



CITY OF HENDERSONVILLE PLANNING BOARD

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Sunday, February 14, 2021 – 4:00 PM

AGENDA

1. CALL TO ORDER

- A. Pledge of Allegiance
- B. Hold a vote on board Chair and Vice-Chair

2. AGENDA ITEMS

- C. Conditional Rezoning Application- Fleming Street Medical Office
- D. Conditional Rezoning Application- Cedars Hotel
- E. Site Plan Review Application- Dairy Street Minor PRD

3. BOARD COMMENTS

- F. Discussion: Review possible changes to City's landscaping requirements

4. STAFF COMMENTS

- G. Introduction of new staff

5. 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 City Clerk no later than 24 hours prior to the meeting at 697-3005.

Community Development Staff Report

TO: Planning Board

FROM: Community Development Department- Planning Division

RE: Fleming Street Medical Office Building Rezoning

FILE #: P20-41-CZD

DATE: December 14th, 2020

PROJECT DESCRIPTION

The City is in receipt of a Conditional Rezoning application from Carleton Collins of Carleton Collins Architecture and CCP Fleming LLC for the development of a 3 story 13,536 square foot medical office on approximately 0.86 acres. The subject property is identified as parcel numbers 9569-60-1341 and 9569-60-1454 is currently vacant. The applicant is requesting to rezone the subject property from MIC Medical, Institutional, Cultural and MIC-SU Medical, Institutional, Cultural, Special Use to MIC-CZD Medical, Institutional, Cultural Conditional Zoning District.

PREVIOUSLY APPROVED SPECIAL USE PERMIT

On August 6th, 1998, City Council at its regular meeting rezoned the subject property from R-6 High Density Residential to MIC-SU Medical, Institutional, Cultural, Special Use to allow the property owner to operate a professional office or medical facility in the existing single-family structure. The rezoning was approved By City Council with the following conditions: 1) The existing structure to remain subject to renovation and expansion per NC building code. 2) one-way entrance to the rear parking from Fleming Street. 3) one-way exit from rear parking lot from Fassifern Court. 4) No on street parking is specified. 5) the submittal of a storm water management plan that meet the City's requirements. 6) shall have a sign that does not exceed 30 square feet.

The minutes from the City Council meeting concerning this item is Appendix A in your memo.

NEIGHBORHOOD COMPATIBILITY

A neighborhood compatibility meeting concerning this application was held on November 24th, 2020. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by the Zoning

Ordinance.

Several people representing the public attended the meeting virtually. They had questions concerning height of the building, buffering, stormwater runoff and flooding. A copy of the neighborhood compatibility report accompanies this memorandum as Appendix C.

Rezoning Request Analysis

EXISTING LAND USE & ZONING

The subject property is currently zoned MIC Medical, Institutional, Cultural and MIC-SU Medical, Institutional, Cultural, Special Use and is currently vacant.

Parcels to the north are zoned MIC-SU, PID, Planned Intuition Development and R-6. Parcels to the east are zoned MIC, PID-CZD and R-6 and contain Hendersonville High School. Parcels to the south are zoned MIC, and PCD, Planned Commercial Development and contain Pardee Hospital. Parcels to the west are zoned R-6, MIC and R-15, Medium Density Residential. Surrounding land uses and zoning districts are shown in Appendix D “Existing Land Use Map” and Appendix E “Existing Zoning Map”.

COMPREHENSIVE PLAN CONSISTENCY

The subject property is classified as Urban Institutional on the 2030 Comprehensive Plan’s Future Land Use Map. The goal of the Urban Institutional classification is to “Create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses, that is integrated with Downtown.”

The recommended primary and secondary land use in Urban Institutional are as follows:
Recommended Primary Land Uses:

- Public and institutional uses
- Offices
- Structured or underground parking

Recommended Secondary Land Uses:

- Single-family attached residential
- Multi-family residential
- Live-work units
- Limited retail and services

Development guidelines:

- Similar development standards to Downtown Support
 - Minimal front setback

- Rear or limited side parking only
 - Façade articulation
 - Development and maintenance of traffic calming improvements
 - Ground-floor storefronts and/or architectural detailing on parking structures
- Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown
- Development and maintenance of traffic calming improvements

The 2030 Comprehensive Plan's Future Land Use Map designates all surrounding parcels as Urban Institutional . Neighborhood Activity Center and Medium Intensity Neighborhood classifications are also in the general area of the project.

The 2030 Comprehensive Plan's Future Land Use Map is located in Appendix F.

ZONING ORDINANCE GUIDELINES

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. **Comprehensive Plan consistency.** Consistency with the Comprehensive Plan and amendments thereto.
2. **Compatibility with surrounding uses.** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. **Changed conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. **Public interest.** Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. **Public facilities.** Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. **Effect on natural environment.** Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands, and wildlife.

CHANGES TO THE PLAN BETWEEN NEIGHBORHOOD COMPATIBILITY AND PLANNING BOARD

The applicant submitted an updated site plan on December 3rd, 2020. The applicant proposed the revisions after comments received at the Neighborhood Compatibility meeting. The site plan that was presented at Neighborhood Compatibility is listed as Appendix I and Appendix J.

The following changes were made between the November 3rd and December 2nd submissions:

- 13 Green Giant and 9 Norway Spruce were added to the rear of the property, in addition to the already proposed type B buffer.
- The new plan shows the building 25' from the rear property line. The previous plan showed the building 20' from the rear property line.
- The new site plan shows building approximately 2 feet closer to the southern property line.

PLAN REVIEW:

The site plan is Appendix G of this memo.

Buildings

The site plan shows a three-story 13,536 square foot medical office building

Parking Requirements - Table 6-5-2

The zoning ordinance requires that medical offices provide 1 per each 250 ft² of gross floor area.

- 13,536/250=54.14
 - 55 spaces required
 - 55 spaces provided.

Traffic Impact Analysis - Section 6-18

- It was determined that a Traffic Impact Analysis was not necessary for this project. According to the 7th edition volume 2 of the Institute of Transportation Engineers trip generation manual the project is not expected to meet either the 100 or more peak-hour trips or the 1,000 or more daily trips thresholds.

Entrance

The development would have two points of ingress and egress, one off of Fleming Street and one off of Ninth Ave. West.

Stormwater/Flood Hazard Area

The applicant has provided a preliminary stormwater management plan to the Engineering Department as part of their submittal requirements. The project is disturbing less than an acre, so stormwater is not a requirement.

Sidewalks - Section 6-12

Sidewalks will be provided on all of the subject property's frontages that isn't already served by an existing sidewalk.

Landscaping: The landscaping plan is identified as appendix H

The site plan is showing a type B buffer along the western property line. A type B buffer is required when commercial uses abuts a residential zone or use.

- A type B buffer consists of 4 broadleaf canopy tree, 25 evergreen shrubs (4-foot centers) 33 flowering shrubs per 100 linear feet.
- The plan also provides an additional 13 Green Giants and 9 Norway Spruces between the proposed Type B buffer and the proposed rear retaining wall.

The site plan also provides vehicular use landscaping of 1 tree 2 shrubs for every 4,000 square feet of VUA.

The site plan provides a buffer from street which is 1 shrub for every 5 feet of VUA that is within 50' of the nearest right of way.

6-16-3 Common Open Space Requirements for Non-Residential Developments.:

- a) At least 10% of the project area shall be devoted to common open space.
- b) Common open space for non-residential developments shall be used for landscaping, lawns, screening or buffering. It may not contain any streets, parking or loading areas, outdoor storage, trash handling, utility or service areas, or areas with impervious surfaces other than sidewalks, recreational facilities and meeting areas.

Zoning District Standards - Section 5-10 Medical, Institutional and Cultural Zoning District Classification (MIC)

- 5-10-3 Dimensional Requirements:
 - Setbacks
 - Front: 30
 - Side: 10
 - Rear: 20
 - Height
 - 50 (No building shall exceed 50 feet in height unless the depth of the front and total width of the side yards required herein shall be increased by one foot for each two feet, or fraction thereof, of building height in excess of 50 feet.)

Staff Report Recommendations

STAFF COMMENTS

In this section Planning Board members can find staff comments relating to the consistency of the proposed site plan with the guidance offered in the City's

Comprehensive Plan and Zoning Ordinance. Staff will also include recommended conditions for approval here, alongside references to supporting comprehensive plan and ordinance standards for Council's consideration. City Council may approve the rezoning request with or without conditions or deny the rezoning request.

Preliminary Site Plan Review:

- Staff comments provided to the developer are shown in Appendix B

Staff Recommended Rezoning Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

- 1) None as of Planning Board Agenda due date

Developer Proposed Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

- 1) None as of Planning Board Agenda due date

Staff Note: Staff will prepare any recommended conditions prior to Planning Board and include those in the project presentation. Planning Board will be able to make a recommendation to City Council with those for consideration.

SUGGESTED MOTIONS

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

[PLEASE STATE YOUR REASONS]

For Recommending Denial:

I move the Planning Board recommend that City Council not adopt an ordinance rezoning the subject property for the following reasons:

[PLEASE STATE YOUR REASONS]

IN RE: Fleming Street Medical Office Building Rezoning(File # P20-41-CZD)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

- Offices, business, professional and public
- Personal services consistent with the purposes of this classification, such as medical & dental labs and clinics, opticians & optical services and prosthetics & orthopedics

II. Conditions:

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

- a. Staff comments in Appendix B shall be satisfied prior to final site plan approval.

(2) Shall Be Attached to the Conditional Rezoning:

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

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

Applicant

Signature: _____

Printed Name: _____

Date: _____

Property Owner

Signature: _____

Printed Name: _____

Date: _____

Ordinance #____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL NUMBERS 9569-60-1341 and 9569-60-1454 BY CHANGING THE ZONING DESIGNATION FROM MIC MEDICAL, INSTITUTIONAL, CULTURAL AND MIC-SU MEDICAL, INSTITUTIONAL, CULTURAL, SPECIAL USE TO MIC-CZD MEDICAL, INSTITUTIONAL, CULTURAL CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers 9569-60-1341 and 9569-60-1454- Fleming Street Medical Office Building (File # P20-41-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from Carleton Collins of Carleton Collins Architecture and CCP Fleming LLC for the development of a of a 3 story 13,536 square foot medical office on approximately 0.86 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on November 9th, 2020; voting 5-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on January 7th , 2021, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:

Parcel numbers 9569-60-1341 and 9569-60-1454 from MIC Medical, Institutional, Cultural And MIC-SU Medical, Institutional, Cultural, Special Use To MIC-CZD Medical, Institutional, Cultural Conditional Zoning District.
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be subject to the site limitations and conditions stipulated on the published List of Uses and Conditions.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th, day of January 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, Amy H. Knight, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Angela L. Reece, in her capacity of City Clerk; and Angela S. Beeker, in her capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2021.

My commission expires:

Amy H. Knight

Appendix A

7. Klein/Helppie Rezoning and Special use Permit application - Requesting the rezoning of a lot situated at the southeastern corner of Fleming Street and Fassifem Court intersection from R-6 High Density Residential District to MIC-SU Medical, Institutional, Cultural-Special Use District.

Mayor Niehoff explained this hearing is for the Klein/Helppie rezoning and special use permit request. He stated Mr. Philip Klein and Dr. Joanne Helppie are requesting a special use rezoning to allow a medical office or other specified use within an existing residential structure. The requested rezoning is from R-6 high-density residential district to MIC-SU Medical-Institutional-Cultural Special Use District. He stated the property is located at the southwestern corner of the Fleming Street/Fassifem Court intersection.

Mayor Niehoff opened the public hearing at 9:34 p.m. in accordance with North Carolina General Statutes by notice published in the Times News.

Mayor Niehoff reminded those present of the rules of procedure for a quasi-judicial hearing. He asked all those who wish to speak, either for or against the rezoning, to come forward to be sworn in. The following were sworn in: Mr. Roger Briggs, Mr. Jim Hall, Mr. Luther Smith, and Mr. Philip Klein.

Mayor Niehoff asked if anyone wanted to reserve the right to cross examine. No one spoke. That right was deemed waived.

Mr. Briggs submitted the Planning Department file number 98-34-SUR into the record of this proceeding. Mayor Niehoff received that file into the record. Mr. Briggs requested that the Council take official notice of the Land Development Plan, the Thoroughfare Plan, and the Zoning Ordinance of the City of Hendersonville. Mayor Niehoff responded that Council takes official notice of those documents.

Mr. Briggs addressed the Council providing the following information for this project: "The applicants for this project are Philip Klein and Dr. Joanne Helppie and are also the property owners. Mr. Klein and Dr. Helppie are the owners of a single-family dwelling situated on the southwestern corner of the intersection of Fleming Street and Fassifem Court. The property is currently zoned R-6 High Density Residential. The rezoning application requests MIC-SU Medical Institutional Cultural-Special Use. The rezoning application is accompanied by another application for a special use permit that states certain conditions. The conditions regarding use state that the property (if rezoned) could only be used for professional offices, medical clinical facilities, a residence, and/or business and medical support facilities. Other conditions stated in the application include, (1) the existing structure to remain, subject to renovation or expansion per the building code, (2) one-way entrance to rear parking from Fleming Street, (3) one-way exit from rear parking lot to Fassifem Court, and, (4) no on-street parking is specified. A conceptual site plan accompanied the application."

Mr. Briggs continued: "The *Land Development Plan* was amended by City Council on February 8, 1996 for this portion of the neighborhood. The amendment now indicates public and semi-public for this area. This is the classification in the Land Development Plan that supports medical facilities. The *Thoroughfare Plan* indicates Fleming Street as a major existing facility. Mr. Briggs stated a neighborhood compatibility meeting was held on May 15, 1998. A report of that meeting was in the agenda material. Owners of 46 neighboring properties were notified. We did have a significant attendance - about 12-15 individuals came to the meeting which was held in City Hall. Most of the questions revolved around the future of Fassifem Court and not so much specifically with this application. It was my observation, in summary, that neighbors in attendance either endorsed this application or had no objections to it. The Planning Board reviewed this application at its regular meeting on July 20, 1998. At that meeting the Board voted unanimously to recommend to City Council that it approve the application of Mr. Klein and Dr. Helppie, for: 1) an amendment to the official zoning map rezoning the subject property from R-6 High Density Residential to MIC-SU Medical Institutional District, and, 2) the issuance of a special use

permit based on the site plan submitted by the applicant as well as the following conditions: submittal of a stormwater management plan demonstrating compliance with Section 7-11 of the Zoning Ordinance and the Resolution Establishing Standards to Determine the Adequacy of Stormwater Facilities, and that a maximum sign area of 30 square feet be imposed on this application. An analysis of any issues that may be outstanding: This application is for a rezoning and a special use permit. A final site plan review and approval is required prior to the issuance of a zoning compliance permit. No unresolved issues have been identified."

Commissioner Harley stated the summary of the project calls for one-way streets, but the preliminary plan shows two-way streets and this is not listed as a Planning Board recommendation. Mr. Briggs explained the site plan was revised to reflect the one-way streets. Mr. Smith stated the streets are one-way in, it is wider at the entrance because of the handicap parking. Mr. Briggs stated that is addressed in the project narrative as one-way traffic flow.

Commissioner Padgett asked how stormwater management would be addressed. Mr. Briggs responded this will be reviewed during the final site plan review by submitting it to the City Engineer for review, but this information was not indicated on the conceptual site plan. Commissioner Padgett expressed a concern about the stormwater plan for the properties downhill from this project. Mayor Niehoff explained the stormwater management plan is required in the final site plan. Mr. Briggs explained that special use review only requires a conceptual site plan which is at a lower level from a technical standpoint than a preliminary site plan. He stated in his opinion, the applicant has complied with the conceptual site plan requirements.

Mayor Niehoff asked if anyone wanted to speak in favor of this proposal:

Jim Hall, 30 Westminster Court, "I was here three years ago when we had two of the same Council members and the same Mayor. That was my first experience here and the bottom line of the application was we were turned down because there was no special use ordinance in place. And, we had concurrence from the neighbor behind us but there was no way for the City to make us do what we promised and so we learned a lesson. This time, we have the ability to deliver, and you can make us deliver, I think that is really what this is about, there is a new neighbor in the back. I have a letter from her. She could not be here but she was at the neighborhood compatibility meeting. She is a practicing physician. She endorses this quite strongly. I would like to point out that on all of Fleming there are only four properties that are not zoned MIC. And this particular property, to the immediate right is a business and directly across the street there is a rather large physician's office. We think it is time to put this to good use. There will not be a lot of pavement, I can tell you, there's not going to be a development here. It's really going to be restoring the house that is there and then just trying to provide adequate parking with the ample land that is provided behind the house in this case which is unusual for Fleming. That's what makes this very well-suited for some sort of an office practice and easy walking distance to the hospital. 111 answer any questions you may have. Is this letter admissible or necessary? She just restated what she stated at the compatibility meeting. I have to tell you, compared to the experience three years, the compatibility meeting was a picnic. It was really quite pleasant. Everybody was pleased with what we are doing."

No one else spoke in favor of or in opposition to the proposal. The public hearing was closed at 9:45 p.m.

Mayor Niehoff asked the owner or agent of the owner to come forward. He asked Mr. Jim Hall if he agreed to accept the conceptual site plan and the conditions that were recommended by the Planning Board and have those binding on the future use of the property if it is rezoned to MIC-SU. Mr. Hall responded yes.

Commissioner Volk moved, with regard to the application of Mr. Philip Klein and Dr. Joanne Helppie, requesting the rezoning of their property from R-6 High Density Residential to MIC-SU Medical Institutional Cultural-Special Use, and for the issuance of a special use permit, based on the record before Council, moved that Council make the following factual findings:

- (1) The development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;**
- (2) There are, or will be at the time they are required, adequate public facilities to serve the development;**
- (3) The development complies with all required regulations and standards of the zoning ordinance, or with variances thereto granted pursuant to Section 7-4-15, and with all other applicable regulations;**
- (4) The development is located, designed, and proposed to be operated so as to be compatible with adjacent properties and neighborhoods; and**
- (5) The development conforms with the general plans for the physical development of the City.**

She further moved that Council approve the application of Mr. Klein and Dr. Helppie, for (1) an amendment to the official zoning map rezoning the subject property MIC-SU Medical Institutional Cultural-Special Use, and (2) the issuance of a special use permit, based on the site plan submitted by the applicant, as well as the limitations and conditions proposed by the applicant, the conditions recommended by the Planning Board, and any conditions to which the applicant has agreed on the record of this proceeding. Commissioner Harley seconded the motion. The Council voted unanimously; motion carried.

