



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Monday, September 13, 2021 – 4:00 PM

AGENDA

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A. Minutes of August 9, 2021 meeting

4. OLD BUSINESS

A. Motion to Adopt a Comprehensive Plan Consistency Statement for the Zoning Text Amendment P21-41: Addition and Definition of Small Scale Manufacturing with Supplementary Standards (P21-41-ZTA): *Lew Holloway, Community Development Director*

5. NEW BUSINESS

A. Conditional Zoning District – Providence Walk (P21-31-CZD) – *Matthew Manley, AICP – Planning Manager*

B. Conditional Rezoning: Waterleaf at Flat Rock (P21-34-CZD) – *Tyler Morrow, Planner II*

6. OTHER BUSINESS

A. Discussion of Planning Board Committee Structure

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
August 9, 2021**

Members Present: Jim Robertson, Chair, Neil Brown, Peter Hanley, Bob Johnson, Tamara Peacock, Hunter Jones

Members Absent: Jon Blatt (Vice-Chair), Robert Hogan, Candi Guffey

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

- I Call to Order. *The Chair called the meeting to order at 4:01 pm. A quorum was established.***
- II Approval of Agenda. *Mr. Hanley moved for the agenda to be approved. The motion was seconded by Mr. Brown and passed unanimously.***
- III Approval of Minutes for the meeting of July 12, 2021. *Mr. Hanley moved to approve the Planning Board minutes of the meeting of July 12, 2021. The motion was seconded by Mr. Brown and passed unanimously.***
- IV Old Business - None**
- V(A) Conditional Rezoning Amendment – Application for a conditional rezoning district amendment from Andrew Riddle of Riddle Development, LLC for the addition of one (1) garage apartment on the approved site plan and an adjustment of the floor area of the proposed buildings. (File #P21-42-CZD).**

Chair stated this is the fourth time that this application has come before them. It was his understanding the applicant had a 45-day window after the last approval to present it to City Council for the final approval and that did not happen. Mr. Riddle has another change that he needs to have approved before moving it on to City Council.

Mr. Manley stated this property is located off of S. Washington Street. It has already been rezoned from R-6, High Density Residential to CMU CZD, Central Mixed Use Conditional Zoning District. This is an amendment to the site plan. The plan was approved for 10 units and the applicant would like to add one unit for a total of two quadplexes and three garage apartments. This equates to a 10% increase in dwelling units. He has also requested to increase the size of the units from 1,724 sq. ft. to 1,912 sq. ft. This site is a little over half an acre and the use will be multi-family. There will be three structures totaling 6,128 sq. ft.

Mr. Manley gave a recap:

February 2020- 12 units proposed in one building (7,820 sq. ft.) – that was deferred.

June 2020 – 8 units proposed in two buildings each being 1,742 sq. ft. – this was recommended.

July 2020 – 10 units proposed in two buildings (1,742) and two garage apartments – this was recommended.

April 2021 – 11 units proposed in two buildings (1,742) and three garage apartments – not approved by City Council.

August 2021 – 11 units proposed in two buildings (1,742) and three garage apartments with an increase of 340 sq. ft. which is 5.8% and is considered de minimis.

The April 2021 request did not move forward to City Council. This is the same request with one change that there is an additional 340 sq. ft. added.

Mr. Manley stated a Neighborhood Compatibility meeting was held July 2, 2021 and the neighbors' concerns were buffers, parking on the street, traffic, a water line on the property and the need for affordable housing. The water line issue running through the property has been discussed and will be resolved.

The subject area is designated Medium Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map. This designation is appropriate for redevelopment. The goal is to encourage a wide range of housing types and price points. The strategy is to promote compatible infill development which helps to reinvigorate older neighborhoods with new housing products.

Mr. Manley explained the best practice of: "missing middle" housing and how this was in between the range of housing types and how downtowns are using this way of development across the country.

Site photos of the existing condition of the property were shown. The site plan was shown along with the tree survey. There will be an 11-foot buffer on the eastern side and the west side buffer will not change. The site plan now shows a dumpster area and there will no longer be roll-out carts. There will be 18 parking spaces and the site plan now shows the square footage as 6,128.

A rendering of the proposed buildings was shown.

Staff analysis and conditions are:

The proposed site plan is generally compliant with zoning code standards.
The proposed use/site plan are supported by the Comprehensive Plan.
Staff does not have any recommended conditions for this project.

Mr. Manley stated the May 10th motion included five conditions. The added fifth condition was that the developer work with staff to solve the solid waste issues. According to the site plan, this has been resolved.

The suggested motions were shown. The conditions should be stated in the motion.

Mr. Johnson asked if the architectural details are binding. Mr. Manley stated yes, this was a condition placed on the application by City Council. There is no process for an architectural review, but staff would review and match the renderings.

Mr. Johnson asked about the fees being paid for each time the applicant has brought this back for review. It was stated that Mr. Riddle has paid three application fees.

Mr. Johnson stated this has taken a lot of time with staff and the Board.

Mr. Brown stated the May motion was four in favor and one opposed. He voted against the motion.

Chair asked if there were any revisions on the solid waste concerning recycling. Mr. Manley stated a spot has been set aside for a recycling space.

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

Andrew Riddle, applicant stated this is not by choice the most desirable process to go through. He realizes he has been back many times but wanted to get this project right. The first time around was for affordable housing, which is what Hendersonville needs the most. The numbers worked and everything worked out, but the neighbors shot it down because they did not like it. He talked about the process and how another project had taken him two years to get through it. He has one chance to do this project right. He didn't need to come back before the Board, he chose to come back for the addition of roughly 350 sq. ft.

Mr. Brown apologized to Mr. Riddle for his actions at the May meeting.

Chair asked how the 45 days came about. Mr. Riddle stated from experience, he chose to not proceed on to City Council and to wait. He chose to come back with the addition of an apartment and the extension of the buildings.

Chair asked if anyone in the room would like to speak concerning the application. No one spoke.

Chair opened the public comment via zoom.

Helen Waldrop Youngblood stated her family owns the adjacent property to the east. She also appreciates all of staffs work on this. Mr. Riddle has tried to work with the neighbors and their concerns, and she also appreciates that. Their home has been in the family for 125 years and she believes having infill projects is not always a bad thing if they are done right. A lot of the concerns have been resolved. She asked about a buffer being required for residential that abuts residential. Mr. Manley stated there is existing vegetation that will remain, and they will be preserving a buffer on the east side. There is no required buffer for residential next to residential. Ms. Youngblood stated having a smaller buffer included would be nice. She stated Mr. Riddle has cleaned up some of the area but not stripped it bare. She feels this is a reasonable infill project and her only concern is the parking.

No one else spoke via zoom.

Mr. Jones asked about the parking underneath the structures. Mr. Riddle stated there are three structures on the property and each unit in the quadplex has a designated garage. There will be 10 parking spaces in the rear.

Chair asked if anyone else had any questions or would like to speak. When no one spoke, Chair closed the public comment time.

Ms. Peacock recused herself as she had a conflict of interest concerning this application.

Mr. Brown stated he would be voting against this project. In June 2020 with the proposed 8 units, the vote was unanimous in favor of the project and he voted for it. In July with the 10 units the vote was unanimous in favor of that project but now this project has been stretched out way too long. He feels this sends a bad message to the neighborhood concerning the residents' concerns. This has had an impact on staff and the Board. He doesn't see any major change and the issues are still the same. He does not see a monumental need for all these changes.

Chair asked about the condition that was made concerning the solid waste issues. Lew Holloway, Community Development Director stated the developer has added a dumpster for solid waste to the site plan and that site plan will move on to City Council. Mr. Holloway felt like the solid waste issue does not need to be a condition as staff will continue to work with the developer and that has now been added to the site plan.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the site plan associated with the CMU CZD zoning designation for the subject parcel (PIN 9568-77-1057) on the official zoning map of the City of Hendersonville based on the site plan submitted by the applicant and subject to the following: Permitted uses shall include multi-family residential dwellings. Conditions that shall be satisfied prior to final site plan approval include: 1) The developer use the outdoor lighting basic guidelines from the International Dark Sky Association. 2) the driveway widths shall be 12 feet and 15 feet. The driveways shall be one-way in and one-way out with the entrance being on the west side, which will subsequently add an 11-foot buffer on the eastern side and will not change the buffer on the west side. 3) The property owner will not cause or permit the destruction of trees where the trunk is at least 12 inches in diameter within the 11-foot buffer. 4) The architectural style will resemble what is depicted in the rendering submitted by the applicant including the coloring of white with black shutters...finding that the amended zoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons: 1. The additional unit will allow for a variety of housing types close to downtown. 2. The proposed development is compatible with the area. 3. The development is in the public interest because of the need for additional housing in this part of town. 4. The site has the needed infrastructure to accommodate the additional unit. Mr. Johnson seconded the motion. The vote was 4 in favor and 1 opposed to the motion. Mr. Brown opposed the motion. Motion passed.

V(B) Zoning Text Amendment. The addition and definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU and HMU. (P21-41-ZTA).

Lew Holloway, Community Development Director stated this is a zoning text amendment to be voted on by the Planning Board. Caroline Gunther, Chair of the Downtown Advisory Committee is in attendance along with Jamie Carpenter, Downtown Manager.

Mr. Holloway stated staff has added some language and he will go through that with the Board. Small scale trends provide diverse quality employment opportunities for a wide range of experience and educational attainment. Small scale trends are used to create a diversified business mix that can thrive regardless of the changing consumer preferences in retail shopping and used to create authentic experiences and make purchases accordingly.

Small scale manufacturing businesses allow cooperative spaces, business incubators or makerspaces that provide space for entrepreneurs to develop their products without the higher overhead facility costs.

Mr. Holloway discussed the niche markets and recruitment. He stated small scale production such as glass blowing, soaps, food products and microbreweries are the types of businesses they are recruiting. Microbreweries are already allowed. There are a lot of older downtown buildings vacant, that have larger square footage. Mr. Holloway stated this would be low impact in terms of outward facing storefronts. Light manufacturing is currently permitted in I-1 and PMD CZD by right. It is a special use in the C-2 district; therefore, it would have to be approved by the Board of Adjustment. The C-1 zoning district does not permit any manufacturing or production. This includes buildings that have a large space and were historically used for manufacturing. When looking at microbreweries, they are allowed in C-1, C-2, C-3, CMU and HMU. He decided not to include GHMU as there are not many vacant buildings in this zoning district.

Staff's proposal is to add a new definition for Small Scale Manufacturing and permit that use with Supplementary Standards. The definition is as stated: "The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of

goods and materials used in such processes does not exceed 25% of the footprint of all buildings on the property. And where such processes do not require deliveries by a truck rated Class 7 and up in the Federal Highway Administration's vehicle class system".

The Supplementary Standards for Small Scale Manufacturing are proposed as the following:

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

Mr. Holloway explained the shipping and receiving, and the tractor trailer trucks that would be allowed. He explained trucks with single axels would be allowed but the larger trucks with pulling two or three axels would not. This reflects what type of trucks are seen in the downtown area. The C-1 zoning district is good for small scale manufacturing but not for storage. C-2 and C-3 districts permit outdoor storage. This change would not impact the I-1 district at all.

Mr. Brown asked if truck would only be allowed one-way. Mr. Holloway stated yes, and there would be limits on new construction as well.

Mr. Holloway showed an image of the different types of tractor trailer trucks.

Mr. Johnson had questions about this being permitted in the downtown area. Mr. Holloway stated this was driven in part by types of businesses looking for a good location to manufacture and sale their products such as a soap maker that is opening up a retail shop and was unable right now to manufacture the soap at the same location.

Mr. Brown talked about food processing and having industrial kitchens downtown. Mr. Holloway talked about small scale limitations and how food processing is a permitted use already. Mr. Brown also talked about 3D printing and how that equipment is very large. Mr. Holloway stated approving that use on a small scale would depend on the printing elements and how large the production would be. Staff would review what the intent of the ordinance is. The supplementary standards give guidance for staff.

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

Chair asked if Ms. Gunther would like to speak. She stated she would answer any questions anyone may have for her.

Chair asked if Ms. Carpenter would like to speak. Ms. Carpenter stated in the past three businesses that would have liked to locate in downtown could not because it was not permitted. She feels this is a great fit for downtown and some of those businesses would be a great fit for downtown.

Chair asked if anyone present would like to speak.

David Lee, Kanuga Road stated he is a real estate broker, and his brother was interested in light manufacturing in downtown. He feels like this category of small scale manufacturing is a good fit for downtown. He loves the idea and supports it completely.

Another attendee stated he is in favor of this permitted use also and has a company looking to find a location in downtown. He feels this will blend well with the city and that the downtown can coexist with small scale manufacturing. He can proceed with his business location if this was to pass.

Tom Lynch stated last September his company bought several of Stuart Rubin's old buildings in town. The majority of most cities want diversification and he talked about how the River Arts District in Asheville NC has been a huge success. He is in favor of this addition to the zoning ordinance.

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

Chair opened the public comment via zoom.

Ken Fitch, 1046 Patton Street stated he is generally in favor of this text amendment and he feels light manufacturing has historic significance in the downtown area. The addition of a showroom does fit in with the character of Main Street. He had concerns with the general description and how some manufacturing could cause an issue with health and safety. Staff should look at how it is defined and include particle matter such as dust in the definition. That could cause issues for neighboring merchants. He discussed toxic materials and how that could impact the outside and the inside of buildings. The impact of vibrations can be issued and has been discussed before as a concern to some of the property owners downtown. Some of these buildings are over 100 years old. He feels like there is a need for more standards before moving forward with this.

Chair asked if anyone else on zoom had a comment. There were no further comments.

Chair asked if staff feels comfortable with the definition. Mr. Holloway stated yes staff feels comfortable with the definition. Chair asked about the tenant that could possibly be living above such a use. Mr. Holloway stated he feels what they have will provide insight for building owners looking to lease their building space. They could add excessive vibrations to the definition, but the building code will also have a say in how residential and commercial is separated. As far as toxic materials that would be regulated by OSHA and the building code.

Chair asked if the showroom would be like a self tour. Mr. Holloway stated it would show how they are creating space but still keeping the streetscape active. The showroom space would be a place for the public to explore and would be driven by the product they are selling.

Ms. Gunther stated the Downtown Advisory Committee talked about light manufacturing and when staff came up with small scale manufacturing it because they are faced with a number of large buildings that have very little use. Some of those buildings need a great deal of upgrade and the committee was worried big chains could come in and not be so compatible with the downtown. Using small scale manufacturing would eliminate that worry. This is a great solution, and the committee loves the showroom idea.

Ms. Peacock stated she felt like it is important to move forward with this text amendment.

Ms. Gunther stated they could define odors and smoke more. Mr. Holloway stated they can add noxious to the definition.

Chair asked if the reason they pulled Greenville Highway Mixed Use for the included district was because there are not many large vacant buildings in this area. Mr. Hanley stated there is no reason not to include GHMU in the permitted districts. Mr. Holloway stated they can include GHMU and CHMU, Commercial Highway Mixed Use if the Board would like.

Ms. Peacock moved the Planning Board recommend City Council adopt an ordinance to amend the City of Hendersonville Zoning Ordinance with the addition and definition of Small Scale Manufacturing as a permitted use subject to supplementary standards in zoning district classifications C-1, C-2, C-3, CMU, HMU, GHMU and CHMU. Mr. Jones seconded the motion which passed unanimously.

VI Other Business. Mr. Holloway gave an update concerning the lighting ordinance. No action was taken. Mr. Jones talked about changing the residential parking requirements to match the county's instead of the 1 to 1 ratio. Mr. Holloway discussed the PRD design standards.

VII Adjournment – *The meeting was adjourned at 5:37 pm.*



CITY OF HENDERSONVILLE PLANNING BOARD AGENDA ITEM SUMMARY

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

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

TITLE OF ITEM: Motion to Adopt a Comprehensive Plan Consistency Statement for the Zoning Text Amendment P21-41: Addition and Definition of Small Scale Manufacturing with Supplementary Standards (P21-41-ZTA): *Lew Holloway, Community Development Director*

SUGGESTED MOTION(S):

In considering the proposed Zoning Text Amendment **P21-41-ZTA; Small Scale Manufacturing** the Planning Board RECOMMENDS APPROVAL of the **Addition and definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU, GHMU, HMU and CHMU.**

Finding that the text amendment is consistent with the 2030 Comprehensive Plan, the Planning Board formally adopts the Comprehensive Plan Consistency Statement found on page 3 in the [P21-41-ZTA] staff report as the written recommendation to City Council.

And that text amendment is reasonable and in the public's interest because:

- 1) It will promote additional diversity of job opportunities within the City of Hendersonville.
- 2) It encourages reinvestment in existing infrastructure and commercial real estate within the City of Hendersonville, supporting a sustainable tax base.
- 3) It reflects adaptation by the City to changing market trends in retail and manufacturing.

SUMMARY:

At the August 9th, 2021 Planning Board meeting, a public hearing was conducted to review, comment on and eventually recommend for adoption by the Hendersonville City Council a Zoning Text Amendment adding and defining Small Scale Manufacturing as a permitted use subject to supplementary standards in zoning district classifications C-1, C-2, C-3, CMU, GHMU and HMU.

North Carolina General Statute 160D-604(d) also requires that the planning board advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted. An

analysis of comprehensive plan consistency was not explicitly covered in the presentation or in the motion for adoption. As such staff are returning to the Planning Board with an amended motion which establishes a formal statement on the comprehensive plan consistency of the adoption of Zoning Text Amendment P21-41-ZTA: Addition and Definition of Small Scale Manufacturing with Supplementary Standards.

Please see the attached Staff Report for background on the proposed Consistency Statement:

Content Of Amendment: Comprehensive Plan Consistency

The proposed zoning text amendment for “Addition and Definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU, GHMU, HMU and CHMU (P21-41-ZTA)” is consistent with Comprehensive Plan because it:

- 1) Encourages infill development and redevelopment in areas planned for high intensity development.
- 2) Contributes to downtown’s role as the focal point of niche retailers within the city.
- 3) Encourages mixed-use development that reduces the need to drive.

PROJECT/PETITIONER NUMBER: P21-41-ZTA

PETITIONER NAME: City Initiated

ATTACHMENTS:

Staff Report

Addition and Definition of Small Scale Manufacturing with
Supplementary Standards to C-1, C-2, C-3, CMU, GHMU, HMU and CHMU
(P21-41-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

Staff Report Contents

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SUMMARY OF TEXT AMENDMENT

Community Development staff initiated a conversation about the addition of “Small Scale Manufacturing” as an allowed use in zoning districts associated with our downtown, boulevards and major thoroughfares following a series of inquiries from small business owners and other measures of project interest. Staff first brought the proposed use to the Downtown Advisory Board for review and recommendation, followed by a two round review by the Planning Board. The proposed definition and associated supplementary standards for “Small Scale Manufacturing” are the end result of those conversations.

The definition alongside the supplementary standards provide for additional compatible uses within these districts not currently permitted. Examples include artisan craft producers, outdoor gear builders, cooperative spaces or business incubators and technology product developers. Much like the addition of Microbreweries (after which Small Scale Manufacturing was modeled) helped fill vacant spaces and activate otherwise difficult spaces, the Downtown and Planning Boards believe this new use will contribute positively to the vibrancy of the targeted zoning districts. Staff are proposing the addition and definition of a third categorical type of industrial use to be termed “Small Scale Manufacturing.” Small Scale Manufacturing is proposed to be a permitted use subject to Supplementary Standards in zoning district classifications C-1, C-2, C-3, CMU and HMU.

Small Scale Manufacturing shall be defined as, “Small Scale Manufacturing: The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noxious noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly fabrication, or processing takes place. And where such processes are housed entirely within a building. And where such processes do not require frequent shipping and receiving activities by a truck rated Class 8 or above in the Federal Highway Administration’s vehicle class system.”

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

- a) The front of the building at street level shall remain open and visible from the sidewalk with a view of the activities inside; and*
- b) A showroom, display area, or sales area shall be provided.*
- c) Outdoor storage of goods and materials shall not be permitted in zoning district classifications C-1, CMU, GHMU, HMU & CHMU.*
- d) Outdoor storage of goods and materials shall not exceed 25% of the total footprint of all buildings on the property in zoning district classifications C-2 & C-3.*
- e) Newly constructed loading and unloading facilities shall be designed such that they are internal to the site, in service alleys or at the back of the building.*
- f) Shipping and receiving needs shall not exceed the equivalent of (1) FHWA Class 8 truck per week.*
- g) Reuse of an existing building shall not exceed 20,000 square feet of building floor space.*
- h) New construction shall not exceed 10,000 square feet of building floor space.*

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

COMPREHENSIVE PLAN CONSISTENCY ASSESSMENT AND STATEMENT:

The Comprehensive Plan does not have a dedicated chapter on economic development. As such staff looked to understand more broadly the intent of various future land use categories that would be impacted by the proposed Zoning Text Amendment. Future Land Uses that will be impacted by the proposed text amendment include Business Center, Regional Activity Center, Downtown Core, Downtown Support, Urban Institutional & High Intensity Neighborhood. While none of these Land Uses currently discuss Small Scale Manufacturing explicitly, they all discuss the inclusion of retail and office uses as primary and/or secondary uses. The supplementary standards for Small Scale Manufacturing are intended to provide for a customer facing retail or showroom type space to align this new use with the existing character of these districts.

Chapter 8 establishes the Consistency of this approach under Strategy LU-1.1 which establishes the following; “Encourage infill development and redevelopment in areas planned for high intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a. Further this Action LU-1.1.1 states that “Review zoning standards in High-Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center, Downtown Core, Downtown Support and Urban Institutional areas and revise as necessary to enable compatible infill projects.

Chapter 4 establishes a goal to “Promote downtown as Hendersonville’s central gathering place and a focal point for niche retailers and entertainment, cultural and civic uses.” It was clear in discussing Small Scale Manufacturing that the Downtown Advisory Board saw this use as promoting the inclusion on a new kind of and welcomed “niche retailer.”

Chapter 7 establishes a strategy (TC-1.1) intended to reduce vehicle miles driven that “Encourage mixed-use, pedestrian friendly development that reduces the need to drive between land uses. As a job creator, small scale manufacturer can contribute to viable employment within the mixed use areas highlighted throughout the comprehensive plan.

CONSISTENCY STATEMENT:

The proposed zoning text amendment for “Addition and Definition of Small Scale Manufacturing with Supplementary Standards to C-1, C-2, C-3, CMU, GHMU, HMU and CHMU (P21-41-ZTA)” is consistent with Comprehensive Plan because it:

- 1) Encourages infill development and redevelopment in areas planned for high intensity development.
- 2) Contributes to downtown’s role as the focal point of niche retailers within the city.
- 3) Encourages mixed-use development that reduces the need to drive.

REASONABLENESS STATEMENT:

The text amendment is reasonable and in the public's interest because:

- 1) It will promote additional diversity of job opportunities within the City of Hendersonville.
- 2) It encourages reinvestment in existing infrastructure and commercial real estate within the City of Hendersonville, supporting a sustainable tax base.
- 3) It reflects adaptation by the City to changing market trends in retail and manufacturing.

PUBLIC COMMENT:

The proposed text amendment has been reviewed in public meetings including the Downtown Advisory Board and the Planning Board. In addition, the Planning Board hosted a public hearing on the text amendment on August 9th, 2021. Comments received have been generally supportive. Concerns were centered around compatibility issues, such as scale, outdoor storage, deliveries, etc. and were integrated into the Supplementary Standards that are tied to Small Scale Manufacturing.

Applicable Minutes:

June Downtown Advisory Board

July Planning Board

August Planning Board

PLANNING BOARD - SUMMARY OF ACTION [RESERVED FOR CITY COUNCIL REPORT]

Summary of Planning Board Recommendations

Insert summary of Planning Board Recommendations, Approval/Denial, vote counts, any modifications suggested for the Comp Plan Consistency Statement, Reasonableness Statement or other components of the report and recommendation to City Council.

Planning Board Motion

Insert text of actual Planning Board Motion recommended with approval/denial, etc.

ATTACHMENTS:

June Downtown Advisory Board Minutes

July Planning Board Minutes

August Planning Board Minutes



CITY OF HENDERSONVILLE
JUNE 2021 DOWNTOWN ADVISORY BOARD
 Downtown Program Office | 125 Fifth Avenue West, Suite 200 | Hendersonville NC
 28792



Tuesday, June 08, 2021 – 4:00 PM

MINUTES

1. CALL TO ORDER

Present in person: Chris Cormier, John Ryan, Becky Ayers, Carole Sitzler, Patsy DuPre, Jared Bellmund, Lyndsey Simpson

Present virtually: Caroline Gunther, Mark Pavao

Absent: Matthew Hickman, Matt Johnes, Walt Slagel

Staff present: Jamie Carpenter, Matt Manley (Planning Manager), Meredith Friedheim, Tasha Roby, Lew Holloway

2. There were no public comments.

3. APPROVAL OF AGENDA

John Ryan made a motion to approve the agenda. Caroline Gunther seconded. All were in favor.

4. APPROVAL OF MINUTES

1. Downtown Advisory Board May 2021 Minutes

Patsy Dupre made a motion to approve the May 2021 minutes, Carole Sitzler seconded. All were in favor.

5. OLD BUSINESS

1. Next Steps on Proposals for 7th Avenue Branding

Proposals: https://hvlncgov-my.sharepoint.com/:f/g/personal/jcarpenter_hvlnc_gov/EmQigGuNZYxJq-hSoZ91oiQBtdwU5OwES99wujU2C12vmQ?e=w9MJzb

Top 4 Survey: <https://survey123.arcgis.com/share/70e222cabcaa42d6947f5ff8f379b286>

J.Carpenter reviewed the process and let the board know that it had been narrowed down to 4 consultants. The board was asked to allow an ad-hoc committee to serve as the selection committee to select the final consultant. After selecting the final consultant, the consultant would be tasked with establishing a public input process that includes the neighborhoods and businesses in and around the 7th Avenue MSD. Members of the ad hoc committee would include the Community Character team, plus community members who are interested in 7th

Avenue. Jamie invited Crystal Cauley and Josh Williams to join the ad-hoc committee because had applied to be on the Downtown Advisory Board but were not appointed by council because they were not business or property owners within the MSD. Both were interested in being involved. The TDA was also invited to participate in the ad hoc committee.

Becky Ayers made a motion to direct staff to create an ad hoc selection committee to choose final consultant for the 7th Avenue Branding Project. Carole Sitzler seconded. All were in favor.

6. NEW BUSINESS

1. Proposal for Light Industrial Ordinance in Main Street District

Staff presented the consideration to add light manufacturing to the Main Street district (zoned c-1). This was an initial conversation to get feedback. No motion or vote was taken. Some suggestions included: changing the name of the zoning, concerns about noise, loading/unloading, and having a retail component.

2. MSD Overlay Districts (Sidewalk Dining)

Staff presented the proposal to create an overlay district for Main Street and 7th Avenue MSDs. This would allow future design guidelines or additional zoning as needed. The primary purpose at this time is to officially allow sidewalk dining in 7th Avenue as it is currently not allowed in ordinance, with the exception of Covid/State of Emergency allowances.

Patsy DuPremade a motion to recommend the 7th Avenue overlay district and the Main Street overlay district with the same geographic boundaries as the current municipal service districts. Carole Sitzler seconded. All were in favor.

Mark Pavao made a motion to recommend the updates to the Sidewalk Dining ordinance pending staff updates. Becky Ayers seconded. All were in favor.

3. Budget Update for 2021

J. Carpenter presented that there was a need to purchase updated Christmas decorations but they were unable to be purchased in time for the end of year. That money was then rolled into the fund balance but not included in the new fiscal year's budget.

Becky Ayers made a motion recommend the budget amendments to complete the purchase of Main Street District Christmas decorations and the 7th Avenue branding project. John Ryan seconded. All were in favor.

7. OTHER BUSINESS

1. May 2021 Street Tree Update from Bill Leatherwood

**Minutes of the Planning Board
Regular Meeting - Electronic
July 12, 2021**

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

Members Absent:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair asked if there were any questions for staff.

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

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

There were no further questions for staff.

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

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

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

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

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

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

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

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

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

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

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

No one else in attendance spoke.

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

No one else spoke via zoom.

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

Chair asked if anyone else attending had any comments.

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

Chair closed the public comment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The special requirements based on microbreweries that would apply are:

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

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

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

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

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

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

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

Mr. Brown stated he loved this idea.

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

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

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

Mr. Brown discussed industrial kitchens and allowing for those.

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

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

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND ARTICLE 5 - ZONING DISTRICT CLASSIFICATIONS: SECTION 5-6-1, SECTION 5-7-1, SECTION 5-8-1, SECTION 5-19-1, SECTION 5-22-1, SECTION 5-23-1, SECTION 5-27-1; ARTICLE 12 - DEFINITION OF TERMS: SECTION 12-2; ARTICLE 16 - SUPPLEMENTARY STANDARDS FOR CERTAIN USES: SECTION 16-4 OF THE CITY OF HENDERSONVILLE ZONING ORDINANCE TO ADD AND DEFINE SMALL SCALE MANUFACTURING TO ZONING DISTRICT CLASSIFICATIONS C-1, C-2, C-3, CMU, GHMU, HMU AND CHMU.

WHEREAS, the City of Hendersonville’s Downtown Advisory Board and Planning Board have reviewed and recommended for adoption a zoning text amendment adding and defining Small Scale Manufacturing to the City of Hendersonville Zoning Ordinance; and

WHEREAS, City Council desires to promote the efficient use and reuse of commercial space within City limits by permitting compatible development and redevelopment; and

WHEREAS, City Council desires to promote a diverse local economy which promotes and supports small business job creation; and

WHEREAS, the addition of Small Scale Manufacturing as a use represents a response to changing trends and opportunities within manufacturing and economic development in the City of Hendersonville.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that Article 5 – Zoning District Classifications: Section 5-6-1, Section 5-7-1, Section 5-8-1, Section 5-19-1, Section 5-22-1, Section 5-23-1 Section 5-27-1; Article 12 – Definition of Terms: Section 12-2; Article 16 – Supplementary Standards for Certain Uses: Section 16-4 of the City of Hendersonville Zoning Ordinance shall be amended to add and define small scale manufacturing to Zoning District Classifications C-1, C-2, C-3, CMU, GHMU, HMU, and CHMU as follows:

ARTICLE V ZONING DISTRICT CLASSIFICATIONS

Section 5-6 C-1 Central Business Zoning District Classification

5-6-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-7 C-2 Secondary Business Zoning District Classification

5-7-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-8 C-3 Highway Business Zoning District Classification

5-8-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-19 CMU Central Mixed Use Zoning District Classification

5-19-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-22 GHMU Greenville Highway Mixed Use Zoning District Classification

5-22-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-23 HMU Highway Mixed Use Zoning District Classification

5-23-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

Section 5-27 CHMU Commercial Highway Mixed Use Zoning District Classification

5-27-1 Permitted Uses

Small Scale Manufacturing, subject to the Supplementary Standards contained in Section 16-4, below

ARTICLE XII DEFINITION OF TERMS

Section 12-2 Definition of Commonly Used Terms and Words

Small Scale Manufacturing: The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noxious noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly fabrication, or processing takes place. And where such processes are housed entirely within a building. And where such processes do not require frequent shipping and receiving activities by a truck rated Class 8 or above in the Federal Highway Administration's vehicle class system.

ARTICLE XVI SUPPLEMENTARY STANDARDS FOR CERTAIN USES

Section 16-4 Standards

16-4-30 SMALL SCALE MANUFACTURING

- a) The front of the building at street level shall remain open and visible from the sidewalk with a view of the activities inside; and
- b) A showroom, display area, or sales area shall be provided.
- c) Outdoor storage of goods and materials shall not be permitted in zoning district classifications C-1, CMU, GHMU, HMU & CHMU.
- d) Outdoor storage of goods and materials shall not exceed 25% of the total footprint of all buildings on the property in zoning district classifications C-2 & C-3.
- e) Newly constructed shipping and receiving facilities shall be designed such that they are internal to the site, in service alleys or at the back of the building.
- f) Shipping and receiving needs shall not exceed the equivalent of (1) FHWA Class 8 truck per week.

- g) Reuse of an existing building shall not exceed 20,000 square feet of building floor space.**
- h) New construction shall not exceed 10,000 square feet of building floor space.**

Adopted by the City Council of the City of Hendersonville, North Carolina on this 22nd day of September 2021.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager **MEETING DATE:** September 13, 2021

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

TITLE OF ITEM: Conditional Zoning District – Providence Walk (P21-31-CZD) – *Matthew Manley, AICP – Planning Manager*

SUGGESTED MOTION(S):

<u>1. For Recommending Approval:</u> 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 properties (Parcel Numbers: 9569857172; 9569834918; 9569853434; 9569851398; & 9569853178) from R-20 (Low Density Residential) & PCD-CZD (Planned Commercial Development-CZD) to PRD-CZD Planned Residential Development – Conditional Zoning District based on the site plan submitted by the applicant and subject to the following; Permitted uses shall include: 1) Residential Dwellings, Single-Family Conditions that shall be satisfied prior to final site plan approval include: 1) Require the developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance, and to require all new tree plantings to be a minimum of two-inch caliper. Finding that the rezoning is consistent with the Comprehensive Plan and that the rezoning is reasonable and in the public interest for the following reasons: [Please state reasons describing why this development is good for the community. Example suggestions below or include your own]	<u>2. For Recommending Denial:</u> I move the City Council deny the rezoning of the subject property for the following reasons: [Please state reasons describing why you are moving to deny the application. Examples suggestions below or include your own.] 1) The development is not consistent with the Comprehensive Plan <i>[if applicable]</i>. 2) The development is not compatible with the surrounding uses. <i>[if applicable]</i>. 3) The development is not in the public interest because <i>[state why if applicable]</i>. 4) There are not adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation available to support the proposed amendment. <i>[if applicable]</i>. 5) The development will have a detrimental impact on the natural environment <i>[if applicable]</i>. [DISCUSS & VOTE]
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1) The location of the proposed Planned Residential Development is in keeping with the surrounding land uses. (<i>Chapter 8 LU-6.1</i>)). 2) Single-Family Detached is a primary use stated in the Land Use & Development Chapter (<i>Chapter 8 – LU-6.2</i>). 3) The proposed density of the development (4.6 Units / Acre) is in line with the Land Use & Development Chapter’s guidance of 2 – 8 Units / Acre. (<i>Chapter 9 – LU-6.4</i>). 4) The development has been laid out to minimize the impact to environmentally-sensitive resources on the site and to preserve existing vegetation (<i>Chapter 3 – NR-2.1</i>). [DISCUSS & VOTE]	
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SUMMARY:

The City is in receipt of a Conditional Rezoning application from High Country Engineering, PC (Michael Goforth) on behalf of First Victory Construction, Inc. (Travis Fowler) for the development of 93 Detached Single-Family Residential homes on a 20.22 Acre tract on 5 parcels located in both the city limits and the ETJ. The largest parcel of the property is currently vacant - former agriculture land that has been unmaintained. Three smaller parcels are currently occupied by single-family homes. One additional parcel will remain undeveloped as it is primarily in the floodplain/floodway. The applicant is requesting to rezone the subject property to PRD (Planned Residential Development) Conditional Zoning District.

PROJECT/PETITIONER NUMBER:	P21-31-CZD
PETITIONER NAME:	Travis Fowler, First Victory Construction, Inc.
ATTACHMENTS:	1. Staff Report 2. Neighborhood Compatibility Meeting Minutes (2) 3. Draft Ordinance 4. Site Plan 5. Application 6. Owner Signature Addendum

Providence Walk P21-31-CZD/SUB

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

Applicant: First Victory Construction, Inc.

Property Owner: Hickory Realty Fund; Claudia Brown Heirs; Tommy & Donna Fair,

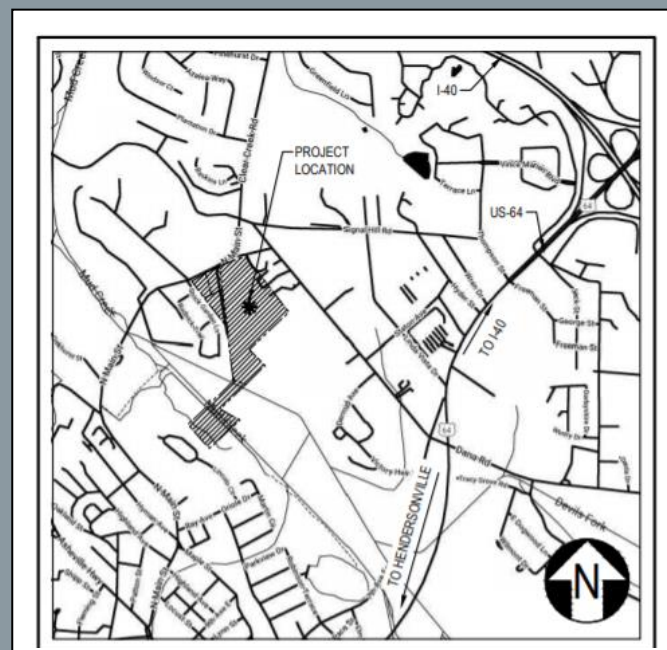
Property Address: 1828 N Main St.

