utilities**
 - The site will continue to be served by all City of Hendersonville services.

OUTSTANDING PRELIMINARY SITE PLAN COMMENTS

COMMUNITY DEVELOPMENT

Site Plan Comments:

The preliminary site plan accompanying this petition meets the standards established by the Zoning Ordinance for developments in the CMU, Central Mixed Use Zoning District (5-19), and Preliminary Site Plan (7-3-3) with the following exceptions:

- None
 - Comments that will be reviewed/addressed during final site plan review process and do not need to be addressed during the preliminary site plan review process:
 - Landscaping:
 - Final determination on planting credits, species, locations, final quantity of required vs. proposed new plantings. The current plans show “areas to be screened, fenced, walled and/or landscaped” which is what is required at the preliminary site plan stage.
 - All final landscaping comments will be addressed as part of the final site plan approval between City staff and the project designer in accordance with the City’s ordinances.
 - Labeling
 - One property owned by HVL Property Holdings is listed as C-2 Secondary Business when it is actually zoned C-1 Central Business. This label will be corrected in the final site plan review process.

CITY ENGINEER

Preliminary Site Plan Comments:

- None

WATER / SEWER

Preliminary Site Plan Comments:

- None

FIRE MARSHAL

Preliminary Site Plan Comments:

- None

STORMWATER ADMINISTRATOR

Preliminary Site Plan Comments:

- None

FLOODPLAIN ADMINISTRATOR

Preliminary Site Plan Comments:

- None

PUBLIC WORKS**Preliminary Site Plan Comments:**

- None

NCDOT**Preliminary Site Plan Comments:**

- None

TRANSPORTATION CONSULTANT**Preliminary Site Plan Comments:**

- None (the proposed use and square footage does not trigger a TIA).

STAFF ANALYSIS**Zoning Compliance:**

Based on the review by staff, the submitted preliminary site plan for the Church Street Funeral and Cremation Parking Expansion Project meets the Zoning Ordinance standards established for commercial projects within the CMU, Central Mixed-Use District and Preliminary Site Plan Review (Section 7-3-3.2).

Point	Northing	Easting	Elev.	Invert In	Invert In	Invert In	Invert Out
SSMH 1	587216.733	967491.287	2114.34				2110.94
SSMH 2	587254.088	967760.155	2116.97	2106.67	2106.47		2106.37
SSMH 3	587279.593	967783.317	2117.31				2108.61
SSMH 4	587255.977	967776.612	2117.75	2108.75	2109.75	2111.85	2108.65
SSMH 5	586907.205	967811.576	2115.93	2106.03	2106.63		2105.93
SSMH 6	586897.615	967828.726	2115.55				2109.35
SSMH 7	586853.338	967455.010	2106.46	2106.46	2098.86		
SSMH 8	587177.466	967419.201	2115.69				2111.79
SSMH 9	586862.563	967444.817	2106.82	2101.12			2101.02
SSMH 10	586847.293	967405.495	2107.40				2100.6

Point	Northing	Easting	Elev.	Invert In	Invert In	Invert In	Invert Out
C/B 1	586897.538	967848.477	2115.98				2111.38
C/B 2	586928.048	967844.509	2116.06	2110.96	2110.96		2110.86
C/B 3	586939.034	967827.035	2115.33	2110.43			2110.03
C/B 4	586932.858	967786.018	2115.16	2109.96			2110.06
C/B 5	586877.778	967481.995		Unable to Obtain Inverts			
C/B 6	586888.198	967468.885	2105.68				2101.18
C/B 7	586846.524	967486.419	2105.61				2102.31
C/B 8	586883.753	967433.734	2107.14				2104.36
D/I 1	586922.508	967701.068	2109.80	2109.30	2109.30	2109.10	
D/I 2	587001.731	967612.387	2108.94	Unable to Obtain Inverts			2107.90

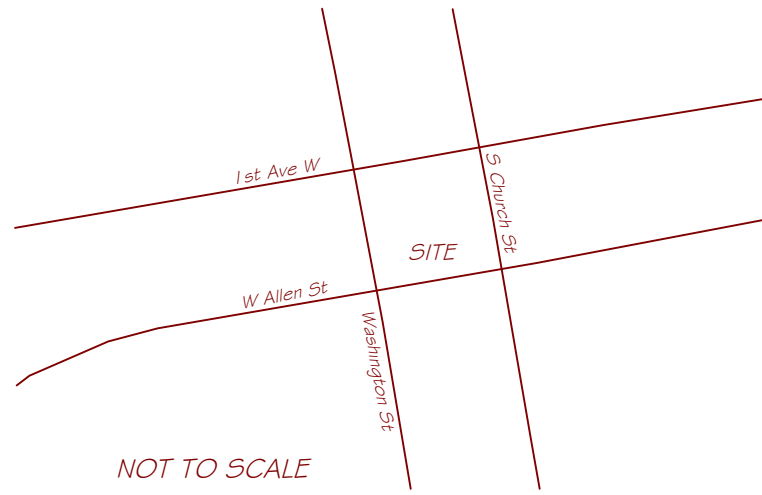
1.12 Acres
Area By Coordinate Computation

Building Setbacks as per
City of Hendersonville CMU Zoning:
Front: 12' from Back of Curb
Side: 5' if borders a street
Rear: 5' in borders a street

- Notes:
1. Property is subject to all easements, restrictions and right of ways of record.
 2. The locations of underground utilities are based on above-ground structures and record drawings provided to the surveyor. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered.
 3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate title search may disclose.
 4. The certification of survey and plat was prepared for the entity named in the title block hereon and does not extend to any other entity, unless recertified by the professional land surveyor.
 5. All miscellaneous survey related materials, including but not limited to, project plans, deed and ROW/ easement maps, field notes and data, survey reports, record title report, calculations, working drawings, estimates, and other materials acquired and/or prepared by the surveyor as instruments of service shall remain the property of the surveyor and assigns. 6. This drawing is not valid unless the original signature and stamp are attached. Any reproduction or variance to this survey by electronic or any other means are not to be considered issued by the professional surveyor.
 7. Property is currently zoned CMU as per City of Hendersonville.
 8. Property is not located in a Water Supply Watershed.
 9. Property is not located within 1/2 mile of a designated Farmland Preservation District.
 10. Property is located in Zone X, Minimal Flood Risk as per FRIS Map Panel 956B, Map # 370095G800U effective date 10-02-2008.
 11. Contour Lines are at 1' intervals.

