



CITY OF HENDERSONVILLE
PLANNING BOARD - REGULARLY SCHEDULED
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Thursday, January 11, 2024 – 4:00 PM

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. Minutes of November 9, 2023
4. **OLD BUSINESS**
5. **NEW BUSINESS**
 - A. **REMOVED FROM AGENDA BY APPLICANT** Rezoning: Conditional Zoning District – 715 Greenville Highway Multi-Family (P23-55-CZD) – *Tyler Morrow– Planner II*
 - B. Rezoning: Standard Rezoning –116 Stewart St (P23-96-RZO) –*Matthew Manley, AICP / Strategic Projects Manager*
 - C. Rezoning: Standard Rezoning–799 S. Grove Street (P23-95-RZO) –*Tyler Morrow, Planner II*
 - D. Zoning Text Amendment: Childcare Home Amendment (P23-099-ZTA) –*Alexandra Hunt, Planner I*
 - E. Zoning Text Amendment: Addition of Definitions (P23-080-ZTA) –*Alexandra Hunt, Planner I*
6. **OTHER BUSINESS**
 - A. Election of Chair and Vice-Chair
 - B. Approval of Annual Schedule Of Regular Meetings
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
November 9, 2023**

Members Present: Jim Robertson (Chair), Neil Brown, Yolanda Robinson, Andrea Martin, Peter Hanley, Tamara Peacock (Vice-Chair), Beth Robertson, Laura Flores, Barbara Cromar, Donna Waters

Members Absent:

Staff Present: Tyler Morrow, Planner II, Alexandra Hunt, Planner I, Matthew Manley, Strategic Project Manager, Lew Holloway, Community Development Director (Zoom)

- I **Call to Order.** *The Chair called the meeting to order at 4:00 pm. A quorum was established.*
- II **Approval of Agenda.** *Mr. Hanley moved to approve the agenda. The motion was seconded by Ms. Robinson and passed unanimously.*
- III **Approval of Minutes for the meeting of October 12, 2023.** *Ms. Waters moved to approve the Planning Board minutes of the meeting of October 12, 2023. The motion was seconded by Ms. Cromar and passed unanimously.*
- IV **Old Business**
- IV(A) **Zoning Text Amendment – Additions of Definitions (P23-080-ZTA).** Ms. Hunt gave the following background:

This a staff initiated zoning text amendment aimed to add definitions to existing, permitted uses in the current zoning ordinance. This text amendment addresses 22 missing definitions of existing uses and is part of a larger zoning ordinance audit or “clean-up” project to address things such as missing definitions for existing uses, removing text that is no longer applicable such as uses that were taken out of the ordinance by a text amendment; and adding new uses that have come up or have been regularly discussed by staff, applicants, property owners etc. All 22 missing definitions were addressed at the October 12th Planning Board meeting and it was during that meeting that the Board asked to continue two of the 22 definitions, Camps and Parks, to the following meeting in order for staff to take re-visit those definitions using the feedback that was given during the October meeting.

The staff recommended changes for “Camps” is: Establishments consisting of one or more permanent buildings (not including recreational vehicles or mobile homes) used for temporary, seasonal accommodation of individuals, typically providing programmed activities including outdoor recreational or educational opportunities.

The staff recommend changes for “Parks: is: Land that is publicly owned or controlled for the purpose of providing recreation or open space for public use.

Staff also recommended removing “Garage Apartments” from the list of permitted uses in both Sections 5-9-1 and 5-19-1 of the City’s Zoning Ordinance. Section 5-9-1: C-4 Neighborhood Commercial Zoning District list of Permitted Uses. Section 5-19-1: CMU Central Mixed Use Zoning District list of Permitted Uses.

Some discussion was made on accessory dwelling units.

The changes to these two sections did not make it into the motion during October's meeting and they have been added into the motion today.

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

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

A draft consistency statement is included in the staff report.

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

Chair asked if there were any questions for staff.

Chair stated at the last meeting a recommendation was made for the definitions but further discussion was needed for "parks" and "camps". Today the discussion should center around those two terms because they have already made a recommendation.

Mr. Brown asked about permitted uses and deleting private clubs from that list. Chair stated it was part of the removal. Discussion was made on the permitted use of a private club. Chair explained the term "private club" was discussed and was removed from the Zoning Ordinance. The Board felt the state could determine if it was a private club or not. Mr. Manley talked about creating nonconforming uses such as the Elks Lodge by erasing the term "private clubs" from the permitted uses.

Chair stated private clubs were popular back when and then there was an amendment made to private clubs about the distance they could be apart because there was a shooting. And so they said they have to be a certain distance apart. Mr. Manley stated that was also required by state law when they didn't serve a certain amount of food. He thinks some of laws have changed for the state and he thinks that was some of the background on this conservation.

Mr. Holloway stated he thinks we are removing it from the definitions because there is no longer the ABC "private club" which previously, basically was the only way you could have a bar. So now you have bars, some of which may be clubs and some may be not clubs but the underlying use would be a bar or restaurant. He stated Matt is raising a good point but he doesn't think it is a reason to keep "private clubs" in there it just may be a reason to look at how bars align with private clubs. The reality is we may not have bar in there because previously under the ABC law you couldn't have just a bar, it had to be a club or a restaurant. It may be they want to revisit how that aligns. He doesn't think there is a downside to removing private clubs at this point. If anything they will have to add a use back that is more broadly defined anyway. Or define a new use that captures what a private club is along with anything else that definition may entail. The goal for this round was to define what we already have and get rid of anything they didn't have anymore. We have a round where we need to add uses in and that will be round two and they could look at specific uses then. He thinks the Board can proceed.

The Board discussed both definitions.

Chair opened for public comment.

Ken Fitch, 1046 Patton Street (Zoom) stated the definition is basically good but perhaps for camps you need clarification of what is dedicated as a camp. He stated there are a lot of gray areas when it comes to camps and he suggested putting them under "SS" Supplementary Standards. He talked about having licensing for camps. He discussed having different kinds of camping and also glamping that is coming up. He discussed different types of camps and programs. You have to have standards in place to make it work. He also discussed parks and having preserves.

Ms. Robinson stated that North Carolina regulates anything that is non-hospital based that deals with a specific group. They couldn't do that under camps. The Health and Human Services would come swooping right on in and they like to do lots of big fines.

Chair closed public comment.

Chair stated there was a comment about camps being licensed. Ms. Cromar stated this is just the definition. Ms. Hunt stated staff could look into reflecting per state regulations and add that as part of the definition. Mr. Manley stated this is a land use not the organization that is behind it. Ms. Cromar stated the state would enforce certain types of camps regardless. The Board discussed preserves and if that was needed in the definition along with open space. Mr. Hanley stated no if it is a preserve it would already be set up as one. Some of the Board members felt a preserve might not be a park. Park is for a public use and a preserve is not.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 12-2 Definition of Commonly Used Terms and Words; and Section 5-9-1 and Section 5-19-1 Permitted Uses by adding definitions for existing uses and removing unneeded uses, 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 petition aligns with the Comprehensive Plan's goals to promote conformance and consistency between the City's Zoning Ordinance and Comprehensive Plan (Strategy LU-3.6). 2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed text amendment provides clarification for the uses listed in the zoning ordinance. 2. The proposed text amendment promotes transparency and better customer service for the public. Mr. Brown seconded the motion which passed unanimously.

V New Business

V(A) Zoning Map Amendment– Standard Rezoning – Living Savior Church (P23-085-RZO). Ms. Hunt gave the following background:

The City of Hendersonville received an annexation request from Living Savior Evangelical Lutheran Church (property owners) for a parcel located at 200 Upward Road, that possesses a PIN of 9578-90-1278. City Council voted to annex the subject property during their meeting on October 5, 2023. The applicant has not requested zoning and therefore the city is initiating the zoning for this parcel from Henderson County CC, Community Commercial to City of Hendersonville CHMU, Commercial Highway Mixed Use.

The Future Land Use Designation was discussed and included in the staff report and presentation.

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

The City's Future Land Use Map was shown and deemed the subject property as High Intensity Neighborhood. This is included in the staff report and presentation.

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

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

A draft consistency statement is included in the staff report.

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

Chair asked if there were any questions for staff.

Mr. Hanley asked if the church paid property taxes. Ms. Hunt stated she does not have any knowledge of that.

Chair asked what the rationale for City Council was to annex this parcel. Mr. Morrow stated they requested annexation for when they do develop the property they will want to connect to sewer and this is a preemptive step they took for that. Their engineer did reach out to Mr. Morrow so he assumes they are in some development phase for the property. It is no secret the church owns the property because they have a rather larger sign out there. One could assume what they are planning to build but all that aside, as far as why they annexed he is assuming for sewer. They did not request a particular zoning district so by state law the city does have to zone it under our jurisdiction and to follow with trends and previous Council policy decisions, staff is recommending CHMU.

Mr. Hanley stated all that infrastructure will be paid for by his tax dollars. Mr. Morrow stated sewer extensions are paid for by the development it serves. If they are extending sewer they would be the ones paying for that extension.

Ms. Waters stated with the multi-family coming to that area it would be good to have a church. Chair stated what they have to consider with a rezoning is all of the uses that could occur on that parcel with any kind of recommendation made to City Council. CHMU was designed for the Upward Road corridor and it seems to be working pretty well out there as far as the development goes.

There were no further questions for staff.

Chair opened the meeting for public comment. No one spoke.

Chair closed public comment.

Ms. Peacock moved Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9578-90-1278) from Henderson County CC, Community Commercial zoning district to City of Hendersonville CHMU (Commercial Highway Mixed Use) 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 proposed zoning provides design standards which align with most of the design and development guidelines outlined under Strategy LU-7.4 of the City's 2030 Comprehensive Plan. 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 Commercial Highway Mixed Use is the zoning district established for the Upward Road Planning Area. 2. The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area. 3. The property is located in an area designated as a "Priority Infill Area" according to the City's Comprehensive Plan. Ms. Martin seconded the motion which passed unanimously.

VI Other Business.

VII Adjournment – *The meeting was adjourned at 4:44 pm.*

Jim Robertson, Chair

DRAFT

<p>infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” and because multi-family residential is a secondary recommended land use in the Neighborhood Activity Center Designation.</p> <p>4. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <ol style="list-style-type: none"> 1. The petition proposes to provide additional housing to offset local rental demand. 2. The petition proposes to provide housing on a long vacant and underutilized piece of property near commercial corridors and is within walking distance of downtown. 3. The site plan clusters development impacts out of the floodway portions of the site, aligning with guidance from the Comprehensive Plan and best practices. 4. The petition proposes to redevelop a site that no longer acts as a natural floodplain while addressing concerns about urban blight. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p style="text-align: center;">[DISCUSS & VOTE]</p>
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SUMMARY: The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Matthew Benak of Crest Residential LLC., applicant and Richard Herman of South Market LLC., property owner. The applicant is requesting to rezone the subject property, PINs 9568-83-4302, 9568-83-2474 and, 9568-83-2082 and located off Greenville Highway, from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District for the construction of 185 multi-family units on approximately 9.01 acres. This equates to a density of 20.5 units per acre.

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

The proposed site includes Floodway, 100 Year Floodplain and 500 Year Floodplain within its boundary. The proposed development is shown to be constructed completely outside of the Floodway.

PROJECT/PETITIONER NUMBER:	P23-55-CZD
PETITIONER NAME:	<ul style="list-style-type: none"> • Matthew Benak (Manager) – Crest Residential LLC [Applicant]

	<ul style="list-style-type: none">• Richard Herman (Manager) – South Market LLC [Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Neighborhood Compatibility Summary3. Tree Board Summary4. Proposed Site Plan / Elevations5. Proposed Zoning Map6. Draft Ordinance7. Application / Owner Signature Addendum

REZONING: CONDITIONAL REZONING -715 GREENVILLE HIGHWAY MULTI-FAMILY(P23-55-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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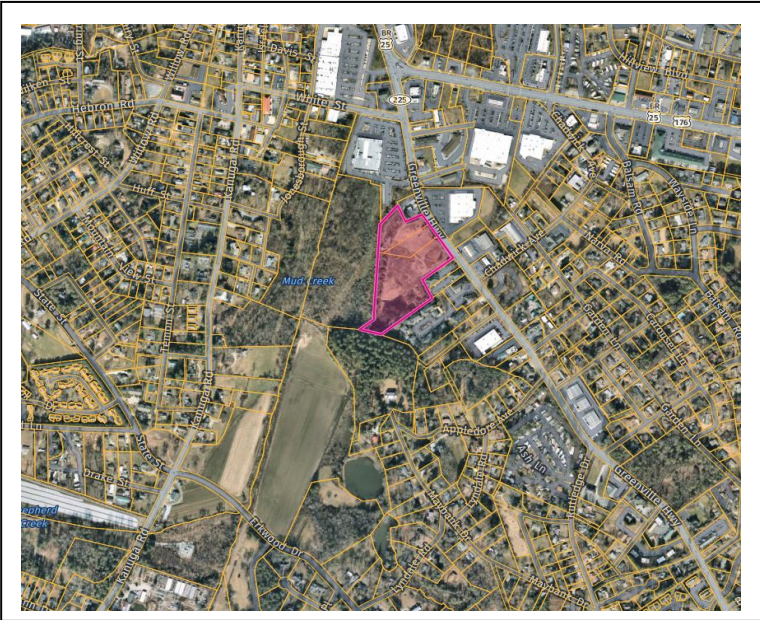
DEVELOPER PROPOSED CONDITIONS: 22

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS: 24



PROJECT SUMMARY

- Project Name & Case #:
 - 715 Greenville Highway Multi-Family
 - P23-55-CZD
- Applicant & Property Owner:
 - Matthew Benak (Manager) – Crest Residential LLC [Applicant]
 - Richard Herman (Manager) – South Market LLC [Owner]
- Property Address:
 - 715 Greenville Highway
- Project Acreage:
 - 9.01 Acres
- Parcel Identification (PIN):
 - 9568-83-4302
 - 9568-83-2474
 - 9568-83-2082
- Current Parcel Zoning:
 - PCD- Planned Commercial Development
- Future Land Use Designation:
 - Neighborhood Activity Center
 - Natural Resource / Agricultural
- Requested Zoning:
 - UR-CZD-Urban Residential Conditional Zoning District.
- Requested Uses:
 - Residential, Multi-Family
- Neighborhood Compatibility Meeting:
 - July 19, 2023



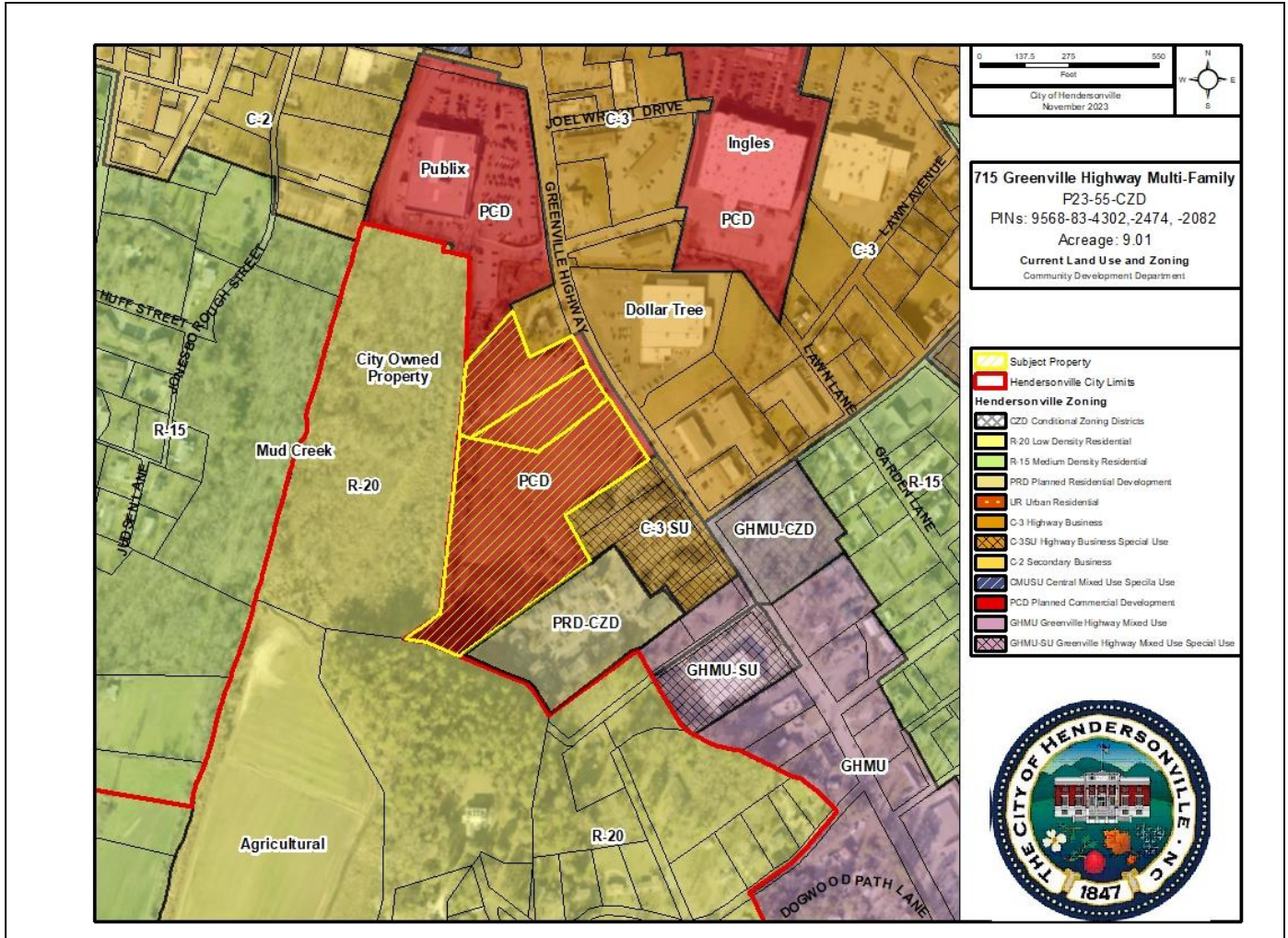
SITE VICINITY MAP

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

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

The proposed site includes Floodway, 100 Year Floodplain and 500 Year Floodplain within its boundary. The proposed development is shown to be constructed completely outside of the Floodway.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

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

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

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

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

SITE IMAGES



View of the property frontage at Greenville Highway showing items that are currently being stored on the site.



Typical view of the site looking southward towards Chadwick Square.

SITE IMAGES



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



*View of wetland area on the western portion of the subject
property.*

SITE IMAGES



View of the blueline stream that runs along the western property boundary.



Typical view of property looking northeastern from the southwestern corner.

SITE IMAGES



View of southern property frontage looking westward. Area of proposed access #2.



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

REZONING HISTORY

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

Full Minutes from City Council Meeting:

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

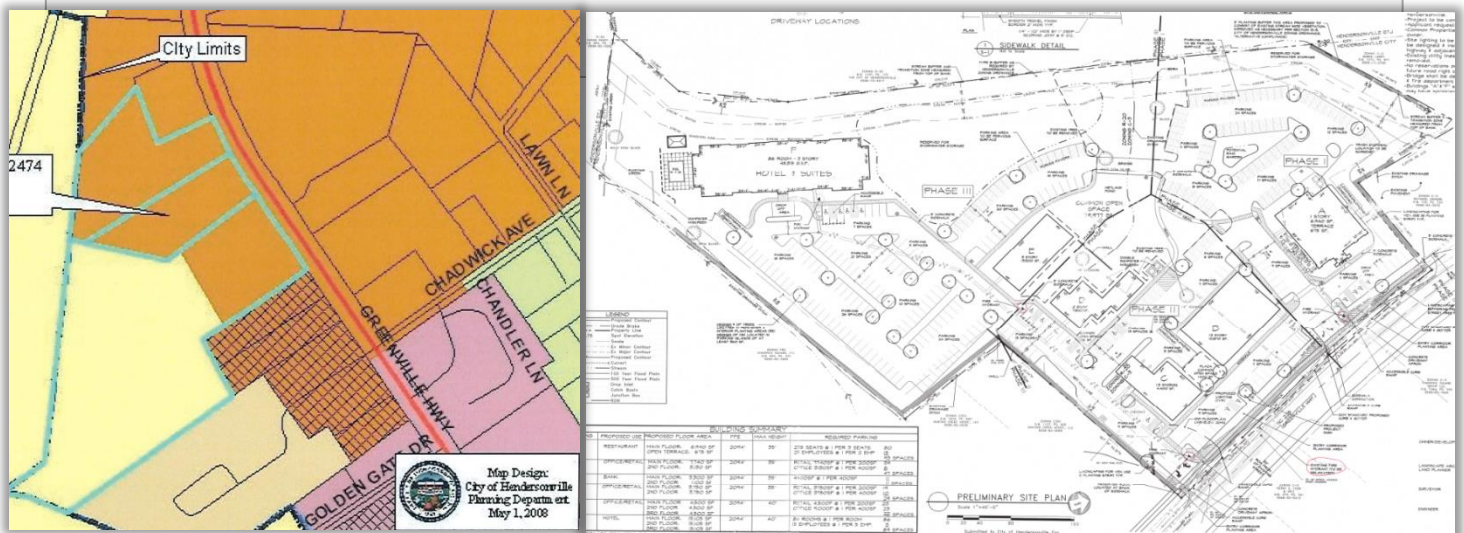
South Market Village

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

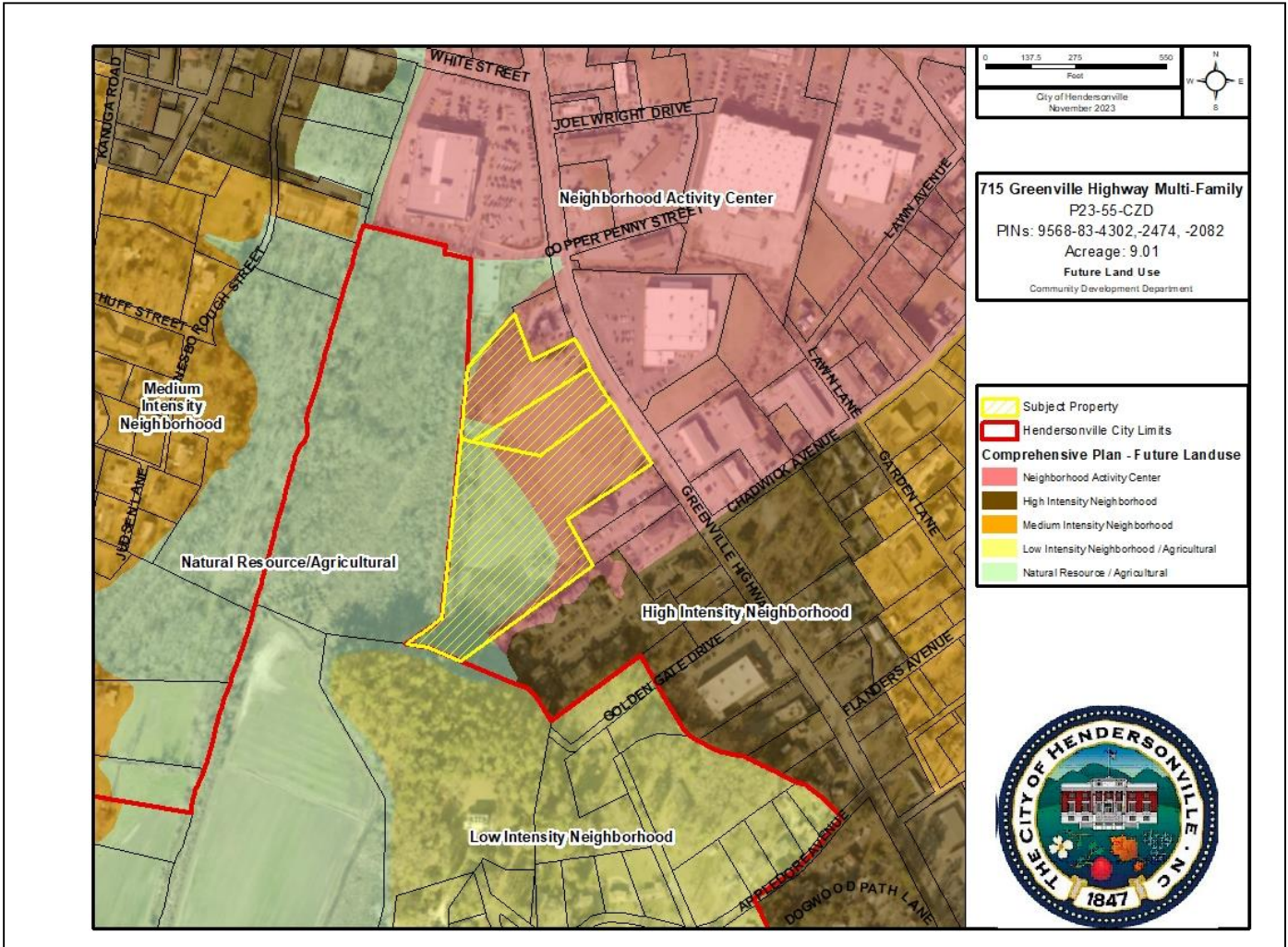
- Building A- Restaurant
 - Floor Area- Main Floor- 6,940 SF, Open terrace 675 SF.
 - 35' Max Height
- Building B- Office/Retail
 - Floor Area- Main Floor- 7,740 SF, 2nd floor 3,130 SF.
 - 35' Max Height
- Building C- Bank
 - Floor Area- Main Floor- 3,300 SF, 2nd floor 1,100 SF.
 - 35' Max Height
- Building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

Parking:

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



FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property has a split future land use designation. The rear of the property is designated as Natural Resource/Agricultural and the area along the Greenville Highway frontage is designated as Neighborhood Activity Center.

