



CITY OF HENDERSONVILLE PLANNING BOARD REGULAR MEETING

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Thursday, November 14, 2024 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. Minutes of September 12, 2024
 - B. Minutes of October 24, 2024 Special Called Meeting
4. **OLD BUSINESS**
 - A. Zoning Text Amendment: Alignment of Urban Village and Urban Residential with Gen H Comprehensive Plan (P24-66-ZTA) – *Matthew Manley, AICP – Long-Range Planning Manager*
5. **NEW BUSINESS**
 - A. Rezoning: Conditional Zoning District – Brooklyn Townhomes (P24-62-CZD) – *Matthew Manley, AICP – Long-Range Planning Manager*
 - B. Rezoning: Conditional Zoning District – 715 Greenville Highway Multi-Family (P24-39-CZD) – *Tyler Morrow– Current Planning Manager*
 - C. Rezoning: Standard Rezoning – 329 Signal Hill Rd (Givens) | P24-71-RZO – *Matthew Manley, Long-Range Planning Manager*
6. **OTHER BUSINESS**
7. **ADJOURNMENT**

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

**Minutes of the Planning Board
Regular Meeting - Electronic
September 12, 2024**

Members Present: Peter Hanley, Tamara Peacock (Vice-Chair), Donna Waters, Chauncey Whiting, Kyle Gilgis

Members Absent: Beth Robertson, Jim Robertson (Chair), Laura Flores, Bob Johnson

Staff Present: Matthew Manley, Long Term Planning Manager, Sam Hayes, Planner II, Lew Holloway, Community Development Director

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

II Approval of Agenda. *Ms. Gilgis moved to approve the agenda. The motion was seconded by Mr. Whiting and passed unanimously.*

III(A) Approval of Minutes for the meeting of August 8, 2024. *Mr. Hanley moved to approve the Planning Board minutes of the meeting of August 8, 2024. The motion was seconded by Ms. Waters and passed unanimously.*

IV Old Business

V New Business

V(A) Zoning Map Amendment – Standard Rezoning – 7th Avenue Chariff (P24-58-RZO). Mr. Manley gave the following background:

Mr. Manley stated this is a standard rezoning off of 7th Avenue and it includes a number of PIN's and is an entire block. It is currently zoned C-2, Secondary Business and the proposed zoning is for CMU, Central Mixed Use. The property is three quarters of an acre.

Site photos were shown and are included in the staff report and presentation.

The Future Land Use map was show and is included in the staff report and presentation.

The Comprehensive Plan Consistency was explained and is included in the staff report and presentation.

The Current Land Use and Zoning map was shown and is included in the staff report and presentation.

General rezoning standards were discussed and are included in the staff report and presentation.

A draft Comprehensive Plan Consistency statement was shown and included in the staff report and presentation.

A draft reasonableness statement was shown and included in the staff report and presentation.

Rationale for approval and denial were included in the staff report and presentation.

Vice-Chair asked if there were any questions for staff.

Ms. Giglis asked about the six buildings on the properties and how many were considered historic. Mr. Manley stated only the one on the corner. She asked about the ones on Maple Street with the distillery, etc. Mr. Manley stated the outline on the hatched area under the red, that includes the National Register District there. He stated the National Register District does not provide any standards. There are no restrictions or regulations for the National Register District, only local historic districts have those.

There were no further questions for staff.

Vice-Chair asked if there were any comments from the applicant.

Lyle Chariff, 350 Roberts Drive stated he was focused on the revitalization of 7th Avenue. He recently completed a restoration on 7th Avenue. He is the owner of the building where Claywood is and restored that building and the art gallery across the street. They have gone over and above what most people thought they would do in this neighborhood. He does take into consideration the historic value even though they are not required to do so. They plan to do great things in this neighborhood.

Vice-Chair opened public comment.

Lynne Williams, Chadwick Avenue stated her concerns were about gentrification. She appreciates that an investor has come in and is fixing up 7th Avenue but she still sees it as a gentrifying factor. She doesn't see the protection of the historic unity that has been there and built that area. Displacement and gentrification on 7th Avenue is very real and it is happening. How do we do this strategically to preserve the history and give opportunity to the historic communities that have been there instead of shutting out that opportunity.

No one on zoom spoke.

Vice-Chair closed public comment.

The Board had discussion on the application. Historic Preservation was discussed and Mr. Manley explained the National Register recognition. Sam Hayes, Planner II discussed the HPC talking with property owners in the area. Mr. Hayes stated the Historic Preservation Commission does not hear applications in this area. This is not a local historic district.

Mr. Whiting moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because: The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'. 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. CMU zoning would be extended to align with adjacent zoning. 2. The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties. 3. CMU standards will allow for new infill development designed to complement the surrounding 7th Ave area in a way that C-2 zoning will not. Ms. Gilgis seconded the motion which passed unanimously.

V(B) Zoning Text Amendment – Alignment of Urban Village and Urban Residential with Gen H Comprehensive Plan (P24-66-ZTA). Mr. Manley gave the following background:

Mr. Manley stated this text amendment is staff initiated. It mainly relates to updating the zoning code to align with the new Comprehensive Plan. There are references that are tied to the 2030 Comprehensive Plan that are now out of date as of August 1st. They are focused on the Urban Residential and Urban Village zoning districts.

Mr. Manley discussed the proposed amendment for Urban Village which is included in the staff report and presentation. He also discussed the proposed amendment for the Urban Residential district which is included in the staff report and presentation.

He discussed the relationship to the previous Comp Plan which is included in the staff report and presentation.

A map was shown clarifying the 2009 Comp Plan to the Gen H Comp Plan. This is included in the staff report and presentation.

The proposed amendment for the Subdivision Ordinance was shown and is included in the staff report and presentation.

The Comprehensive Plan Consistency was explained and is included in the staff report and presentation.

Relationship to Gen H Comp Plan character areas were shown and included in the staff report and presentation.

General rezoning standards were discussed and are included in the staff report and presentation.

The relationship to the Gen H Comp Plan guiding principles were discussed and are included in the staff report and presentation.

Rationale for approval and denial were included in the staff report and presentation.

Mr. Manley stated this item was not noticed so tonight they are just doing the presentation. The public hearing was not noticed so the Board can continue it then they can pick up at the October 10th meeting and have a brief presentation and vote on it.

Ms. Gilgis made a motion to continue this item to the October 10th Planning Board meeting. Ms. Waters seconded the motion which passed unanimously.

V(C) Subdivision Text Amendment – Changes to Double Frontage Lots in New Subdivisions (P24-048-STA). Mr. Hayes gave the following background:

Mr. Hayes stated Zachary Grogan is the applicant. The applicant's petition proposes a waiver for the requirements in section 3.03 (D) and section 3.04 (C) of the Subdivision Ordinance to allow for double frontage lots in more instances. The applicant's reasoning is to enable more urban site design options while also aligning with NCDOT requirements.

Staff believes this will increase the ability of property owners to propose double frontage lots in their developments and enable staff to classify more streets to enable double frontage lots while also assisting in managing street access.

Definitions were shown and included in the staff report and presentation.

A current ordinance example was shown and is included in the staff report and presentation.

The staff recommended code revision was discussed and is included in the staff report and presentation.

Comprehensive Plan Consistency was discussed and is included in the staff report and presentation.

The Planning Board Legislative Committee met on August 20th. Committee members voiced support for the changes.

A draft consistency statement was shown and is included in the staff report and presentation.

A draft rationale for approval and denial were included in the staff report and presentation.

Vice-Chair asked if there were any questions for staff.

Ms. Gilgis asked what the perimeters would be to reclassify a street. Mr. Hayes stated staff has talked with the Public Works Department and they would go out and do the counts and the City Manager would have the ability to reclassify a street. Lew Holloway, Community Development Director discussed sidewalks and driveways.

There were no further questions for staff.

Vice-Chair asked if the applicant would like to speak.

Zach Grogan, Greenville SC stated he supports this. It will allow double frontage and allow staff to reclassify streets. He explained the reasoning for this text amendment and it will help bring development towards the road. He discussed other developments and the new Comp Plan.

Mr. Holloway stated the double frontage was actually on staff's list of text amendments that was created about a year ago. There was already a conversation going on with staff concerning double frontage lots from running into other situations where they wanted to use them but the Subdivision Ordinance would not allow it. Mr. Manley stated they wanted to give flexibility to developers but also give flexibility to staff. This will greatly improve walkability. There are also of places throughout the city that would benefit from this change. He discussed the buffers as well. He discussed sidewalks and bike lanes.

Mr. Grogan discussed the buffer and explained those. He had a draft showing the 25 foot buffer verses the 12 foot buffer. Mr. Manley stated this is for only when you are doing subdivisions and creating double frontage.

Mr. Hayes explained the difference between a right-of-way and a buffer.

Vice-Chair opened the public hearing.

Lynne Williams, Chadwick Avenue stated this is very confusing to her but when she sees this gentleman here and the development on Old Spartanburg and Brooklyn and she is trying to figure out how that plays out. Her concern is how that plays out. She discussed having packed units on a lot and buffering on Brooklyn Avenue.

Mr. Holloway stated the Brooklyn project would come before the Board and at that time they can answer questions.

Ms. Williams was just wondering how this would potentially play out. Vice-Chair stated it seems like the overall quality of a higher density development would improve with this amendment.

No one else spoke.

Vice-Chair closed the public hearing.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Subdivision Ordinance, Section 3.03 and 3.04 and 4.03 as presented by staff, based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, 2018 Bicycle Plan and 2023 Walk Hendo Pedestrian Plan based on the information from the staff analysis and the public hearing, and because: The petition aligns with the City's adopted plan's policy guidance to promote vibrant neighborhoods, create compact development, establish connectivity and improve walkability/bikeability throughout the community. 2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed text amendment creates flexibility for property owners while still limiting potential impacts to the greater community which include congestion management through driveway consolidation and reduction of conflict point for pedestrians, cyclists and vehicles. 2. The proposed text amendment expands the number of streets that will allow double frontage lots, while also imposing more requirements to ensure that these lots do not negatively impact the community. 3. The proposed text amendment will assist in redeveloping smaller lots in areas targeted for infill. Ms. Waters seconded the motion which passed unanimously.

V(D) Zoning Map Amendment – Standard Rezoning – Sixth Avenue and Bearcat Loop (P24-65-RZO). Mr. Manley gave the following background:

This property is currently zoned MIC CZD and the proposed zoning would be MIC. It is 0.05 acres. The Future Land Use Designation is Institutional. This is a remnant of a parcel that was rezoned for the church at the corner of Blythe and 64. This is a small vacant piece of property. Jon Blatt is the current owner. This will clean it up and take it back to base zoning.

Site photos of the property were shown and are included in the staff report and presentation.

The Future Land Use map was shown and is included in the staff report and presentation.

The Current Land Use and Zoning map was shown and is included in the staff report and presentation.

A staff analysis overview on the comprehensive plan consistency was discussed and is included in the staff report and presentation.

A draft Comprehensive plan consistency statement was included in the staff report and presentation.

A draft reasonableness statement was included in the staff report and presentation along with rationale for approval and denial.

There were no questions for staff.

Vice-Chair opened for public comment.

Lynne Williams, Chadwick Avenue stated she liked Mr. Blatt's idea of a pet cemetery and she hopes that can move forward. It is very peaceful on that forested lot. She discussed giving that to the city and extending Oakdale Cemetery with the pet cemetery. The trees around it are really important and it is a nationally registered historic property. She begged Mr. Blatt not to develop this lot.

No one else spoke.

Vice-Chair closed the public hearing.

Ms. Waters moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property, PIN: 9568-39-3793 from Medical, Institutional and Cultural – Conditional Zoning District to Medical, Institutional and Cultural Zoning District based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because: The proposed zoning district, Medical, Institutional and Cultural (MIC), aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Institutional'. 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. The zoning standards for this parcel do not change with the removal of the Conditional Zoning District designation. 2. The permitted uses and development standards of the MIC zoning aligns with existing character of the 6th Avenue corridor. 3. The rezoning allows for a diminutive vacant parcel to be used in combination with surrounding MIC parcels in a productive fashion. Mr. Hanley seconded the motion which passed unanimously.

VI Other Business. Mr. Holloway discussed the next Planning Board meeting and the items on it. He discussed planning a second Planning Board meeting. Discussion was made on dividing up the meeting. Time limits for public comment was discussed.

VII Adjournment – The meeting was adjourned at 5:57 pm.

Jim Robertson, Chair

**Minutes of the Planning Board
Special Called Meeting - Electronic
October 24, 2024**

Members Present: Jim Robertson (Chair), Peter Hanley, Donna Waters, Laura Flores, Bob Johnson, Kyle Gilgis

Members Absent: Tamara Peacock (Vice-Chair), Beth Robertson, Chauncey Whiting

Staff Present: Tyler Morrow, Current Planning Manager, Sam Hayes, Planner II, Lew Holloway, Community Development Director

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

II Approval of Agenda. *Mr. Hanley moved to approve the agenda with the addition of the approval for the location change for the November and December meetings. The motion was seconded by Ms. Gilgis and passed unanimously*

III Approval of Minutes - None

IV Old Business - None

V New Business

V(A) Notice for the location change for the Planning Board meetings for November 14th and December 12th, 2024 to be held at City Hall, 160 6th Avenue East.

Ms. Gilgis moved the Planning Board to accept the location change to City Hall for the November and December meetings. Ms. Waters seconded the motion which passed unanimously.

V(B) Administrative Review – Preliminary Site Plan – Berkeley Mills Sports Complex (A24-68-SPR). Mr. Morrow gave the following background:

Chair clarified that this application is just a review to make sure whatever being proposed at this location meets the Zoning Ordinance requirements for I-1.

Mr. Morrow stated the city has received a preliminary site review from Henderson County for the Berkeley Mills Sports Complex project. Mr. Morrow stated this is an Administrative Review and our ordinance defines that as decisions made in the implementation, administration or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards in the Zoning Ordinance. The Planning Board must determine if the project meets all applicable requirements and if the project does the Planning Board must grant approval. The Planning Board can determine three possible outcomes for today’s determination. Approval of the preliminary site plan as presented, Approval of the preliminary site plan with conditions, (those conditions must revolve around any way the site plan is not meeting the current ordinance) or denial of the application but the Planning Board must provide the reasoning for the denial and specifically state which sections of the ordinance are not being met.

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

- **Addition of more than 30 parking spaces.**

Planning Board must administratively review the preliminary site plan to ensure compliance with the zoning ordinance. Approval of a preliminary site plan **shall not** entitle the applicant to the issuance of a zoning compliance permit. The developer will be required to submit final site plan to staff for review.

Mr. Morrow stated a development this size in I-1 is permitted by right and does not require a rezoning. The City of Hendersonville was petitioned by the Henderson County government to construct this sports complex. The property is not owned by the City of Hendersonville and is not a City of Hendersonville project. The property is owned by Henderson County government and will be constructed if approved by Henderson County government. The city is required to review this project in accordance with the zoning ordinance just like we would for any other project proposed by a property owner within the City's jurisdiction. Outside of ensuring the plans are within full compliance with the zoning ordinance the City of Hendersonville does not have input on the layout, make-up or use of the property outside normal land use regulations.

Mr. Morrow stated the property is located at 47 and 69 Balfour Road. The applicant is Henderson County. The property is zoned I-1, Industrial and is approximately 38.39 acres. The proposed and existing use is a park.

The Current Land Use and Zoning map was shown and is included in the staff report and presentation.

Site photos of the property were shown and are included in the staff report and the presentation.

The preliminary site plan was shown and is included in the staff report and presentation. Mr. Morrow stated the historic baseball field and stands will remain.

Mr. Morrow stated based on the review by staff, the submitted preliminary site plan for the Berkeley Mill Sports Complex Project meets the Zoning Ordinance standards established for this type of project within the I-1 Industrial district and Preliminary Site Plan Review (Section 7-3-3.2).

Mr. Morrow stated Chris Todd, Assistant County Manager was in attendance along with the site designers and Mr. Morrow would be happy to answer any questions.

Ms. Giglis asked what tier two landscaping was. Mr. Morrow stated the bare minimum that you are allowed to save on a site such as this is 20% of the existing tree canopy with the intent that saving 30% would be ideal and for any development that does not protect that 30% they have to plant additional plantings to take them above the 30% of new canopy.

Ms. Gilgis stated 314 parking spaces, what are they going to be composed of? Will they be asphalt? Mr. Morrow stated to his knowledge yes, the specifics of the make-up would be better suited for the design team to answer. The city doesn't have a requirement that it be anything other. Ms. Gilgis felt pervious pavers would be really good.

Mr. Johnson stated the ballpark that is already there is a little rough, does this project encompass fixing that up at all? Mr. Morrow stated this might be a better question for the site designers but to his knowledge he does not know about renovating the existing ballfield. We do know that it will remain and likely not be demolished through this project. Mr. Morrow did not know if it would be renovated.

There were no further questions for staff.

Chair stated the applicant is Henderson County and asked that they come up and speak.

Christopher Todd, Assistant County Manager introduced his team. Mr. Todd gave a brief history of how they got here. He stated it has been 20 years that members of the community have been asking for better (specifically) soccer facilities. Over the past three years with the use of the ARPA Federal funding the Henderson County Board of Commissioners asked staff to go out and find a piece of land that would be suitable to have additional soccer fields. With that search a partner came forward which was the Henderson County Public School System. That partnership has been discussed publicly and voted on by both boards. It is an Interlocal Agreement signed by both boards. What that agreement says and what Henderson County and Henderson County Public Schools will do is build a park designed with all of these public amenities. Those amenities will included four full size soccer fields, a softball facility and six tennis courts with two specifically being designed to the North Carolina Athletic Association standard for the high schools. They will meet the needs of high school aged students here in out county and those that travel in. Additionally within that agreement it talks about the parking and additional amenities that will go along with that. They will be using federal dollars and the county intends to bid this publicly. In seven days they will release bids to the construction market because they are obligated to spend these federal dollars. They are obligated to use these federal dollars by the end of the year and have them expended in two years' time, so by December 31, 2026. He was thankful to everyone that has been involved with this project. He is happy to answer any questions.

Chair stated there was one question about the historic ballfield getting a facelift and is that in the plan. Mr. Todd stated the existing historic ballfield for a couple of reasons is getting very lightly touched. Specifically it is going to get new lighting. That lighting will be placed outside of the project area which is clearly defined in the site plan they have in front of them. They had to make sure they are working with the State of North Carolina since the property is on the National Register of Historic Places. They acknowledge that and have been working with the state since the beginning of this project. They have every intent as the county to preserve that historic character. He feels this project will bring a new light and a new generation to a historic place that has never used it before. They will have parking that is ADA, they will have restrooms that are ADA, they will have the ability to bring in larger amounts of concessions and food opportunities to support the use of all facilities on the property. They will be able within the next two years to breathe a new life into an old ballfield that is a cornerstone of this community and a significant part of our history.

Mr. Todd stated they will have walking paths and those are on the site plan. The property is a public park and the facilities will remain open to the public at large. There is a partnership with the Henderson County Public Schools and they will have priority of the baseball, softball and tennis facilities.

Chair stated Mr. Todd mentioned this going to both boards. Was that the Henderson County Commissioners and the School Board? Mr. Todd stated yes. Chair stated this has not gone before City Council and the only review would be this Planning Board and city staff? Mr. Morrow stated yes, this is not a rezoning and is only going through an administrative review.

Chair stated concerning the lighting, the city has a lighting ordinance where lighting cannot bleed onto other properties especially residential areas and he knows there are some homes that back up to the park. Have they made sure lighting will not bleed into that residential area? Jason stated yes, they are working with ballfield lighting consultants and the ballfield lighting and parking lighting do not seem to be impacting those areas at all. There will be some hoods and things of that nature. LED lights do not bleed at the ground level. They will be responsible in meeting all the ordinance requirements with regard to lighting, property lines, stream buffers and anything like that.

Chair asked if they feel like since this project has been fast tracked, have they dotted all the "I's". Three months ago there was an article in the paper and here we are today and he knows the money has to be appropriated by the end of the year and he thinks the general consensus in the community is we need these facilities but he wants to make sure because it was fast tracked that the county has spent time to make sure the requirements have been met. Mr. Todd explained the extra time and energy that the

engineers and city staff has put into this project to make sure they meet the rules because they intend to. He feels very confident in the engineering team and a dedicated city staff and a dedicated county staff that they will meet every intention of your ordinance and they will provide a high quality project which Henderson County and the City of Hendersonville will benefit from.

There were no further questions for the applicant.

Ms. Waters stated when Mr. Morrow explained what an administrative review was, does she understand that this board's only challenge or the only question to answer today is does the project meet the zoning requirements of the city. Mr. Morrow stated that is correct. That is the only task this board is undertaking today. Just confirming compliance with the zoning ordinance and regulations.

Chair stated he is going to open public comment however, he has heard there are some concerns like perhaps the Bearcat baseball team may not be able to play there next year because of the construction and that is something you will probably need to take up with the School Board or the County Commissioners because they will be developing this project. This is an administrative review. If tennis courts and soccer fields and baseball fields are allowed in I-1, which they are, so if you have a comment that you see something that this may not meet the ordinance and you have seen something that we may have not seen then come on up and tell us what you are thinking. But if it is regarding something other than that he would say there is really nothing they can do to help them, you really need to speak to your County Commissioners, to the County Manager or to the School Board.

Discussion was made on paving the parking lot with asphalt and having three stormwater retention ponds on site and an underground storage system as well. They also do not anticipate construction to start until spring. There is time for any conversations to be had concerning this project with the county or on the school level.

Chair asked if there would opportunities for the public to make comments since this was fast tracked from the beginning. A member of the team stated this is the time to make those comments. Chair stated he would disagree. This is an administrative review and it is to make sure what is proposed meets the ordinance. It is not to talk about will the Bearcats playing ball there this spring. He knows that is a big concern. There are high school students here concerned about this and he gets that but an administrative review by the Planning Board is not the forum for those types of conversations. They need to happen but they haven't happened. The timeline is what everyone is concerned about.

Mr. Todd stated this has been an expedited project and government is typically slow but this project is unique and in a given time period where they had more time there would have been more meetings. One of the things the county has attempted to do is they have involved the School Board and its professional staff from the beginning. In their last conversation with them on September 16th, they all sat in a room with these folks as well and had that conversation. They expressed to them a desire to find a way to preserve as many of the seasons in that facility as possible and communicated to them that was going to continue to be an ongoing conversation. One thing that is still a frankly unknown is that they need to get a contractor on board and be able to work with those folks and build a relationship so they can be sure to design a space in a way that would hopefully not impact this upcoming season. The chance that it impacts the other two seasons, there is a chance that does exist. They are willing to have discussions with anyone that has concerns.

Mr. Todd stated this has been discussed publicly in public meetings with the Commissioners and with the School Board. It has been posted and was posted in the paper.

Lyn Milner, 159 Skyline Drive stated he has a senior at Hendersonville High School and he understands everything they are saying and they support this plan and it will be a beautiful facility for the people of Hendersonville and the county and for Hendersonville High School in the future but they were given no warning. They were told three days ago that they were out and gone and they would be going to a facility that is not ready to handle high school baseball with the floods. He personally reached out to people in power and authority and they were not even given a chance to speak. They understand the process of this board but they are begging for the opportunity to speak with these people to be able to say what they feel. They put a plan together to build a high school with students on site and Covid happened and changed everything and they got it done quicker. They have to be able to do what they can do at Berkeley Sports Complex but still give these students what they deserve. Before they had that park they had no JV program, before they had Berkeley they were winning one game a year. Since they moved to Berkeley they have built a JV team and qualified for the state playoffs two years in a row. This year they have the opportunity for a conference championship and host the playoff. Hendersonville High School has a beautiful school and all the other schools have beautiful schools and beautiful programs and Berkeley will be that for us. In the meantime they have to develop a plan to get these seniors and these juniors their home to play ball in as we move forward with this. He understands what they are saying has nothing to do with what this board and approving this but no one else gave them an opportunity to speak before. He discussed the maintenance of the park.

Ken Fitch, 1046 Patton Street stated he had submitted photos of the site. He stated the city policy for addressing National Historic sites is to follow the Secretary of Interior's Standards for the treatment of historic properties. That is in several of the ordinances. The request is here that those standards and guidance would be followed in this case. Following those standards would ensure the preservation of the ballpark which is the intent. He stated there were issues in the corner with two flights of stairs and a ramp and does that comply with the city ordinances. He discussed medical emergencies and EMS getting to the fields. How does a fire vehicle access the site? How the site functions is a concern. The stadium is part of history and should continue to be so.

David Dalton, 91 and 93 Balfour Road stated he was concerned about the lighting and if there will be a curfew on the lighting and when it will go off. He also asked about the highway and was concerned about the traffic coming through from the new development. This project will cause a lot of traffic issues. He has also complained about the water runoff from this property. He has lived here 22 years and there is a ditch/perineal stream back there and when it rains that water comes off that ballpark property and rushes down that stream pretty quick. After the flood he had 12 inches of clear water in his garage and it ruined a lot of stuff. It is from the water running off of that property.

Doris Nichols, 85 Balfour Road stated when she was a little girl (she has lived here all her life) it was called a pasture because they had cows and they are close to the pasture and she just wondered how they would like to have this complex next to them and their home.

Mr. Dalton stated no one asked them what they thought about it. Chair stated as long as it meets the zoning it is permitted to be there.

Chair closed the public comment.

Chair stated National Historic sites was that a consideration. Someone from the team stated that the ballfield would not be touched. All codes, ordinances and standards would be met. There are multiple areas for the EMS and fire vehicles to get in and grade locations where they could get in.

Mr. Morrow stated the city has seen a lighting plan and it is compliant with the city's ordinance. Discussion was made on the lighting.

Chair asked in staff's opinion does this site plan meet the current requirements of the ordinance for this location. Mr. Morrow stated yes, this project is compliant.

Mr. Hanley moved that the Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-12 I-1, Industrial and 7-3-3 Review of Preliminary Site Plans) finding that the Berkeley Mills Sports Complex project is compliant with all applicable requirements. Mr. Johnson seconded the motion which passed unanimously.

Chair stated the public hasn't had much time to comment on the project and he recommended the county allow time for the public to speak. Mr. Todd stated he is happy to have any conversations and have a public forum.

VII Adjournment – The meeting was adjourned at 5:21 pm.

Jim Robertson, Chair

DRAFT



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** November 14, 2024

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

TITLE OF ITEM: Zoning Text Amendment: Alignment of Urban Village and Urban Residential with Gen H Comprehensive Plan (P24-66-ZTA) – *Matthew Manley, AICP – Long-Range Planning Manager*

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-24. ‘Urban Village Conditional Zoning District Classification (UV)’ and Section 5-25. ‘Urban Residential Conditional Zoning District Classification (UR)’, and City of Hendersonville Subdivision Ordinance, Section 1.07 - ‘Relationship to other laws and policies’ based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p>The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.</p> <p>2. We [find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. Urban Residential and Urban Village Zoning Districts were outdated 2. The Zoning Text Amendment updates the language in the Zoning Code to align with the newly adopted Gen H Comprehensive plan. 3. The Subdivision Text Amendment updates outdated language referencing the 2030 Comprehensive Plan <p>[DISCUSS & VOTE]</p>	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council deny an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-24. ‘Urban Village Conditional Zoning District Classification (UV)’ and Section 5-25. ‘Urban Residential Conditional Zoning District Classification (UR)’, and City of Hendersonville Subdivision Ordinance, Section 1.07 - ‘Relationship to other laws and policies’ based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p>The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.</p> <p>2. We [do not find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. Urban Residential and Urban Village zoning districts are incompatible with the list of permitted Character Areas <p>[DISCUSS & VOTE]</p>
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SUMMARY: *The City of Hendersonville is initiating an amendment to the City's Zoning Ordinance and Subdivision Ordinance to make updates which align with the City's newly adopted Gen H 2045 Comprehensive Plan.*

The proposed changes would update the Future Land Use designations referenced in two zoning districts - Section 5-24 (Urban Village) and Section 5-25 (Urban Residential). Currently, these two zoning districts make reference to Future Land Use designations outlined in the 2030 Comprehensive Plan. The proposed amendment would update the Future Land Use designations to align with the Gen H 2045 Comprehensive Plan. The Future Land Use designations are used as a tool within these two zoning districts to guide the appropriate locations for this type of zoning. Additionally, the 2030 Comprehensive Plan is specifically referenced in the City's Subdivision Ordinance. This update would be to make the Subdivision generally reference the currently adopted Comprehensive Plan rather than reference a specific plan by year or title.

PROJECT/PETITIONER NUMBER:	P24-66-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Comprehensive Plan Consistency & Criteria Evaluation3. Draft Ordinance

ZONING TEXT AMENDMENT: ALIGNMENT OF URBAN RESIDENTIAL & URBAN VILLAGE ZONING DISTRICTS WITH GEN H COMPREHENSIVE PLAN (P24-66-ZTA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - Urban Residential & Urban Village Alignment with Gen H Comp Plan
 - P24-66-ZTA
- Applicant:
 - City of Hendersonville
- Articles Amended:
 - Zoning Ordinance
 - Section 5-24
 - Section 5-25
 - Subdivision Ordinance
 - Section 1.07
- Zoning Districts Impacted:
 - Urban Village
 - Urban Residential
- Future Land Use Designations:
 - Multi-Generational Living
 - Neighborhood Center
 - Mixed Use-Commercial
 - Mixed Use-Employment
 - Downtown

Summary

The City of Hendersonville is initiating an amendment to the City's Zoning Ordinance and Subdivision Ordinance to make updates which align with the City's newly adopted Gen H 2045 Comprehensive Plan.

The proposed changes would update the Future Land Use designations referenced in two zoning districts - Section 5-24 (Urban Village) and Section 5-25 (Urban Residential). Currently, these two zoning districts make reference to Future Land Use designations outlined in the 2030 Comprehensive Plan. The proposed amendment would update the Future Land Use designations to align with the Gen H 2045 Comprehensive Plan. The Future Land Use designations are used as a tool within these two zoning districts to guide the appropriate locations for this type of zoning.

Additionally, the 2030 Comprehensive Plan is specifically referenced in the City's Subdivision Ordinance. This update would be to make the Subdivision generally reference the currently adopted Comprehensive Plan rather than reference a specific plan by year or title.

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

The Urban Residential and Urban Village Zoning Districts are two of the conditional zoning districts outline in Article V of the City’s Zoning Ordinance. In both Conditional Zoning Districts (Section 5-24 & Section 5-25), references under “Procedure” are made to Future Land Use designations found in the City’s 2030 Comprehensive Plan. The purpose of referencing these designations found in the Future Land Use Map (FLUM) is to identify the appropriate locations in the City where Urban Village and Urban Residential zoning would be appropriate. Given that the new Gen H 2045 Comprehensive Plan has been adopted, these Future Land Use references are outdated and need to be aligned with the Character Area designations in City’s newly adopted Future Land Use & Conservation Map. The indirect relationship between the Future Land Use designations in the 2030 Comprehensive Plan and the Gen H Comprehensive Plan are as follows:

<u>2030 FLUM</u>		<u>Gen H FLUM</u>
Medium Intensity Neighborhood	>	Multi-Generational Living
High Intensity Neighborhood	>	Neighborhood Center
Neighborhood Activity Center	>	Mixed Use Employment
Regional Activity Center	>	Mixed-Use Commercial
Business Center	>	Downtown

In addition to making these new references, staff is proposing to include language that supports the added density provided by the Urban Residential Zoning District within the “Focused Intensity Nodes” found on p. 119 of the Gen H Comprehensive Plan. The Focused Intensity Nodes are nearly 100% comprised of the Future Land Use Designations proposed for Urban Residential (listed above), but in cases where there is a Future Land Use designation, other than those listed but within one of these Focused Intensity Nodes, the proposed language to allow Urban Residential in these areas will provide clarity and align with the growth strategy proposed by the Gen H Comprehensive Plan.

Additionally, in an effort to further align with the goals of the Gen H Comprehensive Plan, staff is proposing to add additional residential uses to the list of permitted uses in the Urban Residential district. Currently, single-family (attached or detached) residential units are not permissible in the Urban Residential Zoning District, but are permitted in the Urban Village Zoning District. To provide opportunities for a range of housing types in new developments, it is proposed that single-family detached, single-family attached and two-family housing types be added to the list of permitted uses in the Urban Residential District. To ensure a mix of housing types other than just single-family detached, the proposed language limits the use of single-family detached housing to no more than 50% of the total units in the development.

Lastly, the City’s Subdivision Ordinance makes a reference to the 2030 Comprehensive Plan in the list of adopted policies that shall provide guidance towards “administration, enforcement, and amendments” to the Subdivision Ordinance. Staff is proposing that the reference be made broadly to the “most-recently” adopted “Comprehensive Plan” rather than reference a Comprehensive Plan from a specific year.

LEGISLATIVE COMMITTEE RECOMMENDATION

The proposed amendment was developed by staff after the August Legislative Committee meeting had already taken place. Therefore the Legislative Committee was unable to evaluate this proposal in advance of the September Planning Board meeting.

PROPOSED TEXT REVISIONS

The following revisions to the zoning code are presented for your consideration:

ZONING ORDINANCE

Sec. 5-24. - UV Urban Village Conditional Zoning District Classification

5-24-1 Procedure.

The reclassification of property to UVCZD Urban Village Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. UVCZD Urban Village Conditional Zoning Districts shall be created only in locales designated in the Comprehensive Plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Village District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Village Conditional Zoning District is located no more ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

Sec. 5-25. - UR Urban Residential Conditional Zoning District Classification.

5-25-2 Procedure.

The reclassification of property to Urban Residential Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. Urban Residential Conditional Zoning Districts shall be created only in locales designated in the comprehensive plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Residential Conditional Zoning District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Residential Conditional Zoning District is located no more than ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

5-25-3 Permitted uses.

The following uses are permitted within the UR Urban Residential Zoning District Classification.

Residential dwellings, multi-family

Residential dwellings, single-family, subject to the standards in Section 5-25-6

Residential dwellings, two-family

5-25-5 - Design considerations.

5-25-5.13 Internal access and connectivity. The site shall be traversed by a network of internal streets built according to city standards. Internal streets should seek to avoid cul-de-sacs and dead end roads and other features that hamper connectivity. However, roads may terminate at a monumental structure or green space. In such cases a sidewalk or other connection shall be provided to ensure the goals of connectivity. In addition, internal streets shall have sidewalks and street trees. If a bus line

serves, or is expected to serve, the district, a bus shelter is required. Larger projects may require more shelters as determined by traffic impact analysis. Connectivity is a goal of the internal street system and external connections to areas outside and adjacent to the Urban Residential Conditional Zoning development should be created where possible. Only two driveways per block face are allowed. [Detached single-family housing and duplex housing are exempt from the driveway restriction.](#)

5-25-6 Limitations to Single-Family Detached Dwellings

5-25-6.1 Single-Family Detached. Single-Family detached dwellings shall comprise no more than 50% of the total units of any development. The remaining balance of residential units may be any combination of single-family attached, two-family and multi-family residential dwellings.

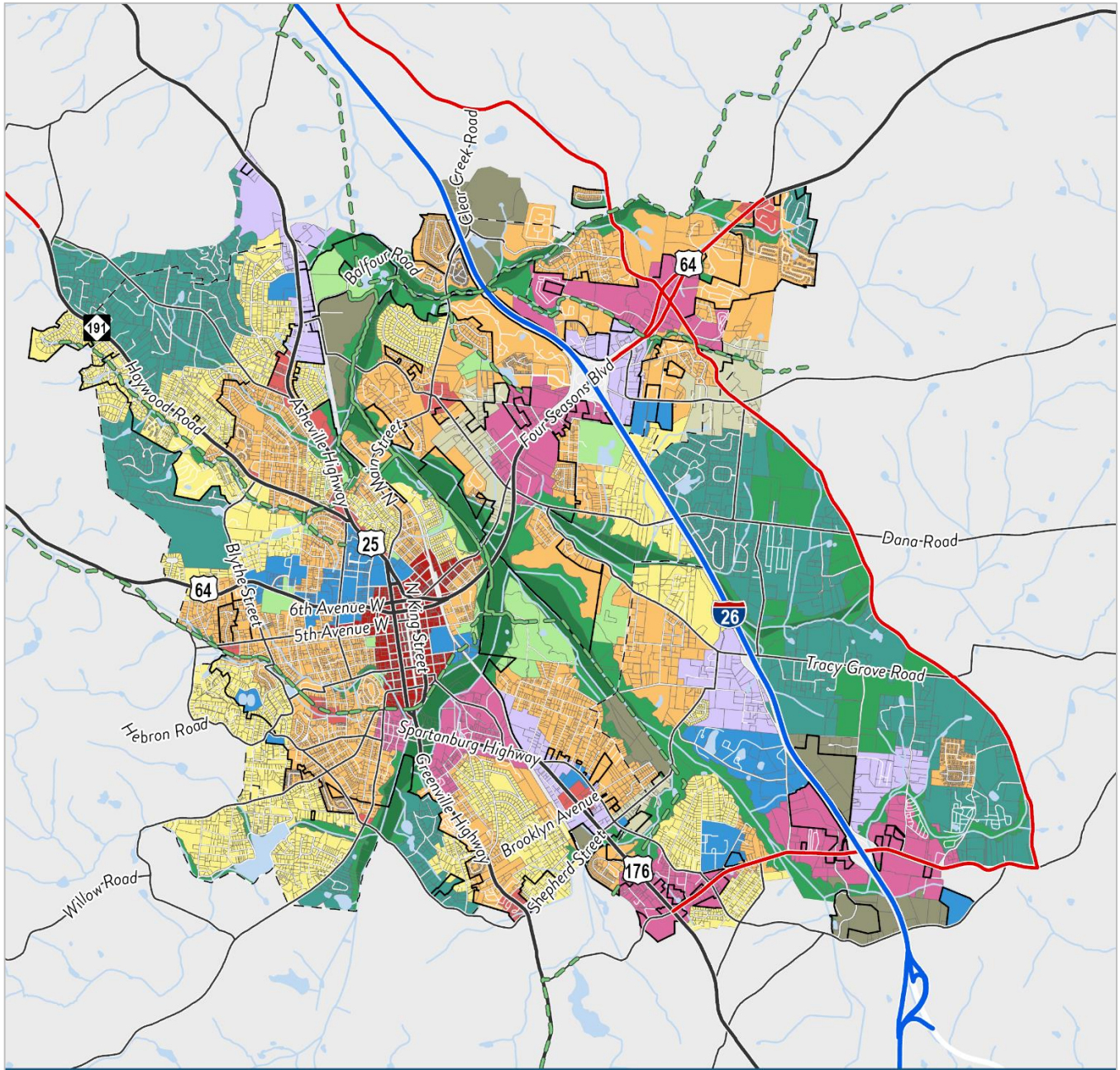
5-25-6.2 Single-Family Attached. Single-family attached dwellings are permitted to comprise 100% of the total units of any development.

SUBDIVISION ORDINANCE

Sec. 1.07. Relationship to other laws and policies.

- A. **Adopted policy guidance.** The administration, enforcement, and amendment of this ordinance shall be accomplished in accordance with the city's [most-recently](#) adopted policy guidance. The city's adopted policy guidance includes, but is not limited to:
1. The ~~2030~~ Comprehensive Plan;
 2. The Parks and Greenspace Plan;
 3. The Pedestrian Plan;
 4. The Bicycle Plan; and
 5. Any other applicable city-adopted policy language

GEN H COMPREHENSIVE PLAN - FUTURE LAND USE AND CONSERVATION MAP



Future Land Use & Conservation Map (DRAFT)

0 4,500 Feet



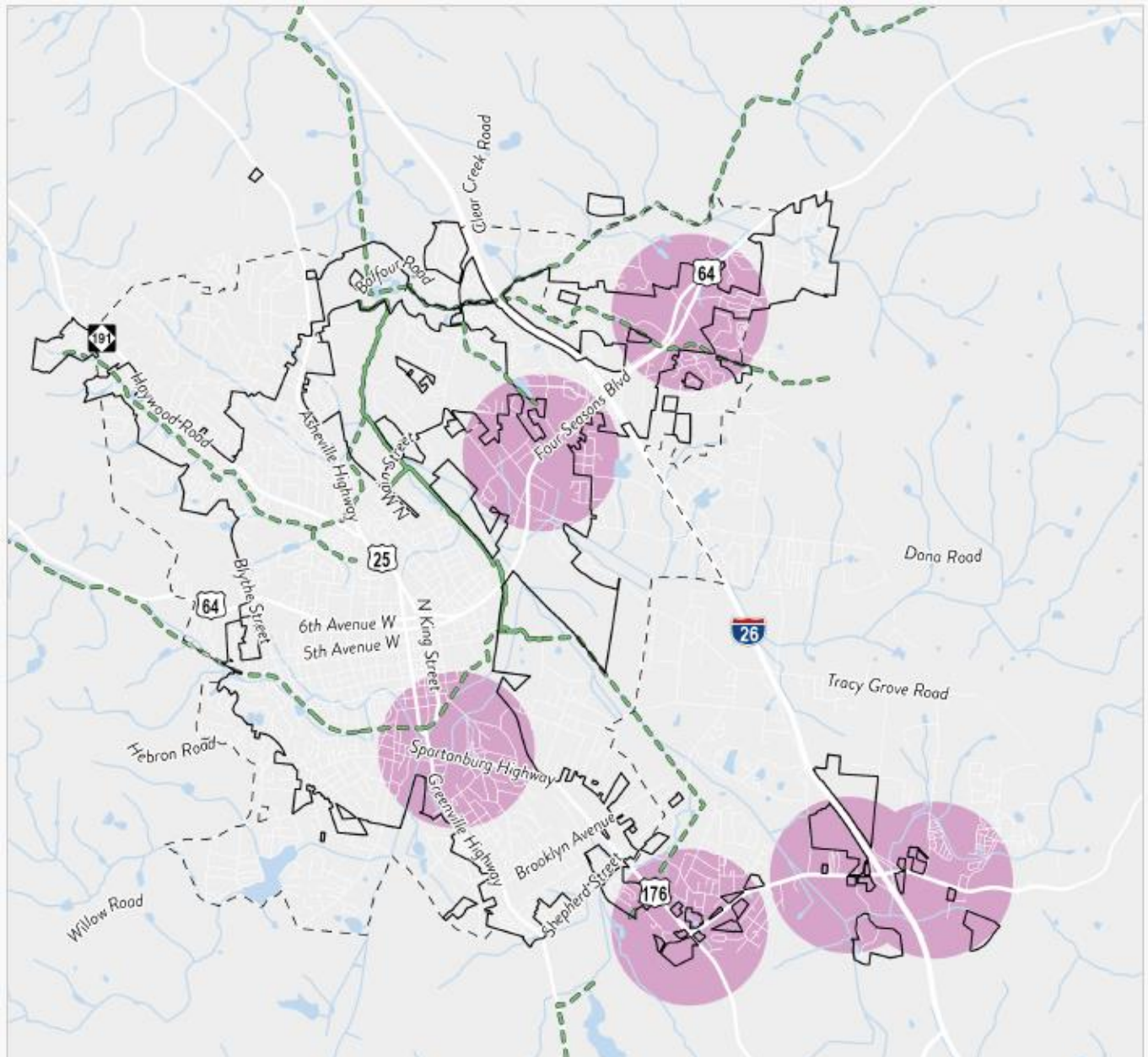
- Open Space - Conservation 1 (Regulated)
- Open Space - Conservation 2 (Natural)
- Open Space - Recreation
- Rural Residential
- Family/Neighborhood Living
- Multi-Generational Living
- Downtown

- Mixed Use - Commercial
- Neighborhood Center
- Mixed Use - Employment
- Institutional
- Innovation
- Production
- Existing Greenways and Trails
- Proposed Greenways and Trails

- CTP Highway Classification
- Freeway
 - Boulevard
 - Other Major Thoroughfare
 - Minor Thoroughfare
 - Hendersonville City Limits
 - Hendersonville ETJ

Source: City of Hendersonville, Henderson County, NCDOT

FUTURE LAND USE & CONSERVATION FOCUSED INTENSITY NODES MAP



Future Land Use & Conservation Focused Intensity Nodes Map



- Open Space - Conservation 1 (Regulated)
- Open Space - Conservation 2 (Natural)
- Open Space - Recreation
- Rural Residential
- Family/Neighborhood Living
- Multi-Generational Living
- Downtown
- Mixed Use - Commercial
- Neighborhood Center
- Mixed Use - Employment
- Institutional
- Innovation
- Production
- Existing Greenways and Trails
- Proposed Greenways and Trails
- Hendersonville City Limits
- Hendersonville ETJ

Source: City of Hendersonville, Henderson County, NCDOT

AMENDMENT STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u> N/A</p>
	<p><u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designations: Downtown Character Area Descriptions: Consistent Zoning Crosswalk: Inconsistent Focus Area Map: N/A</p>
2) COMPATIBILITY	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p>
	<p>In addition to a general analysis, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating the zoning text amendment’s compatibility. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan. Additionally, because this project the Downtown Character Areas, staff evaluated the project according to Chapter V of the Gen H Plan.</p>
	<p><u>EXISTING CONDITIONS</u> The proposed amendments update the City’s Zoning Code to align with the City’s new Gen H Comprehensive Plan. The addition of single-family uses to the Urban Residential Zoning District will assist in providing a mix of housing types which are compatible with existing land uses in areas of the City identified in the Future Land Use Map. Additionally, the development standards of the Urban Residential and Urban Village zoning districts help to promote pedestrian-friendly design, mixed uses, interconnectivity, and architectural standards that support compatible site and building design.</p>
	<p><u>GEN H COMPREHENSIVE PLAN GOALS</u> (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy and Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: N/A Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Consistent Accessible & Available Community Uses and Services: N/A Resilient Community: N/A</p>
	<p><u>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES</u> (Chapter IV) Mix of Uses: Consistent Compact Development: Consistent</p>

	<p>Sense of Place: Consistent Conserved & Integrated Open Spaces: Consistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent</p>
	<p>DESIGN GUIDELINES ASSESSMENT (Chapter V) Public Realm - Consistent Site Design - Consistent Building Design - Consistent</p>
<p>3) Changed Conditions</p>	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment - The City’s Gen H Comprehensive Plan was recently adopted on August 1, 2024 making references from the 2030 Comprehensive Plan in the Zoning Code and Subdivision Ordinance out of date.</p>
<p>4) Public Interest</p>	<p>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 - The proposed amendment would allow for a compatible infill development with a mix of housing types and higher density, walkable developments in key locations across the City.</p>
<p>5) Public Facilities</p>	<p>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 N/A</p>
<p>6) Effect on Natural Environment</p>	<p>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 - There is no immediate development proposed.</p>

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1. Comprehensive Plan Consistency - Staff finds the proposed text amendment to be fully consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description. One area of inconsistency is with the Zoning Crosswalk which only reflects Urban Residential and Urban Village as being appropriate zoning districts in the Multi-Generational Living Character Area. However, it is staffs' opinion that this zoning district can be applied in a range of Character Areas as one of the better tools to achieve the densities desired in certain areas of the city. One logical reason for Urban Residential not being more broadly applicable to other Character Areas, as identified in the Zoning Crosswalk, is due to the limitations on commercial uses as prescribed in 5-25-3. While Urban Village does not have these limitations on commercial uses and is more of a true mixed use zoning district, it is limited to developments that are 10 acres or greater in size.
2. Compatibility - The proposed text amendment would improve the compatibility of the Urban Residential Zoning District by expanding the mix of housing types permitted.
3. Changed Conditions - The text amendment is being prompted by the need for updated language in due to the newly adopted Gen H Comprehensive Plan which was adopted in early August 2024.
4. Public Interest - The text amendment maintains and improves the use of Urban Residential and Urban Village as critical zoning tools which advance the goals of the Gen H Comprehensive Plan.
5. Public Facilities - N/A
6. Effect on Natural Environment - N/A

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *Urban Residential and Urban Village Zoning Districts were outdated*
- *The Zoning Text Amendment updates the language in the Zoning Code to align with the newly adopted Gen H Comprehensive plan.*
- *The Subdivision Text Amendment updates outdated language referencing the 2030 Comprehensive Plan*

DRAFT [Rational for Denial]

- *Urban Residential and Urban Village zoning districts are incompatible with the list of permitted Character Areas*

UR & UV Alignment with Comp Plan P24-66-ZTA		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	N/A	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	N/A	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Downtown	
Character Area Description (Pg. 122-131)	Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)		Inconsistent
Focus Area Map (Pg. 134-159)	Consistent	

UR & UV Alignment with Comp Plan P24-66-ZTA		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
GOALS		
<u>Vibrant Neighborhoods (Pg. 93)</u>		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent	
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
<u>Abundant Housing Choices (Pg. 93)</u>		
Housing provided meets the need of current and future residents.	Consistent	
Range of housing types provided to help maintain affordability in Hendersonville.	Consistent	
Housing condition/quality exceeds minimum standards citywide	Consistent	
<u>Healthy and Accessible Natural Environment (Pg. 94)</u>		
Recreational (active and passive) open spaces are incorporated into the development.	Consistent	
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	N/A	N/A
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Consistent	
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	Consistent	NA
<u>Authentic Community Character (Pg. 94)</u>		
Downtown remains the heart of the community and the focal point of civic activity	Consistent	
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent	
Historic preservation is utilized to maintain the city's identity.	Consistent	
City Centers and neighborhoods are preserved through quality development.	Consistent	
<u>Safe Streets and Trails (Pg. 95)</u>		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	Consistent	
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent	
Design embraces the principles of walkable development.	Consistent	
<u>Reliable & Accessible Utility Services</u>		

Wastewater treatment (service and capacity) adequately serves existing and future development	N/A	N/A
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	Consistent	
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	Consistent	
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent	
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	Consistent	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	N/A	N/A
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas	Consistent	
New business and office space promotes creative hubs.	Consistent	
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent	
The infill project is context sensitive [Small Infill Site].	Consistent	
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Consistent	
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	Consistent	
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	Consistent	
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	Consistent	
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	

UR & UV Alignment with Comp Plan P24-66-ZTA		
Chapter 5 - Downtown Design Guidelines	Consistent	Inconsistent
PUBLIC REALM		
Blocks (Pg. 212)		
Provide vehicle access to nearby buildings via alleyways or shared driveways.	Consistent	
Utilize smaller curb radii to shorten crossing distances for pedestrians.	N/A	
Extend the historic downtown block pattern throughout the entirety of the downtown character districts.	Consistent	
Implement interior pedestrian cut throughs as necessary to achieve the ideal block size (300-500').	Consistent	
Main Street & Downtown Edge Character Districts (Pg. 213)		
Any future development or redevelopment within the Main Street and Downtown Edge character districts should maintain consistent with the existing block size and grid layout along Main Street and in the downtown core.	Consistent	
New connector streets and alleys should be considered where appropriate to increase better access and circulation.	Consistent	NA
Streetscape Character (Pg. 218-222)		
The streetscape character matches the street classification the development is located on. (Pg. 218-219)	Consistent	
The streetscape zones are sufficient for the street classification. (Pg. 224-234)	Consistent	
Pedestrian & Bike Infrastructure (Pg. 238-243)		
Sidewalks (Pg. 238)		
Internal sidewalk connections should be provided between buildings and from buildings to all on-site facilities including parking areas, bicycle facilities, open spaces, and amenities.	Consistent	
External sidewalks should be provided from all buildings onsite to the existing or proposed sidewalk system and to abutting multi-use trails, parks, and greenways.	Consistent	
Greenways & Trails (Pg. 238)		
Expand and improve greenway and trail networks to create connections between neighborhoods, parks, and destinations.	Consistent	NA
On-Road Facilities		
Sidewalks (Pg. 240)		
Expand existing sidewalk network to fill gaps in connectivity. Downtown sidewalks, where feasible, should be a minimum of 10' in width to promote walkability.	Somewhat Consistent	

Incorporate buffer zones, such as landscaped areas or street furniture, between sidewalks and vehicular traffic	Consistent	
SITE DESIGN (Pg. 254-265)		
Frontage Types (Pg. 254)		
Identify which Frontage Type the development is and write in cell to the right.	N/A	
Building Placement & Setback Character (Pg. 254-255)		
Orientation (Pg. 254-255)		
Building faces the street and is accessible from the sidewalk.	Consistent	
Site layout shall prioritize placing buildings towards the front of the lot, with parking situated to the side and/or rear of the building	Consistent	
Buildings located on a corner should have one of the following architectural features: Two entrances, one primary and one secondary, located on each frontage. Architecturally prominent corner entry with vertical emphasis through building height or architectural elements like porches, colonnades, etc.	Consistent	
Setback Line (Pg. 255)		
The setback line is based off of the future back of curb - based on Frontage Type (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Zone		
The Build-to-Zone begins at the required Frontage Type setback line (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Percentage		
The Build-To-Percentage refers to the proportion of a lot's frontage that must be occupied by the building façade. (Pg. 256, refer to Figure 5.26)	Consistent	
Setback Exceptions (Pg. 255)		
Refer to this section for setback exceptions for Primary and Primary-Other classification. (Pg. 255)	NA	NA
Building Height		
Story (Pg. 257)		
New downtown buildings must be at least two stories tall, with exceptions for certain accessory structures like retail kiosks or public restrooms	Consistent	
Building Height by District		
The permitted building height varies according to the specific character district. Refer to Figure 5.28	Consistent	
The building height is appropriate based off of the maximum heights set by the Building Heights Map (Figure 5.31, Pg. 259).	Consistent	

Rear and Side Setbacks for Development		
Character District Transitions (Pg. 260)		
When development is located next to a district with a lower height restriction, the development should be no more than one-story differential for the first 50 feet of building width.		Inconsistent
Residential Transitions (Pg. 260)		
Development adjacent to residentially zoned land and/or historic structure should be no more than one-story differential for the first 50 feet of building width.		Inconsistent
Greenway & Trail Frontage (Pg. 260)		
When future development is planned along a proposed trail as outlined on any adopted plans, it is the responsibility of the development to construct the portion of the trail along the development frontage.	Consistent	
Connections to Parks and Greenways (Pg. 261)		
When a development abuts an existing or future greenway, park, or open space area, pedestrian/bicycle accessways must be provided at a minimum of every 1000 feet when feasible as determined by City staff.	Consistent	
Landscape (Pg. 261)		
Design landscaping, fencing, and retaining walls to be integrated into the site and its architecture.	Consistent	
Screen service areas, utilities, and parking areas with trees, shrubs, and other landscaping.	Consistent	
Install pedestrian bulbouts at street intersections within the downtown districts to reduce pedestrian crossing distance and expand public space. Integrate plantings, monumentation, public art, and seating within these spaces	N/A	N/A
Stormwater Management (Pg. 261)		
Underground stormwater detention should be utilized within the downtown districts versus surface detention facilities.	NA	N/A
Low impact stormwater management methods such as pervious paving, bioretention, and vegetated landscape islands shall be utilized in surface parking lots.	N/A	N/A
Utilize innovative stormwater management methods such as the use of bioretention in planting strips along nonprimary streets.	N/A	N/A
Parking (Pg. 262)		
Surface parking lots shall not be a principal use in any character district		Inconsistent
For commercial and institutional/semi-public uses within the character districts, 5% of the total parking spaces should allow for public use during offpeak business hours.	N/A	N/A
Shared parking is encouraged.	Consistent	
Structured Parking (Pg. 262)		

Parking structures are encouraged within the downtown districts to reduce the footprint of surface lots.	N/A	N/A
Developments requiring 200 vehicular parking spaces or more must build structured parking.		Inconsistent
Parking structures may be a principal use in the character districts.	Consistent	
Parking structures should be wrapped with liner buildings and follow these design guidelines: When adjacent to a frontage, parking structures shall include active uses along 80% of the primary frontage and 60% of the ground floor building length along any secondary frontage, excluding areas of required vehicular and pedestrian egress, and utility rooms. Vertical and horizontal architectural elements should be designed in a manner to approximate the window openings on adjacent habitated portions of the building. 60% of all openings on or visible from a frontage shall be screened with architectural louvers and/or panels.	N/A	N/A
Parking Requirements (Pg. 262-263)		
Within the Main Street character district, parking requirements are optional with the provision of a fee in lieu of.	N/A	N/A
Within the Downtown Edge, 7th Avenue, and Lower Trailhead character districts, minimum parking requirements are per the underlying zoning district.	Consistent	
The following parking maximums apply to properties within each of the character districts regardless of the underlying zoning designation (Figure 5.33, Pg. 263).	Consistent	
Trailhead Parking (Pg. 263)		
Surface lots for trailhead parking are allowed within the 7th Avenue and Lower Trailhead character districts.	Consistent	
Trailhead parking lots must be spaced a minimum ½ mile from each other.	N/A	N/A
These parking lots shall hold 10 spaces or fewer, including ADA spaces.	N/A	N/A
Trailhead parking lots may incorporate amenities such as restrooms, water fountains, trash/recycling receptacles, and benches.	Consistent	
Parking lots must be screened from the trail and the public street utilizing landscaping at a minimum width of a 10' landscape buffer.	Consistent	
On-Site Open Space (Pg. 264)		
All proposed developments are required to provide onsite open space except for developments on parcels one-fourth acre or less in size.	Consistent	
Developments shall provide a minimum of on-site open space in accordance with the following: Main Street: 5%, Downtown Edge: 10%, 7th Avenue: 10%, Lower Trailhead: 15%	Consistent	
Public On-Site Open Space (Pg. 264)		
Public on-site open space should be provided in accordance with Table 5.34 on Pg. 264.	Consistent	
On-Site Open Space Types (Pg. 264)		

Appropriate on-site open space is provided in accordance with Figure 5.36 Pg. 265.	Consistent	
BUILDING DESIGN		
Architectural Character (Pg. 266)		
Development design fits into the existing architectural character of the character district its located in.	Consistent	
Façade Articulationa and Massing (Pg. 268-269)		
For buildings 150 feet in length or longer: Façades shall be divided into shorter segments by means of modulation; such modulation shall occur at intervals of no more than 60 feet and shall be no less than 2 feet in depth. A courtyard, with a minimum width and depth of 60 feet, shall be visible from the street on primary frontages spaced no more than 150 feet.	Consistent	
Ground-floor designs such as arcades, galleries, colonnades, outdoor plazas, or outdoor dining areas shall be incorporated into the building façade and are considered in meeting required build-to percentages. The first two floors above the street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance pedestrian environment. Special interest to the base shall be provided by incorporating elements such as corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base. Buildings on a corner or at an axial terminus should be designed with additional height or architectural embellishment. Examples include: Chamfered or rounded corners. Projecting and recessed balconies and entrances. Enhanced window designs	Consistent	
Building Elements (Pg. 270-275)		
Entry		
The main pedestrian entry shall be a prominent entrance on the primary frontage	Consistent	
For corner buildings with two frontages, the main pedestrian entry can be located on the corner.	Consistent	
Enhance the design of entry areas with materials, as well as architectural and landscape features, that will naturally guide pedestrians	Consistent	
Windows		
Shopfront windows shall not be lower than 2 feet from the ground plane except where architectural elements like floor or ceiling glass curtain walls or glass roll up doors are utilized.	Consistent	
Windows should comprise more than 60% of the building façade in the Main Street and Downtown Edge districts.	Consistent	
Windows should comprise more than 40% of the building façade in the 7th Avenue and Lower Trailhead districts.	Consistent	
Windows shall be set back 4-6 inches from the façade rather than flush.	Somewhat Consistent	

Roof		
Infill development in the Main Street district shall have flat roofs to match the existing architecture of Main Street.	Somewhat Consistent	
Pitched roofs are permitted in the Downtown Edge, 7th Avenue, and Lower Trailhead districts.	Consistent	
Recessed Doorways		
Recessed doorways are encouraged with 5 feet as the maximum distance of recess from the front wall.	Consistent	
No glass shall be positioned lower than two feet above ground level.	Consistent	
Doors are not permitted to swing into the sidewalk/ pedestrian zone		Inconsistent
Activated Ground Floor		
Ground floor façades should be composed primarily of glass to allow views of the use and activity within the buildings	Consistent	
Within the Main Street and Downtown Edge districts, the ground floor shall be composed of commercial uses.	Consistent	
Private residences are prohibited on primary frontages within Main Street and Downtown Edge districts.		Inconsistent
Primary residence entries, including those for townhomes and brownstones, should incorporate features such as stoops, porches, etc.	Consistent	
Ground floor design should incorporate elements such as retail displays, planters, art, and canopy coverings to encourage pedestrian activity.	Consistent	
Materiality		
Materials chosen for building façades, balconies, windows, or roof should be compatible with the surrounding context of the district but should not be identical as to not allow for any diversity.	Consistent	
All façades visible from a primary frontage shall utilize high-quality finish materials such as: brick, wood, stone, concrete-based stucco, horizontal wood siding, architectural metal panel, or wood shingle.	Consistent	
Within the Main Street and Downtown Edge districts, brick shall be the primary building material. Predominant shall mean more than (50%) of the non-glasses wall surface	N/A	
The following materials are prohibited within any of the downtown districts: EFIS, concrete board, concrete block, pre-engineered corrugated metal panels, and vinyl.	Somewhat Consistent	
Franchise Architecture		
Franchise architecture, a standardized architectural building style used as part of a standardized program to promote brand identity through visual recognition, is not permitted within the character districts.	Consistent	
Franchise architecture should be modified as necessary to be in line with the existing character district in which it is proposed.	Consistent	

Franchise architecture must conform with all Downtown Design Guidelines.	Consistent	
Drive-Throughs		
Drive-through facilities or services are not permitted within the Main Street, Downtown Edge, or 7th Avenue districts. • This applies to any type of drive-through facility or service including restaurants and financial institutions. Walk-up service windows are the preferred service window in a downtown pedestrian-oriented district	Consistent	
Within the Lower Trailhead District, drive-throughs are permitted but cannot be along the primary frontage. They shall be located to the rear of the building.		Inconsistent
Signs		
Landmark signs may include historic painted wall signs on a building façade; even if that business or product is no longer on site, the sign adds character to the area, and should be considered a landmark sign.	NA	NA

Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-24. ‘URBAN VILLAGE CONDITIONAL ZONING DISTRICT CLASSIFICATION (UV)’ AND SECTION 5-25. ‘URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT CLASSIFICATION (UR)’, AND CITY OF HENDERSONVILLE SUBDIVISION ORDINANCE, SECTION 1.07 - ‘RELATIONSHIP TO OTHER LAWS AND POLICIES’

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on November 14, 2024; voting 0-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on December 5, 2024, and

WHEREAS, City Council has found that this zoning text amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on December 5, 2024,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-24. ‘Urban Village Conditional Zoning District Classification (UV)’ and Section 5-25. ‘Urban Residential Conditional Zoning District Classification (UR)’, and City of Hendersonville Subdivision Ordinance, Section 1.07 - ‘Relationship to Other Laws and Policies’.