- Legend:
- ECM = Existing Concrete Monument
 - EIP = Existing Iron Pipe
 - EIS = Existing Iron Stake
 - IPS = Iron Pipe Set
 - U = Unmarked Point, Unless Otherwise Noted
 - ROW/MON = Right of Way Monument
 - ROW = Right of Way
 - RRS = Railroad Spike
 - TBM = Temporary Benchmark
 - P/P = Power Pole
 - WM = Water Meter
 - WV = Water Valve
 - UPed = Utility Pedestal
 - CMP = Corrugated Metal Pipe
 - LP = Light Pole
 - F/H = Fire Hydrant
 - SSMH = Sanitary Sewer Manhole
 - STMH = Stormwater Manhole
 - C/B = Catch Basin
 - D/I = Drop Inlet
 - TL Pole = Traffic Light Pole
 - T/S Box = Traffic Signal Box
 - = Fence

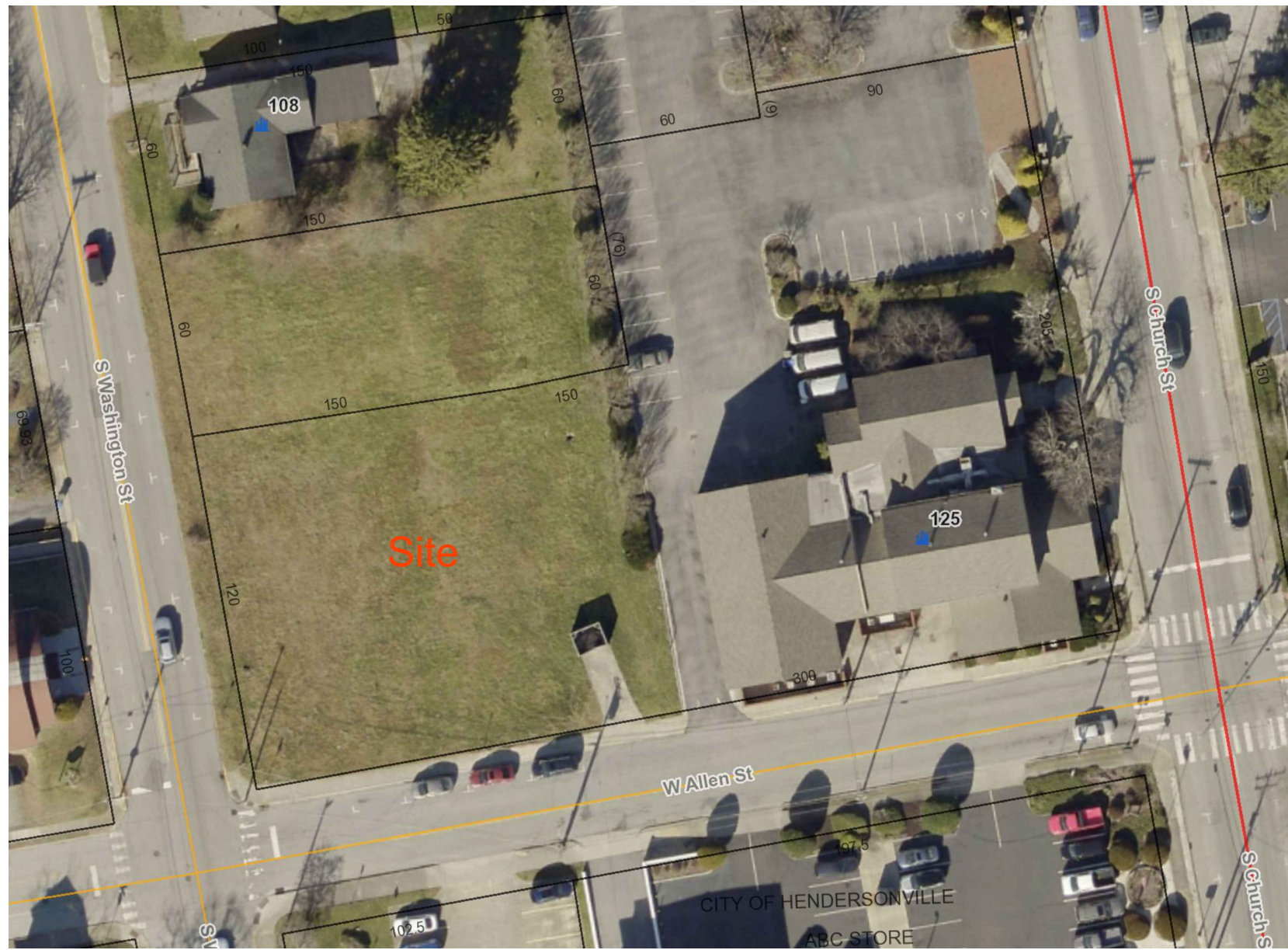
Global Positioning System Certification (RTK)
The Positional Accuracy Of The RTK Derived Positional Information Is 0.03' Horizontal & 0.03' Vertical
Horizontal Positions Are Referenced to NAD 83 (NRS 2011)
Vertical Positions Are Referenced to NAVD 88 (Geoid 12)
Combined Factor 0.99977581 (Ground To Grid)
Equipment Used: Carlson GPS-BRX6



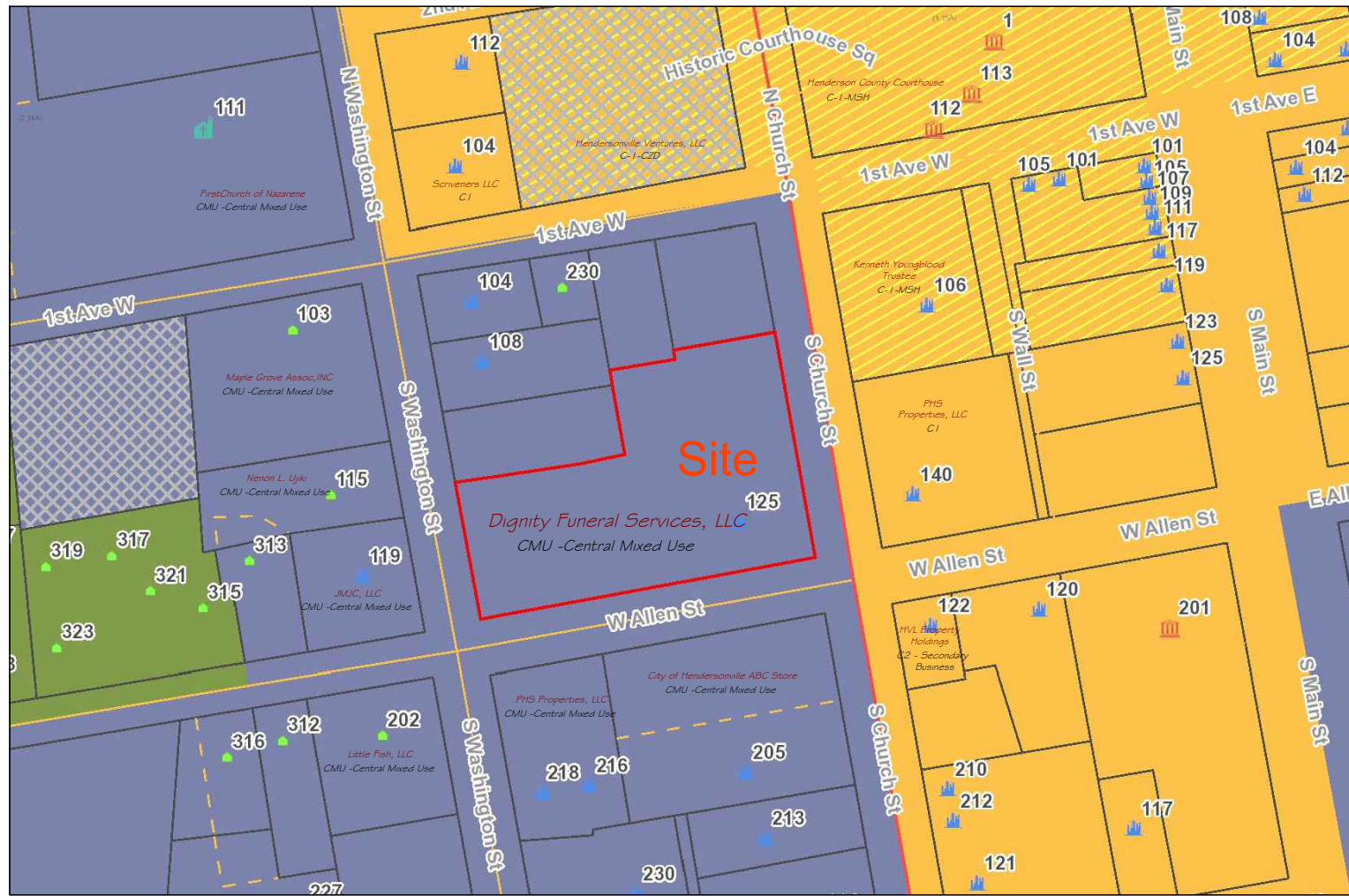
Notes:
1. There are no streams visible on this property.
Some maps show 2 streams on the property. If they ever existed they were piped many years ago.



