



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Monday, August 08, 2022 – 4:00 PM

AGENDA

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A. Minutes of July 11, 2022 Meeting

4. OLD BUSINESS

5. OTHER BUSINESS

A. Analysis of Impediments to Fair Housing (Discussion) – *Mary Roderick, Regional Planner – Land of Sky Regional Council*

B. Planning Board Committee Assignments - *Jim Robertson, Chairman*

C. Discussion on Zoning Reform - *Jim Robertson - Chairman*

6. NEW BUSINESS

A. Zoning Text Amendment: Multi-Family & Dimensional Standards in the MIC (P22-64-ZTA) – *Matthew Manley, AICP – Planning Manager*

B. Rezoning: Conditional Zoning District – Cottages @ Mastermind (P22-55-CZD) – *Matthew Manley, AICP – Planning Manager*

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 11, 2022**

Members Present: Stuart Glassman, Neil Brown, Tamara Peacock, Frederick Nace, Jim Robertson (Chair), Peter Hanley, Andrea Martin (attended by did not vote)

Members Absent: Jon Blatt, (Vice-Chair), Barbara Cromar

Staff Present: Matthew Manley, Planning Manager (Zoom), Tyler Morrow, Planner II, Lew Holloway, Community Development Director 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 amended the agenda to remove Item D from the agenda. Mr. Hanley moved for the revised agenda to be approved. The motion was seconded by Mr. Glassman and passed unanimously.*
- III Approval of Minutes for the meeting of June 13, 2022.** *Mr. Brown moved to approve the Planning Board minutes of the meeting of June 13, 2022. The motion was seconded by Ms. Peacock and passed unanimously.*
- IV Old Business**
- V New Business**
- V(A) Zoning Map Amendment – Standard Rezoning – Crest Road – US Army (P22-47-RZO).** Mr. Holloway gave the following background:

The city is in receipt of an annexation application from the United States Army Corp of Engineers (property owner) for a 19.96-acre tract along Crest Road adjacent to Upward Elementary School off of Upward Road. The applicant has not requested rezoning; therefore, the city is initiating zoning for this parcel from Henderson County Industrial to City of Hendersonville I-1, Industrial.

Mr. Holloway pointed out the parcel and its location on a GIS map. He stated the rezoning is the result of an annexation request. This was presented to City Council at the July meeting and is the first step taken. The city has 60 days to rezone a property being annexed. This will go to City Council in August for the rezoning.

The Upward Road Planning District map was shown. This parcel is just outside of this district. Sewer is available.

The current land use and zoning were shown in the presentation and is included in the staff report. This property is zoned Industrial by Henderson County.

Site photos were shown.

The Future Land Use map for Henderson County shows this parcel designated as Urban Services Area. It is adjacent to the City of Hendersonville's Regional Activity Center designation.

Comprehensive Plan Consistency was discussed. Each chapter is included in the staff report.

General Rezoning Standards were discussed from the staff report.

A draft of the Comprehensive Plan Consistency Statement was shown in the presentation and staff report along with the Rezoning Reasonableness Statement.

Chair asked if there were any questions for staff. There were no questions for staff.

Chair had concerns about the I-1 zoning and asked who determined the parcel should be zoned I-1 by the city. Mr. Manley stated staff made that determination due to the existing Industrial zoning on the property. Chair had concerns about any use that may be permitted in I-1 but would not fit in. Chair and Mr. Holloway discussed the requirements and uses in I-1.

Chair opened the meeting for public comment.

Ken Fitch, 1046 Patton Street (Zoom) had concerns about development by right and who would review the site plan. He discussed landscaping requirements for any development on the site.

Chair closed the public comment.

The Board discussed building something by right. Mr. Brown stated the city's Industrial zoning would be more restrictive than the county. Chair had concerns about the review process. Mr. Holloway explained the review process.

Mr. Hanley moved 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 9587-68-8771) from Henderson County Industrial Zoning District to City of Hendersonville I-1, Industrial Zoning District based on the following: 1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because: The proposed Industrial zoning presents an opportunity to improve the land use balance as called for in Chapter 8 of the City's 2030 Comprehensive Plan. 2. Additionally, we find the petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: The proposed zoning is compatible with surrounding land uses and the proposed zoning presents an opportunity for additional employment. 3. Furthermore, we recommend designating the Future Land Use of the parcel as Regional Activity Center. Mr. Brown seconded the motion which passed unanimously.

V(B) Zoning Map Amendment – Standard Rezoning – 1027 Fleming Street – Andrew Riddle (P22-57-RZO).
Mr. Holloway gave the following background:

The city is in receipt of an application for a zoning map amendment petition from Andrew Riddle of Riddle Development, LLC for the subject property (PIN 9569-60-2887) located at 1027 Fleming Street to rezone the property from MIC-SU, Medical, Institutional and Cultural Special use to MIC, Medical, Institutional and Cultural.

Mr. Holloway stated this parcel is 0.98 acres with an existing structure on the lot. This was created by a minor subdivision of a larger parcel. The remainder of the parcel will remain MIC-SU.

Current land use and zoning was discussed. Mr. Holloway showed a comparison table of the MIC permitted uses and the uses contained with the MIC -SU district. This comparison is included in the staff report.

Site photos were shown.

The Future Land Use Designation is split between Neighborhood Activity Center and Urban Institutional.

Comprehensive Plan Consistency was discussed. Each chapter with the goals and strategies were listed in the staff report.

The General Rezoning Standards were discussed and are listed in the staff report.

A draft Comprehensive Plan Consistency Statement along with a Reasonableness Statement was shown and is included in the staff report.

Ms. Peacock asked to be recused from this item as the applicant Andrew Riddle is a client of hers. She is the architect for the project. The Board voted unanimously to recuse Ms. Peacock from this item.

Chair asked if there were any questions for staff.

Mr. Brown asked if they were only looking at this one acre for the rezoning. Mr. Holloway stated yes, the remaining parcel would have to be rezoned before any development could take place.

Chair asked why they could not go ahead and look at all the parcels for rezoning now. Mr. Holloway stated it may require a different rezoning. This was previously submitted, and the Board had concerns at that time about the rezoning of the whole parcel. Mr. Riddle only owns the 0.98-acre parcel.

Matthew Rogers, Fletcher, NC, representing Mr. Riddle stated the rezoning would open up opportunity for tenants to lease the building with more uses being permitted. That is the reason for the rezoning.

Chair opened the hearing for public comment. There were no comments.

Chair closed public comment.

Mr. Hanley 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 9569-60-2887 from MIC-SU, Medical Institutional and Cultural Special Use zoning district to MIC, Medical, Institutional and Cultural zoning district based on the following: 1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because: the Goals and Strategies of LU-12 – Urban Institutional calls for primary recommended land uses which align with the proposed MIC zoning. 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: MIC is the zoning district established for the area surrounding Pardee Hospital. The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan. The subject property contains an existing office building and is well-suited to house a range of uses permitted in the MIC district. Mr. Glassman seconded the motion which passed unanimously.

V(C) Zoning Text Amendment – Animal Hospitals and Clinics in MIC (P22-58-ZTA). Mr. Holloway gave the following background:

The City of Hendersonville is in receipt of an application for a Zoning Text Amendment from Andrew Riddle for an amendment to the list of Permitted Uses in the MIC, Medical, Institutional and Cultural Zoning District (Section 5-10-1) to include the use of Animal Hospital and Clinic.

Mr. Holloway showed the other districts which currently permit this use. Staff is also proposing to make clarifications and corrections related to Animal Hospitals and Clinics and Animal Boarding facilities elsewhere in the zoning code.

The Planning Board Legislative Committee met June 21, 2022 and discussed the text amendment. Mr. Manley stated the use is not subject to Supplementary Standards although it is incorrectly referenced in the I-1 zoning district as being subject to them. This will be cleaned up in the ordinance along with this amendment if approved.

A draft Comprehensive Plan Consistency Statement was shown along with a reasonableness statement which is included in the staff report.

Mr. Holloway stated animal hospitals are a medical use even though it relates to animals and not humans. Staff feels this is a compatible use for the MIC zoning district.

Chair asked if there were any questions for staff.

Mr. Brown stated he feels this is a much-needed amendment and is in favor of it. He had concerns about underground fencing being used or hospitals having running areas and how that could not be referred to as a kennel. Mr. Holloway stated staff will review all site plans and anything that looks like a running area or kennel or anything other than a place for the dogs to go out to the bathroom, will be questioned and staff would not approve it.

Chair opened the meeting for public comment.

Ken Fitch, 1046 Patton Street had concerns about the buffering of this to residential districts. Mr. Morrow stated a Type B buffer would be required where MIC abuts residential.

When no one else spoke, Chair closed the public comment.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V – Zoning District Classifications, Section 5-10-1 and Section 5-12-1, Permitted Uses; and Article XII – Definition Of Terms, Section 12.2 – Definition of Commonly Used Terms and Words, based on the following: 1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The 2030 Comprehensive Plan Land Use and Development Chapter calls for the City to consider short-and long-term impacts on compatibility with existing development and further recommends the consideration be given to determine if an application demonstrates a clear public purpose. 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: The petition addresses additional opportunities for the provision of services for pets and other animals within the City of Hendersonville's zoning jurisdiction. The proposed use aligns with the intent of the MIC Zoning District to serve as a medical district. Mr. Brown seconded the motion which passed unanimously.

- VI Other Business.** Chair discussed an article that Mr. Manley had sent to him concerning zoning and the housing crisis. Mr. Holloway discussed this article from the American Planning Association. Staff will send this out to the Board members.
- VII Adjournment – *The meeting was adjourned at 5:03 pm.***

Jim Robertson, Chair



CITY OF HENDERSONVILLE

PLANNING BOARD

AGENDA ITEM SUMMARY

SUBMITTER:

Lew Holloway

MEETING DATE:

August 8, 2022

AGENDA SECTION:

OTHER BUSINESS

DEPARTMENT:

Community Development

TITLE OF ITEM:

Analysis of Impediments to Fair Housing (Discussion) – Mary Roderick, Regional Planner – Land of Sky Regional Council

SUGGESTED MOTION(S):

N/A

SUMMARY:

One of the submission requirements for compliance with federal regulations surrounding the implementation of a Community Development Block Grant is the creation and local review of an “Analysis of Impediments to Fair Housing.” Fair access to housing is guaranteed under federal law. This documents reviews the basic requirements of this law and seeks to identify imbalances at a local level, reporting them accordingly and identifying strategies to address those impediments.

Mary Roderick with the Land of Sky Regional Council, who has been contracted by the City to help pull together the CDBG reporting, previously for the Grey Mill project and currently for our Ashe Street Neighborhood project, will present on her work to date.

**PROJECT/PETITIONER
NUMBER:**

PETITIONER NAME:

ATTACHMENTS: Draft Analysis of Impediments Document

The City of Hendersonville Planning Board Rules of Procedure Article V, Section 5, gives the Planning Board the authority to establish standing committees as it finds necessary and convenient. Currently, the Board has the following three committees:

CURRENT PLANNING COMMITTEE –

Responsibilities: The responsibilities of the Current Planning committee involve the review of Rezoning (CZDs / Standard Rezoning), Major Subdivisions, and Site Plans. The purpose of this committee is to work to achieve a sufficient level of comfort with the factors involved with these various proposals prior to consideration by the full Planning Board. This will give an opportunity to the Committee members to ask questions and ensure all aspects of the proposal are well understood. The Committee’s work will assist the full Planning Board by having Committee Members who can speak to their understanding of various aspects of each item during the regular meeting. This will also allow staff to identify and focus on the most pertinent factors involved with a proposed project during presentations. It is our hope that this committee’s role will assist in streamlining the work of regular Planning Board meetings.

LEGISLATIVE COMMITTEE –

Responsibilities: The responsibility of the Legislative Committee is to review proposed amendments/revisions to the Zoning Code and Subdivision Ordinance. Members of this committee should have a kin interest in shaping development and the use of language to achieve an intended outcome. Topics coming before this committee are wide-ranging.

LONG RANGE COMMITTEE –

Responsibilities: The responsibilities of the Long Range Committee will revolve around the development of the Comprehensive Plan, Small Area Plans, Strategic Plans, Master Plans, etc. Activities related to this work may include such things as selection of consultants, community engagement strategies, review of data, and identification of focus areas. This committee has a standing meeting date but convenes only as needed.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** August 8, 2022

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

TITLE OF ITEM: Zoning Text Amendment: Multi-Family & Dimensional Standards in the MIC (P22-64-ZTA) – *Matthew Manley, AICP – Planning Manager*

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council <u>adopt</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-10-1. Permitted Uses; Section 5-10-3. Dimensional requirements; and Section 5-14-7. Minor planned residential developments, 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 the public hearing, and because:</p> <p>The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation.</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. The addition of multi-family residential as a permitted use will allow for greater infill development in a zoning district with a mix of intense land uses.2. The addition of multi-family residential as a permitted use will place more residents within close proximity to goods and services.3. The addition of multi-family residential as a permitted use will allow for a mixture of housing types at different price points.	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council <u>deny</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-10-1. Permitted Uses; Section 5-10-3. Dimensional requirements; and Section 5-14-7. Minor planned residential developments, 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 the public hearing, and because:</p> <p>The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation.</p> <p>2. We [<u>do not find</u>] 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. The allowance of additional density would be incompatible with single-family uses in the MIC zoning district. <p>[DISCUSS & VOTE]</p>
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<div>4. The reduction of setbacks will allow for more efficient use of land and provide more opportunities for infill development.</div> <div>5. The shifting of parking to the side or rear will accommodate a more pedestrian-friendly environment.</div> <div>[DISCUSS & VOTE]</div>	
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***SUMMARY:** The City of Hendersonville is initiating an amendment to the list of Permitted Uses and Dimensional Standards in the MIC (Medical, Institutional, & Cultural) Zoning District.*

Sec. 5-10-1 would be amended to include, as a permitted use, “Residential, Multi-family” with a maximum density of 12 units/acre. Section 5-10-3 would be amended to reduce front setbacks from 30’ to 10’ on local streets and 0’ on major and minor thoroughfares (6th Ave (US 64), 5th Ave & N. Justice St). As well as to reduce the minimum lot size and side and rear setbacks. Amendments to this section would include a provision to locate parking to the side or rear of a lot and to set residential density based on the amount of open space provided by a proposed development.

Section 15-4-7 would also be amended to strike Minor PRD in the MIC as this use would be made obsolete with the reduction of setbacks and inclusion of Multi-family residential as a permitted use in the MIC.

PROJECT/PETITIONER NUMBER:	P22-64-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<div>1. Staff Report</div> <div>2. Text Amendment Supplementary Map</div> <div>3. Draft Ordinance</div>

ZONING TEXT AMENDMENT: MULTI-FAMILY AND DIMENSIONAL STANDARDS
IN THE MIC (P22-64-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY 2

AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW 3

SITE IMAGES..... 5

SITE IMAGES..... 6

SITE IMAGES..... 7

LEGISLATIVE COMMITTEE RECOMMENDATION 8

STAFF ANALYSIS..... 8

AMENDMENT ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)..... 11

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 12



PROJECT SUMMARY



- Project Name & Case #:
 - Multi-family and Dimensional Standards in the MIC
 - P22-64-ZTA
- Applicant:
 - City of Hendersonville
- Articles Amended:
 - Section 5-10 (MIC)
 - 5-10-1
 - 5-10-3
 - Section 5-14-7 (PRD – Minor PRD)
- Applicable Zoning District(s):
 - MIC, Medical, Institutional, & Cultural Zoning District

Summary of Amendment Petition:

The City of Hendersonville is initiating an amendment to the list of Permitted Uses and Dimensional Standards in the MIC (Medical, Institutional, & Cultural) Zoning District.

Sec. 5-10-1 would be amended to include, as a permitted use, “Residential, Multi-family” with a maximum density of 12 units/acre.

Section 5-10-3 would be amended to reduce front setbacks from 30’ to 10’ on local streets and 0’ on major and minor thoroughfares (6th Ave (US 64), 5th Ave & N. Justice St). As well as to reduce the minimum lot size and side and rear setbacks. Amendments to this section would include a provision to locate parking to the side or rear of a lot and to set residential density based on the amount of open space provided by a proposed development.

Section 15-4-7 would also be amended to strike Minor PRD in the MIC as this use would be made obsolete with the reduction of setbacks and inclusion of Multi-family residential as a permitted use in the MIC.

AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW

Multi-Family in the MIC: The MIC Zoning District allowed for Multi-Family residential when it was initially adopted in 1965. It was later removed as a permitted use. In 1988 Nursing Homes, Rest Homes, Congregate Care Facilities and Progressive Care Facilities were added to the MIC because it was believed that “higher density housing is a compatible use in the MIC District”. In 1995, Planned Unit Developments including Multi-Family Residential uses were permitted in the MIC. Staff was able to determine that as early as 1997, Multi-family was no longer a permitted use within the MIC. The exact date and rationale for the removal of the use has not been determined.

The MIC Zoning District contains current land uses which include a wide range of medical; institutional; commercial office and retail; recreational; single-family, two-family and multi-family residential uses; and vacant land. In particular, the medical facilities generate a significant amount of traffic, light and other indicators of an intense use.

The multi-family densities proposed by Staff, which vary based on percentage of Open Space, would result in opportunities for duplexes, quadplexes and other forms of “[missing middle](#)” housing. For example, a small .25 acre lot with 40% Open Space would permit a duplex. A larger .5 acre lot with 40% Open Space would permit a quadplex, while a .5 acre lot with 60% Open Space would permit a six-plex. It is also possible that lots could be consolidated to provide for the infill of conventional apartment/condo buildings.

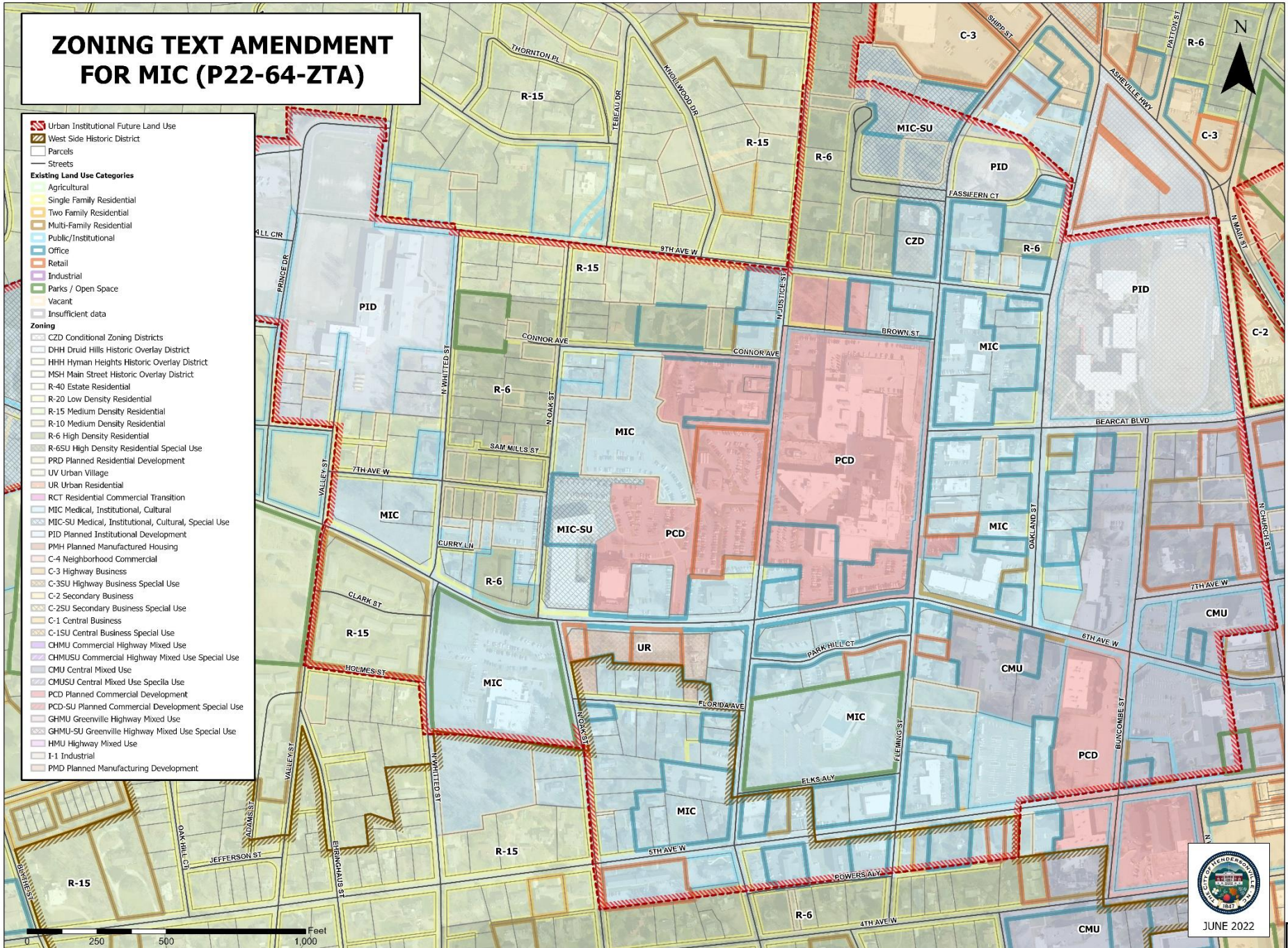
Dimensional Standards in the MIC: The MIC District contains a segment of a Major Thoroughfare, US 64, as it approaches Downtown Hendersonville. The MIC also contains two minor thoroughfares, 5th Ave and N. Justice St. This is a highly urbanized area that compliments downtown and features Pardee Hospital Campus and a small portion of the West Side National Register Historic District. Redevelopment in this area has resulted in a number of parcels developed in a conventional suburban fashion as opposed to the original early-suburban Traditional Neighborhood Design that remains in part. Traditional neighborhood design would feature a mix of single-family and multi-family residential and neighborhood-scale commercial uses on a parcel or group of parcels typically defined by 60’ x150’ lots totaling 9,000 Sq Ft. These parcels would typically feature single-family residential structures set back 15-20’ from the back of sidewalks. They predominantly feature(d) front porches and parking in the rear of the lots that are/were accessed either by alleys or long, narrow driveways running along the side of the lot.

In order to promote additional opportunities for a mix of housing types, to permit the type of urban form that defined this area since it was initially developed, and to promote a pedestrian-friendly atmosphere, it is necessary to reduce minimum lot size and setbacks and require parking to be situated to the rear. Additional traditional neighborhood design standards could be considered to ensure compatibility with the West Side Historic District.

Map: The following map illustrates the Future Land Use designation of Urban Institutional in relationship to existing Zoning and Land Use along with the West Side Historic District. A full version of this map is attached to your packet. The zoning is displayed by the color of the parcel and labeling. The land use is displayed by an outline of parcels. The Future Land Use and West Side Historic District are displayed as an outline of the entire district.