Ordinance #98-0846

**AN ORDINANCE AMENDING THE
 OFFICIAL ZONING MAP OF THE CITY
 OF HENDERSONVILLE IN RE:
 KLEIN/HELPPIE; FILE NO. 98-34-
 SUR**

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Section 4-2 and Article XI of the Zoning Ordinance of the Qty of Hendersonville, North Carolina, the Official Zoning Map is hereby amended in the following manner:

Tax parcel PIN 9569-60-1454, as depicted on the sketch attached to this ordinance, is rezoned from R-6 High Density Residential to MICSU Medical Institutional Cultural Special Use.

2. This amendment involves a rezoning to a special use district and, thus, is subject to a special use permit, the terms of which may be found in the referenced file in the records of the Hendersonville Planning Department.

3. This ordinance shall be in full force and effect from and after the date of its adoption

Adopted this sixth day of August 1998.

Appendix B

Date with Month, Day, and Year (7-3-3.2(a)): Completed

Title of Project (7-3-3.2(b)) Completed

Name of Project Designer, Developer, and Property Owner (7-3-3.2(b)): Please add a note with all of this information.

North Arrow, Scale, and Landmarks Sufficient to Identify Location (7-3-3.2(c)): Completed

Vicinity Map (7-3-3.2(d)): Completed.

Zoning of Project and Adjacent Properties (7-3-3.2(e)): Completed

City Limits (7-3-3.2(f)): Please add note stating that the property is within the City limits of Hendersonville.

Names of Adjacent Property Owners (7-3-3.2(g)): Completed.

Site Survey (7-3-3.2(h)): Completed.

Floodplain and Other Significant Natural Features (7-3-3.2(i)): Completed.

Proposed Streets, Alleys, Driveways, Parking Requirements, etc. (7-3-3.2(j)): Completed.

Preliminary Utility Layout (7-3-3.2(k)): Completed.

Entrance and Exit Locations (7-3-3.2(l)): Completed

Proposed Reservations (7-3-3.2(m)): N/A

Tree Survey and Proposed Areas for Buffering (7-3-3.2(n)): Please provide a survey showing tree line before site preparation with species and diameter of trees 12 inches or greater DBH (diameter at breast height) indicated and showing areas to be screened, fenced, walled and/or landscaped. Please also show existing trees and shrubs that will be retained.

Building(s) Locations, Dimensions, and Uses (7-3-3.2(o)): Please show building height.

We shall require a measure of the building heights that determines the “average grade” in the following manner.

- 1) Average grade is determined by identifying at least three spot elevations, measured at equal distances from each other and spaced no more than 50' apart, along each façade of a building. The resultant spot elevations shall be added together and divided by the total number of spot elevations identified to determine the building's "average grade."

- a. Spot elevations shall be measured within 2' of the building foundation and reflect the proposed finished grade for the project.

Spot elevations shall not be taken from berms or other fill which would artificially impact the site elevation.

Notations in Chart Format (square footage and percentage of total site) (7-3-3.2(p)): It does not appear that the parking/vehicular use area calculations is correct on the site plan.

Total Project Area
Proposed Lot Areas
Site Coverage - Buildings
Site Coverage - Open Space
Site Coverage – Streets and Parking
Site Coverage – Other Facilities
Site Coverage – Common Open Space:

Sign Data (7-3-3.2(q)): Completed.

Phasing Lines (7-3-3.2(r)): N/A

Transportation Impact Analysis (7-3-3.2(s)): What is the approximate number of employees?

Off-Street Parking (6-5): Completed.

Off-Street Loading and Unloading (6-6): Completed.

Sidewalks (6-12): Providing sidewalks would be required along the entire northern property line. Most of the property line is served by an existing sidewalk, but the north western corner is missing a section. This section would need to be provided or a fee in lieu proposed.

Rights-of-Way (Thoroughfare) Compliance (6-15): N/A

Common Open Space (common space or urban open space where applicable) (6-16): It appears that you are currently meeting these requirements; I just wanted to make sure that the calculations are following the guidelines of subsection b.

- a) At least 10% of the project area shall be devoted to common open space.

- b) Common open space for non-residential developments shall be used for landscaping, lawns, screening or buffering. It may not contain any streets, parking or loading areas, outdoor storage, trash handling, utility or service areas, or areas with impervious surfaces other than sidewalks, recreational facilities and meeting areas.

Adequate Facilities (7-11): Completed.

Entry Corridor (5-18): (checklist attached if applicable) N/A

Zoning District Standards (applicable zoning district in Article 5): Completed

Landscaping (Article 15): Completed

Natural Resource Protection Standards (floodplain, stream buffer, etc., where applicable) (Article 17): N/A

Stormwater Management (COD Chapter 24 Article III): Provide a completed Stormwater Maintenance Agreement. Contact Engineering for additional details.

Please add

1. a note indicating that a final plan must include a stormwater management system that complies with the City stormwater ordinance,
2. an approximate footprint area and proposed location for a stormwater management system.

Comprehensive Plan Compliance (Section 14-1):

Development Guidelines

- Minimal front setback-
 - Required front setback: 30'
 - Proposed front setback: Approximately 75'
- Rear or limited side parking only
 - Front and side parking proposed.
- Façade articulation
- Development and maintenance of traffic calming improvements
- Ground-floor storefronts and/or architectural detailing on parking structures
- Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown
- Development and maintenance of traffic calming improvements

Appendix C

Planning Report

Neighborhood Compatibility Meeting

Application for a Conditional Zoning District

Fleming Street Medical Office File # P20-41-CZD

Tuesday, November 24, 2020 2:00 p.m.

Tyler Morrow, Planner, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Center. Approximately one application representative and four City staff were in attendance. The follow attended:

Name	Address	Name	Address
Carleton Collins (app)	105 Cranford Rd.		
Lew Holloway	staff		
Tyler Morrow	staff		
Tyler Henry	staff		
Terri Swann	staff		

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

Mr. Morrow stated the property is currently zoned MIC, Medical, Institutional and Cultural and MICSU, Medical, Institutional and Cultural Special Use. The proposed rezoning is MIC CZD, Medical Institutional and Cultural Conditional Zoning District. The site plan shows a 13,536 square foot building. This is a three-story medical office building. If approved the project will be limited to what is on the approved site plan. They plan to have access from Fleming Street and from 9th Avenue West. The applicant Mr. Carleton Collins is here to give a presentation.

Carleton Collins, Architect for the project stated his name for the record. The design of the building is a three-story medical office building with parking that will wrap around the building. There will be 4,500 square feet per floor. They imagine this to be acute health care, family pediatrics or orthopedic offices. They will comply with the buffer requirements for a Type B buffer between commercial and residential and they plan to add landscaping to the other areas as well. The main entry will be off Fleming Street and that entry will align with a covered drop-off. The other entrance/exit will be off 9th Avenue West.

He did read the comments concerning stormwater and they will manage this in such a way as to not impede on the neighboring properties. The character of the building is not highly modern and not highly traditional. It is a combination of both. They plan to use stucco, brick and glass. It will feature an outdoor staircase, enclosed dumpster and a covered canopy at the main entrance.

Mr. Collins stated along Fleming there exists several medical offices that are small one-story buildings but also in the area are taller buildings such as the hospital and high school. They plan to have this building blend in with the area. The height of this building does meet the zoning ordinance requirements. The project will meet all the requirements of the City of Hendersonville.

Lew Holloway, Community Development Director stated the public comments will be included fully in the minutes of this meeting. He summarized the comments.

Pre-Submitted Public Comments:

Candis Killam, 524 Fassifern Court: I have lived on Fassifern Ct for almost 20 years, it is a great little neighborhood. My house is only 2 properties down from the proposed building. I do not want the rezoning to change, besides the hospital and high school, there are not any buildings residential or medical etc that are larger than one story. I do not think it would be appropriate to build anything above a one story building so close to residential areas. Before they tore down the 2 (one story) previous buildings they were medically related and did well to fit in to our neighborhood and surrounding area. Please do not allow this change to take place. Thank you

Heather B West, 505 9th ave W: Our house is adjacent to the property on 9th Ave. We are concerned about a building of this size being right beside our house. A 3 story medical building would tower over my house. My children would play in the back yard with a huge building looming over them. Instead of looking out onto trees, my daughter would get to see a retaining wall and dumpster when she looks out her window. And what would this kind of property, so out of keeping with this neighborhood, do to my property value? The financial impact of an enormous building so close to my house would be huge.

John B Hunter, 923 Fassifern Ct: Last year we purchased the home at 923 Fassifern Ct in Hendersonville. This home was built by Dr. Joseph Sevier in 1928 and holds quite a bit of historical value. Dr. Sevier took over as Headmaster at the Fassifern School for girls from 1925 until his passing in 1945. Below are a couple links articles with more information about the Fassifern School. <https://www.blueridgenow.com/article/NC/20131020/News/606028276/HT> [https://www.greetingsfromthepast.com/2019/07/fassifern-school/Dr. Sevier was also the founder of Camp Greystone that has been in operation for over 100 years and is still in operation today in nearby Tuxedo, NC.](https://www.greetingsfromthepast.com/2019/07/fassifern-school/Dr.-Sevier-was-also-the-founder-of-Camp-Greystone-that-has-been-in-operation-for-over-100-years-and-is-still-in-operation-today-in-nearby-Tuxedo,-NC/) <https://www.campgreystone.com> We are disappointed we haven't been given much time to prepare for this meeting and we are not going to be able to attend or make comments on the Zoom meeting today. We were only recently notified by the Community Development Department Planning Division that a developer wants to rezone the nearby property for this large 3 story medical office building. We are close to the hospital and understand that medical offices and similar businesses will pop up nearby, but never expected a monstrosity like this to be permitted so close to a residential and historical area. This building is much too large and out of character with the neighborhood. We have reached out to the Hendersonville Historic Preservation Commission and will be working on ways to protect the residential

community from this type of project. We hope your department does not allow this rezoning so that we are not forced to take additional action.

Zach Forrest, 520 Fassifern court: Please do NOT allow this property to be rezoned. After seven years of living in my beloved travel trailer, I purchased the home right beside this property just 6 months ago. When I moved to the neighborhood the house on the property was being used as a medical facility and that was working out just fine. Since then the house has been torn down and the basements filled resulting in my backyard (and my neighbors) becoming a mud river upon raining that I'm happy to share videos of. After contacting the owners and promises to fix the issue nothing was done. Due to the work already done on the property the rainwater is already inches from entering the basement and creating a tremendous financial burden. I had to further ruin my yard by digging a trench to divert the water away from the basement and I have spent thousands (happy to provide receipts) on sump pump installation. Careful consideration will need to be made regarding the stormwater drainage so that I can have my backyard and not have to worry about a flooded basement. I'll summarize my remaining concerns;- Parking- 52 parking spaces for a 13,500+ square foot building is concerning. There are not enough parking spaces for a building of this size. This is concerning because this will result in people blocking my driveway or parking down the streets of our currently quiet neighborhood. -Water Drainage- Based on the map the plan is to divert stormwater into my and my neighbor's properties. This is concerning as it effectively passes the burden of stormwater to myself and my neighbors rather than taking responsibility for and properly disposing of the additional water created from building this structure. I'm concerned that this will cause a tremendous financial burden that would otherwise be addressed with proper development.-Proposed building proximity to property line-The map scaling is very unclear making it impossible to understand how close the proposed building site or retaining walls are to my property line. I'm also concerned that the brush/trees/landscaping between our properties will be removed or not be sufficient to maintain the privacy and barrier between the properties.-Retaining walls-The retaining walls look alarmingly close to the property line and there is a gap that would allow water to flow directly into my neighbors and my own yard. This is very concerning. -The map provided does not have an accurate scale-Will it be possible to have a map with an accurate scale or get confirmation of which scaling is correct? Right now it has scale as 1" = 20' but directly above it, there is another scale that is not the same. Which one is it? Can we get a new map or confirmation on which scale is accurate before we move forward?-3 story building will likely block the sun-I'm concerned that the sun will be blocked by the 3 story building.-Only proposed 3 story building in the area-I was promised by the owners of the property that the building would be built to blend in with the neighborhood. The mockups are of a very modern building. This neighborhood is from the late 1800s and early 1900s so how does a modern building fit in with the neighborhood? Further, this 3 story building would be the only one other than the hospital so further does not fit in with the neighborhood. The whole neighborhood shares these concerns including Candis who has sent in her comments and others including the other adjacent property owner. Please do not allow this re-zone to occur.

Jason Peiffer, 1005 Fassifern Ct: I reside in the Fassifern Ct. neighborhood adjoining the properties and have concerns regarding marketability of the proposed medical office building and question the need for rezoning. We already have several vacant or nearly vacant medical office buildings nearby, one of which is directly across the street on the opposing side of the entrance to our neighborhood (containing a single shoulder clinic in a much larger vacant complex). Is there need for rezoning so that an even larger 3 story medical building may be placed on the properties? Does the builder already have contracts in place that we are assured all 3 stories of an imposing complex will be needed directly next to our

neighborhood? Should the rezoning and proposed building take place as envisioned, what will be the maximum height of the retaining wall immediately next to the houses of our court as builders seek to level the property? What considerations have been given to run-off from the proposed parking lot? We already have flooding and heavy flow through the lawns of properties just below the proposed building site during rainstorms. Will the parking lot divert rainwater directly into storm drains or exacerbate existing problems?

Mr. Morrow stated they will hear the live comments. He explained the raise hand feature and asked each person to state their name and address for the record.

Ken Fitch, 1046 Patton Street stated the comments should be noted and there are questions that have not been answered. There are many concerns with this project such as the elevation of the building. He asked if the elevation would be altered to align with Fleming Street and had concerns about the bank on the Fassifern side. He asked if the stakes with pink ribbons are on the property lines. Mr. Collins stated he cannot speak to the stakes on the property. The sitework team will blend into the existing grade. They will raise the elevation slightly to accommodate the building and the parking lot will remain flat. He stated the upper right portion has a low part on the property and he read in the comments the mention of the retaining wall. The retaining wall will be at the edge of the building and the parking lot. They will work out the stormwater details and they do not plan to impede on the surrounding neighbors.

Mr. Fitch stated retaining the lower grade at the rear of the building could have an impact to the adjoining properties. He asked if the Tree Board will review this project and if they plan to keep any of the existing trees on the property. Is a tree survey required and what are the details of the buffer?

Mr. Collins stated there will be a combination of taller trees and smaller landscaping to provide a soft visual screen. They plan to retain what trees they can, but some will have to be removed for construction.

Donald Cooper, 900 Fleming Street stated he owns the Edward Jones building on the corner. Will the first floor be level with Fleming Street? Mr. Collins stated yes. Mr. Cooper stated that will cause the property to be 5,6,7,8 feet higher. Mr. Collins stated several feet yes, but not 8 feet. Mr. Cooper stated having a three-story building and raising the elevation of this property will make it significantly higher than Dr. Hornsby's office building that sits across the street and his building is only one story. Mr. Collins stated this property will be relatively level with Fleming Street. The property across the street is higher than street level.

John Hunter, 923 Fassifern Court stated this building is too high for the character of the neighborhood. He wanted it noted on record that he opposes the project and that he does not reside in Ann Arbor, Michigan. He asked who gets the final decision on this. Mr. Holloway stated this is the first step in the process. The project will move on from here to the Planning Board in December and they will give their recommendation on the project to City Council. It will be heard by City Council in January and they will have the final approval. This is only a public input session and the neighbors will have another opportunity to give their comments to the Planning Board and City Council.

Heather West, 505 9th Avenue West stated she is an adjacent property owner and she stated the height of the retaining wall is a big concern to her. The house is only 10 feet off the property, and she is concerned the wall will have an effect on her property. Mr. Collins stated they do not anticipate any retaining wall near the dumpster. The wall will only be five to six feet. Ms. West asked if the wall is part of the building. Mr. Collins stated yes that is correct, it is part of the building. It is not a freestanding retaining wall. It is next to the staff entry and the five-foot sidewalk and is up against the building.

Ms. West's husband stated the neighbors and himself have spent money on the upkeep and landscaping of their yards and now this will change the whole outlook of the neighborhood. They will have to listen to a dumpster being emptied every day.

Mr. Fitch asked if a client has been identified for the project and will there be any surgical procedures done at the building or will the building include a lab. He had concerns about the right and left turn onto the street from the property. There is also only one ADA parking space and he feels that is inadequate. He asked what the rear view from Fassifern would be.

Mr. Collins stated they will provide more information on the views at the next meeting. He is not sure that he understands Mr. Fitch's comments on the entryway. He explained how they will enter the property and where the drop-off is located. He also stated they have no potential tenants as of right now. They wanted to get the approval for the project before they market the building. They will have flexibility with the practice type and lean towards non-surgical procedures.

Ms. West asked if the landscaping would be enough to provide a privacy barrier for their property. Mr. Collins stated they could tailor one to meet her needs.

Ms. West's husband stated for the record that he does not want this building and he did not get a response from Mr. Collins. Mr. Collins stated he understands their concerns.

Mr. Holloway stated the notes become part of the public record from this meeting and they will be included in the Planning Board and City Council memos.

Zach Forrest, 520 Fassifern Court stated he is opposed to this being built for many different reasons. There are two different scales on the map, and he doesn't know which one is accurate. Mr. Morrow stated the site plan submitted is 24" x 36" and staff had to shrink that down to mail it out. The 24" x 36" site plan is in the Planning office located at 100 N. King Street and any of the neighbors can come by and get a copy of it. Mr. Forrest had concerns about the 20-foot buffer zone from the property line. Mr. Collins stated the City of Hendersonville has landscaping requirements for the buffers and it is placed in the 20-foot zone of the property line. They have submitted different plant materials with more detail, and they can tailor the landscaping along the property line to achieve the privacy that the residents want on their side of the property.

