



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Thursday, August 10, 2023 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. Minutes of June 8, 2023
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. Zoning Text Amendment: Small-Scale Multi-Family in the MIC (P23-49-ZTA) – *Matthew Manley, AICP – Strategic Projects Manager*
 - B. Administrative Review: Preliminary Site Plan and Preliminary Building Design– Tru Hotel Project (A23-12-SPR) – *Tyler Morrow – Planner II*
 - C. Zoning Text Amendment: Transportation Standards in CHMU (P23-51-ZTA) – *Matthew Manley, AICP – Strategic Projects Manager*
6. **OTHER BUSINESS**
 - A. Comprehensive Plan Update - *Matthew Manley, AICP / Strategic Projects Manager*
7. **ADJOURNMENT**

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

**Minutes of the Planning Board
Regular Meeting - Electronic
June 8, 2023**

Members Present: Barbara Cromar, Jim Robertson (Chair), Yolanda Robinson, Andrea Martin, Peter Hanley, Neil Brown

Members Absent: Tamara Peacock (Vice-Chair)

Staff Present: Matthew Manley, Planner III/Strategic Projects Manager and Tyler Morrow, Planner II

- I Call to Order.** *The Chair called the meeting to order at 4:00 pm. A quorum was established.*
- II Approval of Agenda.** *Mr. Hanley moved to approve the revised agenda. The motion was seconded by Mr. Brown and passed unanimously.*
- III Approval of Minutes for the meeting of May 11, 2023.** *Ms. Cromar moved to approve the Planning Board minutes of the meeting of May 11, 2023. The motion was seconded by Mr. Hanley and passed unanimously.*
- IV Old Business**
- V New Business**
- V(A) Administrative Review (Preliminary Site Plan) – Tru Hotel project (A23-12-SPR).** Mr. Morrow gave the following background:

The City of Hendersonville is in receipt of an application for preliminary administrative site plan review for the Tru Hotel project. Mr. Morrow stated this is an administrative review and the term administrative is defined as decisions made in the implementation, administration or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards in the Zoning Ordinance.

Mr. Morrow stated there are two administrative reviews tonight, he explained the process and the role of the Planning Board in this review. The Planning Board's role in the review is to ensure that the preliminary site plan meets all applicable requirements. If the project meets all the applicable requirements, then the Planning Board must grant approval. The Planning Board can determine three possible outcomes; approval of the preliminary site plan as presented, approval of the preliminary site plan with conditions, or the Planning Board can vote to deny the application but must provide the reasoning for denial and specifically state which sections of the ordinance are not being met which must be included in the denial motion.

The project is required to go through preliminary site plan review because the development exceeds 20,000 sq. ft. and is a commercial use. A hotel this size is a by right permitted use in CHMU and does not require rezoning. Approval of the preliminary site plan does not entitle the applicant to the issuance of a zoning compliance permit or final site plan approval. The developer will still be required to submit full construction drawings to staff for review as well as any other required approvals.

This project is located within the Commercial Highway Mixed Use zoning district which does have design standards for any project within that district excluding single and two-family homes.

Article 18 "Mixed Use Zoning" outlines the process that all projects located within a mixed-use zoning district shall undergo.

Staff received an initial rendering of the proposed Tru Hotel. Staff provided comments on the items needed in order to bring the building design into compliance with the ordinance; staff has not received a revised rendering. Due to not receiving updated elevations for the building design review, staff is processing this application in accordance with Section 18-3-1.1. Site plan review only. They will have to provide building design during the final site plan review process and that will be reviewed by staff.

A background of the project was given in the presentation and is included in the staff report.

The current Zoning and Land Use Map was shown and is explained in the staff report.

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

The preliminary site plan was shown and is included in the staff report along with the preliminary site plan comments.

Zoning compliance was explained for the preliminary site plan and the building design is included in the presentation and the staff report.

Mr. Morrow stated concerning sidewalks, the requirement for sidewalks is triggered by this development. In the Waterleaf at Flat Rock Road extension plans provided to the city, sidewalks are shown on the opposite side of Upper Crossing Drive for that development.

Chair asked if there were any questions for staff.

Mr. Brown asked if staff would make sure that the sidewalks meet the code, and all requirements are met prior to release of the Certificate of Occupancy. Mr. Morrow stated yes, at the final site plan review all codes must be met. Mr. Manley stated the property would be inspected before the release of the CO.

The lighting is an aspect of the final site plan. Chair discussed the sidewalk and where Upward Crossing extends. A full road connection is not part of the Waterleaf project. There are a good amount of sidewalks that will be in this location once the projects are completed.

There were no further questions for staff.

Chair asked if there were any questions for the applicant.

Mr. Brown stated this is not required by any city ordinance, but do they have any plans to put in electrical charging units or conduits for future installation of the units?

Chris Cormier, 624 7th Avenue East stated that would be a brand requirement and he does not know if that is required at this point and time. At the last two projects he did for this hotel there were charging stations, but he did not want to speculate on this one.

There were no further questions for the applicant.

The Board discussed landscaping requirements. Mr. Morrow stated the preliminary site plan did meet the landscaping requirements and there were no comments on that.

Chair stated it is not required but if anyone has any comments or questions it must pertain to the site plan.

Lynne Williams, Chadwick Avenue stated CHMU allows for four stories. Is that what this will be zoned for? She discussed parking. She stated it is important for this project to comply with the ordinances as it does not require a conditional zoning. She had concerns about the open space and the traffic islands. She talked about having street trees. She was concerned about safe crossing in the area. Is there a better use for this space?

Ken Fitch (zoom), 1046 Patton Street stated do they need to provide more information on parking if they require a meeting space and restaurant? How will that be implemented?

There were no further comments.

Chair stated there were some concerns raised and this is just a preliminary site plan. Staff will review the final site plan and ensure that it meets the ordinance requirements.

Mr. Morrow stated with this process, it is a transparency process, that is what the preliminary process is. For these certain projects that reach a certain threshold, they deserve to have public eyes on them to ensure compliance and make sure staff is basically enacting the ordinance as it was written. That way these larger site plans are not reviewed by staff only. He explained the preliminary site plan process in detail.

Mr. Brown talked about having more parking spaces. Mr. Morrow explained the parking when it comes to conditional zoning and adding conditions and since this is a preliminary site plan review, it has the set standard of one space per room and that is what staff has to go by. Unlike conditional zoning, conditions cannot be applied to this. Chair stated this is a preliminary site plan review to see if it complies and if it complies with the one space per room requirement, then it is fine. Mr. Brown stated his concern is staff parking and if they are full during Apple Festival, where do staff park? Mr. Hanley stated none of these hotels are ever booked 100%. There is always parking somewhere on the property.

Chair asked if any of the conditions listed that have not been taken care of yet, are those things huge or insurmountable? Mr. Morrow stated in general he did not foresee any of them being a huge unsurmountable obstacle. He stated parking would be the most difficult thing to address and he doesn't think that will really be very difficult to address. He doesn't see anything insurmountable that could not be addressed.

Chair asked about not seeing a lighting plan. Mr. Morrow stated that was a given. It wasn't an aspect of the preliminary site plan review, but they will have to be in conformance with the lighting ordinance. And that is approved at final site plan approval.

Mr. Hanley moved that the Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-27 Commercial Highway Mixed Use and 7-3-3 Review of Preliminary Site Plans) for the Tru Hotel project subject to the following conditions: The 12x40 loading/unloading space needs to meet the required 14' of overhead clearance. Parking calculations need to be updated to take into account any "public meeting area and restaurant area" into the required parking calculations and reflected on the plans. Any areas meeting these criteria need to be included in the required parking calculation and reflected on the plans. Sidewalks that are shown to the northern property line that states it will be "by others" will be the responsibility of the property owner and developer to ensure

that these sidewalks are built in accordance with this project and that the requirement for these sidewalks are a requirement of this project. To symbolize areas meeting the open space and common open space requirements. These areas must meet the criteria outlined in the ordinance. Provide clarification and notes concerning 5-27-4.1.4 Common space standards including. Adding a note stating all service connections shall be underground. Showing and calling out areas meeting requirements outlined in section d) seating and e) amenities. The motion was seconded by Ms. Cromar and passed unanimously.

V(B) Standard Rezoning (Zoning Map Amendment) – Blue Ridge Commerce Center – (P23-46-RZO). Mr. Morrow gave the following background:

Mr. Morrow stated the City is requesting that initial zoning be placed on this property that was annexed at the City Council meeting last week on June 1st. The location of the property is off McMurray Road. There is an internal street, McAbee Court. The applicant is the City of Hendersonville and owner is Asheville Industrial Owner, LLC I and II. The existing zoning on site is Henderson County Industrial. City Staff is proposing I-1, Industrial which is the City's equivalent to the county zoning. The property is 65.31 acres. Any use within the I-1 district would be permitted. The Future Land Use Designation is Business Center and Regional Activity Center.

A map was shown with the subject property in red. This was included in the staff report.

The Future Land Use Map was discussed and is included in the presentation and the staff report. The Upward Road Planning District was shown in pink on the map.

A dimensional requirement comparison was shown in the presentation for the I-1 zoning and Henderson County Industrial zoning. Mr. Morrow explained the comparison in detail.

Site photos were shown and explained and are included in the Staff Report.

The Comprehensive Plan Consistency goals and strategies were discussed and are included in the staff report.

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

Rationale for approval was shown in the presentation, as well as rationale for denial.

Chair asked if there were any questions for staff.

Ms. Cromar asked with the tree buffer already in place and minimal, would they have to plant a thicker buffer? Mr. Morrow stated the existing buffer that is left is along I-26. He didn't think there was any requirement to buffer from an interstate. They would have to meet the buffering requirements of the zoning district they are in. Ms. Cromar stated the setback from the interstate is 20 feet. Mr. Morrow stated yes if that is the rear it would be 20 feet. Mr. Morrow explained the Comp Plan being a guide and that the Zoning Ordinance requirements would be enforced. He explained that the frontage is off of McMurray Road.

Mr. Morrow stated the small buildings are a commercial use. It is a small industrial park along Reeds Way that goes into a cul-de-sac.

Chair stated when Henderson County permitted the project that is currently occurring, did it show a giant septic tank, or did they know they would be connecting to city sewer all along? Mr. Morrow stated he did not know the answer to that. Chair stated the county knew that the city would end up getting involved but it was only annexed recently.

Chair asked if anyone knew how many acres are zoned I-1 in the city. Mr. Morrow stated he did not know. Chair stated he guesses it is less than 65 acres and this project is 65 acres. Some discussion was made on the I-1 areas.

Ms. Cromar stated it is a huge piece of property, but it would be creating employment for the area.

Chair stated any future development other than the two that have already started would have to comply with the city ordinance as far as disturbing stream areas and buffering, etc. Mr. Morrow stated anything outside of what is vested would have to go through the city's review process.

Chair stated it is the City Planning Department that is recommending I-1. Mr. Morrow stated that is correct.

Chair stated the city is the applicant, so he didn't believe there was anyone that wanted to speak.

Chair stated he would open public comment, but it would be limited to three minutes.

Ken Fitch, 1046 Patton Street stated there is mention of Blueline Streams on the property and going forward it would be important to know their location as it may affect activity on the site and impact on adjacent properties. It is important to understand the county approvals are in place as Mr. Morrow described. He stated concerns about the property located in a voluntary agricultural district and that the property would no longer have this agricultural district once the rezoning is approved. He stated we are just approving something that was already approved.

Lynne Williams, Chadwick Avenue had concerns about the building not being built yet and they could switch up the use if allowed in zoning. You can't reference the 2043 Comp Plan because it is not completed. It has not had community input. The R2R zoning and R1 zoning has historic county farms such as the Lyda Farm. They do not get to comment on this because they are not in the city but the county. That's not fair and that is not transparent. As citizens of the city the only right they had to comment on was the annexation and by that point it was too late. This is going to get shoved down our throats without an input. The site is horrendous. She talked about open space. She stated there was toxic pond on the property. She talked about protecting the streams and the animals and how that is gone now. The property has been destroyed. Buffers to the woods are needed on all sides. She discussed tree requirements and parking. She talked about zoning it to CHMU. This is a huge loss for our residents.

Chair closed public comment.

Chair asked about the open space requirement for I-1. Mr. Morrow stated a general I-1 open space requirement does not exist. There is a common open space requirement and that is 10% for commercial or industrial use. The CHMU has a separate open space requirement. Chair asked if CHMU allows for light duty manufacturing. Mr. Manley stated light manufacturing yes, but this list of manufacturing is not permitted. Chair asked if the city considered CHMU because it was designed for the Upward Road corridor. Mr. Morrow stated city staff looked at the current zoning. This Board has made it an emphasis that staff does not zone something that is out of character with the county. Staff thought I-1 reflected what the county had currently zoned that property and also aligned it with their current Comprehensive Plan and future Comprehensive Plan. Mr. Hanley asked if their Comp Plan was finished. Mr. Morrow stated it is not.

Chair asked would the buildings that are permitted already and under construction, would they comply with CHMU? Mr. Morrow stated he does not have an answer for that. Chair asked if they know what the use is. Mr. Morrow stated no.

Ms. Cromar stated it is a barren wasteland to look at. Mr. Morrow stated there are different buffer requirements for bordering residential but there is nothing for bordering an interstate. This is not impacting

NCDOT. No one is looking at this from the interstate. Buffer requirements are for people actually living and working in this area to make sure they are buffered from it. There are vehicular use area landscaping requirements as well.

Ms. Martin asked if the only way to turn out of this is to go right or can you take a left onto Upward Road. Mr. Morrow stated coming out of McMurray Road you can only turn right because there is a median.

Chair stated personally he could go either way, but CHMU is what they set aside for the Upward Road corridor when we annexed properties. Ms. Cromar suggested citing the difference between CHMU and I-1.

Mr. Hanley stated some industrial has already been approved and you can't go back and do anything about that if the property gets zoned CHMU. Chair stated only a portion has been permitted for this type of industrial use by the county. There is still more development that will take place on the 65 acres in the future. If the city zones it CHMU, those two parcels that have already been permitted by the county, we have to allow that. But the rest of the development would have to follow CHMU instead of I-1 which has different uses and design standards. Chair thought it would give the city a little more control.

Mr. Manley stated they could make that recommendation and City Council could consider it. The applicant could weigh in. They could begin development and then realize they may not be able to do this under the CHMU zoning and they could come back here and ask to rezone it. Chair stated or they could get a conditional zoning. Mr. Manley stated yes, if it triggered that.

Chair stated he could go either way, but he feels the CHMU would give the city a little more control for future development.

The Board asked about sewer lines. Mr. Morrow stated the city is extending the sewer line for this property.

Sewer was discussed in this area. Mr. Manley stated discussion about the sewer will be made during discussions with the Comp Plan. Those discussions are coming.

Chair stated this property has to be zoned within 60 days or something happens. Mr. Morrow stated his understanding from the City Attorney is the property becomes unzoned after 60 days. He stated "unzoned" means you can't do anything. Chair stated he can't imagine City Council doing that, but they are looking for a recommendation from this Board.

Mr. Brown stated if he makes a motion it will be CHMU.

Chair took a poll on the vote. It was a tie with three members wanting CHMU and three members wanting I-1.

Mr. Manley stated you can have a split vote. Mr. Hanley stated this project is already moving forward now. It would be different if it wasn't.

Mr. Morrow stated Duke Energy goes out and identifies potential industrial sites for future development and this site was picked as one for Henderson County.

Mr. Manley stated this is going to move forward even with a split vote. Chair stated it is not really a recommendation with a split vote, but it represents the community.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs 9588-31-1844, 9588-22-8495, 9588-23-9432, 9588-23-3192, 9588-13-8975) from Henderson County Industrial to City of Hendersonville I-1, Industrial Zoning District based on the following: 1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The Regional Activity Center and Business Center designations Recommended Primary and Secondary Land Uses generally align with uses permitted in the I-1 zoning district and the property is located in an area designated as a priority growth area. 2. We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed I-1 zoning district is compatible with the current Henderson County Zoning and Future Land Use Designations. 2. The proposed I-1 zoning allows for a wide range of uses that align with similar types of developments in this area. 3. The proposed I-1 zoning provides the city with industrial zoning fronting the I-26 corridor. Ms. Cromar seconded the motion. The vote was three in favor (Hanley, Cromar, Martin) and three opposed (Brown, Robertson, Robinson) to the motion.

Discussion was made on a new motion and if anyone would change their mind if the motion was for CHMU zoning. The vote would still remain a tie.

The dissenting votes were in favor of the CHMU zoning.

VI(C) Administrative Review (Preliminary Site Plan) – Asheville U.S. Army Reserve Center (A22-56-SPR). Mr. Manley gave the following background:

Chair stated the Federal Government, which the U.S. Army is a branch of, does not have to meet with local zoning ordinance compliance but we can always ask. Mr. Manley stated that is correct, this is a voluntary review. He stated this project is greater than 20,000 sq. ft. but less than 50,000 sq. ft. so it hits this process.

The City of Hendersonville is in receipt of an application for preliminary site plan review from the U.S. Army Corp of Engineers for the construction of a 45,122 sq. ft. Army Reserve Center to serve the Asheville region. This is an Administrative Review, and the Federal Government is not subject to zoning requirements. They have voluntarily submitted this application.

A project background was given and is included in the staff report.

The current Land Use and Zoning was included in the presentation and the staff report.

Site photos were shown and included in the staff report.

The Preliminary Site Plan was shown and explained and is included in the staff report.

Zoning Compliance was explained and is included in the presentation and staff report along with consideration of conditions.

There were several comments from staff which have been addressed. They have come into compliance on most everything except the installation of sidewalks. The developer's comment was appropriated federal money for this project cannot be used for future development. With no existing sidewalk in place on Crest Road they felt that the sidewalk is considered future development.

Chair asked if there were any questions for staff.

Ms. Cromar asked if it would just be open on weekends. Mr. Manley stated the weekends are when it would mainly be used.

Mr. Manley stated it was annexed for sewer. It is very far from the rest of the city.

Ms. Cromar asked if the three things listed in the presentation were considerations or conditions. Mr. Manley stated they would be conditions for approval because all of them pertain to the ordinance requirements and are the types of conditions that can be placed on a site plan review.

There were no further questions for staff. The applicant was not in attendance.

Chair opened public comment and limited it to three minutes.

Lynne Williams, Chadwick Avenue stated keeping the buffer around the perimeter is super important. Will they get a tree study before everything is destroyed? Will the EPA review this project? They are not compliant on sidewalks or landscaping. How can we promote this? She was concerned about the fence disrupting the animal habitat. Can they calculate the impact?

Wendy Ramey, 646 Crest Road stated she is going to be majorly impacted. She pointed out her property on the map. Her bedroom is 50 feet from the corner piece of the 20-foot buffer. She heard about the 20-foot buffer, but she doesn't know. It is heavily vegetated now. What kind of fence? She is going to see huge buildings on each side. She had concerns about not knowing what they plan to do there all night. She is used to nothing but woods for 50 to 100 years there. This is going to be totally different. Lighting and all of that is a concern because she has livestock in the back. The buffer is her biggest concern. Ms. Cromar stated that is one of the conditions that they would put forward. Ms. Ramey asked about what kind of fencing would be there. It would deter wildlife. Mr. Manley stated he will try to get more information on the activity and the fence material and relay that to her.

Ms. Robinson stated since she is a long-term property owner there, they tend to respond better so she suggested writing them a letter with her concerns and requests.

Ken Fitch, 1046 Patton Street asked would bringing the fence closer to that corner help the adjacent property owners.

Discussion was made about moving the fence to better suit the adjacent property owners.

Mr. Manley stated the site plan is either compliant or it's not.

Chair closed public comment.

Mr. Hanley moved the Planning Board grant preliminary site plan approval based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of Sections 5-12 Industrial Zoning and 7-3-3 Review of Preliminary Site Plans) for the Asheville U.S. Army Reserve Center project with the following conditions: 1. Demonstrate how alternative compliance is being satisfied per Landscaping Requirements for Vehicular Use Area. 2. Pay Fee-in-Lieu of the construction of sidewalks. 3. Install security fence around entire perimeter of site on Reserve Center side of buffer. 4. Where disturbance occurs within the provided buffer, the area disturbed will be revegetated according to buffer requirements with no use of tree credits. 5. Comply with City's Lighting Ordinance. Ms. Cromar seconded the motion which passed unanimously.

VI Other Business. Mr. Manley gave a staff update on the Comp Plan.

VII Adjournment – *The meeting was adjourned at 5:44 pm.*

Jim Robertson, Chair



CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** August 10, 2023

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

TITLE OF ITEM: Zoning Text Amendment: Small-Scale Multi-Family in the MIC (P23-49-ZTA) – Matthew Manley, AICP – Strategic Projects Manager

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council <u>adopt</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-10. ‘Medical, Institutional and Cultural Zoning District Classification (MIC)’ and Article XII. – ‘Definition of Terms’ and Article XVI. – ‘Supplementary Standards for Certain Uses’, based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p>The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation. Goal PH-3 of the Population & Housing Chapter further supports the proposed Supplementary Standards for Small-Scale Multi-Family.</p> <p>2. We [find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none">1. The addition of multi-family residential as a permitted use will allow for greater infill development in a zoning district with a mix of intense land uses.2. The addition of multi-family residential as a permitted use will place more residents within close proximity to goods and services.	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council <u>deny</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-10. Medical, Institutional and Cultural Zoning District Classification (MIC) and Article XII. – ‘Definition of Terms’ and Article XVI. – ‘Supplementary Standards for Certain Uses’, based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p>The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation. Goal PH-3 of the Population & Housing Chapter further supports the proposed Supplementary Standards for Small-Scale Multi-Family.</p> <p>2. We <u>do not find</u> this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none">1. The allowance of additional density would be incompatible with single-family uses in the MIC zoning district.2. The reduction of front setbacks would permit a more distinctly urban form
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3. The addition of multi-family residential as a permitted use will allow for a mixture of housing types at different price points. [DISCUSS & VOTE]	[DISCUSS & VOTE]
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***SUMMARY:** The City of Hendersonville is in receipt of an application to amend the list of Permitted Uses in the MIC (Medical, Institutional, & Cultural) Zoning District to include “Residential, Multi-family” as a permitted use.*

To facilitate the inclusion of “Small-Scale” multi-family in the MIC district, staff has developed additional dimensional and design standards that aim to achieve compatibility with the existing neighborhood as part of this proposed text amendment. These proposed standards include a reduction in minimum setbacks, architectural design standards, site design standards, screening of parking, and pedestrian connectivity requirements, to name a few. While there is no proposed maximum density, the maximum height, maximum footprint, minimum setbacks, minimum common space, parking requirements, and landscaping standards will all work in combination to limit the overall scale of any development.

A definition for Small-Scale Multi-Family will also be added to Article 12 - Definitions.

PROJECT/PETITIONER NUMBER:	P23-49-ZTA
PETITIONER NAME:	Dee Gambrell
ATTACHMENTS:	1. Staff Report 2. Conceptual Diagram 3. Additional Visuals 4. Supplementary Map 5. Draft Ordinance

ZONING TEXT AMENDMENT: SMALL-SCALE MULTI-FAMILY IN THE MIC (P23-49-ZTA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY



- Project Name & Case #:
 - Small-Scale Multi-Family in the MIC
 - P23-49-ZTA
- Applicant:
 - Dee Gambrell
- Articles Amended:
 - Section 5-10 (MIC)
 - 5-10-1
 - 5-10-3
- Applicable Zoning District(s):
 - MIC, Medical, Institutional, & Cultural Zoning District

Summary of Amendment Petition:

The City of Hendersonville is in receipt of an application to amend the list of Permitted Uses in the MIC (Medical, Institutional, & Cultural) Zoning District to include “Residential, Multi-family” as a permitted use.

To facilitate the inclusion of multi-family in the MIC district, staff has developed additional dimensional and design standards that aim to achieve compatibility with the existing neighborhood as part of this proposed text amendment. These proposed standards include a reduction in minimum setbacks, architectural design standards, site design standards, screening of parking, and pedestrian and vehicular connectivity requirements, to name a few. While there is no proposed maximum density, the maximum height, maximum footprint, minimum setbacks, minimum common space, parking requirements, and landscaping standards will all work in combination to limit the overall scale of any development.

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

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS –

Development Pattern in the MIC: The MIC District has many characteristics of Traditional Neighborhood Design. Traditional Neighborhoods feature an interconnected street system laid out on small blocks typically containing sidewalks. Within these blocks you would typically find a mix of single-family and multi-family residential uses with civic uses and neighborhood-scale commercial uses at the edges. These uses would be located on a parcel or group of parcels typically defined by approximately 50' x 150' lots. These parcels would typically feature single-family residential structures set back 10-20' from the back of sidewalks. The homes predominantly feature(d) front porches and parking in the rear of the lots that are/were accessed either by alleys or long, narrow driveways running along the side of the lot. Of the 235 parcels zoned MIC or MIC SU/CZD, there are 46 parcels located in the West Side National Register Historic District

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

According to Current Land Use data from the 2009 Comprehensive Plan, there are 5 parcels in the MIC currently used for Multi-Family - the largest of which is the Holly Crest Condominiums (20 units/acre). There are also a number of multi-family uses adjacent to and in the vicinity of the MIC District.

Current Character: This is a highly urbanized area that complements downtown and features, in addition to Pardee Hospital and a variety of schools and a small portion of the West Side National Register Historic District. Redevelopment in this area has resulted in a number of parcels developed in an automobile-oriented conventional suburban pattern as opposed to the original, early-suburb, Traditional Neighborhood Design that remains in part today.

The MIC Zoning District currently contains a wide range of land uses which include medical; institutional; recreational; commercial office and retail; single-family, two-family and multi-family residential; and a small amount of vacant land. In particular, the medical facilities generate a significant amount of traffic, light, noise and other indicators of an intense use within this district. At the heart of this medical area is the Pardee Hospital. Though the hospital campus is zoned Planned Commercial Development (PCD), it serves as the epicenter for the MIC District. Additionally, despite being zoned Planned Institutional Development (PID), the educational uses of Hendersonville Elementary, Hendersonville Middle and Hendersonville High School and Immaculata Catholic School (zoned CMU), contribute to the character of the MIC Zoning district due to their proximity.

Transportation: The MIC District contains a segment of a Major Thoroughfare, US 64, as it approaches Downtown Hendersonville. The MIC also contains two minor thoroughfares, 5th Ave and N. Justice St. Downtown Hendersonville is located just 1/3rd Mile (which is less than a 10-minute walk) from the center of the MIC District.

Staff Recommendations: In order to accomplish the stated goals of the 2030 Comprehensive Plan and address affordability through the provision of a mix of housing types, it is necessary to re-introduce Small-Scale Multi-Family uses, as proposed by the applicant. Furthermore, to permit the type of urban form that has defined this area since it was initially developed and to promote a pedestrian-friendly atmosphere, staff is also recommending a reduction in front setbacks, and minimum lot width with flexibility in side setbacks. These proposed revisions would apply district wide.

Design Standards in the MIC: To further ensure walkability and compatibility in this historic area of town, Design Standards have been proposed in the form of Supplementary Standards. These design standards are applicable to small-scale multi-family (including mixed-use). The supplementary standards address issues such as architectural details/features, building materials, building placement/orientation, and parking. The standards are based on the design requirements found in the City’s other mixed use zoning districts with some key differences such as the distinction of “small-scale” multi-family (8 units or fewer) from larger forms of multi-family developments.

Another key difference between this proposal and some of the City’s other zoning districts, is that the proposed text amendment does not include a cap on density. This is similar to the CMU, GHMU and Urban Residential zoning districts (no density cap), but differs from the PRD, HMU and CHMU districts (density caps). The proposal is designed to control density by addressing the scale of development through a range of supplementary standards that must be achieved. Restrictions on height (42’) and requirements for parking (1 per unit); setbacks (front 10’, side 20’ total, rear 20’); common space (10%); and landscaping will work in tandem to dictate the density that is achievable on a site without utilizing a specific density cap requirement.

It has also been considered that this area is already highly developed and there is very little vacant land within this district. Redevelopment efforts are certainly likely, however the consolidation of smaller lots to create enough contiguous land for a large scale-development would prove very challenging and potentially cost-prohibitive. A more readily achievable / near-term outcome is the provision of “[Missing Middle Housing](#)” consisting of duplexes, triplexes, quadplexes, townhomes and other forms of medium-density residential housing types.