Vicinity Map - Not to Scale



Aerial Map - 1" = 50'



Zoning Map - n.t.s.

Tree Symbols

403 Tree to Remain - See Tree Protection Notes

169 Tree to Remove

Survey - by Associated Land Surveyors

Other Consultants:

Owner / Developer
Dignity Funeral Services, Inc.

Project:
New Parking Area for
Dignity Funeral Services, Inc.

Sheet:
Survey

Designed By:

cds Creative Development Solutions
landscape architecture | land planning | community and resort design
1003 4th Avenue West, Hendersonville, North Carolina 28739
p 828 696 9922 | f 828 696 9924

ISSUE DATE: December 18, 2023

REVISIONS: April 10, 2024 - City comments
April 25, 2024 - City comments

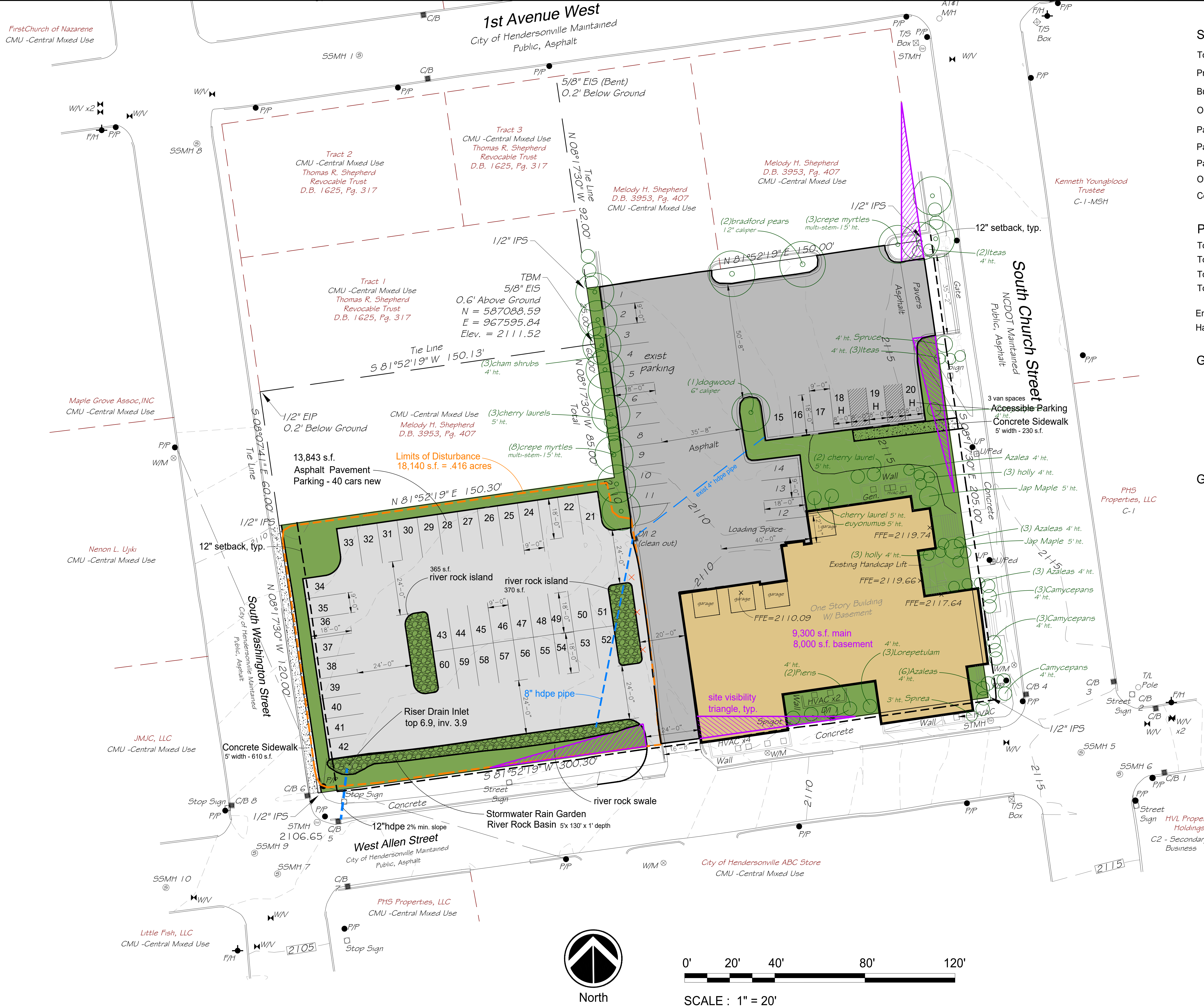
DESIGNED BY: DB

DRAWN BY: SB

APPROVED BY: DSB

Project Number:

SHEET NUMBER:
L1



Site Calculations

Total Project Area = 1.12 acres / 48,787 s.f.
Proposed Lot Area Area = 1.12 acres / 48,787 s.f.
Buildings Site Coverage = 9,300 s.f. = 19%
Open Space Site Coverage = 9,405 s.f. = 19.2%
Parking Site Coverage existing = 15,690 s.f. = 32.2%
Parking Site Coverage proposed= 13,843 s.f. = 28.3%
Parking Site Coverage total = 29,533 s.f. = 60.5%
Other Site Coverage (sidewalks) = 380 s.f. = 0.7%
Common Open Space Site Coverage = 9,405 s.f. = 19.2%

Parking Calculations

Total Existing Parking unchanged = 14 spaces
Total New Parking = 46 spaces, 3 are accessible
Total Parking provided = 60 spaces, 3 are accessible
Total Parking required = 1 space per 4 seats of chapel
170 seat chapel = 43 spaces required
Employee Parking provided - 4 employees = 4 spaces
Handicap Parking provided - 3 spaces - van accessible

Grading Calculations

Total Proposed Disturbed Area = 18,140 s.f./ .416 acres
Percentage of Lot Disturbed = 37%
Proposed New Impervious Area = 14,163 s.f.
.325 acres
New Percentage of Lot Impervious Area = 29%

General Notes

The average slope in the area of construction for this site is approximately 1.3%
There are no floodplains on or adjacent to this property
This project is within the City Limits of Hendersonville
There is no new lighting proposed with this project.
There are no streams visible on this property. Some maps show 2 streams on the property. If they ever existed they were piped many years ago and no evidence of their existence.

Urban Open Space

The total s.f. of the main floor of this building is 9,300 s.f. with a basement level of 8,000 s.f.
Total s.f. of building is 17,300 s.f. which is below the 20,000 s.f. threshold for urban open space requirements.
Open Space Site Coverage = 9,405 s.f. = 19.2%

Other Consultants:

Owner / Developer
Dignity Funeral Services, Inc.