Mr. Forrest stated a great point was made concerning the height of the building by Mr. Fitch. If they plan to raise the elevation six to eight feet, will the first story be at ground level? Mr. Collins stated the civil engineer has done the grading for the site; their intent is to try to establish a level grade to the site

then blend back to the existing grade with the retaining wall at the building. They will study this and have more detail at the next meeting. Mr. Forrest stated if they have an additional three stories from Fleming Street then that actually makes the building four stories and it is unreasonable to build it at that height. The high school and the hospital are the only three-story buildings in the area. If he plans to level the property, they will have to bring in 100 dump trucks with sand and that is just ridiculous. Mr. Collins stated at this stage, not all the details have been worked out.

Mr. Forrest stated it would be great to see a 360 of the building and the rear view. He feels that a three- or four-story building will block the sun from his house, and he will never see the sun in his back yard again. What is the actual height of the building? Mr. Collins stated the levels are twelve feet high floor to floor. Mr. Forrest asked what landscaping materials can shield the privacy of a four-story building? The trees would have to be extremely tall. Mr. Collins stated the intent of the landscaping is not to shield a building that high but rather to screen the residential areas.

Mr. Forrest feels like it would be more accommodating for a one- or two-story office building. They will not have the privacy they once had once this building is built.

Mr. Collins stated this meeting is to have a discussion with the neighbors. They meet all the ordinance requirements for the City of Hendersonville including the landscaping. The owner will try to work with the neighbors, and they can have a neighborhood meeting if possible with the neighbors.

Mr. Forrest was concerned about getting noticed for the next meetings. Mr. Morrow stated if you were notified for this meeting then you will also be notified for the Planning Board and City Council meetings. The property will also be posted for each meeting.

Mr. Fitch asked about the buffer requirements for residential and commercial. Mr. Holloway stated there are specific requirements to buffer residential from commercial uses. Staff will do a review of the site plan prior to the Planning Board meeting. December 14th is the date of the Planning Board meeting and this project could move forward to that meeting. There is nothing to prevent this from the moving forward to the December Planning Board meeting.

Ms. West had concerns about the traffic on school days in the afternoon and asked if a traffic study is required. She is worried about the children that walk to and from school. Mr. Collins stated there is no requirement for a traffic study for this project.

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

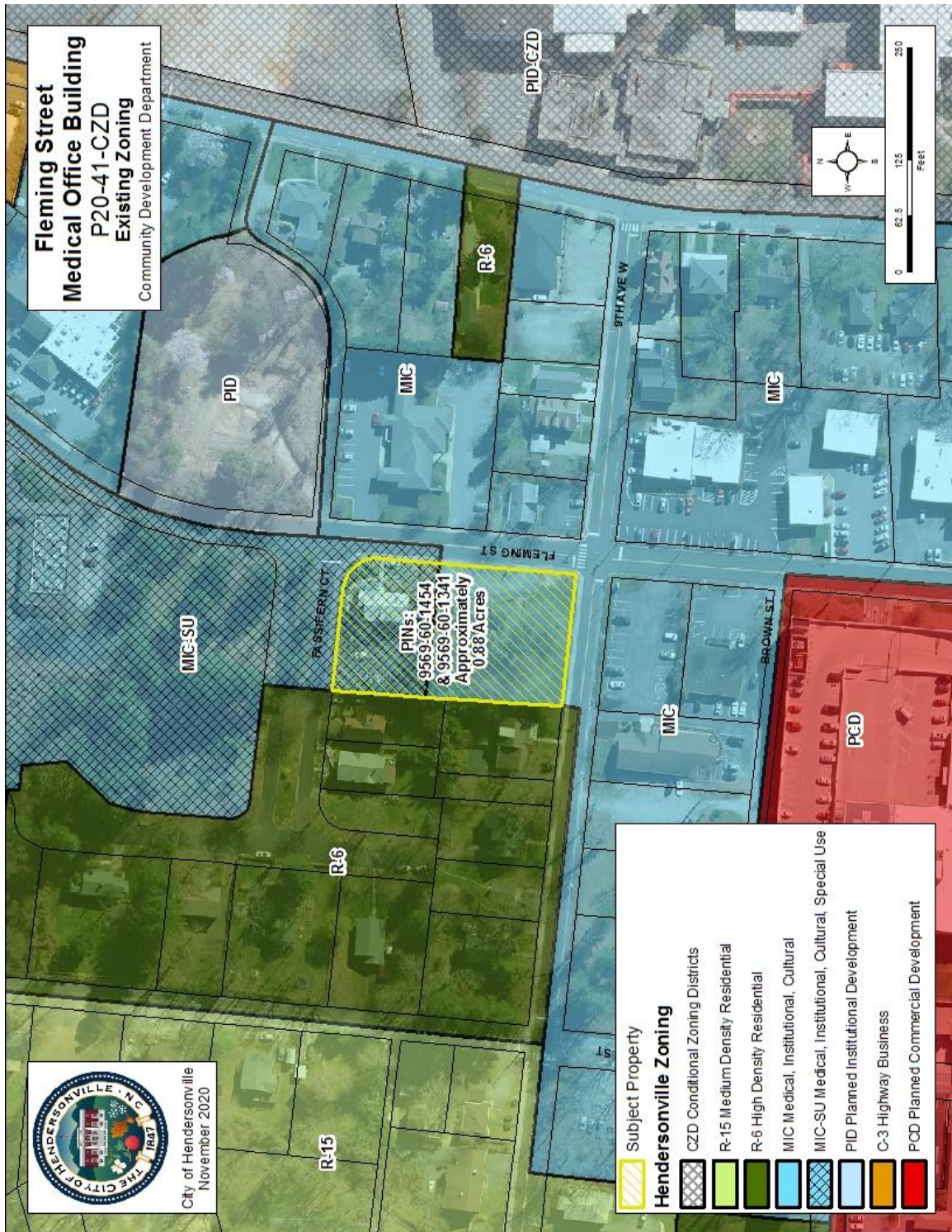
Mr. Morrow stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well. The property will also be posted with the meeting information on the sign.

With no further comments or questions, Mr. Morrow closed the meeting at 2:54 pm.

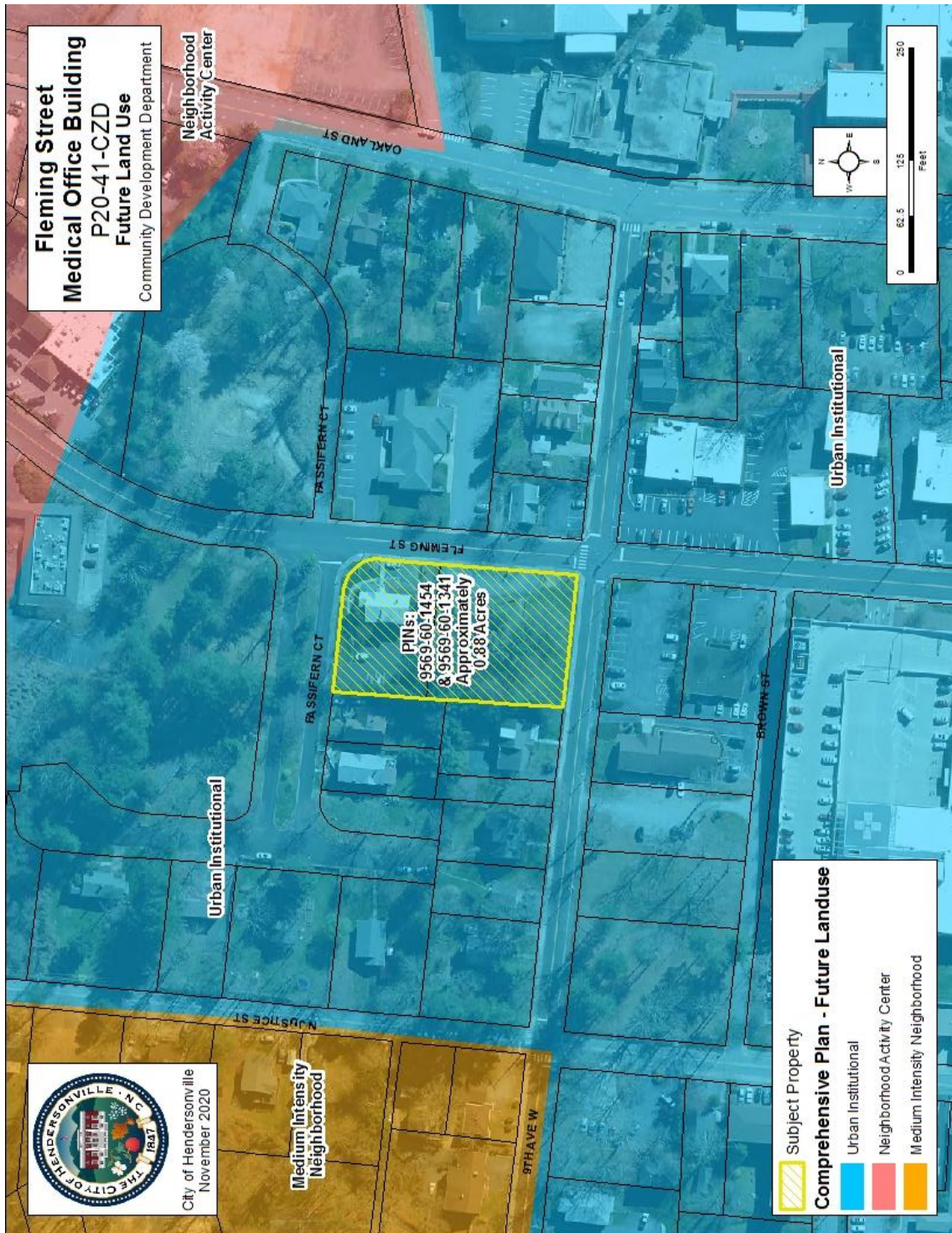
Appendix D



Appendix E



Appendix F

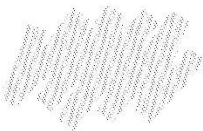


Appendix G

Appendix I

Revised 12-2-2020

Fleming Medical Office
903 & 919 Fleming Street
Hendersonville NC 28791

Landscape
Plan

ISSN

5

10-19-2020

PROJECT SUMMARY

OWNER / CONTACT:
CCP FLEMING LLC
3250 NE 1st Avenue
Miami, FL 33137

LANDSCAPE ARCHITECT:
Mr. Clay Mooney
Design Associates
1243 Hendersonville Rd.
Asheville, NC 28803
(828) 277-7410 / 277-7413 fax

PROJECT INFORMATION:
Current Zoning = Medical, Institutional, Cultural (MIC)

Current Zoning = Medical, Institutional

Front Setback = 30'

Side Setback = 10'

Rear Setback = 20'

Processed like - Medical Officer

caution: inpatient = see medical file

Total Size of Property = 0.866 AC +/-

PLANTING SUMMARY:

1) BUFFERYARD TYPE B

2) VEHICULAR USE AREA LANDSCAPING

121,094 SF OF VUA = 5 TREES & 11 SHRUBS
AT LEAST 75% OF TREES TO BE BROADLEAF CANOPY TREES)
TREES PROVIDED = 5
SHRUBS REQUIRED = 11
SHRUBS PROVIDED = 11

3) BUFFERING FROM STREET

SHRUB FOR EVERY 5 LF OF VIA WITHIN 50' OF THE STREET
445 LF OF VIA WITHIN 50' OF THE STREET = 89 SHRUBS
SHRUBS REQUIRED = 89
SHRUBS PROVIDED = 89

NOTES:

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE
2. DO NOT SCALE FROM DRAWINGS
3. ALL AREAS NOT BUILT OR LANDSCAPE SHALL BE GRASSED

PLANTING LEGEND

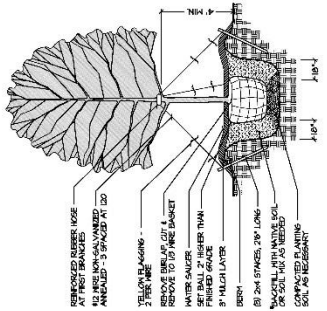
BUBB = BUFFER AND TYPE B
 VUA = VEHICULAR USE AREA LANDSCAPING
 BMS = BUFFERING FROM STREET

OF PLANTS
4 — PLANT KEY (SEE PLANT LIST)
ACER (BUFB) — ZONING USE ABBREVIATION (SEE LEGEND)



NORTH

SCALE: 1" = 20'

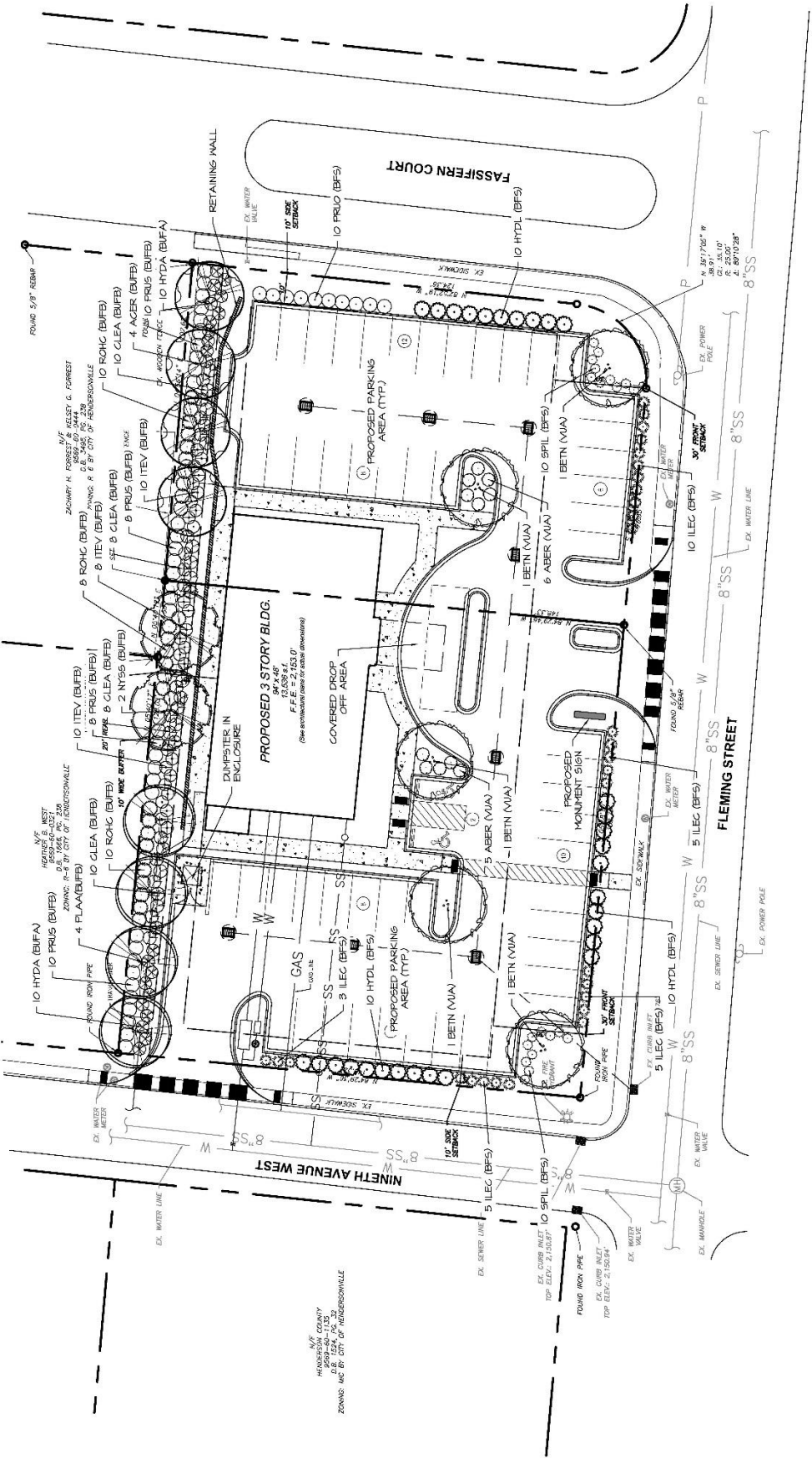


TREE PLANTING

Not to scale

SHRUB PLANTING

Not to Scale

PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME / COMMON NAME	CALIPER	HEIGHT	CONTAINER	B & B	MATERIAL SPECIFICATIONS
ABER 11		<i>Abelia grandifolia</i> Rose Creek / Rose Creek Abelia	2" min. cal	18" min. ht	B&B or min. 3 gallon cont.	B&B or min. 3 gallon cont.	dense, full plants
ACER 4		<i>Acer rubrum</i> Red Sunset® / Red Sunset Maple	2" min. cal	12-14 ft.	B&B	B&B	single, straight leader, well branched
BETN 5		<i>Betula nigra</i> 'Sulcata' / Hedgeside Elm / Dutch	2" min. cal	12-14 ft.	B&B or cont.	B&B or cont.	multi-trunk, dense, uniform branching
CLEA 36		<i>Cedrus atlantica</i> 'Sulcata' / Swiss dwarf		18" min. ht	B&B or min. 3 gallon cont.	multi-stemmed, well branched	
HYDL 30		<i>Hydrangea arborescens</i> 'Annabelle' / Annabelle Smooth Hydrangea		18" min. ht	B&B or min. 3 gallon cont.	dense, well rounded	
HYDL 30		<i>Hydrangea paniculata</i> 'Time-Lime' / Lime Tree Hydrangea		18" min. ht	min. 3 gallon cont.	dense form, well rounded	
ILAC 2		<i>Ilex cornuta</i> 'Chirisa' / Chirisa-Holly		18" min. ht	B&B or min. 3 gallon cont.	dense, full plants	
ITEV 28		<i>Ilva viridula</i> 'Agnilla' / Swedish Holly		18" min. ht	B&B or min. 3 gallon cont.	decid., full plants, well rooted	
NYSS 2		<i>Nyssa sylvatica</i> / Black Tupelo	2" min. cal	12-14 ft.			straight trunk
PLAA 4		<i>Paeanus ssp. bicolor</i> London Paradise		12-14 ft.	B&B or cont.	B&B or cont.	straight trunk, dense, uniform branching
PRELO 10		<i>Prunus laurocerasus</i> 'Obo Luykeni' / Obo Luykeni Laurel		18" min. ht	B&B or min. 3 gallon cont.	B&B or min. 3 gallon cont.	decid., full plants
PHUS 36		<i>Prunus laurocerasus</i> 'Schubertiana' / Schup Laurel		18" min. ht	B&B or min. 3 gallon cont.	B&B or min. 3 gallon cont.	decid., full plants
RHUS 28		<i>Rhododendron</i> 'English Roseum' / English Roseum Rhododendron		18" min. ht	B&B or min. 5 gallon cont.	B&B or min. 5 gallon cont.	decid., full plants
SGC 20		<i>Sorrel japonica</i> 'The Princess' / English Princess Spion		15-18" ht	B&B or cont.	B&B or cont.	15-18" sp. decid., full plants, 24" O.C. spacing

Revised 12-2-2020

**UPDATED STAFF REZONING CONDITIONS
P20-41-CZD – FLEMING STREET MEDICAL OFFICE BUILDING
PLANNING BOARD DECEMBER 14TH, 2020**

Staff Recommended Rezoning Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

The following (3) conditions are suggested for consideration to address guidance included in the Comprehensive Plan and Zoning Ordinance.