Project Acreage: 20.22 Acres

Parcel Identification Number(s): 9569857172; 9569834918; 9569853434; 9569851398; and 9569853178

Current Zoning: R-20 (Low Density Residential) & PCD-CZD (Planned Commercial Development-CZD)

Neighborhood Compatibility Meeting: May 26, 2021 & June 30, 2021



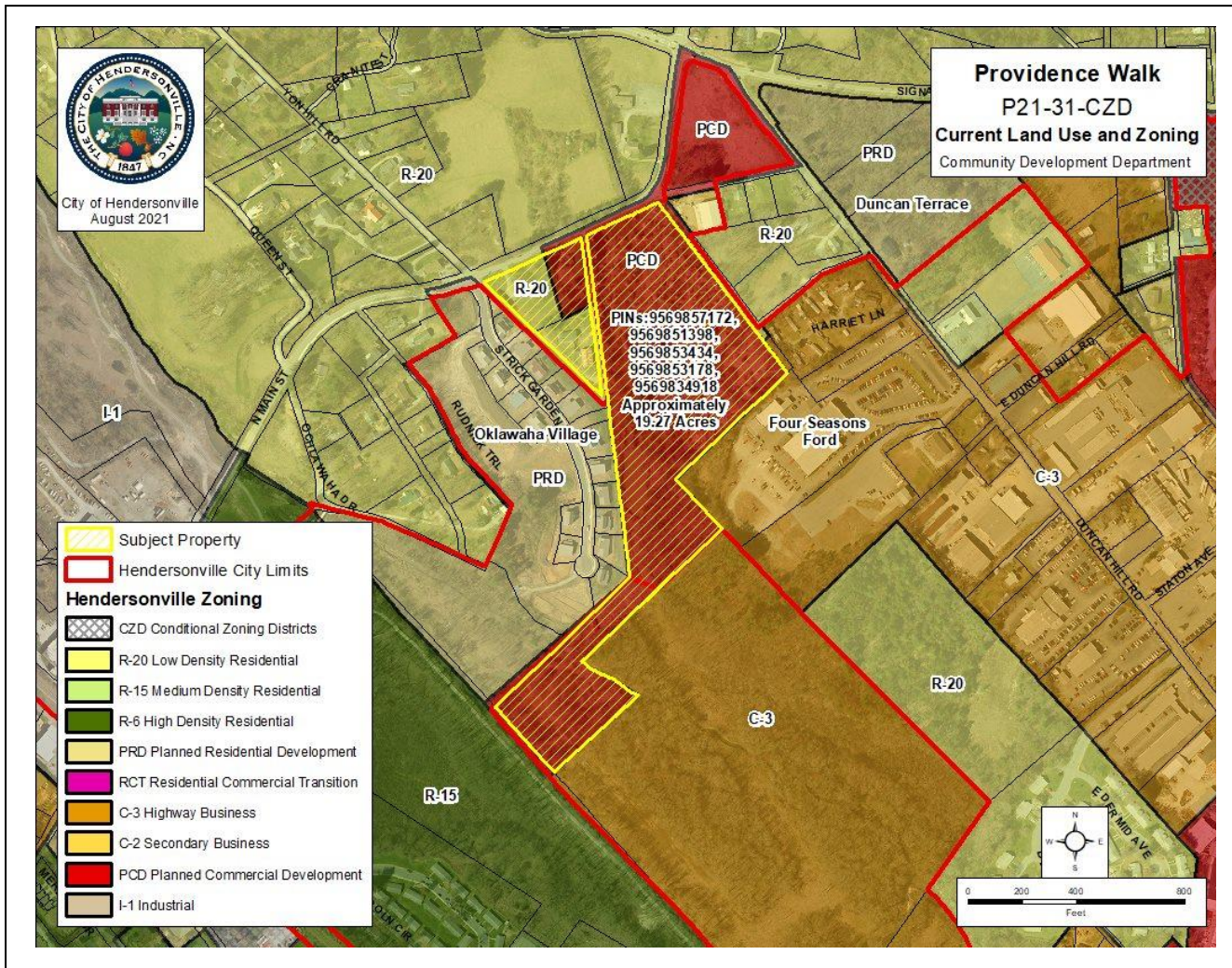
SITE VICINITY MAP

Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning application from High Country Engineering, PC (Michael Goforth) on behalf of First Victory Construction, Inc. (Travis Fowler) for the development of 93 Detached Single-Family Residential homes on a 20.22 Acre tract on 5 parcels located in both the city limits and the ETJ. The largest parcel of the property is currently vacant - former agriculture land that has been unmaintained. Three smaller parcels are currently occupied by single-family homes. One additional parcel will remain undeveloped as it is primarily in the floodplain/floodway. The applicant is requesting to rezone the subject property to PRD (Planned Residential Development) Conditional Zoning District.

This project required a conditional rezoning due to the PRD Conditional Zoning District requirements.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north across N. Main St are zoned R-20 Low Residential as our parcels to the East. To the South, parcels stretching all the way towards Four Seasons Blvd along Duncan Hill Rd are zoned C-3 Highway Business. Parcels to the West are zoned PRD as part of a Housing Assistance Corporation development (Oklawaha Village). Primary land uses around this site are residential and vacant land. The largest non-residential use in proximity is the Four Seasons Ford dealership which is immediately adjacent to the site at the southeast corner of the development.

SITE CONDITIONS – SITE IMAGES

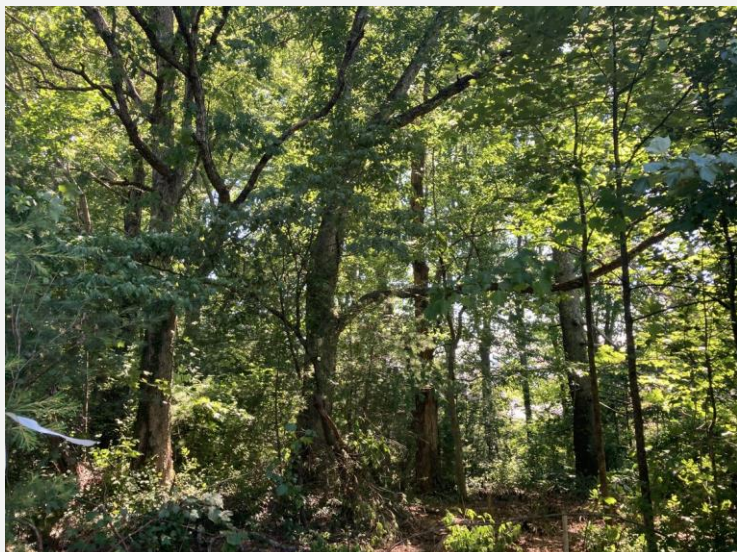
Example of primary site conditions



Existing pond on site



Typical of heavily wooded area at rear of site



SITE CONDITIONS – SITE IMAGES CONTINUED

*View of neighboring
Oklawaha Village*



*View of neighboring
Oklawaha Village/ Duke
Energy ROW &
Transmission Line*



*View of neighboring
Oklawaha Village*

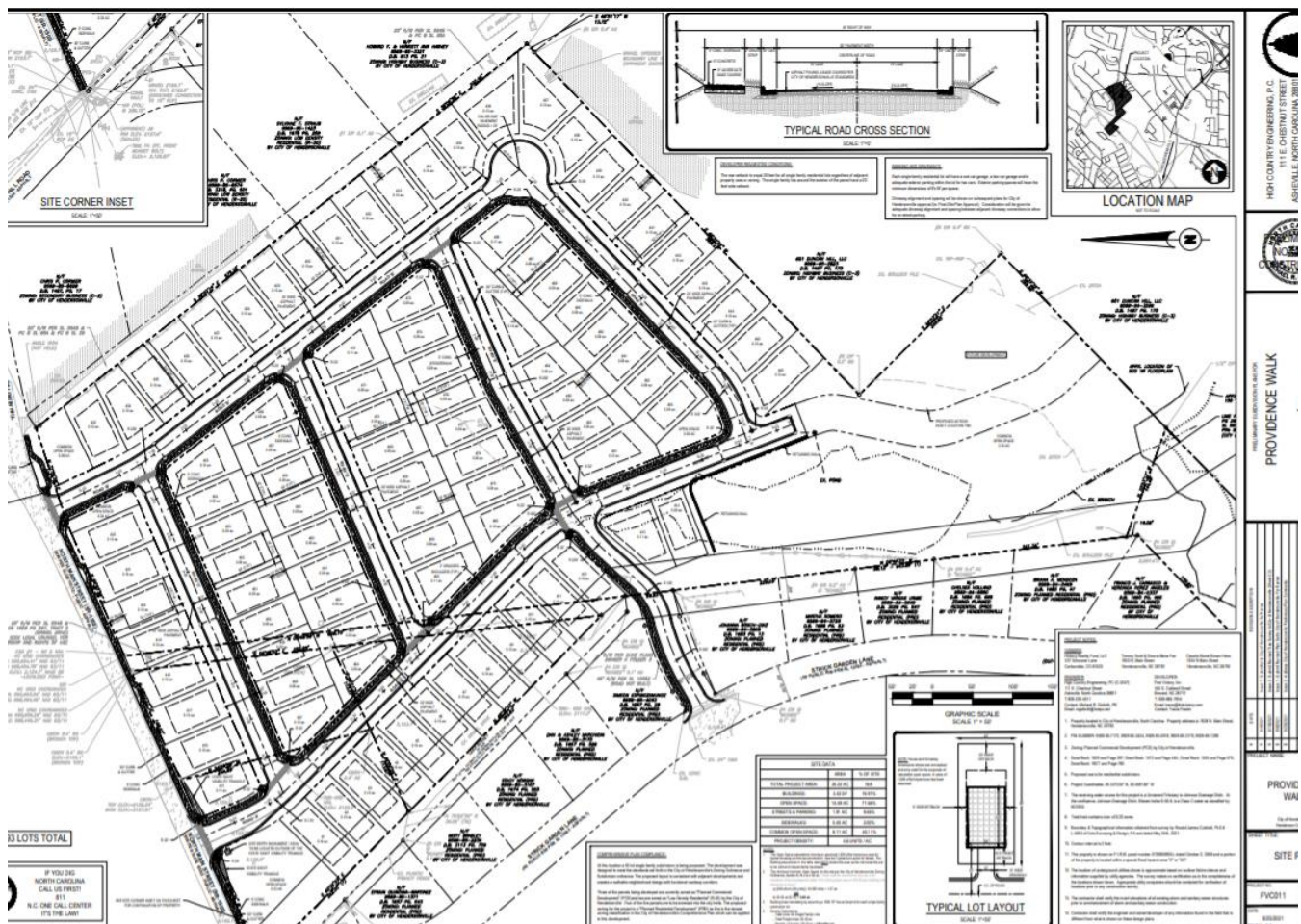


AERIAL PHOTOS

Bird's Eye View - Oriented North



SITE PLAN OVERVIEW

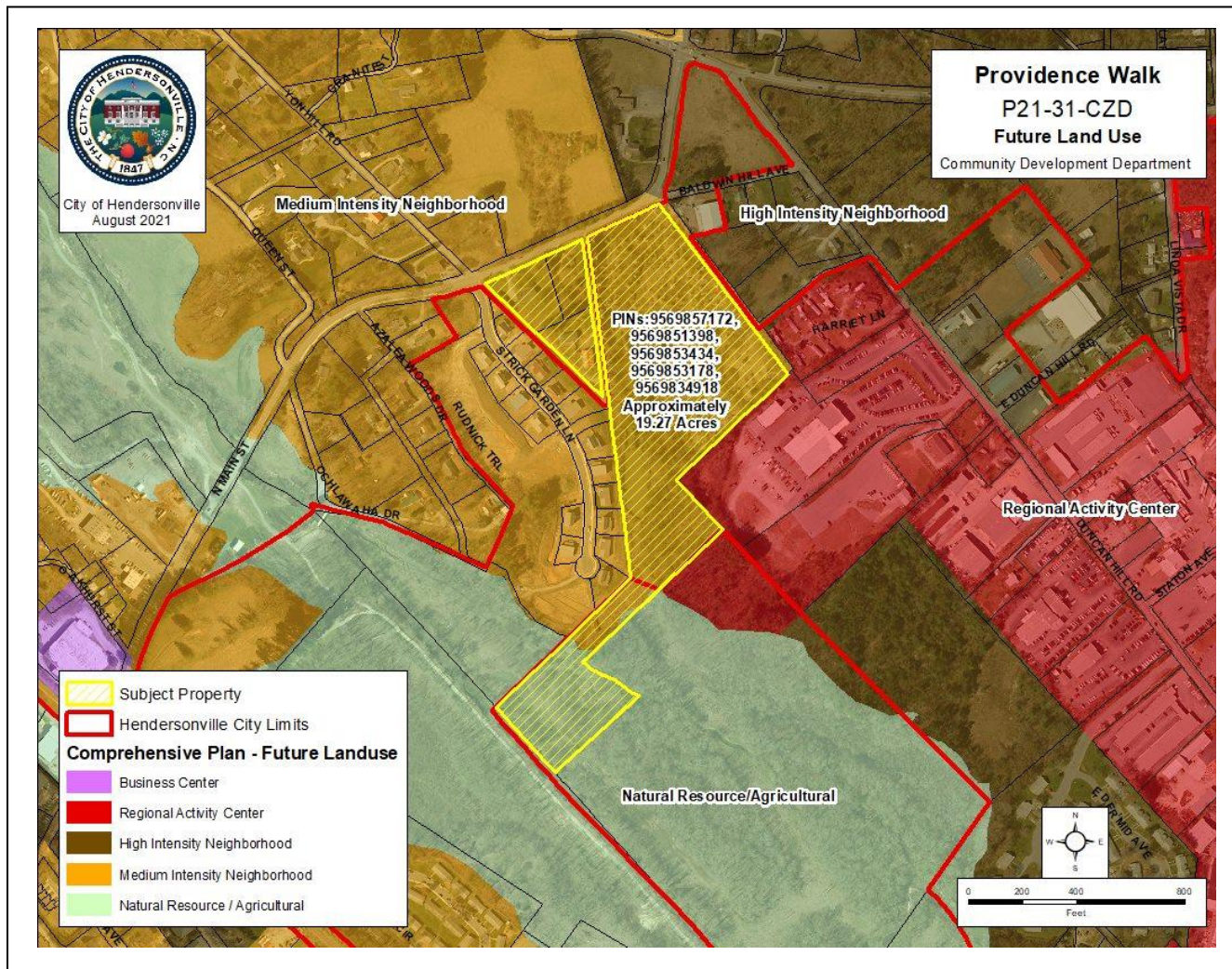


Site Plan Overview:

The site plan shows the following:

- *93 Individual Lots / Home Sites*
- *Public Streets with sidewalks*
- *Proposed connection to existing stub out at Oklawaha Village*
- *Proposed stub out ROW to vacant land to the south*
- *Open Space on undeveloped lot and pockets throughout development*
- *Existing Pond for stormwater*
- *Setbacks and area of disturbance*
- *Preservation of Existing Trees:*
 - *Proposing to preserve 125 trees (greater than 12" dbh)*
 - *Proposing to remove 71 trees (greater than 12" dbh)*
- *Utilities: Water is available along N Main St. Sewer is available from Oklawaha Village / Strick Garden Lane.*
- **Site Plan Assessment:** *Based on the review by staff, the submitted site plan for this project appears to meet the Zoning Ordinance standards established in Article 5-14 (PRD) of the City Zoning Ordinance as well as the standards of the City Subdivision Ordinance.*

REZONING CRITERIA – COMP PLAN CONSISTENCY



The location is primarily designated as Medium Intensity Neighborhood according to the City Future Land Use Map. Due to the presence of floodplain, the Natural Resource/Agricultural designation is also present on a portion of the excess parcel which is located in the floodplain and not proposed to be developed.

**Goal LU-6.**

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

Strategy LU-6.1.**Locations:**

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

Strategy LU-6.2.**Primary recommended land uses:**

- Single-family attached and detached residential
- Open space

Strategy LU-6.3.**Secondary recommended land uses:**

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

Major Thoroughfares on the Future Land Use Map

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

Strategy LU-6.4.**Development guidelines:**

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

**Chapter 8: Land Use & Development**

designates the subject property as Medium Intensity Neighborhood on the 2030 Future Land Use Map.

The Transportation & Circulation

(Chapter 7 of the City's Comprehensive Plan) designates N Main Street as a Major Thoroughfare. Nearby Duncan Hill Rd is also classified as a Major Thoroughfare.

Growth Management

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

- Historic Preservation
- Priority Growth Areas
- Natural Resource/Agricultural
- Priority Infill Areas
- Preservation/Enhancement

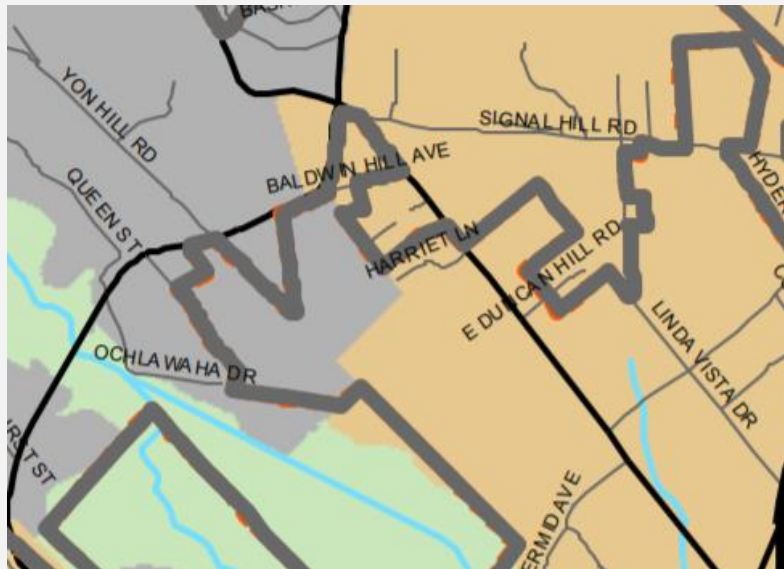
Development Framework Map: The map depicts locations of greenfield development opportunities in Hendersonville and surrounding areas

- Development Opportunities (includes vacant land, agricultural land, and single-family residential properties greater than five acres)

Floodplain Considerations:

The Subject Property has a blue line stream present on the site.

Areas of the property not proposed for development include Floodway / 100 Yr floodplain.



COMPREHENSIVE PLAN CONSISTENCY-CONTINUED

Chapter 3: Natural & Environmental Resources

Aligning with the strategies of the Natural and Environmental Chapter of the Comprehensive Plan, the proposed development provides open space and preserves existing forest by clustering the development towards the front of the tract.



Chapter 2: Population and Housing

While the development is not slated to provide affordable housing, the development does increase the city’s overall housing stock. However, the development lacks variety in its offering of housing types.

While sidewalks are proposed for the site, the design appears to prioritize cars with parking areas in the front of the houses. Connectivity to surrounding parcels is an added benefit for maintaining an interconnected street network and planning for future development connections.

Goal NR-2.
Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements.

Strategy NR-2.1.
Encourage clustered development that preserves open space while allowing a return on investment. Clustering homes on smaller lots, or clustering commercial development in multi-story buildings, preserves open space without sacrificing housing units or leasable floor area. Zoning regulations can encourage such development by avoiding minimum lot area standards and promoting flexibility in design.

Action NR-2.1.1
Maintain density bonuses that allow additional density in return for open space preservation.

Strategy NR-2.3.
Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville’s identity. Trees provide several additional community benefits, as described in Figure 3.3c.

Goal PH-2.
Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.

Action PH-3.1.1.
Encourage pedestrian-friendly design features in residential developments, such as recessed or rear garages and front porches in single-family development, and rear parking lots and front entrances in multi-family developments.

STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY

Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan for this project meets the Zoning Ordinance standards established for Planned Residential Development CZDs (Section 5-14) and Site Plan Review (Section 7-3).

Furthermore, staff finds that the application / proposed site plan is in keeping with the standards for a CZD zoning map amendment as established in Article 11-4 of the City Zoning Ordinance.

Final zoning ordinance compliance will be established at the time of Final Site Plan review and approval.

Amendments:

Chapter XI of the Zoning Code provides standards for consideration of zoning map amendments. The following factors are to be included in decision-making process:

a) Comprehensive Plan Consistency:

Medium Intensity Neighborhood calls for new developments adjacent to or surrounded by other single-family neighborhoods / low to medium density residential zoning. This designation also states Single-Family Residential as a Primary Land Use. The development guidelines for Medium Intensity Neighborhood call for 2-8 Units / Acre and minimum 60% Open Space.

Staff finds that the proposed Conditional Rezoning is consistent with the City's 2030 Comprehensive Plan for the following reasons:

1. The location of the proposed Planned Residential Development is in keeping with the surrounding land uses. (*Chapter 8 LU-6.1*)).
2. Single-Family Detached is a primary use stated in the Land Use & Development Chapter (*Chapter 8 – LU-6.2*).
3. The proposed density of the development (4.6 Units / Acre) is in line with the Land Use & Development Chapter's guidance of 2 – 8 Units / Acre. (*Chapter 9 – LU-6.4*).
4. The development has been laid out to minimize the impact to environmentally-sensitive resources on the site and to preserve existing vegetation (*Chapter 3 – NR-2.1*).

b) Compatibility with surrounding uses

The surrounding land uses are single-family, mobile home park and vacant land.

c) Changed conditions

The adjacent parcel to the west was most recently developed (Oklawaha Village) with a mix of multi-family and single-family homes.

d) Public Interest

The addition of 93 single-family homes will fill a need for additional housing stock in Hendersonville.

e) Public facilities

According to the Water & Sewer department, there are adequate facilities in the area. The size of the project did not trigger a Transportation Impact Analysis and therefore impact to street capacity has not been studied.

f) Effect on natural environment.

As mentioned previously under the Comprehensive Plan Consistency, the project proposes to preserve an existing wooded area, an existing pond and floodplain.

Staff Proposed Conditions: Staff have no standalone recommendations for conditions. The Tree Board recommended a condition related to the replacement of any trees proposed for preservation which do not survive for one reason or another. Staff have included the Tree Board's recommended condition in the proposed List of Uses and Conditions.

PUBLIC COMMENT

Neighborhood Compatibility Meetings were held on April 5, 2021 and June 30, 2021 for this project.

At the April 5th meeting, Eight members of the public attended along with three members of the planning staff and a representative from the developer's engineering firm. Written statements submitted prior to the meeting were read into the record and addressed by the development team. Primary concerns were voiced by residents of the adjacent Oklawaha Village. These concerns revolved around security, connections to Strick Garden Ln., traffic safety on N. Main and within existing neighborhood, tree preservation, and stormwater management,

At the June 30th meeting, four members of the public attended including two representatives from the Housing Assistance Corporation. Attendees also include the developer and three members of the Planning Division staff. Primary concerns were connection to Strick Garden Ln., Sight Distance on N. Main St at access points, and other traffic related concerns. Please note that the site plan originally called for 28 apartment units that were removed between the April 5 NCM and the current proposal.

TREE BOARD / PLANNING BOARD - SUMMARY OF ACTION

Summary of Tree Board Recommendation

The developer has changed their site plan - removed the apartments from the back of the property and added additional home sites near the road. This will save additional trees since a majority of the trees were in the proposed apartment complex area. A motion was made by Glenn Lang to require the developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance, and to require all new tree plantings to be a minimum of two inch caliper. Roll call vote – Glenn Lang – aye, Mark Madsen – aye, Pat Christy – aye, Mac Brackett – aye.

Summary of Planning Board Recommendations [RESERVED]

Planning Board Motion [RESERVED]

SUGGESTED MOTION(S) & CONSISTENCY STATEMENTS

PLANNING BOARD - APPROVAL

I move the Planning Board recommend City Council to APPROVE an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property from PCD-CZD (Planned Commercial Development – Conditional Zoning District) and R-20 (Low Density Residential) District based on the site plan submitted by the applicant and subject to the following;

Permitted uses shall include:

1. Residential Dwellings, Single-Family
Conditions that shall be satisfied prior to final site plan approval include:

1. Require the developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance, and to require all new tree plantings to be a minimum of two-inch caliper.
And,

Finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map and that the rezoning is reasonable and in the public interest for the following reasons:

[Please state reasons describing why this development is good for the community. Example suggestions below or include your own]

1. The location of the proposed Planned Residential Development is in keeping with the surrounding land uses. (*Chapter 8 LU-6.1*).
2. Single-Family Detached is a primary use stated in the Land Use & Development Chapter (*Chapter 8 – LU-6.2*).
3. The proposed density of the development (4.6 Units / Acre) is in line with the Land Use & Development Chapter's guidance of 2 – 8 Units / Acre. (*Chapter 9 – LU-6.4*).
4. The development has been laid out to minimize the impact to environmentally-sensitive resources on the site and to preserve existing vegetation (*Chapter 3 – NR-2.1*).

[DISCUSS & VOTE]

PLANNING BOARD - DENIAL

I move the 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 from PCD-CZD (Planned Commercial Development – Conditional Zoning District) and R-20 (Low Density Residential) District based on the following;

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

1. The development does not provide a variety of housing types.
2. The development is incompatible with surrounding land uses.
3. The development is inconsistent with the Comprehensive Plan.

[DISCUSS & VOTE]

ATTACHMENTS:

- 1) Ordinance
- 2) Neighborhood Compatibility Meeting Minutes (meetings 1 & 2)
- 3) Site Plan
- 4) Additional Site Photos
- 5) Application
- 6) Owner Signature Addendum

Planning Report
 Neighborhood Compatibility Meeting
 Application for a Conditional Zoning District
 Providence Walk File # P21-31-CZD
 Wednesday, May 26, 2021 11:00 a.m.

Matt Manley, Planner Manager, convened the compatibility meeting at 11:00 am in the Council Chambers of City Hall. Approximately two applicants, two adjacent property owners and three City staff were in attendance. Approximately four people were participating via Zoom. The following attended:

Name	Address	Name	Address
Matt Manley	staff		
Tyler Morrow	staff		
Terri Swann	staff		
Travis Fowler, Applicant	542 S. Caldwell St.		
Michael Goforth, App	111 E. Chestnut St.		
Tommy Fair	1830 N. Main Street		
Howard Harvey	707 Duncan Hill Rd.		

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

Mr. Manley stated the property is currently zoned PCD, Planned Commercial Development and the proposed zoning is PRD CZD, Planned Residential Development Conditional Zoning District. This project is for 71 single-family dwellings and 28-unit multi-family apartments on approximately 17.46 acres. This project would be limited to what is approved on the site plan.

Michael Goforth, High Country Engineering, stated he is the Engineer for the project. He is in attendance with Travis Fowler, First Victory who is the property owner. This is a preliminary site plan that they have proposed. It does show 71 single-family dwellings to the north of the property and a small cluster of 28, 2-bedroom apartments to the south. There is Floodplain on the property which makes for limited access. There is also an existing pond on the property. The primary entrance will be off North Main Street with a connection street from Strick Garden Lane. Sidewalks will be constructed along North Main Street and interior sidewalks will also be installed as required by the City. A site plan was shown. Mr. Goforth will be happy to answer any questions.

Mr. Manley opened the public comment time.

Zoom Call: Franco Carrasco, 229 Strick Garden Lane asked if the connection road to Strick Garden Lane is really necessary. He stated there is already a lot of traffic coming through the subdivision and it will increase with the connection road. There have been a lot of car break-ins and home invasions and this will increase crime

coming through their community. He would like to request City Council put a speed limit sign in their community. He just wanted to know if this connection road is really necessary. Mr. Goforth stated the City of Hendersonville requires that they have two accesses or entrances into the development because of the number of units proposed. This right-of-way was reserved for this property and was intended to be used. They cannot do anything to not make use of the connection. They can discourage people from using it. They will discourage the residents from using it and they will take input from the residents of Strick Garden Lane.

Zoom Call: Kim Carter, 1590 North Main Street stated she was concerned about the traffic on North Main already and this project is only going to add more. This will increase traffic and lessen the durability of the road and the small bridge over Mud Creek. What do they plan to do about this? Mr. Goforth stated they will follow all requirements that NCDOT has for street improvements and guidelines. The bridge would be the responsibility of NCDOT, but they will have to submit plans to NCDOT and follow their requirements for upgrades.

Zoom Call: Ken Fitch, 1046 Patton Street stated he would like to know if Strick Garden Lane is a public or private street. That is an issue. There is a problem there with the connection road and the safety of the children out walking, riding their bikes and catching the bus. Is it legal to use this connection if it is not a public road? Mr. Goforth stated to the best of his knowledge Strick Garden Lane is a public street maintained by the City of Hendersonville.

Mr. Fitch stated there is a major issue with traffic and they need to look at how to manage this without it turning into a nightmare situation. Will a TIA be required? There are already plans for the Duncan Terrace development and that development along with this one will increase traffic greatly in this area and that is an issue. Is a traffic signal needed? How about the proposed peanut roundabout? North Main Street is a very busy thoroughfare so they need to look at these issues and what can be done for the people living in this area. Mr. Goforth stated they will go through the full requirements from NCDOT and abide by them. He does not believe they meet the threshold to require a TIA with the City of Hendersonville. Sometimes NCDOT will require them for smaller thresholds.

Mr. Fitch stated he believes the public would be interested in a TIA because traffic is an issue there now and it is pretty intense. Will this be affordable housing or market rate housing? Are they going to be sales or rentals? Is there an age or income requirement for occupancy? Will the single-family homes have driveways or garages? What about the parking for the apartments? Mr. Goforth stated the 71 single-family lots will all have garages. They are market rate and the two-bedroom apartments will be market rate. There will be adequate parking for the apartment units.

Mr. Fitch stated on the east side of the property there appears to be a corridor. What is that? Mr. Goforth stated that is an unopened right-of-way. It is basically no-man's land in that area and they do not plan to touch it. They won't access it.

Mr. Fitch asked what impact the project will have on the power lines in that area. Mr. Goforth stated they will not impact the high power lines. They did a survey of those and they know where they are located, and they are fully aware of what they can and can't do.

Mr. Fitch asked if the property was in the city limits or the ETJ and if they will have water and sewer access. How will the garbage be handled? Mr. Goforth stated he is not sure about the city limits and ETJ. Mr. Morrow stated the large parcel is in the city limits and the smaller parcel is in the ETJ. So, about 1/3 of the property is inside the city limits.

Mr. Fitch stated so there is no water and sewer on the site. Mr. Goforth stated they plan to leave the smaller parcel in its natural state. They plan to either have a dumpster on site that will be screened or individual cans. They are not sure about this yet. They will have water and sewer access.

Mr. Fitch stated the apartments appear to be close to the property line, will they buffer them? Will there be street trees for the houses on North Main Street? Will there be buffering there? Mr. Goforth stated they have laid out a conceptual plan and the land will look nice with the houses on North Main Street having street trees. They will meet all buffering and landscaping requirements.

Mr. Fitch stated there is also an issue on the guidelines and what effect this will have on the natural environment. Mr. Goforth stated his thinking is they will not touch the highly sensitive areas such as the Floodplain. This will remain completely undisturbed. They will not touch the pond either. They will have a stormwater management system as required by the City.

Mr. Fitch stated this is a prime habitat for species and birds. Will they have a tree survey? There are large mature trees on this site. Do they plan to preserve those existing trees? How about the intake/outtake source for the pond? Preserving the trees is a major issue. Mr. Goforth stated yes, a tree survey will be provided. They will make the inlet/outlet of the pond safe and sound for the development.

Mr. Fitch stated there is an issue in the area with building and it makes it difficult to preserve the trees. A tree survey is much needed. Mr. Goforth stated they are not prepared to discuss how many trees will be preserved and how many will be removed today. They can revise the plan. This is just on a conceptual basis and they are still gathering information for the preliminary plan.

Mr. Fitch asked about the timeframe on completing the process with completed plans and having all things in place. People will want to know these things before it goes to the Boards for review. Also, what is the timeframe on construction? Will this project be done in phases? Mr. Goforth stated they will move through the city approval process as expediently as they can. The deadline for Planning Board is this Friday. They plan to present to the Planning Board in July and to City Council in August. Construction will be done in one phase. The timeline will depend on the approval process. They plan to start as soon as practical. Mr. Fitch asked when they would have the plans for the homes showing what they will look like. He also asked if the developer had done any comparable developments in the area. Mr. Goforth stated they will provide that information as they move through the process. Yes, they have done other projects in the region. Mr. Fitch stated housing is a need, but they need to have more details.

Mr. Carrasco stated directly behind him on Strick Garden Lane there are tires, concrete, trash, etc. Do they plan to clean this area up? Mr. Goforth stated they are willing to clean this up. They will evaluate the trash issue and they are planning to remove an old shed on the property. They want to use this as an amenity area and leave it in its natural state. They will plan to do improvements as they move through the process. Mr. Carrasco stated they care about their community and want to see it look nice.

Zoom Call: Ashlynn McCoy, 1414 North Main Street stated she was the Executive Director of the Housing Assistance Corporation. She asked about the connection road being a public right-of-way for utilities and asked that they use the connection road as an emergency access road only. Mr. Goforth stated they will work with the City of Hendersonville on this and maybe put up a gate or something with a signal raise for emergency vehicles.

Howard Harvey, adjacent property owner stated he has no critical input but would like to speak with the developers because he does have some solutions for the issues.

Mr. Manley read one public comment into the record:

Name: Simeon Espinoza

Address: 115 Strick Garden Lane, Hendersonville, North Carolina 28792

Public Comment: Hi, I was identified as the owner or property situated within 400 feet of the proposed rezoning to a Conditional Zoning District. I would like to comment about the road that will be constructed between my house (lot #115) and my neighbor's house, which will connect to Strick Garden Lane. With the construction of the new road, it will only increase the risk of my kids and the kids of my neighborhood being in danger by cars who don't respect the speed limit. Traffic will be a big problem and we already have problems with our neighbors from the apartments who don't respect the speed limit here. Ever since the apartments got occupied, there have been numerous reports of cars being broken into. There has been no one identified yet to know who it is but with the new road the number of reports can increase. The new site should have their own entrance and out-way for their neighborhood. From my knowledge, I was told that no other road or construction would happen near my house. I understand that it has changed but as an owner I should have my opinion heard; therefore, I believe that the construction of the road between my house and my neighbor's house is unnecessary. Thank you!

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

Mr. Manley stated this concludes the meeting. He stated staff will work on the review of the submittals and on getting a tree survey from the developer. This project will go before Planning Board on July 12th and City Council on August 5th. Adjacent property owners within 400 feet will be notified of each meeting.

With no further comments or questions, Mr. Manley closed the meeting at 11:39 am.

Planning Report
Neighborhood Compatibility Meeting
Application for a Conditional Zoning District
Providence Walk File # P21-31-CZD
Wednesday, June 30, 2021 2:00 p.m.

Matthew Manley, Planning Manager, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Building, 305 Williams Street. Approximately three people attended in person and four City staff were in attendance. Approximately five people were on the Zoom call. The following attended:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Matt Manley	staff		
Tyler Morrow	staff		
Terri Swann	staff		
Tyler Henry	staff		
Travis Fowler, Applicant	542 S. Caldwell St.		
Sean Rose	Housing Assistance		
Susan Frady	Housing Assistance		
Lynn Clark	Zoom		
Ken Fitch	Zoom		

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

Mr. Manley stated this has not been reviewed by staff yet, it is just the first step in the process. A more detailed plan will be required prior to advancement of the project. This project went to the Tree Board for their review after the first Neighborhood Compatibility meeting. This is the second neighborhood meeting for the project as this now includes only single-family lots.

The Planning Board and the Tree Board are advisory boards and will make recommendations to City Council. City Council is the last step in the process and they will review the project and make a decision on the rezoning.

Pre-submitted comments were accepted via the website and email.

Mr. Manley stated the property is currently zoned PCD, Planned Commercial Development and R-20, Low Density Residential and the proposed rezoning would be PRD CZD, Planned Residential Development Conditional Zoning District. The revised site plan shows 90 single family home lots. This is a different concept plan from the first neighborhood meeting. The new proposal includes two parcels to the south and is now shifted down North Main Street to the west. There will be second entrance close to Baldwin Hill Avenue and the apartment buildings have been removed.

Mr. Manley stated based on the feedback from the first meeting, the developers came back with a different concept plan and scheduled a second neighborhood meeting. There is a connection to Strick Garden Lane that is not shown on this concept plan but a second access is required by the City and should be connected to street rights-of-way extended to undeveloped property so there will be revisions to this plan once they submit the preliminary plan.

Mr. Manley clarified that the Oklawaha Village approved site plan shows this section was reserved as a future access. A 45-foot public right-of-way is on the recorded plat that was approved. This was intended to be a connection.

Mr. Manley stated there were no pre-submitted public comments.