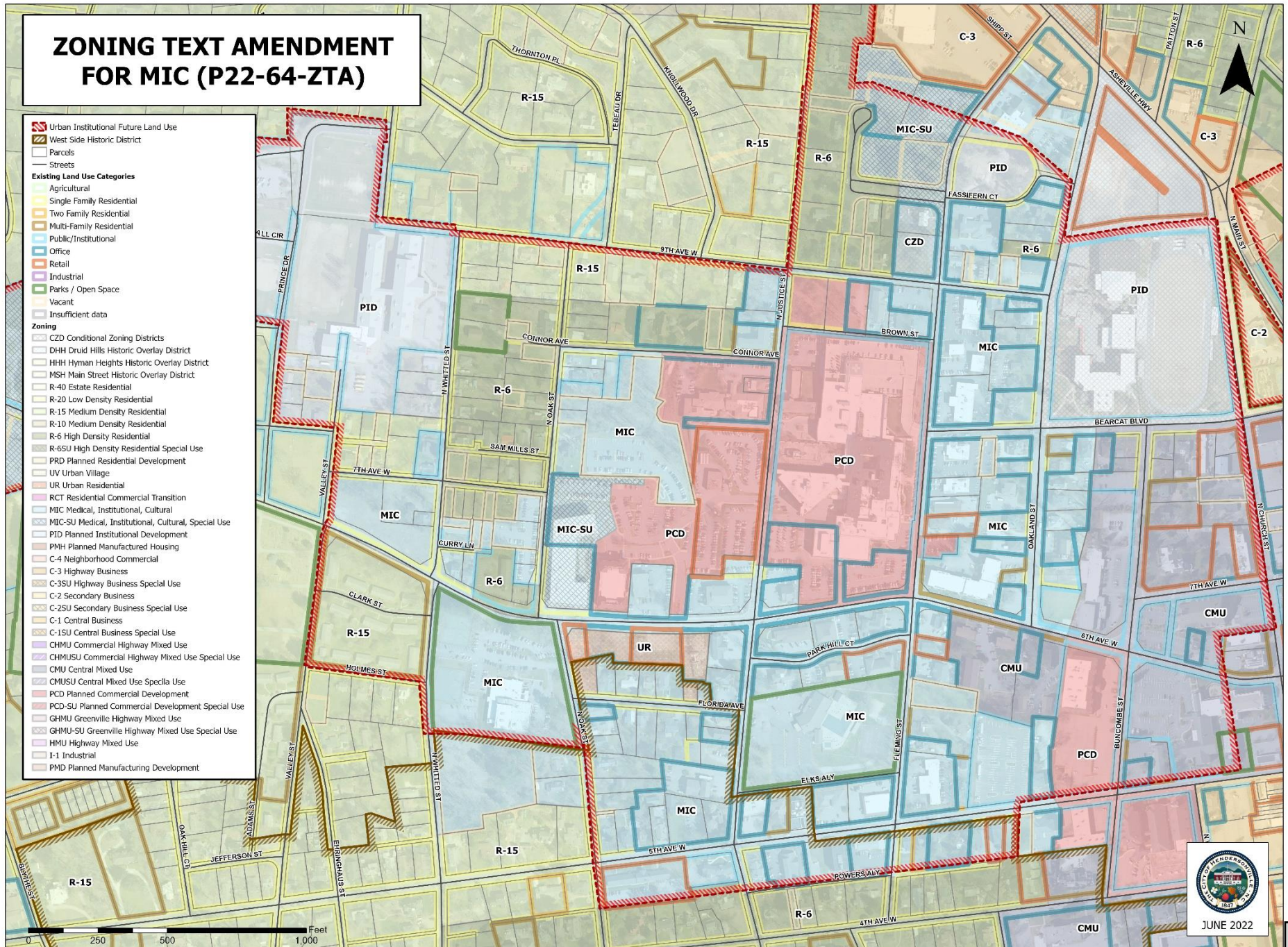
The proposal to allow for additional housing within close proximity to employment and educational opportunities, shopping, worship and entertainment will better utilize existing infrastructure; and allow residents the opportunity to increase the number of trips they take by foot or by bike (reducing vehicular traffic congestion and parking demands).

Tools for Review: To review the proposed language in comparison to the current language, please use the mark-up found in this staff report below. A diagram has also been provided which illustrates a conceptual 4-unit residential use on a small parcel that could be achieved using the proposed language. The diagram highlights the current standards as well as the proposed standards. Additional photo examples are provided.

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

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

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



SUBJECT IMAGES



Multi-family on US 64 in the MIC



Multi-family on US 64 adjacent to MIC

SUBJECT IMAGES



Multi-family in the MIC



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

SUBJECT IMAGES



Traditional multi-family with 15' setback in the MIC



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

LEGISLATIVE COMMITTEE RECOMMENDATION

The Legislative Committee of the Planning Board met to discuss this petition at their recurring meeting on Tuesday, July 18, 2023. The members of the committee that were present were Jim Robertson, Peter Hanley and Neil Brown. In general, the Committee members were supportive of the proposed text changes along with suggestions from staff found in the supplementary standards. The Committee recommended to strengthen language around the provision of parking to the side/rear and the discouragement of front-facing garages while also proposing to reduce some of the costly architectural requirements such as requiring architectural features on non-street facing facades and requiring at least 15% of a façade to be made of stone, brick or decorative block.

PROPOSED TEXT REVISIONS

With consideration of the applicant’s request and after additional review by the Legislative Committee, the following revisions to the zoning code are presented for your consideration. Staff has further revised the recommendations below from those reviewed by the Legislative Committee.

ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS

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

5-10-1. Permitted uses.

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

Accessory dwelling units subject to supplementary standards contained in section 16-4 below

Accessory uses and structures

Adult care centers registered with the NC Department of Health and Human Services (DHSS)

Adult care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Banks and other financial institutions

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

Child care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

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

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

- Nursing homes subject to supplementary standards contained in section 16-4, below
- Offices, business, professional and public
- Parking lots and parking garages
- Parks
- Personal services consistent with the purposes of this classification, such as barber and beauty shops, medical and dental labs and clinics, opticians and optical services and prosthetics & orthopedics
- Planned residential developments (minor)
- Progressive care facilities subject to supplementary standards contained in section 16-4, below
- Public and semi-public buildings
- Religious institutions
- Residential care facilities subject to supplementary standards contained in section 16-4, below
- Residential dwellings, single-family
- Residential dwellings, two-family
- Residential dwellings, small-scale multi-family subject to supplementary standards contained in section 16-4, below
- Rest homes subject to supplementary standards contained in section 16-4, below
- Retail stores consistent within the purposes of this classification, such as gift shops, florist shops and pharmacies
- Schools, post-secondary, business, technical and vocational
- Signs, subject to the provisions of article XIII
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below

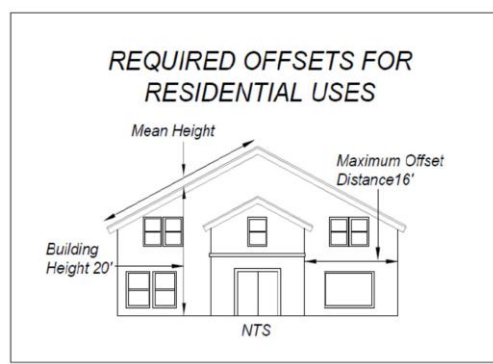
5-10-3. Dimensional requirements.

Minimum lot area in square feet:	8,000
Lot area per dwelling unit in square feet:	10,000 for the first; 5,000 square feet for each additional dwelling unit in one building.
Minimum lot width at building line in feet:	75 0
Minimum yard requirements in feet:	Front: 30 10
	Side: <u>20 total for lot; with minimum of 5; on any side</u>
	Rear: 20
<u>Accessory Structure Minimum Setbacks</u>	<u>Front: Shall be located to the side or rear of principal structure</u>
	<u>Side & Rear: 5</u>
Maximum height in feet:	50

ARTICLE XVI. - SUPPLEMENTARY STANDARDS FOR CERTAIN USES

16-4-31 – Residential Dwellings, Small-scale multi-family

- a) For the purposes of these standards, small-scale multi-family shall include all developments not subject to the N.C. Residential Code for One- and Two-Family Dwellings including triplexes, quadplexes, and other small apartment buildings. The standards below may be implemented voluntarily for single-family attached (townhomes) constructed subject to N.C. Residential Code for One- and Two-Family Dwellings.
- b) Maximum Height for any structure shall be 42'.
- c) Maximum footprint for any principal structure shall be 4,000 square feet.
- d) All street-facing sides of a corner lot are considered fronts
- e) Building Placement
 - a. Buildings shall be situated as close to the minimum front setback as practicable.
 - b. Buildings shall be situated to provide off-street parking to the rear and/or side of the building(s).
 - c. Buildings shall be situated to protect and accentuate important mountain vistas and views of significant historic sites.
 - d. Buildings shall be situated to provide well-defined, street-facing entrance(s) with a connecting walkway with a direct, safe, pedestrian connection to the street.
 - i. For buildings on corner lots, an entrance may be placed at the corner, thereby eliminating the need for side entrances.
 - e. Buildings shall offset front-loading garages and carports, if provided, behind the front façade by a minimum of 10'.
 - i. Front-loading garages and carports shall be visually designed to form a secondary building volume.
 - ii. The width of an attached garage shall not exceed 50 percent of the total building façade.
 - f. Canopies, awnings, cornices, balconies, front-facing covered porches and similar architectural accents are permitted to extend from the building up to five feet (5') into a required minimum setback and/or required Common Open Space.
- f) Architectural Design Standards
 - a. The following standards apply to all facades (front, rear and side) of buildings:
 - i. No wall shall exceed 16 feet in length without an offset. A building façade which is less than 16 feet in length shall not require an offset.
 - ii. Offsets shall have a minimum depth or projection of one and one half feet (1.5').



- iii. Each façade shall use fenestration and do so in a manner which is proportional to the overall scale of the building.

- iv. All building facades shall contain at least two building materials which shall contrast in color and texture.
 - v. When multiple wall materials are combined on one façade, the designer is encouraged to place the heavier material(s) below
 - vi. Building materials shall be used consistently on the exterior of the building. The following building materials are prohibited for exterior façade application:
 - 1) Plain concrete block (with or without paint);
 - 2) Reflective glass;
 - 3) More than 50 percent glass on any façade;
 - 4) Vinyl siding; and
 - 5) Any other materials not customarily used in conventional construction.
 - vii. Exposed foundations shall consist of stone, stucco, brick or decorative block. If crawlspaces of porches are enclosed, they shall be enclosed with similar materials or lattice or any combination thereof.
 - viii. Windows. Windows shall either be (1) recessed a minimum of three inches (3") from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.
- b. The following standards apply to all street-facing facades (fronts) of buildings:
- i. Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations.
 - 1. Dormers
 - 2. Gables
 - 3. Recessed entries
 - 4. Cupolas or towers
 - 5. Pillars, columns or posts
 - 6. Corbels
 - 7. Bay windows
 - 8. Balconies
 - 9. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation)
 - 10. Parapets / Decorative cornices and roof lines (required for buildings with flat roofs)
 - 11. Wood siding with two and a half inch to four and a half inch reveal (2.5"-4.5")
 - c. Pitched roofs on residential buildings shall have a pitch between 5:12 and 12:12. Eaves (with a minimum twelve-inch (12") projection) shall be provided with a pitched roof.
 - d. Useable porches and/or stoops, at least eight feet (8') in width and six feet (6') in depth, shall be located on the front and/or side of the home. Porches may encroach into front setback up to five feet (5').
 - e. Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure and with similar roof pitch.
 - f. Walls and fences located in the front yard shall be no more than four feet (4') above grade. The use of chain link fencing is prohibited in front yards. For corner lots, both street-facing sides shall be considered fronts. Rear yard and side yard fences are not subject to these standards.

- g) **On-street parking.** On-street parking is encouraged for all local streets and thoroughfares.
- a. On-street parking abutting the development parcel shall count toward meeting the off-street parking requirements for the district.
 - b. On-street parking may take the form of parallel or angle parking and shall be built according to city or state standards as applicable in order to count towards minimum parking requirements.
- h) **Off-street parking.**
- a. All off-street parking lots shall be provided at the side or rear of buildings or the interior of a block of buildings and not closer to the street than the edge profile of the structures.
 - b. Off-street parking shall not be adjacent to street intersections.

ARTICLE XII. - DEFINITION OF TERMS

Sec. 12-2. - Definition of commonly used terms and words.

Dwelling, small-scale multi-family: A building with eight (8) or fewer dwelling units

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

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

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

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

GENERAL REZONING STANDARDS

Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property -
	<i>Multi-family: The MIC Zoning District contains land uses which include a wide range of medical; institutional; commercial office and retail; recreational; single-family, two-family and multi-family residential uses; and vacant land. In particular, the medical facilities in the area, including Pardee Hospital, are a primary land use which generates a significant amount of traffic, light and other indicators of an intense use.</i>
	<i>Dimensional Standards: The proposal aims to eliminate the incompatibility of a 30' front setback and to provide other standards which align with the traditional character of the district. A more walkable urban form may be achieved by shifting parking to the rear of a lot and allowing for buildings to be brought closer to the road. Reduction in setbacks allows for greater flexibility and more efficient utilization of land.</i> <i>Supplementary Standards: the intent of the design standards is to provide compatibility with the existing historic character of the district.</i>
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	<i>Residential Development / Redevelopment have risen steadily over the 2.5 years. High demand and undersupply of housing in our region is well-documented. Permitting multi-family uses addresses this need while the standards proposed aim to protect the character of the district. Given the proximity to downtown and Pardee hospital, reinvestment and redevelopment is likely to occur in this area.</i>
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	<i>Multi-family: As is well-documented in the City's Comprehensive Plan, there is a need for compatible infill development in areas of the City where utilization of existing infrastructure can be realized and in areas that place residents in close walking distance to goods and services. The addition of multi-family residential would help to address this need while providing a variety of housing types.</i>
	<i>Dimensional Standards: Reducing front setbacks and shifting parking to the rear of lots supports a built environment that is more friendly to pedestrians by creating a greater sense of enclosure and higher quality walking experience while still accommodating automobiles.</i> <i>Supplementary Standards: requiring particular outcomes with new development will help to ensure that new development compliments existing development.</i>
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	<i>The MIC Zoning District is in an urban location that is well served by public facilities.</i>
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	<i>There are no known negative environmental impacts associated with the petition.</i>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

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

The 2030 Comprehensive Plan Land Use and Development Chapter calls for minimal front setbacks and recommends multi-family as a secondary use for properties within the Urban Institutional Future Land Use Designation. Goal PH-3 of the Population & Housing Chapter further supports the proposed Supplementary Standards for Small-Scale Multi-Family.

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

DRAFT [Rationale for Approval]

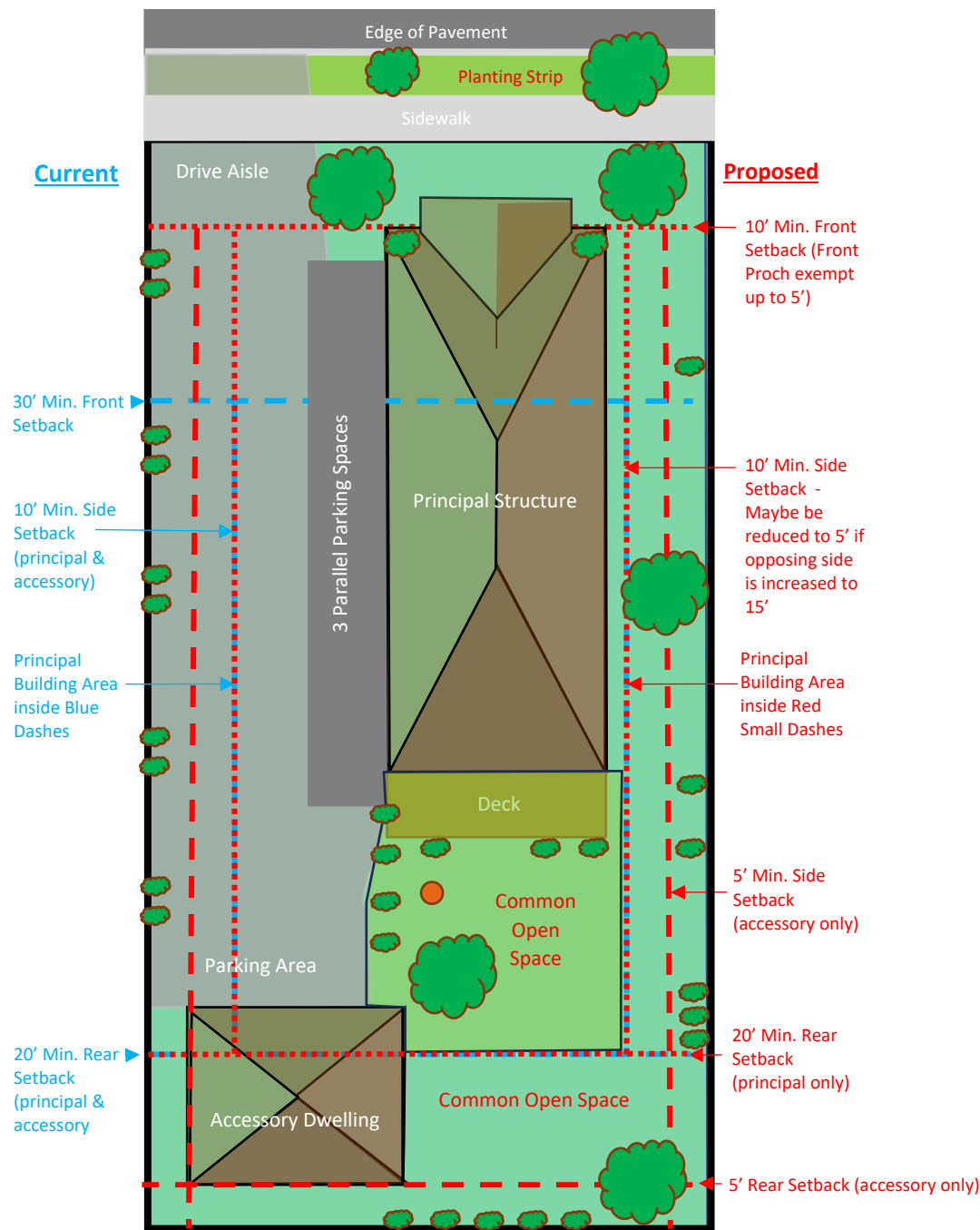
- 1) The addition of multi-family residential as a permitted use will allow for greater infill development in a zoning district with a mix of intense land uses.*
- 2) The addition of multi-family residential as a permitted use will place more residents within close proximity to goods and services.*
- 3) The addition of multi-family residential as a permitted use will provide for a variety of housing types at different price points.*

DRAFT [Rational for Denial]

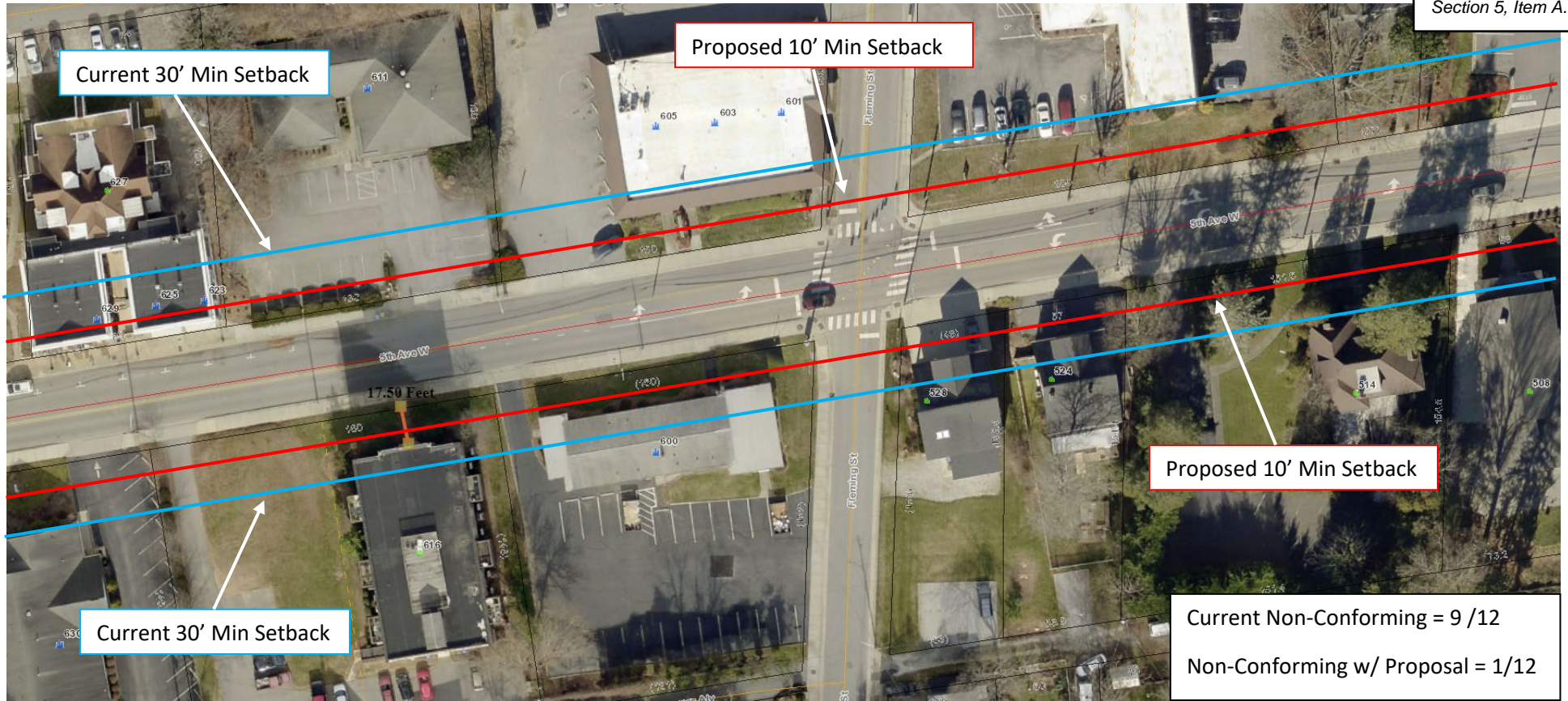
- 1) The allowance of additional density would be incompatible with single-family uses in the MIC zoning district.*
- 2) The reduction of front setbacks would permit a more distinctly urban form.*

Conceptual Diagram of 4-Unit Quadplex with ADU using Proposed MIC Setbacks

Current setbacks shown in blue
Proposed setbacks shown in red

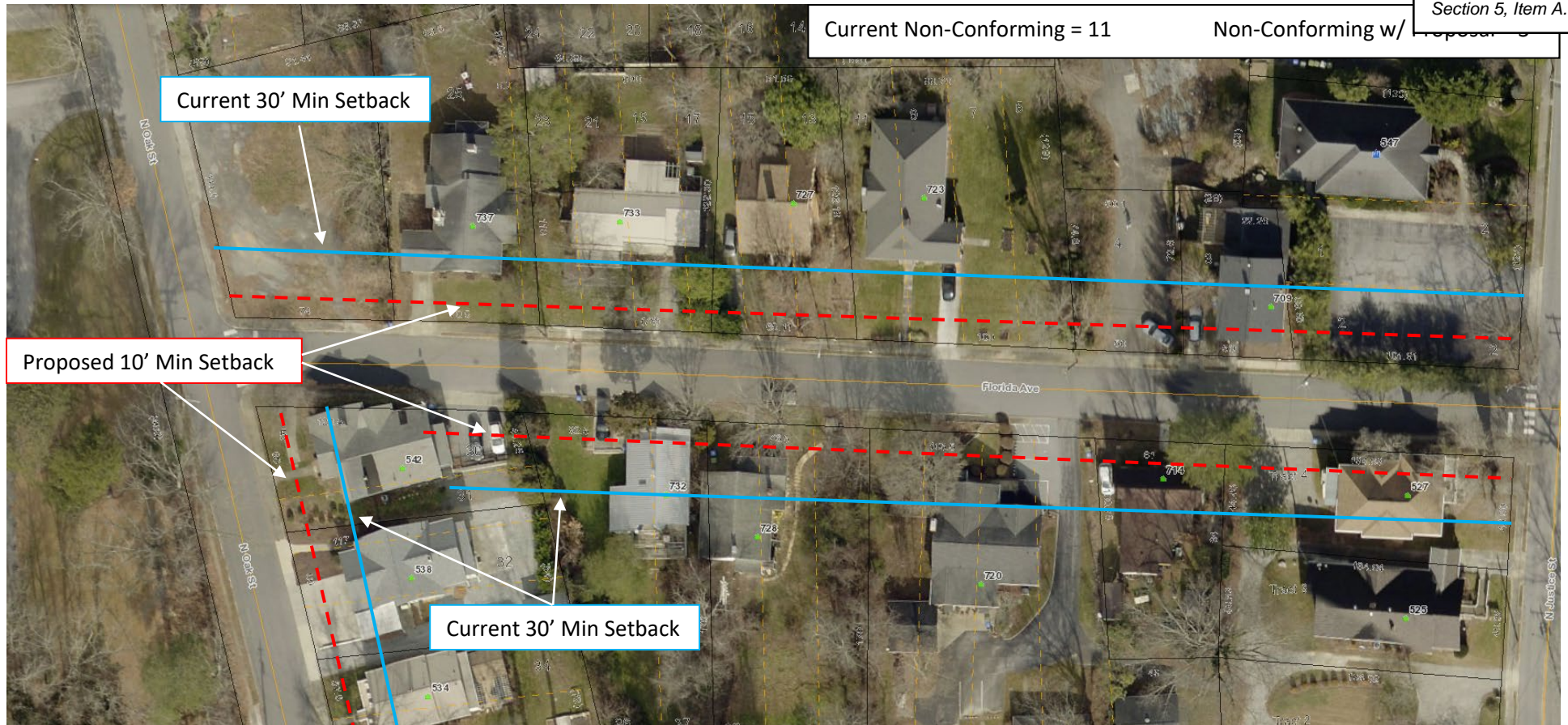


Lot Size = 65' x 125' or 8,125 Sq Ft | Min: 8,000 Sq Ft
Principal Building Footprint = 25' x 62.5' (1,562.5 Sq Ft) | Max: 4,000 Sq Ft
Height = 35' | Max: 42'
Accessory Dwelling Footprint = 20' x 25' (500 Sq Ft) | 5' Setbacks
Driveway Width = 18' (Fire access satisfied w/o 26' drive due to building depth less than 150' from street)
Parking = 3 Parallel Spaces + 2 spaces under or in front of ADU
Sidewalk = 5' **Planting Strip** = 5'
Common Open Space (Sq Ft) = Provided: 2,808 (35%) | Required: 500 Sq Ft/5 Units = 1,500 Sq Ft



Current Non-Conforming = 11

Non-Conforming w/ Proposal = 11





Above: Example of development pattern permitted under current setbacks

Below: Examples of form that would be permissible under proposal that would not be allowed under current requirements





























Image capture: Dec

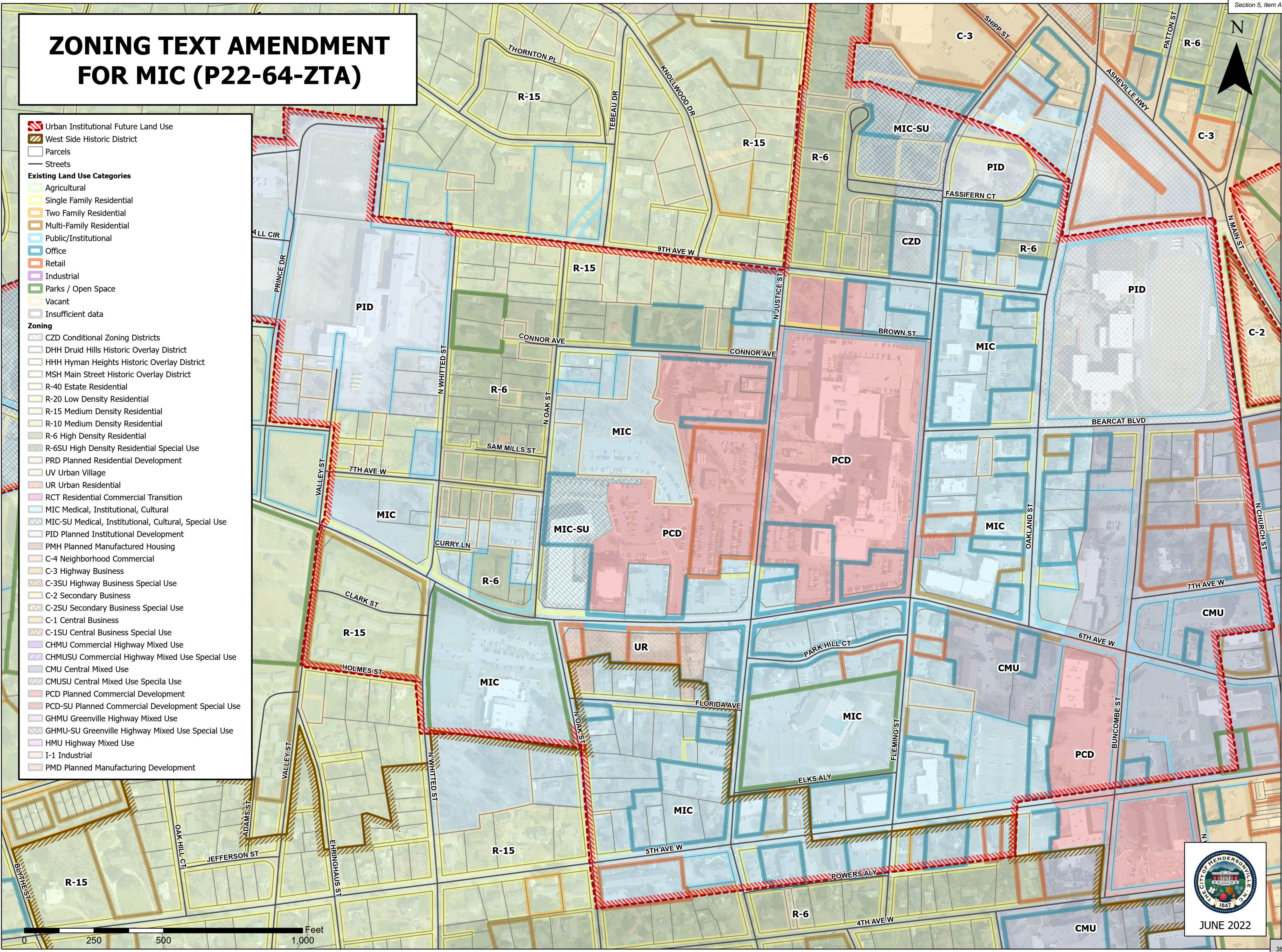






ZONING TEXT AMENDMENT FOR MIC (P22-64-ZTA)

-  Urban Institutional Future Land Use
-  West Side Historic District
-  Parcels
-  Streets
- Existing Land Use Categories**
-  Agricultural
-  Single Family Residential
-  Two Family Residential
-  Multi-Family Residential
-  Public/Institutional
-  Office
-  Retail
-  Industrial
-  Parks / Open Space
-  Vacant
-  Insufficient data
- Zoning**
-  CZD Conditional Zoning Districts
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-  HHH Hyman Heights Historic Overlay District
-  MSH Main Street Historic Overlay District
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-  R-15 Medium Density Residential
-  R-10 Medium Density Residential
-  R-6 High Density Residential
-  R-6SU High Density Residential Special Use
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-  UV Urban Village
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-  RCT Residential Commercial Transition
-  MIC Medical, Institutional, Cultural
-  MIC-SU Medical, Institutional, Cultural, Special Use
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-  PCD-SU Planned Commercial Development Special Use
-  GHMU Greenville Highway Mixed Use
-  GHMU-SU Greenville Highway Mixed Use Special Use
-  HMU Highway Mixed Use
-  I-1 Industrial
-  PMD Planned Manufacturing Development



**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
ARTICLE V. – ‘ZONING DISTRICT CLASSIFICATIONS’, SECTION 5-10 ‘MEDICAL,
INSTITUTIONAL AND CULTURAL ZONING DISTRICT CLASSIFICATION (MIC)’ AND
ARTICLE XII. – ‘DEFINITION OF TERMS’ AND ARTICLE XVI. – ‘SUPPLEMENTARY
STANDARDS FOR CERTAIN USES’ TO INCLUDE SMALL-SCALE MULTI-FAMILY
RESIDENTIAL USES WITH SUPPLEMENTARY STANDARDS**

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 10, 2023; voting **0-0** to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on September 7, 2023, and

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

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on September 7, 2023,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend Article V. – ‘Zoning District Classifications’, Section 5-10 ‘Medical, Institutional and Cultural Zoning District Classification (MIC)’ and Section 5-14-7. ‘Minor Planned Residential Developments’ and Article XVI. – ‘Supplementary Standards for Certain Uses’ to include small-scale multi-family residential uses with supplementary standards.