- That the building be relocated on the site plan to sit on the front setback line and that the parking located at the front of the property be relocated to the side and rear of the site plan to conform to the Comprehensive Plan's guidance to use a "minimal front setback" and limit parking to the "rear and side only."
 - Set-back in MIC is 30'; further flexibility shall be offered by allowing this required set-back to be measured from either the back of the existing curb, the property line or anywhere in between those two features of the site survey.
- That the existing type B buffer along the western property line of parcel number 9569601454 and the existing buffer along the western property line of parcel number 9569601341 be preserved during the redevelopment of the site in accordance with Section 15-4 Existing Vegetation of the City's zoning ordinance.
- That a stormwater management plan be submitted by the applicant demonstrating compliance with Chapter 24 Article 3: Stormwater Ordinance in the City Code of Ordinances.
 - This condition mimics, with updated references a condition required in the Special Use permit originally issued in August of 1998 by City Council.

Developer Proposed Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

- 1) None

Staff Note: Staff will prepare any recommended conditions prior to Planning Board and include those in the project presentation. Planning Board will be able to make a recommendation to City Council with those for consideration.

SUGGESTED MOTIONS

1) **For Recommending Approval:**

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

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

2) **For Recommending Denial:**

I move the Planning Board recommend that City Council not adopt an ordinance rezoning the subject property for the following reasons:

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

IN RE: Fleming Street Medical Office Building Rezoning (File # P20-41-CZD)**List of Uses & Conditions****I. Stipulated Uses:**

Only the following uses are authorized for the referenced development:

- Offices, business, professional and public
- Personal services consistent with the purposes of this classification, such as medical & dental labs and clinics, opticians & optical services and prosthetics & orthopedics

II. Conditions:

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

- That the building be relocated on the site plan to sit on the front setback line and that the parking located at the front of the property be relocated to the side and rear of the site plan to conform to the Comprehensive Plan's guidance to use a "minimal front setback" and limit parking to the "rear and side only."
- That a stormwater management plan be submitted by the applicant demonstrating compliance with Chapter 24 Article 3: Stormwater Ordinance in the City Code of Ordinances.

(2) Shall Be Attached to the Conditional Rezoning:

- Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Hendersonville Zoning Ordinance and Code of Ordinances.
- That the existing type B buffer along the western property line of parcel number 9569601454 and the existing buffer along the western property line of parcel number 9569601341 be preserved during the redevelopment of the site in accordance with Section 15-4 Existing Vegetation of the City's zoning ordinance.

Applicant

Signature: _____

Printed Name: _____

Date: _____

Property Owner:

Signature: _____

Printed Named: _____

Date: _____

Title within LLC: _____

Ordinance #____-____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR
PARCEL NUMBERS 9569-60-1341 and 9569-60-1454 BY CHANGING THE ZONING
DESIGNATION FROM MIC MEDICAL, INSTITUTIONAL, CULTURAL AND MIC-SU
MEDICAL, INSTITUTIONAL, CULTURAL, SPECIAL USE TO MIC-CZD MEDICAL,
INSTITUTIONAL, CULTURAL CONDITIONAL ZONING DISTRICT**

IN RE: Parcel Numbers 9569-60-1341 and 9569-60-1454- Fleming Street Medical Office Building
(File # P20-41-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from Carleton Collins of Carleton Collins Architecture and CCP Fleming LLC for the development of a of a 3 story 13,536 square foot medical office on approximately 0.86 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on December 14th, 2020; voting to recommend/to deny City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on January 7th, 2021, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:

Parcel numbers 9569-60-1341 and 9569-60-1454 from MIC Medical, Institutional, Cultural And MIC-SU Medical, Institutional, Cultural, Special Use To MIC-CZD Medical, Institutional, Cultural Conditional Zoning District.
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be subject to the site limitations and conditions stipulated on the published List of Uses and Conditions.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th, day of January 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, Amy H. Knight, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Angela L. Reece, in her capacity of City Clerk; and Angela S. Beeker, in her capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2021.

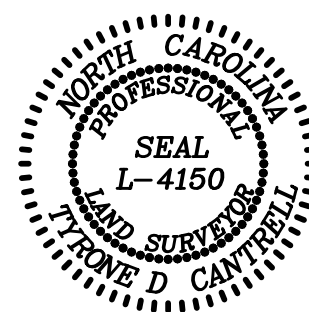
My commission expires:

Amy H. Knight



WITNESS MY HAND AND SEAL THIS 19TH DAY OF JANUARY, A.D. 2021.

1/19/21
DATE



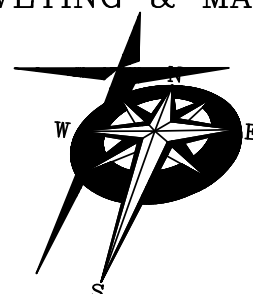
- | | |
|---|----------------------------|
|  | PROPERTY LINE SURVEYED |
|  | PROPERTY LINE NOT SURVEYED |
|  | RIGHT-OF-WAY LINE |
|  | OVERHEAD UTILITIES |
|  | FOUND PROPERTY CORNER |
|  | SET PROPERTY CORNER |
|  | CALCULATED POINT |
|  | UTILITY POLE |
|  | LIGHT POLE |

GENERAL NOTES:

1. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
2. ALL AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
3. ALL PROPERTY CORNERS ARE MONUMENTED AS SHOWN HEREON.
4. BASIS OF BEARINGS FOR THIS SURVEY IS NC GRID (NAD 83/2011) PER GPS OBSERVATION USING VRS-RTK DATA STREAM PROVIDED BY NC GEODETIC SYSTEM.
5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION. THE SUBJECT PROPERTY MAY BE SUBJECT TO EASEMENTS, SETBACKS, RIGHT-OF-WAYS, COVENANTS, OR RESTRICTIONS THAT THE SURVEYOR HAS NO KNOWLEDGE.
6. THE SUBJECT PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAP.

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
C1	25.00	38.91	24.64	N 39°17'05" W	35.10	89°10'28"

TRUE NORTH
SURVEYING & MAPPING



450 WEBBER LANE
COLUMBUS, NC 28722
828-817-4009
FIRM LICENSE # F-0953

TREE SURVEY FOR:

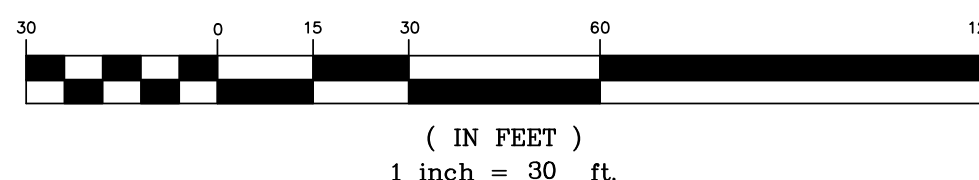
CCP FLEMING, LLC
PIN # 9569601341 & 9569601454
HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY, NORTH CAROLINA

OWNER OF RECORD:
CCP FLEMING, LLC

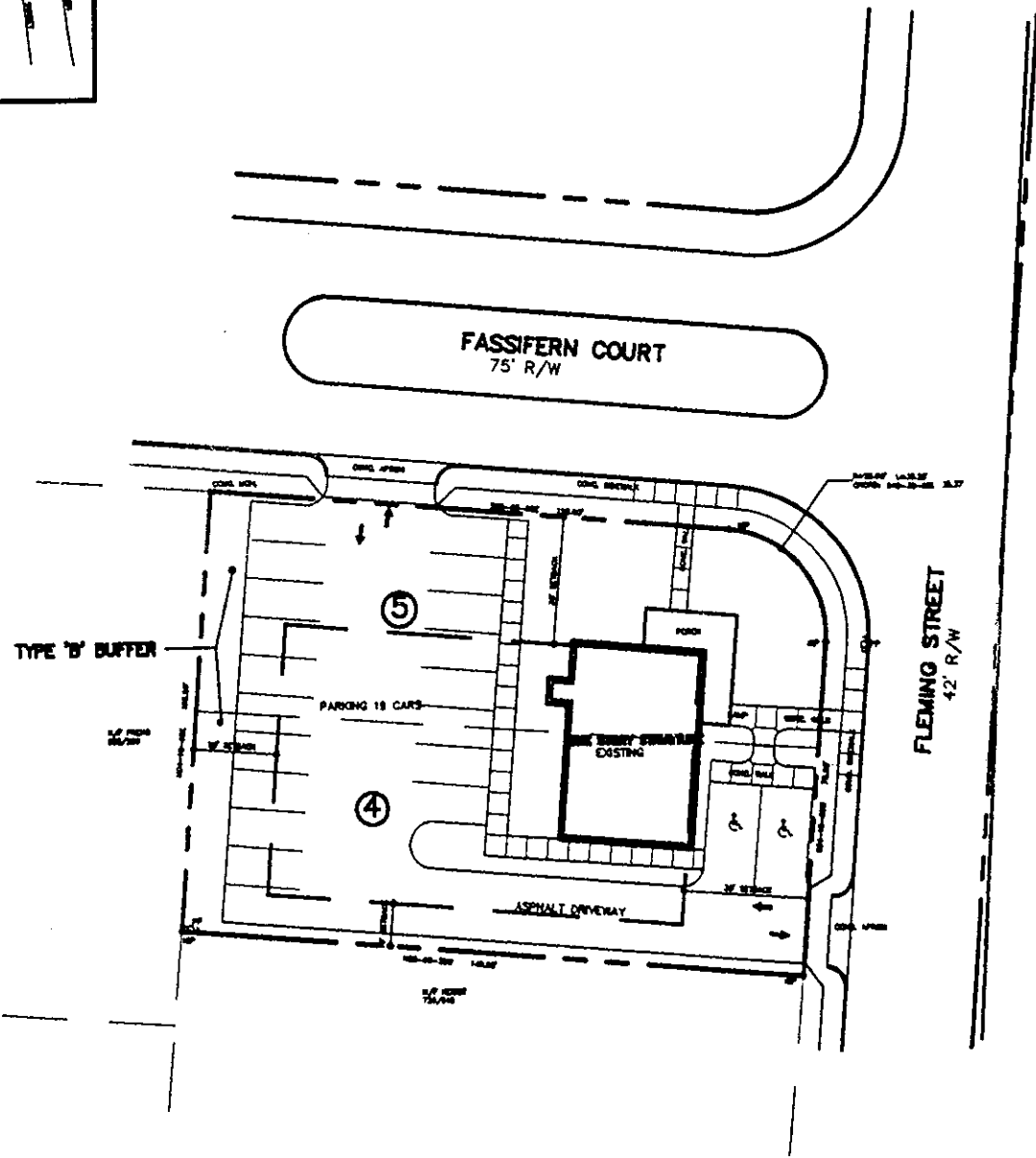
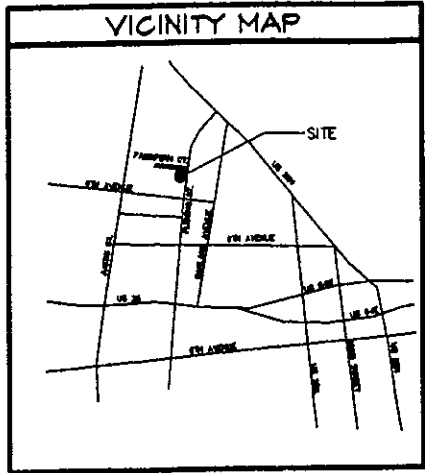
PREPARED FOR:
CCP FLEMING, LLC

SCALE:	1" = 30'	DRAWN BY:	T. CANTRELL
ISSUE DATE:	JANUARY 19, 2021	CHECKED BY:	T. CANTRELL
JOB #:	1901-01	DRAWING FILE:	1901-01.dwg
REVISIONS:			

GRAPHIC SCALE



NCGS MONUMENT
STATION "BOYD")
NC GRID (NAD 83/2011)
NORTHING: 590,669.77 FEET
EASTING: 967,297.61 FEET
COMBINED SCALE FACTOR:
0.99977661



PRELIMINARY SITE PLAN

PROJECT SUMMARY	
PROJECT SIZE (GROSS)	0.28 AC
PROPOSED NUMBER OF UNITS	1 UN.
DRIVE & PARKING COVERAGE	0.11 AC - 84%
BUILDING COVERAGE	0.04 AC - 15%
AREA OF COMMON OPEN SPACE	
AREA OF OPEN SPACE (INCLUDES COMMON SPACE)	0.12 AC - 54%
WATER	CITY
SEWER	CITY
EXISTING ZONING	R-6
PROPOSED ZONING	MC-6U
PROPOSED USE	MEDICAL
PARKING REQUIRED	20
PARKING PROPOSED	21
FIRE DISTRICT	HENDERSONVILLE
MAX. BUILDING HEIGHT	35'
FIN. NO.	1864-60-1484
NOTE: ENTIRE PROJECT AREA WITHIN CITY OF HENDERSONVILLE CORPORATE LIMITS.	

PHILLIP KLEIN & JOANNE HELPPIE -- OWNERS
CASE & ASSOCIATES -- SURVEYORS



SCALE: 1" = 20'

PROPERTY INFORMATION FROM SURVEY BY
CASE & ASSOCIATES SURVEYORS, PA
DATED NOV. 13, 1981

PRELIMINARY SITE PLAN
FLEMING MEDICAL OFFICE
HENDERSONVILLE,
NORTH CAROLINA

LEG
VOLUME
DATE
BY

SHEET
1

Item C.

- a. Spot elevations shall be measured within 2' of the building foundation and reflect the proposed finished grade for the project.
- b. Spot elevations shall not be taken from berms or other fill which would artificially impact the site elevation.



rba
122-b west bland st
charlotte nc 28203
704.344.9098

**UPDATED STAFF REZONING CONDITIONS
P20-09-CZD – THE CEDARS
PLANNING BOARD DECEMBER 14TH, 2020**

Staff Recommended Rezoning Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

The following (6) conditions are required to meet the standards set forth in the Zoning Ordinance.

- 1) That the Schematic Site Plan be updated to reflect the required spot elevations and associated calculations to determine the "Average Grade."
 - a. "Average Grade" to be established by identifying at least three spot elevations, measured at equal distances from each other and spaced no more than 50' apart, along each façade of a building. The resultant spot elevations shall be added together and divided by the total number of spot elevations identified to determine the building's "average grade."
 - i. Spot elevations shall be measured within 2' of the building foundation and reflect the proposed finished grade for the project.
 - ii. Spot elevations shall not be taken from berms or another fill which would artificially impact the site elevation.
- 2) That the "Elevations" provided as a component of the CZD application be amended to the height measured from the roof deck line on the mansard roofs.
- 3) With the "Average Grade" established as described above and the point of measurement for the height of the mansard roof adjusted, the building(s) then be shown to meet the 64' height limitation.
- 4) That Ramey Kemp submit a technical memo or addendum to the TIA as a response to the comments which satisfies the concerns raised by the City's Traffic Consultant.
- 5) That NCDOT driveway permits be obtained prior to Final Site Plan Approval.
- 6) That the proposed off-site parking lot be included in the schematic site plan and improved per the requirements of the Conditional Zoning District zoning and comprehensive plan standards and guidance.

The following (3) conditions are suggested for consideration to address guidance included in the Comprehensive Plan.

- 1) That a combination of planters with elevations changes and a sidewalk widened to 8' be used to enhance the pedestrian experience along the Church Street edge of the project.

- 2) That the “Ballroom Patio” be better connected visually and via physical access to the sidewalk itself and that the area for pedestrian respite be integrated into this design solution.
- 3) Note those trees which will be preserved during the renovation and construction process on the schematic site plan. Include a note that preservation efforts will comply with the standards set forth in Section 15-4 of the Zoning Ordinance.

Developer Proposed Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council’s discretion and upon agreement by the parties involved.

- 1) None as of Planning Board Agenda due date

Staff Note: Staff will prepare any recommended conditions prior to Planning Board and include those in the project presentation. Planning Board will be able to make a recommendation to City Council with those for consideration.