Project:
New Parking Area for
Dignity Funeral Services, Inc.

Sheet:
Site Plan

Designed By:

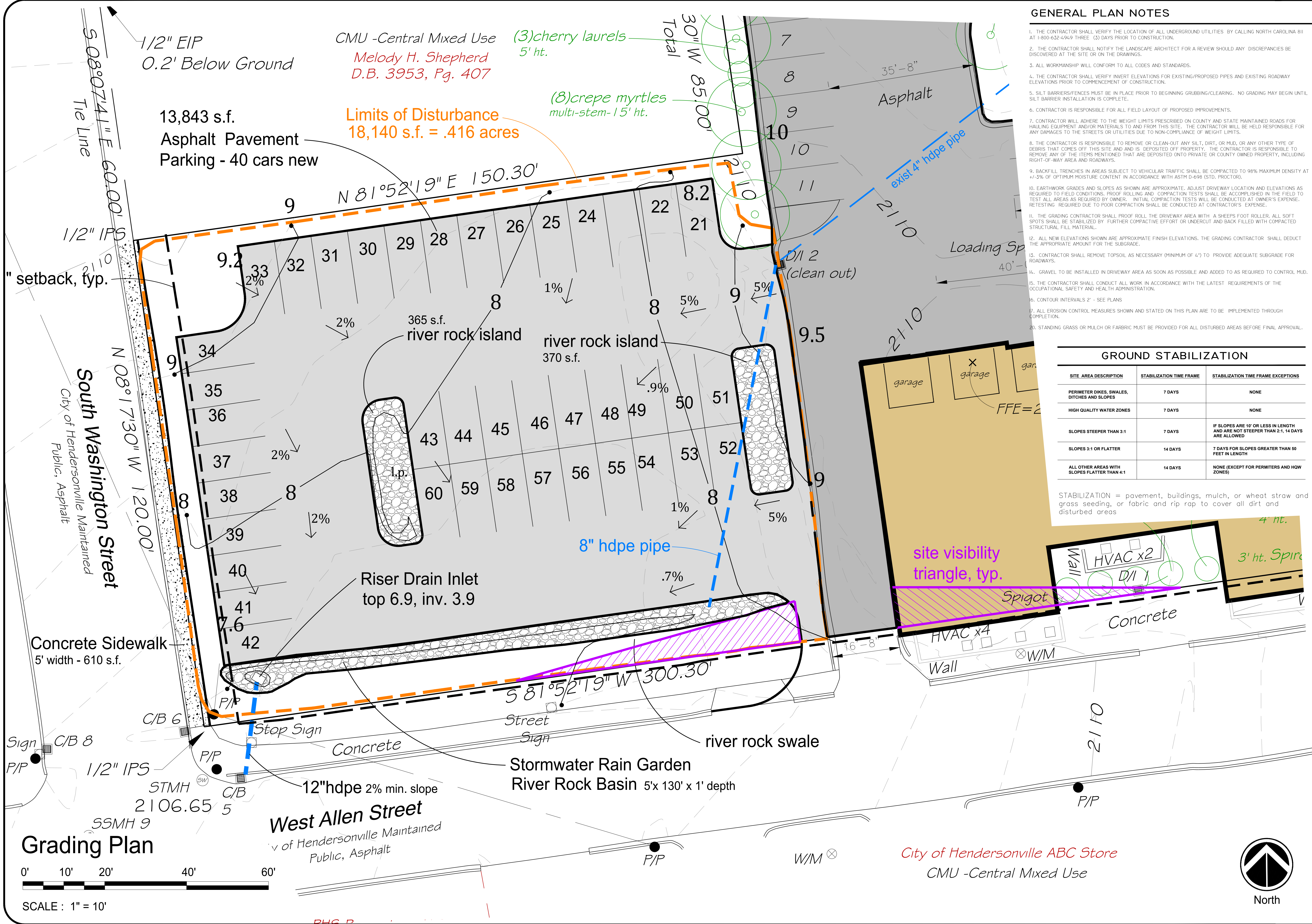
cds Creative Development Solutions
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1003 4th Avenue West, Hendersonville, North Carolina 28739
p 828.696.9992 | f 828.696.9924

ISSUE DATE:	December 18, 2023
REVISIONS:	April 10, 2024 - City comments April 23, 2024 - City comments
DESIGNED BY:	DB
DRAWN BY:	SB
APPROVED BY:	DSB

Project Number:

SHEET NUMBER:
L2





GENERAL PLAN NOTES

1. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES. BY CALLING NORTH CAROLINA 811 AT 1-800-632-4949 THREE (3) DAYS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT FOR A REVIEW SHOULD ANY DISCREPANCIES BE DISCOVERED AT THE SITE OR ON THE DRAWINGS.
3. ALL WORKMANSHIP WILL CONFORM TO ALL CODES AND STANDARDS.
4. THE CONTRACTOR SHALL VERIFY INVERT ELEVATIONS FOR EXISTING/PROPOSED PIPES AND EXISTING ROADWAY ELEVATIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
5. SILT BARRIERS/FENCES MUST BE IN PLACE PRIOR TO BEGINNING GRUBBING/CLEARING. NO GRADING MAY BEGIN UNTIL SILT BARRIER INSTALLATION IS COMPLETE.
6. CONTRACTOR IS RESPONSIBLE FOR ALL FIELD LAYOUT OF PROPOSED IMPROVEMENTS.
7. CONTRACTOR WILL ADHERE TO THE WEIGHT LIMITS PRESCRIBED ON COUNTY AND STATE MAINTAINED ROADS FOR HAULING EQUIPMENT AND/OR MATERIALS TO AND FROM THIS SITE. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO THE STREETS OR UTILITIES DUE TO NON-COMPLIANCE OF WEIGHT LIMITS.
8. THE CONTRACTOR IS RESPONSIBLE TO REMOVE OR CLEAN-OUT ANY SILT, DIRT, OR MUD, OR ANY OTHER TYPE OF DEBRIS THAT COMES OFF THIS SITE AND IS DEPOSITED OFF PROPERTY. THE CONTRACTOR IS RESPONSIBLE TO REMOVE ANY OF THE ITEMS MENTIONED THAT ARE DEPOSITED ONTO PRIVATE OR COUNTY OWNED PROPERTY, INCLUDING RIGHT-OF-WAY AREA AND ROADWAYS.
9. BACKFILL TRENCHES IN AREAS SUBJECT TO VEHICULAR TRAFFIC SHALL BE COMPACTED TO 98% MAXIMUM DENSITY AT +/- 3% OF OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D-698 (STD. PROCTOR).
10. EARTHWORK GRADES AND SLOPES AS SHOWN ARE APPROXIMATE. ADJUST DRIVEWAY LOCATION AND ELEVATIONS AS REQUIRED TO FIELD CONDITIONS. PROOF ROLLING AND COMPACTION TESTS SHALL BE ACCOMPLISHED IN THE FIELD TO TEST ALL AREAS AS REQUIRED BY OWNER. INITIAL COMPACTION TESTS WILL BE CONDUCTED AT OWNER'S EXPENSE. RETESTING REQUIRED DUE TO POOR COMPACTION SHALL BE CONDUCTED AT CONTRACTOR'S EXPENSE.
11. THE GRADING CONTRACTOR SHALL PROOF ROLL THE DRIVEWAY AREA WITH A SHEEPS FOOT ROLLER. ALL SOFT SPOTS SHALL BE STABILIZED BY FURTHER COMPACTIVE EFFORT OR UNDERCUT AND BACK FILLED WITH COMPACTED STRUCTURAL FILL MATERIAL.
12. ALL NEW ELEVATIONS SHOWN ARE APPROXIMATE FINISH ELEVATIONS. THE GRADING CONTRACTOR SHALL DEDUCT THE APPROPRIATE AMOUNT FOR THE SUBGRADE.
13. CONTRACTOR SHALL REMOVE TOPSOIL AS NECESSARY (MINIMUM OF 4") TO PROVIDE ADEQUATE SUBGRADE FOR ROADWAYS.
14. GRAVEL TO BE INSTALLED IN DRIVEWAY AREA AS SOON AS POSSIBLE AND ADDED TO AS REQUIRED TO CONTROL MUD.
15. THE CONTRACTOR SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.
16. CONTOUR INTERVALS 2' - SEE PLANS
17. ALL EROSION CONTROL MEASURES SHOWN AND STATED ON THIS PLAN ARE TO BE IMPLEMENTED THROUGH COMPLETION.
18. STANDING GRASS OR MULCH OR FABRIC MUST BE PROVIDED FOR ALL DISTURBED AREAS BEFORE FINAL APPROVAL.