Travis Fowler, First Victory Construction stated he is the developer. This plan is different as there are more lots and additional land. They changed their site plan due to the comments from the first meeting and from the Tree Board. They have added two entrances when originally there was only one. He thinks this will help with the traffic flow. They are still working through that process. He stated concerning the access from Strick Garden Lane, this is a utility connection and has to be made. Concerning the lake area, they plan to use this area as a stormwater retention area. They will work through this process with the Corp and obtain any needed and required permits from them. They are not sure how durable the dam is and they are working through that as well. These are single-family and there will be no multi-family on the plan. They do not know the cost of the homes yet but the street frontage will stay the same. They plan to have a nice monument feature identifying the development.

Mr. Manley opened the public comment time.

Sean Rose, Housing Assistance stated that right-of-way was intended for a utility connection and not necessarily a road connection. He stated the zoning ordinance states access to PRD's shall be by means of a boulevard or thoroughfare (major or minor). It also states access may be provided by means of streets other than major or minor thoroughfares when it is clearly demonstrated that the PRD will not result in a significant increase in traffic on any such street. This will increase traffic coming to and from the developments. Mr. Manley stated this has not gone through the full review process yet. The Planning Board will require more detail to the site plan.

Mr. Rose stated this has to be a private street and he did not think you could have a private street in a PRD. He is not against this project, but he is worried about this connection.

Zoom call: Lynn Clark, 343 Yon Hill Road stated it is very difficult to see coming out of Yon Hill Road onto North Main Street and she is worried that creating two new roads in the sharp curve at Baldwin Hill Road will result in a dangerous traffic situation. How will this be addressed? Mr. Fowler stated Yon Hill Road is an existing city/county road and he does not believe their entrance will affect anyone on Yon Hill Road. He doesn't believe the site distance would affect them on Yon Hill Road. Mr. Manley stated NCDOT will review this for safe access and it will have to meet the NCDOT standards.

Ms. Clark stated there have been accidents at Baldwin Hill Road because of the sharp curve and it is a concern. It is difficult to see there already. It is dangerous for the people living on Yon Hill Road and she thinks they need to be included on the notifications. Mr. Manley explained there is a notification requirement of property within 400 feet of a proposed project. They apply the same standards to all of the projects and they do not go beyond what is required. Mr. Manley stated the property will be posted during each phase of the process and it will also be posted on the website. Ms. Clark stated she did see the poster on the property. She is concerned about the amount of traffic this project will have. The PT Green property is said to be under

contract and she asked about the City recommending multi-density housing. Mr. Manley stated the City has a future land use designation in the Comprehensive Plan and this is to create a vision for the City. It is also part of the Planning Board's review when they review projects. It is available online for the public and Ms. Clark may want to take a look at it for more information. Mr. Manley stated again that the property would be posted, it will be on the website and anyone is welcome to call the office for information. Ms. Clark thanked Mr. Manley and stated this project will affect her being able to get in and out of her home safely.

Ken Fitch, 1046 Patton Street stated he has several questions. He asked what the unit price would be, the size of the units, would they have multiple bedrooms, will they have a garage, and will it be one or a two-car garage and how will the driveway be articulated. Mr. Fowler stated this is the same footprint as the first neighborhood meeting. The square footage of the homes will be 1,500 sq. ft. to the low 2,000's. Potentially they will have a single-car garage. The homes will be one and two stories.

Mr. Fitch stated the number of cars could be an issue and the public will want to know the cost and price range. Will the driveway be large enough for guest parking or will they have to park in the street? Mr. Fowler stated they have developed the homes to sit back out of the setback to allow for driveways. He does not think that the guest parking will be an issue.

Mr. Fitch asked if these would be private roads. A right-of-way exists on this property or is it on the Oklawaha property? Mr. Fowler stated the streets will be public streets along with the water and utilities. They will meet the City's guidelines for this. Mr. Manley stated the access is a platted public right-of-way dedicated with the recorded plat for Oklawaha and is not part of anyone's property.

Mr. Fitch asked about the sidewalks internally. Mr. Fowler stated they have not completed the interior design of the development yet and it doesn't make sense to put sidewalks around the full interior of the development.

Mr. Fitch asked if they will have a Homeowner's Association and if they will construct a clubhouse. Mr. Fowler stated they will have a property owner association and there will not be a clubhouse.

Mr. Fitch asked about the mail. Mr. Fowler stated they are still working through this and they will either have a central area or they will each have an individual mailbox.

Mr. Fitch asked about the road "A" on the plan and how it dead ends. Mr. Fowler stated this is for future consideration for development. They have no plans yet for future development and they will take up that topic later.

Mr. Fitch stated the traffic issue is already a problem and there is a tricky three-way intersection on the northeast side. Will they work with NCDOT to come up with a solution? Even the people not living in the neighborhood have concerns about the traffic in this area. NCDOT input is important. Mr. Fowler stated he acknowledges the concerns about traffic and they plan to work with NCDOT and construct a safe entrance into the subdivision. They will lean on NCDOT for guidance on that permit.

Mr. Fitch asked about the inlet into the lake and where that water flow comes from. Mr. Fowler stated they are working on that.

Mr. Fitch stated the Tree Board raised an issue about the landscaping in the development and the tall trees. If they have some idea about trees it would be very helpful having a plan in place. Is there buffering to adjacent properties and if so what would that be? Mr. Fowler stated Duke Energy has overhead transmission lines that need to be considered. The rest of the property has nice vegetative buffers. They are not sure how to handle

the Duke easement yet. Mr. Manley stated they are not required to have a buffer between single-family and single-family.

Mr. Fitch stated the revised plan is an improvement but there are still major concerns and issues that need to be addressed. If they plan to develop the undeveloped land adjacent to them would it start the process all over again. Mr. Manley stated yes.

Mr. Manley stated concerning the subdivision requirements, they will need to have clear communication concerning the connection access before moving forward to Planning Board. This project could go to Planning Board in August and City Council in September.

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

With no further comments or questions, Mr. Manley closed the meeting at 2:35 pm.

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 9569857172; 9569834918; 9569853434; 9569851398; & 9569853178 BY CHANGING THE ZONING DESIGNATION FROM R-20 (LOW DENSITY RESIDENTIAL) & PCD-CZD (PLANNED COMMERCIAL DEVELOPMENT-CZD) TO PRD-CZD PLANNED RESIDENTIAL DEVELOPMENT - CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers: 9569857172; 9569834918; 9569853434; 9569851398; & 9569853178
– 1828 N Main St (Providence Walk)
(File # P21-31-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant First Victory Construction, Inc. for the development of 93 detached single-family homes on approximately 20.22 acres., and

WHEREAS, the Planning Board took up this application at its regular meeting on September 13, 2021; voting 0-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

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

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9569857172; 9569834918; 9569853434; 9569851398; & 9569853178 from R-20 (Low Density Residential) & PCD-CZD (Planned Commercial Development-CZD) to PRD-CZD 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 subject to the following.
 - a. Permitted uses shall include:
 - i. Residential Dwellings, Single-Family.
 - b. Conditions that shall be satisfied prior to final site plan approval include:
 - i. Require the developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance, and to require all new tree plantings to be a minimum of two-inch caliper.
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 7th, day of October 2021.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree

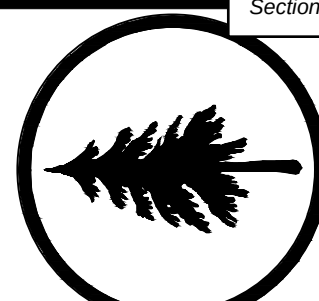
to the imposition of all conditions stated.

Applicant: First Victory Construction, Inc.
Signature: _____
Printed Name: _____
Title: _____
Date: _____

Property Owner: Tommy & Donna Fair
Signature: _____
Printed Name: _____
Title: _____
Date: _____

Property Owner: Hickory Realty Fund
Signature: _____
Printed Name: _____
Title: _____
Date: _____

Property Owner: Claudia Brown Heirs
Signature: _____
Printed Name: _____
Title: _____
Date: _____



HIGH COUNTRY ENGINEERING, P.C.
111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040

NC FIRM NO.: C-3347

PRELIMINARY
NOT FOR
CONSTRUCTION

PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK

for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION

Issue 1 - Submit to City of Hendersonville for Review
Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
Issue 2 - Address City of Hendersonville Preliminary Plan Comments

DATE

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HIGH COUNTRY ENGINEERING, P.C.
111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040

NC FIRM NO. C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.

City of Hendersonville
Henderson County, North Carolina[illegible]

PROJECT NAME

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:

SITE SURVEY
(BY OTHERS)

PROJECT NO.

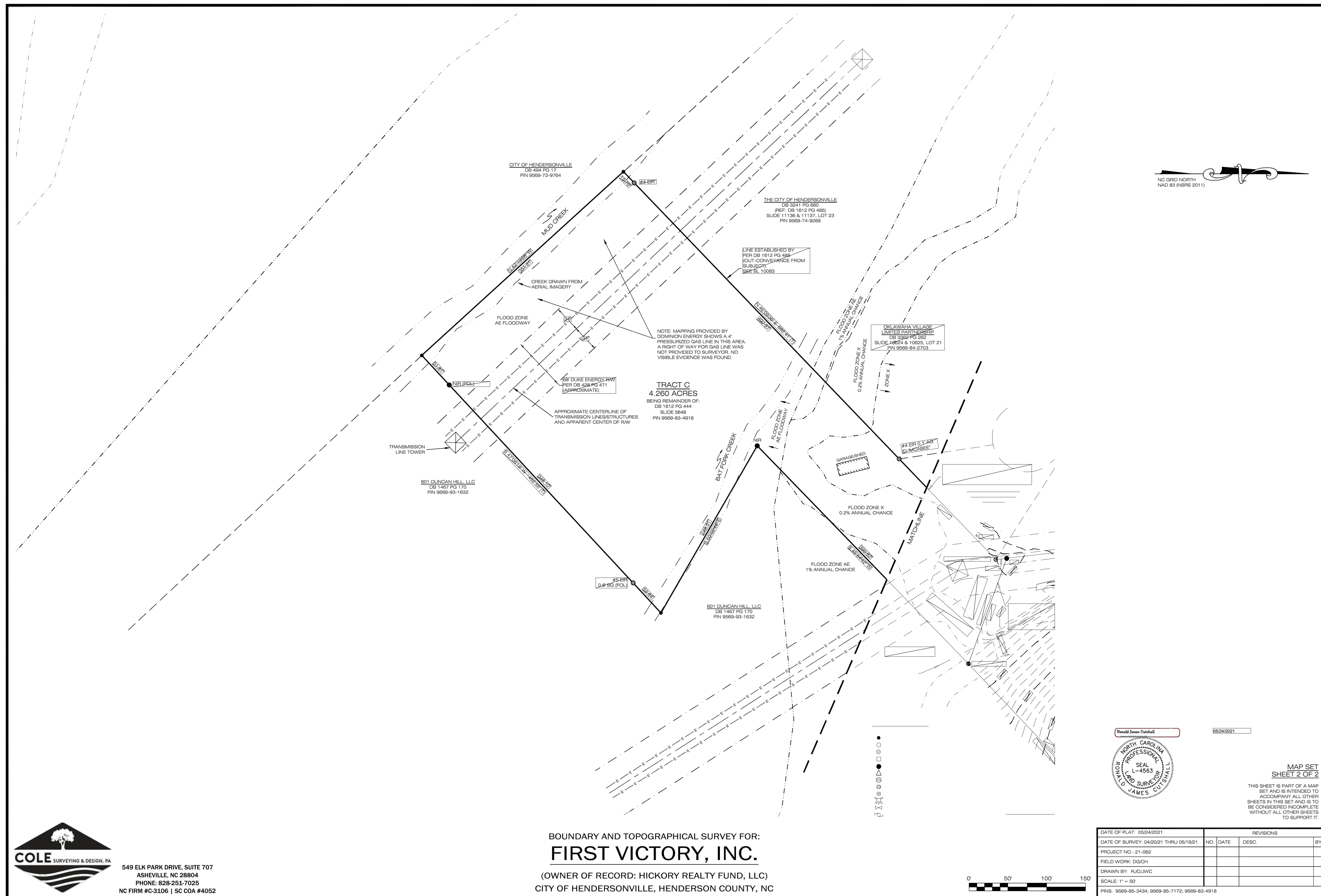
FVC011

DATE: 8/25/202

SHEET NO.

C-2

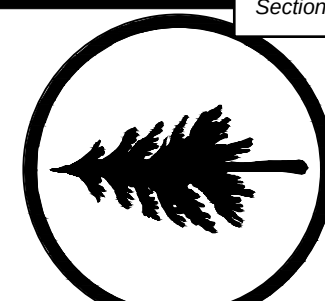
of



549 ELK PARK DRIVE, SUITE 707
ASHEVILLE, NC 28804
PHONE: 828-251-7025
NC FIRM #C-3106 | SC COA #4052

BOUNDARY AND TOPOGRAPHICAL SURVEY FOR:
FIRST VICTORY, INC.
 (OWNER OF RECORD: HICKORY REALTY FUND, LLC)
 CITY OF HENDERSONVILLE, HENDERSON COUNTY, NC

SITE SURVEY
NOT TO SCALE



HIGH COUNTRY ENGINEERING, P.C.
111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040

NC FIRM NO.: C-3347

PRELIMINARY
NOT FOR
CONSTRUCTION

PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION

Issue 1 - Submit to City of Hendersonville for Review
Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
Issue 2 - Address City of Hendersonville Preliminary Plan Comments

#	DATE	DESCRIPTION
1	6/4/2021	Issue 1 - Submit to City of Hendersonville for Review
2	6/12/2021	Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
3	8/6/2021	Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
4	8/22/2021	Issue 2 - Address City of Hendersonville Preliminary Plan Comments

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:

SITE SURVEY
(BY OTHERS)

PROJECT NO.

FVC011

DATE:

8/25/2021

ISSUE No. B-2

SHEET NO.

C-3

of

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- SYMBOL LEGEND:**
- CALCULATED POINT
 - EXISTING IRON REBAR (EIR)
 - EXISTING IRON PIPE (EIP)
 - EXISTING CONCRETE MONUMENT (ECM)
 - EXISTING #5 IRON REBAR W/ID CAP (CSD)
 - #5 NEW IRON REBAR W/ID CAP (NIR)
 - ▲ CSD CONTROL POINT
 - SANITARY SEWER MANHOLE (SMH)
 - SANITARY SEWER CLEAN-OUT (CO)
 - WATER METER (WM)
 - FIRE HYDRANT
 - LIGHT POLE
 - CABLE TELEVISION RISER
 - GUY WIRE
 - ELECTRIC METER
 - SIGN
 - CURB INLET (CI)
 - DROP INLET (DI)
 - STORM WATER JUNCTION BOX (JB)
 - SPOT ELEVATION
 - WELL

LINE LEGEND:

- SURVEYED BOUNDARY LINE
- ADJOINERS DEED LINE (NOT SURVEYED)
- RIGHT-OF-WAY LINE
- SS — SS — SS — SANITARY SEWER LINE
- TIE LINE ONLY
- CAL STORM DITCH
- OHU — OHU — OHU — OVERHEAD UTILITY LINE
- E — E — E — OVERHEAD POWER TRANSMISSION LINE
- CENTERLINE OF TRANSMISSION LINE (APPROXIMATE)
- EASEMENT LINE (APPROXIMATE)
- CHAIN LINK FENCELINE
- BOARD FENCELINE
- WOVEN - WIRE FENCELINE
- INDEX CONTOUR LINE
- INTERIM CONTOUR LINE
- UGE — UGE — MARKED ELECTRIC LINE (APPROXIMATE)
- FOC — FOC — MARKED FIBER-OPTIC LINE (APPROXIMATE)

ABBREVIATIONS:

- NTS...NOT TO SCALE
(T)...TOTAL
DB...DEED BOOK
PG...PAGE
SL...SLIDE
PIN...PARCEL IDENTIFICATION NUMBER
NAD...NORTH AMERICAN DATUM
NAVD...NORTH AMERICAN VERTICAL DATUM
NSRS...NATIONAL SPATIAL REFERENCE SYSTEM
AG...ABOVE GRADE
BG...BELOW GRADE
RW...RIGHT OF WAY
POL...POINT ON LINE
CONC...CONCRETE
TBM...TEMPORARY BENCH MARK
C&G...CURB AND GUTTER
EOM...END OF MARKINGS
ID...SURVEYORS IDENTIFICATION CAP

THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

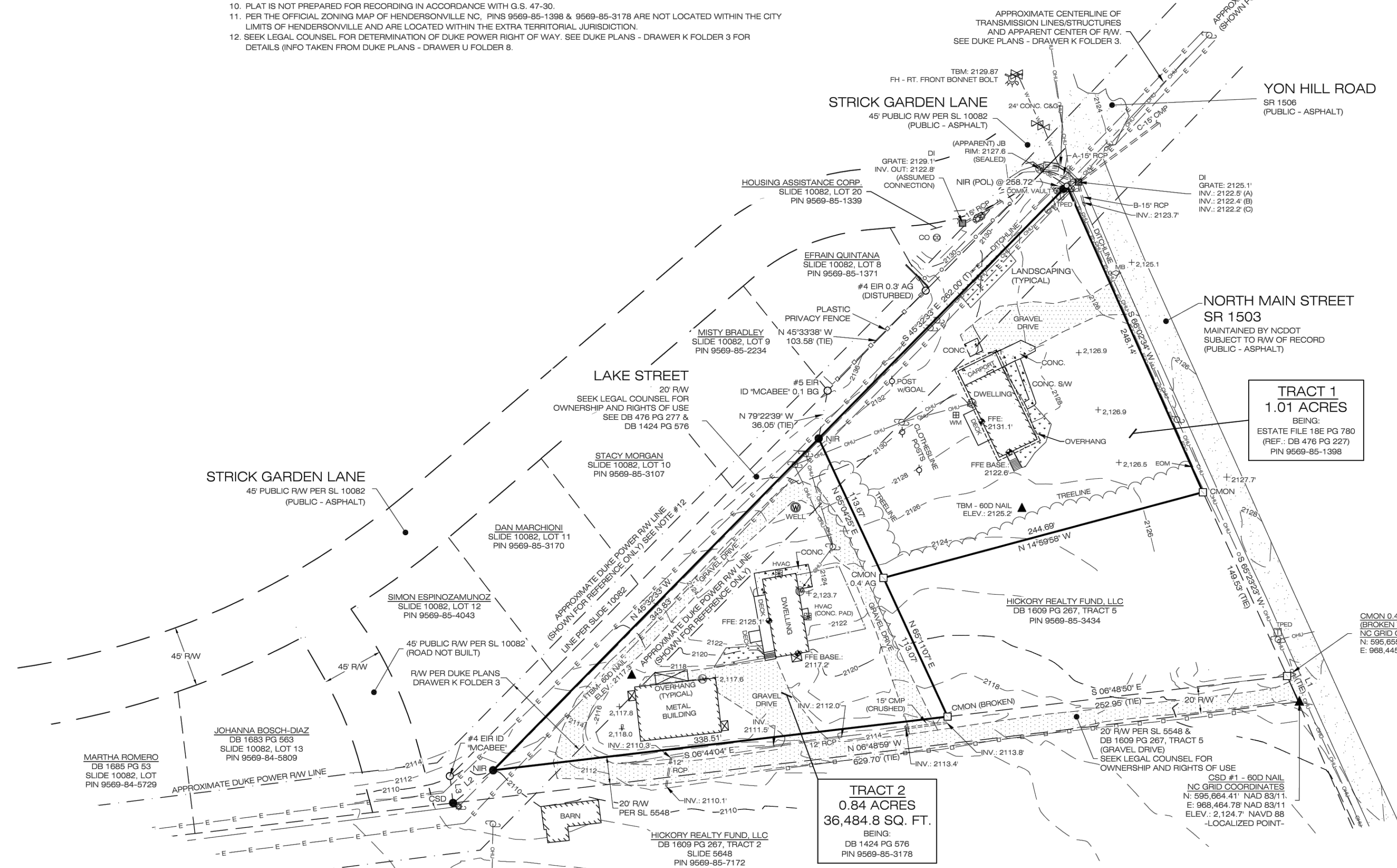
- CLASS OF SURVEY: CLASS A (HORIZONTAL)
- POSITIONAL ACCURACY: 0.03 (H) & 0.03 (V) @ 95% CONFIDENCE
- TYPE OF GPS FIELD PROCEDURE: RTK (VRS)
- DATES OF SURVEY: 4/22/2021
- DATUM/EPOCH: NAD 83 (NSRS 2011) EPOCH 2010.00 (H) & NAVD 88 (V)
- PUBLISHED/FIXED-CONTROL USED: VRS NETWORK
- GRID MODEL: GEOID 18
- COMBINED GRID FACTORS: 0.999777 (@ LOCALIZED POINT)
- UNITS: US SURVEY FOOT



549 ELK PARK DRIVE, SUITE 707
ASHEVILLE, NC 28804
PHONE: 828-251-7025
NC FIRM #C-3106 | SC COA #4052

NOTES

- THE PROPERTY OR PROPERTIES DISPLAYED WERE SURVEYED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT SHOW ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, ENCUMBRANCES, ETC. (WRITTEN OR UNWRITTEN) THAT WOULD BE REVEALED BY A CURRENT AND THOROUGH EXAMINATION OF TITLE BY A NC LICENSED ATTORNEY AT LAW. THIS SURVEY SHALL NOT BE CONSIDERED A CERTIFICATION OF OWNERSHIP, ZONING, TITLE, OR GUARANTEE THAT THE SUBJECT IS FREE FROM ENCUMBRANCES.
- ADJOINING PROPERTY OWNER INFORMATION TAKEN FROM THE HENDERSON COUNTY GIS WEBSITE AND DEEDS AND PLATS OF RECORD AS NOTED.
- AREA SHOWN HEREON WAS COMPUTED BY THE COORDINATE METHOD.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US FEET UNLESS OTHERWISE NOTED.
- THESE PROPERTIES ARE ZONED R-20 BY CITY OF HENDERSONVILLE. HAVING SETBACKS AS FOLLOWS: FRONT = 35', SIDE = 15', REAR = 20' (SETBACKS NOT PLOTTED). PLEASE REFER TO THE CITY OF HENDERSONVILLE ZONING ORDINANCE FOR ALL REGULATIONS APPLICABLE TO THE SUBJECT PROPERTY.
- BY GRAPHICAL LOCATION, PORTIONS OF THE PROPERTY IS SHOWN AS LYING OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP NO. 3700566600J, EFFECTIVE DATE: 10/22/08.
- THIS SURVEY IS SUBJECT TO ANY AND ALL UNDERGROUND UTILITIES THAT MAY EXIST. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED SOLELY ON ABOVE GROUND STRUCTURES AND APPURTENANCES. THIS SURVEYOR MAKES NO CERTIFICATION TO THE EXISTENCE/NON-EXISTENCE OF UNDERGROUND UTILITIES, STORAGE FACILITIES, OR OTHER UNDERGROUND STRUCTURES AND LINES. DIAL 811 BEFORE DIGGING.
- ANY STREAMS, CREEKS, PONDS, LAKES, WETLANDS, ETC. LOCATED ON THIS PROPERTY, SHOWN OR NOT SHOWN HEREON, MAY BE SUBJECT TO BUFFER AREAS. IT IS THE OWNER/DEVELOPERS RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY PROFESSIONALS AUTHORIZED BY THE PROPER AUTHORITIES TO MAKE THESE DETERMINATIONS.
- CONTOUR INTERVAL = 2 FOOT
- PLAT IS NOT PREPARED FOR RECORDING IN ACCORDANCE WITH G.S. 47-30.
- PER THE OFFICIAL ZONING MAP OF HENDERSONVILLE NO. PINS 9569-85-1398 & 9569-85-3178 ARE NOT LOCATED WITHIN THE CITY LIMITS OF HENDERSONVILLE AND ARE LOCATED WITHIN THE EXTRA TERRITORIAL JURISDICTION.
- SEEK LEGAL COUNSEL FOR DETERMINATION OF DUKE POWER RIGHT OF WAY. SEE DUKE PLANS - DRAWER K FOLDER 3 FOR DETAILS (INFO TAKEN FROM DUKE PLANS - DRAWER U FOLDER 8).



LINE	BEARING	DISTANCE
L1	S 64°54'34" W	21.51'
L2	S 39°11'21" E	38.26'
L3	S 83°15'57" W	20.02'

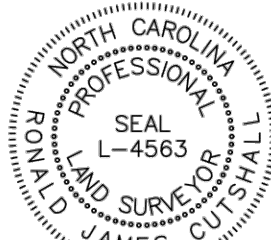
TIE LINES ONLY

I, RONALD JAMES CUTSHALL, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS GROUND SURVEY WAS PERFORMED AT THE 95% PERCENT CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO MEET THE REQUIREMENTS FOR A TOPOGRAPHIC / PLANIMETRIC SURVEY TO THE ACCURACY OF CLASS AA AND VERTICAL ACCURACY WHEN APPLICABLE TO THE CLASS C STANDARD; AND THAT THE ORIGINAL DATA WAS OBTAINED ON 07/01/21-07/02/21; THAT THE SURVEY WAS COMPLETED ON 07/14/21; THAT CONTOURS SHOWN AS SOLID LINES MAY NOT MEET THE STATED STANDARD, AND ALL COORDINATES ARE BASED ON NAD 83 (NSRS 2011) AND ALL ELEVATIONS ARE BASED ON NAVD 88.

Ronald James Cutshall

RONALD JAMES CUTSHALL, P.L.S.

L-4563



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 478 PAGE 227, DEED BOOK 1424 PAGE 578); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN DEED BOOK N/A, PAGE N/A; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 5B.1600), MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL ON THIS DATE: 07/15/2021

Ronald James Cutshall

RONALD JAMES CUTSHALL, P.L.S.

L-4563

REFERENCES:

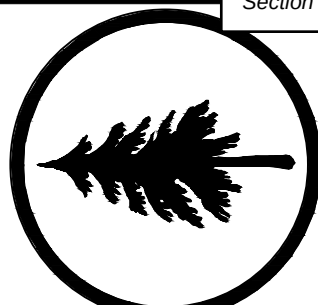
ESTATE FILE 18E PG 780
DB 478 PG 227
DB 1424 PG 578
SL 5548
SL 10082
SL 10083



BOUNDARY AND TOPOGRAPHICAL SURVEY FOR: FIRST VICTORY, INC.

(OWNERS OF RECORD: CLAUDIA MURIEL BROWN HEIRS - TRACT 1)
& TOMMY S. & DONNA M. FAIR - TRACT 2)
HENDERSONVILLE TOWNSHIP, HENDERSON COUNTY, NC

SITE SURVEY
NOT TO SCALE



HIGH COUNTRY ENGINEERING, P.C.
111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040
NC FIRM NO.: C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION	
Issue 1 - Submit to City of Hendersonville for Review	
Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)	
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DATE	BY	APP
6/4/2021	A	A
6/10/2021	A	A
8/6/2021	B	B
8/22/2021	B	B

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:
**EXISTING CONDITIONS,
TREE SURVEY, &
DEMOLITION PLAN**

PROJECT NO.
FVC011

DATE:
8/25/2021

ISSUE NO. B-2

SHEET NO.

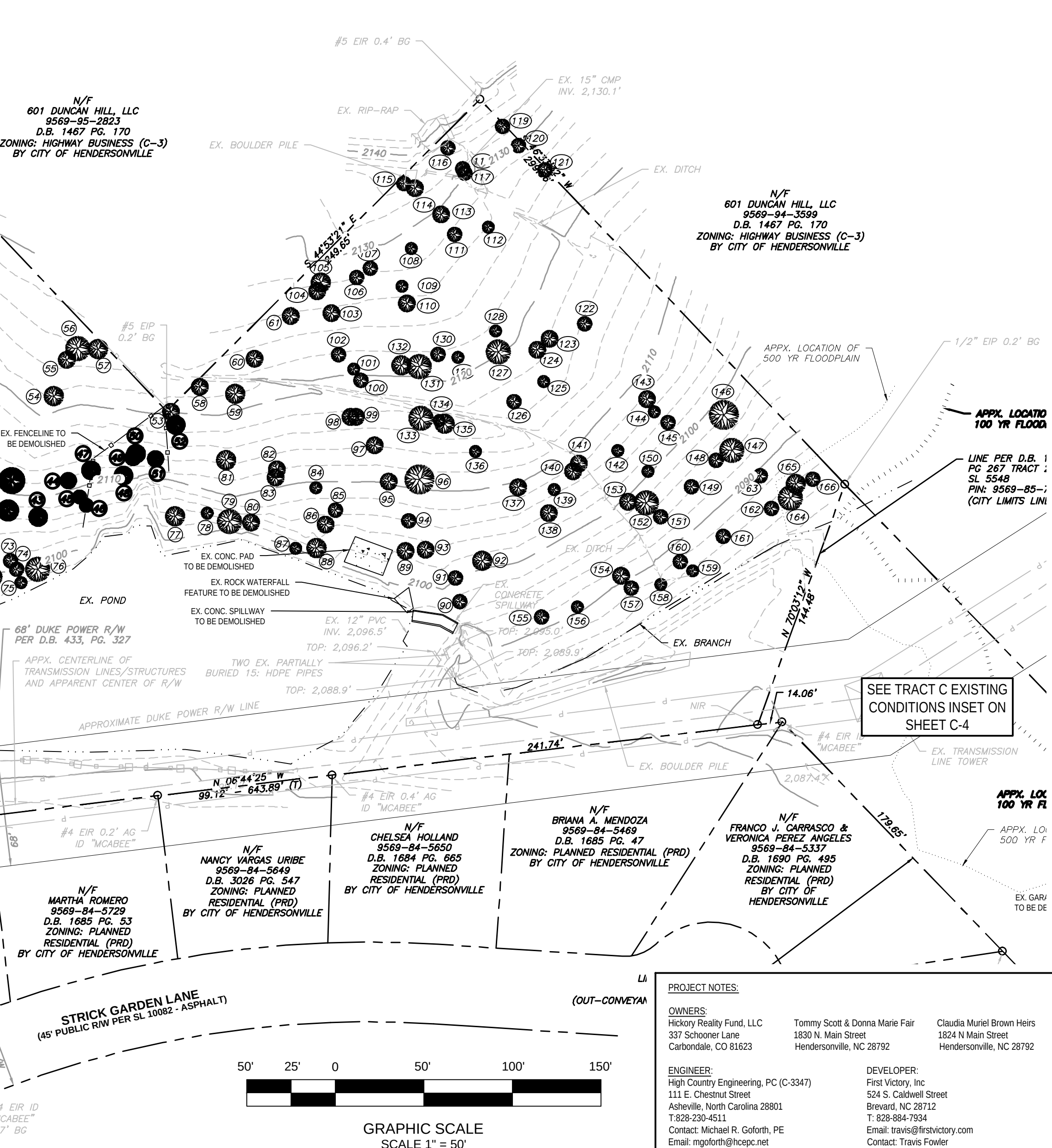
C-4

of

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EXISTING TREE INFORMATION TABLE									
TREE #	DIAMETER & TREE SPECIES	TREE #	DIAMETER & TREE SPECIES	TREE #	DIAMETER & TREE SPECIES	TREE #	DIAMETER & TREE SPECIES	TREE #	DIAMETER & TREE SPECIES
1	14" MAPLE	26	13" PINE	51	18" OAK	76	36" PINE	101	14" OAK
2	27" PINE	27	12" PINE	52	23" POPLAR	77	28" POPLAR	102	18" OAK
3	25" PINE	28	23" COTTONWOOD	53	20" MAPLE	78	13" POPLAR	103	24" OAK
4	27" PINE	29	14" POPLAR	54	29" PINE	79	36" PINE	104	21" OAK
5	18" POPLAR	30	30" OAK	55	24" OAK	80	20" OAK	105	26" OAK
6	18" POPLAR	31	32" PINE	56	30" OAK	81	28" OAK	106	18" OAK
7	16" POPLAR	32	18" OAK	57	28" MAPLE	82	20" POPLAR	107	16" OAK
8	14" POPLAR	33	28" OAK	58	20" MAPLE	83	24" POPLAR	108	12" OAK
9	18" POPLAR	34	25" OAK	59	27" OAK	84	14" OAK	109	14" MAPLE
10	12" POPLAR	35	26" PINE	60	24" OAK	85	19" OAK	110	22" OAK
11	32" POPLAR	36	16" MAPLE	61	22" POPLAR	86	23" PINE	111	18" OAK
12	20" MAPLE	37	16" MAPLE	62	30" POPLAR	87	14" HICKORY	112	12" HICKORY
13	12" PINE	38	32" OAK	63	12" OAK	88	29" PINE	113	20" OAK
14	16" PINE	39	23" OAK	64	12" OAK	89	24" POP	114	20" MAPLE
15	18" PINE	40	33" PINE	65	23" PINE	90	18" OAK	115	17" OAK
16	18" POPLAR	41	25" OAK	66	14" PINE	91	16" OAK	116	19" OAK
17	18" POPLAR	42	36" PINE	67	20" PINE	92	27" POPLAR	117	16" OAK
18	24" PINE	43	22" POPLAR	68	24" PINE	93	23" OAK	118	18" OAK
19	36" POPLAR	44	16" OAK	69	12" COTTONWOOD	94	17" OAK	119	15" POPLAR
20	18" POPLAR	45	13" OAK	70	18" OAK	95	21" POPLAR	120	15" POPLAR
21	18" POPLAR	46	13" OAK	71	19" OAK	96	40" PINE	121	15" POPLAR
22	18" OAK	47	20" POPLAR	72	23" POPLAR	97	20" OAK	122	15" HICKORY
23	18" OAK	48	24" OAK	73	16" OAK	98	24" OAK	123	20" OAK
24	32" OAK	49	17" OAK	74	16" OAK	99	22" OAK	124	20" OAK
25	15" PINE	50	24" OAK	75	12" OAK	100	16" OAK	125	14" OAK



PROJECT NOTES:

OWNERS:
Hickory Realty Fund, LLC
337 Schooner Lane
Carrboro, NC 27513

DEVELOPER:
First Victory, Inc.
524 S. Caldwell Street
Brevard, NC 28712
T: 828-884-7934
Email: travis@firstvictory.com
Contact: Travis Fowler

1. Property located in City of Hendersonville, North Carolina. Property address is 1828 N. Main Street, Hendersonville, NC 28792.

2. PIN NUMBER: 9569-85-7172, 9569-85-3434, 9569-83-4918, 9569-85-3178, 9569-85-1398

3. Zoning: Planned Commercial Development (PCD) by City of Hendersonville.

4. Deed Book: 1609 and Page 267; Deed Book: 1612 and Page 444; Deed Book: 1424 and Page 576; Deed Book: 18CT and Page 780.

5. Proposed use is for residential subdivision.

6. Project Coordinates: 35.337333° N, 82.459146° W

7. The receiving water course for this project is an Unnamed Tributary to Johnson Drainage Ditch. At the confluence, Johnson Drainage Ditch, Stream index 6-55-8, is a Class C water as classified by NCDEQ.

8. Total tract contains over ±20.22 acres.

9. Boundary & Topographical information obtained from survey by Ronald James Cutshall, PL S L-4563 of Cole Surveying & Design, PA and dated May 24th, 2021.

10. Contour interval is 2 feet.

11. This property is shown on F.I.R.M. panel number 37009696001, dated October 2, 2008 and a portion of the property is located within a special flood hazard zone "X" or "AE".

12. The location of underground utilities shown is approximate based on surface field evidence and information supplied by utility agencies. The survey makes no certification as to the completeness of the locations shown herein. Appropriate utility companies should be contacted for verification of locations prior to any construction activity.

13. The contractor shall verify the invert elevations of all existing storm and sanitary sewer structures prior to commencement of storm and sanitary sewer construction.

14. Contractor shall notify the engineer and owner/developer of any information found in the field that is different from what is shown on these design plans.