SUGGESTED MOTIONS

1) **For Recommending Approval:**

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

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

2) **For Recommending Denial:**

I move the Planning Board recommend the City Council not adopt an ordinance rezoning the subject property for the following reasons:

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

IN RE: 227 7th Avenue Rezoning – The Cedars (File # P20-09-CZD)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

- Hotels and motels
- Restaurants
- Parking lots and parking garages

II. Conditions:

- (1) **Shall Be Attached to the Conditional Rezoning and Satisfied Prior to Issuance of Final Site Plan Approval:**
 - a. **That the Schematic Site Plan be updated to reflect the required spot elevations and associated calculations to determine the “Average Grade.”**
 - i. **“Average Grade” to be established by identifying at least three spot elevations, measured at equal distances from each other and spaced no more than 50’ apart, along each façade of a building. The resultant spot elevations shall be added together and divided by the total number of spot elevations identified to determine the building’s “average grade.”**
 - ii. **Spot elevations shall be measured within 2’ of the building foundation and reflect the proposed finished grade for the project.**
 - iii. **Spot elevations shall not be taken from berms or another fill which would artificially impact the site elevation.**
 - b. **That the “Elevations” provided as a component of the CZD application be amended to the height measured from the roof deck line on the mansard roofs.**
 - c. **With the “Average Grade” established as described above and the point of measurement for the height of the mansard roof adjusted, the building(s) then be shown to meet the 64’ height limitation.**
 - d. **That Ramey Kemp submit a technical memo or addendum to the TIA as a response to the comments which satisfies the concerns raised by the City’s Traffic Consultant.**
 - e. **That NCDOT driveway permits be obtained prior to Final Site Plan Approval.**

- f. That the proposed off-site parking lot be included in the schematic site plan and improved per the requirements of the Conditional Zoning District zoning and comprehensive plan standards and guidance.
- g. That a combination of planters with elevations changes and a sidewalk widened to 8' be used to enhance the pedestrian experience along the Church Street edge of the project.
- h. That the "Ballroom Patio" be better connected visually and via physical access to the sidewalk itself and that the area for pedestrian respite be integrated into this design solution.
- i. Note those trees which will be preserved during the renovation and construction process on the schematic site plan. Include a note that preservation efforts will comply with the standards set forth in Section 15-4 of the Zoning Ordinance.

(2) Shall Be Attached to the Conditional Rezoning:

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

Applicant

Property Owner:

Signature: _____

Signature: _____

Printed Name: _____

Printed Named: _____

Date: _____

Date: _____

Title within LLC: _____

Ordinance #____ - ____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR
227 7th AVENUE WEST – THE CEDARS BY CHANGING THE ZONING
DESIGNATION FROM CMU: CENTRAL MIXED-USE DISTRICT TO CMU CZD:
CENTRAL MIXED-USE CONDITIONAL ZONING DISTRICT**

IN RE: 227 7th Avenue West – The Cedars
(File # P20-09-CZD)
PIN # 9568-79-3224, 9568-79-2254, 9568-79-0293 and 9568-79-0388

WHEREAS, the City is in receipt of a Conditional Rezoning application from Tom Shipman for the rehabilitation of one 4-story historic inn and the development of two, 6 story plus basement garage, condominium towers.

WHEREAS, the Planning Board took up this application at its regular meeting on December 14th, 2020; voting to recommend/to deny City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on January 7th, 2021, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:

Parcels 9568-79-3224, 9568-79-2254, 9568-79-0293 and 9568-79-0388 from CMU Central Mixed-Use District to CMU-CZD Central Mixed-Use Conditional Zoning District.
2. Development of the parcels shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville,

North Carolina, and shall be subject to the site limitations and conditions stipulated on the published List of Uses and Conditions.

3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th, day of January 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, Amy H. Knight, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Angela L. Reece, in her capacity of City Clerk; and Angela S. Beeker, in her capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2021.

My commission expires:

Amy H. Knight

Community Development Staff Report

TO: Planning Board

FROM: Community Development Department - Planning Division

RE: 227 7th Avenue West - The Cedars

FILE #: P20-09-CZD

DATE: December 14th, 2020

PROJECT DESCRIPTION

The City is in receipt of a Conditional Rezoning application from Tom Shipman for the rehabilitation of one 4-story historic inn which totals 15,310 square feet and the development of two new 6 story plus basement garage buildings, one along the Buncombe St. edge of the property and the other along the Church St. edge of the property. Each of the buildings consists of a total of approximately 100,000 square feet of conditioned space, the Church Street building includes two levels of parking garage for at approximately 37,500 square feet while the Buncombe Street building includes one level of parking garage at approximately 18,750 square feet. In addition, an approximately 6,250 square foot atrium connects the three facilities. In total the project consists of nearly 235,000 square feet of conditioned space.

The project is being presented as a combined hotel/condominium development with 11 traditional hotel rooms in the historic inn and another 132 condo/hotel suites, 48 of which include a lock-outs, for a total of 180 potential rooms within the Buncombe and Church Street buildings. Additional amenities included in the project are conference center and restaurant facilities. The subject properties which are subject to the rezoning request are identified as parcel numbers 9568-79-3224, 9568-79-2254, 9568-79-0293 and 9568-79-0388; parcel # 9568-79-3224 is the current location of “The Chariot” event space, 9568-79-2254 includes a one-story frame house, 9568-79-0293 includes the historic Cedars Inn and 9568-79-0388 includes a 2 story house. The applicant is requesting to rezone the subject property from CMU, Central Central Mixed Use to CMU CZD, Central Mixed-Use Conditional Zoning District.

Mr. Shipman started the conditional rezoning process in April of 2020. Mr. Shipman participated in a neighborhood compatibility meeting held on May 26th, 2020. Following design development work, Mr. Shipman submitted a Preliminary Site Plan for staff and Planning Board review on November 20th, 2020.

NEIGHBORHOOD COMPATIBILITY

Several people representing the public, development team and staff attended the meeting in person as well as virtually. The minutes from that neighborhood compatibility meeting are included as Appendix A in this staff report.

PROCESS GUIDELINES

In reviewing a rezoning request, staff, the Planning Board and City Council are tasked with reviewing the project to determine how it fits into our community based on our guiding planning documents. The specific categories of review are identified in Section 11-4 of the City's Zoning Ordinance, which highlights that the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. **Comprehensive Plan consistency.** Consistency with the Comprehensive Plan and amendments thereto.
2. **Compatibility with surrounding uses.** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. **Changed conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. **Public interest.** Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. **Public facilities.** Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. **Effect on natural environment.** Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands, and wildlife.

Rezoning Request Context Analysis

COMPREHENSIVE PLAN STANDARDS

The subject property is classified as Urban Institutional on the 2030 Comprehensive Plan's Future Land Use Map. A site-specific section of the Future Land Use Map is included as Appendix C in this staff report.

The 2030 Comprehensive Plan's Future Land Use Map designates parcels to the north, west and south as Urban Institutional. Parcels to the east are designated as Downtown Support.

The goal of the Urban Institutional classification is to "Create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses, that is integrated with Downtown."

The recommended primary and secondary land use in Urban Institutional are as follows:

Recommended Primary Land Uses:

- Public and institutional uses
- Offices
- Structured or underground parking

Recommended Secondary Land Uses:

- Single-family attached residential
- Multi-family residential
- Live-work units
- Limited retail and services

Urban Institutional Development Guidelines:

- Similar development standards to Downtown Support
- Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown
- Development and maintenance of traffic calming improvements

The goal of the Downtown Support classification is to "Support the Downtown retail core and create a transition between Downtown Core and adjacent residential neighborhoods"

Recommended Primary Land Uses:

- Offices
- Single-family attached and multi-family residential
- Live-work units

- Public and institutional uses
- Arts and entertainment establishments
- Structured or underground parking

Recommended Secondary Land Uses:

- Retail
- Parks and plaza

Downtown Support Development Guidelines:

- Minimal front setback
- Rear or limited side parking only
- Façade articulation
- Development and maintenance of traffic calming improvements
- Ground-floor storefronts and/or architectural detailing on parking structures

EXISTING LAND USE & ZONING REGULATIONS

The subject property is currently zoned CMU, Central Mixed-Use District and is currently vacant. Surrounding land uses and zoning districts are shown on the “Existing Land Use Map” and “Existing Zoning Map” which are included as Appendix D and E in this staff report.

The parcels proposed to be a part of the development project are directly abutted by CMU Central Mixed-Use zoning in all directions. Beyond the project boundary parcels to the north and west are zoned Planned Institutional Development – CZD and MIC Medical, Institutional & Cultural.

It is notable that the site is located catty-corner to the Main Street Municipal Service district and one block from Main Street proper. It is also approximately, one block from the Hendersonville High School campus and two blocks from the Pardee Medical Campus.

SITE PLAN REVIEW

The site plan is included as Appendix G in this report.

Buildings

- The site contains one 4 story historic building (The Cedars) which is slated to be renovated into a restaurant and hotel rooms. The building is a little over 15,000 square feet of the project.
- A commercial event space (The Chariot), two residential buildings and two shed structures are proposed for demolition on the site.
- Two new buildings, referred to as the Buncombe tower and Church tower by staff in this review document, along with an atrium connecting the new towers to the historic hotel are to be constructed on the site. The total square footage of the new construction is over 200,000 square feet. The footprint for each tower is approximately 18,850 square feet.
- The Church tower contains two floors of parking garage with 6 stories of conditioned space above. There is no internal vehicular connection between deck levels.
- The Buncombe tower contains 1 floor of parking garage with 6 stories of conditioned space above.

Lot Size

- The lot size shown on the site plan is 2.3 acres or 100,355 square feet.
- Total Building Footprint: 57,567 square feet (57.4%)
- Open Space: 29,461 square feet (29.3%)

Zoning District Standards - CMU Central Mixed-Use Section 5-19

- Development Standards for CMU include guidelines in following categories
 - Uses
 - The proposed site uses included; Hotel, Multi-Family Residential and Restaurant/Conference Space, are all permitted uses within CMU.
 - Parking & Loading: Section 5-19-3.1
 - Section 6-5 applies. 1 per guestroom plus 1 per 600 square feet of public meeting area/restaurants. Residential requirement are 1 per dwelling unit or 1.5 per dwelling unit exceeding three bedrooms.
 - Proposed total parking meets or exceeds requirements for either use category.
 - 64 spaces or 29.5% of required spaces are noted as off-site parking; staff are currently requesting additional information on off-site spaces.
 - Dimensional Requirements: Section 5-19-3.2
 - The maximum building height in the district is 36'; provided however that structures containing at least three floors limited to

- residential uses may be constructed to a height not exceeding 64’.
- The properties are also within the “Downtown Height District” and limited by this local bill to a height of 64’. Height is measured from average finished grade.
- Setbacks are 12’ from the back of the curb of any street.
- Streetscape Design: Section 5-19-3.3
 - Street Walls must engage the pedestrian public landscapes, blank walls are limited in their length.
 - Screening
 - Street Trees
 - Reflective Surfaces
 - Urban Open Spaces requires 5% of building square footage be dedicated to open space. This equates to 11,750 square feet.

Parking Requirements - Table 6-5-2

- See Parking & Loading requirements under Zoning District Standards

Traffic Impact Analysis - Section 6-18

- A traffic impact analysis was required and conducted for this project. Staff are currently working with our traffic consultant to review the analysis submitted.

Entrance

- Access to the two levels of the Church tower parking garage is from Church Street.
- Access to the Buncombe tower parking garage is from Buncombe Street.
- There is a drop-off area, 5 parking spots and associated one-way drive that exits and enters off of 7th Avenue West.
- The Church Street and 7th Ave. drives will have to be reviewed by NC DOT for a driveway permit. Buncombe Street is a city-maintained road.

Sidewalks - Section 6-12

- Sidewalks are required on both sides of the street within the CMU- Central Mixed-Use district.
- Sidewalks will be provided on the subject property’s frontage on Church Street, 7th Ave and Buncombe Streets.

Project Phasing - Section 7-5

- The project does not appear to be phased.

Tree Survey & Buffering - Section 15

- The site plan appears to indicate that a total of 28 trees identified on the site survey will be preserved during the construction process.

- The majority of proposed preservation is along the south-western edges of the property.
- There are also a line of 6 trees along Church Street that appear to be slated for preservation.
- Buffer yards:
 - The property is surrounded by properties zoned CMU; ROW's on Church, 7th Ave. and Buncombe Street all exceed 30'
 - However, as the ordinance states that existing use take precedent over zoning; staff believe that it would be appropriate to require a 10' Type B buffer along the northern property boundary adjacent to 730 Buncombe Street.
 - The project developers have proposed a series of buffer types along the northern boundary of the project, including the suggested type B buffer suggested above.

Staff Report Recommendations

STAFF COMMENTS

In this section Planning Board members can find staff comments relating to the consistency of the proposed site plan with the guidance offered in the City's Comprehensive Plan and Zoning Ordinance. Staff will also include recommended conditions for approval here, alongside references to supporting comprehensive plan and ordinance standards for the Planning Board's review. Planning Board may recommend approval of the rezoning request to City Council with or without conditions or recommend denial of the rezoning request.

Preliminary Site Plan Review:

- The Development Review Committee conducted an initial review of the submitted site plan on Wednesday December 2nd.
 - Items discussed included:
 - Concrete apron through each drive
 - Stormwater in Buncombe installed by developer; coordination with City to precede installation.
 - DOT & City Driveway permits required.
 - Will deck be power-washed? Pressure washing run-off not permitted in stormwater drains.
 - 3-party encroachment agreement for sidewalks, DOT, City & Developer)
 - Stormtech must have inspection ports.
 - Possible Conditions:
 - Silva Cells or similar infrastructure required for all proposed street trees.
 - Bring all existing site sidewalks into compliance, 5' wide and ADA compliant ramps at intersections.
- Staff Initial Review conducted of the submitted site plan on Friday December 4th.
 - Initial Review Comments
 - All of the required information for a Preliminary Site Plan review appears to be in the submitted plan set, however, it is widely dispersed and has made the review process less transparent for staff.
 - We are requesting that the development team produce a more detailed schematic site plan to better illuminate the intent of some areas of the project.
 - This includes the Church Street and 7th Avenue corner of the property.
 - The Church Street entrance to the property.

Comprehensive Plan Consistency:

- The Project is in what the Comprehensive Plan notes as a “Priority Growth Area.” These areas are identified as a part of an overall growth management strategy that “encourages infill development that maximizes use of existing infrastructure, preservation of natural and agricultural resources, and fiscally responsible growth.”
- Urban Institutional calls for residential as a recommended secondary land use.
- Urban Institutional highlights development standards which are similar to Downtown Support, including:
 - Traffic Calming Improvements
 - Ground Floor storefronts and/or architectural detailing on parking structures.
 - Façade Articulation
 - Minimal Setback
- Staff noted that the Church Street corridor will be impacted most dramatically by the scale of the Church tower, because of the grade changes, i.e. you are traveling uphill towards 7th Ave.
- The site overall is located at a high point in the general area and within downtown overall.
- Staff noted the significance of the 7th Ave. and Church Street corner of the property in
 - Connecting the overall building to the public realm.
 - Bringing the Conference facility within the building into contact and connection with the surrounding streetscape.
 - Because of the scale of the building along Church Street, it may be appropriate to have a wider sidewalk requirement along that edge to promote pedestrian comfort.
 - Other strategies with planting etc. along that edge might help to soften the pedestrian experience along that corridor.
 - It seems likely that this corridor, along with Buncombe, likely see foot traffic from the Hendersonville High School campus.
 - Staff also noted the potential of improvements at this intersection to promote traffic calming along Church Street and 7th Avenue.
- Staff feel that the Schematic Site Plan needs additional detail to define how this edge of the property will interact with the public realm.

Staff Recommended Rezoning Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

- 1) None as of Planning Board Agenda due date

Developer Proposed Conditions: These conditions are included in the attached suggested motion. They can be included or removed at Council's discretion and upon agreement by the parties involved.

- 1) None as of Planning Board Agenda due date

Staff Note: Staff will prepare any recommended conditions prior to Planning Board and include those in the project presentation. Planning Board will be able to make a recommendation to City Council with those for consideration.

SUGGESTED MOTIONS

1) For Recommending Approval:

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

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

2) For Recommending Denial:

I move the Planning Board recommend the City Council not adopt an ordinance rezoning the subject property for the following reasons:

[PLEASE STATE YOUR REASONS]

SUGGESTED CATEGORIES FOR REASONS

1. Comprehensive Plan consistency.
2. Compatibility with surrounding uses.
3. Changed conditions.
4. Public interest.
5. Public facilities.
6. Effect on natural environment.

IN RE: 227 7th Avenue Rezoning – The Cedars (File # P20-09-CZD)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

- Hotels and motels
- Restaurants
- Parking lots and parking garages

II. Conditions:

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

(2) Shall Be Attached to the Conditional Rezoning:

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

Applicant

Property Owner:

Signature: _____

Signature: _____

Printed Name: _____

Printed Named: _____

Date: _____

Date: _____

Title within LLC: _____

Ordinance #____-____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR
227 7TH AVENUE WEST – THE CEDARS BY CHANGING THE ZONING
DESIGNATION FROM CMU: CENTRAL MIXED-USE DISTRICT TO CMU CZD:
CENTRAL MIXED-USE CONDITIONAL ZONING DISTRICT**

IN RE: 227 7th Avenue West – The Cedars
(File # P20-09-CZD)
PIN # 9568-79-3224, 9568-79-2254, 9568-79-0293 and 9568-79-0388

WHEREAS, the City is in receipt of a Conditional Rezoning application from Tom Shipman for the rehabilitation of one 4-story historic inn and the development of two, 6 story plus basement garage, condominium towers.

WHEREAS, the Planning Board took up this application at its regular meeting on December 14th, 2020; voting to recommend/to deny City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on January 7th, 2021, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:

Parcels 9568-79-3224, 9568-79-2254, 9568-79-0293 and 9568-79-0388 from CMU Central Mixed-Use District to CMU-CZD Central Mixed-Use Conditional Zoning District.
2. Development of the parcels shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be subject to the site limitations and conditions stipulated on the published List of Uses and Conditions.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th, day of January 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, Amy H. Knight, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Angela L. Reece, in her capacity of City Clerk; and Angela S. Beeker, in her capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2021.

My commission expires:

Amy H. Knight

APPENDIX A

Planning Report
Neighborhood Compatibility Meeting
Application for a Conditional Zoning District
The Cedars Hotel File # P20-9-CZD
Tuesday, May 26, 2020 2:00 p.m.