In most instances, the Natural Resource/Agricultural designation follows the floodplain and stream corridors (which is no different with this property). However, where this property differs is that it has floodway, 100- and 500-year floodplain designated as Neighborhood Activity Center as well. The neighborhood activity center is found along the Greenville Highway corridor until transitioning to High Intensity Neighborhood at the Greenville Highway Chadwick Ave intersection.

The Natural Resource/Agricultural designation follows the Mud Creek corridor and its associated special flood hazard areas.

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

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY

Future Land Use	<p>Goal LU-4. Natural Resource/Agricultural Areas: Create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources. [CONSISTENT]</p> <p>Strategy LU-4.2. Primary recommended land uses: Open space, Recreational amenities, Low-impact stormwater management facilities, Flood storage, Agricultural uses [CONSISTENT]</p> <p>Strategy LU-4.3 Secondary recommended land uses: <i>Utilities other than stormwater management, Single-family attached and detached structures, Cemeteries [INCONSISTENT]</i></p>
	<p>Goal LU-8. Neighborhood Activity Center: Concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville’s neighborhoods. [INCONSISTENT]</p> <p>Strategy LU-8.2. Primary recommended land uses <i>Neighborhood retail sales and services [INCONSISTENT]</i></p> <p>Strategy LU-8.3. Secondary recommended land uses Offices, multi-family residential, Live-work units, Public and institutional uses, Pedestrian amenities (plazas, outdoor seating, etc.), Mixed uses [CONSISTENT]</p> <p>Strategy LU-8.4. Development guidelines: Minimal parking in front of buildings (no more than one to two rows) along thoroughfares, with remainder of parking located to the side or rear, Encouragement of buildings that are designed at a human scale, maximizing window coverage on ground floors and utilizing façade articulation, Provision of pedestrian connections to parking and other buildings/ properties. [CONSISTENT]</p>
Land Use & Development	<p><i>The property is designated as a “Priority Infill Area” and “Natural Resource/Agricultural” on the Growth Management Map (Map 8.3a). Priority infill areas are “Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties”. [CONSISTENT]</i></p>
	<p><i>The project area is identified as a “development opportunity” in the Comprehensive Plan’s Map 8.2b: Development Framework. This includes vacant land, agricultural land, and single-family residential properties greater than five acres. [CONSISTENT]</i></p>
	<p><i>Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a. [CONSISTENT]</i></p>
Population & Housing	<p><i>Strategy PH-1.1. Promote compatible infill development.</i></p>
	<p><i>Action PH-1.1.1. Develop design guidelines for infill development. Guidelines should focus on architectural compatibility and scale. Landscape buffering standards should be included for scenarios in which architectural transitions are</i></p>

	<p><i>inadequate. Special attention should be given to properties within or adjacent to historic districts.</i></p> <p><i>Action PH-1.1.2. Implement zoning map and/or text amendments as needed in the Priority Infill Areas identified on the Growth Management Map in Chapter 8 (Map 8.3a). Priority Infill Areas are areas in which the City encourages infill and/or redevelopment. Amendments will bring zoning standards in line with desired form and land uses.</i></p> <p><i>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.</i></p> <p><i>Goal PH-3. Promote safe and walkable neighborhoods.</i></p> <p><i>Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.</i></p> <p><i>Action PH-3.2.1. Promote mixed-use redevelopment along major thoroughfares through zoning map and/or text amendments in accordance with the High-Intensity Neighborhood and Neighborhood Activity Center classifications on the Future Land Use Map</i></p>
Natural & Environmental Resources	<p><i>Goal NR-1. -Preserve environmentally sensitive areas in order to protect life and property from natural hazards, protect water resources, and preserve natural habitat.</i></p> <p><i>Strategy NR-1.1 - Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100 Floodplain.</i></p> <p><i>Strategy NR-1.2 Protect land adjacent to streams to protect water quality, reduce erosion and protect wildlife habitat.</i></p> <p><i>Strategy NR-1.3 Encourage restoration of natural habitat and drainage patterns in developed areas.</i></p> <p><i>Strategy NR-1.5 - Continuously assess development and preservation efforts within areas planned as Natural Resources/Agricultural on the Future Land Use Map (Map 8.3b in Chapter 8) based on their conservation value</i></p> <p><i>Goal NR-2. - Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements</i></p> <p><i>Strategy NR-2.1. - Encourage clustered development that preserves open space while allowing a return on investment.</i></p> <p><i>Strategy NR-3.2. Enable and encourage Low-Impact Development practices in stormwater management</i></p> <p><i>Most of the site is considered “developed 100 year floodplain” according to map 3.3a Green Infrastructure Plan</i></p>
Cultural & Historic Resources	<p><i>No Goals, Strategies or Actions are directly applicable to this project.</i></p>
Community Facilities	<p><i>No Goals, Strategies or Actions are directly applicable to this project.</i></p>
Water Resources	<p><i>Strategy WR-2.2. Prevent development of floodplains and stream corridors in order to preserve natural drainage patterns and improve the quality of stormwater runoff.</i></p>

	<i>Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management</i>
Transportation & Circulation	<i>Greenville Highway is designated as a major throughfare in need of improvements according to Map 7.3a: Transportation Plan</i>
	<i>The subject parcels are adjacent to a City owned piece of property that is slated for a proposed greenway according to Map 7.3a: Transportation Plan. The proposed greenway is proposed to run along Mud Creek.</i>
	<i>Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>
	<i>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.</i>
	<i>Strategy TC-4.2. Ensure that all bus stops are in locations that can be accessed safely and conveniently by pedestrians.</i>

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

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	The subject property is currently a vacant and previously developed site. The proposed development site is located in a commercial corridor near the US and State route intersection of Spartanburg Highway (US 176) and Greenville Highway (NC225). In the vicinity of the proposed development are the apartment complexes of Residences at Chadwick (68 units), 904 Greenville Highway Multi-family (70 units, entitled but not built) and Southgate apartments (70 units, entitled but not built). Combined, these developments have a density of 22.66 units/acre. The proposed development has a density of 20.5 units/acre.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The subject property is currently tied to an expired Special Use Permit. A rezoning would be required for any development to occur on the site.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	Based on the 2021 Bowen Housing Needs Assessment for Western North Carolina, Henderson County has an estimated rental housing gap of 1,650 to 2,008 Units for incomes between <50%-120% AMI. This represents one of the largest gaps in the WNC region. Over the last 3 years, the City of Hendersonville has approved <u>1,895</u> rental units. If this project is approved, Hendersonville’s recently-approved rental units would total <u>2,080</u> . It should also be noted that the Housing Needs Assessment Study does not account for the housing gap for incomes above 120% AMI. An additional gap, beyond that reflected in the “1,650 to 2,008-unit gap”, exist for those income levels greater than 120% AMI.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The site will be served by City water and sewer service. Greenville Highway (NC 225) is designated as a Major Thoroughfare (needing improvement) in the Comprehensive Transportation Plan and is maintained by NCDOT. The subject property is already serviced by the City Fire Dept and is served by the City of Hendersonville Police. The proposed development is located within 800’ of STIP project U-5886 (the realignment and roadway extension between Willow Road SR1171 and Spartanburg Highway US176). The proposed project is showing the dedication of 40’ of R/W measured from the centerline of Greenville Highway for their entire frontage.
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 -

According to the 2008 floodplain maps, all portions of this property except for a +/- 1536 SF section at the southeastern corner are within a special flood hazard area. The subject property has floodway, 100 Year Floodplain and 500 Year Floodplain all present on it. There is a blueline stream that runs along the property's boundary that triggers the City's stream buffer protection measures. The site has an existing water conservation easement area that was established in 2016. There are very few mature trees on this property (most of which are along the western boundary), all of which are being retained due to them being located within the floodway. The property was previously developed and appears to have been largely graded and filled in places. The floodplain and blueline stream are the most prevalent natural features present on this site.

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 the City's 2030 Comprehensive Plan's Goals because it encourages infill development and redevelopment in areas planned for high-intensity development, as indicated by the "Priority Infill Areas" and because multi-family residential is a secondary recommended land use in the Neighborhood Activity Center Designation.

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

DRAFT [Rationale for Approval]

- *The petition proposes to provide additional housing to offset local rental demand.*
- *The petition proposes to provide housing on a long vacant and underutilized piece of property near commercial corridors and is within walking distance to downtown.*
- *The site plan clusters development impacts out of the floodway portions of the site, aligning with guidance from the Comprehensive Plan and best practices.*
- *The petition proposes to redevelop a site that no longer acts as natural floodplain while addressing concerns about urban blight.*

DRAFT [Rational for Denial]

- *The proposed development adds impervious surfaces to a subject property that is almost entirely within the special flood hazard area.*
- *The height and scale of the proposed development is incompatible with the surrounding area.*

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

Site Plan Summary:

- Proposed Uses:
 - Residential, Multi-Family

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

- Transportation:
 - The site will have two access points, both off of Greenville Highway (NC 225).
 - Access 1 (northern access) is shown as a full access stop control with 100 feet of stem length as per NCDOT guidelines. The plan also shows a dedicated left turn lane on the NC 225 northbound approach and a dedicated right turn lane on the NC 225 southbound approach.
 - Access 2 (southern access) is shown as a right-in/right-out access stop control and has a 50' stem length as per NCDOT. The plan also shows the installation of a dedicated right turn lane on the NC 225 southbound approach.
 - The developer is dedicating 40' of R/W from the center line of Greenville Highway to NCDOT to aid in any future improvements of the major thoroughfare. There currently does not appear to be a recorded R/W for this property along Greenville Highway.

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

- Lighting
 - All site lighting will be required to conform to the City's lighting standards for multi-family developments as well as lighting for areas abutting stream buffers. A compliant preliminary lighting plan is included in the plan packet.

- Parking:
 - Parking required at 1 per each dwelling unit or 1.5 per each dwelling unit

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

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



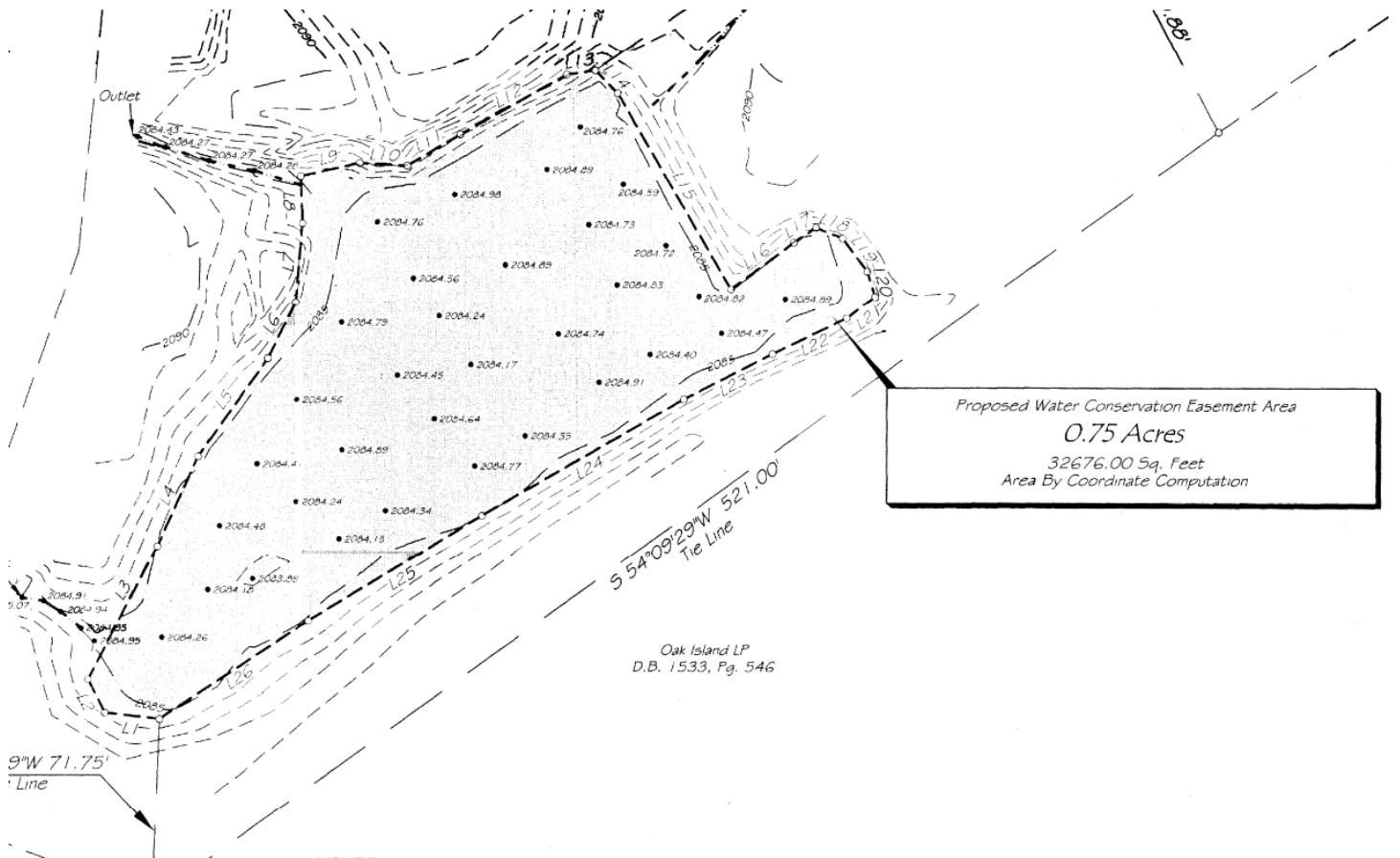
- Reviewing historic aerial imagery and available documents. It appears the site has had quite an extensive amount of grading throughout the years. It also appears that fill has been placed on the site as well. (photo below from 2010)



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

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

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



DEVELOPER PROPOSED CONDITIONS:

- 1. PARKING SPACES
 - The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is “adequate,” while also providing that the number of parking spaces “should not exceed the minimum requirements” found in Sec. 6-5).
- 2. TREE PLANTINGS
 - The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 3” caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
- BUILDING FACADE
 - Façade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
- BUS SHELTER
 - A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #9568-82-7951) to the south of the Project site.
- INCLUSION OF NATURAL RESOURCE / AGRICULTURAL LAND
 - The area of the Project site designated by the Comprehensive Plan as “Natural Resource/Agricultural Land” shall be included in the Urban Residential CZ District, with development limited as shown and referenced on the Site Plan. See Sec. 5-25-2.
- FLOODWAY PLANTINGS / MAINTENANCE (Tree Board Condition Counter)
 - To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants

important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise) and shall incorporate an appropriate long-term invasive species management and control plan.

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT

Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Urban Residential (5-25) (minus any developer proposed conditions).

Proposed City-Initiated Conditions:

- None

CITY ENGINEER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

WATER / SEWER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FIRE MARSHAL

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

STORMWATER ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FLOODPLAIN ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

PUBLIC WORKS

Site Plan Comments:

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

shows them on their site plan.

Proposed City-Initiated Conditions:

- None

NCDOT

Site Plan Comments:

- NCDOT Review
 - The TIA Screening / Scoping document was submitted on 3/29/2023 and approved on 4/7/2023.
 - The full TIA was submitted on 8/9/2023 and deemed complete on 10/13/2023.
 - NCDOT accepted the TIA on November 13th 2023.
- Any TIA mitigation design details can be worked through during the driveway permitting process at final site plan.

Proposed City-Initiated Conditions:

- None

HENDERSON COUNTY SOIL & EROSION CONTROL

Site Plan Comments:

- None

Proposed Condition:

- None

TRANSPORTATION CONSULTANT (KIMLEY HORN)

TIA Comments:

- An initial TIA was submitted on July, 26th, 2023. The review of this TIA resulted in revisions being required. A revised TIA was submitted on September 15th 2023. On October 6th, 2023, the City Traffic Consultant (Kimley Horn) concluded that based on a technical review of the updated TIA as submitted, the analysis and recommendations provide a reasonable assessment of the traffic impacts associated with the proposed development on the adjacent street network. All previous comments from the DRAFT TIA had been addressed. As such they concurred with the findings and recommendations within the TIA.
- It is important to note that the TIA was completed when the project was still proposing 208 units. The developers have since reduced the unit count to 185, while keeping the TIA recommendations associated with the 208 units. The proposed development of 185 units would likely create less traffic than what is shown in the TIA.
- The expected Trip Generation for the proposed development is as follows:
 - 946 Daily Trips
 - 80 AM Peak Hour Trips
 - 81 PM Peak Hour Trips

TIA Proposed Mitigation:

- **Intersection 1: NC 225 at US 176 / Fresh Market**
 - **Gannett Fleming** recommends no changes to this intersection.
 - **Kimley Horn (the City's traffic consultant)** concurs.
 - **NCDOT** concurs.
- **Intersection 2: NC 225 at White Street / Walgreen's**
 - **Gannett Fleming** recommends no changes to this intersection.
 - **Kimley Horn (the City's traffic consultant)** concurs.
 - **NCDOT** concurs.
- **Intersection 3: NC 225 at Chadwick Avenue / Chadwick Square Court**
 - **Gannett Fleming** recommends no changes to this intersection.
 - **Kimley Horn (the City's traffic consultant)** concurs.
 - **NCDOT:** After reviewing and looking into the feasibility and discussions concerning additional mitigations at this intersection, NCDOT ultimately rescinded their comments concerning additional mitigations at this intersection and concurred with no mitigation being required at this intersection.
- **Intersection 4: US 176 at Chadwick Avenue**
 - **Gannett Fleming** recommends no changes to this intersection.
 - **Kimley Horn (the City's traffic consultant)** concurs.
 - **NCDOT** concurs.
- **Intersection 5: NC 225 at Access #1**
 - **Gannett Fleming** recommends the proposed Access #1 be constructed as shown on the site plan (shown in Figure 2 and included in Appendix C) with full access stop control and at least 100 feet of stem length as per NCDOT Guidelines. Gannett Fleming recommends the installation of a dedicated left turn lane on the NC 225 northbound approach with 100 feet of full storage and a dedicated right turn lane with 50 feet of full storage on the NC 225 southbound approach.
 - **Kimley Horn (the City's traffic consultant)** concurs.
 - **NCDOT:** NCDOT concurs overall with the recommendations for a protected stem, turn lane and taper. They do have more specific design related items that would be worked out during the NCDOT driveway permit process at final site plan (if the project is approved by City Council).
- **Intersection 6: NC 225 at Access #2**
 - **Gannett Fleming** recommends the proposed Access #2 be constructed as shown on the Site plan (shown in Figure 2 and included in Appendix C) with right-in/right-out access stop control and appropriate stem length as per NCDOT approval. Gannett Fleming recommends the

installation of a dedicated right turn lane with 50 feet of full storage on the NC 225 southbound approach.

- **Kimley Horn (the City’s traffic consultant)** concurs.
- **NCDOT:** NCDOT concurs overall with the recommendations for a protected stem, turn lane and taper. They do have more specific design related items that would be worked out during the NCDOT driveway permit process at final site plan (if the project is approved by City Council).

- NCDOT did have additional comments concerning upgrades to Greenville Highway (NC225). Some of the items that were included were resurfacing, restriping, traffic signal timing, curb and gutter design, etc. These items are outside of the purview of the TIA for rezoning purposes. If the project is approved by City Council, the developer will have to work out these details with NCDOT prior to obtaining any driveway permits from NCDOT.

Proposed Condition:

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

TREE BOARD

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- See attached Tree Board summary.



NEIGHBORHOOD COMPATIBILITY MEETING REPORT
715 GREENVILLE HIGHWAY MULTI-FAMILY (P23-55-CZD)
NCM Meeting Dates: July 19, 2023

PETITION REQUEST: Rezoning: Urban Residential - Conditional Zoning District (UR-CZD)
APPLICANT/PETITIONER: Matthew Benak of Crest Residential LLC. [Applicant] & Richard Herman of South Market LLC. [Owner]

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on July 19th, 2023 at 2pm in the Assembly Room of the City Operations Building, 305 Williams Street and via Zoom. The meeting lasted approximately 1 hour and 25 minutes.

There were 7 members of the public in attendance in-person while 5 attended virtually. The applicant and their development team were present as were 2 members of City staff.

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

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

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

Concerns and questions from the public related to:

- Consideration of impacts from increased traffic.
- Flooding impacts.
- School bus traffic.
- Adding impervious surfaces in the floodplain.
- No other 4 story buildings in the area.
- Animal habitat loss.
- Stream buffers and their protection.
- Density
- “Apartment dwellers being more transient” and not focused on community.
- Rental vs. ownership of the units.
- Affordability.

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



TREE BOARD RECOMMENDATION

715 GREENVILLE HIGHWAY MULTI-FAMILY (P23-55-CZD)

MEETING DATE: NOVEMBER 14th, 2023

PETITION REQUEST: Rezoning: Urban Residential - Conditional Zoning District (UR-CZD)

APPLICANT/PETITIONER: Matthew Benak of Crest Residential LLC. [Applicant]
Richard Herman of South Market LLC. [Owner]

TREE BOARD ACTION SUMMARY:

The developer presented to the Tree Board at their regular meeting on Tuesday November 14th, 2023. The following Tree Board members were present: Mac Brackett, Janet Thew, Becca Doll, William Coffee, Mary Davis, Glenn Lange

SUMMARY

There are a total of 10 trees that are 12” or greater DBH on the site. All of these existing mature trees are slated for preservation. These trees are located along the west side of the property and are located within the floodway.

MOTION

Based on the Landscape Plans provided on 11/06/23, the Tree Board recommends the following conditions:

1. Based on applicable regulations, implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan must include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators) selected from the city’s Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses can be used. The plan shall be developed by a landscape architect (with wildlife habitat management expertise) or a Certified Wildlife Biologist and the Tree Board requests a chance to review the plan before final site plan is approved. A long term invasive species management and control plan should be included in the final site plan.