TREE DATA

TREES PRESERVED:	125
TREES REMOVED:	71
TOTAL NUMBER OF TREES:	196

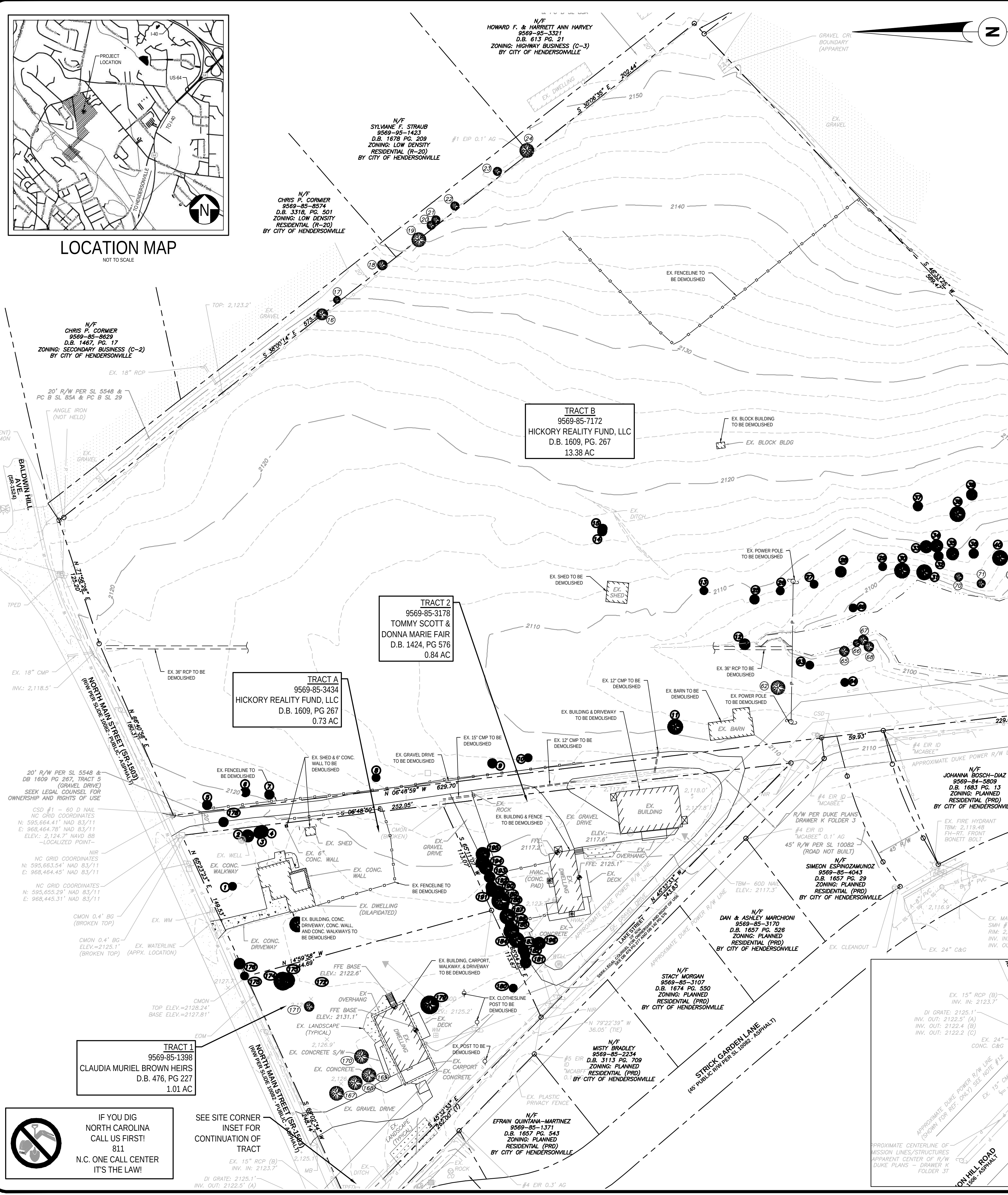
TREE SURVEY LEGEND

= EXISTING TREE TO BE PRESERVED

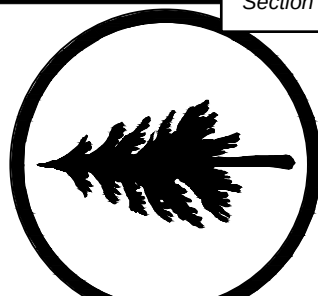
= EXISTING TREE TO BE REMOVED

SITE CORNER INSET

SCALE: 1"=50'

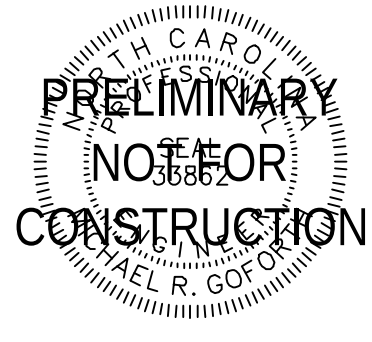


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111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040

NC FIRM NO.: C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION

#	DATE	REVISION DESCRIPTION
A	6/4/2021	Issue 1 - Submit to City of Hendersonville for Review
A	6/12/2021	Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
A	8/6/2021	Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
B	8/22/2021	Issue 2 - Address City of Hendersonville Preliminary Plan Comments

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

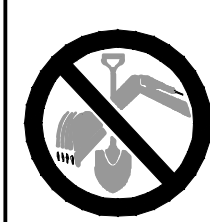
SHEET TITLE:
**EXISTING CONDITIONS
& ADDITIONAL SITE
INFORMATION**

PROJECT NO.
FVC011

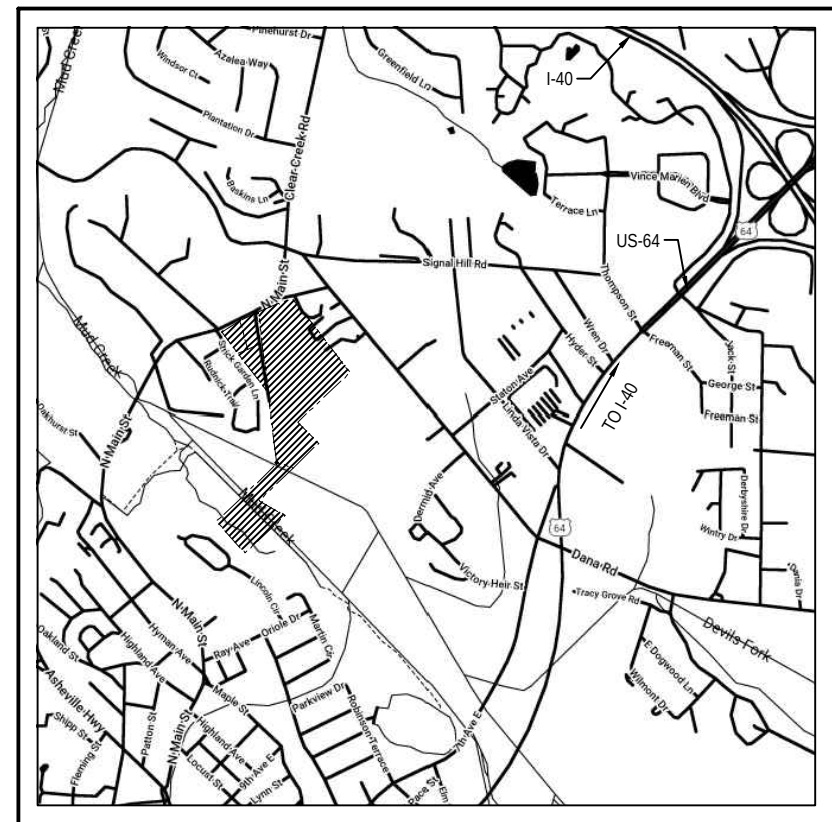
DATE:
8/25/2021
ISSUE No. B-2

SHEET NO.
C-5

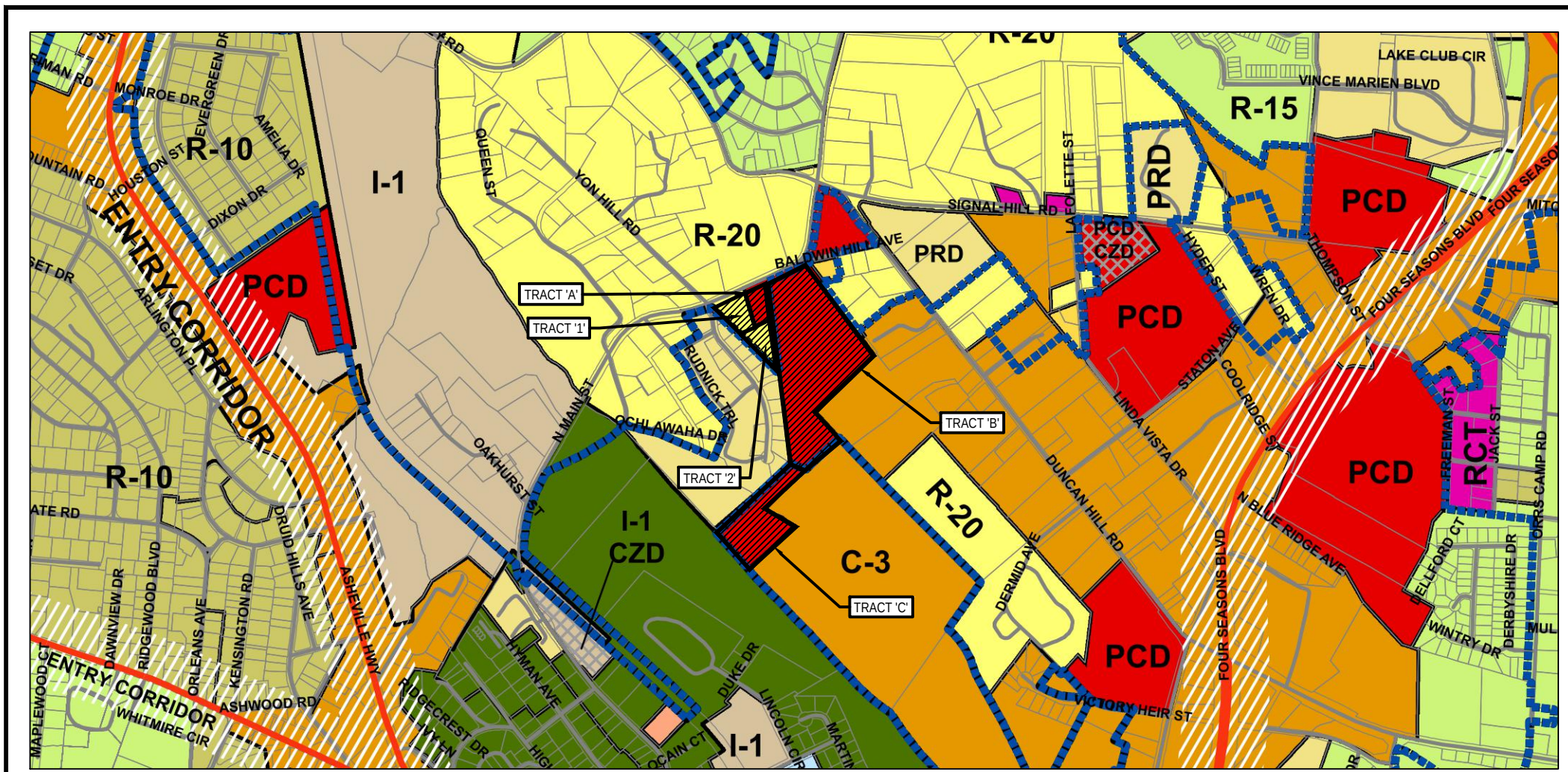
of
9



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LOCATION MAP
NOT TO SCALE

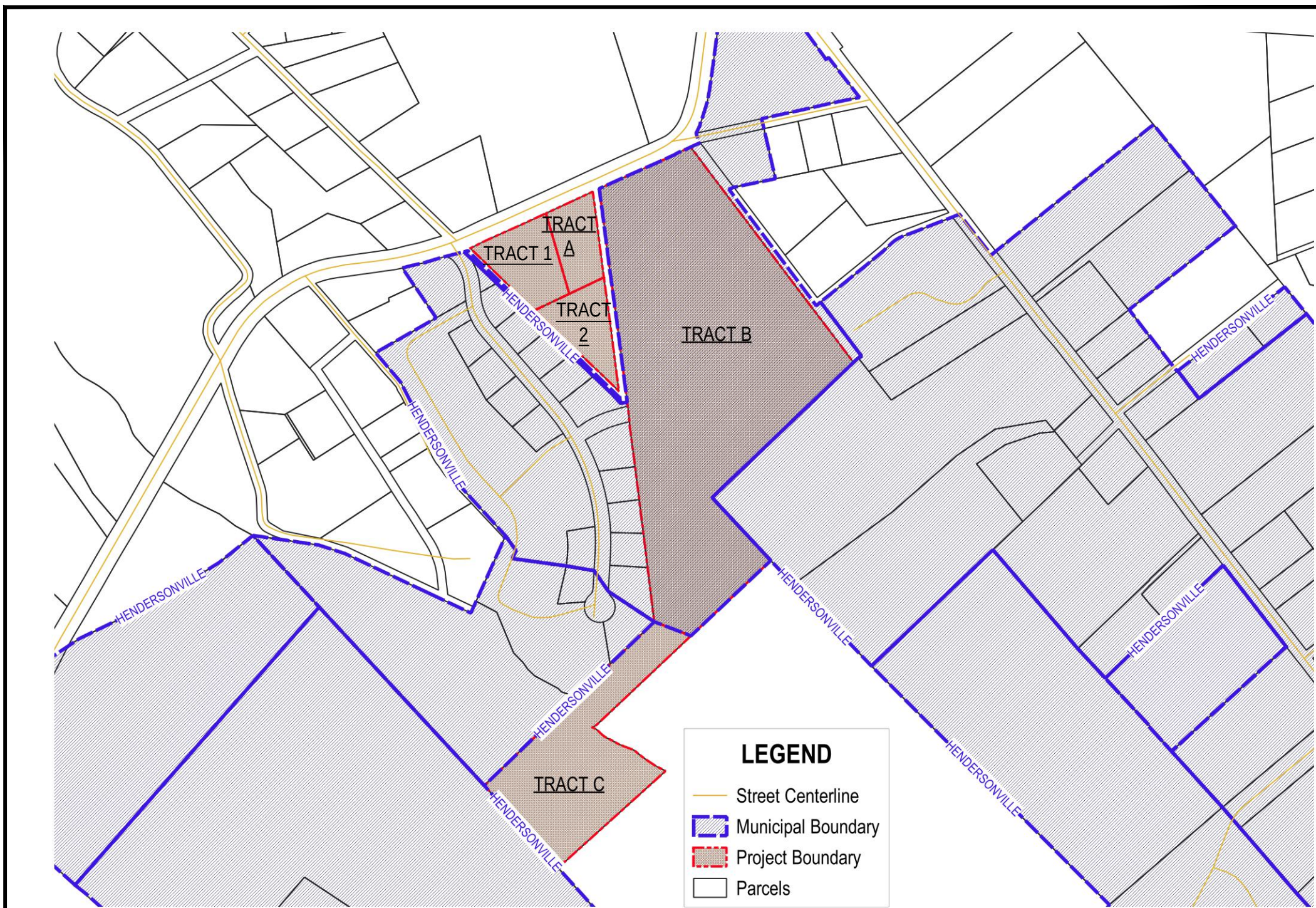


City of Hendersonville
Planning Jurisdiction Zoning Classification Districts

R-40 Estate Residential	C-4 Neighborhood Commercial
R-20 Low Density Residential	C-3 Highway Business
R-15 Medium Density Residential	G-3SU Highway Business Special Use
R-10 Medium Density Residential	C-2 Secondary Business
R-6 High Density Residential	C-2SU Secondary Business Special Use
R-6SU High Density Residential Special Use	C-1 Central Business
PRD Planned Residential	C-1SU Central Business Special Use
DWH Drust Hills Historic Overlay District	CHMU Commercial Highway Mixed Use
HHH Hyman Heights Historic Overlay District	CMU Central Mixed Use
MSH Main Street Historic Overlay District	CMUSU Central Mixed Use Special Use
UV Urban Village	PCD Planned Commercial
UR Urban Residential	PCD-SU Planned Commercial Special Use
RCT Residential Commercial Transition	GHMU Greenville Highway Mixed Use
MIC Medical, Institutional, Cultural	GHMUSU Greenville Highway Mixed Use Special Use
MIC-SU Medical, Institutional, Cultural, Special Use	HMU Highway Mixed Use
PID Planned Institutional	I-1 Industrial
PMH Planned Manufactured Housing	PRM Planned Manufacturing
	CZD Conditional Zoning Districts*

*See Development Assistance Department for Project File

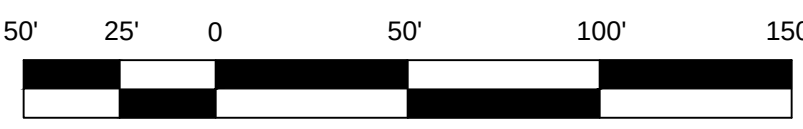
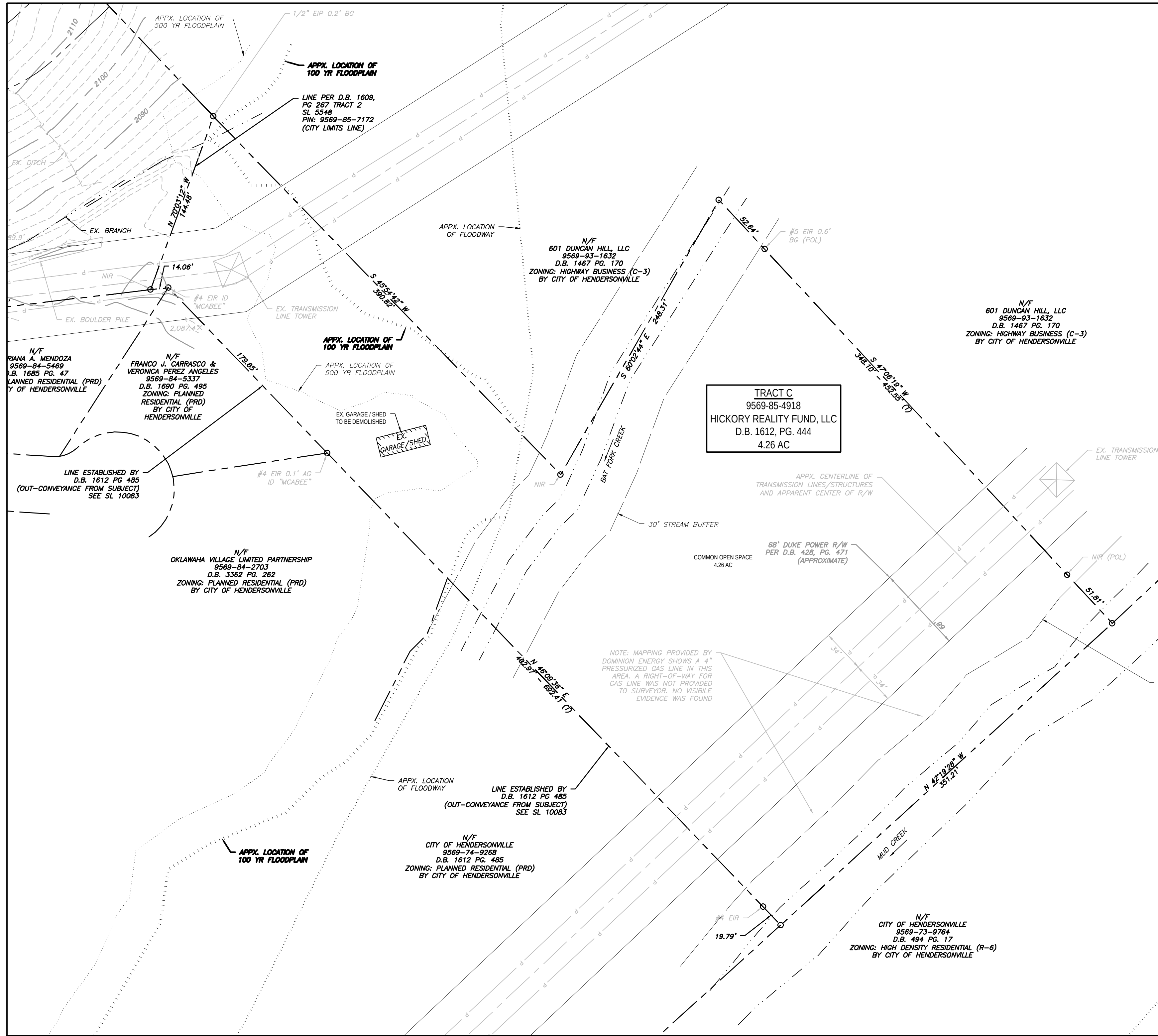
ZONING MAP
NOT TO SCALE



LEGEND

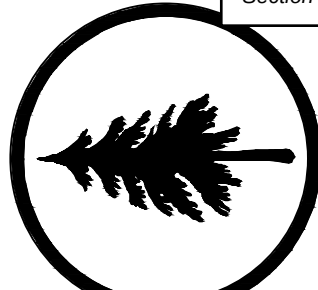
—	Street Centerline
—	Municipal Boundary
—	Project Boundary
—	Parcels

HENDERSONVILLE CITY LIMITS MAP
NOT TO SCALE



GRAPHIC SCALE
SCALE 1" = 50'

TRACT C EXISTING CONDITIONS MAP
SCALE: 1"=50'



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111 E. CHESTNUT STREET
ASHEVILLE, NORTH CAROLINA 28801
T: 828.230.4511
F: 828.348.5040

NC FIRM NO.: C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION

DATE	BY	DESCRIPTION
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6/12/2021	A	Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
8/6/2021	B	Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
8/22/2021	B	Issue 2 - Address City of Hendersonville Preliminary Plan Comments

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:

SITE PLAN

PROJECT NO.

FVC011

DATE:

8/25/2021

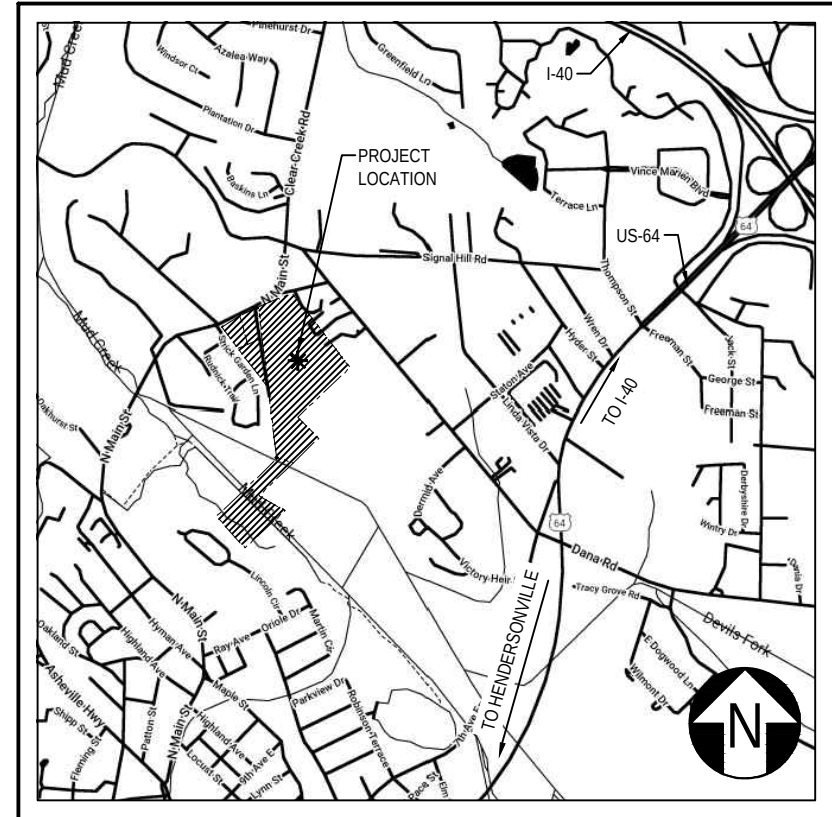
ISSUE NO. B-2

SHEET NO.

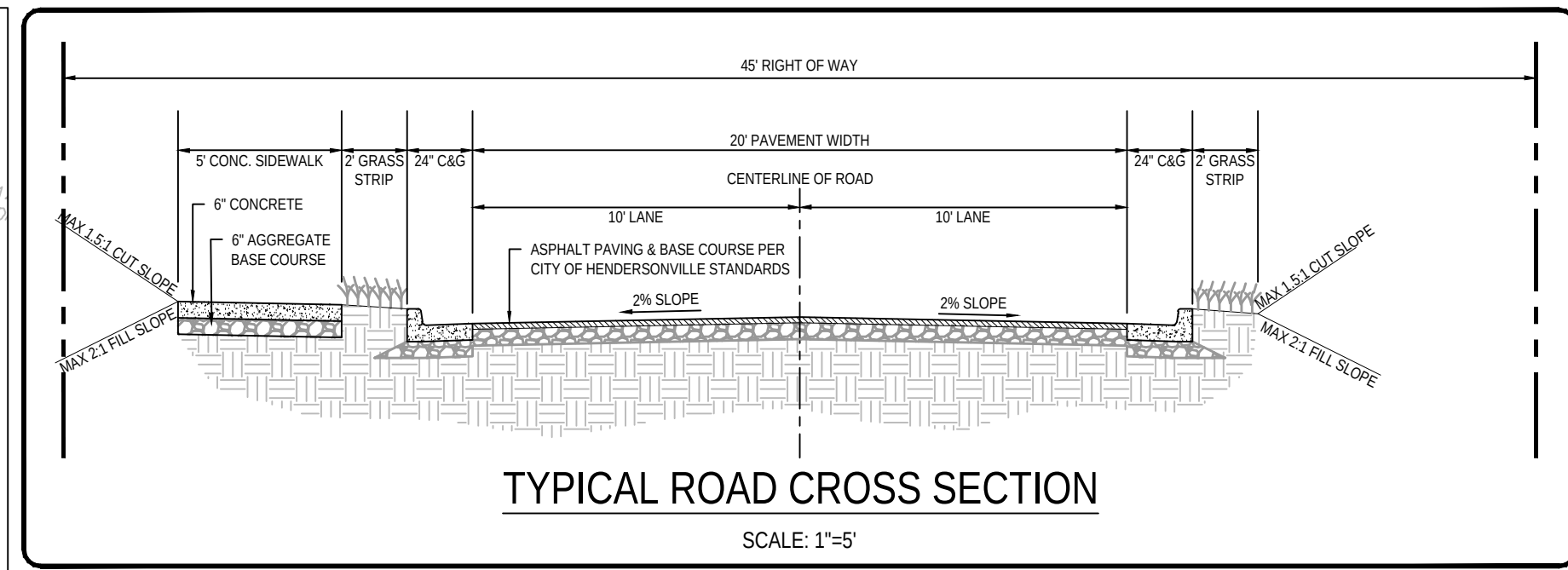
C-6

of

9



LOCATION MAP
NOT TO SCALE



TYPICAL ROAD CROSS SECTION

SCALE: 1"=5'

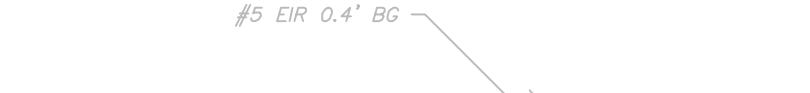
DEVELOPER REQUESTED CONDITIONS:

The rear setback to equal 20 feet for all single family residential lots regardless of adjacent property uses or zoning. The single family lots around the exterior of the parcel have a 20 feet wide setback.

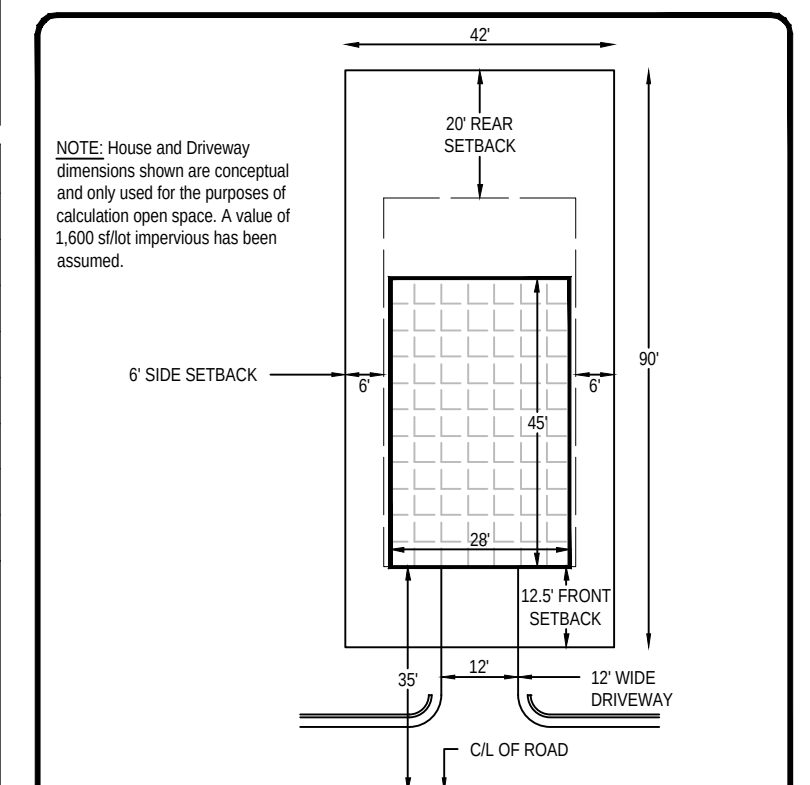
PARKING AND DRIVEWAYS:

Each single family residential lot will have a one car garage, a two car garage and/or adequate exterior parking within the lot for two cars. Exterior parking spaces will have the minimum dimensions of 9'x18' per space.

Driveway alignment and spacing will be shown on subsequent plans for City of Hendersonville approval (ie. Final Site Plan Approval). Consideration will be given for adequate driveway alignment and spacing between adjacent driveway connections to allow for on-street parking.



GRAPHIC SCALE
SCALE 1" = 50'



TYPICAL LOT LAYOUT

SCALE: 1"=30'

SITE DATA		
	AREA	% OF SITE
TOTAL PROJECT AREA:	20.22 AC	N/A
BUILDINGS:	3.42 SF	16.91%
OPEN SPACE:	14.49 AC	71.66%
STREETS & PARKING:	1.91 AC	9.45%
SIDEWALKS:	0.40 AC	2.00%
COMMON OPEN SPACE:	8.11 AC	40.11%
PROJECT DENSITY:	4.6 UNITS / AC	

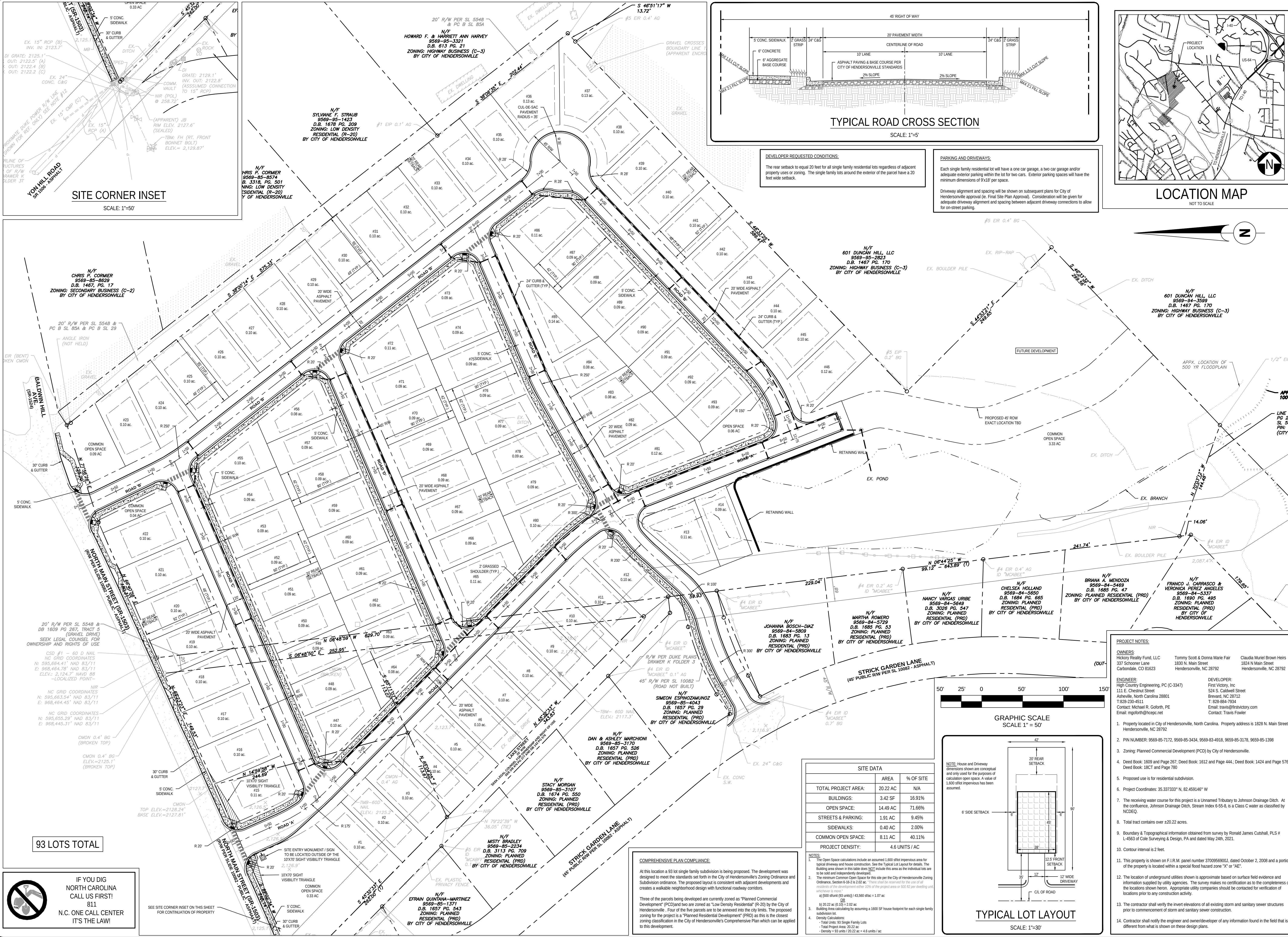
NOTES:

- The Open Space calculations include an assumed 1,000 sqft riparian area for typical driveway and house construction. See the Typical Lot Layout for details. The Building area shown in this table does NOT include this area as the individual lots are to be sold and independently developed.
- The minimum Common Open Space for this site per the City of Hendersonville Zoning Ordinance, Section 6-16-2 is 2.02 ac. This shall be reserved for the use of all residents of the development either 20% of the project area or 500 sq ft per dwelling unit, whichever is greater.
- Building Area calculating by assuming a 1000' house footprint for each single family subdivision lot.
- Density Calculations:
 - Total Units: 93 Single Family Lots
 - Total Project Area: 20.22 ac
 - Density = 93 units / 20.22 ac = 4.6 units / ac

COMPREHENSIVE PLAN COMPLIANCE:

At this location a 93 lot single family subdivision is being proposed. The development was designed to meet the standards set forth in the City of Hendersonville's Zoning Ordinance and Subdivision Ordinance. The proposed layout is consistent with adjacent developments and creates a walkable neighborhood design with functional roadway corridors.

Three of the parcels being developed are currently zoned as "Planned Commercial Development" (PCD) and two are zoned as "Low Density Residential" (R-20) by the City of Hendersonville. Four of the five parcels are to be annexed into the city limits. The proposed zoning for the project is a "Planned Residential Development" (PRD) as this is the closest zoning classification in the City of Hendersonville's Comprehensive Plan which can be applied to this development.