ZONING ORDINANCE

Sec. 5-24. - UV Urban Village Conditional Zoning District Classification

5-24-1 Procedure.

The reclassification of property to UVCZD Urban Village Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. UVCZD Urban Village Conditional Zoning Districts shall be created only in locales designated in the Comprehensive Plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium-Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Village District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium-Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Village Conditional Zoning District is located no more ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

Sec. 5-25. - UR Urban Residential Conditional Zoning District Classification.

5-25-2 Procedure.

The reclassification of property to Urban Residential Conditional Zoning District shall constitute an amendment of the zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. Urban Residential Conditional Zoning Districts shall be created only in locales designated in the comprehensive plan as Multi-Generational Living, Neighborhood Center, Mixed Use-Commercial, Mixed Use-Employment, and Downtown and may be considered in Focused Intensity Nodes regardless of Character Area Designation. ~~Medium Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, and Business Center.~~ Notwithstanding the foregoing, an Urban Residential Conditional Zoning District may be located on a lot(s) all or part of which fall within locales designated as Multi-Generational Living ~~Medium Intensity Neighborhood~~ in the comprehensive plan only if any part of the boundary of the Urban Residential Conditional Zoning District is located no more than ~~100~~ 350 feet from the boundary of a zoning district having a non-residential zoning designation.

5-25-3 Permitted uses.

The following uses are permitted within the UR Urban Residential Zoning District Classification.

Residential dwellings, multi-family

Residential dwellings, single-family subject to the stipulations provided in Section 5-25-6, below

Residential dwellings, two-family

5-25-5 - Design considerations.

5-25-5.13 Internal access and connectivity. The site shall be traversed by a network of internal streets built according to city standards. Internal streets should seek to avoid cul-de-sacs and dead end roads and other features that hamper connectivity. However, roads may terminate at a monumental structure or green space. In such cases a sidewalk or other connection shall be provided to ensure the goals of connectivity. In addition, internal streets shall have sidewalks and street trees. If a bus line serves, or is expected to serve, the district, a bus shelter is required. Larger projects may require more shelters as determined by traffic impact analysis. Connectivity is a goal of the internal street system and external connections to areas outside and adjacent to the Urban Residential Conditional Zoning development should be created where possible. Only two driveways per block face are allowed. Detached single-family housing and duplex housing are exempt from the driveway restriction.

5-25-6 Limitations to Single-Family Detached Dwellings

5-25-6.1 Single-Family Detached. Single-Family detached dwellings shall comprise no more than 50% of the total units of any development. The remaining balance of residential units may be any combination of single-family attached, two-family and multi-family residential dwellings.

5-25-6.2 Single-Family Attached. Single-family attached dwellings are permitted to comprise 100% of the total units of any development.

SUBDIVISION ORDINANCE

Sec. 1.07. Relationship to other laws and policies.

A. **Adopted policy guidance.** The administration, enforcement, and amendment of this ordinance shall be accomplished in accordance with the city's most-recently adopted policy guidance. The city's adopted policy guidance includes, but is not limited to:

1. The ~~2030~~ Comprehensive Plan;

2. The Parks and Greenspace Plan;
3. The Pedestrian Plan;
4. The Bicycle Plan; and
5. Any other applicable city-adopted policy language

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of December, 2024.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley, Long-Range Planning Manager **MEETING DATE:** November 14, 2024

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

TITLE OF ITEM: Rezoning: Conditional Zoning District – Brooklyn Townhomes (P24-62-CZD) – Matthew Manley, AICP – Long-Range Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning - designation of the subject property (PINs: 9578-43-7077, 9578-53-0013, and 9578-43-9238) from R-15 (Medium Density Residential Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant [dated September 19, 2024] and presented at this meeting and subject to the following:

1. **The development shall be consistent with the following permitted uses:**
 - a. Residential, Single-Family
 - i. 60 Townhomes
2. **The development shall be consistent with the site plan, including the list of applicable conditions contained therein.**

[for amendments to uses or conditions discussed and agreed upon in the meeting (between City & Developer) and not yet represented on the site plan, please use the following language.]

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:

Proposed City-Initiated Conditions:

- 1) Developer shall remove bamboo stand at/near the corner of Old Spartanburg Rd and Brooklyn Ave to improve sight visibility, reduce future

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning - designation of the subject property (PINs: 9578-43-7077, 9578-53-0013, and 9578-43-9238) from R-15 (Medium Density Residential Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, based on the information from the staff analysis and the public hearing, and because:

The requested rezoning to Urban Residential Conditional Zoning District and the associated proposed development align with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Muti-Generational Living’.

2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. The proposed development would have negative environmental impacts from tree canopy loss.
2. The proposed development is incompatible with the surrounding land uses

[DISCUSS & VOTE]

maintenance impacts on new sidewalks, and to reduce stress on other existing mature vegetation in that area (that shall be preserved).

3. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:

The requested rezoning to Urban Residential Conditional Zoning District and the associated proposed development align with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Muti-Generational Living’.

4. We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. The proposed development would improve an underutilized property in close proximity to a major commercial corridor.
2. The proposed development would provide additional needed housing
3. The proposed development is clustered to reduce pressure on environmentally-sensitive areas at the rear of the site.

[DISCUSS & VOTE]

SUMMARY: The City of Hendersonville is in receipt of a Conditional Zoning District application from Zach Grogan of MGP Shelby, LLC for 3 parcels (PINs listed on left) totaling 6.33 Acres located along Brooklyn Ave at Old Spartanburg Rd. The properties are currently zoned R-15 and were the former site of a mobile home park with some single-family homes still present on the site. The petitioner is requesting that the parcels be rezoned to Urban Residential for a townhome development.

The development proposes 60 townhomes with new public streets, above ground stormwater facility, open space, common space and tree preservation area. The proposed density is 8.6 units per acre.

If approved, the project is proposed to be subdivided and would be processed under the City’s Subdivision Ordinance as a Major Subdivision.

PROJECT/PETITIONER NUMBER:	P24-62-CZD
PETITIONER NAME:	<ul style="list-style-type: none"> • Zach Grogan, MPG Shelby, LLC. (Applicant) • Eugene Holbert (Owner)

	<ul style="list-style-type: none">• John Holbert (Owner)• Edgar Holbert (Owner)• Wanda Ponder (Owner)
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Comprehensive Plan & FLUM Consistency and Evaluation Worksheets3. Application / Owner Signature Addendum / LLC Record4. Proposed Site Plan & Building Elevations5. Developer Exhibits6. Neighborhood Compatibility Summary7. Draft Ordinance8. Proposed Zoning Map

STANDARD REZONING: BROOKLYN AVE TOWNHOMES (P24-62-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - Brooklyn Ave Townhomes
 - P24-62-CZD

- Applicant & Property Owner:
 - Zach Grogan, MPG Shelby, LLC. (Applicant)
 - Eugene Holbert (Owner)
 - John Holbert (Owner)
 - Edgar Holbert (Owner)
 - Wanda Ponder (Owner)

- Property Address:
 - 914 Brooklyn Ave
 - 924 Brooklyn Ave

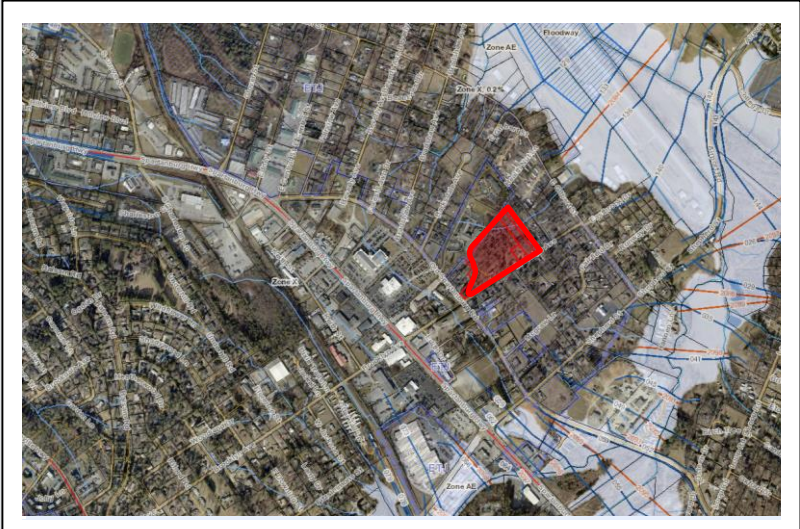
- Parcel Identification (PINS):
 - 9578-43-7077
 - 9578-53-0013
 - 9578-43-9238

- Project Acreage:
 - 6.33 Acres

- Current Parcel Zoning:
 - R-15 Medium Density Residential

- Proposed Zoning District:
 - Urban Residential Conditional Zoning District

- Future Land Use Designation:
 - Multi-Generational Living



SITE VICINITY MAP

The City of Hendersonville is in receipt of a Conditional Zoning District application from Zach Grogan of MGP Shelby, LLC for 3 parcels (PINs listed on left) totaling 6.33 Acres located along Brooklyn Ave at Old Spartanburg Rd. The properties are currently zoned R-15 and were the former site of a mobile home park with some single-family homes still present on the site. The petitioner is requesting that the parcels be rezoned to Urban Residential for a townhome development.

The development proposes 60 townhomes with new public streets, above ground stormwater facility, open space, common space and tree preservation area. The proposed density is 8.6 units per acre.

If approved, the project is proposed to be subdivided and would be processed under the City’s Subdivision Ordinance as a Major Subdivision.

SITE IMAGES



View of corner of the site from Brooklyn Ave at Old Spartanburg Rd.



View of frontage of site along Brooklyn Ave facing east/northeast

SITE IMAGES



View of interior of site in vicinity of wetlands



View of existing structures on the site

SITE IMAGES

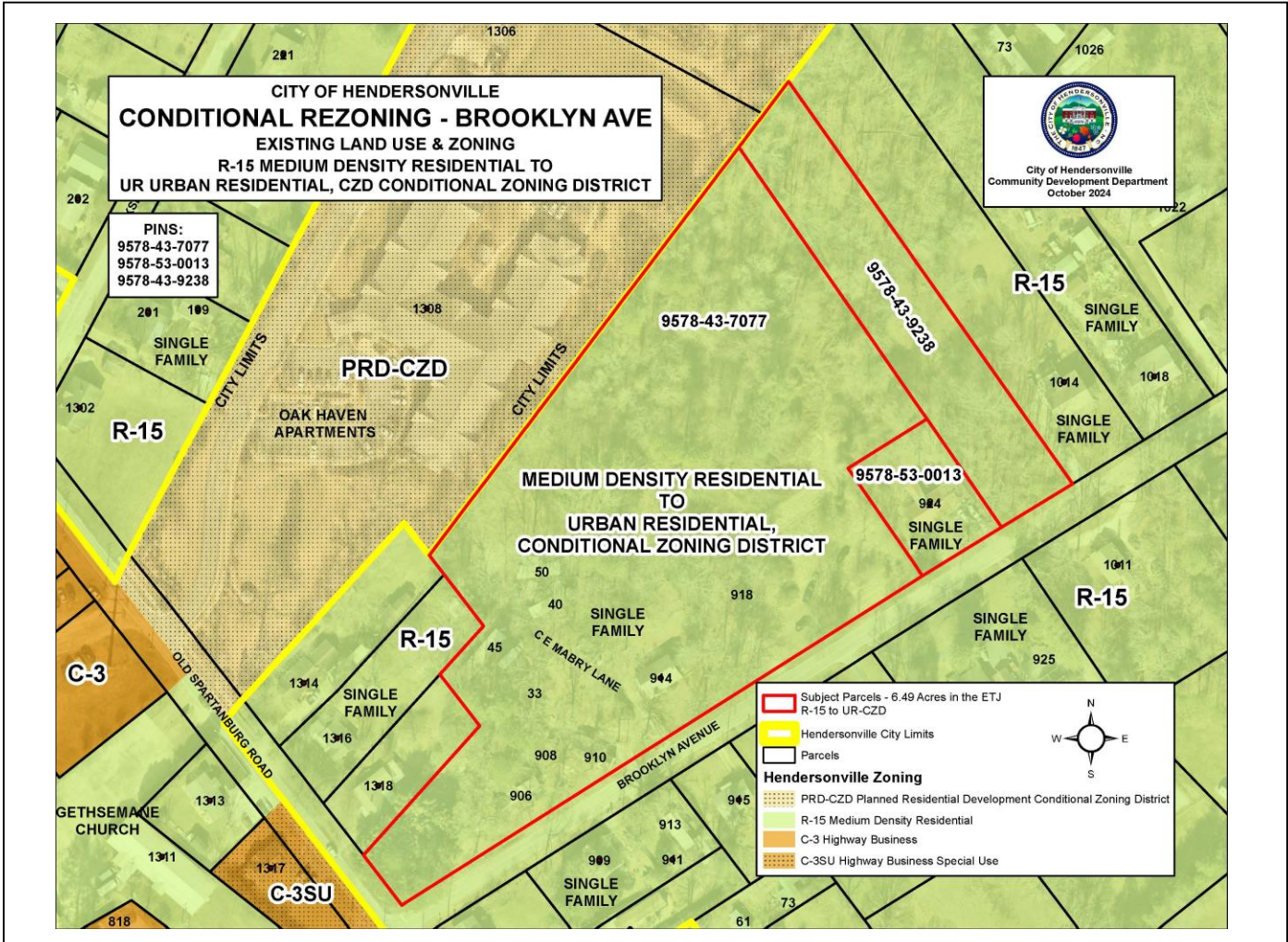


View of rear of site. Neighboring apartments to the north visible through foliage in background.



View of neighboring single-family home to the east at 1014 Brooklyn Ave

EXISTING ZONING & LAND USE



Existing Land Use & Current Zoning Map

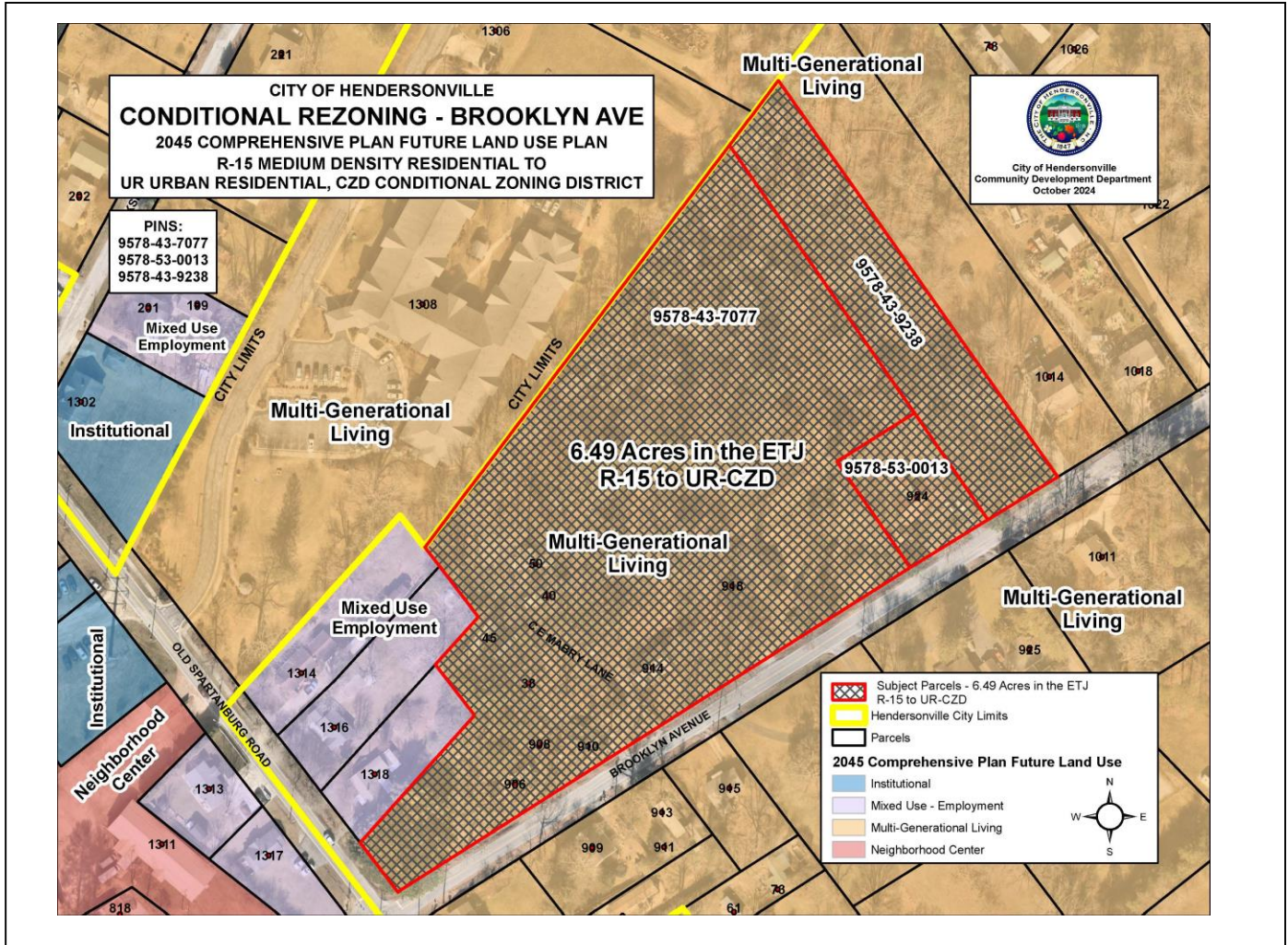
The subject property is currently in the City’s ETJ and zoned R-15. The property is made up of 3 parcels and was the former location of mobile home park. The lots also feature some existing single-family homes, one of which is currently occupied.

The remainder of the properties fronting Brooklyn Ave east of Old Spartanburg Rd are zoned R-15 and feature single-family homes.

Adjacent to the rear of the site is an apartment complex zoned PRD. There are two 2-story structures featuring 80 units on 8.36 acres (9.5 units / acre).

Across Old Spartanburg Rd from the site the zoning is C-3/C-3SU, Highway Business. The site is 750’ from the intersection of Spartanburg Hwy and Brooklyn Ave.

FUTURE LAND USE



Future Land Use & Conservation Map

The City’s Gen H 2045 Comprehensive Plan designates the subject property as “Multi-Generational Living” in the Future Land Use & Conservation Map. Most of the surrounding properties, including frontage along Brooklyn Ave and nearby blocks to the east are also designated as “Multi-Generational Living”. The site is also adjacent to Mixed Use – Employment. Across Old Spartanburg Rd, the Character areas are Neighborhood Center and Mixed Use Employment. The Character Area description for Multi-Generational Living includes the following:

This area is characterized by mixed residential development and a limited amount of small scaled neighborhood-serving commercial. It is comprised of a variety of homes, mixing detached and attached (e.g., townhomes and duplexes) units with a lesser amount of multi-family units. The combination of housing types are intended to create intergenerational neighborhoods. Improved open spaces in the form of greens, pocket parks, and neighborhood parks are interspersed. Lot sizes are similar to those in FNL, but with increased densities.

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Use: Residential, single-family (attached)
- Total Dwelling Units: 60
- Site: 6.94 Acres
- Density: 8.6 Units / Acre
- Buildings:
 - Total Footprint – 63,440 Sq Ft
 - 1,057 Sq Ft per Unit
 - 9 Buildings with varying number of units
 - Height:
 - Mid-point of gable between ridge and eaves (height by definition) = max 35'
- Open Space: 86,872 Sq Ft
 - Tree Preservation Tier I: 50,769 Sq Ft
 - Common Open Space: 36,106 Sq Ft
- Parkland Dedication: 30,430 Sq Ft
 - Condition Proposed
- Transportation:
 - 2 Access Points from Brooklyn Ave
 - The projected Average AM Peak Trips = 29 (Threshold for TIA = 100)
 - The projected Average PM Peak Trips = 34 (Threshold for TIA = 100)
 - The projected Daily Trips = 432 (Threshold for TIA = 1,000)
- Sidewalks:
 - 5' Proposed along Brooklyn Frontage – 7' Required
 - 5' Proposed along one side of internal streets – 7' on both sides Required
 - Condition proposed
- Lighting:
 - All site lighting will be required to conform to the City's lighting standards for multi-family developments. The lighting plan is a component of the final site plan review.
- Parking:
 - Off-Street Parking
 - Required: 1 per unit (1&2-bedroom units) = 60 spaces
 - Provided: 130 spaces (2 spaces per unit + 8 common)
 - 0 ADA
 - On-Street Parking
 - Required but not provided
- Landscaping:
 - This development will be required to plant:
 - Street Trees (Sec. 5-25)
 - Common Space Plantings (5-25)
 - Any Tier II plantings that are elected to offset canopy loss. Currently showing the provision of 17,648 Sq Ft of replacement canopy.
 - This development is required to plant or use credits for the following:

- Open Space Plantings (Article 15)
- Buffer Plantings (Article 15)
- Vehicular Use Area Plantings (Article 15)
- Common Open Space Plantings (Article 15)
- Street Trees (Article 15)
- A detailed Landscaping Plan will be provided at final site plan
- Building Design:
 - 2-Story attached Single-Family Units
 - Brooklyn Ave side has front-facing entries
 - Interior units have front-facing garages
 - All units have gabled roofs
- Floodplain: N/A
- Stream Buffer: Northeast corner of the site

OUTSTANDING ISSUES & CITY-PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT:

Preliminary Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for UR-CZD and Subdivision Ordinance for Major Subdivision with the following exceptions.
- These outstanding items shall need to be resolved as part of the CZD process.
 - Developer-Proposed Condition is needed in order to plant the proposed medium-size street trees along Brooklyn Ave. As shown this does not meet our standards, however the City would consider a condition given feedback received from NCDOT. If no condition is offered, the Developer will have to meet the Zoning Ordinance standards at the time of Final Site Plan [Unresolved – Resolve at CZD]
- These outstanding items shall be resolved at the time of Final Site Plan and/or Preliminary Plat.
 - Building elevations lack the specifications and details to reasonably determine if they are compliant with design standards. [Unresolved – resolve at Final Site Plan].
 - Loading Zone is encumbering the public street ROW. A condition and Fire Marshal approval would be needed to locate as shown. Alternatively, since On-Street Parking is required, you can utilize On-Street Parking to comply with Loading Zone requirements. [Unresolved – resolve at Final Site Plan]
 - Bulb-Outs required at crosswalks per 5-25-5.15 [Unresolved – resolve at Final Site Plan]
 - Pedestrian walkways should connect to front entrance of each unit per 5-25-5.15 [Unresolved – resolve at Final Site Plan]

- On-street parking required where it can be provided per 5-25-5.16 b) [Unresolved – resolve at Final Site Plan]
 - Details needed to illustrate the intent and standards for the development of common space are met per 5-25-5.20 [Unresolved – resolve at Final Site Plan]
 - Tier 2 Tree Canopy Preservation area may overlap with area designated for Parkland Dedication (if accepted by City). [Unresolved – resolve at Final Site Plan]
 - Tree Credits allowed under Article 15 cannot be applied to tree plantings required per Sec. 5-25, i.e. Street Trees, Parking Lot trees, and Common Space trees. [Unresolved – resolve at Final Site Plan]
 - Street Trees are required on all internal and external streets [Unresolved – resolve at Final Site Plan]
 - A waiver of the Fee-in-Lieu for Parkland Dedication cannot be waived during the CZD process.
- The following comments need to be addressed to improve clarity or improve site design and function [Resolved/Unresolved]:
- Create Standalone Plan Set submittal. Application, comment sheets, etc. shall be submitted separately [Unresolved]
 - Improve readability of symbology used for open space, common open space, tree preservation areas [Unresolved].

Proposed City-Initiated Conditions:

- I. As was discussed and agreed to at the Neighborhood Compatibility Meeting, the developer shall remove bamboo stand at/near the corner of Old Spartanburg Rd and Brooklyn Ave to improve sight visibility, reduce future impacts on new sidewalks, and to reduce stress on other existing mature vegetation in that area (that shall be preserved).

DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The Development Review Committee consist of the following Departments/Divisions and Agencies: Engineering, Water/Sewer, Fire Marshal, Stormwater Administration, Floodplain Administration, Public Works, NCDOT, Henderson County Soil & Erosion Control and the City’s Traffic Consultant. While all pertinent members of the DRC reviewed this project, staff has provided only the relevant/outstanding comments / conditions below:

PUBLIC WORKS:

Preliminary Site Plan Comments:

- I. Driveway and Parking Locations:
 - Driveways need to be properly spaced away from intersections, minimum of 50’ away from the end of the radius point per policy on street and driveway access to NC highways. [Resolve at Final Site Plan]
 - MUTCD restricts parking within 20’ of a stop intersection. [Resolve at Final Site Plan]
2. Parkland Dedication
 - The proposed parkland dedication does not appear to meet the standards

necessary to be accepted by the City. [Resolve at Preliminary Plat]
Proposed City-Initiated Conditions:
 2. None

DEVELOPER-PROPOSED CONDITIONS:

1. 5-25-2.3.1 Traffic Impact Analysis. Traffic Impact Analysis requirement for Urban Residential zoning waived for not reaching City of Hendersonville TIA standards. [Staff is agreeable to this condition]
2. 5-25-5.13 Internal Access and Connectivity. Waiver of the limitation of two driveways per block face. [Staff is agreeable to this condition. The condition will not be necessary if changes proposed by the Urban Residential Zoning Text Amendment (P24-66-ZTA) are adopted]
3. 5.25-5.15 Pedestrian Zone and Sidewalks. Waiver of the requirement for sidewalks on both sides of internal streets. And 5.25-5.15 Reduction of sidewalk width on internal streets from 7' to 5'. [Staff is agreeable to this condition]

**Condition Justification included as exhibits to the application.

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u> The subject property is located on an underdeveloped property in the <u>Land Supply Map</u>. It ranks as “Most Suitable” for residential development in the <u>Suitability Assessment</u>. The subject property is located in an area designated as “Highest” for <u>Development Intensity</u>. The subject property is located between two <u>Focused Intensity Nodes</u>. The subject property is just adjacent to the Spartanburg Hwy <u>Focus Area</u>. Townhomes are featured in this Focus Area in vicinity of the subject property.</p>
	<p><u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designation: Multi-Generational Living Character Area Description: Consistent - with some considerations related to design compatibility. Zoning Crosswalk: Consistent Focus Area Map: Consistent</p>
2) COMPATIBILITY	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p> <p>In addition to a general analysis of the existing conditions, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating issues related to “compatibility”. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the</p>

	<p>Gen H Plan.</p> <p>EXISTING CONDITIONS The subject property is currently in the City’s ETJ and zoned R-15. The property is made up of 3 parcels and was the former location of a mobile home park. The lots also feature some existing single-family homes, one of which is currently occupied. The abutting neighboring land uses are multi-family (north) and single-family (east and west). Single-family homes are also located to the south along Brooklyn Ave. The subject property is heavily wooded and features a blueline stream and wetlands.</p> <p>GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy and Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: N/A Welcoming & Inclusive Community: N/A Accessible & Available Community Uses and Services: N/A Resilient Community: N/A</p> <p>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) Mix of Uses: N/A Compact Development: Consistent Sense of Place: Somewhat Consistent Conserved & Integrated Open Spaces: Consistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent</p> <p>DESIGN GUIDELINES ASSESSMENT (Chapter V): N/A</p>
<p>3) Changed Conditions</p>	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment - Aerial imagery from as far back as 1984 show the subject property was formerly the site of a mobile home park featuring 6-7 manufactured homes and 2-3 single-family homes. The mobile homes are no longer present on the site and multiple structures are uninhabitable.</p>
<p>4) Public Interest</p>	<p>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 - The proposed development provides additional opportunities for owner-occupied housing. The proposed development is clustered towards the least environmentally-sensitive areas on the site.</p>

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
	The subject property will be served by City of Hendersonville services. Brooklyn Ave is an NCDOT designated as a Local Street. Old Buncombe Rd is an NCDOT street designated as a Minor Thoroughfare. The site is one block from the Major Thoroughfare of Spartanburg Hwy.
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 -
	The 2023 Tree Canopy Coverage map indicates that just short of 90% of the site is covered with tree canopy. The applicant proposes to meet the new tree preservation requirements by preserving a minimum of 20% of the site’s tree canopy.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

- 1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be fully consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description.
- 2) Compatibility - Staff finds that the general location of the rezoning and the proposed ‘missing middle housing’ type are compatible with the city’s overall growth strategies.
- 3) Changed Conditions - Staff finds that the changed conditions present an opportunity for infill development that will provide needed “owner occupied” housing.
- 4) Public Interest - Staff finds that it is in the public interest to provide for infill residential development.
- 5) Public Facilities - Staff finds that the proposed development would efficiently utilize existing services and infrastructure.
- 6) Effect on Natural Environment – Staff finds that despite the loss of some tree canopy, the most environmentally-sensitive areas of the site are slated for preservation.

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The requested rezoning to Urban Residential Conditional Zoning District and the associated proposed development align with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Multi-Generational Living'.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The proposed development would improve an underutilized property in close proximity to a major commercial corridor.*
- *The proposed development would provide additional needed housing*
- *The proposed development is clustered to reduce pressure on environmentally-sensitive areas at the rear of the site.*

DRAFT [Rational for Denial]

- *The proposed development would have negative environmental impacts from loss of tree canopy*
- *The proposed development is incompatible with the surrounding land uses*

Brooklyn Ave Townhomes (P24-62-CZD)		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	Consistent	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	Consistent	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Multi-Generational Living	
Character Area Description (Pg. 122-131)	Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent	
Focus Area Map (Pg. 134-159)	Consistent	

Brooklyn Ave Townhomes (P24-62-CZD)		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
GOALS		
<u>Vibrant Neighborhoods (Pg. 93)</u>		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent	
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
<u>Abundant Housing Choices (Pg. 93)</u>		
Housing provided meets the need of current and future residents.	Consistent	
Range of housing types provided to help maintain affordability in Hendersonville.	Consistent	
Housing condition/quality exceeds minimum standards citywide	Consistent	
<u>Healthy and Accessible Natural Environment (Pg. 94)</u>		
Recreational (active and passive) open spaces are incorporated into the development.	Consistent	
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	Consistent	
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Consistent	
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	N/A
<u>Authentic Community Character (Pg. 94)</u>		
Downtown remains the heart of the community and the focal point of civic activity	N/A	
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent	
Historic preservation is utilized to maintain the city's identity.	N/A	
City Centers and neighborhoods are preserved through quality development.	Consistent	
<u>Safe Streets and Trails (Pg. 95)</u>		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	Consistent	
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent	
Design embraces the principles of walkable development.	Consistent	
<u>Reliable & Accessible Utility Services</u>		

Wastewater treatment (service and capacity) adequately serves existing and future development	Consistent	
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent	
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	N/A	
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	N/A	
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	N/A	
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	N/A	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	N/A	N/A
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas	N/A	
New business and office space promotes creative hubs.	N/A	
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent	
The infill project is context sensitive [Small Infill Site].	Consistent	
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Somewhat Consistent	
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	Consistent	
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	Consistent	
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	Consistent	
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**
100 N. King Street, Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

**Conditional Zoning District Petition
Section 7-4 and Article 11 City Zoning Ordinance**

The following are the **required** submittals for a complete application for rezoning a property or properties to a Conditional Zoning District. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- 1. Completed Pre-Application meeting with Planning Staff
- 2. Scheduled Neighborhood Compatibility Meeting
NCM Date: 8/27/24 Time: 2:00 pm
- 3. Water and Sewer Availability Request
- 4. Completed Application Form
- 5. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- 6. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- 7. Detailed explanation of any Proposed Development Description
- 8. Application Fee
- 9. Transportation Impact Analysis - Required for complete application but not due until 24 calendar days prior to Planning Board Meeting (if required)

Note: Additional Approvals prior to the issuance of a Zoning Compliance Permit may include, but are not limited to the following:

- **Henderson County Sedimentation & Erosion Permit**
- **Stormwater Management Plan**
- **Utility Approval**
- **NCDOT Permit**
- **Any other applicable permits as determined by the Community Development**

[Application Continued on Next Page]

Office Use:

Date Received: _____ By: _____ Fee Received? Y/N

A. Applicant Contact Information

Zachary Grogan

* Printed Applicant Name

MPG Shelby, LLC.

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: _____

Applicant Signature

Applicant Title (if applicable)

31 Wade Hampton Blvd

Address of Applicant

City, State, and Zip Code

Greenville, SC 29609

Telephone

zg@magnoliapropertygroup.com

Email

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

[Application Continued on Next Page]

B. Property Owner Contact Information (if different from Applicant)

EUGENE S. HOLBERT

*Printed Owner Name

N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: INDIVIDUAL

DocuSigned by:

Eugene S. Holbert

Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828.606.1994

Telephone

gholbert1@gmail.com

Email

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

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

B. Property Owner Contact Information (if different from Applicant)

JOHN T. HOLBERT

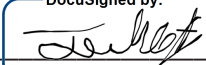
*Printed Owner Name

N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: INDIVIDUAL

DocuSigned by:


Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828 4354899

Telephone

jh148013@gmail.com

Email

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

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

B. Property Owner Contact Information (if different from Applicant)

WANDA H. PONDER

*Printed Owner Name

N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828-243-1618

Telephone

Iam911wanda@morrisbb.net

Email

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

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

B. Property Owner Contact Information (if different from Applicant)

EDGAR M. HOLBERT

*Printed Owner Name

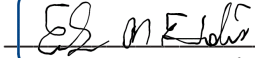
N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828.606.2696

Telephone

emho1b@gmail.com

Email

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

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

C. Property Information

Name of Project: BROOKLYN AVE TOWNHOMES

PIN(s): 597-843-7077, 957-853-0013, 957-843-9238

Address(es) / Location of Property: 924 BROOKLYN AVE HENDERSONVILLE, NC

Type of Development: Residential Commercial Other

Current Zoning: R-15 CITY OF HENDERSONVILLE EJT

Total Acreage: 6.33

Proposed Zoning: URBAN RESIDENTIAL

Proposed Building Square Footage: APPROXIMATELY 64,000SF BLDG FOOTPRINT

Number of Dwelling Units: 60

List of Requested Uses:

- CITY OF HENDERSONVILLE ANNEXATION
- RE-ZONE: URBAN RESIDENTIAL CZD
- SUBDIVISION APPROVAL
- SITE PLAN APPROVAL

D. Proposed Development Conditions for the Site

In the spaces provided below, please provide a description of the Proposed Development for the site.

STATEMENT OF DEVELOPMENT CONDITIONS ATTACHED.

**MPG SHELBY, LLC.
31 WADE HAMPTON BLVD.
GREENVILLE, SOUTH CAROLINA 29609**

SUBJECT: Brooklyn Avenue Townhomes – Urban Residential - CZD Application

Detailed Development Description

The proposed development will consist of the demolition of the existing improvements, clearing within the areas of disturbance, erosion control and tree protection measures, grading, utility installation, roadway construction and approximately 60 townhomes. The final neighborhood will feature 2.70 acres of open space (42% of the total land area), a network of sidewalks on the interior of the community connecting to the sidewalk running along the entire length of Brooklyn Ave and attractive entry signage.

Developer Proposed Conditions

5-25-2.3.1 Traffic Impact Analysis. Traffic Impact Analysis requirement for Urban Residential zoning district waived for not reaching City of Hendersonville TIA standards.

5-25-5.13 Internal Access and Connectivity. Waiver of the limitation of two driveways per block face.

5.25-5.15 Pedestrian Zone and Sidewalks. Waiver of the requirement for sidewalks on both sides of internal streets. Reduction of sidewalk width on internal streets from 7' to 5'.

**Condition Justification included as exhibits to the application.

Statement on Comprehensive Plan Compliance

The proposed Brooklyn Ave Townhome project is located on land designated as “Most Suitable” for residential use in the City’s Comprehensive Plan. The plan also designates this area for Multi-Generational Living, which seeks to provide a mix of housing types, both attached and detached, to create an intergenerational neighborhood. Currently, the immediate area consists almost entirely of single-family detached homes. This project introduces a townhome housing product, aligning with the City’s goals for this neighborhood.

Additionally, the Urban Residential zoning classification, which applies to this area, is a recommended zoning for areas designated for Multi-Generational Living in the future land use plan. The proposed development is consistent with the City’s stated goals of creating vibrant neighborhoods with varying housing choices and immediate access to the natural environment. The development adds nearly 700 feet of sidewalk along a minor thoroughfare with direct connection to a network of internal sidewalks and nature trail.

Explain compatibility with surrounding land uses

The surrounding land uses include single-family detached residential and residential apartments (PRD at approximately 10 units per acre). The proposed development is appropriate given the similarity of uses of the immediately adjacent properties. Additionally, the area across Old Spartanburg Road is primarily commercial, with industrial and general business activities. Typically, higher density residential developments, such as the proposed project, are situated between commercial nodes and low-density single-family use. This creates a neighborhood business node, which aligns with the City of Hendersonville’s vision for desirable land use in the area.

Explain whether changed conditional require map amendments

Based on our understanding, changing the zoning from R-15 EJT to Urban Residential CZD requires a map amendment.

Explain how the petition is in the public interest

This petition supports a proposed development that will repurpose an existing mobile home park and underutilized property to create a project aligned with the City’s stated growth objectives and desired land use. The project will add approximately 60 housing units to the area, enhancing the roadside aesthetics, expanding the local tax base, and providing increased support for the nearby businesses. Additionally, the development plan maintains 2.70 acres of open space, including over an acre of existing tree canopy and five specimen trees.

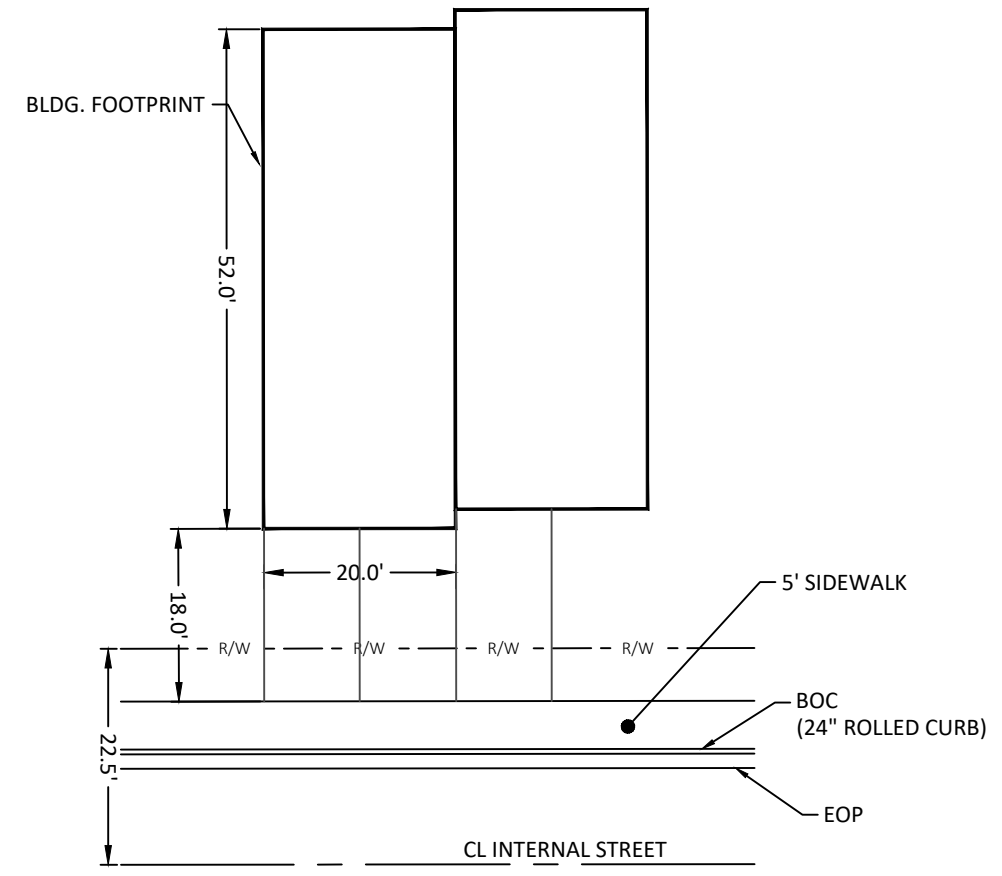
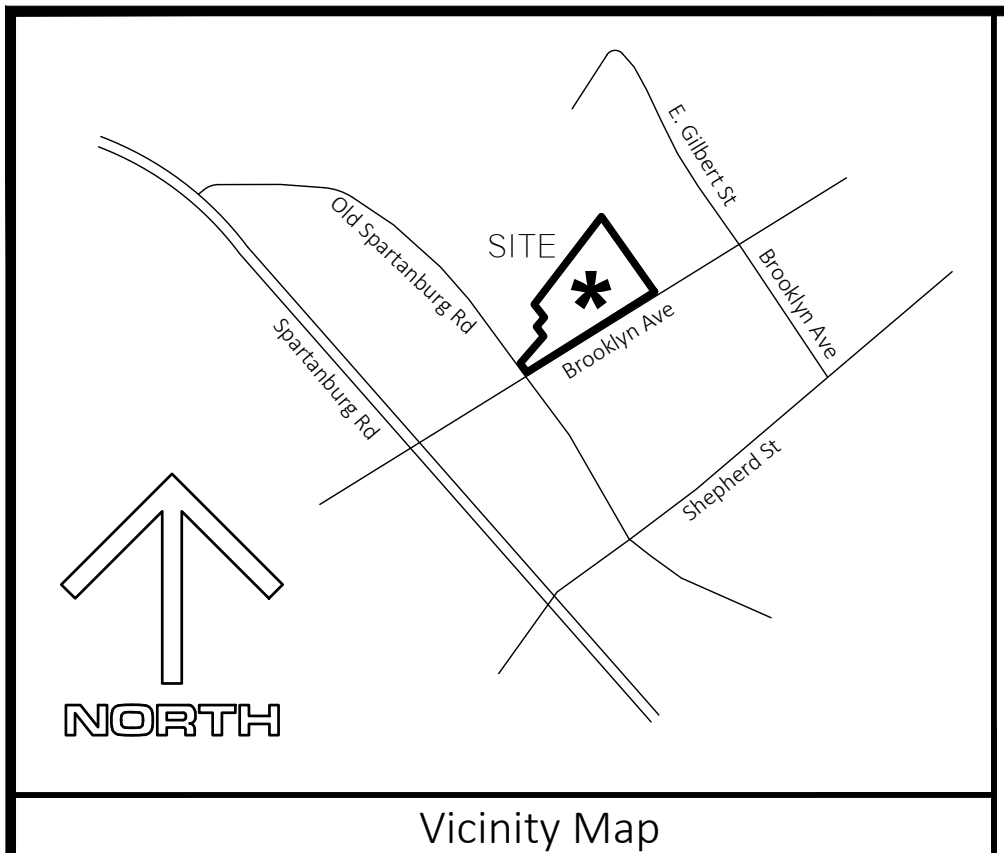
Explain whether adequate public facilities are available

The necessary public facilities are in place to support the proposed project. The City provides water and sewer services in sufficient capacity. Electricity is available through Duke Energy. Both Brooklyn Avenue and Old Spartanburg Road, which are NCDOT roadways, are capable of handling the additional traffic generated by the project, as confirmed by NCDOT engineers.

Explain the impact the petition would have on the natural environment

The proposed development will involve some modification to the existing topography and tree canopy on the Property. However, three wetland areas identified on the site will remain undisturbed. In addition, all low-lying areas, including the existing tree canopy, will be preserved in accordance with the City’s open space and tree canopy ordinances.

It’s important to note that the implantation of the City’s ultra high-density Spartanburg Highway Focus Area, as outlined on page 145 of the Generation H Comprehensive Plan, will necessitate changes to the natural environment, including an increase in impervious surfaces. The proposed development aligns with the City’s published growth objectives for this area.



SITE LAYOUT NOTES

1. THIS IS NOT A PROPERTY SURVEY. SEE SURVEY FOR BOUNDARY INFORMATION.
2. ALL WORK SHALL COMPLY WITH LOCAL ORDINANCES, NCDOT STANDARDS AND OWNER SPECIFICATIONS. ALL SIGNS AND PAVEMENT MARKINGS SHALL COMPLY WITH MUTCD STANDARD.
3. BLUE RIDGE ENGINEERING SHALL PROVIDE ALL CONSTRUCTION LAYOUT AND STAKING REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING FOR CONSTRUCTION LAYOUT AND STAKING SERVICES PROVIDED. CONTRACTOR SHALL IMMEDIATELY NOTIFY BLUE RIDGE ENGINEERING IF CONDITIONS ARE ENCOUNTERED THAT ARE NOT AS SHOWN.
4. CONTRACTOR IS RESPONSIBLE FOR ALL SAFETY, METHODS, PROCEDURES AND SEQUENCES OF ITS OPERATIONS. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROL FOR ITS OPERATIONS IN COMPLIANCE WITH MUTCD AND NCDOT STANDARDS. CONTRACTOR SHALL NOTIFY NCDOT, OWNER, AND ENGINEER AT LEAST 72 HOURS IN ADVANCE OF ANY LANE CLOSURE OR TRAFFIC SHIFT.
5. ALL WORK IS SUBJECT TO INSPECTION OF THE OWNER, ENGINEER AND AUTHORITIES HAVING JURISDICTION. THE OWNER SHALL PAY FOR ALL QUALITY ASSURANCE TESTING REQUIRED. CONTRACTOR SHALL PROTECT THE WORK UNTIL SUCH TIME THAT THE PROJECT IS APPROVED AND OPENED TO TRAFFIC.
6. SUBGRADE SHALL BE ACCEPTED BY THE ENGINEER PRIOR TO PLACEMENT OF STONE BASE. CONTRACTOR SHALL PROVIDE A LOADED TRUCK FOR ALL PROOF-ROLLS REQUIRED.
7. STONE BASE SHALL BE ACCEPTED BY THE ENGINEER PRIOR TO ASPHALT PLACEMENT. CONTRACTOR SHALL PROVIDE A LOADED TRUCK FOR ALL PROOF-ROLLS REQUIRED.
8. PAVING CONTRACTOR SHALL PROVIDE A CERTIFIED ROADWAY QUALITY CONTROL TECHNICIAN WITH A NUCLEAR GAGE AT ALL TIMES ASPHALT IS BEING PLACED. IF REQUESTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR TAKING ASPHALT CORE SAMPLES FOR VERIFICATION OF COMPACTION AND THICKNESS.
9. SLOPES IN HANDICAP PARKING SPACES AND ACCESS AISLE AREAS SHALL NOT EXCEED 2% IN ANY DIRECTION INCLUDING THE DIAGONAL.
10. CONTRACTOR SHALL MAINTAIN AN APPROVED SET OF PLANS ON THE JOB SITE AT ALL TIMES.