ZONING TEXT AMENDMENT FOR MIC (P22-64-ZTA)

- Urban Institutional Future Land Use
- West Side Historic District
- Parcels
- Streets
- Existing Land Use Categories
 - Agricultural
 - Single Family Residential
 - Two Family Residential
 - Multi-Family Residential
 - Public/Institutional
 - Office
 - Retail
 - Industrial
 - Parks / Open Space
 - Vacant
 - Insufficient data
- Zoning
 - CZD Conditional Zoning Districts
 - DHH Druid Hills Historic Overlay District
 - HHH Hyman Heights Historic Overlay District
 - MSH Main Street Historic Overlay District
 - R-40 Estate Residential
 - R-20 Low Density Residential
 - R-15 Medium Density Residential
 - R-10 Medium Density Residential
 - R-6 High Density Residential
 - R-6SU High Density Residential Special Use
 - PRD Planned Residential Development
 - UV Urban Village
 - UR Urban Residential
 - RCT Residential Commercial Transition
 - MIC Medical, Institutional, Cultural
 - MIC-SU Medical, Institutional, Cultural, Special Use
 - PID Planned Institutional Development
 - PMH Planned Manufactured Housing
 - C-4 Neighborhood Commercial
 - C-3 Highway Business
 - C-3SU Highway Business Special Use
 - C-2 Secondary Business
 - C-2SU Secondary Business Special Use
 - C-1 Central Business
 - C-1SU Central Business Special Use
 - CHMU Commercial Highway Mixed Use
 - CHMUSU Commercial Highway Mixed Use Special Use
 - CMU Central Mixed Use
 - CMUSU Central Mixed Use Special Use
 - PCD Planned Commercial Development
 - PCD-SU Planned Commercial Development Special Use
 - GHMU Greenville Highway Mixed Use
 - GHMU-SU Greenville Highway Mixed Use Special Use
 - HMU Highway Mixed Use
 - I-1 Industrial
 - PMD Planned Manufacturing Development



SITE IMAGES



Multi-family on US 64 in the MIC



Multi-family on US 64 adjacent to MIC

SITE IMAGES



Multi-family in the MIC



Conventional Suburban Development in MIC with parking in front and 50+' setback at Fleming St and 30' setback on 5th Ave

SITE IMAGES



Traditional multi-family with 15' setback in the MIC



Contrast of setbacks: Mixed-use with multi-family apartments on upper floors and 0' setback (far) adjacent to medical office with parking in front and 65' front setback (near)

LEGISLATIVE COMMITTEE RECOMMENDATION

The Legislative Committee of the Planning Board met to discuss this petition at their recurring meeting on Tuesday, June 21, 2022. The members of the committee that were present were Jim Robertson and Neil Brown. In general, the Committee members were supportive of the proposed text changes along with suggestions from staff. One concern was with the provision of a 0' setback on thoroughfares though the shifting of parking to the rear was supported.

STAFF ANALYSIS

After additional review and consideration Staff are recommending the following revisions to the zoning code.

ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS

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

5-10-1. Permitted uses.

The following uses are permitted by right in the MIC Medical Institutional Cultural Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this appendix:

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

Banks and other financial institutions

Child care centers subject to supplementary standards contained in section 16-4, below

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

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

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

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 consistent with the purposes of this classification, such as barber and beauty shops, medical and dental labs and clinics, opticians and optical services and prosthetics & orthopedics

~~Planned residential developments (minor)~~

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

Public and semi-public buildings

Religious institutions

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

Residential dwellings, single-family

Residential dwellings, two-family

Residential dwellings, multi-family

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

Retail stores consistent within the purposes of this classification, such as gift shops, florist shops and pharmacies

Schools, post-secondary, business, technical and vocational

Signs, subject to the provisions of article XIII

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

5-10-3. Dimensional requirements.

Minimum lot area in square feet:	8 6,000
Lot area per dwelling unit in square feet:	10,000 for the first; 5,000 square feet for each additional dwelling unit in one building.
Minimum lot width at building line in feet:	7 50
Minimum yard requirements in feet:	Front: 30 10 (Front yards may be reduced to 0 feet along Major & Minor Thoroughfares in cases where parking is located only in the rear yard).
	Side: 10 5
	Rear: 20 10
Maximum height in feet:	50 (No building shall exceed 50 feet in height unless the depth of the front and total width of the side yards required herein shall be increased by one foot for each two feet, or fraction thereof, of building height in excess of 50 feet.)

5-10-3.1 Development Standards.

Off-street parking lots shall be provided at the side or rear of buildings or the interior of a block of

buildings and not closer to the street than the edge profile of the structures. For corner lots, all sides fronting a street shall be considered the front.

5-10-3.2 Residential density. The number of residential dwellings permitted on any development tract varies with regard to the open space ratio provided as noted on the following table.

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

5-14-7. Minor planned residential developments.

An applicant may elect to have a development processed as a minor planned residential development so long as the proposed development, including all phases, does not exceed 50 dwelling units and so long as no accessory commercial development is requested for the project. A minor planned residential development may be located in one or more of the following zoning district classifications: R-40, R-20, R-15, R-10, R-6, MIC, RCT, C-2, C-3, I-1.

5-14-7.1 Density. The maximum number of dwelling units which may be constructed in a minor planned residential development shall be 50 or a number computed on the basis of the following table, whichever is less:

Use District	Dwelling Units Per Acre
R-40	1.0
R-20	2.5
R-15	3.75
R-10	5.5
R-6	8.5
MIC	5.5
RCT	5.5
C-2	8.5
C-3	8.5
I-1	8.5

AMENDMENT ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONIGN STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

Land Use & Development	Goal LU-12. <i>Urban Institutional: Create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses, that is integrated with Downtown.</i>
	<i>Strategy LU-12.1. Locations: Area surrounding Pardee Memorial Hospital [CONSISTENT]</i>
	<i>Strategy LU-12.3. Secondary recommended land uses:</i> <ul style="list-style-type: none"> • <i>Single-family attached residential [CONSISTENT]</i> • <i>Multi-family residential [CONSISTENT]</i> • <i>Live-work units [CONSISTENT]</i> • <i>Limited retail and services [CONSISTENT]</i>
	<i>Strategy LU-12.4. Development guidelines:</i> <ul style="list-style-type: none"> • <i>Similar development standards to <u>Downtown Support</u></i> • <i>Encouragement of neighborhood master-planning that links hospital with offices, services and Downtown</i>
	<i>Strategy LU-11.4. (Downtown Support) Development guidelines:</i> <ul style="list-style-type: none"> • <i>Minimal front setback [CONSISTENT]</i> • <i>Rear or limited side parking only [CONSISTENT]</i> • <i>Façade articulation [INCONSISTENT]</i>
	<i>Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development.</i> <i>Action LU-1.1.1. Review zoning standards and revise as necessary to enable compatible infill projects.</i>
	<i>Strategy LU-3.5 Minimize negative impacts from growth and land use changes on existing land uses. Some zoning map changes and other development applications may create short-term incompatibilities with existing neighborhoods, even if they are consistent with the Future Land Use Plan. It is critical that City officials consider the full range of impacts of all development applications, in addition to conformance with the Future Land Use Plan.</i> <i>Action LU-3.5.1 Consider a full range of short- and long-term impacts when reviewing zone change applications and other proposals that introduce land use changes. When reviewing zone change applications, the City should consider whether applications demonstrate a clear public purpose as well as the criteria listed in Figure 8.3a.</i>
	<i>Strategy LU-3.6. - Update the Zoning Code to ensure conformance with the Comprehensive Plan. The Zoning Code is the City's primary regulatory tool in implementing the Comprehensive Plan. Amendments to the Zoning Code and Map will be necessary to reflect Comprehensive Plan recommendations and ensure orderly growth and development.</i>
Population & Housing	<i>Strategy PH-1.1 – Promote compatible infill development</i>
	<i>Strategy PH-1.4. Allow redevelopment and/or reuse of single-family homes that directly front on arterials into office or high-density residential uses in coordination with the Future Land Use Map.</i>

	Goal PH-2. <i>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.</i>
	Goal PH-3. <i>Promote safe and walkable neighborhoods.</i>
	<i>Strategy PH-3.2 - Encourage mixed land use patterns that place residents within walking distance of services.</i>
Natural & Environmental Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Cultural & Historic Resources	Portions of the MIC Zoning District are located within the West Side National Register Historic District
	Goal CR-1. <i>Preserve the viability and individuality of Hendersonville's historic neighborhoods in order to maintain their role in supporting community pride, livability and identity.</i>
	<i>Strategy CR-1.3. Promote investment in and adjacent to Historic Districts through compatible infill development, particularly on currently underutilized, non-historic properties.</i>
Community Facilities	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Water Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Transportation & Circulation	<i>Strategy TC-1.1. Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>

GENERAL REZONING STANDARDS

Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property -
	Multi-family: The MIC Zoning District contains land uses which include a wide range of medical; institutional; commercial office and retail; recreational; single-family, two-family and multi-family residential uses; and vacant land. In particular, the medical facilities generate a significant amount of traffic, light and other indicators of an intense use. Setbacks: A more walkable urban form is achieved by shifting parking to the rear of a lot and allowing for buildings to be brought closer to the road. Reduction in setbacks allows for greater flexibility and more efficient utilization of land.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	Request for Residential Development / Redevelopment have risen steadily over the last year. There is a well-documented growth in demand and undersupply of housing in our region.
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 -
	Multi-family: As is well-documented in the City's Comprehensive Plan, there is a need for compatible infill development in areas of the City where utilization of existing infrastructure can be realized and in areas that place residents in close walking distance to goods and services. The addition of multi-family residential would help to address this need while providing a variety of housing types. Setbacks: Reducing front setbacks and shifting parking to the rear of lots supports a built environment that is more friendly to pedestrians by creating a greater sense of enclosure as is found in areas such as Main St and the 7 th Ave District.
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 MIC Zoning District is in an urban location that is well served by public facilities.
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 -
	There are no known or anticipated negative environmental impacts associated with the petition.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be [consistent] with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation.

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:



























DRAFT [Rationale for Approval]

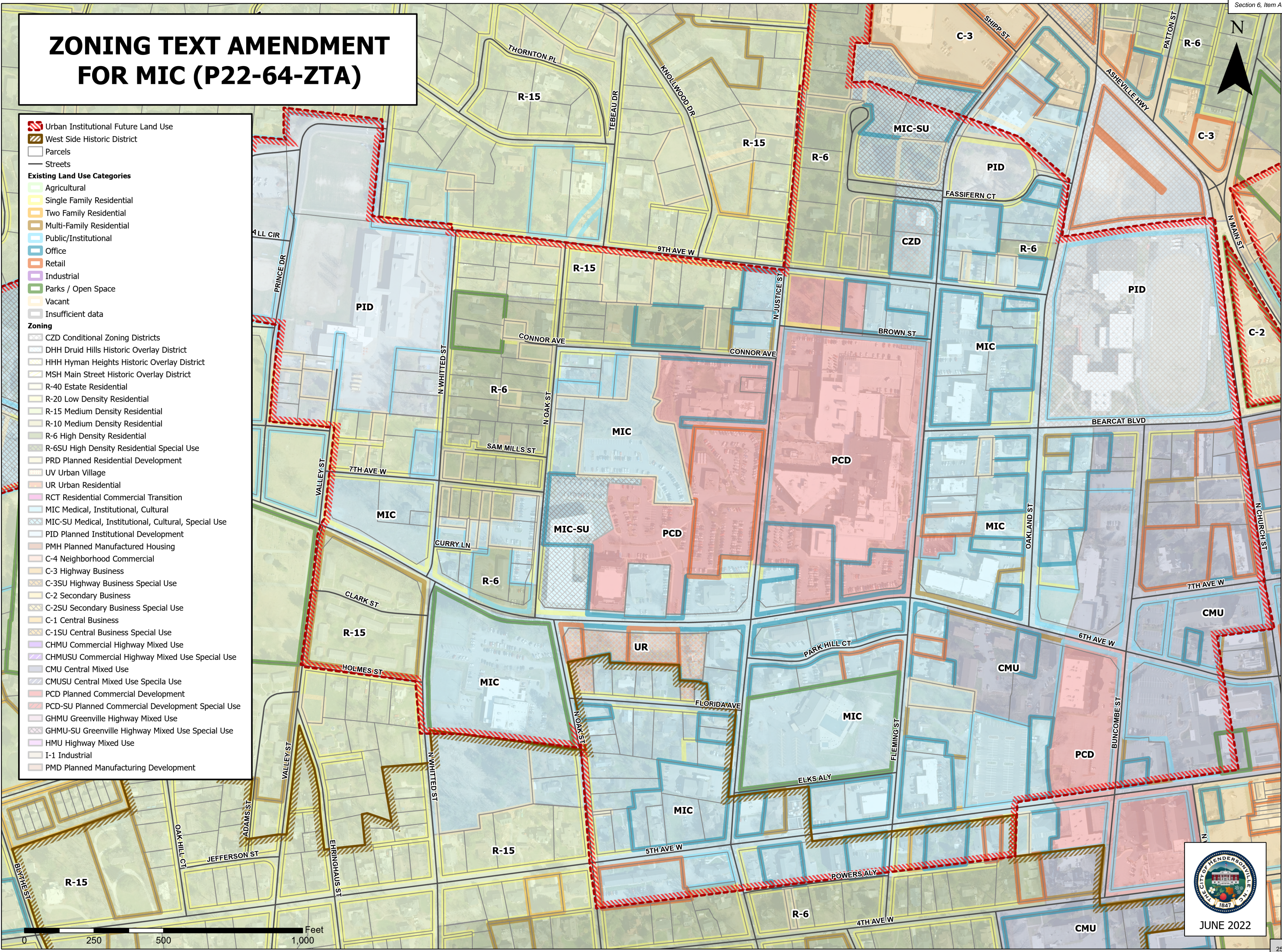
- 1) The addition of multi-family residential as a permitted use will allow for greater infill development in a zoning district with a mix of intense land uses.*
- 2) The addition of multi-family residential as a permitted use will place more residents within close proximity to goods and services.*
- 3) The addition of multi-family residential as a permitted use will provide for a variety of housing types at different price points.*
- 4) The reduction of setbacks will allow for more efficient use of land and provide more opportunities for infill development.*
- 5) The shifting of parking to the side or rear will accommodate a more pedestrian-friendly environment.*

DRAFT [Rational for Denial]

- 1) The allowance of additional density would be incompatible with single-family uses in the MIC zoning district.*
- 2) The reduction of front setbacks would permit a more distinctly urban form.*

ZONING TEXT AMENDMENT FOR MIC (P22-64-ZTA)

-  Urban Institutional Future Land Use
-  West Side Historic District
-  Parcels
-  Streets
- Existing Land Use Categories**
-  Agricultural
-  Single Family Residential
-  Two Family Residential
-  Multi-Family Residential
-  Public/Institutional
-  Office
-  Retail
-  Industrial
-  Parks / Open Space
-  Vacant
-  Insufficient data
- Zoning**
-  CZD Conditional Zoning Districts
-  DHH Druid Hills Historic Overlay District
-  HHH Hyman Heights Historic Overlay District
-  MSH Main Street Historic Overlay District
-  R-40 Estate Residential
-  R-20 Low Density Residential
-  R-15 Medium Density Residential
-  R-10 Medium Density Residential
-  R-6 High Density Residential
-  R-6SU High Density Residential Special Use
-  PRD Planned Residential Development
-  UV Urban Village
-  UR Urban Residential
-  RCT Residential Commercial Transition
-  MIC Medical, Institutional, Cultural
-  MIC-SU Medical, Institutional, Cultural, Special Use
-  PID Planned Institutional Development
-  PMH Planned Manufactured Housing
-  C-4 Neighborhood Commercial
-  C-3 Highway Business
-  C-3SU Highway Business Special Use
-  C-2 Secondary Business
-  C-2SU Secondary Business Special Use
-  C-1 Central Business
-  C-1SU Central Business Special Use
-  CHMU Commercial Highway Mixed Use
-  CHMUSU Commercial Highway Mixed Use Special Use
-  CMU Central Mixed Use
-  CMUSU Central Mixed Use Specila Use
-  PCD Planned Commercial Development
-  PCD-SU Planned Commercial Development Special Use
-  GHMU Greenville Highway Mixed Use
-  GHMU-SU Greenville Highway Mixed Use Special Use
-  HMU Highway Mixed Use
-  I-1 Industrial
-  PMD Planned Manufacturing Development



Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-10-1. PERMITTED USES; SECTION 5-10-3. DIMENSIONAL REQUIREMENTS; AND SECTION 5-14-7. MINOR PLANNED RESIDENTIAL DEVELOPMENTS TO INCLUDE MULTI-FAMILY RESIDENTIAL USES AND TO REDUCE DIMENSIONAL STANDARDS

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 8, 2022; 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 September 1, 2022, 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 September 1, 2022,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend Article V. – Zoning District Classifications, Section 5-10-1. Permitted Uses; Section 5-10-3. Dimensional Requirements; And Section 5-14-7. Minor Planned Residential Developments to include multi-family residential uses and to reduce dimensional standards.

ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS

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

5-10-1. Permitted uses.

The following uses are permitted by right in the MIC Medical Institutional Cultural Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this appendix:

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

Banks and other financial institutions

Child care centers subject to supplementary standards contained in section 16-4, below

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

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

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

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 consistent with the purposes of this classification, such as barber and beauty shops, medical and dental labs and clinics, opticians and optical services and prosthetics & orthopedics

~~Planned residential developments (minor)~~

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

Public and semi-public buildings

Religious institutions

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

Residential dwellings, single-family

Residential dwellings, two-family

Residential dwellings, multi-family

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

Retail stores consistent within the purposes of this classification, such as gift shops, florist shops and pharmacies

Schools, post-secondary, business, technical and vocational

Signs, subject to the provisions of article XIII

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

5-10-3. Dimensional requirements.

Minimum lot area in square feet:	8 6,000
Lot area per dwelling unit in square feet:	10 6,000 for the first; 5,000 square feet for each additional dwelling unit in one building.
Minimum lot width at building line in feet:	7 50
Minimum yard requirements in feet:	Front: 30 <u>10 (Front yards may be reduced to 0 feet along Major & Minor Thoroughfares in cases where parking is located only in the rear yard).</u>
	Side: 10 <u>5</u>
	Rear: 20 <u>10</u>
Maximum height in feet:	50 (No building shall exceed 50 feet in height unless the depth of the front and total width of the

	side yards required herein shall be increased by one foot for each two feet, or fraction thereof, of building height in excess of 50 feet.)
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5-10-3.1 Development Standards.

Off-street parking lots shall be provided at the side or rear of buildings or the interior of a block of buildings and not closer to the street than the edge profile of the structures. For corner lots, all sides fronting a street shall be considered the front.

5-10-3.2 Residential density. The number of residential dwellings permitted on any development tract varies with regard to the open space ratio provided as noted on the following table.

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

5-14-7. Minor planned residential developments.

An applicant may elect to have a development processed as a minor planned residential development so long as the proposed development, including all phases, does not exceed 50 dwelling units and so long as no accessory commercial development is requested for the project. A minor planned residential development may be located in one or more of the following zoning district classifications: R-40, R-20, R-15, R-10, R-6, MIC, RCT, C-2, C-3, I-1.

5-14-7.1 Density. The maximum number of dwelling units which may be constructed in a minor planned residential development shall be 50 or a number computed on the basis of the following table, whichever is less:

Use District	Dwelling Units Per Acre
R-40	1.0
R-20	2.5
R-15	3.75
R-10	5.5
R-6	8.5
MIC	5.5
RCT	5.5
C-2	8.5
C-3	8.5
I-1	8.5

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager

MEETING DATE: August 8, 2022

AGENDA SECTION: New Business

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – Cottages @ Mastermind (P22-55-CZD) – Matthew Manley, AICP – 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: 9579-48-2415 & 9579-48-6832) from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated _____, 2022,] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses

Permitted Uses:

1. Two-Family Residential
2. Single-Family Residential

[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]

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

3. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

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: 9579-48-2415 & 9579-48-6832) from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – Conditional Zoning District) based on the following:

- 1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth area’ according to the City’s 2030 Comprehensive Plan.

- 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. Regional Activity Center recommends uses with greater density and intensity than two-family residential. (LU-9.2 & LU-9.3)

[DISCUSS & VOTE]

<p>The subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth area’ according to the City’s 2030 Comprehensive Plan. Furthermore, the Regional Activity Center Future Land Use designation recommends densities exceeding those proposed for this development.</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 development of two-family residential dwellings will provide a needed housing type.2. The development would provide housing in close proximity to shopping and employment opportunities. <p>[DISCUSS & VOTE]</p>	
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***SUMMARY:** The City of Hendersonville is in receipt of an application for a Conditional Zoning District from Tom Martinson & Elam Hall of DHI Communities, applicant and John and Betty Hammond, property owners. The applicant is requesting to rezone the subject property, PINs 9579-48-2415 and 9579-48-6832 and located off Francis Road/Mastermind Lane, from C-2 Secondary Business and R-40 Low Density Residential to PRD-CZD, Planned Residential Development Conditional Zoning District for the construction of 98 two-family units and 1 single-family home on approximately 12.76 acres. The proposal includes the addition of 49 – 2-unit “casitas”, 1 – 1-unit casita, a clubhouse/mailroom and 3 garage structures.*

The proposal would include a recombining of the subject properties to create a single parcel. The proposed density of the projects equates to 7.8 units/acre.

No other uses are proposed to be permitted by the rezoning.