SITE CORNER INSET

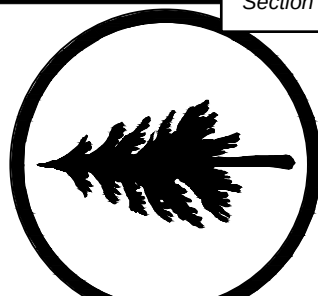
SCALE: 1"=50'

93 LOTS TOTAL



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SEE SITE CORNER INSET ON THIS SHEET
FOR CONTINUATION OF PROPERTY



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F: 828.348.5040
NC FIRM NO.: C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
for
FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

REVISION DESCRIPTION

Issue 1 - Submit to City of Hendersonville for Review	Issue 2 - Submit Revised Tree Survey to City of Hendersonville (Sheet C-3)
Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review	Issue 1 - Submit Revised Plan Set to City of Hendersonville for Review
Issue 2 - Address City of Hendersonville Preliminary Plan Comments	

DATE	BY	DESCRIPTION
6/4/2021	A	
6/12/2021	A	
8/6/2021	B	
8/22/2021	B	

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:
**GRADING,
STORMWATER, &
UTILITY PLAN**

PROJECT NO:
FVC011

DATE:
8/25/2021

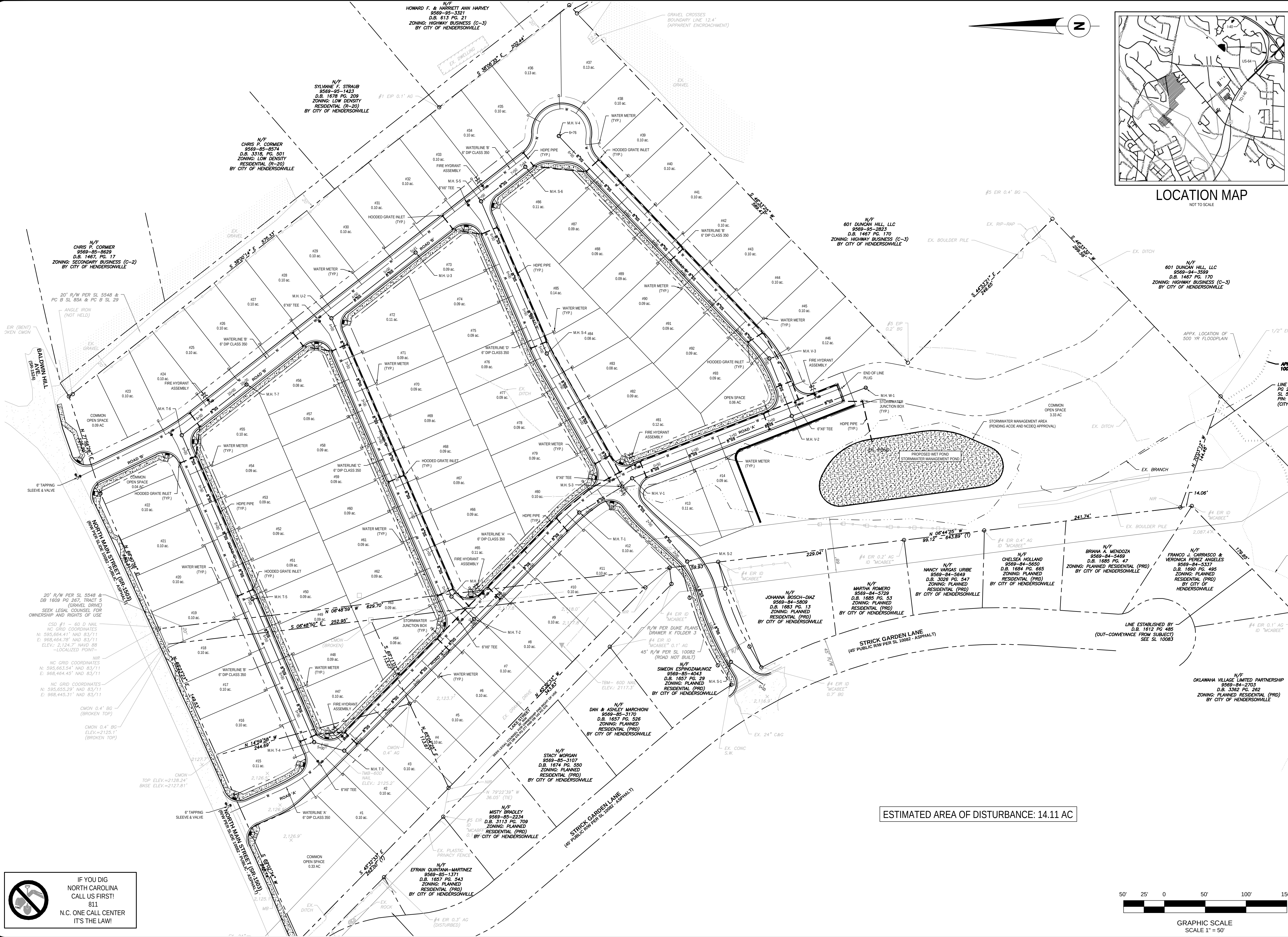
ISSUE No. B-2

SHEET NO.
C-7

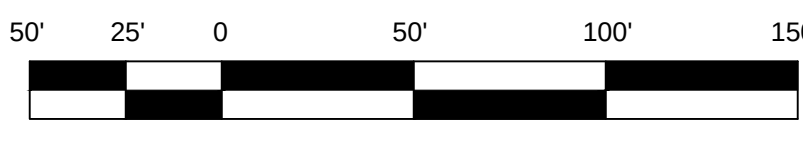
of
9



LOCATION MAP
NOT TO SCALE

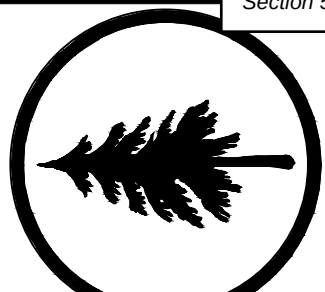


ESTIMATED AREA OF DISTURBANCE: 14.11 AC



GRAPHIC SCALE
SCALE 1" = 50'

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NC FIRM NO.: C-3347



PRELIMINARY SUBDIVISION PLANS FOR
PROVIDENCE WALK
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FIRST VICTORY, INC.
City of Hendersonville
Henderson County, North Carolina

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PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:
**LANDSCAPE &
RESOURCE
LAYOUT PLAN**

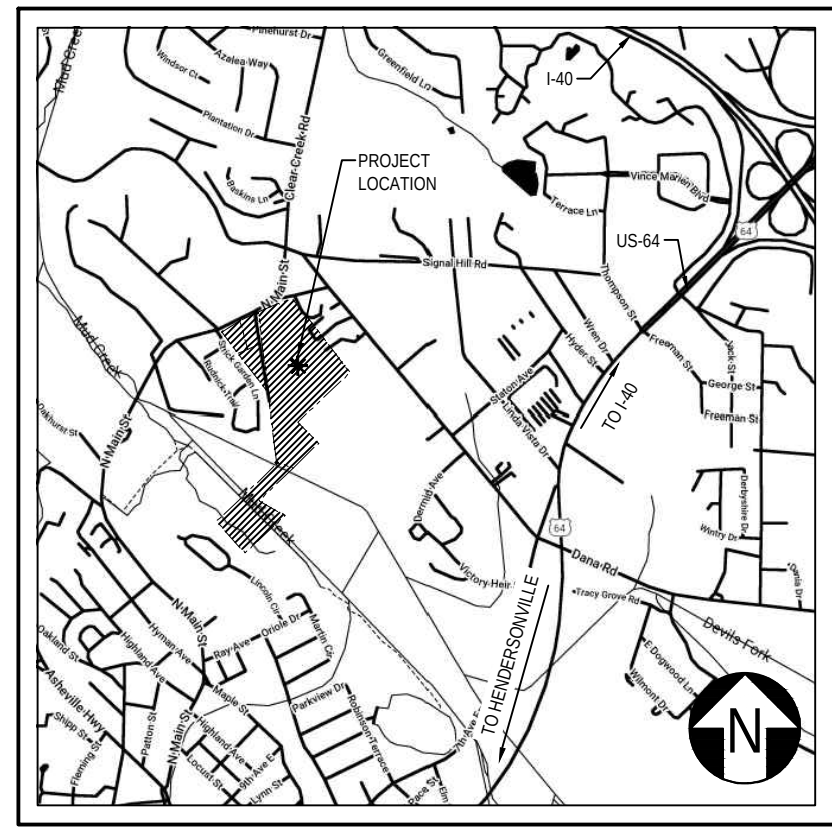
PROJECT NO:
FVC011

DATE:
8/25/2021

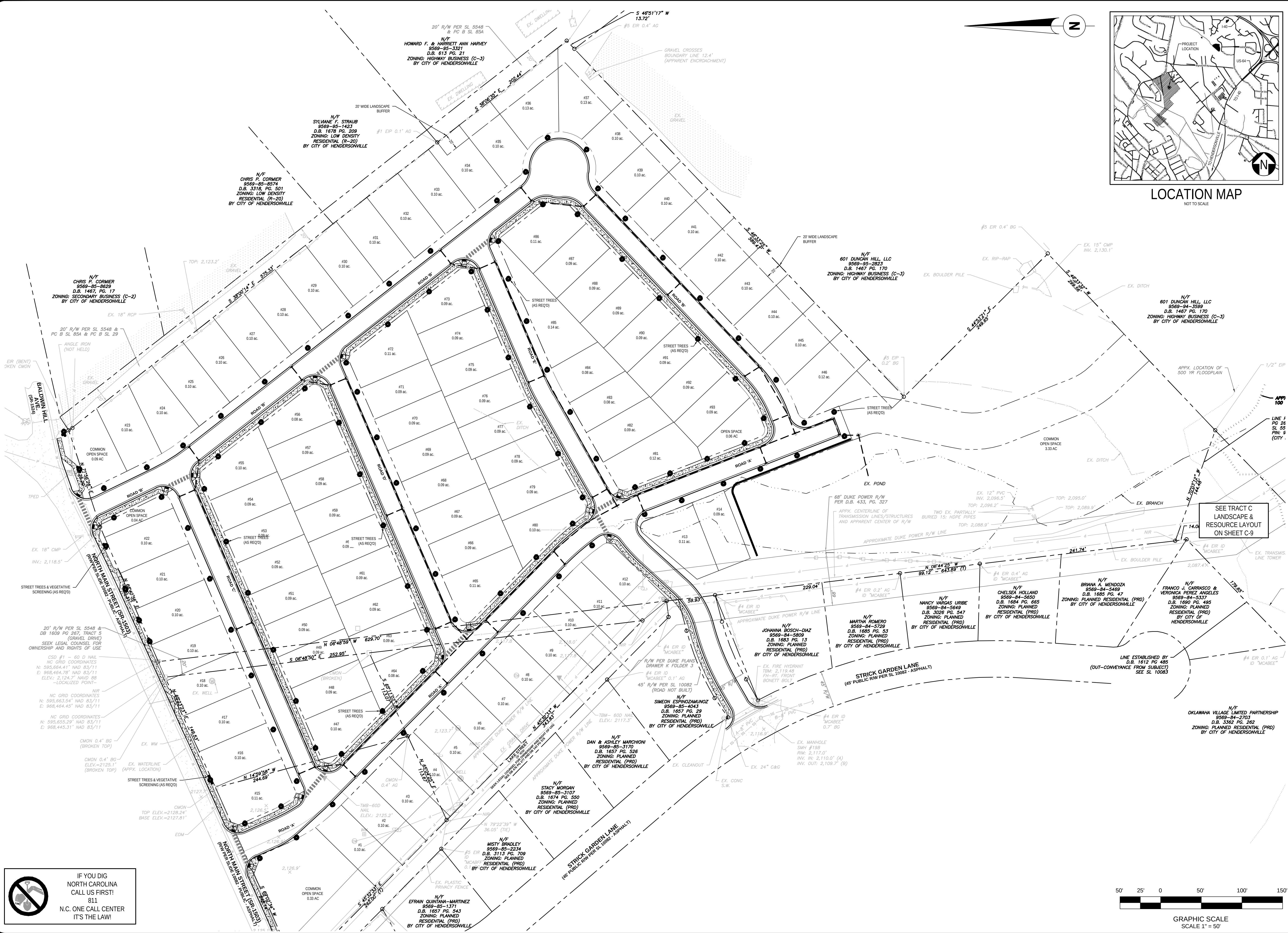
ISSUE No. B-2

SHEET NO.
C-8

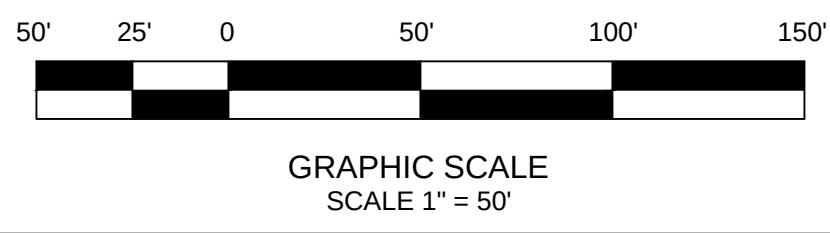
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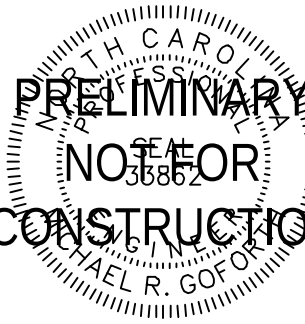
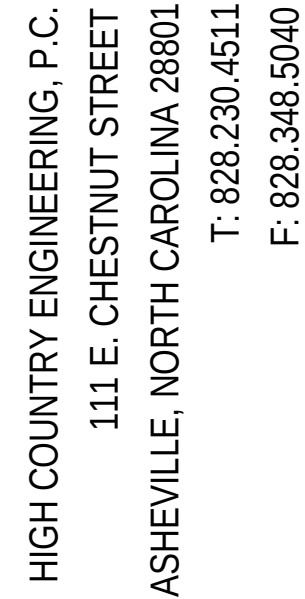


LOCATION MAP
NOT TO SCALE



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PRELIMINARY SUBDIVISION PLANS FOR

PROVIDENCE WALK

for
FIRST VICTORY, INC

City of Hendersonville
Henderson County, North Carolina

[illegible]

PROJECT NAME:

PROVIDENCE WALK

City of Hendersonville
Henderson County, NC

SHEET TITLE:

LANDSCAPE &
RESOURCE
LAYOUT PLAN

PROJECT NO.

FVC011

404

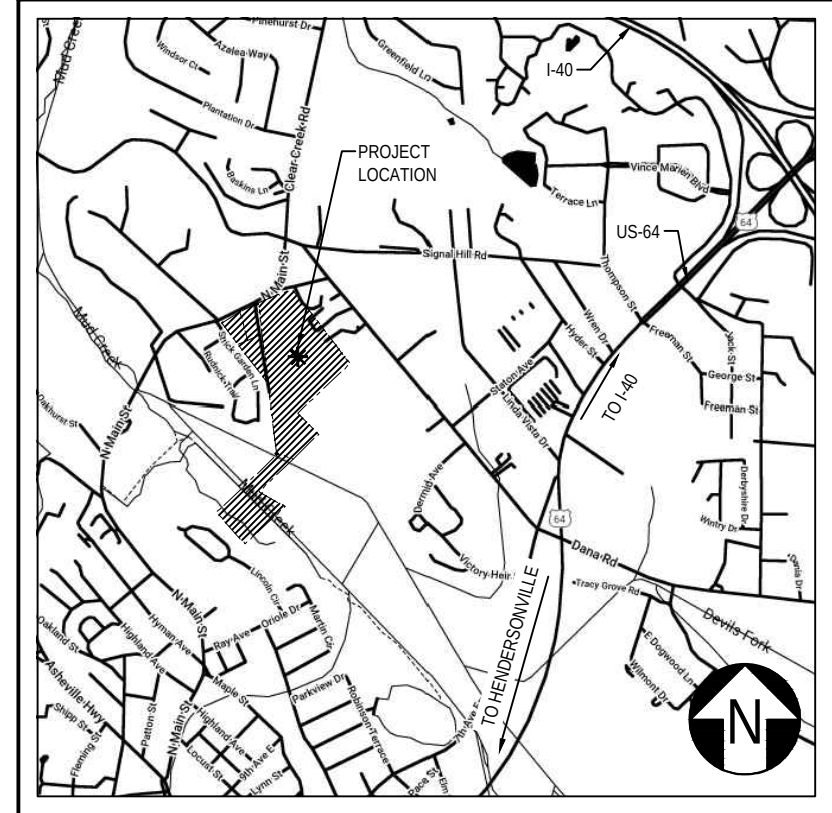
8/25/2021

ISSUE No. B-2

SHEET NO.

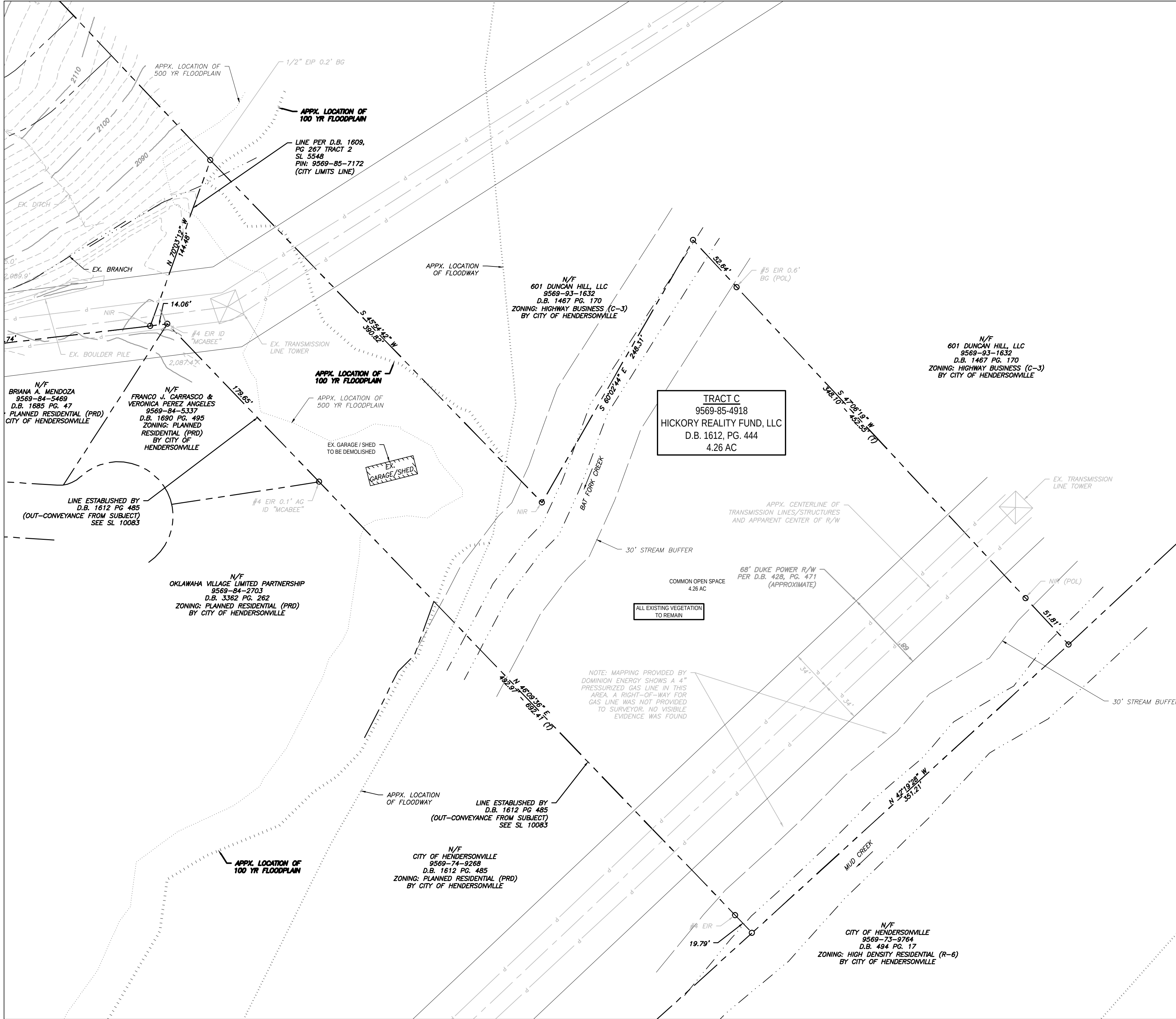
C-9

9



LOCATION MAP

NOT TO SCALE

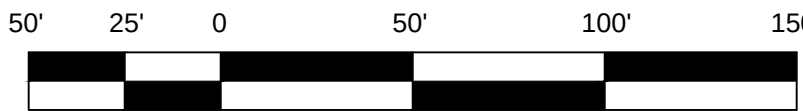


TRACT C LANDSCAPE & RESOURCE LAYOUT PLAN

SCALE: 1"=50'



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GRAPHIC SCALE
SCALE 1" = 50'

Entry #: 18

Date Submitted: 5/5/2021 5:14 PM

Date:
5/5/2021Name of Project
Providence Place

Address/Location of Property

List 10 digit PIN or 7 digit PID number for each property
9569853434, 9569857172, 9569834918Check type of Development
ResidentialCurrent Zoning
PCDProposed Zoning
CZDList requested uses
A mix of single family homes and apartment buildingsTotal Acreage
17.46

Proposed Building Sq. ft.

Dwelling Units
100

Conceptual Plan

Hville_2021-03-22_Prelim Site Plan.pdf
732.69 KB

Conditional Zoning District Petition (Continued)

Proposed conditions for the site:

The site will have 72 single family home lots with 4 apartment buildings with a total of 28 apartment homes. The apartment homes will consist of a mix of two bedroom and three bedroom units. Parking will be provided for the apartment buildings. All roadway corridors will meet City specifications and there will be sidewalk access throughout the project.

It is important that the applicant consider the following factors. See Section 11-4 of the Zoning Ordinance for more information. Please use additional pages and/or attachments if necessary.

Explain consistency with the City's Comprehensive Plan:

The parcel is currently zoned PCD however we are proposing all residential development. Chapter 8 of the City's Comprehensive Plan identifies this property as Single Family Residential. Our project is majority single family residential.

Explain compatibility with surrounding land uses:

The parcels surrounding this parcel are a mix of C-3, R-20 and PRD. This project has a proposed density of 5.7 units/acre and would fit as a transitional zoning between the C-3 and R-20.

Explain whether changed conditional require a map amendment:

This change would require a map amendment and the zoning would be tied to the development permanently.

Explain how the petition is in the public interest:

The neighborhood will be compatible with the adjacent Oklawaha Village and the adjacent C-3 zoning district. Providing medium density housing in this area will be a benefit between both current land uses.

Explain whether adequate public facilities are available:

No public facilities will be required.

Explain the impact the petition would have on the natural environment:

The site will be developed with keeping the flood plain on the property untouched and allowing leaving as much of the existing buffer landscaping as possible. The impervious surface increase will require a stormwater management feature which will meet the City's requirements to properly handle the additional runoff.

Additional information:

N/A

Note additional approvals prior to issuance of Zoning Compliance Permit may include, but are not limited to:

- 1. Henderson County Sedimentation & Erosion Control Permit**
- 2. Stormwater management plan**
- 3. Utility approval**
- 4. NCDOT permit**
- 5. Any other applicable permits as determined by the Development Assistance Department**

Signature pages for Conditional Zoning District Petition**Designated Agent**

High Country Engineering, PC

Address

111 E. Chesnut Street, Asheville, North Carolina 28801

Phone

(828) 231-9380

Email

mgoforth@hcepc.net

Applicant Name

First Victory Construction, Inc.

Address

542 S. Caldwell Street, Brevard, North Carolina 28712

Phone**Signature**

EMAILED

Signature of the property owner acknowledges 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.

Property Owner Name

Hickory Reality Fund, LLC

Address

337 Schooner Lane, Carbondale, Colorado 81623

PID or PIN #

ALL SUBJECT PINS

Signature

Section 5, Item A.

EMAILED

Property Owner Name

Address

PID or PIN #

Signature

Signature pages for Conditional Zoning District Petition (continued)

Signature of the property owner acknowledges 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.

Property Owner Name

Address

PID or PIN #

Signature

Property Owner Name

Address

PID or PIN #

Signature

Property Owner Name

Address

PID or PIN #

Signature

City of Hendersonville
General Application
Applicant Signature Addendum

Section 5, Item A.

Application Information

Date of Application _____

Application Number _____

Name of Project Providence Walk Subdivision Phase # (if subdivision) 1

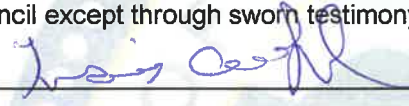
Parcel Identification Number(s) (PIN) 9569-85-7122, 9569-85-3434, 9569-83-4918

Additional Applicants: (Signature indicates intent that this page be affixed to Application.)

* Printed Name First Victory, Inc.

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature 

Title Chief Executive Officer Email travis@firstvictory.com

Address of Applicant 542 S. Caldwell Street, Brevard, NC 28712-5643

* Printed Name _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Applicant _____

* Printed Name _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Applicant _____

City of Hendersonville
General Application
Owner Signature Addendum

Section 5, Item A.

Application Information

Date of Application _____ Application Number _____
Name of Project Providence Walk Subdivision Phase # (if subdivision) 1
Parcel Identification Number(s) (PIN) 9569-85-7122, 9569-85-3434, 9569-83-4918

Additional Owners: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name Hickory Reality Fund, LLC

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

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature Donald Flaks

Title Managing Member Email donflaks@gmail.com

Address of Property Owner 337 Schooner Lane, Carbondale, CO 81623

* ^ Printed Name _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

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

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



CITY OF HENDERSONVILLE CITY COUNCIL AGENDA ITEM SUMMARY

SUBMITTER: Tyler Morrow **MEETING DATE:** 9-13-21

AGENDA SECTION: Public Hearing **DEPARTMENT:** Community Development Department

TITLE OF ITEM: Conditional Rezoning: Waterleaf at Flat Rock (P21-34-CZD) – *Tyler Morrow, Planner II*

SUGGESTED MOTION(S):

PLANNING BOARD- APPROVAL

I move Planning Board recommend that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (portion of PIN 9588-11-9994) from Henderson County Office Institutional Zoning District to City of Hendersonville Planned Residential development Conditional Zoning District based on the site plan submitted by the applicant and subject to the following:

Permitted Uses shall include:

- 1) Multi-family residential dwellings

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

- 1) The developer shall construct the rear access that connects to Upward Crossing Drive to City street standards and allow it to be used as an ingress and egress for residents.
- 2) To require the developer to plant trees 2 ½ inch caliper size trees rather than 1 ½ inch caliper size trees; to preserve as many trees as possible on the site; and to plant the number of trees as specified by the City's Zoning Ordinance.

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

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

1. Multi-family is a secondary use stated in the Land Use & Development Chapter (*Chapter 8 – LU-9.3*)
2. The development is in a priority growth area as described in the Land Use and development Chapter (Chapter 8 Section 8.3)
3. The development provides a type of housing that is underrepresented within the City. Outlined in the graphic in Chapter 8 Section 8.2

PLANNING BOARD– DENIAL

I move the Planning Board recommend that City Council deny the application to amend the official zoning map of the City of Hendersonville for the subject property for the following reasons:

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

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

SUMMARY:

The City is in receipt of a Conditional Rezoning application from Graycliff Capital Development LLC and Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Fleming for the development of a 264-unit multi-family development consisting of 15 total buildings. The property is current vacant and appears to have been used for agricultural uses in the past. The applicant is requesting to rezone the subject property from Henderson County Office Institutional to City of Hendersonville Planned Residential Development Conditional Zoning District..

The subject property was annexed into the City on September 2nd, 2021.

PROJECT/PETITIONER NUMBER: P21-34-CZD

PETITIONER NAME: Graycliff Capital Development LLC (applicant) and Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Fleming (Property Owners)

ATTACHMENTS:

Staff Report, Full Size Site plan, Full Size Landscaping Plan, Tree Survey, Tree Preservation Plan, Proposed Zoning Map, NCM Minutes, Ordinance, Application

Waterleaf at Flat Rock P21-34-CZD

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

Applicant: Graycliff Capital Development LLC

Property Owner: Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Fleming

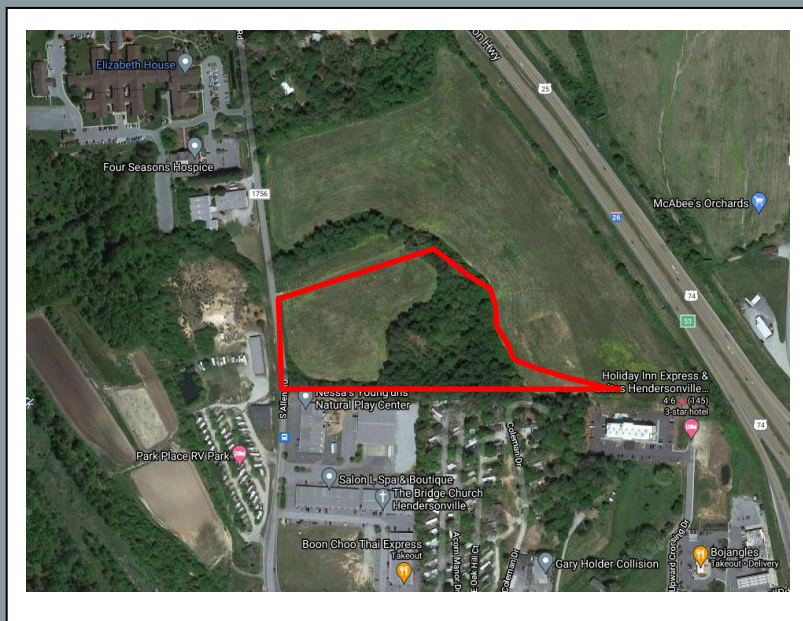
Property Address: No address- S. Allen Road

Project Acreage: 15.5 Acres

Parcel Identification Number(s): Portion of 9588-11-9994

Current Parcel Zoning: Henderson County Office Institutional

Neighborhood Compatibility Meeting: June 11, 2021



SITE VICINITY MAP

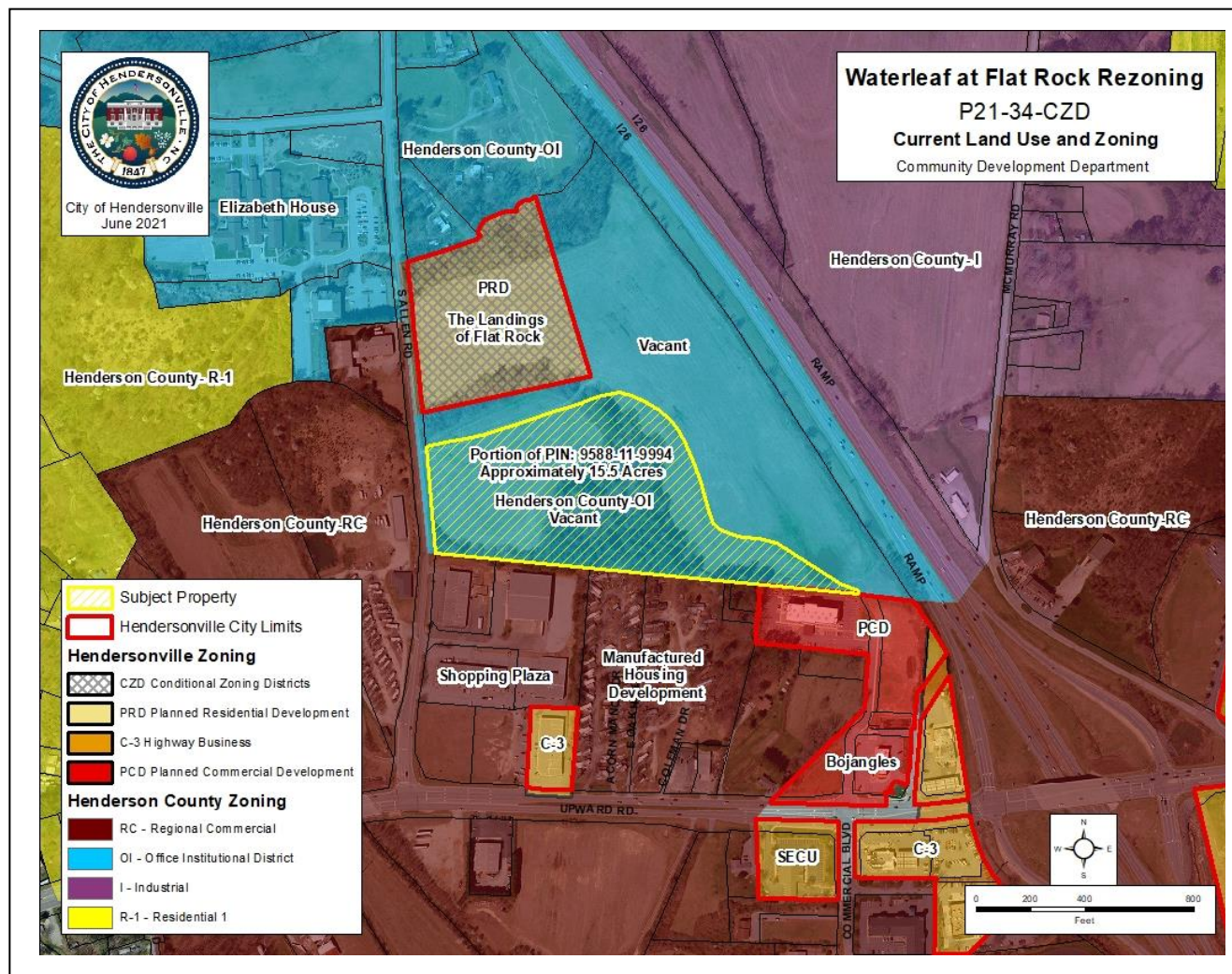
Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning application from Graycliff Capital Development LLC (applicant) and Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Fleming (property owners) for the development of a 264-unit multi-family development consisting of 15 buildings. The property is currently vacant and appears to have been used for agricultural uses in the past. The applicant is requesting to rezone the subject property from Henderson County Office Institutional to City of Hendersonville PRD-CZD (Planned Residential Development Conditional Zoning District).

Planned Residential Developments are not a by-right zoning district. All PRDs must go through the CZD process which involves a list of uses and potential conditions and a binding site plan.

This parcel was annexed into the City on September 2nd, 2021 for sewer access.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Existing Land Use and Zoning

Parcels to the north are zoned Henderson County Office Institutional and City of Hendersonville Planned Residential Development (The Landings of Flat Rock) and contain the Elizabeth House, Residential Uses and Blue Ridge Community College property. Parcels to the west are zoned Henderson County Regional Commercial and Residential 1 and contain various uses including Park Place RV Park. Parcels located to the south are zoned Henderson County Regional Commercial, City of Hendersonville C3- Highway Business and City of Hendersonville Planned Commercial Development and contain various commercial uses such as Holiday Inn Express, Bojangles, and State Employees Credit Union and also include a residential use. Parcels located to the east are zoned Henderson County Office Institutional and Regional Commercial and contain I-26, vacant land and commercial uses.

SITE CONDITIONS – SITE IMAGES

*View to the South
showing existing
mature trees*



*View to the north
showing existing
mature trees*



*View of existing trail
between the tree line.*



SITE CONDITIONS – SITE IMAGES CONTINUED

View of the existing tree line of the property



A view of the open area on the site.



View from the front side of the property looking east



View of where the project's secondary access will connect with the existing roadway



View of Upward Crossing Drive and sidewalk that this project will tie into.