ARTICLE V. - ZONING DISTRICT CLASSIFICATIONS

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

5-10-1. Permitted uses.

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

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Accessory uses and structures

Adult care centers registered with the NC Department of Health and Human Services (DHSS)

Adult care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

Banks and other financial institutions

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

Child care homes so long as the use is clearly incidental to the residential use of the dwelling and does not change the essential residential character of the dwelling

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

Home occupations

Hospitals

Laundries, coin-operated

Music and art studios

Neighborhood community centers

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

Offices, business, professional and public

Parking lots and parking garages

Parks

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

Planned residential developments (minor)

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

Public and semi-public buildings

Religious institutions

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

Residential dwellings, single-family

Residential dwellings, two-family

Residential dwellings, small-scale multi-family subject to supplementary standards contained in section 16-4, below

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

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

Schools, post-secondary, business, technical and vocational

Signs, subject to the provisions of article XIII

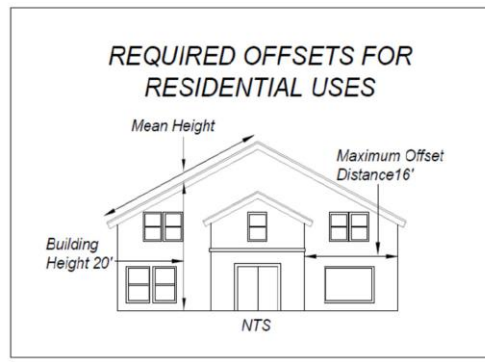
Telecommunications antennas, subject to supplementary standards contained in section 16-4, below

5-10-3. Dimensional requirements.

Minimum lot area in square feet:	8,000
Lot area per dwelling unit in square feet:	10,000 for the first; 5,000 square feet for each additional dwelling unit in one building.
Minimum lot width at building line in feet:	7 50
Minimum yard requirements in feet:	Front: 30 10
	Side: <u>20 total for lot; with minimum of 5; on any side</u>
	Rear: 20
<u>Accessory Structure Minimum Setbacks</u>	<u>Front: Shall be located to the side or rear of principal structure</u>
	<u>Side & Rear: 5</u>
Maximum height in feet:	50

16-4-31 – Residential Dwellings, Small-scale multi-family

- a) For the purposes of these standards, small-scale multi-family shall include all developments not subject to the N.C. Residential Code for One- and Two-Family Dwellings including triplexes, quadplexes, and other small apartment buildings. The standards below may be implemented voluntarily for single-family attached (townhomes) constructed subject to N.C. Residential Code for One- and Two-Family Dwellings.
- b) Maximum Height for any structure shall be 42'.
- c) Maximum footprint for any principal structure shall be 4,000 square feet.
- d) All street-facing sides of a corner lot are considered fronts
- e) Building Placement
 - a. Buildings shall be situated as close to the minimum front setback as practicable.
 - b. Buildings shall be situated to provide off-street parking to the rear and/or side of the building(s).
 - c. Buildings shall be situated to protect and accentuate important mountain vistas and views of significant historic sites.
 - d. Buildings shall be situated to provide well-defined, street-facing entrance(s) with a connecting walkway with a direct, safe, pedestrian connection to the street.
 - i. For buildings on corner lots, an entrance may be placed at the corner, thereby eliminating the need for side entrances.
 - e. Buildings shall offset front-loading garages and carports, if provided, behind the front façade by a minimum of 10'.
 - i. Front-loading garages and carports shall be visually designed to form a secondary building volume.
 - ii. The width of an attached garage shall not exceed 50 percent of the total building façade.
 - f. Canopies, awnings, cornices, balconies, front-facing covered porches and similar architectural accents are permitted to extend from the building up to five feet (5') into a required minimum setback and/or required Common Open Space.
- f) Architectural Design Standards
 - a. The following standards apply to all facades (front, rear and side) of buildings:
 - i. No wall shall exceed 16 feet in length without an offset. A building façade which is less than 16 feet in length shall not require an offset.
 - ii. Offsets shall have a minimum depth or projection of one and one half feet (1.5').



- iii. Each façade shall use fenestration and do so in a manner which is proportional to the overall scale of the building.

- iv. All building facades shall contain at least two building materials which in color and texture.
 - v. When multiple wall materials are combined on one façade, the designer is encouraged to place the heavier material(s) below
 - vi. Building materials shall be used consistently on the exterior of the building. The following building materials are prohibited for exterior façade application:
 - 1) Plain concrete block (with or without paint);
 - 2) Reflective glass;
 - 3) More than 50 percent glass on any façade;
 - 4) Vinyl siding; and
 - 5) Any other materials not customarily used in conventional construction.
 - vii. Exposed foundations shall consist of stone, stucco, brick or decorative block. If crawlspaces of porches are enclosed, they shall be enclosed with similar materials or lattice or any combination thereof.
 - viii. Windows. Windows shall either be (1) recessed a minimum of three inches (3”) from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.
- b. The following standards apply to all street-facing facades (fronts) of buildings:
- i. Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations.
 - i. Dormers
 - ii. Gables
 - iii. Recessed entries
 - iv. Cupolas or towers
 - v. Pillars, columns or posts
 - vi. Corbels
 - vii. Bay windows
 - viii. Balconies
 - ix. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation)
 - x. Parapets / Decorative cornices and roof lines (required for buildings with flat roofs)
 - xi. Wood siding with two and a half inch to four and a half inch reveal (2.5”-4.5”)
- c. Pitched roofs on residential buildings shall have a pitch between 5:12 and 12:12. Eaves (with a minimum twelve-inch (12”) projection) shall be provided with a pitched roof.
- d. Useable porches and/or stoops, at least eight feet (8’) in width and six feet (6’) in depth, shall be located on the front and/or side of the home. Porches may encroach into front setback up to five feet (5’).
- e. Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure and with similar roof pitch.

- f. Walls and fences located in the front yard shall be no more than four feet (4') at
The use of chain link fencing is prohibited in front yards. For corner lots, both street-facing
sides shall be considered fronts . Rear yard and side yard fences are not subject to these
standards.
- g) **On-street parking.** On-street parking is encouraged for all local streets and thoroughfares.
 - a. On-street parking abutting the development parcel shall count toward meeting the off-street
parking requirements for the district.
 - b. On-street parking may take the form of parallel or angle parking and shall be built according
to city or state standards as applicable in order to count towards minimum parking
requirements.
- h) **Off-street parking.**
 - a. All off-street parking lots shall be provided at the side or rear of buildings or the interior of a
block of buildings and not closer to the street than the edge profile of the structures.
 - b. Off-street parking shall not be adjacent to street intersections.

ARTICLE XII. - DEFINITION OF TERMS

Sec. 12-2. - Definition of commonly used terms and words.

Dwelling, small-scale multi-family: A building with eight (8) or fewer dwelling units

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7th day of September, 2023.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

SUMMARY:

The City of Hendersonville is in receipt of an application for preliminary site plan review and building design review from Satis Patel of Upward Road Hospitality, LLC. The applicant is proposing to construct a 45,797 square foot, 95 room hotel on the subject property.

The project received preliminary site plan approval from the Planning Board at the June 8th meeting. The applicant did not provide a preliminary building design to be reviewed alongside the preliminary site plan. It was decided during that meeting that the project would follow section 18-3-1.1 Site plan review only. The applicant would then be required to go through the building design review process during the final site plan review stage in accordance with section 18-3-2.1 Compliant final plan review.

However, staff was recently notified that the applicant could not meet all design standards in the CHMU zoning district and would be proposing an alternative design. Since the applicant’s final plans are not to a level where they can be approved, the project could not follow section 18-3-2.2 Alternative final plan review. Due to this, the applicant will be going back through the preliminary site plan and building design review process in accordance with section 18-3-1.2 Joint site plan and design review

PROJECT/PETITIONER NUMBER:	(A23-12-SPR)
PETITIONER NAME:	Upward Road Hospitality, LLC [Applicant/Owner]
ATTACHMENTS:	<div><div>1. Staff Report</div><div>2. Preliminary Building Design Plan</div><div>3. Preliminary Site Plan (previously approved)</div><div>4. Application / Owner Signature Addendum</div></div>

PRELIMINARY SITE PLAN AND BUILDING DESIGN REVIEW-TRU HOTEL
(A23-12-SPR)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PRELIMINARY SITE PLAN AND BUILDING DESIGN REVIEW GUIDELINES 3

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PROPOSED DEVELOPMENT DETAILS..... 8

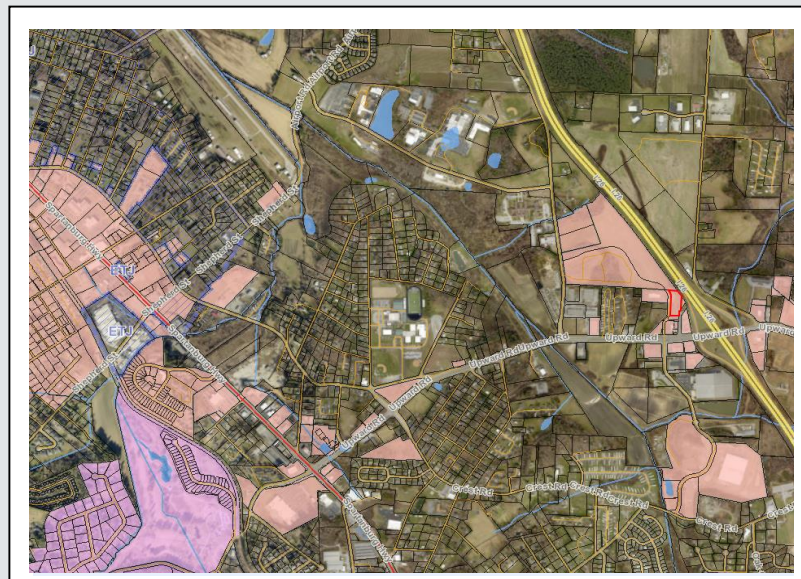
ALTERNATIVE DESIGN REVIEW 8

PLANNING BOARD’S ROLE 8



PROJECT SUMMARY

- Project Name & Case #:
 - Tru Hotel Project
 - A23-12-SPR
- Applicant & Property Owner:
 - Upward Road Hospitality, LLC [Applicant]
 - Upward Road Hospitality, LLC [Owner]
- Property Address:
 - No Address Assigned
- Project Acreage:
 - 1.5 Acres
- Parcel Identification (PIN):
 - 9588-21-9113
- Parcel Zoning:
 - CHMU, Commercial Highway Mixed Use
- Future Land Use Designation:
 - Regional Activity Center
- Requested Uses:
 - Hotels & motels
- Type of Review:
 - **Administrative**- Decisions made in the implementation, administration, or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards set forth in the Zoning Ordinance.



SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for preliminary site plan review and building design review from Satis Patel of Upward Road Hospitality, LLC. The applicant is proposing to construct a 45,797 square foot, 95 room hotel on the subject property.

The project received preliminary site plan approval from the Planning Board on June 8th. At that time, the applicant did not provide a preliminary building design to be reviewed alongside the preliminary site plan. As such the plan was reviewed for site plan compliance only with the understanding that the applicant would then be required to go through the building design review process during the final site plan process in accordance with section 18-3-2.1.

Staff have since been notified by that applicant that they could not meet all the design standards in the CHMU zoning district and would need to pursue alternative design. As the applicant's final plans are not finalized, the project can not follow section 18-3-2.2 - Alternative final plan review. Due to this, the applicant has requested to have the Planning Board review the preliminary site plan and building design in accordance with section 18-3-1.2 - Joint site plan and design review.

PRELIMINARY SITE PLAN AND BUILDING DESIGN REVIEW GUIDELINES

Review of Preliminary Site Plans

The Planning Board reviewed and approved the proposed preliminary site Plan at their June 8th meeting. The Planning Board applied the following conditions to that approval:

1. The 12x40 loading/unloading space needs to meet the required 14' of overhead clearance.
2. Parking calculations need to be updated to take into account any “public meeting area and restaurant area” into the required parking calculations. Any areas meeting these criteria need to be included in the required parking calculation and reflected on the plans.
3. Sidewalks that are shown to the northern property line that states it will be “by others” will be the responsibility of this property owner and developer to ensure that these sidewalks are built in accordance with this project and that the requirement for these sidewalks are a requirement of this project.
4. To symbolize areas meeting the open space and common open space requirements. These areas must meet the criteria outlined in the ordinance.
5. Provide clarification and notes concerning 5-27-4.1.4 Common space standards including.
 - a. Add a note stating all service connections shall be underground.
 - b. Showing and calling out areas meeting requirements outlined in section d) seating and e) amenities.

The project did not provide building design plans during the previous preliminary site plan review and those plans, once provided, are not meeting the requirements of CHMU. As such, they are required to go back through the preliminary site plan and building design review in accordance with 18-3-1.2 Joint site plan and design review. The Planning Board will be review and reaffirming their decision on the preliminary site plan. All previous conditions and aspects from the previous site plan approval will remain.

Review of CHMU Building Design Standards

This project is located within the Commercial Highway Mixed Use Zoning District which does have design standards for any project within the district (excluding single and two family homes). Article 18 “Mixed Use Zoning” outlines the process that all projects located within a mixed-use zoning district shall undergo. Mixed use zoning districts require special attention to design because of the intermixing of land uses in close proximity. Applications for development authorization for projects located within one of the mixed-use zoning districts shall, in addition to site layout, address building and site design, as well as the functional integration of residential and commercial uses. In addition to meeting the requirements for site plan review contained in section 7-3, applications for development authorization within a mixed-use zoning district shall also demonstrate that the design of the project meets the goals and intent of the mixed-use zoning district classifications.

Initial renderings and elevations for the proposed Tru Hotel were reviewed by staff, with comments provided on corrections required to bring the building into compliance, as a component of the initial preliminary site plan review submittal from the applicant. Neither correction, or a request for alternative compliance, were receive prior to the June 8th Planning Board meeting. The applicant chose to have their preliminary review of the site plan only and not include the design review. This is allowed by ordinance in section 18-3-1.1 Site plan review only.

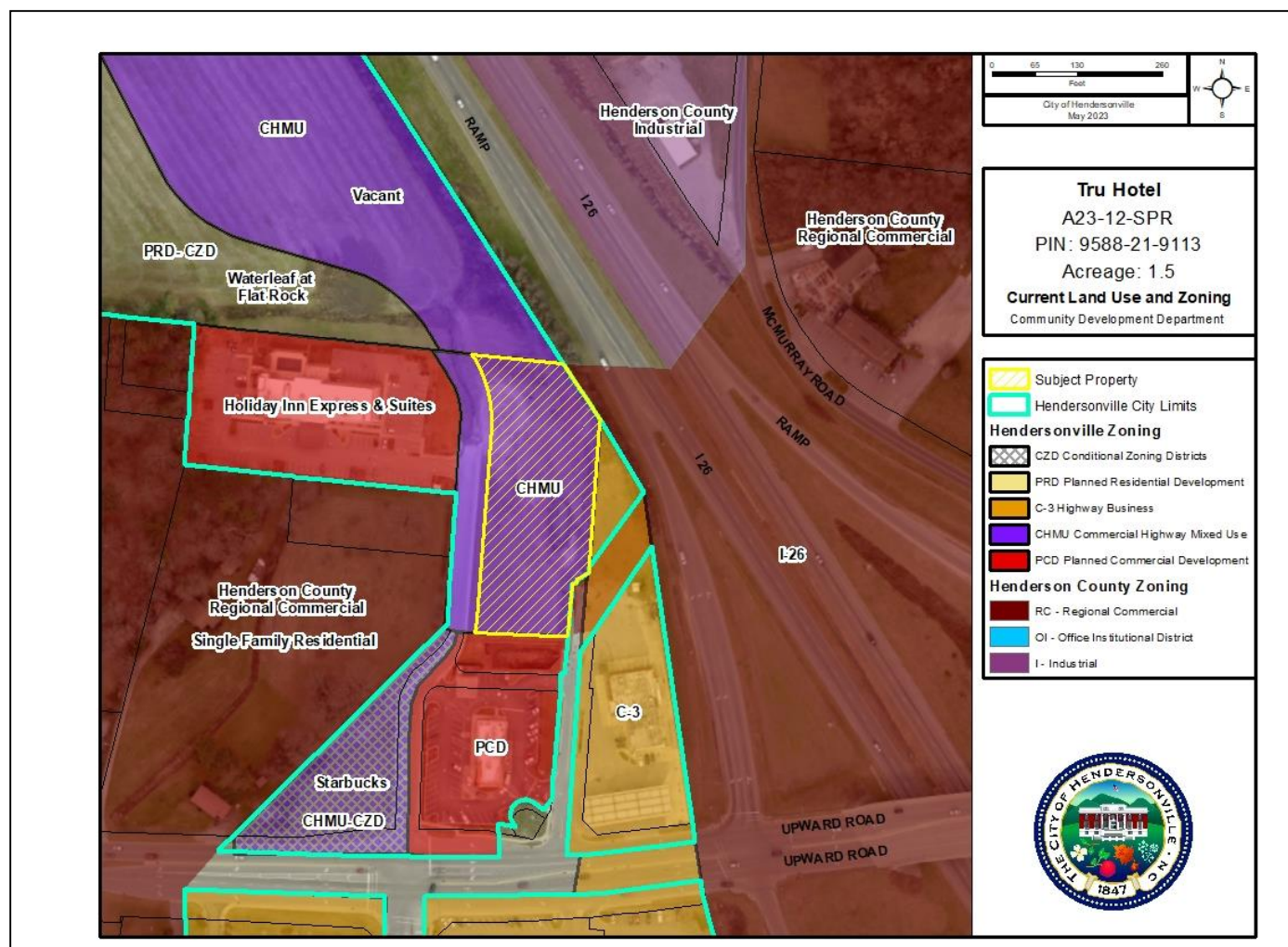
As this project has not yet received Final Site Plan Approval, which would provide the Planning Board with the option to use Sec.18-3-2.2 Alternative final plan review to approve an alternative design request, Staff are recommending the project use the preliminary site plan and building design review process in accordance with section 18-3-1.2 Joint site plan and design review. As noted above this

requires that the Planning Board review/reaffirm their decision concerning the site plan review approval from the June 8th meeting, with the added requirement that they review and make a decision on the alternative design request for the building design plan.

The applicant is proposing several deviations from the standards within CHMU. Alternative designs are permitted within our ordinance. It is the intention of alternative design to provide a means for creative design approaches to development within the mixed-use corridors so long as the design of a project advances the goals of this article. Applicants who choose not to comply with the design standards for any mixed use zoning district classification are free to develop their projects in an alternative fashion so long as the proposed design of the project meets the general design consideration contained in section 18-6, and will result in a project design which is as good as, or better than, that resulting from the design standards.

The alternative design committee (current planning committee) will review the proposed alternative design proposed and give a recommendation to the Planning Board for approval or denial. The alternative design committee and Planning Board shall review the project to determine if the design meets the general design considerations of section 18-6.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is zoned CHMU Commercial Highway Mixed Use and was originally platted as part of the Planned Commercial Development along Upward Crossing Drive. City Council rezoned the subject property from PCD to CHMU on April 12th, 2023. The property fronts on Upward Crossing Drive which is a privately maintained paved road that has access from Upward Road. There are various zoning districts and uses surrounding the subject property. Parcels to the east are zoned C-3 Highway Business and Henderson County Regional Commercial and contain a gas station and I-26. Parcels to the south are zoned PCD, CHMU-CZD and C-3. This area contains a Bojangles, Starbucks and other interstate commercial uses. Parcels to the west are zoned PCD and Henderson County Regional Commercial. This area contains a Holiday Inn Express and single-family residential units. Parcels to the north are zoned CHMU and PRD-CZD and contain vacant farmland and the Waterleaf at Flat Rock Apartments. This area is seeing a lot of growth currently that will likely continue in the future due to its close proximity to I-26 and the road upgrades to Upward Road.

SITE IMAGES



Access to the site along Upward Crossing Dr. Facing south towards Upward Rd



Access to the site along Upward Crossing Dr. Facing north towards future connection/access to Waterleaf Apartments

SITE IMAGES



View of I-26 / Upward Rd from eastern edge of boundary



View of site facing west towards Upward Crossing. Existing Holiday Inn Express in background.

PROPOSED DEVELOPMENT DETAILS

- **Proposed Use: Hotel**
 - 95 rooms
 - 45,797 Square feet
 - Proposed Height 53' 10" (4 Stories)
- **Site:**
 - 1.5 Acres
 - No floodplain is present on the site.
 - No steep slopes are on the site.
 - It appears that the site has been previously graded.
 - No trees are currently present on the site.
- **Streets/ Access**
 - The site has two proposed access points.
 - Both points would be accessed off of the privately maintained Upward Crossing Drive.
 - The northern access point is shown as tying into the proposed new road construction project by the Waterleaf at Flat Rock Apartment project developers. The southern access point is tying into the existing Upward Crossing Drive roadway.
- **Parking**
 - Hotels & Motels: 1 per guest room plus 1 per 600 square feet of public meeting area and restaurant area
 - Required: 95 spaces plus 1 per 600 square feet of public meeting area and restaurant area
 - Currently proposed: 95 spaces plus 4 handicap spaces.
- **Sidewalks**
 - Sidewalks exist along most of the property frontage. The developer is showing new sidewalks in areas that are not currently served by sidewalks.
 - The sidewalks are shown as "done by others", however this developer will be responsible for putting in the sidewalks along their frontage as an aspect of this project.
 - The plans show sidewalks connecting the street sidewalks to the building entrance.
- **Stormwater Management**
 - The project will be required to install post construction stormwater measures. These plans will be reviewed as an aspect of the final site plan review.
- **Public Utilities**
 - The site will be served by City of Hendersonville Water and Sewer.

ALTERNATIVE DESIGN REVIEW

Applicant Proposed Deviations:

- **Requirement: 5-27-4.1.6 Building façades.** Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.
- **Design Response:** TRU BY HILTON REQUIREMENTS DO NOT ALLOW MATERIAL CHANGES. WE BELIEVE WE ARE MEETING THIS CRITERIA AS MUCH AS POSSIBLE. THIS COLOR (DRYVIT SYSTEMS: PANTONE 7C BLACK) WILL BE APPLIED USING DEMANDIT SMOOTH FINISH.
- **Staff Note:** They are proposing several different colors and textures as outlined in the attached elevations.
- **Requirement: 5-27-4.1.8 Building scale.** The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.
 - a) Scale, buildings containing nonresidential uses. The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:
 - 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.
 - 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat roofs, to the top of the parapet.
 - 3)The depth or projection of the offset shall be 1/10th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel shall have a two-foot offset adjacent to such wall panel.
 - 4)Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.
- **Design Response:** The MAJORITY OF OUR DEISGN CURRENTLY MEETS THE 2-TO-1 RATIO REQUIRED. WE WOULD LIKE A VARAIANCE GRANTED FOR ANY ITEMS THAT FALL SHORT OF THE DIMENSION REQUIRED AS THE TRU BY HILTON DESIGN IS VERY PARTICULAR w/ THERE BUILDING LAYOUT. IT WOULD BE VERY DIFFCULT FOR US TO TRY AND CHANGE THE BUILDING FOOTPRINT NOW.

- **Requirement: 5-27-4.1.10 Building materials-** Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.
- Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); **aluminum**; unpainted metal; exposed plain pipe columns; metal wall siding; and any other materials not customarily used in conventional construction.
- **Design Response:** WE HAVE REPLACED THE CLEAR ANODIZED ALUMINIUM WINDOWS w/ DARK BRONZE FINISH.
- **Requirement: 5-27-4.3.4 Roofs.** Parapets and decorative cornices are required for buildings with a flat roof. Eaves shall be provided with a pitched roof.
- **Design Response:** TRU BY HILTON REQUIREMENTS DO NOT ALLOW CORNICE CHANGES. WE HAVE PARAPETS FOR THE ENTIRE ROOF... THE DESIGN OF THEM MUST STAY SPECIFIC TO HILTON REQS.

PLANNING BOARD’S ROLE

Preliminary Site Plan Review:

The Planning Board will reaffirm their previous decision from the June 8th meeting concerning the preliminary site plan. This will reaffirm the approval and ensure that all previous conditions are still placed on the approval.

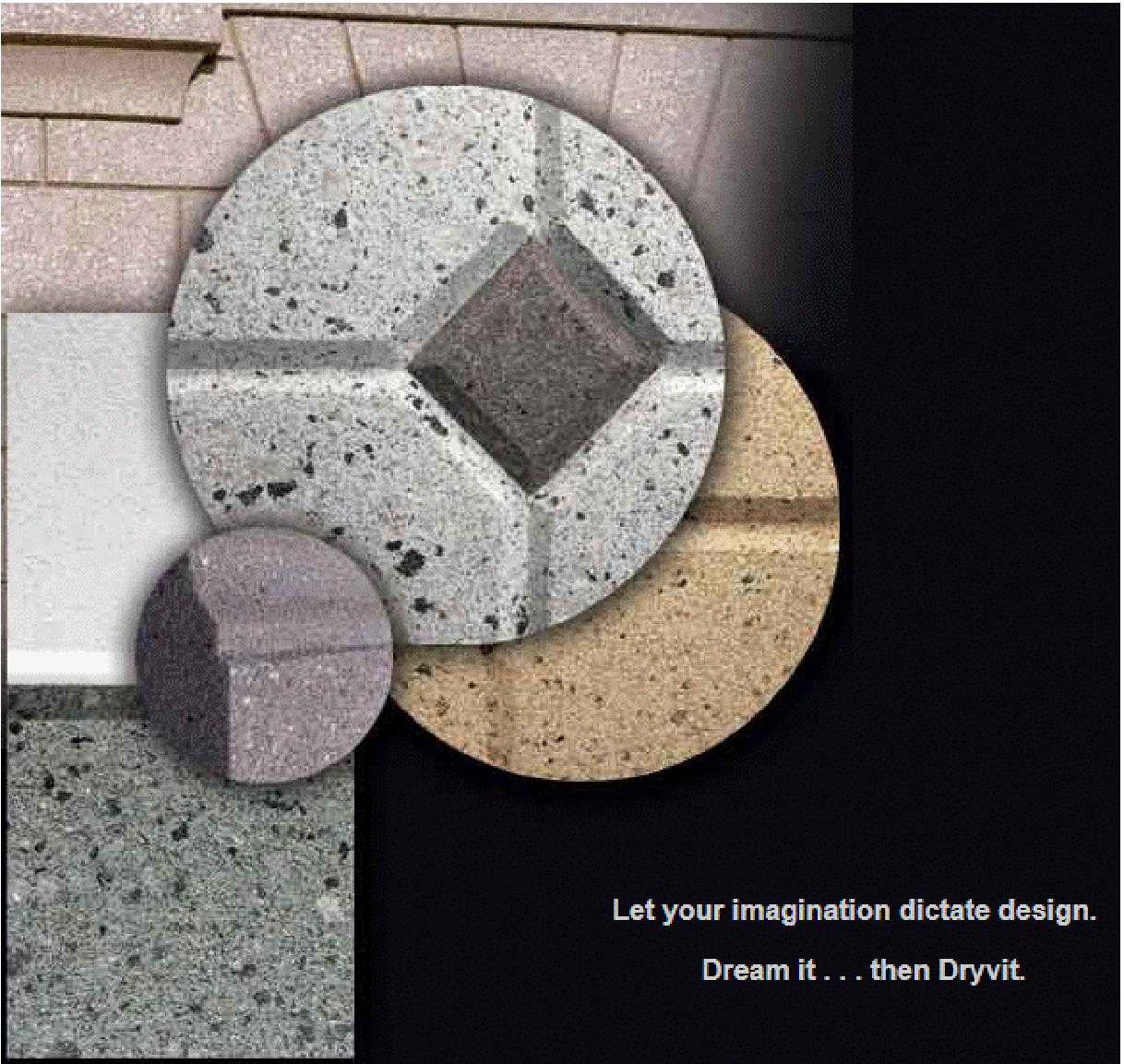
Preliminary Building Design Review:

The Planning Board will be tasked with reviewing the proposed alternative design plan provided by the applicant to ensure that it meets the intent of section 18-6 of the zoning ordinance. The Planning Board shall review the recommendation from the Alternative design committee (Current Planning Committee) prior to providing a decision. The applicants are entitled to be present to discuss their alternative design request and provide further clarification if needed.