SITE DATA

GENERAL	
LATITUDE	35°18'08" N
LONGITUDE	82°26'14" W
REID PIN	9966086, 105349, 9966087 9578437077, 9578530013, 9578439238
PROJECT SIZE	6.94 ACRES
PROPOSED ZONING	CZD URBAN RESIDENTIAL
PROPOSED USE	60 SINGLE FAMILY UNITS (8.64 UNITS/ACRE)
MAX BLDG HT.	35'
SETBACKS	
FRONT	14' FROM PROPOSED CURB
SIDE	5'
REAR	10'
PARKING PROVIDED	
	130 (2 SPACES PER UNIT, +8 COMMON SPACES)

LANDSCAPE DATA

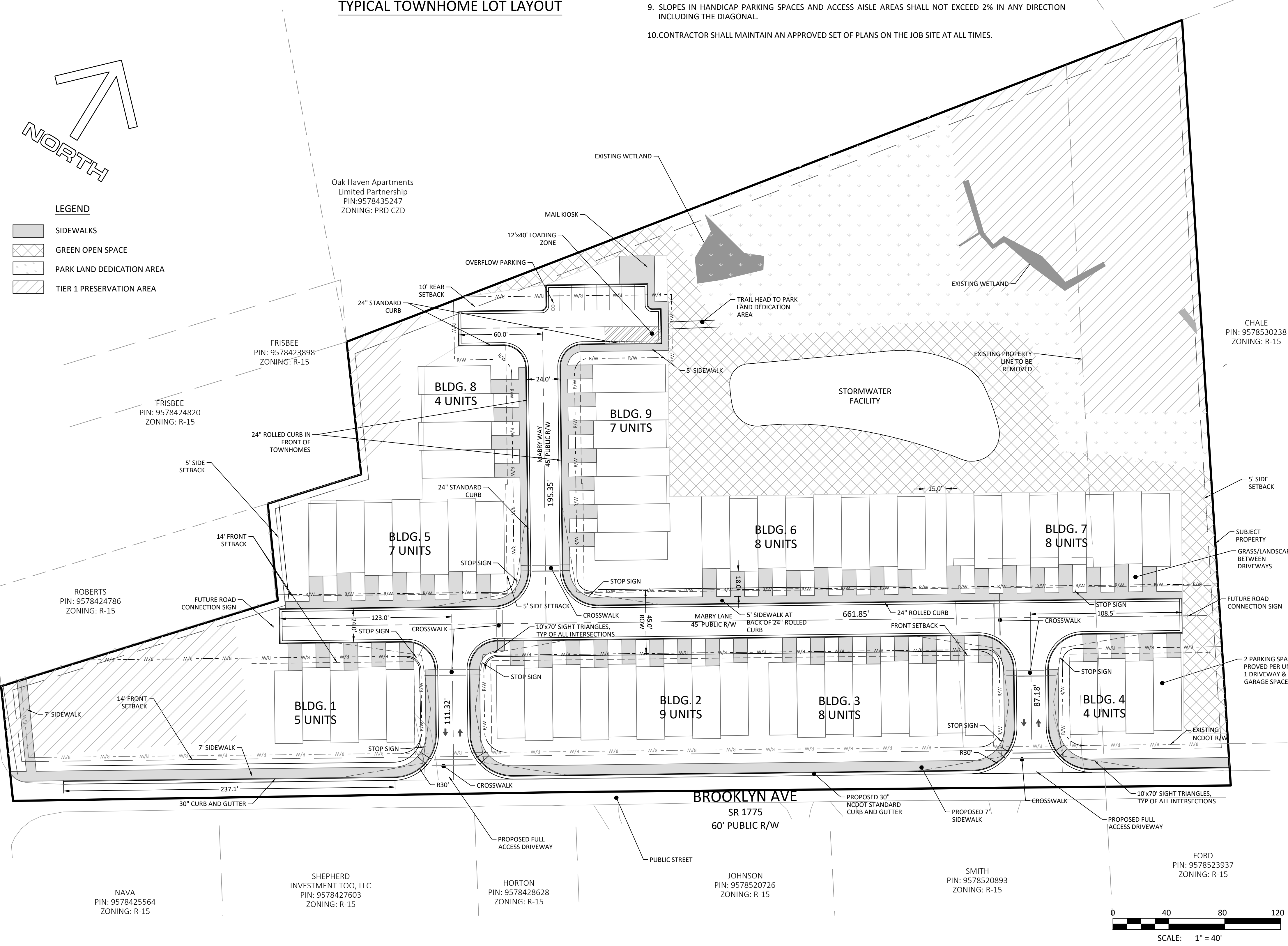
TREE CANOPY PRESERVATION (15-4.C)	
EXISTING COVERAGE:	251,750 SF (PER TREE CANOPY WEB SITE)
T1 PRESERVATION REQ'D	50,350 SF (20% OF EXISTING COVERAGE)
T1 PRESERVATION PROVIDED	50,769 SF
T2 PRESERVATION REQ'D	
REQUIREMENT T2 - OPTION 3	37,762 SF (15% OF EXISTING COVERAGE)
PRESERVED SPECIMEN TREES	(20,188 SF) per 15-4-c.3(d)
TOTAL T2 PLANTING REQ'D	17,574 SF
T2 PRESERVATION PROVIDED	17,648 SF (SEE TABLE)

PARKLAND DEDICATION (SEC. 3.09)

DEDICATION REQUIRED	30,000 SF (500 SF/UNIT AT 60 UNITS)
DEDICATION PROVIDED	30,430 SF (OUTSIDE OF T1 PRESERVATION)

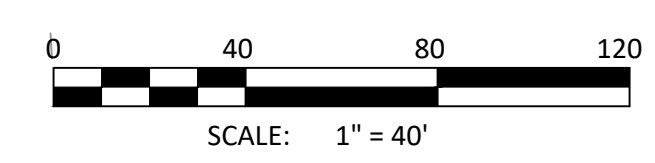
LAND USAGE 6.33 ACRES/ 275,801 SF:

BUILDING	63,440SF
STREETS/SIDEWALK & PARKING	50,760 SF
COMMON SPACE (Sec. 5-25-5.19)	
REQUIRED (500SF/UNIT)	30,000 SF
PROVIDED	
SIDEWALKS	4,260 SF
GREEN SPACE	31,846 SF
TOTAL	36,106 SF
OPEN SPACE (Sec. 5-25-5.20)	
REQUIRED (30%)	82,740 SF
PROVIDED	
COMMON OPEN SPACE	36,106 SF
T1 PRESERVATION	50,769 SF
TOTAL	86,872 SF



LEGEND

- SIDEWALKS
- GREEN OPEN SPACE
- PARK LAND DEDICATION AREA
- TIER 1 PRESERVATION AREA



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DRAWN BY: JESE
PROJECT #: 2031
CITY COMMENTS

ORIGINAL ISSUE DATE: 09/05/2024
REVISIONS: 09/19/2024

PRELIMINARY
NOT FOR CONSTRUCTION

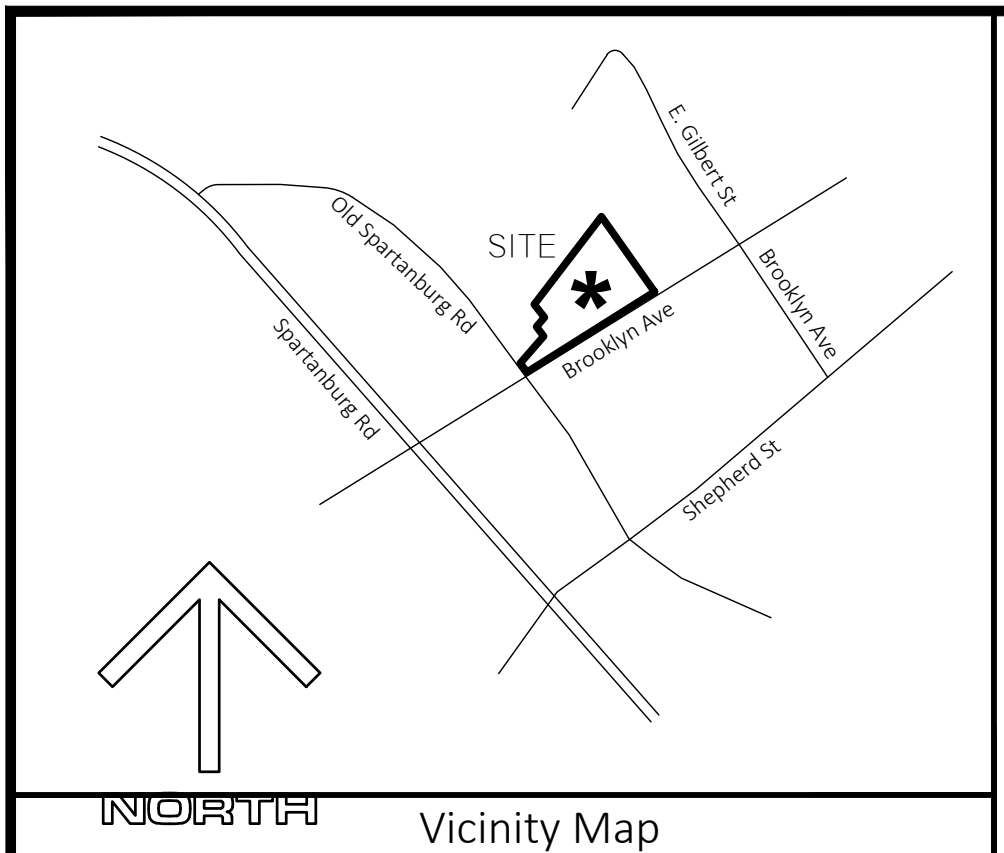
Blue Ridge Engineering PLLC
924 Main Street - Suite 200
North Wilkesboro, NC 28659
336.838.2500
www.ridge.blue
Firm #P-0205

Prepared for:
MAGNOLIA
PROPERTY GROUP
31 Wade Hampton Blvd
Greenville, SC 29609

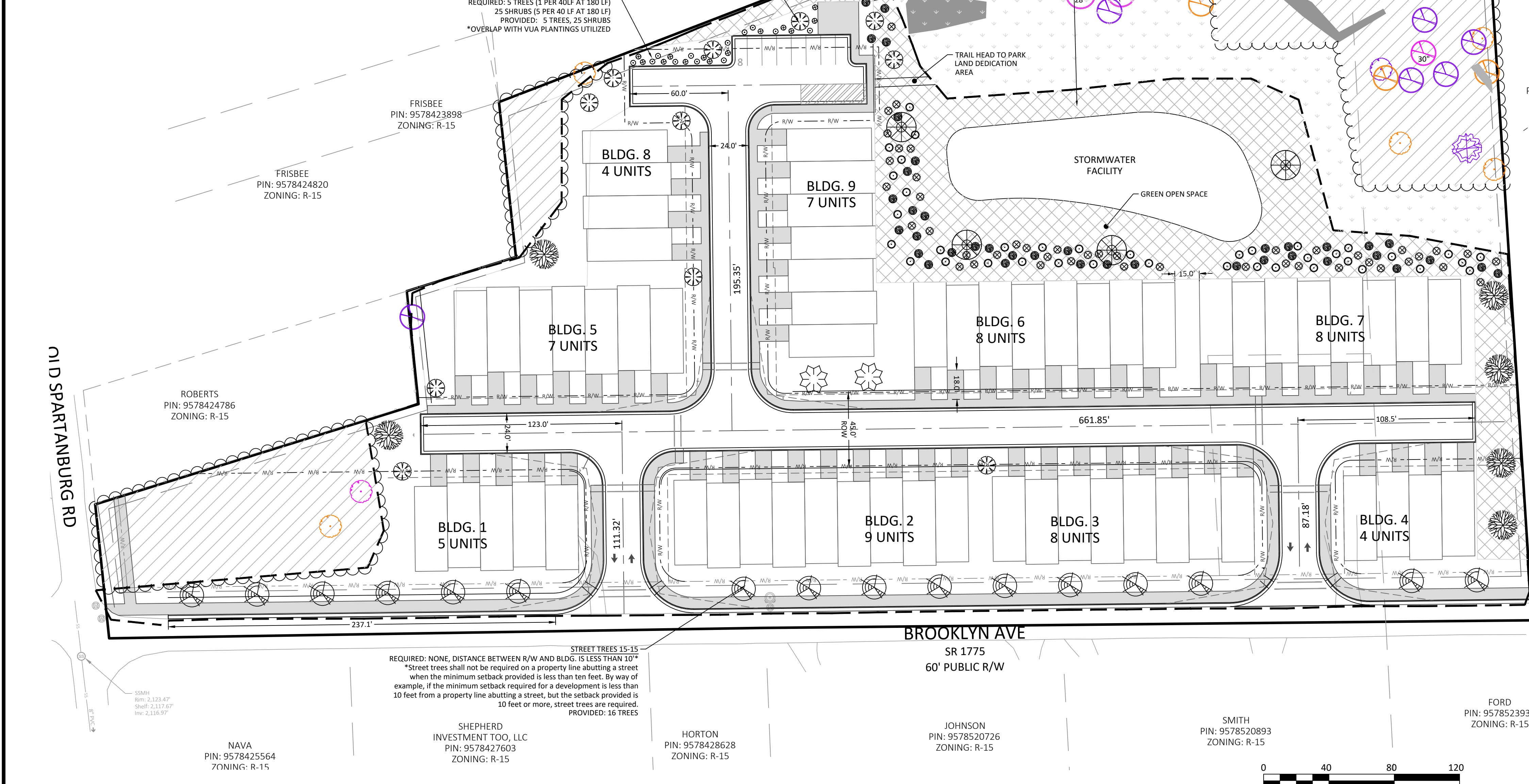
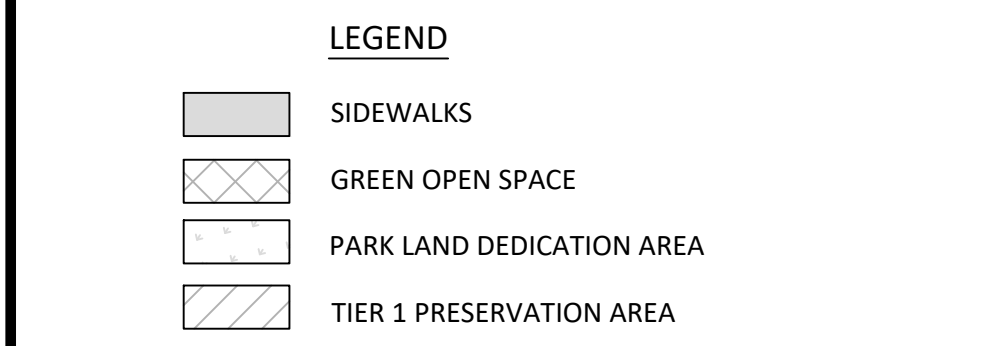
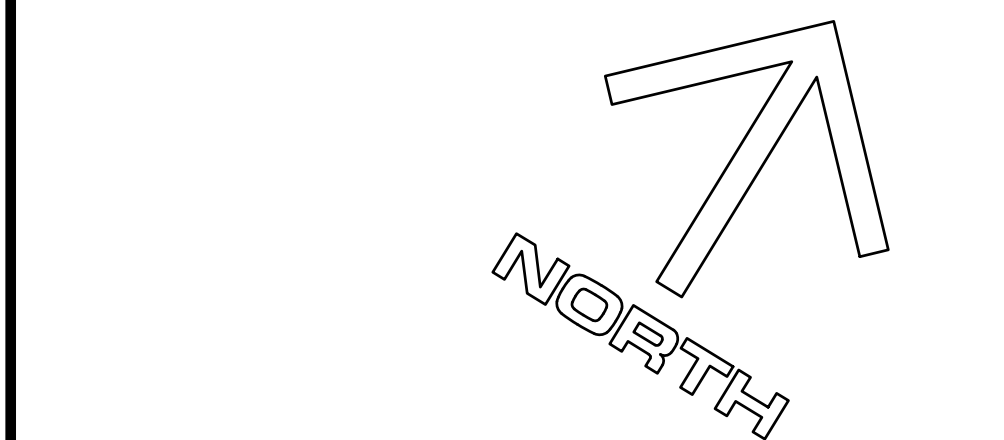
CZD Site Layout Plan
Mabry Woods
914 Brooklyn Avenue, Hendersonville, NC
Hendersonville Township, Henderson County, North Carolina

SHEET
CZD
1.0

PRELIMINARY - NOT FOR CONSTRUCTION



Vicinity Map



PROPOSED TIER 2 TREE PLANTINGS

SYM.	QTY	SPECIES	SIZE OF TREE	TREE CANOPY CREDITS
	6	DEODAR CEDAR Cedrus deodara	LARGE	5,232 SF 6 TREES @ 872 SF/TREE
	2	AUTUMN BLAZE MAPLE Acer x freemanii	LARGE	1,744 SF 2 TREES @ 872 SF/TREE
	4	NORTHER RED OAK Quercus rubra	LARGE	3,488 SF 4 TREES @ 872 SF/TREE
	16	OKAME CHERRY Prunus 'Okame'	MEDIUM	5,600 SF 16 TREES @ 350 SF/TREE
	11	SUGAR TYME CRABAPPLE Malus Hybrids	SMALL	1,584 SF 11 TREES @ 144 SF/TREE
TOTAL				17,648 SF

LANDSCAPE DATA

TREE CANOPY PRESERVATION (15-4.C)
 EXISTING COVERAGE: 251,750 SF (PER TREE CANOPY WEB SITE)
 T1 PRESERVATION REQ'D 50,350 SF (20% OF EXISTING COVERAGE)
 T1 PRESERVATION PROVIDED 50,769 SF

T2 PRESERVATION REQ'D
 REQUIREMENT T2 - OPTION 3 37,762 SF (15% OF EXISTING COVERAGE)
 PRESERVED SPECIMEN TREES (20,188 SF) per 15-4-c.3(d)
 TOTAL T2 PLANTING REQ'D 17,574 SF

T2 PRESERVATION PROVIDED 17,648 SF (SEE TABLE)

PARKLAND DEDICATION (SEC. 3.09)

DEDICATION REQUIRED 30,000 SF (50 SF/UNIT AT 60 UNITS)
 DEDICATION PROVIDED 30,430 SF (OUTSIDE OF T1 PRESERVATION)

LAND USAGE 6.33 ACRES/ 275,801 SF:

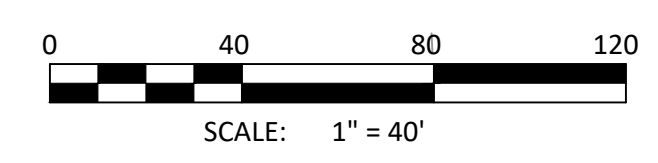
BUILDING 63,440SF
 STREETS/SIDWALK & PARKING 50,760 SF
 COMMON SPACE (Sec. 5-25-5.19) REQUIRED (500SF/UNIT) 30,000 SF PROVIDED
 SIDEWALKS 4,260 SF
 GREEN SPACE 31,846 SF
 TOTAL 36,106 SF
 OPEN SPACE (Sec. 5-25-5.20) REQUIRED (30%) 82,740 SF PROVIDED
 COMMON OPEN SPACE 36,106 SF
 T1 PRESERVATION 50,769 SF
 TOTAL 86,872 SF

CHALE
 PIN: 9578530238
 ZONING: R-15

PRESERVED TREE CREDITS 15-4.b

*ALL PRESERVED TREES TO BE PROTECTED WITH APPROPRIATE TREE FENCING AS PRESCRIBED IN THE CITY OF THE HENDERSONVILLE LANDSCAPING ORDINANCE

SYM.	QTY	SPECIES	DBH	TREE CREDITS	SPECIMEN CANOPY TREE CREDIT
	1	MAPLE	2"-12"	1 TREE @ 1 CREDIT/TREE	
	6	OAK	2"-12"	6 TREES @ 1 CREDIT/TREE	
	1	PINE	2"-12"	1 TREE @ 1 CREDITS/TREE	
	7	MAPLE	13"-18"	7 TREES @ 2 CREDITS/TREE	
	11	OAK	13"-18"	11 TREES @ 2 CREDITS/TREE	
	1	BIRCH	13"-18"	1 TREES @ 2 CREDITS/TREE	
	4	MAPLE	19"-24"	4 TREES @ 3 CREDITS/TREE	
	8	OAK	19"-24"	8 TREES @ 3 CREDITS/TREE	
	1	MAPLE	28"	1 TREES @ 3 CREDITS/TREE	3,694.5 SF
	1	MAPLE	30"	1 TREES @ 3 CREDITS/TREE	4,241 SF
	1	MAPLE	32"	1 TREES @ 3 CREDITS/TREE	4,825.5 SF
	1	OAK	26"	1 TREE @ 3 CREDITS/TREE	3,185.5 SF
	1	OAK	30"	1 TREE @ 3 CREDITS/TREE	4,241 SF
TOTAL				97 CREDITS	20,188 SF



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DRAWN BY: JESE
 PROJECT #: 20201
 ORIGINAL ISSUE DATE: 09/05/2024
 REVISIONS: 09/19/2024 CITY COMMENTS

PRELIMINARY
 NOT FOR CONSTRUCTION

Blue Ridge Engineering PLLC
 924 Main Street - Suite 200
 North Wilkesboro, NC 28659
 336.838.2500
 www.ridge.blue
 Firm #P-0205



Prepared for:
MAGNOLIA
 PROPERTY GROUP
 31 Wade Hampton Blvd
 Greenville, SC 29669

CZD Landscaping Plan
 Mabry Woods
 914 Brooklyn Avenue, Hendersonville, NC
 Hendersonville Township, Henderson County, North Carolina

SHEET
CZD 2.0
 PRELIMINARY - NOT FOR CONSTRUCTION

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DRAWN BY:	JESSE
PROJECT #:	22031
ORIGINAL ISSUE DATE:	09/05/2024
REVISIONS:	09/19/2024 CITY COMMENTS

PRELIMINARY
NOT FOR CONSTRUCTION

Blue Ridge Engineering PLLC
924 Main Street - Suite 200
North Wilkesboro, NC 28659
336.838.2500
www.ridge.blue
Firm #P-0205



Prepared for:
MAGNOLIA
PROPERTY GROUP
31 Wade Hampton Blvd
Greenville, SC 29609

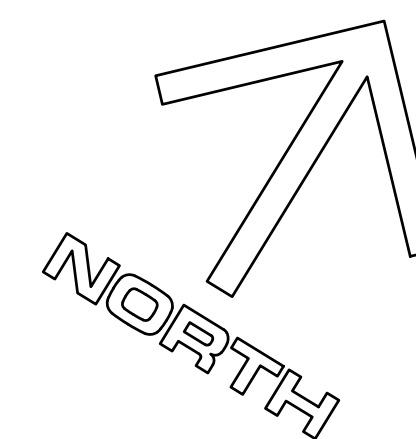
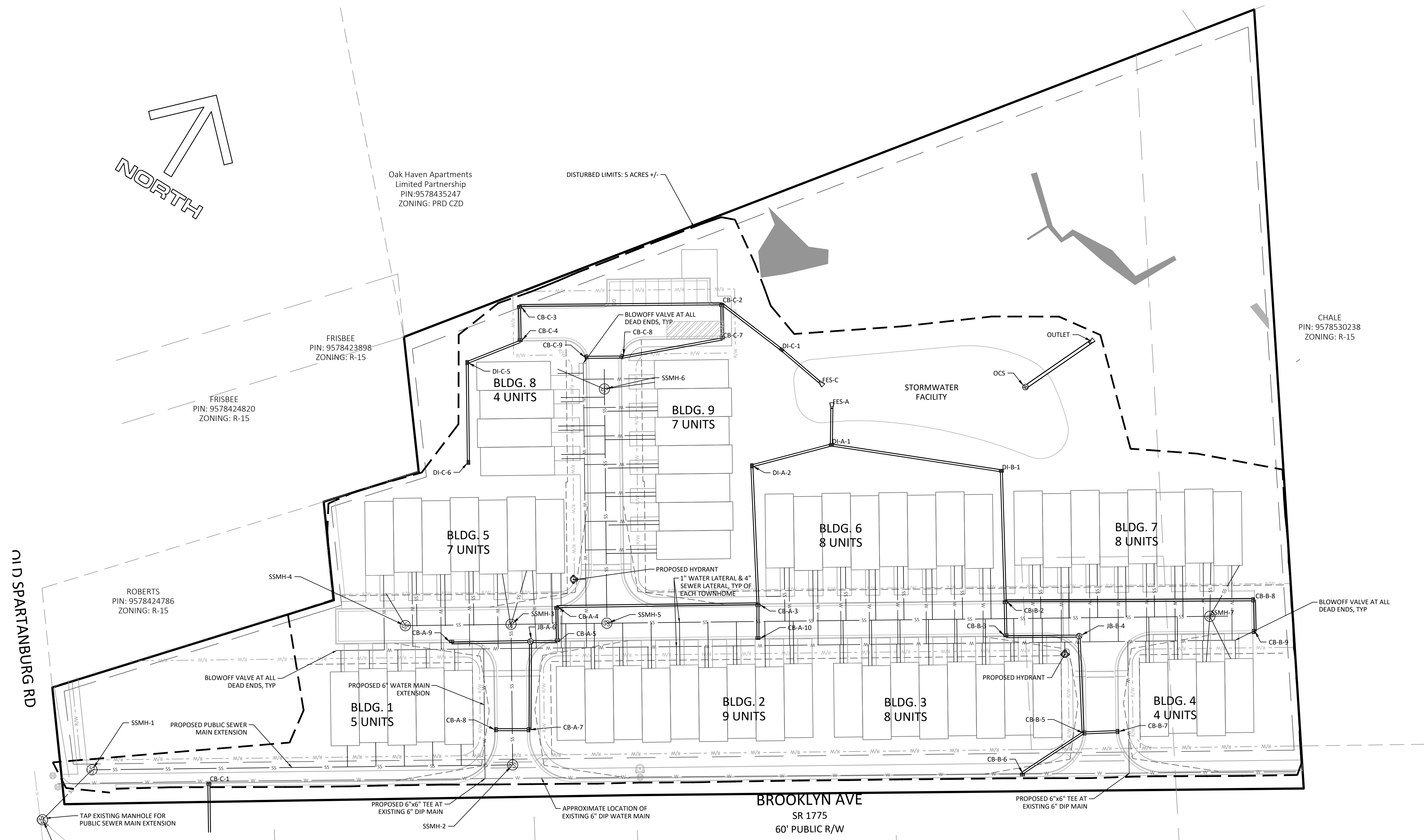
CZD Preliminary Utility Plan
Mabry Woods
914 Brooklyn Avenue, Hendersonville, NC
Hendersonville Township, Henderson County, North Carolina

SHEET
CZD
3.0

PRELIMINARY - NOT FOR CONSTRUCTION

UTILITY NOTES

- SEE WATER DETAIL SHEETS FOR GENERAL WATER NOTES BY THE CITY OF HENDERSONVILLE AND ALL DETAILS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY, METHODS, MEANS, PROCEDURES AND SEQUENCES OF ITS OPERATIONS. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROL FOR ITS OPERATIONS.
- ALL UTILITY WORK SHALL BE PERFORMED BY A NC LICENSED UTILITY CONTRACTOR.
- THE LOCATION OF UTILITIES SHOWN ON THE PLANS SHALL BE CONSIDERED APPROXIMATE. ALL UTILITIES MAY NOT BE SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE EXISTENCE AND ACTUAL LOCATION OF ALL EXISTING UTILITY LINES WHETHER SHOWN ON THE PLANS OR NOT. CONTRACTOR SHALL CONTACT ULOCCO.
- BLUE RIDGE ENGINEERING SHALL PROVIDE ALL CONSTRUCTION LAYOUT AND STAKING REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING FOR CONSTRUCTION LAYOUT AND STAKING SERVICES PROVIDED. CONTRACTOR SHALL PROVIDE BLUE RIDGE ENGINEERING 48 HOURS NOTICE FOR ANY STAKING REQUESTED.
- DURING PIPE LAYING, PIPE ENDS SHALL BE PROTECTED OVERNIGHT WITH APPROPRIATE MEASURES TO PREVENT WATER, DIRT OR OTHER DEBRIS FROM ENTERING THE SYSTEM.
- ALL BACKFILL IN UTILITY TRENCHES SHALL BE TESTED. ALL BACKFILL SHALL BE PLACED AND COMPACTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. DRYING OR WETTING OF FILL MATERIAL MAY BE REQUIRED TO COMPLY WITH MOISTURE LIMITS SPECIFIED. IF NO GEOTECHNICAL STUDY HAS BEEN PERFORMED, ALL EARTHWORK PLACED SHALL BE WITHIN 5% OF OPTIMUM MOISTURE AND COMPACTED TO AT LEAST 95% OF THE STANDARD PROCTOR.
- ALL WORK IS SUBJECT TO INSPECTION OF THE OWNER, ENGINEER AND AUTHORITIES HAVING JURISDICTION. THE OWNER SHALL PAY FOR ALL QUALITY ASSURANCE TESTING REQUIRED.
- ALL PIPE MATERIALS SHALL BE AS SPECIFIED ON THE PLANS. NO SUBSTITUTIONS SHALL BE ALLOWED. ALL FIRE LINES SHALL COMPLY WITH NFPA 24 AND NC STATE BUILDING CODE: FIRE CODE.
- ALL WATER LINE 6" AND LARGER SHALL HAVE RESTRAINED JOINTS, "MEGALUG" OR EQUAL.
- MINIMUM COVER SHALL BE 3' FOR BOTH WATER AND SEWER MAINS.
- MINIMUM SLOPE FOR ANY SEWER LINE SHALL BE 1.0% UNLESS OTHERWISE SHOWN. CONCRETE ANCHOR FOOTINGS SHALL BE INSTALLED ON ALL SEWER LINES EXCEEDING 20% SLOPE.
- WATER/SEWER CROSSINGS: WHERE SEWER MAINS CROSS OVER WATER MAINS, OR WHERE LESS THAN 18" VERTICAL SEPARATION IS PROVIDED, BOTH WATER MAIN AND SEWER MAIN SHALL BE CONSTRUCTED TO WATER MAIN STANDARDS, SUCH AS THE USE OF DUCTILE IRON PIPE OR C-900, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- SEWER/STORM CROSSINGS: WHERE SEWER MAINS AND STORM DRAINS CROSS WITH LESS THAN 18" VERTICAL SEPARATION PROVIDED, SEWER MAINS SHALL BE CONSTRUCTED TO WATER MAIN STANDARDS, SUCH AS THE USE OF DUCTILE IRON PIPE OR C-900, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- WATER/STORM CROSSINGS: WHERE WATER MAINS AND STORM DRAINS CROSS WITH LESS THAN 12" VERTICAL SEPARATION PROVIDED, WATER MAINS SHALL BE DUCTILE IRON PIPE, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- ALL SERVICE CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH STATE AND LOCAL CODES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL PROVIDE ALL APPARATUS NECESSARY FOR ALL PRESSURE TESTING, LEAKAGE TESTING, AND BIOLOGICAL TESTING. ALL TESTING SHALL BE PERFORMED IN THE PRESENCE OF THE ENGINEER OR HIS REPRESENTATIVE.
- CONTRACTOR SHALL COORDINATE ALL WORK AS NECESSARY WITH: POWER COMPANY; TELEPHONE COMPANY; GAS COMPANY; ETC.



Oak Haven Apartments
Limited Partnership
PIN: 9578435247
ZONING: PRD CZD

FRISBEE
PIN: 9578423898
ZONING: R-15

FRISBEE
PIN: 9578424820
ZONING: R-15

ROBERTS
PIN: 9578424786
ZONING: R-15

NAVA
PIN: 9578425564
ZONING: R-15

SHEPHERD
INVESTMENT TOO, LLC
PIN: 9578427603
ZONING: R-15

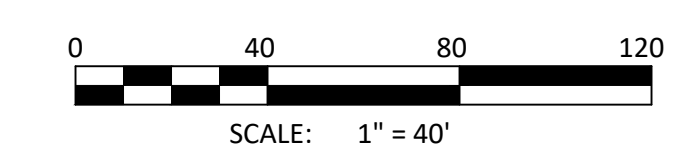
HORTON
PIN: 9578428628
ZONING: R-15

JOHNSON
PIN: 9578520726
ZONING: R-15

SMITH
PIN: 9578520893
ZONING: R-15

FORD
PIN: 9578523937
ZONING: R-15

CHALE
PIN: 9578530238
ZONING: R-15



OLD SPARTANBURG RD

BROOKLYN AVE
SR 1775
60' PUBLIC R/W

BUILDING ELEVATIONS

Brooklyn Ave Frontage



BUILDING ELEVATIONS

Interior Units



BUILDING ELEVATIONS

Interior Units



Developer Proposed Condition Justification

5-25-2.3.1 Traffic Impact Analysis

Applicant requests that the Traffic Impact Analysis (TIA) requirement be waived. Per the trip generation table shown below, the proposed development will produce drastically less traffic than the City of Hendersonville Traffic Impact Analysis thresholds in Section 6-18-1 of the zoning ordinance.

6-18-1 – TIA required. *Applicants for development authorization in which the proposed development, redevelopment, or change of use is expected to generate 100 or more peak-hour trips (a.m. or p.m.) or 1,000 or more trips daily shall have prepared by a qualified professional a TIA meeting the guidelines established in this section. In addition to the foregoing, the community development director shall have the discretion to require a TIA when a development's traffic will substantially affect an intersection or a roadway segment already identified as operating at a failing level of service, when a development may create a hazard to public safety, or when a development will substantially change the off-site transportation system or connections to it.*

The proposed development creates only 432 daily trips, 29 AM peak hour trips and 34 PM peak hour trips. This is 43%, 29% and 34% of the published requirements for performing a TIA. Additionally, the City Planning Staff and NCDOT concluded that a TIA would not be required for this project, unless any changes were made to the site plan, which has not occurred.

As the code is currently written, uses allowed in the Urban Residential (UR), such as large scale apartment communities, mixed use developments and other high-impact developments, a traffic impact analysis could be warranted. This project represents a different type of use than has historically been contemplated by the UR zoning classification and should be evaluated accordingly. For instance, in the zoning classification Planned Residential Development, a TIA is only warranted if the thresholds described in 6-18-1 are reached. Planning Staff has submitted an application for a text amendment to allow both single family residential attached and detached products in the UR zoning classification. Logic maintains that these projects should be evaluated in the same manor.

Further, the purpose of the thresholds for TIA is to avoid unneeded delays and expenses for projects that do not warrant roadway modifications and/or do not degrade the level of service enough to justify major corrections. What's more, the trips calculated in the table are shown as net new trips, however, there are ten existing housing units on the property, currently contributing to trips on Brooklyn Ave. If the current trips are considered, the trips are reduced by nearly 15% further separating the future trips from the City of Hendersonville thresholds.

Trip Generation Rates for LUC #215: Single Family Attached						
Number of Dwelling Units	AM PEAK HOUR			PM PEAK HOUR		
	Vol. Per Average Rate	Directional Distribution		Vol. Per Average Rate	Directional Distribution	
		31% In	69% Out		57% In	43% Out
60	29	9	20	34	19	15
Average Daily Trip Ends (ADT)		Average Rate Equations:				
Units	Average Rate	AM: $T = 0.48 * X = 29$ ADT: $T = 7.20 * X = 432$				
60	432	PM: $T = 0.57 * X = 34$ $T = \text{Trips/Unit}$ $X = \text{Number of Dwelling Units}$				

5-25-5.13 Internal Access and Connectivity

Section 5-25-5.13 of the zoning code limits the number of driveways to two per block face. To execute this development, the Applicant requests a waiver of this restriction.

On September 12, 2024, Planning Staff submitted a Zoning Text Amendment to align the Urban Residential and Urban Village zoning classifications with the Gen H Comprehensive Plan. Several design and practical considerations within the current zoning code are not suitable for single family residential developments, including the limitation on driveways. Therefore, we propose that an exception be added to the final sentence of Section 5-25-5.13, specifying that the restriction not apply to single family driveways.

Granting this waiver aligns with both the recently proposed Zoning Text Amendment and the objectives of the Gen H Comprehensive plan, making it a practical and consistent solution.

5.25-5.15 Pedestrian Zone and Sidewalks.

Section 5-25-5.13 requires sidewalks on both sides of internal roads, with a width of 7 feet. The Applicants seeks relief from both of these requirements as they work in tandem to achieve a balanced development approach.

Strict compliance with these provisions would push the development into designated preservation areas, increasing the area that would need to be cleared. This site plan does not aim to maximize density, but rather strike a balance between preserving natural areas and adding an appropriate amount of units to the available high ground.

The units along Mabry Lane that would be affected by the absence of a sidewalk will have direct access to the 7-foot-wide sidewalks on Brooklyn Avenue, along with crosswalks providing safe access to the sidewalks along the internal roads.

Fw: [External] Clarification on TIA Requirements For Proposed Development

Zach Grogan <zg@magnoliapropertygroup.com>

Thu 9/5/2024 8:41 PM

To: Zach Grogan <zg@magnoliapropertygroup.com>

From: Darnell, Russell H <rh darnell@ncdot.gov>

Sent: Wednesday, July 24, 2024 10:42 AM

To: Zach Grogan <zg@magnoliapropertygroup.com>

Cc: Wilson, Troy S <tswilson@ncdot.gov>; Jamison, Wesley A <wjamison@ncdot.gov>; Morrow, Tyler <tmorrow@hvlnc.gov>

Subject: RE: [External] Clarification on TIA Requirements For Proposed Development

Zach

I spoke with the City and no TIA is required for this one – as long as the number of units or the LUC doesn't change.

Let me know if you have any questions.

Rusty

R.H. "Rusty" Darnell

Assistant District Engineer

NC Department of Transportation

Division 14: District I – Henderson, Polk, & Transylvania County

828 891 7911 office

rh darnell@ncdot.gov

4142 Haywood Rd

Mills River, NC 28759



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

A Statement on the proposed Landscape Plan

The various landscape requirements and tree ordinances are complex, which has resulted in a challenging landscape plan to follow.

Due to the fact that nearly 90% of the project site is covered by existing tree canopy, including significant specimen trees, the development plan generates an excess of tree credits. This allows us to meet the tree requirements (with the exception of common area trees) without the need to designate additional preservation area for the T2 requirement. Instead, we plan to meet the 15% T2 requirement through additional tree planting, while dedicating the full 30,000sf space available for parkland dedication, as shown on the site plan.

Per guidance from Staff, the parkland dedication area will remain available for dedication throughout the process. However, if the proposal is not accepted by Council or the DRC, we plan to use this area for T2 compliance, replacing the proposed Tier 2 Tree Plantings. We are providing this background to ensure transparency throughout the approval process, so that there are no surprises regarding our compliance plan should the land dedication not be accepted.

Additionally, to clarify, we are using tree credits to satisfy the Brooklyn Ave street tree requirement. Rather than leaving this area without trees, we are opting to plant medium-sized Okame Cherry trees because: (i) I personally prefer them, (ii) the stunning yearly show along Brooklyn Ave is a benefit to the community, and (iii) these medium trees meet NCDOT right-of-way planting requirements, this plan has been reviewed and blessed by NCDOT.

Appendix B Section 3.09 Dedication of Public Land:

Our understanding is that the purpose of Parkland dedication is to ensure sufficient public open space for the influx of residents in a given area caused by a proposed development, with a requirement of 500 square feet per housing unit. In this case, the proposed development is required to provide 30,000 square feet of dedicated land.

To meet this requirement, the applicant is planting over 17,000 square feet of trees (small, medium and large maturing) in compliance with the Tier II tree canopy ordinance – plantings that would not otherwise be necessary. However, per the guidance from Planning Staff, the designated area for dedication does not meet the City’s criteria as outlined in Appendix B Section 3.09.A.3. We agree that the area for dedication may be impractical to maintain and properly police effectively if dedicated to the City.

The proposed development provides 36,106 square feet of common open space, 50,769 square feet of tree preservation area and 30,430 square feet designated for dedication, totaling 117,305 square feet (2.70 acres) of open space. This amounts to 1,955 square feet of open space per housing unit - nearly four times the required 500 square feet per unit, adequately addressing the needs of the incoming residents.

Given that the private common space on site will be reasonably accessible from the public right of way, and mitigates the parkland needs created by the development, we believe the Parkland Dedication Fee-In-Lieu should be waived in accordance with Appendix B Section 2.06 (D)(1)(b): *Private Common Open Space resources provide on the subject site will be available for public use and will mitigate park land needs created by the proposed development.*



NEIGHBORHOOD COMPATIBILITY MEETING REPORT
BROOKLYN TOWNHOMES (P24-62-CZD)
NCM MEETING DATES: AUGUST 27, 2024

PETITION REQUEST: Rezoning: Brooklyn Ave Townhomes - Conditional Zoning District (UR-CZD)
APPLICANT/PETITIONER: MGP Shelby, LLC (Zachary Grogan)

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on June 6th, 2024, at 2pm in the Assembly Room of the City Operations Building, 305 Williams Street and via Zoom. The meeting lasted approximately 1 hour and 35 minutes.

There were 8 members of the public in attendance in-person and no one attended virtually. The City was represented with 2 members Planning staff. The applicant was present and gave some opening explanations of the project following staff's formal introduction and brief overview of the request.

There were no pre-submitted comments. Those attendance brought up a range of opinions and views. Some comments reflected a positive take on the impact of the development.

Other Questions and Concerns from the public related to:

Questions:

- Rental or for sale products? For sale.
- Cost? Market Rate.
- Number of Stories? 2 or 3.
- Number of bedrooms? 3 bedroom/ 2 bath
- Parking? 2 spaces in front plus a garage for each unit.
- Delivery Zone? Needs to be added to Site Plan
- Tree Preservation? Will meet new canopy preservation standards
- Curb Cuts on Brooklyn? Dictated by NCDOT
- TIA? Code requires it but developer asking for a condition
- Landscaping Buffers? Will meet code requirements
- Stormwater? Above ground facility

Concerns:

- Traffic impacts
- Protection from construction noise
- Affordability
- Density
- Impact to environment

Full minutes from the Neighborhood Compatibility Meeting and pre-submitted public comments are available for review by request.

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBER: 9578-43-7077, 9578-53-0013, 9578-43-9238 BY CHANGING THE ZONING DESIGNATION FROM R-15 (MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT) TO UR (URBAN RESIDENTIAL - CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Numbers: 9578-43-7077, 9578-53-0013, 9578-43-9238
 Addresses: 914 & 924 Brooklyn Ave
 Brooklyn Townhomes: (File # P24-62-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant Zach Grogan of MPG Shelby, LLC. and property owners Eugene Holbert, John Holbert, Edgar Holbert, & Wanda Ponder, for the development of 60 single-family attached residential units on Brooklyn Ave; and

WHEREAS, the Planning Board took up this application at its regular meeting on November 14, 2024; voting 0-0 to recommend City Council approve 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 December 2, 2024 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: 9578-43-7077, 9578-53-0013, 9578-43-9238, changing the zoning designation from R-15 (Medium Density Residential Zoning District) to UR (Urban Residential - Conditional Zoning District)
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the site plan submitted by the applicant dated September 19, 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential, Single-Family - 60 Units
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 2nd day of December 2024.

Attest:

 Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

IN RE: Parcel Numbers: 9578-43-7077, 9578-53-0013, 9578-43-9238
Addresses: 914 & 924 Brooklyn Ave
Brooklyn Townhomes: (File # P24-62-CZD)

Applicant/Developer: Zach Grogan

Property Owner: Eugene Holbert

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Property Owner: John Holbert

Property Owner: Edgar Holbert

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Property Owner: Wanda Holbert

Signature: _____

Printed Name: _____

Title: _____

Date: _____

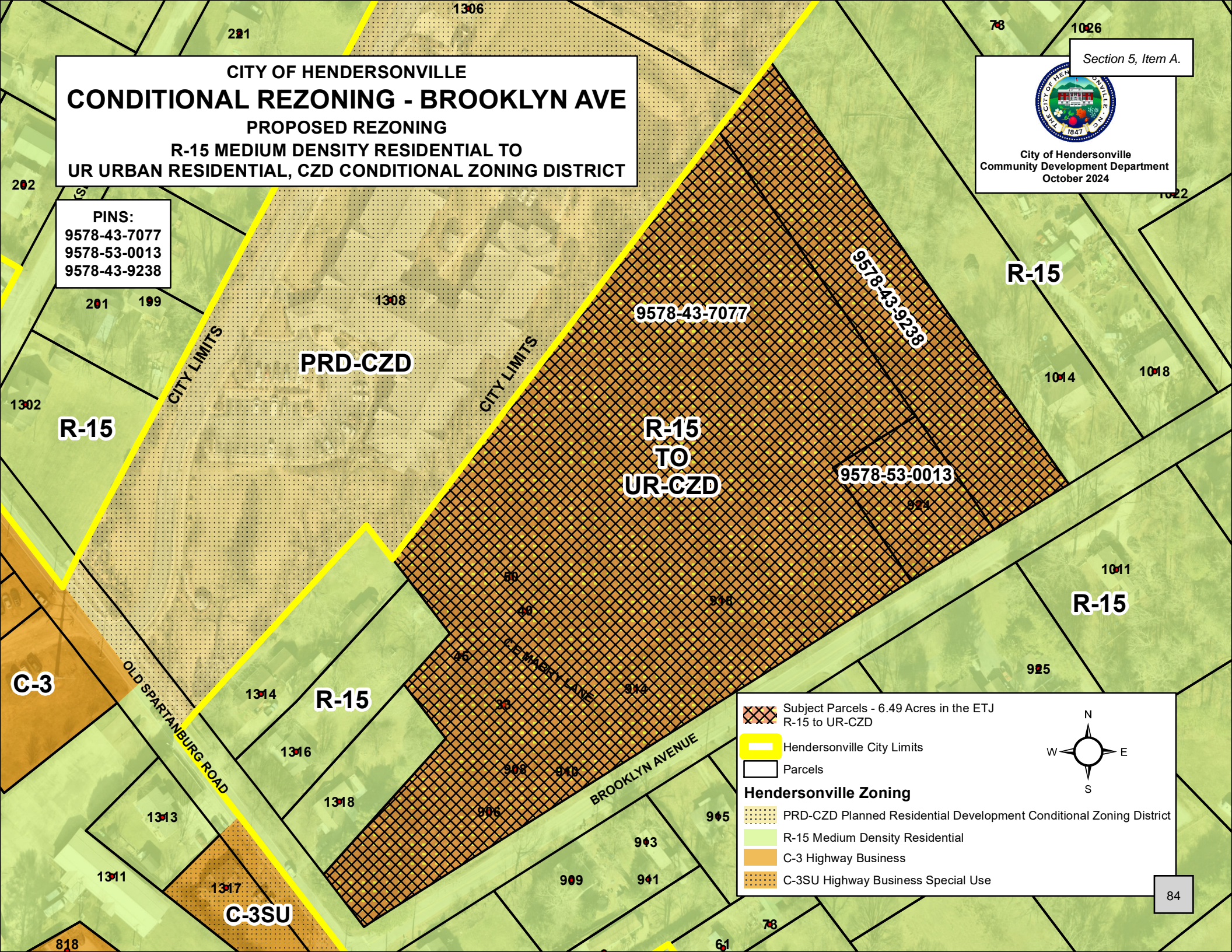
CITY OF HENDERSONVILLE
CONDITIONAL REZONING - BROOKLYN AVE
 PROPOSED REZONING
 R-15 MEDIUM DENSITY RESIDENTIAL TO
 UR URBAN RESIDENTIAL, CZD CONDITIONAL ZONING DISTRICT


Section 5, Item A.





City of Hendersonville
 Community Development Department
 October 2024

PINS:
 9578-43-7077
 9578-53-0013
 9578-43-9238







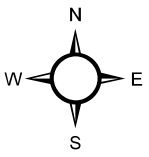
 Subject Parcels - 6.49 Acres in the ETJ
 R-15 to UR-CZD

 Hendersonville City Limits

 Parcels

Hendersonville Zoning

-  PRD-CZD Planned Residential Development Conditional Zoning District
-  R-15 Medium Density Residential
-  C-3 Highway Business
-  C-3SU Highway Business Special Use





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Tyler Morrow **MEETING DATE:** November 14th, 2024
AGENDA SECTION: New Business **DEPARTMENT:** Community Development
TITLE OF ITEM: Rezoning: Conditional Zoning District – 715 Greenville Highway Multi-Family (P24-39-CZD) – Tyler Morrow– Current Planning Manager

SUGGESTED MOTION(S):

<u>For Recommending Approval:</u>	<u>For Recommending Denial:</u>
<p>I move Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9568-83-4302, 9568-83-2474 and, 9568-83-2082) from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District, for the construction of 185 multi-family units based on the master site plan and list of conditions submitted by and agreed to by the applicant, [dated 11-4-24] and presented at this meeting and subject to the following:</p> <p>1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses</p> <p>Permitted Uses:</p> <p>1. Residential Dwellings, Multi-Family</p> <p><u>[for amendments to uses or conditions discussed and agreed upon in the Council meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed]</u></p> <p>2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:</p> <p>3. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p>	<p>I move Planning Board recommend City Council deny an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PINs: 9568-83-4302, 9568-83-2474 and, 9568-83-2082) from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</p> <p style="padding-left: 40px;">The petition is consistent with the Future Land Use and Conservation Map Designations of Open Space-Conservation (Regulated) and Open Space-Conservation (Natural) and is located in a Focused Intensity Node within Chapter 4 of the Gen H Comprehensive Plan.</p> <p>2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <p style="padding-left: 40px;">1. The proposed development adds impervious surfaces to a subject property that is within the floodplain while only sparingly offsetting their impacts with a small amount of pervious materials (6 parking spaces).</p>

<p>The petition is consistent with the Future Land Use and Conservation Map Designations of Open Space-Conservation (Regulated) and Open Space-Conservation (Natural) and is located in a Focused Intensity Node within Chapter 4 of the Gen H Comprehensive Plan.</p> <p>4. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <ol style="list-style-type: none"> 1. The petition proposes to provide additional housing to offset local rental demand. 2. The petition proposes to provide housing on a long vacant, previously developed and underutilized piece of property near commercial corridors and is within walking distance to downtown and the Ecusta Trail. 3. The site plan clusters development impacts outside of the floodway portions of the site. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<ol style="list-style-type: none"> 2. The height and scale of the proposed development is incompatible with the surrounding area and character. 3. The proposed development is in an area that is prone to flooding and the development does not provide additional mitigation that would benefit future residents (i.e. first floor garages or first floor commercial uses.) First floor commercial is supported by the Gen H comprehensive plan. <p style="text-align: center;">[DISCUSS & VOTE]</p>
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SUMMARY: *The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Travis Fowler of First Victory Inc., applicant and Richard Herman of South Market LLC., property owner. The applicant is requesting to rezone the subject property, PINs 9568-83-4302, 9568-83-2474 and, 9568-83-2082 and located off Greenville Highway, from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District for the construction of 185 multi-family units on approximately 9.01 acres. This equates to a density of 20.5 units per acre.*

The proposal includes the construction of 1 multi-family structure with a footprint of 58,367 square feet and a gross floor area of 231,037 square feet. Additionally, the development proposes 288 parking spaces.

The proposed site includes floodway, 100 year floodplain and 500 year floodplain within its boundary. The proposed development is shown to be constructed completely outside of the floodway.

PROJECT/PETITIONER NUMBER:	P24-39-CZD
PETITIONER NAME:	<ul style="list-style-type: none"> • Travis Fowler, First Victory Inc. [Applicant] • Richard Herman (Manager) – South Market LLC [Owner]

ATTACHMENTS:

1. Staff Report
2. Comprehensive Plan Review
3. Neighborhood Compatibility Summary
4. Proposed Site Plan / Elevations
5. Proposed Zoning Map
6. Draft Ordinance
7. Application / Owner Signature Addendum

REZONING: CONDITIONAL REZONING -715 GREENVILLE HIGHWAY MULTI-FAMILY(P24-39-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - 715 Greenville Highway Multi-Family
 - P24-39-CZD

- Applicant & Property Owner:
 - Travis Fowler, First Victory Inc. [Applicant]
 - Richard Herman (Manager) – South Market LLC [Owner]

- Property Address:
 - 715 Greenville Highway

- Project Acreage:
 - 9.01 Acres

- Parcel Identification (PIN):
 - 9568-83-4302
 - 9568-83-2474
 - 9568-83-2082

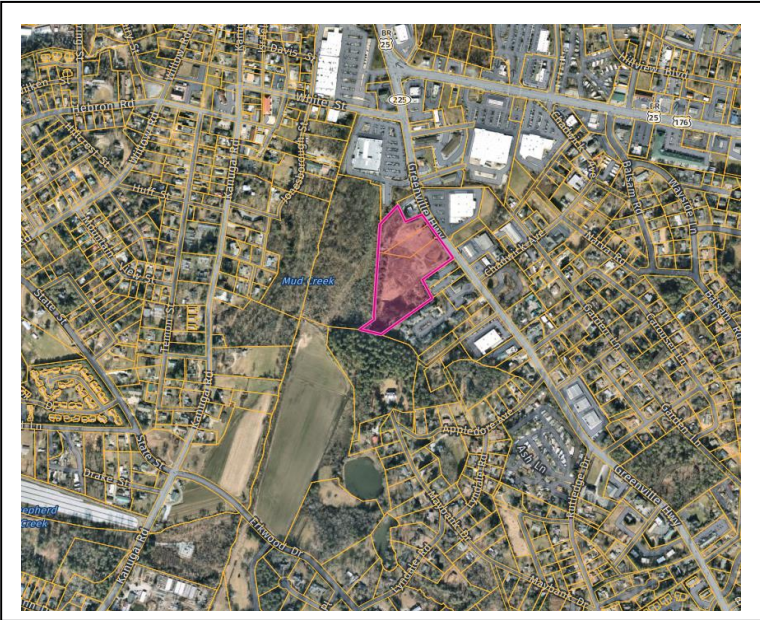
- Current Parcel Zoning:
 - PCD- Planned Commercial Development

- Future Land Use Designation:
 - Open Space-Conservation (Natural)
 - Open Space-Conservation (Regulated)
 - Mixed Use Commercial

- Requested Zoning:
 - UR-CZD-Urban Residential Conditional Zoning District.