GROUND STABILIZATION

SITE AREA DESCRIPTION	STABILIZATION TIME FRAME	STABILIZATION TIME FRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES AND SLOPES	7 DAYS	NONE
HIGH QUALITY WATER ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50 FEET IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE (EXCEPT FOR PERMITTERS AND HOW ZONES)

STABILIZATION = pavement, buildings, mulch, or wheat straw and grass seeding, or fabric and rip rap to cover all dirt and disturbed areas

Other Consultants:

Engineer - WGLA Engineering
Surveyor - Associated Land Surveying

Owner / Developer

Dignity Funeral Services, Inc.

-Owners-
D.B. 3920 PG, 572,
PIN: 9568- 76- 5983-00000

Project:

New Parking Area for
Dignity Funeral Services, Inc.

125 S. Chruuch Street
Hendersonville Township, Henderson County, NC

Sheet:

Grading Plan

Designed By:

cds Creative Development Solutions
landscape architecture | land planning | community and resort design
1003 4th Avenue West, Hendersonville, North Carolina 28739
p 828 696 9922 | f 828 696 9924

ISSUE DATE:

December 18, 2023

REVISIONS:

April 10, 2024 - City comments
April 29, 2024 - City comments

DESIGNED BY:

DB

DRAWN BY:

SB

APPROVED BY:

DSB

Project Number:

SHEET NUMBER:

L3



North

Landscape Calculations

Parking interior - 50% of trees and shrubs required in islands required - 1 large tree and 2 shrubs per 4,000 s.f

Existing Parking Area = 15,690 s.f. = 4 trees required + 8 shrubs
Existing Credits used = 4 trees (6" cal)

New Parking Area = 13,843 s.f. = 4 trees required + 7 shrubs

Plant Strip - required - 1 tree and 5 shrubs per 40 l.f

New Parking North plant strip = 150 l.f. = 4 trees required + 19 shrubs

Existing Parking west plant strip = 90 l.f. = 3 trees required + 12 shrubs
Existing Credits used = 3 tree credits + 6 shrubs

Buffer from Street - required - 1 shrub per 5'

New Parking - S. Washington Street = 120 l.f = 24 shrubs

New Parking - West Allen Street = 155 l.f = 31 shrubs required

Existing Parking - South Church Street = 45 l.f = 9 shrubs required
Existing Credits used = 7 shrubs

CMU Street Trees- required - 1 large tree per 35' or 1 small tree per 25'

S. Washington Street = 120 l.f = 4 large or 5 small trees

West Allen Street = 300 l.f = 9 large or 12 small trees

South Church Street = 205 l.f = 6 large or 9 small trees
Existing Credits used = 5 small trees

Urban Open Space - Exempt due to building size under 20,000 s.f.

Common Open Space Required 10% - Provided = 9,405 s.f. = 19.2%

Total Trees - required (2" caliper) = 15 trees - 7 tree credits used = 8 trees

(3-1/2" caliper) = 19 trees - 5 small Tree Credits used = 14 trees

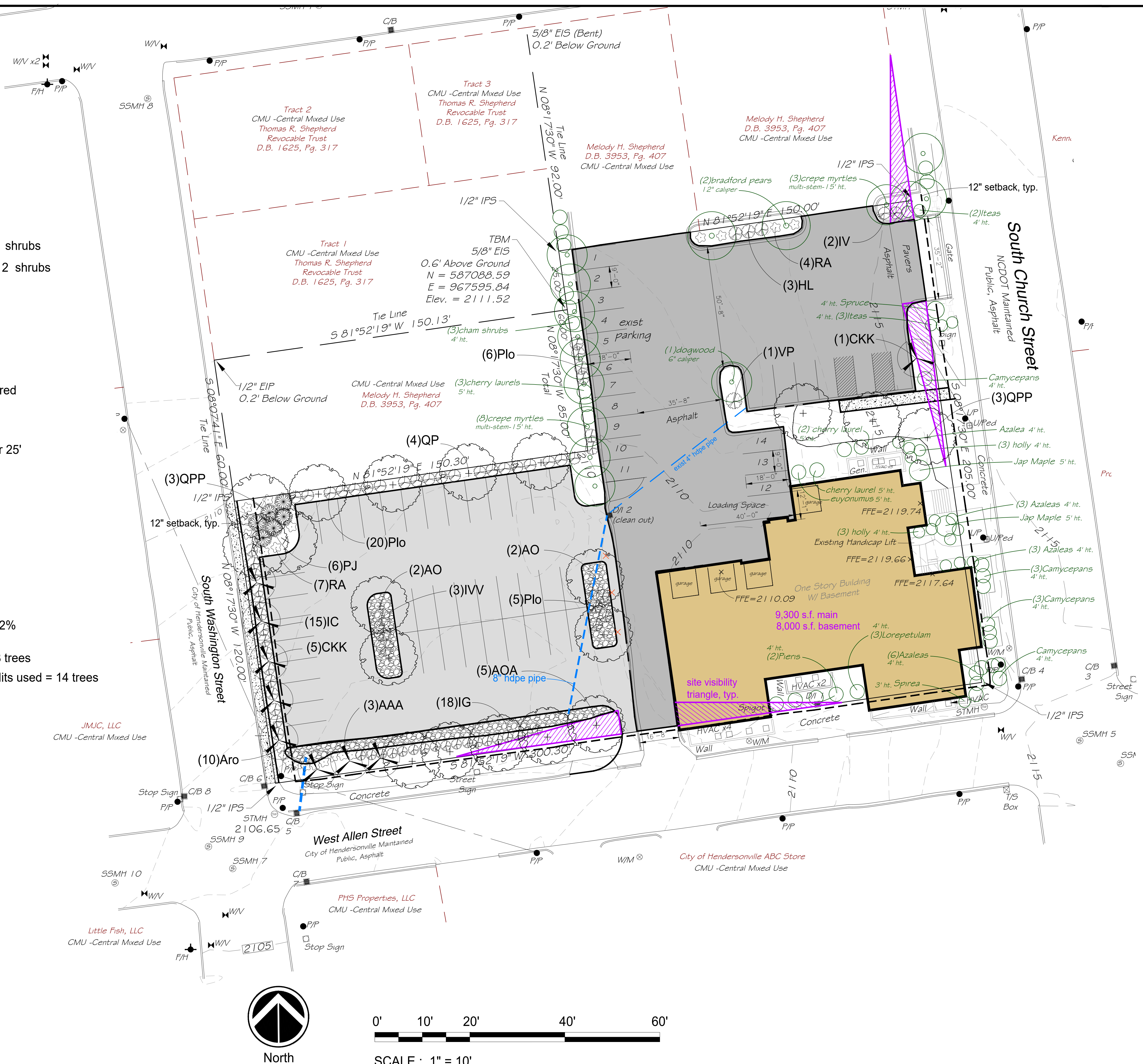
Total Trees - provided - 27 trees - 19 large and 8 small