If approved, joint preliminary site plan and design approval shall entitle the applicant to final approval to develop the property in accordance with the approved preliminary site plan so long as final plans, including the final design concept, do not deviate substantially therefrom.



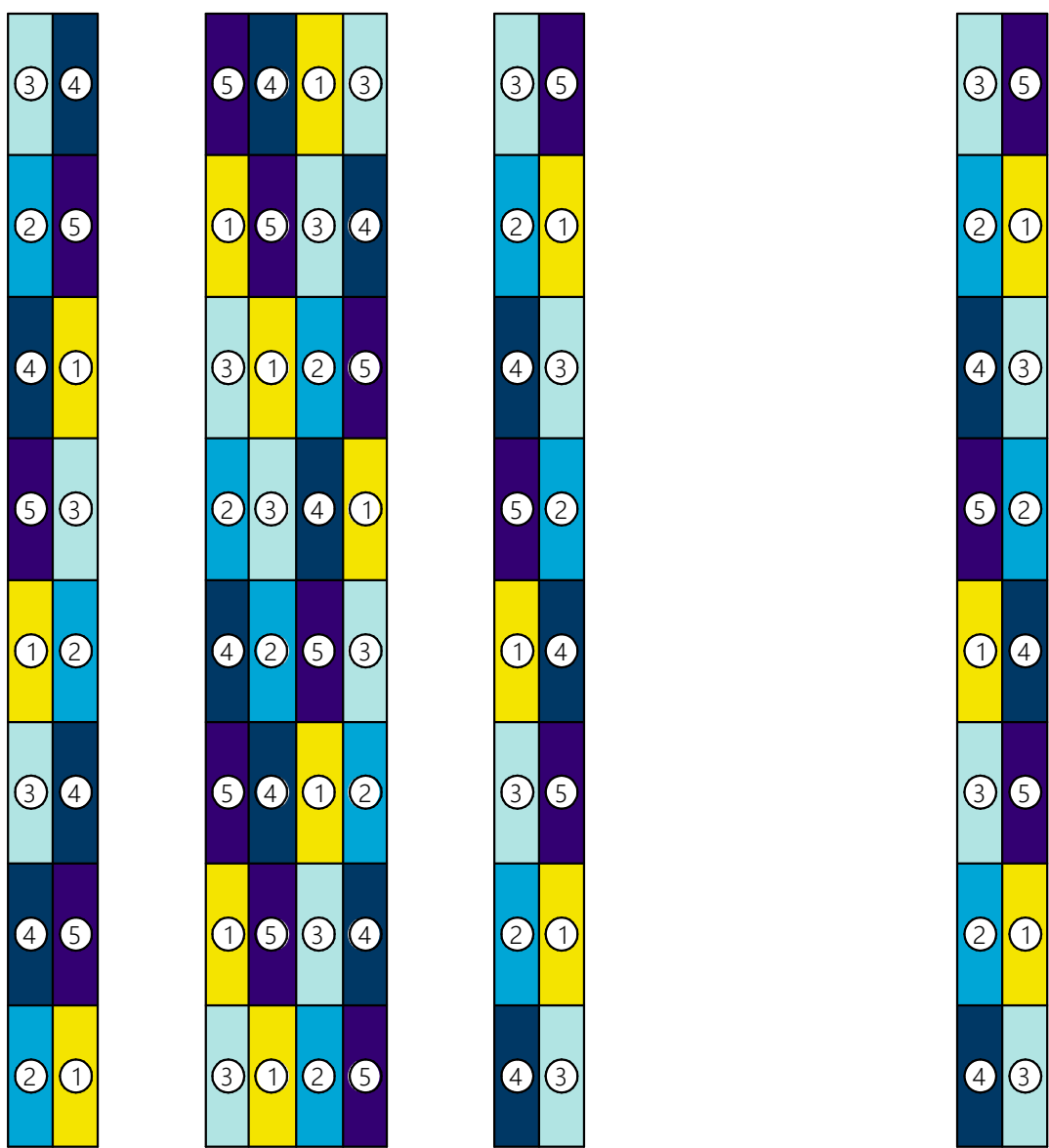
3 DRYVIT EIFS COLOR EXAMPLE
SCALE: 1:2.85



2 DRYVIT TERRANEO EXAMPLE
SCALE: 1:1.82



4 RIGHT / SOUTH ELEVATION
SCALE: 1:1.92



ALERT:
REFER TO ARCHITECTURAL FINISHES AND FIXTURE SPECIFICATIONS FOR COLOR CO-ORDINATING SCHEDULE
1 - TRUH 04 1088S - PANTONE PMS PROCESS YELLOW
2 - TRUH 05 1088S - PANTONE PMS PROCESS CYAN
3 - TRUH 06 1088S - PANTONE PMS #317C
4 - TRUH 07 1088S - PANTONE PMS #2955C
5 - TRUH 08 1088S - PANTONE PMS #2065C

FINISH LEGEND	
EX 01	DRYVIT SYSTEMS TRUH 02 1088S - PANTONE TC BLACK
EX 02	DRYVIT SYSTEMS TRUH 01 2740 - DRYVIT #918 OVERCAST
EX 03	DRYVIT SYSTEMS TRUH 03 101 - DRYVIT #307 GLACIER
EX 04	DRYVIT SYSTEMS FINISH VARIANTS - REFER TO DIAGRAM RE
EX 05	DRYVIT SYSTEMS TRUH 05 1088S - PANTONE PMS PROCESS CYAN
EX 06	DRYVIT SYSTEMS DRYVIT #918A TATTLTALL
EX 07	HIGH PRESSURE LAMINATE PANEL COLOR TO MATCH PANTONE PMS PROCESS CYAN
EX 08	HIGH PRESSURE LAMINATE PANEL COLOR TO MATCH PANTONE PMS PROCESS YELLOW
EX 09	EXTERIOR PAINT: BENJAMIN MOORE 1596 NIGHTFALL / HIGH GLOSS 148 OR SHERWIN WILLIAMS SW694H GREENBLACK / HIGH GLOSS

HENDERSONVILLE ZONING - LEGEND / NOTES

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[illegible]

2
A202

FLOOR PLAN - BACK / EAST ELEVATION (INTERSTATE 26)

SCALE: 1/8" = 1'-0"

2
A202

BACK / EAST ELEVATION (INTERSTATE 26)

SCALE: 1/8" = 1'-0"

#DESCRIPTION

Section 5, Item B.

DRAWN BY
LAH

PROJECT #
22004

APPROVED

DATE
07/27/23

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QUALITY FIRST

isom

ham

DESIGN GROUP PA

Architecture - Planning

1300 College Drive Winston-Salem, NC 28607

www.isomham.com

HENDERSONVILLE ZONING - EXTERIOR ELEVATIONS

by HILTON

FLAT ROCK

FOR CONSTRUCTION

NOT RELEASED

by HILTON

NORTH CAROLINA

ALL CONTRACTORS AND SUB-CONTRACTORS SUBMITTING BIDS ON THIS PROJECT SHALL BE REQUIRED TO RECEIVE THE ENTIRE SET OF DRAWINGS. BROKEN SETS ARE NOT ALLOWED FOR BIDDING PROJECTS. UNDER NO CIRCUMSTANCES ARE THE DRAWINGS TO BE SCALED!!!

SHEET

A202

59

tru HOTEL
FLAT ROCK, NC

FLAT ROCK, NORTH CAROLINA

INDEX OF SHEETS	
Sheet No.	Title
C0	COVER SHEET
C1	SURVEY PROVIDED BY OTHERS
C2	SITE PLAN
C3	GRADING AND DRAINAGE PLAN
C4	EROSION CONTROL PLAN
C5	UTILITY PLAN
C6	SITE DETAILS
C7	STORM AND EROSION CONTROL DETAILS
C8	UTILITY DETAILS
C9	STORM PROFILES AND BMP DETAILS
C10	BMP (STORMTECH) DETAILS

DEVELOPMENT DATA

OWNER/DEVELOPER: UPWARD CROSSING HOSPITALITY, LLC
P.O. BOX 759
FLETCHER, NC 28732

CONTACT: SATIS PATEL

SURVEYOR: WAGGONER AND RHODES LAND SURVEYORS, PLLC
545 SOUTH GROVE ST.
HENDERSVILLE, NC 28792

CONTACT: (828) 693-1022

CIVIL ENGINEER: ISOM ENGINEERING CONSULTANTS, PLLC
1309 S. COLLEGIATE DRIVE
WILKESBORO, NC 28697

CONTACT: DALE ISOM, P.E.
(336) 838-4007

PROJECT DATA

PN# 9588-21-9113
ADDRESS: UPWARD CROSSING DRIVE
 FLAT ROCK, NC 28731
DEED BOOK/PAGE: 3893/124
PARCEL ACREAGE: 1.5: ACRES
DISTURBED ACREAGE: 1.58 ACRES

PARKING CALCULATIONS:

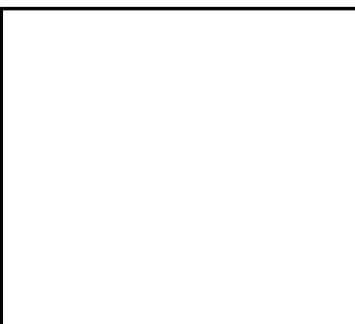
HANDICAPPED SPACES:	4 SPACES
TOTAL PARKING SPACES:	95 SPACES
PARKING SPACE/ROOM:	1.0

HOTEL DATA:

BUILDING FOOTPRINT:	11,426 SF
BUILDING STORIES:	4
TOTAL GROSS SQUARE FOOTAGE:	45,797 SF
TOTAL ROOMS:	95

PREVIOUS CALCULATIONS:

	PREVIOUS	PERVIOUS
PRE-DEVELOPMENT:	65,340 SF (100%)	0 SF (0%)
POST-DEVELOPMENT:	47,916 SF (73.3%)	17,424 SF (26.7%)

[illegible]

**Isom Engineering
Consultants, PLLC**
Engineering Planning

1309 South College Drive
Wilmington, NC 28657
336.838-4007 (Ext. 107)

COVER SHEET

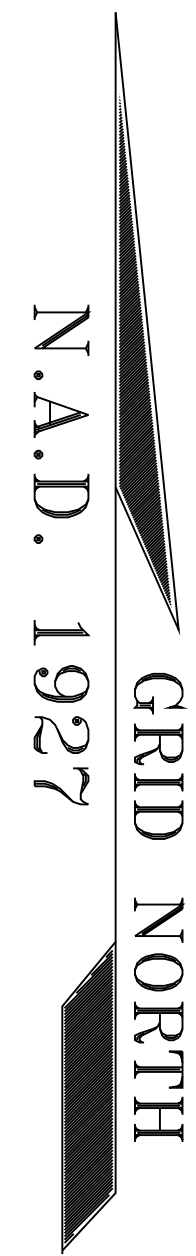


NORTH CAROLINA

FLATROCK

SHEE

OF 1



PLAT OF SURVEY FOR
UPWARD ROAD HOSPITALITY GROUP, LLC

BEING LOT 3 OF UPWARD CROSSING
AS SHOWN ON PLAT SLIDE 2014/9408

CITY OF HENDERSONVILLE
BLUE RIDGE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

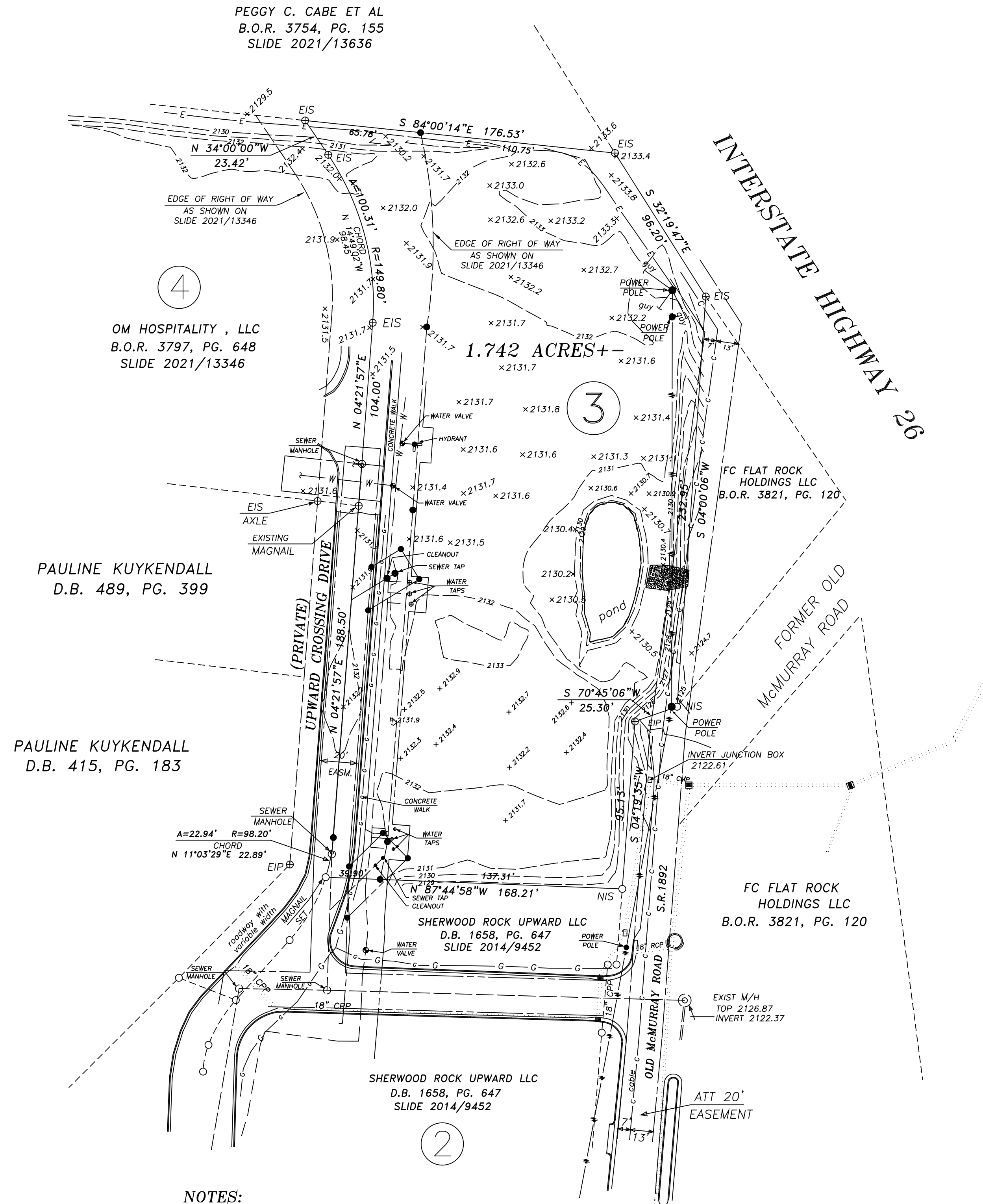
JANUARY 10th, 2022

I, STACY KENT RHODES, PROFESSIONAL LAND SURVEYOR,
certify that this plat represents a survey of an existing parcel or
parcels of land and does not create a new street or change an
existing street. G.S. 47-30 (j) (1) (c)

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR,
certify that this plat was drawn under my supervision from
an actual survey made under my supervision
(deed description recorded in Book AS, Page SHOWN);
that the boundaries not surveyed are clearly indicated
drawn from information found in Book AS, Page SHOWN;
that the ratio of precision as calculated is 1/10,000;
that this plat was prepared in accordance with G.S. 47-30
as amended. Witness my original signature, registration
number and seal.
this _____ day of _____, A.D., 20 ____.

PROFESSIONAL LAND SURVEYOR

PRELIMINARY
UNTIL SIGNED & SEALED

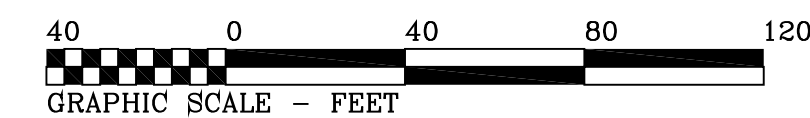


NOTES:

1. AREA DETERMINED BY COORDINATE COMPUTATION.
2. THE CURRENT OWNER OF RECORD IS UPWARD ROAD DEVELOPMENT GROUP LLC, AS PER D.B. 1316, PG. 424.
3. AREA INCLUDES ANY AND ALL PORTIONS OF PROPERTY UNDER RIGHTS OF WAY AND/OR EASEMENTS, EITHER ACQUIRED OR CLAIMED, UNLESS OTHERWISE NOTED.
4. SUBJECT PROPERTY IS CURRENTLY ZONED PCD(PLANNED COMMERCIAL DEVELOPMENT) BY CITY OF HENDERSONVILLE ZONING.
5. FOR RECORDED PLAT OF WATERLINE EASEMENT, SEE PLAT SLIDE 2014/9429 AND AGREEMENT WITH THE CITY OF HENDERSONVILLE RECORDED IN D.B. 1590, PG. 14.
6. FOR RECORDED PLAT OF SANITARY SEWER LINE EASEMENT, SEE PLAT SLIDE 2014/9430 AND AGREEMENT WITH THE CITY OF HENDERSONVILLE RECORDED IN D.B. 1590, PG. 18.
7. FOR UPWARD CROSSING DRIVE EXTENSION EASEMENT, SEE PLAT SLIDE 2021/13346 AND AGREEMENT AS RECORDED IN BOOK OF RECORD(B.O.R.) 3754, PG. 298.
8. PRIOR TO CONSTRUCTION IT IS ADVISABLE TO CALL "NORTH CAROLINA 811" FOR COMPLETE UNDERGROUND UTILITY LOCATION, WHICH MAY NOT BE SHOWN ON THIS SURVEY.

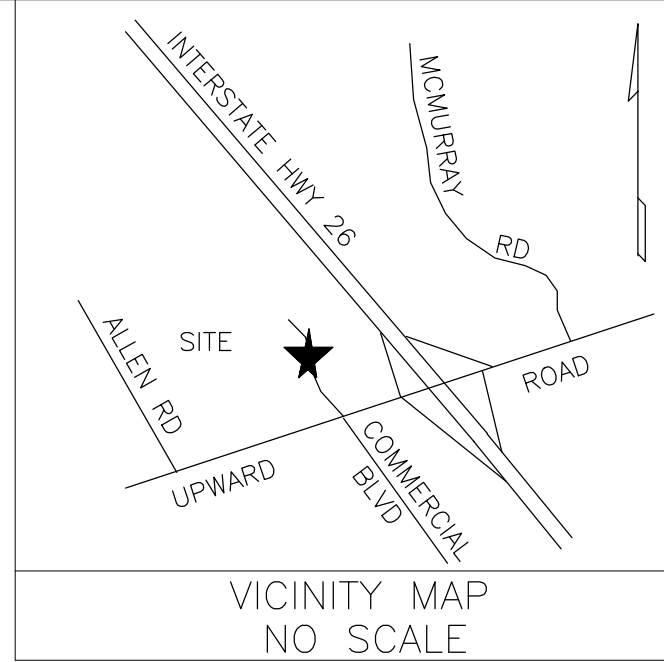
LEGEND

- EXISTING CORNER MONUMENT AS NOTED
- NEW IRON PIPE SET OR AS NOTED
- COMPUTED POINT-NOT STAKED
- CONCRETE MONUMENT AS NOTED














SCALE 1" = 40'

REFERENCES: DEED: D.B. 1316, PG. 424	LOCATION MAP (NTS)	SURVEY BY STACY KENT RHODES NC PLS 2959
PLAT: SLIDE 2014/9408		WAGGONER & RHODES LAND SURVEYORS, PLLC. NC FIRM #C-1129 545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: (828) 693-1022 FAX: (828) 693-4019
TAX ID REFERENCE: 9588219113		
SCREEN FILE: 21-061		
DWG FILE: 21-061		
REVISIONS:	DATE: JANUARY 10th, 2022	DRAWN BY: DKS/SLW
		JOB NUMBER: 21-061



LEGEND

- | | |
|---|--|
|  | PROPERTY LINE |
|  | CURB AND GUTTER |
|  | BUILDING |
|  | PROPERTY CORNER |
|  | EXISTING HIGHWAY |
|  | PROPOSED DRIVES AND
ADDITIONS TO EXISTING
HIGHWAYS |
|  | FENCE |
|  | CENTER LINE |
|  | HANDICAP SYMBOL |
|  | STANDARD DUTY
ASPHALT PAVING
SEE DET. 4/C/5 |
|  | HEAVY DUTY
ASPHALT PAVING
SEE DET. 4/C/5 |

GENERAL NOTES

1. BOUNDARY AND TOPO BY: WAGGONER AND RHODES LAND SURVEYORS, PLLC -- 545 SOUTH GROVE ST. HENDERSONVILLE, NC -- 28752
PHONE# (828) 693-1022
2. PROPERTY OWNER: UPWARD CROSSING HOSPITALITY, LLC
SATS D. PATEL P.O. BOX 759
FLETCHER, NC 28732
3. DEVELOPER: BLUE STAR HOSPITALITY, LLC
SATS D. PATEL P.O. BOX 759
FLETCHER, NC 28732
4. CONTRACTOR IS TO VERIFY ALL UTILITY LOCATIONS PRIOR TO BEGINNING WORK.
5. ALL WORK IS TO BE IN ACCORDANCE WITH ALL STATE AND LOCAL REGULATIONS.
6. ALL PERMITS ARE TO BE OBTAINED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
7. HYDRANT LOCATION SHALL BE APPROVED BY THE LOCAL FIRE DEPARTMENT.
8. EXISTING UTILITIES ON SITE SHALL BE RELOCATED AS REQUIRED. CONTRACTOR SHALL PAY ALL COSTS ASSOCIATED WITH RELOCATION.
9. ALL LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE CITY OF HENDERSONVILLE.
10. THIS PARCEL IS A SATELLITE ANNEXATION FOR THE CITY OF HENDERSONVILLE.

UPWARD CROSSING DRIVE TO BE
DESIGNED BY OTHERS. CIVIL DESIGN
CONCEPTS IS PROVIDING ROAD LAYOUT
AND LIGHTING DESIGN. DRIVEWAYS WILL
COORDINATED TO PROVIDE SMOOTH
TRANSITIONS FROM ROAD TO DRIVES.

PARKING AND PAVEMENT NOTES

4. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC DEVICES, 1988 EDITION AS AMENDED.
5. ALL PAVEMENT MARKINGS SHALL BE PAINTED WHITE ON ASPHALT PAVEMENT / YELLOW ON CONCRETE PAVEMENT AND SHALL BE FOUR (4) INCHES WIDE UNLESS INDICATED OTHERWISE.
6. ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC WHITE ON ASPHALT IN NC DOT ROW
7. ALL DIMENSIONS ARE TO BACK-OF-CURB UNLESS INDICATED OTHERWISE, ALL CURB RADIUS ARE TO BE 5' UNLESS INDICATED OTHERWISE.
8. CONTRACTOR SHALL FURNISH AND INSTALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS. (SEE SHEET C-1)
9. CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS ON THE SITE.
10. JOINTS OR SCORE MARKS ARE TO BE SHARP AND CLEAN WITHOUT SHOWING EDGES OF JOINTING TOOLS.
11. CONTRACTOR SHALL SAW-CUT THE SLOPE AT EXISTING CURBS AS NECESSARY TO INSURE SMOOTH TRANSITIONS. CONTRACTOR SHALL SAW-CUT AND TRANSITION TO MEET EXISTING PAVEMENT AS NECESSARY AND AS DIRECTED BY INSPECTOR TO INSURE POSITIVE DRAINAGE. (TYPICAL AT ALL INTERSECTIONS)
12. CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY AGC OF AMERICA, INC. AND THE HEALTH AND SAFETY REGULATIONS FOR CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.
13. CONTRACTOR SHALL FULLY COMPLY WITH THE REQUIREMENTS OF THE SOILS ENGINEER, GTA ASSOCIATES, INC., AS DETAILED IN THEIR REPORT DATED JULY 11, 2007.
14. ALL IMPROVEMENTS WITHIN NC DOT R.O.W. SHALL COMPLY WITH THE NC DOT STANDARD SPECIFICATIONS.
15. ALL EXISTING ON-SITE STRUCTURES SHALL BE REMOVED PER LOCAL CODES AND DISPOSED OF OFF-SITE, INCLUDING ALL ATTACHED UTILITIES AND APPURTENANCES, ALL WELLS ON-SITE SHALL BE IDENTIFIED TO THE ENGINEER BEFORE CONSTRUCTION AND CAPPED PER HIS INSTRUCTIONS.

SITE STATISTICS

PROPOSED USE =	HOTEL
TOTAL STORIES =	4
TOTAL ROOMS =	95
TOTAL SQ. FOOTAGE =	45,797 SQ.FT
BUILDING HEIGHT =	53'-10" FT.

REQUIRED PARKING: $1 \times 95 + 0 = 95$ SPACES
(1 PARKING SPACE PER 1 GUESTROOM + 1 PER)

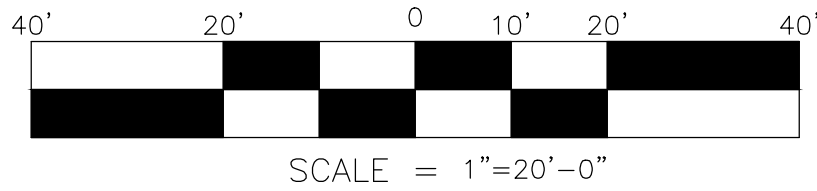
PARKING PROVIDED =	95 SPACES
HANDICAP PARKING =	4
I. TOTAL PROJECT AREA:	1.65 ACRES
II. PROPOSED LOT AREA:	1.5 ACRES
III. SITE COVERING—BUILDINGS:	11,893 SF (18.2%)
IV. SITE COVERING—OPEN SPACES:	22,262 SF (34.0%)
V. SITE COVERING—STREETS & PARKING:	31,948 SF (48.9%)
VI. SITE COVERING—FACILITIES:	73 SF (0.01%)
VII. SITE COVERING—COMMON OPEN SPACES:	3780 SF (11.6%)

CURVE TABLE

CURVE 1	CURVE 2	CURVE 3
LC = 42.41'	LC = 42.41'	LC = 12.80'
R = 27.00'	R = 27.00'	R = 22.00'
Δ = 90°0'0"	Δ = 90°0'0"	Δ = 33°20'10"

CURVE 4	CURVE 5
LC = 17.29'	LC = 20.47'
R = 27.00'	R = 22.00'
Δ = 36°41'44"	Δ = 53°18'16"

CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION
AND SEDIMENT CONTROL MEASURES FROM SITE AFTER
PERMANENT PROJECT STABILIZATION IS COMPLETED.
ALL DISTURBED AREAS TO BE SEEDED AND MULCHED.