- Requested Uses:
 - Residential, Multi-Family

- Neighborhood Compatibility Meeting:
 - July 19, 2024



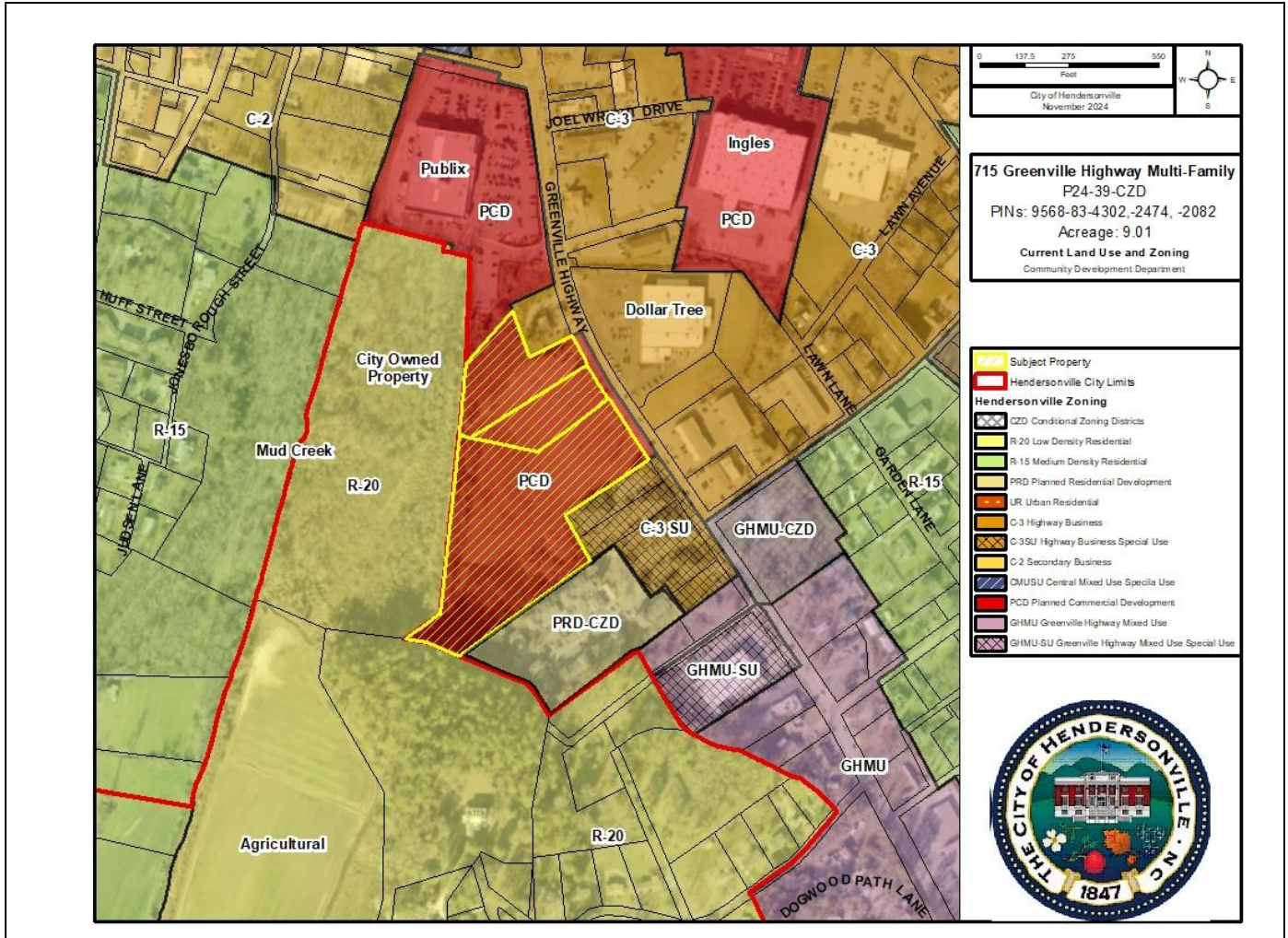
SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Travis Fowler of First Victory Inc., applicant and Richard Herman of South Market LLC., property owner. The applicant is requesting to rezone the subject property, PINs 9568-83-4302, 9568-83-2474 and, 9568-83-2082 and located off Greenville Highway, from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District for the construction of 185 multi-family units on approximately 9.01 acres. This equates to a density of 20.5 units per acre.

The proposal includes the construction of 1 multi-family structure with a footprint of 58,367 square feet and a gross floor area of 231,037 square feet. Additionally, the development proposes 288 parking spaces.

The proposed site includes floodway, 100 year floodplain and 500 year floodplain within its boundary. The proposed development is shown to be constructed completely outside of the floodway.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The three parcels that make up the subject property are currently zoned PCD (Planned Commercial Development) and is attached to an expired Special Use permit. The current zoning was granted by City Council in 2008 for the construction of an 89,200 square feet commercial development. This development was never constructed.

The Greenville Highway corridor consists of Planned Commercial Development and Highway Business zoning before transitioning to mixed used zoning at Chadwick Ave. The mixed-use zoning follows the Greenville Highway frontage corridor for the remainder of the City’s jurisdiction in that direction.

To the west and southwest of the property, you will find traditional single-family districts. These districts are comprised of single family residential, vacant land, farmland and property that has historically been used as flood storage.

The subject property abuts an existing multi-family development to the south. The Residences at Chadwick is a 68-unit apartment project on 3.85 acres under PRD zoning. (18 units per acre and 104 parking spaces).

SITE IMAGES



Typical view of the subject property (10-25-24)



Typical view of the site looking southward towards Chadwick Square. (10-25-24)

SITE IMAGES



*View of the pond that is under a Water Conservation Easement
DB 1668 Pg 98, PB 2016 SL 10216
Army Corp Permit- SAW-2014-00219 (January 2024)*



*View of wetland area on the western portion of the subject
property. (January 2024)*

SITE IMAGES



View of the blueline stream that runs along the western property boundary. (January 2024)



Typical view of property looking northeastern from the southwestern corner. (January 2024)

SITE IMAGES

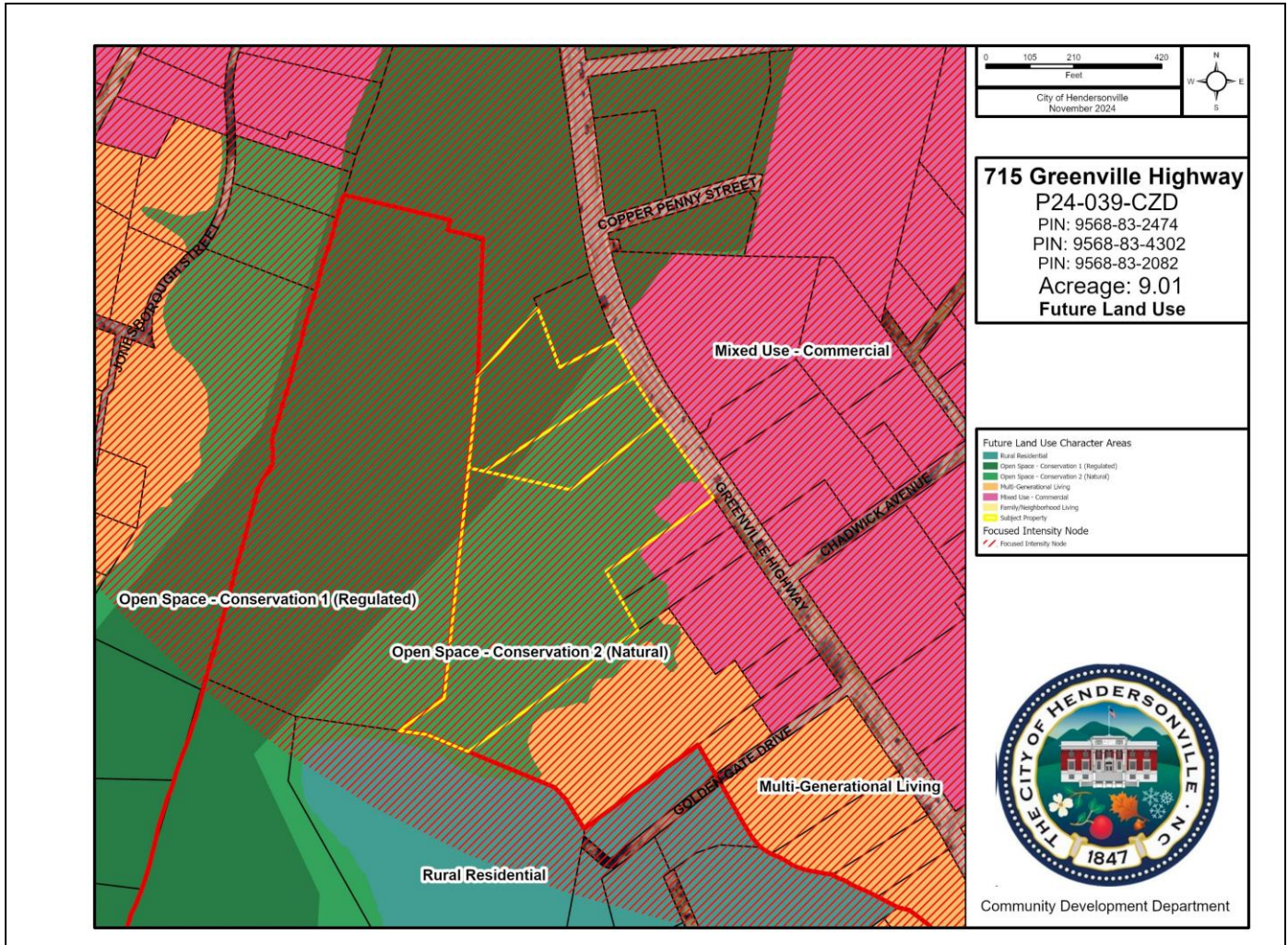


View of southern property frontage looking westward. Area of proposed access #2. (January 2024)



View of existing power lines that are associated with the utility easement on the north side of the site. (January 2024)

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property has split future land use designations. The floodway portions of the property are designated as Open Space-Conservation (Regulated), while the floodplain portions are designated as Open Space-Conservation (Natural). The small portion of the property that is outside of the flood hazard area is designated as Mixed-Use Commercial. The subject property is within the focused intensity node that encompasses properties near the Spartanburg Highway and Greenville Highway intersection.

The surrounding area has many parcels designated as Open space due to the known floodplain and floodway impacts. Many of these parcels are long standing commercial uses. Very few of these parcels are vacant areas serving as functional floodplain or open space.

REZONING HISTORY

Prior Rezoning (P06-79-SUR)	Summary of Prior Petition	Status
6-5-2008 (R-20 & C-3 to PCD SU)	9.03 acre development for the construction of 6 buildings totaling approximately 89,200 square feet. 316 parking spaces provided.	Expired June 5 th 2013

Full Minutes from City Council Meeting:

<https://library.municode.com/nc/hendersonville/munidocs/munidocs?nodeId=2d9a769a4e52c>

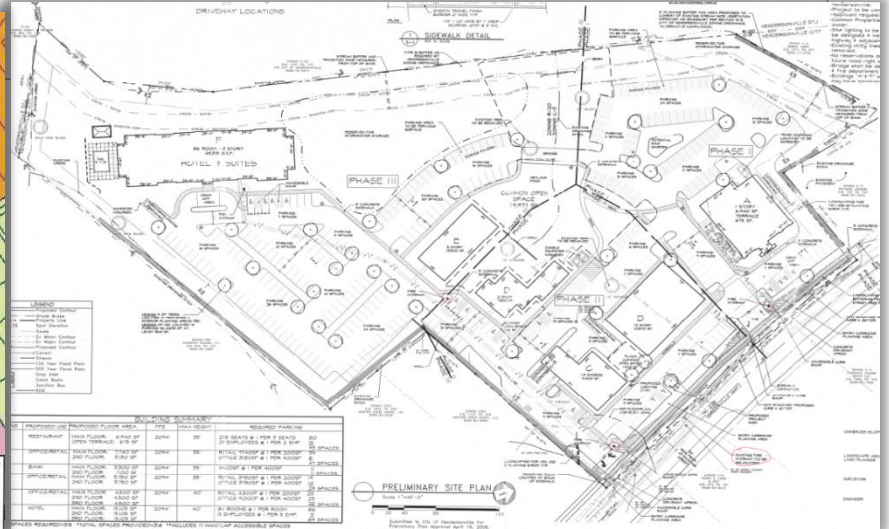
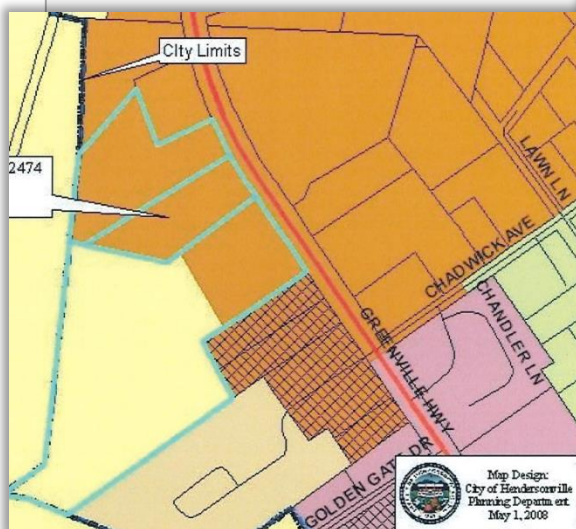
South Market Village

6 Buildings (Total Building Square Footage = 89,200 Sq Ft)

- Building A- Restaurant
 - Floor Area- Main Floor- 6,940 SF, Open terrace 675 SF.
 - 35' Max Height
- Building B- Office/Retail
 - Floor Area- Main Floor- 7,740 SF, 2nd floor 3,130 SF.
 - 35' Max Height
- Building C- Bank
 - Floor Area- Main Floor- 3,300 SF, 2nd floor 1,100 SF.
 - 35' Max Height
- Building D- Office/Retail
 - Floor Area- Main Floor- 3,750 SF, 2nd floor 3,750 SF.
 - 35' Max Height
- Building E- Office/Retail
 - Floor Area- Main Floor- 4,500 SF, 2nd floor 4,500 SF, 3rd floor 4,500 SF.
 - 40' Max Height
- Building F- Hotel
 - Floor Area- Main Floor- 15,105 SF, 2nd floor 15,105 SF, 3rd floor 15,105 SF.
 - 40' Max Height

Parking:

- Included surface parking with pervious parking in certain areas.
 - 315 spaces required.
 - 316 spaces proposed.



STAFF SITE PLAN REVIEW – SUMMARY COMMENTS**PROPOSED REQUEST DETAILS**

Site Plan Summary:

- Proposed Uses:
 - Residential, Multi-Family

- Building:
 - 185 Units
 - Gross Floor area: 231,037 SF
 - Building footprint: 58,367 SF (14.8% of the site)
 - 4 stories (52' at the highest point, per the civil plans)
 - The building/site is required to meet all building and design requirements of Urban Residential developments, and this includes but is not limited to building materials, building offsets, building projections, building orientation, building scale, etc.

- Transportation:
 - The site will have two access points, both off of Greenville Highway (NC 225).
 - Access 1 (northern access) is shown as a full access stop control with 100 feet of stem length as per NCDOT guidelines. The plan also shows a dedicated left turn lane on the NC 225 northbound approach and a dedicated right decel lane on the NC 225 southbound approach.
 - Access 2 (southern access) is shown as a right-in/right-out access stop control and has a 50' stem length as per NCDOT. The plan also shows the installation of a dedicated right turn lane on the NC 225 southbound approach.
 - The developer is dedicating 40' of R/W from the center line of Greenville Highway to NCDOT to aid in any future improvements of the major thoroughfare. There appears to be no recorded R/W for this property along Greenville Highway.

- Sidewalks
 - A 7' wide public sidewalk will be provided along the entire property frontage of Greenville Highway. This sidewalk will tie into the existing sidewalk at Chadwick Square. All frontage sidewalks will be constructed within the right of way or easement area and will be publicly maintained by the City. All internal sidewalks will be privately maintained by the developer.

- Lighting
 - All site lighting will be required to conform to the City's lighting standards for multi-family developments as well as lighting for areas abutting stream buffers.

- Parking:
 - Parking required at 1 per each dwelling unit or 1.5 per each dwelling unit containing three or more bedrooms:
 - Parking required: 193 spaces.
 - Parking provided: 288 spaces (8 handicapped parking spaces)
 - The site plan shows 2 electronic charging stations for the development.

- Natural Resources
 - According to the 2008 floodplain maps, all portions of this property except for a +/- 1536 SF section at the southeastern corner are within flood hazard areas. The subject property has floodway, 100 year floodplain and 500 year floodplain all present on it.
 - The proposed development is shown completely outside of the floodway portions of the property, except for conceptual locations for at-grade walking trails with benches as shown on the plans. They are however proposing to build in the 100- and 500-year floodplain portions. If approved by the City Council, the development would be required to receive a floodplain development permit during final site plan review from the City's Floodplain Administrator.
 - Historic imagery from 2002 (below) shows the commercial uses that were once present on the site.



- Reviewing historic aerial imagery and available documents. It appears the site has had quite an extensive amount of grading throughout the years. It also appears that fill has been placed on the site as well. (photo below from 2010)

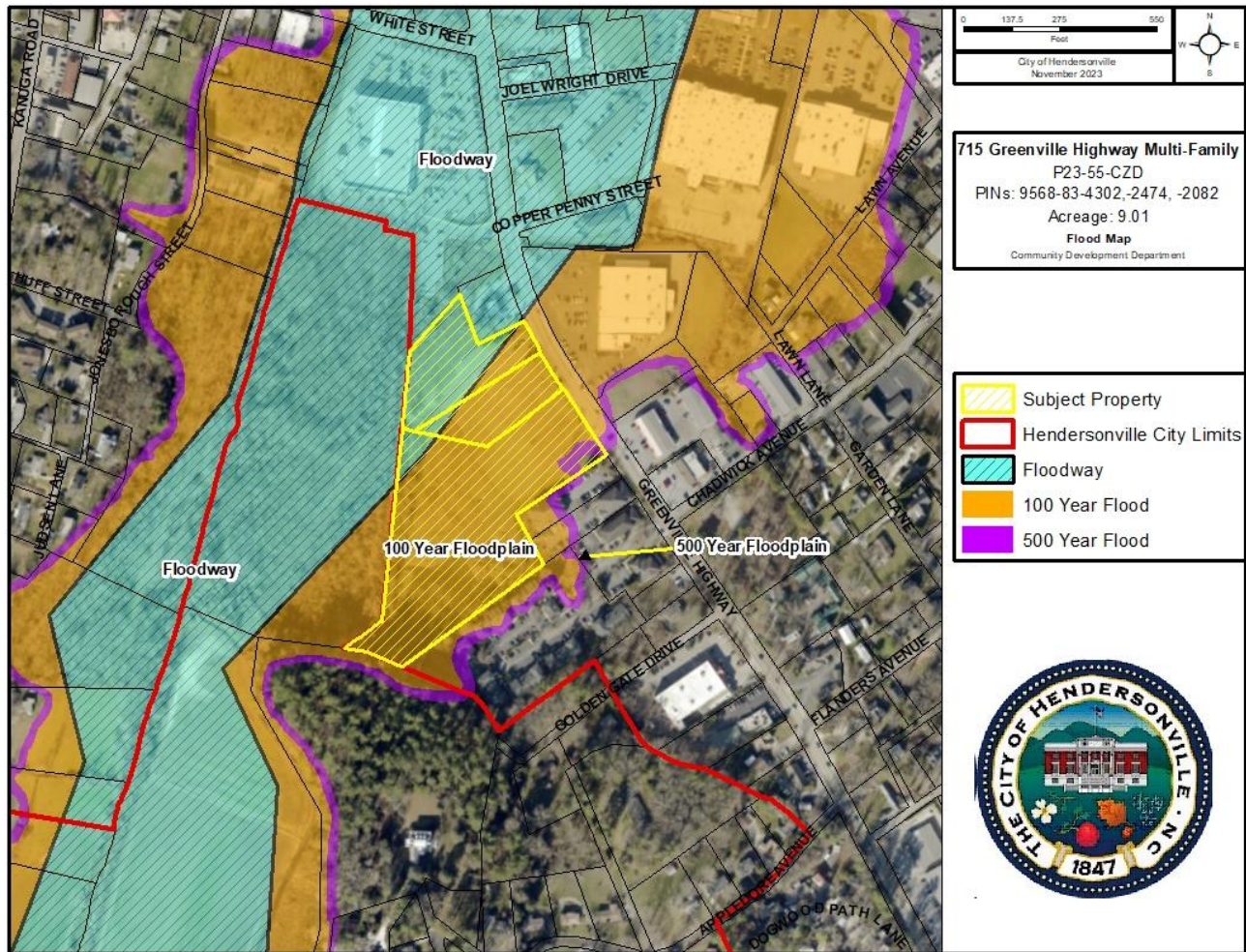


- Per Article 17, this project would be considered “redevelopment” in accordance with section “17-2-4 - Redevelopment in the floodway and special flood hazard area”. The ordinance states “The proposal is to redevelop an existing developed site as of the date of this ordinance evidenced by substantial coverage of the site by buildings, fill, gravel or paved drives or parking areas or other impervious surfaces.”
- Historically, some areas of the city's planning jurisdiction were developed despite the fact that they lie within the 100-year floodplain. In order to address concerns about urban blight, section 17-2-4 allows redevelopment to occur on existing developed sites which no longer function as natural flood plain and when such redevelopment will not result in any further loss of flood-plain functionality. Where feasible, redevelopment proposals should demonstrate an improvement in the site's functionality as a flood plain. In light of this intent, redevelopment of existing developed sites shall be permitted within the floodway and special flood hazard area only when the applicant has satisfactorily demonstrated that they meet the requirements of section 17-2-4.
- Any redevelopment that occurs in accordance with the zoning ordinance

must adhere to the requirements:

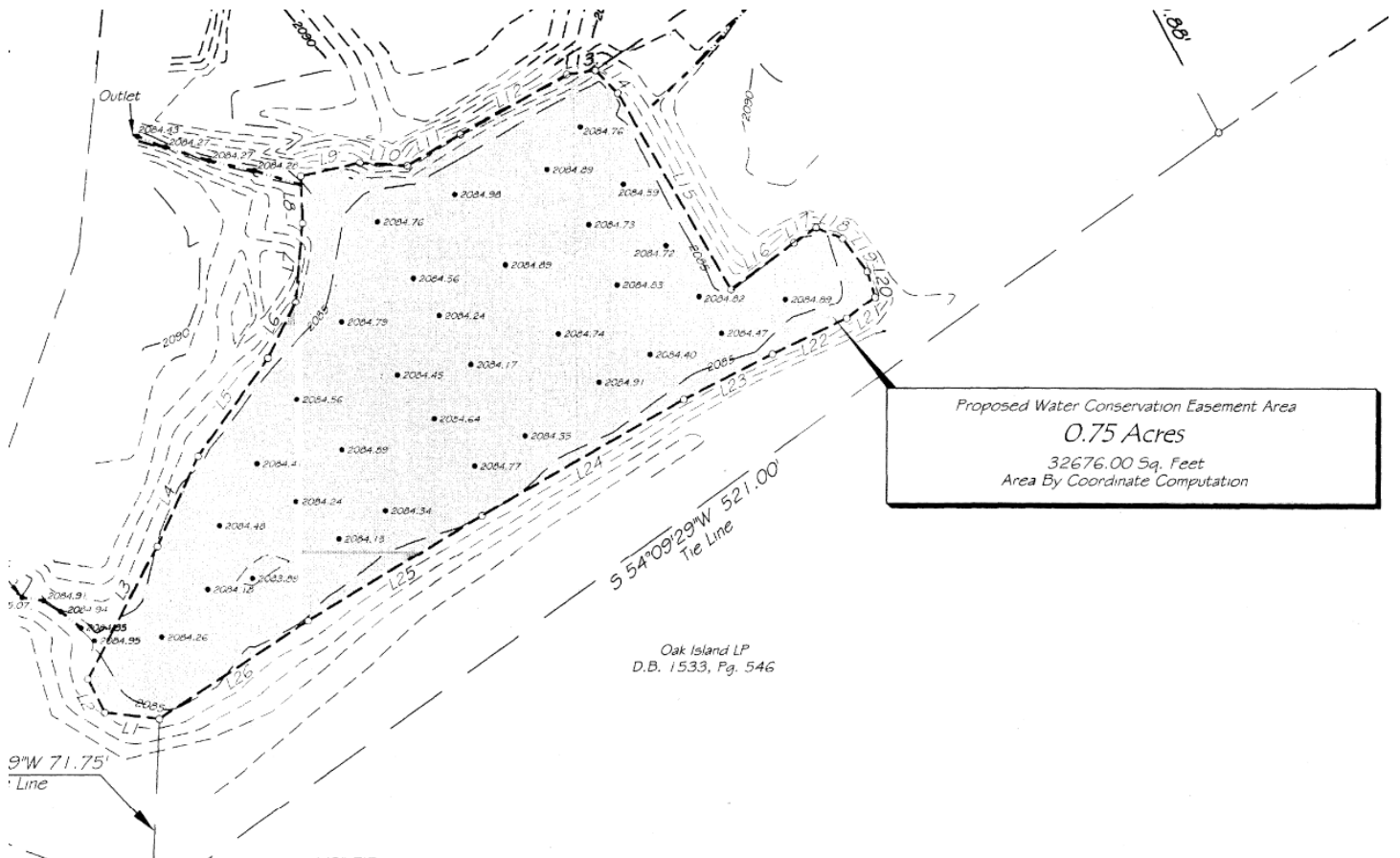
- “There shall be no loss of flood storage capacity on the site as a result of the redevelopment.
- The applicant, utilizing best management practices, shall reduce the post-redevelopment rate of stormwater runoff from the pre-redevelopment rate of runoff, if feasible. In any event, the post-redevelopment rate of runoff shall not be greater than the pre-redevelopment rate.
- The project design, including any best management practices (BMPs) will result in a project which is consistent with the purposes of the Natural Resources Protection Ordinance as stated in section 17-1, above. In this regard, the applicant shall demonstrate the following:
 - The project shall not degrade the quality of the water in creeks, streams, ponds and lakes that flow into and out of the city.
 - The project shall not contribute to future flooding problems.
 - The project preserves the water carrying capacity of watercourses and the natural water storage of the special flood hazard area.
 - The project protects land and watercourses from pollutants, sedimentation and erosion.
 - The project retains open spaces in order to protect their environmentally-sensitive character; and
 - The project protects and conserves significant natural resources from degradation due to urbanization.
- The applicant shall comply with all relevant provisions of the flood damage prevention ordinance including obtaining a no-rise certificate, if needed.”
- The City’s Floodplain Administrator has reviewed this project as a member of the City’s Development Review Committee and does not have any concerns that this project cannot meet the requirements listed above during the Floodplain Development Permit process at final site plan (if the project is approved).
- Due to the information provided above concerning the previous development of the land; this project **would not** be considered “greenfield” or new development of the land which would fall under “17-2-2 - Development allowed in the floodway and special flood hazard area”.
- The site plan states that 98.7% of the site is inside the 1% annual chance area (100-year floodplain) and floodway. It states that 73.5% of this area is proposed to be filled.

- 17.8% of the project is within the floodway alone. 0% of the floodway is proposed to be filled.



- The property does have a blueline stream along the western property edge where a stream buffer is required. The proposed development shows the 30' stream buffer and 20' transitional zone on the site plan. One section of their plan does show 6 parking spaces that are proposed to be located in the 20' transitional zone. They are proposing that this parking utilize a pervious material which is allowed by the ordinance. This is the only proposed intrusion into the stream buffer or transitional area.
- The site also has delineated wetlands along their western property boundary.

- There is an existing pond on the site that is under a water conservation easement. The easement can be found in Deed Book 1668 Page 98 and on Plat Book 2016 Slide 10216. The deed was recorded on June 21st, 2016. The proposed development is not proposing to impact this easement area. The easement area is also associated with work that was done in accordance with Army Corp Permit SAW-2014-00219 from October 22nd 2014.



- Landscaping and Tree preservation
 - The site will be required to provide the following landscaping:
 - Vehicular use area plantings
 - Common and Open Space plantings
 - Street trees
 - They are proposing to save 48,464 square feet of tree canopy with this project. This equates to 78.5% of the existing tree canopy.

HURRICANE HELENE FLOODING IMAGES



View of the subject property taken during Hurricane Helene (9-27-2024)



View of the subject property from the same area (post storm-10-25-2024)

HURRICANE HELENE FLOODING IMAGES



*View of the gas station next to the subject property during Hurricane Helene
(9-27-2024)*



*View of the subject property showing proximity to the gas station
next door (10-25-2024)*

HURRICANE HELENE FLOODING IMAGES



View of the plaza across the street from subject property during Hurricane Helene (9-27-2024)



View from the subject property showing proximity to the plaza across the street (10-25-2024)

NON-TROPICAL STORM OR HURRICANE RAIN EVENT IMAGES



*View of the subject property from the Dollar General Plaza
(1-9-2024)*



*View from the subject property at the approximate location for
driveway access 1 (the full movement access) (1-9-2024)*

NON-TROPICAL STORM OR HURRICANE RAIN EVENT IMAGES



View of Greenville Highway at the approximate location for access number 2. The developer proposed right in right out access.

(1-9-2024)



View of standing water on the subject property (1-9-2024)

NON-TROPICAL STORM OR HURRICANE RAIN EVENT IMAGES



*View of Greenville Highway during the rain event before Helene
(9-26-24)*



*View from the subject property showing the approximate location
of access 1 (1-9-2024)*

DEVELOPER PROPOSED CONDITIONS:

- PARKING SPACES
 - The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is “adequate,” while also providing that the number of parking spaces “should not exceed the minimum requirements” found in Sec. 6-5).
- TREE PLANTINGS
 - The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 3” caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
- BUILDING FACADE
 - Façade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
- BUS SHELTER
 - A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #9568-82-7951) to the south of the Project site.
- LOADING ZONES
 - In lieu of the required 12'x40' loading zone, the developer proposes to provide three parking spaces that are designated as loading zones. See Sec. 6-6.
- FLOODWAY PLANTINGS / MAINTENANCE
 - To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used.

The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise) and shall incorporate an appropriate long-term invasive species management and control plan.

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT

Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Urban Residential (5-25) (minus any developer proposed conditions).
 - Comments that will be reviewed/addressed during final site plan review process and do not need to be addressed during the preliminary site plan review process:
 - Landscaping:
 - Final determination on planting credits, species, locations, final quantity of required vs. proposed new plantings. The current plans show “areas to be screened, fenced, walled and/or landscaped” which is what is required at the preliminary site plan stage.
 - All final landscaping comments will be addressed as part of the final site plan approval between City staff and the project designer in accordance with the City’s ordinances.

Proposed City-Initiated Conditions:

- None

DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The Development Review Committee consists of the following Departments/Divisions and Agencies: Engineering, Water/Sewer, Fire Marshal, Stormwater Administration, Floodplain Administration, Public Works, NCDOT, Henderson County Soil & Erosion Control and the City’s Traffic Consultant. While all pertinent members of the DRC reviewed this project, staff have provided only the relevant/outstanding comments / conditions below:

PUBLIC WORKS

Site Plan Comments:

- “Consider adding electric vehicle charging stations in parking lot for residents.”
 - The developer agreed to include this in their development and shows them on their site plan.

Proposed City-Initiated Conditions:

- None

TRANSPORTATION CONSULTANT (KIMLEY HORN)

TIA Comments:

- The expected Trip Generation for the proposed development is as follows:
 - 836 Daily Trips
 - 70 AM Peak Hour Trips
 - 72 PM Peak Hour Trips

TIA Proposed Mitigation:

- **Intersection 1: NC 225 (Greenville Highway) at US 176 (Spartanburg Highway)**
 - **Mercer Design Group** recommends no changes to this intersection.
- **Intersection 2: NC 225 at White Street / Walgreen's**
 - **Mercer Design Group** recommends no changes to this intersection.
- **Intersection 3: NC 225 at Chadwick Avenue / Chadwick Square Court**
 - **Mercer Design Group** recommends no changes to this intersection.
- **Intersection 4: US 176 at Chadwick Avenue**
 - **Mercer Design Group** recommends no changes to this intersection.
- **Intersection 5: NC 225 at Access #1**
 - **Mercer Design Group** recommends that Access #1 be constructed with a dedicated right turn lane on the southbound NC 225 (Greenville Highway) approach with 25 feet of full storage and appropriate tapers per NCDOT coordination. MDG recommends that the northbound NC 225 (Greenville Highway) approach be constructed with a dedicated left turn lane with 100 feet of full storage and appropriate tapers. The eastbound Access #1 approach should be constructed as shown on the approved final site plan with at least 50 feet of internal protected stem length per the direction of NCDOT.
- **Intersection 6: NC 225 at Access #2**
 - **Mercer Design Group** recommends that Access #2 be constructed with a dedicated right turn lane on the southbound NC 225 (Greenville Highway) approach with 100 feet of full storage and appropriate tapers. MDG recommends that the eastbound NC 225 (Greenville Highway) approach be constructed with right out only control. The eastbound Access #2 approach should be constructed as shown on the approved final site plan with at least 50 feet of internal protected stem length per the direction of NCDOT.
- Per the developer's traffic engineer "Based on the available information and the analyses contained in this report, it is the opinion of Mercer Design Group that there is no indication that the development of 715 Greenville Highway will have an undue adverse impact on the surrounding infrastructure if the development is constructed as shown in the site plans."

Proposed Condition:

- Developer shall install all recommended traffic mitigations found in the approved Traffic Impact Analysis, in accordance with City and NCDOT requirements prior to final certificate of occupancy.

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
1) Comprehensive Plan Consistency	<p>Land Supply, Suitability & Intensity The subject property is not listed on the land suitability or supply maps due to the large amount of floodway and floodplain that make up the property. The subject property is in a Focused Intensity Node centered at the intersection of Greenville Hwy & Spartanburg Hwy.</p>
	<p>Future Land Use & Conservation Map- See Gen H appendix.</p> <p>Designation: Open Space-Conservation (Natural) Character Area Description: Somewhat Consistent Zoning Crosswalk: Consistent</p> <p>Designation: Open Space-Conservation (Regulated) Character Area Description: Consistent Zoning Crosswalk: Consistent</p> <p>Designation: Mixed Use Commercial Character Area Description: Inconsistent Zoning Crosswalk: Inconsistent</p>
	<p>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</p> <p>The subject property is currently a vacant and previously developed site. The proposed development site is located in a commercial corridor near the US and State route intersection of Spartanburg Highway (US 176) and Greenville Highway (NC225). In the vicinity of the proposed development are the apartment complexes of Residences at Chadwick (68 units), The Lofts at Chadwick (60 units, entitled but not built) and Southgate apartments (70 units, entitled but not built).</p>
3) Changed Conditions	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</p>
	<p>The subject property is currently tied to an expired Special Use Permit. A rezoning would be required for any development to occur on the site.</p>
4) Public Interest	<p>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 -</p>

	<p>Based on the 2021 Bowen Housing Needs Assessment for Western North Carolina, Henderson County has an estimated rental housing gap of 1,650 to 2,008 Units for incomes between <50%-120% AMI. This represents one of the largest gaps in the WNC region. Over the last 3 years, the City of Hendersonville has approved <u>1,901</u> rental units. If this project is approved, Hendersonville’s recently-approved rental units would total <u>2,086</u>. It should also be noted that the Housing Needs Assessment Study does not account for the housing gap for incomes above 120% AMI. An additional gap, beyond that reflected in the “1,650 to 2,008-unit gap”, exist for those income levels greater than 120% AMI.</p>
<p>5) Public Facilities</p>	<p>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</p> <p>The site will be served by City water and sewer service. Greenville Highway (NC 225) is designated as a Major Thoroughfare (needing improvement) in the Comprehensive Transportation Plan and is maintained by NCDOT. The subject property is already serviced by the City Fire and Police departments. The proposed development is located within 800’ of STIP project U-5886 (the realignment and roadway extension between Willow Road SR1171 and Spartanburg Highway US176). The proposed project is showing the dedication of 40’ of R/W measured from the centerline of Greenville Highway for their entire frontage.</p>
<p>6) Effect on Natural Environment</p>	<p>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 -</p> <p>According to the 2008 floodplain maps, all portions of this property except for a +-1536 SF section at the southeastern corner are within the floodplain. The subject property has floodway, 100 year floodplain and 500 year floodplain present on it. There is a blueline stream that runs along the property’s boundary that triggers the City’s stream buffer protection measures. The site has an existing water conservation easement area that was established in 2016. The plans show saving 48,464 square feet of tree canopy with this project. This equates to 78.5% of the existing tree canopy. The property was previously developed and appears to have been largely graded and filled in places. The proposed plans show that 73.5 % of the 100 year floodplain is proposed to be filled. The floodplain and blueline stream are the most prevalent natural features present on this site. The site flooded during Hurricane Helene and the portion of Greenville Highway in front of the subject property is known to flood during larger rain events.</p>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with the Future Land Use and Conservation Map Designations of Open Space-Conservation (Regulated) and Open Space-Conservation (Natural) and is located in a focused intensity node within chapter 4 of the Gen H Comprehensive Plan.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The petition proposes to provide additional housing to offset local rental demand.*
- *The petition proposes to provide housing on a long vacant, previously developed and underutilized piece of property near commercial corridors and is within walking distance to downtown and the Ecusta Trail.*
- *The site plan clusters development impacts out of the floodway portions of the site.*

DRAFT [Rational for Denial]

- *The proposed development adds impervious surfaces to a subject property that is entirely within the floodplain while only sparingly offsetting their impacts with a small amount of pervious materials (6 parking spaces).*
- *The height and scale of the proposed development is incompatible with the surrounding area and character.*
- *The proposed development is in an area that is prone to flooding and the development does not provide additional mitigation that would benefit future residents (i.e. first floor garages or first floor commercial uses.) First floor commercial is supported by the Gen H comprehensive plan.*

715 Greenville Highway Multi-Family (P24-39-CZD)

Chapter 4 - The Vision for the Future	Consistent	Inconsistent	Staff Notes
SUPPLY, SUITABILITY, & INTENSITY			
LAND SUPPLY MAP (Pg. 81, Figure 4.4)		Inconsistent	Not listed in the land supply map due to floodplain and floodway on the property.
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)		Inconsistent	Not listed in the land suitability map due to floodplain and floodway on the property.
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent		
FUTURE LAND USE & CONSERVATION MAP			
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Open Space-Conservation (Natural)		
Character Area Description (Pg. 122-131)	Somewhat Consistent		<p>..."Though some development can be supported in these areas, including redevelopment when floodplain function is maintained or improved and new development with limited impacts which improve use of site,..."</p> <p>The project would have to meet the zoning requirements for Article 17-2-4 - Redevelopment in the floodway and special flood hazard area</p>
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent		
FUTURE LAND USE & CONSERVATION MAP			
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Open Space-Conservation (Regulated)		
Character Area Description (Pg. 122-131)	Consistent		No development is occurring in the floodway
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent		
FUTURE LAND USE & CONSERVATION MAP			
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Mixed Use Commercial		
Character Area Description (Pg. 122-131)		Inconsistent	No mix of uses are proposed.
Zoning Crosswalk (Pg. 132-133, Figure 4.18)		Inconsistent	

715 Greenville Highway Multi-Family (P24-39-CZD)

Chapter 4 - The Vision for the Future	Consistent	Inconsistent	Staff Notes
GOALS			
Vibrant Neighborhoods (Pg. 93)			
Promote lively neighborhoods that increase local safety.	Consistent		
Enable well-maintained homes, streets, and public spaces.	Consistent		
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent		
The design allows people to connect to nearby destinations, amenities, and services.	Consistent		
Abundant Housing Choices (Pg. 93)			
Housing provided meets the need of current and future residents.	Consistent		
Range of housing types provided to help maintain affordability in Hendersonville.		Inconsistent	No information has been provided to staff that any units would be considered affordable (80% or lower AMI).
Housing condition/quality exceeds minimum standards citywide	Consistent		
Healthy and Accessible Natural Environment (Pg. 94)			
Recreational (active and passive) open spaces are incorporated into the development.	Consistent		
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	Somewhat Consistent		
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Consistent		
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Somewhat Consistent		The scale of the development appears to extend beyond the areas of the floodplain that previously had structures instead of staying in the same previously built on area.
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	N/A	
Authentic Community Character (Pg. 94)			
Downtown remains the heart of the community and the focal point of civic activity	N/A		
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent		
Historic preservation is utilized to maintain the city's identity.	N/A		
City Centers and neighborhoods are preserved through quality development.	Consistent		
Safe Streets and Trails (Pg. 95)			
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.		Inconsistent	No interconnectivity or cross access easements are provided between this development and the Chadwick Square Development.
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent		
Design embraces the principles of walkable development.	Consistent		

Reliable & Accessible Utility Services			
Wastewater treatment (service and capacity) adequately serves existing and future development	Consistent		
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent		
Satisfying Work Opportunities (pg. 96)			
The development promotes quality job options.	N/A		
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	N/A		
Welcoming & Inclusive Community			
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	N/A		
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	N/A		
Accessible & Available Community Uses and Services (Pg. 97)			
Private development is plentiful, meeting the demands of current and future populations.	N/A	N/A	
Resilient Community			
N/A			
GUIDING PRINCIPALS (pg. 98)			
Mix of Uses (Pg. 98)			
Revitalization of Outdated Commercial Areas	N/A		
New business and office space promotes creative hubs.	N/A		
Compact Development (Pg. 100)			
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent		
The infill project is context sensitive [Large Infill Site].	Consistent		
Sense of Place (Pg. 102)			
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Place keeping and Placemaking and 3rd Places]	Somewhat Consistent		
Conserved & Integrated Open Spaces (Pg. 106)			
A diverse range of open space elements are incorporated into the development.	Consistent		
Desirable & Affordable Housing (Pg. 108)			
Missing middle housing concepts are used in the development.		Inconsistent	"Having more missing middle housing in Hendersonville would provide more diverse housing options for both renters and owners and help to foster socioeconomic diversity in the community. It would be a welcome change compared to the largescale, standalone garden apartment complexes that have been built in Hendersonville over the last decade"
Connectivity (Pg. 112)			
The development encourages multimodal design solutions to enhance mobility.	Consistent		

Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	



NEIGHBORHOOD COMPATIBILITY MEETING REPORT
715 GREENVILLE HIGHWAY MULTI-FAMILY (P24-39-CZD)
NCM Meeting Dates: July 19, 2024

PETITION REQUEST: Rezoning: Urban Residential - Conditional Zoning District (UR-CZD)
APPLICANT/PETITIONER: Travis Fowler, First Victory Inc. [Applicant] & Richard Herman of South Market LLC. [Owner]

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on July 19th, 2024 at 2pm in the Assembly Room of the City Operations Building, 305 Williams Street and via Zoom. The meeting lasted approximately 1 hour and 3 minutes.

There were 9 members of the public in attendance in-person while 2 attended virtually. The applicant and their development team were present as were 2 members of City staff.

Staff gave the formal introduction and a brief overview of the request.

There were 7 pre-submitted which were read by staff.

The development team was allowed to present their project proposal for the proposed apartment development.

Concerns and questions from the public related to:

- Consideration of impacts from increased traffic.
- Flooding impacts.
- School bus traffic.
- Adding impervious surfaces in the floodplain.
- No other 4 story buildings in the area.
- Stormwater concerns.
- Animal habitat loss.
- Stream buffers and their protection.
- Density
- The size of the building footprint.
- Accident data on the nearby roads.
- Affordability.

Full minutes from the Neighborhood Compatibility Meeting and pre-submitted public comments are available for review by request.

715 GREENVILLE HWY APARTMENTS

APARTMENTS

CITY OF HENDERSONVILLE

NOTES

SITE NOTES:

- PROJECT ADDRESS: 715 GREENVILLE HWY, HENDERSONVILLE NC 28792
- TOTAL ACREAGE: 9.01 AC
- ZONING: PCD
- PROJECT PIN NUMBER(S): 9568832082, 9568834302, 9568832474
- EXISTING TOPO INFO SHOWN WAS PROVIDED BY: JOHN COLE
- EXISTING BOUNDARY INFO PROVIDED BY: JOHN COLE
- FEMA FLOOD PANEL: 3700956800J
- RECEIVING STREAM: JOHNSON DRAINAGE DITCH
- SOIL TYPE(S): SOIL TYPES
- DEED BOOK / PAGE: DEED BK / PG
- LATITUDE / LONGITUDE: 35.3034 / -82.4580
- DISTURBED ACREAGE: 6.0 AC
- EROSION CONTROL REVIEW: HENDERSON COUNTY
- STORMWATER MANAGEMENT REVIEW: CITY OF HENDERSONVILLE

GENERAL NOTES:

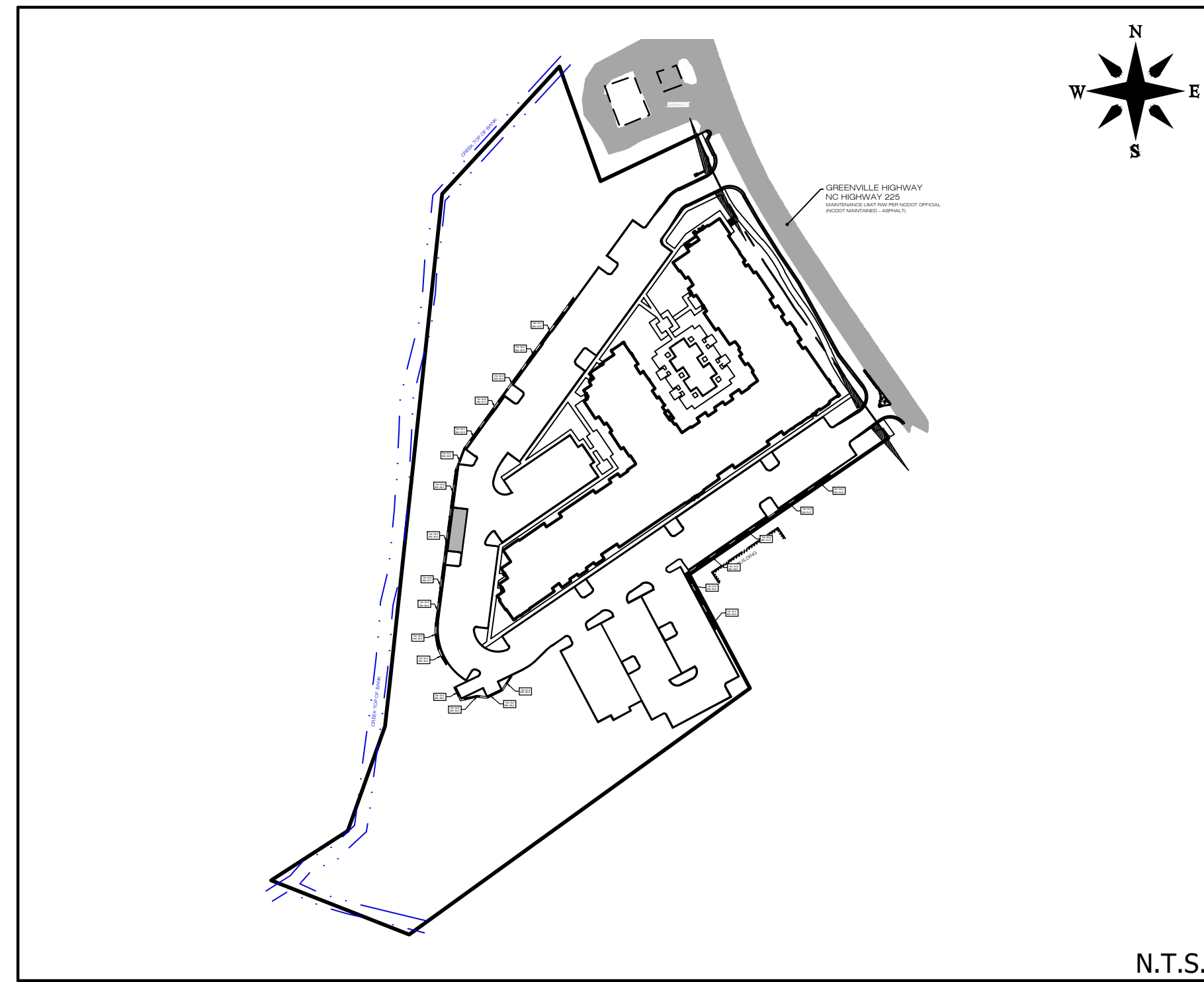
- CONTRACTOR(S) SHALL BE RESPONSIBLE FOR ADEQUATE SUPERVISION TO PREVENT DAMAGE AND/OR MOVEMENT OF ANY SURVEY-LOCATED CONSTRUCTION STAKES. CONSTRUCTION STAKING SHALL REMAIN IN PLACE AND BE PROTECTED UNTIL THE OWNER APPROVES THEIR REMOVAL. ANY STAKES THAT HAVE BEEN DISPLACED AS A RESULT OF CONSTRUCTION ACTIVITY ARE TO BE REPLACED BY A LICENSED SURVEYOR ENGAGED BY THE CONTRACTOR AT NO COST TO THE OWNER.
- THE ENGINEER WILL NOT BE CONTINUOUSLY PRESENT IN THE FIELD TO SUPERVISE CONSTRUCTION. IT IS SPECIFICALLY UNDERSTOOD THAT THE ENGINEERING FIRM DOES NOT UNDERTAKE NOR ASSUME ANY OBLIGATION FOR SUPERVISION OF CONSTRUCTION MEANS AND METHODS AND/OR SAFETY MEASURES TAKEN DURING THE COURSE OF CONSTRUCTION.
- THE ENGINEERING FIRM IS NOT RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE CONSTRUCTION DOCUMENTS AND/OR ALL APPLICABLE REGULATORY RULES. THE ENGINEERING FIRM MAY BE CONTRACTED TO OBSERVE CONSTRUCTION AND ADVISE WITH REGARD TO ADHERENCE TO THE CONSTRUCTION DOCUMENTS AND REGULATORY COMPLIANCE, BUT NO RESPONSIBILITY WITH REGARD TO THE CONTRACTOR'S PERFORMANCE IS PROVIDED OR IMPLIED.
- CONTRACTOR SHALL PROTECT ALL EXISTING AND NEW IMPROVEMENTS ON THE SUBJECT SITE AND ADJACENT PROPERTIES. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ALL DAMAGES WHICH OCCUR DURING CONSTRUCTION.
- LOCATION OF ALL EXISTING UTILITIES, AS SHOWN HEREON, ARE PROVIDED BY THE PROJECT SURVEYOR. THE LOCATION AND ANY INCLUSION OR OMISSION OF UNDERGROUND OR OVERHEAD UTILITIES IS THE SOLE RESPONSIBILITY OF THE PROJECT SURVEYOR AND NO WARRANTY IS PROVIDED OR IMPLIED BY THE LOCATION REFLECTED IN THE PLANS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE TYPE, SIZE AND LOCATION OF ALL UTILITIES AND OTHER FEATURES WHICH MAY AFFECT CONSTRUCTION. CONTRACTOR SHALL NOTIFY DESIGNER PRIOR TO CONSTRUCTION IF EXISTING CONDITIONS DIFFER FROM THOSE INDICATED IN THE PLANS. NO STREAM OR WETLAND DISTURBANCE SHALL OCCUR WITHOUT THE APPLICABLE PERMITTING FROM THE ARMY CORPS OF ENGINEERS AND STATE AND LOCAL AGENCIES.
- THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, ANY LAND DISTURBING ACTIVITIES. EROSION CONTROL IS A REQUIREMENT REGARDLESS OF PERMIT REQUIREMENTS AND MEASURES SHOWN OR NOT SHOWN IN THESE PLANS.
- ANY EXCESS CUT/SPoil MATERIAL DEVELOPED IN THE CONSTRUCTION OF THIS SITE SHALL BE DISPOSED OF AT AN APPROPRIATELY PERMITTED SPOIL SITE. CONTRACTOR TO PROVIDE PROOF OF PERMITS PRIOR TO PLACEMENT AT AN OFF-SITE LOCATION.
- ANY ALTERATION TO THE PLANS MUST BE APPROVED BY THE PROJECT ENGINEER AND/OR APPROPRIATE REGULATORY AGENCY PRIOR TO THE COMMENCEMENT OF WORK.

INSPECTION SCHEDULE:

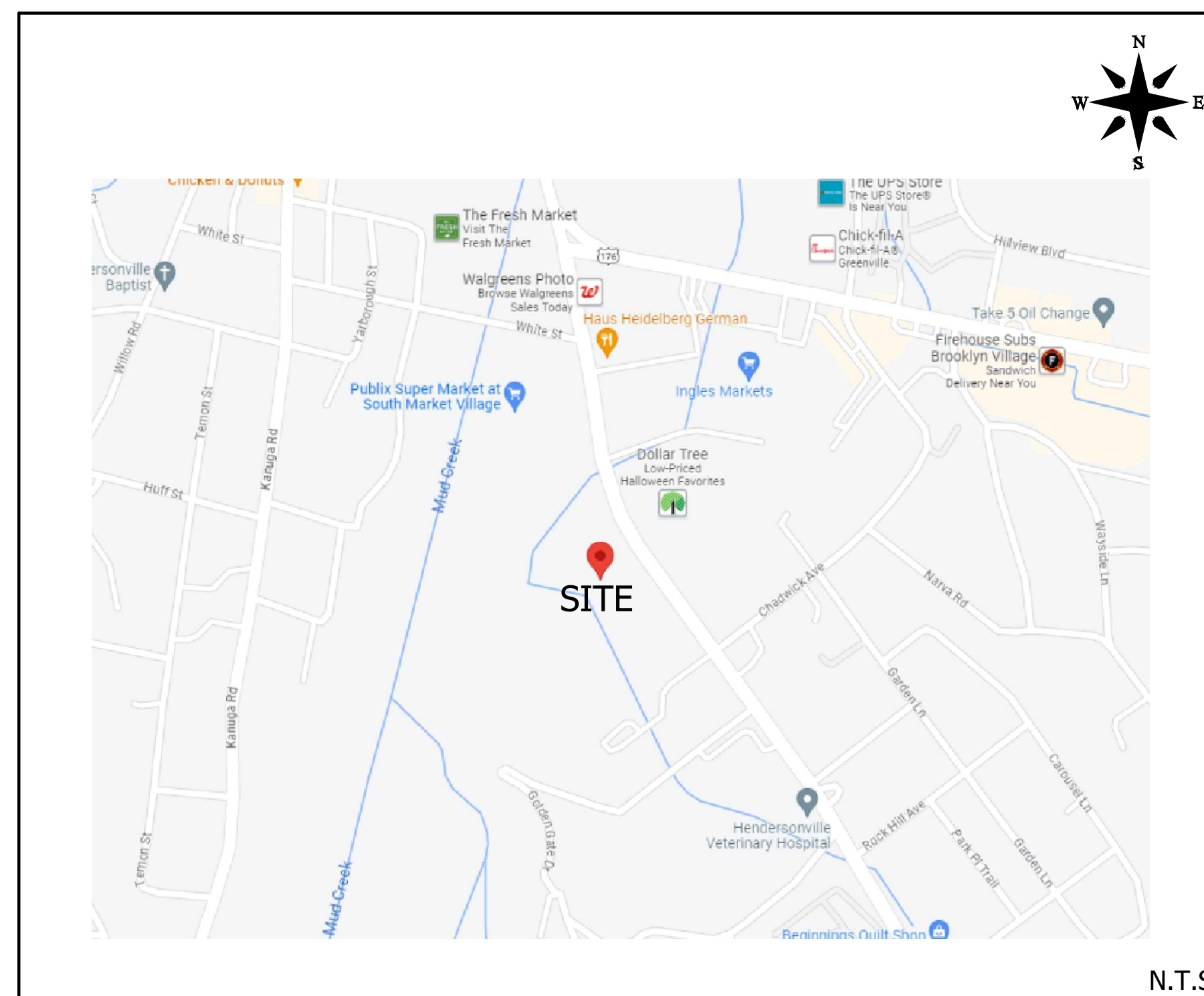
- NO CONSTRUCTION SHALL COMMENCE PRIOR TO A PRECONSTRUCTION MEETING WITH THE OWNER, THE CONTRACTOR, THE ENGINEER, AND A REPRESENTATIVE OF THE APPROVING JURISDICTION.
- ALL SHOP DRAWINGS SHALL BE SUBMITTED AT OR PRIOR TO THE PRECONSTRUCTION MEETING.
- ENGINEER TO BE CALLED FOR PERIODIC INSPECTIONS.
- CALL ENGINEERING PRIOR TO COVERING UNDERGROUND STRUCTURES FOR FINAL INSPECTIONS.
- REFER TO MANUFACTURER'S SPECIFICATION MANUAL AND STATE AND LOCAL STANDARDS FOR ADDITIONAL REQUIREMENTS AND STANDARDS.