PROJECT/PETITIONER NUMBER:	P22-55-CZD
PETITIONER NAME:	Tom Martinson & Elam Hall / DR Horton (DHIC, LLC) [Applicant] John Hammond / Hammond Family Trust [Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Neighborhood Compatibility Summary3. Tree Board Summary4. Proposed Site Plan5. Draft Ordinance6. Proposed Zoning Map7. Application / Owner Signature Addendum

REZONING: CONDITIONAL REZONING – COTTAGES @ MASTERMIND (P22-55-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY 2

EXISTING ZONING & LAND USE 3

SITE IMAGES..... 4

SITE IMAGES..... 5

SITE IMAGES..... 6

SITE IMAGES..... **Error! Bookmark not defined.**

FUTURE LAND USE 7

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4) 8

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) 9

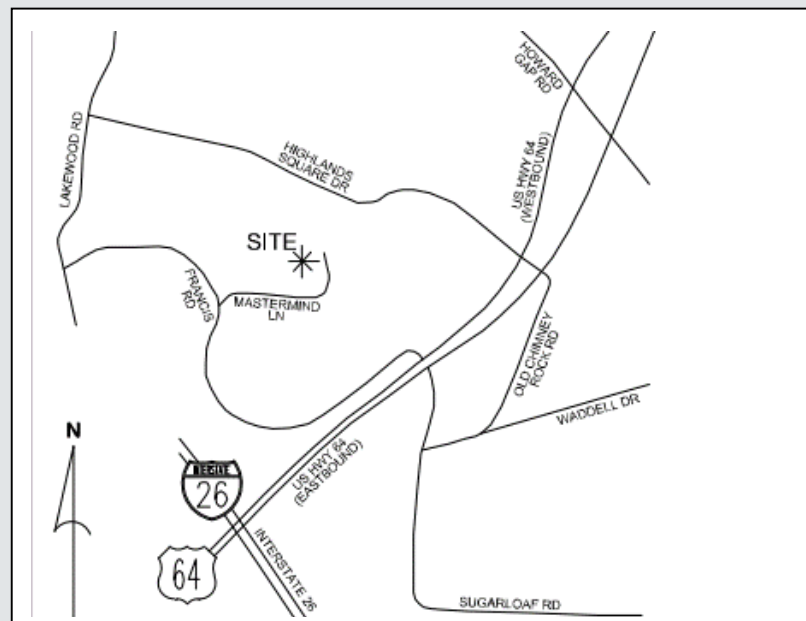
DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 10

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS 11



PROJECT SUMMARY

- Project Name & Case #:
 - Cottages at Mastermind
 - P22-55-CZD
- Applicant & Property Owner:
 - Tom Martinson & Elam Hall / DR Horton (DHIC, LLC) [Applicant]
 - John Hammond / Hammond Family Trust [Owner]
- Property Address:
 - 102 Francis Rd
 - 228 Mastermind Ln
- Project Acreage:
 - 12.76 Acres
- Parcel Identification (PIN):
 - 9579-48-2415
 - 9579-48-6832
- Current Parcel Zoning:
 - R-40 Low Density Residential
 - C-2 Secondary Business
- Future Land Use Designation:
 - Regional Activity Center
- Requested Zoning:
 - Planned Residential Development Conditional Zoning District (PRD)
- Requested Uses:
 - Two-Family Residential
- Neighborhood Compatibility Meeting:
 - June 3, 2022



SITE VICINITY MAP

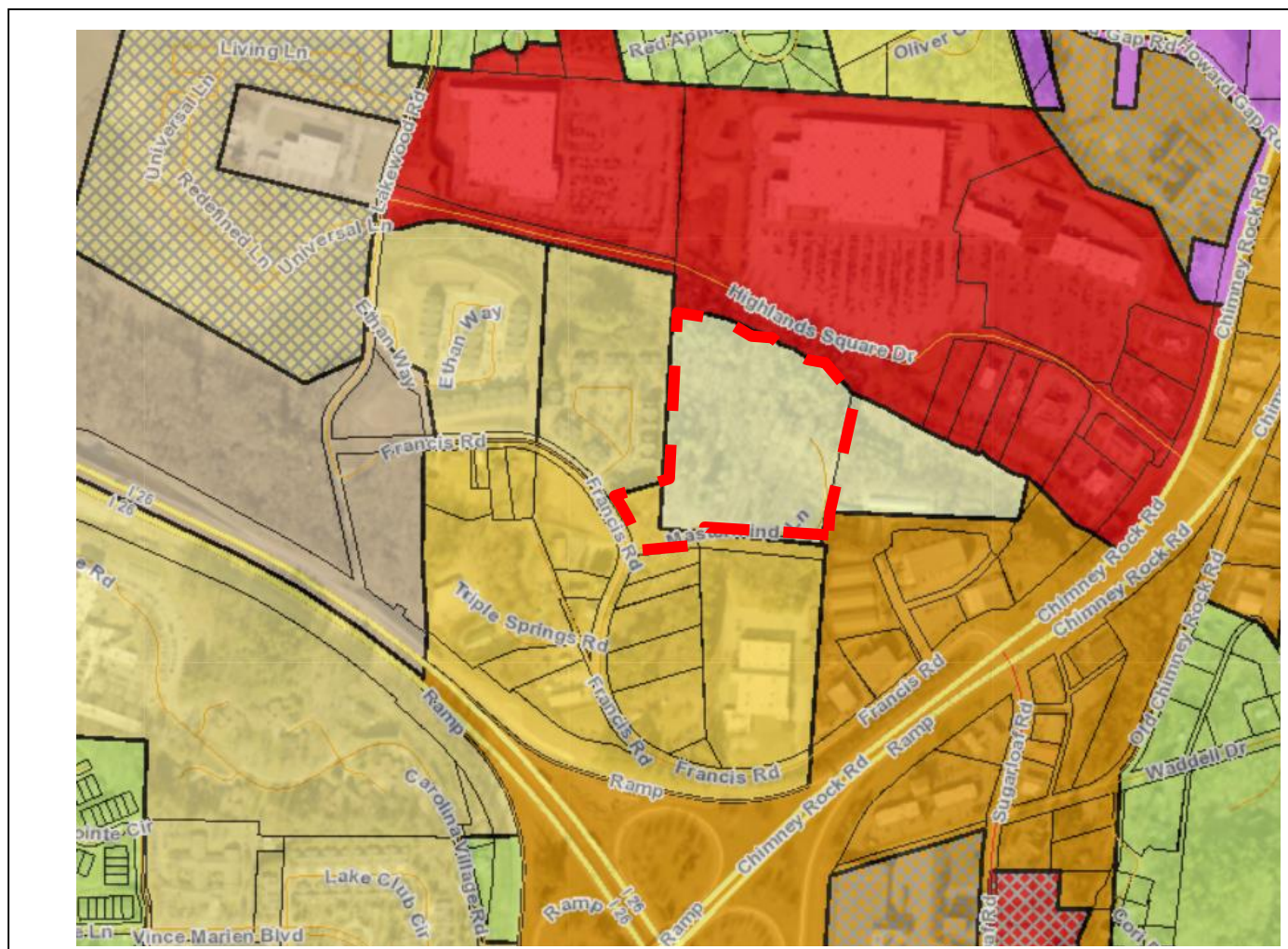
The City of Hendersonville is in receipt of an application for a Conditional Zoning District from Tom Martinson & Elam Hall of DHI Communities, applicant and John and Betty Hammond, property owners. The applicant is requesting to rezone the subject property, PINs 9579-48-2415 and 9579-48-6832 and located off Francis Road/Mastermind Lane, from C-2 Secondary Business and R-40 Low Density Residential to PRD-CZD, Planned Residential Development Conditional Zoning District for the construction of 98 two-family units and 1 single-family home on approximately 12.76 acres

The proposal includes the addition of 49 – 2-unit “casitas”, 1 – 1 unit casita, a clubhouse/mailroom and 3 garage structures.

The proposal would include a recombining of the subject properties to create a single parcel. The proposed density of the projects equates to 7.8 units/acre.

No other uses are proposed to be permitted by the rezoning.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is unique in that it is split zoned between the City's least intense zoning districts (R-40) and one of its most intense districts (C-2). The property also borders another R-40 tract to the east yet further to the east is the C-3, Highway Business zoning districts which flanks Chimney Rock Rd / US 64. To the north, the property borders the Planned Commercial Development (PCD) associated with the Highlands Square development (Wal-Mart & Sam's Club shopping center). This development is buffered from the subject property by Allen Branch creek as well as a large retaining wall. To the east of the subject property is the PRD development of Cedar Bluff apartments (approx. 32 units) and adjacent to that is Cedar Terrace apartments (apprx. 80 units) for a combined density of 5.6 units/acre. All properties to the south are zoned C-2, Secondary Business.

SITE IMAGES



View of existing principal structure

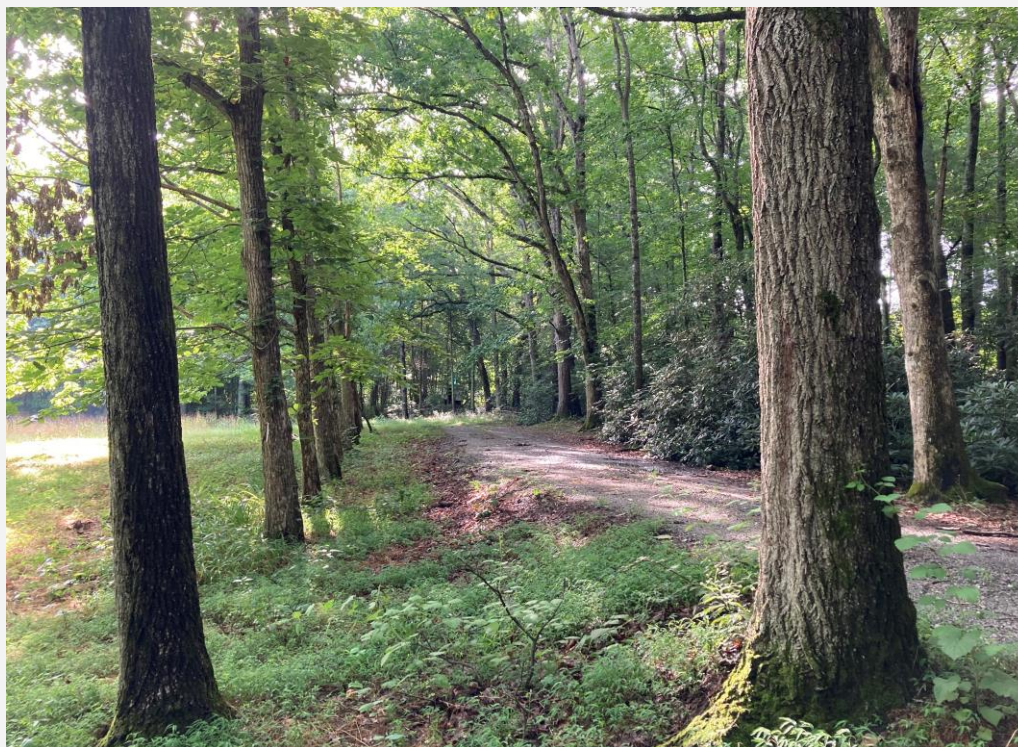


View of dry creek/wet weather conveyance and secondary residence on subject property

SITE IMAGES



View of typical wooded scene



View of tree-lined drive running along property boundary

SITE IMAGES

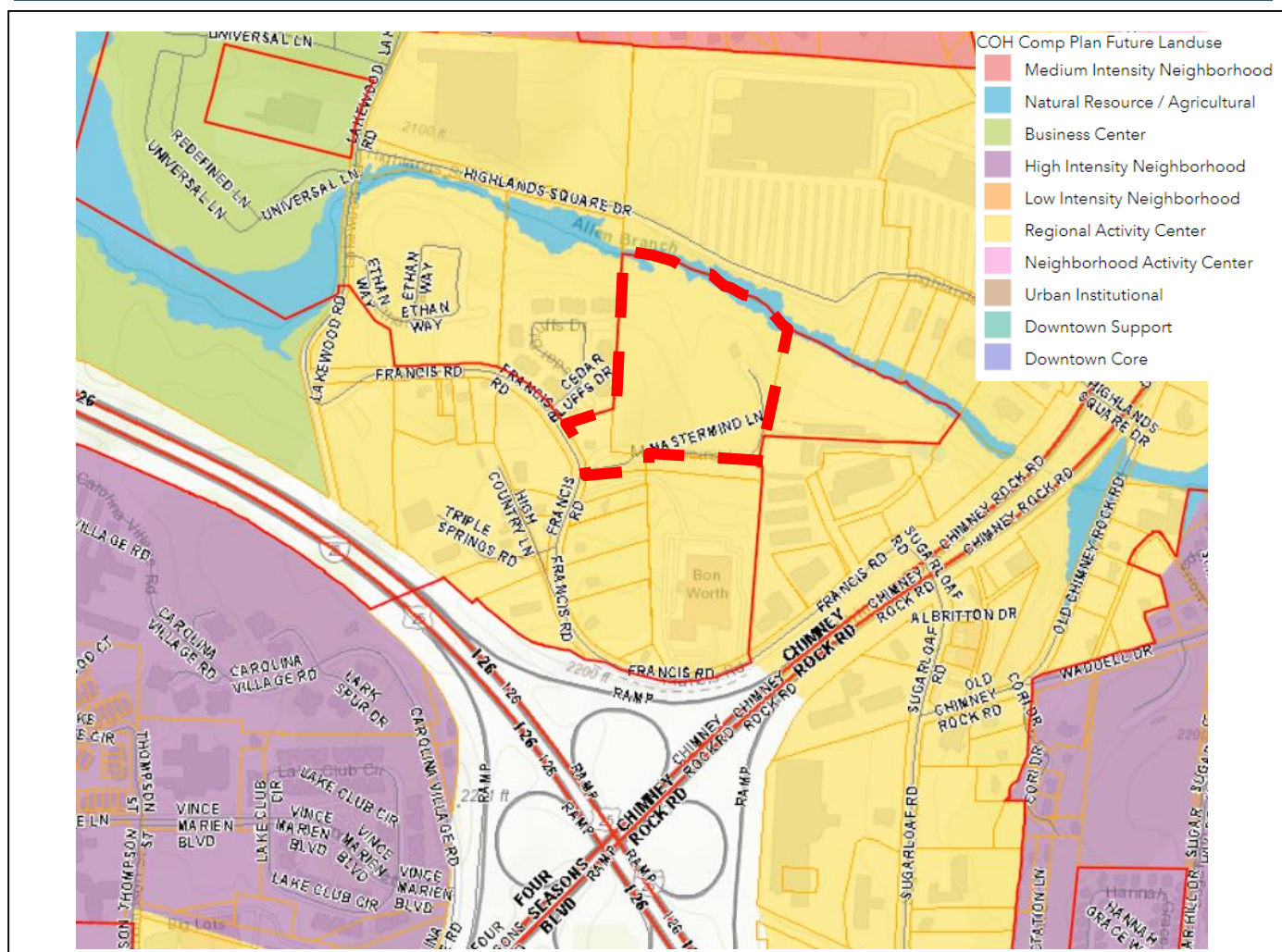


View of rock wall at wet weather conveyance on subject property



View of Allen Branch at rear of subject property

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property and the surrounding parcels are designated as Regional Activity Center on the 2030 Comprehensive Plan Future Land Use Map due to its proximity to I-26 and Chimney Rock Rd.

Other designations in proximity to the site include Business Center, Natural Resource / Agriculture, Medium Intensity Neighborhood and High Intensity Neighborhood.

Francis Rd is designated as a Local Street.

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	The subject property is designated as <i>Regional Activity Center</i> on the <i>Future Land Use Map</i> . Goal LU-9. Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects [CONSISTENT]
	Strategy LU-9.2. Primary recommended land uses: <i>Community and regional retail sales and Services and Restaurants</i> [INCONSISTENT]
	Strategy LU-9.3 Secondary recommended land uses: • Multi-family residential [CONSISTENT – two-family residential] • Pedestrian amenities [CONSISTENT]
	Strategy LU-9.4. Development guidelines: • Mitigation of bulk of large buildings through façade detailing and window coverage [N/A] • Hiding of large parking lots (more than one double-row deep) from thoroughfares with outlot structures [N/A] • Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT]
Land Use & Development	The property is designated as a “Priority Infill Area” on the Growth Management Map (Map 8.3a). “Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties”. [CONSISTENT]
	The project area is identified as a “Development Opportunity” in the Comprehensive Plan’s Map 8.2b: Development Framework. This includes vacant land, agricultural land, and single-family residential properties greater than five acres. [CONSISTENT]
	Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development [CONSISTENT]
Population & Housing	Strategy PH-2.1. Encourage variation in lot sizes and housing types within new developments
	Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.
Natural & Environmental Resources	Strategy NR-1.2. Protect land adjacent to streams in order to protect water quality, reduce erosion, and protect wildlife habitat
	Strategy NR-1.3. Encourage restoration of natural habitat and drainage patterns in developed areas.
Cultural & Historic Resources	No Goals, Strategies or Actions are directly applicable to this project.
Community Facilities	No Goals, Strategies or Actions are directly applicable to this project.
Water Resources	Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management
Transportation & Circulation	Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.

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

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	A mix of commercial and residential uses are found in the immediate area. Low density single family residential as well as multi-family residential are both found near the proposed project area. Additionally, intense uses such as manufacturing, a regional-scale shopping center and self-storage units are all adjacent to the site.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The Francis Rd / Lakewood Rd area has seen significant development activity in recent years with additional development proposed in close proximity of the subject property. Recent developments include the Universal at Lakewood multi-family development which is currently under construction and will provide 291 apartment units.
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 -
	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 1,138 rental units. If this project is approved, Hendersonville's recently-approved rental units would total 1,237. 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 this 1,650 to 2,008-unit gap, exist for those income levels greater than 120% AMI.
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 site will be served by City water and sewer service. Francis Rd is designated as a Local street on the Comprehensive Transportation Plan and is maintained by NCDOT. The subject property will be serviced by the City Fire Dept and will also be served by the City of Hendersonville Police.
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 subject property features 340 trees of 12+” in dbh. 240 of these are proposed to be cleared. Allen Branch runs along the rear of the property where no site disturbance beyond a sewer crossing is proposed. There is also a blue line stream running through the center of the property according to the USGS Map. A field inspection by staff concluded that this is not an active stream but rather a dry creek / wet weather conveyance. The developer is working with the US Army Corp of Engineers to update the status of the creek. This ditch is proposed to be piped and utilized for stormwater management.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The subject property is located in an area designated as a 'development opportunity' and 'priority growth area' according to the City's 2030 Comprehensive Plan. Furthermore, the Regional Activity Center Future Land Use designation recommends densities exceeding those proposed for this development.

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 development of two-family residential dwellings will provide a needed housing type.*
- *The development would provide housing in close proximity to shopping and employment opportunities.*

DRAFT [Rational for Denial]

- *Regional Activity Center recommends uses with greater density and intensity than two-family residential. (LU-9.2 & LU-9.3)*

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

PROPOSED REQUEST DETAILS

- Site Plan Summary:
 - The site plan accompanying this petition contains the following provisions:
 - 99 Residential Units (Casitas) & Clubhouse totaling 2.09 Acres (16.4%)
 - 49 – Two-family Structures
 - 1 – Single-family Structure
 - Drives, Parking Spaces (188) and Sidewalks totaling 1.75 Acres (13.6%)
 - Open Space totaling 8.92 Acres (70%)
 - Common Open Space totaling 1.28 Acres (10%)
 - Fire Access with Grass Pavers
 - Greenway Easement on Allen Branch
- Proposed Uses:
 - Two-family & Single-family residential
- Developer Agreed Conditions (included on Site Plan):
 - Conditions Exceeding Standards:
 - Developer to provide non-exclusive, 20' wide greenway easement that runs parallel to Allen Branch Creek. [Staff-initiated – Agreed]
 - Developer to replace 50%, a total of 11, of the proposed Linden and Zelkova tree plantings with native medium or large canopy trees from the following Genera (Quercus and Acer). [Tree Board - Agreed]
 - Developer to protect preserved trees from construction activities as prescribed in the zoning code 15-4 regardless of use as tree credits. [Tree Board - Agreed]
 - Developer to plant an additional 15 oak, maple, and/or poplar trees than shown within the “Proposed Planting Schedule” shown on L110 – Landscape & Resource Plan, throughout the open spaces created by this development. [Tree Board – Counter]
 - Developer will perform a TIA after the rezoning is considered due to the location of the project on a Local Street as stipulated by the PRD zoning. The developer will be responsible for any mitigation of traffic impacts recommended as a result of the findings from the TIA. [Staff-initiated – Counter]
 - Conditions Reducing Standards:
 - The developer requests relief from the 75' requirement for parking space distance from the residential units [Developer-initiated]
 - Developer to be granted relief from second fire/emergency access requirement [Developer-initiated]
 - Any developer-provided aerial stream crossing shall be elevated above the 100-Year Floodway/NEZ and permitted under applicable codes [Staff-initiated – Counter].

OUTSTANDING ISSUES & PROPOSED CONDITIONS

COMMUNITY DEVELOPMENT

Site Plan Comments:

The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Planned Residential Development (5-14) with the following exceptions:

- A number technical corrections were provided to the applicant. Each of these were resolved.

Proposed City-Initiated Conditions:

- None

CITY ENGINEER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

WATER / SEWER

Site Plan Comments:

- Resolved

Proposed City-Initiated Conditions:

- None

FIRE MARSHAL

Site Plan Comments:

- Primary entrance and all drive aisles required to be 26-feet wide [resolved]
- Grass paved areas need to be extended and straightened. Marked up site plan provided [resolved]
- Grass paved areas require ""EMERGENCY ACCESS ONLY"" signage [resolved]
- Curbs at all turns need to be softened to allow fire apparatus to turn [resolved]
- The two proposed ""CC"" trees by fire access roads may block emergency apparatus; recommend substitution [resolved]
- A second entrance is required, It is recommend that road be extended to Cedar Bluff Drive to provide second emergency access. [resolved]

Proposed City-Initiated Conditions:

- None

STORMWATER ADMINISTRATOR

Site Plan Comments:

- Resolved - Jurisdictional Determination made by the Army Corps of Engineers to remove the blue line stream for a non-jurisdictional ephemeral drainage feature

Proposed City-Initiated Conditions:

- None

FLOODPLAIN ADMINISTRATOR

Site Plan Comments:

- Please note that utility service lines must be connected individually to the main. Each roofline must have its own connection to the sewer main. Water meters shall be located within the street right of way. [resolved]
- Provide a greenway trail easement along Allen Branch stream buffer. [resolved]
- Sewer plan should not show aerial stream crossing. Look at connecting to sewer on same side of Allen Branch to avoid aerial crossing of stream – possibly utilizing Cedar Bluff Dr. [outstanding]

Proposed City-Initiated Conditions:

- Developer to provide a flood study for use of aerial stream crossing for sewer connection to show no impact to flood hazard areas.
- Developer to increase greenway easement from 10' to 20' and include utility maintenance access to the easement. Easement location will not be impacted by aerial stream crossing.

PUBLIC WORKS

Site Plan Comments:

- Resolve Trash Cart Issues – individual carts are required. Could have central collection points but these often get quite messy if all carts are placed in a single location. Consider dispersing the collection point [resolve at final site plan]

Proposed City-Initiated Conditions:

- None

NCDOT

Site Plan Comments:

- Driveway permit and sidewalk encroach will be required at Final Site Plan

Proposed City-Initiated Conditions:

- None

TRANSPORTATION CONSULTANT

Site Plan Comments:

- The proposed use did not trigger a TIA

Proposed Condition:

- A TIA will be performed after the rezoning is considered due to the location of the project on a Local Street as stipulated by the PRD zoning. The developer will be responsible for any mitigation of traffic impacts recommended as a result of the findings from the TIA.

TREE BOARD

Site Plan Comments & Recommended Conditions:

- See attached Tree Board Summary



NEIGHBORHOOD COMPATIBILITY MEETING REPORT
COTTAGES @ MASTERMIND (P22-55-CZD)
MEETING DATE: JUNE 3, 2022

PETITION REQUEST: Rezoning: Planned Residential Development - Conditional Zoning District (PRD)

APPLICANT/PETITIONER: Elam Hall / Tom Martinson (DHIC, LLC) [Applicant]

John Hammond (Hammond Family Trust) [Owner]

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on June 3, 2022 at 2pm in the City Operations Building at 305 Williams St and via Zoom. The meeting lasted approximately 20 minutes.

There was one member of the public in attendance in-person while 2 others attended virtually. Additionally, in attendance were the applicants and their development team and 2 members of City staff.

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

There were no pre-submitted.

The development team was allowed to present their project proposal for 98 two-family residential units + single-family unit on a 12.8 Acre site off of Francis Rd.

Concerns and questions from the public related to height of the structures, number of bedrooms, rental rate, fire access, on-site management, playground amenities, traffic impact, garbage collection, landscaping plans and the need for road improvements on Francis Rd.

Full minutes from the Neighborhood Compatibility are available for review by request.



TREE BOARD RECOMMENDATION
COTTAGES @ MASTERMIND (P22-55-CZD)
MEETING DATE: JULY 19, 2022

PETITION REQUEST: Rezoning: Planned Residential Development - Conditional Zoning District (PRD)

APPLICANT/PETITIONER: Elam Hall/ Tom Martinson (DHIC, LLC) [Applicant]
 John Hammond (Hammond Family Trust) [Owner]

TREE BOARD ACTION SUMMARY:

The engineer for the development, Warren Sugg of Civil Design Concepts, presented to the Tree Board at a regular meeting on July 19, 2022. The following Tree Board members were present: Mark Madsen, Mary Davis, Andy Crawford, Glenn Lange, & Mac Brackett. The following recommendations were made:

SUMMARY

Based on the documents provided prior to the Tree Board meeting, there are more than 340 - 12" or larger trees on this property consisting primarily of oak, maple, poplar and pine. It appears that a large number, more than 240 - 12" or larger trees will be removed from this property and not be preserved. Only 21 medium or large canopy trees will be replanted and not with similar species as currently found on the property. This property is one of the few remaining forested properties of this size and tree diversity in Hendersonville.

RECOMMENDATIONS

The Tree Board recommends the following conditions be applied to this development.