[illegible]

DRAWN BY JRE	APPROVED DLI
PROJ. #	DATE 10-11-22



i
**Isom Engineering
Consultants, PLLC**
Engineering|Planning
1309 South collegiate Drive
Wilmington, NC 28697
336.838.4007 (ext. 107)

NORTH CAROLINA

SITE PLAN



FLATROCK

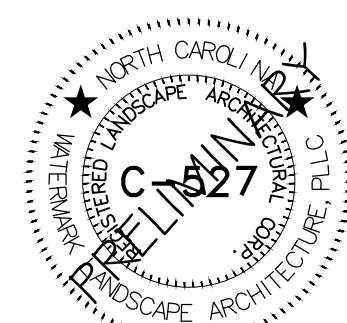
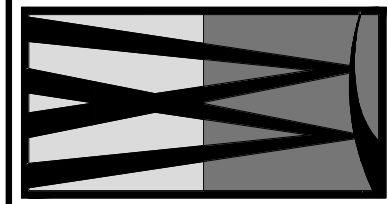
SHE

C1

OF

11

NOT RELEASED FOR CONSTRUCTION



DATE: 04-25-2023	DRAWN BY: RBA
JOB NO: 23011700	CHECKED BY: AHM
REVISIONS:	

SITE VEGETATION SUMMARY

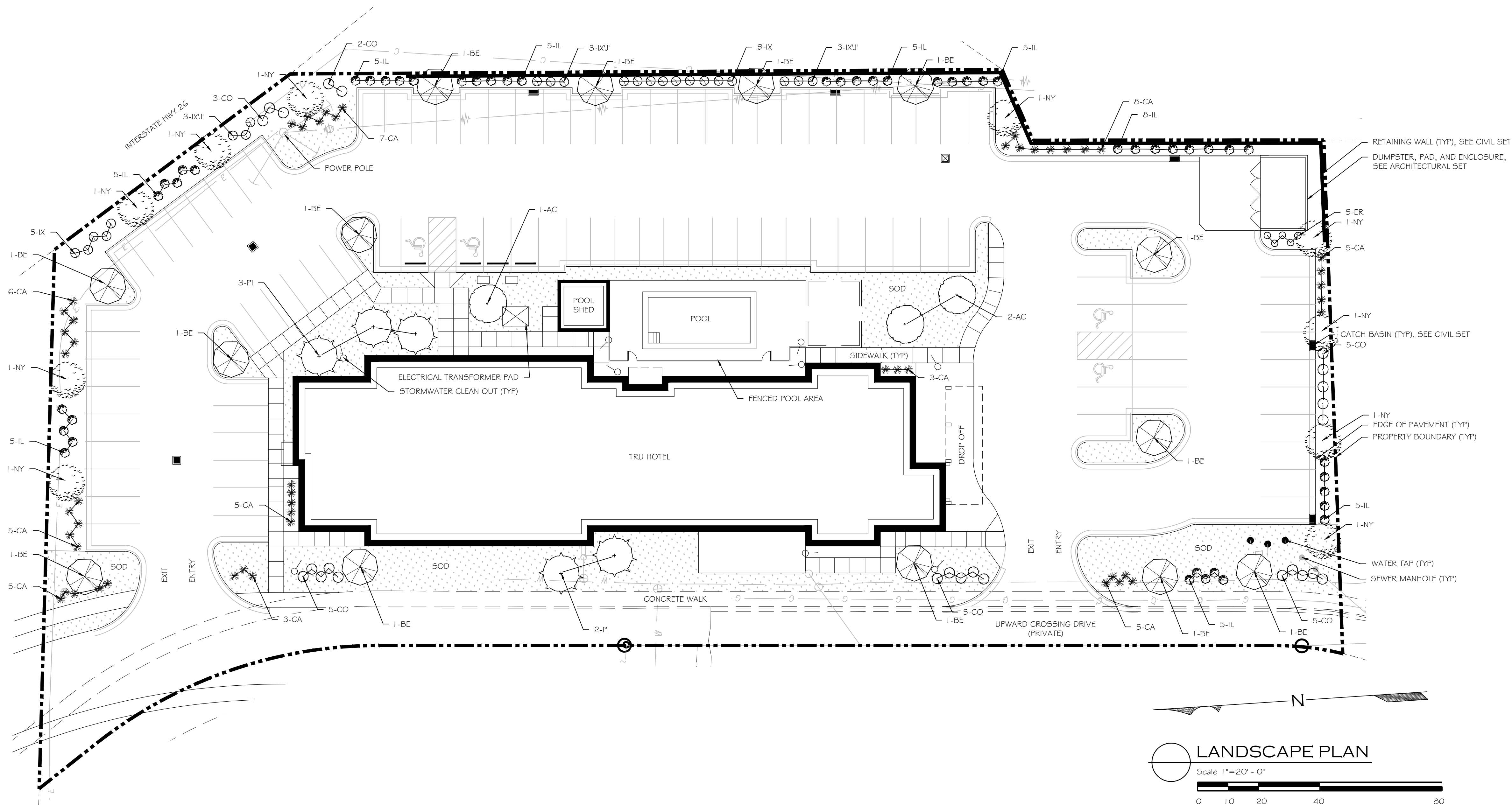
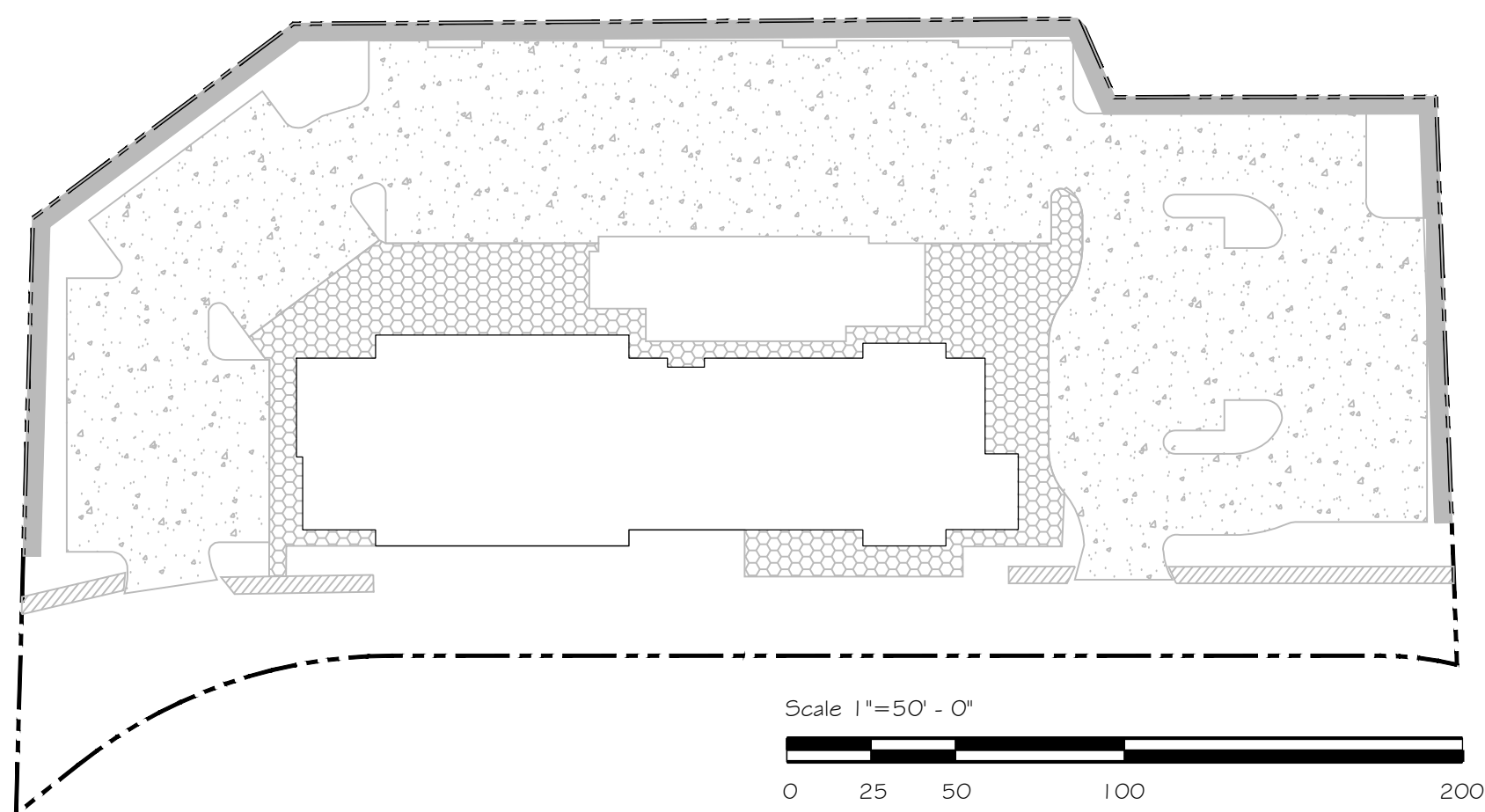
TREES	REQUIRED 40	EXISTING 0	CREDITS 8*	PROPOSED 32
SHRUBS	165	0	12*	153

NOTES:

1. AT LEAST 75% OF TREES REQUIRED IN PERIMETER AND INTERIOR PLANTINGS ARE BROADLEAF CANOPY TREES
2. TREES AND SHRUBS REQUIRED IN PERIMETER AND INTERIOR PLANTINGS AREA ARE LOCATED WITHIN 20' OF VEHICULAR USE AREA
3. 50% OR MORE OF TREES AND SHRUBS REQUIRED IN PERIMETER AND INTERIOR PLANTINGS ARE PLANTED IN ISLANDS WITHIN THE PARKING LOT
4. PER SECTION 5-27, NO PARKING SPACE IS FURTHER THAN 45' FROM A TREE
5. PER CITY PLANNER, 1/3 OF TOTAL SHRUBS SPECIFIED MAY BE GRASSES MATURING TO 24" HEIGHT AND 36" WIDTH
6. PER SECTION 15-13, 50% OF TREES SHALL BE BROAD LEAF CANOPY TREES.
7. *PER SECTION 15-9(b) AND 15-3 WE ARE REQUESTING CREDIT FOR 8 TREES AND 12 SHRUBS REQUIRED BY 15-9(a).

SITE CALCULATIONS

SECTION 15-9 a.) PERIMETER & INTERIOR PLANTINGS VEHICULAR USE AREA: 31,948 SQ/ 4,000 SQ' = 8.16	9 TREES 17 SHRUBS
b.) PLANTING STRIP: 652 LF/40 LF' = 16.3	17 TREES 85 SHRUBS
c.) BUFFER FROM STREET: 165 LF/ 5 LF' = 33	33 SHRUBS
SECTION 5-27 COMMON OPEN SPACE: 7,580 SQ/ 1,000 = 7.58	8 TREES
SECTION 15-13 SPECIAL PROVISIONS-OPEN SPACE LANDSCAPING IN MU DISTRICTS: 22,262 SQ/ 4,000SQ = 5.56	6 TREES 30 SHRUBS



City of Hendersonville
COMMUNITY DEVELOPMENT DEPARTMENT
APPROVED
By: Planning Board, Date: 6-8-23

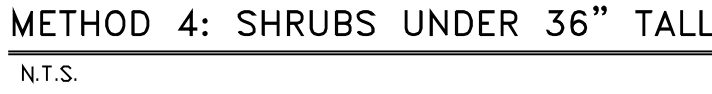


Know what's below.
Call before you dig.

NOTE: CONTRACTOR IS TO FIELD VERIFY ALL UNDERGROUND UTILITY LOCATIONS PRIOR TO PLANTING. SOME PLANT LOCATIONS MAY BE ALTERED. CONSULT L.A. OR PROJECT MANAGER FOR FINAL LOCATION.



CAROLINA NATIVE NURSERY, CAROLINANATIVENURSERY.COM, 828-682-1471
HOFFMAN NURSERY, <http://hoffmannursery.com/>, 800-203-8590



METHOD 5: GROUND COVER, AND/OR HERBACEOUS MATERIAL

N.T.S.

1. ALL PLANT MATERIAL SHALL BE INSTALLED IN A WORKMAN LIKE MANNER USING ACCEPTED NURSERY PRACTICES AND STANDARDS, AND SHALL COMPLY WITH AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1-2014 OR MOST CURRENT STANDARD.

2. PLANTS DESIGNATED "B4B" IN THE PLANT LIST SHALL BE BALLED & BURLAPPED. THEY SHALL BE DUG WITH FIRM, NATURAL BALLS OF EARTH OF SUFFICIENT DIAMETER AND DEPTH TO ENCOMPASS THE FIBROUS AND FEEDING ROOT SYSTEM NECESSARY FOR FULL RECOVERY OF THE PLANT. BALLS SHALL BE FIRMLY WRAPPED WITH BURLAP OR SIMILAR MATERIAL AND BOUND WITH TWINE OR CORD. TREE BALLS SHALL HAVE A DIAMETER IN FEET EQUAL TO 10" FOR EACH CALIPER INCH OF TREE.

3. ONLY "HEMP" BURLAP AND TWINE SHALL BE USED. NO TREATED OR PRESERVED BURLAP OR TWINE IS ALLOWED. ALL HEMP TWINE ATTACHED TO THE TRUNK IS TO BE REMOVED AT PLANTING. CUT AND REMOVE BURLAP AND WIRE BASKET ENTIRELY PRIOR TO PLANTING. CUT OR LOOSEN ANY GIRDLING OR CIRCLING ROOTS.

4. BALLS OF B+B PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE COVERED WITH MOIST SOIL, MULCH OR SIMILAR PROTECTION FROM DRYING WINDS AND SUN. ALL PLANTS SHALL BE WATERED BY LANDSCAPE CONTRACTOR AS NECESSARY UNTIL FINAL ACCEPTANCE.

5. NO PLANT SHALL BE BOUND WITH WIRE OR ROPE IN SUCH A MANNER THAT WILL DAMAGE THE BARK, BREAK BRANCHES, OR DESTROY THE PLANTS NATURAL SHAPE. NO B&B PLANT MATERIAL SHALL BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN EITHER BEFORE OR DURING PLANTING, INCLUDING WHEN BURLAP, STAVES, ROPES, ETC. ARE REMOVED DURING PLANTING.

6. ALL PLANTS SHALL BE HANDLED SO THAT THE ROOTS SHALL BE ADEQUATELY PROTECTED AT ALL TIMES. DURING SHIPMENT PLANTS SHALL BE PROTECTED BY TARPAULINS OR SIMILAR COVERING. PLANT MATERIAL SUFFERING FROM WIND BURN OR OTHER WIND DAMAGE IS NOT ACCEPTABLE.

7. THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS MAY VARY IN RELATION TO ACTUAL CONDITIONS. ADDITIONAL UTILITIES NOT SHOWN ON THE PLANS MAY EXIST. THE LANDSCAPE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND NOTIFY THE OWNER OF ANY DISCREPANCIES BEFORE BEGINNING WORK. EXCAVATION NEAR EXISTING UTILITIES SHALL BE CAREFULLY DONE BY HAND. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES CAUSED BY ANY PERSON, VEHICLE, EQUIPMENT OR TOOL RELATED TO HIS ACTIVITIES ON THE SITE.

8. ALL PLANTS SHALL BE PLANTED SO TOP OF ROOT BALL IS 2'-3" ABOVE EXISTING GRADE

9. ANY SERIES OF PLANTS TO BE PLACED IN A PARTICULAR ARRANGEMENT WILL BE FIELD CHECKED FOR ACCURACY BY THE LANDSCAPE CONTRACTOR, AND ANY PLANTS INCORRECTLY ARRANGED SHALL BE RELOCATED. FINAL LOCATIONS OF ALL PLANT MATERIAL ARE SUBJECT TO FINAL APPROVAL IN THE FIELD BY LANDSCAPE ARCHITECT.

10. PRUNE NEWLY PLANTED TREES AS NECESSARY AND IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE TO PRESERVE NATURAL CHARACTER OF PLANT. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.

1. LANDSCAPE CONTRACTOR SHALL VERIFY SURGRADE ELEVATIONS, OBSERVE CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED, AND PROVIDE PERCOLATION TESTS AND ALL OTHER TESTS AS MAY BE NECESSARY TO ASCERTAIN THAT ADEQUATE GROWING CONDITIONS WILL BE PROVIDED FOR PLANTS. IF PERCOLATION TESTS OR OTHER SUBSURFACE INVESTIGATION REVEALS THAT THERE ARE NO SIGNIFICANT SHOWN IN THE REPORT OR OTHER EVIDENCE OF UNDERGROUND WATER, NOTIFY LANDSCAPE ARCHITECT IN WRITING OF THIS FACT OR ANY OTHER UNSATISFACTORY CONDITIONS BEFORE BACK-FILLING. A CHANGE ORDER MAY BE ISSUED TO DIRECT INSTALLATION OF DRAIN TILE OR OTHER MEASURES BEYOND DRAINAGE REQUIREMENTS INDICATED. DO NOT REMOVE ANY EXISTING WORK UNLESS UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. COMMENCEMENT OF PLANTING WORK INDICATES THAT SITE CONDITIONS HAVE BEEN ACCEPTED 'AS IS'.

12. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE WATERING AND MAINTENANCE OF ALL PLANT MATERIAL, BOTH BEFORE AND AFTER PLANTING, UNTIL ACCEPTANCE BY LANDSCAPE ARCHITECT.

13. ALL PLANT MATERIAL IS TO BE GUARANTEED FOR ONE (1) YEAR. GUARANTEE PERIOD STARTS FROM DATE OF FINAL ACCEPTANCE BY OWNER.

14. QUANTITIES INDICATED ON THE DRAWINGS ARE PROVIDED FOR THE BENEFIT OF THE LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING QUANTITIES AND NOTIFYING LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. COMMENCEMENT OF PLANTING WORK INDICATES THAT QUANTITIES HAVE BEEN ACCEPTED BY THE LANDSCAPE CONTRACTOR, AND LANDSCAPE CONTRACTOR ACCEPTS LIABILITY FOR ANY LATER DISCREPANCY.

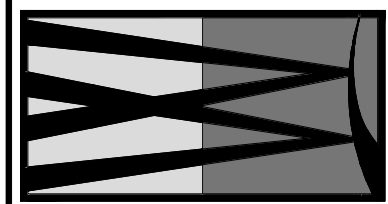
15. DIMENSIONS FOR PLANT CALIPERS, HEIGHTS AND SPREAD SPECIFIED ON THE MATERIAL SCHEDULE/PLANT LIST ARE GENERAL GUIDES FOR THE MINIMUM DESIRED SIZE FOR EACH PLANT. AT A MINIMUM, ALL PLANT MATERIALS SHALL COMPLY WITH THE LATEST EDITION OF PUBLICATION ANSI Z60.1-2014, AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMEN. THE LANDSCAPE ARCHITECT OR OTHER OWNERS REPRESENTATIVE RETAINS THE RIGHT TO REJECT ANY PLANTS NOT MEETING THESE REQUIREMENTS.

16. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR CONDUCTING SITE INSPECTION PRIOR TO BIDDING WORK TO EVALUATE SITE CONDITIONS AND AREAS TO BE SEEDED AND PLANTED. SUBMISSION OF BID INDICATES CONTRACTOR HAS VERIFIED SITE CONDITIONS AND PLANT MATERIAL QUANTITIES.

17. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO SIDEWALKS, CURBS, PAVEMENT, LAWNS, EXISTING PLANTINGS, ETC. AS A RESULT OF LANDSCAPE INSTALLATION ACTIVITIES.

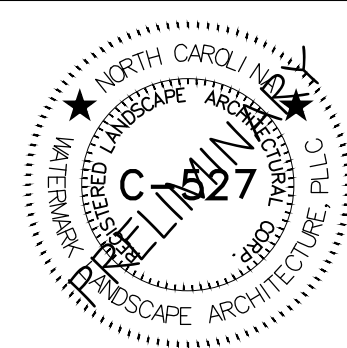
1.8. LANDSCAPE CONTRACTOR SHALL MAINTAIN AREAS OF WORK IN A NEAT AND ORDERLY MANNER, AND SHALL BE RESPONSIBLE FOR CLEAN UP OF TRASH, DEBRIS, ETC. ON A DAILY BASIS.

19. MULCH SHALL BE DOUBLE GROUND HARDWOOD, OR APPROVED EQUIVALENT. MULCH SHALL BE OF SUFFICIENT CHARACTER SO AS NOT TO BE EASILY BLOWN OR WASHED AWAY. LANDSCAPE CONTRACTOR SHALL APPLY A MINIMUM OF 4" OF MULCH TO ALL PLANTING BEDS, TREE PLANTINGS, AND OTHER DISTURBED AREAS.



TRU HOTEL

HENDERSONVILLE, NORTH CAROLINA

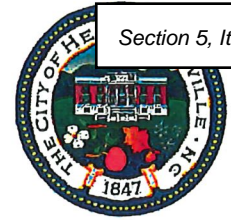


DATE: 04.25.2023	DRAWN BY: RBA
JOB NO: 230117CM	CHECKED BY: AHM
REVISIONS:	

LANDSCAPE
NOTES &
DETAILS

L-2

2 OF 2



APPLICATION FOR SITE PLAN REVIEW

Section 7-3 City Zoning Ordinance

The following are required to constitute a complete application for preliminary site plan review:

- ~ This form including the property owner(s) signature(s).
- ~ Appropriate fee.
- ~ 2 copies and a digital file of the site plan containing items in Section 7.3-3.2 of the City Zoning Ordinance.

Projects proposing any of the following must submit a complete application at least 32 days prior to any Planning Board meeting.

- Any commercial, industrial or institutional development consisting of 20,000 or more square feet of floor area.
- Addition of more than 30 parking spaces.
- Any minor planned residential development consisting of nine or more dwelling units.

The following are required for final site plan review:

- ~ This form including the property owner(s) signature(s)
- ~ 2 copies of the site plan containing items in Section 7-3-4.3 of the City Zoning Ordinance

Date

4-5-23

Type of Plan Review



Preliminary



Final

Name of Project

TRU HOTEL BY HILTON

Location/Address of Property

UPWARD CROSSING L03 PL2014-9408

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

PIN#

9588219113

Contact Information

CHARL CORMIER CAROLINA SPECIALTIES CONSTRUCTION

Address

624 7TH AVE. E. HENDERSONVILLE, NC.

Phone

697-7184

Fax

697-6863

Email

ccormier@cscwnc.com

CHECK TYPE OF DEVELOPMENT



Residential



Commercial



Other

Current Zoning

CHMU

Total Acreage

1.5

Proposed Building Sq.ft.

45797 / 11449 PER FLOOR

of Dwelling Units

Official Use:

DATE RECEIVED: _____ BY _____ FEE RECEIVED \$ _____

Applicant(s):

Printed Name UPWARD ROAD HOSPITALITY, LLC
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title MANAGING MEMBER Email SATIS@BEUSOUTIL.NET
Address of Applicant 550 NEW AIRPORT ROAD / FLETCHER, NC 28732

Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Applicant _____

Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Applicant _____

Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Applicant _____

Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Applicant _____

Property Owners(s):

* ^ Printed Name UPWARD ROAD HOSPITALITY, LLC
☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature [Signature]
Title MANAGING MEMBER Email SATIS@BELLSOUTH.NET
Address of Property Owner 550 NEW AIRPORT ROAD / FLETCHER, NC 28732

* ^ Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Property Owner _____

* ^ Printed Name _____
☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____
Signature _____
Title _____ Email _____
Address of Property Owner _____

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

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER:	Matthew Manley	MEETING DATE:	August 10, 2023
AGENDA SECTION:	New Business	DEPARTMENT:	Community Development
TITLE OF ITEM:	Zoning Text Amendment: Transportation Standards in CHMU (P23-51-ZTA) – Matthew Manley, AICP – Strategic Projects Manager		

SUGGESTED MOTION(S):

<p style="text-align: center;"><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council <u>adopt</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-27 CHMU Commercial Highway Mixed Use Zoning District, based on the recommendations presented by staff and based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with Goal TC-3 of the Transportation and Circulation Chapter of the Comprehensive Plan which calls for providing a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.</p> <p>2. We <u>[find]</u> this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The text amendment would help address access management, congestion management and transportation circulation in the Upward Rd corridor. 2. The text amendment will impact a rapidly growing area of the City. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p style="text-align: center;"><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council <u>deny</u> an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V. – Zoning District Classifications, Section 5-27 CHMU Commercial Highway Mixed Use Zoning District, based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:</p> <p style="padding-left: 40px;">The petition aligns with Goal TC-3 of the Transportation and Circulation Chapter of the Comprehensive Plan which calls for providing a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.</p> <p>2. We <u>[do not find]</u> this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The text amendment would place a burden on private development. <p style="text-align: center;">[DISCUSS & VOTE]</p>
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SUMMARY: *The City of Hendersonville is initiating a zoning code text amendment to supplement the standards of the Commercial Highway Mixed Use (CHMU) Zoning District. This zoning district was established to address development along the Upward Road corridor.*

In January 2011, the City established the Upward Road Planning Area to help plan for and direct sewer expansion in this southern portion of the City’s surroundings. Given that the City’s ETJ was not expanded to this area, the land in this area does not have City zoning, but rather is zoned by Henderson County. In anticipation of properties in the Upward Road Planning Area requesting annexation and connection to sewer service, the City established the CHMU to foster orderly development along this corridor.

One key attribute of orderly development along major thoroughfares are zoning regulations which address congestion management. A study performed in 2005 for the US64 East corridor helped to establish such standards in the Highway Mixed Use (HMU) zoning district - the zoning district established for US64 East/Chimney Rock Rd. Staff is proposing to expand these standards to the CHMU zoning district. Applying these same transportation-related standards from the HMU zoning district will help shape growth along the quickly developing Upward Road corridor.

PROJECT/PETITIONER NUMBER:	P23-51-ZTA
PETITIONER NAME:	The City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Draft Ordinance 3. US 64 East Transportation Plan

ZONING TEXT AMENDMENT:
TRANSPORTATION STANDARDS IN CHMU (P23-51-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - Transportation Standards in CHMU
 - P23-51-ZTA
- Applicant:
 - City of Hendersonville
- Articles Amended:
 - Section 5-27. – CHMU Commercial Highway Mixed Use Zoning District
- Applicable Zoning District(s):
 - CHMU
- Future Land Use Designation
 - Regional Activity Center
 - Neighborhood Activity Center
 - High Intensity Neighborhood
- Planning Board - Legislative Committee Meeting
 - June 20, 2023
- Summary Basics:
 - The petition proposes to supplement the existing CHMU standards with requirements related to transportation (multi-modal circulation, access management, cross access easements, etc.)
 - The proposed standards are based on those found in the HMU Zoning District and are based on the analysis found in the *US Highway 64 East Transportation Plan* (2005).



Summary of Amendment Petition:

The City of Hendersonville is initiating a zoning code text amendment to supplement the standards of the Commercial Highway Mixed Use (CHMU) Zoning District. This zoning district was established to address development along the Upward Road corridor.

In January 2011, the City established the Upward Road Planning Area to help plan for and direct sewer expansion in this southern portion of the City's surroundings. Given that the City's ETJ was not expanded to this area, the land in this area does not have City zoning, but rather is zoned by Henderson County. In anticipation of properties in the Upward Road Planning Area requesting annexation and connection to sewer service, the City established the CHMU to foster orderly development along this corridor.

One key attribute of orderly development along major thoroughfares are zoning regulations which address congestion management. A study performed in 2005 for the US64 East corridor helped to establish such standards in the Highway Mixed Use (HMU) zoning district - the zoning district established for US64 East/Chimney Rock Rd. Staff is proposing to expand these standards to the CHMU zoning district. Applying these same transportation-related standards from the HMU zoning district will help shape growth along the quickly-developing Upward Road corridor.

AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW

Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 9 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.

Designated as a Boulevard in the City’s 2030 Comprehensive Plan, Upward Rd features one of Hendersonville’s primary interchanges with I-26. For these reasons, there are obvious comparisons between the Upward Road corridor and the Four Seasons Blvd/Chimney Rock Rd corridor (US 64 East). A Transportation Plan for the US 64 East corridor was drafted and ultimately adopted in February 2005. Aspects of the Transportation Plan’s recommendations were included in the Highway Mixed Use (HMU) Zoning District - which was established to guide development along US 64 East. Similarly, the CHMU Zoning District was designed to shape development along Upward Rd. However, the CHMU Zoning District does not include standards for transportation circulation. Given the similarities between these two highway corridors, staff is proposing to take the standards for transportation circulation from the HMU Zoning District and apply them to the CHMU Zoning District. Given the growth that is occurring and is expected to continue along Upward Rd, the opportunity to mitigate vehicular congestion, plan for pedestrian and bicycle circulation, and create cross connections between developments is now.

LEGISLATIVE COMMITTEE RECOMMENDATION

The Legislative Committee of the Planning Board first met to discuss this petition at their recurring meeting on Tuesday, June 20, 2023. The members of the committee that were present were Jim Robertson and Neil Brown. In general, the Committee members were supportive of the proposed text revisions. Some items that were discussed included making clarifications to the text, consider strengthening some of the requirements and making sure the standards were in a coherent order.

PROPOSED STANDARDS

After additional review and consideration by the Staff and the Legislative Committee the following revisions to the zoning code are recommended:

Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

5-27-4 Design standards.

NOTE: "Building design element" sub-sections below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

These standards are intended to apply to all development and redevelopment within the CHMU Commercial Highway Mixed Use Zoning District Classification. Applicants for authorization to undertake development or redevelopment within such zoning district shall demonstrate compliance with these standards or shall undergo alternative design review as provided for in article XVIII, below.

5-27-4.1 Standards of general applicability. The following standards shall apply to all development in the CHMU Commercial Highway Mixed Use Zoning District Classification regardless of use or building type.

5-27-4.1.1 General site development. Site development shall not result in the removal of lateral support for adjoining properties. Furthermore, development shall not create hazardous or dangerous conditions or result in the creation of a nuisance as specified in section 6-13, below.

5-27-4.1.2 Physical integration of uses. Residential and commercial uses may be located within the same or adjoining structures provided appropriate health and safety regulations are followed.

5-27-4.1.3 Building orientation. Primary façades, which may or may not contain an entrance to the building, shall face primary vehicular access or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street.

5-27-4.1.4 Common space. ~~NOTE: Section 5-27-4.1.4 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Common space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects. Common spaces are intended to be places for social interaction and, thus, may include impervious surfaces.

Unless interior common space is approved by the reviewing authority, common space shall be out-of-doors. Common space design shall comply with the following:

- a) **Size.** At least ten percent of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.
- b) **Trees.** One tree shall be planted for each 1,000 square feet of common space. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.
- c) **Utilities.** All utilities service lines and connections shall be underground.
- d) **Seating.** Seating shall be provided to accommodate workers, residents and/or shoppers. Seating may be accomplished in whole or in part using planters or other similar structures.
- e) **Amenities.** Common space for a development shall contain adequate amenities to animate and enliven the environment and to make it conducive for social interaction. Following is a list of such amenities: ornamental fountains, stairways, waterfalls, public art, arbors, trellises, planted beds, drinking fountains, clock pedestals, awnings, canopies, informational kiosks, and similar structures. This list is not intended to be exhaustive.

5-27-4.1.5 Architectural details. ~~NOTE: Section 5-27-4.1.5 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

All buildings shall provide detailed design along all façades which are visible from a street or common space. Detailed design shall be provided by using at least three of the following architectural features:

Dormers.
 Gables.
 Recessed entries.
 Covered porch, entries.
 Cupolas or towers.
 Pillars or posts.
 Eaves (minimum 6-inch projection).
 Off-sets in building face or roof.
 Window trim (minimum nominal four inches wide).
 Bay windows.
 Balconies.
 Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation).
 Decorative cornices and roof lines (for flat roofs).

5-27-4.1.6 Building façades. ~~NOTE: Section 5-27-4.1.6 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.