PROJECT MAP



VICINITY MAP



CONTACTS

DEVELOPER: FIRST VICTORY, INC	CONTACT INFO: TRAVIS FOWLER travis@firstvictory.com 828-808-6433 542 S CALDWELL ST BREVARD, NC 28712
OWNER: SOUTH MARKET, LLC	CONTACT INFO: RICHARD HERMAN --- 828-577-4201 2809 HAMPTON DRIVE HENDERSONVILLE NC 28792
ENGINEER: BROOKS ENGINEERING ASSOCIATES, PA	CONTACT INFO: JOHN KINNAIRD JKINNAIRD@BROOKSEA.COM (828) 232-4700 15 ARLINGTON STREET ASHEVILLE, NC 28801
SURVEYOR: COLE SURVEY & DESIGN	CONTACT INFO: JOHN COLE N/A 549 ELK PARK DRIVE, SUITE 707 ASHEVILLE NC 28804
LANDSCAPE ARCHITECT: FIND THE LINE STUDIOS	CONTACT INFO: ROB DULL ROB@FINDTHELINESTUDIOS.COM 305 POLE CREAMS ROAD ASHEVILLE NC 28806

SHEET INDEX

NO.:	TITLE:
C-0	COVER SHEET
C-1.0	MASTER PLAN
C-1.1	WIDENING PLAN
C-2.0	EXISTING CONDITIONS / SURVEY
C-5.0	OVERALL STORMWATER PLAN
C-7.0	UTILITY PLAN
L-200	OVERALL SITE PLAN
L-201	PRELIMINARY SITE PLAN
L-202	PRELIMINARY SITE PLAN
L-203	PRELIMINARY SITE PLAN
L-300	OVERALL LANDSCAPE PLANS
L-301	PRELIMINARY LANDSCAPE PLAN
L-302	PRELIMINARY LANDSCAPE PLAN
L-303	PRELIMINARY LANDSCAPE PLAN
L-304	PRELIMINARY LANDSCAPE PLAN
L-400	TREE CANOPY PLAN
ES.11	PHOTOMETRIC SITE PLAN
ES.12	SITE LIGHT FIXTURE SPECIFICATIONS
A1.01	OVERALL FLOOR PLAN - LEVEL 1
A2.01	ELEVATIONS - E FACADE & NE CORNER
A2.02	ELEVATIONS - S FACADE
ES.11	PHOTOMETRIC SITE PLAN
ES.12	SITE LIGHTING FIXTURE SPECIFICATIONS

DEVELOPER PROPOSED CONDITIONS

1. PARKING SPACES
The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is "adequate," while also providing that the number of parking spaces "should not exceed the minimum requirements" found in Sec. 6-5).

2. TREE PLANTINGS
The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 2" caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.

3. BUILDING FACADE
Facade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.

4. BUS SHELTER
A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #5568-82-7951) to the south of the Project site.

5. LOADING ZONES
In lieu of the required 12'x40' loading zone, the developer proposes to provide three parking spaces that are designated as loading zones. See Sec. 6-6.

6. FLOODWAY PLANTINGS / MAINTENANCE
To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise), and shall incorporate an appropriate long-term invasive species management and control plan.

CITY PROPOSED CONDITIONS

1. Developer shall install all recommended traffic mitigations found in the approved Traffic Impact Analysis, in accordance with City and NCDOT requirements prior to final certificate of occupancy.

No.	REVISIONS/SUBMISSIONS	Date
1	PLANNING AND ZONING SUBMITTAL	8/01/2024
2	PLANNING BOARD SUBMITTAL	11/04/2024

PRELIMINARY - NOT FOR CONSTRUCTION

15 Arlington Street
Asheville, N.C. 28801
Phone: 1-828-232-4700
Fax: 1-828-232-1331
www.brooksea.com

CDG ENGINEERS AND ASSOCIATES, INC

715 GREENVILLE HWY APARTMENTS

CITY OF HENDERSONVILLE NORTH CAROLINA

Project No: 597223

C-0

Drawing Title: COVER SHEET

MASTER PLAN LEGEND

- EXIST. BOUNDARY
EXIST. ADJOINER
EXIST. STREAM
EXIST. STREAM BUFFER
EXIST. WETLAND
EXIST. FEMA NON-ENCROACHMENT
EXIST. FEMA FLOOD HAZARD AREA (1%)
EXIST. FEMA FLOOD HAZARD AREA (0.2%)
EXIST. RIGHT OF WAY
EXIST. BUILDING SETBACK
EXIST. BUILDING
EXISTING SIDEWALK
EXISTING PAVEMENT
EXIST. CURB
NEW PROPERTY LINES
NEW RIGHT OF WAY
NEW EASEMENT
BUILDING SETBACK LINE
NEW LANDSCAPE BUFFER
NEW COMMON OPEN SPACE
NEW BUILDING
NEW PAVEMENT
NEW HD PAVEMENT
NEW CONCRETE SIDEWALK
NEW GRAVEL
NEW CURB & GUTTER
NEW WALL (BY OTHERS)

IMPERVIOUS AREA SUMMARY:
Proposed Impervious Area: 184,401sf
Proposed Impervious Percent: 47.0%

DEVELOPER PROPOSED CONDITIONS

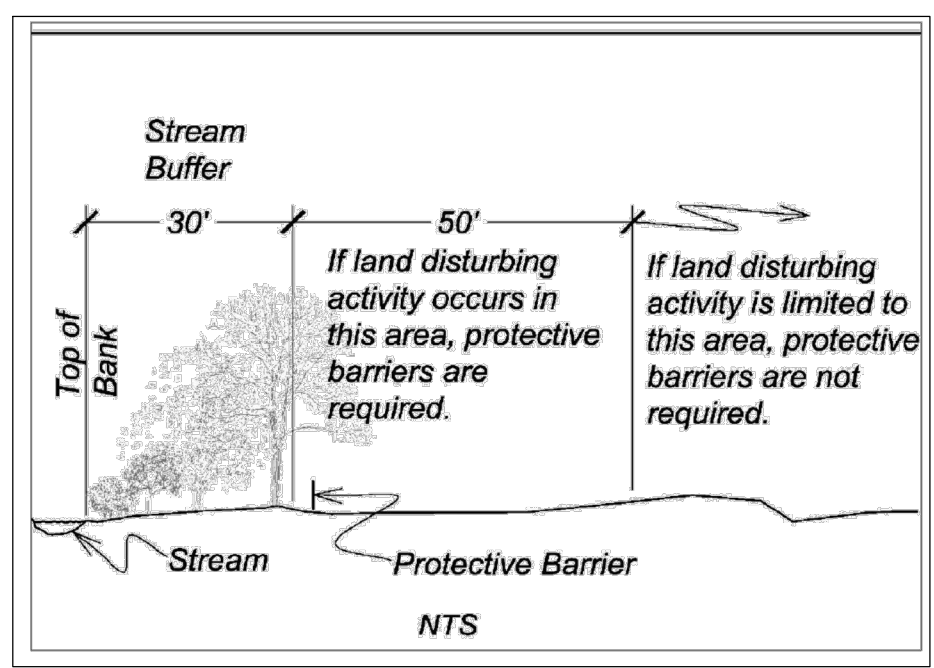
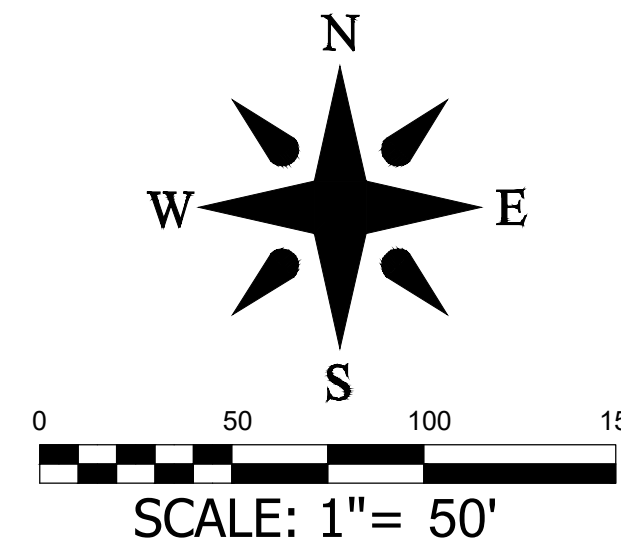
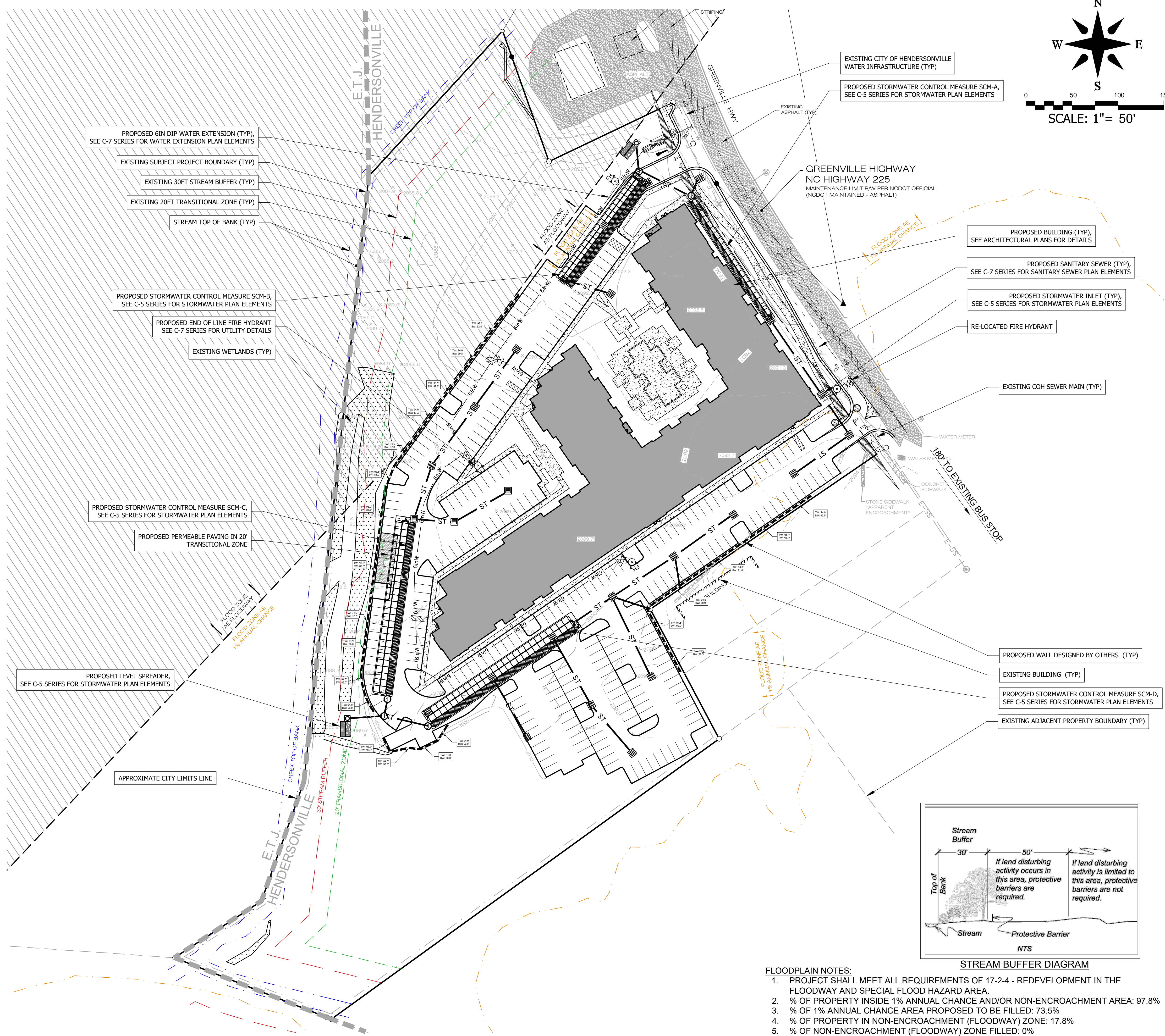
- 1. PARKING SPACES
The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is "adequate," while also providing that the number of parking spaces "should not exceed the minimum requirements" found in Sec. 6-5).
2. TREE PLANTINGS
The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 3" caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
3. BUILDING FAÇADE
Façade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 28 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
4. BUS SHELTER
A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #9568-82-7951) to the south of the Project site.
5. LOADING ZONES
In lieu of the required 12'x40' loading zone, the developer proposes to provide three parking spaces that are designated as loading zones. See Sec. 6-6.
6. FLOODWAY PLANTINGS / MAINTENANCE
To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space area outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise), and shall incorporate an appropriate long-term invasive species management and control plan.

CITY PROPOSED CONDITIONS

- 1. Developer shall install all recommended traffic mitigations found in the approved Traffic Impact Analysis, in accordance with City and NCDOT requirements prior to final certificate of occupancy.

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
HENDERSONVILLE NC 28792
PIN NUMBER: 9568832082, 9568834302, 9568832474
PROPERTY SIZE: 9.01 AC
ZONING REVIEW: CITY OF HENDERSONVILLE
EROSION CONTROL REVIEW: HENDERSON COUNTY
STORMWATER REVIEW: CITY OF HENDERSONVILLE
ZONING CLASSIFICATION: PCD
PROPOSED NUMBER OF UNITS: 185
PROPOSED DENSITY: 20.55 UNITS / AC
PROPERTY OWNER: SOUTH MARKET, LLC
CONTACT: RICHARD HERMAN
ADDRESS: 2809 HAMPTON DRIVE
HENDERSONVILLE NC 28792
EMAIL:
PHONE: 828-577-4201
DEVELOPER: FIRST VICTORY, INC
CONTACT: TRAVIS FOWLER
ADDRESS: 642 S. CALDWELL ST
BREVARD, NC 28712
EMAIL: travis@firstvictory.com
PHONE: 828-808-6433
ENGINEER: BROOKS ENGINEERING ASSOCIATES
CONTACT: JOHN KINNAIRD
ADDRESS: 15 ARLINGTON ST
ASHEVILLE, NC 28801
EMAIL: JKINNAIRD@BROOKSEA.COM
PHONE: 828-232-4700
LANDSCAPE ARCH: FIND THE LINE STUDIOS
CONTACT: ROB DULL
ADDRESS: 305 POLE CREAMAN ROAD
ASHEVILLE NC 28806
EMAIL: ROB@FINDTHELINESTUDIOS.COM
PHONE: 828-674-5592

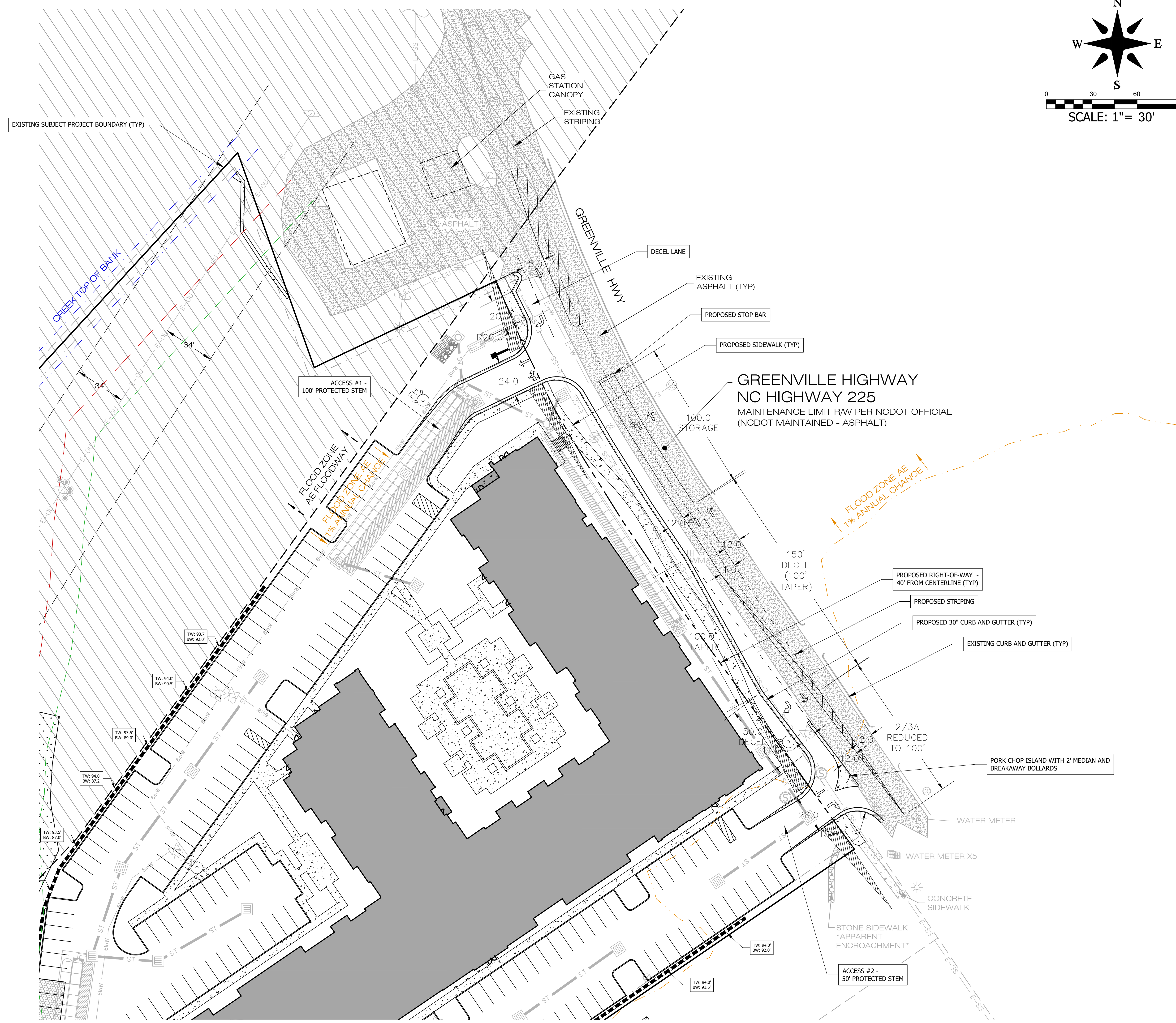
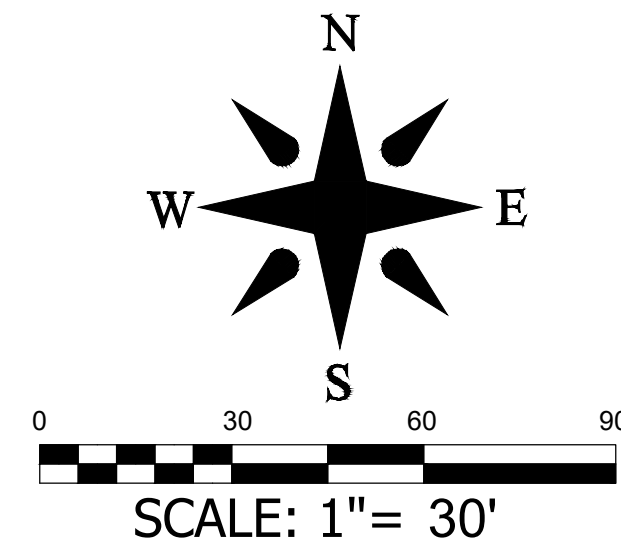


- FLOODPLAIN NOTES:
1. PROJECT SHALL MEET ALL REQUIREMENTS OF 17-2-4 - REDEVELOPMENT IN THE FLOODWAY AND SPECIAL FLOOD HAZARD AREA.
2. % OF PROPERTY INSIDE 1% ANNUAL CHANCE AND/OR NON-ENCROACHMENT AREA: 97.8%
3. % OF 1% ANNUAL CHANCE AREA PROPOSED TO BE FILLED: 73.5%
4. % OF PROPERTY IN NON-ENCROACHMENT (FLOODWAY) ZONE: 17.8%
5. % OF NON-ENCROACHMENT (FLOODWAY) ZONE FILLED: 0%

Table with project details: Project No. 597223, Drawing Title: MASTER PLAN, Date: 8/01/2024, Revisions/Submissions table, Designer: JHK, Scale: AS NOTED, Date: 8/01/2024, CDG ENGINEERS AND ASSOCIATES, INC, 715 GREENVILLE HWY, APARTMENTS, CITY OF HENDERSONVILLE, NORTH CAROLINA, PRELIMINARY - NOT FOR CONSTRUCTION.

MASTER PLAN LEGEND

- EXIST. BOUNDARY
- EXIST. ADJOINER
- EXIST. STREAM
- EXIST. STREAM BUFFER
- EXIST. WETLAND
- EXIST. FEMA NON-ENCROACHMENT
- FEMA FLOOD HAZARD AREA (1%)
- FEMA FLOOD HAZARD AREA (0.2%)
- EXIST. RIGHT OF WAY
- EXIST. BUILDING SETBACK
- EXIST. BUILDING
- EXISTING SIDEWALK
- EXISTING PAVEMENT
- EXIST. CURB
- NEW PROPERTY LINES
- NEW RIGHT OF WAY
- NEW EASEMENT
- BUILDING SETBACK LINE
- NEW LANDSCAPE BUFFER
- NEW COMMON OPEN SPACE
- NEW BUILDING
- NEW PAVEMENT
- NEW HD PAVEMENT
- NEW CONCRETE SIDEWALK
- NEW GRAVEL
- NEW CURB & GUTTER
- NEW WALL (BY OTHERS)



Date	REVISIONS/SUBMISSIONS
8/01/2024	1 PLANNING AND ZONING SUBMITTAL
11/04/2024	2 PLANNING BOARD SUBMITTAL

PRELIMINARY - NOT FOR CONSTRUCTION

Designed: JHK
 Scale: AS NOTED
 Date: 8/01/2024

Reviewed: JHK
 Checked: JHK

15 Arlington Street
 Asheville, N.C. 28801
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CDG ENGINEERS AND ASSOCIATES, INC

Project No: **597223**

C-1.1

715 GREENVILLE HWY APARTMENTS

CITY OF HENDERSONVILLE NORTH CAROLINA

Drawing Title: **WIDENING PLAN**

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
 HENDERSONVILLE NC 28792

PIN NUMBER: 9568832082, 9568834302, 9568832474

PROPERTY SIZE: 9.01 AC

ZONING REVIEW: CITY OF HENDERSONVILLE

EROSION CONTROL REVIEW: HENDERSON COUNTY

STORMWATER REVIEW: CITY OF HENDERSONVILLE

ZONING CLASSIFICATION: PCD

PROPOSED NUMBER OF UNITS: 185

PROPOSED DENSITY: 20.55 UNITS / AC

PROPERTY OWNER: SOUTH MARKET, LLC

CONTACT: RICHARD HERMAN
 ADDRESS: 2809 HAMPTON DRIVE
 HENDERSONVILLE NC 28792

EMAIL: ---

PHONE: 828-577-4201

DEVELOPER: FIRST VICTORY, INC

CONTACT: TRAVIS FOWLER
 ADDRESS: 542 S CALDWELL ST
 BREVARD, NC 28712

EMAIL: travis@firstvictory.com

PHONE: 828-808-6433

ENGINEER: BROOKS ENGINEERING ASSOCIATES

CONTACT: JOHN KINNAIRD
 ADDRESS: 15 ARLINGTON ST
 ASHEVILLE, NC 28801

EMAIL: JKINNAIRD@BROOKSEA.COM

PHONE: 828-232-4700

LANDSCAPE ARCH: FIND THE LINE STUDIOS

CONTACT: ROB DULL
 ADDRESS: 305 POLE CREAMAN ROAD
 ASHEVILLE NC 28806

EMAIL: ROB@FINDTHELINESTUDIOS.COM

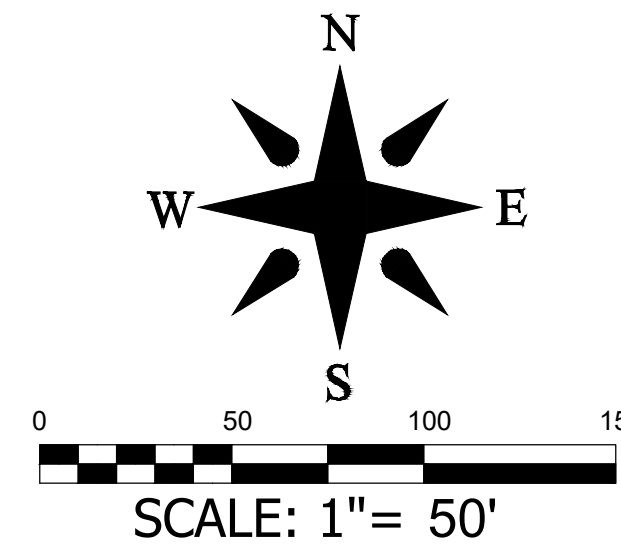
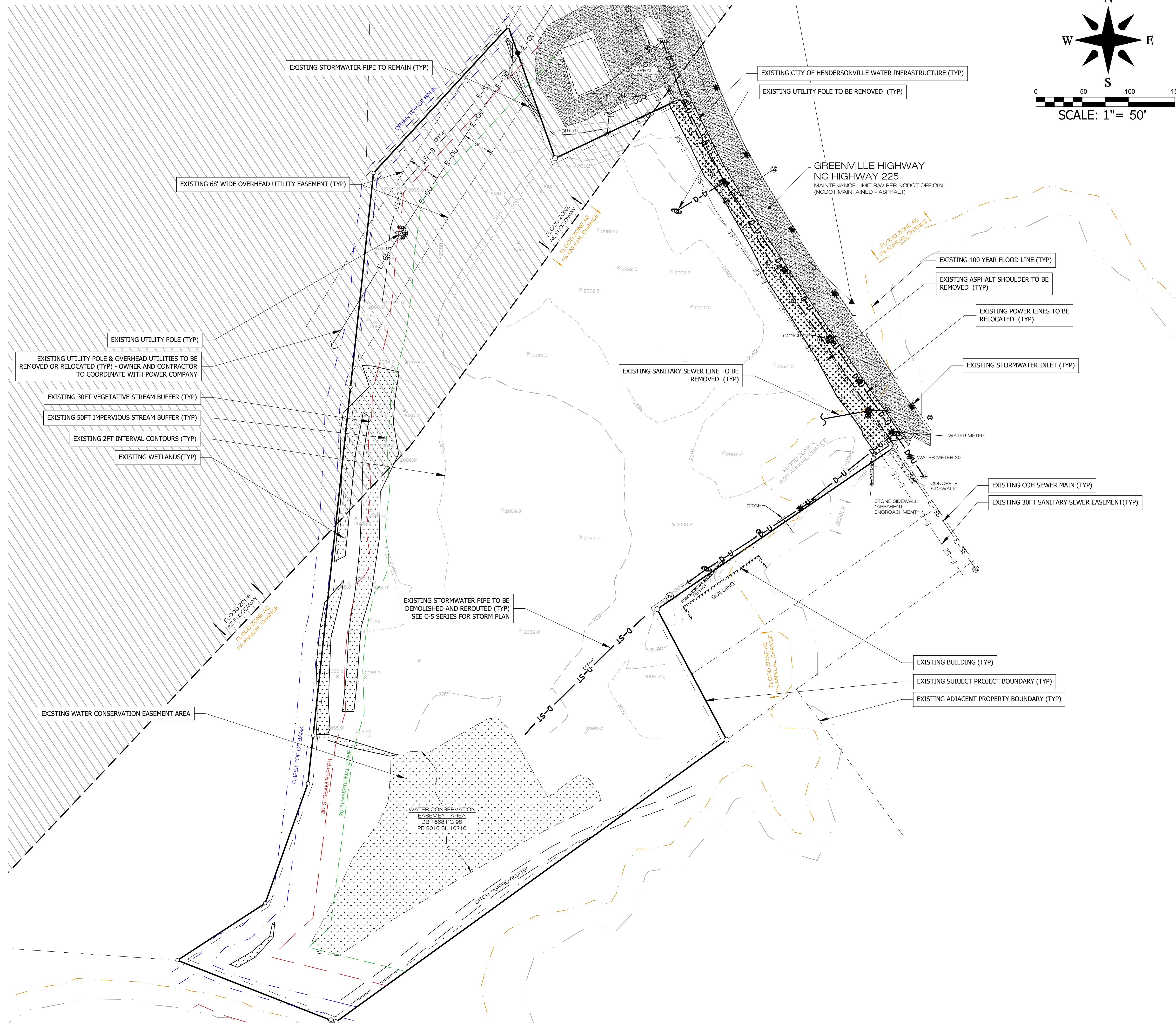
PHONE: 828-674-5592

EXIST. CONDITIONS LEGEND

- EXIST. BOUNDARY
- - - EXIST. ADJOINER
- MONUMENT FOUND
- REBAR FOUND
- IRON PIPE FOUND
- NAIL FOUND
- CORNER TREE FOUND
- - - EXIST. STREAM
- - - EXIST. STREAM BUFFER
- - - EXIST. WETLAND
- - - EXIST. FEMA NON-ENCROACHMENT
- - - EXIST. FEMA FLOOD HAZARD AREA (1%)
- - - EXIST. FEMA FLOOD HAZARD AREA (0.2%)
- - - EXIST. RIGHT OF WAY
- - - EXIST. EASEMENT
- - - EXIST. BUILDING SETBACK
- ▭ EXISTING BUILDING
- ▭ EXISTING SIDEWALK
- ▭ EXISTING PAVEMENT
- ▭ EXISTING GRAVEL
- EXIST. CURB
- EXIST. MANHOLE
- EXIST. MANHOLE
- - - E-SS EXIST. SANITARY SEWER
- - - E-W EXIST. SEWER CLEAN OUT
- - - E-W EXIST. WATER LINE
- - - EXIST. WATER METER
- - - EXIST. FIRE HYDRANT
- - - EXIST. WATER VALVE
- - - EXIST. OVERHEAD UTILITIES
- - - EXIST. POWER POLE
- - - EXIST. UNDERGRND UTILITIES
- - - EXIST. STORM DRAIN
- EXIST. CURB INLET
- EXIST. JUNCTION BOX
- EXIST. DROP INLET
- EXIST. TELE MANHOLE
- EXIST. DROP INLET
- EXIST. TRANSFORMER
- EXIST. LIGHT POLE
- - - EXIST. MINOR CONTOUR
- - - EXIST. MAJOR CONTOUR
- - - ABANDON EASEMENT
- - - ABANDON PROPERTY LINE
- ▭ DEMO BUILDING
- ▭ DEMO CONCRETE
- ▭ DEMO PAVEMENT
- ▭ DEMO GRAVEL
- ▭ DEMO CURB
- - - D-SS DEMO SANITARY SEWER
- - - D-W DEMO WATER LINE
- - - D-U DEMO OTHER UTILITIES
- - - D-ST DEMO STORM DRAIN
- - - EXISTING TREELINE
- TREE TO REMAIN
- TREE TO BE REMOVED
- - - EXIST. FENCE

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
HENDERSONVILLE NC 28792
 PIN NUMBER: 9568832082, 9568834302, 9568832474
 PROPERTY SIZE: 9.01 AC
 ZONING REVIEW: CITY OF HENDERSONVILLE
 EROSION CONTROL REVIEW: HENDERSON COUNTY
 STORMWATER REVIEW: CITY OF HENDERSONVILLE
 ZONING CLASSIFICATION: PCD
 PROPOSED NUMBER OF UNITS: 185
 PROPOSED DENSITY: 20.55 UNITS / AC
 PROPERTY OWNER: SOUTH MARKET, LLC
 CONTACT: RICHARD HERMAN
 ADDRESS: 2809 HAMPTON DRIVE
HENDERSONVILLE NC 28792
 EMAIL: ---
 PHONE: 828-577-4201
 DEVELOPER: FIRST VICTORY, INC
 CONTACT: TRAVIS FOWLER
 ADDRESS: 542 S CALDWELL ST
BREVARD, NC 28712
 EMAIL: travis@firstvictory.com
 PHONE: 828-808-6433
 ENGINEER: BROOKS ENGINEERING ASSOCIATES
 CONTACT: JOHN KINNAIRD
 ADDRESS: 15 ARLINGTON ST
ASHEVILLE, NC 28801
 EMAIL: JKINNAIRD@BROOKSEA.COM
 PHONE: 828-232-4700
 LANDSCAPE ARCH: FIND THE LINE STUDIOS
 CONTACT: ROB DULL
 ADDRESS: 305 POLE CREASMAN ROAD
ASHEVILLE NC 28806
 EMAIL: ROB@FINDTHELINESTUDIOS.COM
 PHONE: 828-674-5592



Project No: 597223	715 GREENVILLE HWY	REVISIONS/SUBMISSIONS	Date	Section 5, Item B
Drawing Title: C-2.0 EXISTING CONDITIONS AND SURVEY	APARTMENTS	1	8/01/2024	PLANNING AND ZONING SUBMITTAL
		2	11/04/2024	
CDG ENGINEERS AND ASSOCIATES, INC		PRELIMINARY - NOT FOR CONSTRUCTION		
CDG ENGINEERS & ASSOCIATES, INC		NORTH CAROLINA PROFESSIONAL ENGINEERING EXAMINER REG. NO. 4573		
DESIGNED BY: JHK		REVIEWED BY: JHK		
DRAWN BY: JHK		SCALE: AS NOTED		
CHECKED BY: JHK		DATE: 8/01/2024		
15 ARLINGTON STREET		ASHEVILLE, N.C. 28801		
PHONE: 1-828-232-4700		WWW.BROOKSEA.COM		
FAX: 1-828-232-1331		WWW.BROOKSEA.COM		
CITY OF HENDERSONVILLE		NORTH CAROLINA		

GRADING AND STORMWATER LEGEND

Legend table listing symbols for existing and new features: EXIST. BOUNDARY, EXIST. ADJOINER, EXIST. STREAM, EXIST. STREAM BUFFER, EXIST. WETLAND, EXIST. FEMA NON-ENCROACHMENT FLOOD HAZARD AREA (1%), EXIST. RIGHT OF WAY, EXIST. EASEMENT, EXIST. BUILDING SETBACK, EXISTING BUILDING, EXISTING SIDEWALK, EXISTING PAVEMENT, EXIST. CURB, EXIST. MANHOLE, EXIST. SANITARY SEWER, EXIST. SEWER CLEAN OUT, EXIST. WATER LINE, EXIST. WATER METER, EXIST. FIRE HYDRANT, EXIST. WATER VALVE, EXIST. OVERHEAD UTILITIES, EXIST. POWER POLE, EXIST. UNDERGROUND UTILITIES, EXIST. STORM DRAIN, EXIST. CURB INLET, EXIST. JUNCTION BOX, EXIST. DROP INLET, EXIST. TELE MANHOLE, EXIST. DROP INLET, EXIST. TRANSFORMER, EXIST. LIGHT POLE, EXIST. MINOR CONTOUR, EXIST. MAJOR CONTOUR, NEW BUILDING, NEW PAVEMENT, NEW HD PAVEMENT, NEW CONCRETE SIDEWALK, NEW GRAVEL, NEW CURB & GUTTER, NEW YARD INLET, NEW DROP INLET, NEW CURB INLET, NEW JUNCTION BOX, NEW HEADWALL, NEW FLARED END SECTION, NEW RIP-RAP OUTLET PROTECTION, NEW STORM PIPE, GRASS-LINED DITCH WITH MATTING, RIP-RAP LINED DITCH, NEW MINOR CONTOUR, NEW MAJOR CONTOUR, NEW SPOT GRADE, NEW PROPERTY LINES, NEW RIGHT OF WAY, NEW WATER DISTRIBUTION MAIN, NEW WATER FIRE HYDRANT, NEW MANHOLE, NEW SEWER LINE, LIMITS OF DISTURBANCE, NEW WALL (BY OTHERS), TEMP. TREE PROTECTION FENCE.

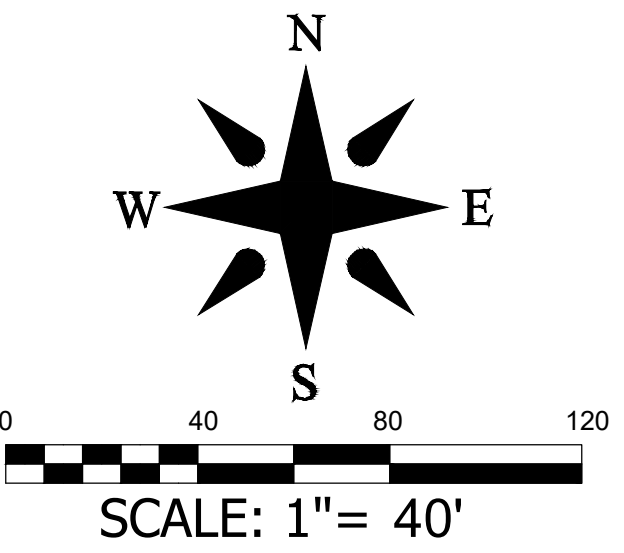
GRADING AND STORMWATER NOTES

- 1. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO, OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
2. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE AND AN AMENDED PLAN BE SUBMITTED AND APPROVED SHOWING MODIFIED EROSION CONTROL DEVICES.
3. THE SITE SHALL RECEIVE TEMPORARY/PERMANENT SEEDING WITHIN 7 DAYS OF COMPLETION OF GRADING OPERATIONS IN AN AREA. SEEDING MIXES SHALL CONFORM WITH SPECIES DESIGNATIONS AS OUTLINED IN THE TABLE PROVIDED IN THE PLANS. ALL GRADED SLOPES INCLUDING TOPSOIL ARE TO HAVE A GROUND COVER ESTABLISHED WITHIN 21 CALENDAR DAYS.
4. FOR ALL CONSTRUCTED SEVERE SLOPES GREATER THAN 2:1, THE SLOPE SHALL BE DESIGNED BY A NORTH CAROLINA REGISTERED ENGINEER WITH GEOTECHNICAL EXPERTISE. FOR ALL CONSTRUCTED SEVERE SLOPES GREATER THAN 2:1 AND GREATER THAN 5' IN HEIGHT, AN INSPECTION AND A STABILITY CERTIFICATE BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER WITH GEOTECHNICAL EXPERTISE IS REQUIRED. FOR ALL CONSTRUCTED SEVERE SLOPES WITHIN PROPOSED OR EXISTING PUBLIC RIGHTS-OF-WAY, PERIODIC INSPECTIONS AND COMPACTION REPORTS BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER WITH GEOTECHNICAL EXPERTISE ARE REQUIRED. THE OWNER SHALL BE RESPONSIBLE FOR ENGAGING THESE SERVICES.
5. ALL FILL SLOPES SHALL BE COMPACTED FULL DEPTH TO NOT LESS THAN 95 PERCENT MAXIMUM DENSITY (STANDARD PROCTOR), SHALL BE PLACED ON A SURFACE CLEAR OF GROWTH AND DEBRIS AND BE PROPERLY BENCH AND DRAINED.
6. FOR FILL MATERIALS: UNLESS A PERMIT TO OPERATE A LANDFILL FROM NCDOT, DIVISION OF WASTE MANAGEMENT IS ON FILE FOR THE OFFICIAL SITE, ACCEPTABLE FILL MATERIAL SHALL BE FREE OF ORGANIC OR OTHER DEGRADABLE MATERIALS, MASONRY, CONCRETE/BRICK IN SIZES EXCEEDING 12 INCHES, AND ANY MATERIALS WHICH WOULD CAUSE THE SITE TO BE REGULATED AS A LANDFILL BY THE STATE OF NORTH CAROLINA.
7. ALL SLOPES GREATER THAN 4:1 SHALL BE SEEDED AND COVERED WITH NORTH AMERICAN GREEN SC150 (UNLESS OTHERWISE SPECIFIED) OR APPROVED EQUAL EROSION CONTROL MATTING AND SECURED TO MANUFACTURERS SPECIFICATIONS.
8. AN APPROVED GRADING PERMIT IS REQUIRED FOR THE BORROW OR WASTE SITE PRIOR TO INITIATION OF ANY LAND DISTURBING ACTIVITY.
9. ALL STORMWATER MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH NCDOT SPECIFICATIONS AND DETAILS.
10. ALL STRUCTURAL SCMS SHALL BE IN ACCORDANCE WITH NCDOT SPECIFICATIONS AND DETAILS.
11. ALL STORMWATER PIPES MUST MEET THE MINIMUM REQUIREMENTS OF 2 FEET OF COVER IN LOAD BEARING AREAS AND 1 FT COVER IN NON-LOAD BEARING AREAS OR AS SPECIFIED BY THE PIPE MANUFACTURER.
12. ALL DEVELOPMENT, REDEVELOPMENT, AND LAND DISTURBING ACTIVITY WHICH REQUIRE STRUCTURAL SCM(S) OR STORMWATER MANAGEMENT CONTROL FACILITIES SHALL REQUIRE A MAINTENANCE AND ACCESS EASEMENT WHICH MUST BE SHOWN ON THE AS-BUILT DRAWINGS AND RECORDED AT THE REGISTER OF DEEDS OFFICE AS PART OF THE PROCESS TO CLOSE THE PERMIT AND OBTAIN A CERTIFICATE OF OCCUPANCY. MAINTENANCE AND ACCESS EASEMENTS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE COH STANDARD SPECIFICATIONS AND DETAILS MANUAL FOR THE SPECIFIC TYPE OF SCM.
13. AN OPERATION AND MAINTENANCE (O&M) PLAN SHALL BE PROVIDED DURING CLOSEOUT FOR THE PROJECT. THE O&M PLAN SHALL SPECIFY ALL OPERATION AND MAINTENANCE WORK NECESSARY FOR THE FUNCTION OF ALL SCM COMPONENTS, INCLUDING THE STORMWATER CONVEYANCE SYSTEM, PERIMETER DEVICES, INLETS AND STABILIZING VEGETATION. THE O&M PLAN SHALL SPECIFY METHODS TO BE USED TO MAINTAIN OR RESTORE THE SCM(S) TO DESIGN SPECIFICATIONS IN THE EVENT OF FAILURE. O&M PLANS SHALL BE SIGNED BY THE OWNER AND NOTARIZED. THE OWNER SHALL KEEP MAINTENANCE RECORDS AND THESE SHALL BE AVAILABLE UPON REQUEST BY THE PARTY RESPONSIBLE FOR ENFORCING THE STORMWATER PROGRAM UNDER WHICH THE SCM(S) WERE APPROVED.
14. STORMWATER CLOSEOUT DOCUMENTS ARE REQUIRED WHEN THE PROJECT IS COMPLETE AND BEFORE A PERMANENT CERTIFICATE OF OCCUPANCY CAN BE ISSUED. ALL CLOSEOUT DOCUMENTS WILL BE SUBMITTED IN ONE PACKAGE. AN INCOMPLETE SUBMITTAL WILL NOT BE ACCEPTED AND WILL RESULT IN A DELAY IN THE CLOSEOUT PROCEDURES FOR THE PROJECT.
15. AN OPERATION AND MAINTENANCE AGREEMENT AND EASEMENTS SHALL BE RECORDED AT THE REGISTER OF DEEDS OFFICE ALONG WITH THE AS-BUILT DRAWINGS.

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE NC 28792
PIN NUMBER: 9568832082 9568834302 9568832474
PROPERTY SIZE: 9.01 AC
ZONING REVIEW: CITY OF HENDERSONVILLE
EROSION CONTROL REVIEW: HENDERSON COUNTY
STORMWATER REVIEW: CITY OF HENDERSONVILLE
ZONING CLASSIFICATION: PCD
PROPOSED NUMBER OF UNITS: 185
PROPOSED DENSITY: 20.55 UNITS / AC
PROPERTY OWNER: SOUTH MARKET, LLC
CONTACT: RICHARD HERMAN
ADDRESS: 2809 HAMPTON DRIVE HENDERSONVILLE NC 28792
EMAIL:
PHONE: 828-677-4201
DEVELOPER: FIRST VICTORY, INC
CONTACT: TRAVIS FOWLER
ADDRESS: 542 S CALDWELL ST BREVARD, NC 28712
EMAIL: travis@firstvictory.com
PHONE: 828-808-6433
ENGINEER: BROOKS ENGINEERING ASSOCIATES
CONTACT: JOHN KINNAIRD
ADDRESS: 15 ARLINGTON ST ASHEVILLE, NC 28801
EMAIL: JKINNAIRD@BROOKSEA.COM
PHONE: 828-232-4700
LANDSCAPE ARCH: FIND THE LINE STUDIOS
CONTACT: ROB DULL
ADDRESS: 305 POLE CREAMS ROAD ASHEVILLE NC 28806
EMAIL: ROB@FINDTHELINESTUDIOS.COM
PHONE: 828-674-5592

IMPERVIOUS AREA SUMMARY:
Proposed Impervious Area: 184,401sf
Proposed Impervious Percent: 47.0%



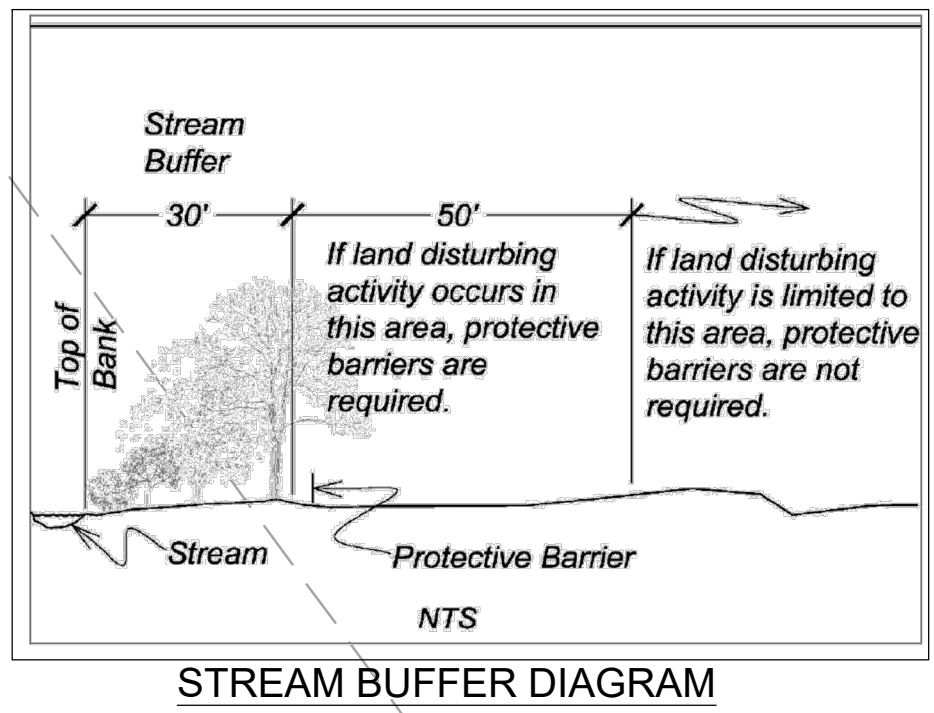
Designed: JHK
Reviewed: JHK
Scale: AS NOTED
Drawn: JHK
Checked: JHK
Date: 8/01/2024
15 Arlington Street
Asheville, N.C. 28801
Phone: 1-828-232-4700
Fax: 1-828-232-1331
www.brooksea.com

CDG ENGINEERS AND ASSOCIATES, INC

715 GREENVILLE HWY APARTMENTS
CITY OF HENDERSONVILLE NORTH CAROLINA

Project No: 597223
Drawing Title: OVERALL STORMWATER PLAN
C-5.0

- FLOODPLAIN NOTES:
1. PROJECT SHALL MEET ALL REQUIREMENTS OF 17-24 - REDEVELOPMENT IN THE FLOODWAY AND SPECIAL FLOOD HAZARD AREA.
2. % OF PROPERTY INSIDE 1% ANNUAL CHANCE AND/OR NON-ENCROACHMENT AREA: 97.8%
3. % OF 1% ANNUAL CHANCE AREA FILLED: 73.5%
4. % OF PROPERTY IN NON-ENCROACHMENT (FLOODWAY) ZONE: 17.8%
5. % OF NON-ENCROACHMENT (FLOODWAY) ZONE FILLED: 0%



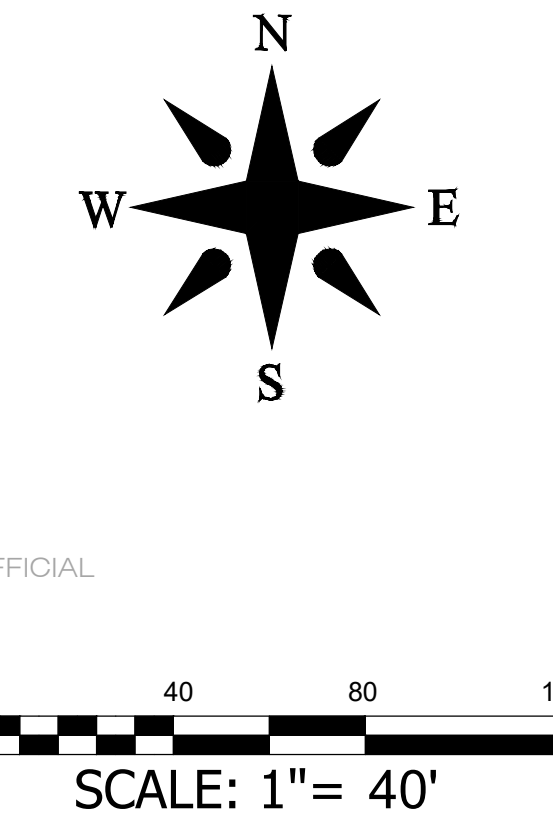
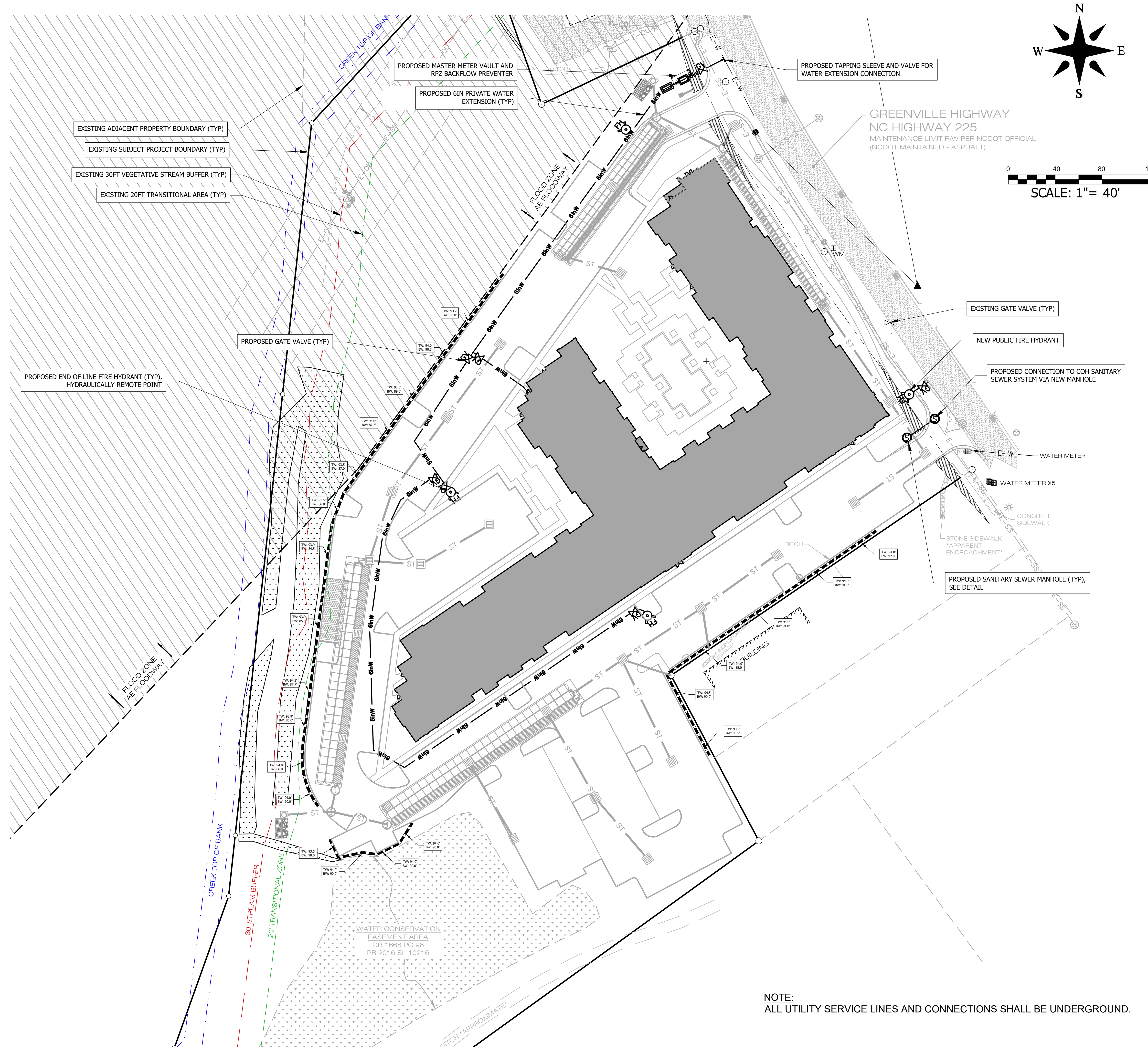
Revision/Revision number with a triangle indicates changes made on this sheet.

Table with columns: No., Revisions/Submittals, Date. Row 1: 1, PLANNING AND ZONING SUBMITTAL, 8/01/2024. Row 2: 2, PLANNING BOARD SUBMITTAL, 11/04/2024.