View of the backside (eastern) side of the property



AERIAL PHOTOS

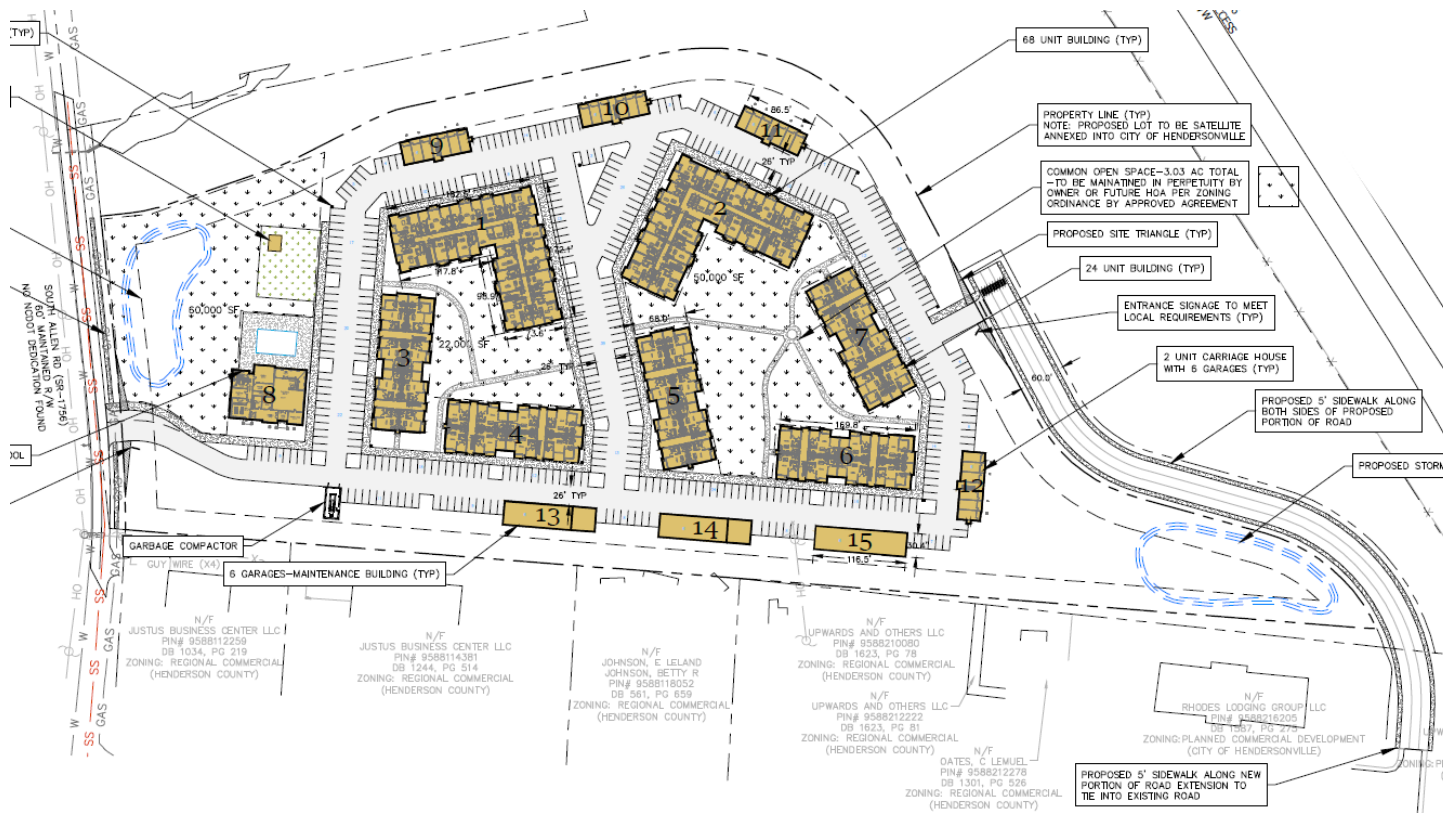
View from the South



View from the North



REZONING/SITE PLAN TOPICS



Proposed Site Plan

Buildings

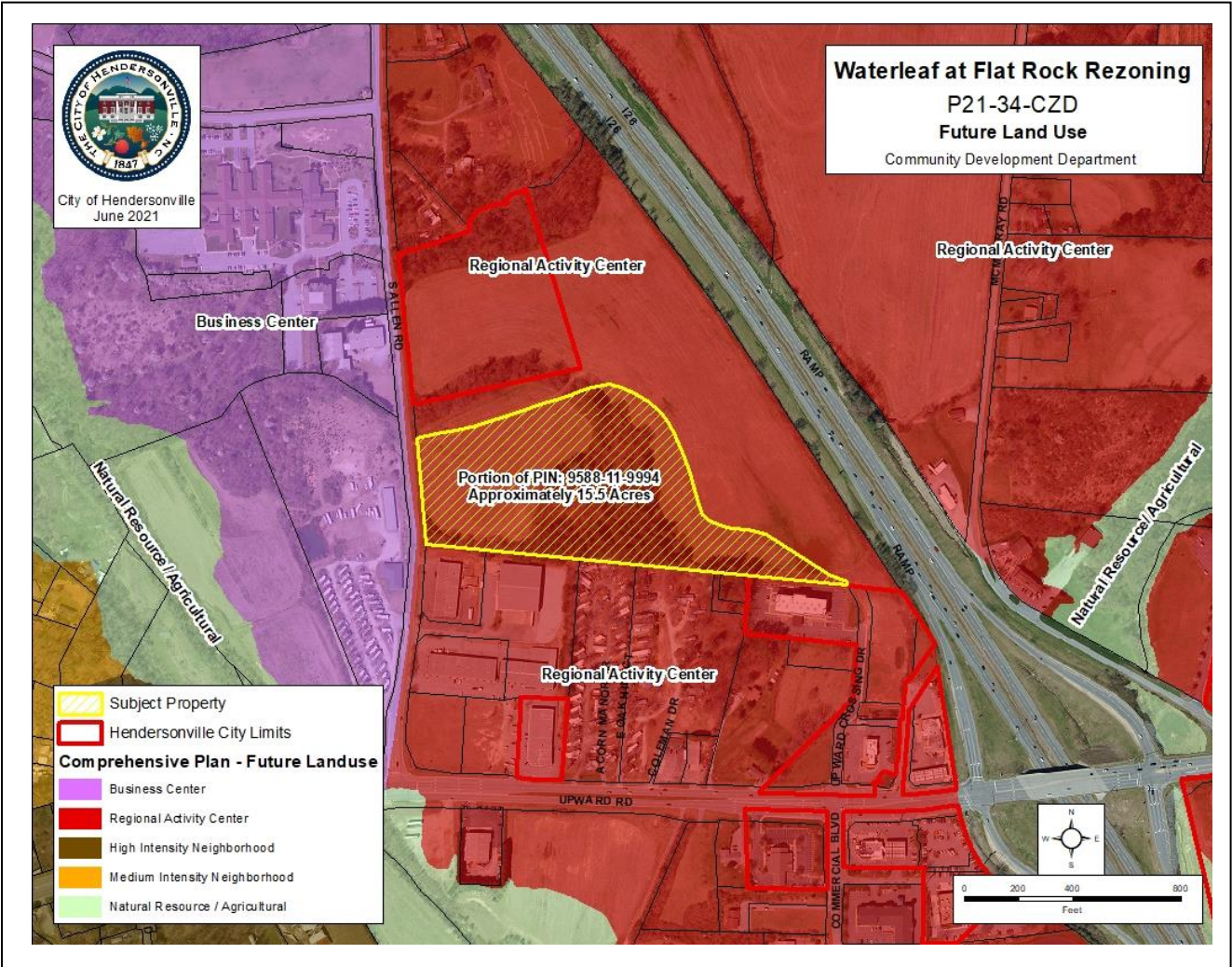
The site plan shows 15 structures (264 Units) Density of 17.03 Units Per Acre

BUILDING	DESCRIPTION	HEIGHT	GFA
1-2	4-STORY "L"-68	40'	57,621 SF
3-7	4-STORY-24	40'	28,791 SF
8	CLUBHOUSE	20'	6,134 SF
9-12	CARRIAGE-2	20'	5,504 SF
13-15	GARAGE/MAINT.	10'	1,855 SF

Parking

VEHICULAR:			
REQUIRED SPACES:	(1 OR 2 BED UNITS) 1.5 X 214=	321	
	(3+ BED UNITS) 2 X 50=	100	
TOTAL SPACES REQUIRED:		421	
SPACES PROVIDED:		444	
HANDICAPPED SPACES:			
SPACES REQUIRED:	22	SPACES PROVIDED:	22

REZONING CRITERIA:
COMPREHENSIVE PLAN CONSISTENCY



The 2030 Comprehensive Plan's Future Land Use Map designates this parcel as Regional Activity Center. Parcels located to the north, east and south are designated Regional Activity Center. The parcels to the west are designated as Business Center and Natural Resource & Agricultural. Natural Resource & Agricultural can be found around the general area of the project; this designation represents areas in the floodplain.

Goal LU-9.
Regional Activity Center: Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects.

Strategy LU-9.1.
Locations:

- Commercial areas surrounding the US-64/I-26 and Upward Road/I-26 interchanges

Strategy LU-9.2.
Primary recommended land uses:

- Community and regional retail sales and services
- Restaurants

Strategy LU-9.3.
Secondary recommended land uses:

- Multi-family residential
- Offices
- Public and institutional uses
- Pedestrian amenities

Strategy LU-9.4.
Development guidelines:

- Mitigation of bulk of large buildings through façade detailing and window coverage
- Hiding of large parking lots (more than one double-row deep) from thoroughfares with outlot structures

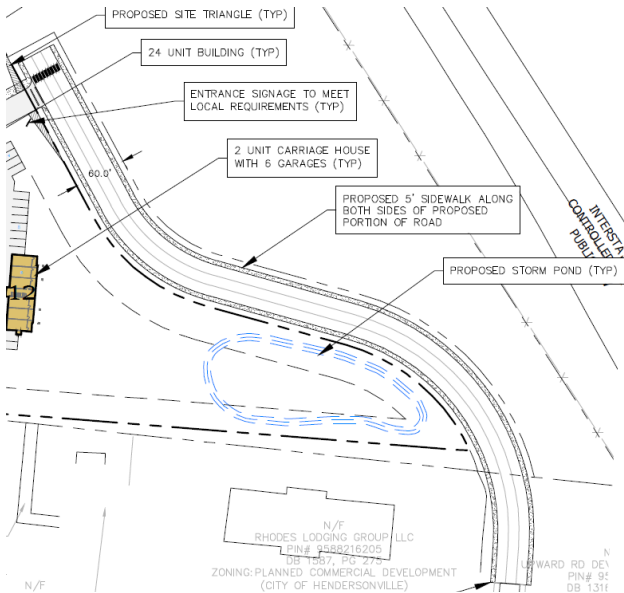
- Provision of pedestrian connections to parking and other buildings and properties

- Activity Nodes:**
- Encouragement of multi-story, mixed-use buildings with retail on ground floors and office/residential on upper floors
 - Placement of new buildings close to the street along thoroughfares (less than 20 feet) encouraged
 - Location of all parking to the side or rear of buildings or in a garage encouraged
 - Improved pedestrian connections to surrounding neighborhoods



Strategy TC-1.4.
Encourage pedestrian connections between dead end streets and adjacent neighborhoods.

Action TC-1.4.1
Incorporate dead-end street sidewalk connection requirements into the Zoning and Subdivision Codes.



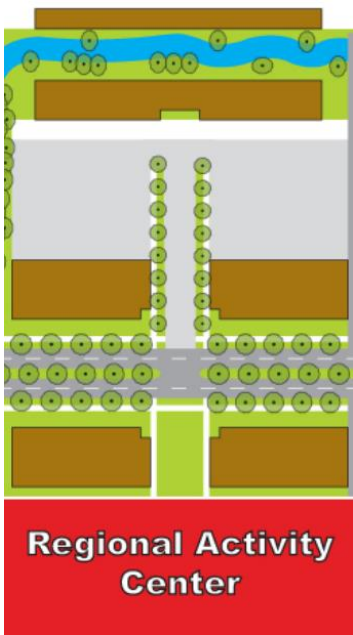
REZONING CRITERIA: COMPREHENSIVE PLAN CONSISTENCY

The subject area is designated Regional Activity Center on the 2030 Comprehensive Plan's Future Land Use Map.

Goal PH-2.
Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.

Table 8.2a: Existing Land Use Acreages and Percentages of ETJ/City

Land Use	Acres	Percentage
Single Family Residential	3,924	42.0%
Vacant	1,480	15.9%
Right of Way	1,060	11.4%
Retail	715	7.7%
Parks / Open Space	625	6.7%
Public/Institutional	442	4.7%
Multi-Family Residential	373	4.0%
Industrial	303	3.2%
Office	204	2.2%
Two Family Residential	155	1.6%
Agricultural	54	0.6%



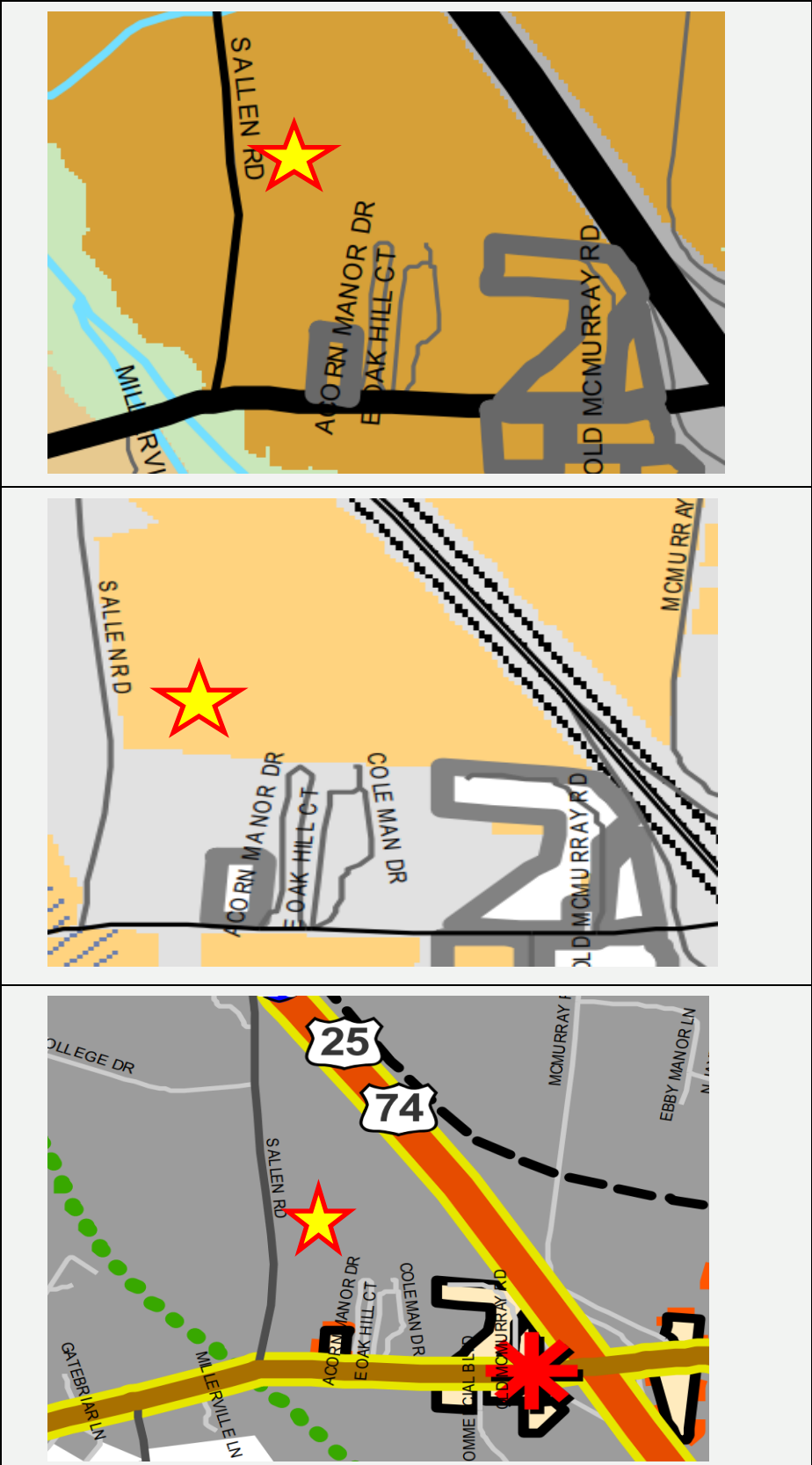
**Growth Management
Priority Growth Areas
(orange):**

Areas that are considered a high priority for expansion of the ETJ, annexation, and extension of infrastructure and services

 Development Opportunities (includes vacant land, agricultural land, and single-family residential properties greater than five acres)

Road Designations

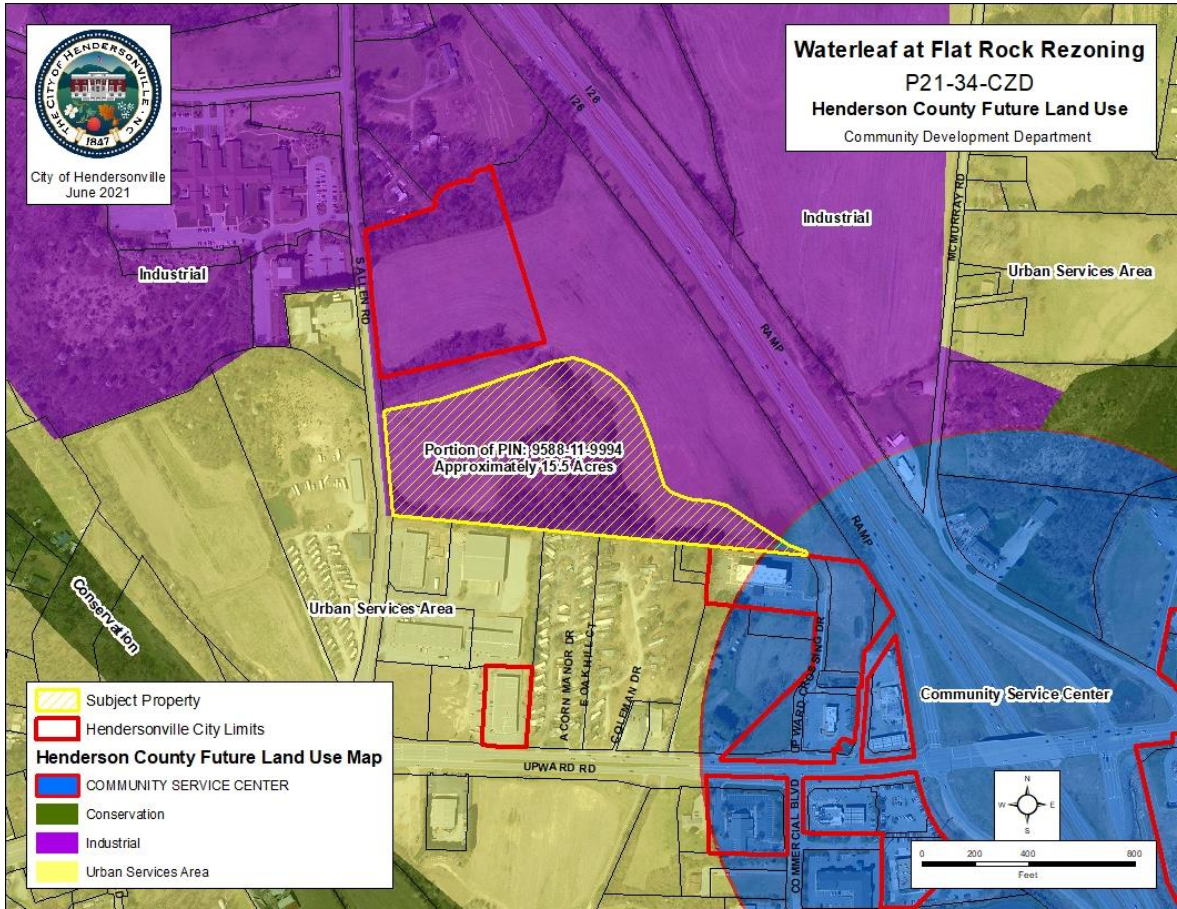
-  Freeway
-  Boulevard
-  Major Thoroughfare
-  Minor Thoroughfare
-  Proposed Improvement
-  Local Street



HENDERSON COUNTY COMPREHENSIVE PLAN

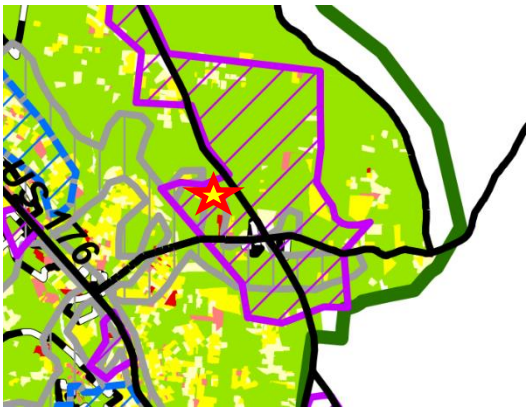
Until this property was annexed on September 2nd 2021, this property was outside the City of Hendersonville City limits and ETJ. This property was under the complete jurisdiction of Henderson County. Since this property is now under the jurisdiction of the City of Hendersonville it falls entirely under the City’s Comprehensive plan when determining Comprehensive Plan consistency during the rezoning process. However, it is still important to understand the subject property’s previous designation and surrounding Henderson County designations.

The Henderson County future land use map designates this area as Industrial, with a small section included in a Community Service Center.

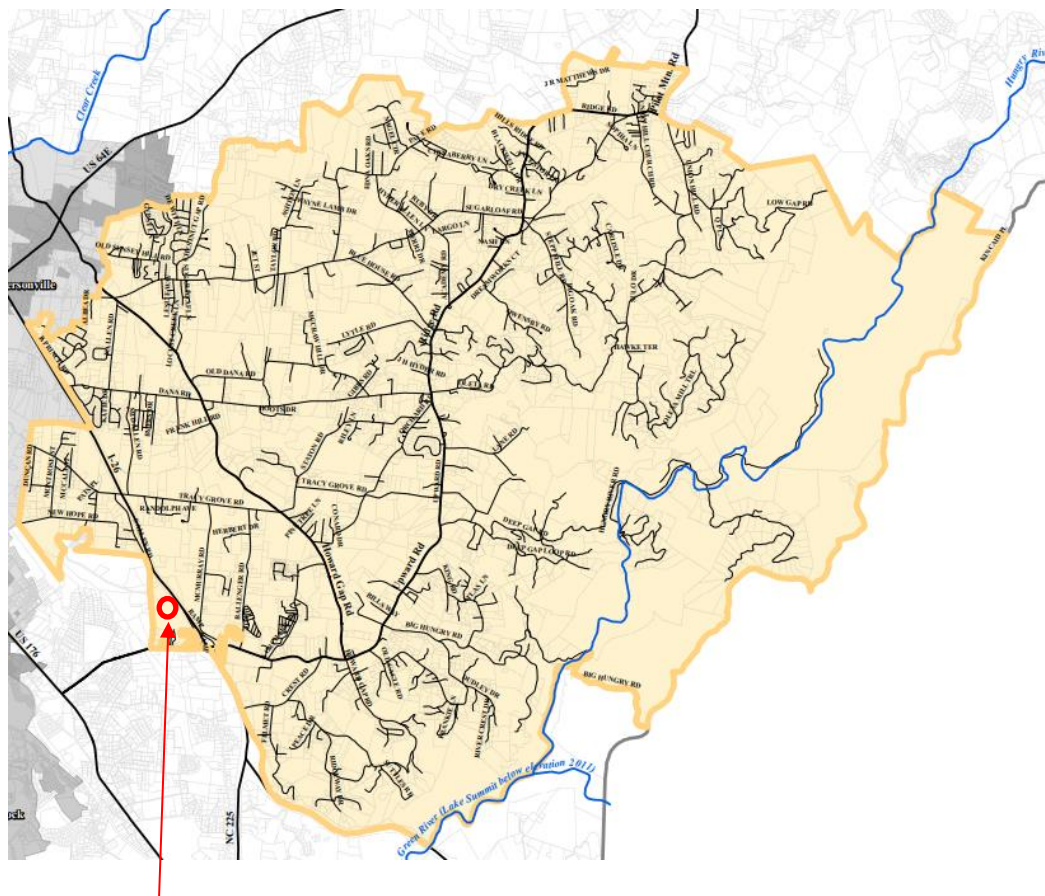


Henderson County’s Comprehensive Plan calls out the subject property as an area where a possible industrial site could be located in the future. As you will see, the “Project Wheel Industrial Park” property is also designated to the south. Project Wheel will be meeting this goal laid out in the Henderson County Comprehensive Plan.

- Major Roads
- Municipal Boundaries
- Urban Services Area
- Septic Concern Areas
- Recommended Industrial Sites*
- Existing Sewer Service



HENDERSON COUNTY DANA COMMUNITY PLAN



The Subject property is one of the last parcels included in the adopted 2011 Henderson County Dana Community Plan. The Henderson County Comprehensive Plan identified the need to plan for individual communities within the County. The community planning areas were prioritized based on anticipated growth and relation to the Growth Management Strategy (established by the Henderson County Comprehensive Plan). Some sections of the Dana Community Plan are included below.

3.3: Housing (p. 23-28)

Expand affordable housing in the Dana Planning Area.

- Consider offering incentives for affordable housing.

Expand and diversify housing options.

- The County should encourage—and regulations should permit—a mix of housing types (including multifamily units) in the Dana Planning Area.
- The County should consider applying additional design standards for multifamily units in the Dana Planning Area to ensure continuity with the surrounding rural community.

Support the continuance and expansion of the existing local program for abandoned/dilapidated manufactured home removal.

Encourage quality housing for migrant workers through continued enforcement of the minimum housing code and by encouraging additional affordable housing options to serve this population.

3.6: Economic Development (p. 41-46)

The Upward Road interchange along Interstate 26 and surrounding area should be developed to draw businesses, tourists, County residents, and the residents of the surrounding region.

- Economic development at a regional scale should be focused at the interchange and in the surrounding area.
- Aesthetic improvements to the interchange should be considered to encourage economic growth and promote a positive perception of the Dana Community, Henderson County, and nearby municipalities.

Encourage higher density residential development in the areas near and mixed within nonresidential development at the interchange.

Promote high-tech and research and development operations in the Dana Planning Area in light of the Planning Area's adjacency to Blue Ridge Community College.

SITE PLAN REVIEW:

Landscaping

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

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

The property currently has 244 trees over 12" DBH. The developer is proposing to preserve 125 trees and remove 119 trees.

Stormwater/Flood Hazard Area

The developer will be required to install a post construction stormwater detention system since their land disturbance will exceed 1 acre. The City of Hendersonville Engineering Department will review the stormwater plan for this property at Final Site Plan Approval.

Parking Requirements

The zoning ordinance requires in PRD that a minimum of one-and-one-half spaces per residential unit containing one or two bedrooms. A minimum of two spaces per residential unit containing three or more bedrooms. Enclosed garages and carports count towards meeting the parking requirement. All parking spaces shall be located within 75 feet of the residential unit they serve.

214 - 1 or 2 bedrooms= **321 spaces required.**

50 - 3+ Bedrooms= **100 spaces required.**

Total required: 421 spaces

The developer is proposing 444 spaces for the development.

Sidewalks

Sidewalks will be provided along the property frontage of S. Allen Road and along the newly constructed eastern entrance/exit that will tie into existing sidewalks along Upward Crossing Drive.

Access

The site will have access of off S. Allen Road and Upward Crossing Drive.

Density Bonus

The developer is requesting a density bonus since they exceed the allowable 10 units per acre. The developer is asking for a density of 17.03 units per acre. The requirements to obtain a density bonus are highlighted below. No Planned Residential Development is allowed to exceed 18 units per acre.

5-14-5 Density Bonus. A density bonus over and above the maximum density specified in Section 5-14-4, above, may be approved by City Council only upon determining that the

proposed planned residential development complies with the general considerations listed in Section 5-14-5 as well as the following additional considerations:

- a) The property on which the development is proposed to be situated shall be located in close proximity to a thoroughfare designated as such in the Comprehensive Transportation Plan; **S. Allen Road is designated as a thoroughfare on the Comprehensive Transportation Plan.**
 - b) Vehicular access for such development shall be limited to one or more boulevards or thoroughfares designated as such in the Comprehensive Transportation Plan; **S. Allen Road is designated as a thoroughfare on the Comprehensive Transportation Plan.**
 - c) The carrying capacity of the roadway shall be adequate to handle increased traffic associated with the development without reducing the level of service of such roadway; **The developer completed a Traffic Impact Analysis that was reviewed by the City's traffic consultant. Any mitigation recommendations will be presented to the board.**
 - d) The development is proposed to be located within reasonable walking distance of places of employment and/or shopping facilities and shall provide pedestrian amenities in order to foster pedestrian access to such facilities; **The developer has proposed to extend sidewalks along the rear (eastern) portion of the property that will connect into the existing Upper Crossing Drive sidewalks which will allow pedestrians to walk to businesses in the area such as Bojangles, Shell Station, State Employees Credit Union and McDonald's.**
 - e) The development shall provide common open space sufficient for the needs of its residents, which shall not be less than the greater of the common open space required by Section 6-16-2, below, or 1% of the land area of the development for each dwelling unit per acre proposed. **The developer is providing 3.03 acres of common open space. This follows the guidelines of section 6-16-2 of the zoning ordinance.**
- Any density authorized by City Council pursuant to this section shall not exceed 18 dwelling units per acre. **The proposed Density is 17.03 units per acre**

Building Height

Buildings 1-7 of the development exceed the allowable maximum height of 35', they are proposed to be 40' high. Due to this the development must fall under these criteria.

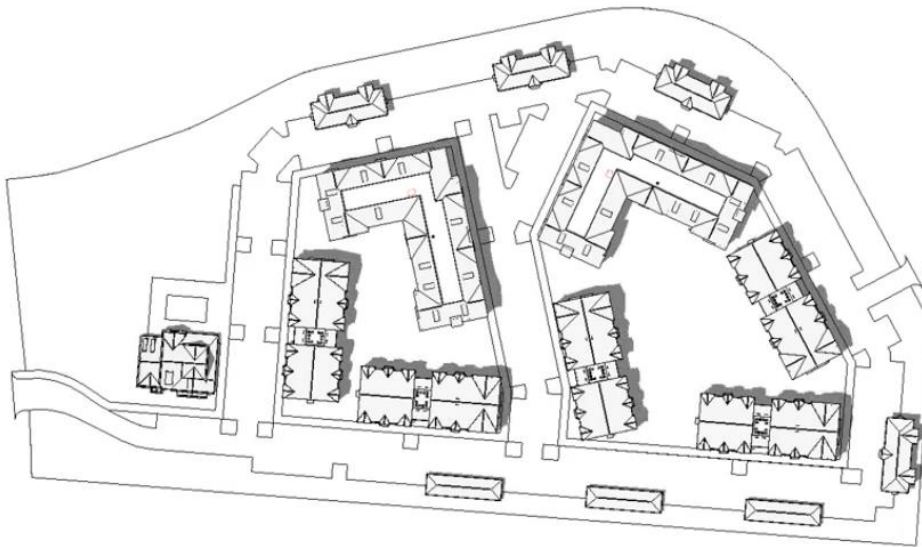
5-14-6.5 Building Height. A building may exceed 35 feet in height only upon the granting of a height limitation exemption by the City Council. Upon application, the Council may grant a height limitation exemption upon finding that:

- a) Such building will not block sunlight from adjacent property between the hours of 10:00 a.m. and 2:00 p.m. from the months of October 1st to May 1st. **The developer provided a sun study. Photos from this study are included below.**
- b) Such building is adequately designed and served from the standpoint of safety, and the City Fire Chief certifies that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to the fire stations and equipment so as to offer adequate protection to life and property. In no case shall the building exceed 50 feet in height. **The Fire Department have not raised any concerns about servicing these buildings. The Fire Department has reviewed the plans as a member of the City's Development Review Committee.**

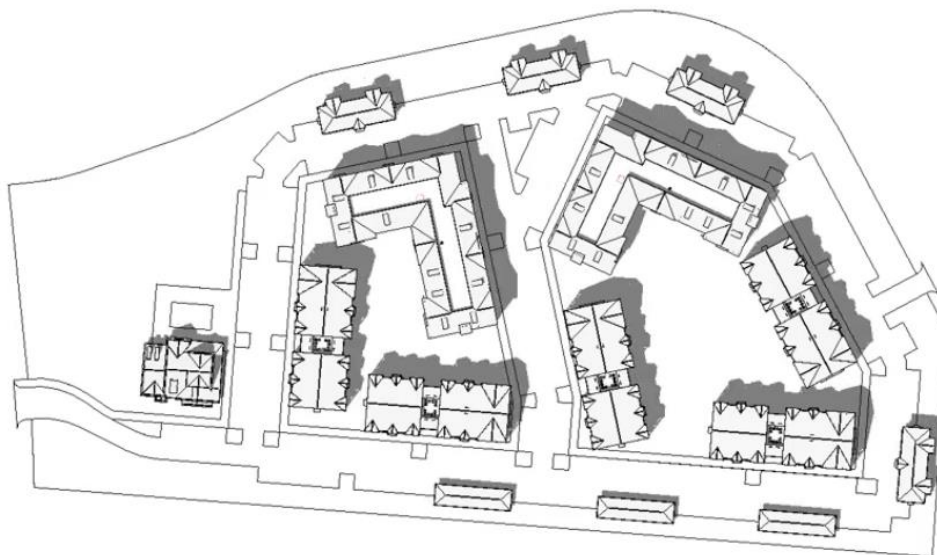
c) The side and rear yards for any structure in excess of 35 feet in height shall be increased by one foot for each one foot in height in excess of 35 feet. **The setbacks for these structures meet this requirement.**

This requirement is in place to ensure that shadows from this development will not impact neighboring properties, leaving them in darkness. This Sun Study shows where the shadows of the buildings will be on May 1st and October 1st. The photos below show the shadows at their peak. As you will see with these photos that no shadow will leave the subject property.

May 1st Shadows



October 1st Shadows



ZOOM - SITE PLAN



REZONING CRITERIA:

- 1. Comprehensive Plan Consistency
- 2. Compatibility
- 3. Changed Conditions
- 4. Public Interest
- 5. Adequate Public Facilities
- 6. Environmental Impacts

TRANSPORTATION:

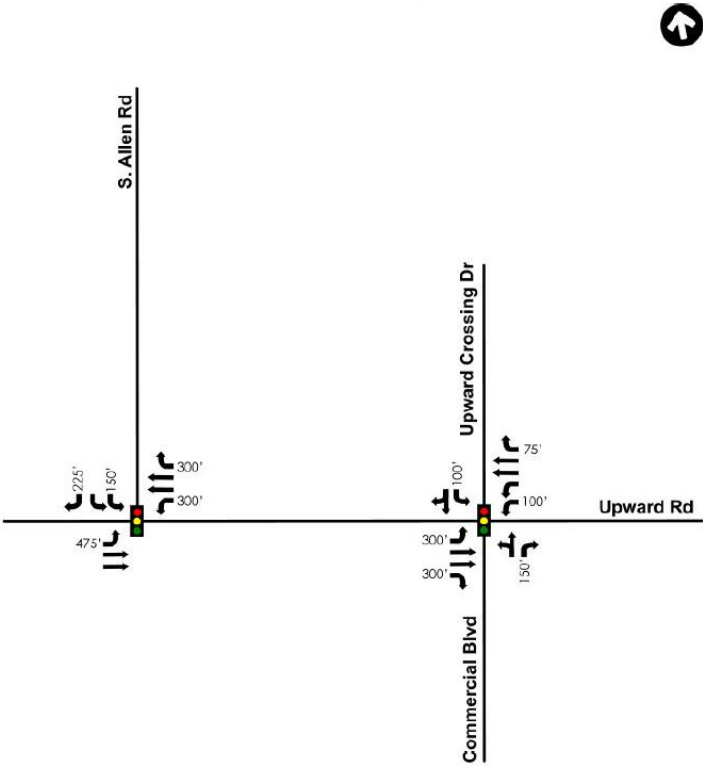
A traffic impact analysis was required for this project due to the number of trips. The Zoning ordinance requires a TIA for any project in which the proposed development, redevelopment, or change of use is expected to generate 100 or more peak-hour trips (a.m. or p.m.) or 1,000 or more trips daily. The proposed trips for this project are included below.

Land Use	ITE LUC	Size	Daily Trips			AM Peak Hour Trips			PM Peak Hour Trips		
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Multi-Family Housing	221	264 D.U.	1438	719	719	89	23	66	112	68	44

The below areas and intersections were reviewed during the traffic study. These areas were agreed upon by the developer, NCDOT and City Staff.



Figure 3: Existing Roadway Laneage



The developer provided the TIA to the City in accordance with the City's timeline requirements. Upon the review conducted by Kimley-Horn (the City's Traffic Consultant), it was determined that revisions were needed for the TIA to be acceptable. The City's Traffic Consultant reviewed the revised TIA and concurred with the findings of the revised TIA. A technical memo from Kimley Horn can be found as an attachment to this packet.

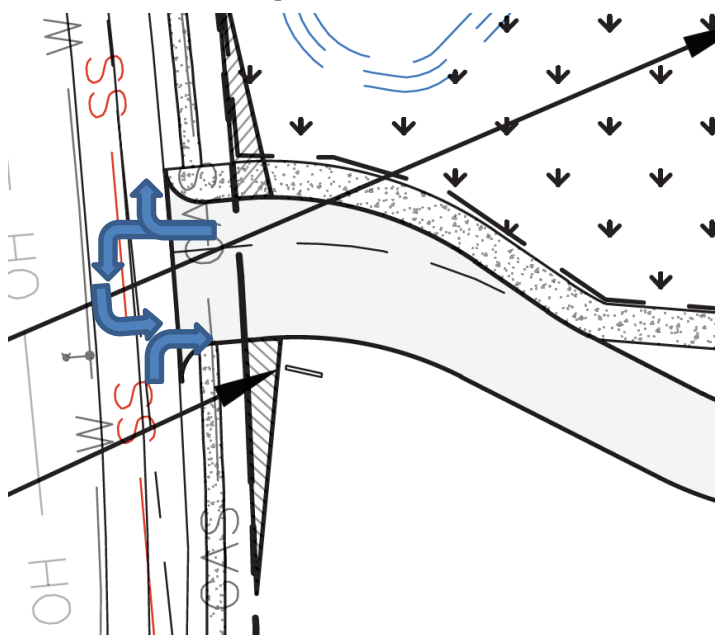
The TIA studied 3 intersections-

1. **South Allen Road at Upward Road**
2. **Upward Road at Upward Crossing Drive / Commercial Boulevard**
3. **South Allen Road at Site Driveway**

No mitigation measures were recommended for intersections 1 and 2 above, however intersection 3 (South Allen Road at Site Driveway) had recommendations. Those recommendations are as follows:

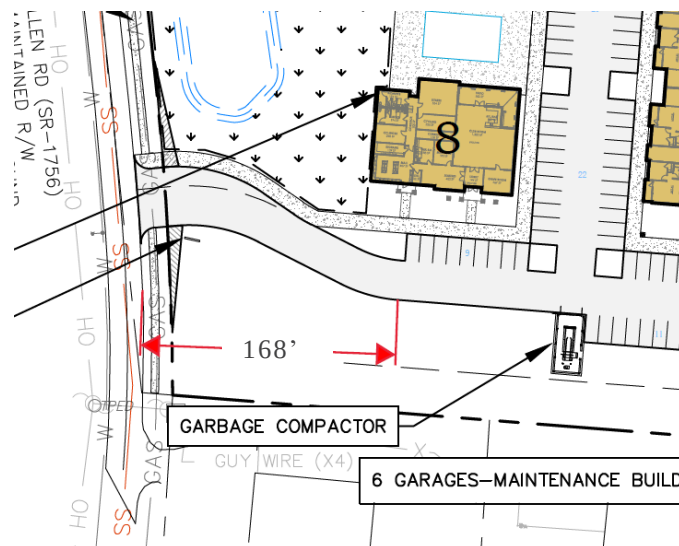
1. Construct the site driveway as a full-movement access point.

- This means that the driveway should allow right in/right out and left in /left out to the development.