The Tree Board’s recommended conditions, above, are based on the following guiding city code documents: Municipal Code, Chapter 46, Article IV, Division I, Trees & Shrubs, Section 46, 116 & 117; the Zoning Code, Article XV Buffering, Screening & Landscaping Sections 15-1, A & C and 15-4 A; the Subdivision Ordinance, Purpose and Intent, Section 1.04, Part H; and the Comprehensive Plan, Vision Statement, Section 3.1 Purpose, Sections 3.2 and Section 3.3, Goal NR-1, Strategy NR 1.1 and NR 1.2 and Goal NR-2, Strategy 2.3; and the City Council’s adoption (Feb., 2021) of core values and beliefs as guiding principles as they apply to the prioritization of existing tree canopy.

(Developer did not agree to this condition as written. The developer proposed counter can be found in the staff report and site plan cover sheet).

BOARD ACTION

Motion/Second: Lange/Doll Yeas: All Nays: None Recused: None

715 GREENVILLE HWY APARTMENTS

APARTMENTS

CITY OF HENDERSONVILLE

NOTES

SITE NOTES:

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

GENERAL NOTES:

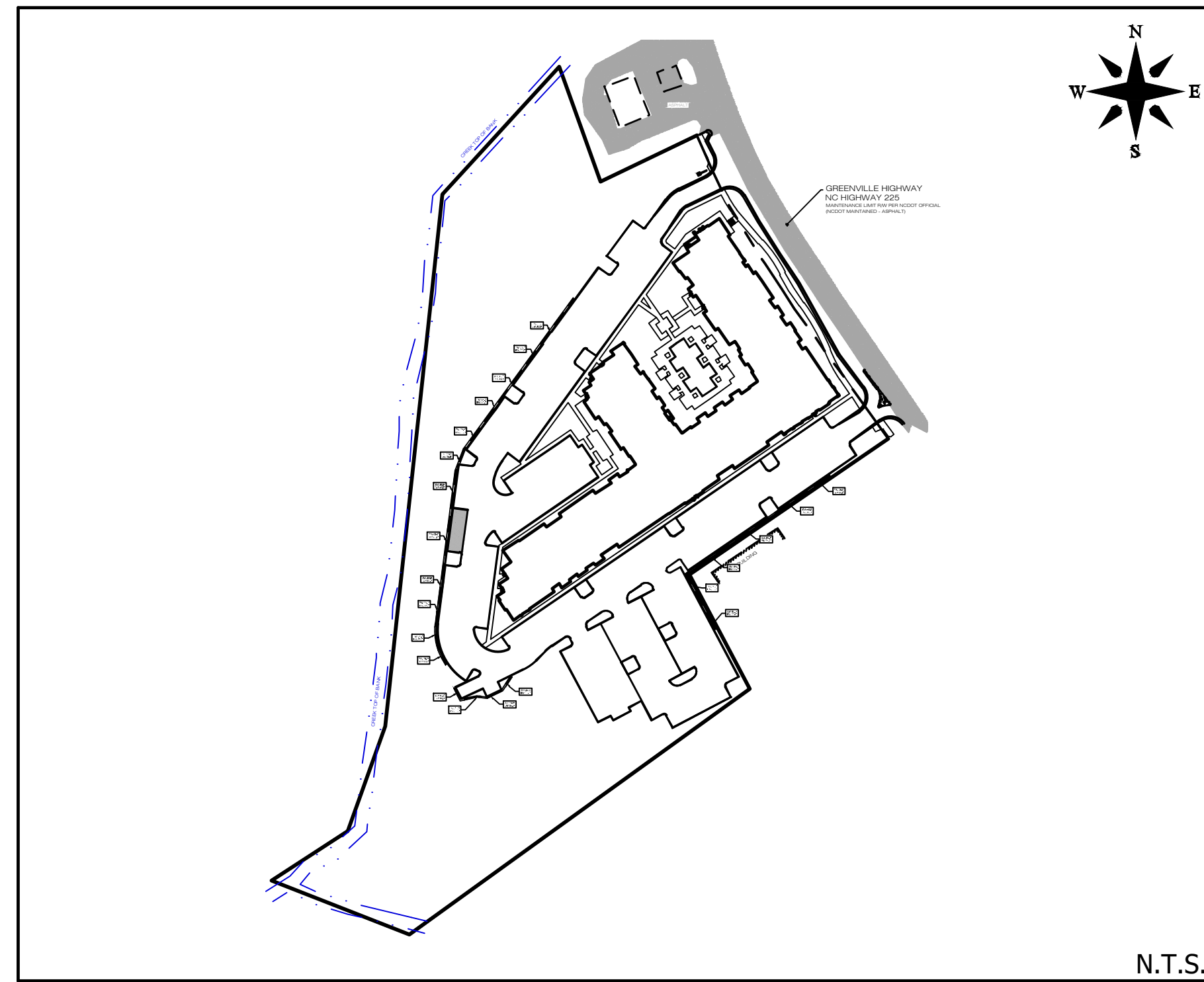
- CONTRACTOR(S) SHALL BE RESPONSIBLE FOR ADEQUATE SUPERVISION TO PREVENT DAMAGE AND/OR MOVEMENT OF ANY SURVEY-LOCATED CONSTRUCTION STAKES. CONSTRUCTION STAKING SHALL REMAIN IN PLACE AND BE PROTECTED UNTIL THE OWNER APPROVES THEIR REMOVAL. ANY STAKES THAT HAVE BEEN DISPLACED AS A RESULT OF CONSTRUCTION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

INSPECTION SCHEDULE:

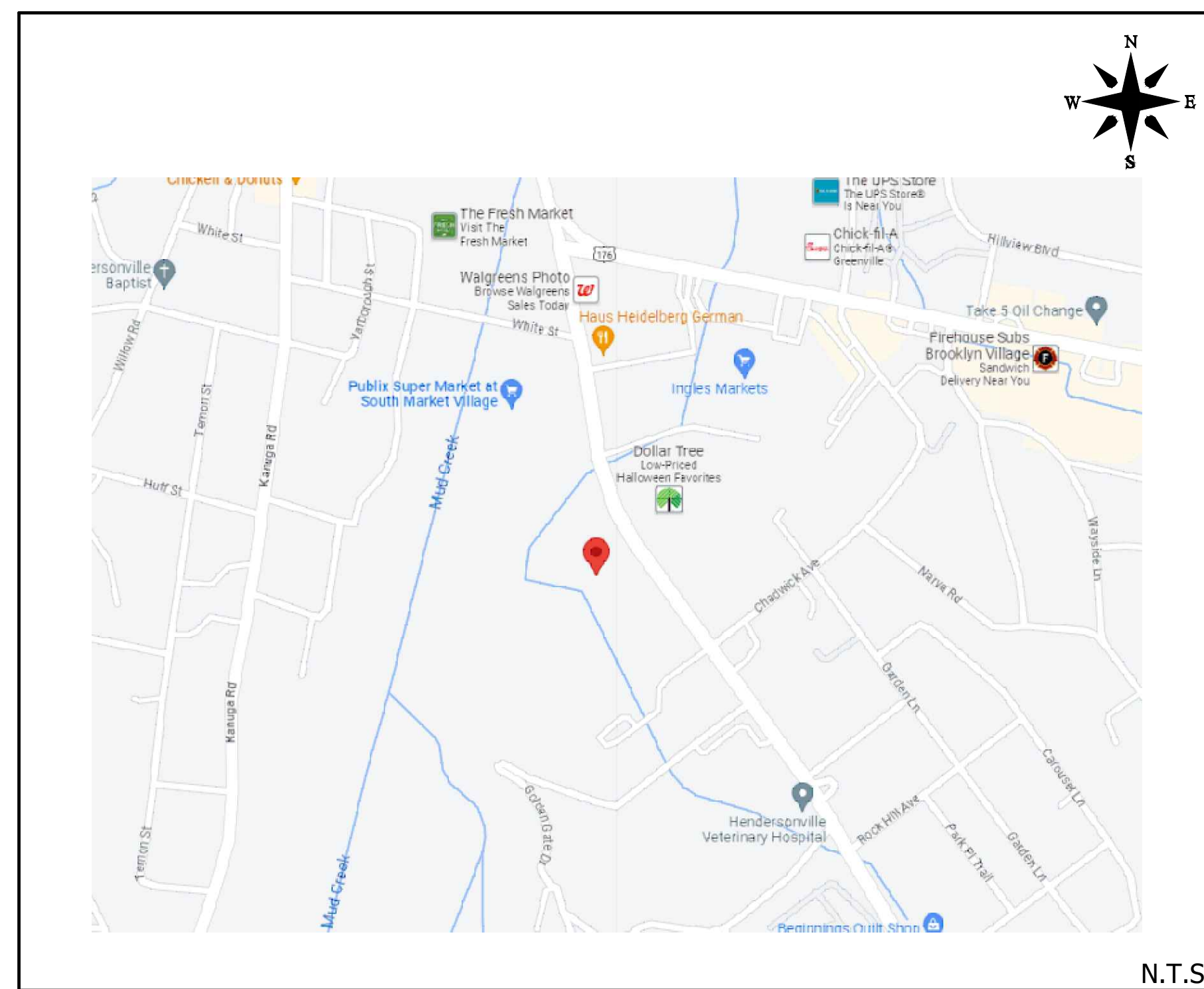
- NO CONSTRUCTION SHALL COMMENCE PRIOR TO A PRECONSTRUCTION MEETING WITH THE OWNER, THE CONTRACTOR, THE ENGINEER, AND A REPRESENTATIVE OF THE APPROVING JURISDICTION.
- ALL SHOP DRAWINGS SHALL BE SUBMITTED AT OR PRIOR TO THE PRECONSTRUCTION MEETING.
- ENGINEER TO BE CALLED FOR PERIODIC INSPECTIONS.
-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



PROJECT MAP



VICINITY MAP



CONTACTS

DEVELOPER: CREST RESIDENTIAL LLC	CONTACT INFO: BENTLEY NELSON BENTLEY@CRESTRES.COM 205-567-1467 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223
OWNER: SOUTH MARKET, LLC	CONTACT INFO: RICHARD HERMAN --- 828-577-4201 2809 HAMPTON DRIVE HENDERSONVILLE NC 28792
ENGINEER: BROOKS ENGINEERING ASSOCIATES, PA	CONTACT INFO: JOHN KINNAIRD JKINNAIRD@BROOKSEA.COM (828) 232-4700 15 ARLINGTON STREET ASHEVILLE, NC 28801
SURVEYOR: COLE SURVEY & DESIGN	CONTACT INFO: JOHN COLE N/A 549 ELK PARK DRIVE, SUITE 707 ASHEVILLE NC 28804
LANDSCAPE ARCHITECT: FIND THE LINE STUDIOS	CONTACT INFO: ROB DULL ROB@FINDTHELINESTUDIOS.COM 305 POLE CREAMS ROAD ASHEVILLE NC 28806

SHEET INDEX

NO.: TITLE:

C-0	COVER SHEET
C-1-0	MASTER PLAN
C-2-0	EXISTING CONDITIONS / SURVEY
C-5-0	OVERALL STORMWATER PLAN
C-7-0	UTILITY PLAN
L-200	OVERALL SITE PLAN
L-201	PRELIMINARY SITE PLAN
L-202	PRELIMINARY SITE PLAN
L-203	PRELIMINARY SITE PLAN
L-300	OVERALL LANDSCAPE PLANS
L-301	PRELIMINARY LANDSCAPE PLAN
L-302	PRELIMINARY LANDSCAPE PLAN
L-303	PRELIMINARY LANDSCAPE PLAN
ES-11	PHOTOMETRIC SITE PLAN
ES-12	SITE LIGHT FIXTURE SPECIFICATIONS
A1.01	OVERALL FLOOR PLAN - LEVEL 1
A2.01	ELEVATIONS - E FACADE & NE CORNER
A2.02	ELEVATIONS - S FACADE

DEVELOPER PROPOSED CONDITIONS

- PARKING SPACES**
The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is "adequate," while also providing that the number of parking spaces "should not exceed the minimum requirements" found in Sec. 6-5).
- TREE PLANTINGS**
The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 2" caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
- BUILDING FACADE**
Facade setbacks along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
- BUS SHELTER**
A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #5568-82-7951) to the south of the Project site.
- INCLUSION OF NATURAL RESOURCE / AGRICULTURAL LAND**
The area of the Project site designated by the Comprehensive Plan as "Natural Resource/Agricultural Land" shall be included in the Urban Residential (C2 District, with development limited as shown and referenced on the Site Plan. See Sec. 5-25-2.
- FLOODWAY PLANTINGS / MAINTENANCE**
To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise), and shall incorporate an appropriate long-term invasive species management and control plan.

CITY PROPOSED CONDITIONS

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

No.	REVISIONS/SUBMISSIONS	Date
1	PRELIMINARY SUBMITTAL	11/29/2023
2	PLANNING AND ZONING SUBMITTAL	1/02/2024

PRELIMINARY - NOT FOR CONSTRUCTION

Designed: JHK	Reviewed: JHK
Drawn: JHK	Scale: AS NOTED
Checked: JHK	Date: 12/15/2023

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

CDG ENGINEERS AND ASSOCIATES, INC

Project No: 597223	715 GREENVILLE HWY APARTMENTS CITY OF HENDERSONVILLE
C-0	COVER SHEET

MASTER PLAN LEGEND

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

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

DEVELOPER PROPOSED CONDITIONS

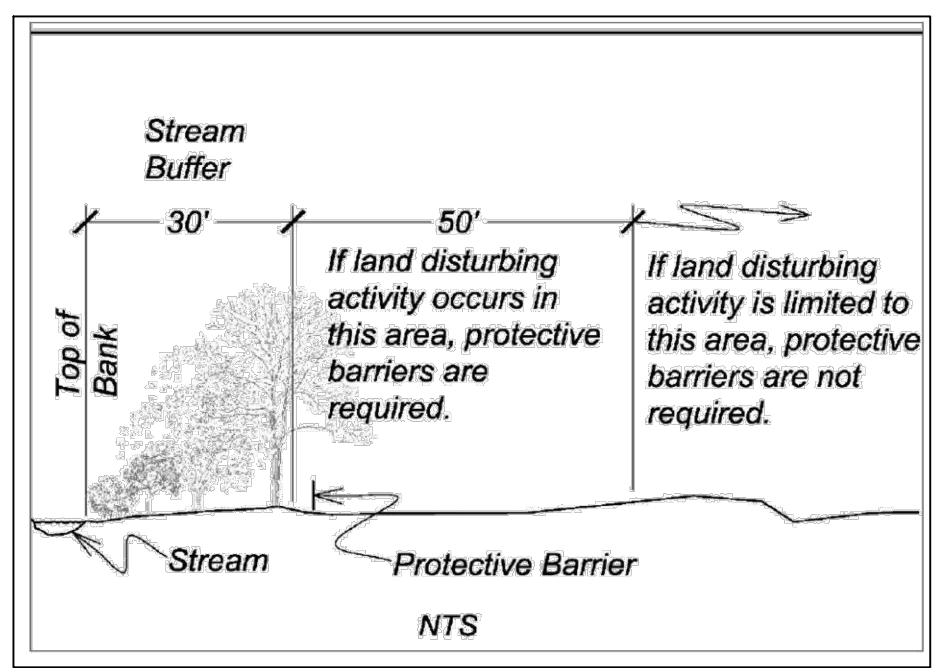
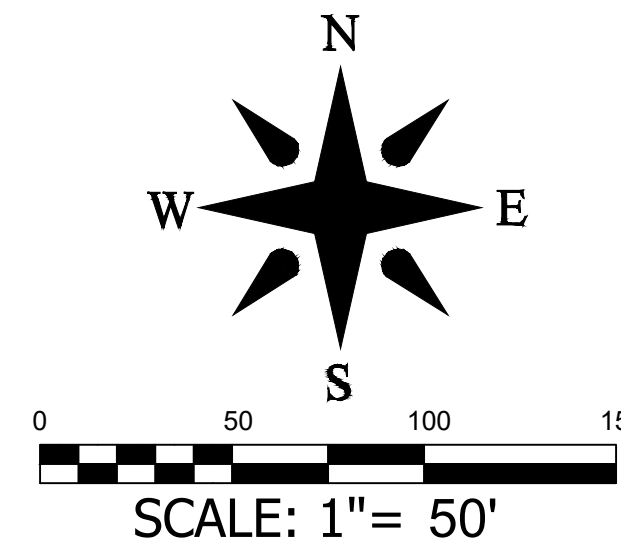
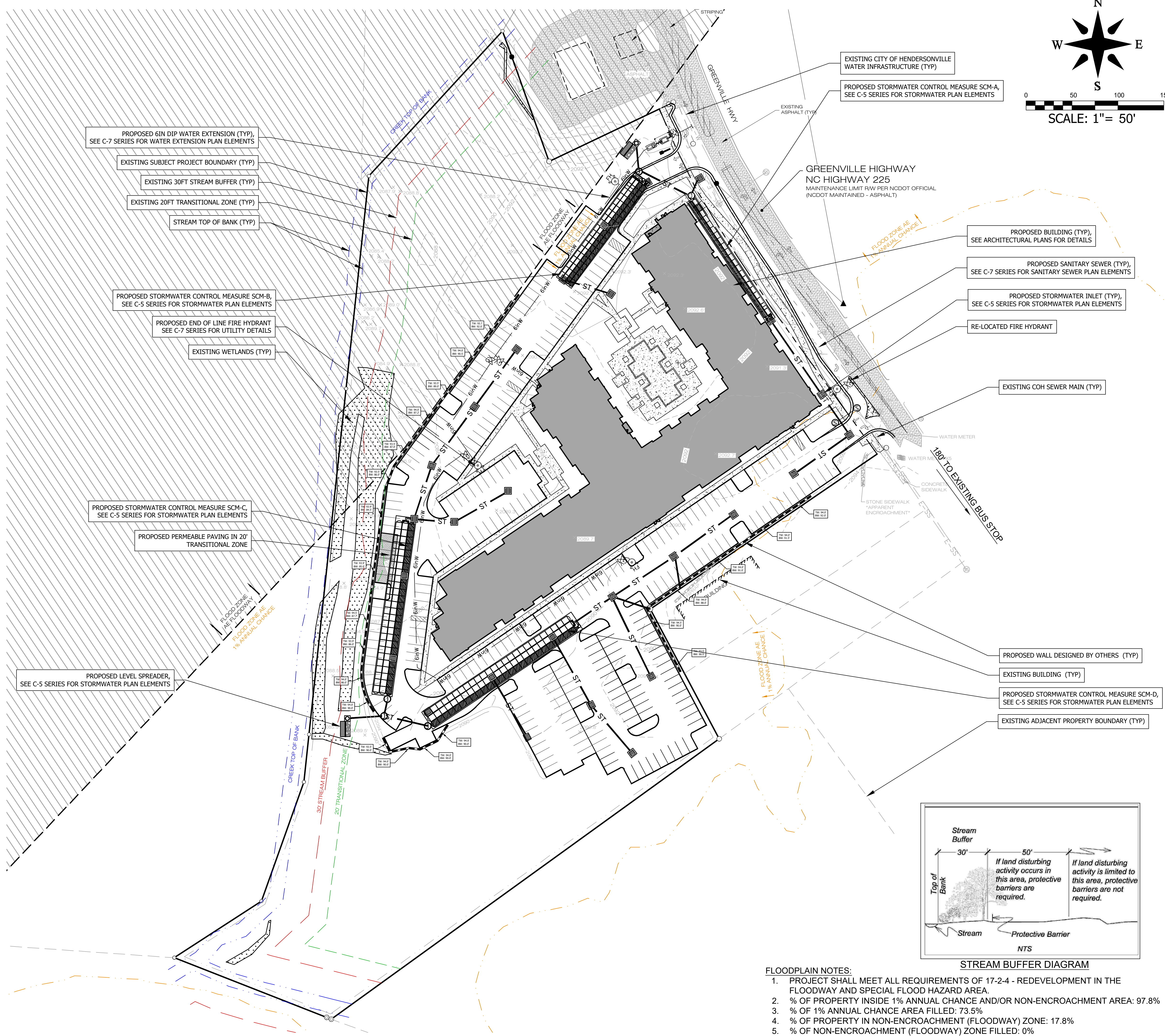
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The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.13 (providing that the applicant must demonstrate that parking is "adequate," while also providing that the number of parking spaces "should not exceed the minimum requirements" found in Sec. 6-5).
2. TREE PLANTINGS
The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 3" caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
3. BUILDING FAÇADE
Façade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-21(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
4. BUS SHELTER
A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #9568-82-7951) to the south of the Project site.
5. INCLUSION OF NATURAL RESOURCE / AGRICULTURAL LAND
The area of the Project site designated by the Comprehensive Plan as "Natural Resource/Agricultural Land" shall be included in the Urban Residential CZ District, with development limited as shown and referenced on the Site Plan. See Sec. 5-25-2.
6. FLOODWAY PLANTINGS / MAINTENANCE
To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space area outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise), and shall incorporate an appropriate long-term invasive species management and control plan.

CITY PROPOSED CONDITIONS

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

DEVELOPMENT DATA

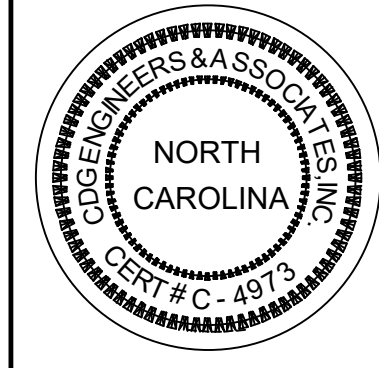
PROPERTY ADDRESS: 715 GREENVILLE HWY
HERNDONVILLE NC 28792
PIN NUMBER: 9568832082, 9568834302, 9568832474
PROPERTY SIZE: 9.01 AC
ZONING REVIEW: CITY OF HENDERSONVILLE
EROSION CONTROL REVIEW: HENDERSON COUNTY
STORMWATER REVIEW: CITY OF HENDERSONVILLE
ZONING CLASSIFICATION: PCD
PROPOSED NUMBER OF UNITS: 185
PROPOSED DENSITY: 20.55 UNITS / AC
PROPERTY OWNER: SOUTH MARKET, LLC
CONTACT: RICHARD HERMAN
ADDRESS: 2809 HAMPTON DRIVE
HERNDONVILLE NC 28792
EMAIL:
PHONE: 828-577-4201
DEVELOPER: CREST RESIDENTIAL LLC
CONTACT: BENTLEY NELSON
ADDRESS: 500 OFFICE PARK DRIVE, SUITE 215
BIRMINGHAM, AL 35223
EMAIL: BENTLEY@CRESTRES.COM
PHONE: 205-567-1467
ENGINEER: BROOKS ENGINEERING ASSOCIATES
CONTACT: JOHN KINNAIRD
ADDRESS: 15 ARLINGTON ST
ASHEVILLE, NC 28801
EMAIL: JKINNAIRD@BROOKSEA.COM
PHONE: 828-232-4700
LANDSCAPE ARCH: FIND THE LINE STUDIOS
CONTACT: ROB DULL
ADDRESS: 305 POLE CREAMS ROAD
ASHEVILLE NC 28806
EMAIL: ROB@FINDTHELINESTUDIOS.COM
PHONE: 828-674-5592



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

Table with project details including Date (11/29/2023), Revisions/Submissions (Preliminary Submittal, Planning and Zoning Submittal), Project No. (597223), Project Name (715 GREENVILLE HWY APARTMENTS), City (CITY OF HENDERSONVILLE), Drawing Title (MASTER PLAN), and Designer (CDG ENGINEERS AND ASSOCIATES, INC.).

PRELIMINARY - NOT FOR CONSTRUCTION



Contact information for CDG ENGINEERS AND ASSOCIATES, INC. including address (15 Arlington Street, Asheville, N.C. 28801), phone (1-828-232-4700), fax (1-828-232-1331), and website (www.brooksea.com).