Total Shrubs - required - 110 shrubs

Total Shrubs - provided - 100 shrubs

Total Tree Credits - Used = 12 trees

Total Shrub Credits - Used = 13 shrubs



Other Consultants:

Owner / Developer
Dignity Funeral Services, Inc.

Project:
New Parking Area for
Dignity Funeral Services, Inc.
125 S. Church Street
Hendersonville Township, Henderson County, NC

Sheet:

Landscape Plan

Designed By:

cds Creative Development Solutions
landscape architecture | land planning | community and resort design
1003 4th Avenue West, Hendersonville, North Carolina 28739
p 828 696 9922 | f 828 696 9924

ISSUE DATE: December 18, 2023
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DESIGNED BY: DB
DRAWN BY: SB
APPROVED BY: DSB

Project Number:

SHEET NUMBER:
L3

Project Plant List

Trees - 27 Total

Key	Qty	Botonical Name	Common Name	Size	Remarks
AO	4	Acer 'October Glory'	October Glory Maple	2" Caliper, 10' Height	B&B, Single Straight Leader
AOA	5	Acer 'October Glory'	October Glory Maple	3-1/2" Caliper, 15' Height	B&B, Single Straight Leader
AAA	3	Amelchachier' Autumn Brilliance'	Autumn Brilliance Serviceberry	3-1/2" Caliper, 12' Height	B&B, Single Straight Leader
CKK	5	Cornus kousa ' Milky Way'	Milky Way Kousa Dogwood	3-1/2" Caliper, 12' Height	B&B, Single Straight Leader
QP	4	Quercus phellos	Willow Oak	2" Caliper, 10' Height	B&B, Single Straight Leader
QPP	6	Quercus phellos	Willow Oak	3-1/2" Caliper, 12' Height	B&B, Single Straight Leader



AO - October Glory Maple



QP -Willow Oak



CK - Kousa Dogwood



AAA -Autumn Brilliance Serviceberry

Evergreen Shrubs - 81 Total

Key	Qty	Botonical Name	Common Name	Size	Remarks
IC	15	Ilex crenata 'convexa'	Compact Japanese Holly	3 gallon, 18" Height	Full Plant
IG	18	Ilex glabra 'Shamrock'	Shamrock Holly	3 gallon, 18" Height	Full Plant
PLO	31	Prunus laurocerasus 'Otto Luyken'	Otto Luyken Cherry Laurel	3 gallon, 18" Height	Full Plant
PJ	6	Pieris japonica 'Mt. Fire'	Mt. Fire Pieris	3 gallon, 18" Height	Full Plant
RA	11	Rhodonderdron 'Autumn Amethyst'	'Autumn Amethyst Azalea	3 gallon, 18" Height	Full Plant

Deciduous Shrubs - 19 Total

Key	Qty	Botonical Name	Common Name	Size	Remarks
Aro	10	Aronia 'Brilliantissima'	Brilliantissima Chokeberry	3 gallon, 18" Height	Full Plant
IVV	2	Ilex verticillata 'Red Sprite"	Red Sprite Holly	3 gallon, 18" Height	Full Plant
IVV	1	Ilex verticillata 'Jim Dandy'	Jim Dandy Holly	3 gallon, 18" Height	Full Plant
IV	2	Itea virginica 'Henry's Garnet'	Henry's Garnet Itea	3 gallon, 18" Height	Full Plant
HL	3	Hydrangea 'Limelight'	Limelight Hydrangea	3 gallon, 18" Height	Full Plant
VP	1	Viburnum pilcatum 'Shasta'	Shasta Virburnum	5 gallon, 24" Height	Full Plant



PLO - Otto Luyken Cherry Laurel



IC - Compact Japanese Holly



IG - Shamrock Holly



RA - Autumn Amethyst Azalea

Landscape Notes

- ALL AREAS SHOWN AS LARGE TREES, SMALL FLOWERING TREES, AND SHRUB AND PERENNIAL LANDSCAPING ON THE LANDSCAPE PLAN IS TO BE MULCHED AND SHALL RECEIVE A 3" DEPTH OF SHREDDED PINE BARK MULCH.
- CONTRACTOR SHALL VERIFY QUANTITIES ON THE PLAN AND IS RESPONSIBLE FOR ALL PLANTS AS SHOWN ON THE PLANT LIST. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT. PROVIDE UNIT PRICES FOR ALL PLANT AND TREE MATERIALS.
- CONTRACTOR SHALL GUARANTEE ALL PLANTINGS FOR ONE YEAR FROM COMPLETION OF WORK. REPLACEMENT PLANTS AND LABOR SHALL BE PROVIDED AT CONTRACTORS' EXPENSE.
- PRUNE ONLY AS DIRECTED BY LANDSCAPE ARCHITECT. DO NOT REMOVE THE CENTRAL LEADER OF ANY TREE OR PLANT. PLANTS SHALL NOT HAVE A SHEARED APPEARANCE AND MUST MEET MINIMUM SIZES AS INDICATED ON THE PLANT LIST.
- ALL PLANT MATERIAL IS TO CONFORM TO THE LATEST EDITION OF AMERICAN STANDARDS FOR NURSERY STOCK. SEE PLANT LIST FOR SPECIFICATIONS AND SIZES. (NOTE: SIZE TO BE 'DBH' MEASURED 6" ABOVE GROUND)
- LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL, ESPECIALLY DUE TO UNDERSIZED OR DAMAGED MATERIALS.
- CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND IDENTIFICATION OF ALL UTILITIES. ANY UTILITIES DAMAGED BY THE CONTRACTOR SHALL BE REPAIRED AT THE CONTRACTOR'S COST.
- ALL DEMOLISHED MATERIALS AND TRASH ARE TO BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.
- ALL PLANTINGS HOLES AND BEDS ARE TO BE CLEANED OF ROCKS AND DEBRIS >1". EACH PLANT OR TREE IS TO BE HOLE AMENDED AND THE EXISTING NATIVE SOIL IS TO BE AMENDED WITH 25% OF NATURES HELPER AND 25% OF ORGANIC COMPOST (OR APPROVED EQUAL), THEN THOROUGHLY MIXED TOGETHER TO CREATE A PLANTING SOIL MIX.
- ALL EXISTING AND PROPOSED TREES NOT CONTAINED WITHIN A MULCHED BED ARE TO RECEIVE A 3" DEPTH OF A 4' DIAMETER CIRCLE OF ABOVE SPECIFIED MULCH AROUND EACH TREE. EXCEPT WHERE TREES OCCUR IN SWALES, DITCHES, OR DRAINAGE PATTERNS, THEN ONLY USE 1' DIAMETER CIRCLES.
- REPORT ANY POORLY DRAINED SOILS OR ANY DRAINAGE PROBLEMS TO LANDSCAPE ARCHITECT IMMEDIATELY. FAILURE TO REPORT SUCH CONDITIONS WILL RESULT IN THE CONTRACTOR BEING RESPONSIBLE FOR CORRECTING THE PROBLEM AND REPLACING DAMAGED OR LOST PLANTS. PROPER PLANT DRAINAGE IS DEFINED BY FLOODING PLANTING HOLE TO SURROUNDING SOIL LEVEL WITH WATER AND COMPLETE PERCOLATION OF THE WATER WITHIN THE HOLE IN A 24 HOUR PERIOD.
- LANDSCAPE ARCHITECT OR OWNER TO FIELD APPROVE THE PLACEMENT OF ALL PLANT MATERIALS.
- FINE GRADE ALL PLANTING AREAS TO INSURE PROPER DRAINAGE. AREAS TO BE SEEDED ARE TO BE FREE OF DEBRIS AND ROCKS >1" PRIOR TO LAYING SOD OR APPLYING SEED.
- PRIOR TO INSTALLATION, CONTRACTOR SHALL REVIEW PLANT AND LIGHT LOCATIONS WITH LANDSCAPE ARCHITECT OR OWNER TO ELIMINATE CONFLICTS.
- PROVIDE LABOR, EQUIPMENT, MATERIALS, AND SERVICE NECESSARY TO COMPLETE THE LANDSCAPE WORK.
- INSTALL ALL PLANT MATERIALS IN ACCORDANCE WITH LOCAL CODES AND ORDINANCES.
- MAINTAIN ALL PLANT MATERIALS UNTIL FINAL ACCEPTANCE OR SUBSTANTIAL COMPLETION OF WORK. MAINTENANCE TO INCLUDE: WATERING, MULCHING, WEEDING, SPRAYING, MOWING, STRAIGHTENING, FERTILIZING, CLEANUP, ECT.