1. Replace 50% of the proposed Linden and Zelkova tree plantings with native medium or large canopy trees from the following Genera (Quercus and Acer) to help enhance bird populations by planting trees that produce food (insects) for nesting birds. 96% of our terrestrial birds rely on insects supported only by native plants.
2. All preserved trees must be protected from construction activities as prescribed in the zoning code 15-4 regardless of use as tree credits.
3. Plant an additional 15 oak, maple, and poplar (2.5" or larger caliper) trees throughout the open spaces created by this development.
4. Implement a vegetative planting plan that will enhance the banks of and create a 20' corridor around the stormwater pond to provide filtration and infiltration of stormwater from turf managed areas and enhance wildlife habitat. The plan must include diverse and appropriate species of native upland and wetland shrubs and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators) selected from the city's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses should be used.

FULL MOTION

The full motion provided by the Tree Board includes the following rationale:

Based on the following guiding city code documents (the Municipal Code, Chapter 46, Article IV, Division I, Trees & Shrubs, Section 46, 116 & 117; the Zoning Code, Article XV Buffering, Screening & Landscaping Sections 15-1, A & C and 15-4 A; the Subdivision Ordinance, Purpose and Intent, Section I.04, Part H; and the Comprehensive Plan, Vision Statement and Section 3.3, Goal NR-2, Strategy 2.3) and the City Council's adoption (Feb., 2021) of core values and beliefs as guiding principles as they apply to the prioritization of existing tree canopy, the Tree Board believes that this project is inconsistent and incompatible with the preservation of tree canopy in Hendersonville for the following reasons [listed above]:

BOARD ACTION

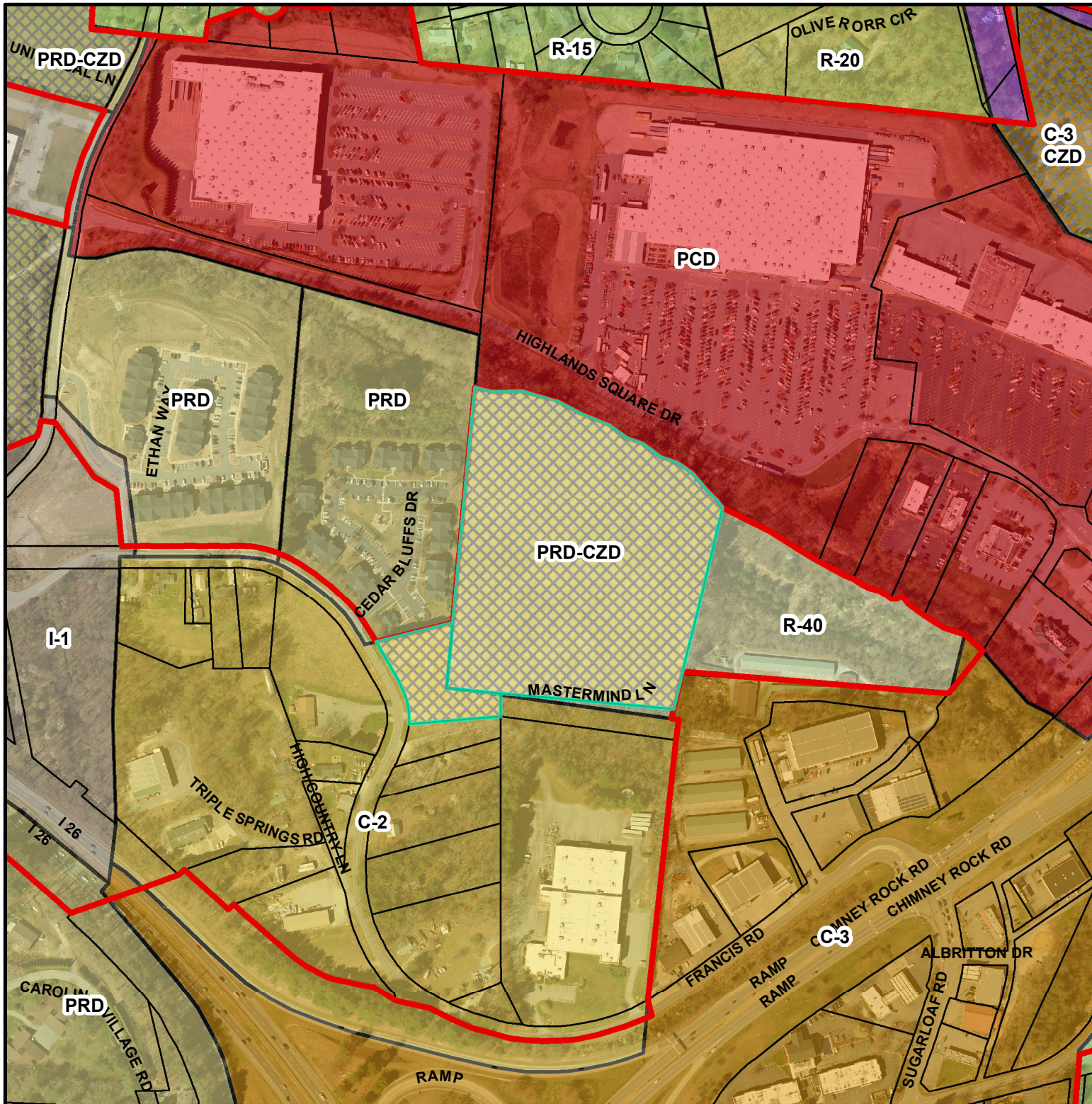
Motion: Lange

Yeas: All













Nays: None

Recused: None

Absent: Patricia Christie, Landon Justice



Cottages at Mastermind
P22-055-CZD
PINs: 9579-48-2415 & -6832
Acreage: 12.76
Proposed Zoning
Community Development Department

-  Subject Property
 Hendersonville City Limits
- Hendersonville Zoning**
-  CZD Conditional Zoning Districts
 -  R-40 Estate Residential
 -  R-20 Low Density Residential
 -  R-15 Medium Density Residential
 -  PRD Planned Residential Development
 -  C-3 Highway Business
 -  C-2 Secondary Business
 -  PCD Planned Commercial Development
 -  HMU Highway Mixed Use
 -  I-1 Industrial



HENDERSONVILLE, NORTH CAROLINA

INDEX OF SHEETS	
Sheet No.	Title
C000	COVER
C001	SURVEY
C101	EXISTING CONDITIONS & DEMOLITION PLAN
C201	SITE PLAN
C601	UTILITY PLAN
L101	LANDSCAPE & RESOURCE PLAN
	ELEVATIONS



OWNER/DEVELOPER: DHIC, LLC
2000 AERIAL CENTER PARKWAY
MORRISVILLE, NC 27560
CONTACT: TOM MARTINSON
(240) 997-4816

CIVIL ENGINEER: CIVIL DESIGN CONCEPTS, P.A.
168 PATTON AVENUE
ASHEVILLE, NC 28801
CONTACT: WARREN SUOG, P.E.
(828) 252-5388

ARCHITECT: JDAVIS ARCHITECTS
510 S. WILMINGTON STREET
RALEIGH, NC 27601
CONTACT: LESLIE BLOEM
(919) 835-1500

NO.	DATE	DESCRIPTION	BY
2	07/05/2022	REVISED PER PRELIMINARY CITY COMMENTS	MAD
3	07/15/2022	REVISED PER PRELIMINARY CITY COMMENTS	MAD

**PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION**

COTTAGES AT MASTERMIND

DRAWN BY:	AMP
DOC PROJECT NO.:	12211
EX PERMIT NO.	xxx

SHEET

C000

TO: D.R. HORTON, INC., A DELAWARE CORPORATION; DHI TITLE OF NORTH CAROLINA; AND CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 10, 11(a), 11(b), 13, 14, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 24, 2022.

I ALSO HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) AND TRADITIONAL FIELD PROCEDURES; THAT THE LINES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM DEED BOOKS AND PLAT BOOKS AS REFERENCED; THAT THE RATIO OF PRECISION AS CALCULATED ([21 NCAC 56.1603]) IS 1:10,000 OR BETTER (CLASS A); THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

TYPE OF GPS FIELD PROCEDURE: STATIC (POST-PROCESSED USING TOPCON TOOLS SOFTWARE)
DATE OF GNSS FIELD SURVEY: 02/03/2022
HORIZONTAL DATUM/EPOCH: NAD 83 (NSRS 2011)
VERTICAL DATUM: NAVD 88
PUBLISHED/FIXED HORIZONTAL CONTROL: NC/GS MONUMENT "HENDERSONVILLE AZ MK"
LOCALIZATION POINT: N 598,461.92; E 974,166.96
GEOID MODEL: GEOID 18
COMBINED GRID FACTOR: 0.9997757
UNITS: U.S. SURVEY FEET

DATE OF PLAT OR MAP: DATE C.M. EDGERTON, JR., PLS L-4815

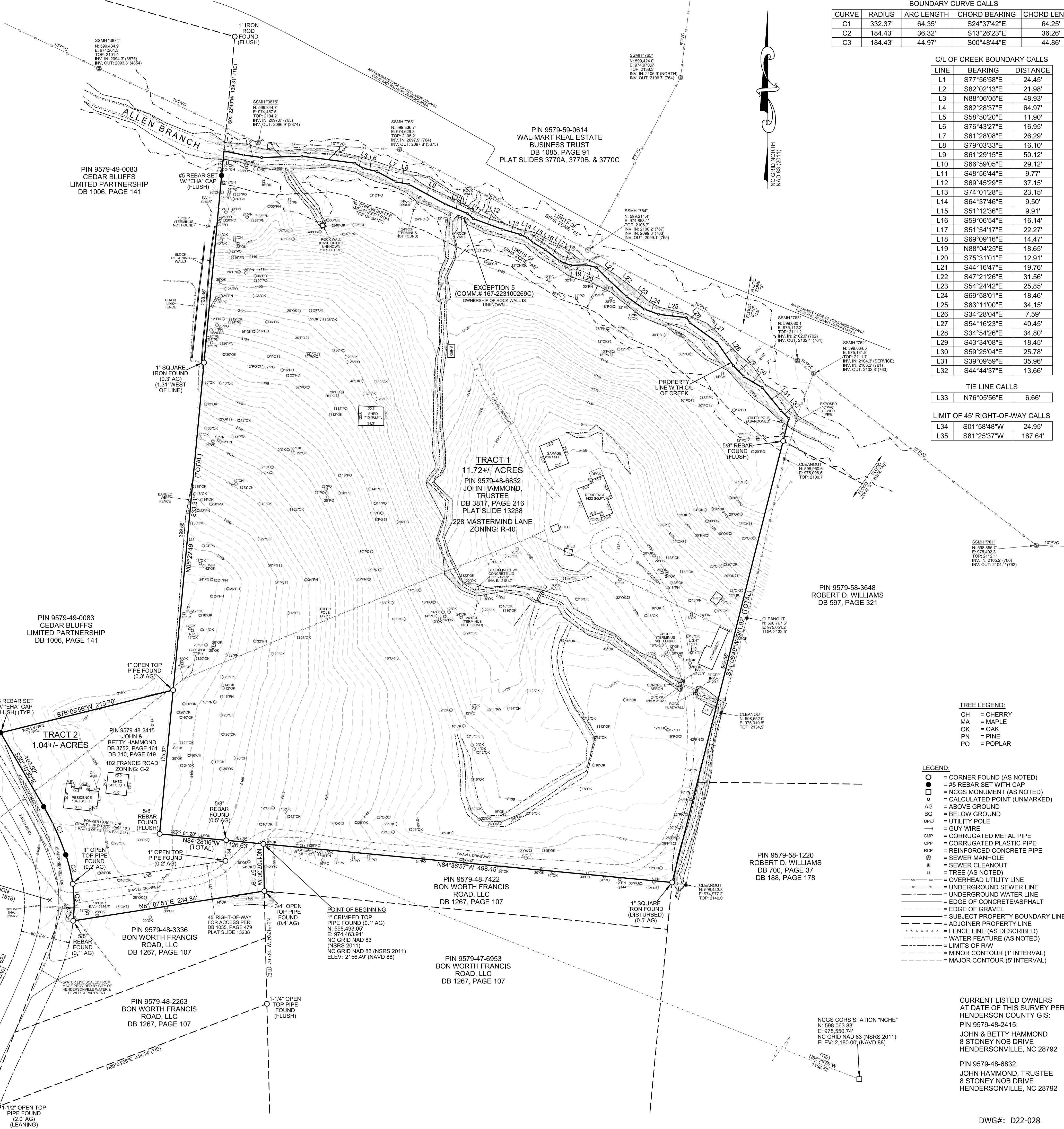
PRELIMINARY
NOT FOR
SALES OR
CONVEYANCES

CHICAGO TITLE INSURANCE COMPANY (ISSUING OFFICE: DHI TITLE OF NORTH CAROLINA)
COMMITMENT NO.: 167-2231000333 COMMITMENT DATE: NOVEMBER 23, 2021 AT 12:00 AM
SCHEDULE B, PART II EXCEPTIONS FROM COVERAGE (PERTAINS TO TRACT 2)

EX. NO.	DESCRIPTION	REFERENCE	COMMENT
1	Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records ...	None	No such matters discovered.
2	Taxes and assessments for the year 2022 ...	None	Not a surveying matter.
3	Title to any areas within street, highway or railroad rights of way ...	None	60' R/W of Francis Road shown on survey.
4	The creation or loss of land by natural or artificial changes along water forming part of the boundary or the land, and/or title to land lying below the higher of the mean high water mark and/or the normal bounds of any body of water, and/or riparian rights incident to any branches, creeks, streams, lakes, or other waters coursing or abutting the land.	None	Does not affect Tract 2.
5	Any discrepancy, conflict, access, shortage in area or boundary lines, encroachment, encumbrance, violation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance ...	None	Any known easements or rights of way shown on survey. Survey area and distances shown on survey. No other such matters discovered.
6	Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance ...	Plat Slide 13238	All observed items shown. See notes regarding setbacks on survey.
7	Right-of-Way Easement ...	DB 615, P. 105 DB 620, P. 383	Deed specifies 10' permanent and 20' temporary easements for utilities. Easement location is not specified and could not be determined from field observations.
8	Right of Way Deed ...	DB 169, P. 484	Electric right-of-way is blanket in nature.
9	Terms and conditions of that 45' easement right of way ...	DB 1035, P. 479	Right-of-way is shown on survey.
10	NO CLOSING SERVICES INSURANCE ...	None	Not a surveying matter.

CHICAGO TITLE INSURANCE COMPANY (ISSUING OFFICE: DHI TITLE OF NORTH CAROLINA)
COMMITMENT NO.: 167-223100269C COMMITMENT DATE: DECEMBER 13, 2021 AT 05:00 PM
SCHEDULE B, PART II EXCEPTIONS FROM COVERAGE (PERTAINS TO TRACT 1)

EX. NO.	DESCRIPTION	REFERENCE	COMMENT
1	Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records ...	None	No such matters discovered.
2	Taxes and assessments for the year 2022 ...	None	Not a surveying matter.
3	Title to any areas within street, highway or railroad rights of way ...	None	Does not affect Tract 1.
4	The creation or loss of land by natural or artificial changes along water forming part of the boundary or the land, and/or title to land lying below the higher of the mean high water mark and/or the normal bounds of any body of water, and/or riparian rights incident to any branches, creeks, streams, lakes, or other waters coursing or abutting the land.	None	Does not affect Tract 1.
5	Any discrepancy, conflict, access, shortage in area or boundary lines, encroachment, encumbrance, violation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance ...	None	Any known easements or rights of way shown on survey. Survey area and distances shown on survey. See note regarding rock wall. See note above for Exception #4 regarding riparian rights. No other such matters discovered.
6	Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance ...	DB 310, P. 619 Plat Slide 13238	All observed items shown. See notes regarding setbacks on survey.
7	Easement ...	DB 482, P. 486	Electric right-of-way is blanket in nature.
8	Grant of Easement ...	DB 1035, P. 479	Right-of-way is shown on survey.
9	Right of Way Agreement ...	DB 445, P. 622	Pertains to Tract 2. The 60' R/W of Francis Road shown on survey.
10	Title to any portion of the Land lying within the right of way of Mastermind Lane ...	None	Title to land not a surveying issue. See note for Exception #5 above for 45' right-of-way.
11	NO CLOSING SERVICES INSURANCE ...	None	Not a surveying matter.



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	332.37'	64.35'	S24°37'42"E	64.25'
C2	184.43'	36.32'	S13°26'23"E	36.26'
C3	184.43'	44.97'	S00°48'44"E	44.86'

C/L OF CREEK BOUNDARY CALLS	LINE	BEARING	DISTANCE
	L1	S77°56'58"E	24.45'
	L2	S82°02'13"E	21.98'
	L3	N88°06'05"E	48.93'
	L4	S82°28'37"E	64.97'
	L5	S58°50'20"E	11.90'
	L6	S76°43'27"E	16.95'
	L7	S61°28'08"E	26.29'
	L8	S79°03'33"E	16.10'
	L9	S61°29'15"E	50.12'
	L10	S66°59'05"E	29.12'
	L11	S48°56'44"E	9.77'
	L12	S69°45'29"E	37.15'
	L13	S74°01'28"E	23.15'
	L14	S64°37'46"E	9.50'
	L15	S51°12'36"E	9.91'
	L16	S59°06'54"E	16.14'
	L17	S51°54'17"E	22.27'
	L18	S69°09'16"E	14.47'
	L19	N88°04'25"E	18.65'
	L20	S75°31'01"E	12.91'
	L21	S44°16'47"E	19.76'
	L22	S47°21'26"E	31.56'
	L23	S54°24'42"E	25.85'
	L24	S69°58'01"E	18.46'
	L25	S83°11'00"E	34.15'
	L26	S34°28'04"E	7.59'
	L27	S54°16'23"E	40.45'
	L28	S34°54'26"E	34.80'
	L29	S43°34'08"E	18.45'
	L30	S59°52'04"E	25.78'
	L31	S39°09'59"E	35.96'
	L32	S44°44'37"E	13.66'

TIE LINE CALLS	L33	N76°05'56"E	6.66'
LIMIT OF 45' RIGHT-OF-WAY CALLS	L34	S01°58'48"W	24.95'
	L35	S81°25'37"W	187.64'

TREE LEGEND:
CH = CHERRY
MA = MAPLE
OK = OAK
PN = PINE
PO = POPLAR

LEGEND:
○ = CORNER FOUND (AS NOTED)
● = #5 REBAR SET WITH CAP
□ = NC/GS MONUMENT (AS NOTED)
○ = CALCULATED POINT (UNMARKED)
AG = ABOVE GROUND
BG = BELOW GROUND
UP = UTILITY POLE
— = GUY WIRE
CMP = CORRUGATED METAL PIPE
CPP = CORRUGATED PLASTIC PIPE
RCP = REINFORCED CONCRETE PIPE
● = SEWER MANHOLE
● = SEWER CLEANOUT
○ = TREE (AS NOTED)
— = OVERHEAD UTILITY LINE
— = ADJOINER PROPERTY LINE
— = UNDERGROUND WATER LINE
— = EDGE OF CONCRETE/ASPHALT
— = EDGE OF GRAVEL
— = SUBJECT PROPERTY BOUNDARY LINE
— = ADJOINER PROPERTY LINE
— = FENCE LINE (AS DESCRIBED)
— = WATER FEATURE (AS NOTED)
— = LIMITS OF R/W
— = MINOR CONTOUR (1' INTERVAL)
— = MAJOR CONTOUR (5' INTERVAL)

ALTA/NSPS LAND TITLE SURVEY FOR
D.R. HORTON, INC.
102 FRANCIS ROAD
228 MASTERMIND LANE

REFERENCE:
Being all of PIN 9579-48-2415
as described in Deed Book 3752, Page 161
&
Being all of PIN 9579-48-6832
as described in Deed Book 3817, Page 216
and shown in Plat Slide 13238
City of Hendersonville ETJ, Hendersonville Township,
Henderson County, North Carolina
Date: 04-14-2022 Drawn By: M. Edgerton
Job#: 22028 Checked By: B. Brown

C. M. Edgerton, Jr., PLS
medgerton@edholmssurveying.com
Ed Holmes & Associates Land Surveyors, PA
300 Ridgefield Ct., Suite 301, Asheville, NC 28806
828.225.6562 Company# C-2806

CURRENT LISTED OWNERS
AT DATE OF THIS SURVEY PER
HENDERSON COUNTY GIS:
PIN 9579-48-2415:
JOHN & BETTY HAMMOND
8 STONEY NOB DRIVE
HENDERSONVILLE, NC 28792
PIN 9579-48-6832:
JOHN HAMMOND, TRUSTEE
8 STONEY NOB DRIVE
HENDERSONVILLE, NC 28792

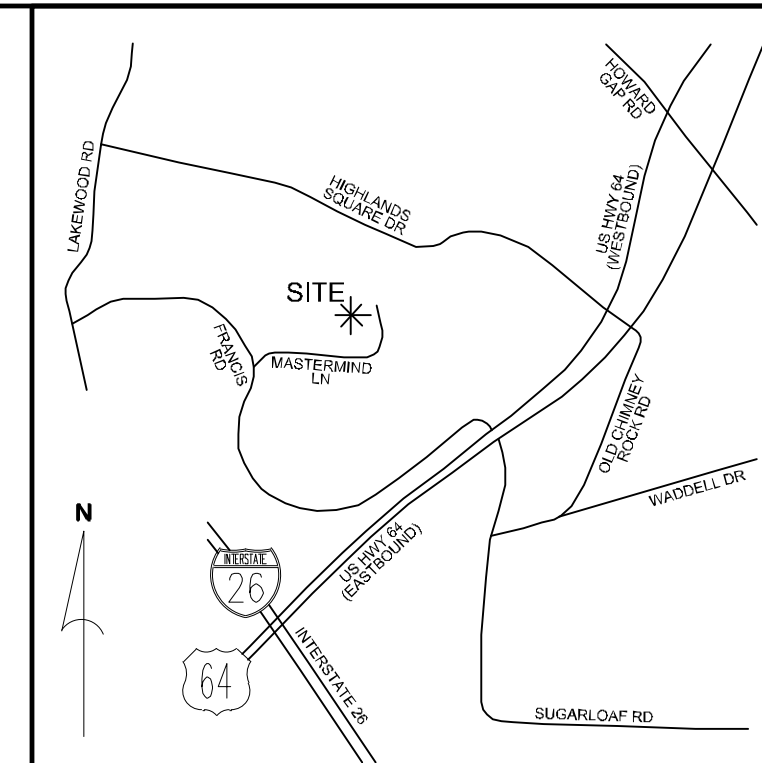
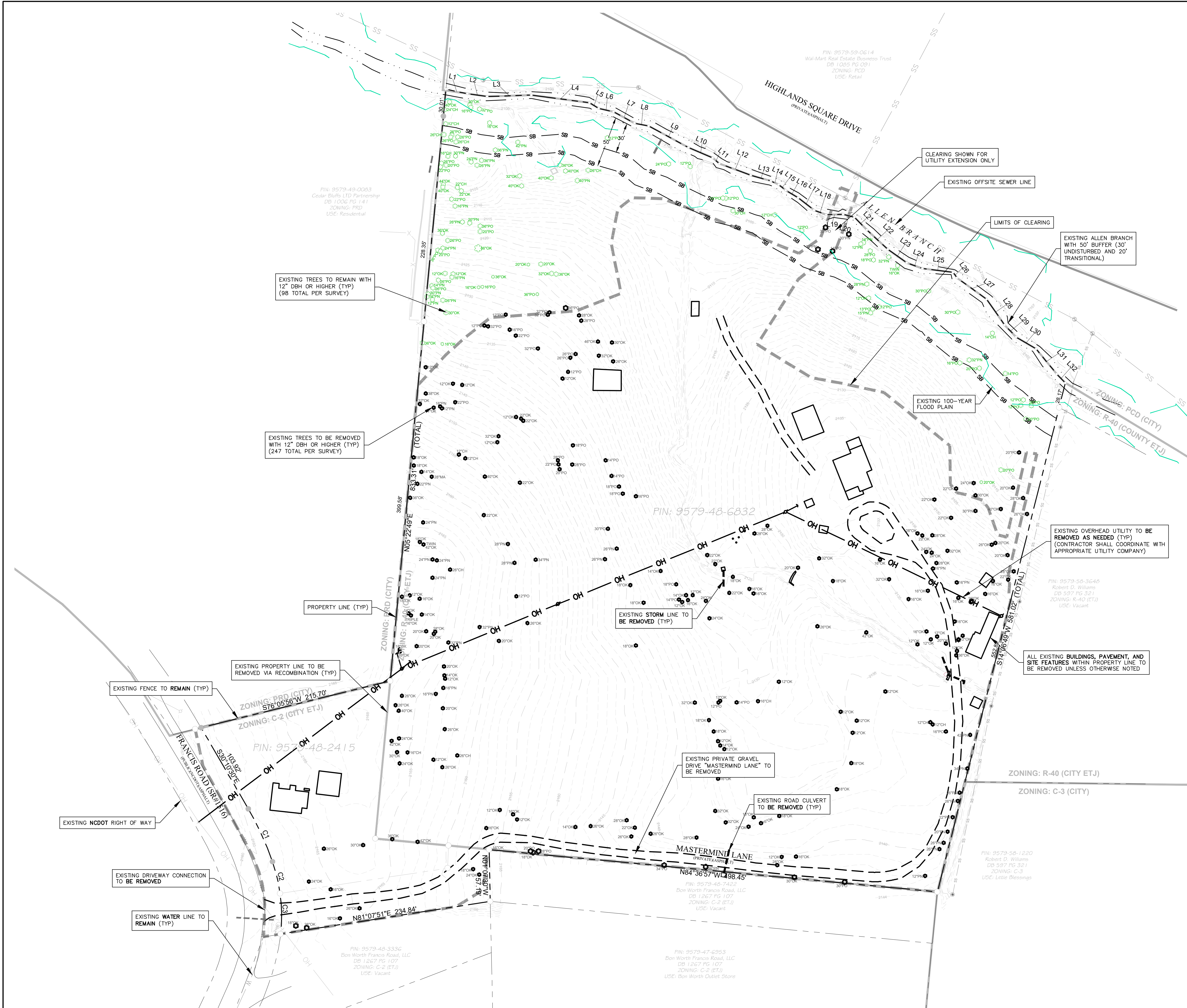
NC/GS CORRS STATION "NCHE"
N: 598,063.85
E: 975,550.74
NC GRID NAD 83 (NSRS 2011)
ELEV: 2,180.00' (NAVD 88)

60' 0' 60' 120'
SCALE 1" = 60'

DWG#: D22-028

Ed HOLMES
& ASSOCIATES
LAND SURVEYORS, P.A.