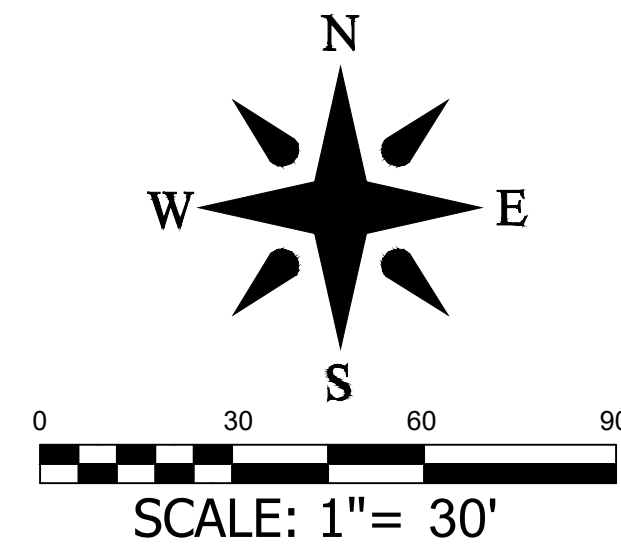
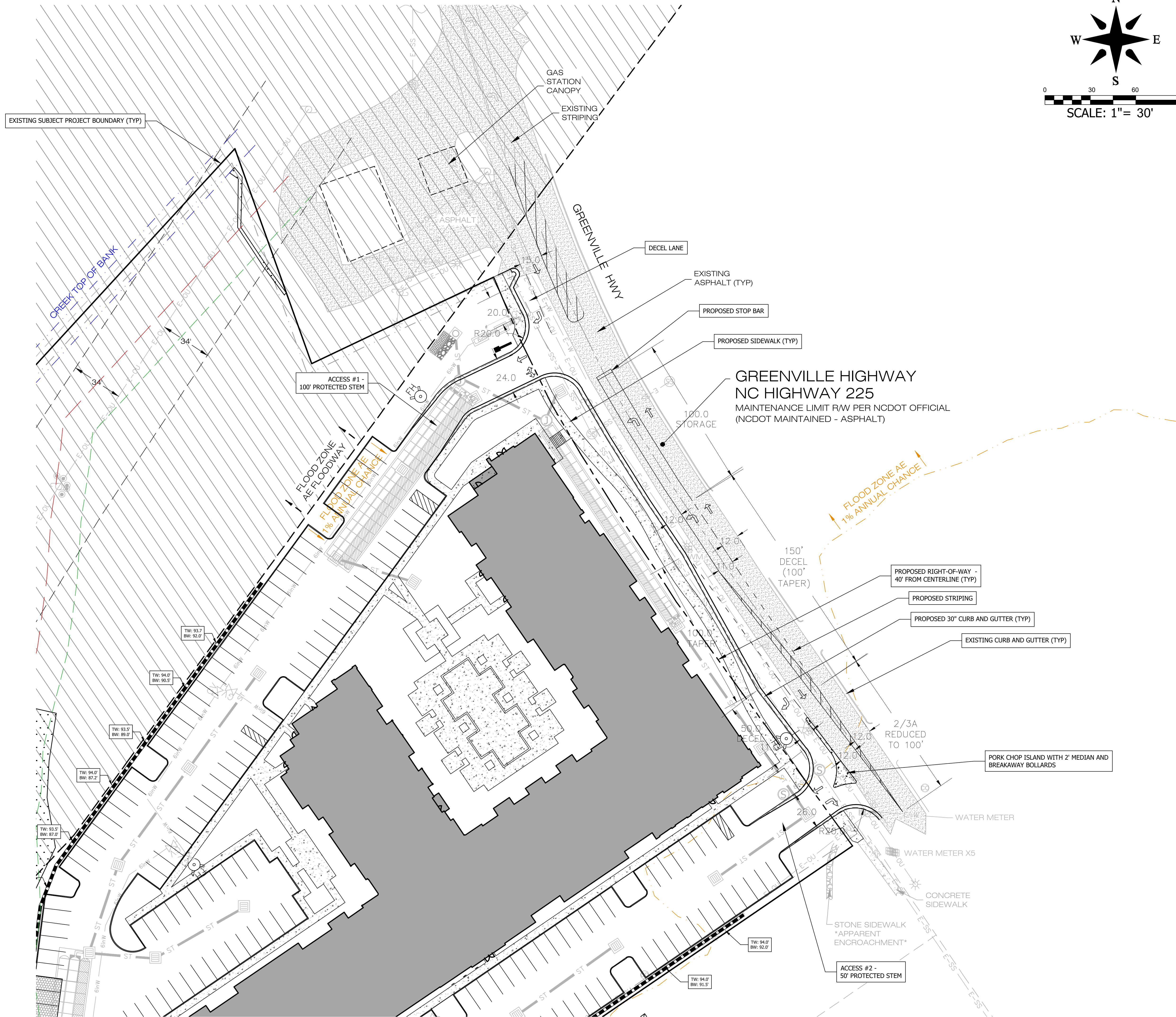
CDG ENGINEERS AND ASSOCIATES, INC.

715 GREENVILLE HWY APARTMENTS
CITY OF HENDERSONVILLE

Project No: 597223
Drawing Title: MASTER PLAN

MASTER PLAN LEGEND

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



No.	REVISIONS/SUBMISSIONS	Date
1	PRELIMINARY SUBMITTAL	11/29/2023
2	PLANNING AND ZONING SUBMITTAL	12/15/2023

PRELIMINARY - NOT FOR CONSTRUCTION

Designed: JHK
 Drawn: JHK
 Checked: JHK
 Reviewed: JHK
 Scale: AS NOTED
 Date: 12/15/2023

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

BROOKS
 ENGINEERING ASSOCIATES
 Planning • Engineering • Surveying
 • Environmental Services •

Project No: **597223**
 Drawing Title: **WIDENING PLAN**
 715 GREENVILLE HWY
 APARTMENTS
 CITY OF HENDERSONVILLE
 NORTH CAROLINA

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
 HENDERSONVILLE NC 28792
 PIN NUMBER: 9568832082, 9568834302, 9568832474
 PROPERTY SIZE: 9.01 AC
 ZONING REVIEW: CITY OF HENDERSONVILLE
 EROSION CONTROL REVIEW: HENDERSON COUNTY
 STORMWATER REVIEW: CITY OF HENDERSONVILLE
 ZONING CLASSIFICATION: PCD
 PROPOSED NUMBER OF UNITS: 185
 PROPOSED DENSITY: 20.55 UNITS / AC
 PROPERTY OWNER: SOUTH MARKET, LLC
 CONTACT: RICHARD HERMAN
 ADDRESS: 2809 HAMPTON DRIVE
 HENDERSONVILLE NC 28792
 EMAIL: ---
 PHONE: 828-577-4201
 DEVELOPER: CREST RESIDENTIAL LLC
 CONTACT: BENTLEY NELSON
 ADDRESS: 500 OFFICE PARK DRIVE, SUITE 215
 BIRMINGHAM, AL 35223
 EMAIL: BENTLEY@CRESTRES.COM
 PHONE: 205-567-1467
 ENGINEER: BROOKS ENGINEERING ASSOCIATES
 CONTACT: JOHN KINNAIRD
 ADDRESS: 15 ARLINGTON ST
 ASHEVILLE, NC 28801
 EMAIL: JKINNAIRD@BROOKSEA.COM
 PHONE: 828-232-4700
 LANDSCAPE ARCH: FIND THE LINE STUDIOS
 CONTACT: ROB DULL
 ADDRESS: 305 POLE CREAMAN ROAD
 ASHEVILLE NC 28806
 EMAIL: ROB@FINDTHELINESTUDIOS.COM
 PHONE: 828-674-5592

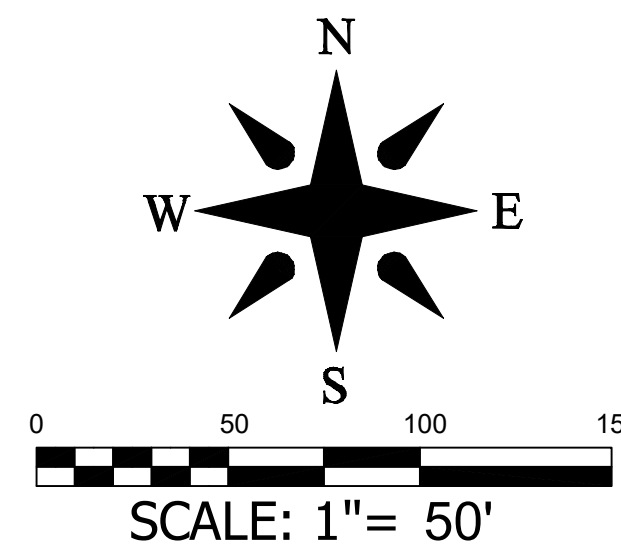
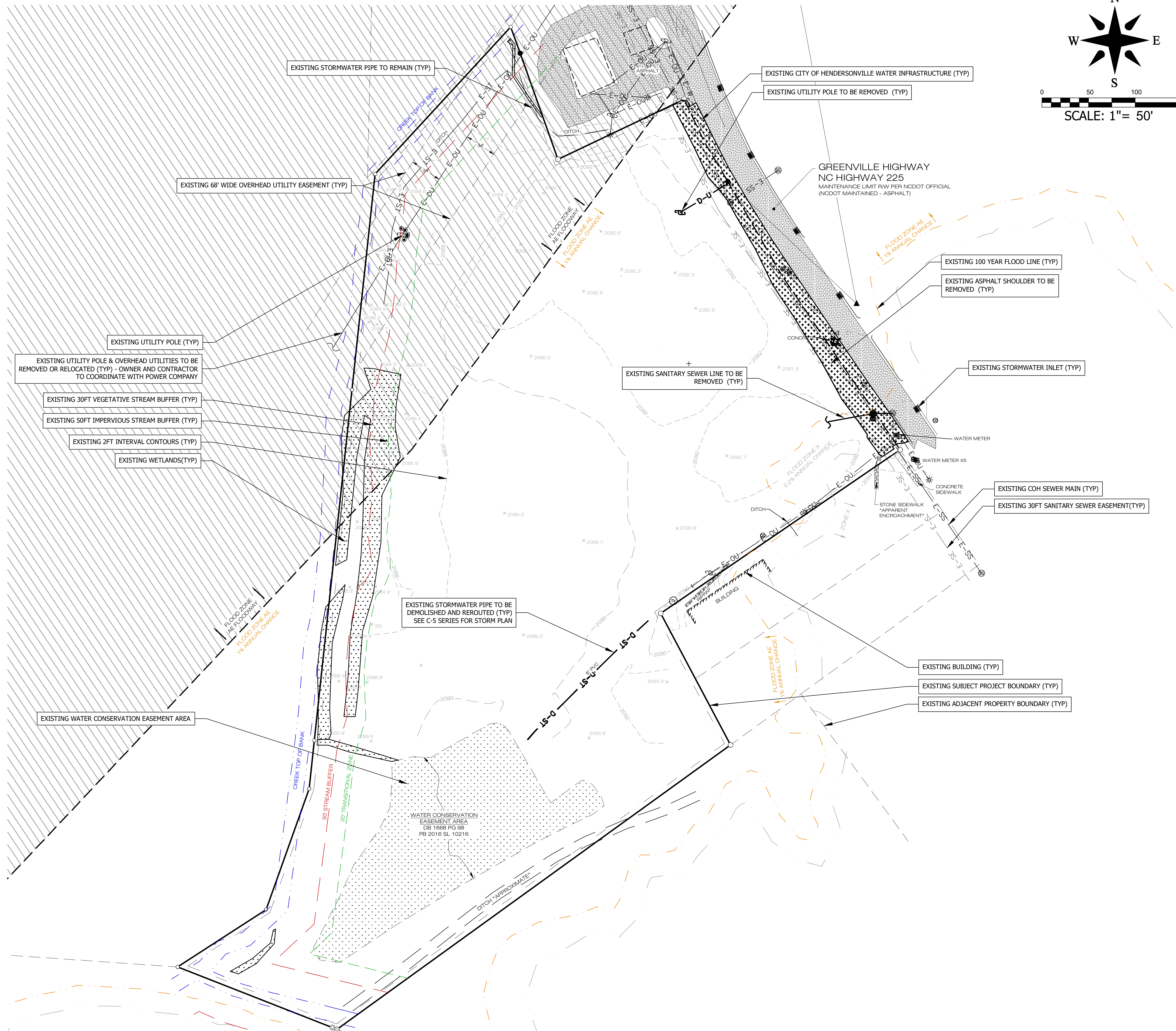
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EXIST. CONDITIONS LEGEND

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

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
 HENDERSONVILLE NC 28792
 PIN NUMBER: 9568832082, 9568834302, 9568832474
 PROPERTY SIZE: 9.01 AC
 ZONING REVIEW: CITY OF HENDERSONVILLE
 EROSION CONTROL REVIEW: HENDERSON COUNTY
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 ZONING CLASSIFICATION: PCD
 PROPOSED NUMBER OF UNITS: 185
 PROPOSED DENSITY: 20.55 UNITS / AC
 PROPERTY OWNER: SOUTH MARKET, LLC
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 ADDRESS: 2809 HAMPTON DRIVE
 HENDERSONVILLE NC 28792
 EMAIL: ---
 PHONE: 828-577-4201
 DEVELOPER: CREST RESIDENTIAL LLC
 CONTACT: BENTLEY NELSON
 ADDRESS: 500 OFFICE PARK DRIVE, SUITE 215
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 PHONE: 205-567-1467
 ENGINEER: BROOKS ENGINEERING ASSOCIATES
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 ASHEVILLE, NC 28801
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 LANDSCAPE ARCH: FIND THE LINE STUDIOS
 CONTACT: ROB DILL
 ADDRESS: 305 POLE CREASMAN ROAD
 ASHEVILLE NC 28806
 EMAIL: ROB@FINDTHELINESTUDIOS.COM
 PHONE: 828-674-5592



Project No: 597223	Drawing Title: C-2.0	City of Hendersonville APARTMENTS	North Carolina EXISTING CONDITIONS AND SURVEY	715 GREENVILLE HWY	CDG ENGINEERS AND ASSOCIATES, INC	Reviewed: JHK Scale: AS NOTED Date: 12/15/2023	Designed: JHK Drawn: JHK Checked: JHK	15 Arlington Street Asheville, N.C. 28801 Phone: 1-828-232-4700 Fax: 1-828-232-1331 www.brooksea.com	PRELIMINARY - NOT FOR CONSTRUCTION		No. 1 No. 2	REVISIONS/SUBMISSIONS PRELIMINARY SUBMITTAL PLANNING AND ZONING SUBMITTAL	Date 11/29/2023 1/02/2024
						Section 5, Item A.							

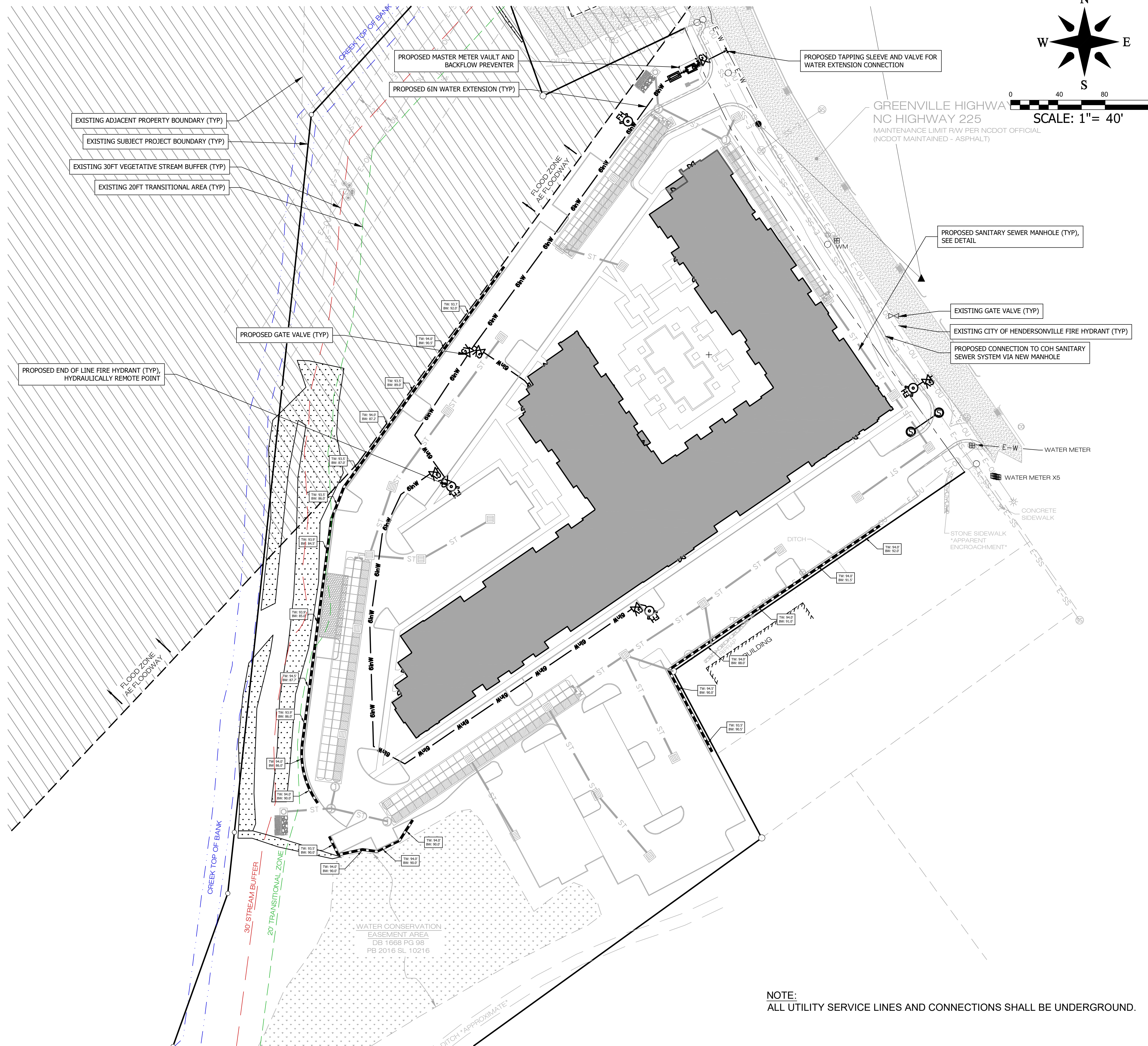
Location: \\brooksma\Server\CD23 Projects\597223 Crest Residential_715 Greenville Hwy Civil & Permitting\DWG\CivilBase-597223.dwg

UTILITIES LEGEND

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

DEVELOPMENT DATA

PROPERTY ADDRESS: 715 GREENVILLE HWY
HENDERSONVILLE NC 28792
 PIN NUMBER: 9568832082, 9568834302, 9568832474
 PROPERTY SIZE: 9.01 AC
 ZONING REVIEW: CITY OF HENDERSONVILLE
 EROSION CONTROL REVIEW: HENDERSON COUNTY
 STORMWATER REVIEW: CITY OF HENDERSONVILLE
 ZONING CLASSIFICATION: PCD
 PROPOSED NUMBER OF UNITS: 185
 PROPOSED DENSITY: 20.55 UNITS / AC
 PROPERTY OWNER: SOUTH MARKET, LLC
 CONTACT: RICHARD HERMAN
 ADDRESS: 2809 HAMPTON DRIVE
 HENDERSONVILLE NC 28792
 EMAIL: ---
 PHONE: 828-577-4201
 DEVELOPER: CREST RESIDENTIAL LLC
 CONTACT: BENTLEY NELSON
 ADDRESS: 500 OFFICE PARK DRIVE, SUITE 215
 BIRMINGHAM, AL 35223
 EMAIL: BENTLEY@CRESTRES.COM
 PHONE: 205-367-1467
 ENGINEER: BROOKS ENGINEERING ASSOCIATES
 CONTACT: JOHN KINNAIRD
 ADDRESS: 15 ARLINGTON ST
 ASHEVILLE, NC 28801
 EMAIL: JKINNAIRD@BROOKSEA.COM
 PHONE: 828-232-4700
 LANDSCAPE ARCH.: FIND THE LINE STUDIOS
 CONTACT: ROB DULL
 ADDRESS: 305 POLE CREAMAN ROAD
 ASHEVILLE NC 28806
 EMAIL: ROB@FINDTHELINESTUDIOS.COM
 PHONE: 828-674-5592



NOTE:
ALL UTILITY SERVICE LINES AND CONNECTIONS SHALL BE UNDERGROUND.

Project No: 597223	Drawing Title: C-7.0 UTILITY PLAN	City of Hendersonville 715 GREENVILLE HWY APARTMENTS	CDG ENGINEERS AND ASSOCIATES, INC	Reviewed: JHK Scale: AS NOTED Date: 12/15/2023	Designer: JHK Drawn: JHK Checker: JHK	15 Arlington Street Asheville, N.C. 28801 Phone: 1-828-232-4700 Fax: 1-828-232-1331 www.brooksea.com	PRELIMINARY - NOT FOR CONSTRUCTION
				REVISIONS/SUBMISSIONS PRELIMINARY SUBMITTAL 11/29/2023 PLANNING AND ZONING SUBMITTAL 1/02/2024	No. 1 No. 2	Date 11/29/2023 1/02/2024	



CONSULTANTS

NOT FOR CONSTRUCTION

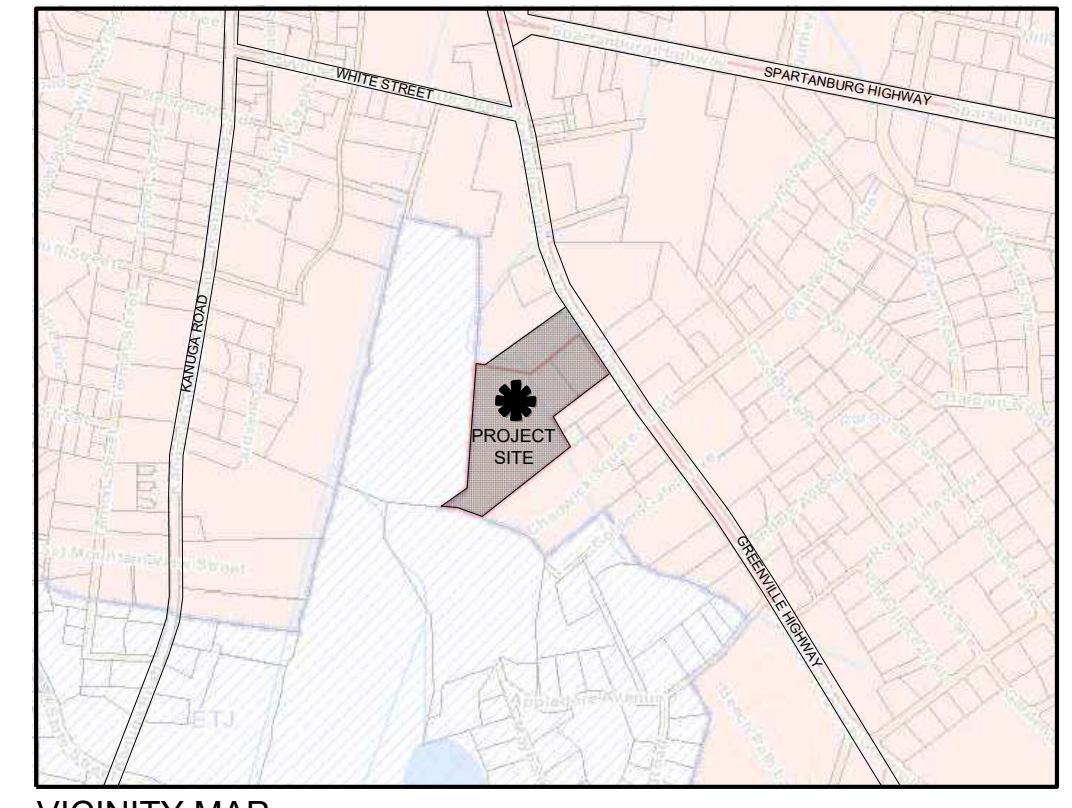
715 GREENVILLE HWY MULTI-FAMILY OVERALL SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	11/02/23	CZD SUBMITTAL
2	12.6.23	NC DOT UPDATE
3	12.15.23	PLANNING AND ZONING SUBMITTAL
4	1.3.24	PLANNING AND ZONING RESUBMITTAL

SHEET NO.