Aro - Brilliantissima Chokeberry



IVV - Red Sprite Holly
IVV - Jim Dandy Holly



IV - Henry's Garnet Itea



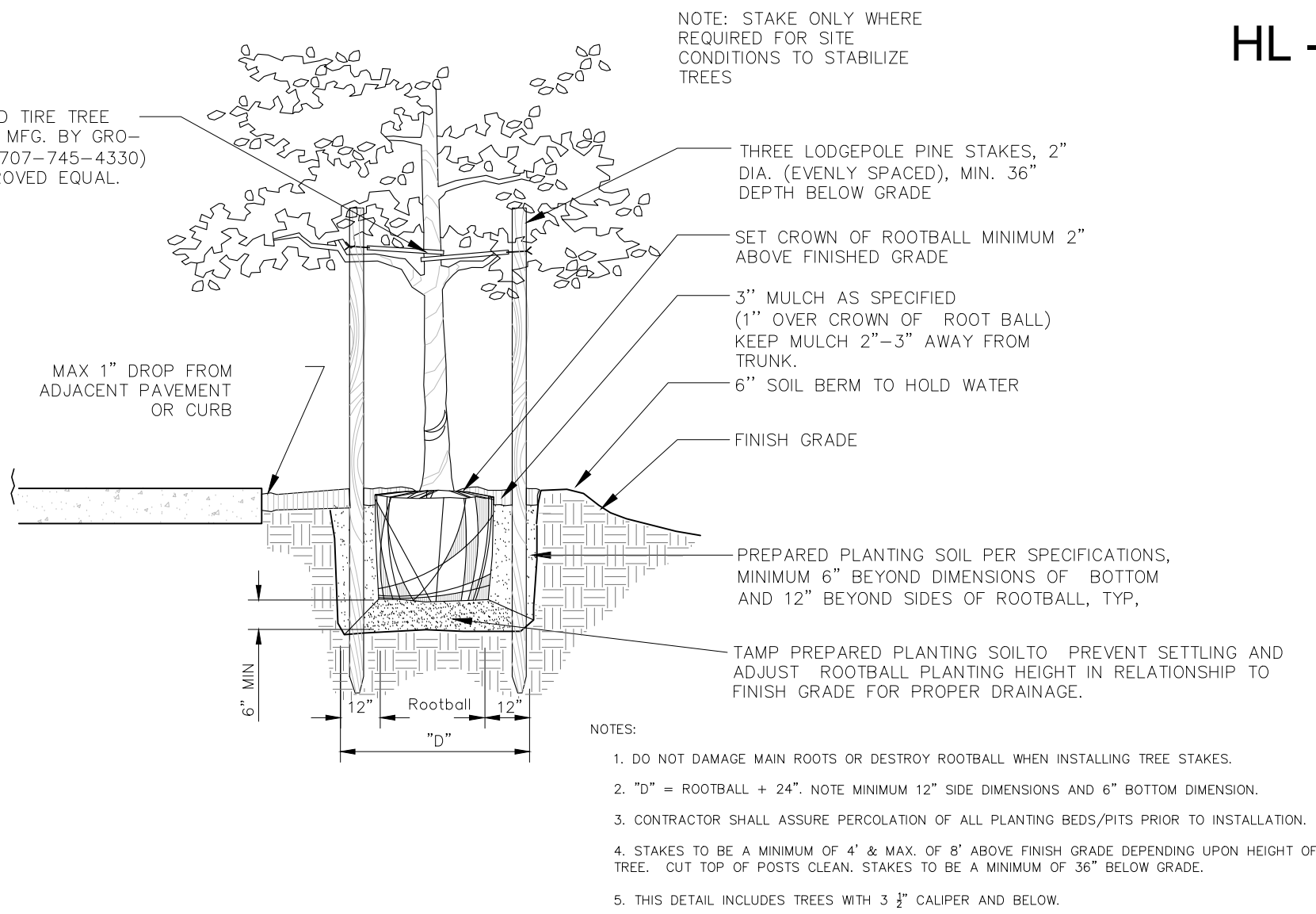
HL - Limelight Hydrangea



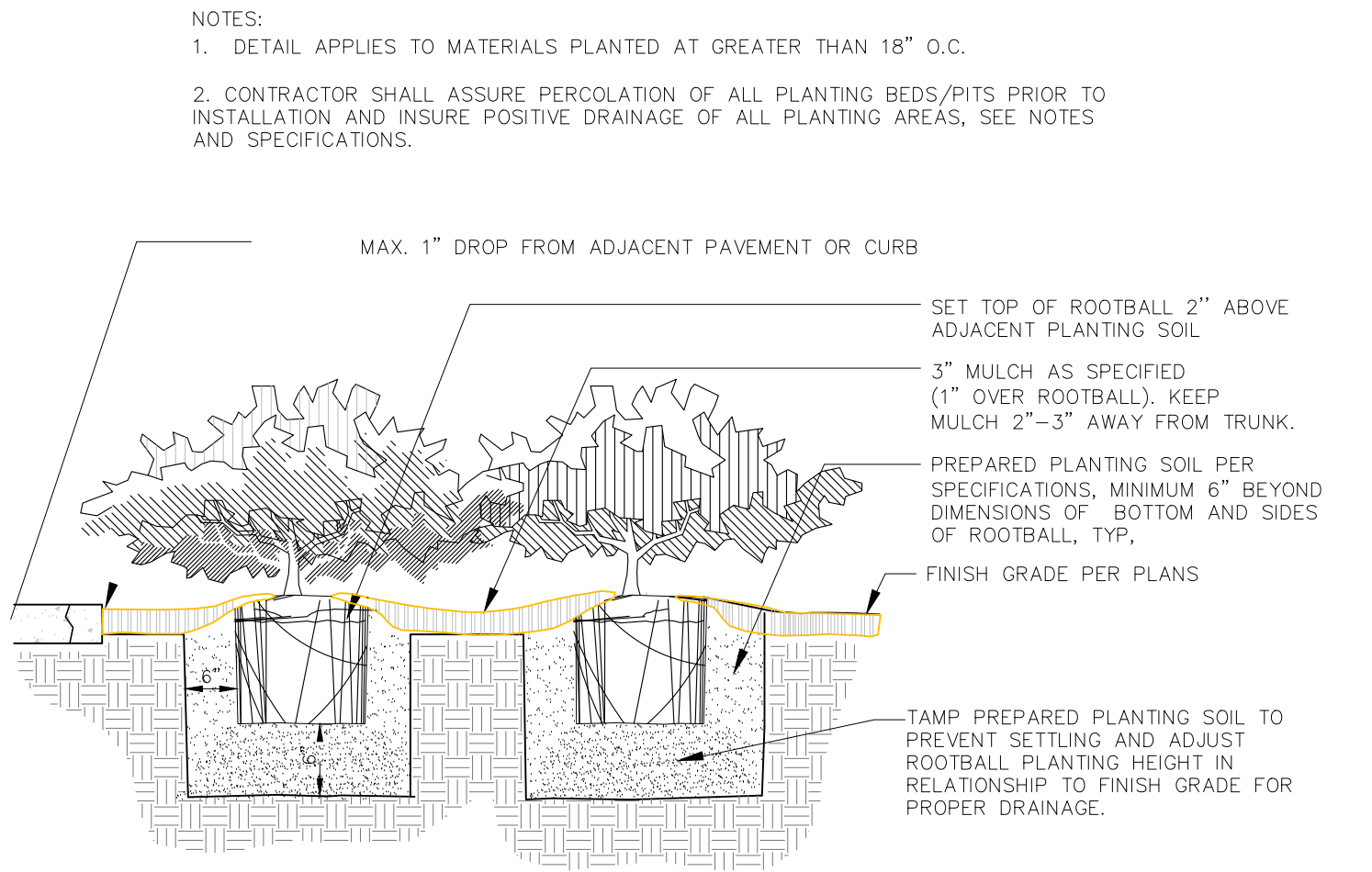
PJ - Mt. Fire Pieris



VP - Shasta Virburnum



2 Tree Planting Detail
Scale: NTS



1 Shrub Planting Detail
Scale: NTS

Other Consultants:

Engineer - WGLA Engineering
Surveyor - Associated Land Surveying

Owner / Developer

Dignity Funeral Services, Inc.

Project:

New Parking Area for
Dignity Funeral Services, Inc.

Sheet:

Landscape Specifications

Designed By:

creative development solutions
landscape architecture | land planning | community and resort design
1003 4th avenue west, Hendersonville, north carolina 28739
p 828 696 9924 | f 828 696 9924

ISSUE DATE:

December 18, 2023
April 10, 2024 - City comments
April 26, 2024 - City comments

DESIGNED BY:

DB

DRAWN BY:

SB

APPROVED BY:

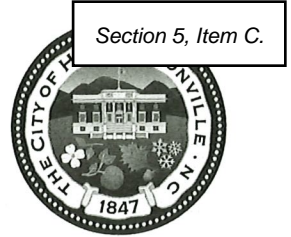
DSB

Project Number:

SHEET NUMBER :
L5



CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828)697-3010 ~ Fax (828) 697-6185
<https://www.hendersonvillenc.gov/>



APPLICATION FOR SITE PLAN REVIEW

Section 7-3 City Zoning Ordinance

The following are required to constitute a complete application for preliminary site plan review:

- ~ This form including the property owner(s) signature(s).
 - ~ Appropriate fee.
 - ~ 2 copies and a digital file of the site plan containing items in Section 7.3-3.2 of the City Zoning Ordinance.
- Projects proposing any of the following must submit a complete application at least 32 days prior to any Planning Board meeting.
- Any commercial, industrial or institutional development consisting of 20,000 or more square feet of floor area.
 - Addition of more than 30 parking spaces.
 - Any minor planned residential development consisting of nine or more dwelling units.

The following are required for final site plan review:

- ~ This form including the property owner(s) signature(s)
- ~ 2 copies of the site plan containing items in Section 7-3-4.3 of the City Zoning Ordinance

Date February 27, 2024

Type of Plan Review



Preliminary



Final

Name of Project New Parking Area for Dignity Funeral Services, Inc.

Location/Address of Property 125 S Church Street

List 10 digit PIN or 7 digit PID number for each property 9568-76-5983

Contact Information Chae T. Davis

Address 125 S. Church St. Hendersonville NC 28792

Phone 828 606 4294