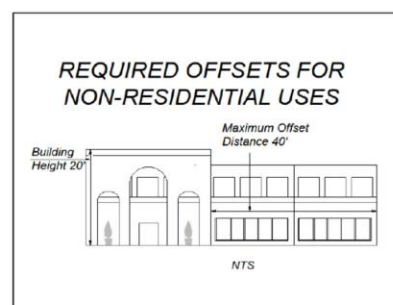
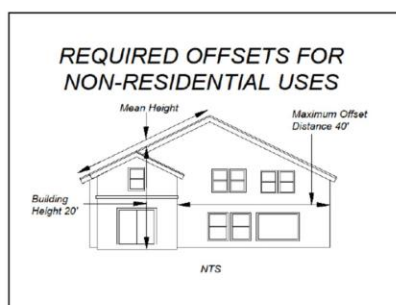
5-27-4.1.7 Windows. ~~NOTE: Section 5-27-4.1.7 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

5-27-4.1.8 Building scale. ~~NOTE: Section 5-27-4.1.8 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.

- a) **Scale, buildings containing nonresidential uses.** The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:
- 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.



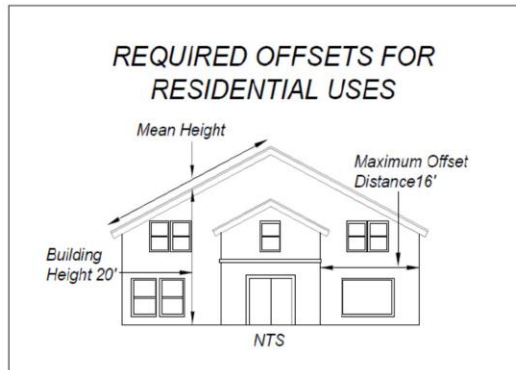
- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat roofs, to the top of the parapet.
- 3) The depth or projection of the offset shall be 1/10th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel

shall have a two-foot offset adjacent to such wall panel.

- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

b) **Scale, buildings containing only residential uses.** The following requirements apply to any building containing only residential uses:

- 1) The distance between required offsets shall be related to the height of the building on a one-to-one basis; provided, however, no wall shall exceed 30 feet in length without an offset. A building façade which is less than or equal to the height of the building shall not require an offset. Provided, however, the provisions of this paragraph shall not be construed to require an offset for that portion of a façade containing a two-car garage.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or, for flat roofs, to the top of the parapet.
- 3) Offsets shall have a minimum depth or projection of two feet regardless of the length of adjacent wall façades.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

5-27-4.1.9 Streets and sidewalks. Streets and sidewalks shall comply with the circulation and access requirements contained [in section 5-27-5 and](#) section 18-6-4.6, below.

5-27-4.1.10 Building materials. ~~NOTE: Section 5-27-4.1.10 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.

Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); ~~aluminum~~; unpainted metal; exposed plain pipe columns; metal wall siding; [vinyl siding](#) and any other materials not customarily used in conventional construction.

5-27-4.2 General standards for residential developments. ~~NOTE: Section 5-27-4.2 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The following standards shall apply to developments containing only residential uses with the exception that multi-family buildings must comply with the general standards contained in section 5-27-5.3, below.

5-27-4.2.1 General appearance. Residential development shall contain a variation of façades and materials so that there shall not be a row or strip housing appearance. Means to accomplish this goal may include the use of dormers, gables, recessed entries, covered porch entries, bay windows, cupolas or towers, and a variation in the depth and height of walls, among others.

5-27-4.2.2 Architectural.

- a) Useable porches and/or stoops, at least eight feet in width, shall be located on the front and/or side of the home.

- b) Front-loading garages and carports shall be offset from the front façade of the house and visually designed to form a secondary building volume. Developers are encouraged to turn garages and carports so the openings or doors are not visible from the street. At no time shall the width of an attached garage exceed 50 percent of the total building façade.
- c) Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure.
- d) Walls and fences located in the front yard shall be decorative and limited in height to no more than four feet above grade. Front-yard walls shall be of brick, stone or stucco. Front yard fences shall be wood, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material.

5-27-4.2.3 Configurations.

- a) Main roofs on residential buildings shall be gables, hips or clerestory with a pitch between 5:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to a wall of the main building.
- b) Foundation walls (except those under porches) shall be finished with brick, stucco or stone. If crawlspaces of porches are enclosed, they shall be enclosed with brick, stone, and lattice or any combination thereof.

5-27-4.3 General standards for nonresidential and multi-family buildings. The following standards shall apply to all buildings containing nonresidential uses and multi-family dwellings:

- 5-27-4.3.1 Storage, utility & service areas.** Areas devoted to storage, garbage, recycling collection and utilities shall be enclosed and screened around their perimeter, and constructed of materials consistent with the principal building. Gas meters, electric meters, ground-mounted mechanical units, and any other similar structures shall be hidden from public view or screened with approved construction materials. Fences designed for screening shall be constructed of brick, stone, architectural stucco, concrete, wood or iron. Roof vents, mechanical units, utility equipment and telecommunication receiving devices located on the roof shall be screened from view. Solar technology components including solar panels and solar thermal collectors are exempt from this provision.
- 5-27-4.3.2 Parking and vehicular access.** All vehicular use areas shall be set back a minimum of 20 feet from the right-of-way line of public right-of-way and shall be screened from view from such rights-of-way in accordance with article XV, below.
- 5-27-4.3.3 Encroachments.** Balconies, stoops, chimneys and bay windows are permitted to encroach into any setback up to five feet.
- 5-27-4.3.4 Roofs.** Parapets and decorative cornices are required for buildings with a flat roof. Eaves shall be provided with a pitched roof.

5-27-4.4 Specific standards for single-family and two-family detached dwellings.

Minimum setbacks:	Front: 15 feet
	Sides: 20% of lot width. The entire setback may be allocated to one side.
	Rear: 10 feet
Minimum lot width:	50 feet
Maximum height:	2½ stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet.
Accessory structures:	Side: 3 feet
	Rear: 3 feet

5-27-4.5 Specific standards for townhouses. The townhouse is a building with two or more residential units that are located side-by-side. When an entrance is provided at-grade, the townhouse may be used as a live-work unit.

Minimum setbacks:	Front: 8 feet
	Sides: 0 feet (Corner 8 feet). Buildings within a development must be separated by a minimum of 15 feet
	Rear: 15 feet from centerline of alley, if applicable.
Minimum lot width:	16 feet
Maximum height:	3 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 3 feet
	Rear: 3 feet
Maximum footprint:	400 square feet
Maximum no. of structures:	1

5-27-4.6 Specific standards for multi-family dwellings. Multi-family dwelling consists of three or more dwelling units vertically and/or horizontally arranged. The ground floor may be available for commercial uses.

Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2
	Rear: 15 feet plus 5 feet for each floor above 2
Parking:	Off-street parking shall be located in the rear or side yard only and shall be screened from view from public roadways. On-street parking is encouraged for private streets and drives.
Vehicular access:	Primary vehicular access from public roads shall be accomplished by means of a rear lane or alley only. No curb cuts or driveways are permitted along the frontage except for vehicular access to rear parking. These limitations shall not apply to parcels or buildings where primary vehicular access is by means of a private street or drive.
Maximum height:	4 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 0 feet
	Rear: 0 feet
Maximum footprint:	400 square feet

5-27-4.7 Specific standards for commercial and institutional buildings. Commercial buildings are structures which can accommodate a variety of uses mixed either horizontally (shopping center) or vertically (dwelling unit over a store). Office buildings, hotels and inns can be placed in commercial buildings. Buildings containing both commercial and residential uses shall be classified as commercial buildings for the purposes of this section. Institutional buildings are specialized public or semi-public buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and nonprofit or charitable clubs and organizations. Note there are exceptions from the maximum height restrictions for steeples, cupolas and similar structures. These are contained in section 8-2, below.

Minimum height:	14 feet to the top of the parapet for buildings with flat roofs. There is no minimum height requirement for other buildings.
Maximum Height:	4 stories
Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2.
	Rear: 15 feet plus 5 feet for each floor above 2.
Minimum lot width:	None.
Encroachments:	Balconies, stoops, chimneys, roof overhangs and bay windows are permitted to encroach into any setback up to 5 feet.
Accessory structures	Side: 3 feet
	Rear: 3 feet

THE FOLLOWING SECTION IS PROPOSED TO BE ADDED TO CHMU. THE LANGUAGE IS IDENTITCAL TO THAT FOUND IN HMU WITH THE EXCEPTION OF THE ~~RED~~/GREEN MARK-UPS PROVIDED BELOW. AS THIS WILL BE ALL NEW LANGUAGE FOR THE CHMU, THE FINAL RECOMMENDED MARK-UP, AS SHOWN IN THE ATTACHED ORDINANCE, WILL APPEAR IN GREEN. FOR NOW, THE ~~RED~~ VS GREEN IS BEING USED TO DISTINGUISH BETWEEN THE CURRENT LANGUAGE FOUND IN HMU VS THE LANGUAGE THAT IS BEING PROPOSED FOR CHMU AS PART OF THIS ZTA.

5-273-5 Transportation.

The section is intended to put in place regulations which will provide for a multi-modal transportation environment conducive to a pedestrian-friendly mixed-use community.

- ~~5-273-5.1 Corridor circulation plan.~~ If a corridor circulation plan has been adopted for the CHMU zoning district, all new development and redevelopment must demonstrate consistency with that plan.
- ~~5-273-5.2 Transportation plan submittals.~~ In addition to other submittal requirements for development review, applicants for development authorization within the CHMU zoning district shall submit the following documents:-
- ~~a) — Pedestrian circulation plan to include type of infrastructure (for example, sidewalk, multi-use path), and connections to adjacent pedestrian facilities.-~~
 - ~~b) — Vehicular circulation plan to include parking, loading, stubs to adjacent properties, and any cross-access easements.-~~
 - ~~c) — When required, a traffic impact analysis study (TIAS) shall be performed in accordance with Section 6-18 by a registered engineer in accordance with NCDOT standards for all developments that generate 100 peak hour trips or 1,000 daily trips in accordance with the Institute of Traffic Engineers current Trip Generation Manual. The community development director may also require a TIAS without regard to the expected trip generation of the development due to the existence of special circumstances including, without limitation, existing level of service deficiencies in the area of the proposed development or when available accident data and/or operational and geometric factors indicate safety concerns.-~~

5-273-5.1 Pedestrian accommodations. Pedestrian accommodations, which may be sidewalks, multi-purpose paths, or other approved alternatives, shall be provided as a part of a development on ~~both~~ each sides of all public roadways and of all private roadways which the development directly abuts unless site constraints or proposed uses make it impractical or unnecessary. Pedestrian access and circulation shall be consistent with any and all adopted corridor circulation plans.

5-273-5.2 Vehicular access. It is the intent of these regulations to ~~encourage~~ create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares. Accordingly, when development parcels have potential to provide access ~~to~~ between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than private streets or driveways, ~~for access to major arterial roadways~~. The regulations contained in this section shall apply to all new development and redevelopment within the district.

- 5-273-5.2.1 Driveways.** Where permitted, driveways shall comply with the requirements of this section and, if applicable, the regulations of the North Carolina Department of Transportation.
- a) The number of driveways permitted for new development shall relate to the amount of linear frontage for the proposed development as depicted below:

LINEAR FRONTAGE	NUMBER OF PERMITTED
Less than 350 feet	1
Greater than 350 feet	2
Greater than 1,000 feet	3 ¹

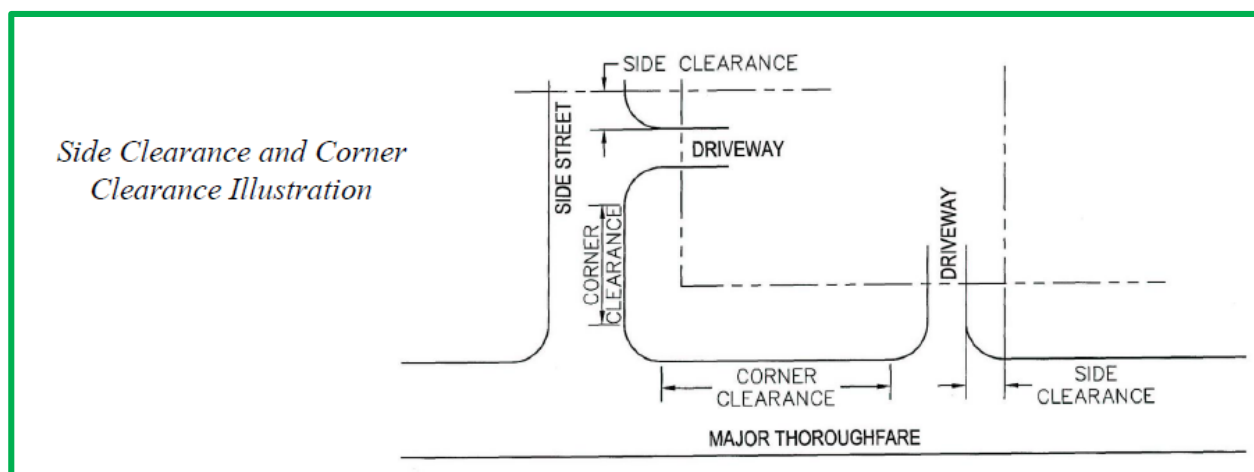
¹ With approval of the city after demonstration of need in the required TIAS.

- b) All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

CLEARANCE TYPE	ALONG MAJOR THOROUGHFARE	ALONG SIDE STREET
Corner clearance ²	250 feet	100 feet
Side clearance ³	30 feet	10 feet

² Corner clearance shall be measured from the point of tangency of the radius curvature of the intersection streets.

³ Side clearance shall represent the distance from the driveway to the side property line.



- c) No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.
- d) One-way driveways are not considered full-movement driveways therefore, two, one-way driveways may be considered as a single driveway provided that:
 - 1) The minimum spacing between the two driveway segments is 60 feet.
 - 2) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs.
 - 3) The maximum combined pavement width of both driveway segments at the right-of-way line is 40 feet and the minimum width of a single segment is 14 feet.

5-273-5.2.2 Outparcels. Access to development outparcels shall be oriented to the interior of the development site, not to the roadway.

5-273-5.2.3 Cross-access easements. Cross-access easements between parking areas on adjacent developments are an effective way to improve corridor circulation and to reduce vehicle trips. For each adjoining property with accessible parking areas, applicants for development authorization shall provide either (1) a cross-access easement or (2) confirmation that the applicant has attempted to negotiate a cross-access easement with that property owner and has not been able to reach agreement thereon.

5-273-5.2.4 Street Connectivity. In an effort to improve and promote overall street connectivity, public streets and private drives constructed within the CHMU zoning district shall provide connections to existing adjacent public streets and adjacent parcels. Primary access from major arterials should be provided by public streets.

When no off-site street stub-outs are present, the following connections shall be provided to undeveloped adjacent properties at the appropriate rate indicated below.

- a) All new development with fewer than 100 dwelling units are required to provide at least one stub-out street to extend and connect with future streets or drives. In the event that adjacent land is already developed with stub-outs present, the developer shall build streets to connect to the existing stub-out(s).

- b) Residential developments containing 100 or more dwelling units shall include street connections or stub-outs at a ratio of one stub-out/connection per 100 dwelling units. In the event adjacent land is already developed with ~~streets~~ stub-outs present, the developer shall connect to the existing stub-out(s). Required collector street connections are included in this calculation.
- c) Non-residential developments shall provide one stub-out to each adjoining parcel where, considering topography, land use compatibility and future development or redevelopment potential, it is deemed feasible and appropriate.

5-27-56 CHMUCZD Commercial Highway Mixed Use Conditional Zoning District Classification.

The purpose, requirements and standards of this classification are identical to the CHMU Commercial Highway Mixed Use Zoning District Classification except that a rezoning to CHMU Conditional Zoning District as provided for in article VII herein, is required as a prerequisite to any use or development. The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Conditional Zoning District Classification upon rezoning to CHMUCZD, regardless of the square footage or number of residential units for the use:

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

Permitted uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

Special uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

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

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	Goal LU-7 - High Intensity Neighborhood: Encourage low-maintenance, high density housing that supports Neighborhood & Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods. [CONSISTENT]
	Strategy LU-7.4. Development guidelines: <ul style="list-style-type: none"> • Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2 [CONSISTENT]
	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. [CONSISTENT]
	Strategy LU-9.4. Development guidelines: <ul style="list-style-type: none"> • Provision of pedestrian connections to parking and other buildings and properties [CONSISTENT] Activity Nodes: Improved pedestrian connections to surrounding neighborhoods [CONSISTENT]
Land Use & Development	Strategy LU-3.4 Promote fiscal responsibility for the City with the expansion of infrastructure and services. Action LU-3.5.1 Continue to require adequate public facilities for new development projects. Require developers to offset increased public costs when existing public infrastructure is inadequate. [CONSISTENT]
	Strategy LU-3.6. - Update the Zoning Code to ensure conformance with the <ul style="list-style-type: none"> • Comprehensive Plan. The Zoning Code is the City's primary regulatory tool in implementing the Comprehensive Plan. Amendments to the Zoning Code and Map will be necessary to reflect Comprehensive Plan recommendations and ensure orderly growth and development. [CONSISTENT]
Population & Housing	Strategy PH-3.1. Establish neighborhood design guidelines that promote safe, walkable and bikeable neighborhoods while accommodating the automobile.
	Strategy PH-3.2 - Encourage mixed land use patterns that place residents within walking distance of services.
Natural & Environmental Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Cultural & Historic Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Community Facilities	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Water Resources	There are no Goals, Strategies, or Actions that are directly applicable to this petition.
Transportation & Circulation	Strategy TC-1.1. Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.
	Strategy TC-1.2. Identify and prioritize needed pedestrian connections within the community.

	<p>Strategy TC-1.3. Incorporate Complete Streets concepts into future roadway improvements in order to create multi-modal streets.</p>
	<p>Strategy TC-1.4. Encourage pedestrian connections between dead end streets and adjacent neighborhoods.</p>
	<p>Goal TC-3. Provide a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.</p>
	<p>Strategy TC-3.1. Continue to develop and require a connected street grid. Action TC-3.1.1. Require stub streets and connections to existing stubs in new subdivisions.</p>
	<p>Strategy TC-3.3. Implement local policies and practices that complement and expand upon the State's access management standards. Action TC-3.3.1. Adopt local access management regulations and roadway classifications that mirror the State standards Action TC-3.3.2. Incorporate zoning regulations that encourage shared parking and cross-access easements. Action TC-3.3.3. Encourage the use of shared service drives to consolidate access points. Action TC-3.3.4. Utilize redevelopment projects as opportunities to correct access management problems.</p>

GENERAL REZONING STANDARDS

Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	<i>The management of congestion and planning for circulation and access are critical considerations for a commercial corridor.</i>
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	<i>Upward Road is a corridor experiencing significant growth. In the last three years, there have been no less than 9 development requests/approvals in the Upward Rd area alone. In addition to those development applications, there have been other development inquiries, some of which have been significant in scale. While other areas of Hendersonville are experiencing growth, no other specific area of town has seen this scale of development requests in recent years, especially when it comes to requests for commercial development.</i>
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	<i>The proposed amendment will help to mitigate vehicular congestion and plan for pedestrian and bicycle circulation.</i>
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	<i>The CHMU Zoning District is in an urban location that is well served by public facilities.</i>
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	<i>Reduction in vehicular congestion and improvements in pedestrian and bicycle facilities can have a net positive impact on the natural environment in comparison to current conditions.</i>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

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

The petition aligns with Goal TC-3 of the Transportation and Circulation Chapter of the Comprehensive Plan which calls for providing a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.

In conjunction with the recommendations from Staff, we [find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- The text amendment would help address access management, congestion management and transportation circulation in the Upward Rd corridor.*
- The text amendment will impact a rapidly growing area of the City.*

DRAFT [Rational for Denial]

- The text amendment would place a burden on private development*

Ordinance #

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
ARTICLE V. – ZONING DISTRICT CLASSIFICATIONS, SECTION 5-27 CHMU
COMMERCIAL HIGHWAY MIXED USE ZONING DISTRICT TO PROVIDE STANDARDS
FOR TRANSPORTATION AND CIRCULATION**

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 10, 2023; voting 0-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on September 7, 2023, and

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

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on September 7, 2023,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend Article V. – 'Zoning District Classifications', Section 5-27 'CHMU Commercial Highway Mixed Use Zoning District' to provide standards for transportation and circulation.

Sec. 5-27. CHMU Commercial Highway Mixed Use Zoning District Classification.

5-27-4 Design standards.

NOTE: "Building design element" sub-sections below are not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).

These standards are intended to apply to all development and redevelopment within the CHMU Commercial Highway Mixed Use Zoning District Classification. Applicants for authorization to undertake development or redevelopment within such zoning district shall demonstrate compliance with these standards or shall undergo alternative design review as provided for in article XVIII, below.

5-27-4.1 Standards of general applicability. The following standards shall apply to all development in the CHMU Commercial Highway Mixed Use Zoning District Classification regardless of use or building type.

5-27-4.1.1 General site development. Site development shall not result in the removal of lateral support for adjoining properties. Furthermore, development shall not create hazardous or dangerous conditions or result in the creation of a nuisance as specified in section 6-13, below.

5-27-4.1.2 Physical integration of uses. Residential and commercial uses may be located within the same or adjoining structures provided appropriate health and safety regulations are followed.

5-27-4.1.3 Building orientation. Primary façades, which may or may not contain an entrance to the building, shall face primary vehicular access or significant public space. A main entrance shall face a connecting walkway with a direct, safe, pedestrian connection to the street.

5-27-4.1.4 Common space. ~~NOTE: Section 5-27-4.1.4 is not required for one and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Common space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects. Common spaces are intended to be places for social interaction and, thus, may include impervious surfaces.

Unless interior common space is approved by the reviewing authority, common space shall be out-of-doors. Common space design shall comply with the following:

- a) **Size.** At least ten percent of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.
- b) **Trees.** One tree shall be planted for each 1,000 square feet of common space. Trees shall have a minimum caliper of three to three and one-half inches measured six inches above ground at the time of planting.
- c) **Utilities.** All utilities service lines and connections shall be underground.
- d) **Seating.** Seating shall be provided to accommodate workers, residents and/or shoppers. Seating may be accomplished in whole or in part using planters or other similar structures.
- e) **Amenities.** Common space for a development shall contain adequate amenities to animate and enliven the environment and to make it conducive for social interaction. Following is a list of such amenities: ornamental fountains, stairways, waterfalls, public art, arbors, trellises, planted beds, drinking fountains, clock pedestals, awnings, canopies, informational kiosks, and similar structures. This list is not intended to be exhaustive.

5-27-4.1.5 Architectural details. ~~NOTE: Section 5-27-4.1.5 is not required for one and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The appearance of all street side façades is important and shall be addressed in development design. Architectural elements like openings, sill details, posts, and other architectural features shall be used to establish human scale at the street level. On corner lots, the applicant shall provide distinctive architectural elements at the corner of buildings facing the intersection. Windows, doors, columns, eaves, parapets, and other building components shall be proportional to the overall scale of the building. Windows shall be vertically aligned.

All buildings shall provide detailed design along all façades which are visible from a street or common space. Detailed design shall be provided by using at least three of the following architectural features:

Dormers.

Gables.

Recessed entries.

Covered porch, entries.

Cupolas or towers.

Pillars or posts.

Eaves (minimum 6-inch projection).

Off-sets in building face or roof.

Window trim (minimum nominal four inches wide).

Bay windows.

Balconies.

Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation).

Decorative cornices and roof lines (for flat roofs).

5-27-4.1.6 Building façades. ~~NOTE: Section 5-27-4.1.6 is not required for one and two family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Front, rear and side façades of buildings shall contain at least two building materials which shall contrast in color and texture. At least 15 percent of the façade, exclusive of windows, doors and trim, shall consist of stone, brick, decorative concrete or decorative block.

5-27-4.1.7 Windows. ~~NOTE: Section 5-27-4.1.7 is not required for one and two family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

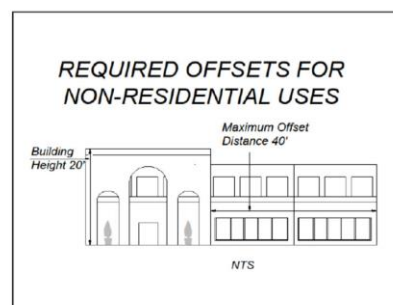
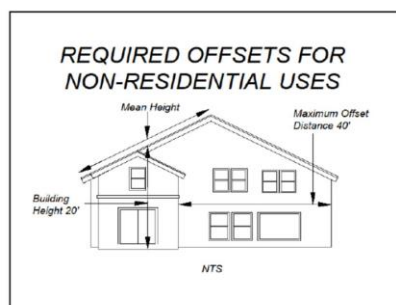
Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.

5-27-4.1.8 Building scale. ~~NOTE: Section 5-27-4.1.8 is not required for one and two family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The scale of a building is a function of the size of the individual pieces of a building and their relationship to each other. The scale of a building is important in order to contribute to the overall diversity of building types, to give visual interest, and to maintain compatibility between buildings. These design standards regulate scale by means of offsets, that is, protrusions or breaks in the plane of façades.

a) **Scale, buildings containing nonresidential uses.** The following requirements apply to any building containing nonresidential uses, regardless whether the building also contains residential uses:

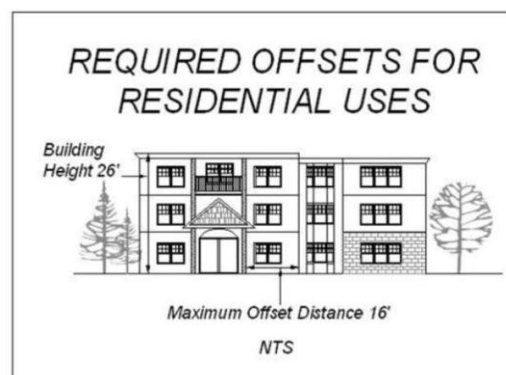
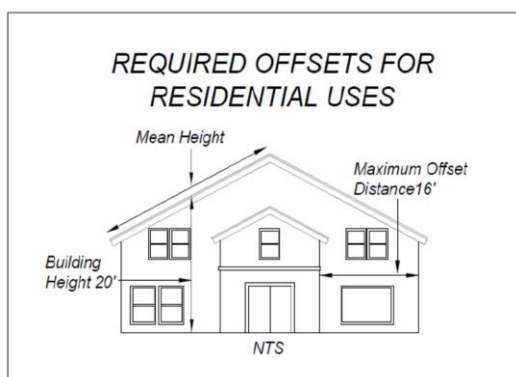
- 1) The distance between required offsets is related to the height of the building wall on a two-to-one basis. A building façade which is less than or equal to the height of the building shall not require an offset.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or for flat

roofs, to the top of the parapet.

- 3) The depth or projection of the offset shall be 1/10th the length of the longest adjacent wall panel; provided, however, the minimum offset depth shall be one foot. By means of illustration, a building with a 20-foot wall panel shall have a two-foot offset adjacent to such wall panel.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.
- b) **Scale, buildings containing only residential uses.** The following requirements apply to any building containing only residential uses:
 - 1) The distance between required offsets shall be related to the height of the building on a one-to-one basis; provided, however, no wall shall exceed 30 feet in length without an offset. A building façade which is less than or equal to the height of the building shall not require an offset. Provided, however, the provisions of this paragraph shall not be construed to require an offset for that portion of a façade containing a two-car garage.



- 2) The height of any particular façade shall be measured from the average ground level to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, or, for flat roofs, to the top of the parapet.
- 3) Offsets shall have a minimum depth or projection of two feet regardless of the length of adjacent wall façades.
- 4) Each façade of a building visible from a street or common space shall comply with the offset requirements contained herein.

5-27-4.1.9 Streets and sidewalks. Streets and sidewalks shall comply with the circulation and access requirements contained [in section 5-27-5 and](#) section 18-6-4.6, below.

5-27-4.1.10 Building materials. ~~NOTE: Section 5-27-4.1.10 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

Building materials shall be used consistently on the exterior of the building and shall comply with the lists of prohibited materials contained herein.

Prohibited building materials. Unless authorized through alternative design compliance, the following building materials shall be prohibited within the CHMU Commercial Highway Mixed Use Zoning District Classification: plain concrete block (with or without paint); corrugated or ribbed metal siding; reflective glass; more than 50 percent glass on any façade; roll roofing; roll siding; plain unfinished concrete (painting does not constitute a finish); ~~aluminum~~; unpainted metal; exposed plain pipe columns; metal wall siding; [vinyl siding](#) and any other materials not customarily used in conventional construction.

5-27-4.2 General standards for residential developments. ~~NOTE: Section 5-27-4.2 is not required for one- and two-family dwellings; property owners/developers may voluntarily consent to these standards per G.S. 160D-702(b).~~

The following standards shall apply to developments containing only residential uses with the exception that multi-family buildings must comply with the general standards contained in section 5-27-5.3, below.

5-27-4.2.1 General appearance. Residential development shall contain a variation of façades and materials so that there shall not be a row or strip housing appearance. Means to accomplish this goal may include the use of dormers, gables, recessed entries, covered porch entries, bay windows, cupolas or towers, and a variation in the depth and height of walls, among others.

5-27-4.2.2 Architectural.

- a) Useable porches and/or stoops, at least eight feet in width, shall be located on the front and/or side of the home.
- b) Front-loading garages and carports shall be offset from the front façade of the house and visually designed to form a secondary building volume. Developers are encouraged to turn garages and carports so the openings or doors are not visible from the street. At no time shall the width of an attached garage exceed 50 percent of the total building façade.
- c) Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure.
- d) Walls and fences located in the front yard shall be decorative and limited in height to no more than four feet above grade. Front-yard walls shall be of brick, stone or stucco. Front yard fences shall be wood, wrought iron or materials similar in appearance and durability. Side and rear yard fences may be chain link, wood, wrought iron, or similar material.

5-27-4.2.3 Configurations.

- a) Main roofs on residential buildings shall be gables, hips or clerestory with a pitch between 5:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to a wall of the main building.
- b) Foundation walls (except those under porches) shall be finished with brick, stucco or stone. If crawlspaces of porches are enclosed, they shall be enclosed with brick, stone, and lattice or any combination thereof.