2. Construct the site driveway with one ingress and one egress lane with 100 feet of internal protected stem.

- The plan currently appears to show a protected stem of 168 feet and one ingress and egress lane on the plan. This could be confirmed at final site plan approval



STAFF ASSESSMENT & COMPREHENSIVE PLAN CONSISTENCY:

Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan for this project meets the Zoning Ordinance standards established for Planned Residential Development CZDs (Section 5-14) and Site Plan Review (Section 7-3).

Furthermore, staff finds that the application / proposed site plan is in keeping with the standards for a CZD zoning map amendment as established in Article 11-4 of the City Zoning Ordinance.

Final zoning ordinance compliance will be established at the time of Final Site Plan review and approval.

Comprehensive Plan Consistency:

Regional Activity Center states that multi-family is a recommended secondary use in this designation. This designation calls for pedestrian connections between buildings and other properties. This development does this by providing internal sidewalks on the site, sidewalks along the frontage of S Allen for future connections, and most importantly tying into existing sidewalks on Upward Crossing Blvd. This pedestrian connection will provide the ability of residents to walk to commercial areas without driving their car.

Staff finds that the proposed Conditional Rezoning is consistent with the City's 2030 Comprehensive Plan for the following reasons:

- The 2030 Comprehensive Plan highlights this parcel as a Priority Growth Area which are areas that are considered a high priority for expansion of the ETJ, annexation, and extension of infrastructure and services. The subject property is already annexed into the City of Hendersonville as a satellite annexation. The developer annexed into the City of Hendersonville for sewer service. This will extend the City's sewer infrastructure up S. Allen road for future connections.
- The Comprehensive Plan sets a goal to encourage a wide range of housing types and price points (Chapter 2 PH-2). This project is not proposing a mix of buildings types within this development itself. However, it is staff's position that this development provides a different type of housing for a wider range of citizens. According to the City's Comprehensive Plan only 4% of the City's land is devoted to multi-family residential. By adding this additional multi-family residential it adds more housing in an underrepresented housing type.
- The Comprehensive Plan sets a goal of promoting the preservation of woodlands (Chapter 3 NR-2.3). The developer is proposing to preserve a fair amount of mature (12"+ DBH) trees on the site. If the trees are to be counted as tree credits, then they will be required to be preserved in accordance with the City's Zoning Ordinance.

Zoning Map Amendments:

Chapter XI of the Zoning Code provides standards for consideration of zoning map amendments. The following factors are to be included in decision-making process:

Compatibility with surrounding uses

- The surrounding land uses are commercial uses, a high density mobile home park and vacant land.

Changed conditions

- The parcel to the north was approved as a congregate care facility by City Council in December of 2020. The Upward Road corridor is continually seeing growth and development due to the NCDOT improvements made in years past.

Public Interest

- The addition of 264 apartment units will allow for a wider range of housing options for a wider range of citizens.

Public facilities

- The developer is proposing to extend water and sewer to the site which will allow for possible future connections along this corridor. The project did trigger a Transportation Impact Analysis and the capacity of the roads were studied.

Effect on natural environment.

As mentioned previously under the Comprehensive Plan Consistency, the project proposes to preserve a lot of the existing mature trees. However, some mature trees will be lost due to this development.

Staff recommends one condition to be place on the development. The second access at the rear of the development that is tying into Upward Crossing Drive is required per the fire code. Fire code does not require that this be an open access point for residents. This access could be gravel and have a fire access gate blocking resident ingress and egress. Staff feel that this entrance and exit should be an open access for residents to use. This would allow traffic to be dispersed at different points and not just on S Allen Road. This is why staff is proposing the following condition:

The developer shall build the second access to City Street standards and allow it to be used for resident ingress and egress.

PUBLIC COMMENT:

The Neighborhood Compatibility meeting was held on June 11th, 2021. Five members of the public attended in person with 2 citizens on Zoom. They had questions concerning the following:

- Density
- Height
- Traffic concerns
- Impact on the fire service.
- Parking

TREE BOARD – SUMMARY OF ACTION

The Tree Board considered this proposal at their meeting on July 20. The developer was in attendance. The following motion was supported unanimously:

To require the developer to plant trees 2 ½ inch caliper size trees rather than 1 ½ inch caliper size trees; to preserve as many trees as possible on the site; and to plant the number of trees as specified by the City’s Zoning Ordinance.

Attached in the packet is the tree survey that shows all trees over 12” DBH that will be preserved and which ones will be removed.

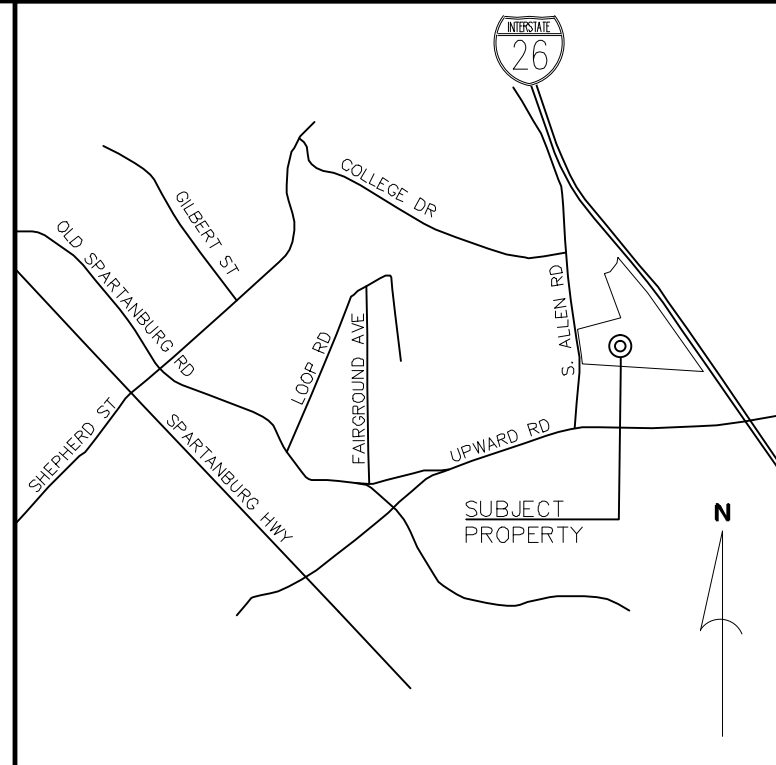
PLANNING BOARD - SUMMARY OF ACTION **RESERVED**

SUMMARY OF PLANNING BOARD RECOMMENDATIONS

PLANNING BOARD MOTION

ATTACHMENTS IN THE PACKET:

1. Full Size Site plan
2. Full Size Landscaping Plan
3. Ordinance
4. Tree Survey
5. Tree Preservation Plan
6. Proposed Zoning Map
7. Kimley-Horn TIA Memo 8-12-21
8. Kimley-Horn Revised TIA memo 9-9-21
9. NCM Minutes
10. Application



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER: GRAYCLIFF CAPITAL DEVELOPMENT, LLC
200 EAST BROAD STREET, SUITE 220
GREENVILLE, SC 29601
SETH PETERSON
(864) 679-4799

CONTACT:

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

CONTACT:

SURVEYOR: ATLAS SURVEYING
570 BROOKSHIRE RD, SUITE D
GREER, SC 29615
TIMOTHY R. GOLDE
(864) 655-5004

CONTACT:

PROJECT DATA

PIN: 9586-11-9994
ADDRESS: S. ALLEN ROAD
DEED BOOK/PAGE: 3578/529
SITE ACREAGE: 15.5 ACRES
EXISTING ZONING: O&I
PROPOSED ZONING: PRD-CZD

DENSITY: 17 UNITS/ACRE (264 TOTAL UNITS)

SETBACKS:
FROM R/W: 40'
FROM ADJACENT: 30'

DISTURBED AREA: 9.7 AC

PARKING CALCULATIONS:

VEHICULAR:
REQUIRED SPACES: (1 OR 2 BED UNITS) 1.5 X 214=321
(3+ BED UNITS) 2 X 80=100
TOTAL SPACES REQUIRED: 421
SPACES PROVIDED: 444

HANDICAPPED SPACES:
SPACES REQUIRED: 22 SPACES PROVIDED: 22

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GFA
1-2	4-STORY "L"-68	40'	57,621 SF
3-7	4-STORY-24	40'	28,791 SF
8	CLUBHOUSE	20'	6,134 SF
9-12	CARRIAGE-2	20'	5,504 SF
13-15	GARAGE/MAINT.	10'	1,855 SF

OPEN SPACE:
REQUIRED: 9.3 AC (60%) PROVIDED: 9.3 AC
COMMON OPEN SPACE:
REQUIRED: 3.03 AC (500 SF/UNIT) PROVIDED: 3.03 AC

BUILDINGS:
REQUIRED: <3.1 AC (<20%) PROVIDED: 2.8 AC (18%)
STREETS/PARKING (VUA): PROVIDED: 3.4 AC (22%)
OTHER: N/A

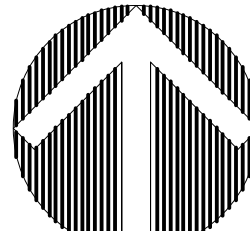
LANDSCAPING REQ'S: SEE L101 LANDSCAPE PLAN

IMPERVIOUS CALCULATIONS:

	IMPERVIOUS	PERVIOUS
PRE-DEVELOPMENT:	15.5 ACRES (100%)	0.0 ACRES (0%)
POST-DEVELOPMENT:	7.6 ACRES (49%)	7.9 ACRES (51%)

SOIL TYPE: N/A
SOIL GROUP: N/A

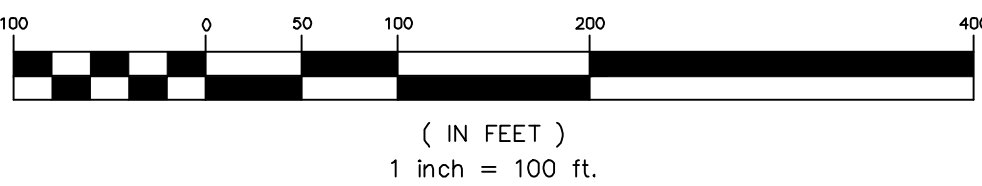
CDC INSPECTIONS HOTLINE:
828-771-4755 OR INSPECTION@CDCGO.COM



NORTH

SITE PLAN

GRAPHIC SCALE



168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 492-4410
FAX (828) 282-5886

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 492-4410
FAX (828) 282-5886

Civil Design Concepts, PA
www.civildesignconcepts.com

NCBELS LICENSE #: C-2194

SUB	SUB	BY
CZD SUBMITTAL	CZD RE-SUBMITTAL	DESCRIPTION
1	07/02/2021	DATE
2	08/09/2021	NO.

PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION

WATERLEAF AT FLAT
ROCK APARTMENTS

GRAYCLIFF CAPITAL DEVELOPMENT, LLC - HENDERSONVILLE, NORTH CAROLINA

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

AMP
12135
N/A

SHEET
C201

PLANTING SUMMARY:

PLANTING STRIPS (PS)

REQUIREMENTS: 1 LARGE EVERGREEN OR DECIDUOUS TREE AND
5 SHRUBS PER 40' LF OF PROPERTY LINE

TOTAL PS: 1,030 LF

TREES REQUIRED: 26
TREES PROVIDED: 26 PROPOSED ON SITE
TREE CREDITS APPLIED: 158 (53 TREES)
SHRUBS REQUIRED: 129
SHRUBS PROVIDED: 129

VEHICULAR USAGE LANDSCAPE AREA (VUA)

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

TOTAL VUA: 155,000 SF

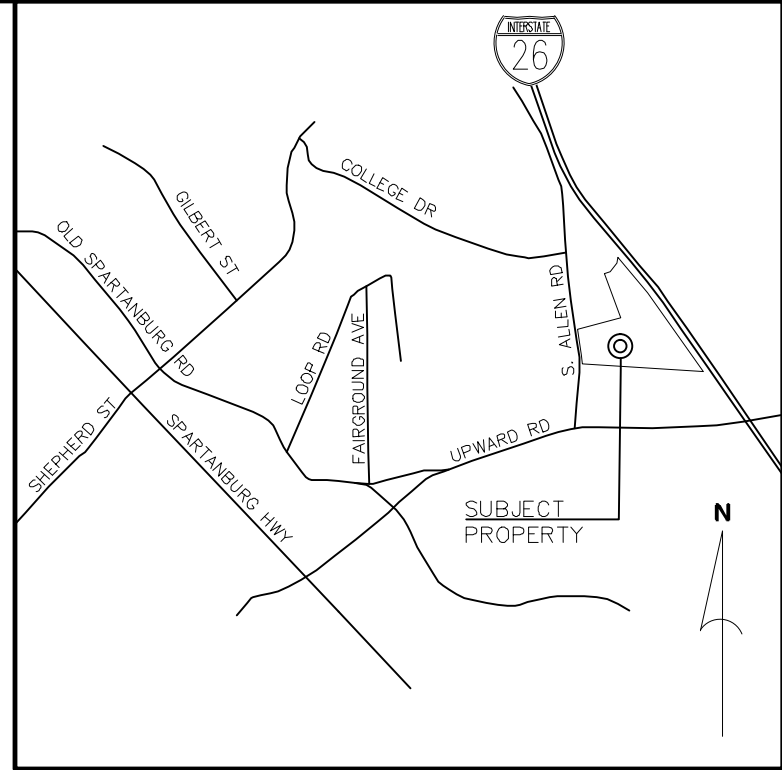
TREES REQUIRED: 39
TREES PROVIDED: 40 PROPOSED ON SITE
TREE CREDITS APPLIED: 6 (2 TREES)
SHRUBS REQUIRED: 78
SHRUBS PROVIDED: 108

STREET BUFFER (SB)

REQUIREMENTS: 1 SHRUB PER 5 LF OF VUA BUFFER

TOTAL SB: 75 LF

SHRUBS REQUIRED: 15
SHRUBS PROVIDED: 15



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER: GRAYCLIFF CAPITAL DEVELOPMENT, LLC
200 EAST BROAD STREET, SUITE 220
GREENVILLE, SC 29601
CONTACT: SETH PETERSON
(864) 679-4799

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

SURVEYOR: ATLAS SURVEYING
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BUILDINGS: REQUIRED: <3.1 AC (<20%) PROVIDED: 2.8 AC (18%)

STREETS/PARKING (VUA): REQUIRED: 3.4 AC (22%) PROVIDED: 3.4 AC (22%)

OTHER: N/A

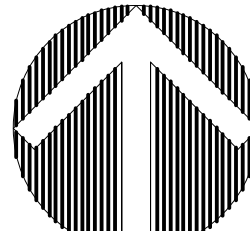
LANDSCAPING REQ'S: SEE L101 LANDSCAPE PLAN

IMPERVIOUS CALCULATIONS:

PRE-DEVELOPMENT: IMPERVIOUS 15.5 ACRES (100%) PERVIOUS 0.0 ACRES (0%)
POST-DEVELOPMENT: IMPERVIOUS 7.6 ACRES (49%) PERVIOUS 7.9 ACRES (51%)

SOIL TYPE: N/A
SOIL GROUP: N/A

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



NORTH

LANDSCAPE & RESOURCE LAYOUT
PLAN

GRAPHIC SCALE



(IN FEET)
11 inches = 100 ft.

PROPOSED PLANT SCHEDULE *

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES					
NS	4	NYSSA SYLVATICA	BLACK TUPELO	1.5" CAL./8' HT.	B&B
QP	16	QUERCUS PHELLOS	WILLOW OAK	2" CAL./12' HT.	B&B
TC	12	TILIA CORDATA	LITTLELEAF LINDEN	1.5" CAL./8' HT.	B&B
TA	15	TSUGA CAROLINIANA	CAROLINA HEMLOCK	8"-12" HT.	B&B
ZS	19	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE JAPANESE ZELKOVA	2" CAL./12' HT.	B&B

SHRUBS

AXG	71	ABELIA X 'GRANDIFLORA 'KALEIDOSCOPE'	KALEIDOSCOPE GLOSSY ABELIA	24" HT.	5 GAL.
CSE	24	CORNUS SERICEA 'MIDWINTER FIRE'	MIDWINTER FIRE DOGWOOD	24" HT.	5 GAL.
HAA	54	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE SMOOTH HYDRANGEA	24" HT.	5 GAL.
IVL	58	ITEA VIRGINICA 'LITTLE HENRY'	LITTLE HENRY SWEETSPIRE	18" HT.	3 GAL.
POS	36	PHYSOCARPUS OPULIFOLIUS 'SUMMER WINE'	SUMMER WINE NINEBARK	24" HT.	5 GAL.
PLS	9	PRUNUS LAUROCERASUS 'SCHIPKAENSIS	SCHIP LAUREL	24" HT.	5 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.

Section 5, Item B.

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 402-4410
FAX (828) 282-5886

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
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FAX (828) 282-5886

Civil Design Concepts, PA
www.civildesignconcepts.com

NCBELS LICENSE #: C-2194

NO.	DATE	DESCRIPTION	BY
1	07/02/2021	CZD SUBMITTAL	SUB
2	08/09/2021	CZD RE-SUBMITTAL	SUB

PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION

LANDSCAPE & RESOURCE LAYOUT PLAN FOR:

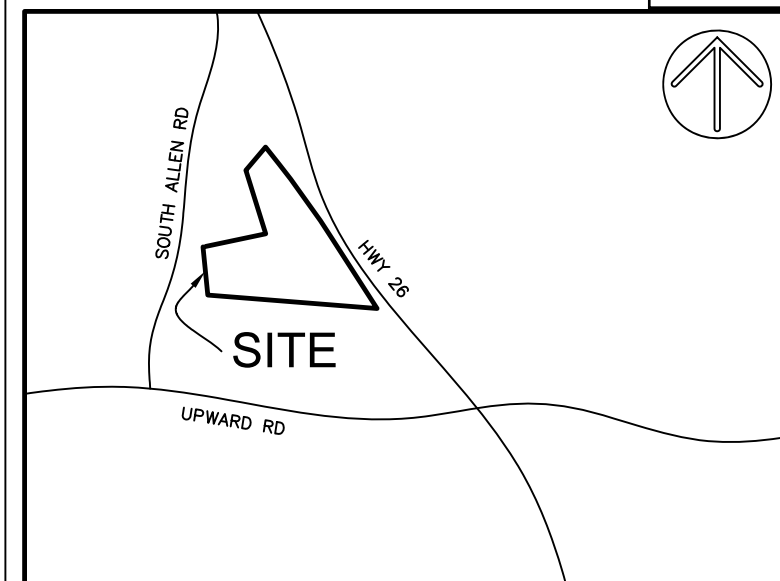
WATERLEAF AT FLAT
ROCK APARTMENTS

GRAYCLIFF CAPITAL DEVELOPMENT, LLC - HENDERSONVILLE, NORTH CAROLINA

DRAWN BY: CDC PROJECT NO.: 12135
COH PERMIT NO. N/A

SHEET

L101



VICINITY MAP NOT TO SCALE

LEGEND	
▲	CALC POINT - CORNER NOT SET
CMF	CONC. MONUMENT FOUND
RBF	IRON REBAR FOUND
Rbfd	IRON REBAR FOUND DISTURBED
OTP	OPEN TOP PIPE
RBS	IRON REBAR SET
—TB—	TOP OF BANK
—BB—	BOTTOM OF BANK
—X—	FENCE LINE
OAK	OAK
P	PINE
MAP	MAPLE
POP	POPLAR

NOTES

1. PRELIMINARY DRAWING, NOT FOR DESIGN PURPOSES.
2. ALL DISTANCES ARE HORIZONTAL GROUND IN US SURVEY FEET UNLESS OTHERWISE SHOWN.
3. TAX MAP # 9588119994
4. PARCEL LOCATED IN HENDERSON COUNTY
5. BEARING REFERENCED TO NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD83
6. THIS PROPERTY LIES IN ZONES X AS SCALED FROM FLOOD INSURANCE RATE MAP #3700958800, DATED OCTOBER 2, 2008
7. DATE OF FIELD SURVEY : 06-30-2021
8. OWNER OF RECORD: PEGGY CABE, ENNO CAMENZIND, PAULA CARTER, ROBERT CAMENZIND, JOAN FLEMING
9. TOTAL ACREAGE: 32.62 ACRES
10. 0.304 ACRE GAP OBSERVED BETWEEN PARCELS DURING SURVEY.
11. NO CEMETARIES OR BURIAL GROUNDS WERE OBSERVED ON THE PROPERTY
12. EVIDENCE OF OLD WETLAND FLAGGING OBSERVED DURING SURVEY.

REFERENCES

1. MAP BY CLARENCE A. JENKINS, P.L.S. FOR E.S. HUGGINS DATED JULY 9, 2002 (PB 2002, PG 4376)
2. MAP BY WAGGONER & RHODES LAND SURVEYORS, INC. FOR JUSTUS BUSINESS CENTER, LLC. DATED OCTOBER 17, 2008 (PB 2007, PG 6471)
3. MAP BY SURVEY CAROLINA, PLLC FOR NC LLC DATED AUGUST 17, 2020 (PB 2020, PG 12688)

PREPARED FOR:
GRAYCLIFF CAPITAL PARTNERS, LLC
A PRELIMINARY BOUNDARY AND
TOPOGRAPHIC SURVEY OF

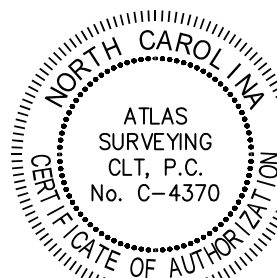
±32.62 ACRE PARCEL BETWEEN
SOUTH ALLEN ROAD &
INTERSTATE 26

PARCEL ID No. 9588119994
HENDERSON COUNTY
NORTH CAROLINA

FIELD WORK: JMW
FIELD CHECK: WHG
DRAWN BY: APD
DATE: 07-14-2021
SCALE: 1"=100'
PROJECT No.: GSP-21065
FILE: GSP-21065 T.DWG
PAGE: PAGE 1 OF 1

ATLAS
SURVEYING, INC.

13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (980)949-8475
WEBSITE: WWW.ATLASSURVEYING.COM



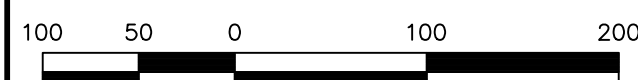
CERTIFICATE OF ACCURACY

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN NORTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

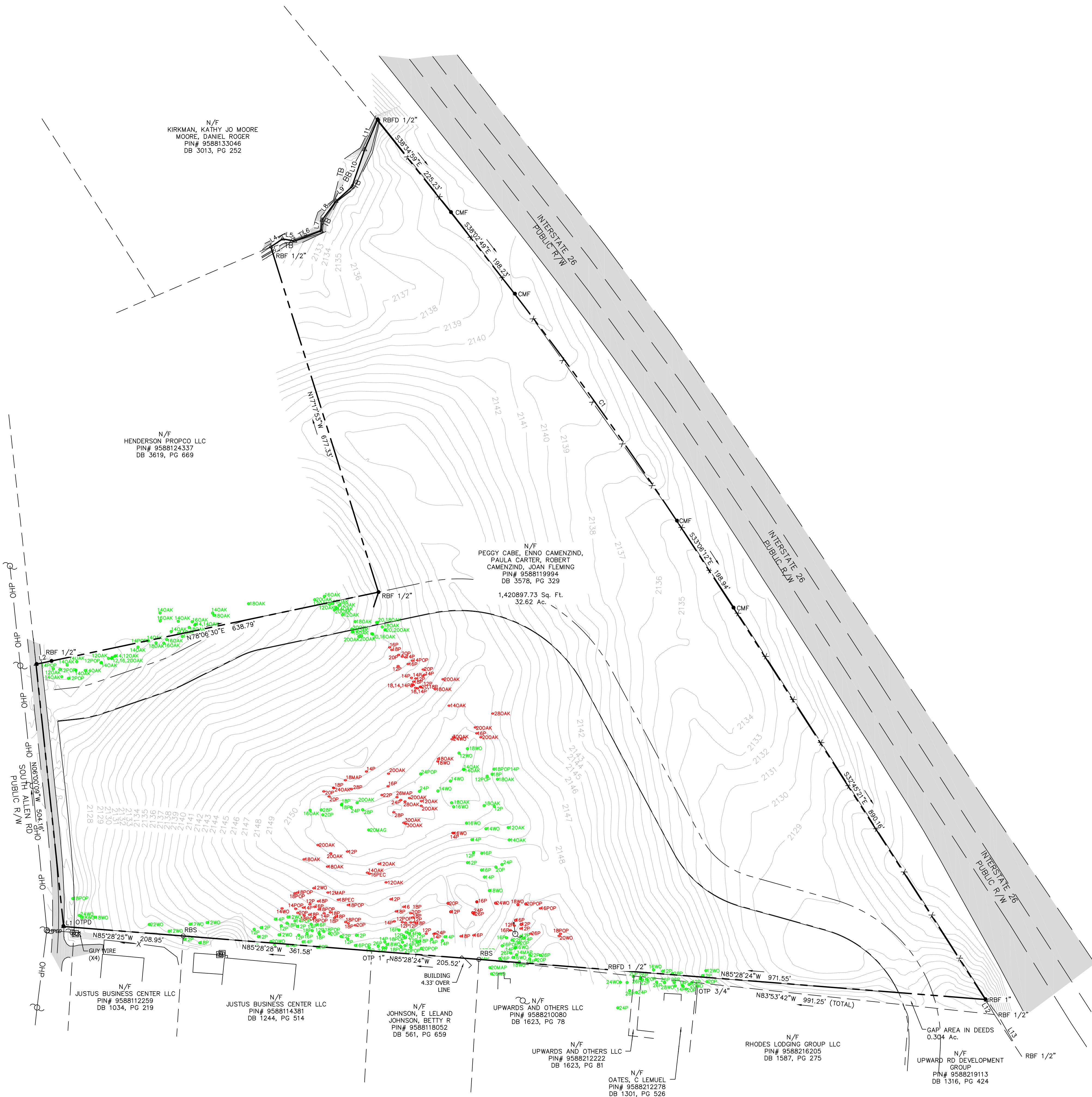
KEITH BURNS
P.L.S. No. L-5265

CURVE TABLE				
LABEL	RADIUS	ARC CHORD	CHORD BEARING	DELTA
C1	7504.42	1532.93	S33°32'18"E	4°04'08"

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	N85°28'25"W	20.45
L2	N76°05'00"E	50.17
L3	N17°17'53"W	14.22
L4	N56°08'52"E	26.98
L5	S80°18'33"E	23.66
L6	N69°00'41"E	54.24
L7	N04°36'51"E	20.87
L8	N36°21'19"E	44.82
L9	N48°10'05"E	40.80
L10	N18°52'18"E	75.32
L11	N23°24'08"E	61.14
L12	S30°45'37"E	33.45
L13	S33°12'41"E	35.33



GRAPHIC SCALE



TREE PROTECTION NOTES

1. ALL LANDSCAPE SITE WORK SHALL BE IN ACCORDANCE WITH ALL CITY OF HENDERSONVILLE REGULATORY STANDARDS AND ALL REQUIREMENTS IN THE PROJECT TECHNICAL SPECIFICATIONS. LANDSCAPE SHALL BE MAINTAINED IN ACCORDANCE WITH IN SEC. 15-4 OF THE ZONING ORDINANCE. CONSULT AN ENGINEER TO FIELD ADJUST LANDSCAPE AS NECESSARY.
2. TREE PROTECTION MEASUREMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF HENDERSONVILLE REGULATORY STANDARDS AND INSPECTED BY THE CITY OF HENDERSONVILLE PLANNING AND DEVELOPMENT DIRECTOR PRIOR TO ANY GROUND DISTURBANCE WORK, CLEARING, AND GRADING WILL FOLLOW.
3. TREE PROTECTION MEASURES MUST BE MAINTAINED BY THE CONTRACTOR THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS.
4. NO PERSON MAY CONDUCT ANY ACTIVITY WITHIN THE PROTECTED AREA OF ANY TREE DESIGNATED TO REMAIN, INCLUDING, BUT NOT LIMITED TO, PARKING, PLACING SOLVENTS, STORING DEBRIS OR BUILDING MATERIAL AND SOIL DEPOSITS, DUMPING CONCRETE WASHOUT OR HAZARDOUS WASTE.
5. NO PERSON SHALL ATTACH ANY OBJECT TO ANY TREE DESIGNATED FOR PRESERVATION, INCLUDING, BUT NOT LIMITED TO NAILS, ROPES, CABLES, SIGNS, OR FENCING.
6. THE GRADE MUST NOT BE ELEVATED OR REDUCED WITHIN THE TREE PROTECTION AREA WITHOUT AUTHORIZATION FROM A CERTIFIED ARBORIST.
7. IF THE GRADE ADJACENT TO A PRESERVED TREE IS RAISED SUCH THAT IT COULD SLOUGH OR ERODE INTO THE TREE PROTECTION AREA, IT MUST BE PERMANENTLY STABILIZED TO PREVENT SUFFOCATION OF THE ROOTS.
8. ALL DISTURBANCE AND ENCROACHMENTS SHOWN WITHIN TREE PROTECTION BARRIERS MUST RECEIVE WRITTEN RECOMMENDATION FROM A CERTIFIED ARBORIST TO MINIMIZE POTENTIAL IMPACTS AND CERTIFY THAT THE ACTIVITY WILL NOT COMPROMISE THE HEALTH AND SURVIVAL OF THE TREE.
9. TO THE GREATEST EXTENT POSSIBLE, UTILITY TRENCHES MUST BE LOCATED OUTSIDE OF THE TREE PROTECTION AREAS. IF SITE CONSTRAINTS EXIST, A CERTIFIED ARBORIST MUST BE CONSULTED TO DETERMINE IF UTILITIES CAN BE TUNNELED 2 FEET AT MINIMUM BELOW THE TREE ROOTS, WITHOUT COMPROMISING THE CHANCES OF THE TREES SURVIVAL.
10. THE CONTRACTOR IS TO NOTIFY ALL UTILITY COMPANIES AT LEAST 72 HOURS BEFORE CONSTRUCTION ACTIVITY IS TO BEGIN. THE CONTRACTOR SHALL NOTIFY NO ONE CALL AT 1-800-632-4949, 48 HOURS BEFORE CONSTRUCTION BEGINS.

CRITICAL ROOT ZONE NOTES

- ENCROACHMENT INTO THE CRITICAL ROOT ZONE IS ALLOWED WITH THE WRITTEN APPROVAL AND RECOMMENDATIONS BY A CERTIFIED ARBORIST AS DESCRIBED IN THE FOLLOWING NOTES:
1. EXCAVATION IN THE TOP 24" OF THE SOIL IN THE CRITICAL ROOT ZONE AREAS SHOULD BEGIN AT THE EXCAVATION LINE THAT IS CLOSEST TO THE TREE.
 2. THE EXCAVATION SHOULD BE DONE BY HAND/SHOVEL OR WITH A BACKHOE AND A PERSON WITH A SHOVEL, PRUNING SHEARS, AND A PRUNING SAW.
 3. IF DONE BY HAND, ALL ROOTS ONE (1) INCHES OR LARGER SHOULD BE PRUNED AT THE EXCAVATION LINE.
 4. IF DONE WITH A BACKHOE (MOST LIKELY SCENARIO), OPERATOR MUST START THE CUT AT THE EXCAVATION LINE AND CAREFULLY "FEEL" FOR ROOTS/RESISTANCE. WHEN THERE IS RESISTANCE, THE PERSON WITH THE SHOVEL HAND DIGS AROUND THE ROOTS AND PRUNES THE ROOTS LARGER THAN ONE (1) INCH DIAMETER.

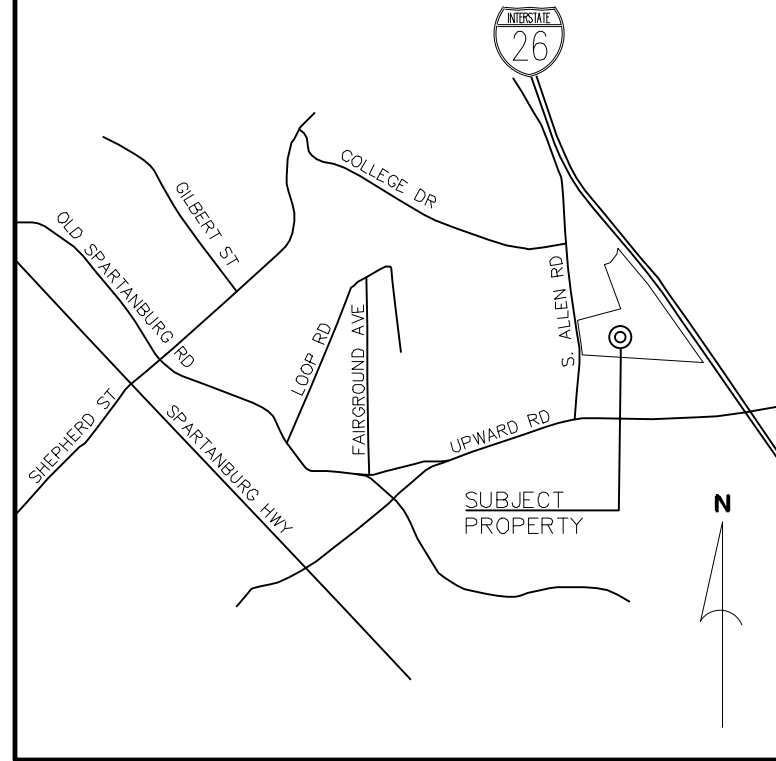
LEGEND

- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO REMAIN
- TREE PROTECTION BARRIER: SEE TREE PROTECTION NOTE 2 FOR INSTALLATION REQUIREMENTS
- 000 TREE ID NUMBER: SEE TREE PRESERVATION TABLE, THIS SHEET, FOR SPECIES, DBH, TREE CREDITS, AND PLANTING CATEGORY.