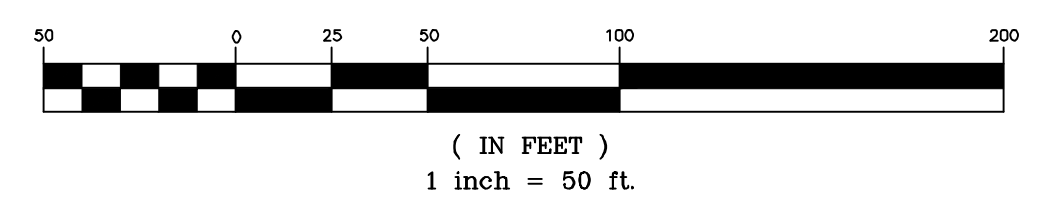


DEVELOPMENT DATA			
OWNER/DEVELOPER:	DHIC, LLC 2000 AERIAL CENTER PARKWAY MORRISVILLE, NC 27560 TOM MARTINSON (240) 997-4816		
CONTACT:			
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801 WARREN SUGG, P.E. (828) 252-5388		
CONTACT:			
SURVEYOR:	ED HOLMES & ASSOCIATES, P.A. 200 RIDGEFIELD COURT, SUITE 208 ASHEVILLE, NC 28806 C.M. EDGERTON JR, P.L.S. (828) 225-6562		
CONTACT:			
ARCHITECT:	JDAVIS ARCHITECTS 510 S. WILMINGTON STREET RALEIGH, NC 27601 LESLIE BLOEM (919) 835-1500		
CONTACT:			
PROJECT DATA			
PIN:	9579-48-2415, 9579-48-6832		
ADDRESS:	102 FRANCIS RD, 228 MASTERMIND LN		
DEED BOOK/PAGE:	3752/161; 3817/216		
SITE ACRES:	12.76 ACRES		
CURRENT ZONING:	C-2/R-40 (CITY ETJ)		
PROPOSED ZONING:	PRD CZD (CITY)		
SETBACKS:			
FRONT:	10' (BLDG IN FRONT OF PARKING)		
SIDES:	30'		
REAR:	30'		
DISTURBED AREA:	10.0± AC		
PARKING CALCULATIONS:			
VEHICULAR:			
REQUIRED SPACES:	2 SPACES PER UNIT 99 UNITS		
PROVIDED SPACES:	1.9 PER UNIT		
HANDICAPPED SPACES:	SPACES PROVIDED: 6		
SPACES REQUIRED: 6			
BUILDING DATA:			
BUILDING	DESCRIPTION	HEIGHT	GFA
CASITA - 2 UNIT (49)	2 STORIES	20'	3,200 SF
CASITA - 1 UNIT (1)	2 STORIES	20'	3,200 SF
CLUBHOUSE	1 STORY	20'	4,683 SF
MAILROOM	1 STORY	12'	517 SF
GARAGE (3)	1 STORY	11'	1,518 SF
DENSITY CALCULATIONS:			
ALLOWED:	127 UNITS MAX - 10.0 UNITS/ACRE		
PROJECT UNITS:	99 UNITS - 7.8 UNITS/ACRE		
IMPERVIOUS CALCULATIONS:			
PRE-DEVELOPMENT:	IMPERVIOUS	PERVIOUS	
	0.46 ACRES (04%)	12.30 ACRES (96%)	
POST-DEVELOPMENT:	4.70 ACRES (37%)	8.06 ACRES (63%)	
OPEN SPACE CALCULATIONS:			
REQUIRED:	7.66 AC (60%)		
PROJECT ACREAGE:	12.76 AC		
SITE COVERAGE - BUILDINGS:	-2.09 AC		
SITE COVERAGE - STREETS & PARKING:	-1.75 AC		
REMAIN AREA - PROVIDED OPEN SPACE:	8.92 AC (70%)		
COMMON OPEN SPACE:			
REQUIRED:	1.28 AC (10%)	PROVIDED:	1.28 AC (10%)
LANDSCAPE REQUIREMENTS:	SEE L101 LANDSCAPE PLAN		

CDC INSPECTIONS HOTLINE:
828-771-4735 OR INSPECTION@CDCGO.COM



EXISTING CONDITIONS &
DEMOLITION PLAN
GRAPHIC SCALE



168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5388

52 WALNUT STREET - SUITE 208
WAYNESVILLE, NC 27687
PHONE (828) 252-5388
FAX (828) 455-5454

Civil Design Concepts, PA

CDC

NCBLS LICENSE # C-2184

MAD	MAD	MAD			BY
CITY OF HENDERSONVILLE C2D SUBMITTAL	REVISED PER PRELIMINARY CITY COMMENTS	REVISED PER PRELIMINARY CITY COMMENTS			DESCRIPTION
1	2	3			DATE
06/30/2022	07/06/2022	07/15/2022			NO.

PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION

COTTAGES AT MASTERMIND

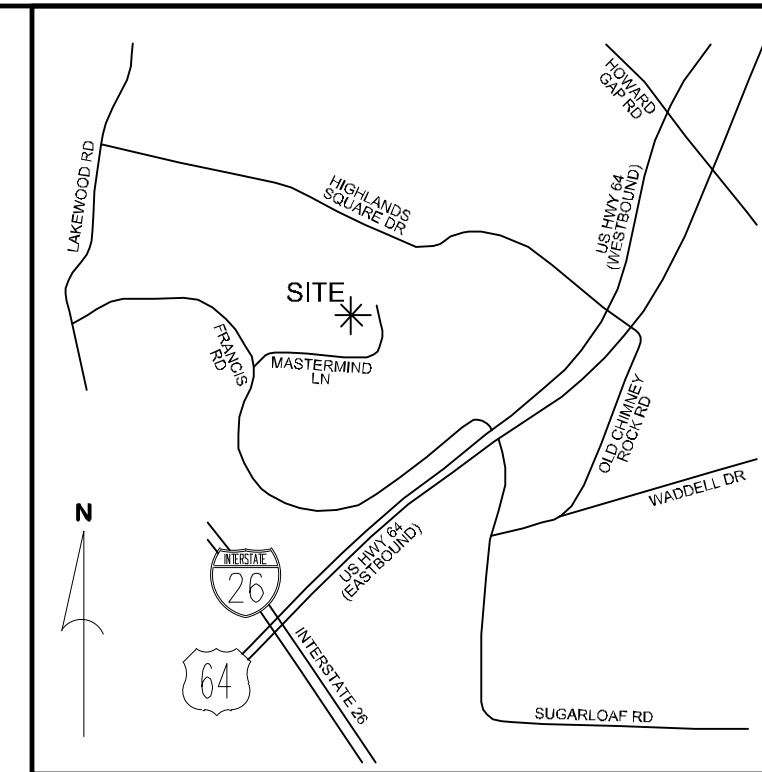
DHIC, LLC - HENDERSONVILLE, NORTH CAROLINA

DRAWN BY:
CDC PROJECT NO.:
XXX PERMIT NO.

AMP
12211
xxx

SHEET

C101



VICINITY MAP

DEVELOPMENT DATA

OWNER/DEVELOPER:	DHIC, LLC 2000 AERIAL CENTER PARKWAY MORRISVILLE, NC 27660
CONTACT:	TOM MARTINSON (240) 997-4816
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-5388
SURVEYOR:	ED HOLMES & ASSOCIATES, P.A. 200 RIDGEFIELD COURT, SUITE 208 ASHEVILLE, NC 28806
CONTACT:	C.M. EDGERTON JR, P.L.S. (828) 225-6562
ARCHITECT:	JDAVIS ARCHITECTS 510 S. WILMINGTON STREET RALEIGH, NC 27601
CONTACT:	LESLIE BLOOM (919) 835-1500

PROJECT DATA

PIN: 9579-48-2415, 9579-48-6832
ADDRESS: 102 FRANCIS RD, 228 MASTERMIND LN
DEED BOOK/PAGE: 3752/161; 3817/216
SITE ACREAGE: 12.76 ACRES
CURRENT ZONING: C-2/R-40 (CITY ETJ)
PROPOSED ZONING: PRD CZD (CITY)

SETBACKS:

FRONT:	10' (BLDG IN FRONT OF PARKING)
SIDES:	30'
REAR:	30'

DISTURBED AREA: 10.0± AC

PARKING CALCULATIONS:

VEHICULAR:
REQUIRED SPACES: 2 SPACES PER UNIT
99 UNITS

PROVIDED SPACES: 1.9 PER UNIT

HANDICAPPED SPACES:
SPACES REQUIRED: 6 SPACES PROVIDED: 6

BUILDING DATA:

<u>BUILDING</u>	<u>DESCRIPTION</u>	<u>HEIGHT</u>	<u>GFA</u>
CASITA - 2 UNIT (49)	2 STORIES	20'	3,200 SF
CASITA - 1 UNIT (1)	2 STORIES	20'	3,200 SF
CLUBHOUSE	1 STORY	20'	4,683 SF
MAILROOM	1 STORY	12'	517 SF
GARAGE (3)	1 STORY	11'	1,518 SF

DENSITY CALCULATIONS:

ALLOWED: 127 UNITS MAX - 10.0 UNITS/ACRE
PROJECT UNITS: 99 UNITS - 7.8 UNITS/ACRE

IMPERVIOUS CALCULATIONS:

	IMPERVIOUS	PERVIOUS
PRE-DEVELOPMENT:	0.46 ACRES (04%)	12.30 ACRES (96%)
POST-DEVELOPMENT:	4.70 ACRES (37%)	8.06 ACRES (63%)

OPEN SPACE CALCULATIONS:

REQUIRED: 7.66 AC (60%)

PROJECT ACREAGE:	12.76 AC
SITE COVERAGE - BUILDINGS:	-2.09 AC
SITE COVERAGE - STREETS & PARKING:	-1.75 AC
REMAIN AREA - PROVIDED OPEN SPACE:	8.92 AC (70%)

COMMON OPEN SPACE:

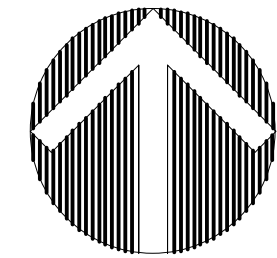
REQUIRED: 1.28 AC (10%) PROVIDED: 1.28 AC (10%)

LANDSCAPE REQUIREMENTS: SEE L101 LANDSCAPE PLAN

CDC INSPECTIONS HOTLINE:
828-771-4755 OR INSPECTION@CDCGO.COM



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



NORTH

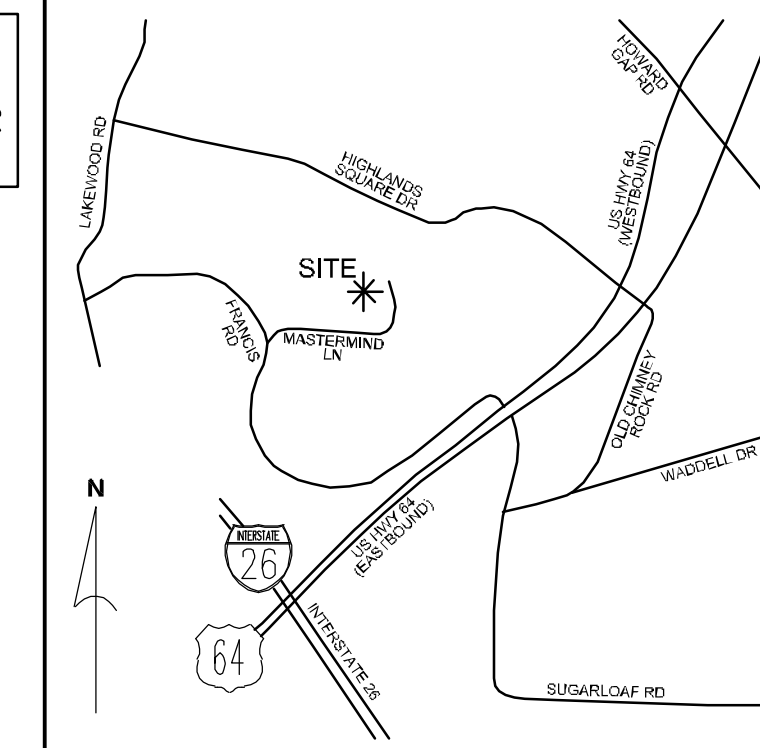
SITE PLAN

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.





VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER: DHIC, LLC
2000 AERIAL CENTER PARKWAY
MORRISVILLE, NC 27560

CONTACT: TOM MARTINSON
(240) 997-4816

CIVIL ENGINEER: CIVIL DESIGN CONCEPTS, P.A.
188 PATTON AVENUE
ASHEVILLE, NC 28801

CONTACT: WARREN SUGG, P.E.
(828) 252-5388

SURVEYOR: ED HOLMES & ASSOCIATES, P.A.
200 RIDGEFIELD COURT, SUITE 208
ASHEVILLE, NC 28806

CONTACT: C.M. EDGERTON JR., P.L.S.
(828) 225-6562

ARCHITECT: JDAVIS ARCHITECTS
510 S. WILMINGTON STREET
RALEIGH, NC 27601

CONTACT: LESLIE BLOEM
(919) 835-1500

PROJECT DATA

PIN: 9579-48-2415, 9579-48-6832

ADDRESS: 102 FRANCIS RD, 228 MASTERMIND LN

DEED BOOK/PAGE: 3762/161, 3817/216

SITE ACREAGE: 12.76 ACRES

CURRENT ZONING: C-2/R-40 (CITY ETJ)

PROPOSED ZONING: PRD CZD (CITY)

SETBACKS:

FRONT: 10' (BLDG IN FRONT OF PARKING)

SIDES: 30'

REAR: 30'

DISTURBED AREA: 10.0± AC

PARKING CALCULATIONS:

VEHICULAR:
REQUIRED SPACES: 2 SPACES PER UNIT
99 UNITS

PROVIDED SPACES: 1.9 PER UNIT

HANDICAPPED SPACES:
SPACES REQUIRED: 6 SPACES PROVIDED: 6

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	AREA
CASITA - 2 UNIT (49)	2 STORIES	20'	3,220 SF
CASITA - 1 UNIT (1)	2 STORIES	20'	3,200 SF
CLUBHOUSE	1 STORY	20'	4,883 SF
MAILROOM	1 STORY	12'	517 SF
GARAGE (3)	1 STORY	11'	1,518 SF

DENSITY CALCULATIONS:

ALLOWED: 127 UNITS MAX - 10.0 UNITS/ACRE

PROJECT UNITS: 99 UNITS - 7.8 UNITS/ACRE

IMPERVIOUS CALCULATIONS:

	IMPERVIOUS	PERVIOUS
PRE-DEVELOPMENT:	0.46 ACRES (3.7%)	12.30 ACRES (96%)
POST-DEVELOPMENT:	0.70 ACRES (37%)	8.06 ACRES (63%)

OPEN SPACE CALCULATIONS:

REQUIRED: 7.66 AC (60%)

	12.76 AC
PROJECT ACREAGE:	12.76 AC
SITE COVERAGE - BUILDINGS:	-2.09 AC
SITE COVERAGE - STREETS & PARKING:	-1.75 AC
REMAIN AREA - PROVIDED OPEN SPACE:	8.92 AC (70%)

COMMON OPEN SPACE:

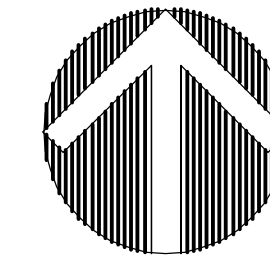
REQUIRED: 1.28 AC (10%) PROVIDED: 1.28 AC (10%)

LANDSCAPE REQUIREMENTS: SEE L101 LANDSCAPE PLAN

CDC INSPECTIONS HOTLINE:
828-771-4755 OR INSPECTION@CDCGO.COM



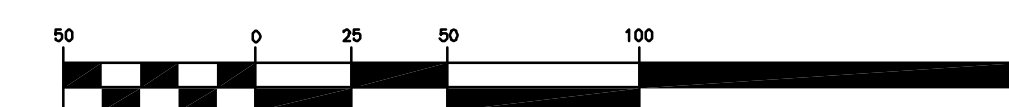
Know what's **below**.
Call before you dig



NORTH

UTILITY PLAN

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



PLANTING SUMMARY:

VEHICULAR USAGE LANDSCAPE AREA (VUA)

REQUIREMENTS: 1 LARGE DECIDUOUS TREE AND 2 SHRUBS PER 4,000 SF OF VUA

TOTAL VUA: 71,966 SF
TREES REQUIRED: 18
TREES PROVIDED: 27
SHRUBS REQUIRED: 36
SHRUBS PROVIDED: 48

PROPERTY LINE BUFFER (PLB)

REQUIREMENTS (PER 100 LF): 3 BROADLEAF CANOPY TREES
20 EVERGREEN SHRUBS
25 FLOWERING SHRUBS

PROPERTY LINE: 555 LF

TREES REQUIRED: 17
TREES PROVIDED: 17
EVERGREEN SHRUBS REQUIRED: 111
EVERGREEN SHRUBS PROVIDED: 111
FLOWERING SHRUBS REQUIRED: 139
FLOWERING SHRUBS PROVIDED: 139

PROPOSED PLANT SCHEDULE *

KEY	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE
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TREES

AA	5	AMELANCHIER ARBOREA	SERVICEBERRY	B&B	1.5" CAL.	6' HT
QP	17	QUERCUS PHELLOS	WILLOW OAK	B&B	2" CAL.	8'-10' HT
TC	8	TILIA CORDATA	LITTLELEAF LINDEN	B&B	2" CAL.	10'-12' HT
ZS	14	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE JAPANESE ZELKOVA	B&B	2" CAL.	10'-12' HT

SHRUBS

CSE	11	CORNUS SERICEA 'MIDWINTER FIRE'	MIDWINTER FIRE DOGWOOD	3 GAL		
FGA	84	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	1 GAL		
HAA	59	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE SMOOTH HYDRANGEA	3 GAL		
IGC	9	ILEX GLABRA 'COMPACTA'	INKBERRY	3 GAL		
IVL	24	ITEA VIRGINICA 'LITTLE HENRY'	LITTLE HENRY SWEETSPICE	1 GAL		
RRE	111	RHODODENDRON ROSEUM ELGANS	ROSEUM ELEGANS RHODODENDRON	3 GAL		

*SUBSTITUTION OF SPECIES TO BE APPROVED BY ENGINEER

*A DIVERSE PLANT LIST IS RECOMMENDED SO THAT NO ONE SPECIES GETS OVER PLANTED AND TO ELIMINATE WIDE SPREAD DISEASE BETWEEN LIKE SPECIES.

TYPE A 20' WIDE PROPERTY LINE BUFFER PLANTINGS, SEE DETAIL THIS SHEET FOR PLANTINGS (TYP)

1 TC (VUA)
3 IGC (VUA)
1 TC (VUA)
3 IGC (VUA)

1 ZS (VUA)
1 ZS (VUA)
1 ZS (VUA)
1 ZS (VUA)
1 ZS (VUA)
1 AA (VUA)
1 TC (VUA)

APPROXIMATE TREE CANOPY OF EXISTING TREES TO REMAIN WITH 12" DBH OR GREATER (TYP)

EXISTING TREE WITH 12" DBH AND GREATER TO REMAIN (TYP)

PIN: 9579-49-0003
Cedar Bluffs LTD Partnership
DB 1006 PG 14.1
ZONING: PRD
USE: Residential

PIN: 9579-48-3336
Bon Worth Francis Road, LLC
DB 1267 PG 107
ZONING: C-2 (ETJ)
USE: Vacant

PIN: 9579-48-7422
Bon Worth Francis Road, LLC
DB 1267 PG 107
ZONING: C-2 (ETJ)
USE: Vacant

PIN: 9579-47-6993
Bon Worth Francis Road, LLC
DB 1267 PG 107
ZONING: C-2 (ETJ)
USE: Bon Worth Outlet Store

3 QP (PLB)
10 HAA (PLB)
20 RRE (PLB)
15 FGA (PLB)

20' LANDSCAPE BUFFER
NOT TO SCALE

VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER: DHIC, LLC
2000 AERIAL CENTER PARKWAY
MORRISVILLE, NC 27560
TOM MARTINSON
(240) 997-4816
CIVIL ENGINEER: CIVIL DESIGN CONCEPTS, P.A.
168 PATTON AVENUE
ASHEVILLE, NC 28801
WARREN SUGG, P.E.
(828) 252-5388
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200 RIDGEFIELD COURT, SUITE 208
ASHEVILLE, NC 28806
C.M. EDGERTON JR, P.L.S.
(828) 225-6562
CONTACT: JDAVIS ARCHITECTS
510 S. WILMINGTON STREET
RALEIGH, NC 27601
LESLIE BLOEM
(919) 835-1500

PROJECT DATA

PIN: 9579-48-2415, 9579-48-6832
ADDRESS: 102 FRANCIS RD, 228 MASTERMIND LN
3752/161: 3817/216
SITE AREA: 12.76 ACRES
CURRENT ZONING: C-2/R-40 (CITY ETJ)
PROPOSED ZONING: PRD CZD (CITY)

SETBACKS: FRONT: 10' (BLDG IN FRONT OF PARKING)
SIDES: 30'
REAR: 30'

DISTURBED AREA: 10.0± AC

PARKING CALCULATIONS:

VEHICULAR: REQUIRED SPACES: 2 SPACES PER UNIT
99 UNITS

PROVIDED SPACES: 1.9 PER UNIT

HANDICAPPED SPACES: SPACES REQUIRED: 6 SPACES PROVIDED: 6

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GEA
CASITA - 2 UNIT (49)	2 STORIES	20'	3,200 SF
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CLUBHOUSE	1 STORY	20'	4,683 SF
MAILROOM	1 STORY	12'	517 SF
GARAGE (3)	1 STORY	11'	1,518 SF

DENSITY CALCULATIONS:

ALLOWED: 127 UNITS MAX - 10.0 UNITS/ACRE
PROJECT UNITS: 99 UNITS - 7.8 UNITS/ACRE

IMPERVIOUS CALCULATIONS:

PRE-DEVELOPMENT: IMPERVIOUS 0.46 ACRES (04%) PERVIOUS 12.30 ACRES (96%)
POST-DEVELOPMENT: IMPERVIOUS 4.70 ACRES (37%) PERVIOUS 8.06 ACRES (63%)

OPEN SPACE CALCULATIONS:

REQUIRED: 7.66 AC (60%)

PROJECT ACREAGE: 12.76 AC
SITE COVERAGE - BUILDINGS: -2.09 AC
SITE COVERAGE - STREETS & PARKING: -1.25 AC
REMAIN AREA - PROVIDED OPEN SPACE: 6.92 AC (70%)

COMMON OPEN SPACE:

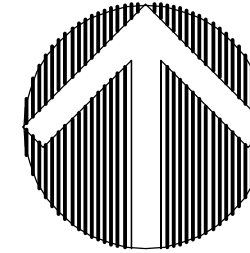
REQUIRED: 1.28 AC (10%) PROVIDED: 1.28 AC (10%)

LANDSCAPE REQUIREMENTS: SEE L101 LANDSCAPE PLAN

CDC INSPECTIONS HOTLINE:
828-771-4755 OR INSPECTION@CDCGO.COM



Know what's below.
Call before you dig.



