



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Monday, August 09, 2021 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. Minutes of the July 12, 2021 meeting
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Conditional Rezoning Amendment: West Avenue Villas (P21-42-CZD) – *Matthew Manley, AICP | Planning Manager*
 - B. Addition and Definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU and HMU – Zoning Text Amendment (P21-41-ZTA): *Lew Holloway, Community Development Director*
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
July 12, 2021**

Members Present: Jim Robertson, Chair, Jon Blatt (Vice-Chair), Neil Brown, Robert Hogan, Peter Hanley, Bob Johnson, Candi Guffey, Tamara Peacock, Hunter Jones

Members Absent:

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

- I Call to Order.** *The Chair called the meeting to order at 4:00 pm. A quorum was established.*
- II Approval of Agenda.** *Chair stated there has been a change to the agenda. The Board will hear the site plan review application before the light manufacturing presentation. Mr. Hanley moved for the revised agenda to be approved. The motion was seconded by Mr. Hogan and passed unanimously.*
- III Approval of Minutes for the meeting of June 14, 2021.** *Mr. Hanley moved to approve the Planning Board minutes of the meeting of June 14, 2021. The motion was seconded by Mr. Hogan and passed unanimously.*
- IV Old Business - None**
- V(A) Site Plan and Plat Review – Application for a site plan review and major subdivision from David Day and LCV Ventures LLC for the development of nine residential units on a 4.77-acre tract located within the city limits. The applicant is requesting to develop the subject property as a minor PRD, Planned Residential Development on PIN 9568-72-1630 and zoned R-15, Medium Density Residential District. (File #P21-23-SPR).** Mr. Morrow gave the following background:

Mr. Morrow stated this is a site plan review from David Day. The project consists of nine condominium dwelling units which triggers site plan review and major subdivision review by the Planning Board. This is an objective review of the site plan to ensure that it meets the zoning and subdivision ordinance. Conditions cannot be placed on the project unless it is a condition that would ensure compliance with the ordinances.

Mr. Morrow stated the minor PRD option is based on units per acre density rather than lot square footage requirements. The developer must adhere to the requirements of the PRD district but will maintain their underlying zoning district.

The parcel is currently a vacant wooded lot. A significant portion of this property is located within the floodplain or floodway. The applicant is proposing eight duplex units and one single unit. If the preliminary plan is approved by the Planning Board, then the applicant will be required to submit a final site plan to staff. Once staff approves the final site plan the applicant can obtain their zoning permit and they can begin construction.

Existing photos of the site were shown and explained to the Board. Parcels to the north, west and south are zoned R-15, Medium Density Residential and contain residential uses. Parcels to the east are zoned R-20, Low Density Residential, PRD, Planned Residential Development and PCD, Planned Commercial

Development. Most of this area is vacant property due to it being within the floodplain/floodway. The Planned Commercial Development zoned part was never developed.

The subject property is designated as Medium Intensity Neighborhood and Natural Resource/Agricultural on the 2030 Comprehensive Plan's Future Land Use Map. The goals of the Medium Intensity neighborhood are to provide a transition between High-and-Low Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods. The goals of the Natural Resource Agricultural areas are to create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities and preserves agricultural resources.

This area is classified as a Preservation Enhancement Area. A map was shown of the Floodway, 100-year Floodplain and the 500-year Floodplain. Mr. Morrow stated a lot of the property has floodplain on it. The applicant is not proposing any building in the floodplain area.

A site plan was shown of the project. There will be two entry points into the site. Each unit will have two parking spaces. A stormwater retention system is proposed for the site, which is required for projects that are disturbing over an acre. The applicant proposes the removal of 18 trees over 12" in diameter and six trees over 12" in diameter will be preserved. Most of the floodplain/floodway area will remain vegetated.

The developer is reserving a 60-foot sewer/greenway easement at the rear of the property for future greenway/sewer expansion.

The proposed density is 1.88 units per acre. The allowable density is 3.75 units per acre.

Mr. Morrow read the zoning ordinance standards for review into the record:

7-3-3.4 Standards for Review. An application for preliminary site plan approval shall not be approved unless the Planning Board determines that the application and final site plan demonstrate compliance with this ordinance, including the provisions of Section 7-11 below, and other applicable regulations. The Planning Board may impose such reasonable conditions on an approval as will ensure such compliance with this ordinance.

Mr. Morrow stated the developer is here to answer any questions.

Chair asked if there were any questions for staff.

Mr. Hanley asked if there were any plans for the greenway. Mr. Morrow stated yes, there is a plan for the greenway, but no funds have been set aside for it.

Chair asked by right how many units could be built here. Mr. Morrow stated one single-family dwelling unit per 15,000 square feet. He did not know what that math comes out to for four acres. Chair stated roughly nine. Mr. Brown stated that comes out to about 10 or 11 units. Mr. Blatt stated that is if it were single family homes.

There were no further questions for staff.

Michael Lovoy, Advantage Civil Engineering stated this project is low in density as far as what the property will allow. They plan to stay on top of the hill and stay out of the floodplain. It is a simple straight-forward

project. They have worked with NCDOT for the two entrances, and they have also worked with the city on the site plan.

Mr. Hanley asked if NCDOT had any issues with the line of sight. Mr. Lovoy stated they had no issues. Ms. Guffey asked about the encroachment issue at 1034 Kanuga Road, if that has been resolved. Mr. Lovoy stated they are working with the property owners and are working to let them continue to use the drive as access.

Chair stated he would open up the public comment time and wanted the neighbors' concerns to be heard however, this is a site plan review, and the Planning Board is reviewing this for compliance. This is a development by right and if the site plan is in compliance, the Planning Board will most likely approve, they really don't have any other choice.

Chair opened the public comment time and asked that anyone attending come forward to the podium and state your name and address for the record.

Pete Davis stated he lives further down Kanuga Road and has lived there for 25 years. He thought the profile for this land was just ½ an acre of buildable property. The area already floods. There are traffic problems morning and night. Traffic gets jammed on Erkwod and Kanuga. The homes will have no back yard and no front yard. It is too dense. The property is reasonable for one single family or one duplex, but it is too dense for what is proposed.

Donna Dillinger, 312 Huff Street stated she has lived here 12 or 13 years and she has watched the area flood that whole time. It always floods there. This is a wonderful area for hawks, deer and other animals. No one should build in a flood zone. There is no logic to it. When the City approved Publix, it caused the poor German restaurant to get swamped with water. When Ingles was built, they were swamped with more water. She has been stranded during downpours at Ingles. Don't build in a flood zone. Designate the land for the environment. It is ignorant to build in a flood zone. She assumes they will build up high and this will cause more run off for her area. She is not happy about this. It is an encroachment on her sanity, it is ludicrous and insulting and she is not happy.

Carolyn Rutecki, 941 Kanuga Road stated she submitted some information to the Planning Department. Her biggest concern is when she met with planners concerning the widening of Kanuga Road they had proposed a turn lane. She is afraid this development will trigger the proposal of another turn lane. This development is too close to the road and they are not really building on 4.77 acres. They are building on half an acre and that is too dense for this area.

Andrew Perry, 1038 and 1040 Kanuga Road stated the creek gets up to six feet high at times and that happened five times last year. Flooding is an issue here. He received a plan in the mail with only eight units on the property. This is too many units. He is concerned about having two-story buildings right in front of where he lives. The place is grown up with kudzu and they are building right on the road. This causes great concern. Lighting is also an issue and he would like the developer to address whether the lights will shine down. He is concerned about the height of the buildings and the color of the buildings. If the buildings are white that can cause a glare onto his property.

Randy Daniels, 1034 Kanuga Road stated he owns property in front of this parcel. He asked about the retaining wall that was to be built and had concerns about how the property drops off at least 50 feet to the street. He wanted to know how tall the retaining wall would be. He stated the property does not appear to be 4.77 because there is only about .75 acres that could be built on. They could possibly get two or three single-family homes on the lot. There is only about 20 feet from the edge of the building to his property. He stated the Planning Board members would not like having someone looking in their back door either. This is not good for his property value as there will be cars parked 20 feet away from his home. He pointed

out the three condos built across the street and stated they were more in line with the community. Building nine units on this small of an area is like building what his dad called "stack shacks". He hasn't seen what the homes will look like, but the property is just not large enough in the front for nine units. His property value will drop considerably. He wanted to know from the developer how high the retaining wall would be. There are a lot of unanswered questions and he would like to speak with the developer after the meeting to get some more answers.

No one else in attendance spoke.

Zoom: Ken Fitch, 1046 Patton Street spoke about infill development and how previous staff and the previous Chair of the Planning Board had concerns about it. He stated anyone that has traveled down this area knows the character of this neighborhood and there needs to be special attention to protecting the trees in this corridor. Some of the homes in the area are on the National Register of Historic Places and this needs to be considered. This is a questionable enhancement for this area. Residents of this area have a solidarity and integrity and they need to be considered. The goal for the Comp Plan is to maintain and enhance existing neighborhoods and this project does not do that.

No one else spoke via zoom.

Chair read the public comments into the record. The comments were from: Janet Sellers, Colorado, Jim Kirkpatrick, Flat Rock, Jennifer Clary, 1041 Kanuga Road, Samantha Barnes, Kanuga Road, Judith Sheehean, 1034 Kanuga Road and David and Carolyn Rutecki, 941 Kanuga Road.

Chair asked if anyone else attending had any comments.

Barbara Perry, 1038 Kanuga Road stated her biggest concern is her invasion of privacy and if there is anything that the Planning Board can do to protect the residents, she would really appreciate it. Lighting is also a concern. The lights will be shining into her windows at night. Those two buildings need to be taken away and that would make the project less offensive. This will affect the neighbors greatly. If approved she would like to have contact with the Planning Board and the developer about any issues that may arise. She asked about the Planning Board postponing their decision until they can talk with the developer. She talked about the two buildings not being on the plan that she received with the letter. It doesn't specifically state if the trees in the wooded area will be staying or going.

Chair closed the public comment.

Ms. Peacock asked staff to explain the process after the site plan is approved. Mr. Morrow stated once the preliminary site plan is reviewed and approved, the developer will come back with a final site plan for staff approval. The final site plan is more detailed, and all departments will review and sign off for their department before it can proceed to obtaining a zoning permit and starting construction.

Ms. Peacock stated they are not building in the floodplain. Mr. Morrow stated that is correct, there is no building proposed in the floodplain. They could build in the floodplain but then that would have to be reviewed by the City's Floodplain Administrator. It would be required to be built two feet above the Base Flood Elevation. Technically the entire site is buildable. They would have to meet all the flood regulations and permitting. The allowable units could be as much as 17 units and still not require a rezoning. There are building setback lines, but they are allowed more density than what they have proposed.

Mr. Blatt asked about the landscape buffer that would be required. Mr. Morrow stated for residential only one tree and two shrubs are required in the vehicular use area. This is not a conditional rezoning, so it did not go before the Tree Board.

Mr. Blatt stated they would not be allowed to build in the floodway. Mr. Morrow stated they could build in the floodway, but they would need approval from FEMA. Mr. Blatt asked about building no more than 10% in the floodplain. Mr. Morrow stated he did not know about that requirement, that would be a question for the Floodplain Administrator. Mr. Morrow stated they can build in the 500-year floodplain.