Fax 828 309 0117

Email cdavis@altmeyer.com

CHECK TYPE OF DEVELOPMENT



Residential



Commercial



Other

Current Zoning CMU

Total Acreage 1.12

Proposed Building Sq.ft. 0

of Dwelling Units 0

Official Use:

DATE RECEIVED: 2/29/24 BY Terri Swann FEE RECEIVED \$ 2/29/24

Property Owners(s):

* ^ Printed Name Dignity Funeral Services Inc., DBA Church St. Funeral Home

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature [Signature]

Title President Email jimmey@attmeyer.com

Address of Property Owner 5033 Rouse Dr. Virginia Beach VA 23462

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

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.

Applicant(s): (Developer)

Printed Name Dignity Funeral Services, Inc DBA Church St. Funeral Home

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature [Handwritten Signature]

Title President Email jimmy@altmeyer.com

Address of Applicant 125 S. Church St. Hendersonville NC 28792

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____



BUSINESS CORPORATION ANNUAL REPORT

Section 5, Item C.

1/6/2022

NAME OF BUSINESS CORPORATION: Dignity Funeral Services, Inc.

SECRETARY OF STATE ID NUMBER: 1074797

STATE OF FORMATION: WV

REPORT FOR THE FISCAL YEAR END: 12/31/2023

Filing Office Use Only

E - Filed Annual Report
1074797

CA202406000421
2/29/2024 09:00

☒ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Altmeyer, James E. , Jr.

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

125 Orr's Camp Road

125 Orr's Camp Road

Hendersonville, NC 28792 Henderson County

Hendersonville, NC 28792

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Funeral Service

2. PRINCIPAL OFFICE PHONE NUMBER: (304) 242-9300

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

117 Edgington Lane

117 Edgington Lane

Wheeling, WV 26003-1534

Wheeling, WV 26003-1534

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: OFFICERS (Enter additional officers in Section E.)

NAME: James E. Altmeyer , Jr.

NAME: _____

NAME: _____

TITLE: President

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

5033 Rouse Drive

Virginia Beach, VA 23462

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

James E. Altmeyer Jr.

2/29/2024

SIGNATURE

DATE

Form must be signed by an officer listed under Section C of this form.

James E. Altmeyer Jr.

President

Print or Type Name of Officer

Print or Type Title of Officer

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525