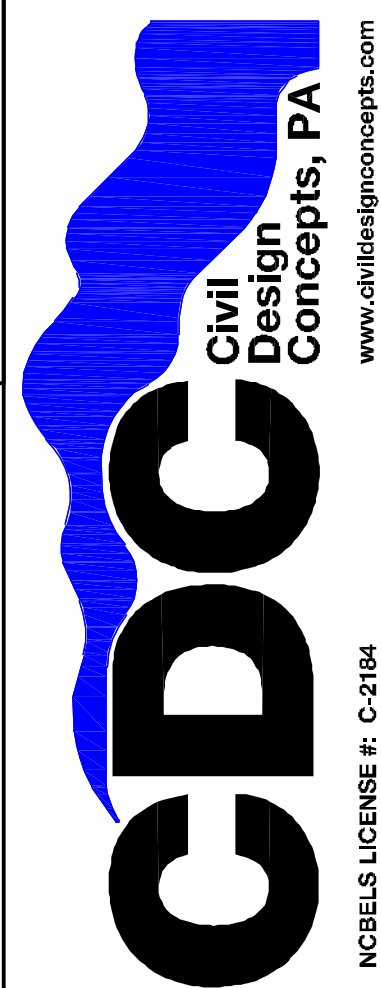
NORTH

LANDSCAPE & RESOURCE PLAN

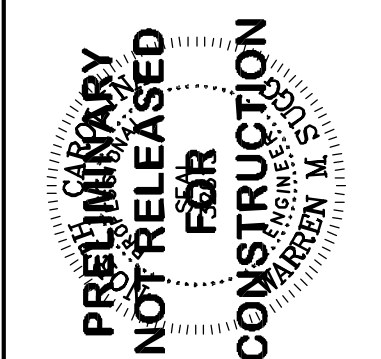
GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



NO.	DATE	DESCRIPTION
1	06/30/2022	CITY OF HENDERSONVILLE CZD SUBMITTAL
2	07/08/2022	REVISED PER PRELIMINARY CITY COMMENTS
3	07/15/2022	REVISED PER PRELIMINARY CITY COMMENTS



COTTAGES AT MASTERMIND

LANDSCAPE & RESOURCE PLAN FOR:

DRAWN BY: CDC PROJECT NO.:
XXX PERMIT NO.

AMP
12211
xxx

SHEET

L101



DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC

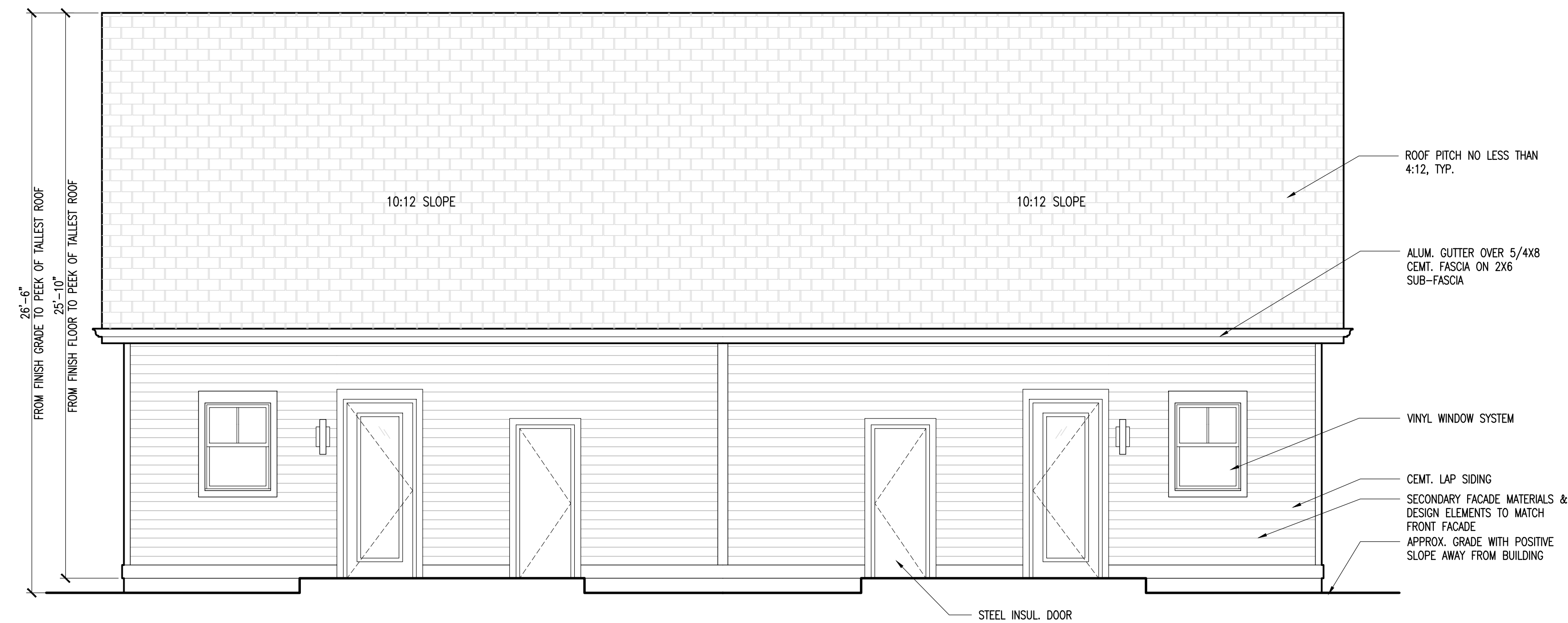
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CONTENT:	DUPLEX 1.2	
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A3.01.1

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.



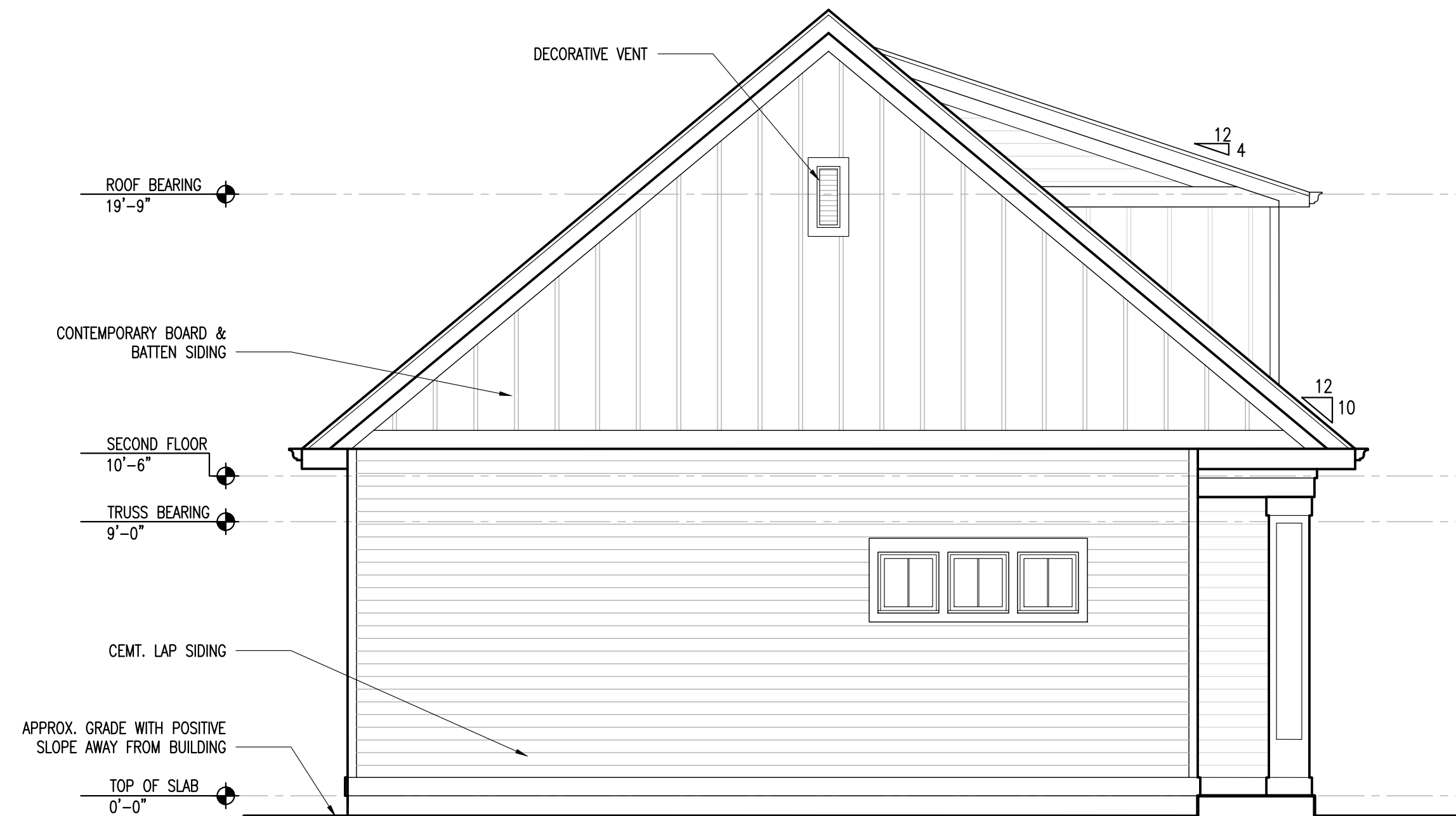
REAR ELEVATION
SCALE: 1/4" = 1'-0"

2



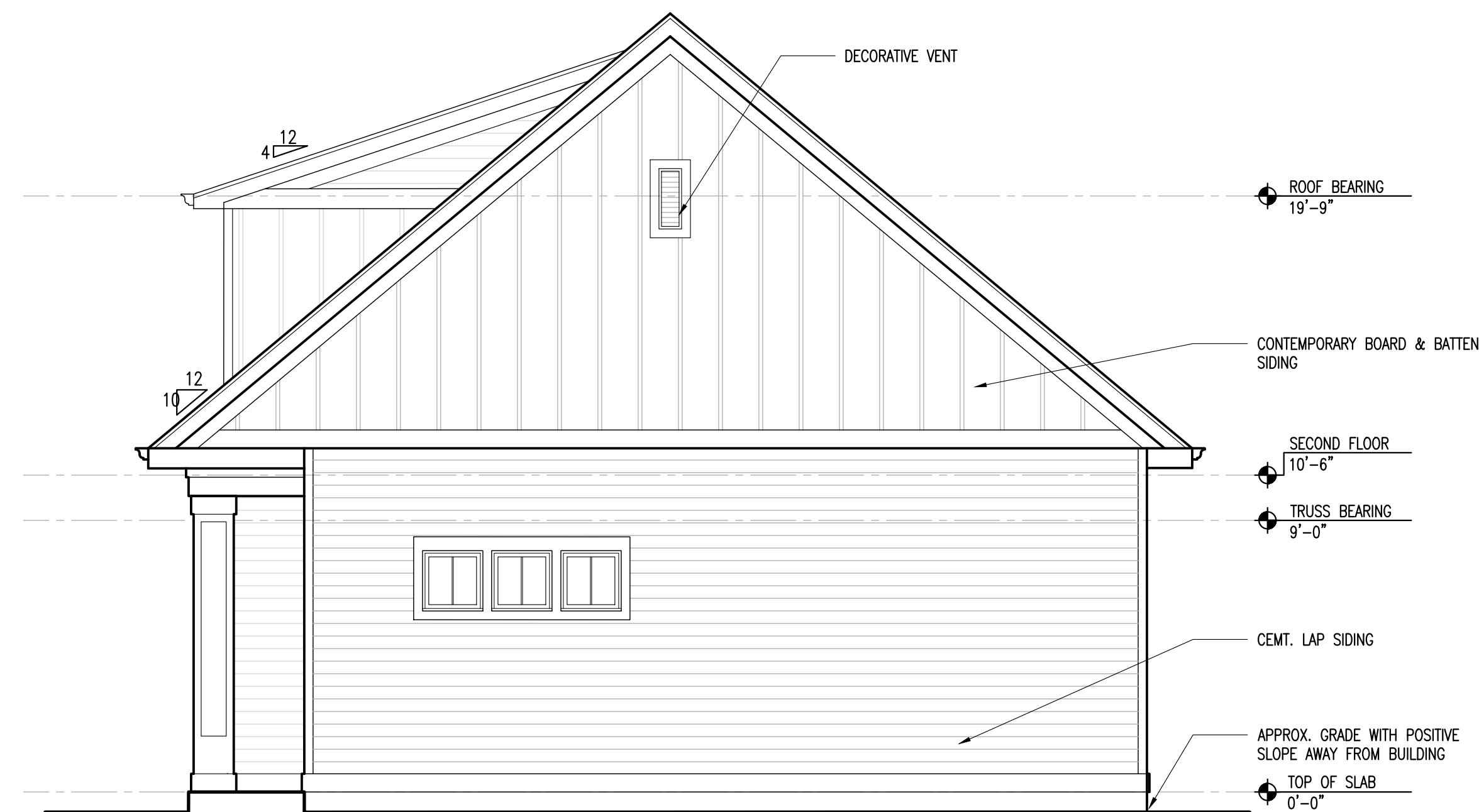
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

1



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.

DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC



		DATE
PROJECT:	.	.
ISSUE:	SITE PLAN SUBMITTAL	06.30.2022
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CONTENT:	DUPLEX 1.2	
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A3.01.2

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.



REAR ELEVATION
SCALE: 1/4" = 1'-0"

2



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

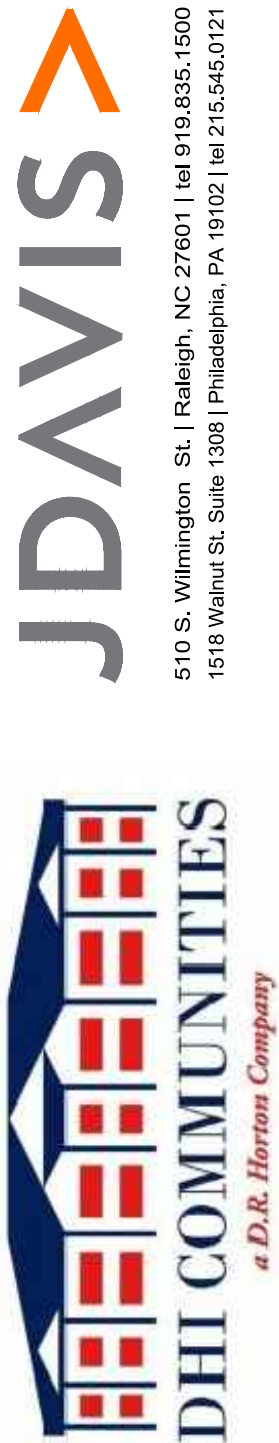
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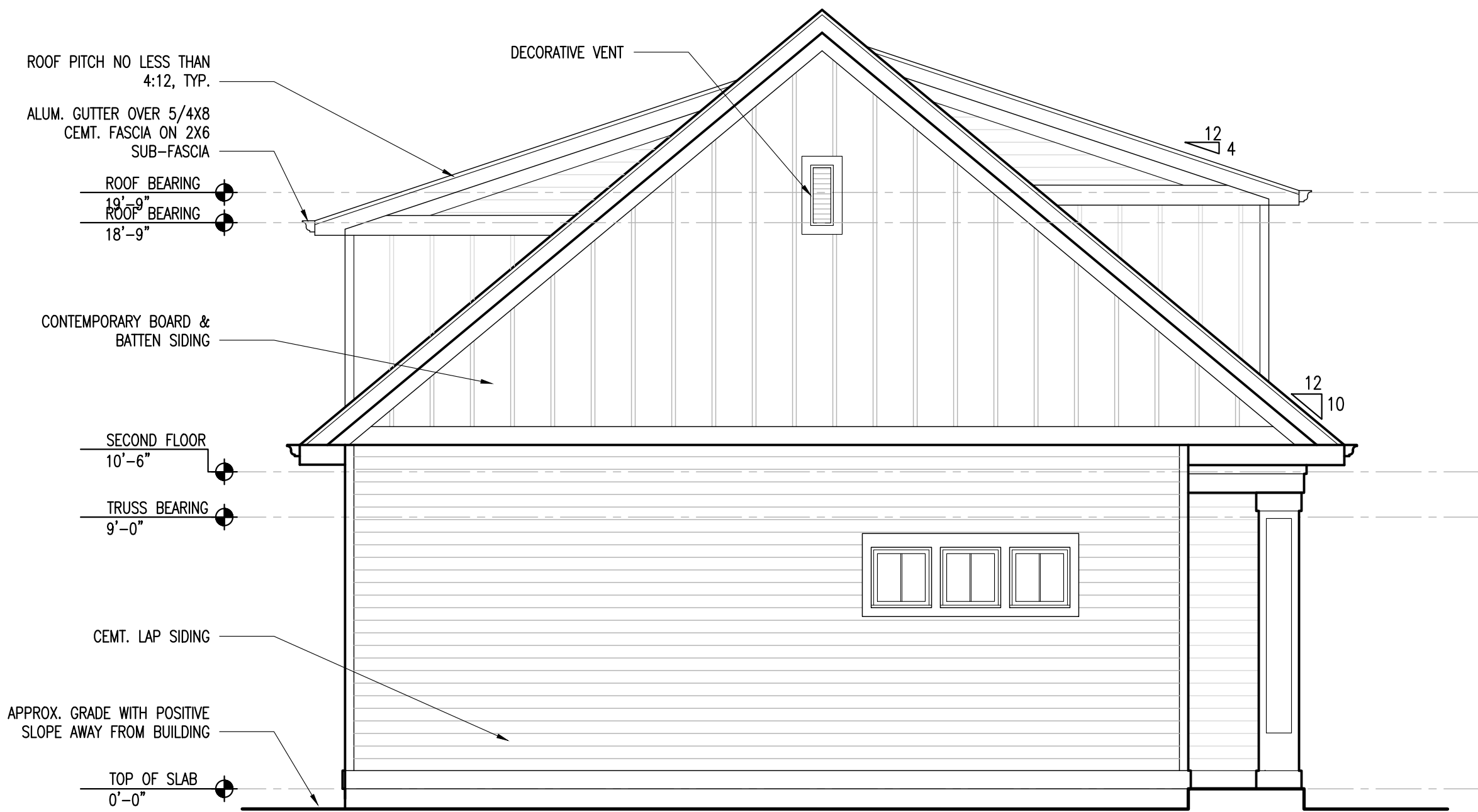
PROJECT:		DATE
ISSUE:	SITE PLAN SUBMITTAL	06.30.2022
REVISIONS:		
DRAWN BY:		
CHECKED BY:		
CONTENT:		DUPLEX 2.2
		ELEVATIONS

DHI Communities
Cottages at
Mastermind
Hendersonville, NC

NOT FOR
CONSTRUCTION

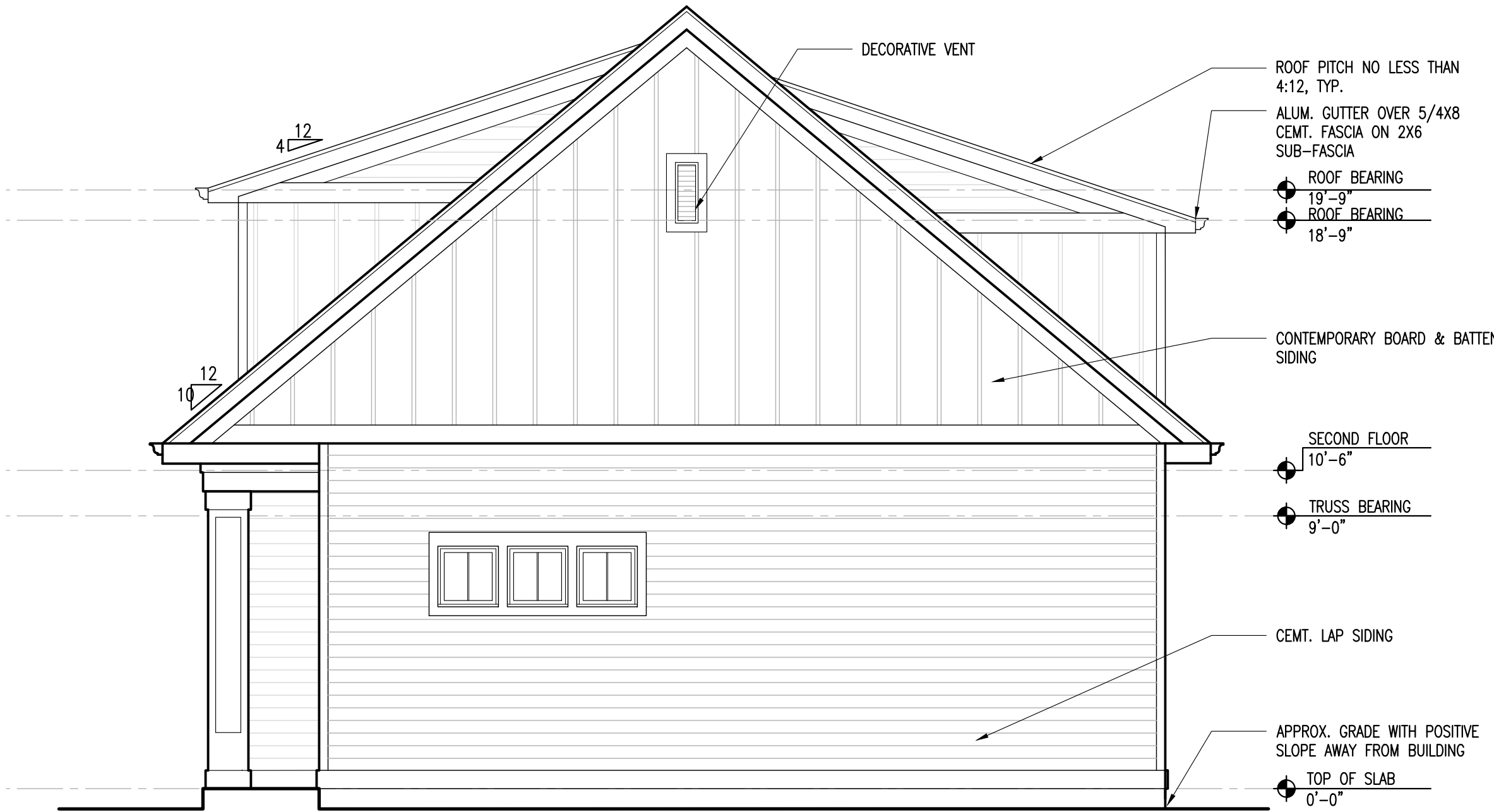


510 S. Wilmington St. | Raleigh, NC 27601 | Tel 919.835.1500
1518 Walnut St. Suite 1308 | Philadelphia, PA 19102 | Tel 215.545.0121



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1

ELEVATIONS ARE
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ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.