Mr. Blatt asked about there being eight duplexes on the first site plan. Mr. Morrow stated when they added the ninth building, that triggered the site plan review and review from the Planning Board. The eight units would not have been brought before the Planning Board.

Mr. Blatt stated the lighting ordinance would only apply to commercial and not residential. Matt Manley, Planning Manager stated they are still working on the lighting ordinance and he plans to give an update at the end of the meeting today.

Mr. Blatt asked if this project met all the public notice requirements. Mr. Morrow stated this project met all legal requirements. They often receive revisions after the fact, but the letters were mailed out 10 to 25 days before the meeting and the site was posted. A public notice was also in the newspaper.

Chair talked about the widening of Kanaga Road and how that was listed as a project pushed to 2040 or further. Mr. Manley stated there is a 25-foot right-of-way dedication and easement along the front of the property. This is for a utility easement.

Mr. Brown asked about meeting the public notice requirements. Lew Holloway, Community Development Director explained the site plan review process and what was required as far as the notifications for the meeting.

Ms. Peacock asked about the trees on the southern side of the buildings and how the buildings sit on top of the trees. Mr. Morrow stated the trees that are less than 12 inches in diameter are not shown on the tree survey. They are not disturbing the whole bottom half of the property.

Mr. Brown asked the developer to speak on the light pollution. Mr. Lovoy stated as far as the lighting is concerned, they do not have any plans for lighting, but they will keep the lighting at a minimum. Buncombe County has a great lighting ordinance and they normally go by their ordinance. They will protect the neighbors. They are looking at the property and know what is going on in the area and have taken that into account. The retaining wall will be seven to eight feet in height, and it is there to protect the units. It is a good seven to eight feet from the Base Flood Elevation and will not cause any flooding. The stormwater will drain from Kanuga onto the site and into the floodplain area and into the creek. This property is less than a ½ mile from town and is perfect for urban infill. They had issues with the setback requirements for the eight units, so they changed the plan and added one small unit to the plan. This is less than a quarter mile from a Shell station. He agrees that it is a beautiful lot, and he is surprised it wasn't scooped up before now, but it is close to town and is an appropriate location for these units. He will use hardie plank siding and he will be sensitive to the neighbors. He is willing to meet with them after the meeting or anytime to discuss their concerns. He is willing to work with them and move things around. He discussed the deck from an adjacent property encroaching on the property and stated they are willing to work with this property owner and even work together to install a privacy fence. NCDOT widening is not a concern and Mr. Owenby is good with everything they have proposed for the two entrances.

Ms. Guffey asked if the lower buildings would use the lower drive. Mr. Lovoy stated yes only those two units will use the lower drive.

Mr. Lovoy stated they could develop the property all the way out, but they are trying to keep the area pristine. The sewer system will be the only disturbance in the flood area.

Chair asked staff if the site plan met the requirements for parking. Mr. Morrow stated yes. Mr. Blatt stated it does meet the requirements of the ordinance. They are not asking for any variances and legally he does not see how they cannot approve this.

Mr. Hanley moved the Planning Board grant site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-14 Planned Residential Development and 7-3-3 Review of Preliminary Site Plans) and City of Hendersonville Subdivision Ordinance (with primary consideration of section 2.04 h Major Subdivision), for Kanuga Trails because it is within their right. Mr. Hogan seconded the motion which passed seven in favor and two opposed.

Mr. Morrow stated they will need to state their reasoning for the record for their opposition to not meeting the ordinance.

Mr. Brown stated he believes there are far too many unanswered questions about where the structures will be and what impact they will have on the floodplain and therefore it is an incomplete proposal.

Ms. Guffey stated she echoes what Mr. Brown said and with the addition of the lower buildings it changes the density in a manner that seems uncomfortable with the compatibility.

Mr. Morrow stated this is within the allowable density of the PRD and unlike a rezoning, compatibility is something that is not considered in this review.

V(B) Adding Light Manufacturing to Districts Presentation and Discussion.

Jamie Carpenter, Downtown Manager stated this is for discussion only and no motion is required. She wanted to get feedback on this before it moves forward.

Ms. Carpenter stated there has been some interest in using some of the larger buildings downtown for light industrial uses and the Downtown Advisory Board has discussed this. Currently the C-1 district does not allow any manufacturing or production. There are several large properties that have large square footage and historically had manufacturing uses at one time that would not be permitted today.

Ms. Carpenter gave the current definition of light manufacturing in the zoning ordinance which is the assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed 25% of the floor area of all buildings on the property. She explained the economic development strategies in the Downtown workplan. She explained the primary economic strategy is that downtown has a business mix that supports the needs of locals while providing tourists with an authentic experience. The goal of this strategy is to reduce downtown vacancy with active store fronts and infill housing and office space. The updated zoning would allow for business recruitment and entrepreneurship in a number of niche markets that support the overall economic vitality of Downtown Hendersonville.

Ms. Carpenter stated the recommended update would be to permit light manufacturing in all districts that allow microbreweries. It would be permitted in the C-1, C-2, C-3, CMU, GHMU and HMU with special requirements and would be permitted in the PCDCZD, I-1 and PMDCZD districts.

The special requirements based on microbreweries that would apply are:

- a) Shall include one or more accessory uses such as a tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other uses incidental to the brewery and open and accessible to the public
- b) Storage of materials used in the manufacturing, processing and for distribution shall be located entirely within the building.
- c) Shall be designed such that all newly constructed loading and unloading facilities are internal to the site, in service alleys or at the back of the building.

A possible additional special requirement for C-1 and CMU would be to limit industries to better fit the economic goals for downtown.

Ms. Carpenter stated the Downtown Advisory Board liked the idea as long as there is a retail component behind the change. She stated there is no commitment today from the Board, she just wanted to get their feedback on it.

Mr. Blatt stated it was a great idea, but he was concerned about outdoor storage and the 25% of the floor area.

Mr. Hanley was concerned about the parking problem downtown and how this may add to it until the parking deck gets constructed.

Mr. Holloway stated the C-1 district does not have parking requirements except for residential uses. He stated this is to help fill vacant square footage downtown. Many if not all microbreweries opened in buildings that were deteriorating.

Ms. Carpenter stated there is a soap business going in on Main Street that would like to be able to make their soaps at this location. Adding this to the ordinance will help businesses such as this be able to manufacture their product in this location and add to downtown without having a huge impact on neighboring businesses.

Mr. Brown stated he loved this idea.

Ms. Carpenter stated if the Planning Board is interested, they can meet back in a month or two.

Ms. Guffey asked about the specifics and ironing those out and what the necessary details should be. Mr. Holloway stated a way to approach it would be having a narrower window for microbreweries and a wider window for light manufacturing. It could be an allowed use with special requirements and could be staff approved. This could be done as a special use and would then need approval by the Board of Adjustment. Staff thinks that the special requirements and having it staff approved would be best.

Chair was concerned about downtown and the 25% for outdoor storage. Ms. Carpenter stated they may want to permit that requirement outside of the C-1 district.

Mr. Brown discussed industrial kitchens and allowing for those.

VI Other Business. Mr. Manley gave an update concerning the lighting ordinance. No action was taken.

VII Adjournment – *The meeting was adjourned at 6:01 pm.*



CITY OF HENDERSONVILLE PLANNING BOARD AGENDA ITEM SUMMARY

SUBMITTER: Matthew Manley

MEETING DATE: 8-9-2021

AGENDA SECTION: New Business

DEPARTMENT: Community
Development
Department

TITLE OF ITEM: Conditional Rezoning Amendment: West Avenue Villas (P21-42-CZD) –
Matthew Manley, AICP | Planning Manager

SUGGESTED MOTION(S):

PLANNING BOARD - APPROVAL

I move Planning Board recommend that City Council adopt an ordinance amending the site plan associated with the CMU-CZD zoning designation for the subject parcel (PIN 9568-77-1057) on the official zoning map of the City of Hendersonville, based on the site plan submitted by the applicant and subject to the following:

Permitted Uses shall include:

- 1) Multi-family residential dwellings

Conditions that shall be satisfied prior to final site plan approval include:

- 1) The developer use the outdoor lighting basic guidelines from the International Dark Sky Association.
- 2) The driveway widths shall be 12 feet and not 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side.
- 3) The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.
- 4) The architectural style will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters.

PLANNING BOARD – APPROVAL Cont.

...finding that the amended zoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons:

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

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

PLANNING BOARD – DENIAL

I move the Planning Board recommend that City Council deny the application to amend the site plan for the Conditional Zoning District for the subject property for the following reasons:

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

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

SUMMARY:

The City is in receipt of a Conditional Rezoning District Amendment application from Andrew Riddle, of Riddle Development, LLC for the addition of one (1) garage apartment on the approved site plan and an adjustment of the floor area of proposed buildings. The site plan was approved for 10 dwelling units (2 quad-plexes + 2 garage apartments) at the August 6, 2020 meeting. The applicant is requesting for a total of 11 dwellings units (2 quad-plexes + 3 garage apartments). This equates to a 10% increase in dwelling units. Additionally, it is requested that each quad-plex increase from 1,724 Sq Ft to 1,912 Sq Ft (an 11% increase). Due to these proposed changes to the approved site plan, the application must follow the conditional rezoning process. The zoning code states the following as it relates to modification of CZDs:

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

- c) A substantial increase in the floor area approved by City Council;*
- d) A substantial increase in the number of residential dwelling units.*

PROJECT/PETITIONER NUMBER: P21-42-CZD

PETITIONER NAME: Andrew Riddle, of Riddle Development, LLC

ATTACHMENTS:

1. Staff Report
2. Neighborhood Compatibility Meeting minutes
3. Full Size Site plan
4. Survey with Water Line
5. Tree Survey
6. Application

Amendment

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

Applicant: Andrew Riddle, of Riddle Development, LLC

Property Owner: Riddle Development, LLC

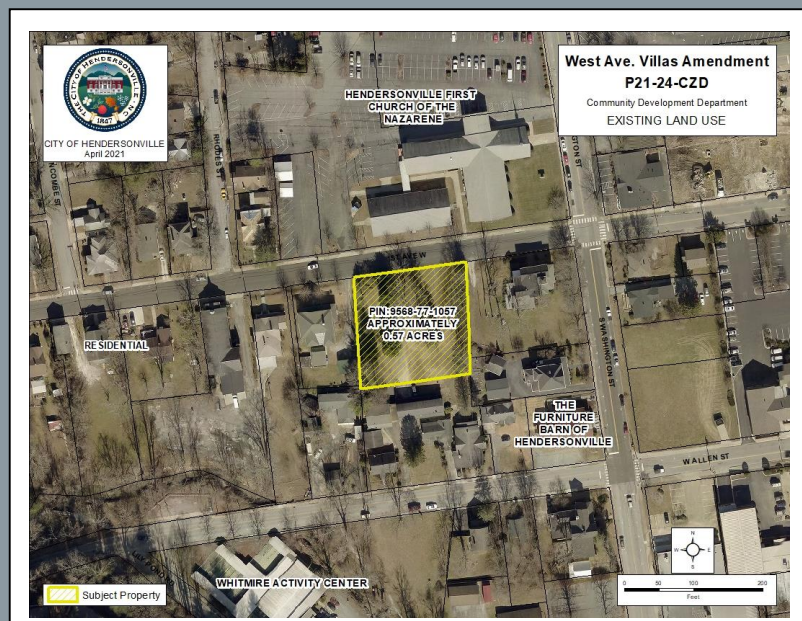
Property Address: No address currently- 1st Ave.