PRELIMINARY - NOT FOR CONSTRUCTION

UTILITIES LEGEND	
	EXIST. BOUNDARY
	EXIST. ADJOINER
	EXIST. STREAM
	EXIST. STREAM BUFFER
	EXIST. WETLAND
	EXIST. FEMA NON-ENCROACHMENT
	FEMA FLOOD HAZARD AREA (1%)
	FEMA FLOOD HAZARD AREA (0.2%)
	EXIST. RIGHT OF WAY
	EXIST. EASEMENT
	EXIST. BUILDING SETBACK
	EXISTING BUILDING
	EXISTING SIDEWALK
	EXISTING PAVEMENT
	EXIST. CURB
	EXIST. MANHOLE
	EXIST. SANITARY SEWER
	EXIST. SEWER CLEAN OUT
	EXIST. WATER LINE
	EXIST. WATER METER
	EXIST. FIRE HYDRANT
	EXIST. WATER VALVE
	EXIST. OVERHEAD UTILITIES
	EXIST. POWER POLE
	EXIST. UNDERGROUND UTILITIES
	EXIST. STORM DRAIN
	EXIST. CURB INLET
	EXIST. JUNCTION BOX
	EXIST. DROP INLET
	EXIST. TELE MANHOLE
	EXIST. DROP INLET
	EXIST. TRANSFORMER
	EXIST. LIGHT POLE
	EXIST. SEWER EASEMENT
	EXIST. WATER EASEMENT
	EXIST. MINOR CONTOUR
	EXIST. MAJOR CONTOUR
	NEW BUILDING
	NEW PAVEMENT
	NEW CONCRETE SIDEWALK
	NEW GRAVEL
	NEW CURB & GUTTER
	NEW YARD INLET
	NEW DROP INLET
	NEW CURB INLET
	NEW JUNCTION BOX
	NEW HEADWALL
	NEW FLARED END SECTION
	NEW STORM PIPE
	RIP RAP LINED DITCH
	NEW MINOR CONTOUR
	NEW MAJOR CONTOUR
	NEW PROPERTY LINES
	NEW RIGHT OF WAY
	NEW WATER DISTRIBUTION MAIN
	NEW WATER FIRE HYDRANT
	NEW WATER VALVE
	NEW AIR/VAC RLS VALVE
	NEW WATER BLOW-OFF VALVE
	NEW WATER DOMESTIC METER
	NEW WATER EASEMENT
	NEW MANHOLE
	NEW SEWER LINE
	NEW SANITARY CO / SERVICE
	NEW SEWER EASEMENT
	NEW WALL (BY OTHERS)

DEVELOPMENT DATA	
PROPERTY ADDRESS:	715 GREENVILLE HWY HENDERSONVILLE NC 28792
PIN NUMBER:	9568832082, 9568834302, 9568832474
PROPERTY SIZE:	9.01 AC
ZONING REVIEW:	CITY OF HENDERSONVILLE
EROSION CONTROL REVIEW:	HENDERSON COUNTY
STORMWATER REVIEW:	CITY OF HENDERSONVILLE
ZONING CLASSIFICATION:	PCD
PROPOSED NUMBER OF UNITS:	185
PROPOSED DENSITY:	20.55 UNITS / AC
PROPERTY OWNER:	SOUTH MARKET, LLC
CONTACT:	RICHARD HERMAN
ADDRESS:	2809 HAMPTON DRIVE HENDERSONVILLE NC 28792
EMAIL:	---
PHONE:	828-577-4201
DEVELOPER:	FIRST VICTORY, INC
CONTACT:	TRAVIS FOWLER
ADDRESS:	542 S CALDWELL ST BREWARD, NC 28712
EMAIL:	travis@firstvictory.com
PHONE:	828-808-6433
ENGINEER:	BROOKS ENGINEERING ASSOCIATES
CONTACT:	JOHN KINNAIRD
ADDRESS:	15 ARLINGTON ST ASHEVILLE, NC 28801
EMAIL:	JKINNAIRD@BROOKSEA.COM
PHONE:	828-232-4700
LANDSCAPE ARCH.:	FIND THE LINE STUDIOS
CONTACT:	ROB DULL
ADDRESS:	305 POLE CREAMS ROAD ASHEVILLE NC 28806
EMAIL:	ROB@FINDTHELINESTUDIOS.COM
PHONE:	828-674-5592



Date	REVISIONS/SUBMISSIONS
8/01/2024	PLANNING AND ZONING SUBMITTAL
11/04/2024	PLANNING BOARD SUBMITTAL

PRELIMINARY - NOT FOR CONSTRUCTION

Designed:	JHK	Reviewed:	JHK
Drawn:	JHK	Scale:	AS NOTED
Checked:	JHK	Date:	8/01/2024
15 Arlington Street Asheville, N.C. 28801 Phone: 1-828-232-4700 Fax: 1-828-232-1331 www.brooksea.com			

CDG ENGINEERS AND ASSOCIATES, INC

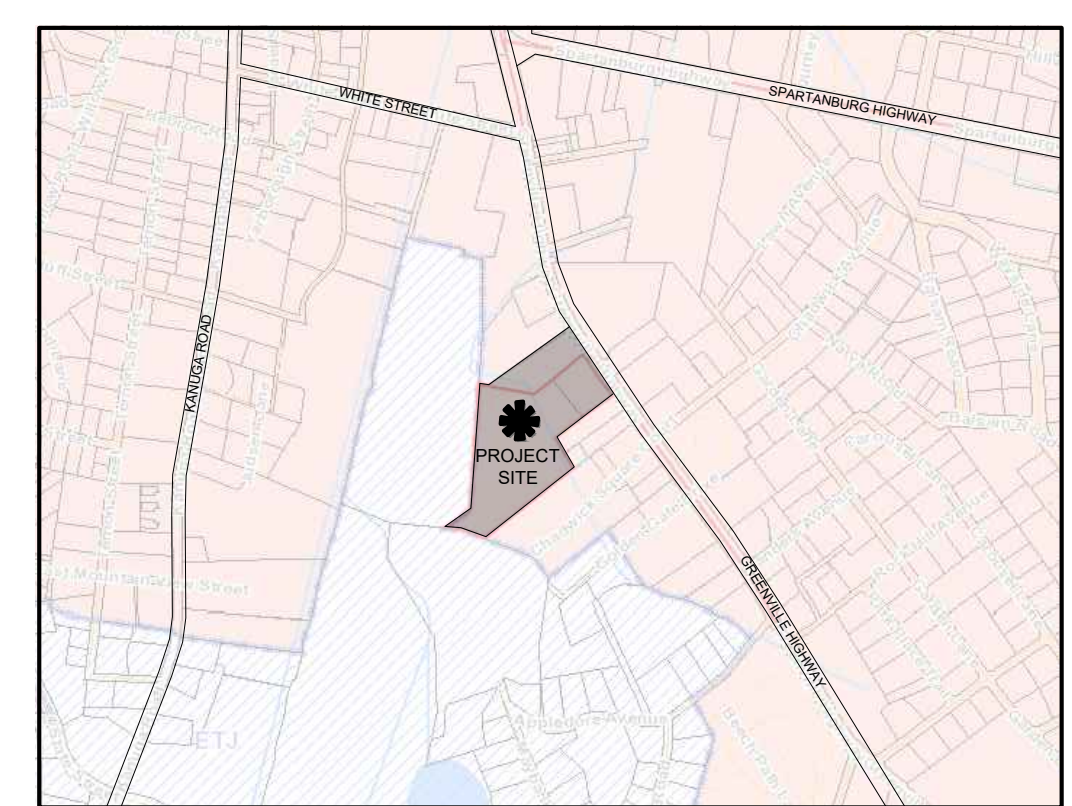
Project No:	597223	715 GREENVILLE HWY	NORTH CAROLINA
Drawing Title:	C-7.0	APARTMENTS	CITY OF HENDERSONVILLE

Project No:	597223
Drawing Title:	UTILITY PLAN



CONSULTANTS

NOT FOR CONSTRUCTION



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

SITE COVERAGE:
BUILDING GROSS FLOOR AREA: 231,037 SF

BUILDING FOOTPRINT: 58,367 SF
PERCENTAGE OF TOTAL SITE: 14.8%

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)

PROPOSED NUMBER OF UNITS: 185 UNITS
PROPOSED DENSITY: 20.5 UNITS / AC

STREET AND PARKING SQUARE FOOTAGE: 102,231 SF
STREET AND PARKING PERCENTAGE OF SITE: 26% OF SITE

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

ZONING:
CURRENT ZONING: PCD
PROPOSED ZONING: URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

SETBACKS:
FRONT: 40' NCDOT RIGHT-OF-WAY*
*14' MINIMUM FRONT SETBACK FROM BACK OF EXISTING OR PROPOSED CURBS, WHICHEVER IS GREATER. IF THE EXISTING RIGHT-OF-WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR PROPOSED CURBS, THE RIGHT-OF-WAY LINE WILL BECOME MINIMUM SETBACK.
SIDE: 5'
REAR: 10'

OPEN SPACE REQUIREMENTS:
OPEN SPACE REQUIRED: 117,743 SF (30%)
OPEN SPACE PROVIDED: 118,725 SF (30.3%)

OPEN SPACE WITHIN WETLANDS/OPEN WATER/FLOODPLAIN (58,136 SF);
49% OF REQUIRED OPEN SPACE AREA

COMMON SPACE REQUIREMENTS:
COMMON SPACE REQUIRED: 39,248 SF (10%)
COMMON SPACE PROVIDED: 44,372 SF (11.3%)

ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF);
9.5% OF REQUIRED COMMON SPACE AREA

PARKING REQUIREMENTS:
PARKING REQUIRED AT 1 PER EACH DWELLING UNIT OR 1.5 PER EACH DWELLING UNIT CONTAINING THREE OR MORE BEDROOMS:
NUMBER OF UNITS: 185 UNITS (170 1/2 BEDROOM & 15 3 BEDROOM)
PARKING REQUIRED: 193 SPACES
PARKING PROVIDED: 288 SPACES (8 HANDICAPPED PARKING SPACES)

NOTES:
PROJECT SHALL MEET ALL REQUIREMENTS OF 17-2-4-REDEVELOPMENT IN THE FLOOD WAY AND SPECIAL FLOOD HAZARD AREA
ALL UTILITY SERVICE LINES AND CONNECTIONS SHALL BE UNDERGROUND
OPEN SPACE SHOWN MUST BE PRESERVED AND MAINTAINED IN PERPETUITY. OPEN SPACE TO BE MAINTAINED BY DEVELOPER.

715 GREENVILLE HWY MULTI-FAMILY

715 GREENVILLE HWY
HENDERSONVILLE, NC

PREPARED FOR:
FIRST VICTORY INC.

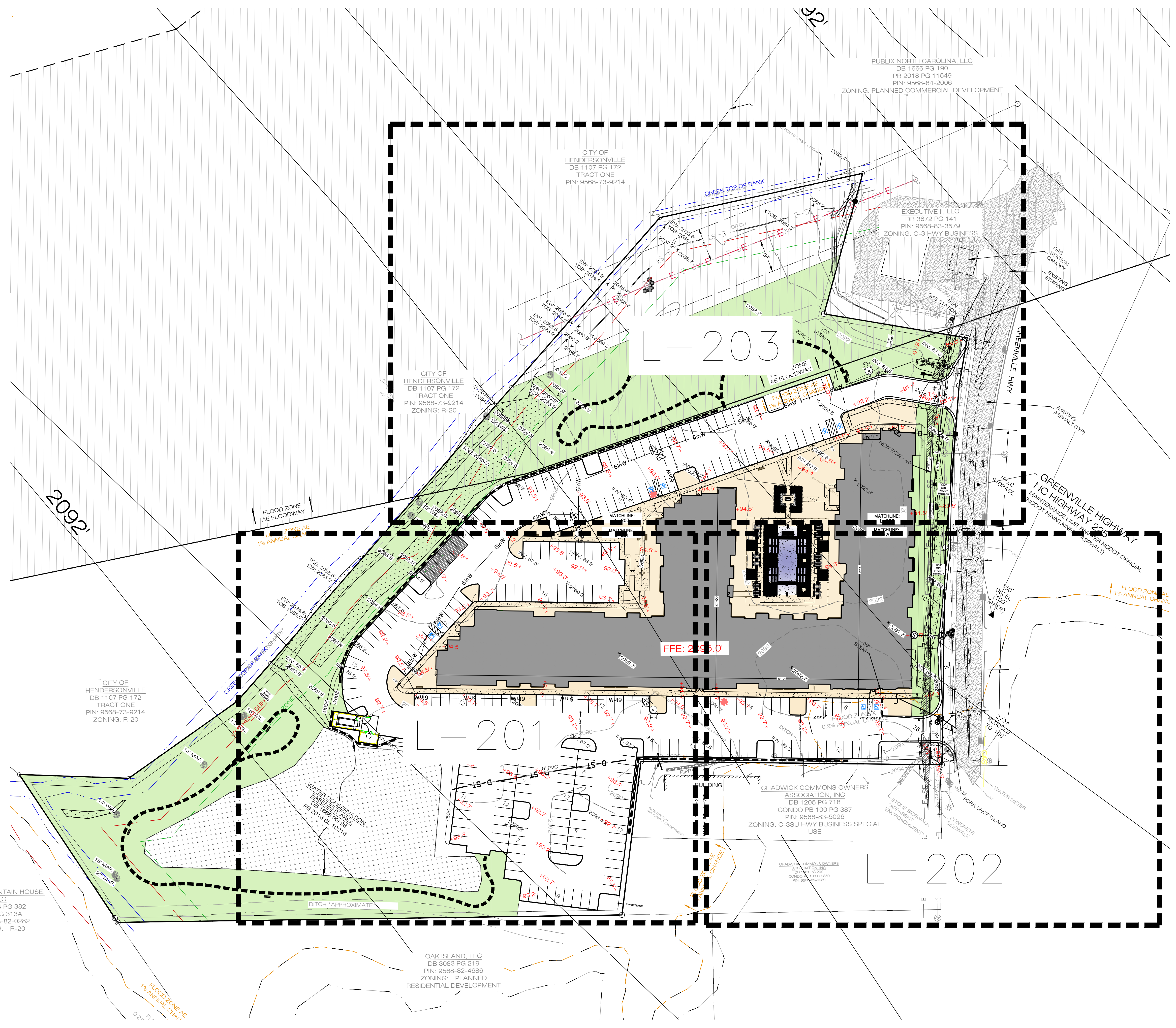
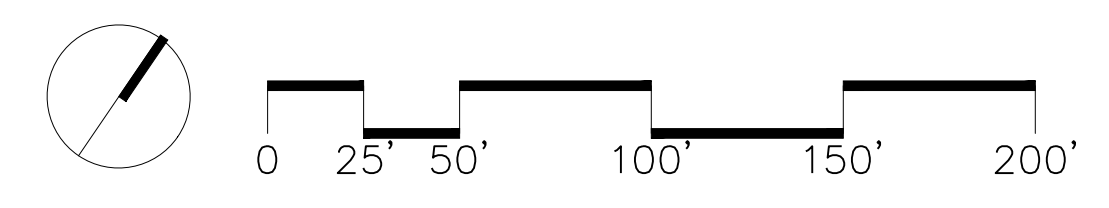
OVERALL SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	C2D SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

SHEET NO.

L-200





CONSULTANTS

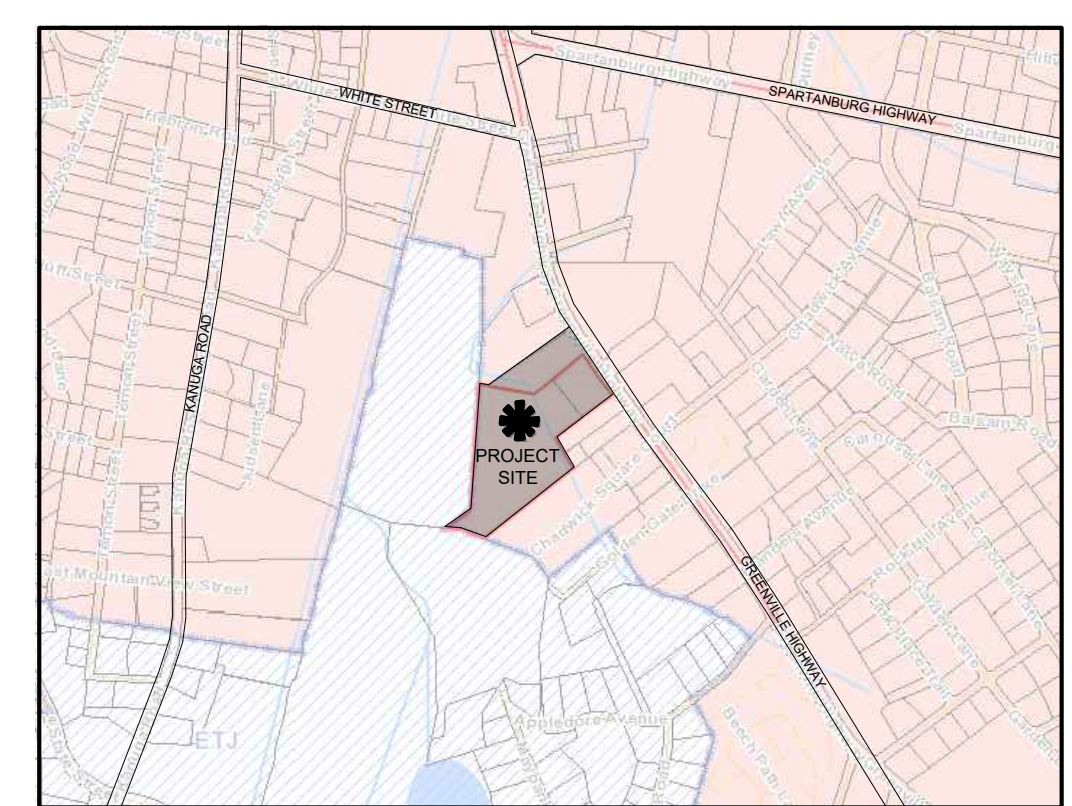
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715 GREENVILLE HWY MULTI-FAMILY PRELIMINARY SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	CZD SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

SHEET NO. L-201



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

SITE COVERAGE:
BUILDING GROSS FLOOR AREA: 231,037 SF
PERCENTAGE OF TOTAL SITE: 14.8%

BUILDING FOOTPRINT: 58,367 SF
PERCENTAGE OF TOTAL SITE: 8.2%

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)

PROPOSED NUMBER OF UNITS: 185 UNITS
PROPOSED DENSITY: 20.5 UNITS / AC

STREET AND PARKING SQUARE FOOTAGE: 102,231 SF
STREET AND PARKING PERCENTAGE OF SITE: 26% OF SITE

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

ZONING:
CURRENT ZONING: PCZ
PROPOSED ZONING: URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

SETBACKS:
FRONT: 40' NCDOT RIGHT-OF-WAY*
*14' MINIMUM FRONT SETBACK FROM BACK OF EXISTING OR PROPOSED CURBS, WHICHEVER IS GREATER. IF THE EXISTING RIGHT-OF-WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR PROPOSED CURBS, THE RIGHT-OF-WAY LINE WILL BECOME MINIMUM SETBACK.
SIDE: 5'
REAR: 10'

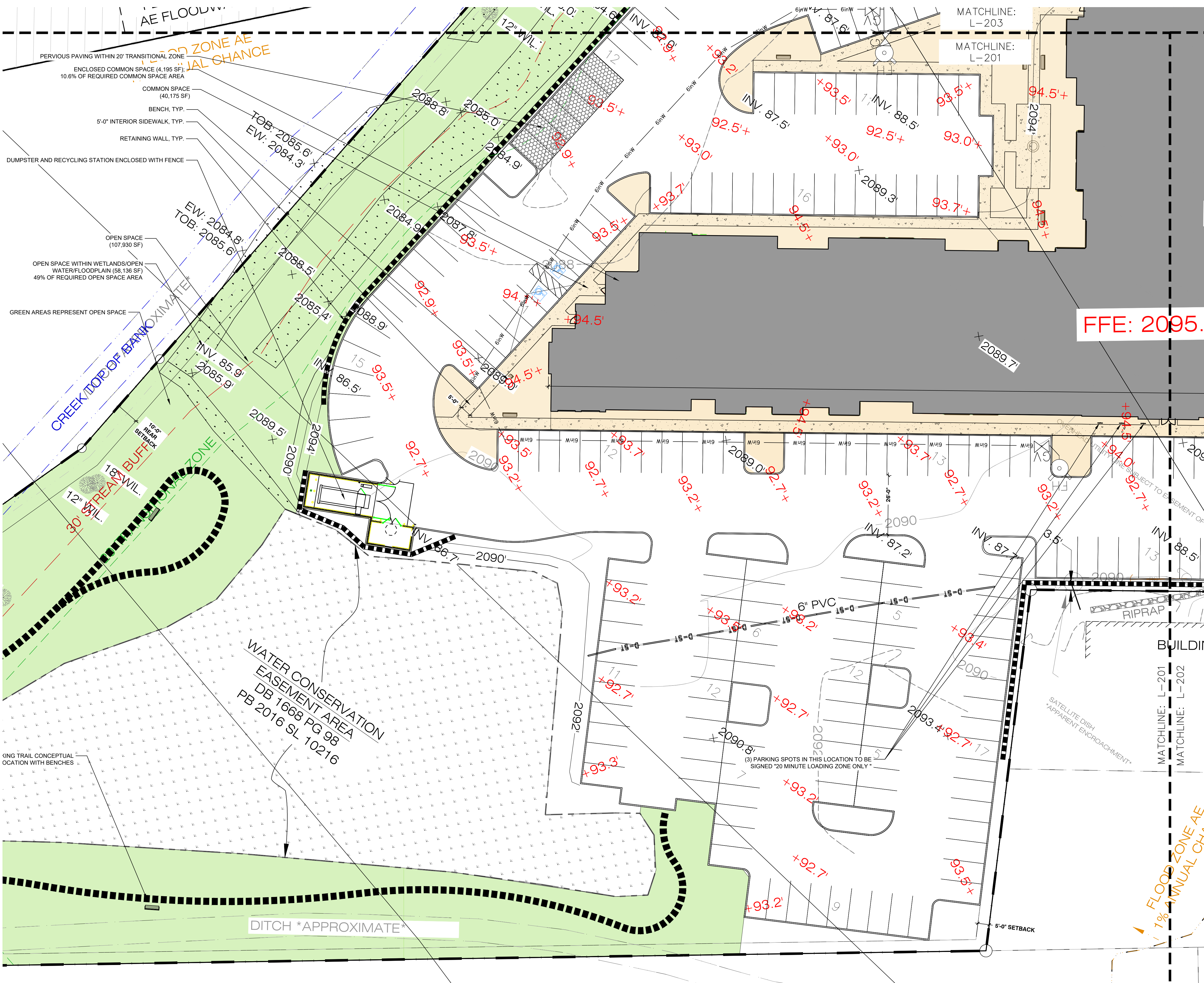
OPEN SPACE REQUIREMENTS:
OPEN SPACE REQUIRED: 117,743 SF (30%)
OPEN SPACE PROVIDED: 118,725 SF (30.3%)

OPEN SPACE WITHIN WETLANDS/OPEN WATER/FLOODPLAIN (58,136 SF);
49% OF REQUIRED OPEN SPACE AREA

COMMON SPACE REQUIREMENTS:
COMMON SPACE REQUIRED: 39,248 SF (10%)
COMMON SPACE PROVIDED: 44,372 SF (11.3%)

ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF);
9.5% OF REQUIRED COMMON SPACE AREA

PARKING REQUIREMENTS:
PARKING REQUIRED AT 1 PER EACH DWELLING UNIT OR 1.5 PER EACH DWELLING UNIT CONTAINING THREE OR MORE BEDROOMS:
NUMBER OF UNITS: 185 UNITS (170 1/2 BEDROOM & 15 3 BEDROOM)
PARKING REQUIRED: 193 SPACES
PARKING PROVIDED: 288 SPACES (8 HANDICAPPED PARKING SPACES)

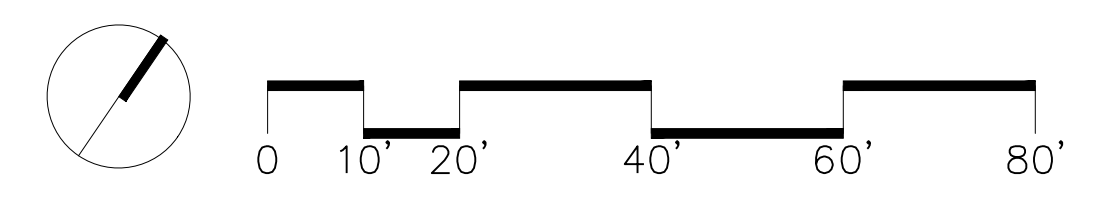


FFE: 2095.

MATCHLINE: L-201

MATCHLINE: L-202

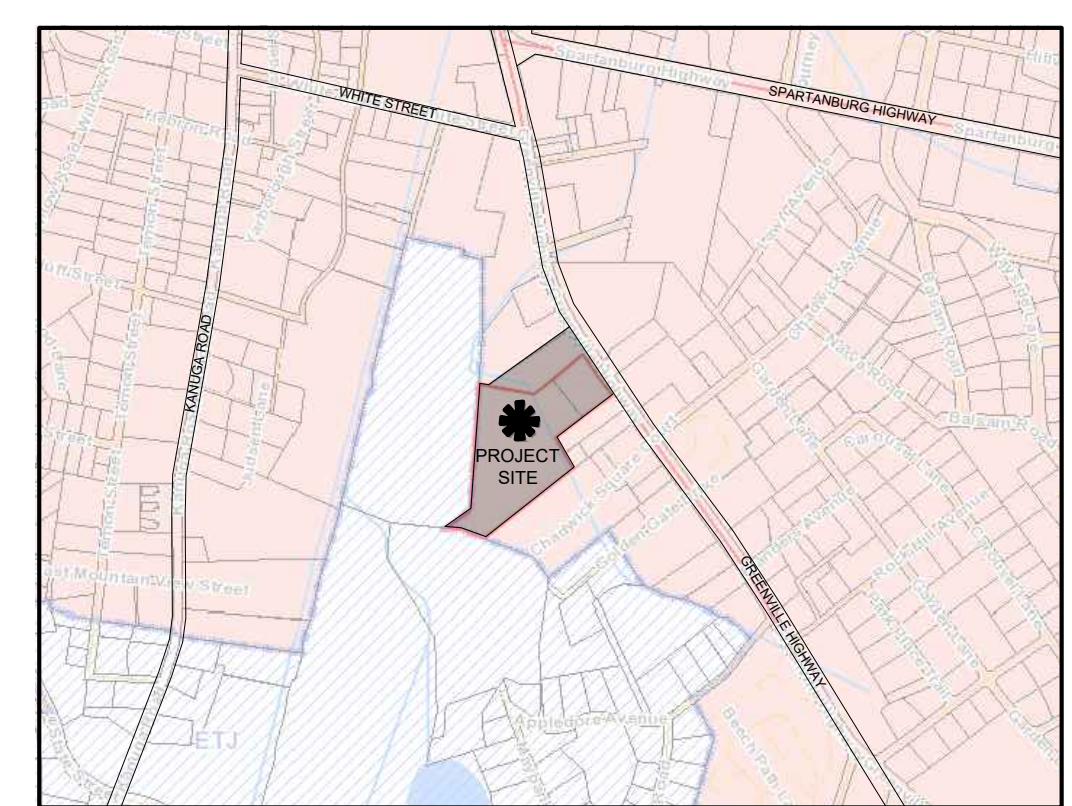
1% FLOOD ZONE AE ANNUAL CHANCE





CONSULTANTS

NOT FOR CONSTRUCTION



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

SITE COVERAGE:
BUILDING GROSS FLOOR AREA: 231,037 SF
PERCENTAGE OF TOTAL SITE: 14.8%

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BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)

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PROPOSED DENSITY: 20.5 UNITS / AC

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STREET AND PARKING PERCENTAGE OF SITE: 26% OF SITE

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

ZONING:
CURRENT ZONING: PCD
PROPOSED ZONING: URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

SETBACKS:
FRONT: 40' NCDOT RIGHT-OF-WAY*
*14' MINIMUM FRONT SETBACK FROM BACK OF EXISTING OR PROPOSED CURBS, WHICHEVER IS GREATER. IF THE EXISTING RIGHT-OF-WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR PROPOSED CURBS, THE RIGHT-OF-WAY LINE WILL BECOME MINIMUM SETBACK.
SIDE: 5'
REAR: 10'

OPEN SPACE REQUIREMENTS:
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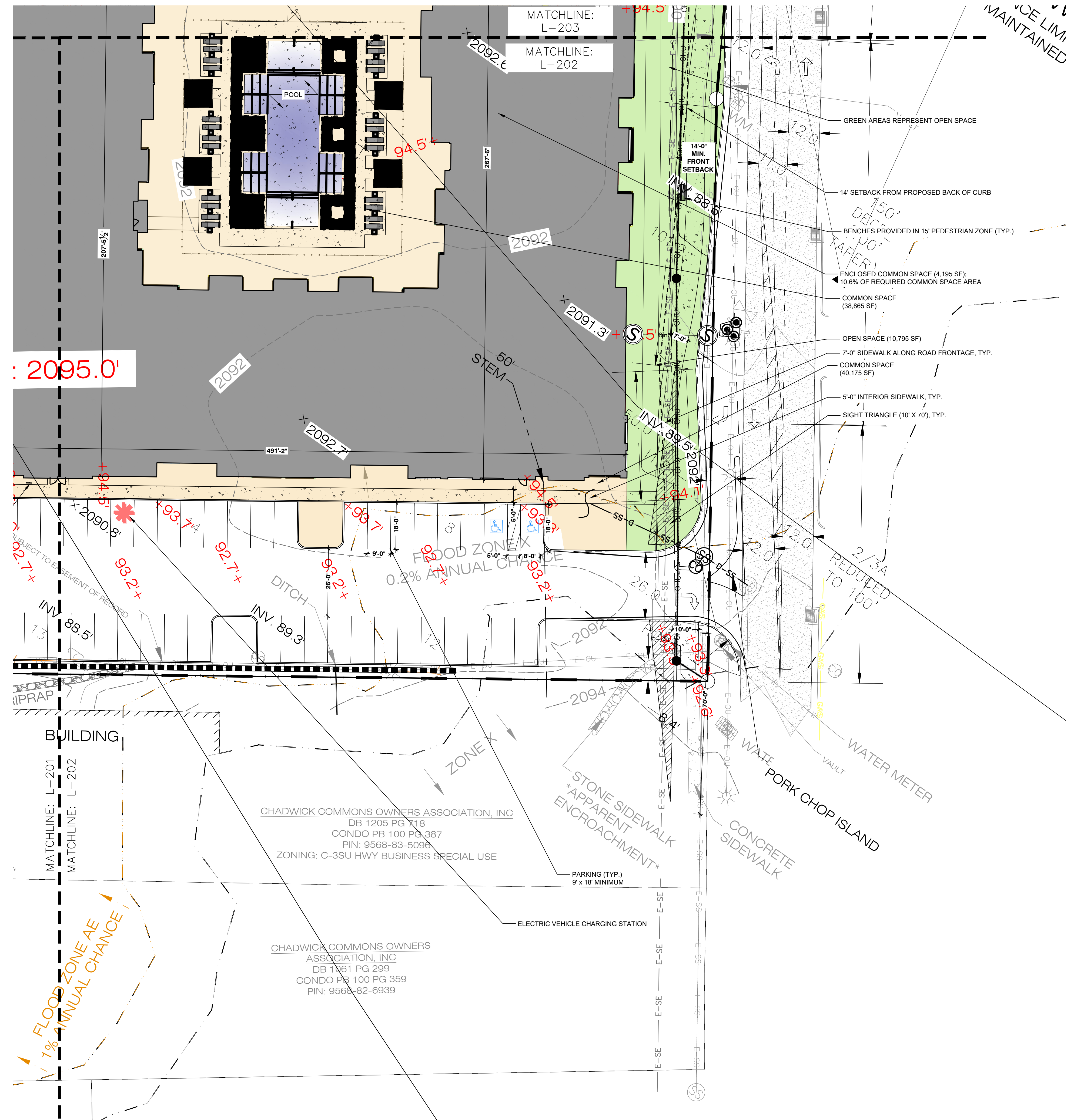
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9.5% OF REQUIRED COMMON SPACE AREA

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PARKING REQUIRED: 193 SPACES
PARKING PROVIDED: 288 SPACES (8 HANDICAPPED PARKING SPACES)

715 GREENVILLE HWY MULTI-FAMILY
PREPARED FOR:
FIRST VICTORY INC.
PRELIMINARY SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	CZD SUBMITTAL
2	11.4.24	P&Z SUBMITTAL



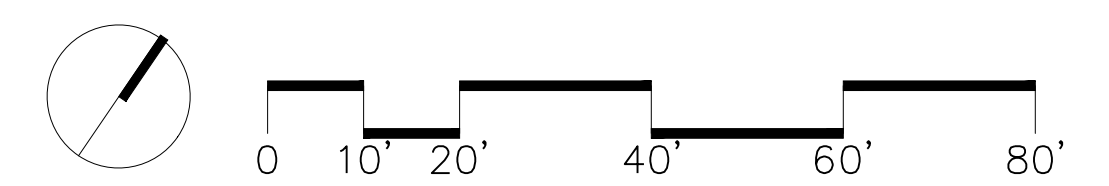
2095.0'

MATCHLINE: L-201
MATCHLINE: L-202

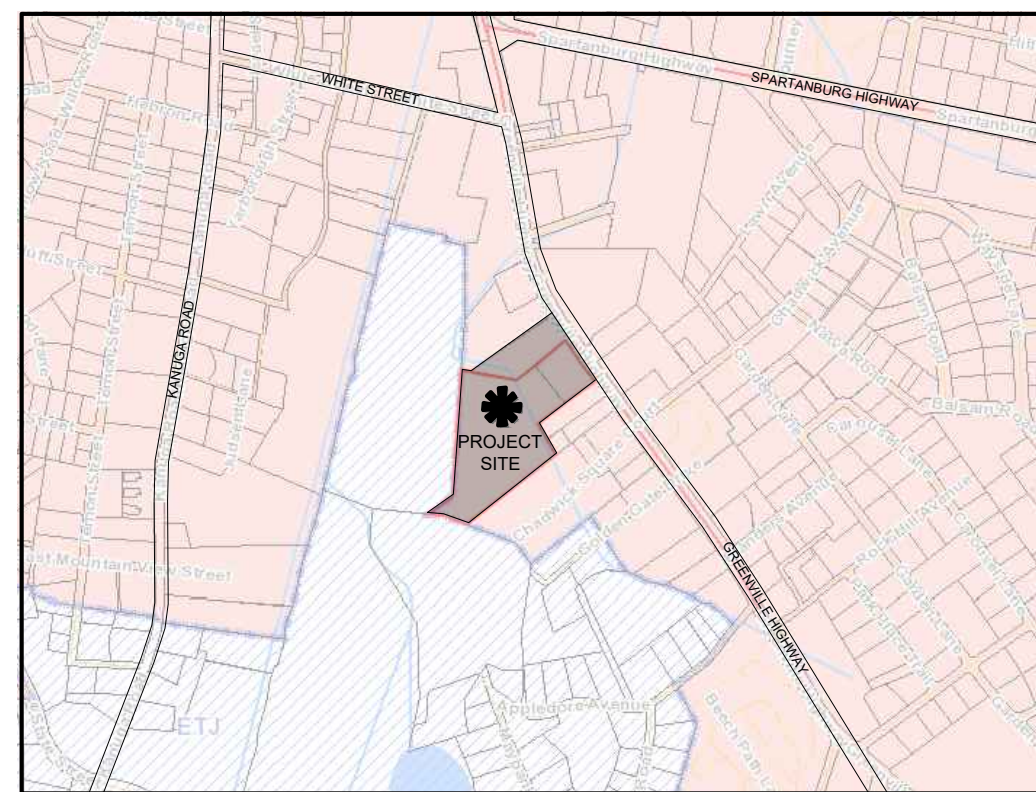
FLOOD ZONE AE
1% ANNUAL CHANCE

CHADWICK COMMONS OWNERS ASSOCIATION, INC
DB 1205 PG X18
CONDO PB 100 PG 387
PIN: 9568-83-5096
ZONING: C-3SU HWY BUSINESS SPECIAL USE

CHADWICK COMMONS OWNERS ASSOCIATION, INC
DB 161 PG 299
CONDO PB 100 PG 359
PIN: 9568-82-6939



SHEET NO.
L-202



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

SITE COVERAGE:
BUILDING GROSS FLOOR AREA: 231,037 SF

BUILDING FOOTPRINT: 58,367 SF
PERCENTAGE OF TOTAL SITE: 14.8%

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)

PROPOSED NUMBER OF UNITS: 185 UNITS
PROPOSED DENSITY: 20.5 UNITS / AC

STREET AND PARKING SQUARE FOOTAGE: 102,231 SF
STREET AND PARKING PERCENTAGE OF SITE: 26% OF SITE

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

ZONING:
CURRENT ZONING: PCD
PROPOSED ZONING: URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

SETBACKS:
FRONT: 40' NCDOT RIGHT-OF-WAY*
*14' MINIMUM FRONT SETBACK FROM BACK OF EXISTING OR PROPOSED CURBS, WHICHEVER IS GREATER. IF THE EXISTING RIGHT-OF-WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR PROPOSED CURBS, THE RIGHT-OF-WAY LINE WILL BECOME MINIMUM SETBACK.
SIDE: 5'
REAR: 10'

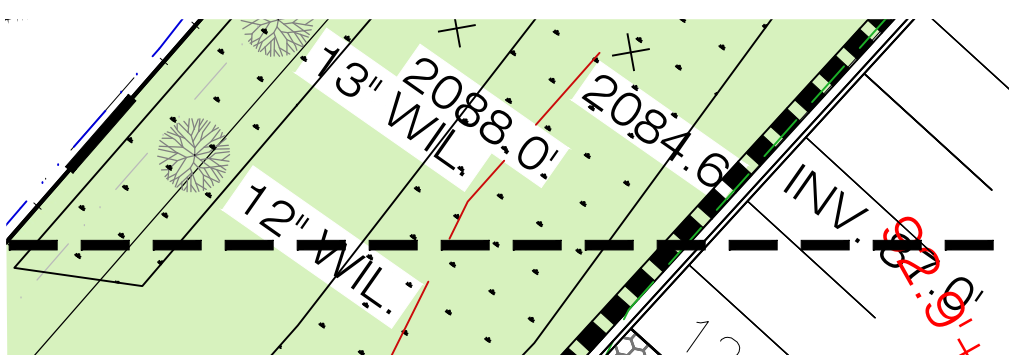
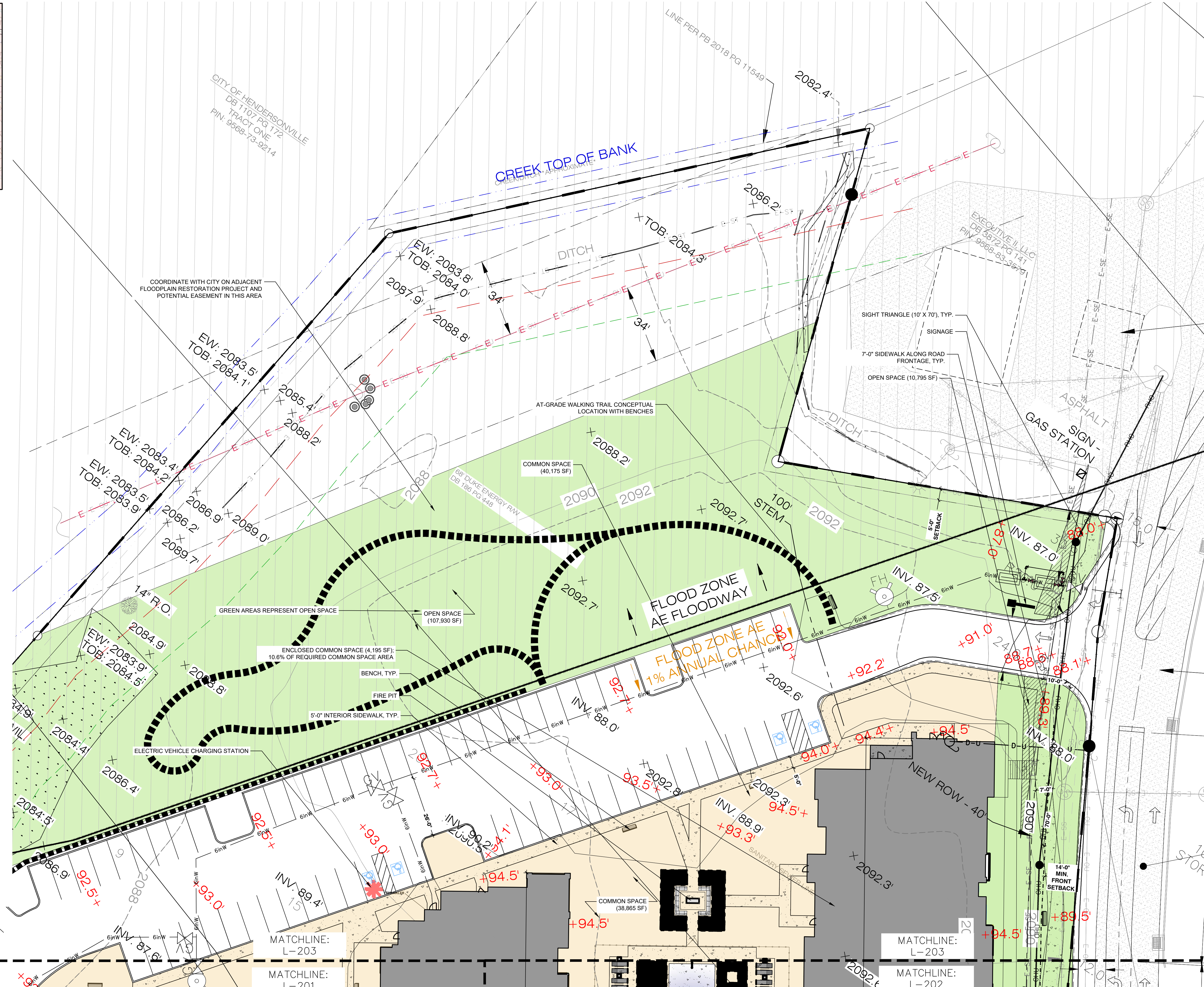
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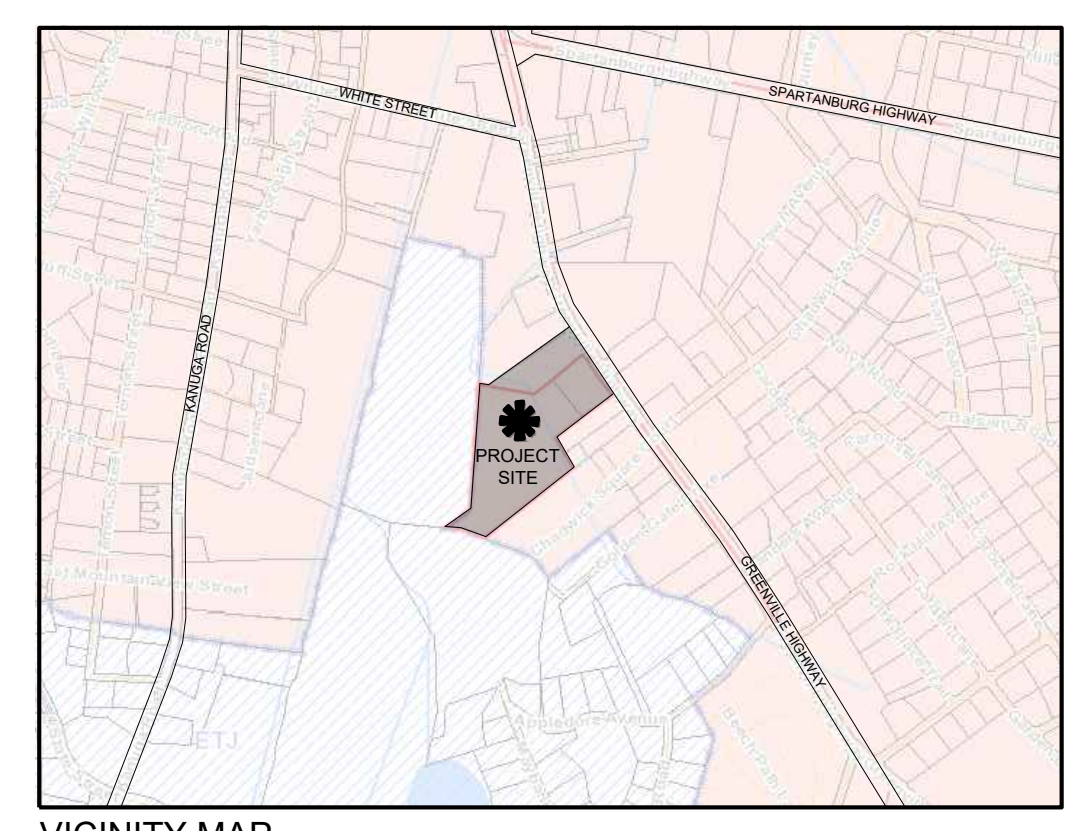


PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	CZD SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

CONSULTANTS

NOT FOR
CONSTRUCTION



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

OPEN SPACE REQUIREMENTS:
OPEN SPACE REQUIRED: 117,743 SF (30%)
OPEN SPACE PROVIDED: 118,725 SF (30.3%)

OPEN SPACE WITHIN WETLANDS/OPEN WATER/FLOODPLAIN (58,136 SF);
49% OF REQUIRED OPEN SPACE AREA

COMMON SPACE REQUIREMENTS:
COMMON SPACE REQUIRED: 39,248 SF (10%)
COMMON SPACE PROVIDED: 44,372 SF (11.3%)

ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF);
9.5% OF REQUIRED COMMON SPACE AREA

LANDSCAPE REQUIREMENTS:

VEHICLE USE AREA (VUA):
1 TREE AND 2 SHRUBS PER 3,000 SF
TOTAL VUA: 102,231 SF
TREES REQUIRED: 35 TREES
TREES PROVIDED: 74 TREES
SHRUBS REQUIRED: 69 SHRUBS
SHRUBS PROVIDED: 73 SHRUBS

PLANTING STRIPS (PS):
1 TREE & 5 SHRUBS PER 40LF
TOTAL LF: 374 LF
TREES REQUIRED: 10 TREES
TREES PROVIDED: 11 TREES
SHRUBS REQUIRED: 47 SHRUBS
SHRUBS PROVIDED: 62 SHRUBS

STREET TREES (ST):
1 TREE PER 35 LF OF PROPERTY ABUTTING A STREET
TOTAL LF: 422 LF (715 GREENVILLE HWY)
TREES REQUIRED: 13 (10 LARGE MATURING TREES / 3 MEDIUM MATURING)
TREES PROVIDED: 10 LARGE-MATURING TREES / 5 MEDIUM MATURING TREE

COMMON SPACE TREE PLANTINGS (CS):
1 TREE AND 5 SHRUBS PER 1,200 SF
TOTAL COMMON SPACE PROVIDED: 44,372 SF
TOTAL TREE PLANTINGS REQUIRED: 37
TOTAL TREE PLANTINGS PROPOSED: 84
TOTAL SHRUB PLANTINGS REQUIRED: 185
TOTAL SHRUB PLANTINGS PROVIDED: 250

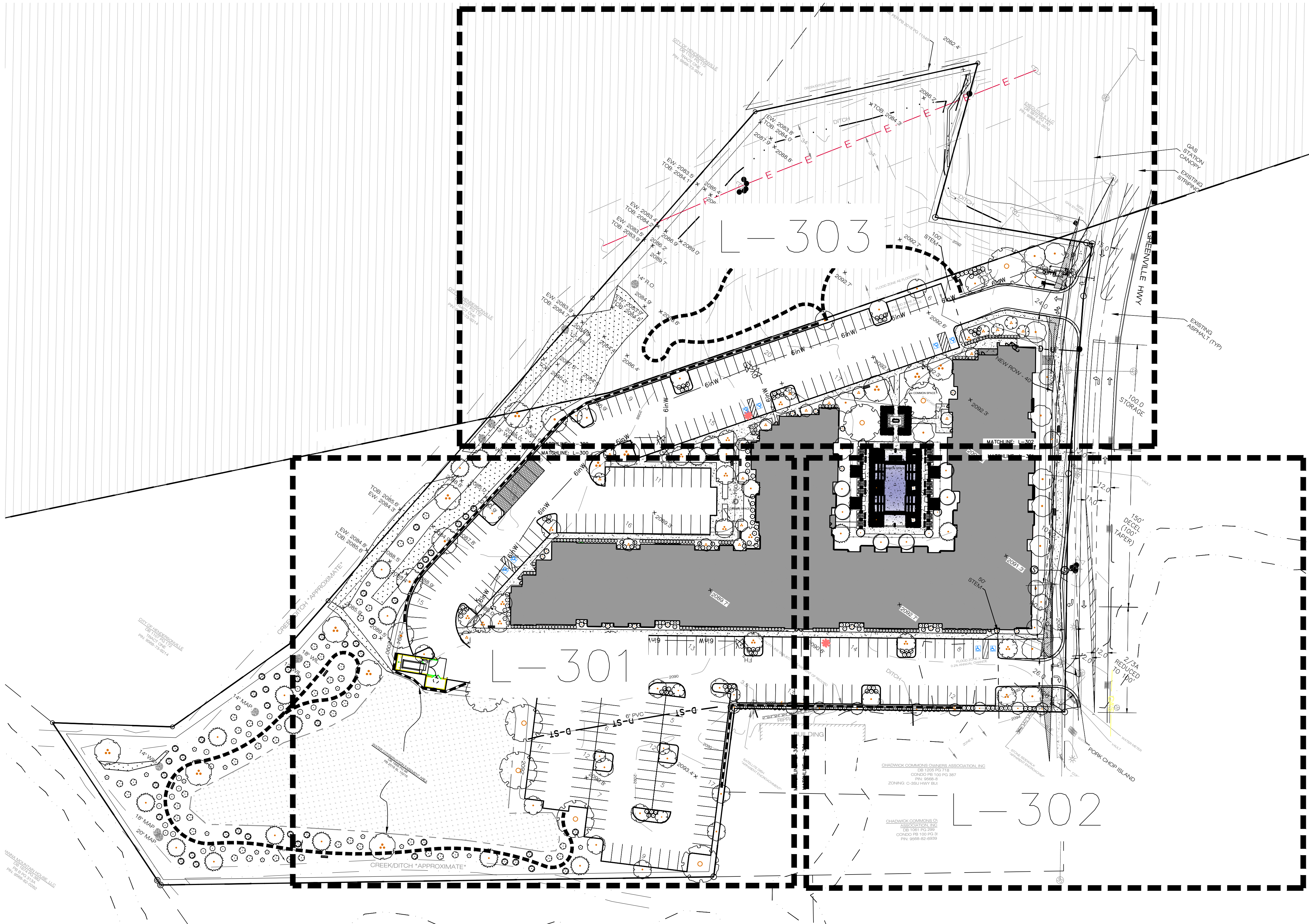
OPEN SPACE LANDSCAPING (OS):
1 TREE AND 5 SHRUBS PER 4,000 SF
TOTAL OPEN SPACE PROVIDED: 118,725 SF
TOTAL TREE PLANTINGS REQUIRED: 30
TOTAL TREE PLANTINGS PROPOSED: 32
TOTAL SHRUB PLANTINGS REQUIRED: 148
TOTAL SHRUB PLANTINGS PROVIDED: 150

- COMPLIANCE NOTES**
1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS. ALL SIDEWALKS SHALL PROVIDE ADEQUATE HANDICAP ACCESSIBILITY AT CROSSWALKS.
 2. ANY PLANT MATERIAL TO BE INSTALLED IN THE R.O.W. SHALL BE APPROVED WITH AN ENCROACHMENT AGREEMENT WITH NCDOT.
 3. LANDSCAPE CONTRACTOR MUST COORDINATE THE LOCATION OF THE TREES TO AVOID EXISTING AND PROPOSED SEWERLINES AND SEWERLINE EASEMENTS. NO TREES ARE ALLOWED TO BE PLANTED IN SUCH EASEMENTS.
 4. ALL PROPOSED PARKING SPACES ARE WITHIN 45' OF A VUA TREE PLANTING AS REQUIRED.
 5. 50% OFF ALL REQUIRED VUA PLANTINGS ARE LOCATED WITHIN PROPOSED LANDSCAPE ISLANDS AS REQUIRED.

PLANTING LEGEND

VUA = VEHICULAR USE AREA REQUIREMENT
PS = PLANTING STRIP REQUIREMENT
ST = STREET TREE REQUIREMENT
CS = COMMON SPACE REQUIREMENT
OS = OPEN SPACE REQUIREMENT

# OF PLANTS	Plant Description
3	Large Deciduous Tree (ST)
	ZONING USE ABBREVIATION (SEE LEGEND)



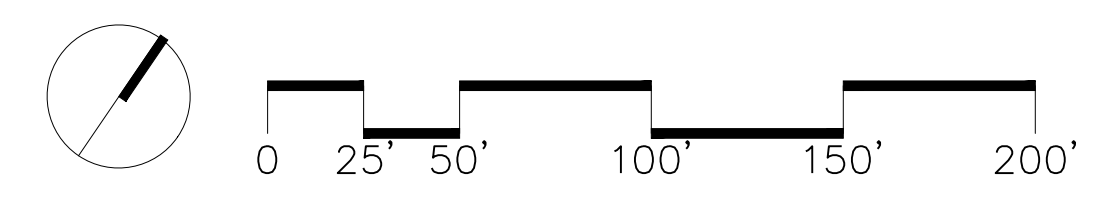
715 GREENVILLE HWY MULTI-FAMILY
PREPARED FOR:
FIRST VICTORY INC.
OVERALL LANDSCAPE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	CZD SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

SHEET NO.

L-300



CONSULTANTS

NOT FOR CONSTRUCTION

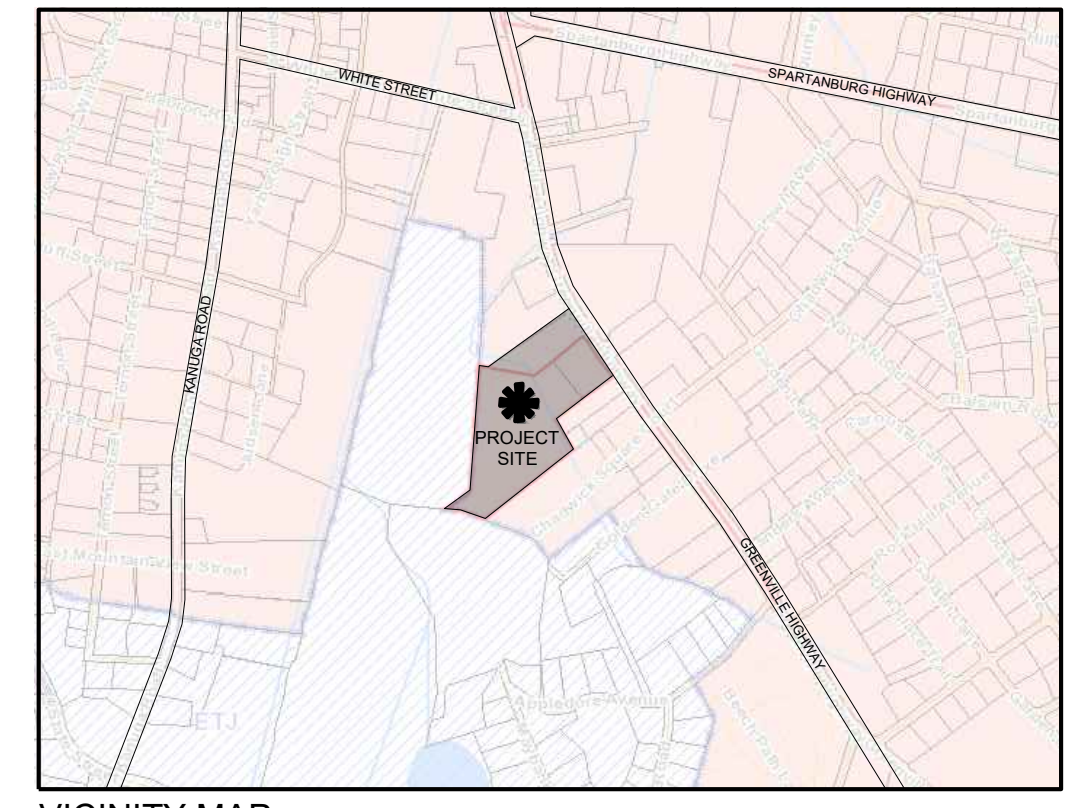
715 GREENVILLE HWY MULTI-FAMILY
PREPARED FOR:
FIRST VICTORY INC.
PRELIMINARY LANDSCAPE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	C2D SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

SHEET NO.