5-27-4.3 General standards for nonresidential and multi-family buildings. The following standards shall apply to all buildings containing nonresidential uses and multi-family dwellings:

5-27-4.3.1 Storage, utility & service areas. Areas devoted to storage, garbage, recycling collection and utilities shall be enclosed and screened around their perimeter, and constructed of materials consistent with the principal building. Gas meters, electric meters, ground-mounted mechanical units, and any other similar structures shall be hidden from public view or screened with approved construction materials. Fences designed for screening shall be constructed of brick, stone, architectural stucco, concrete, wood or iron. Roof vents, mechanical units, utility equipment and telecommunication receiving devices located on the roof shall be screened from view. Solar technology components including solar panels and solar thermal collectors are exempt from this provision.

5-27-4.3.2 Parking and vehicular access. All vehicular use areas shall be set back a minimum of 20 feet from the right-of-way line of public right-of-way and shall be screened from view from such rights-of-way in accordance with article XV, below.

5-27-4.3.3 Encroachments. Balconies, stoops, chimneys and bay windows are permitted to encroach into any setback up to five feet.

5-27-4.3.4 Roofs. Parapets and decorative cornices are required for buildings with a flat roof. Eaves shall be provided with a pitched roof.

5-27-4.4 Specific standards for single-family and two-family detached dwellings.

Minimum setbacks:	Front: 15 feet
	Sides: 20% of lot width. The entire setback may be allocated to one side.
	Rear: 10 feet
Minimum lot width:	50 feet
Maximum height:	2½ stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet.
Accessory structures:	Side: 3 feet
	Rear: 3 feet

5-27-4.5 Specific standards for townhouses. The townhouse is a building with two or more residential units that are located side-by-side. When an entrance is provided at-grade, the townhouse may be used as a live-work unit.

Minimum setbacks:	Front: 8 feet
	Sides: 0 feet (Corner 8 feet). Buildings within a development must be separated by a minimum of 15 feet
	Rear: 15 feet from centerline of alley, if applicable.
Minimum lot width:	16 feet
Maximum height:	3 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 3 feet
	Rear: 3 feet
Maximum footprint:	400 square feet
Maximum no. of structures:	1

5-27-4.6 Specific standards for multi-family dwellings. Multi-family dwelling consists of three or more dwelling units vertically and/or horizontally arranged. The ground floor may be available for commercial uses.

Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2
	Rear: 15 feet plus 5 feet for each floor above 2
Parking:	Off-street parking shall be located in the rear or side yard only and shall be screened from view from public roadways. On-street parking is encouraged for private streets and drives.
Vehicular access:	Primary vehicular access from public roads shall be accomplished by means of a rear lane or alley only. No curb cuts or driveways are permitted along the frontage except for vehicular access to rear parking. These limitations shall not apply to parcels or buildings where primary vehicular access is by means of a private street or drive.
Maximum height:	4 stories.
Encroachments:	Balconies, stoops, stairs, chimneys, open porches, bay windows, roof overhangs and raised doorways are permitted to encroach into the front setback a maximum of five feet. Upper story balconies may encroach into the right-of-way up to five feet with permission from the city.
Accessory structures	Side: 0 feet
	Rear: 0 feet
Maximum footprint:	400 square feet

5-27-4.7 Specific standards for commercial and institutional buildings. Commercial buildings are structures which can accommodate a variety of uses mixed either horizontally (shopping center) or vertically (dwelling unit over a store). Office buildings, hotels and inns can be placed in commercial buildings. Buildings containing both commercial and residential uses shall be classified as commercial buildings for the purposes of this section. Institutional buildings are specialized public or semi-public buildings intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, hospitals, post offices, and nonprofit or charitable clubs and organizations. Note there are exceptions from the maximum height restrictions for steeples, cupolas and similar structures. These are contained in section 8-2, below.

Minimum height:	14 feet to the top of the parapet for buildings with flat roofs. There is no minimum height requirement for other buildings.
Maximum Height:	4 stories
Minimum setbacks:	Front: 10 feet
	Sides: 15 feet plus 5 feet for each floor above 2.
	Rear: 15 feet plus 5 feet for each floor above 2.
Minimum lot width:	None.
Encroachments:	Balconies, stoops, chimneys, roof overhangs and bay windows are permitted to encroach into any setback up to 5 feet.
Accessory structures	Side: 3 feet
	Rear: 3 feet

5-27-5 Transportation.

The section is intended to put in place regulations which will provide for a multi-modal transportation environment conducive to a pedestrian-friendly mixed-use community.

5-27-5.1 Pedestrian accommodations. Pedestrian accommodations, which may be sidewalks, multi-purpose paths, or other approved alternatives, shall be provided as a part of a development on each side-of all public roadways and of all private roadways which the development directly abuts unless site constraints or proposed uses make it impractical or unnecessary. Pedestrian access and circulation shall be consistent with any and all adopted corridor circulation plans.

5-27-5.2 Vehicular access. It is the intent of these regulations to create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares. Accordingly, when development parcels have potential to provide access between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than

private streets or driveways. The regulations contained in this section shall apply to all new development and redevelopment within the district.

5-27-5.2.1 Driveways. Where permitted, driveways shall comply with the requirements of this section and, if applicable, the regulations of the North Carolina Department of Transportation.

- a) The number of driveways permitted for new development shall relate to the amount of linear frontage for the proposed development as depicted below:

<u>LINEAR FRONTAGE</u>	<u>NUMBER OF PERMITTED</u>
<u>Less than 350 feet</u>	<u>1</u>
<u>Greater than 350 feet</u>	<u>2</u>
<u>Greater than 1,000 feet</u>	<u>3¹</u>

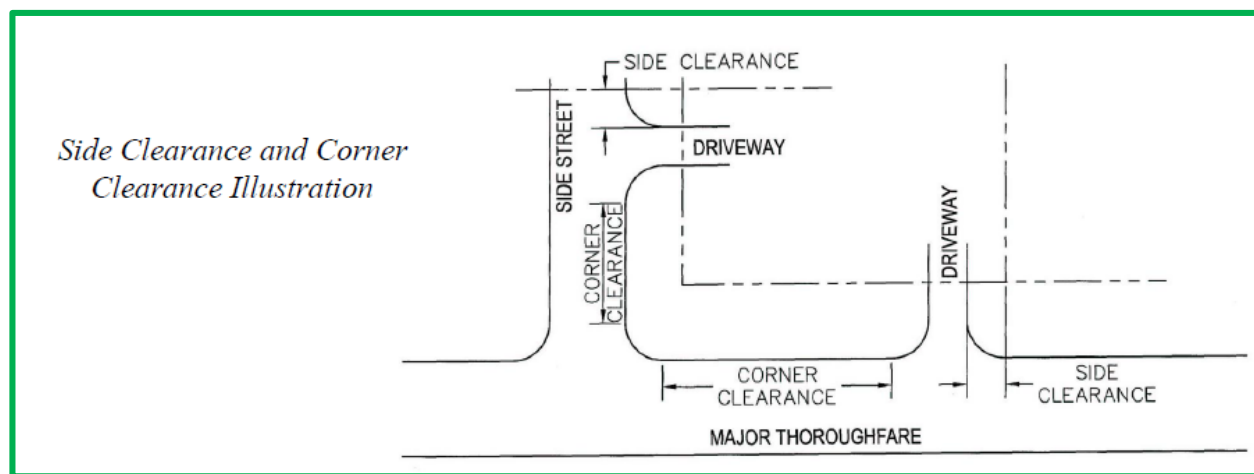
¹ With approval of the city after demonstration of need in the required TIAS.

- b) All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

<u>CLEARANCE TYPE</u>	<u>ALONG MAJOR THOROUGHFARE</u>	<u>ALONG SIDE STREET</u>
<u>Corner clearance²</u>	<u>250 feet</u>	<u>100 feet</u>
<u>Side clearance³</u>	<u>30 feet</u>	<u>10 feet</u>

² Corner clearance shall be measured from the point of tangency of the radius curvature of the intersection streets.

³ Side clearance shall represent the distance from the driveway to the side property line.



- c) No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.
- d) One-way driveways are not considered full-movement driveways therefore, two, one-way driveways may be considered as a single driveway provided that:
- 1) The minimum spacing between the two driveway segments is 60 feet.
 - 2) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs.

3) The maximum combined pavement width of both driveway segments at the right-of-way line is 40 feet and the minimum width of a single segment is 14 feet.

5-27-5.2.2 Outparcels. Access to development outparcels shall be oriented to the interior of the development site, not to the roadway.

5-27-5.2.3 Cross-access easements. Cross-access easements between parking areas on adjacent developments are an effective way to improve corridor circulation and to reduce vehicle trips. For each adjoining property with accessible parking areas, applicants for development authorization shall provide either (1) a cross-access easement or (2) confirmation that the applicant has attempted to negotiate a cross-access easement with that property owner and has not been able to reach agreement thereon.

5-27-5.2.4 Connectivity. In an effort to improve and promote overall street connectivity, public streets and private drives constructed within the CHMU zoning district shall provide connections to existing adjacent public streets and adjacent parcels. Primary access from major arterials should be provided by public streets.

When no off-site stub-outs are present, the following connections shall be provided to adjacent properties at the appropriate rate indicated below.

- a) All new development with fewer than 100 dwelling units are required to provide at least one stub-out to extend and connect with future streets or drives. In the event that adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s).
- b) Residential developments containing 100 or more dwelling units shall include street connections or stub-outs at a ratio of one stub-out/connection per 100 dwelling units. In the event adjacent land is already developed with stub-outs present, the developer shall connect to the existing stub-out(s). Required collector street connections are included in this calculation.
- c) Non-residential developments shall provide one stub-out to each adjoining parcel where, considering topography, land use compatibility and future development or redevelopment potential, it is deemed feasible and appropriate.

5-27-56 CHMUCZD Commercial Highway Mixed Use Conditional Zoning District Classification.

The purpose, requirements and standards of this classification are identical to the CHMU Commercial Highway Mixed Use Zoning District Classification except that a rezoning to CHMU Conditional Zoning District as provided for in article VII herein, is required as a prerequisite to any use or development. The following uses shall be permitted in the CHMU Commercial Highway Mixed Use Conditional Zoning District Classification upon rezoning to CHMUCZD, regardless of the square footage or number of residential units for the use:

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

Permitted uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

Special uses for the CHMU Commercial Highway Mixed Use Zoning District Classification as specified in section 5-27-1, above.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

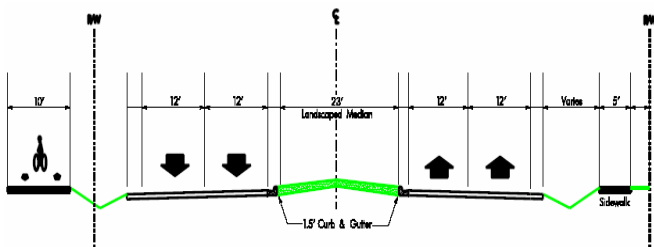
Angela S. Becker, City Attorney



US Highway 64 East TRANSPORTATION PLAN

Prepared for:
City of Hendersonville
Planning Department

Adopted:
February 3, 2005



CONNECTIONS

CHOICES

CONVENIENCE

COMMUNITY



Kimley-Horn
and Associates, Inc.

The following report was prepared for the exclusive use of the City of Hendersonville, North Carolina as well as its designated agents, using information collected by Kimley-Horn and Associates, Inc, the City of Hendersonville Planning Department, Henderson County, and the North Carolina Department of Transportation.

The methodology used to complete the evaluation is believed to be consistent with current engineering practices and land use practices. The recommendations presented herein are based on a comprehensive review and analysis of the available data, direct observations, and application of engineering judgment.

This document remains the property of Kimley-Horn and Associates, Inc., and the City of Hendersonville. Comments and questions about this study can be addressed to:



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Acknowledgements

The US Highway 64 East Corridor Plan was developed by the City of Hendersonville and the Mixed-Use Design Committee. The project participants and primary authors include:

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BACKGROUND

US Highway 64 East (herein referred to as Highway 64) exists as an urban principal arterial on the Statewide Functional Classification System. The roadway is also designated as a major thoroughfare on the adopted Thoroughfare Plan of French Broad River Metropolitan Planning Organization (of which the City of Hendersonville is a member). Highway 64 was widened to a five-lane roadway between Fruitland Road and Howard Gap Road in 1999 by the North Carolina Department of Transportation (NCDOT).

With the widening of Highway 64, the City of Hendersonville took a proactive approach to address anticipated development by expanding the extraterritorial jurisdiction in February 1999. The expanded extraterritorial jurisdiction (ETJ) includes the area between Fruitland Road and Interstate 26. This section of roadway, recently widened by NCDOT, is more likely to develop, given the increased capacity of the roadway, ease of access, and availability of developable land. The ETJ includes the area between Clear Creek and Highway 64 to the north and Highway 64 and an estimated 300 to 1,300 feet to the south.

Like many other communities, Hendersonville is beginning to feel the effects of a sprawling suburban development pattern, which has increased congestion. The availability of developable land and ample roadway capacity has encouraged development on the peripheries of the community.

At the direction of the City Council, the Hendersonville Planning Department was instructed to initiate a study addressing development concerns in the expanded ETJ area of Highway 64, specifically the area between Interstate 26 and Fruitland Road. This area is referred to as the Highway 64 Corridor. The inherent relationship between transportation and land-use required the project to consider these topics simultaneously while promoting an interconnected development pattern with its own center.

In May of 2002, the City Council adopted the Highway 64 Corridor Plan (Corridor Plan). The adopted Corridor Plan outlined the physical characteristics of the highway including soil types, topography and its proximity to the Clear Creek Floodplain. An evaluation of the existing zoning by type and amount also was included in the Corridor Plan accompanied by an evaluation of existing infrastructure, including water/sewer and available transportation facilities. The Corridor Plan also outlined changes to the existing zoning that would discourage strip-type development similar to that along Highway 64 closer to town.

Perhaps the most significant component of the Corridor Plan was the establishment of a clear vision for the corridor that includes a synergistic mix of residential, commercial, and office development. The Corridor Plan outlined a strategy for implementing this vision via a new mixed-use zoning classification.

This new classification would encourage a balance of land uses along the corridor and allow for the development of residential, retail, and office development similar to a town center.

A proposed HMU zoning district classification is currently under review and is discussed in subsequent sections of this report.

The Corridor Plan also identified the need for a supportive transportation network and recommended *“The City should investigate the feasibility and encourage the development of a new road south of Highway 64 which will enable an interconnected system of streets, allow for local pedestrian and vehicular movement independent of the highway, and concentrate connections to the highway at controlled access points.”* With this in mind, the City of Hendersonville has requested the development of a transportation plan for the Highway 64 Corridor. The resulting recommendations and strategies described within this Transportation Plan represent the collaborative work of the Mixed Use Design Committee, City Planning Staff, and consultant team members.

STUDY AREA & EXISTING CONDITIONS

The study area includes the section of Highway 64 west of Interstate 26 between Howard Gap Road and Fruitland Road. The total length of the corridor is approximately one mile. The bounding properties include a variety of land uses including commercial, residential and institutional. The primary land use is commercial.

Highway 64 connects to smaller communities (such as Bat Cave and Edneyville) and is classified as a major thoroughfare on the adopted thoroughfare plan. The roadway has a posted speed limit of 45 mph and facilitates significant traffic volumes as one of three facilities with interchanges to Interstate 26. In 2002 the North Carolina Department of Transportation recorded an average daily traffic count of 29,000+ vehicles per day near the intersection with Howard Gap Road and 9,000+ vehicles per day near Fruitland Road. In addition, the corridor serves as a commercial corridor and functions as one of the major transportation spines for the community. Sidewalks are present only on the south side of Highway 64. Figure 1 indicates the study area, existing development, and traffic counts.

Located approximately 0.7 miles east of Interstate 26, Howard Gap Road is a two-lane, minor thoroughfare facility with unpaved shoulders. Howard Gap Road, a north-south corridor, connects the Green River community (south) and the Town of Fletcher (north) with Hendersonville and provides an alternative to Interstate 26.

Fruitland Road serves as the eastern boundary of the study area and is considered a rural road with a two-lane cross-section. Near the intersection of Highway 64 and adjacent to North Henderson High School, Fruitland Road becomes a three-lane section with a center bi-direction continuous turn lane and one through lane in each direction.

A portion of the Highway 64 study area is situated in the 100-year floodplain of the Clear Creek, the northern boundary for the study area. The floodplain width varies from 150 feet to 1,300 feet from the centerline of the creek. The floodplain is approximately 130 feet in width at the point of intersection between Highway 64 and Wolfpen Creek, a tributary of Clear Creek.



Existing Highway 64



Existing Howard Gap Road



Fruitland Road at

This significantly impacts the potential development pattern on the north side of Highway 64.

The Highway 64 corridor represents an area that is in transition from low-density residential and agricultural land uses to medium density residential and commercial land uses including new developments such as Brittany Place and Wolfpen Creek, as well as the Highland Square shopping center.

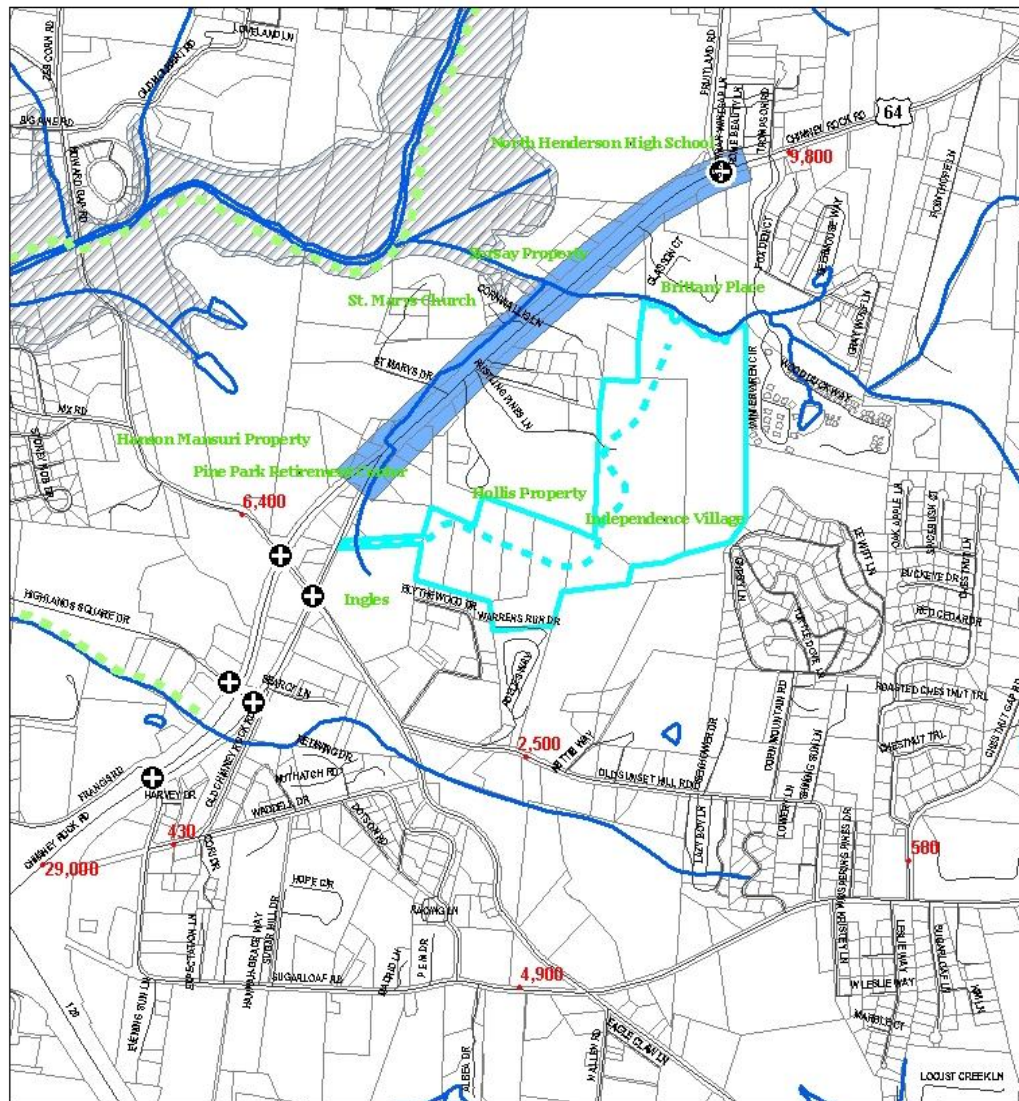


Figure 1
Study Area

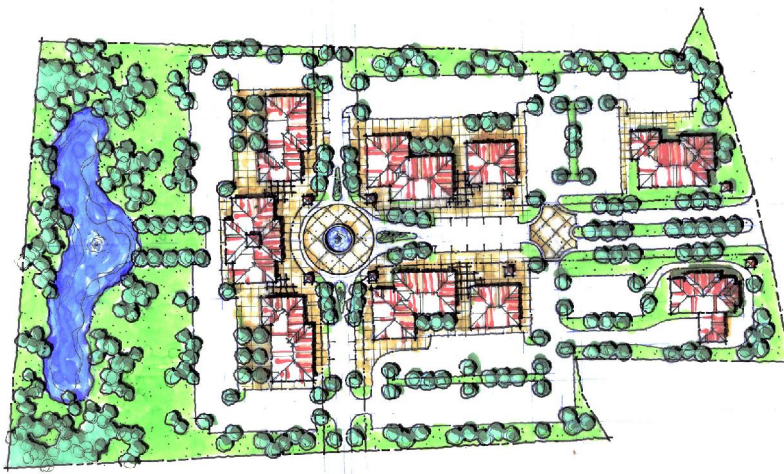
- Legend**
- Streams
 - ▨ Floodplain
 - ▭ Parcels
 - ⊕ Signalized Intersection
 - XXX ADT's
 - Streets
 - ▨ Planned Apple Country Greenway
 - ▨ Planned Independence Village Blvd
 - ▨ Independence Property
 - ▨ Study Corridor



HIGHWAY MIXED-USE ZONING

The zoning of property is a means to implement planning strategies. One method of implementing the Corridor Plan is the establishment of a new, Highway Mixed-Use (HMU) zoning district classification. The HMU district is intended to promote an integrated development pattern including improved transportation connectivity and accommodations for alternate modes. Ideally, this zoning district will encourage a mix of land uses that consist of medium density housing intermingled with appropriately scaled commercial development. This commercial development will include retail sales, services and professional offices. The medium density housing will likely include condominiums, apartments, and single-family homes on smaller lots.

The presence of large contiguous undeveloped parcels presents great development opportunities. These opportunities, as discussed in the Corridor Plan, are well suited for quality, master planned, mixed-use developments. A mix of well-integrated land uses interconnected through common access, parking, signage, lighting and landscaping is recommended. The Highway Mixed-Use zoning, as proposed, allows developers the flexibility to present appropriate development standards and lists of permitted uses in order to successfully develop a diverse and integrated site. This may include a symbiotic arrangement of land uses appropriately mixing commercial, office, service, recreational and residential land uses. The benefits of a successful mixed-use development include reduced trip generation and internal capture, lessening the impact on the external street network, a well-managed vehicular access plan which takes advantage of shared driveways and parking facilities where feasible. Continuity of architectural themes and environmentally responsible development strategies also are a by-product of the development pattern.



Example of a coordinated mixed-use development courtesy, The Lawrence Group

The HMU district also requires consistency with an established Circulation Plan. Working with the Mixed-Use Design Committee and planning staff, Kimley-Horn developed a circulation plan which addressed transportation mobility in the context of the entire study corridor. The HMU district regulations also require that a circulation plan be prepared for individual developments to demonstrate consistency with the overall plan and to indicate accommodations for bicycle/pedestrian access and vehicular circulation, parking, and loading. A comprehensive evaluation of the corridor resulted in a series of recommended transportation requirements. These recommended transportation policies are intended as a means to insure that development occurs in a manner which is coordinated and consistent with community goals. Figure 2 depicts the Highway 64 Corridor Circulation Plan (Circulation Plan).

HMU Zoning Advantages:

- Mixture of land use encourages multiple trips within one destination
- Circulation Plan insures adequate site circulation and promotes connectivity (improves transportation mobility for all modes)
- Reduced dependence on the arterial street network
- Allows for shared parking opportunities
- Provides opportunities for transit and shuttle service
- Walkable design increases pedestrian activity

Recommended HMU Transportation Policies:

1. Require all new development and redevelopment to be consistent with the Highway 64 Corridor Circulation Plan (see Figure 2).
2. Require the development of a circulation plan for all new projects. The circulation plan should be submitted as an element of the development application and should depict the following:
 - Pedestrian access and circulation, type of infrastructure (sidewalk vs. multi-use path), connections to adjacent pedestrian facilities
 - Vehicular Circulation Plan. Indicate parking, loading, and stubs to adjacent properties and any required cross-access easement.
3. Require that a Traffic Impact Study (TIS) be performed by a registered engineer in accordance with NCDOT standards for all developments that generate at least 100 peak hour trips or 1,000 daily trips in accordance with the Institute of Traffic Engineers current Trip Generation manual. The City may also require a TIS without regard for the expected trip generation of the development when special circumstances exist. Factors that would warrant such a requirement include, without limitation, the

- following: a) there are existing level-of-service deficiencies (as defined by the Highway Capacity Manual—Transportation Research Board) in the area of the proposed development; and b) available accident data and/or operational and geometric factors indicate safety concerns.
4. Discourage the use of private streets and driveways as primary access from major arterials (including Highway 64) and promote the construction and dedication of public streets.
 5. In an effort to improve and promote overall street connectivity, public streets constructed within the HMU district should provide connections to existing adjacent public streets. When no offsite streets stubs are present, the following connections should be provided to undeveloped properties at the following rate:
 - All new development with fewer than 100 dwelling units should be required to provide at least one stub-out street to extend and connect with future streets. In the event that adjacent land is already developed with stub-out requirements, the City should require the new development to build the street connections.
 - The City should require all new developments with 100 or more dwelling units to include street connections or stubs at a ratio of one stub/connection per 100 dwelling units. In the event that adjacent land is already developed with street stubs, the City should require the new development to connect to these existing street stubs. Required collector street connections are included in this calculation.
 - Non-residential, a minimum of one stub to adjoining parcels where deemed feasible and appropriate: considerations include: topography, land use compatibility, and future development or redevelopment potential.
- Note: The public streets should also be consistent with connections identified on the established Highway 64 Corridor Circulation Plan.
6. Pedestrian accommodations should be provided as a part of development along all public and private roadways. Pedestrian access and circulation should be consistent with any/all adopted local land use/small area/corridor plans. Pedestrian facilities shall be installed along both sides of all public streets.
 7. Access to development outparcels should be oriented to the interior of the development site.
 8. Cross-Access easements should be required to connect the parking areas of adjacent parking where appropriate. The intent is to improve corridor circulation and to reduce vehicle trips on the primary roadway for short trips between parcels and developments.

Recommended HMU Driveway Policy:

1. The number of driveways permitted for new development shall relate to the amount of linear frontage on Highway 64 for the proposed development as depicted below:

Linear Frontage	Number of Permitted Driveways
Less than 350 feet	1
Greater than 350 feet	2
Greater than 1,000 feet	3*

*with approval of the City and demonstration of need in the required TIS

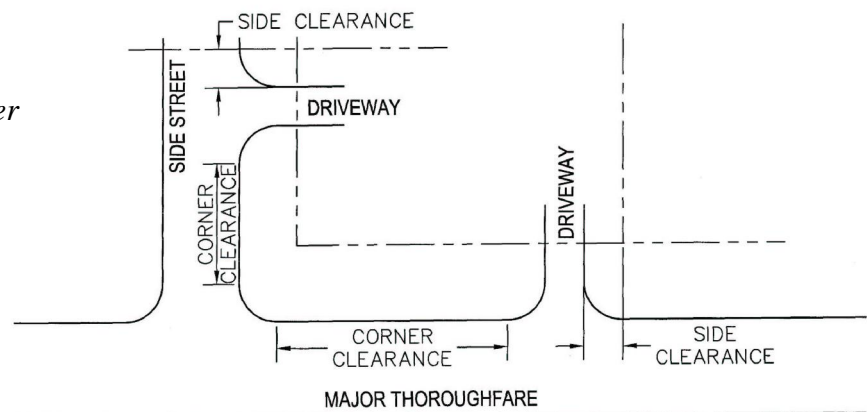
2. All driveway approaches for both mid-block and corner lots along major thoroughfares shall have both minimum corner and side clearances as below:

	Along Major Thoroughfare	Along Side Street
Corner Clearance*	250'	100'
Side Clearance**	30'	10'

* Corner Clearance shall be measured from the point of tangency of the radius curvature of the intersecting streets.

** Side Clearance shall represent the distance from the driveway to the side property line

Side Clearance and Corner Clearance Illustration



3. No driveways shall be allowed along a major thoroughfare within 250 feet of any intersection, as measured from the intersection of the projected right-of-

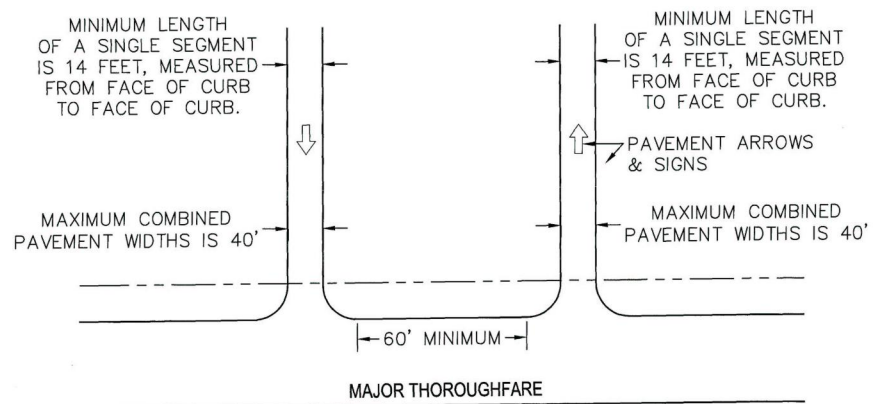
way lines, except for properties which cannot meet this restriction due to limited frontage within the desired corner clearance.