Project Acreage: 0.57 Acres

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

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

Neighborhood Compatibility Meeting:
July 2, 2021



SITE VICINITY MAP

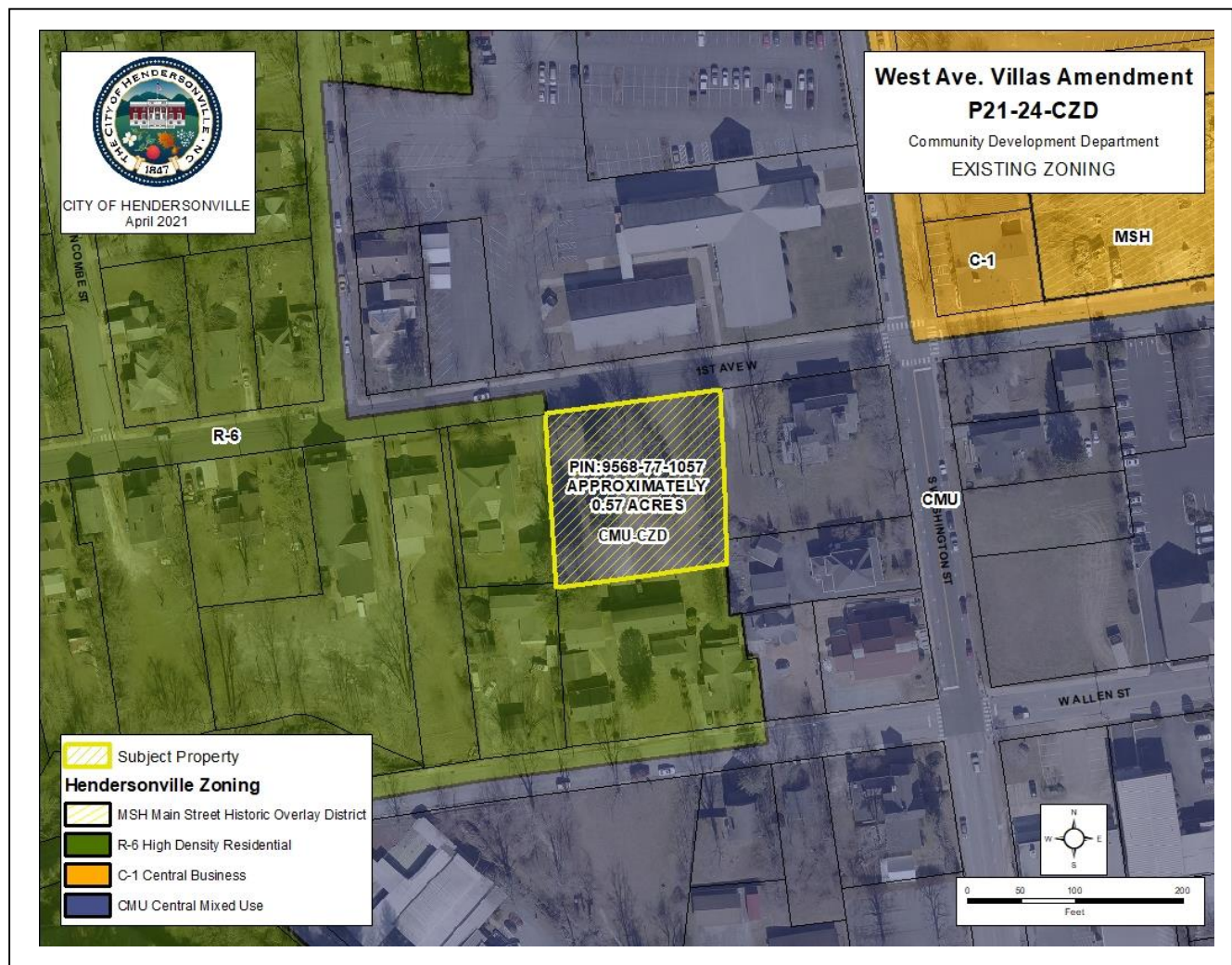
Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning District Amendment application from Andrew Riddle, of Riddle Development, LLC for the addition of one (1) garage apartment on the approved site plan and an adjustment of the floor area of proposed buildings. The site plan was approved for 10 dwelling units (2 quad-plexes + 2 garage apartments) at the August 6, 2020 meeting. The applicant is requesting for a total of 11 dwellings units (2 quad-plexes + 3 garage apartments). This equates to a 10% increase in dwelling units. Additionally, it is requested that each quad-plex increase from 1,724 Sq Ft to 1,912 Sq Ft (an 11% increase). Due to these proposed changes to the approved site plan, the application must follow the conditional rezoning process. The zoning code states the following as it relates to modification of CZDs:

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- c) A substantial increase in the floor area approved by City Council;
- d) A substantial increase in the number of residential dwelling units.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Existing Land Use and Zoning

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

SITE CONDITIONS – SITE IMAGES

View from 1st Avenue.



*View of existing
buffer along the
eastern property
line*



*View from west to east
at front of site*



SITE CONDITIONS – SITE IMAGES CONTINUED

*View from east to west
at center of site*



*View from south to
north at center of site*



*View of the existing
buffer along the
eastern property line*



AERIAL PHOTOS

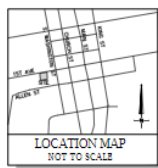
View from the South



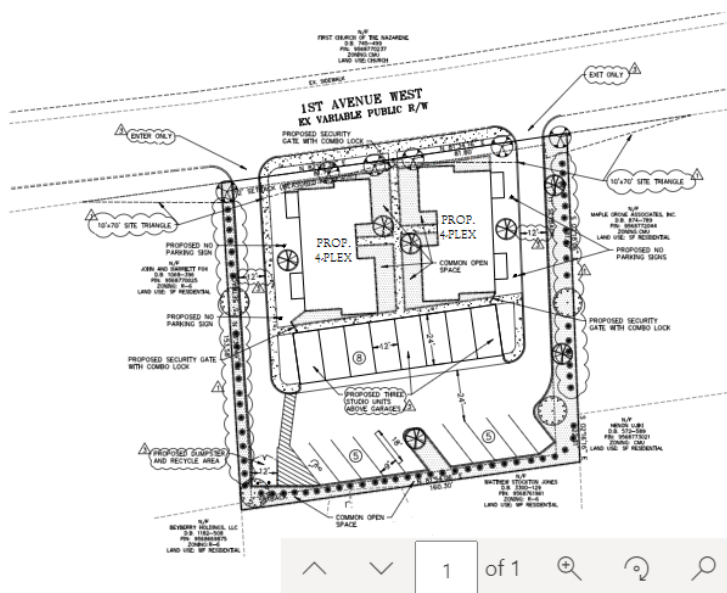
View from the North



REZONING/SITE PLAN TOPICS

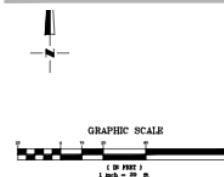


DEVELOPMENT NOTES
 1. DOCUMENTATION SHALL BE PROVIDED PRIOR TO FINAL SITE PLAN APPROVAL FOR EXISTING MAINTENANCE OF COMMON FACILITIES.
 2. STORMWATER MANAGEMENT
 3. STORMWATER APPROVAL FROM THE CITY ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO FINAL SITE PLAN APPROVAL.
 4. EROSION CONTROL APPROVAL IS REQUIRED FROM HENDERSON COUNTY PRIOR TO FINAL SITE PLAN APPROVAL.
 5. UTILITIES
 1. LOTS TO HAVE INDIVIDUAL WATER METERS.
 2. SANITARY SEWER TO BE A SINGLE CONNECTION.



LAND OWNER:	RIDDLE DEVELOPMENT, LLC 732 JONESBOROUGH ST HENDERSONVILLE, NC 28739
PIN:	9568771057
JURISDICTION:	HENDERSONVILLE
DEED BOOK & PAGE:	3131 / 595
TOTAL SITE ACREAGE:	0.57 AC (24,766 SF)
CURRENT ZONING:	R-6
PROPOSED ZONING:	CMUCZD
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY (APARTMENTS)
TOTAL UNITS:	11
FRONT SETBACK:	12'
-MEASURED FROM BACK OF CURB	
SIDE YARD SETBACK (WEST):	5'
SIDE YARD SETBACK (EAST):	11'
REAR YARD SETBACK:	5'
REQUIRED PARKING:	11
-1 SPACE PER EACH DWELLING UNIT	
PROPOSED PARKING:	18
-H.C. VAN ACCESSIBLE PARKING:	1
OPEN SPACE REQUIRED:	
-PROPOSED DWELLING UNITS:	11
-REQUIRED MINIMUM OPEN SPACE (500 SF PER DU):	5,500 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
-PROPOSED OPEN SPACE:	5,500 SF
-PROPOSED ASPHALT:	±9,000 SF
-PROPOSED SIDEWALK:	±1,120 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
REQUIRED TREES:	11
-1 TREE PER 500 SF OF OPEN SPACE	
PROVIDED TREES:	11
PROPOSED BUILDING HEIGHT:	25'
PROPOSED BUILDING AREA:	1,912 SF (EACH APT BLDG) 2,304 SF (GARAGE/STUDIO BLDG) 6,128 SF (TOTAL)
	(24.74% OF TOTAL SITE AREA)

DEVELOPMENT SUMMARY



REVISIONS	
1	1/28/20 HENDERSONVILLE COMMENTS
2	8/11/20 OWNER REVISION
3	8/28/21 SETBACK CHANGES
CAD FILE: 19-037 REZONING	
PROJECT NO: 19-037	
DESIGNED BY: JDM	
DATE: JANUARY 2, 2020	