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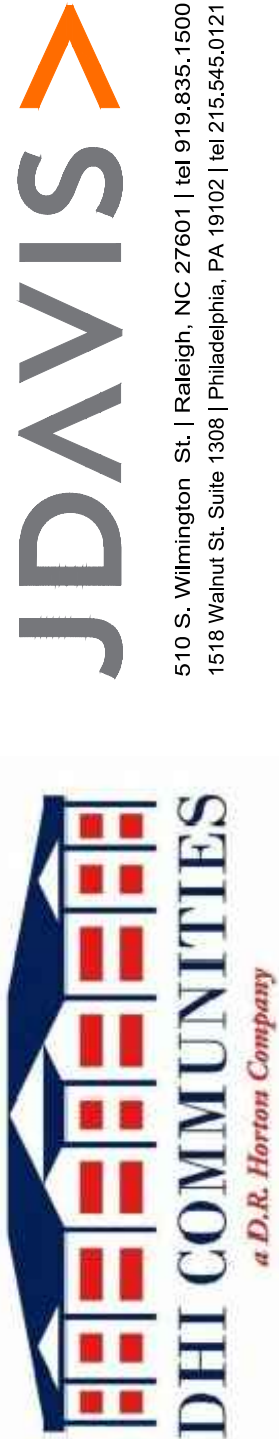
DHI Communities
Cottages at
Mastermind
Hendersonville, NC

NOT FOR
CONSTRUCTION



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ISSUE:	SITE PLAN SUBMITTAL 06.30.2022
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CONTENT:	DUPLEX 2.2
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A3.02.2



510 S. Wilmington St. | Raleigh, NC 27601 | Tel 919.835.1500
1518 Walnut St. Suite 1308 | Philadelphia, PA 19102 | Tel 215.545.0121



DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC

NOT FOR
CONSTRUCTION



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CONTENT:	DUPLEX 3.2	
	ELEVATIONS	
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A3.03.1

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

1



REAR ELEVATION
SCALE: 1/4" = 1'-0"

2

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LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.

DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC



THE ARCHITECTS EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER RIGHTS	DATE	
	PROJECT:	-
	ISSUE:	SITE PLAN SUBMITTAL
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	ELEVATIONS	
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A3.03.2



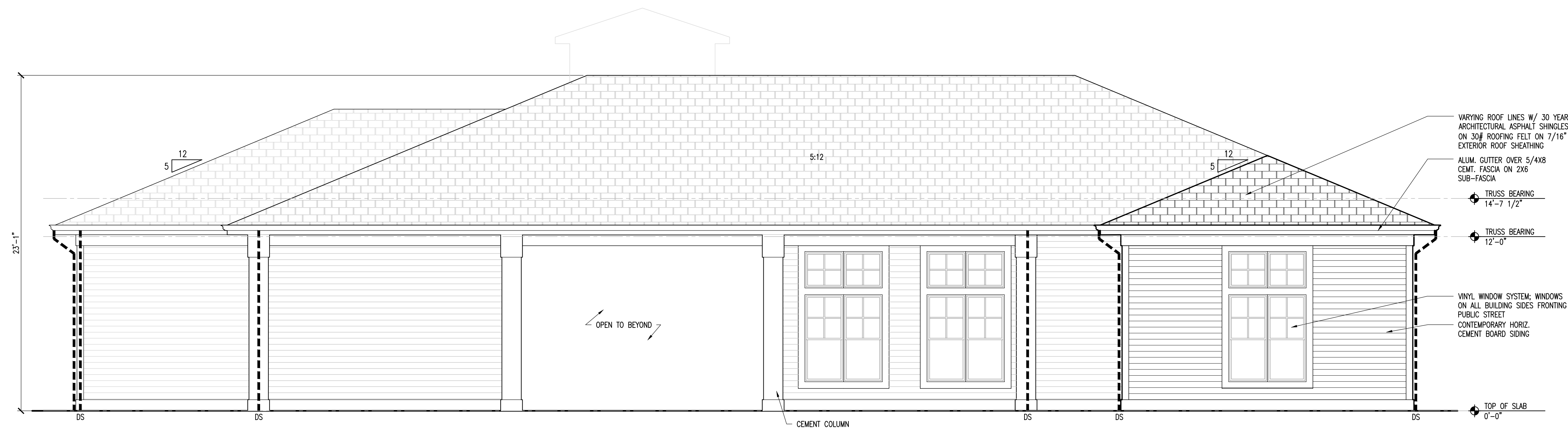
DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC

NOT FOR
CONSTRUCTION



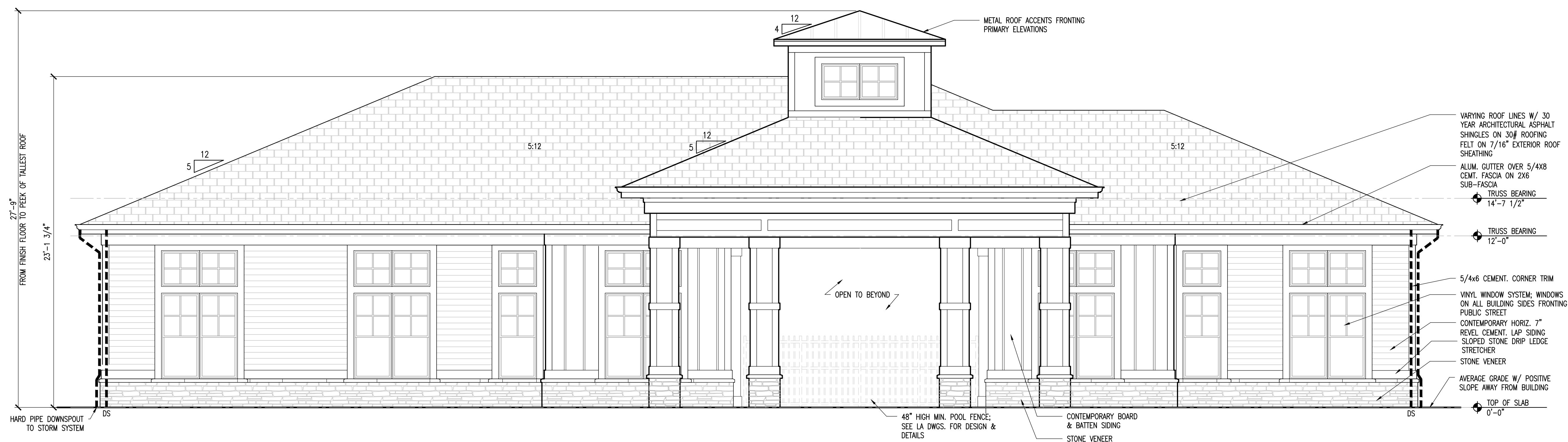
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ISSUE:	SITE PLAN SUBMITTAL	06.30.2022
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CONTENT:	CLUBHOUSE ELEVATIONS	
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A12.03



CLUBHOUSE BACK ELEVATION
SCALE: 1/4" = 1'-0"

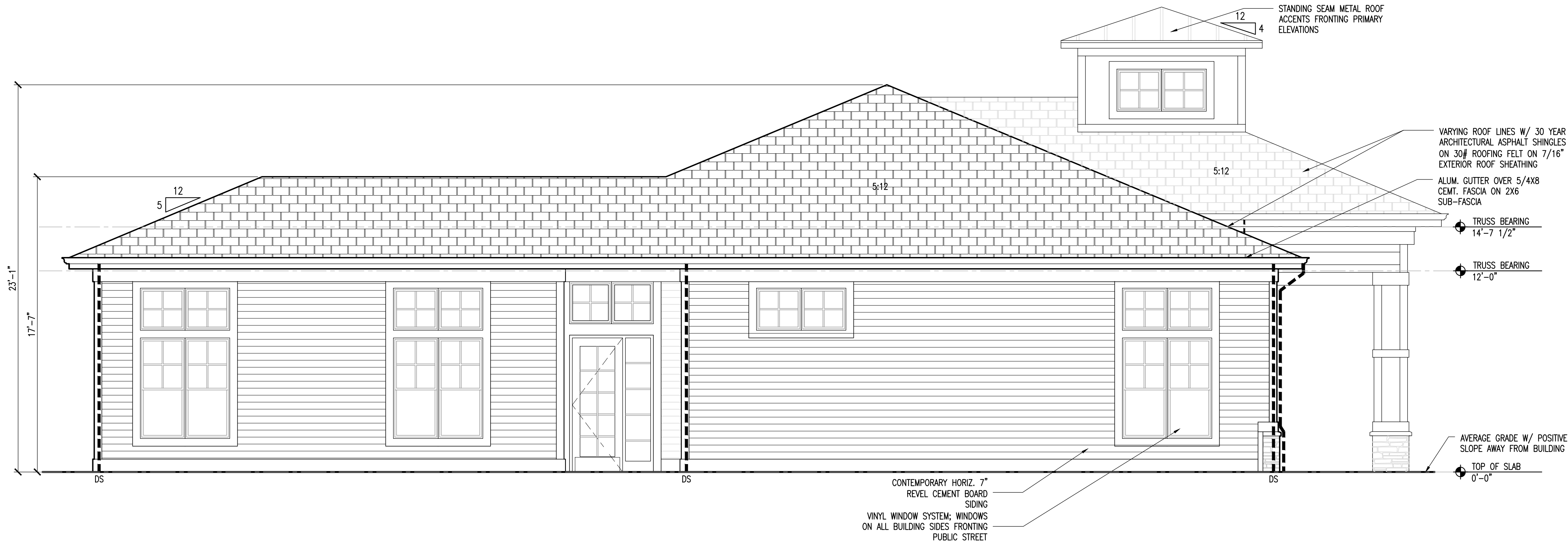
2



CLUBHOUSE FRONT ELEVATION
SCALE: 1/4" = 1'-0"

1

ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.



CLUBHOUSE SIDE ELEVATION
SCALE: 1/4" = 1'-0"

2



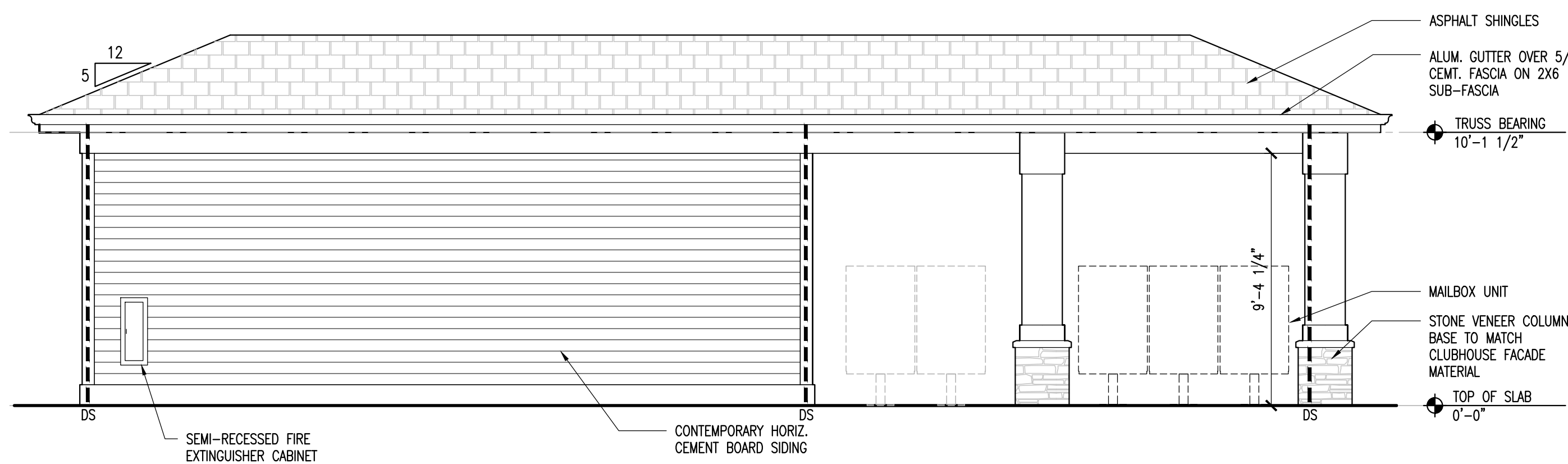
CLUBHOUSE SIDE ELEVATION
SCALE: 1/4" = 1'-0"

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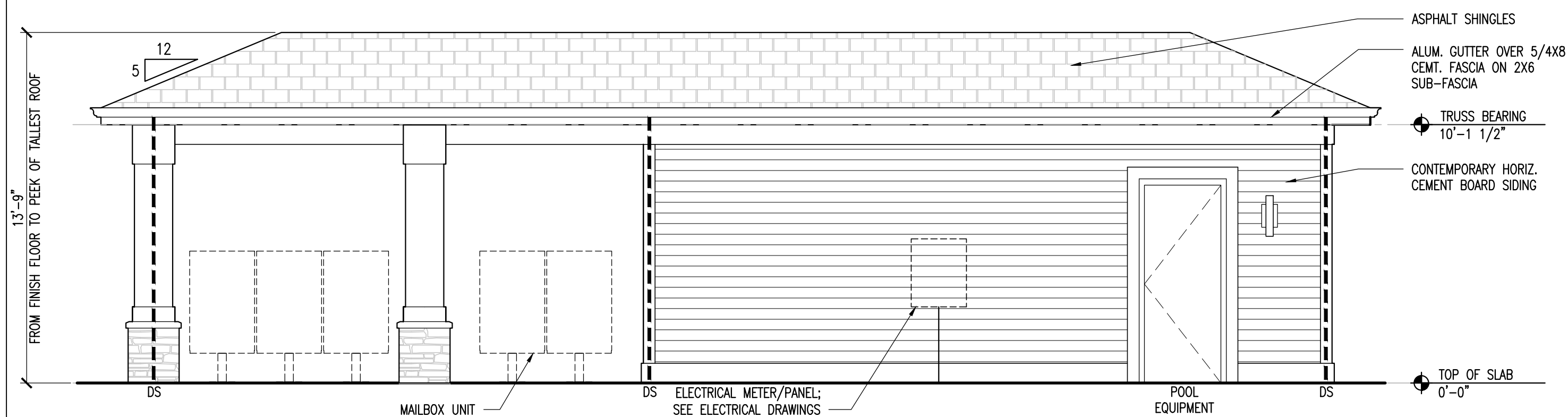
ELEVATIONS ARE PRELIMINARY & FOR REFERENCE/ ZONING PURPOSES ONLY.
ELEVATIONS TO FOLLOW DEVELOPMENT STANDARDS.

PROJECT:	DATE
ISSUE: SITE PLAN SUBMITTAL	06.30.2022
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CONTENT: CLUBHOUSE ELEVATIONS	

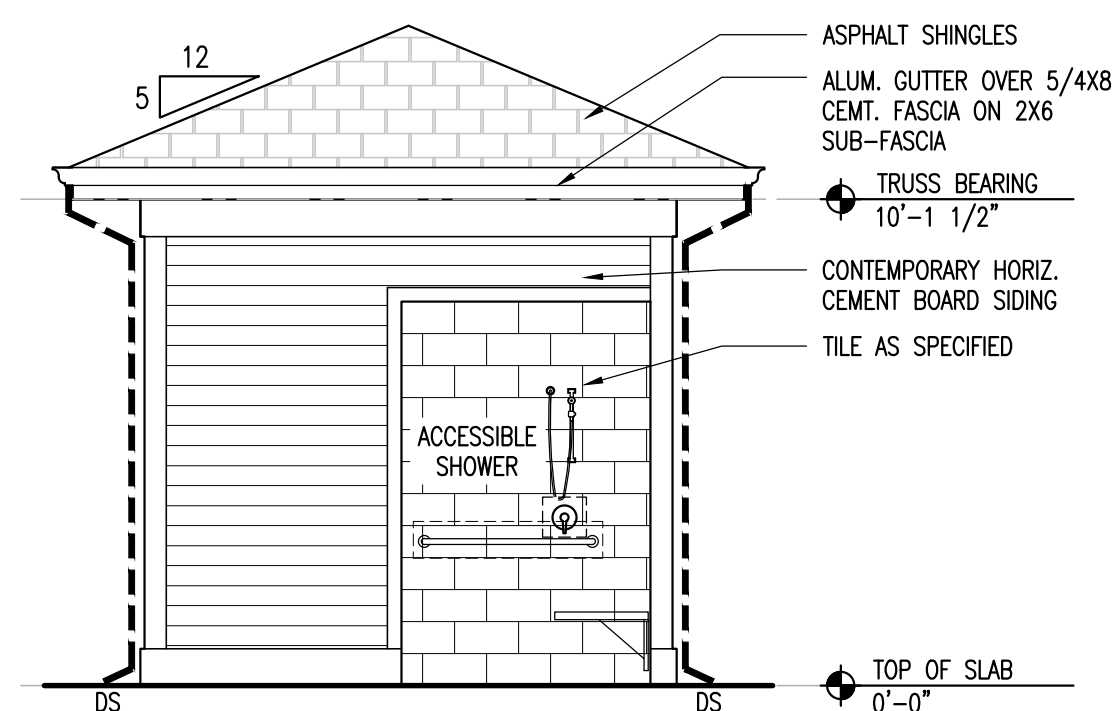
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CONTENT:	MAIL & POOL EQUIPMENT	
	PLANS & ELEVATIONS	



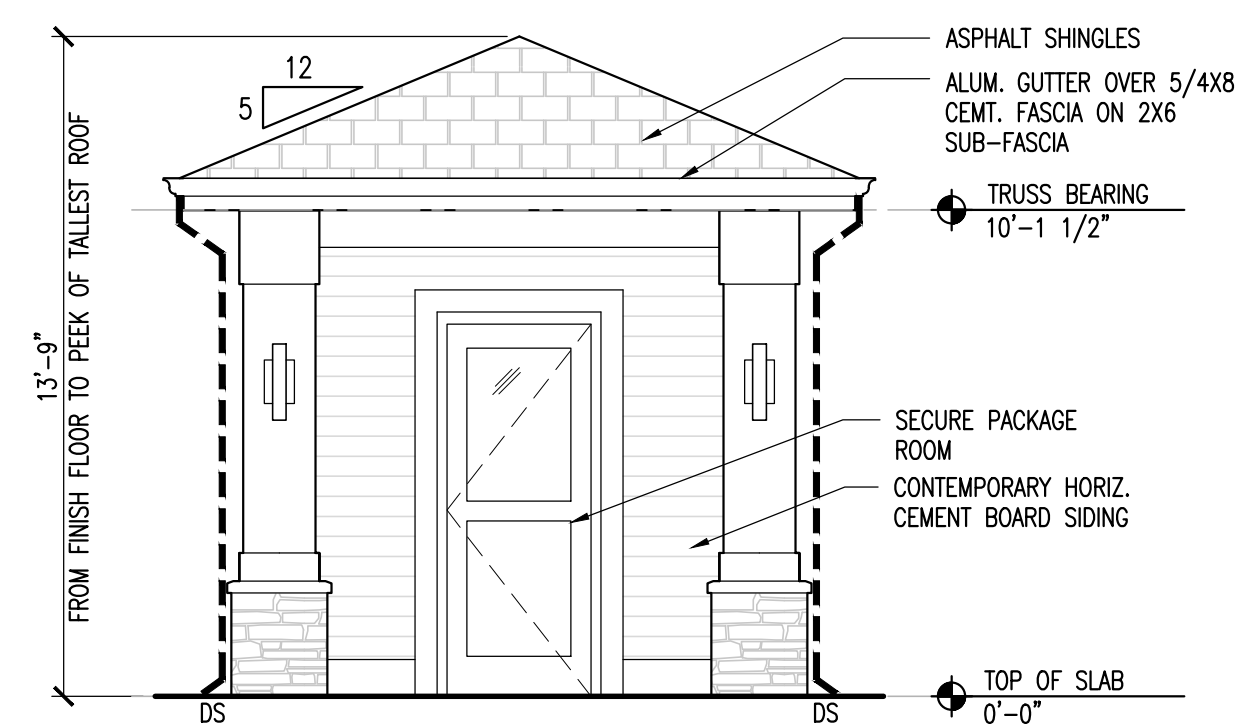
MAIL & POOL EQUIPMENT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



MAIL & POOL EQUIPMENT SIDE ELEVATION	5
SCALE: 1/4" = 1'-0"	

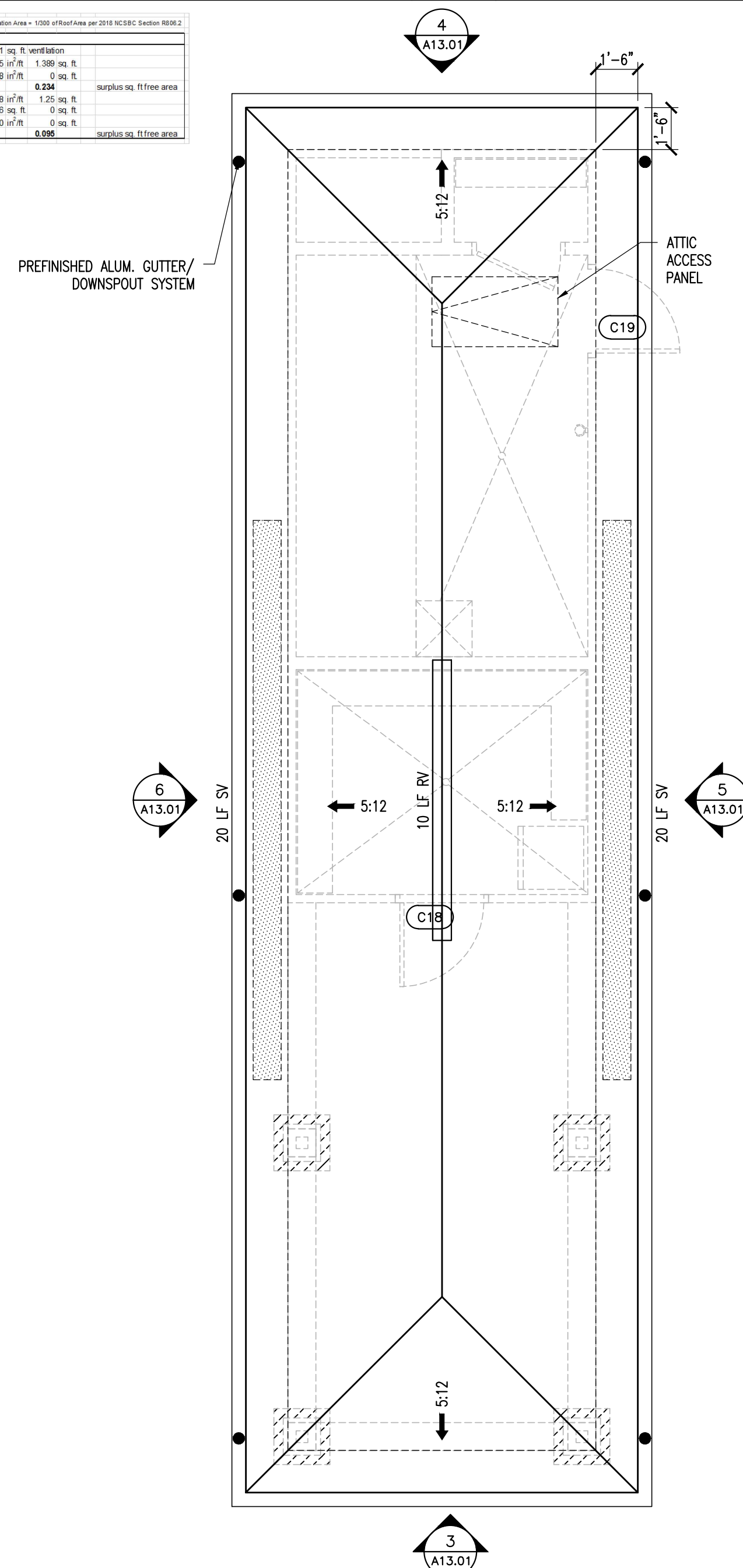


MAIL & POOL EQUIPMENT REAR ELEVATION	4
SCALE: 1/4" = 1'-0"	