L-200



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

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

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

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

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

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

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

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

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

DEVELOPER:
BENTLEY NELSON
CREST RESIDENTIAL LLC
500 OFFICE PARK DRIVE, SUITE 215
BIRMINGHAM, AL 35223
BENTLEY@CRESTRES.COM
205.567.1467

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

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

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

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

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

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

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

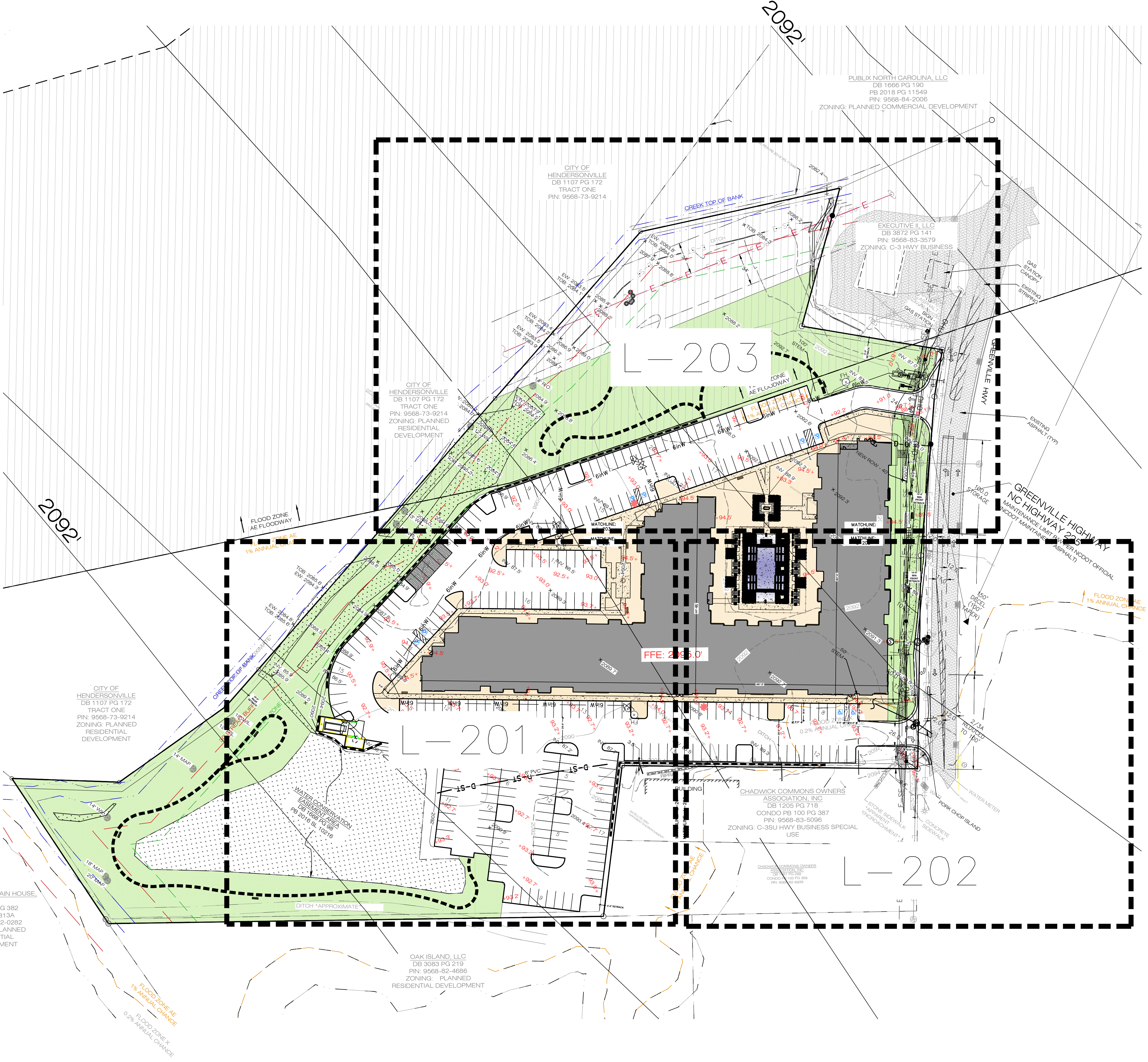
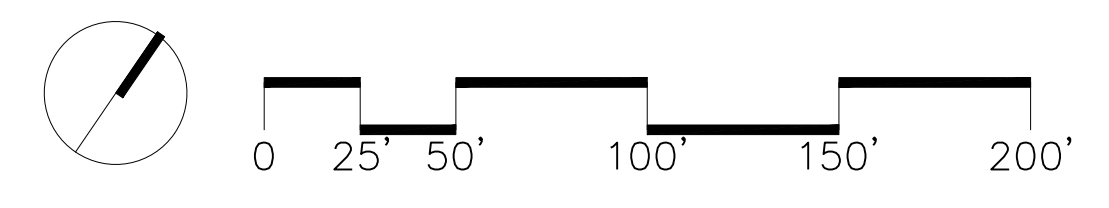
PARKING REQUIREMENTS:
PARKING REQUIRED AT 1 PER EACH DWELLING UNIT OR 1.5 PER EACH DWELLING UNIT CONTAINING THREE OR MORE BEDROOMS.
NUMBER OF UNITS: 185 UNITS (170 1/2 BEDROOM & 15 3 BEDROOM)
PARKING REQUIRED: 193 SPACES
PARKING PROVIDED: 288 SPACES (8 HANDICAPPED PARKING SPACES)

NOTES:

PROJECT SHALL MEET ALL REQUIREMENTS OF 17-2-4-REDEVELOPMENT IN THE FLOOD WAY AND SPECIAL FLOOD HAZARD AREA

ALL UTILITY SERVICE LINES AND CONNECTIONS SHALL BE UNDERGROUND

OPEN SPACE SHOWN MUST BE PRESERVED AND MAINTAINED IN PERPETUITY. OPEN SPACE TO BE MAINTAINED BY DEVELOPER.





CONSULTANTS

NOT FOR CONSTRUCTION

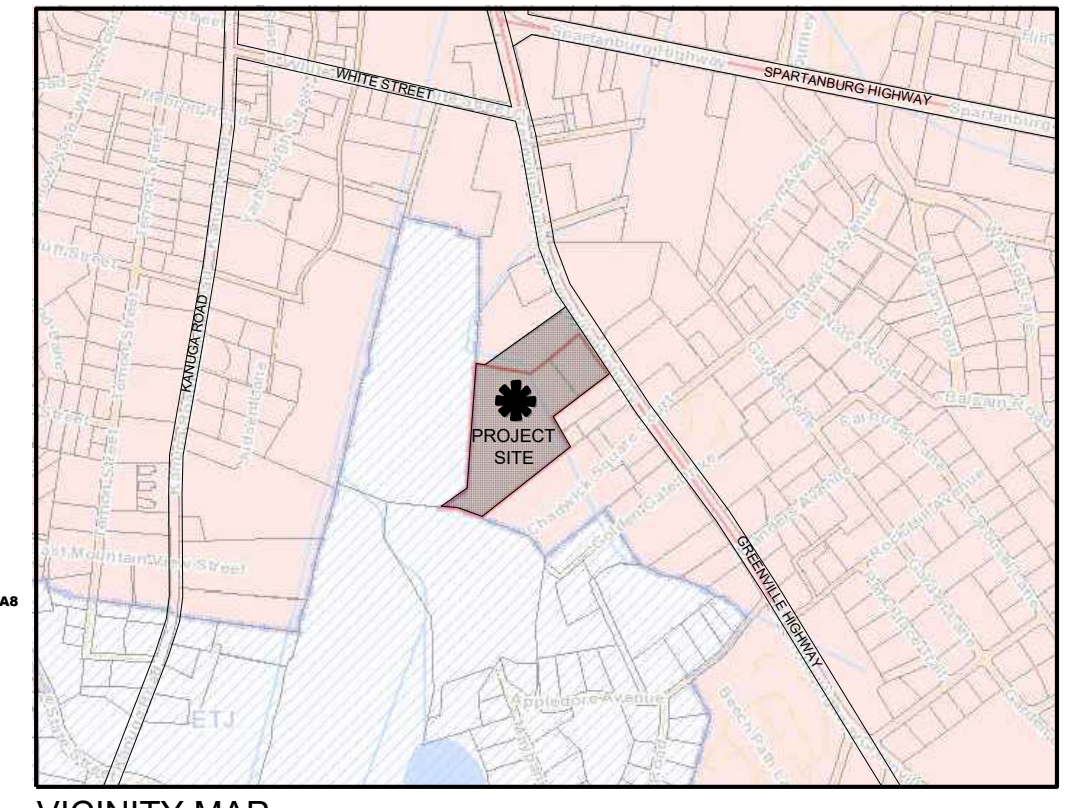
715 GREENVILLE HWY MULTI-FAMILY PRELIMINARY SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	11/02/23	CZD SUBMITTAL
2	12.6.23	NCDDOT UPDATE
3	12.15.23	PLANNING AND ZONING SUBMITTAL
4	1.3.24	PLANNING AND ZONING RESUBMITTAL

SHEET NO.

L-201



VICINITY MAP

PROJECT ADDRESS:
715 GREENVILLE HWY
HENDERSONVILLE, NC

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

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

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

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS)
PROPOSED NUMBER OF UNITS: 185 UNITS
PROPOSED DENSITY: 20.5 UNITS / AC

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

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

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

DEVELOPER:
BENTLEY NELSON
CREST RESIDENTIAL LLC
500 OFFICE PARK DRIVE, SUITE 215
BIRMINGHAM, AL 35223
BENTLEY@CRESTRES.COM
205.567.1467

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

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

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

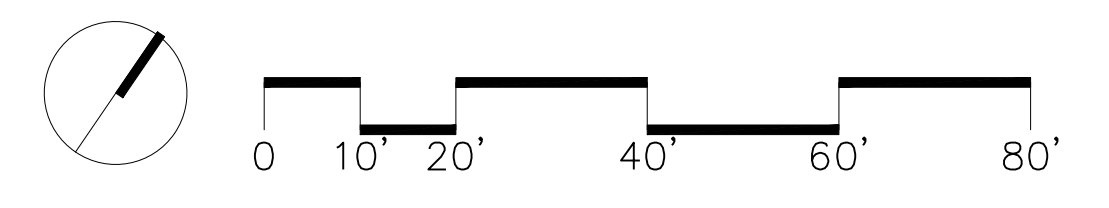
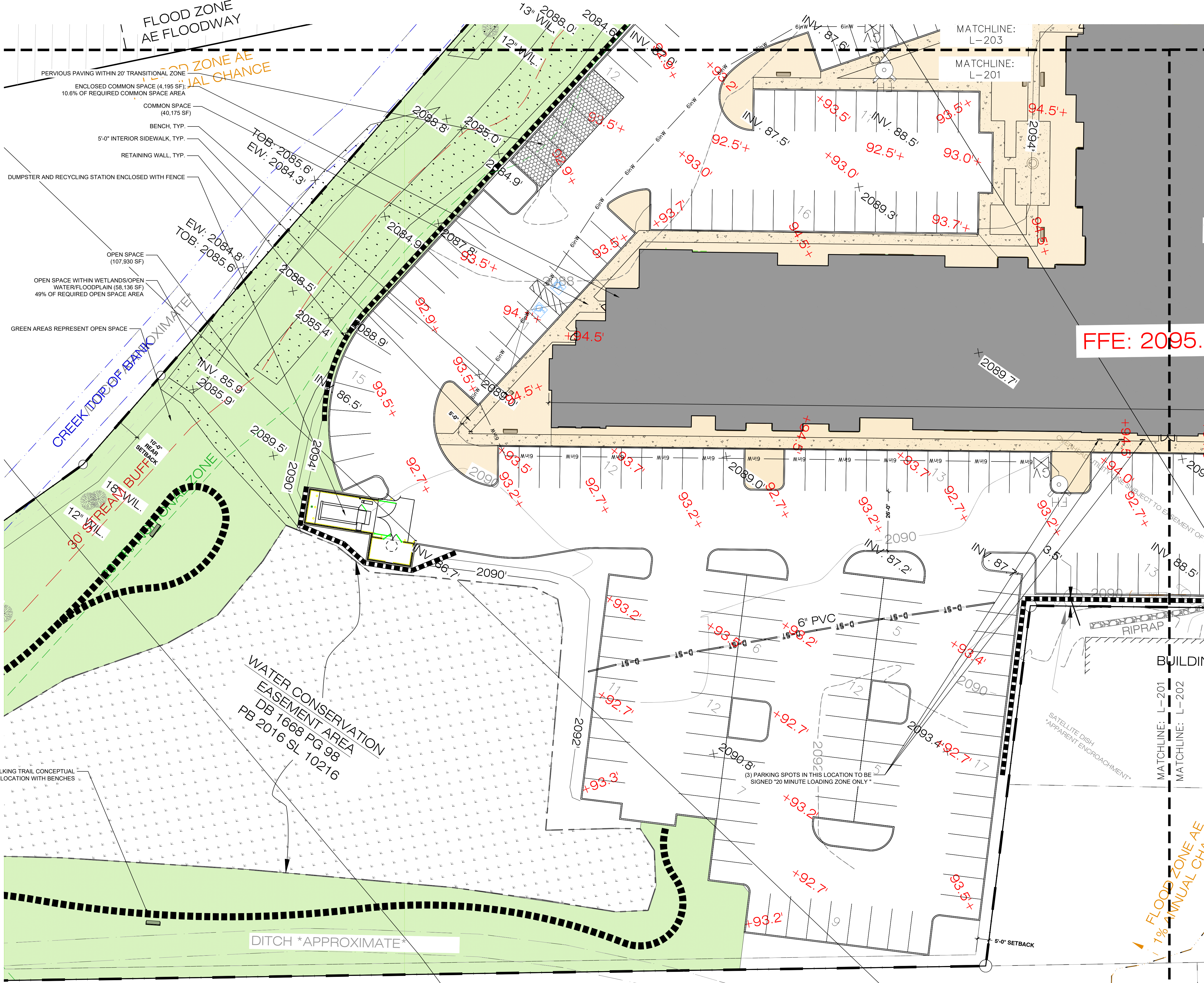
OPEN SPACE REQUIREMENTS:
OPEN SPACE REQUIRED: 117,743 SF (30%)
OPEN SPACE PROVIDED: 118,725 SF (30.3%)

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

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

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

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

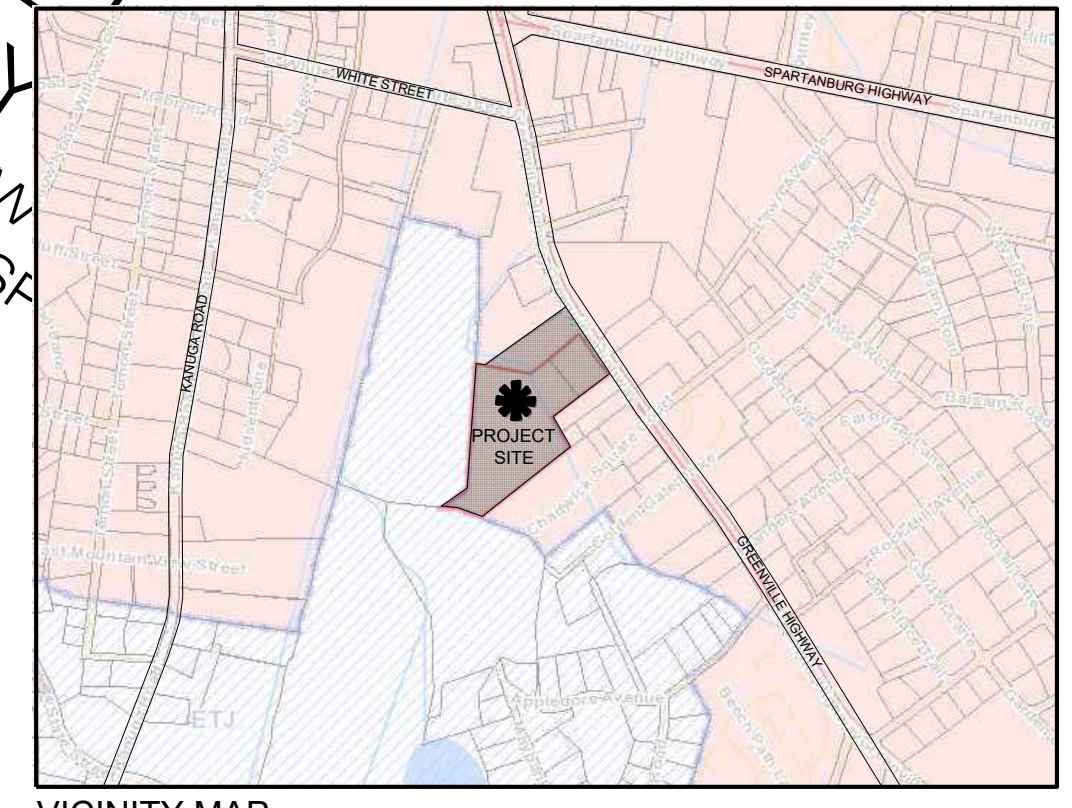
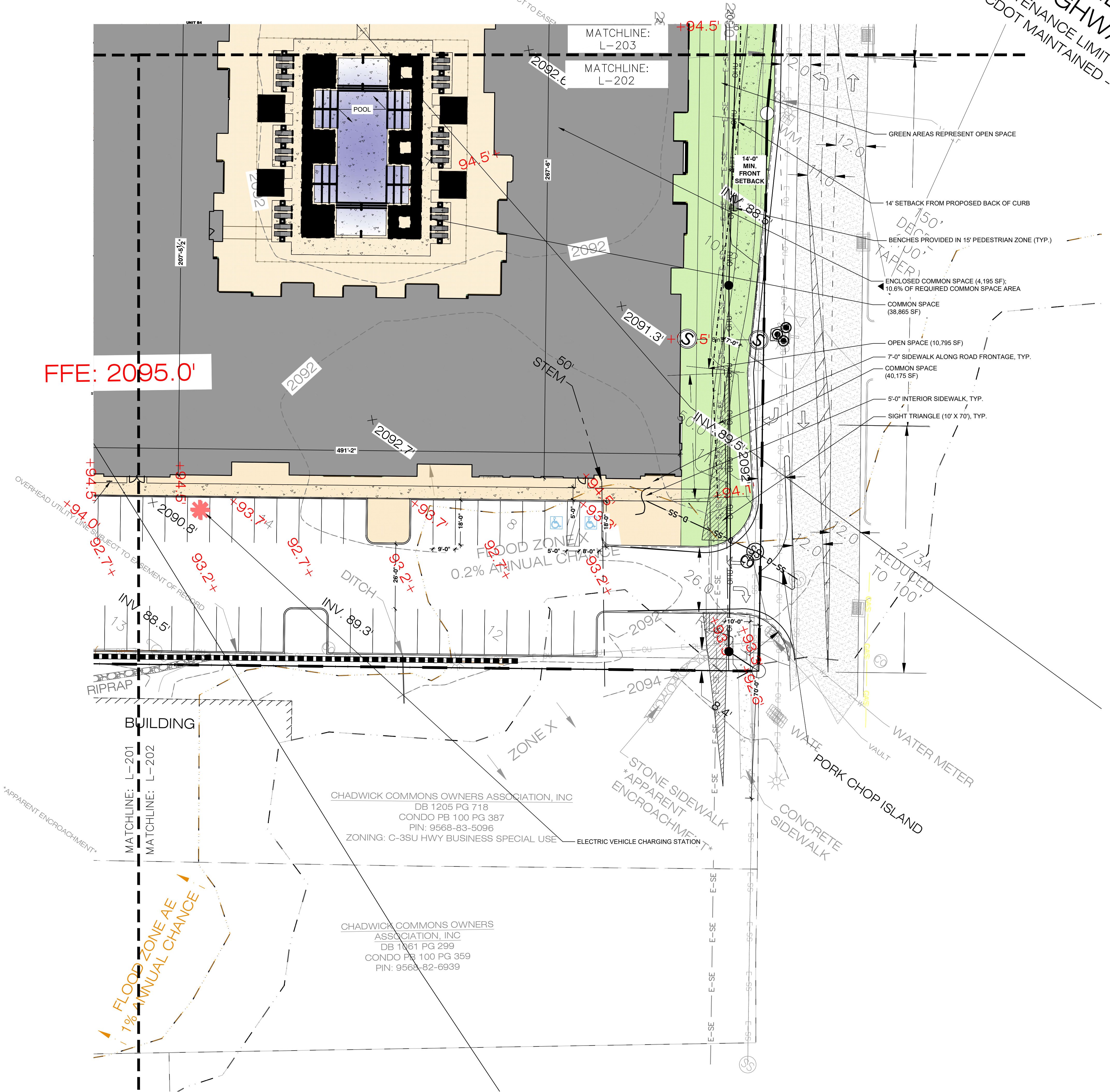




CONSULTANTS

NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: CREST RESIDENTIAL PRELIMINARY SITE PLAN



VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

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

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

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

BUILDING HEIGHT: 52'0" (SEE ARCHITECTURAL PLANS) PROPOSED NUMBER OF UNITS: 185 UNITS PROPOSED DENSITY: 20.5 UNITS / AC

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

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

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

DEVELOPER: BENTLEY NELSON CREST RESIDENTIAL LLC 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223 BENTLEY@CRESTRES.COM 205.567.1467

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

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

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

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

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

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

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

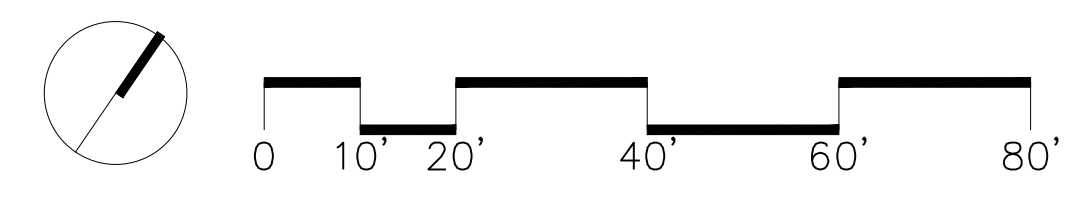
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PLAN SET

Table with 3 columns: #, DATE, DESCRIPTION. Rows include 11/02/23 CZD SUBMITTAL, 12.6.23 NCDOT UPDATE, 12.15.23 PLANNING AND ZONING SUBMITTAL, 1.3.24 PLANNING AND ZONING RESUBMITTAL.

SHEET NO.