RZ1.0

Proposed Site Plan

Buildings

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

2 Quad Plex buildings totaling 3,824 Square feet- 8 dwelling units

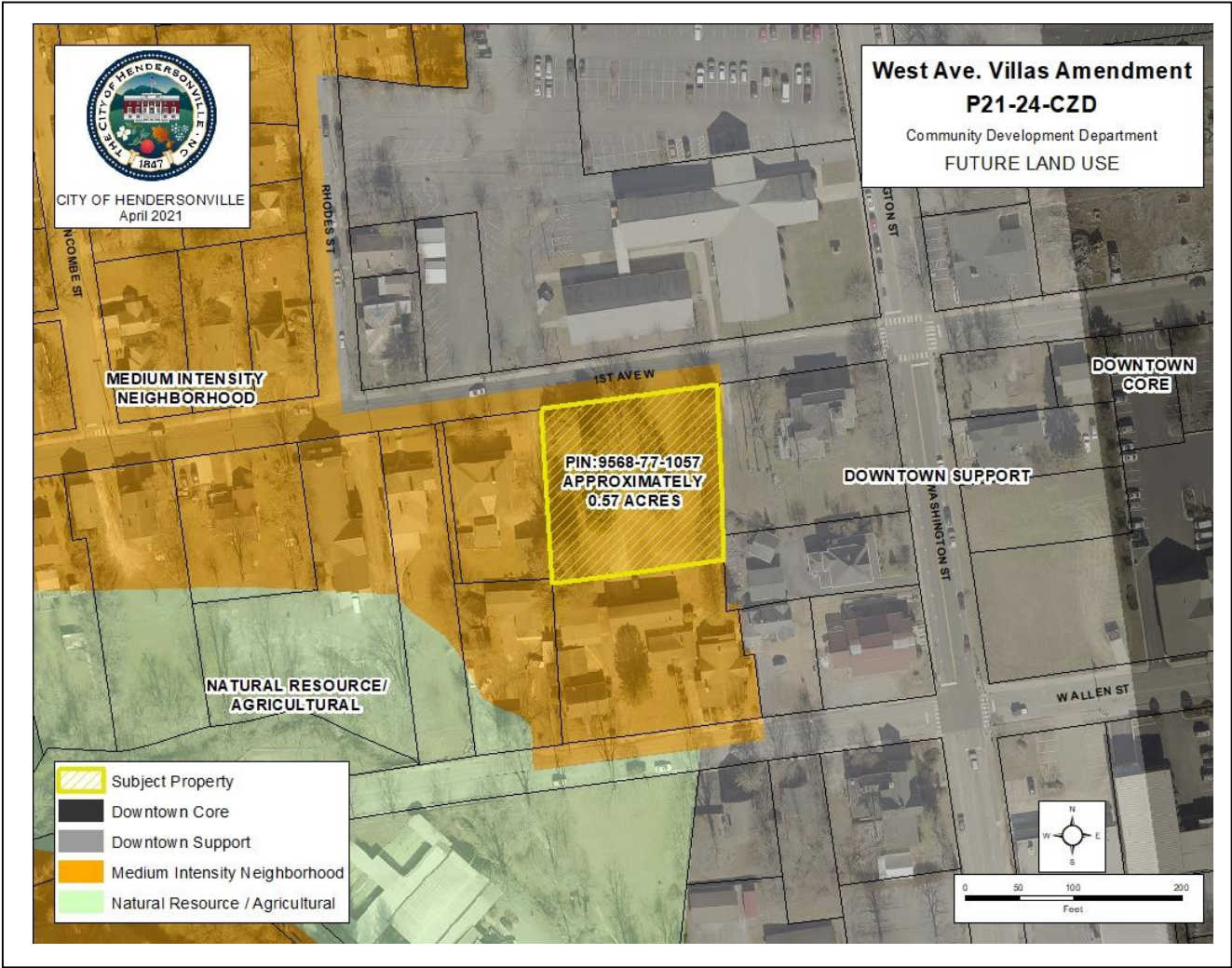
1 garage building totaling 2,304 square feet- 3 dwelling units

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

Total of 11 dwelling units

Proposed Building Height- 25'

REZONING CRITERIA:
COMPREHENSIVE PLAN CONSISTENCY



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



Goal LU-6.

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

Major Thoroughfares on the Future Land Use Map

- Planned Residential Developments
- Local public and institutional uses
- Recreational amenities

Strategy LU-6.4.

Development guidelines:

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

Strategy LU-6.1.

Locations:

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

Strategy LU-6.2.

Primary recommended land uses:

- Single-family attached and detached residential
- Open space

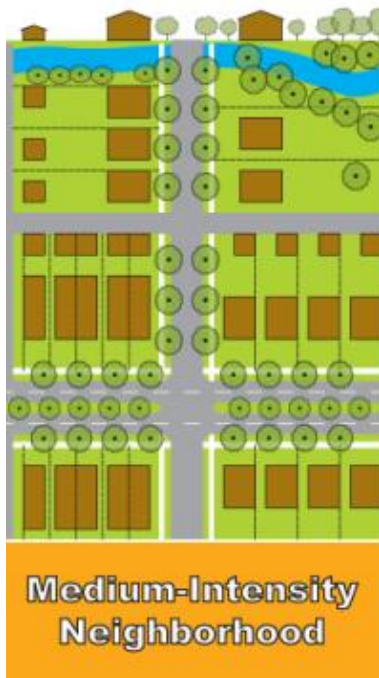
Strategy LU-6.3.

Secondary recommended land uses:

- Limited multi-family residential along roadways designated as Boulevards or



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



REZONING CRITERIA: COMPREHENSIVE PLAN CONSISTENCY

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

Goal PH-2.

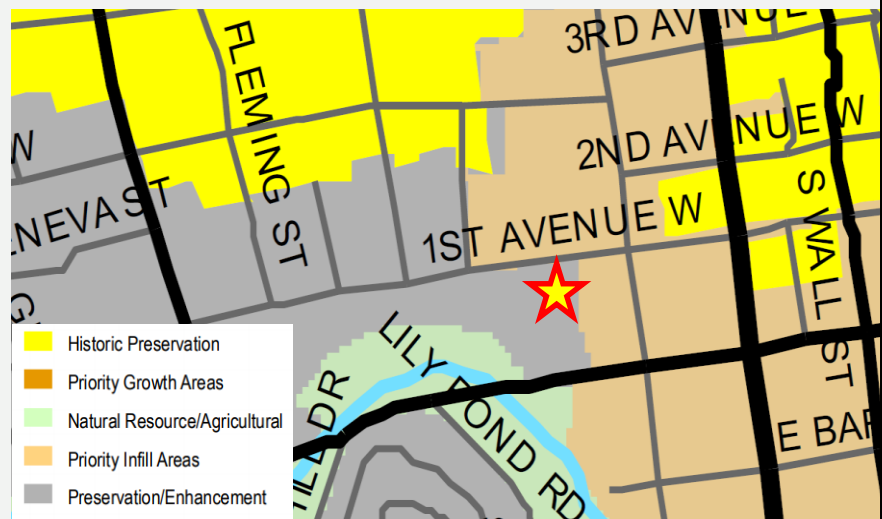
Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.

Strategy PH-1.1.

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

Growth Management

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



BiPeds Sidewalk Assessment

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



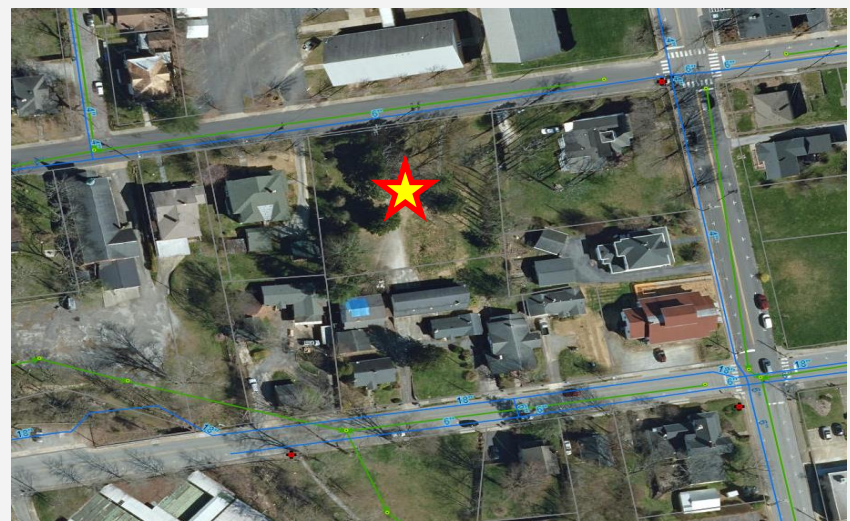
Water and Sewer Availability

Water Mains

— City Water Main

Gravity Mains

— Public Gravity Main



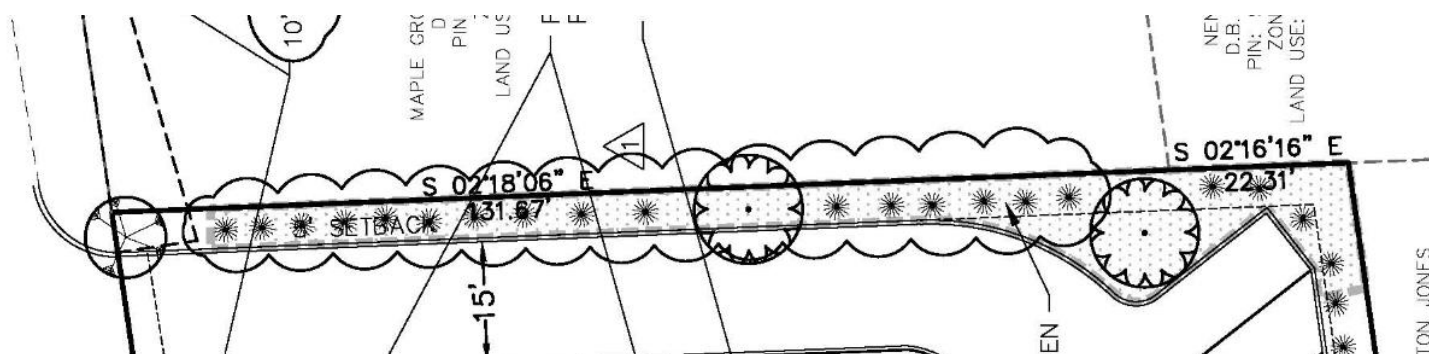
SITE PLAN REVIEW

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

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

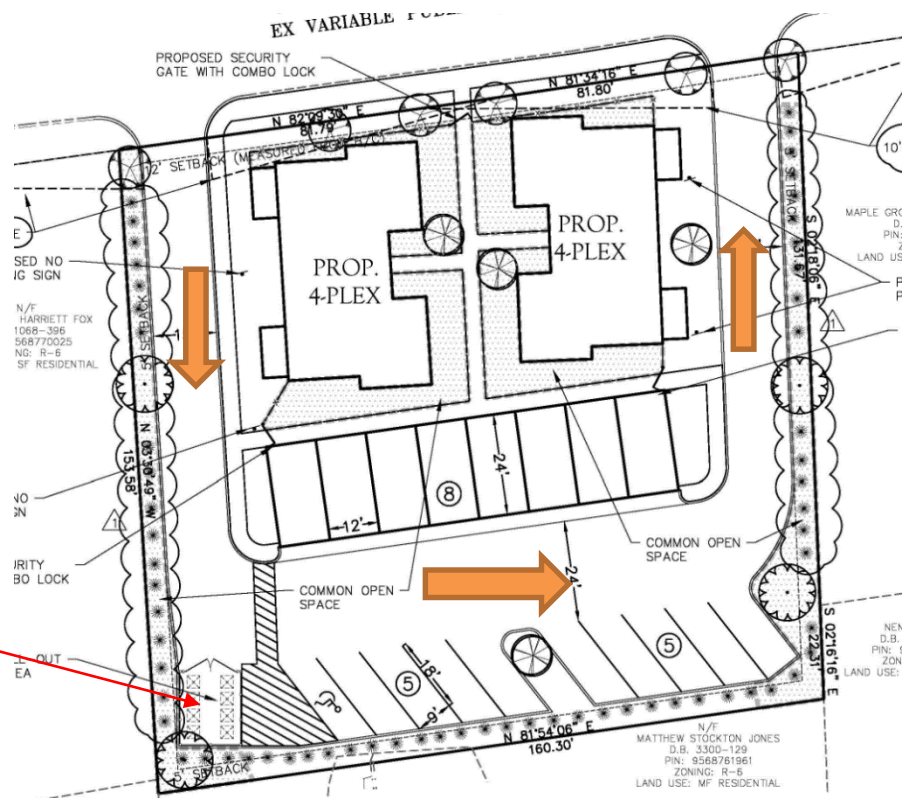


2. The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.



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

Current Site Plan shows dumpster rather than roll-out cans



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



STAFF REVIEW:

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

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

Stormwater/Flood Hazard Area

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

Parking Requirements - Table 6-5-2

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

11 Dwelling Units proposed = **11 spaces required.**

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

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

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

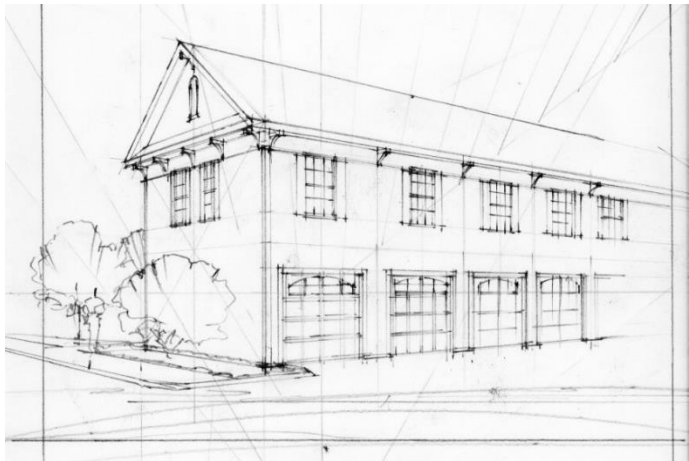
Sidewalks

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

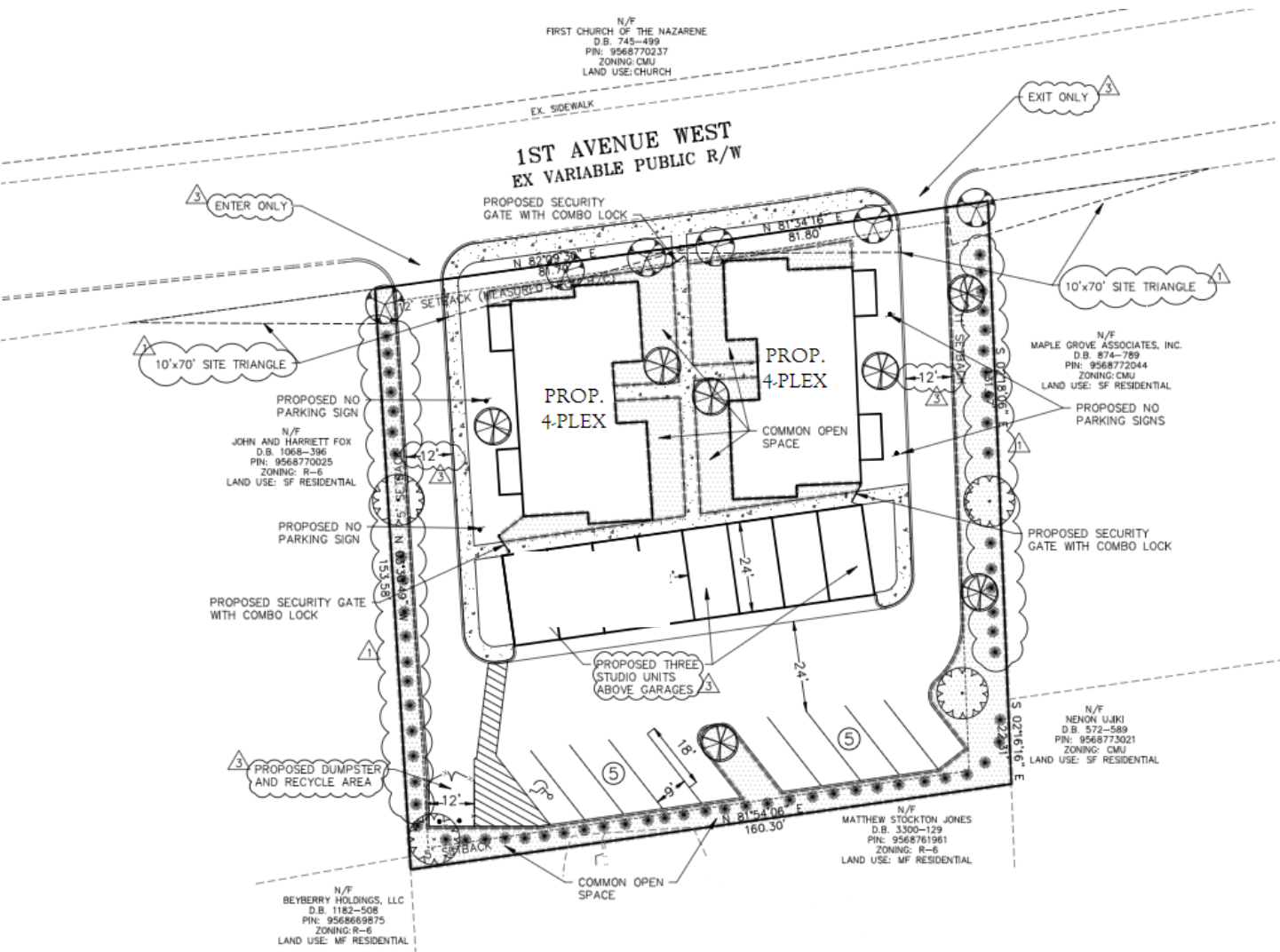
Entrance

The site will have a one-way entrance off of 1st Avenue.

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



ZOOM - SITE PLAN



REZONING CRITERIA:

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

TRANSPORTATION TOPICS:

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

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

Apartment Calculation

11 Units

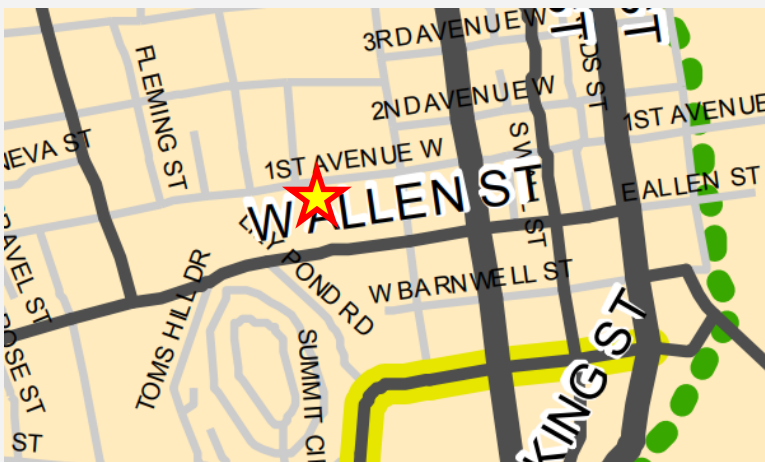
6.05 Trips AM peak hour.

7.37 Trips PM peak hour

73.92 Daily Weekday Trips.

2030 COMPREHENSIVE PLAN
TRANSPORTATION MAP

— Local Street



NOTABLE AREA
PUBLIC WORKS PROJECTS

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

-Tom Wooten, Public Works Director

STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY:

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

The Comprehensive Plan sets a goal to encourage a wide range of housing types and price points. It is staff's position that this type of infill development achieves this by providing small-unit, multi-family housing in close proximity to a variety of places of employment and entertainment, while also maintaining compatibility with the surrounding land uses and neighborhood character.

The Comprehensive Plan states that the City should encourage infill development that utilizes existing infrastructure, this project meets this strategic goal. Staff's assessment is that the road network and water and sewer infrastructure abutting this site would be capable of serving this development. It should be noted that a private water-line servicing 317 W Allen St is currently traversing this site. That water line will be required to be removed and a new service line will need to be installed from W Allen St. This is noted in the attached survey.

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

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

PUBLIC COMMENT:

The Neighborhood Compatibility meeting was held on the original application on January 30th, 2020. This amendment required that the applicant host a new neighborhood compatibility meeting which was held on July 2, 2021. Four members of the public attended with 1 on Zoom. They had questions concerning the following:

- Buffers (Maintenance and Expansion)
- Parking on-street (one side only)
- Traffic concerns
- Water line on property
- Need for affordable housing

PLANNING BOARD - SUMMARY OF ACTION

SUMMARY OF PLANNING BOARD RECOMMENDATIONS

RESERVED

PLANNING BOARD MOTION

RESERVED

ATTACHMENTS IN THE PACKET:

1. Neighborhood Compatibility Meeting minutes
2. List of Uses and Conditions
3. Full Size Site plan
4. Survey (marked up with water line)
5. Tree Survey (marked with staff notes)
6. Application

Planning Report
 Neighborhood Compatibility Meeting
 Application for a Conditional Zoning District
 West Ave. Villas Amendment File # P21-42-CZD
 Friday, July 2, 2021 2:00 p.m.

Tyler Morrow, Planner II, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Building, 305 Williams Street. Approximately three people attended in person and four City staff were in attendance. Approximately two people were on the zoom call. The following attended:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Matt Manley	staff		
Tyler Morrow	staff		
Terri Swann	staff		
Tyler Henry	staff		
Andrew Riddle, App.	Hendersonville NC		
Nenon Ujiki	115A S. Washington St.		
Martha Markham	316 1 st Ave. West Apt B		
Robert Waldrop	103 S. Washington Street		

Mr. Morrow opened the meeting explaining this is the Neighborhood Compatibility meeting for the West Ave Villas project.

This Neighborhood Compatibility meeting is the first step in the conditional zoning process. The project will now go to Planning Board and Tree Board, which are advisory boards to City Council. Planning Board and Tree Board will both make recommendations that will be reviewed by City Council. City Council is the last step in the conditional rezoning process. City Council will review the project and recommendations and make a decision on the rezoning. A property is not rezoned until it is approved by City Council.

Pre-submitted public comments for today’s meeting were accepted via the City of Hendersonville website and will be addressed during this meeting. Comments can also be made during the meeting in person and through zoom by following these procedures, if commenting through participants must use the raise hand feature to make comments or ask questions. At the appropriate time, we will identify users by name and unmute you. You may need to click “participants” to see the raise hand feature. On the telephone, you must press star-9.

If you are in the room and would like to speak, please make yourself known and we will direct you up to the podium.

Before you speak, please state your name and address to be included in the record.

Mr. Morrow stated the subject property is currently CMU CZD, or Central Mixed Use Conditional Zoning district. A rezoning on this property was approved by City Council in August of 2020. Since this was a conditional rezoning, the subject property was limited to a site plan and a particular use.

This is the site plan that was approved by City Council in August of last year. The applicant has requested to make changes to the approved site plan, and this has triggered the project coming back through the Conditional Zoning process. City Council approved multi-family as the permitted use for this project. They also placed four conditions on the approval. Mr. Morrow went through those conditions which were:

1. The architectural style that will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters.
2. The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.
3. The driveway widths shall be 12 feet and not 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side.
4. The developer use the outdoor lighting basic guidelines from the International Dark Sky Association.

The applicant is proposing to make an amendment to the current conditional zoning district. If approved by City Council the zoning district for the property would still be CMU CZD, Central Mixed Use Conditional Zoning District. The site plan shows two quad plex buildings and one garage structure. Each quad plex building is proposed to be enlarged, totaling 1,912 square feet each. The applicant is also proposing to add one additional garage unit. The applicant was approved for two garage units by City Council and now he is requesting three. The footprint of the garage structure will not change. The applicant has also tried to address some of the conditions placed by council on the original rezoning with this new site plan, such as the one way in and out layout as well as increase the buffer and lowering the road width.