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

Name	Address	Name	Address
Tamara Peacock (app)	Hendersonville, NC		
Joey Burnett (app)	Hendersonville, NC		
Tommy Shipman & Wife	211 7 th Ave. East		
Susan Frady	staff		
Daniel Heyman	staff		
Tyler Morrow	staff		
Terri Swann	staff		
Allison Nock	staff		

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

Mr. Heyman stated the property is zoned CMU, Central Mixed Use. The applicants are asking for a conditional rezoning to CMU CZD, Central Mixed-Use Conditional Zoning District as this project exceeds 50,000 square feet in size. This project will have 139 hotel rooms, condos, a restaurant, conference room and other amenities. If approved, the project will be limited to what is on the approved plan.

The applicants submitted a video that was played concerning the project.

Tamara Peacock with Tamara Peacock Architects stated after the video, it was touching how important this project is to the City of Hendersonville. This site works wonderfully for what is being proposed. They did encounter challenges, but they worked through them. They plan to utilize The Cedars as the

main feature of the whole project. They did not take away from The Cedars building as the state guidelines for preservation of historic buildings state this as a requirement. Concerning the setbacks and height requirements, this project meets everything per code. The new buildings will not exceed the height of the chimneys on the original building. There will be parking underground and they took traffic into consideration when planning the underground parking. The architecture of the new buildings will complement The Cedars building. This is something the town will be proud of.

Tommy Shipman stated he is the property owner and he was born and raised here in Hendersonville. He wants to preserve the old building and build the new buildings to resemble the old one. He tried to sell the property, but most potential buyers just wanted to tear down The Cedars. He did not want the building to be torn down, so he worked with Ms. Peacock on this project. He has received a lot of support on this project.

Mr. Heyman read the written comments:

Reab Berry – 494 Whitehead Road

I am in favor of The Cedars - P20-09-CZD Project. It will be a welcome addition to Hendersonville. I plan to use the facility and promote its use to my family and friends.

Derek Luebbe – 730 Buncombe St

Living adjacent to the property, I would like to understand the planning document in more detail especially in regards to the service entrance. What barriers (natural and/or manmade) will be enacted to preserve my property's sound and sight aesthetic appeal? What operational hours will the service entrance be able to operate? I would like to see the plans in more detail to better understand the impact on my property. Considering most of the property is surrounded by non-residential usage, I'm concerned with the placement of that service entrance in that particular location and the impact it may have.

Ms. Peacock responded to this comment. She stated this is the first meeting concerning this project and they do not have a lot of the specifics worked out. They will be working with the Fire Department and Engineers on the project. There will be a 10-foot landscape buffer and they plan to take Mr. Luebbe's comments into consideration. They are willing to meet with him and work out any concerns he may have.

Scott Keels – 22 Lakemoor Ln

I believe the Cedars proposal would be a perfect use of this property and great asset to Hendersonville in many ways. I'm glad that the original building is being retained as the centerpiece of this design and appreciate the effort to harmonize the new construction with the old.

Ken Fitch – 1046 Patton St (emailed comment)

There is considerable discussion in the community along with many questions about this major project.

I had mentioned to you previously about other views of the project. The renderings so far are from perspectives that are not the primary viewpoints.

it would be helpful to see:

- 1) a rendering of view from the 7th avenue entry into the City
- 2) a rendering of view from Asheville Highway/Church Street. /HHS football field.
- 3) Site plan of the project with entries, etc.
- 4) the height of project relative to the Catholic Church
- 5) clarification of what current properties/buildings would be removed
- 6) What existing tall trees would remain

As we have discussed before, the more information available upfront in these times of limited meetings would be helpful.

Ms. Peacock stated there are several cedar trees on the property that are not in great shape. Mr. Shipman stated a lot of the trees are not in great health and need to be replaced. They will replace any trees they have to remove. Ms. Peacock stated they plan to add retaining walls and they will give more detail on this at a later time.

Mr. Heyman stated they will now move to the live comment portion of this meeting. Anyone wanting to speak will need to press the hand raise option.

Deborah Holt stated she has lived here for 15 years and she is a supporter of this project. This will be a first-class quality hotel and she would like to thank the owners for preserving the building. She feels this project will preserve the downtown historic feel of Hendersonville. She compared this project to the Martha Washington Inn and feels it will be a great asset to the city.

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

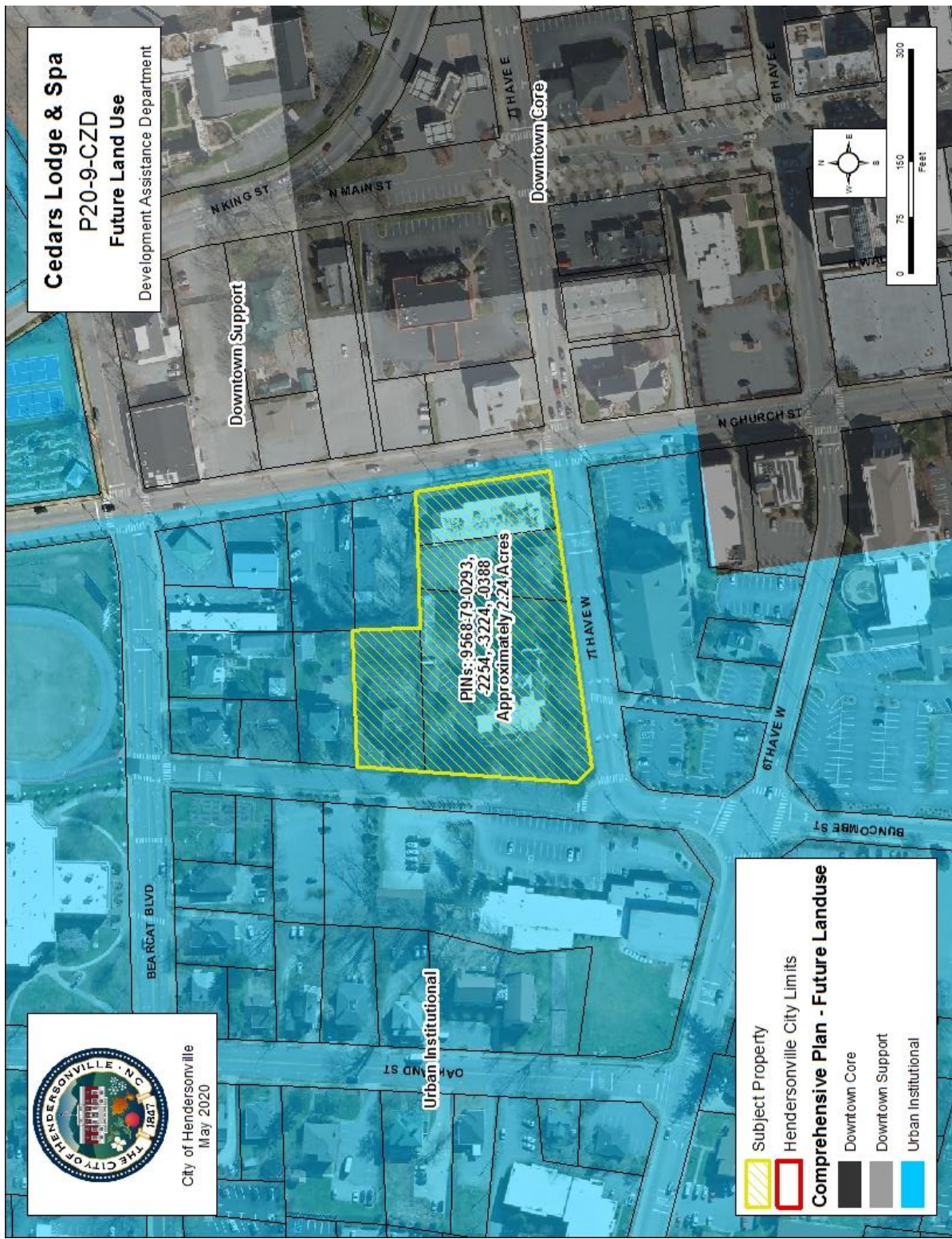
Mr. Heyman stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well.

With no further comments or questions, Mr. Heyman closed the meeting at 2:30 pm.

APPENDIX B

Reserved

APPENDIX C



Cedars Lodge & Spa
P20-9-CZD
Existing Land Use
 Development Assistance Department

Hendersonville High School

Bank of America

Immaculate Conception Catholic Church

Immaculate Catholic School

Subject Property

PLS: 9568790293,
 7254-3224, 0388
 Approximately 2.24 Acres

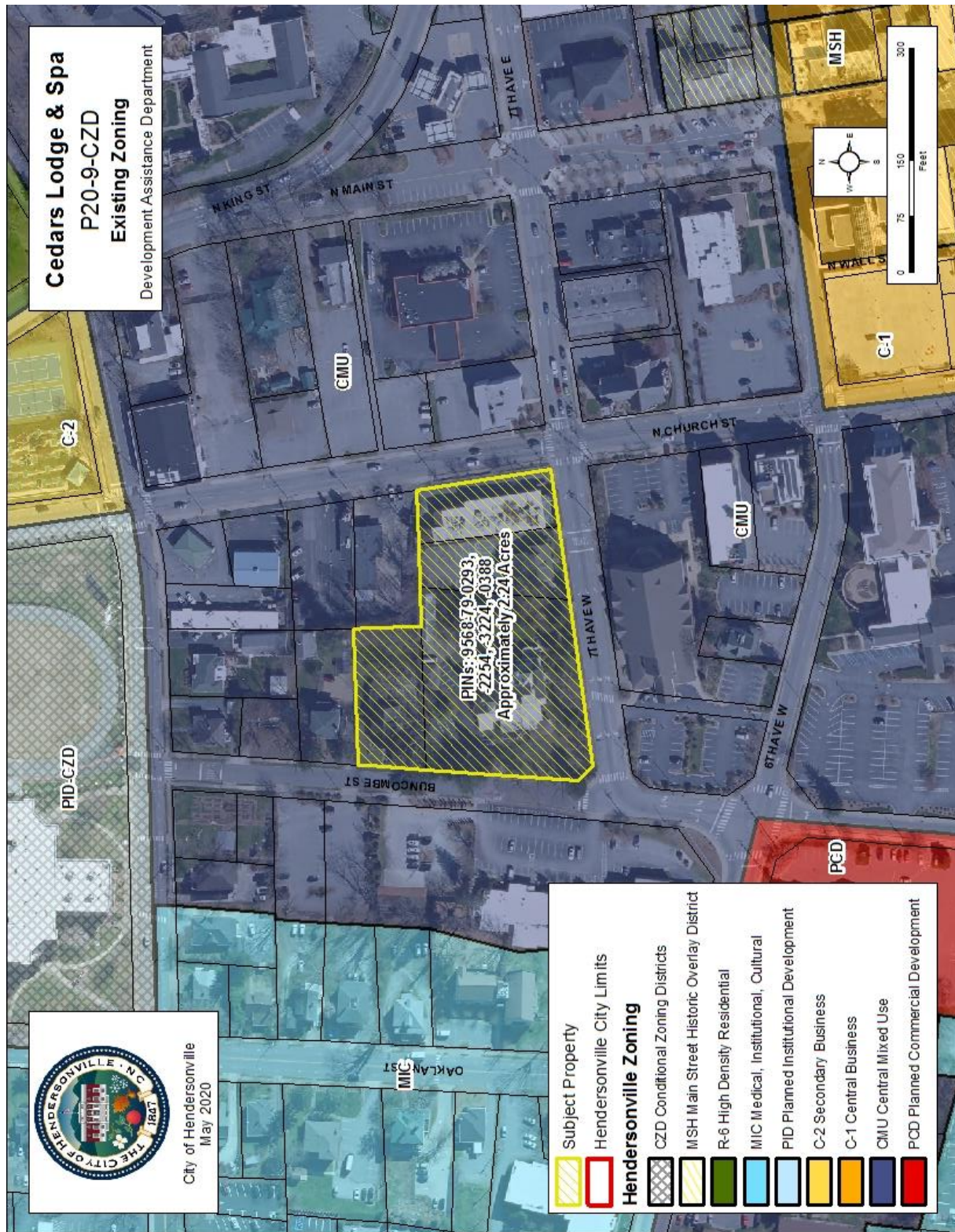
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 FEET

N

THE CITY OF HENDERSONVILLE, NC
 1847

City of Hendersonville
 May 2020

APPENDIX E



APPENDIX F

Preliminary Site Plan Review
File Name: P20-09-CZD – The Cedars
Reviewed by - Lew Holloway
Date: 12/04/2020

Date with Month, Day, and Year (7-3-3.2(a)):

Title of Project (7-3-3.2(b)):

Name of Project Designer, Developer, and Property Owner (7-3-3.2(b)):

North Arrow, Scale, and Landmarks Sufficient to Identify Location (7-3-3.2(c)):

Vicinity Map (7-3-3.2(d)):

Zoning of Project and Adjacent Properties (7-3-3.2(e)):

City Limits (7-3-3.2(f)):

Names of Adjacent Property Owners (7-3-3.2(g)):

General comments regarding the above; while this information is available via the total package submission, it needs to be consolidated onto a “Schematic Site Plan.” In the package submitted it would appear this might be considered page AS101, which is not sufficient. Staff recommend that the schematic site plan be set-up more like the “Utility Plan – C201” in the package.

Site Survey (7-3-3.2(h)): Submitted

Floodplain and Other Significant Natural Features (7-3-3.2(i)): N/A - Completed

Proposed Streets, Alleys, Driveways, Parking Requirements, etc. (7-3-3.2(j)):

Completed

Preliminary Utility Layout (7-3-3.2(k)):

1) Utility Plan Included

Entrance and Exit Locations (7-3-3.2(l)):

- 1) Locations shown;
- 2) **Comment:** All driveways along 7th Avenue and Church Street will require DOT driveway permits. Driveway along Buncombe will require coordination with City.

Proposed Reservations (7-3-3.2(m)):

- 1) Proposed Urban Open Space is included in site calculations but not identified on Schematic Site Plan.
- 2) **Comment:** Include and highlight the proposed area that will meet the standards established in Section 5-19-3.3 f) Urban Open Spaces. Also please note the maintenance provisions via note.

Tree Survey and Proposed Areas for Buffering (7-3-3.2(n)):

- 1) It does appear that existing vegetation is being preserved, but this is not clearly identified on the schematic site plan.
- 2) **Comment:** Please include the tree(s) (species & DBH) that will be preserved as a component of the revised schematic site plan. Please note the tree preservation standards that will be applied. This information can be included as a component of the planting plan if the two are to be kept separate.

Building(s) Locations, Dimensions, and Uses (7-3-3.2(o)):

- 1) **Comment:** Please include basic dimensions on building footprint.

Notations in Chart Format (square footage and percentage of total site) (7-3-3.2(p)):

Total Project Area
Proposed Lot Areas
Site Coverage - Buildings
Site Coverage - Open Space
Site Coverage – Streets and Parking
Site Coverage – Other Facilities
Site Coverage – Urban Open Space:

Completed

Comment: Please include this information on the revised Schematic Site Plan.

Sign Data (7-3-3.2(q)):

Comment: Please include any proposed signage locations on the Schematic Site Plan.

Phasing Lines (7-3-3.2(r)): N/A

Transportation Impact Analysis (7-3-3.2(s)): Required; Plan received. Staff consultant is currently reviewing the document.

Zoning District Standards (applicable zoning district in Article 5):

1) Development Standards for CMU include guidelines in following categories

a. Uses

- i. The proposed site uses included; Hotel, Multi-Family Residential and Restaurant/Conference Space, are all permitted uses within CMU.

b. Parking & Loading: Section 5-19-3.1

- i. Section 6-5 applies. 1 per guestroom plus 1 per 600 square feet of public meeting area/restaurants. Residential requirement are 1 per dwelling unit or 1.5 per dwelling unit exceeding three bedrooms.
- ii. Proposed total parking meets or exceeds requirements for either use category.
- iii. 64 spaces or 29.5% of required spaces are noted as off-site parking; staff are currently requesting additional information on off-site spaces.

c. Dimensional Requirements: Section 5-19-3.2

- i. The maximum building height in the district is 36'; provided however that structures containing at least three floors limited to residential uses may be constructed to a height not exceeding 64'.
- ii. The properties are also within the "Downtown Height District" and limited by this local bill to a height of 64'. Height is measured from average finished grade.
- iii. Setbacks are 12' from the back of the curb of any street.

d. Streetscape Design: Section 5-19-3.3

- i. Street Walls – The first floors of all buildings, including structured parking, shall be designed to encourage and complement pedestrian-scale activity. Blank wall expanses are not to exceed 20 feet in length (defined in the referenced article)
- ii. Screening required – any screening used to comply with this provision shall consist of a planting area which is at least five feet wide. The area may contain any type of screening materials sufficient to separate visually the land uses, provided such materials meet the requirements of 15-5 of the city's zoning ordinance. If only a wall or fence is used, then the area devoted to the screen need only be wide enough to accommodate the wall or fence and allow for its maintenance.
- iii. Street Trees
- iv. Reflective Surfaces
- v. Urban Open Spaces requires 5% of building square footage be dedicated to open space. This equates to 11,750 square feet.

Entry Corridor (5-18): N/A

Site Lighting Plan (7-3-4.3(r) & 6-13-4):

Comment: Need a site lighting plan, lighting can be included on utilities.

Railroad Right-of-Way Issues (if applicable): **N/A**

Off-Street Parking (6-5): **See Parking 7 Loading Above.**

Off-Street Loading and Unloading (6-6): **Completed**

Sidewalks (6-12): **Completed**

Rights-of-Way (Thoroughfare) Compliance (6-15): **Completed**

Common Open Space (common space or urban open space where applicable) (6-16):

See comments re: Schematic Site Plan. The specific identification of the area meeting Urban Open Space requirements is being requested.

Stormwater Management (COD Chapter 24 Article III): **Provide a completed Stormwater Maintenance Agreement. Contact Engineering for additional details.**

Comment: Site will require stormwater maintenance.