L-301



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

OPEN SPACE REQUIREMENTS:
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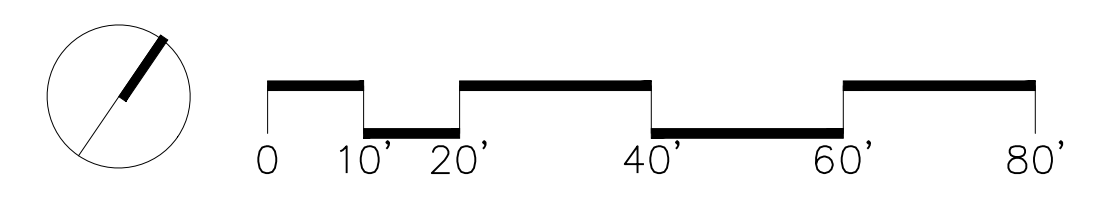
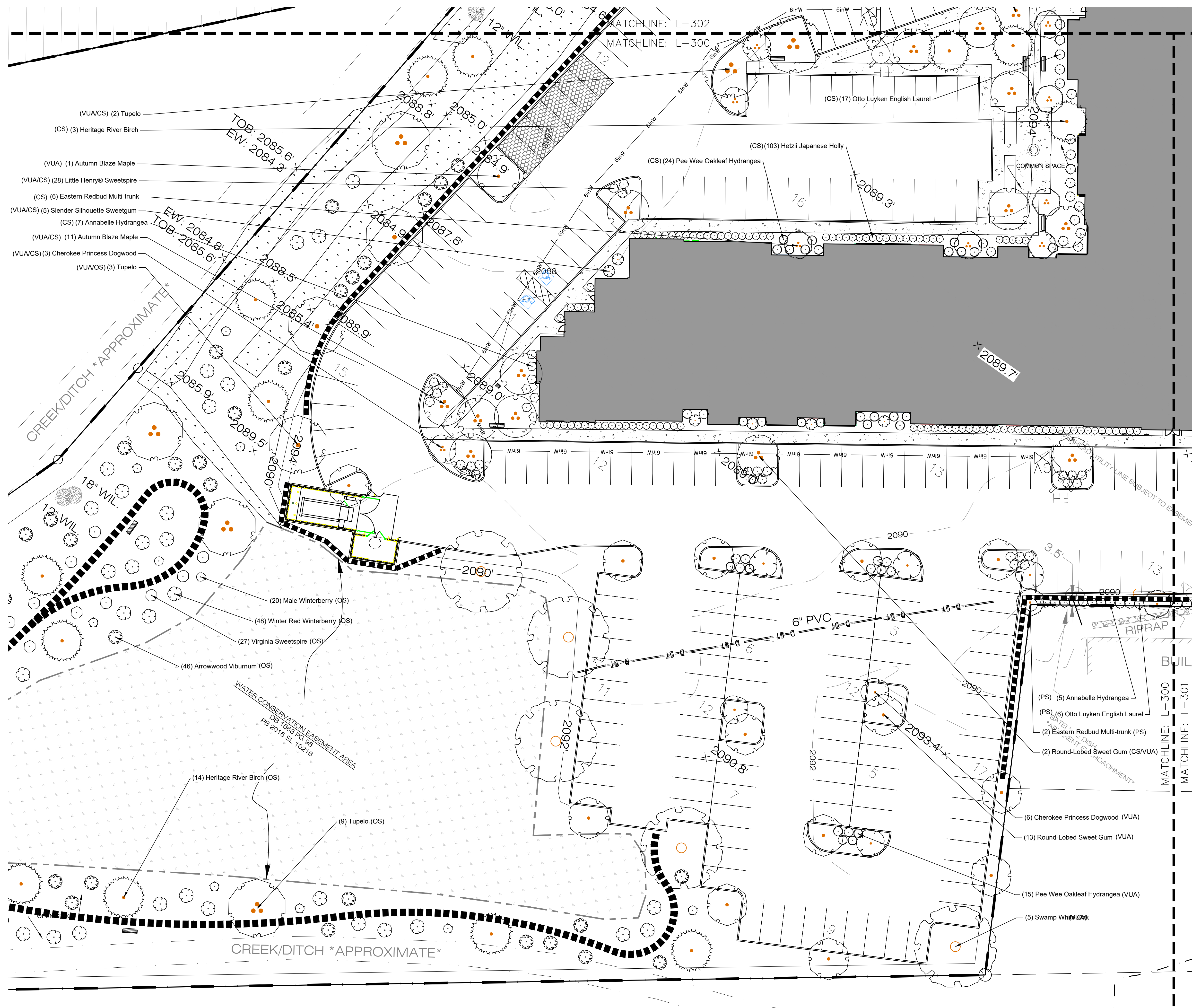
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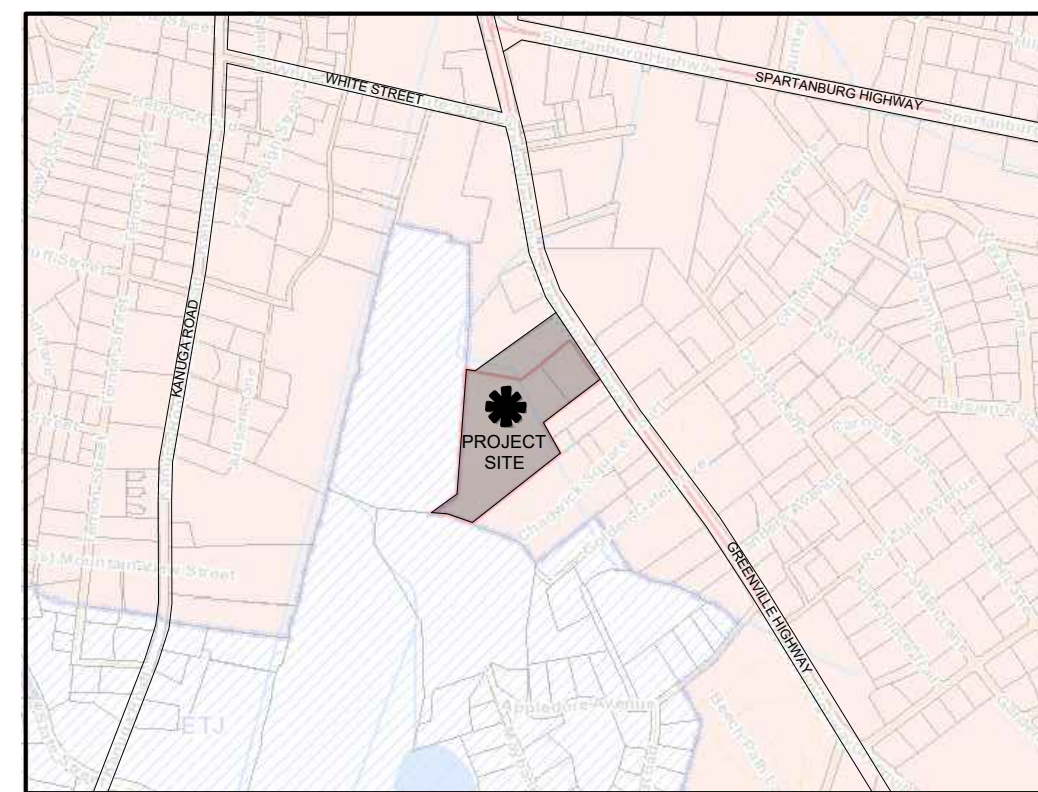
PLANTING LEGEND

VUA = VEHICULAR USE AREA REQUIREMENT	PS = PLANTING STRIP REQUIREMENT
ST = STREET TREE REQUIREMENT	SB = STREET BUFFER REQUIREMENT
CS = COMMON SPACE REQUIREMENT	OS = OPEN SPACE REQUIREMENT

# OF PLANTS	Plant Description
3	Large Deciduous Tree (ST)
	ZONING USE ABBREVIATION (SEE LEGEND)

- COMPLIANCE NOTES
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VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

TOTAL PROPERTY AREA: 9.01 ACRES (392,475.6 SF)

LANDSCAPE ARCHITECT: ROB DULL, PLA FIND THE LINE STUDIOS, PLLC ASHEVILLE, NC 828.674.5592

PROPERTY OWNER: SOUTH MARKET, LLC (RICHARD HERMAN) 2809 HAMPTON DRIVE HENDERSONVILLE, NC 28792

DEVELOPER: TRAVIS FOWLER FIRST VICTORY INC 542 S CALDWELL STREET BREVARD, NC 28712 TRAVIS@FIRSTVICTORY.COM 828-884-7934

CIVIL ENGINEER: JOHN KINNAIRD, PE BROOKS ENGINEERING ASSOC. 17 ARLINGTON ST. ASHEVILLE, NC 28801 828.232.4700

OPEN SPACE REQUIREMENTS: OPEN SPACE REQUIRED: 117,743 SF (30%) OPEN SPACE PROVIDED: 118,725 SF (30.3%)

OPEN SPACE WITHIN WETLANDS/OPEN WATER/FLOODPLAIN (58,136 SF): 49% OF REQUIRED OPEN SPACE AREA

COMMON SPACE REQUIREMENTS: COMMON SPACE REQUIRED: 39,248 SF (10%) COMMON SPACE PROVIDED: 44,372 SF (11.3%)

ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF): 9.5% OF REQUIRED COMMON SPACE AREA

LANDSCAPE REQUIREMENTS:

VEHICLE USE AREA (VUA): 1 TREE AND 2 SHRUBS PER 3,000 SF TOTAL VUA: 102,231 SF TREES REQUIRED: 35 TREES TREES PROVIDED: 74 TREES SHRUBS REQUIRED: 69 SHRUBS SHRUBS PROVIDED: 73 SHRUBS

PLANTING STRIPS (PS): 1 TREE & 5 SHRUBS PER 40LF TOTAL LF: 374 LF TREES REQUIRED: 10 TREES TREES PROVIDED: 11 TREES SHRUBS REQUIRED: 47 SHRUBS SHRUBS PROVIDED: 62 SHRUBS

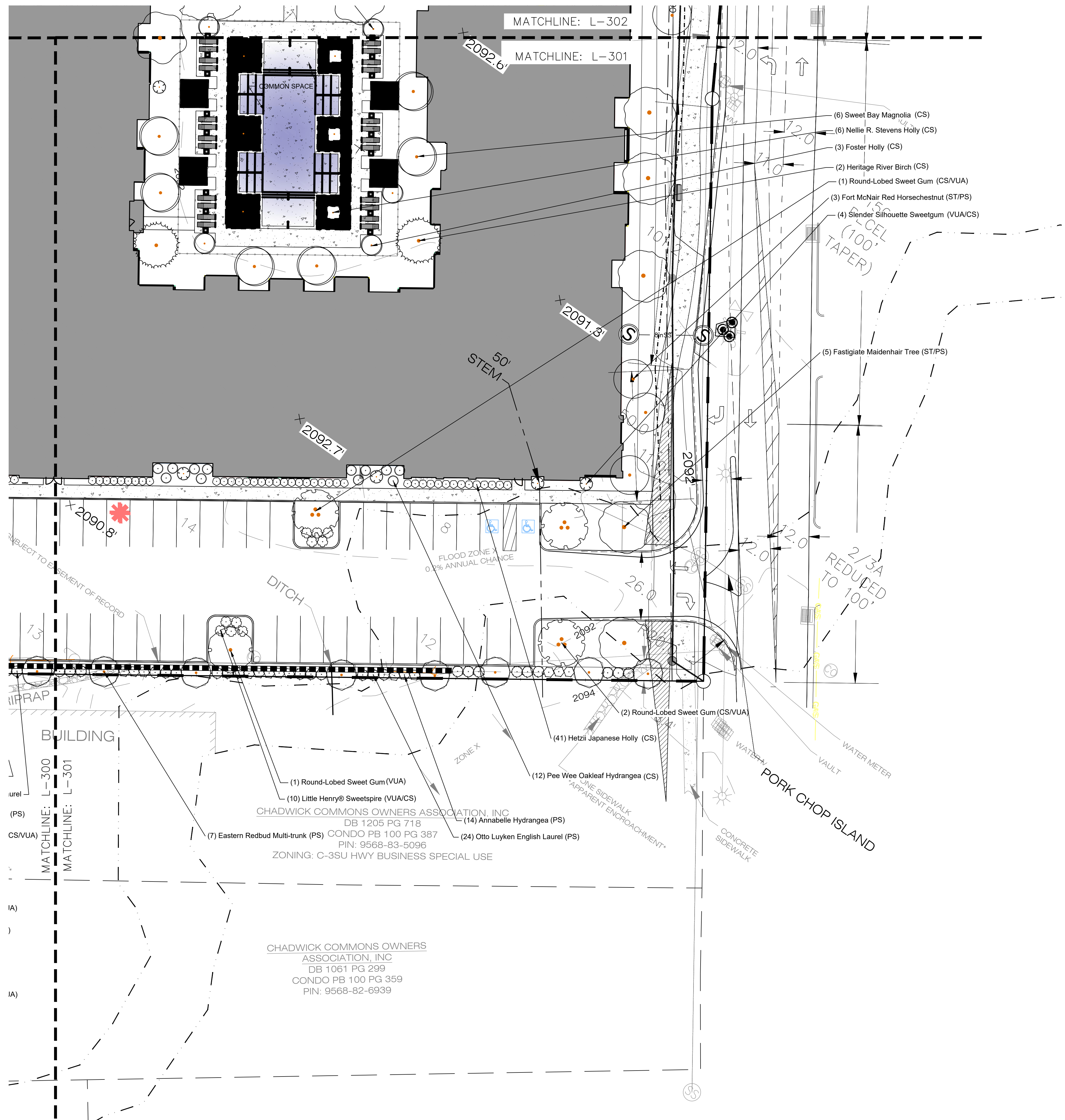
STREET TREES (ST): 1 TREE PER 35 LF OF PROPERTY ABUTTING A STREET TOTAL LF: 422 LF (715 GREENVILLE HWY) TREES REQUIRED: 13 (10 LARGE MATURING TREES / 3 MEDIUM MATURING) TREES PROVIDED: 10 LARGE-MATURING TREES / 5 MEDIUM MATURING TREE

COMMON SPACE TREE PLANTINGS (CS): 1 TREE AND 5 SHRUBS PER 1,200 SF TOTAL COMMON SPACE PROVIDED: 44,372 SF TOTAL TREE PLANTINGS REQUIRED: 37 TOTAL TREE PLANTINGS PROPOSED: 84 TOTAL SHRUB PLANTINGS REQUIRED: 185 TOTAL SHRUB PLANTINGS PROVIDED: 250

OPEN SPACE LANDSCAPING (OS): 1 TREE AND 5 SHRUBS PER 4,000 SF TOTAL OPEN SPACE PROVIDED: 118,725 SF TOTAL TREE PLANTINGS REQUIRED: 30 TOTAL TREE PLANTINGS PROPOSED: 32 TOTAL SHRUB PLANTINGS REQUIRED: 148 TOTAL SHRUB PLANTINGS PROVIDED: 150

PLANTING LEGEND: VUA = VEHICULAR USE AREA REQUIREMENT PS = PLANTING STRIP REQUIREMENT ST = STREET TREE REQUIREMENT SB = STREET BUFFER REQUIREMENT CS = COMMON SPACE REQUIREMENT OS = OPEN SPACE REQUIREMENT

- COMPLIANCE NOTES: 1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS... 2. ANY PLANT MATERIAL TO BE INSTALLED IN THE R.O.W. SHALL BE APPROVED WITH AN ENCROACHMENT AGREEMENT WITH NCDOT. 3. LANDSCAPE CONTRACTOR MUST COORDINATE THE LOCATION OF THE TREES TO AVOID EXISTING AND PROPOSED SEWERLINES AND SEWERLINE EASEMENTS...



CONSULTANTS

NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: FIRST VICTORY INC. PRELIMINARY LANDSCAPE PLAN

PLAN SET table with columns: #, DATE, DESCRIPTION. Row 1: 1, 7.29.24, CZD SUBMITTAL. Row 2: 2, 11.4.24, P&Z SUBMITTAL.

SHEET NO. L-302

CONSULTANTS

NOT FOR CONSTRUCTION

LANDSCAPE REQUIREMENTS:

VEHICLE USE AREA (VUA): 1 TREE AND 2 SHRUBS PER 3,000 SF

PLANTING STRIPS (PS): 1 TREE & 5 SHRUBS PER 40LF

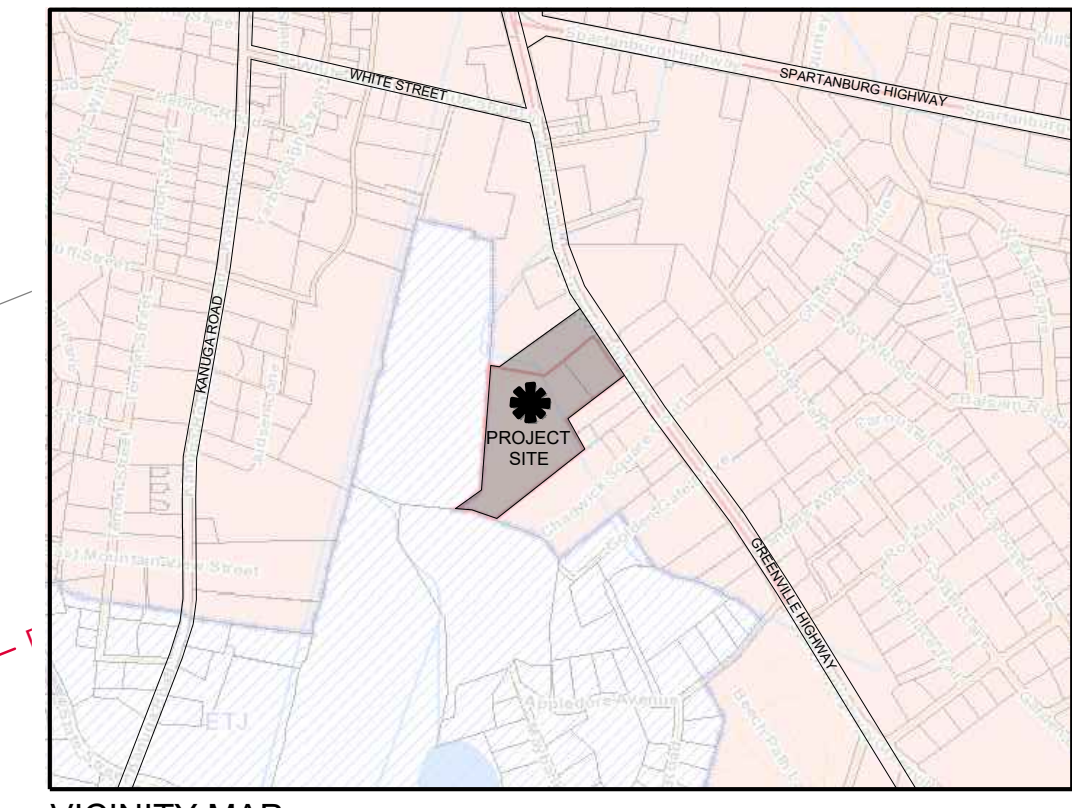
STREET TREES (ST): 1 TREE PER 35 LF OF PROPERTY ABUTTING A STREET

COMMON SPACE TREE PLANTINGS (CS): 1 TREE AND 5 SHRUBS PER 1,200 SF

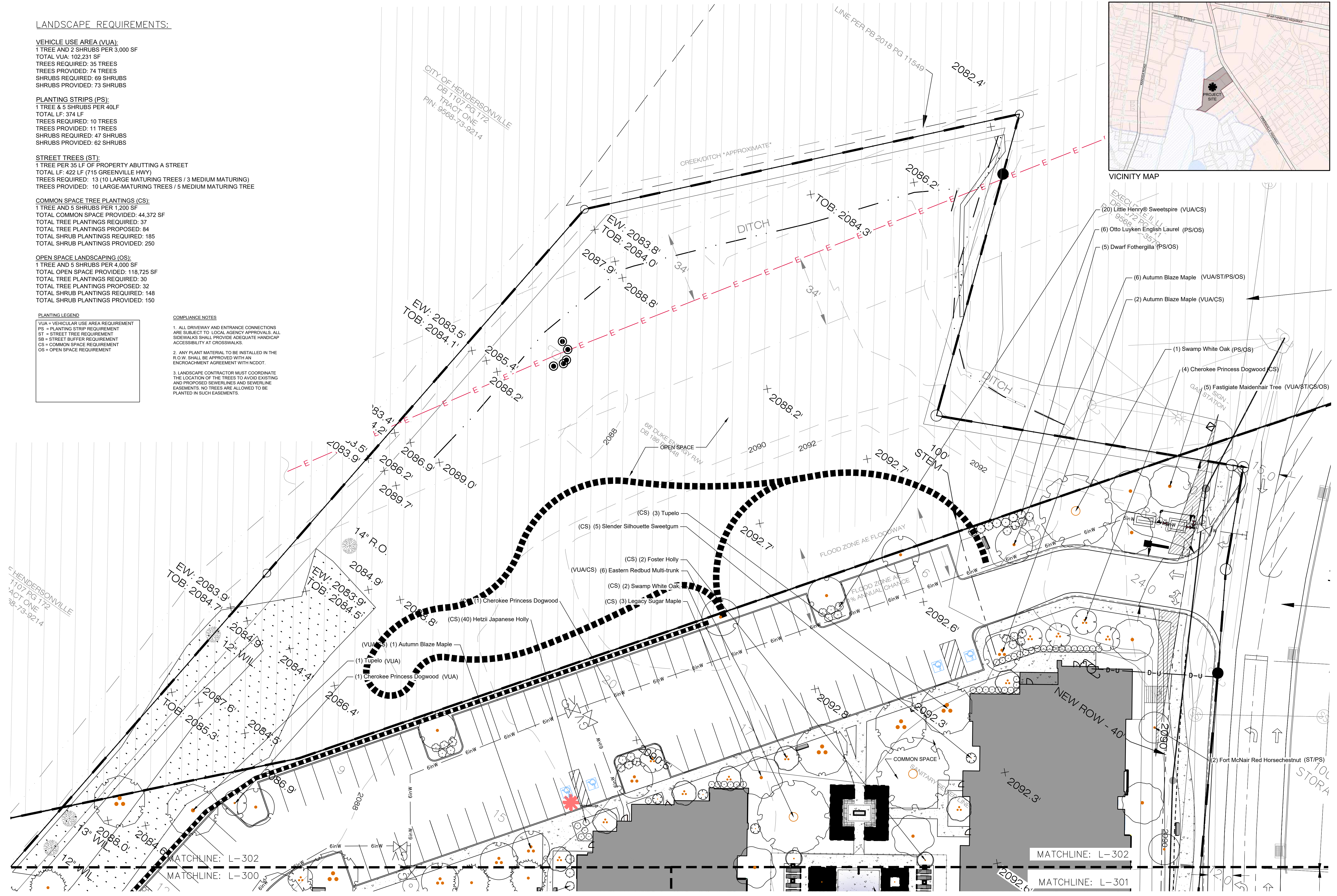
OPEN SPACE LANDSCAPING (OS): 1 TREE AND 5 SHRUBS PER 4,000 SF

PLANTING LEGEND: VUA = VEHICULAR USE AREA REQUIREMENT, PS = PLANTING STRIP REQUIREMENT, ST = STREET TREE REQUIREMENT, SB = STREET BUFFER REQUIREMENT, CS = COMMON SPACE REQUIREMENT, OS = OPEN SPACE REQUIREMENT

COMPLIANCE NOTES: 1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS...



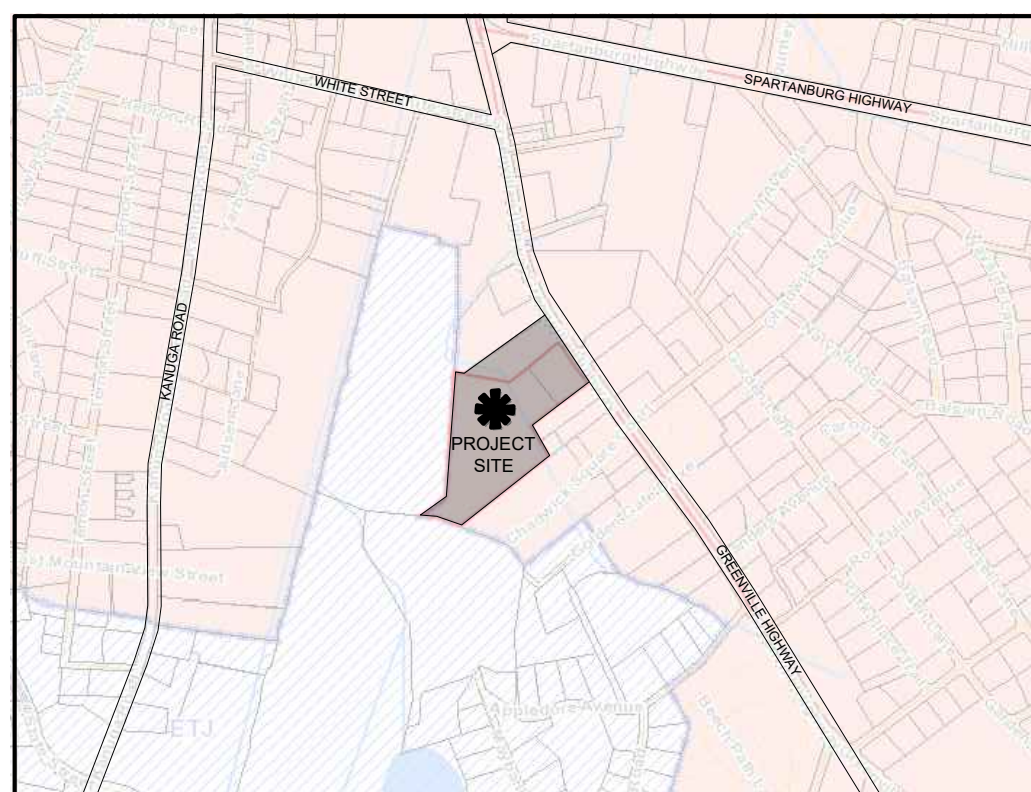
VICINITY MAP



715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: FIRST VICTORY INC. PRELIMINARY LANDSCAPE PLAN

PLAN SET table with columns: #, DATE, DESCRIPTION. Row 1: 1, 7.29.24, CZD SUBMITTAL. Row 2: 2, 11.4.24, P&Z SUBMITTAL.

SHEET NO. L-303



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
9.01 ACRES (392,475.6 SF)

LANDSCAPE ARCHITECT:
ROB DULL, PLA
FIND THE LINE STUDIOS, PLLC
ASHEVILLE, NC
828.674.5592

PROPERTY OWNER:
SOUTH MARKET, LLC (RICHARD HERMAN)
2809 HAMPTON DRIVE
HENDERSONVILLE, NC 28792

DEVELOPER:
TRAVIS FOWLER
FIRST VICTORY INC
542 S CALDWELL STREET
BREVARD, NC 28712
TRAVIS@FIRSTVICTORY.COM
828-884-7934

CIVIL ENGINEER:
JOHN KINNAIRD, PE
BROOKS ENGINEERING ASSOC.
17 ARLINGTON ST.
ASHEVILLE, NC 28801
828.232.4700

OPEN SPACE REQUIREMENTS:
OPEN SPACE REQUIRED: 117,743 SF (30%)
OPEN SPACE PROVIDED: 118,725 SF (30.3%)

OPEN SPACE WITHIN WETLANDS/OPEN WATER/FLOODPLAIN (58,136 SF);
49% OF REQUIRED OPEN SPACE AREA

COMMON SPACE REQUIREMENTS:
COMMON SPACE REQUIRED: 39,248 SF (10%)
COMMON SPACE PROVIDED: 44,372 SF (11.3%)

ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF);
9.5% OF REQUIRED COMMON SPACE AREA

LANDSCAPE REQUIREMENTS:

VEHICLE USE AREA (VUA):
1 TREE AND 2 SHRUBS PER 3,000 SF
TOTAL VUA: 102,231 SF
TREES REQUIRED: 35 TREES
TREES PROVIDED: 74 TREES
SHRUBS REQUIRED: 69 SHRUBS
SHRUBS PROVIDED: 73 SHRUBS

PLANTING STRIPS (PS):
1 TREE & 5 SHRUBS PER 40LF
TOTAL LF: 374 LF
TREES REQUIRED: 10 TREES
TREES PROVIDED: 11 TREES
SHRUBS REQUIRED: 47 SHRUBS
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STREET TREES (ST):
1 TREE PER 35 LF OF PROPERTY ABUTTING A STREET
TOTAL LF: 422 LF (715 GREENVILLE HWY)
TREES REQUIRED: 13 (10 LARGE MATURING TREES / 3 MEDIUM MATURING)
TREES PROVIDED: 10 LARGE-MATURING TREES / 5 MEDIUM MATURING TREE

COMMON SPACE TREE PLANTINGS (CS):
1 TREE AND 5 SHRUBS PER 1,200 SF
TOTAL COMMON SPACE PROVIDED: 44,372 SF
TOTAL TREE PLANTINGS REQUIRED: 37
TOTAL TREE PLANTINGS PROPOSED: 84
TOTAL SHRUB PLANTINGS REQUIRED: 185
TOTAL SHRUB PLANTINGS PROVIDED: 250

OPEN SPACE LANDSCAPING (OS):
1 TREE AND 5 SHRUBS PER 4,000 SF
TOTAL OPEN SPACE PROVIDED: 118,725 SF
TOTAL TREE PLANTINGS REQUIRED: 30
TOTAL TREE PLANTINGS PROPOSED: 32
TOTAL SHRUB PLANTINGS REQUIRED: 148
TOTAL SHRUB PLANTINGS PROVIDED: 150

PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
TREES					
	Acer saccharum 'Legacy' / Legacy Sugar Maple	3" Cal.	B&B	3	
	Acer x freemanii 'Jeffsred' / Autumn Blaze Maple	1.5" Cal.	B&B	7	
	Acer x freemanii 'Jeffsred' / Autumn Blaze Maple	3" Cal.	B&B	14	
	Aesculus x camea 'Fort McNair' / Fort McNair Red Horsechestnut	3" Cal.	B&B	5	
	Betula nigra 'Heritage' / Heritage River Birch	3" Cal.	B&B	19	Multi-Stemmed
	Cercis canadensis / Eastern Redbud Multi-trunk	1.5" Cal.	B&B	9	
	Cercis canadensis / Eastern Redbud Multi-trunk	3" Cal.	B&B	12	
	Cornus florida 'Cherokee Princess' / Cherokee Princess Dogwood	3" Cal.		8	
	Cornus florida 'Cherokee Princess' / Cherokee Princess Dogwood	5'-6' HT		7	
	Ginkgo biloba 'Fastigiata' / Fastigate Maidenhair Tree	3" Cal.	B&B	10	
	Ilex x 'Nellie R. Stevens' / Nellie R. Stevens Holly	3" Cal.	B&B	6	
	Ilex x attenuata 'Fosteri' / Foster Holly	3" Cal.	B&B	5	
	Liquidambar styraciflua 'Rotundiloba' / Round-Lobed Sweet Gum	1.5" Cal.	B&B	14	
	Liquidambar styraciflua 'Rotundiloba' / Round-Lobed Sweet Gum	3" Cal.	B&B	5	
	Liquidambar styraciflua 'Slender Silhouette' / Slender Silhouette Sweetgum	3" Cal.	B&B	15	
	Magnolia virginiana / Sweet Bay Magnolia	3" Cal.	B&B	6	
	Nyssa sylvatica / Tupelo	1.5" Cal.	B&B	4	
	Nyssa sylvatica / Tupelo	3" Cal.	B&B	12	
	Quercus bicolor / Swamp White Oak	3" Cal.	B&B	8	
SHRUBS					
	Fothergilla gardenii / Dwarf Fothergilla	3 gal.		5	
	Hydrangea arborescens 'Annabelle' / Annabelle Hydrangea	3 gal.		26	
	Hydrangea quercifolia 'Pee Wee' / Pee Wee Oakleaf Hydrangea	3 gal.		51	
	Ilex crenata 'Hetzi' / Hetzii Japanese Holly	3 gal.		184	
	Ilex verticillata 'Male' / Male Winterberry	3 gal.		20	
	Ilex verticillata 'Winter Red' / Winter Red Winterberry	3 gal.		48	
	Itea virginica / Virginia Sweetspire	3 gal.		27	
	Itea virginica 'Sprich' / Little Henry® Sweetspire	3 gal.		58	
	Prunus laurocerasus 'Otto Luyken' / Otto Luyken English Laurel	3 gal.		53	
	Viburnum dentatum 'Arrowwood' / Arrowwood Viburnum	3 gal.		46	

CONSULTANTS

NOT FOR
CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY
715 GREENVILLE HWY
HENDERSONVILLE, NC
PREPARED FOR:
FIRST VICTORY INC.
PRELIMINARY LANDSCAPE
PLAN

PLAN SET

#	DATE	DESCRIPTION
1	7.29.24	CZD SUBMITTAL
2	11.4.24	P&Z SUBMITTAL

SHEET NO.

L-304



CONSULTANTS

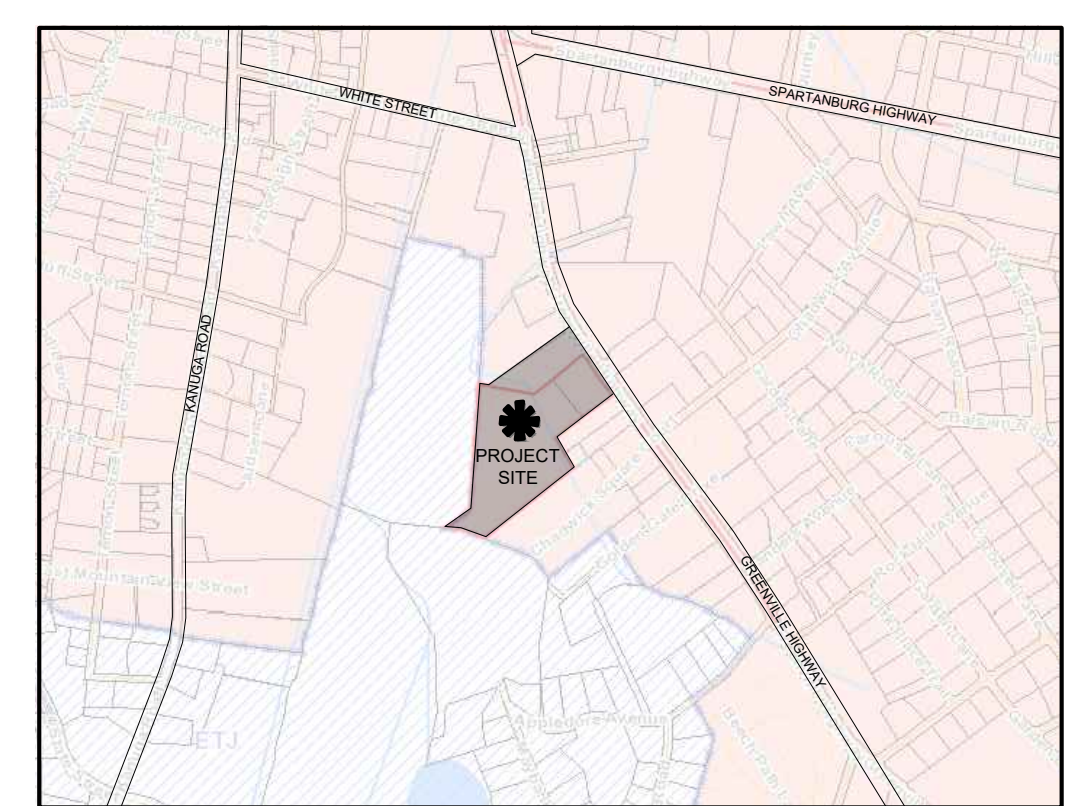
NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY
 TREE CANOPY PROTECTION PLAN
 PREPARED FOR: FIRST VICTORY INC.
 715 GREENVILLE HWY
 HENDERSONVILLE, NC

PLAN SET

#	DATE	DESCRIPTION
1	11.4.24	P&Z SUBMITTAL

SHEET NO. L-400



VICINITY MAP

PROJECT ADDRESS:
 715 GREENVILLE HWY
 HENDERSONVILLE, NC

TOTAL PROPERTY AREA:
 9.01 ACRES (392,475.6 SF)

SITE COVERAGE:
 BUILDING GROSS FLOOR AREA: 231,037 SF
 PERCENTAGE OF TOTAL SITE: 14.8%

BUILDING FOOTPRINT: 58,367 SF
 PERCENTAGE OF TOTAL SITE: 14.8%

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)

PROPOSED NUMBER OF UNITS: 185 UNITS
 PROPOSED DENSITY: 20.5 UNITS / AC

STREET AND PARKING SQUARE FOOTAGE: 102,231 SF
 STREET AND PARKING PERCENTAGE OF SITE: 26% OF SITE

LANDSCAPE ARCHITECT:
 ROB DULL, PLA
 FIND THE LINE STUDIOS, PLLC
 ASHEVILLE, NC
 828.674.5592

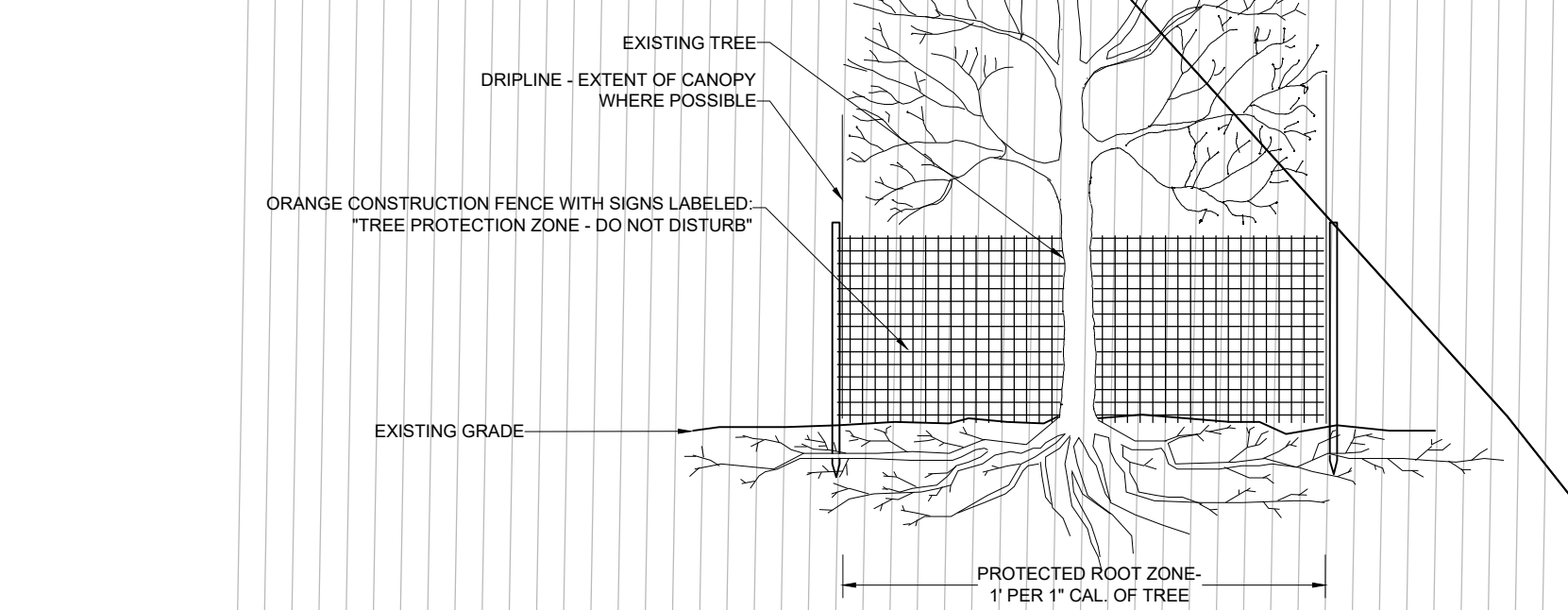
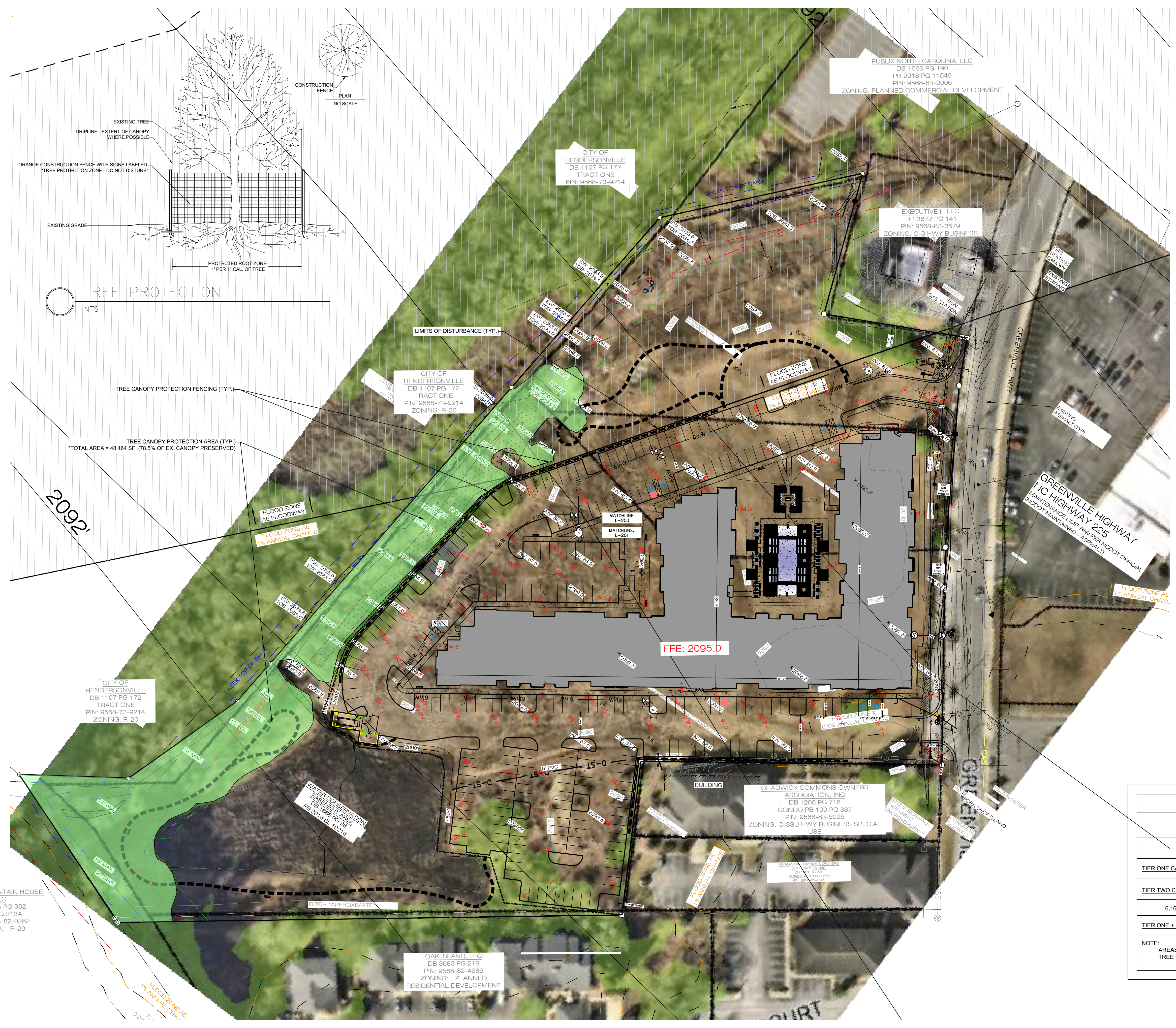
PROPERTY OWNER:
 SOUTH MARKET, LLC (RICHARD HERMAN)
 2809 HAMPTON DRIVE
 HENDERSONVILLE, NC 28792

DEVELOPER:
 TRAVIS FOWLER
 FIRST VICTORY INC
 542 S CALDWELL STREET
 BREVARD, NC 28712
 TRAVIS@FIRSTVICTORY.COM
 828-884-7934

CIVIL ENGINEER:
 JOHN KINNAIRD, PE
 BROOKS ENGINEERING ASSOC.
 17 ARLINGTON ST.
 ASHEVILLE, NC 28801
 828.232.4700

ZONING:
 CURRENT ZONING: PCD
 PROPOSED ZONING: URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

TREE CANOPY PROTECTION DATA				
TOTAL LAND AREA: 392,475.6 SF (9.01 AC)				
EXISTING TREE CANOPY (FROM GIS TREE CANOPY MAP): 15.7% (61,672.68 SF)				
TIER ONE CANOPY REQUIRED	20%	(12,334.5 sf)	TIER ONE CANOPY PROVIDED	20% (12,334.5 SF)
TIER TWO CANOPY REQUIRED	6,167.3 sf (10%)		TIER TWO PRESERVED	36,129.5 sf (58.5%)
			TIER TWO PLANTED	0 sf (0%)
			TIER TWO PAYMENT-IN-LIEU	0 sf (0%)
TIER ONE + TIER TWO TOTAL CANOPY PRESERVED: 78.5% (48,464 SF)				
NOTE: AREAS DESIGNATED AS TREE CANOPY PROTECTION AREAS SHALL REMAIN AS SUCH IN PERPETUITY. TREE REMOVAL SHALL BE PROHIBITED IN THESE AREAS UNLESS OTHERWISE PERMITTED.				



TREE PROTECTION
 NTS

HANNA MOUNTAIN HOUSE, LLC
 DB 1674 PG 382
 PB B PG 313A
 PIN: 9568-82-0282
 ZONING: R-20

OAK ISLAND, LLC
 DB 3083 PG 219
 PIN: 9568-82-4686
 ZONING: PLANNED
 RESIDENTIAL DEVELOPMENT

CHADWICK COMMONS OWNERS ASSOCIATION, INC
 DB 1205 PG 718
 CONDO PB 100 PG 387
 PIN: 9568-83-5096
 ZONING: C-3SU HWY BUSINESS SPECIAL USE

PUBLIX NORTH CAROLINA, LLC
 DB 1666 PG 190
 PB 2018 PG 11549
 PIN: 9568-84-2006
 ZONING: PLANNED COMMERCIAL DEVELOPMENT

EXECUTIVE II, LLC
 DB 3872 PG 141
 PIN: 9568-83-3579
 ZONING: C-3 HWY BUSINESS

CITY OF HENDERSONVILLE
 DB 1107 PG 172
 TRACT ONE
 PIN: 9568-73-9214

CITY OF HENDERSONVILLE
 DB 1107 PG 172
 TRACT ONE
 PIN: 9568-73-9214
 ZONING: R-20

CITY OF HENDERSONVILLE
 DB 1107 PG 172
 TRACT ONE
 PIN: 9568-73-9214
 ZONING: R-20

FFE: 2095.0'

FLOOD ZONE AE
 1% ANNUAL CHANCE

GREENVILLE HIGHWAY
 NC HIGHWAY 225
 MAINTENANCE LIMIT RW PER NCDOT OFFICIAL
 (NCDOT MAINTAINED ASPHALT)

EXTERIOR MATERIAL LEGEND

(M1)	BRICK VENEER
(L1)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 1
(L2)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 2
(L3)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 3
(L4)	FIBER CEMENT LAP SIDING, STAGGERED - PAINT 2
(L5)	FIBER CEMENT LAP SIDING, 2" EXPOSURE DIAGONAL - PAINT 2
(P1)	FIBER CEMENT PANELS - PAINT 1
(P2)	FIBER CEMENT PANELS - PAINT 2
(B1)	BOARD & BATTEN - PAINT 1
(B2)	BOARD & BATTEN - PAINT 2
(R1)	ASPHALT SHINGLE ROOF
(R2)	METAL ROOF

PRELIMINARY

FOR INTERIM REVIEW ONLY.
NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION.



PLANNING AND ZONING SUBMITTAL

715 GREENVILLE HIGHWAY MULTIFAMILY

CREST RESIDENTIAL
715 GREENVILLE HIGHWAY
HENDERSONVILLE, NC 28792

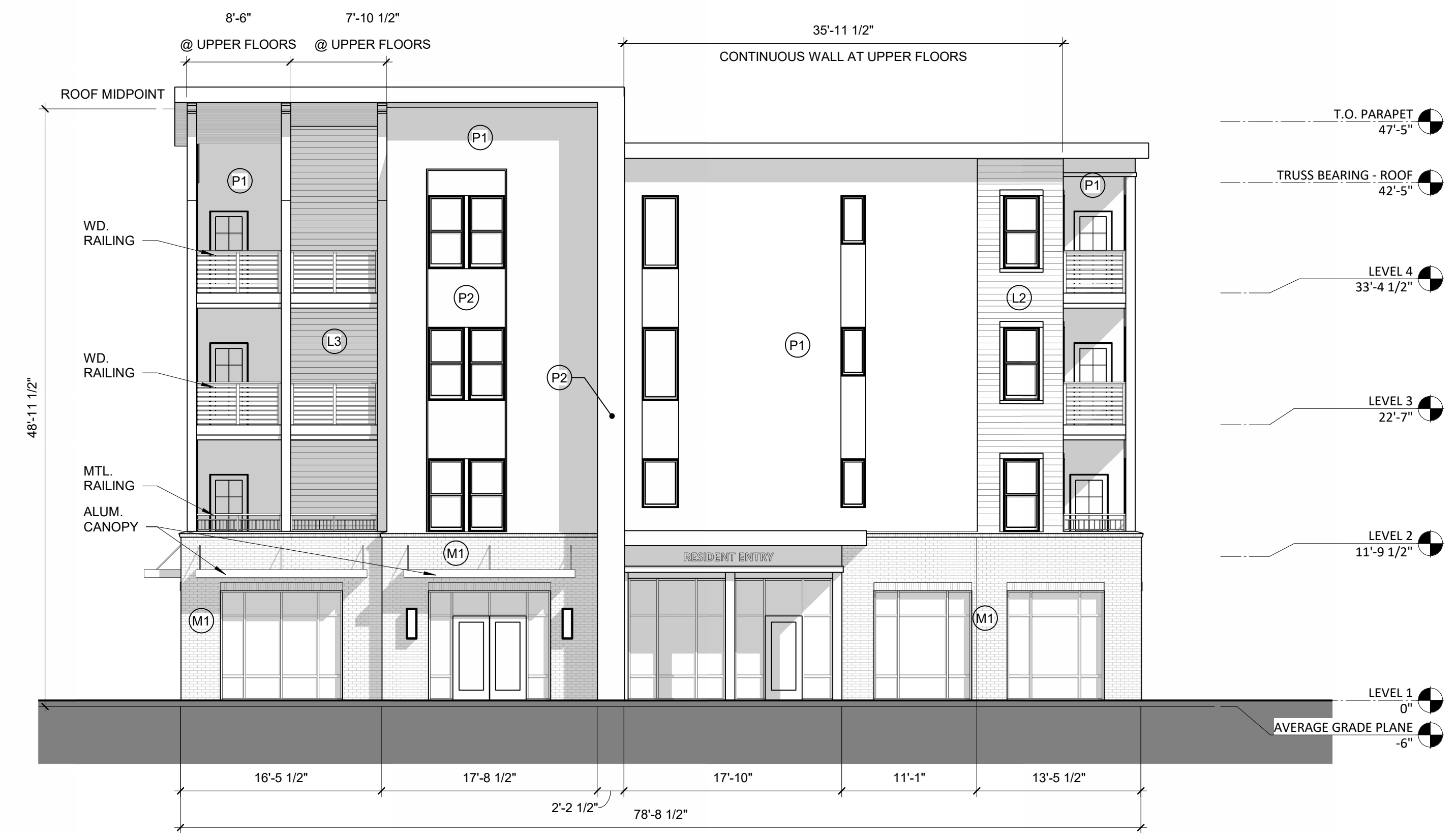
REVISIONS

Δ	DATE	DESCRIPTION
2	12/15/2023	PLANNING AND ZONING SUBMITTAL
3	1/02/2024	PLANNING AND ZONING RESUBMITTAL

PROJ. NO.	ISSUE DATE
23013	10/31/23

SHEET NAME:
ELEVATIONS - E
FACADE & NE
CORNER

SHEET NO.:
A2.01



2 NORTH ELEVATION - LEASING ENTRY
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION - GREENVILLE HIGHWAY FRONTAGE
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIAL LEGEND

(M1)	BRICK VENEER
(L1)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 1
(L2)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 2
(L3)	FIBER CEMENT LAP SIDING, 6" EXPOSURE - PAINT 3
(L4)	FIBER CEMENT LAP SIDING, STAGGERED - PAINT 2
(L5)	FIBER CEMENT LAP SIDING, 2" EXPOSURE DIAGONAL - PAINT 2
(P1)	FIBER CEMENT PANELS - PAINT 1
(P2)	FIBER CEMENT PANELS - PAINT 2
(B1)	BOARD & BATTEN - PAINT 1
(B2)	BOARD & BATTEN - PAINT 2
(R1)	ASPHALT SHINGLE ROOF
(R2)	METAL ROOF

PRELIMINARY

FOR INTERIM REVIEW ONLY.
NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION.