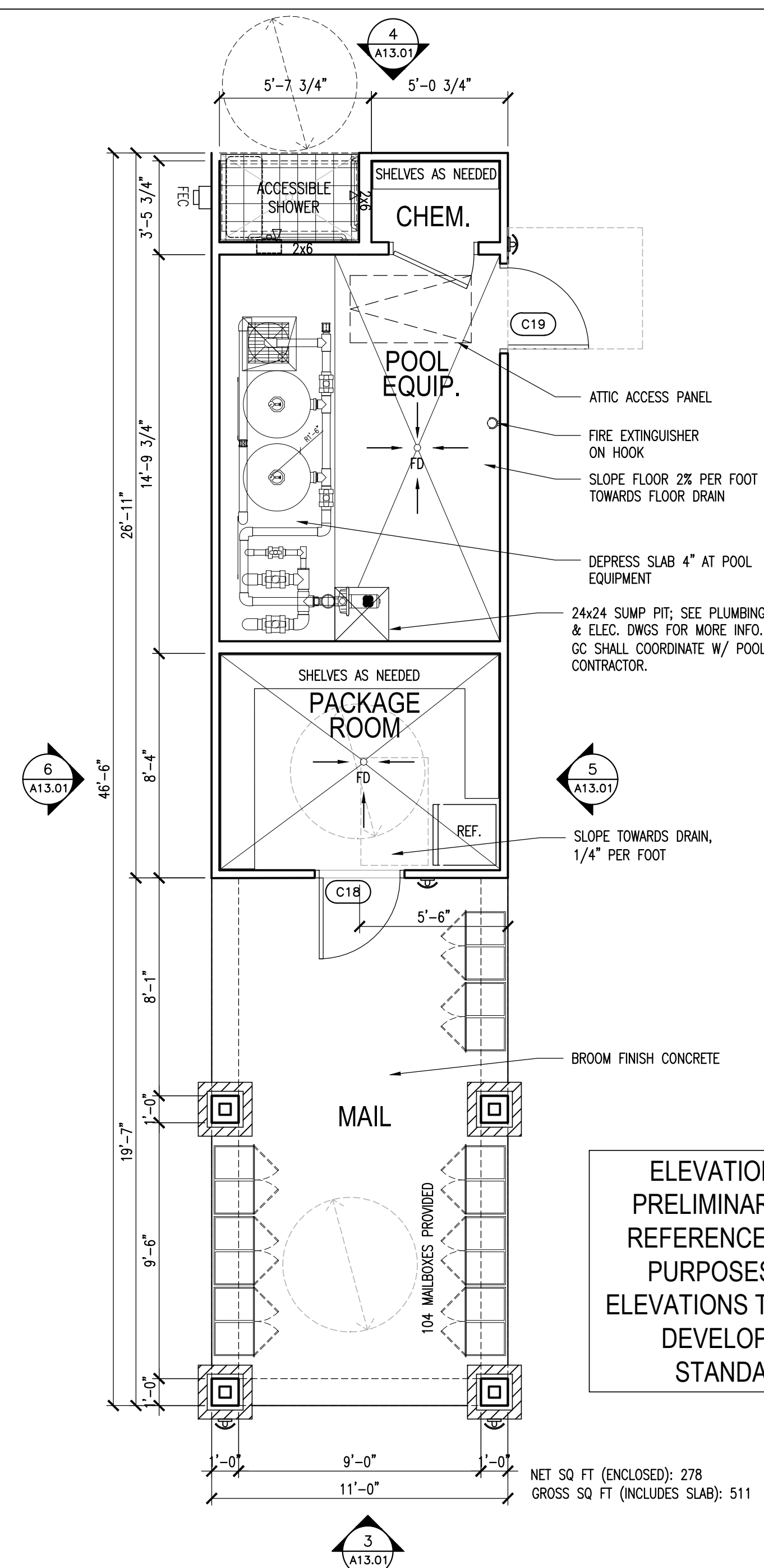


MAIL & POOL EQUIPMENT FRONT ELEVATION	3
SCALE: 1/4" = 1'-0"	

ROOF VENTING		*Ventilation Area = 1,000 cfm/area per 2013 NCSCB Section R806.	
Mail Kiosk/Pool Equipment			
Square Footage	693 yields	2.31 sq. ft. ventilation	
Soft/vent free area	40 linear feet	5 in/ft. 1,389 sq. ft.	
Soft/vent free area	vent/s at 4"x16"	28 in/ft. 0 sq. ft.	
	low vent surplus		surplus sq. ft. free area
Gate vent free area	10 linear feet	19 in/ft. 1.25 sq. ft.	
Gate vent free area	0 vent/s at	2.8 sq. ft. 0 sq. ft.	
Roof vent free area	0 vent/s at	60 in/ft. 0 sq. ft.	
	high vent surplus	0.695	surplus sq. ft. free area



MAIL & POOL EQUIPMENT ROOF PLAN



MAIL & POOL EQUIPMENT PLAN	
SCALE: 1/4" = 1'-0"	

ELEVATIONS ARE
PRELIMINARY & FOR
REFERENCE/ ZONING
PURPOSES ONLY.
ELEVATIONS TO FOLLOW
DEVELOPMENT
STANDARDS.

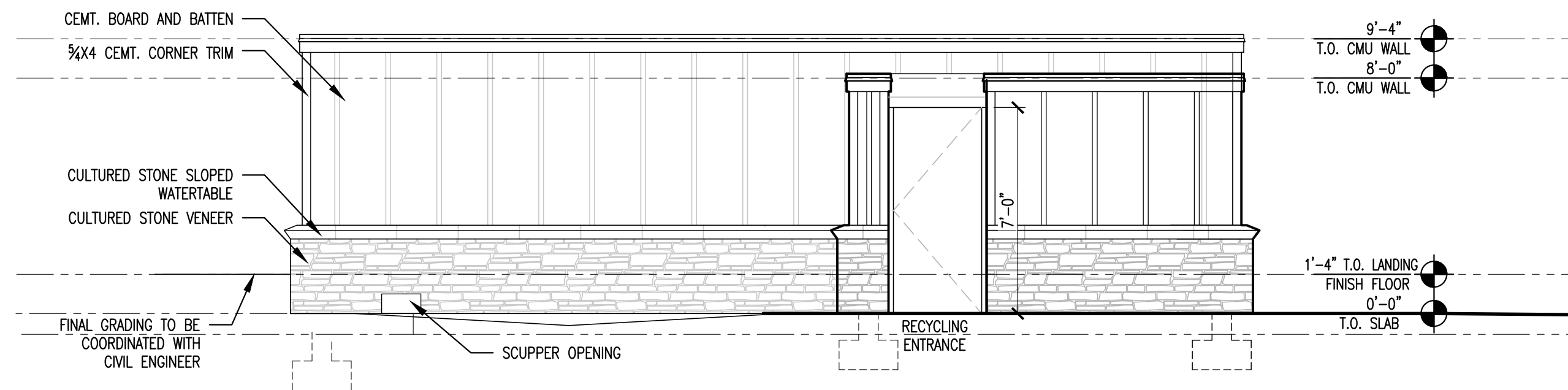
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CONTENT:	TRASH ENCLOSURE	
	PLAN & ELEVATIONS	
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Technical drawing showing a side elevation of a trash enclosure. A truck is shown on the left, with its rear end positioned near a 6" bollard. The enclosure is a long, low structure with a sloped roof and a base of cultured stone veneer. A trash chute door is located on the right side. Dimensions and materials are specified:

- 6" BOLLARD
- 48" MAX. TO CENTER OF TRASH COMPACTOR OPERATING DEVICE PER ACCESS. CODE SECT. 16.1.3 T.O. CMU WALL
- DASHED LINE INDICATES 8" BLK LINTEL BEYOND W/ 1 #5 CONT
- TRASH CHUTE DOOR
- 4'-0"
- 3'-4"
- CEMT. BOARD AND BATTEN
- 3/4"X4 CEMENT CORNER TRIM
- CULTURED STONE SLOPED WATERTABLE
- CULTURED STONE VENEER
- APPROX. GRADE; SEE CIVIL
- 0'-0" T.O. SLAB

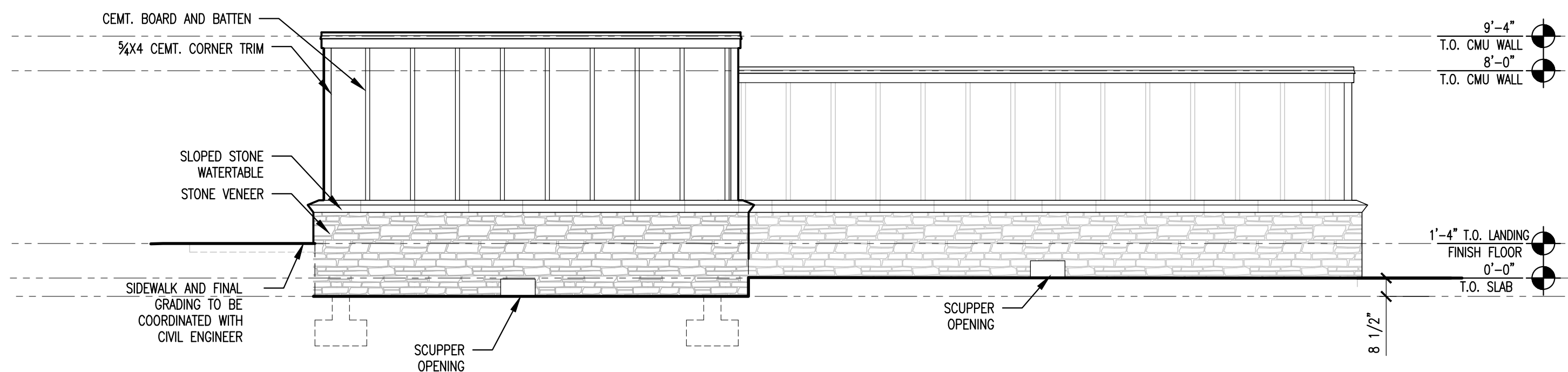
TRASH ENCLOSURE - RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

5



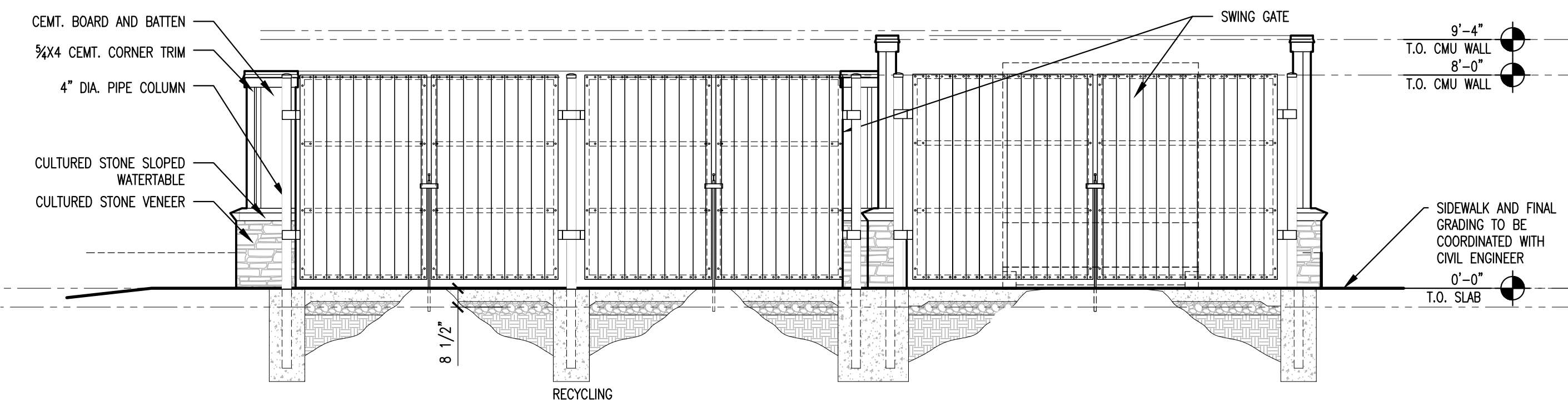
TRASH ENCLOSURE - LEFT ELEVATION
SCALE: 1/4" = 1'-0"

4



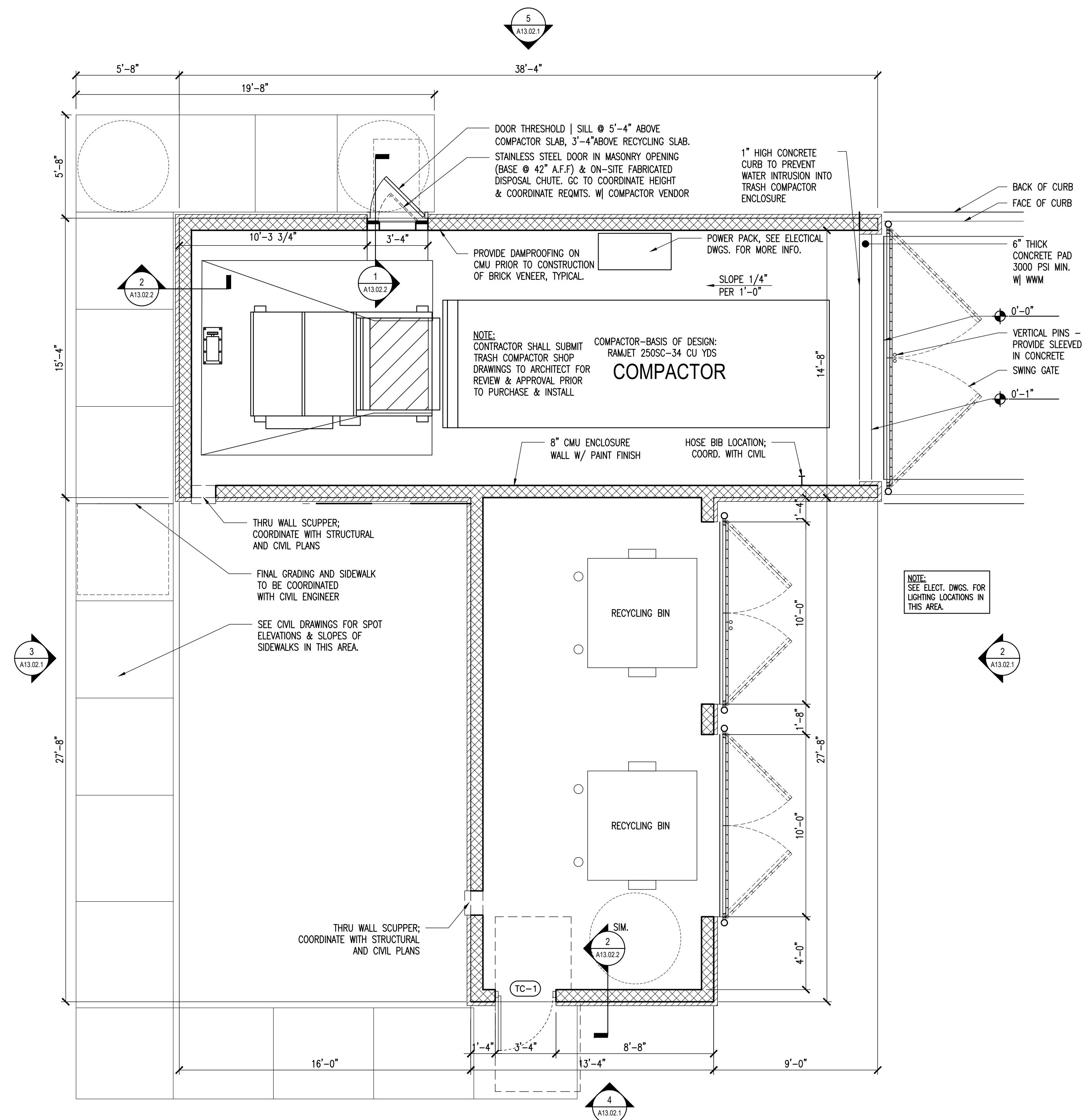
TRASH ENCLOSURE - REAR ELEVATION
SCALE: 1/4" = 1'-0"

3



TRASH ENCLOSURE - FRONT ELEVATION
SCALE: 1/4" = 1'-0"

2



TRASH ENCLOSURE - FLOOR PLAN

1



DHI Communities
**Cottages at
Mastermind**
Hendersonville, NC

NOT FOR
CONSTRUCTION



		DATE	
PROJECT:	:		
ISSUE:	SITE PLAN SUBMITTAL	06.30.2022	
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CONTENT:	GARAGE ELEVATIONS		
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A13.03



FRONT ELEVATION	1
SCALE: 1/4" = 1'-0"	

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 9579-48-2415 & 9579-48-6832 BY CHANGING THE ZONING DESIGNATION FROM R-40 (LOW DENSITY RESIDENTIAL) AND C-2 (SECONDARY BUSINESS) TO PRD (PLANNED RESIDENTIAL DEVELOPMENT – CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Number: 9579-48-2415 & 9579-48-6832
Addresses: 102 Francis Rd & 228 Mastermind Ln
Cottages at Mastermind (File # P22-55-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Elam Hall of DHIC, LLC. and property owners, The Hammond Family Trust & John Hammond Trustee for the development of 99 residential units on approximately 12.8 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on August 8, 2022; voting 0-0 to recommend City Council deny 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 1, 2022, 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: 9579-48-2415 & 9579-48-6832, changing the zoning designation from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – 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 based on the site plan submitted by the applicant and conditions listed therein and subject to the following.
 - a. Permitted uses shall include:
 - i. Two-family residential
 - ii. Single-family residential
 - b. Conditions that shall be satisfied prior to final site plan approval include:
 - i. The development shall be consistent with the preliminary site plan and conditions therein as submitted and dated _____ [or as modified and presented].
3. This ordinance shall be not be effective until the stipulated 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 1st day of September 2022.

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.

IN RE: Parcel Number: 9579-48-2415 & 9579-48-6832

Addresses: 102 Francis Rd & 228 Mastermind Ln
Cottages at Mastermind (File # P22-55-CZD)

Applicant/Developer: <u>Elam Hall, DHIC, LLC.</u>	Property Owner: <u>The Hammond Family Trust</u>
Signature:_____	Signature:_____
Printed Name:_____	Printed Name:_____
Title: _____	Title:_____
Date:_____	Date:_____

Applicant/Developer: <u>Tom Martinson</u>	Property Owner: <u>John Hammond Trustee</u>
Signature:_____	Signature:_____
Printed Name:_____	Printed Name:_____
Title: _____	Title:_____
Date:_____	Date:_____



Transmittal

Date: May 20, 2022

Project Name: Mastermind

CDC Project: 12211

Permit #:

To: Tyler Morrow, Planner II
Community Development Department
Planning Division
100 N. King Street
Hendersonville, NC 28972

Via: ☐ Mail ☐ Overnight ☐ Hand Delivered ☐ Pick up @ CDC Office ☒ Digital

Copies	Date	Description
1	05/20/2022	Application Fee
1	05/20/2022	Conditional Zoning District Checklist
1	05/20/2022	Conditional Zoning District Application
3	05/20/2022	24"x36" Concept Plan
3	05/20/2022	11x17 concept plans

Remarks:

Attached is the Conditional Zoning District Concept Plan submittal to request a Neighborhood Compatibility Meeting for the proposed residential project. Please let us know if you have any questions or comments.

Thank you,


Warren Sugg.

S:\ACAD\12211\docs\Planning\submittal parts\Transmittal.docx

Mailing Address: P.O. Box 5432, Asheville, NC 28813

168 Patton Avenue Asheville, NC 28801
Phone 828-252-5388 Fax 828-252-5365

52 Walnut Street – Suite 9, Waynesville, NC 28786
Phone: 828-452-4410 Fax: 828-456-5455



**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. Scheduled Pre-Application meeting with Planning Staff
 - 1a. Completed Neighborhood Compatibility Meeting – Contact Staff & Review CZD Checklist for additional information
- ☒ 2. Water and Sewer Availability Request
- ☒ 3. Completed Application Form
- ☒ 4. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- ☒ 5. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- ☒ 6. Detailed explanation of any Proposed Development Description
- ☒ 7. Application Fee

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

Tom Martinson
* Printed Applicant Name

DHI Communities
Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Tom Martinson
Applicant Signature

Development Manager
Applicant Title (if applicable)

2000 Aerial Center Parkway
Address of Applicant

Morrisville, NC 27560
City, State, and Zip Code

240-997-4816
Telephone

tmartinson@drhorton.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)

The Hammond Family Trust; John Hammond Trustee

*Printed Owner Name

Printed Company Name (if applicable)

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

John Hammond
Property Owner Signature

Trustee
Property Owner Title (if applicable)

Hendersonville, NC 28792
City, State, and Zip Code

828 699 3117 (c)
Telephone

johnhammond@hotmail.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.

Note: Additional Owner Signature pages attached.

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

John Hammond; Betty Hammond

*Printed Owner Name

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Property Owner Signature

Property Owner Title (if applicable)

City, State, and Zip Code

Telephone

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.

Note: Additional Owner Signature pages attached.

C. Property Information

Name of Project: Mastermind

PIN(s): 9579-48-6832; 9579-48-2415

Address(es) / Location of Property: 102 Francis Road; 228 Mastermind Lane

Type of Development: ☒ Residential ☐ Commercial ☐ Other

Current Zoning: R-40 (6832) /C-2 (2415)

Total Acreage: 12.76

Proposed Zoning: PRD-CZD

Proposed Building Square Footage: 1,598

Number of Dwelling Units: 99

List of Requested Uses: _____

D. Proposed Development Conditions for the Site

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

A. Applicant Contact Information

Elam Hall
* Printed Applicant Name

DHIC, LLC
Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Elam Hall
Applicant Signature

Vice President
Applicant Title (if applicable)

1341 Horton Circle
Address of Applicant

Arlington, TX 76011
City, State, and Zip Code

817-390-1400
Telephone

rehall@drhorton.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]