TREE PRESERVATION

TREE ID	SPECIES	DBH	NUMBER OF CREDITS	PLANTING CATEGORY
138	WHITE OAK	22"	4	PS
139	WHITE OAK	12"	2	PS
140	WHITE OAK	12"	2	PS
141	PINE	12"	2	PS
142	PINE	12"	2	PS
143	PINE	12"	2	PS
145	PINE	18"	3	VUA
146	PINE	12"	2	PS
147	WHITE OAK	12"	2	PS
148	WHITE OAK	20"	4	PS
150	PINE	12"	2	PS
151	PINE	12"	2	PS
152	PINE	14"	3	VUA
153	PINE	16"	3	PS
154	PINE	14"	3	PS
155	PINE	18"	3	PS
156	PINE	12"	2	PS
157	PINE	18"	3	PS
158	POPLAR	18"	3	PS
159	PINE	20"	4	PS
160	PINE	22"	4	PS
161	PINE	12"	2	PS
162	PINE	12"	2	PS
163	POPLAR	16"	3	PS
164	PINE	14"	3	PS
165	PINE	26"	5	PS

TREE ID	SPECIES	DBH	NUMBER OF CREDITS	PLANTING CATEGORY
166	PINE	24"	4	PS
167	PINE	14"	2	PS
168	WHITE OAK	18"	3	PS
169	POPLAR	18"	3	PS
170	PINE	14"	2	PS
171	PINE	14"	2	PS
172	PINE	12"	2	PS
173	PINE	12"	2	PS
174	POPLAR	18"	3	PS
175	POPLAR	14"	2	PS
176	POPLAR	18"	3	PS
177	POPLAR	20"	4	PS
179	PINE	18"	2	PS
180	POPLAR	12"	2	PS
181	POPLAR	20"	4	PS
184	POPLAR	16"	3	PS
185	PINE	24"	4	PS
186	POPLAR	16"	3	PS
187	PINE	14"	3	PS
188	WHITE OAK	16"	3	PS
189	PINE	26"	5	PS
190	PINE	26"	5	BI
191	MAPLE	14"	3	PS
192	WHITE OAK	16"	3	PS
193	WHITE OAK	18"	3	PS
194	PINE	22"	4	PS
195	PINE	24"	4	PS
196	PINE	20"	4	PS
197	PINE	26"	5	PS



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER: GRAYCLIFF CAPITAL DEVELOPMENT, LLC
200 EAST BROAD STREET, SUITE 220
GREENVILLE, SC 29601
SETH PETERSON
(864) 679-4799

CONTACT:

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

CONTACT:

SURVEYOR: ATLAS SURVEYING
570 BROOKSHIRE RD, SUITE D
GREER, SC 29615
TIMOTHY R. GOLDE
(864) 655-5004

CONTACT:

PROJECT DATA

PIN: 9586-11-9994
ADDRESS: S. ALLEN ROAD
DEED BOOK/PAGE: 3578/529
SITE ACREAGE: 15.5 ACRES
EXISTING ZONING: O&I
PROPOSED ZONING: PRD-CZD

DENSITY: 17 UNITS/ACRE (264 TOTAL UNITS)

SETBACKS:
FROM R/W: 40'
FROM ADJACENT: 30'

DISTURBED AREA: 9.7 AC

PARKING CALCULATIONS:
VEHICULAR:
REQUIRED SPACES: (1 OR 2 BED UNITS) 1.5 X 214=321
(3+ BED UNITS) 2 X 80=100
TOTAL SPACES REQUIRED: 421
SPACES PROVIDED: 444

HANDICAPPED SPACES:
SPACES REQUIRED: 22 SPACES PROVIDED: 22

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GFA
1-2	4-STORY "L"-68	40'	57,621 SF
3-7	4-STORY-24	40'	28,791 SF
8	CLUBHOUSE	20'	6,134 SF
9-12	CARRIAGE-2	20'	5,504 SF
13-15	GARAGE/MAINT.	10'	1,855 SF

OPEN SPACE:
REQUIRED: 9.3 AC (60%) PROVIDED: 9.3 AC
COMMON OPEN SPACE:
REQUIRED: 3.03 AC (500 SF/UNIT) PROVIDED: 3.03 AC

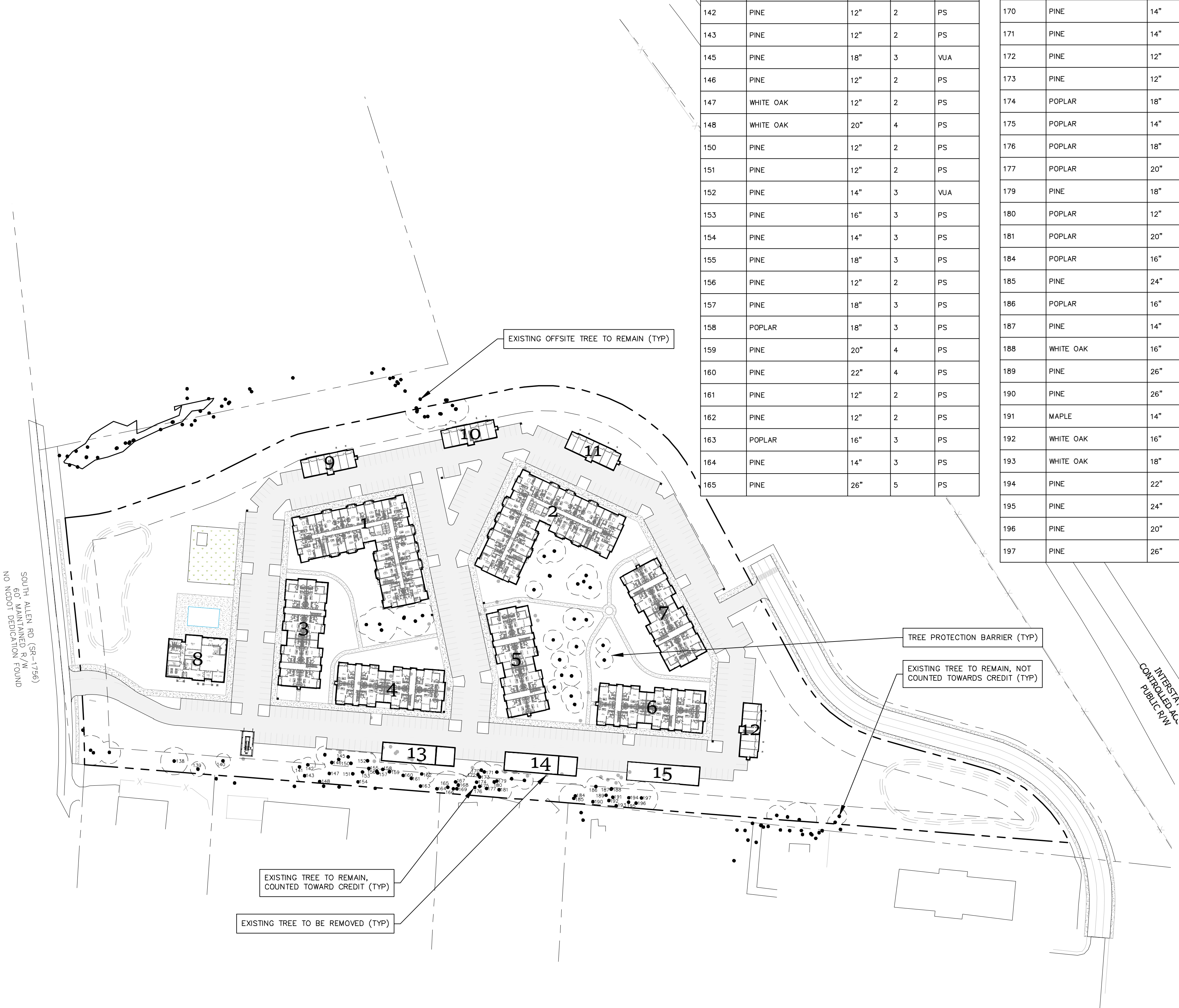
BUILDINGS:
REQUIRED: <3.1 AC (<20%) PROVIDED: 2.8 AC (18%)
STREETS/PARKING (VUA): PROVIDED: 3.4 AC (22%)
OTHER: N/A

LANDSCAPING REQ'S: SEE L101 LANDSCAPE PLAN

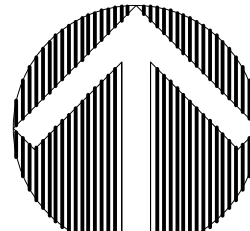
IMPERVIOUS CALCULATIONS:

	IMPERVIOUS	PERVIOUS
PRE-DEVELOPMENT:	15.5 ACRES (100%)	0.0 ACRES (0%)
POST-DEVELOPMENT:	7.6 ACRES (49%)	7.9 ACRES (51%)

SOIL TYPE: N/A
SOIL GROUP: N/A



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



NORTH

TREE PRESERVATION PLAN

GRAPHIC SCALE



(IN FEET)
11 inches = 100 ft.

Section 5, Item B.

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 492-4410
FAX (828) 252-5388

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 492-4410
FAX (828) 252-5388

CDC Civil Design Concepts, PA
www.civildesignconcepts.com
NCBELS LICENSE #: C-2194

NO.	DATE	DESCRIPTION	BY
1	07/02/2021	CZD SUBMITTAL	SUB
2	08/09/2021	CZD RE-SUBMITTAL	SUB

PRELIMINARY
NOT RELEASED
FOR
CONSTRUCTION

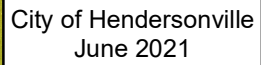
WATERLEAF AT FLAT
ROCK APARTMENTS

GRAYCLIFF CAPITAL DEVELOPMENT, LLC - HENDERSONVILLE, NORTH CAROLINA

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

AMP
12135
N/A

SHEET
L102



Section 5, Item B.

Proposed Zoning

Community Development Department

PRD

Portion of PIN: 9588-11-9994
Approximately 15.5 Acres

PRD

Henderson County-RC

Henderson County-RC

PCD

C-3

C-3

UPWARD RD.

COMMERCIAL BLVD



A horizontal number line is shown with a black bar underneath. The line has tick marks at 0, 200, and 400. The word "Feet" is written below the line. A white rectangular box is placed on the line between 200 and 400, with the number "101" written inside it.

101

Feet

 Subject Property

 Hendersonville City Limits

Hendersonville Zoning

 CZD Conditional Zoning Districts

 PRD Planned Residential Development

 C-3 Highway Business

 PCD Planned Commercial Development

Henderson County Zoning

 RC - Regional Commercial
 OI - Office Institutional District
 I - Industrial
 R-1 - Residential 1



August 12, 2021

Mr. Tyler Morrow
City of Hendersonville
Community Development Department
100 N. King Street
Hendersonville, NC 28712

RE: *Waterleaf Multifamily Development TIA Review*

Dear Tyler,

At the request of the City of Hendersonville, Kimley-Horn has conducted a review of the draft sealed traffic impact analysis (TIA) prepared for the Waterleaf: South Allen Road Development TIA dated July 2021 by Stantec. The proposed site is anticipated to consist of up to 264 multifamily units and is located along S. Allen Road near the intersection with Upward Road. This memo outlines our review of the TIA.

TECHNICAL REVIEW COMMENTS

The following comments were developed in accordance with the traffic impact analysis guidelines contained within the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and the NCDOT *Congestion Management Capacity Analysis Guidelines*.

- Table ES-1: Upward Road at Upward Crossing Dr/Commercial Boulevard – Northbound approach, AM Peak hour. The approach changes from LOS C (2024 No-Build) to LOS D (2024 Build).
- Table ES-1: Upward Road at Upward Crossing Dr/Commercial Boulevard – Northbound approach, AM Peak hour. The approach experiences an increase in delay of 38.6% (10.9 seconds) between the 2024 no build and build scenarios.
- Section 2.2, page 2.2 indicates that a second point of access will be considered along a private roadway to Upward Road. Figure 2: Annotated Site Plan, page 2.3 indicates that the private roadway extension was not included in the study. The analysis contained in the TIA utilizes the extension for access.
- The sealed TIA (provided for review) did not include the appendix

The TIA provides an overview of the operations of the subject intersections. The proposed development is projected to add approximately 100 peak hour trips in the AM and PM peak hours. It is important to note that the TIA did not recommend mitigation for the intersection of Upward Road and Upward Crossing Drive/Commercial Boulevard as recommended in the NCDOT driveway manual. Per the NCDOT Driveway Manual, mitigation should be recommended when an intersection or approach experiences the following:

- The total average delay increases by 25% or greater
- The LOS degrades by one level

- Level of Service F

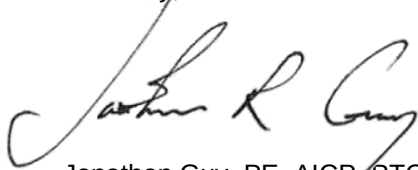
The NB approach of Upward Road and Upward Crossing Drive/Commercial Boulevard experiences both a LOS change and an increase in delay of more than 25%. Recommendations for mitigation should be offered in an updated TIA.

CONCLUSIONS

Based on the technical review of the documentation provided regarding the proposed development, the analysis as presented represents an accurate depiction of the potential operations within the study area considering the impact of the proposed development. The TIA should be updated, either through a revision or amendment, to provide mitigation at the intersection of Upward Road and Upward Crossing Drive/ Commercial Boulevard. Furthermore, clarification should be given regarding the private road and its timing for implementation and responsibility. If the private roadway does not coincide with the development as proposed, the analysis should be updated to reflect the approach.

Please contact me at (704) 488-3055 or jonathan.guy@kimley-horn.com should you have any questions regarding this analysis.

Sincerely,



Jonathan Guy, PE, AICP, PTOE
Vice President



September 9, 2021

Mr. Tyler Morrow
City of Hendersonville
Community Development Department
100 N. King Street
Hendersonville, NC 28712

RE: *Waterleaf Multifamily Development TIA Review*

Dear Tyler,

At the request of the City of Hendersonville, Kimley-Horn has conducted a review of the sealed traffic impact analysis (TIA) prepared for the Waterleaf: South Allen Road Development TIA, which was originally submitted in July 2021 and updated in September 2021 by Stantec Consulting Services, Inc. This memo outlines our review of the updated TIA for concurrence with comments provided by the City and the guidelines prescribed by the NCDOT *Policy on Street and Driveway Access to North Carolina Highways*, the NCDOT *Congestion Management Capacity Analysis Guidelines*, and the City of Hendersonville *Zoning Ordinance*.

TECHNICAL REVIEW COMMENTS

The following comments were offered by the City based on Kimley-Horn's review of the original TIA dated July 2021:

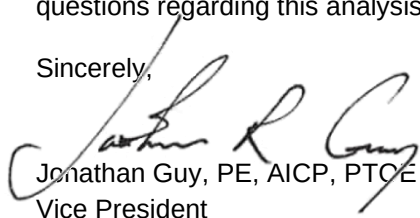
- Increases in delay (+38.6%) and changes in level of service (LOS C to LOS D) on the northbound approach of the intersection of Upward Road with Upward Crossing Drive/Commercial Boulevard noted in the previous TIA warrant improvements based on NCDOT guidelines.
- The site plan provided in the original TIA did not include the proposed extension of Upward Crossing Drive to tie into a second point of access.
- The original TIA did not include the report appendix.

CONCLUSIONS

The updated TIA prepared for the Waterleaf: South Allen Road Development dated September 2021 addresses all prior comments provided by the City of Hendersonville and generally complies with NCDOT and City guidelines. The technical review comments provided herein should be addressed within the TIA report, as applicable.

Please contact me at (704) 488-3055 or jonathan.guy@kimley-horn.com should you have any questions regarding this analysis.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan R. Guy".

Jonathan Guy, PE, AICP, PTOE
Vice President

Planning Report
 Neighborhood Compatibility Meeting
 Application for a Conditional Zoning District
 Waterleaf at Flat Rock File # P21-34-CZD
 Friday, June 11, 2021 2:00 p.m.

Matt Manley, Planning Manager, convened the compatibility meeting at 2:03 pm in the Assembly Room of the City Operations Building, 305 Williams Street. Approximately seven adjacent property owners and three City staff were in attendance and two people attended via Zoom. The following attended:

Name	Address	Name	Address
Matthew Manley	staff	Alan Aycock	170 Ridgeview
Tyler Morrow	staff		
Terri Swann	staff		
Kathy Tankersley	692 New Hope Road		
Chris Berg	6 Rosemary Trail		
Seth Peterson, Applicant	Greenville, SC		
Warren Sugg, Applicant	168 Patton Ave.		
Kelton Lastein	125 Continental Dr		
Bill Moss	H'ville Lightening		

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

Mr. Manley stated the property is zoned OI. Office Industrial by Henderson County. The proposed rezoning would be PRD CZD, Planned Residential Development Conditional Zoning District by the City of Hendersonville. This property is outside of the city limits and is requesting satellite annexation. They are proposing 276 multi-family units on 15.5 acres. If approved, it will be limited to what is shown on the site plan. This meeting is for the compatibility of the project and not whether the site should be developed or not.

Seth Peterson, Graycliff Capital Development stated he is the developer and is from Greenville, SC. He presented photos of previous projects and the site plan. He stated these will be garden style apartments with hardy plank materials. The apartments will have stainless steel appliances. They are proposing around 264 units and green space will be a big part of the design. They have created pocket park areas that are located between the buildings.

Warren Sugg, Civil Design Concepts stated he is the civil engineer for the project. He talked about working with Mr. Peterson and pushing the central courtyard area back because of the existing topo. This project will evolve over time with greater detail. This is the very early stages of the project. The main access will be off of South Allen Road. The blue area on the site plan shows the stormwater collection areas. The sewer will run up South Allen to the project. He stated he feels good about the utilities and layout of the project. The buildings have different shapes and sizes and they will have some carriage units that will give the project a good mix and have the ability to use the lower area. They feel good about the parking ratio and they are currently working

on a TIA. They have talked with the city about the traffic as well as NCDOT and they have taken into consideration the school traffic in the area. They are happy to answer any questions.

Mr. Manley stated he will open the public comment and asked if anyone would like to speak.

Alan Aycock, 170 Ridgeview Drive asked if it was correct that this project would be 17 to 18 units per acre. Mr. Sugg stated it would be 17 units per acre. Mr. Aycock stated with the elevation being 3 to 4 stories where will the parking go? He is not sure how they will fit parking into that area. Mr. Peterson stated they feel like they have adequate parking for the project. Mr. Aycock asked if the parking would be in the center of the development or around the exterior. Mr. Peterson stated they prefer around the exterior. Only two buildings will be four stories, the rest will be three. Mr. Aycock asked how many spaces are required. Mr. Peterson stated 1.2 to 1.5 spaces per unit. They are still playing around with the layout. They will have 42 garages. Mr. Peterson explained the carriage units. Mr. Sugg pointed out the parking spaces on the plan. Mr. Aycock asked when the project would be started and finished. Mr. Sugg stated they plan to start in the second quarter of 2022 and it should finished roughly 18 to 24 months after that.

Bill Steigerwald, 104 Barn Road, Burnsville, NC discussed one of the developer's previous projects and how nice the development is. He also discussed the uniqueness of the carriage units.

Chris Berg, 6 Rosemary Trail asked if there was a sketch of the carriage units. Mr. Peterson stated no, but he can provide one and there is a photo on their website. Mr. Berg asked if they would be saving trees onsite. Mr. Sugg explained the middle area and the natural vegetation that would remain. They will save as many trees as they can but they will also plant new landscaping throughout the development.

Mr. Peterson stated there is a nice grove of trees and they will protect as many as they can. There is a pond onsite and they will have a one-story clubhouse. The buildings will be tucked back. Mr. Berg asked if sidewalks would connect to the surrounding uses. Mr. Peterson stated they are working on that. Mr. Manley stated some sidewalks would be required per the zoning ordinance.

The written comments are below:

Jonathan Weber, 1804 Country Club Road - If you keep building it they will come. Please stop over taxing our beautiful and limited natural resources for the sake of the almighty dollar. As a small business owner I am on Hendersonville roads for most of my day. The traffic and road conditions are already deplorable. If we stay on this current course of destruction we will become just another big sprawling lost city with no personality.

Britt Gordon, 152 east Lyda Road - How can the city keep telling the developers, then new owners of the housing that is built on these sites they are providing quality emergency services such as fire, when it has to respond from three to five miles away and there is a fire station within a mile. But it's county which the city each time it annexes is taking revenue from that would better the services of that department by allowing it to hire more manpower if it were to get the revenue from the new proposed development. No I'm not a landowner near the site but a employee of an organization as other emergency organizations near the city limits where the city is taking revenue that would allow county organizations to grow with manpower and better equipment nearby.

Mr. Manley stated he would now open up the public comment for anyone attending via zoom.

Ken Fitch, 1046 Patton Street stated he was concerned that these major developments and their impact is setting a precedent as to the fire and emergency services. Mr. Manley explained there being a state law for

compensation concerning fire and emergency services. He asked if this development would be age restricted or income restricted. Mr. Peterson stated it would not be age or income restricted. Depending on the number of bedrooms, the units would rent for \$1,200 to \$1,600 a month. Mr. Fitch asked if the parking is based on the number of units or the number of bedrooms. Mr. Sugg stated they look at the number of units for parking. They will make sure there is adequate parking for the development. Mr. Fitch asked if there were separate parking spaces for the clubhouse. Mr. Sugg stated they will have ten spaces for the clubhouse and parking in the aisle for any overflow. Mr. Peterson stated there would be two or three spots reserved for visitors. They will encourage people to walk and cut down on the traffic throughout the development. Mr. Fitch asked what is on the site plan outlined south of the clubhouse. Mr. Sugg stated that is the trash compactor/dumpster. Mr. Fitch asked about trash collection service, fire, police, mail and maintenance. Mr. Sugg stated trash is shown in that spot on the site plan and each tenant would be required to bring their own trash and deposit it in the dumpster. The City of Hendersonville will provide fire, water and police services. The buildings will be sprinkled. Mr. Fitch asked how they will handle mail service. Mr. Peterson stated there will be a mailroom inside the clubhouse, they will have a key pod access to it. Mr. Fitch asked if there will be places for those vehicles and with people stopping to pick up their mail it could cause major issues with traffic. Mr. Fitch asked if they plan to have a maintenance shed onsite. Mr. Peterson stated there will be a maintenance shed onsite and they plan to have two maintenance staff onsite.

Mr. Fitch talked about the existing grade and that there would be a major impact on how they handle the trees. There are mature trees onsite and they serve as a buffer to the north and the south. Mr. Sugg stated there would be some change to the topo from S. Allen to the clubhouse. They are still trying to work this out. Mr. Sugg stated they are doing a tree survey and will go to the Tree Board. They are not quite at that level of detail yet but will get feedback when the time comes and make informed decisions. Mr. Fitch asked if the access road would be public or private. Mr. Sugg stated most of the access would be coming in from the S. Allen Road entrance. Mr. Peterson stated it is still very early in the process and they are making the best effort to create a second access, currently Upper Crossing is a private drive.

Mr. Fitch asked if they would take into consideration the Dark Skies lighting requirements. Mr. Sugg stated they will comply with the City's requirements for lighting. The lighting plan will come at the appropriate time.

Mr. Fitch stated the TIA is a very critical element. There is a senior development in the area and will that be taken into account. Mr. Sugg stated yes, they will be looking at the other projects in the area. Mr. Fitch stated with a senior development there is a certain type of traffic and neighbors were already concerned with the speed on S. Allen Road. This could cause major traffic issues.

Mr. Fitch asked for clarification of satellite annexation. Mr. Manley explained satellite annexation.

Lurah Lowery with the Tines News asked if the annexation was a local policy. Mr. Manley stated yes. Ms. Lowery asked how many bedrooms the units would have. Mr. Peterson stated there would be one, two and three bedroom units.

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

Mr. Manley stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well. The property will also be posted with the meeting information on the sign. This project should go before the Planning Board on August 9th and City Council on September 2nd.

With no further comments or questions, Mr. Manley closed the meeting at 2:47pm.

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR A PORTION OF PARCEL NUMBER 9588-11-9994 BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY OFFICE INSTITUTIONAL TO CITY OF HENDERSONVILLE PLANNED RESIDENTIAL DEVELOPMENT CONDITIONAL ZONING DISTRICT

IN RE: Parcel Number: Portion of 9588-11-9994– Waterleaf at Flat Rock
(File # P21-34-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from Graycliff Capital Development LLC (applicant) and Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Fleming (Property Owners) for the development of a 264 unit multi-family development on approximately 15.5 acres., and

WHEREAS, the Planning Board took up this application at its regular meeting on September 13th, 2021; voting ____ to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on October 1st, 2021, and

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel number 9588-11-9994 from Henderson County Office Institutional to City of Hendersonville 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 subject to the following:
Permitted Uses shall include:
 - 1) Multi-family residential dwellingsConditions that shall be satisfied prior to final site plan approval include:
 - 1) The developer shall construct the rear access that connects to Upward Crossing Drive to City street standards and allow it to be an ingress and egress for residents.
 - 2) To require the developer to plant trees 2 ½ inch caliper size trees rather than 1 ½ inch caliper size trees; to preserve as many trees as possible on the site; and to plant the number of trees as specified by the City’s Zoning Ordinance.
3. This ordinance shall be not be effective until the stipulated list of conditions is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this first day of October 2021.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to the imposition of all conditions stated.

Applicant: Graycliff Capital Development LLC

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Peggy C. Cabe

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Enno F. Camenzind

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Paula Camenzind Carter

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Robert O. Camenzind

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____

Property Owner: Joan C. Fleming

Signature:_____

Printed Name:_____

Date:_____

Title Within LLC:_____



CITY OF HENDERSONVILLE
DEVELOPMENT ASSISTANCE DEPARTMENT

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

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

The following are required for conditional zoning district petition:

- ~ These forms including the property owner(s) signature(s)
- ~ Proposed conditions and Comprehensive Plan explanation (page 2)
- ~ Appropriate fee
- ~ A conceptual plan meeting the requirements in Section 7-4-3.1 of the City Zoning Ordinance.

After the neighborhood compatibility meeting, a final site plan meeting the requirements of Section 7-3-4.3 is required. Upon receipt of a complete application, a Planning Board meeting may be scheduled at least 24 days in the future.

Date 5/18/2021

Name of Project Waterleaf at Flat Rock Apartments

Address / Location of Property No address - located off of S Allen Rd, north of the Upward Road intersection

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

9588-11-9994 - PIN is tied to parent parcel that will be subdivided. Proposed project will be Tract 1 of subdivided parcel.

CHECK TYPE OF DEVELOPMENT

☒ Residential

☐ Commercial

☐ Other

Current Zoning Office Institutional District (O & I)
(Henderson County)

Proposed Zoning Planned Residential Development
Conditional Zoning District (PRD CZD)

List requested uses Proposed multi-family residential development.

Total Acreage 15.5 Acres

Proposed Building Sq.Ft. 125,000 SF

Dwelling Units 276

Official Use:

DATE RECEIVED: _____ BY _____ FEE RECEIVED \$ _____ FILE NO. _____



DEVELOPMENT ASSISTANCE DEPARTMENT

100 N. King St. ~ Hendersonville, NC ~ 28792

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

www.hendersonvillenc.gov

CONDITIONAL ZONING DISTRICT PETITION

(Continued)

Section 7-4 and Article 11 City Zoning Ordinance

Proposed Conditions for the site:

The property is currently within Henderson County. The proposed project is a multi-family residential development to be annexed into the City of Hendersonville and rezoned.

It is important that the applicant consider the following factors. See Section 11-4 of the Zoning Ordinance for more information. Please use additional pages and/or attachments if necessary:

Explain consistency with City's Comprehensive Plan:

Rezoning of the subject property to a Planned Residential Development CZ is in accordance with the City's Comprehensive Plan as the property is within the city's priority growth areas for the expansion of the ETJ boundary and promotes orderly development annexation and the utilization of existing infrastructure.

Explain compatibility with surrounding land uses:

Currently, the surrounding land uses range from retail/commercial, office, and residential. All of which the subject project is compatible with. In addition, the development is compliant with the Comprehensive Plan's land use designation for this area of Regional Activity Center. The intension of the land use is to increase regional retail supported by multi-family residential, which the proposed project provides.

Explain whether changed conditions require a map amendment:

Annexation of the subject property within the City of Hendersonville ETJ will require a map amendment as it will need to reflect a revised zoning district and jurisdiction.

Explain how the petition is in the public interest:

The conditional rezoning petition is requesting approval of a multi-family residential development on what is currently vacant property within Henderson County. Annexation into the city will serve the public interest as it will promote growth and development in an orderly fashion.

Official Use:

FILE NO. _____



DEVELOPMENT ASSISTANCE DEPARTMENT

100 N. King St. ~ Hendersonville, NC ~ 28792

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

www.hendersonvillenc.gov

CONDITIONAL ZONING DISTRICT PETITION

(Continued)

Section 7-4 and Article 11 City Zoning Ordinance

Explain whether adequate public facilities are available:

Proposed project will be served by available water service and sewer service via a line extension north on South Allen Road constructed by an approved CZ project on the adjacent parcel. The proposed project will have internal pedestrian and vehicle circulation while simultaneously retaining vegetated open space.

Explain the impact the petition would have on the natural environment:

The development would utilize a portion of an existing vacant property, thus reducing undeveloped land.

Additional information:

Note additional approvals prior to issuance of a Zoning Compliance Permit may include, but are not limited to:

1. Henderson County Sedimentation & Erosion Control permit
2. Stormwater management plan
3. Utility approval
4. NCDOT permit
5. Any other applicable permits as determined by Development Assistance Department

Official Use:

FILE NO. _____

Signature pages for Conditional Zoning District Petition

Designated Agent WARREN SULLY @ CIVIL DESIGN CONCEPTS

Address 167 PATTON AVE ASHEVILLE NC 28801

Phone 828-252-5388

Email WSULLY@CDCGO.COM

Applicant Name Graycliff Capital Development, LLC

Address PO Box 17437 ; Greenville SC 29606

Phone (864) 679-4799

Signature [Signature]

Printed Name Seth Peterson

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.

Property Owner: Name

Address

PID or PIN #

Signature

Printed Name

Property Owner: Name

Address

PID or PIN #

Signature

Printed Name

Official Use:
FILE NO.

Signature pages for Conditional Zoning District Petition

Signature of the property owner acknowledges 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.

Property Owner: Name

Address

PID or PIN Signature _____

Printed Name _____

Property Owner: Name

Address

PID or PIN Signature _____

Printed Name _____

Property Owner: Name

Address

PID or PIN Signature _____

Printed Name _____

Property Owner: Name

Address

PID or PIN Signature _____

Printed Name _____

City of Hendersonville
General Application
Applicant Signature Addendum

Section 5, Item B.

Application Information

Date of Application _____

Application Number _____

Name of Project _____ Phase # (if subdivision) _____

Parcel Identification Number(s) (PIN) _____

Additional Applicants: (Signature indicates intent that this page be affixed to Application.)

* Printed Name Seth Petersen c/o Graycliff Capital Development, LLC
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature [Signature]

Title Director Email SPetersen@graycliffcapital.com

Address of Applicant 200 E. Broad Street ; Suite 200 ; Greenville SC 29601

* Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Applicant _____

* Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the Applicant named above my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Applicant _____



NORTH CAROLINA

Department of the Secretary of State

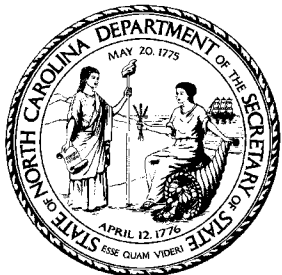
Section 5, Item B.

CERTIFICATE OF AUTHORITY

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify that

GRAYCLIFF CAPITAL DEVELOPMENT, LLC

having filed on this date an application conforming to the requirements of the General Statutes of North Carolina, a copy of which is hereto attached, is hereby granted authority to transact business in the State of North Carolina.



Scan to verify online.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 26th day of July, 2021.

Elaine F. Marshall

Secretary of State

City of Hendersonville
General Application
Owner Signature Addendum

Section 5, Item B.

Application Information

Date of Application 5/18/2021 Application Number _____

Name of Project Waterleaf at Flat Rock Apartments Phase # (if subdivision) _____

Parcel Identification Number(s) (PIN) 9588-11-9994 - PIN is tied to parent parcel that will be subdivided. Proposed project will be Tract 1 of subdivided parcel.

Additional Owners: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature See Exhibit "A"

Title N/A Email hramenzind@ramsey-pratt.com

Address of Property Owner 5133 Boylston Highway, Mills River, NC 28759

* ^ Printed Name See Exhibit "A"
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

* ^ Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the City Council except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

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

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

EXHIBIT "A"

OWNERS

5/14/21
DATE

Robert O. Camenzind
ROBERT O. CAMENZIND

Peggy C. Cabe, by and through her A-I-F, Robert Otto Camenzind
PEGGY C. CABE, by and through her attorney-in-fact, Robert Otto Camenzind

Lynnda Hill Camenzind, by and through her A-I-F, Robert Otto Camenzind
LYNDA HILL CAMENZIND, by and through her attorney-in-fact, Robert Otto Camenzind

Enno F. Camenzind, by and through his A-I-F, Robert Otto Camenzind
ENNO F. CAMENZIND, by and through his attorney-in-fact, Robert Otto Camenzind

Brenda Merrill Camenzind, by and through her attorney-in-fact, Robert Otto Camenzind
BRENDA MERRILL CAMENZIND, by and through her attorney-in-fact, Robert Otto Camenzind

Paula C. Carter, by and through her A-I-F, Robert Otto Camenzind
PAULA C. CARTER, by and through her attorney-in-fact, Robert Otto Camenzind

Charles Norman Carter, by and through his A-I-F, Robert Otto Camenzind
CHARLES NORMAN CARTER, by and through his attorney-in-fact, Robert Otto Camenzind

Joan C. Fleming, by and through her A-I-F, Robert Otto Camenzind
JOAN C. FLEMING, by and through her attorney-in-fact, Robert Otto Camenzind

John Thomas Fleming, by and through his A-I-F, Robert Otto Camenzind
JOHN THOMAS FLEMING, by and through his attorney-in-fact, Robert Otto Camenzind

BK 3693 PG 58 - 63 (6)

DOC# 949906

This Document eRecorded:

04/16/2021 04:33:20 PM

Fee: \$26.00

Henderson County, North Carolina

William Lee King, Register of Deeds

RAMSEY, PRATT & CAMENZIND, P.A.

Prepared by: Hannah L. Camenzind

STATE OF NORTH CAROLINA,

COUNTY OF HENDERSON.

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that WE, and each of us, namely, LYNDIA HILL CAMENZIND, PEGGY C. CABE, PAULA CAMENZIND CARTER, and husband, CHARLES NORMAN CARTER, JOAN C. FLEMING, and husband, JOHN THOMAS FLEMING, ENNO F. CAMENZIND, and wife, BRENDA MERRILL CAMENZIND, have made, constituted, and appointed and by these presents do make, constitute and appoint ROBERT O. CAMENZIND as my true and lawful Attorney-in-Fact to do and perform the following acts for me, on my behalf and in my name to the same extent as if personally present and acting:

To execute all documents necessary in order to list for sale, sell and close the sale of property located in the Blue Ridge Township in Henderson County, North Carolina, being described in a deed from Robert O. Camenzind as Trustee of the Trust created under the Last Will and Testament of Ellison Smyth Hudgens, to Peggy C. Cabe, et al., and recorded in the office of the Register of Deeds for Henderson County in Book 3578, Page 329.

In connection therewith, to execute contracts for the sale of property and such deeds, easement agreements, bills of sale, affidavits, closing statements and other documents as my Attorney-in-Fact shall deem just and appropriate in order to complete the sale thereof.

And I do hereby ratify and confirm all things so done by my said Attorney-in-Fact within the scope of the authority herein given, as fully and to the same extent as if by my self personally done and performed, specifically ratifying and confirming any and all acts and things so done by my said Attorney-in-Fact within the terms of the authority herein given.

Submitted electronically by "Ramsey, Pratt & Camenzind, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Henderson County Register of Deeds.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this the 16
day of April, 2021.

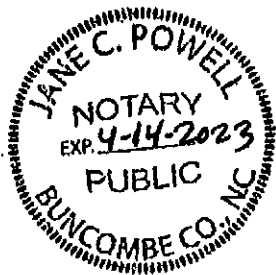
Lynda Hill Camenzind (SEAL)
LYNDA HILL CAMENZIND

STATE OF NORTH CAROLINA,
COUNTY OF Transylvania.

I Jane C. Powell a Notary Public of said State and County, Buncombe do
hereby certify that LYNDA HILL CAMENZIND, personally appeared before me this
day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 16th day of
April, 2021.
Jane C. Powell
Notary Public

My Commission Expires: 4-14-2023



BK 3693 PG 58 - 63 (6)

DOC# 949906

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this the 9
day of April, 2021.

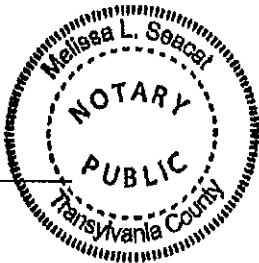
Peggy C. Cabe (SEAL)
PEGGY C. CABE

STATE OF NORTH CAROLINA,
COUNTY OF Transylvania

I Melissa L. Seacat a Notary Public of said State and County, do
hereby certify that PEGGY C. CABE, personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial stamp or seal this the 9 day of
April, 2021.

Melissa L. Seacat
Notary Public



My Commission Expires: 5-28-24

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this the 9
day of April, 2021.

Paula Camenzind Carter (SEAL)
PAULA CAMENZIND CARTER
Charles Norman Carter (SEAL)
CHARLES NORMAN CARTER

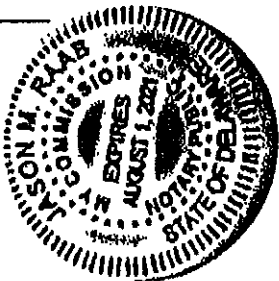
STATE OF Delaware
COUNTY OF New Castle

I Jason M. Raab a Notary Public of said State and County, do
hereby certify that PAULA CAMENZIND CARTER and husband, CHARLES
NORMAN CARTER, personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 9 day of
April, 2021.
Jason M. Raab
Notary Public

My Commission Expires: 8-1-2021

Jason M. Raab
Notary Public
#20170601000018
Commission Expires 8/01/2021



BK 3693 PG 58 - 63 (6)

DOC# 949906

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this the 9th
day of APRIL, 2021.

Joan C Fleming (SEAL)
JOAN C. FLEMING

John Thomas Fleming (SEAL)
JOHN THOMAS FLEMING

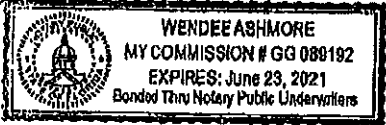
STATE OF FLORIDA
COUNTY OF NASSAU.

I WENDEE ASHMORE a Notary Public of said State and County, do
hereby certify that JOAN C. FLEMING and husband, JOHN THOMAS FLEMING,
personally appeared before me this day and acknowledged the due execution of the
foregoing instrument.

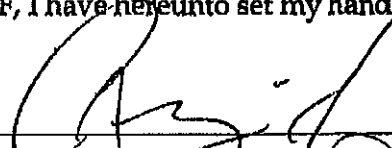
WITNESS my hand and Notarial Seal, this the 9th day of
APRIL, 2021.

My Commission Expires: 06-23-21.

W Ashmore
Notary Public



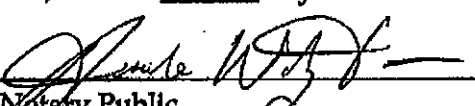
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this the ____ day of April 9, 2021.


_____(SEAL)
ENNO F. CAMENZIND

_____(SEAL)
BRENDA MERRILL CAMENZIND

STATE OF North Carolina
COUNTY OF Wake.

I Andre Washington a Notary Public of said State and County, do hereby certify that ENNO F. CAMENZIND and wife, BRENDA MERRILL CAMENZIND, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 9th day of April, 2021.


Notary Public

My Commission Expires: 12/09/2024.