L-202



CONSULTANTS

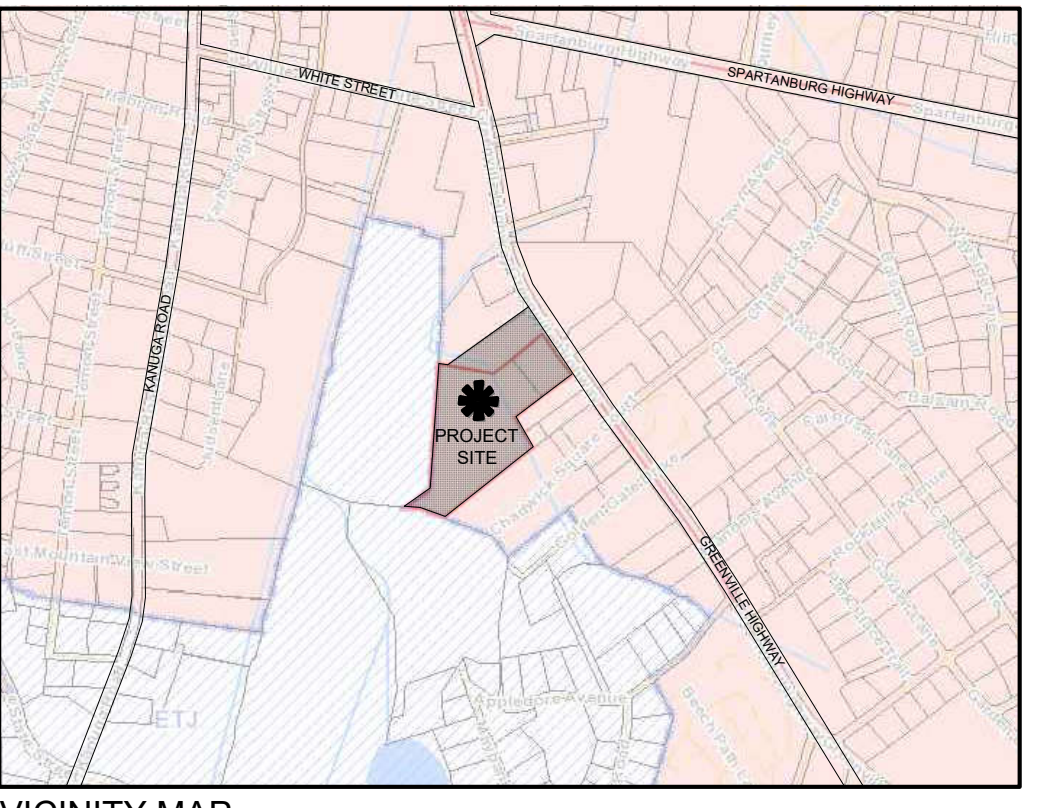
NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: CREST RESIDENTIAL PRELIMINARY SITE PLAN

PLAN SET

#	DATE	DESCRIPTION
1	11/02/23	CZD SUBMITTAL
2	12.6.23	NC DOT UPDATE
3	12.15.23	PLANNING AND ZONING SUBMITTAL
4	1.3.24	PLANNING AND ZONING RESUBMITTAL

SHEET NO. L-203



VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

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

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

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

BUILDING HEIGHT: 52' (SEE ARCHITECTURAL PLANS) PROPOSED NUMBER OF UNITS: 185 UNITS PROPOSED DENSITY: 20.5 UNITS / AC

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

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

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

DEVELOPER: BENTLEY NELSON CREST RESIDENTIAL LLC 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223 BENTLEY@CRESTRES.COM 205.567.1467

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

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

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

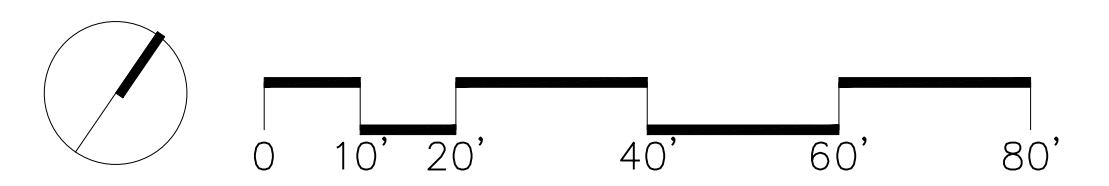
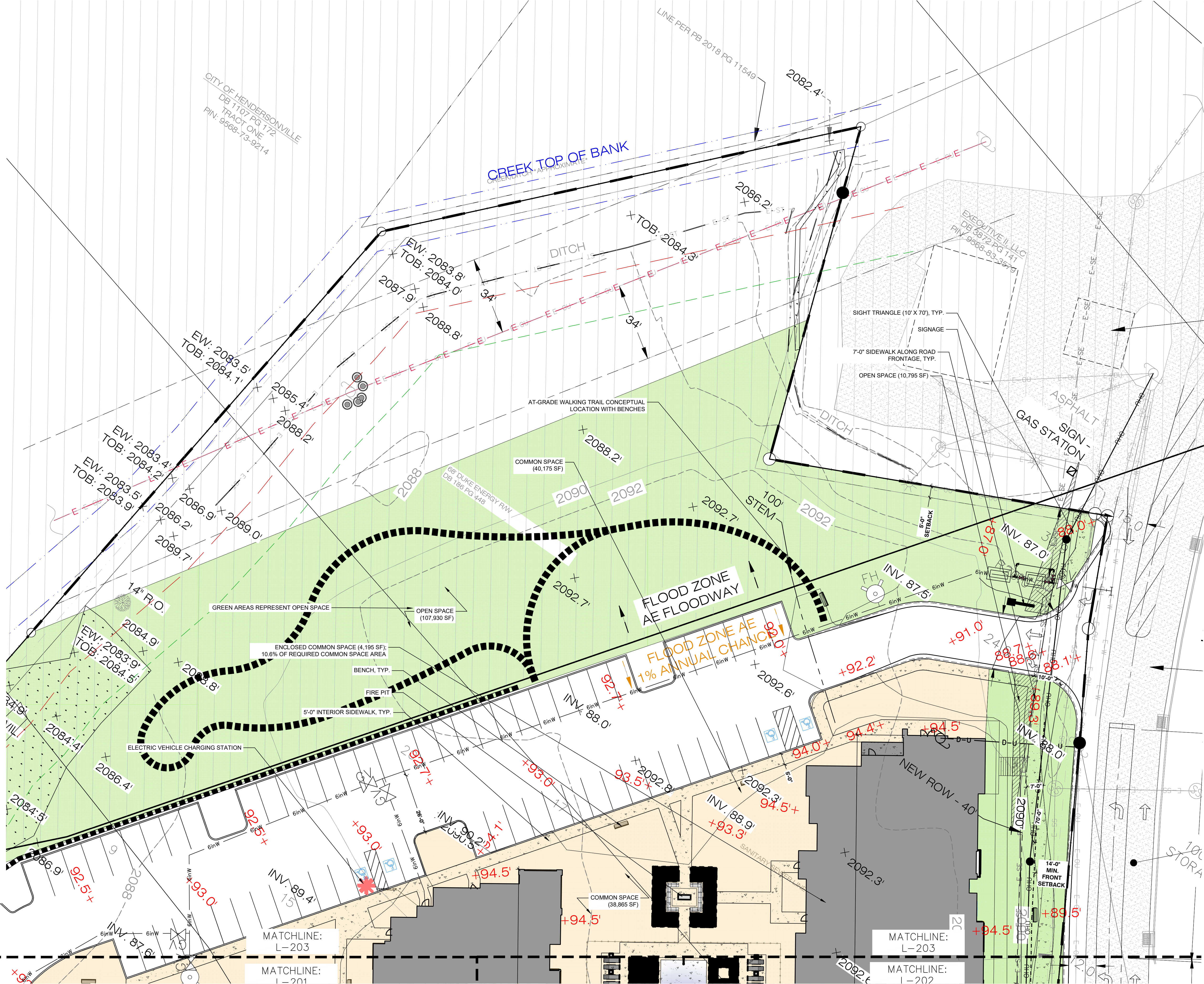
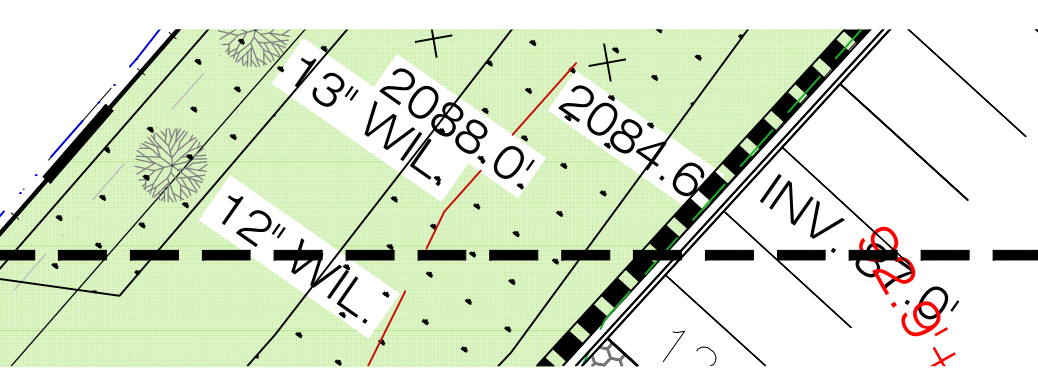
OPEN SPACE REQUIREMENTS: OPEN SPACE REQUIRED: 117,743 SF (30%) OPEN SPACE PROVIDED: 118,725 SF (30.3%)

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

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

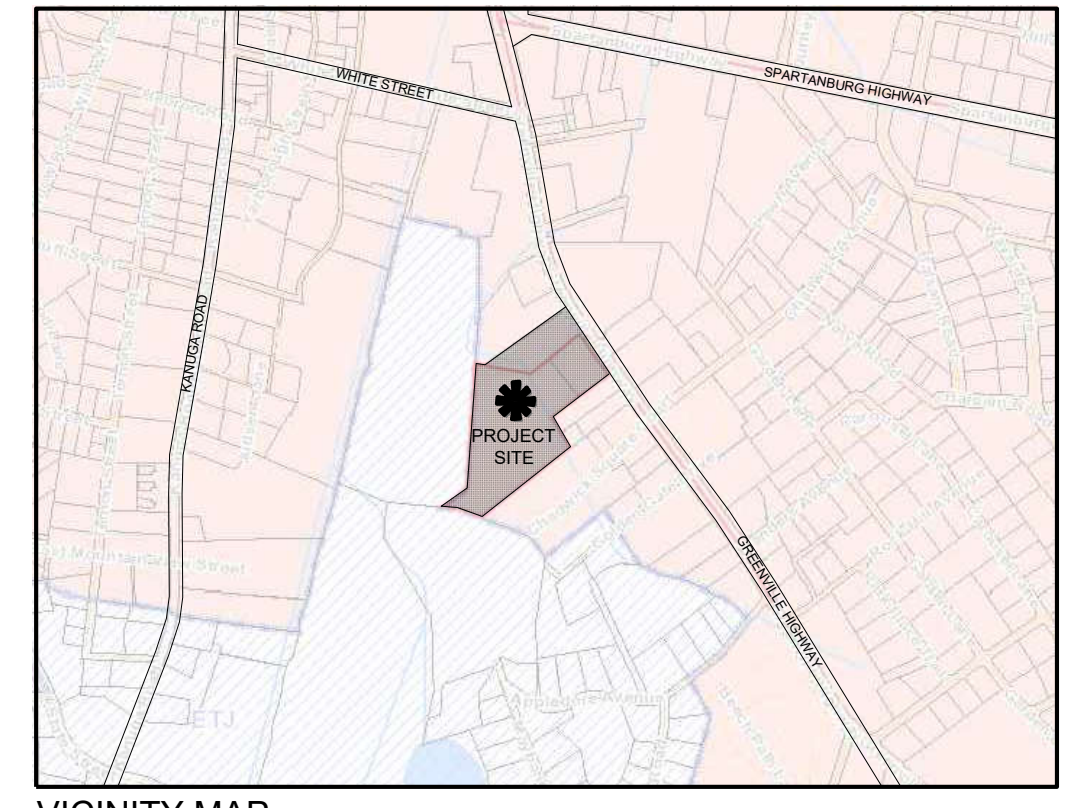
ENCLOSED GROUND FLOOR LEVEL COMMON SPACE (4,195 SF): 9.5% OF REQUIRED COMMON SPACE AREA

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



CONSULTANTS

NOT FOR CONSTRUCTION



VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

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

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

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

DEVELOPER: BENTLEY NELSON CREST RESIDENTIAL LLC 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223 BENTLEY@CRESTRES.COM 205.567.1467

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

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

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

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

LANDSCAPE REQUIREMENTS:

VEHICLE USE AREA (VUA): 1 TREE PER 1,500 SF / 2 SHRUBS PER 4,000 SF TOTAL VUA: 102,231 SF TREES REQUIRED: 69 TREES TREES PROVIDED: 74 TREES SHRUBS REQUIRED: 52 SHRUBS SHRUBS PROVIDED: 73 SHRUBS

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

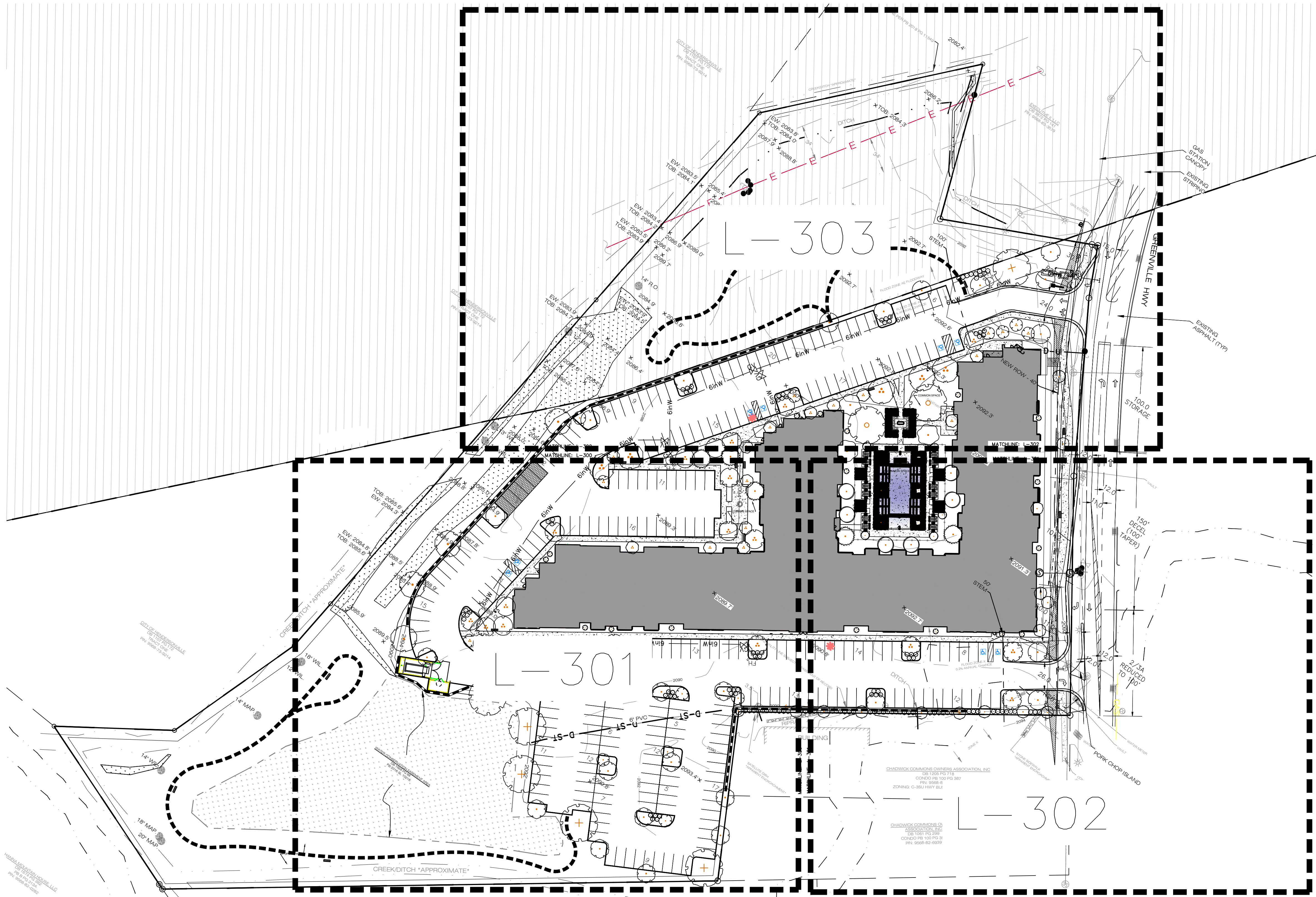
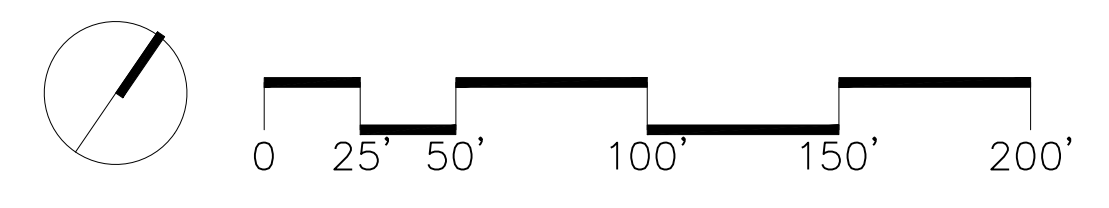
STREET TREES (ST): 1 LARGE TREE PER 40 LF OR 1 SMALL TREE PER 30 LF (IF OVERHEAD UTILITIES ARE PRESENT) TOTAL LF: 422 LF (715 GREENVILLE HWY) TREES REQUIRED: 5 LARGE-MATURING TREES/7 SMALL MATURING TREE TREES PROVIDED: 5 LARGE-MATURING TREES/7 SMALL MATURING TREE

COMMON SPACE TREE PLANTINGS (CS): TOTAL TREE PLANTINGS REQUIRED: 79 TOTAL TREE PLANTINGS PROPOSED: 84

PLANTING LEGEND table with columns for # OF PLANTS and Plant Description, including symbols for Large Deciduous Tree (ST) and ZONING USE ABBREVIATION.

COMPLIANCE NOTES

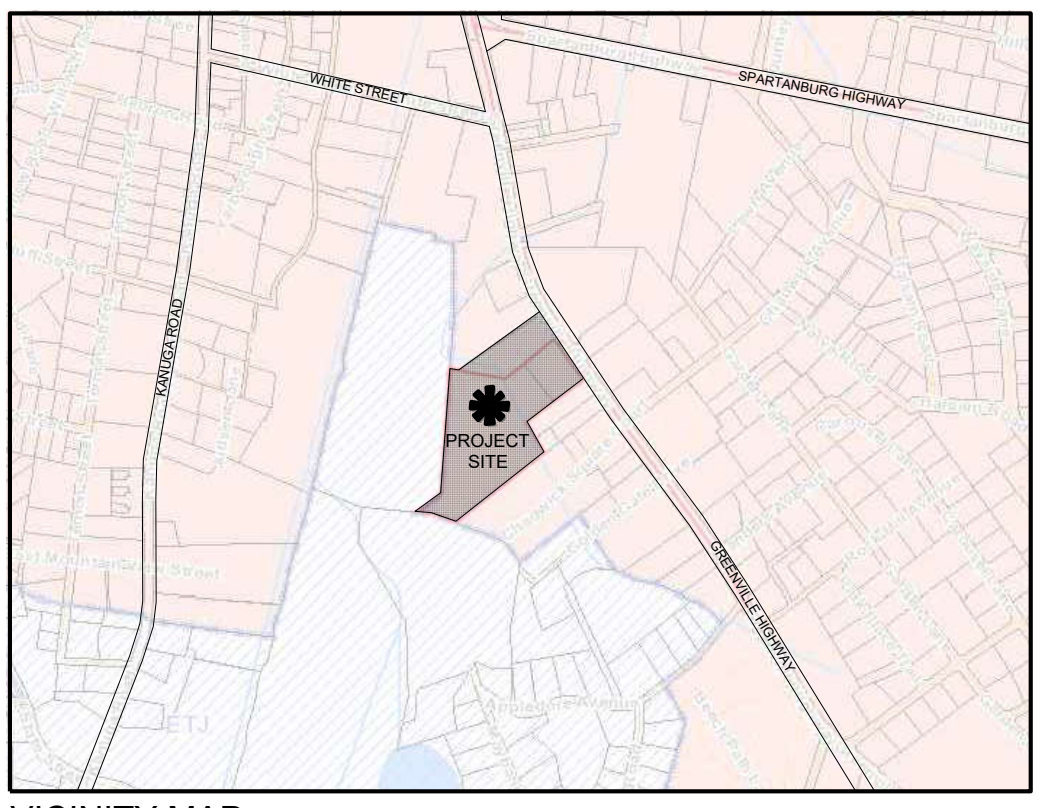
- 1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS. ALL SIDEWALKS SHALL PROVIDE ADEQUATE HANDICAP ACCESSIBILITY AT CROSSWALKS.
2. ANY PLANT MATERIAL TO BE INSTALLED IN THE R.O.W. SHALL BE APPROVED WITH AN ENCROACHMENT AGREEMENT WITH NCDOT.
3. LANDSCAPE CONTRACTOR MUST COORDINATE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



715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: CREST RESIDENTIAL OVERALL LANDSCAPE PLAN 715 GREENVILLE HWY HENDERSONVILLE, NC

PLAN SET table with columns for #, DATE, and DESCRIPTION, listing submittal dates and descriptions.

SHEET NO. L-300



VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

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

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

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

DEVELOPER: BENTLEY NELSON CREST RESIDENTIAL LLC 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223 BENTLEY@CRESTRES.COM 205.567.1467

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

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

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

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

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

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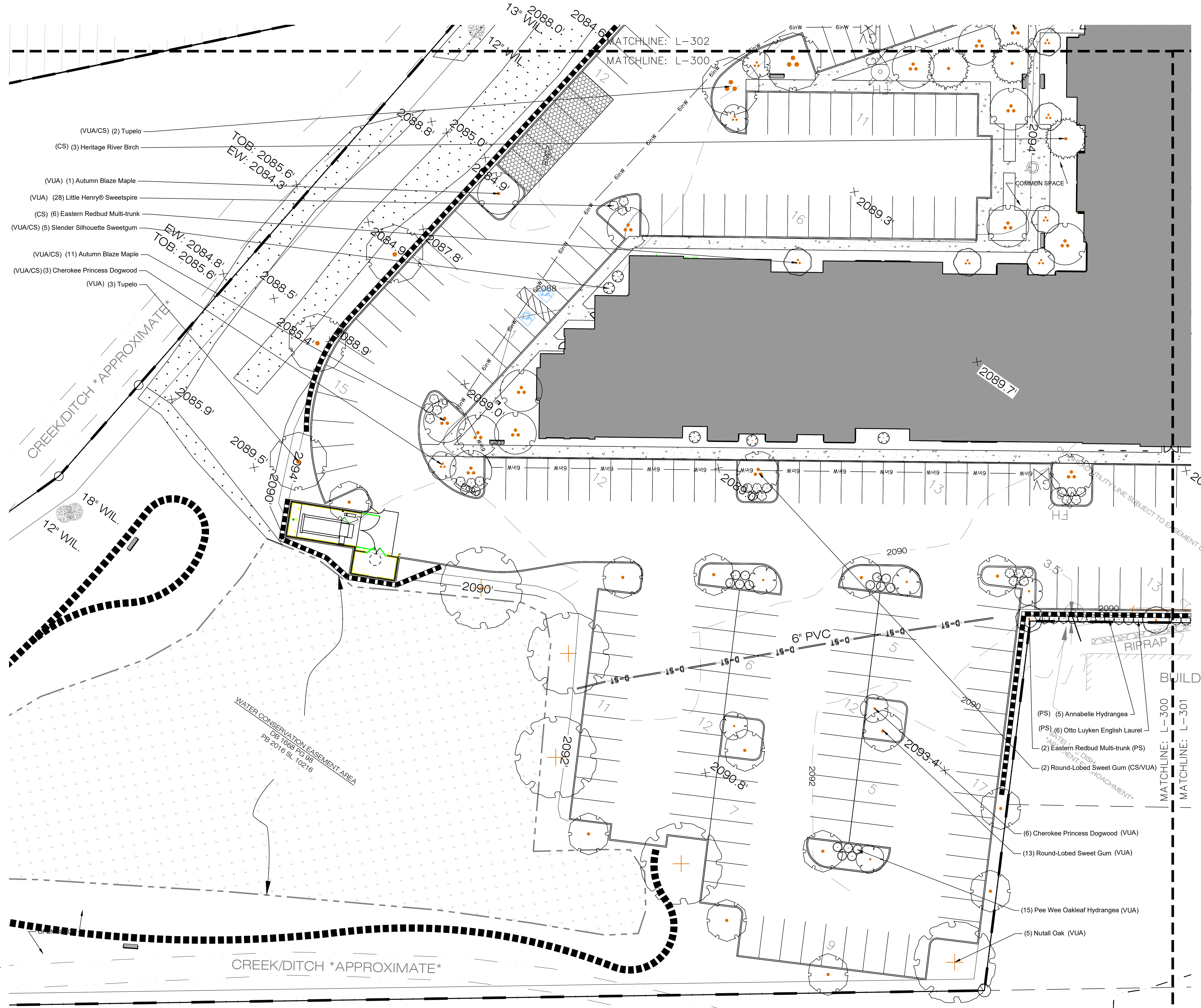
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COMMON SPACE TREE PLANTINGS (CS): TOTAL TREE PLANTINGS REQUIRED: 79 TOTAL TREE PLANTINGS PROPOSED: 84

STREET BUFFER (SB): N/A

BUFFERYARDS: N/A

PLANTING LEGEND and COMPLIANCE NOTES. Includes symbols for VUA, PS, ST, SB, CS and notes regarding driveway connections, ROW approvals, and coordination with NC DOT.