PLANNING AND ZONING SUBMITTAL

715 GREENVILLE HIGHWAY MULTIFAMILY
CREST RESIDENTIAL
715 GREENVILLE HIGHWAY
HENDERSONVILLE, NC 28792

REVISIONS

Δ	DATE	DESCRIPTION
2	12/15/2023	PLANNING AND ZONING SUBMITTAL
3	1/02/2024	PLANNING AND ZONING RESUBMITTAL

PROJ. NO. 23013 | ISSUE DATE 10/31/23

SHEET NAME:
ELEVATIONS - S
FACADE

SHEET NO:
A2.02



3 SOUTH ELEVATION - RIGHT
SCALE: NTS



2 SOUTH ELEVATION - LEFT
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION - OVERALL
SCALE: 1/16" = 1'-0"



EXTERIOR CONCEPTS

LPA HENDERSONVILLE MULT-FAMILY | HENDERSONVILLE, NC | OCTOBER 01, 2024



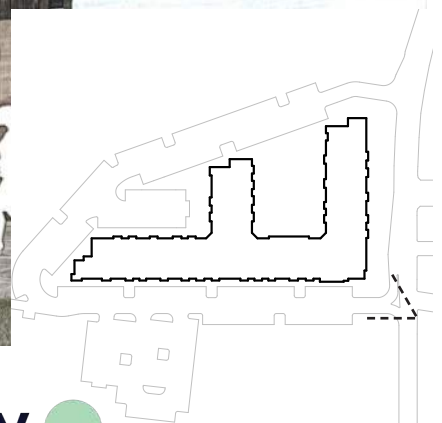
MAIN LEASING CORNER AND ENTRY



REAR ENTRIES



STREET VIEW



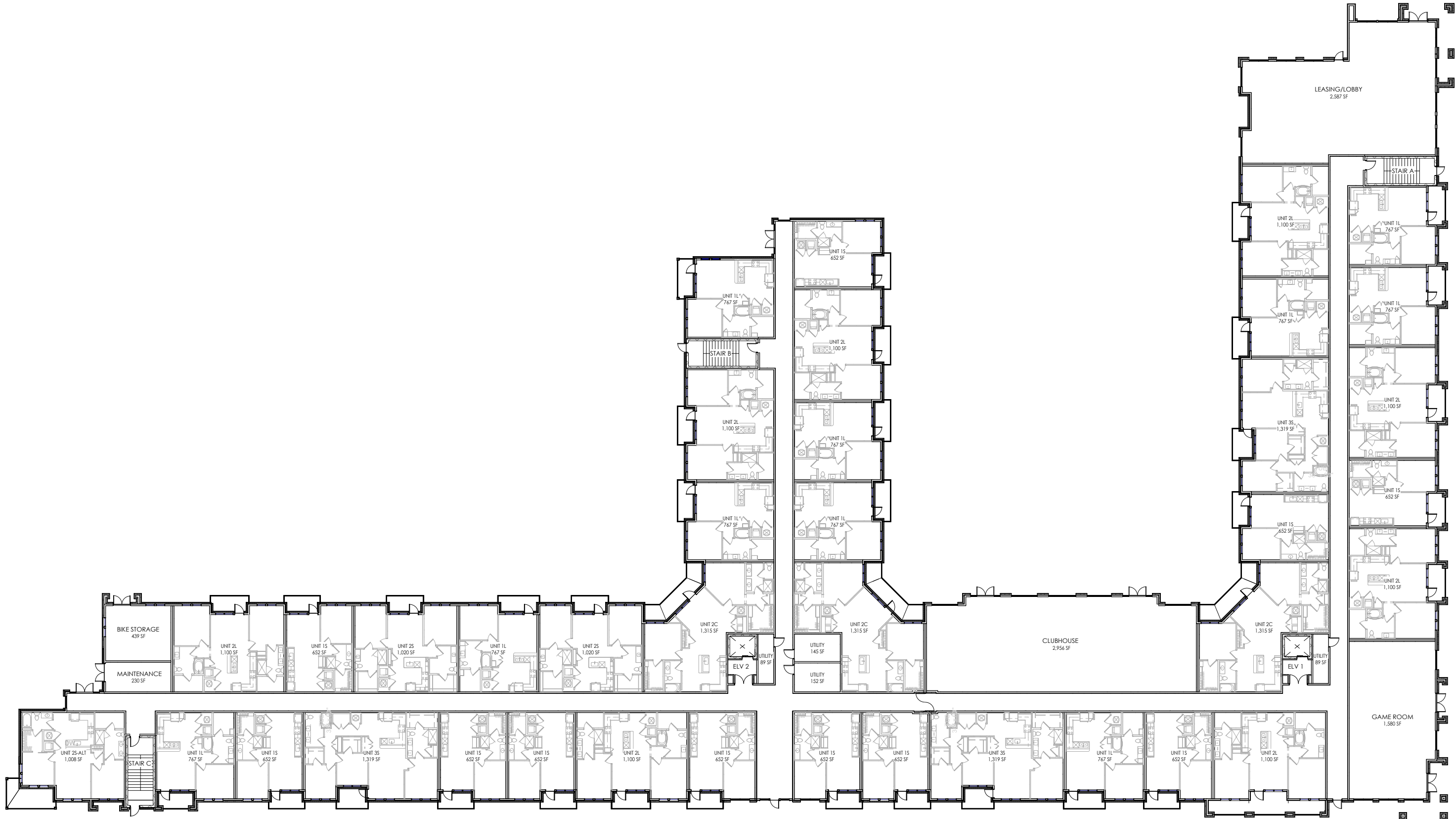
SOUTH ENTRANCE



POOL COURTYARD

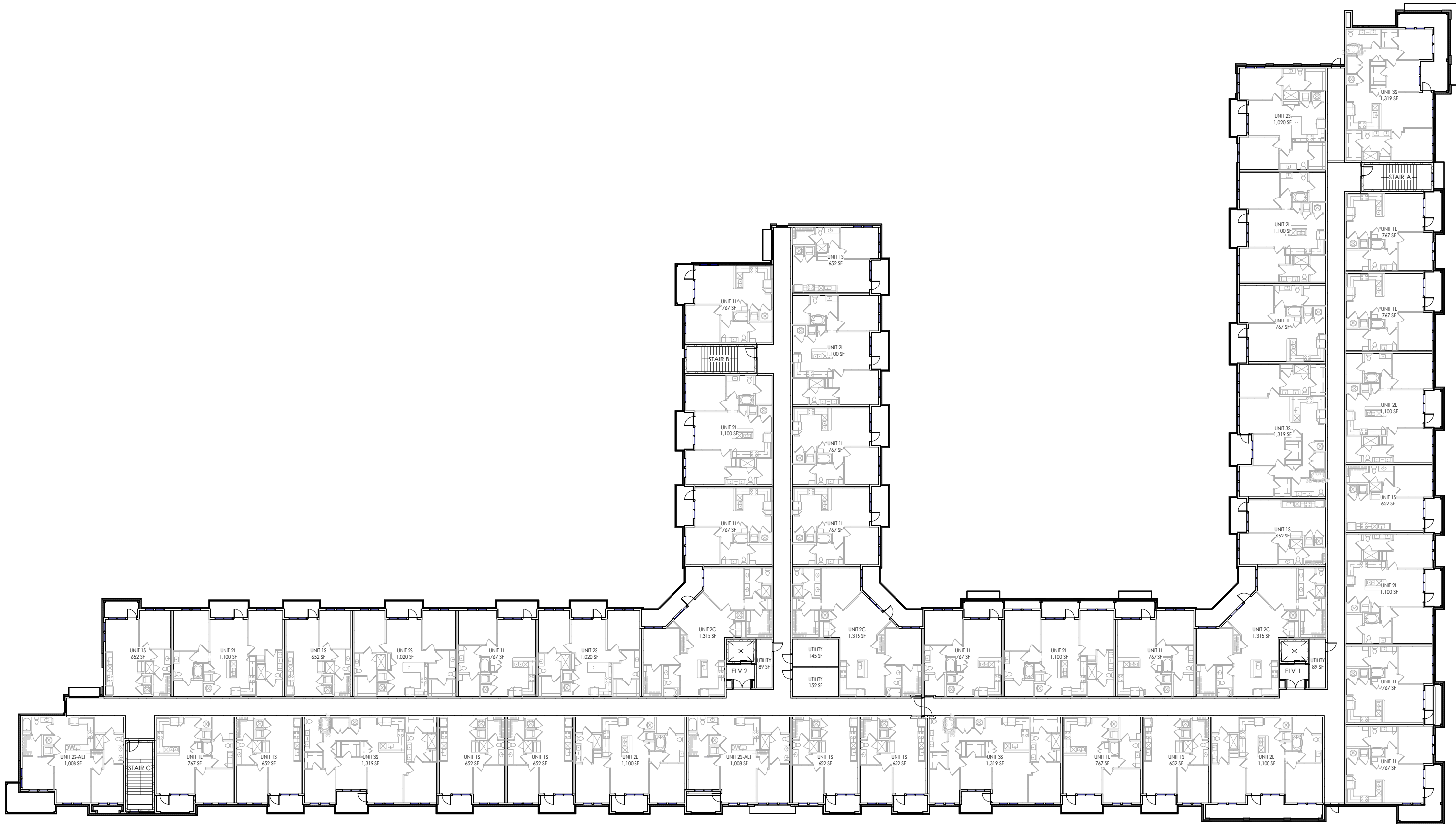


REAR SIDE



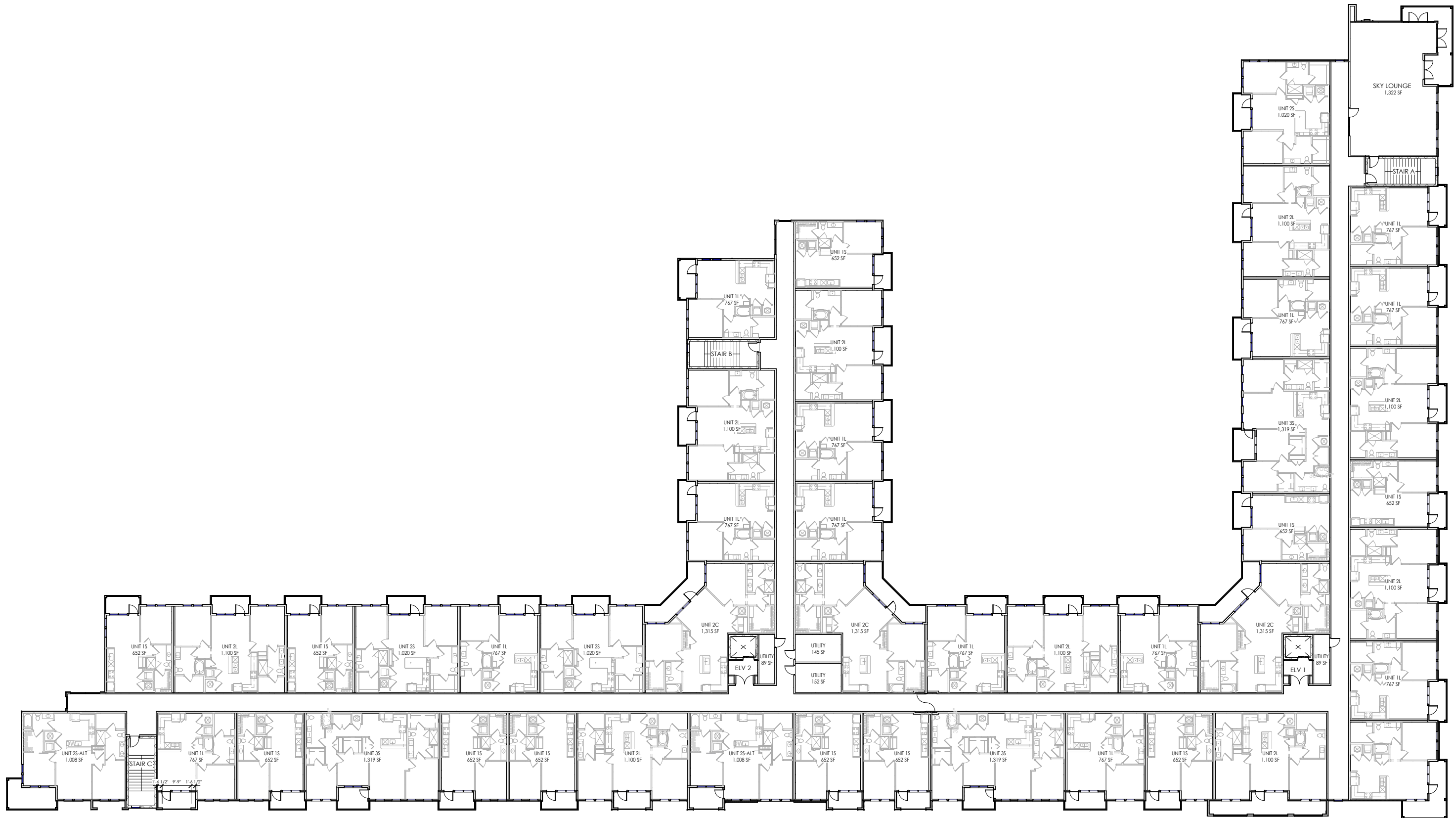
OVERALL PLAN: LEVEL 1

LPA HENDERSONVILLE MULTI-FAMILY / OCTOBER 01, 2022



OVERALL PLAN: LEVEL 2-3

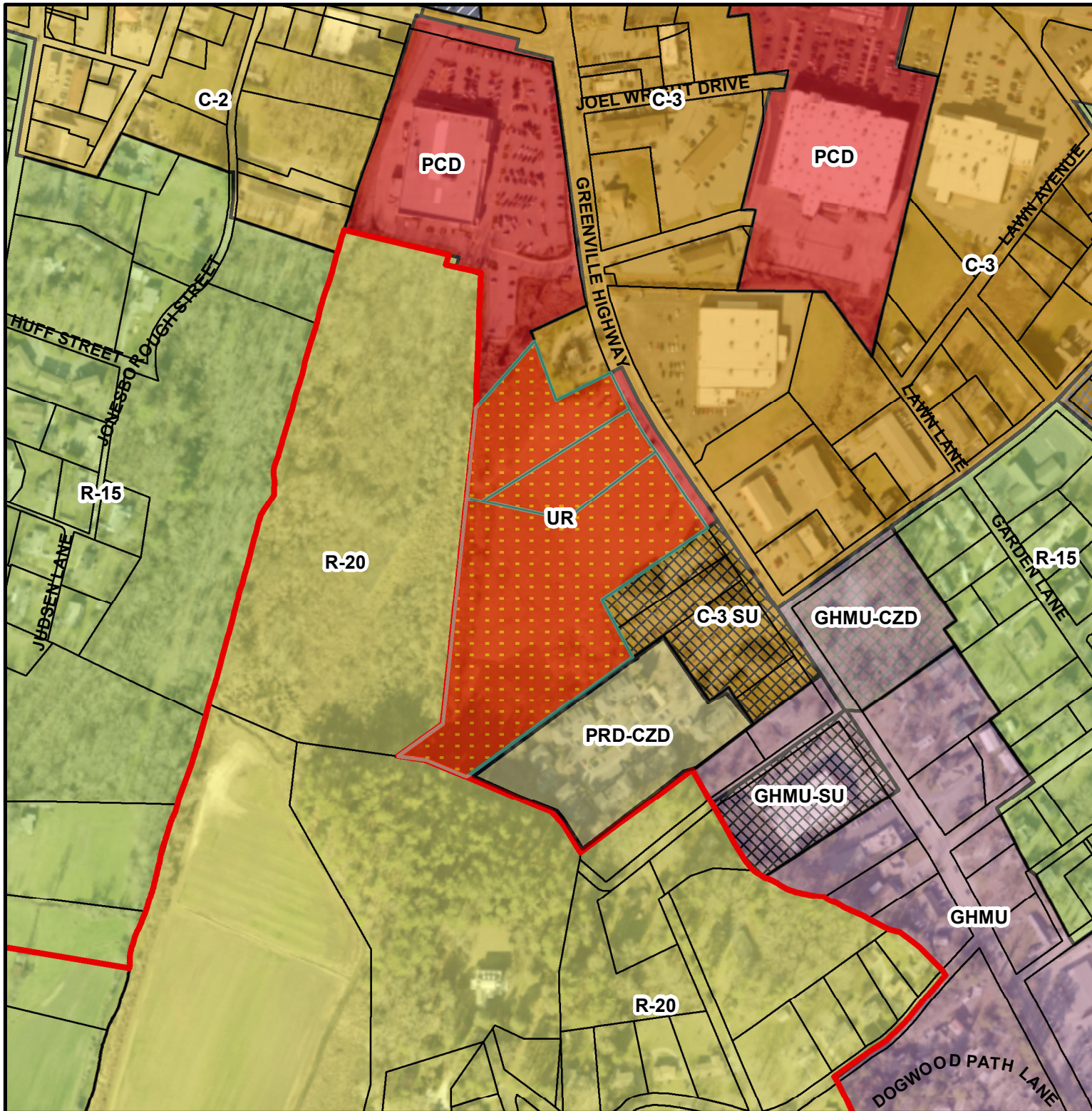
LPA HENDERSONVILLE MULTI-FAMILY / OCTOBER 01, 2022



OVERALL PLAN: LEVEL 4



MAIN LEASING CORNER AND ENTRY



715 Greenville Highway Multi-Family
 P24-39-CZD
 PINs: 9568-83-4302, -2474, -2082
 Acreage: 9.01
Proposed Zoning
 Community Development Department

- Legend**
- Subject Property (UR)
 - Hendersonville City Limits
 - Hendersonville Zoning**
 - CZD Conditional Zoning Districts
 - R-20 Low Density Residential
 - R-15 Medium Density Residential
 - PRD Planned Residential Development
 - UR Urban Residential
 - C-3 Highway Business
 - C-3SU Highway Business Special Use
 - C-2 Secondary Business
 - CMUSU Central Mixed Use Special Use
 - PCD Planned Commercial Development
 - GHMU Greenville Highway Mixed Use
 - GHMU-SU Greenville Highway Mixed Use Special Use



Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBERS: 9568-83-4302, 9568-83-2474 AND, 9568-83-2082 BY CHANGING THE ZONING DESIGNATION FROM PCD, PLANNED COMMERCIAL DEVELOPMENT TO UR-CZD, URBAN RESIDENTIAL CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers: 9568-83-4302, 9568-83-2474 and, 9568-83-2082
Address: 715 Greenville Highway
715 Greenville Highway Multi-Family: (File # P24-39-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Travis Fowler, First Victory Inc., and property owner, Richard Herman (Manager)–South Market LLC, for the construction of a 185 unit multi-family development on approximately 9.01 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on November 14, 2024; voting 0-0 to recommend/not recommend City Council approve 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 December 5th, 2024, 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: 9568-83-4302, 9568-83-2474 and, 9568-83-2082, changing the zoning designation from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District.
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the master site plan submitted by the applicant dated November 4th, 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant’s execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential, Multi-Family
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

IN RE: Parcel Numbers: 9568-83-4302, 9568-83-2474 and, 9568-83-2082
Addresses: 715 Greenville Highway
715 Greenville Highway Multi-Family: (File # P24-39-CZD)

Applicant/Developer: Travis Fowler
(Manager) – First Victory Inc

Property Owner: Richard Herman (Manager) –
South Market LLC

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**
100 N. King Street, Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

Conditional Zoning District Petition
Section 7-4 and Article 11 City Zoning Ordinance

The following are the **required** submittals for a complete application for rezoning a property or properties to a Conditional Zoning District. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- 1. Completed Pre-Application meeting with Planning Staff
- 2. Scheduled Neighborhood Compatibility Meeting
NCM Date: _____ Time: _____
- 3. Water and Sewer Availability Request
- 4. Completed Application Form
- 5. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- 6. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- 7. Detailed explanation of any Proposed Development Description
- 8. Application Fee
- 9. Transportation Impact Analysis - Required for complete application but not due until 24 calendar days prior to Planning Board Meeting (if required)

Note: Additional Approvals prior to the issuance of a Zoning Compliance Permit may include, but are not limited to the following:

- Henderson County Sedimentation & Erosion Permit
- Stormwater Management Plan
- Utility Approval
- NCDOT Permit
- Any other applicable permits as determined by the Community Development

[Application Continued on Next Page]

Office Use:
Date Received: 6/21/2024 By: KATY BRAGG Fee Received? Y/N

1:45 P.M.

PA CK# 6755 \$ 850.00

A. Applicant Contact Information

Travis A Fowler

* Printed Applicant Name

First Victory INC

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: _____

Applicant Signature
president

Applicant Title (if applicable)

542 South Caldwell street

Address of Applicant

Brevard, NC 28712

City, State, and Zip Code

828-884-7934

Telephone

Travis@firstvictory.com

Email

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

[Application Continued on Next Page]



BUSINESS CORPORATION ANNUAL REPORT

Section 5, Item B.

1/6/2022

NAME OF BUSINESS CORPORATION: First Victory, Inc.

SECRETARY OF STATE ID NUMBER: 1313733 STATE OF FORMATION: NC

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

Filing Office Use Only

E - Filed Annual Report
1313733
CA202415703136
6/5/2024 03:15

Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Fowler, Travis A.

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY	4. REGISTERED AGENT OFFICE MAILING ADDRESS
<u>542 S Caldwell St</u>	<u>542 S Caldwell St</u>
<u>Brevard, NC 28712-5643 Transylvania County</u>	<u>Brevard, NC 28712-5643</u>

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Construction & Development

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 884-7934 3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS	5. PRINCIPAL OFFICE MAILING ADDRESS
<u>542 S Caldwell St</u>	<u>542 S Caldwell St</u>
<u>Brevard, NC 28712-5643</u>	<u>Brevard, NC 28712-5643</u>

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

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

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

NAME: <u>Travis A. Fowler</u>	NAME: <u>Mary Fowler</u>	NAME: _____
TITLE: <u>Chief Executive Officer</u>	TITLE: <u>Corporate Secretary</u>	TITLE: _____
ADDRESS: _____	ADDRESS: _____	ADDRESS: _____
<u>920 Island Cove Rd</u>	<u>920 Island Cove Rd</u>	_____
<u>Penrose, NC 28766</u>	<u>Penrose, NC 28766</u>	_____

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

Mary Fowler, by Mary Elizabeth Fowler Secretary & CFO 6/5/2024

SIGNATURE DATE

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

Mary Fowler, by Mary Elizabeth Fowler Secretary & CFO Corporate Secretary

Print or Type Name of Officer Print or Type Title of Officer

B. Property Owner Contact Information (if different from Applicant)

Richard J. Herman

*Printed Owner Name (Authorized Representative for entities other than individuals)
South Market LLC

Printed Company Name (if applicable, check corresponding box below)

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

Richard J. Herman
Property Owner/Authorized Representative Signature

President
Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)

Hendersonville, NC
City, State, and Zip Code

828 243-3425
Telephone

Richard.herman@rjherman.com
Email

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

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



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: South Market, LLC

SOSID: 0856509
Date Filed: Section 5, Item B.
Elaine F. N
North Carolina Secretary of State
CA2023 090 06476

SECRETARY OF STATE ID NUMBER: 0856509 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2023



Filing Office Use Only
 Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Richard Herman

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____
SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS
2809 Hampton Drive PO Box 1700
Hendersonville, NC 28792 Henderson Hendersonville, NC 28792 Henderson

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Commercial Real Estate

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 243-3425 3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS 5. PRINCIPAL OFFICE MAILING ADDRESS
2809 Hampton Drive PO Box 1700
Hendersonville, NC 28792 Henderson Hendersonville, NC 28792 Henderson

6. Select one of the following if applicable. (Optional see instructions)
- The company is a veteran-owned small business
 - The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Richard Herman NAME: _____ NAME: _____
TITLE: Manager TITLE: _____ TITLE: _____
ADDRESS: _____ ADDRESS: _____ ADDRESS: _____
2809 Hampton Drive
Hendersonville, NC 28792 Henderson

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

Richard Herman
SIGNATURE

3-13-23
DATE

Form must be signed by a Company Official listed under Section C of This form.

RICHARD HERMAN MANAGER
Print or Type Name of Company Official Print or Type Title of Company Official

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200
MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

C. Property Information

Name of Project: 715 Greenville Hwy Apartments

PIN(s): 9568832082, 9568834302, 9568832474

Address(es) / Location of Property: 715 Greenville hwy

Type of Development: Residential Commercial Other

Current Zoning: CZD
8.8 acres

Total Acreage: Urban res-CZD

Proposed Zoning: 151,550

Proposed Building Square Footage: 185

Number of Dwelling Units:

List of Requested Uses:
185 apartments

D. Proposed Development Conditions for the Site

In the spaces provided below, please provide a description of the Proposed Development for the site.

re-developement of the site located at 715 grenville hwy, 185 apartments; 300 parking spaces that is a 1.45 parking ratio. appropriate open space for the zoning and landscaping. we ahve worked with the Storm Water/flood plain department to allow the City project behind our project to the Mud Creek basin to be facilitated with access. NCDOT TIA scope has been approved and is avialble for the rezoning.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** November 14, 2024

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

TITLE OF ITEM: Rezoning: Standard Rezoning – 329 Signal Hill Rd (Givens) | P24-71-RZO – Matthew Manley, Long-Range Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-06-4126) from RCT, Residential-Commercial Transition to C-2, Secondary Business, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of C-2 aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Innovation’.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. C-2 Zoning would allow for greater economic use of the subject property.

[DISCUSS & VOTE]

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-06-4126) from RCT, Residential-Commercial Transition to C-2, Secondary Business, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of C-2 aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Innovation’.

2. Furthermore, we do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. C-2 Zoning would increase commercial activity along Signal Hill Rd and potentially lead to detrimental impacts on traffic flow and residential uses.

[DISCUSS & VOTE]

SUMMARY: The City of Hendersonville is in receipt of a Zoning Map Amendment application from Sean & Helen Givens (owners) for 329 Signal Hill Rd (PIN: 9579-06-4126) totaling 0.42 Acres located at the corner of Signal Hill Road and Lafayette St. The properties are currently zoned RCT, Residential-Commercial Transition. The petitioner is requesting that the property be

rezoned to C-2, Secondary Business.

Development/redevelopment under the C-2 zoning is much more permissive than under RCT in terms of the intensity of uses permitted and the dimensional requirements. C-2 allows for more than 30 additional uses compared to RCT. Dimensional standards under C-2 are also relaxed relative to those required under RCT.

If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the approval. All permitted uses within the C-2 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	P24-71-RZO
PETITIONER NAME:	o Sean & Helen Givens [Applicant/Owner]
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Zoning District Comparison 3. Comprehensive Plan Consistency & Criteria Evaluation Worksheet 4. Draft Ordinance 5. Proposed Zoning Map 6. Application

STANDARD REZONING: 329 SIGNAL HILL RD - GIVENS (P24-71-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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



PROJECT SUMMARY

- Project Name & Case #:
 - 329 Signal Hill RD (Givens)
 - P24-71-RZO
- Applicant & Property Owner:
 - Sean & Helen Givens
- Property Address:
 - 329 Signal Hill Rd
- Project Acreage:
 - .42 Acres
- Parcel Identification (PINS):
 - 9579-06-4126
- Current Parcel Zoning:
 - RCT, Residential-Commercial Transition
- Proposed Zoning District:
 - C-2, Secondary Business
- Future Land Use Designation:
 - Innovation



SITE VICINITY MAP

The City of Hendersonville is in receipt of a Zoning Map Amendment application from Sean & Helen Givens (owners) for 329 Signal Hill Rd (PIN: 9579-06-4126) totaling 0.42 Acres located at the corner of Signal Hill Road and Lafalette St. The properties are currently zoned RCT, Residential-Commercial Transition. The petitioner is requesting that the property be rezoned to C-2, Secondary Business..

Development/redevelopment under the C-2 zoning is much more permissive than under RCT in terms of the intensity of uses permitted and the dimensional requirements. C-2 allows for more than 30 additional uses compared to RCT. Dimensional standards under C-2 are also relaxed relative to those required under RCT.

If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the C-2 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

SITE IMAGES



View of current structure on subject property



View along Signal Hill Rd facing west. Linda Vista Dr on left. Subject Property on right.

SITE IMAGES



View along Signal Hill Rd facing east. WHKP property and Signal Hill Storage on right. Subject Property on left.



Swale along western edge of property located in unopened right-of-way

SITE IMAGES

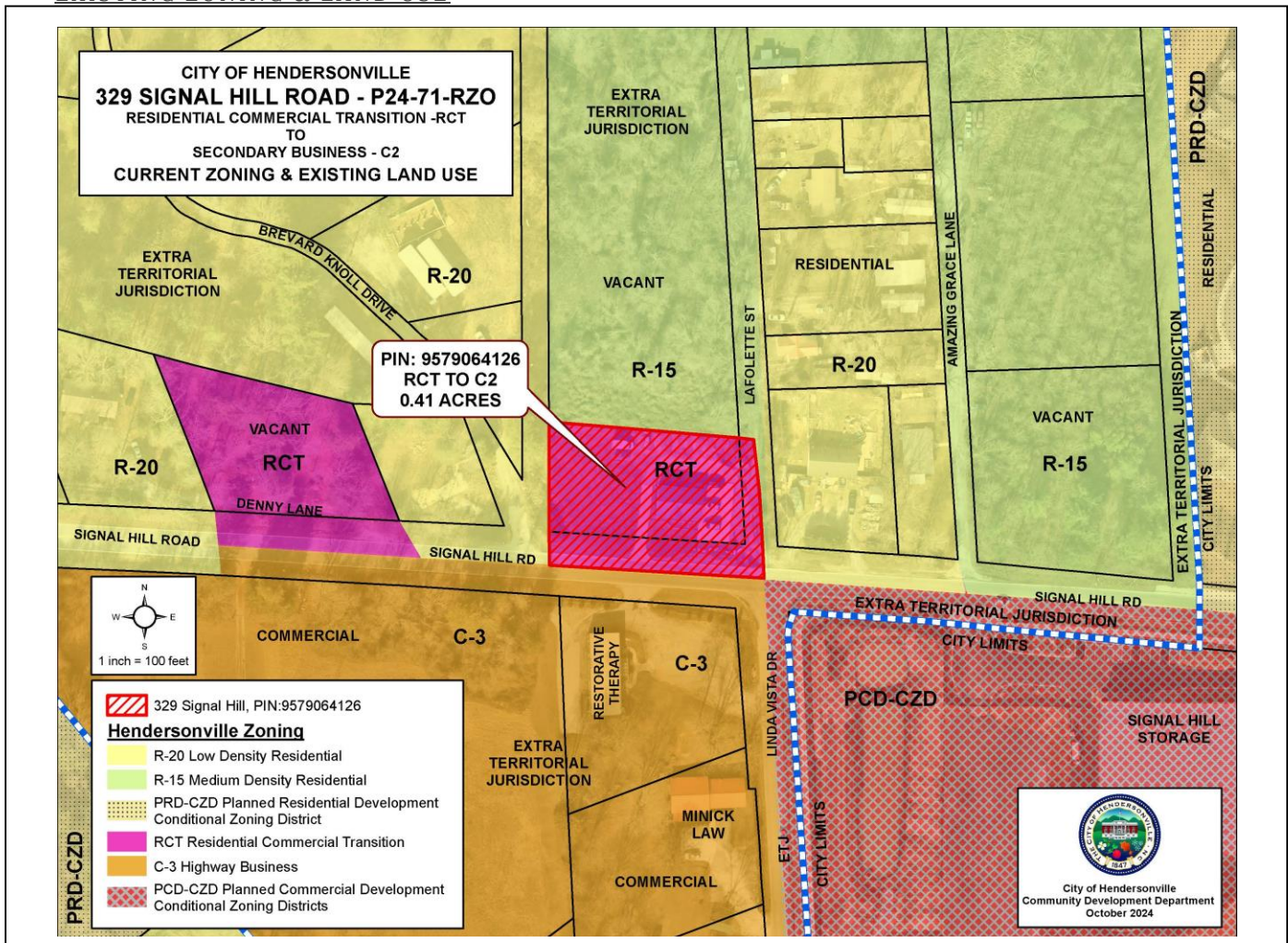


View of the rear of the subject property



View of adjacent property to the rear of subject property

EXISTING ZONING & LAND USE

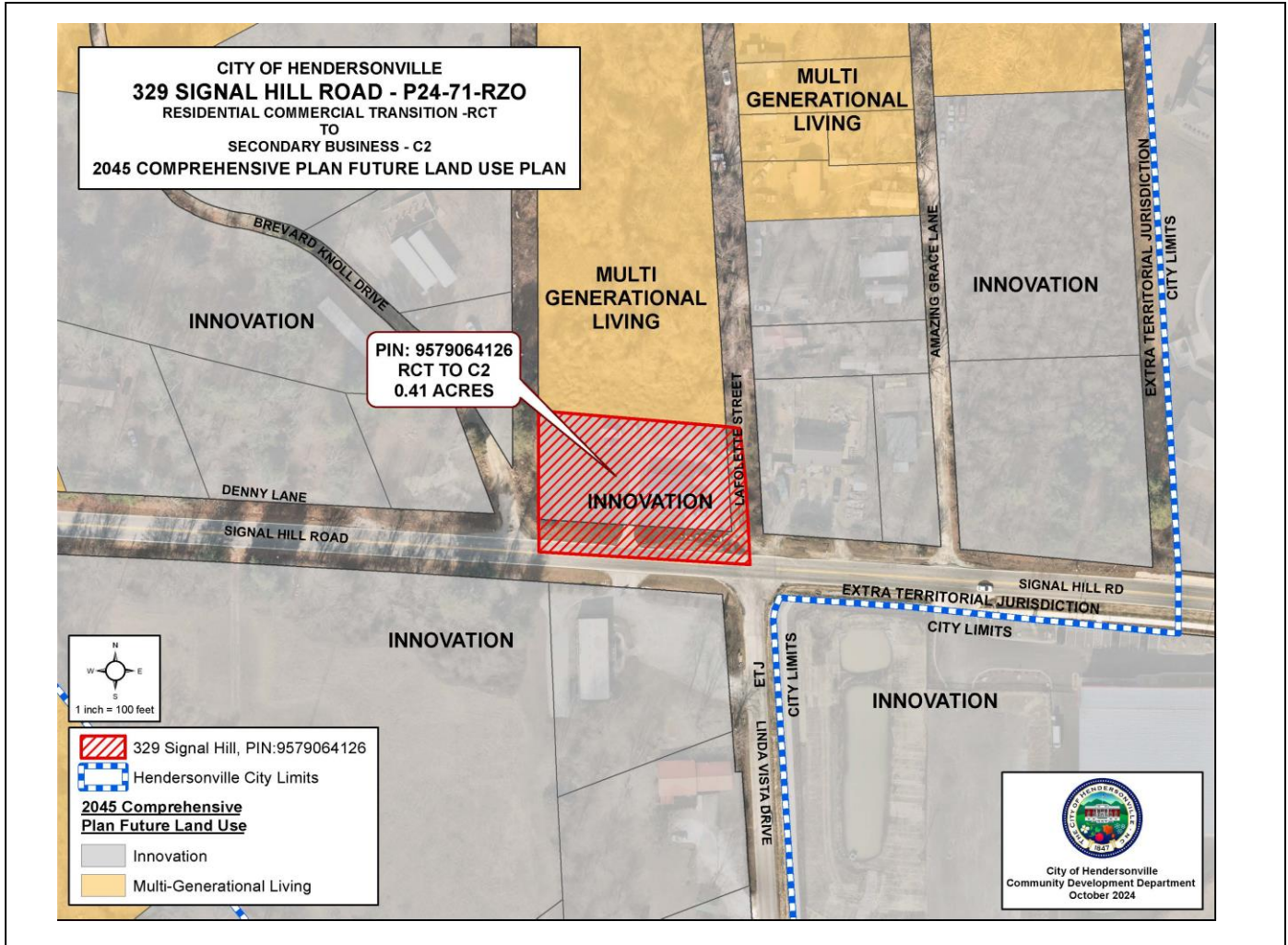


Existing Zoning & Current Land Use Map

The subject property is currently outside the municipal limits in the City’s ETJ and is zoned RCT, Residential-Commercial Transition. The property is made up of 1 0.42 acre lot with 1 principal building, driveway and parking area. There is one other property zoned RCT along Signal Hill Rd. Other properties on the north side of Signal Hill Rd are zoned R-20, R-15, PRD and C-3 at the intersection with Thompson St. On the south side of Signal Hill Rd, zoning districts include PRD, PCD, C-3 and R-20.

The land uses in this area are typical of a urban-rural transition area ranging from vacant and low density residential to higher intensity commercial uses. The residential uses are primarily individual properties on larger parcels and not part of planned developments, however there is one multi-family development in close proximity and another nearby apartment complex that has been approved but not constructed. The commercial uses include radio station tower, self-storage and automobile body shop.

FUTURE LAND USE



Future Land Use & Conservation Map

The City’s Gen H 2045 Comprehensive Plan designates the subject property as “Innovation” in the Future Land Use & Conservation Map. The adjacent properties flanking east, west and south are also designated Innovation. To the north, the properties transition to Multi-Generational Living. The Character Area description for Innovation is as follows:

This area supports light manufacturing, maker spaces, creative offices, and warehouses. Commercial services cater to both daytime workers and local residents. It’s conveniently located near major transportation routes. The design follows compatibility standards, using transitional spaces and landscaping to hide loading docks. The area features diverse parcel and building sizes, with a central open space and connected greenway system. Streets vary between pedestrian-friendly and those accommodating trucks.

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
<p>1) COMPREHENSIVE PLAN CONSISTENCY</p>	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u> The subject property is <u>not</u> located on a vacant or underutilized property in the Land Supply Map and therefore is not ranked for Suitability for Residential, Commercial and Industrial uses. The subject property is located in an area designated as “Moderate” for Development Intensity. The subject property is not located in one the 5 Focus Areas. The subject property is located in a Focused Intensity Node.</p> <p><u>FUTURE LAND USE & CONSERVATION MAP</u> Character Area Designation: Innovation Character Area Description: Consistent Zoning Crosswalk: Consistent Focus Area Map: Consistent</p>
<p>2) COMPATIBILITY</p>	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p> <p>In addition to a general analysis of the existing conditions, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating issues related to “compatibility”. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan.</p> <p><u>EXISTING CONDITIONS</u> The subject property is a .042 acre parcel, which is smaller than the larger properties throughout the immediate area. Most properties in the area are greater than 1 acres in size with many over 5 acres in size. The properties fronting along Signal Hill Rd are primarily vacant or contain residential uses. Most residential uses are single-family homes however Signal Ridge Apartments and the proposed Duncan Terrace Apartments are in vicinity of the subject property. Five of the properties fronting Signal Hill Rd contain commercial uses, including the subject property. This lack of intense development in this area can be attributed to the lack of City sewer service in the immediate vicinity. Sewer is located near the intersection of Thompson St and Signal Hill Rd, along Four Season Blvd and at Berkely Rd at Halford Estates.</p> <p><u>GEN H COMPREHENSIVE PLAN GOALS</u> (Chapter IV) Vibrant Neighborhoods: Inconsistent Abundant Housing Choices: Inconsistent Healthy and Accessible Natural Environment: Inconsistent Authentic Community Character: Inconsistent Safe Streets and Trails: Inconsistent Reliable & Accessible Utility Services: Inconsistent</p>

	<p>Satisfying Work Opportunities: Consistent Welcoming & Inclusive Community: Inconsistent Accessible & Available Community Uses and Services: Consistent Resilient Community: N/A</p> <hr/> <p>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) Mix of Uses: Inconsistent Compact Development: Inconsistent Sense of Place: Inconsistent Conserved & Integrated Open Spaces: Inconsistent Desirable & Affordable Housing: Inconsistent Connectivity: Inconsistent Efficient & Accessible Infrastructure: Inconsistent</p> <hr/> <p>DESIGN GUIDELINES ASSESSMENT – N/A</p>
<p>3) Changed Conditions</p>	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment - Two commercial uses were recently constructed on the Signal Hill Rd corridor. 1) Signal Hill Storage was constructed across the street from the subject property and 2) First Aid Collision body shop was recently constructed about ¼ mile from the subject property.</p>
<p>4) Public Interest</p>	<p>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 - Expansion of C-2 zoning increases potential use of the property for various commercial uses. Alternatively, expansion of commercial uses along Signal Hill Rd could be detrimental to traffic congestion and residential uses in the area.</p>
<p>5) Public Facilities</p>	<p>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 In its current configuration, the subject property would only be served by City water.</p>
<p>6) Effect on Natural Environment</p>	<p>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 -</p>

There is no immediate development proposed on the subject properties. There are no existing trees nor environmentally-sensitive areas within the area proposed for rezoning.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

- 1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Crosswalk.
- 2) Compatibility – Despite finding that the “Innovation” Future Land Use correlates with uses permitted under C-2 zoning, other aspects of C-2 zoning are found to be inconsistent with the Goals and Guiding Principles of the Gen H Comprehensive Plan.
- 3) Changed Conditions - Staff finds that the changed conditions relate to increased commercial activity along the Signal Hill Rd corridor.
- 4) Public Interest - Staff finds while new economic activity could be introduced by C-2 zoning, the expansion of intense commercial development along this corridor could have negative impacts on traffic flow and residential uses.
- 5) Public Facilities - Staff finds that increased economic use of the property would require the expansion of City services.
- 6) Effect on Natural Environment - N/A

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed zoning of C-2 aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Innovation'.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *C-2 Zoning would allow for greater economic use of the subject property*

DRAFT [Rational for Denial]

- *C-2 Zoning would increase commercial activity along Signal Hill Rd and potentially lead to detrimental impacts on traffic flow and residential uses.*

PERMITTED & SPECIAL USES	
<u>RCT Residential-Commercial Transition (Current)</u> <i>Green = Same in both districts</i> <i>Red = Different from proposed district</i> <i>Orange = Caveat on use</i>	<u>C-2 Secondary Business (Proposed)</u> <i>Green = Same in both districts</i> <i>Red = Different from proposed district</i> <i>Orange = Caveat on use</i>
<p>Permitted Uses:</p> <ul style="list-style-type: none"> • Accessory dwelling units, subject to supplementary standards contained in section 16-4, below • Accessory uses and structures • Adult care centers registered with the NC Department of Health and Human Services (DHSS) • Adult care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling • Animal hospitals and clinics, subject to dimensional requirement for commercial uses and so long as they contain no outdoor kennels • Automobile car washes so long as no attendants are employed on the premises • Banks and other financial institutions subject to dimensional requirements for commercial uses • Business services subject to dimensional requirements for commercial uses • Child care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling • Greenhouses and nurseries, commercial, subject to dimensional requirements for commercial uses • Home occupations • Laundries, coin-operated, subject to dimensional requirements for commercial uses • Music and art studios • Neighborhood community centers 	<p>Permitted Uses:</p> <ul style="list-style-type: none"> • Accessory dwelling units subject to supplementary standards contained in section 16-4, below • Accessory uses and structures • Adult care centers registered with the NC Department of Health and Human Services (DHSS) • Animal hospitals and clinics so long as the use contains no outdoor kennels • Automobile car washes • Automobile sales & service establishments • Banks and other financial institutions • Bed and breakfast facilities (SU) • Business services • Congregate care facilities, subject to supplementary standards contained in section 16-4, below • Construction trades facilities so long as the storage of equipment and materials is screened from view from public rights-of-way • Convenience stores with or without gasoline sales • Cultural arts buildings • Dance and fitness facilities • Dry cleaning and laundry establishments containing less than 6,000 square feet of floor area • Farm equipment sales and service • Food pantries, subject to the supplementary standards contained in section 16-4, below • Funeral homes • Golf driving ranges and par three golf courses • Greenhouses and nurseries, commercial • Home occupations • Hotels and motels • Laundries, coin-operated

- Offices, business, professional and public, subject to dimensional requirements for commercial uses
- Parks
- Personal services, subject to dimensional requirements for commercial uses
- Planned residential developments (minor), subject to procedures and regulations contained in article VII
- Religious institutions
- Residential dwellings, single-family
- Residential dwellings, two-family
- Retail stores, subject to dimensional requirements for commercial uses
- Signs, subject to the provisions of article XIII
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below

Special Uses:

- Bed & breakfast facilities
- Child care centers
- Civic clubs & fraternal organizations
- Public utility facilities
- Pet-sitting
- Residential care facilities
- Restaurants (P)

- Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below
- Mobile food vendors, subject to supplementary standards contained in section 16-4, below
- Music and art studios
- Neighborhood community centers
- Newspaper offices and printing establishments
- Nursing homes subject to supplementary standards contained in section 16-4, below
- Offices, business, professional and public
- Parking lots and parking garages
- Parks
- Personal services
- Planned residential developments (minor), subject to the requirements of article VII, below
- Private clubs
- Progressive care facilities subject to supplementary standards contained in section 16-4, below
- Public and semi-public buildings
- Recreational facilities, indoors
- Recreational facilities, outdoors, commercial
- Religious institutions
- Repair services, miscellaneous
- Residential care facilities
- Residential dwellings, single-family
- Residential dwellings, two-family
- Residential dwellings, multi-family, subject to supplementary standards contained in section 16-4, below
- Rest homes, subject to supplementary standards contained in section 16-4, below
- Restaurants (SU)
- Retail stores
- Schools, post-secondary, business, technical and vocational
- Schools, primary and secondary
- Service stations

	<ul style="list-style-type: none"> • Signs, subject to the provisions of article XIII • Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below • Telecommunications antennas, subject to supplementary standards contained in section 16-4, below • Theaters, indoor • Wholesale businesses <p>Special Uses:</p> <ul style="list-style-type: none"> • Animal kennels • Automotive paint and body work • Bus stations • Child care centers • Civic clubs and fraternal organizations • Light manufacturing • Public utility facilities
--	--

DIMENSIONAL STANDARDS

<u>RCT Residential-Commercial Transition (Current)</u> <i>Green = Same in both districts</i> <i>Red = Different from proposed district</i> <i>Orange = Caveat on standard</i>	<u>C-2 Secondary Business (Proposed)</u> <i>Green = Same in both districts</i> <i>Red = Different from proposed district</i> <i>Orange = Caveat on standard</i>
<p>Dimensional Requirements:</p> <p>Minimum Lot Area in Square Feet: 8,000</p> <p>Lot Area per Dwelling Unit in Square Feet: N/A;</p> <p>Minimum Lot Width at Building Line in Feet: 75</p> <p>Minimum Lot Width (residential only): N/A</p> <p>Minimum Yard Requirements in Feet:</p> <p style="padding-left: 40px;">Principal Structure:</p> <p style="padding-left: 80px;">Front: 20</p> <p style="padding-left: 80px;">Side: 15</p> <p style="padding-left: 80px;">Rear: 15</p> <p>Maximum Height in Feet: 35</p>	<p>Dimensional Requirements:</p> <p>Minimum Lot Area in Square Feet: 8,000 <i>(6,000 for residential)</i></p> <p>Lot Area per Dwelling Unit in Square Feet: 6,000; 4,000 (for one additional dwelling unit)</p> <p>Minimum Lot Width at Building Line in Feet: 0</p> <p>Minimum Lot Width (residential only): 50</p> <p>Minimum Yard Requirements in Feet:</p> <p style="padding-left: 40px;">Principal Structure:</p> <p style="padding-left: 80px;">Front: 15 (20 for Res)</p> <p style="padding-left: 80px;">Side: 0 or 5. 10' on Corner Lots</p> <p style="padding-left: 80px;">Rear: 0 / 10 when abutting Res District (15 for Res)</p> <p>Maximum Height in Feet: 48</p>

329 Signal Hill Rd - RCT to C-2 P24-71-RZO		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	Consistent	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	Consistent	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	Downtown	
Character Area Description (Pg. 122-131)	Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent	
Focus Area Map (Pg. 134-159)	Consistent	

329 Signal Hill Rd - RCT to C-2 P24-71-RZO		
Chapter 4 - The Vision for the Future	Consistent	Inconsistent
GOALS		
<u>Vibrant Neighborhoods (Pg. 93)</u>		
Promote lively neighborhoods that increase local safety.		Inconsistent
Enable well-maintained homes, streets, and public spaces.		Inconsistent
Promote diversity of ages (stage of life), income levels, and a range of interests.		Inconsistent
The design allows people to connect to nearby destinations, amenities, and services.		Inconsistent
<u>Abundant Housing Choices (Pg. 93)</u>		
Housing provided meets the need of current and future residents.		Inconsistent
Range of housing types provided to help maintain affordability in Hendersonville.		Inconsistent
Housing condition/quality exceeds minimum standards citywide	N/A	N/A
<u>Healthy and Accessible Natural Environment (Pg. 94)</u>		
Recreational (active and passive) open spaces are incorporated into the development.		Inconsistent
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.		Inconsistent
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.		Inconsistent
Development is compact (infill/redevelopment) to minimize the ecological footprint.		Inconsistent
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	N/A
<u>Authentic Community Character (Pg. 94)</u>		
Downtown remains the heart of the community and the focal point of civic activity	N/A	N/A
A development near a gateway sets the tone, presenting the image/brand of the community.	N/A	N/A
Historic preservation is utilized to maintain the city's identity.	N/A	N/A
City Centers and neighborhoods are preserved through quality development.		Inconsistent
<u>Safe Streets and Trails (Pg. 95)</u>		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.		Inconsistent
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent	
Design embraces the principles of walkable development.		Inconsistent
<u>Reliable & Accessible Utility Services</u>		

Wastewater treatment (service and capacity) adequately serves existing and future development	N/A	N/A
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.		Inconsistent
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	Consistent	
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	Consistent	
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.		Inconsistent
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.		Inconsistent
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	Consistent	
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas		Inconsistent
New business and office space promotes creative hubs.		Inconsistent
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.		Inconsistent
The infill project is context sensitive [Small Infill Site].		Inconsistent
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]		Inconsistent
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.		Inconsistent
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.		Inconsistent
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.		Inconsistent
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure		Inconsistent

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBER 9579-06-4126) BY CHANGING THE ZONING DESIGNATION FROM RCT, RESIDENTIAL-COMMERCIAL TRANSITION TO C-2, SECONDARY BUSINESS

IN RE: Parcel Numbers: 9579-06-4126
329 Signal Hill Rd (Givens) | File # P24-71-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on November 14th, 2024; voting [redacted] 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 December 5th, 2024, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on December 5th, 2024,

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: 9579-06-4126, by changing the zoning designation from RCT, Residential-Commercial Transition to C-2, Secondary Business
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 5th day of December 2024.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

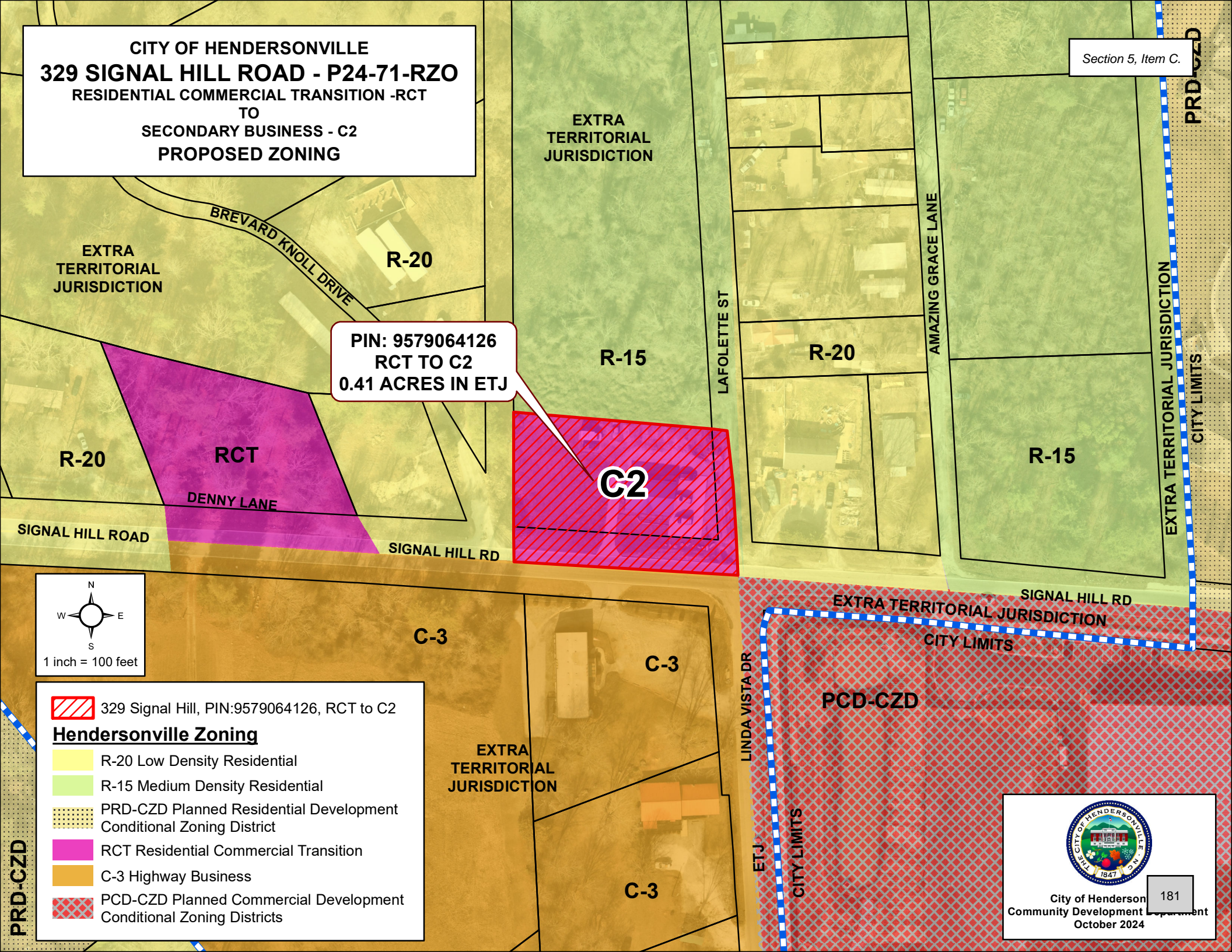
Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

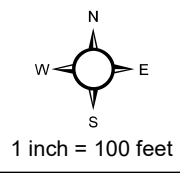
CITY OF HENDERSONVILLE
329 SIGNAL HILL ROAD - P24-71-RZO
 RESIDENTIAL COMMERCIAL TRANSITION - RCT
 TO
 SECONDARY BUSINESS - C2
PROPOSED ZONING


Section 5, Item C.









PIN: 9579064126
RCT TO C2
0.41 ACRES IN ETJ

C2



 329 Signal Hill, PIN:9579064126, RCT to C2

Hendersonville Zoning

-  R-20 Low Density Residential
-  R-15 Medium Density Residential
-  PRD-CZD Planned Residential Development Conditional Zoning District
-  RCT Residential Commercial Transition
-  C-3 Highway Business
-  PCD-CZD Planned Commercial Development Conditional Zoning Districts



City of Hendersonville
 Community Development Department
 October 2024

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**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**
100 N. King Street, Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

**Zoning Ordinance Map Amendment
Section 11-1 of the City Zoning Ordinance**

The following are the **required** submittals for a complete application for a Zoning Map Amendment. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- 1. Completed Application Form
- 2. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- 3. Application Fee

A. Property Information

Date: 9-23-24

PIN(s): 9579064126

Address(es) / Location of Property: 329 Signal Hill Road

Current Zoning: RCT

Proposed Zoning: C-2

B. Adjacent Parcel Numbers and Uses

PIN: <u>9579065791</u>	Use: <u>Vacant</u>
PIN: <u>9579066107</u>	Use: <u>Single Family Home</u>
PIN: <u>9579064091</u>	Use: <u>Office Space</u>
PIN: <u>9579058899</u>	Use: <u>Storage Facility</u>
PIN: <u>9579063217</u>	Use: <u>Vacant</u>

Office Use: _____
 Date Received: 9/24/24 By: Terri Swann Fee Received? Y/N

#275.00

C. Applicant Contact Information

SEAN + HELEN GIVENS

* Printed Applicant Name

N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other:

[Handwritten Signature] / Helen Givens

Applicant Signature

PROPERTY OWNERS

Applicant Title (if applicable)

3 Tiptop Dr.

Address of Applicant

HENDERSONVILLE, W.C. 28792

City, State, and Zip Code

828-676-7030

Telephone

sgivenssr@bellsouth.net

Email

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

D. Property Owner Contact Information (If different from Applicant)

Sarah + Helen Givens

* Printed Property Owner Name

N/A

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other:

Property Owner Signature

Property Owners

Property Owner Title (if applicable)

3 Tiptop Drive

Address of Property Owner

Alexandria VA 22304

City, State, and Zip Code

828-676-7030

Telephone

sigivens@bellsouth.net

Email

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

D. Section 11-1 Standards

The advisability of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

- a) **Comprehensive Plan Consistency** – Consistency with the Comprehensive Plan and amendments thereto.

The property is designated as "Innovation" in the Gen H comprehensive plan. The recommended zoning district for this designation is C-2 Secondary Business. C-2 aligns with the goals of this designation.

A USED CAR LOT

- b) **Compatibility with surrounding uses** – Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property. (Also, see NCGS 160-601 (d) Down-Zoning)

YES 'SEE ADJACENT PARCELS'

- c) **Changed Conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment. (Also, see NCGS 160D-601 (d) Down-Zoning)

None Needed

d) 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. (Also, see NCGS 160D-601 (d) Down-Zoning)

*Employment, competition is good for
Business giving the public choices.*

e) 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. (Also, see NCGS 160D-601 (d) Down-Zoning)

yes

f) 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.

no