Minor Planned Residential Developments (5-14-7.1) (if applicable): **N/A**

Density- Residential only (5-14-4): **There is no density cap in CMU.**

Adequate Facilities (7-11): **Reviewing; Water & Sewer has been confirmed to be adequate in the area. TIA currently being assessed in concert with City's traffic consultant.**

Comprehensive Plan Compliance (Section 14-1): **See staff comments.**

Landscaping (Article 15): **See comments under Zoning District Standards**

Natural Resource Protection Standards (floodplain, stream buffer, etc., where applicable) (Article 17): **N/A**

Downtown Height Limit (64' height limitation for downtown area): **Requested the project development team submit additional information regarding "Average Finished Grade" to determine compliance with site height restrictions.**

SITE: 211 7TH AVE W, HENDERSONVILLE, NC 28791 ALL CALCULATIONS APPLY TO THE AREA OF THE SITE AFFECTED LAND USE DESIGNATION: CMU - CENTRAL MIXED USE									
CURRENT USE	PROPOSED USE		OCCUPANCY						
HISTORIC HOTEL	HISTORICAL HOTEL/CONDOS AND CONFERENCE CENTER		R-1/A						
ADJACENT ZONING: CMU - ALL									
SITE DATA:									
DESCRIPTION									
1.B) INTENSITY: PREVIOUS: HISTORIC HOTEL (24 ROOMS), APARTMENTS (4), ASSEMBLY SPACE (150 OCCUPANTS), OFFICE PROPOSED: HISTORIC HOTEL (11 ROOMS), NEW HOTEL/CONDO SUITES (132), LOCKOUTS (48, FOR TOTAL OF 180 ROOMS) CONFERENCE CENTER, 2 RESTAURANTS									
1.A) ZONING: CMU									
2) SITE AREA: MINIMUM REQUIRED LOT AREA: 8,000 SQ. FT.		GROSS LOT S.F.: 100,365 SQ. FT. / 2.30 ACRES							
3) YARD DIMENSIONS:		REQUIRED		PROVIDED					
FRONT YARD SETBACK		12' - 0"		26' - 0"					
SIDE YARD SETBACK (ADJ. ROAD)		12' - 0"		15' - 0" CHURCH					
SIDE SETBACK (NO ROAD)		0' - 0"		12' - 0" BUNCOMBE NA					
REAR SETBACK		0' - 0"		20' - 0"					
NOTE: ANY YARDS PROVIDED, THEY MUST BE A MINIMUM OF 5'-0" MEASURED FROM THE PROPERTY LINE									
4) BUILDING HEIGHT:		64'-0" MAX.		64'-0"					
5) URBAN OPEN SPACE:		10,500 SQ. FT.		24,890 SQ. FT.					
6) SITE AREAS:		EXISTING		PROPOSED		%			
A. BUILDING FOOT PRINT:		16,175 SQ. FT.		57,565 SQ. FT.		57.4%			
B. STREETS/PARKING:		27,756 SQ. FT.		11,642 SQ. FT.		11.6%			
C. OTHER FACILITIES:		-		-		-			
-PATIOS		---		1,344 SQ. FT.		1.3%			
D. OPEN SPACE:		---		28,461 SQ. FT.		29.3%			
-COMMON OPEN SPACE:		---		15,736 SQ. FT.		15.7%			
7) TOTAL PROJECT AREA				PROPOSED					
A. NEW BUILDINGS:				43,895 SQ. FT.					
B. EXISTING CEDARS:				7,386 SQ. FT.					
C. ATRIUM:				6,286 SQ. FT.					
D. PATIOS/ PLAZAS:				1,685 SQ. FT.					
E. TOTAL:				59,252 SQ. FT.					
8) PARKING:		REQUIRED		PROVIDED		ADA			
1 PARKING SPACE PER UNIT		180							
1 PARKING SPACE PER 800 SF MEETING/RESTAURANT SPACE		25							
TOTALS		205		217 (64 OFF SITE)		7			

SHEET	1922
PROJ. NO.:	1922
DATE:	12/14/20
DESIGNED BY:	AS100
SHEET NO.:	AS100

PROJECT NAME:
The Cedars Lodge
211 7TH AVE W
HENDERSONVILLE, NC 28791

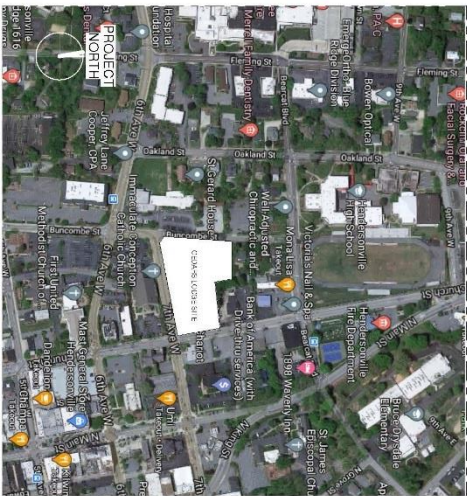
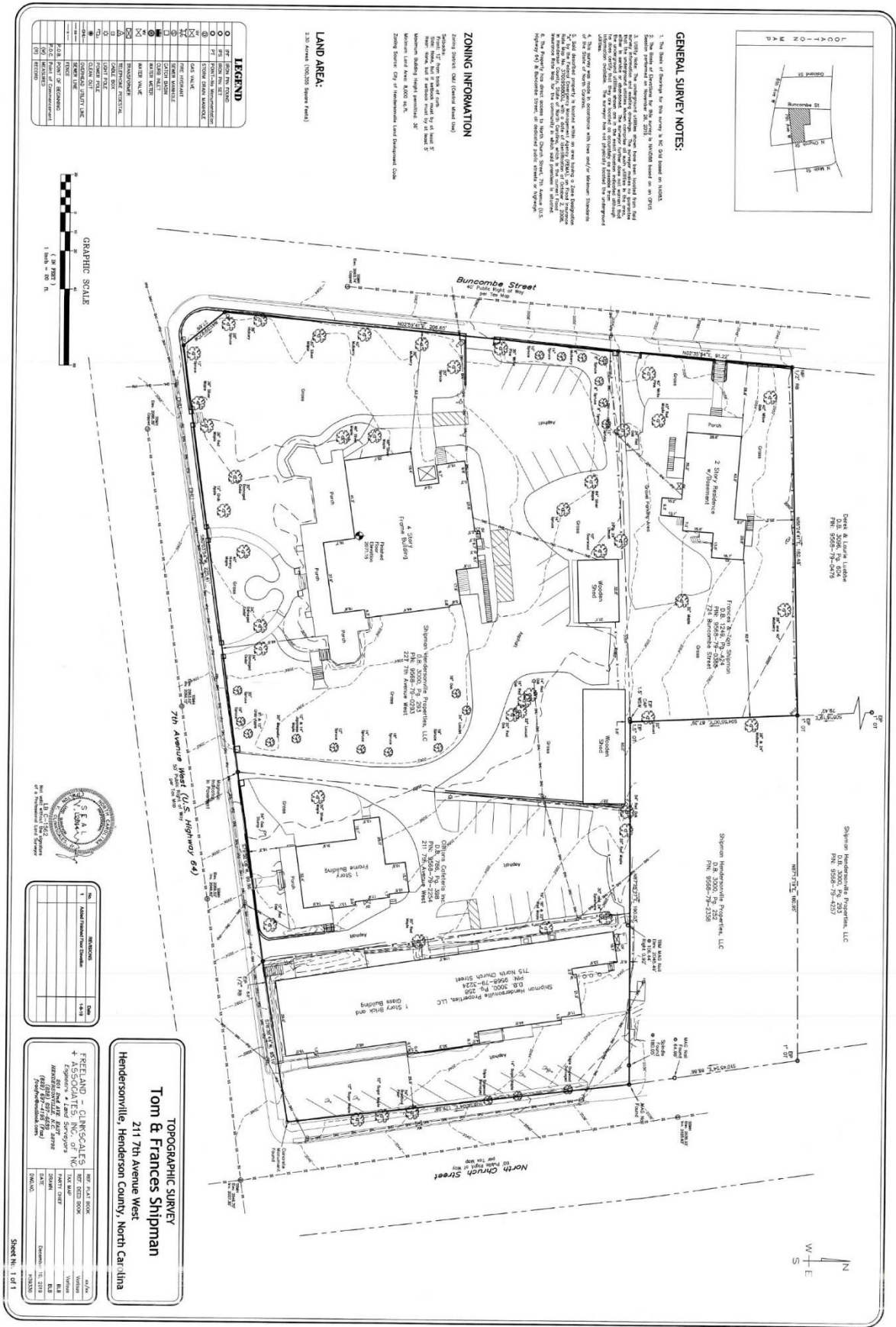
THE TAMARA PEACOCK COMPANY
Architects
104 1st Ave E, Hendersonville, NC 28792
Phone: 828.696.4000 Fax: 954.728.9225

122-b west bland st
charlotte nc 28203
704.344.9098

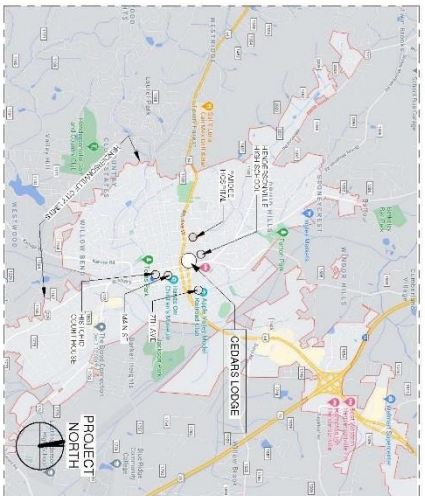
REVISION	REVISION DATE	ISSUED FOR

PROJECT NO.	1922
DATE	12/14/20
DESIGNED BY	AS100
PROJECT NO.	1922

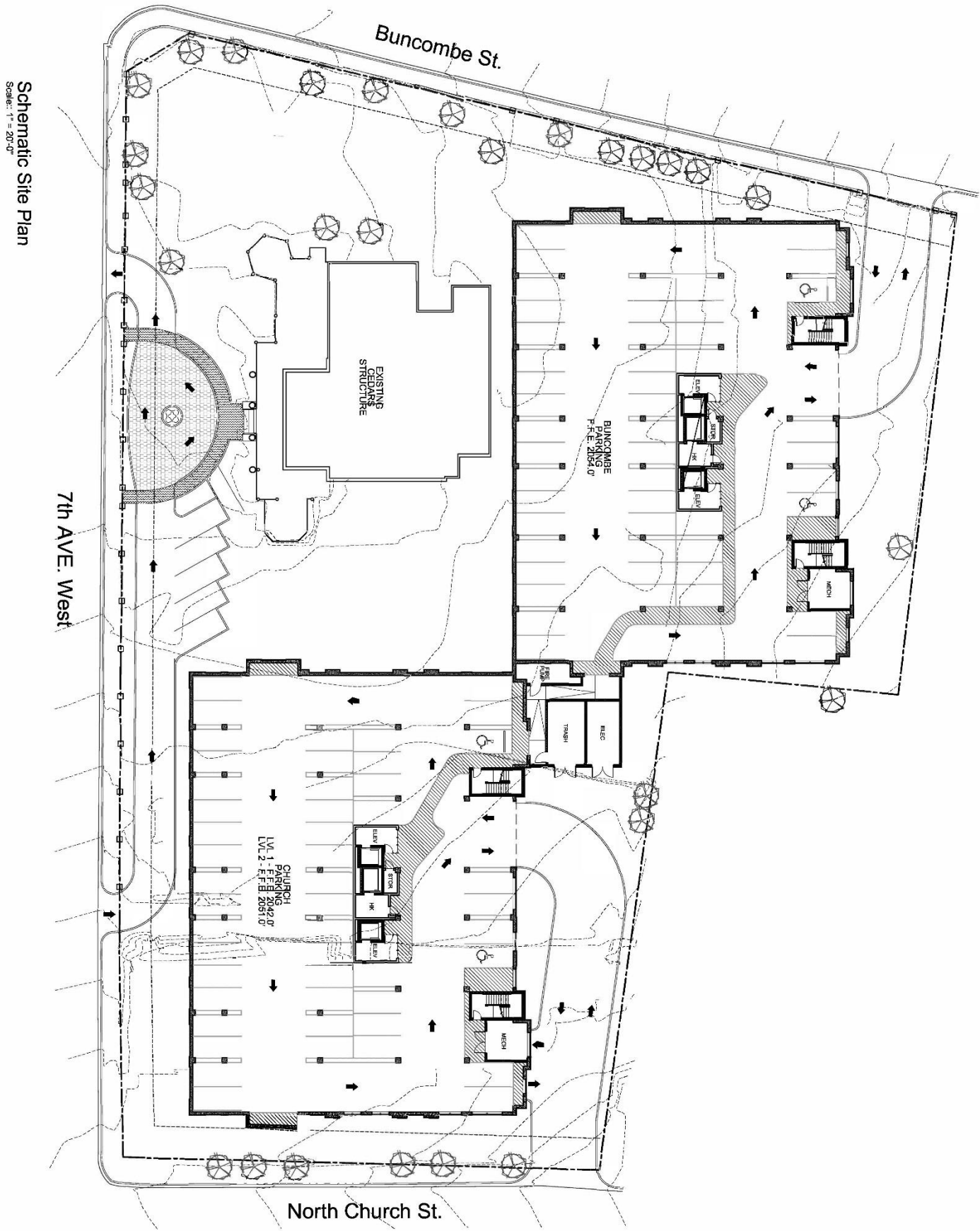
TAMARA PEACOCK, C.A.



VICINITY MAP



SITE MAP



SHEET NO.:
AS101

PROJ. NO.:
**Architectural
Site Plan**

SHEET NAME:
**Architectural
Site Plan**

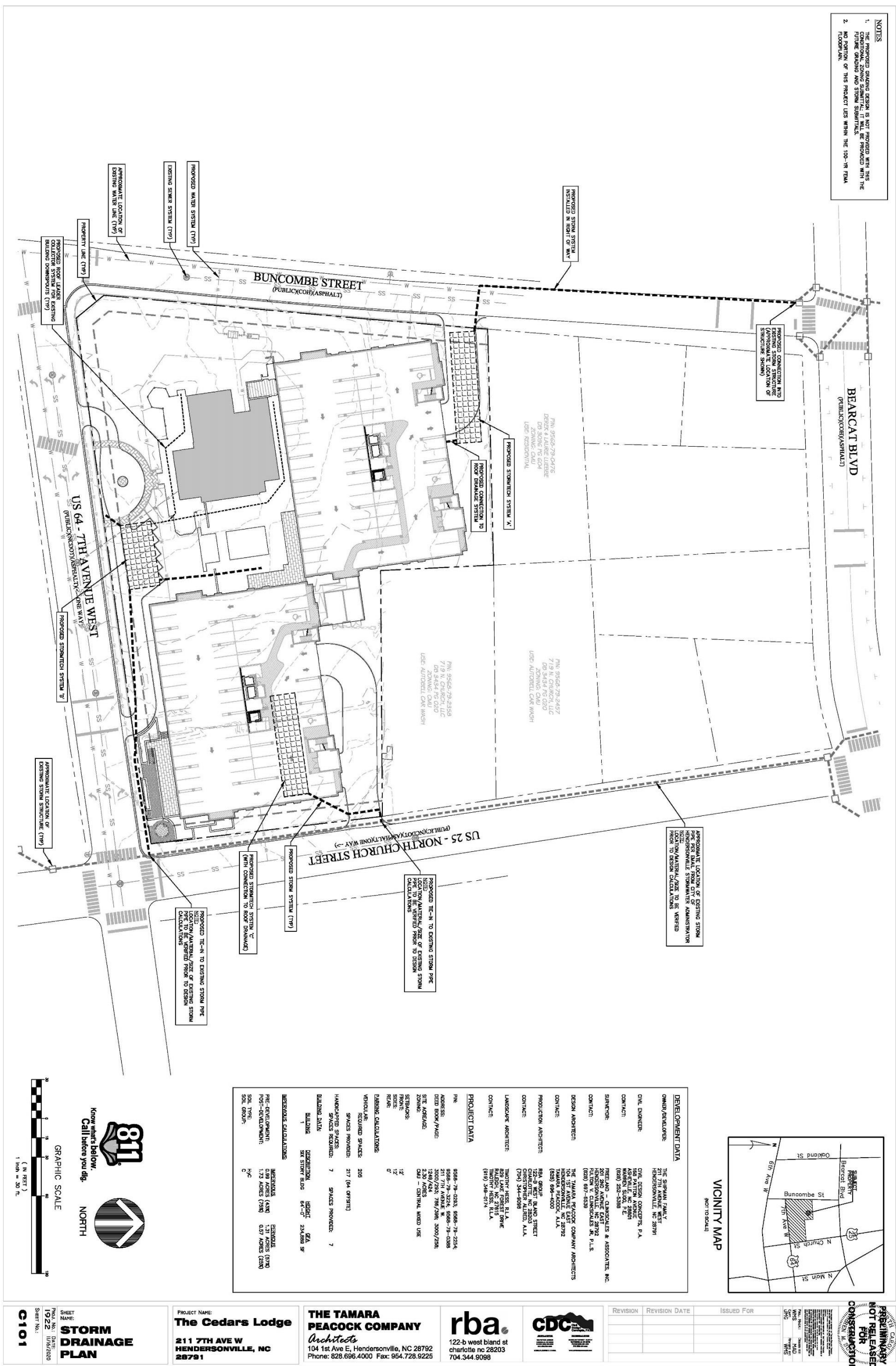
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11/19/2020