CONSULTANTS

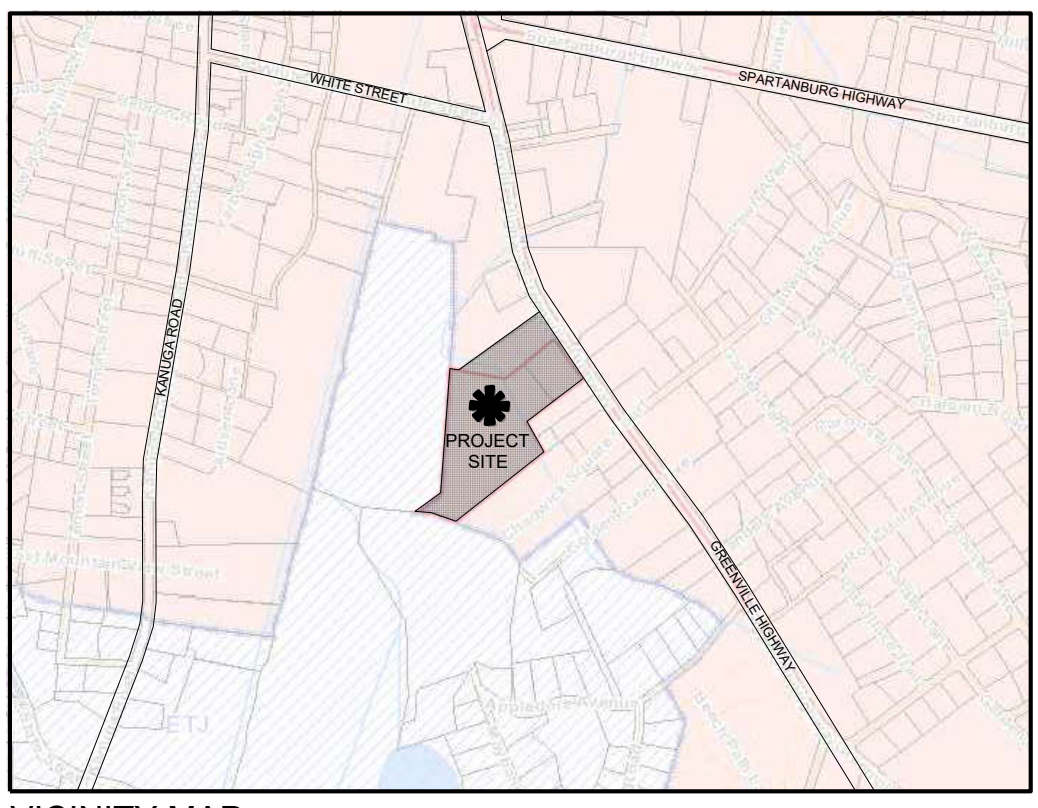
NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: CREST RESIDENTIAL PRELIMINARY LANDSCAPE PLAN

PLAN SET table with columns: #, DATE, DESCRIPTION. Rows include 11/02/23 CZD SUBMITTAL, 12.6.23 NCDOT UPDATE, 12.15.23 PLANNING AND ZONING SUBMITTAL, 1.3.24 PLANNING AND ZONING RESUBMITTAL.

SHEET NO.

L-301



VICINITY MAP

PROJECT ADDRESS: 715 GREENVILLE HWY HENDERSONVILLE, NC

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

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

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

DEVELOPER: BENTLEY NELSON BENTLEY NELSON CREST RESIDENTIAL LLC 500 OFFICE PARK DRIVE, SUITE 215 BIRMINGHAM, AL 35223 BENTLEY@CRESTRES.COM 205.567.1467

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

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

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

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

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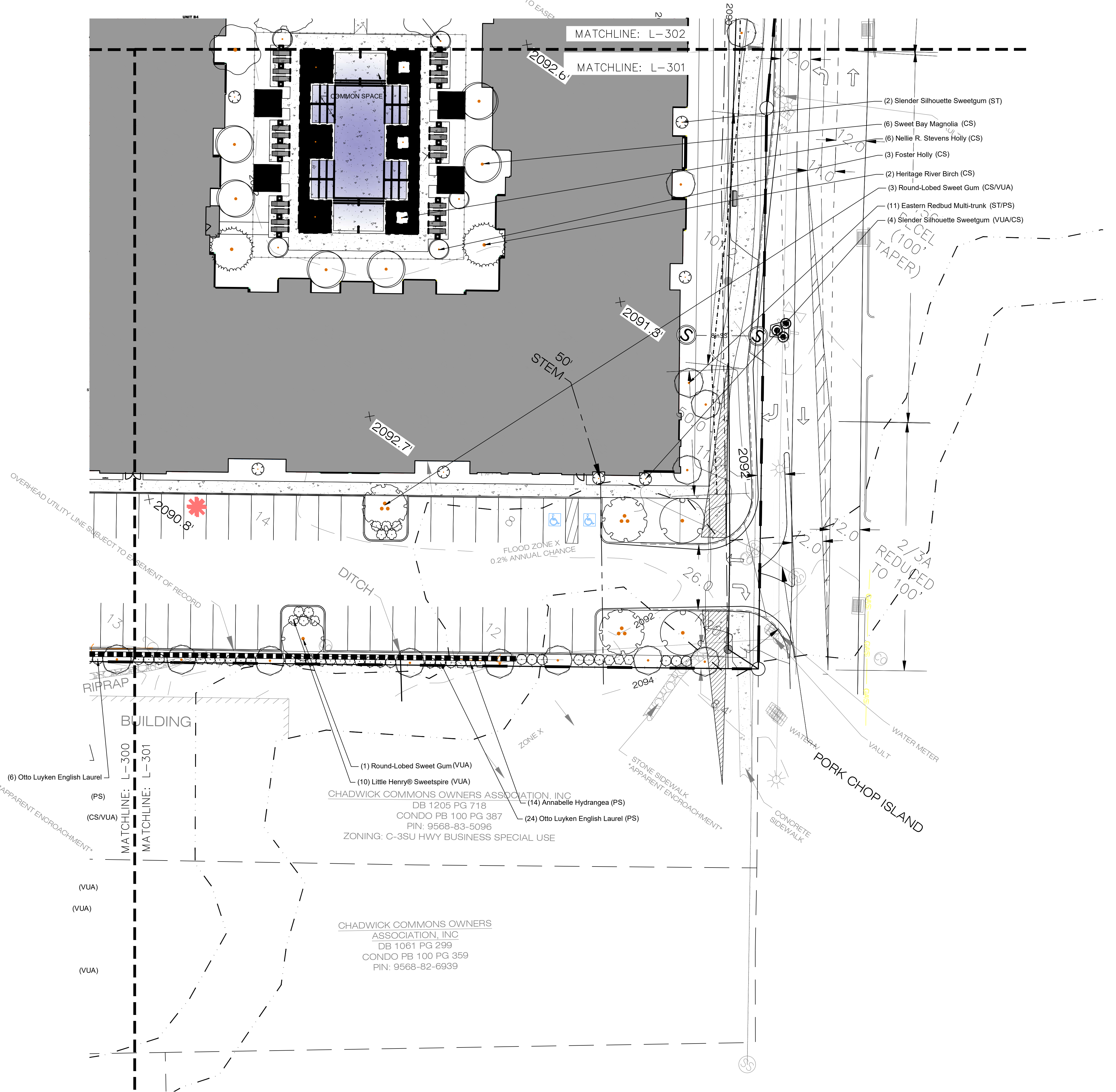
COMMON SPACE TREE PLANTINGS (CS): TOTAL TREE PLANTINGS REQUIRED: 79 TOTAL TREE PLANTINGS PROPOSED: 84

STREET BUFFER (SB): N/A

BUFFERYARDS: N/A

PLANTING LEGEND table with columns for # OF PLANTS and Plant Description, listing symbols for Large Deciduous Tree (ST) and ZONING USE ABBREVIATION.

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



CONSULTANTS

NOT FOR CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY PREPARED FOR: CREST RESIDENTIAL PRELIMINARY LANDSCAPE PLAN

PLAN SET table with columns for #, DATE, and DESCRIPTION, listing revision history from 11/02/23 to 1.3.24.

SHEET NO.

L-302

CONSULTANTS

NOT FOR
CONSTRUCTION

715 GREENVILLE HWY MULTI-FAMILY
715 GREENVILLE HWY
HENDERSONVILLE, NC
PREPARED FOR:
CREST RESIDENTIAL
**PRELIMINARY LANDSCAPE
PLAN**

PLAN SET

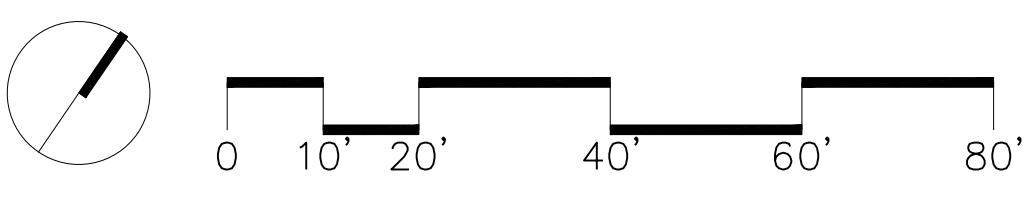
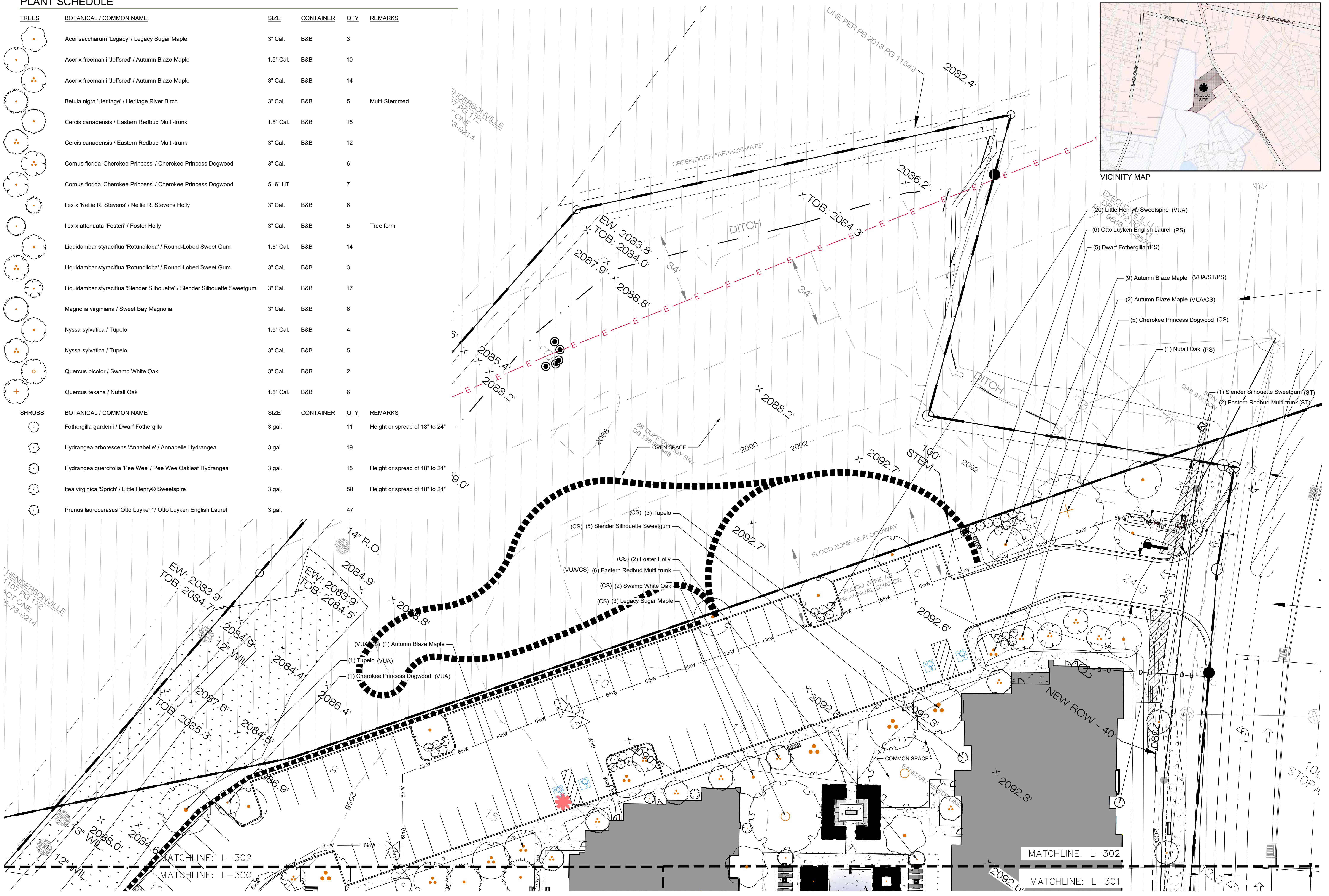
#	DATE	DESCRIPTION
1	11/02/23	CZD SUBMITTAL
2	12.6.23	NC DOT UPDATE
3	12.15.23	PLANNING AND ZONING SUBMITTAL
4	1.3.24	PLANNING AND ZONING RESUBMITTAL

SHEET NO.

L-303

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Acer saccharum 'Legacy' / Legacy Sugar Maple	3" Cal.	B&B	3	
	Acer x freemanii 'Jeffsred' / Autumn Blaze Maple	1.5" Cal.	B&B	10	
	Acer x freemanii 'Jeffsred' / Autumn Blaze Maple	3" Cal.	B&B	14	
	Betula nigra 'Heritage' / Heritage River Birch	3" Cal.	B&B	5	Multi-Stemmed
	Cercis canadensis / Eastern Redbud Multi-trunk	1.5" Cal.	B&B	15	
	Cercis canadensis / Eastern Redbud Multi-trunk	3" Cal.	B&B	12	
	Cornus florida 'Cherokee Princess' / Cherokee Princess Dogwood	3" Cal.		6	
	Cornus florida 'Cherokee Princess' / Cherokee Princess Dogwood	5'-6" HT		7	
	Ilex x 'Nellie R. Stevens' / Nellie R. Stevens Holly	3" Cal.	B&B	6	
	Ilex x attenuata 'Fosteri' / Foster Holly	3" Cal.	B&B	5	Tree form
	Liquidambar styraciflua 'Rotundiloba' / Round-Lobed Sweet Gum	1.5" Cal.	B&B	14	
	Liquidambar styraciflua 'Rotundiloba' / Round-Lobed Sweet Gum	3" Cal.	B&B	3	
	Liquidambar styraciflua 'Slender Silhouette' / Slender Silhouette Sweetgum	3" Cal.	B&B	17	
	Magnolia virginiana / Sweet Bay Magnolia	3" Cal.	B&B	6	
	Nyssa sylvatica / Tupelo	1.5" Cal.	B&B	4	
	Nyssa sylvatica / Tupelo	3" Cal.	B&B	5	
	Quercus bicolor / Swamp White Oak	3" Cal.	B&B	2	
	Quercus texana / Nuttall Oak	1.5" Cal.	B&B	6	
SHRUBS	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	Fothergilla gardenii / Dwarf Fothergilla	3 gal.		11	Height or spread of 18" to 24"
	Hydrangea arborescens 'Annabelle' / Annabelle Hydrangea	3 gal.		19	
	Hydrangea quercifolia 'Pee Wee' / Pee Wee Oakleaf Hydrangea	3 gal.		15	Height or spread of 18" to 24"
	Itea virginica 'Sprich' / Little Henry® Sweetpire	3 gal.		58	Height or spread of 18" to 24"
	Prunus laurocerasus 'Otto Luyken' / Otto Luyken English Laurel	3 gal.		47	





760 FLORIDA CENTRAL PARKWAY
SUITE 224
LONGWOOD, FL 32750
PH: 407.636.7999
PROJECT #: 23136

No.	Date	Revision
1	12/15/2023	Planning and Zoning
2	01/03/2024	Planning and Zoning

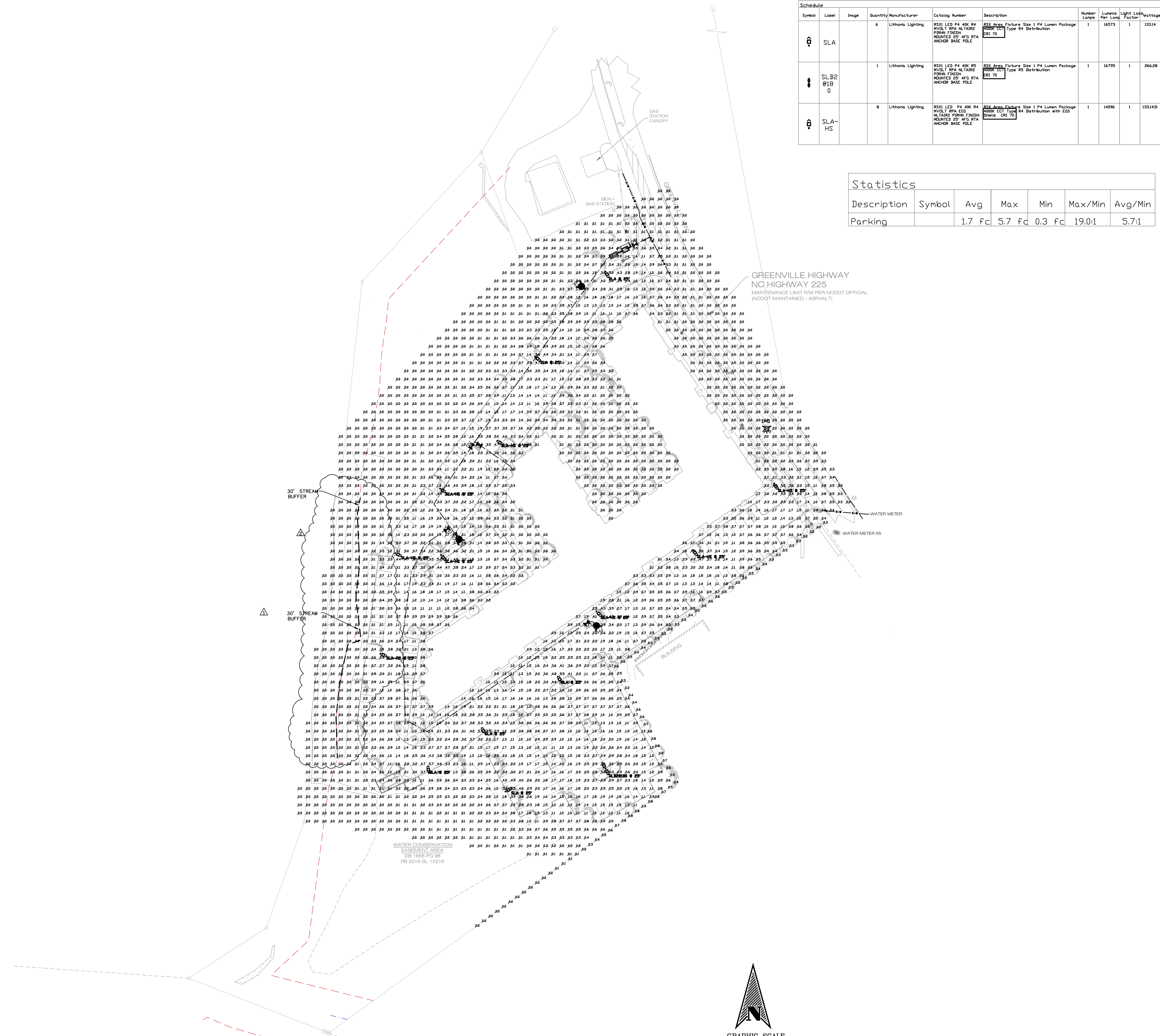
Mechanical
Electrical
Plumbing
Fire Protection

715 GREENVILLE HWY MULTIFAMILY
PHOTOMETRIC
SITE PLAN

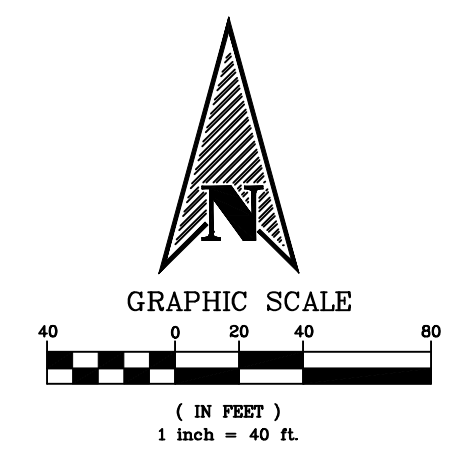
Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lumens	Lumens Per Lum.	Light Loss Factor	Wattage
SLA			6	Lithonia Lighting	RSX1 LED P4 40K R4 MVOLT RPA NLTAR2 FORM FINISH MOUNTED 227 WIG 2TA ANCHOR BASE FILE	RSX Area Fixture Size 1 P4 Lum Package PROX CCT Type R4 Distribution 5000K CCT Type R4 Distribution with EGS (Dimm. 0-10V)	1	16793	1	13314
SLB2 @ 18' 0"			1	Lithonia Lighting	RSX1 LED P4 40K R5 MVOLT RPA NLTAR2 FORM FINISH MOUNTED 227 WIG 2TA ANCHOR BASE FILE	RSX Area Fixture Size 1 P4 Lum Package PROX CCT Type R4 Distribution 5000K CCT Type R4 Distribution with EGS (Dimm. 0-10V)	1	16795	1	26628
SLA-HS			8	Lithonia Lighting	RSX1 LED P4 40K R4 MVOLT RPA NLTAR2 FORM FINISH MOUNTED 227 WIG 2TA ANCHOR BASE FILE	RSX Area Fixture Size 1 P4 Lum Package PROX CCT Type R4 Distribution 5000K CCT Type R4 Distribution with EGS (Dimm. 0-10V)	1	14096	1	1331421

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking		1.7 fcd	5.7 fcd	0.3 fcd	19.0:1	5.7:1



1 PHOTOMETRIC SITE PLAN
SCALE: 1" = 40'-0"



PROJECT NO: 23136
DRAWN BY: MLD
CHECKED BY: MLD
APPROVED BY: MLD
DATE: 10-25-23
SCALE: 1" = 40'-0"
FILENAME: 23136-E-SITE

ES.11

EXTERIOR MATERIAL LEGEND

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

PRELIMINARY

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



ARCHITECTURE & INTERIORS, LLC
ATLANTA, GA
AUSTIN, TX
BIRMINGHAM, AL
www.5dai.com

PLANNING AND ZONING SUBMITTAL

715 GREENVILLE HIGHWAY MULTIFAMILY

CREST RESIDENTIAL
715 GREENVILLE HIGHWAY
HENDERSONVILLE, NC 28792

REVISIONS

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

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

SHEET NAME:
ELEVATIONS - E FACADE & NE CORNER

SHEET NO:
A2.01



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



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

EXTERIOR MATERIAL LEGEND

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

PRELIMINARY

FOR INTERIM REVIEW ONLY.
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APPROVAL, PERMITTING,
OR CONSTRUCTION.