Staff has not started their formal review of the plan for zoning compliance. This will occur between today's meeting and Planning Board.

If approved, the development would be limited to what is shown on the approved plan which includes the use of the property.

Following the developer's presentation, you will be able to question the developer about points which remain unclear. Questioning shall center on the proposal's compatibility as presented, not the question of whether the site should be developed, or its use changed. We will identify speakers in order and unmute you.

Before you speak, please give your name and address for the record. Minutes of this meeting will be forwarded to the Planning Board and City Council.

One pre-submitted public comment was received from Ronnie Redden, 336 1st Avenue West. His comment is below:

Good day. I have concerns about recycling bins left on the street and on-street parking. I have the following recommendations. Have the Public Works Department unload all recycling and garbage bins at the rear of the Villas. Also have on-street parking only on one side of the street because if vehicles are across from each other it pinches traffic to one lane. Thank you for listening to these concerns.

Andrew Riddle, developer apologized for having to come back for these changes. They are trying to narrow down what the market is looking for. Concerning Mr. Redden's concerns, the garbage will be deposited in a dumpster on-site and there will not be any cans along the street. There are actually two changes being made. One change is he has added a garage apartment which will have no change to the footprint of the building. They are still meeting the ordinance requirements for parking. The apartment is 768 square feet. The second change is they are extending the buildings from north to south by five feet. The extension is five feet to the south and will be toward the garage apartments. He has looked at modular buildings and stick-built buildings and it is more cost efficient for the modular which will result in the extension of the buildings.

Mr. Morrow opened up the public comment.

Robert Waldrop, 103 S. Washington Street stated they own the house at the corner of 1st Avenue and Washington Street. They own it under a family association. The house was built in 1881 and purchased in 1884 by their family. The home is on the National Historic Register. He is glad to see the narrow drive on the site plan. He would also like to see the existing evergreen buffer increased. They would like a 15-foot buffer compared to the approved 11-foot buffer. He is not sure if there is an actual survey for the property and where the property line falls. Mr. Riddle stated he had a survey done about 1 ½ years ago. He has waked the property line and pulled the footage on the setbacks. He does have a survey. Mr. Waldrop stated until he sees an actual property line marked, he does not know where the property line is. The buffer is currently 11 feet and they would like to see a 15-foot buffer.

Mr. Waldrop asked if there would be 11 units and 18 parking spaces. Mr. Riddle stated yes. Mr. Waldrop also stated he strictly supports parking on only one side of the street. He asked Mr. Riddle if he has decided on stick-built or modular. Mr. Riddle stated not yet.

Nenon Ujiki, 115 S. Washington Street stated she has been to three of these meetings and she has three concerns. One concern is the maintenance of the buffer, the next concern is the population density in the rear of the property and the third issue is the parking. The Boutique Hotel that has been proposed will greatly increase the parking in the area. She has already posted a “no parking” sign on her property at her driveway due to having people park there and block her in. She stated she does agree with the six issues Helen Waldrop Youngblood wrote in her previous letter concerning this project. The letter was dated February 6, 2020. She stated she loves trees and nature, but they do need to consider the safety factor also.

Ms. Ujiki showed photos of the trees and stated she is concerned that some of these trees will fall on her property. She discussed the walnut tree being removed. She stated she would like to have the weeds removed from the buffer and is willing to work with Mr. Riddle on the property line to make a nice buffer.

Mr. Riddle stated they do have a history of working together and he would work with her to make the buffer look nice. He was not sure about the walnut tree, but he thought it was at her request to take it down.

Martha Markham, 316 1st Avenue West stated she lives in an apartment, owned by Matt Johnes and she is very upset about the waterline and how there has been no discussion about having access to the waterline. She was afraid that her water would be cut, and she doesn’t want to wake up and not have any water. Matthew Manley, Planning Manager stated he was unaware about the waterline but that should be a public waterline and he will talk with the Water Department about this. Mr. Riddle stated there has been some discussion about a galvanized waterline that runs through the property and he assumes it is a private line.

Mr. Manley stated he will talk with the Water Department staff concerning this waterline. He stated Ms. Markham does not have to worry, they will not just cut her water off. He will get her contact information after the meeting and he will get some answers for her. He stated staff will have to review this project and they are not at that stage yet. Any issues with water lines will be resolved during the review process with the other departments. He stated he does not want her to be worried or upset and she will not have to worry about any cost coming to her for any issues this waterline may have. There may not even be an issue with the line. He will get some answers for her.

Ms. Markham asked if this should not have been addressed back in 2020 when it first was approved by City Council. Mr. Manley stated it did not get that far in the process since changes were made and it had to start the process over again. This would not be officially addressed until after a City Council approval. Mr. Manley will look into the issue now that he has been made aware of it.

Mr. Waldrop stated the letter Ms. Ujiki referred to was written by his sister Helen Waldrop Youngblood and she is not a realtor. She is a retired Zoning Officer. He also stated the walnut tree was struck by a microburst which caused it to have to be taken down.

Mr. Morrow asked if anyone else attending would like to speak. No one spoke.

Zoom call: Ken Fitch, 1046 Patton Street, stated he would like clarification that this is an amendment to an application that was previously approved and if this amendment does not get approval can the applicant revert back to the first approval. Mr. Morrow stated yes, the previous approval will remain in place.

Mr. Fitch asked if they are expanding the building in size, which will move the buildings closer together. Mr. Riddle stated yes, he is expanding in size and it will close the gap between the two buildings. Mr. Fitch stated this does not change the occupancy of the building. Mr. Riddle stated no.

Ms. Ujiki asked about it being stated at the January 2020 meeting that the tenants would be snowbirds and she felt like this would be better if it was affordable housing. She is a proponent of affordable housing and felt like the locals needed it. Mr. Riddle stated he tried to get affordable housing with his first proposal. He proposed 18 units at \$800 a month to meet the affordable housing crisis and that was shot down by the neighbors.

Mr. Morrow stated the next step is the Planning Board which is an advisory board to City Council. That meeting will be in August. City Council would hear the application in September. That timeframe could change.

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

With no further comments or questions, Mr. Morrow closed the meeting at 2:43 pm.

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL NUMBER 9568-77-1057 BY CHANGING THE ZONING DESIGNATION FROM CENTRAL MIXED USE CONDITIONAL ZONING DISTRICT TO CENTRAL MIXED USE CONDITIONAL ZONING DISTRICT

IN RE: Parcel Number: 9568-77-1057– West Ave Villas Site Plan Amendment
(File # P21-42-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning Amendment application from Andrew Riddle, of Riddle Development, LLC for the development 2 quad plex units and 3 garage apartments on approximately 0.57 acres., and

WHEREAS, the Planning Board took up this application at its regular meeting on August 9, 2021; voting ____ 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 September 2, 2021, and

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel number 9568-77-1057 from Central Mixed Use Conditional Zoning District to Central Mixed Use Conditional Zoning District
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be subject to the following:
Permitted Uses shall include:
 - 1) Multi-family residential dwellingsConditions that shall be satisfied prior to final site plan approval include:
 - 1) The developer use the outdoor lighting basic guidelines from the International Dark Sky Association.
 - 2) The driveway widths shall be 12 feet and not 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side.
 - 3) The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer.
 - 4) The architectural style will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters.
3. This ordinance shall be not be effective until the stipulated list of conditions 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 second day of September 2021.

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

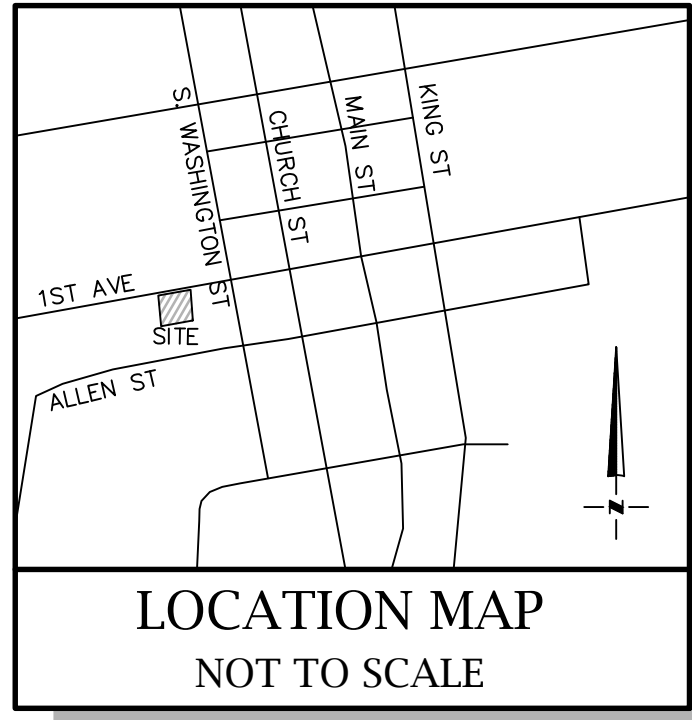
Angela L. Reece, City Clerk

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 the imposition of all conditions stated.