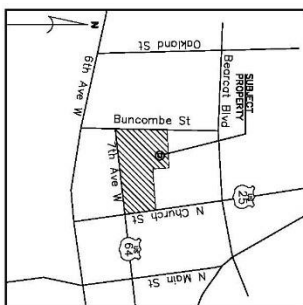
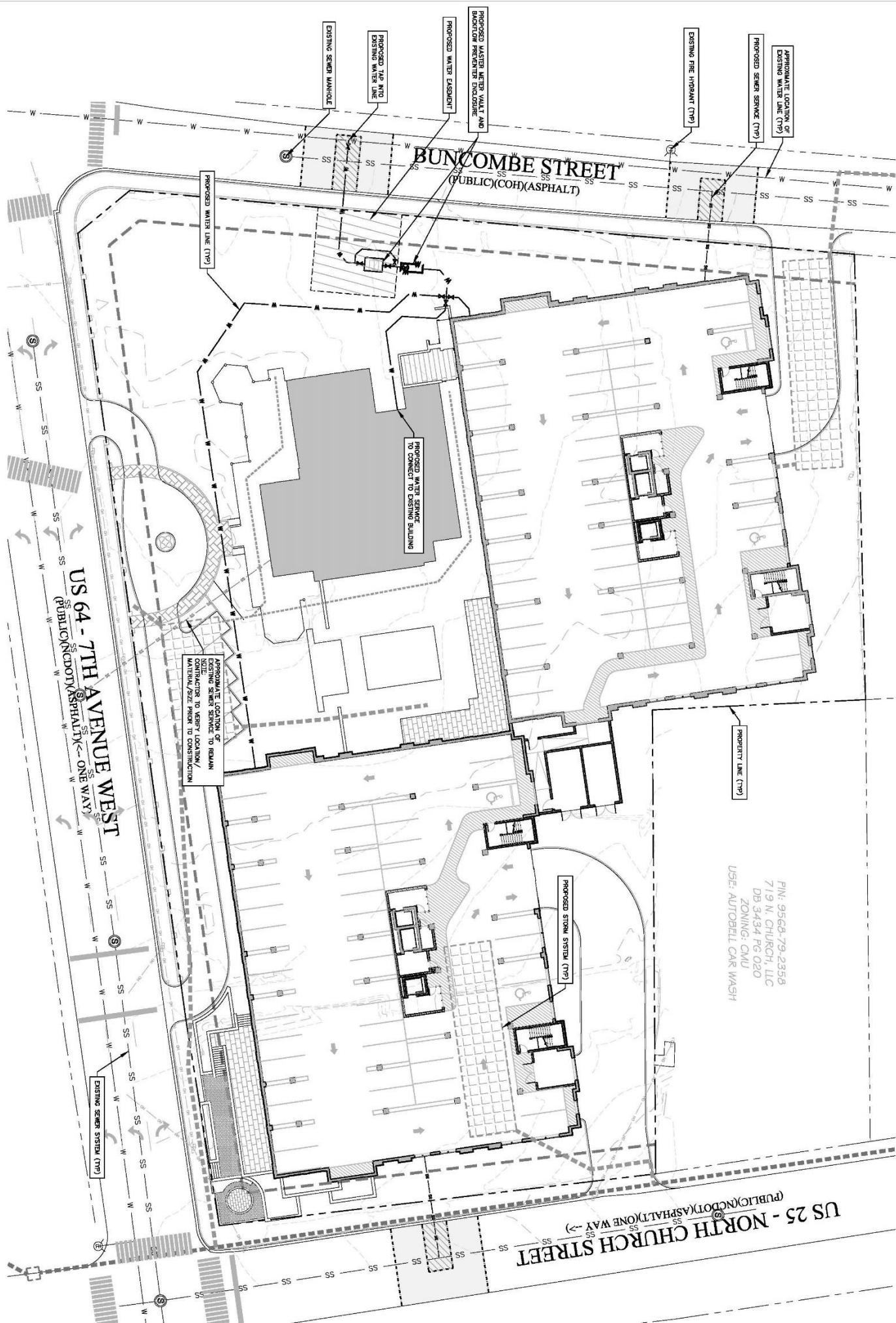
PROJECT NAME:
**The Cedars Lodge
211 7th AVE W
HENDERSONVILLE,
NC
28791**

**THE TAMARA
PEACOCK COMPANY**
Architects
104 1st Ave E, Hendersonville, NC 28792
Phone: 628.696.4000 Fax: 954.728.9225

rba.
122-b west bland st
charlotte nc 28203
704.344.9098

REVISION	REVISION DATE	ISSUED FOR





VICINITY MAP
(NOT TO SCALE)

REVISION	REVISION DATE	ISSUED FOR

PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION

78. LAMBERT, A. UNIVERSITY OF TEXAS, PRINCE GEORGE CAMPUS, 1000 UNIVERSITY BLVD., P.O. BOX 24240, ARLING- TON, TEXAS 76024-0240. (714) 769-0100. FAX (714) 769-0101. E-MAIL: LAMBERT@UTPG.CC.UTEXAS.EDU	79. LAMBERT, A. UNIVERSITY OF TEXAS, PRINCE GEORGE CAMPUS, 1000 UNIVERSITY BLVD., P.O. BOX 24240, ARLING- TON, TEXAS 76024-0240. (714) 769-0100. FAX (714) 769-0101. E-MAIL: LAMBERT@UTPG.CC.UTEXAS.EDU	80. LAMBERT, A. UNIVERSITY OF TEXAS, PRINCE GEORGE CAMPUS, 1000 UNIVERSITY BLVD., P.O. BOX 24240, ARLING- TON, TEXAS 76024-0240. (714) 769-0100. FAX (714) 769-0101. E-MAIL: LAMBERT@UTPG.CC.UTEXAS.EDU
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CDC
Centers for Disease Control and Prevention
Atlanta, GA

COMMUNITY
-ENVIRONMENT
DEPARTMENT
1600 CLIFTON BLVD
ATLANTA, GA 30333
404.616.1000

WORKING WITH
-NATURAL RESOURCES
DEPARTMENT
1600 CLIFTON BLVD
ATLANTA, GA 30333
404.616.1000

www.cdc.gov/communities

rba.
122-b west bland st
charlotte nc 28203
704.344.9098

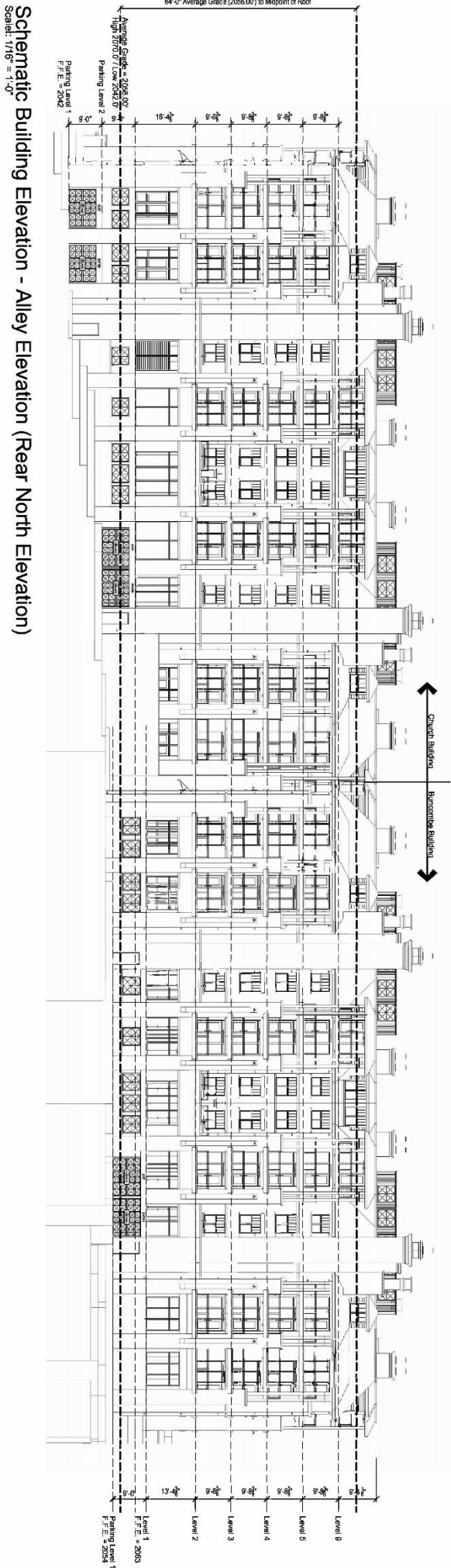
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Phone: 828.896.4000 Fax: 954.728.9225

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28791

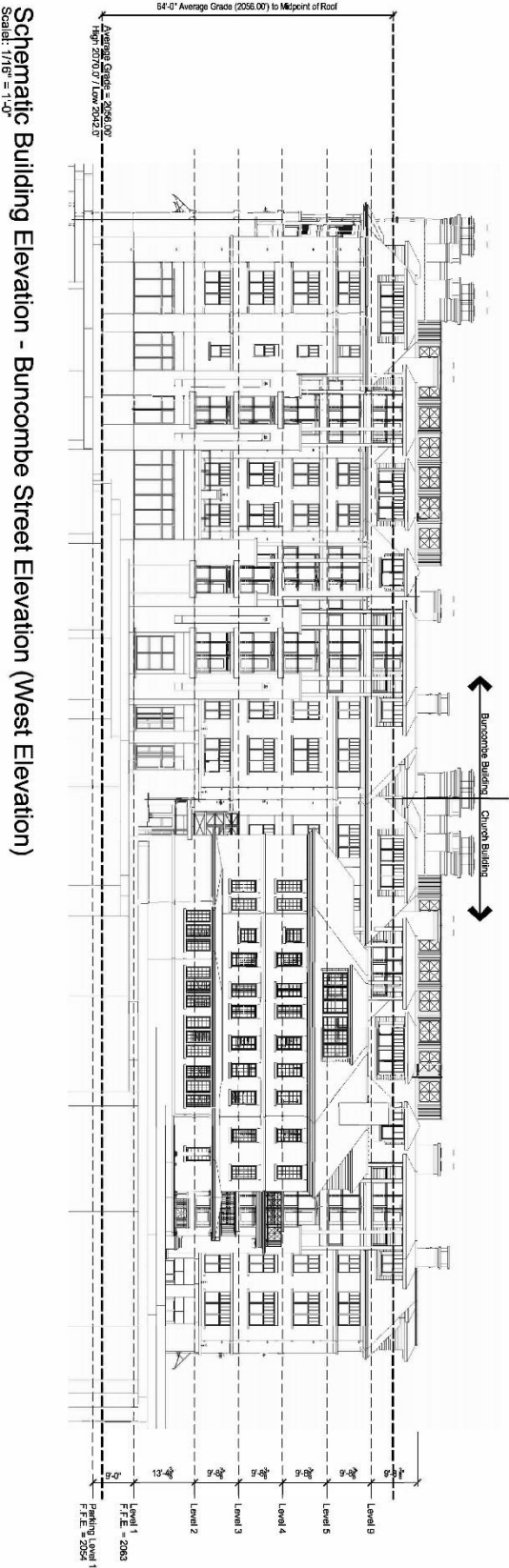
SHEET
NAME:
UTILITY PLAN

PROJ. No.:	DA
1922	11/7
SHEET No.:	
C20	

Schematic Building Elevation - Alley Elevation (Rear North Elevation)

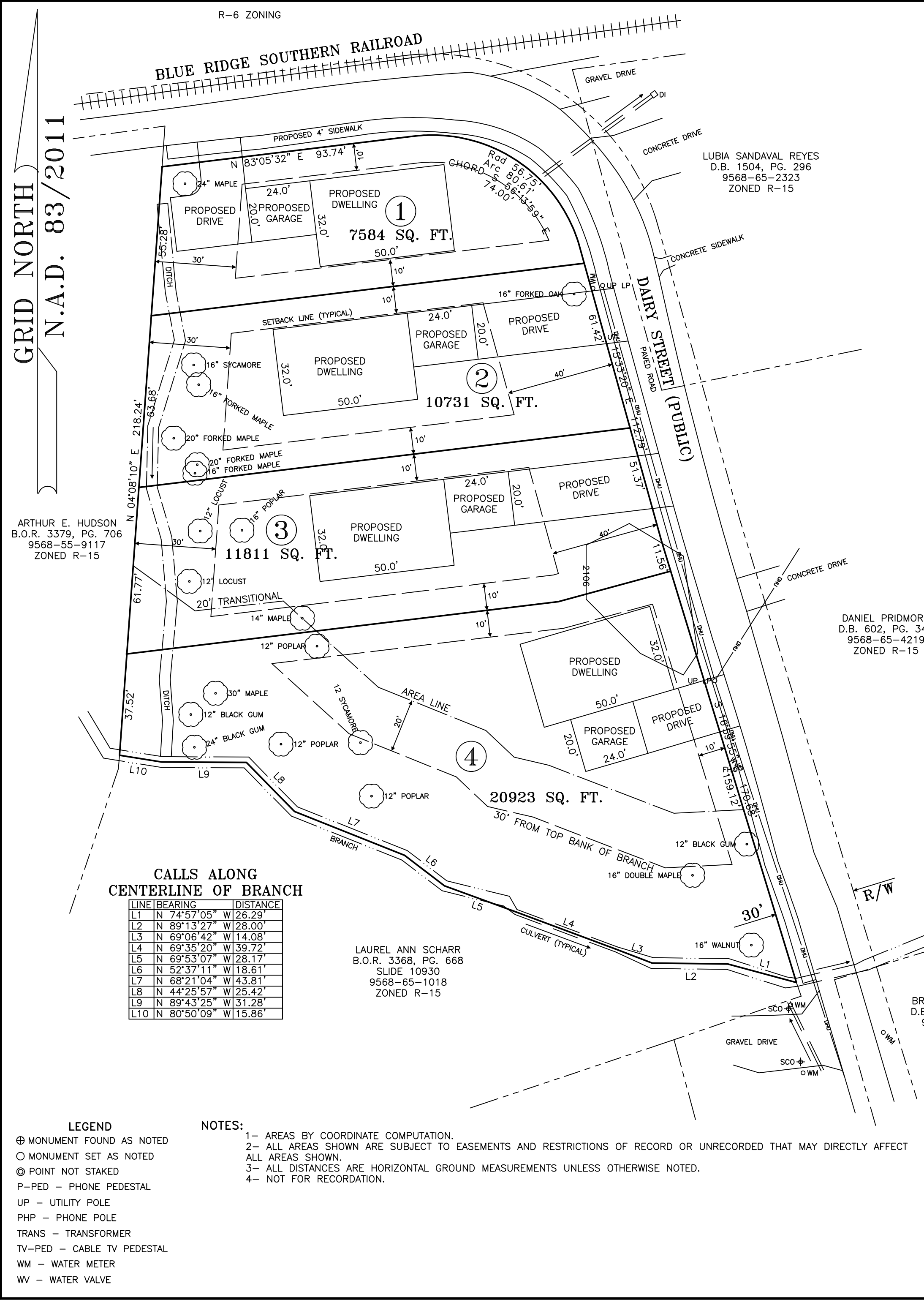


Schematic Building Elevation - Burcombe Street Elevation (West Elevation)









PLAT OF SITE PLAN
FOR
LOZANO ELEUTERIO URIBE

BEING THE PROPERTY DESCRIBED IN
BOOK OF RECORD 3523, PAGE 403

DAIRY STREET
R-15 (MINOR PRD) REZONING

CITY OF HENDERSONVILLE
HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

SCALE: 1" = 30'
NOVEMBER XXX, 2020

PRELIMINARY

PROJECT DATA

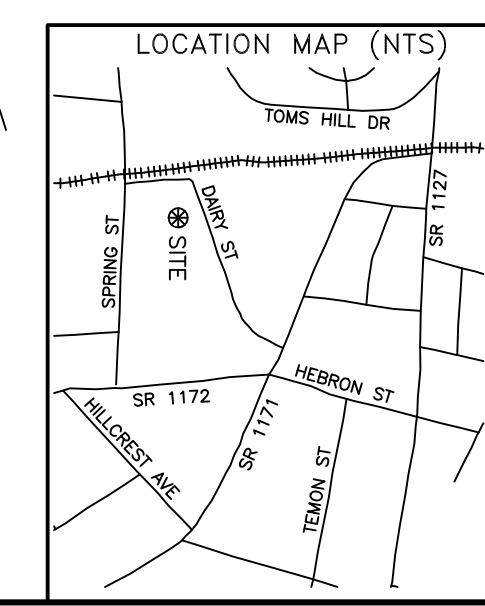
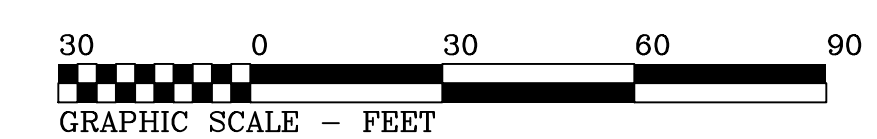
OWNER/DEVELOPER: LOZANO ELEUTERIO URIBE
100 KAY THOMAS DRIVE
HENDERSONVILLE, NC 28792
(828)243-3827

SITE PLAN BY HILL AND ASSOCIATES SURVEYORS, PA
403 WEST BLUE RIDGE ROAD
EAST FLAT ROCK, NC 28726
(828)693-1409

-PROPOSED ZONING: R-15(MINOR PRD)
-PROPOSED USE: RESIDENTIAL
-EXISTING NUMBER OF PARCELS: 1
-PROPOSED NUMBER OF PARCELS: 4
-PROJECT AREA: 51049 SQ. FT.
-PROPOSED DWELLINGS: 8320 SQ. FT. 16% SITE COVERAGE
-PROPOSE OPEN SPACE: NONE
-PROPOSED DRIVEWAYS: 5394 SQ. FT. 11% SITE COVERAGE
-WATER: CITY OF HENDERSONVILLE
-SEWER: PRIVATE PUMP STATION TO PUBLIC SEWER
-SUBJECT PROPERTY IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
PER F.I.R.M. 3700956800J

I, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (deed description recorded in Book SEE, page REFERENCES;) that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision as calculated is 1: 10000; that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
Witness my original signature, registration number and seal this XXXX day of NOVEMBER, A.D., 2020.

David H. Hill, NCPLS L-3863



DEED REFERENCES: B.O.R. 3523, PG. 403 SLIDE 6981	SURVEY BY HILL AND ASSOCIATES SURVEYORS, P.A. LICENSE NUMBER: C-1991 DAVID H. HILL N.C.P.L.S. 3863 403 WEST BLUE RIDGE ROAD EAST FLAT ROCK, NORTH CAROLINA 28726 (828) 693-1409	
TAX REFERENCES: 9568-65-1276		
PARTY CHIEF: DHH		
REVISIONS:		
DATE: NOVEMBER XXXX, 2020	CHECKED BY: DHH	DRAWING: 2016039SP
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