4. One-way driveways* are not considered full-movement driveways; therefore, two, one-way driveways may be considered as a single driveway provided that:
 - (a) The minimum spacing between the two driveway segments is sixty feet;
 - (b) The driveway segments are clearly signed and marked as one-way driveways, using pavement arrows and directional signs;
 - (c) The maximum combined pavement width of both driveway segments at the right-of-way line is forty feet and the minimum width of a single segment is fifteen feet.

**Full movement median divided driveways are not considered one-way driveways.*

NOTE: Vehicular access taken from existing or new state-system streets shall conform with the NCDOT driveway as described in the 2003 NCDOT Policy on Street and Driveway Access to North Carolina Highways.

*One-Way Driveway
Illustration*



PROPOSED CIRCULATION PLAN

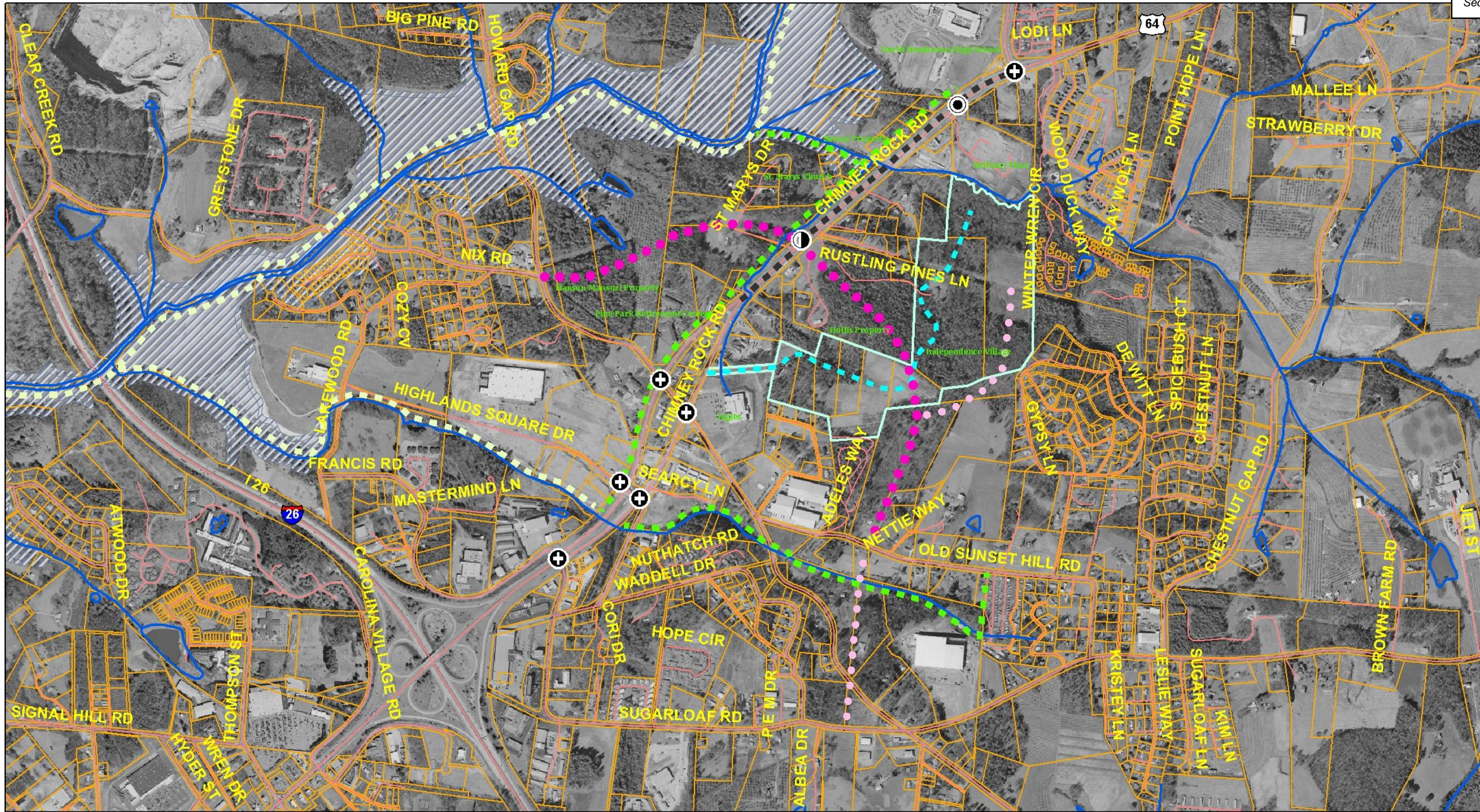
The *Highway 64 Corridor Plan* discusses the need for improved circulation and connectivity of streets within the vicinity. For this reason, a corridor circulation plan (Circulation Plan) was developed in order to identify and communicate strategic transportation connections within the vicinity. The Circulation Plan evaluated a variety of transportation modes, including motor vehicles, pedestrian and bicycle access.

The Circulation Plan communicates the location of a needed connection between Howard Gap Road and Highway 64 from the north and the continuation of the connector south to an intersection with Howard Gap Road. This roadway has been referred to as the "Howard Gap Connector." Other noteworthy elements of the Circulation Plan include pedestrian and bicycle improvements such as the planned development of a multi-purpose trail on the north side of Highway 64, connecting North Henderson High School to a greenway in front of Wal-Mart to the west. The design of this multi-purpose trail should accommodate pedestrians and bicyclists. The Circulation Plan also recommends a connection from the multipurpose trail to Clear Creek greenway on approved master plan and the installation of a median in place of the center two-way left turn lane.

Figure 2 depicts the proposed Highway 64 Circulation Plan.



Existing sidewalk along the south side of the highway



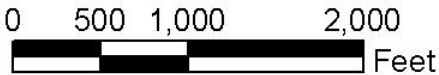
City of Hendersonville Highway 64 Circulation Plan

- Howard Gap Connector
- Potential Connector
- Planned Apple Country Greenway
- Future Greenway Connector
- Future Median
- Planned Independence Village Blvd

Legend

- Independence Property
- Streams
- Floodplain
- Parcels

- Future Signalized Intersection
- Median Opening
- Signalized Intersection



Median Installation

The *Highway 64 Corridor Plan* identifies a preference for a median on Highway 64 from Fruitland Road to the split at Howard Gap Road to the west. The Corridor Plan recommended the installation of a median for safety and beautification purposes. In addition to these stated goals, the proposed median may have the added benefit of preserving and enhancing roadway capacity.

The NCDOT widened Highway 64 in 1999 to its current five-lane section with two travel lanes to the east and west and a center bi-directional turn lane. While this roadway configuration increases roadway capacity, it does not effectively manage access. The resulting absence of access controls creates conflict points throughout the corridor.

The installation of a median on Highway 64 will likely require some widening (most within the existing right-of-way). The cross-section proposed includes the construction of a 23-foot median in place of the 12-foot center turn lane. The resulting installation will require a five and a half-foot offset for both sides. The median is set at this width to allow the creation of appropriate left-turn lanes and resulting concrete islands at specified median openings. Travel lane widths will remain 12 feet. Curb and gutter is not recommended on the outside of the travel lanes due to the increased cost and environmental considerations. The slope of the improved roadway will shed collected water without ponding. Sloped or transition curb and gutter is recommended on the interior travel lane adjacent to the median. This will create a clean edge, prevent debris from entering the travel way, and allow for a *raised* planted median. The installation of a multi-use path on the north side of the roadway is also recommended and may occur incrementally as development occurs. Figure 3 communicates the recommended typical cross-section for Highway 64. Figure 4 depicts a conceptual design for the roadway with the median installation.

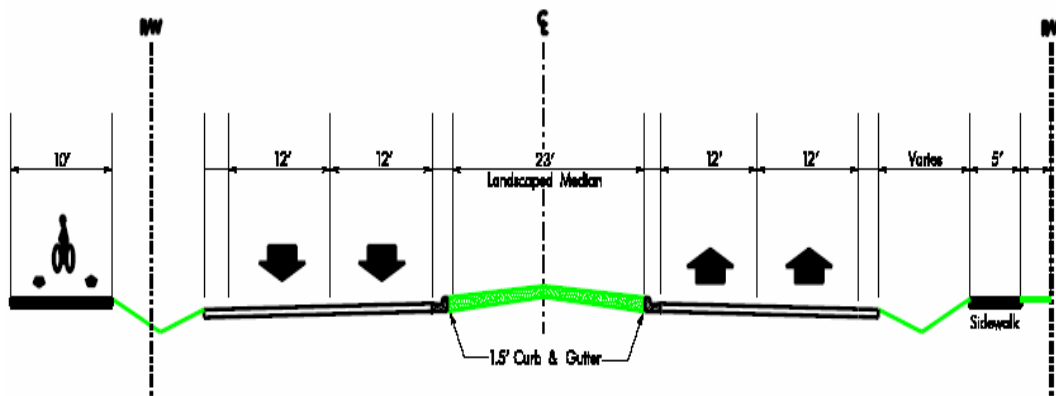
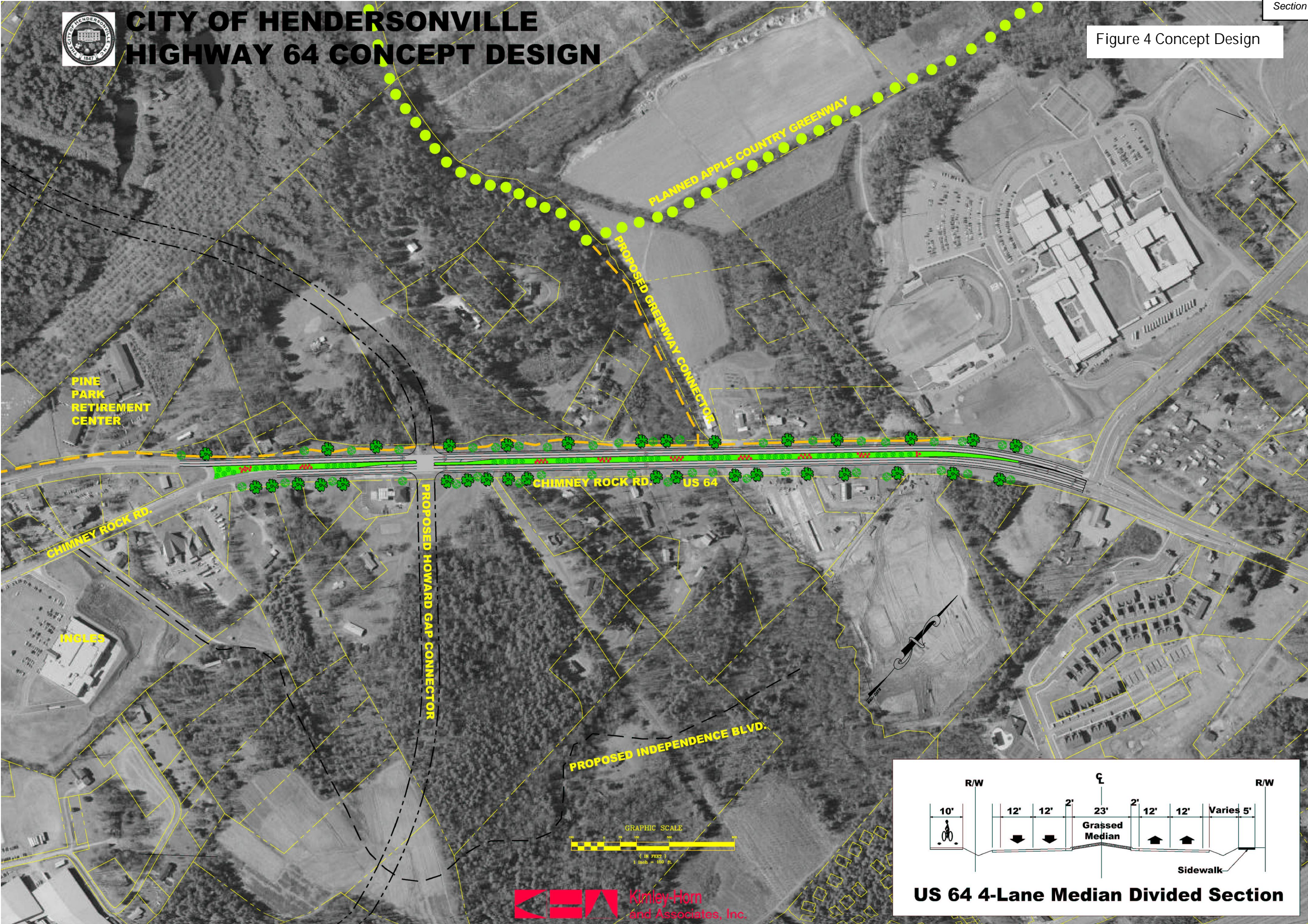


Figure 3: US Highway 64 East Recommended Typical Section



CITY OF HENDERSONVILLE HIGHWAY 64 CONCEPT DESIGN

Figure 4 Concept Design



This Circulation Plan also communicates a preferred location for a future traffic signal at the proposed Howard Gap Connector and Highway 64 intersection. The location depicted on the Plan is approximately 2,000 feet from the nearest traffic signal (location), an acceptable spacing according to NCDOT standards. One additional median opening should be considered at the entrance to the Brittany Place Apartments. Given its proximity to the signal at Fruitland Road and Highway 64, the location is not a likely candidate for a traffic signal. Further study is required to determine whether the median divided section should terminate at this location or be designed to accommodate the proposed median opening.

Howard Gap Connector

The *Highway 64 Corridor Plan* identified the need for a connection between Highway 64 south to Howard Gap Road. An alignment was not determined in the Corridor Plan. Therefore, existing environmental features such as flood plains, perennial streams, steep slopes and soil types were considered when developing the alignment that is depicted on the Highway 64 Circulation Plan (see Figure 2). This new alignment referred to as the Howard Gap Connector provides for a continuous roadway from Nix Road to Highway 64 and ultimately south to Old Sunset Hill Road. A future extension to Sugarloaf Road has also been identified. While this new transportation corridor provides increased access to properties a more important accomplishment is the establishment of an alternate route which reduces local dependence on Highway 64. By extending the connection to the north to form the fourth leg of the intersection at Howard Gap Road and Nix Road, a parallel facility is created. This facility provides additional mobility choices for the motorist and improves intersection capacity at Howard Gap Road and Highway 64 by attracting traffic onto the proposed Howard Gap Connector.

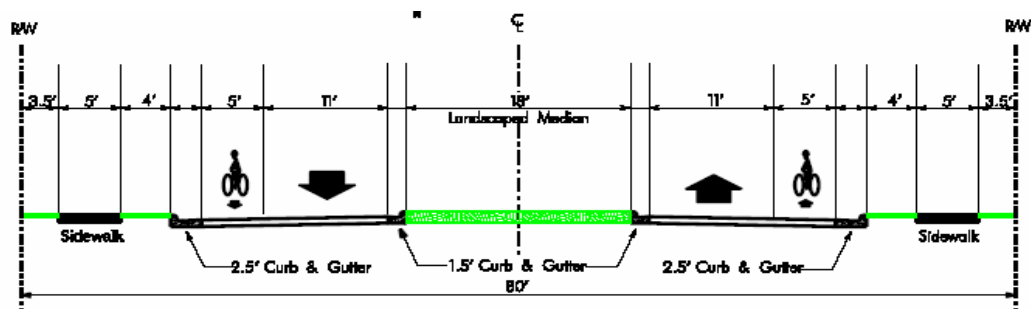
It is likely that the majority of this roadway will be constructed as a component of future development that occurs within the study area. For this reason, it is the intent of this Plan to remain flexible with regard to ultimate roadway alignment and cross-section. The follow represents a set of guiding principles that should be maintained as decisions regarding the roadway are considered:

- Any proposed alignment deviations should demonstrate the ability to maintain a feasible connection from Nix Road to Old Sunset Road.
- The intersection with Hwy 64 East should occur at a location that is acceptable for future signal installation (the optimum location is depicted on Figure 2: Circulation Plan). This location must be agreed upon by NCDOT and the City of Hendersonville.

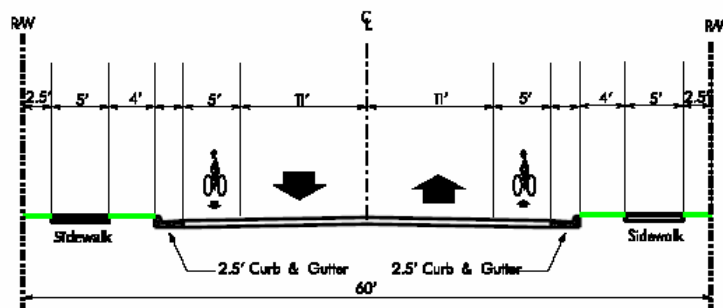
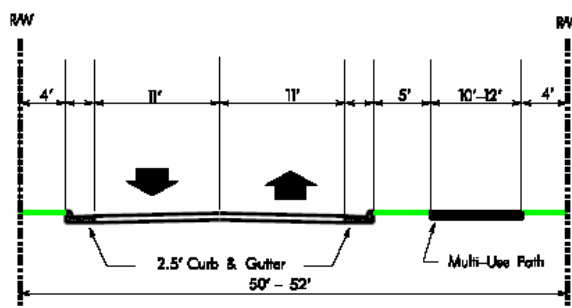
- The roadway section should maintain a clearly defined pedestrian and vehicular realm and should compliment the planned bicycle network for the area. (illustrative sections are depicted in Figure 5 below)
- A transition between different roadway sections should only occur at logical locations. While a continuous section is preferred transitions may be appropriate where one or a combination of the following are present: change in speed limit or roadway capacity, intersections, natural features such as stream crossings, and where changes in land use or development character occur.

A walkable, multimodal transportation corridor is envisioned for the Howard Gap Connector. Proposed cross-sections should include at a minimum, two travel lanes with curb and gutter as well as accommodations for pedestrians and bicyclists. Travel lanes that do not exceed 11 feet in width are preferred (except when used as a wide outside lane for bicyclist). In addition, all sidewalks should be a minimum five-foot in width and should comply with all applicable ADA (Americans with Disabilities Act) standards. A multi-use path may be considered in lieu of sidewalks and bike lanes when approved by the City Planning Staff. The combination of narrow travel lanes and bike lanes will allow larger vehicles to maneuver without damaging infrastructure. The perceived scale of the roadway may be influenced by the presence of a median and bike lanes having a positive impact on vehicular speeds. The ultimate sizing of the road may be influenced by future traffic studies prepared for development in the vicinity. Figure 5 represents a set of illustrative street sections for the Howard Gap Connector.

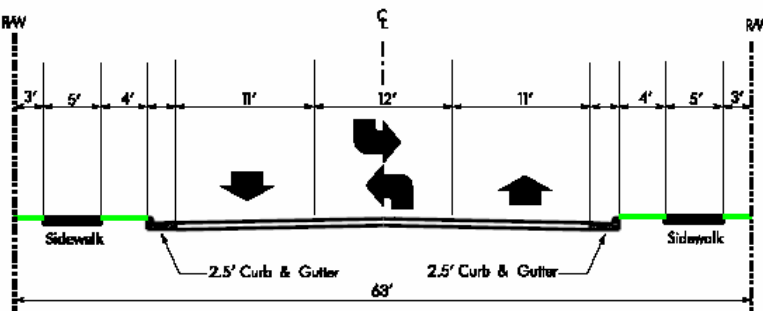
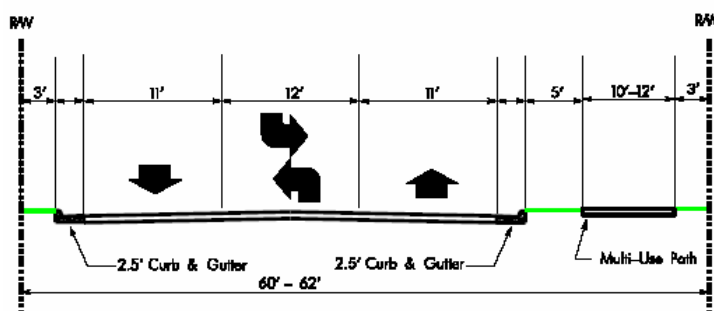
Figure 5: Recommended Howard Gap Connector Typical Sections



Two-Lane Divided Section



Two-Lane Undivided Sections



Three-Lane Sections

Alternative Modes of Transportation

Providing a well-connected system of pedestrian and bicycle facilities is essential for a successful mixed-use development. The proposed Howard Gap Connector, which will be the spine of such development, provides for both alternate modes of transportation. Sidewalks at a minimum width of five feet are proposed on both sides of the Connector. The sidewalks are to be separated by a four-foot verge or planting strip. The separation between the sidewalk and the back of curb creates a safer pedestrian environment.

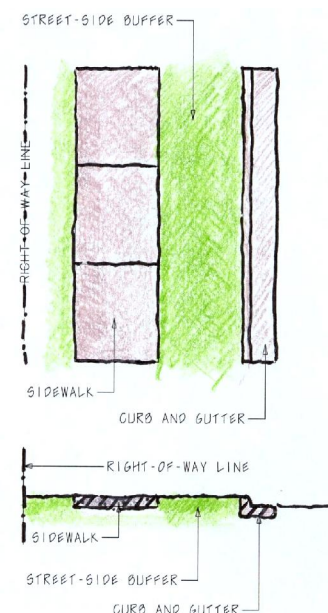
To encourage bicycle travel, five-foot bicycle lanes are proposed on Howard Gap Connector. Current NCDOT design standards call for bike lanes to be five feet in width. Bike lanes at a width smaller than five feet will create an uncomfortable environment for the bicyclist. This uneasy feeling will cause bicyclists to gravitate to the sidewalk or the vehicle travel lanes. The dedicated five-foot bike lane, in addition to the two-foot gutter pan, combines to create a seven-foot wide bike lane. At this combined width, riders of all skill levels should feel comfortable using the facilities.

Because of the nature and purpose of Highway 64 (to move traffic at a higher rate of speed), bike lanes are not recommended. Instead of bike lanes, a ten-foot multi-purpose trail is proposed for the north side of Highway 64. This trail is to be designed to accommodate pedestrian and bicycle travel. The offset of the trail from the highway is not defined, but should vary (minimum ten-foot separation). This will allow the trail to meander and thereby avoid any potential conflicts (i.e. trees, utility poles). The completion of the multi-purpose trail will provide a much needed pedestrian connection between North Henderson High School and points westward.

Access Management

The City of Hendersonville, like most small communities in North Carolina, has historically relied on NCDOT to be concerned with managing access point (driveway) location and spacing throughout major urban corridors. The result of this practice is a deferment of decision-making to standards outlined in the 2003 NCDOT Driveway Ordinance. This ordinance entitled, *Policy on Street and Driveway Access to North Carolina Highways*, is not designed to preserve capacity but rather to balance the access rights of private property owners against accepted safety measures. In recent years, NCDOT has made a concerted effort

Basic sidewalk anatomy

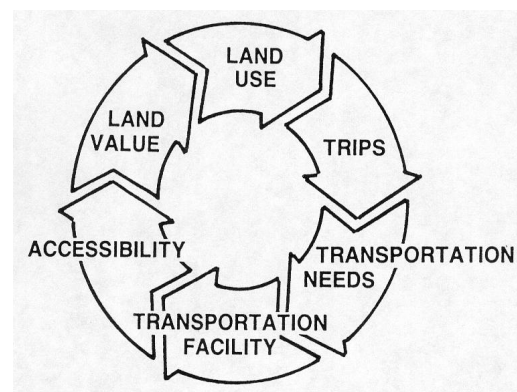


to preserve capacity along arterials by restricting access to specified median openings. Currently, this practice is being implemented only on new construction facilities. Also, in the absence of strong local government preference, cross-sections for road improvements have typically been selected based on the expected (rather than planned) land use. The result has been an abundance of thoroughfares constructed as five-lane sections without center medians, similar to the Highway 64 corridor. This practice has contributed to a continued strip development pattern that occurs in response to the ease of access afforded by the lack of a median. Interestingly, this pattern of development is counter productive to the goal of providing a seamless, integrated transportation system, as it tends to preclude viable pedestrian and transit elements. Safety, aesthetics, streetscape, and capacity have been compromised as well.

The Highway Research Board (a national think tank of transportation professionals supported by Federal Highway Administration), describes a “Cycle of Functional Obsolescence” that tends to compromise investments in traditional surface transportation dollars. Simply stated, as the roadway is improved, accessibility to adjoining property is thereby enhanced, raising the property value and encouraging the intensification of the land use in the improved corridor. It is not uncommon for improved roadways to experience significant peak hour congestion soon after widening due to speculative land development and inadequate access management.

The development occurring along the Highway 64 corridor is anticipated to continue, with properties expanding and redeveloping. Further pressure will be placed upon Highway 64 as development continues to move eastward. Therefore, it is recommended that a policy of both general and specific access management guidelines should be developed for the Highway 64 corridor and other identified thoroughfares throughout the Hendersonville planning area. Consideration should be given to a variety of resources during the development of these criteria, including the City of Hendersonville Zoning Ordinance, NCDOT Driveway Manual, as well as Transportation Research Board and Center for Urban Transportation Research (University of South Florida) publications that describe and compare policies across the nation. The following represent preliminary recommendations that also should be considered during the development of a corridor access management policy.

“Cycle of Functional Obsolescence”



Recommendations:

- New non-residential developments located adjacent to each other should be encouraged to provide cross-access so that parking lots and driveways are connected and shared.

Encouraged cross-access between adjacent developments reduces the number of vehicles that are required to re-enter the major roadway. Keeping additional turning traffic off the major roadway enhances efficient and safe operation.

- Minimum lot frontages should be considered for non-residential developments along the major roads (Highway 64).

Typical access management standards for similar corridors would ideally recommend a minimum of 300 foot spacing between non-residential driveways. In order to feasibly enforce this spacing, adjacent commercial properties would need to have well over 200 feet of frontage. Encouraging minimum frontage prevents driveways from being too closely spaced.

- Larger developments, such as shopping centers, should be required to provide internal access to outparcels.

Providing access to outparcels is another facet of cross-access that encourages internal traffic circulation and keeps unnecessary turning traffic off the major roadways.

- Implement right-turn deceleration lanes for developments generating significant peak hour traffic as determined through development/traffic impact study process.

Right-turn deceleration lanes minimize the effect of slowing traffic exiting the traffic stream on the major roadway. This improves safety and allows the major roadway to operate at more desirable speeds. Where deemed necessary by a traffic impact study (TIS), deceleration lanes should be constructed within the property of the proposed development.

- Right-in/right-out only driveways should be encouraged as secondary access on major roadways for non-residential developments.

If appropriate, when a new development requests more than one driveway, the feasibility of a right-in/right-out driveway as a secondary access should be evaluated and encouraged.

- For new developments that front both a major and a side street, primary access via the side street should be encouraged.

Restricting major road access to service entrances or right-in/right-out driveways (where side street access is available) reduces the impact of turning movements on the major road. It also may reduce or eliminate the cost to a developer when associated with constructing a deceleration lane on the major road.

ACTION PLAN

The Highway 64 Corridor is a dynamic area with opportunities to implement and foster the City of Hendersonville's vision. The preceding report documents the transportation policies and recommendation necessary to support the envisioned HMU zoning district.

The following recommendations are offered in an effort to assist the City in outlining and inventorying necessary steps to achieve the desired outcomes associated with the continued development of the study area:

- **ZONING**
Establish the highway mixed-use zoning throughout the Highway 64 Corridor and discourage continued strip development along the corridor. Encourage quality, master planned, mixed-use developments on larger parcels ensuring appropriate site integration, including shared access, internal site integration, common signage, landscaping, lighting, architecture, and parking (where feasible).
- **MEDIAN TREATMENT**
Further evaluate the potential of a median on Highway 64 from the bifurcated section near the intersection of Howard Gap Road to Fruitland Road. Gain consensus on the design issues related to said installation and develop an implementation strategy necessary to achieve success. This will likely include participation of the City, NCDOT and the development community.
- **ACCESS MANAGEMENT**
Adopt and enforce an access management policy for Highway 64 and other major corridors within the City. The policy should focus on specific strategies intended to manage the number and placement of vehicular access points for new development. The access management policy should be used in conjunction with the Highway 64 Circulation Plan, which dictates access locations, shared access, and median openings. In addition, a successful policy would provide the City with the authority to implement a successful circulation pattern using service roads, median installation, and traffic control devices. Appropriate access management techniques as outlined in this report also should be considered.
- **CONNECTOR ROADS**
Future development of the study area south of Highway 64 will necessitate the construction of the Howard Gap Connector (and other secondary roads). Given the potential for future signalization, as well as median installation, this connector will provide accessibility to undeveloped parcels and full-movement turning capabilities on Highway 64. The city should require

development plans to be consistent with the Circulation Plan including the incremental construction of the Howard Gap Connector. The City should initiate the development of a functional roadway design in order to guide the orderly development of this transportation facility. This design should refine the typical section, roadway alignment, and identify critical alignment windows such as intersections.

- TRAFFIC STUDIES

Identify a process to secure traffic data for large traffic generators (Traffic Impact Studies). The data provided through these efforts will provide the City staff and policy makers with the data necessary to make decisions related to the development site plans, site circulation, and proposed improvements intended to mitigate the traffic impacts of new developments.