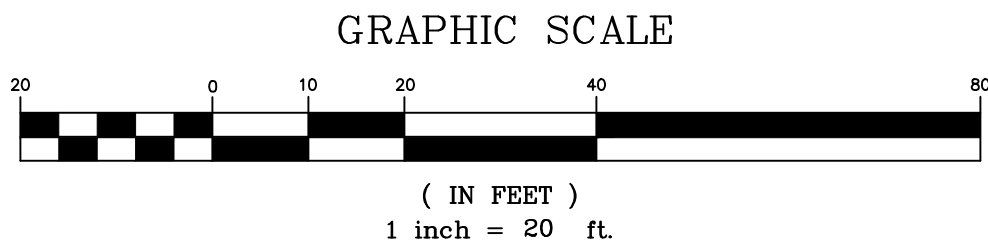
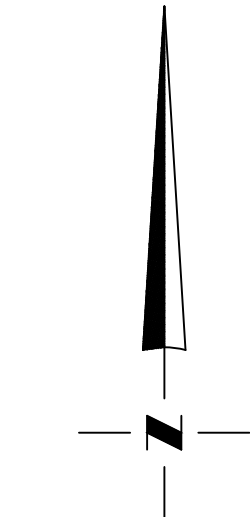
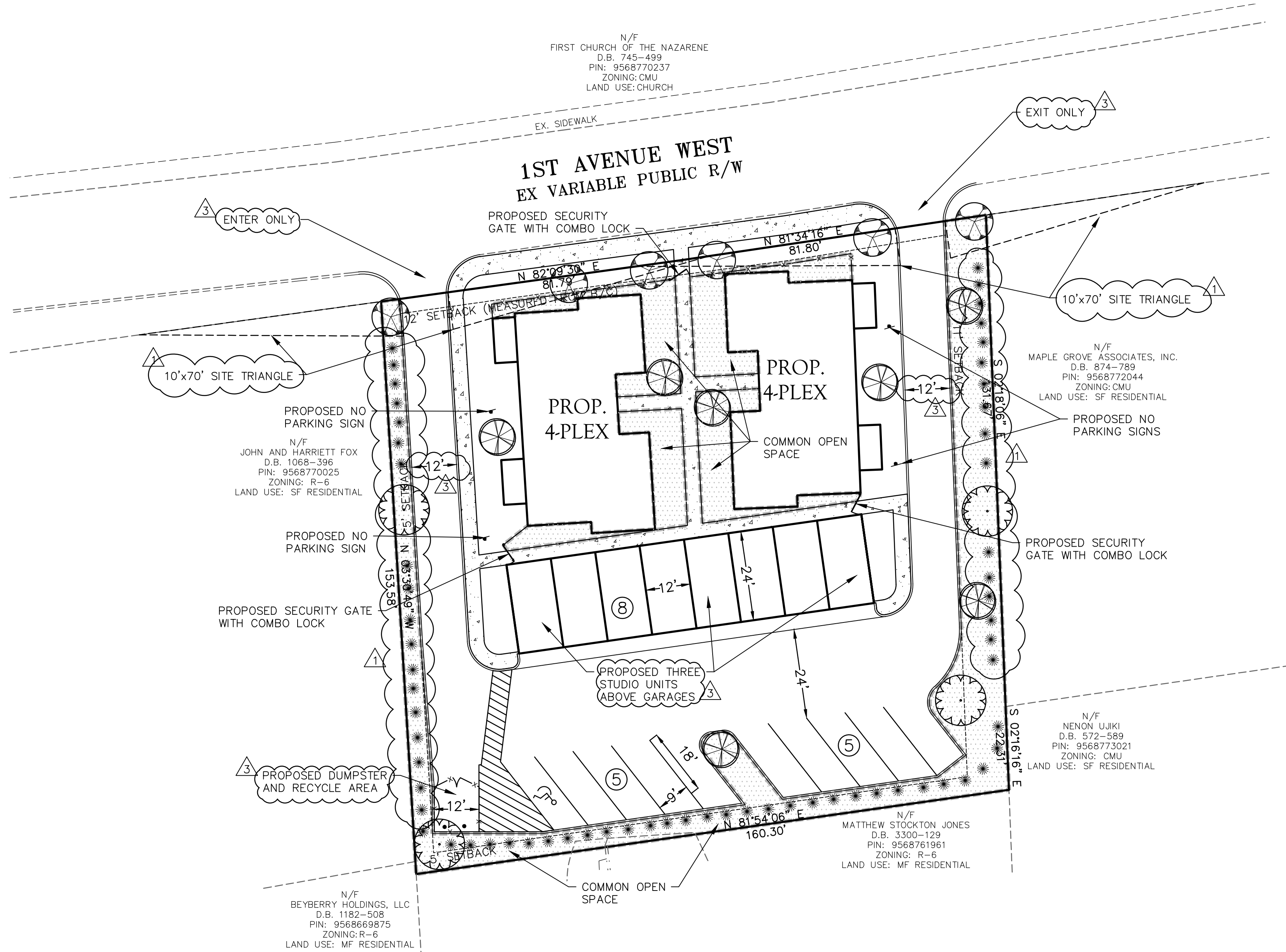
Applicant: _____	Property Owner: _____
Signature: _____	Signature: _____
Printed Name: _____	Printed Name: _____
Title: _____	Title: _____
Date: _____	Date: _____



- DEVELOPMENT NOTES:**
- COMMON OPEN SPACE**
1. DOCUMENTATION SHALL BE PROVIDED PRIOR TO FINAL SITE PLAN APPROVAL FOR ONGOING MAINTENANCE OF COMMON FACILITIES.
- STORMWATER MANAGEMENT**
1. STORMWATER APPROVAL FROM THE CITY ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO FINAL SITE PLAN APPROVAL.
2. EROSION CONTROL APPROVAL IS REQUIRED FROM HENDERSON COUNTY PRIOR TO FINAL SITE PLAN APPROVAL.
- UTILITIES**
1. UNITS TO HAVE INDIVIDUAL WATER METERS.
2. SANITARY SEWER TO BE A SINGLE CONNECTION.

LAND OWNER:	RIDDLE DEVELOPMENT, LLC 732 JONESBOROUGH ST HENDERSONVILLE, NC 28739
PIN:	9568771057
JURISDICTION:	HENDERSONVILLE
DEED BOOK & PAGE:	3131 / 595
TOTAL SITE ACREAGE:	0.57 AC (24,766 SF)
CURRENT ZONING:	R-6
PROPOSED ZONING:	CMUCZD
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY (APARTMENTS)
TOTAL UNITS:	11
FRONT SETBACK:	12'
-MEASURED FROM BACK OF CURB	
SIDE YARD SETBACK (WEST):	5'
SIDE YARD SETBACK (EAST):	11'
REAR YARD SETBACK:	5'
REQUIRED PARKING:	11
-1 SPACE PER EACH DWELLING UNIT	
PROPOSED PARKING:	18
-H.C. VAN ACCESSIBLE PARKING:	1
OPEN SPACE REQUIRED:	
-PROPOSED DWELLING UNITS:	11
-REQUIRED MINIMUM OPEN SPACE (500 SF PER DU):	5,500 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
-PROPOSED OPEN SPACE:	5,500 SF
-PROPOSED ASPHALT:	±9,000 SF
-PROPOSED SIDEWALK:	±1,120 SF
(HATCHED AREA INDICATES COMMON OPEN SPACE)	
REQUIRED TREES:	11
-1 TREE PER 500 SF OF OPEN SPACE	
PROVIDED TREES:	11
PROPOSED BUILDING HEIGHT:	25'
PROPOSED BUILDING AREA:	1,912 SF (EACH APT BLDG) 2,304 SF (GARAGE/STUDIO BLDG) 6,128 SF (TOTAL) (24.74% OF TOTAL SITE AREA)

DEVELOPMENT SUMMARY



Mc²
ENGINEERING

Mc² ENGINEERING, INC.
2110 BEN CRAIG DR., STE. 400
CHARLOTTE, NC 28262
PHONE 704.510.9797

PROPOSED DEVELOPMENT:
WEST AVENUE VILLAS

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

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

SCHEMATIC SITE PLAN

REVISIONS		
1	1/28/20	HENDERSONVILLE COMMENTS
2	6/11/20	OWNER REVISION
3	6/28/21	SETBACK CHANGES

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

RZ1.0

NORTH CAROLINA
HENDERSON COUNTY

I, _____ REVIEW OFFICER
OF HENDERSON COUNTY, CERTIFY THAT THE MAP OR
PLAN TO WHICH THIS CERTIFICATION IS AFFIXED
MEETS ALL STATUTORY REQUIREMENTS FOR
RECORDING

REVIEW OFFICER _____ DATE _____

NORTH CAROLINA
HENDERSON COUNTY

THIS INSTRUMENT WAS FILED FOR REGISTRATION THIS
THE _____ DAY OF _____ 2016
AT _____ O'CLOCK
IN PLAT NUMBER _____

REGISTER OF DEEDS _____

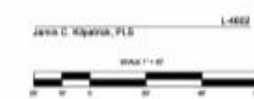
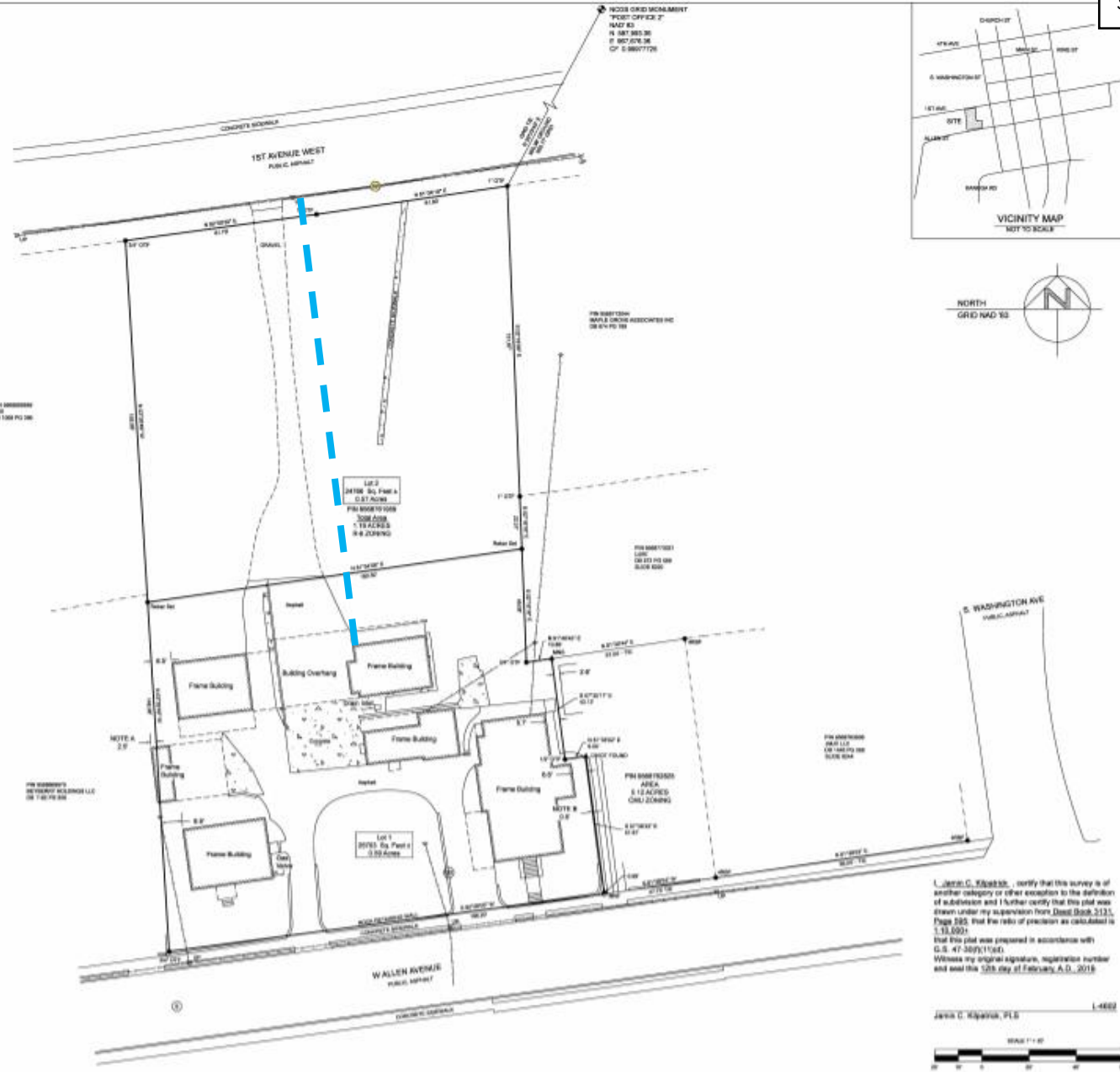
BY: _____ DEPUTY _____

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NOTES

1. SURVEY PROPERTY 1.50 TO 2.00 AND 2.00 TO 2.50 OF THE PROPERTY
2. ORIGINAL DOCUMENT SURVEY COMPLETED ON MARCH 5, 2011. THIS SURVEY IS TO BE SUPERSEDED BY THE
3. THIS PROPERTY IS NOT LOCATED IN A SPECIAL-PLANNED AREA OR ZONING DISTRICT BY THE PLANNING
4. SURVEYOR HAS NOT PROVIDED ANY LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OR
5. RECORD ENCUMBRANCES, EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS, DEEDS, OTHER
6. PUBLIC RECORDS TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE
7. THAT ARE NOT SHOWN ON THIS SURVEY.
8. THE LOCATIONS OF UNDERGROUND UTILITIES ARE SHOWN ON A GROUND SURVEY AND SHOULD
9. BE USED AS A GUIDE ONLY. THE SURVEYOR DOES NOT GUARANTEE THE LOCATION OR DEPTH OF ANY UTILITIES
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LAND SURVEYING PLLC
PO BOX 2704, HENDERSONVILLE, NC 27534
919.486.4117 www.landsurveying.com

RIDDLE DEVELOPMENT, LLC
CURRENT OWNER: RIDDLE DEVELOPMENT LLC
City of Hendersonville, Henderson County, Tennessee
Henderson County, North Carolina
PIN 580070-1658

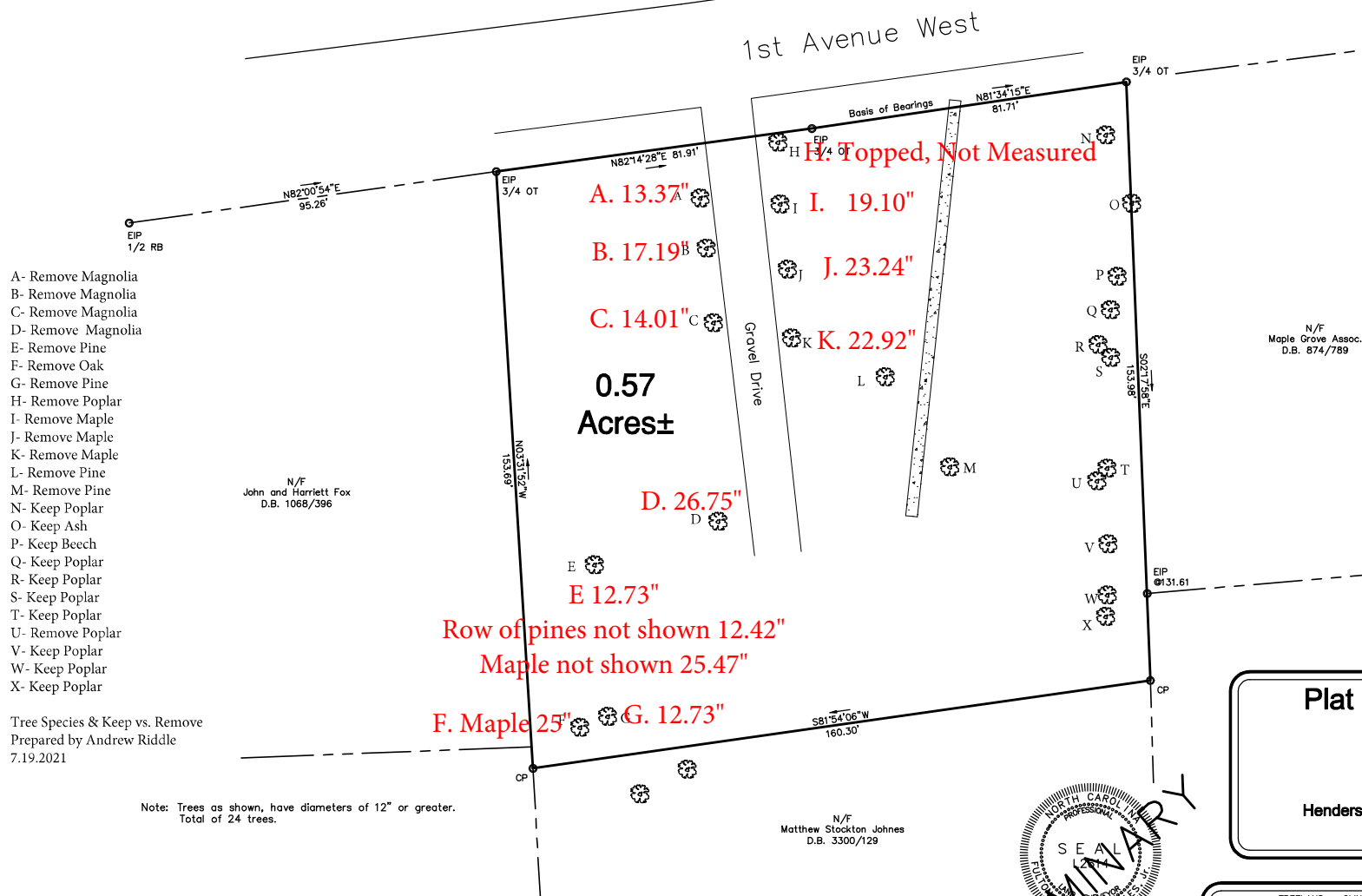
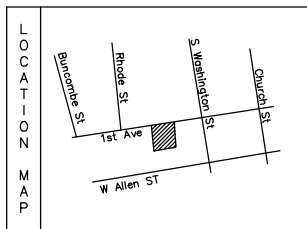
SUBDIVISION OF PROPERTY FOR

I, **James C. Kilpatrick, PLS**, certify that this survey is of
another category or other exception to the definition
of subdivision and I further certify that this plat was
drawn under my supervision from David Book 2131,
Page 285, that the ratio of precision as calculated is
1:11,691
that this plat was prepared in accordance with
G.S. 47-38(c)(1)(b).
Witness my original signature, registration number
and seal this 15th day of February, A.D., 2016.

Date: 8 MARCH 2017
Drawn By: JCH
Scale: 1" = 30'
Revision: 02-12-16
Dwg No: G-17-366

LEGEND.

	NIP	NEW IRON PIN
	EIP	EXISTING IRON PIN
	CP	CALCULATED POINT ONLY
		POWER POLE
		LIGHT POLE
		WATER VALVE
		GAS VALVE
		WATER METER
		FIRE HYDRANT
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CATCH BASIN
		CLEANOUT
		CURB INLET
		TRANSFORMER
		OVERHEAD POWER
		FENCE LINE



Tree Species & Keep vs. Remove
Prepared by Andrew Riddle
7.19.2021

Note: Trees as shown, have diameters of 12" or greater.
Total of 24 trees.

Not For Recordation

The original drawing and/or all copies of it are not transferable to any future owner(s) of the platted property and shall not be used or relied upon by future owner(s) and/or their representatives for any reason without written release by the professional surveyor.

This is to certify that the property shown on this plat was surveyed under my direct supervision. Property lines and improvements are located correctly and that no visible encroachments exist unless otherwise shown.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

Not valid without the signature
and the original seal of a North Carolina
licensed land surveyor.

Plat of Boundary Survey for

Andrew Riddle

1st Avenue West

Hendersonville Township, Henderson County, N.C.

**FREELAND - CLINKSCALES
& ASSOCIATES, INC. OF N.C.**
ENGINEERS * LAND SURVEYORS
201 2nd AVE. EAST
HENDERSONVILLE, N.C. 28792
fcaofnc@outlook.com
(828) 697-6539
Fax (828)-697-4195
Firm No. C-1562

REF. PLAT BOOK	2019/11633
REF. DEED. BOOK	3131/595
TAX MAP	956B-77-1057
PARTY CHIEF	FVC
DRAWN	BLB
DATE	January 27, 2020
DWG.NO.	

Sheet No. 1 of 1



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King Street ~ Hendersonville, NC ~ 28792

Phone (828) 697-3010 ~ Fax (828) 697-6185

www.cityofhendersonville.org

APPLICATION FOR CONDITIONAL ZONING DISTRICT AMENDMENT

Section 7-6-3 City Zoning Ordinance

The following are required to amend a Conditional Zoning District:

~ This form including the property owner(s) signature(s)

~ Appropriate fee

~ 2 copies of the amended site plan.

Date

6.22.2021

Name of Project

First Ave Villas

Address / Location of Property

Vacant Land on First Avenue

List 10 digit PIN or 7 digit PID Number for each property

9568771057

Contact Information

Andrew Riddle 828.243.3610

Address

P.O. Box 1025 Flat Rock, NC 28731

Phone

828.243.3610

Fax

Email

andrew@riddledevelopment.com

**Proposed change(s)
to Conditional
Zoning District**

Add one apartment above the garages for a total of three versus two. Add 350 square feet to the footprint of each quadplex building.

Designated Agent

Andrew Riddle

Address

Same

Phone

828.243.3610

Signature

Official Use:

DATE RECEIVED: 6/25/21

BY Terri Swann

FEE RECEIVED \$ 175.00

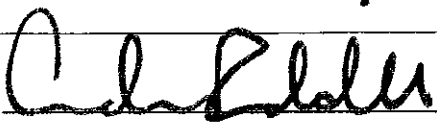
FILE NO. P21-42-CZD

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

Property Owner: Name	Riddle Development, LLC
----------------------	-------------------------

Address	P.O. Box 1025 Flat Rock NC 28731
---------	----------------------------------

PID or PIN	9568771057
------------	------------

Signature  Managing Director

Printed Name Andrew Riddle

Property Owner: Name	
----------------------	--

Address	
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PID or PIN	
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Signature _____

Printed Name _____

Property Owner: Name	
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Address	
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PID or PIN	
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Signature _____

Printed Name _____

Property Owner: Name	
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Address	
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PID or PIN	
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Signature _____

Printed Name _____



CITY OF HENDERSONVILLE PLANNING BOARD AGENDA ITEM SUMMARY

SUBMITTER: Lew Holloway **MEETING DATE:** August 9th, 2021

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Community Development

TITLE OF ITEM: Addition and Definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU and HMU – Zoning Text Amendment (P21-41-ZTA): *Lew Holloway, Community Development Director*

SUGGESTED MOTION(S):

I move to recommend that City Council adopt an ordinance to amend the City of Hendersonville Zoning Ordinance with the addition and definition of Small Scale Manufacturing as a permitted use subject to supplementary standards in zoning district classifications C-1, C-2, C-3, CMU and HMU.

SUMMARY:

Staff are proposing the addition and definition of a third categorical type of industrial use to be termed “Small Scale Manufacturing.” Small Scale Manufacturing is proposed to be a permitted use subject to Supplementary Standards in zoning district classifications C-1, C-2, C-3, CMU and HMU.

Small Scale Manufacturing shall be defined as, “The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed 25% of the footprint of all buildings on the property. And where such processes do not require frequent deliveries whether by a truck with more than one axle.”

The Supplementary Standards for Small Scale Manufacturing are proposed to be the following;

1. The front of the building at street level shall remain open and visible from the sidewalk with a view of the activities inside; and
2. A showroom, display area, or sales area shall be provided.
3. Outdoor storage of goods and materials shall not be permitted in zoning district classifications C-1, CMU & HMU.
4. Outdoor storage of goods and materials shall not exceed 25% of the total footprint of all buildings on the property in zoning district classifications C-2 & C-3.

5. Newly constructed loading and unloading facilities shall be designed such that they are internal to the site, in service alleys or at the back of the building.
6. Delivery needs shall not exceed more than 1 multi-axle truck per week.
7. Reuse of an existing building shall not exceed 20,000 square feet of building floor space.
8. New construction shall not exceed 10,000 square feet of building floor space.

Small Scale Manufacturing would be required to meet all applicable zoning requirements including but not limited to, parking, buffer yards, screening, etc.

PROJECT/PETITIONER NUMBER: P21-41-ZTA

PETITIONER NAME: City Initiated

ATTACHMENTS:

N/A