FIFTH DIMENSION
ARCHITECTURE & INTERIORS, LLC
ATLANTA, GA
BIRMINGHAM, AL
AUSTIN, TX
www.5dai.com

PLANNING AND ZONING SUBMITTAL

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

REVISIONS

Δ	DATE	DESCRIPTION
2	12/15/2023	PLANNING AND ZONING SUBMITTAL
3	1/10/2024	PLANNING AND ZONING RESUBMITTAL

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

SHEET NAME:
ELEVATIONS - S
FACADE

SHEET NO:
A2.02



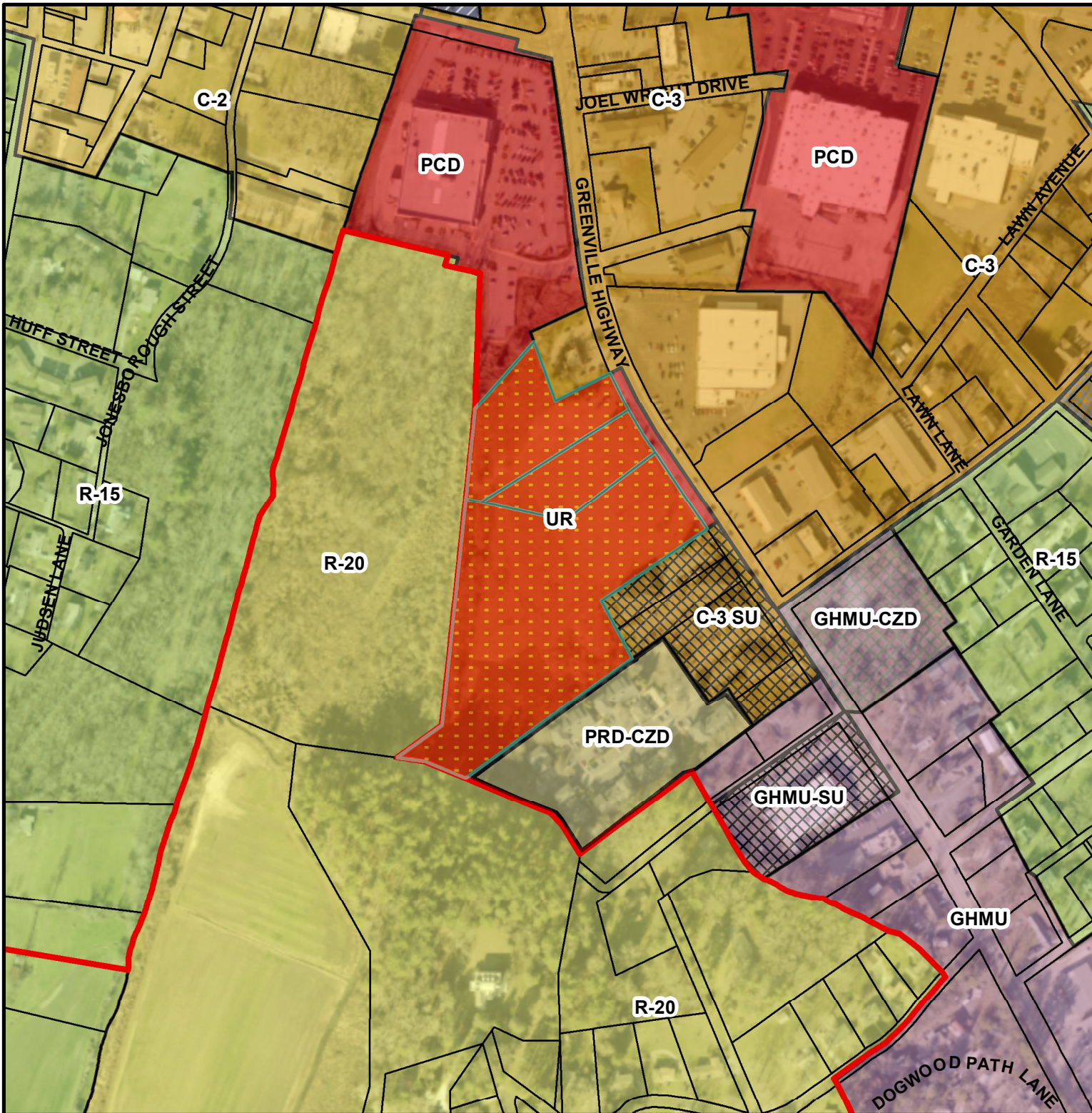
3 SOUTH ELEVATION - RIGHT
SCALE: NTS



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



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



715 Greenville Highway Multi-Family
 P23-55-CZD
 PINs: 9568-83-4302, -2474, -2082
 Acreage: 9.01
Proposed Zoning
 Community Development Department

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



Ordinance # ____ - ____

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

IN RE: Parcel Numbers: 9568-83-4302, 9568-83-2474 and, 9568-83-2082
Address: 715 Greenville Highway
715 Greenville Highway Multi-Family: (File # P23-55-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Matthew Benak (Manager)–Crest Residential LLC, and property owner, Richard Herman (Manager)–South Market LLC, for the construction of a 185 unit multi-family development on approximately 9.01 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on January 11, 2024; voting 0-0 to recommend/not recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on February 1st, 2024, and

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9568-83-4302, 9568-83-2474 and, 9568-83-2082, changing the zoning designation from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District.
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the master site plan submitted by the applicant dated January 2nd 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant’s execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential, Multi-Family
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:
 - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

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

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

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

IN RE: Parcel Numbers: 9568-83-4302, 9568-83-2474 and, 9568-83-2082
Addresses: 715 Greenville Highway
715 Greenville Highway Multi-Family: (File # P23-55-CZD)

Applicant/Developer: Matthew Benak
(Manager) – Crest Residential LLC

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

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



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

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

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

- 1. Completed Pre-Application meeting with Planning Staff
- 2. Scheduled Neighborhood Compatibility Meeting
NCM Date: 7/19/23 Time: 2:00 PM
- 3. Water and Sewer Availability Request
- 4. Completed Application Form
- 5. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- 6. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- 7. Detailed explanation of any Proposed Development Description
- 8. Application Fee
- 9. Transportation Impact Analysis - Required for complete application but not due until 24 calendar days prior to Planning Board Meeting (if required)

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

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

[Application Continued on Next Page]

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

A. Applicant Contact Information

Matthew Benak

* Printed Applicant Name

Crest Residential, LLC

Printed Company Name (if applicable)

Corporation Limited Liability Company Trust Partnership

Other: _____

Matthew E Benak
Applicant Signature

Manager

Applicant Title (if applicable)

500 Office Park Drive Ste. 215

Address of Applicant

Birmingham, AL 35223

City, State, and Zip Code

205-567-1467

Telephone

bentley@crestres.com

Email

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

[Application Continued on Next Page]

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

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

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

Corporation Limited Liability Company Trust Partnership

Other: _____

Richard J. Herman
Property Owner/Authorized Representative Signature

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

P.O. Box 1700 Hendersonville NC 28791
City, State, and Zip Code

828 243-3425
Telephone

Richard.Herman@rjherman.com
Email

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

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

C. Property Information

Name of Project: 715 Greenville Hwy Multi-family

PIN(s): 9568-83-4302, 9568-83-2082, 9568-83-2474

Address(es) / Location of Property: 715 Greenville Hwy, Hendersonville, NC

Type of Development: Residential Commercial Other

Current Zoning: PCD

Total Acreage: 9.01 AC

Proposed Zoning: Urban Res - CZD

Proposed Building Square Footage: 231,037 SF

Number of Dwelling Units: 185

List of Requested Uses:

Multi-family Residential

D. Proposed Development Conditions for the Site

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

185 multi-family units and associated amenities



LIMITED LIABILITY COMPANY ANNUAL REPORT

Section 5, Item A.

NAME OF LIMITED LIABILITY COMPANY: Crest Residential, LLC

SECRETARY OF STATE ID NUMBER: 1864608 STATE OF FORMATION: AL

REPORT FOR THE CALENDAR YEAR: 2023

Filing Office Use Only
E - Filed Annual Report
1864608
CA202309504368
4/5/2023 11:34
Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Paracorp Incorporated

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

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS
176 Mine Lake Ct #100 176 Mine Lake Ct #100
Raleigh, NC 27615 Wake County Raleigh, NC 27615

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate Developer

2. PRINCIPAL OFFICE PHONE NUMBER: (205) 566-2384 3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS 5. PRINCIPAL OFFICE MAILING ADDRESS
500 Office Park Drive Suite 215 500 Office Park Drive Suite 215
Birmingham, AL 35223 Birmingham, AL 35223

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

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

NAME: Matthew Benak NAME: David O'Brien NAME:
TITLE: Manager TITLE: Manager TITLE:
ADDRESS: ADDRESS: ADDRESS:
500 Office Park Drive, Suite 215 500 Office Park Drive, Suite 215
Birmingham, AL 35223 Birmingham, AL 35223

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

Matthew Benak 4/5/2023
SIGNATURE DATE

Matthew Benak Manager
Print or Type Name of Company Official Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: South Market, LLC

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

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

REPORT FOR THE CALENDAR YEAR: 2023



Filing Office Use Only
 Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Richard Herman

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

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

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Commercial Real Estate

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

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

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

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

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

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

Richard Herman
SIGNATURE

3-13-23
DATE

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

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

SUBMIT THIS ANNUAL REPORT WITH THE REQUIRED FILING FEE OF \$200

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley **MEETING DATE:** January 11, 2024

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

TITLE OF ITEM: Rezoning: Standard Rezoning –116 Stewart St (P23-96-RZO) –*Matthew Manley, AICP / Strategic Projects Manager*

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9577-19-7262) from R-15 (Medium Density Residential) to GHMU (Greenville Highway Mixed Use) based on the following:</p> <p>1. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 <u>Comprehensive Plan</u> based on the information from the staff analysis and the public hearing, and because:</p> <p><i>The Development Guidelines and Primary Recommended Land Uses of the High Intensity Neighborhood designation align with the design standards and permitted uses outlined in the Greenville Highway Mixed Use Zoning District</i></p> <p>2. We <u>find</u> this petition to be <u>reasonable and in the public interest</u> based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The proposed rezoning would align the zoning of the subject parcel with other parcels on Stewart St. 2. The proposed rezoning would allow an increase in residential density. 3. The size of the lot would constrain potential high intensity uses from entering the surrounding residential neighborhood. <p>[DISCUSS & VOTE]</p>	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board recommend City Council deny an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9577-19-7262) from R-15 (Medium Density Residential) to GHMU (Greenville Highway Mixed Use based on the following:</p> <p>1. The petition is found to be <u>inconsistent</u> with the City of Hendersonville 2030 <u>Comprehensive Plan</u> based on the information from the staff analysis and the public hearing, and because:</p> <p><i>The Secondary Recommended Land Uses of the High Intensity Neighborhood designation do not align with the permitted uses outlined in the Greenville Highway Mixed Use Zoning District.</i></p> <p>2. We <u>do not find</u> this petition to be <u>reasonable and in the public interest</u> based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The proposed rezoning would not align with residential uses in the surrounding neighborhood. 2. The proposed rezoning would permit a range of commercial uses. <p>[DISCUSS & VOTE]</p>
--	--

SUMMARY: *The City of Hendersonville is in receipt of an application for a Standard Rezoning (Zoning Map Amendment) from Roger Grant, applicant / property owner. The applicant is requesting to rezone the subject property at 116 Stewart St (PIN: 9577-19-7262) totaling .44 acres (19,166.4 Sq Ft), from R-15, Medium Density Residential to GHMU, Greenville Highway Mixed Use.*

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the GHMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	P23-96-RZO
PETITIONER NAME:	1. Roger Grant [Applicant/Owner]
ATTACHMENTS:	1. Staff Report 2. Zoning District Comparison 3. Draft Ordinance 4. Proposed Zoning Map 5. Application

STANDARD REZONING: 116 STEWART ST (P23-96-RZO)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY 2

EXISTING ZONING & LAND USE 3

SITE IMAGES..... 4

SITE IMAGES..... 5

SITE IMAGES..... 6

FUTURE LAND USE 7

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

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) 10

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 11



- Project Name & Case #:
 - 116 Stewart Rezoning
 - P23-96-RZO
- Applicant & Property Owner:
 - Roger Grant [Applicant/Owner]
- Property Address:
 - 116 Stewart St
- Parcel Identification (PIN):
 - 9577-19-7262
- Project Acreage:
 - .44 Acres (19,166 Sq Ft)
- Current Parcel Zoning:
 - R-15 Medium Density Residential
- Requested Zoning:
 - GHMU Greenville Highway Mixed Use
- Future Land Use Designation:
 - High Intensity Neighborhood

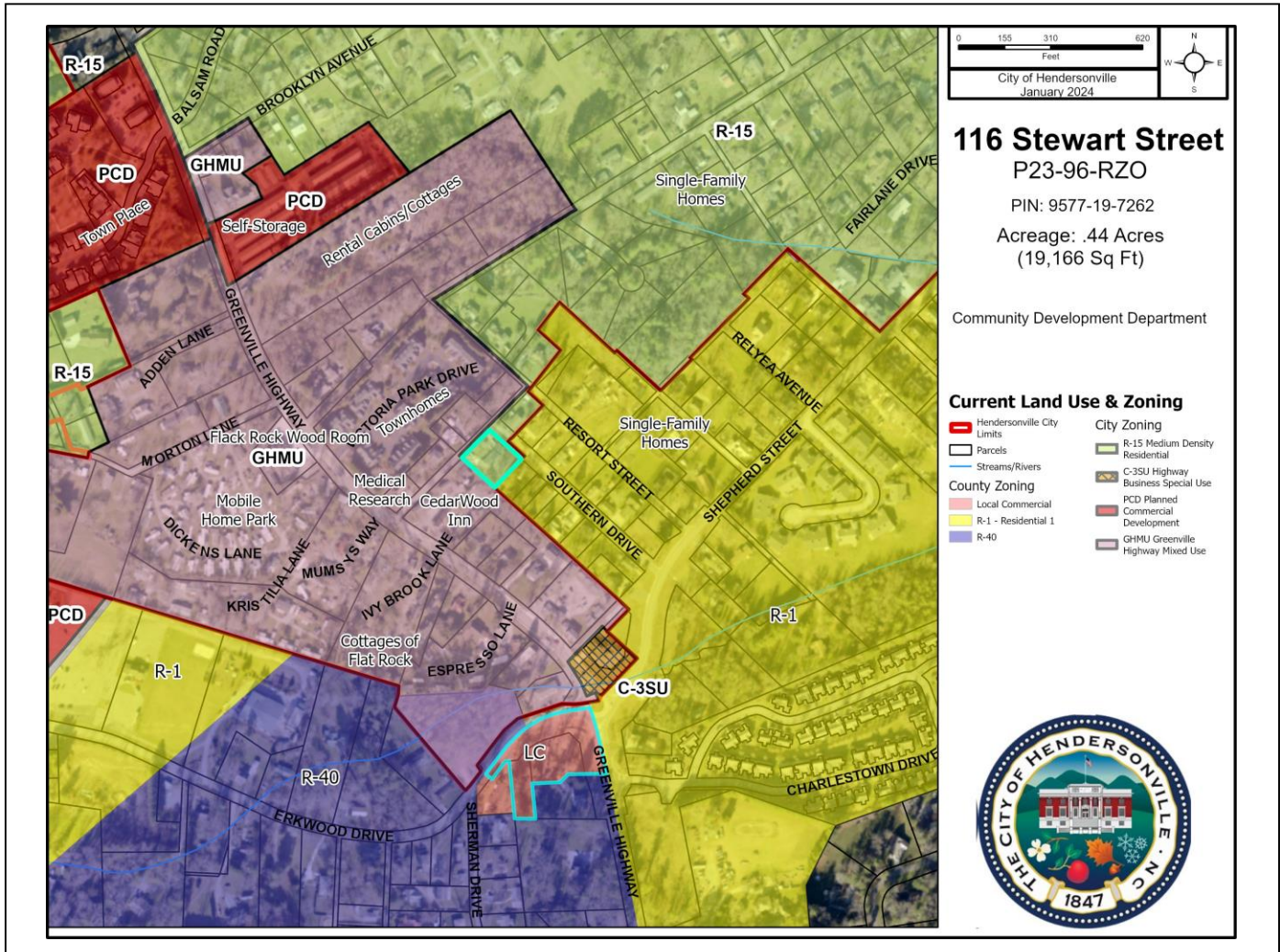


SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Standard Rezoning (Zoning Map Amendment) from Roger Grant, applicant / property owner. The applicant is requesting to rezone the subject property at 116 Stewart St (PIN: 9577-19-7262) totaling .44 acres (19,166.4 Sq Ft), from R-15, Medium Density Residential to GHMU, Greenville Highway Mixed Use.

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EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is located in a transition area. The parcels in proximity to the subject property are zoned GHMU with the exception of parcels zoned R-15 to the northeast of Southern Dr and parcels to the southeast which are zoned Henderson County Residential One (R1). The entire northwest side of Stewart St is zoned GHMU (from Greenville Highway to Resort St). Only two of the nine parcels on Stewart St are zoned R-15 - the subject property and 122 Southern Drive.

The property directly adjacent to the south of the subject parcel is CedarWood Inn (a motel/cottage court accessed from Greenville Highway). Other properties in the vicinity are residential in use ranging from condos and townhomes to single-family homes and accessory dwelling units to manufactured home parks.

SITE IMAGES



New Addition at Subject Property



Neighboring Motel/Cottage Court to south

SITE IMAGES



View along Stewart St from Southern Dr towards Greenville Hwy



View along Southern Dr from Stewart St.

SITE IMAGES

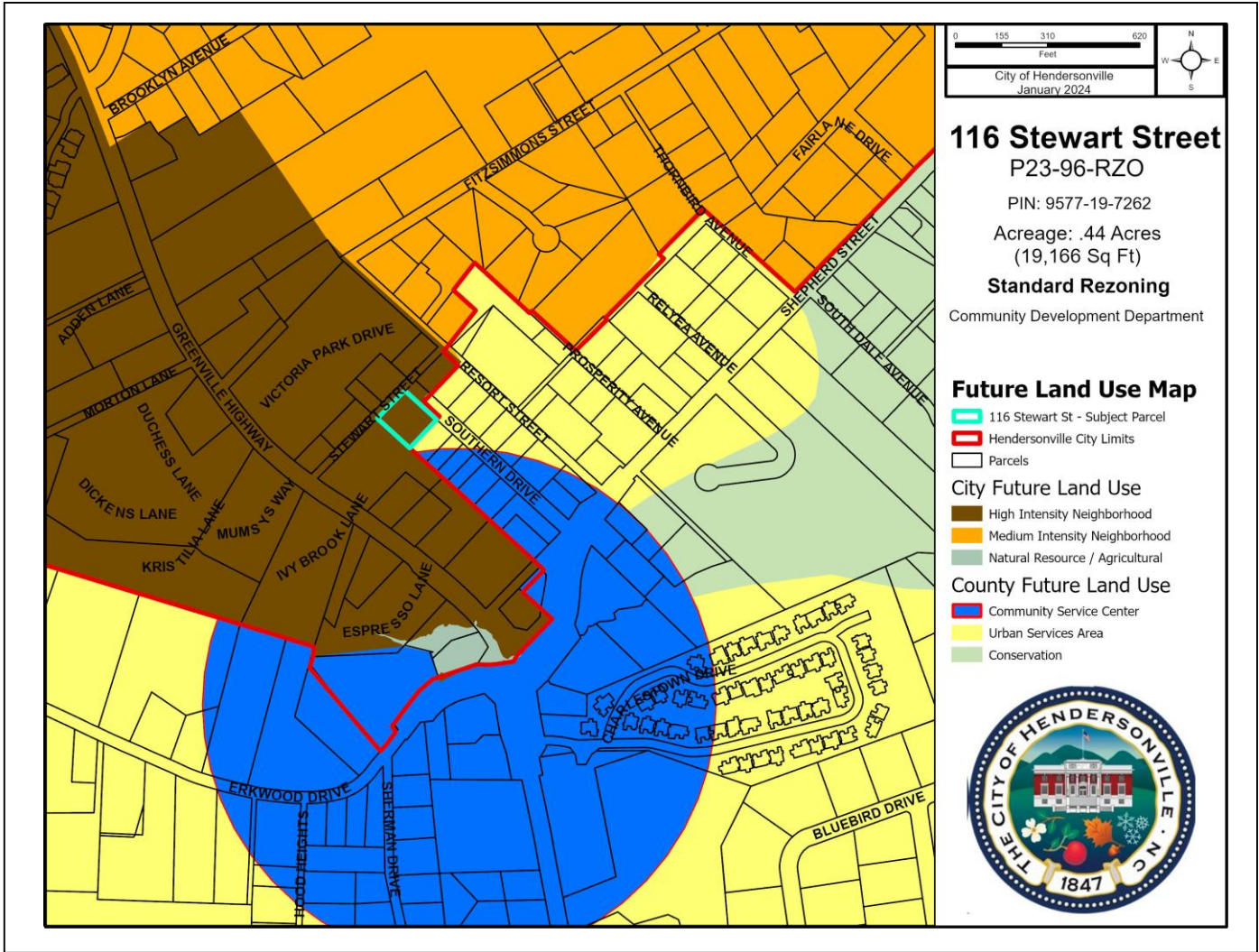


View along Stewart St towards Southern Dr



View of nearby property on Stewart St

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The 2030 Comprehensive Plan’s Future Land Use Map designates the subject property as High Intensity Neighborhood. This designation is also representative of the parcels fronting either side of Greenville Highway from Chadwick Ave to Shepherd St. The subject property and its surroundings are also classified as a Priority Infill Area.

A district designated as Medium Intensity Neighborhood is located one block northeast of the subject property.

Properties adjacent to southeast of the subject property are located in the unincorporated county and have no City future land use designation. The County’s 2020 Future Land Use Map designates this area as a Community Service Center / Urban Service Area where “a mix of commercial uses will be contained and residential densities are to be maximized where utilities are present”.

Stewart St is classified as a Local Road.

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

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>Goal LU-7 - High Intensity Neighborhood: Encourage low-maintenance, high density housing that supports Neighborhood and 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</p>
	<p>Strategy LU-7.1. Locations:</p> <ul style="list-style-type: none"> • Priority infill development areas where high-density development is desirable and/or expected, including: <ul style="list-style-type: none"> o Boulevard and Major Thoroughfare corridors near Neighborhood Activity Centers [CONSISTENT]
	<p>Strategy LU-7.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> • Single-family attached [CONSISTENT] and multi-family residential [CONSISTENT] • Planned Residential Developments [CONSISTENT] • Open space [CONSISTENT]
	<p>Strategy LU-7.3. Secondary recommended land uses:</p> <ul style="list-style-type: none"> • Public and institutional uses [CONSISTENT] • Offices and retail along thoroughfares [INCONSISTENT] • Recreational amenities [CONSISTENT]
	<p>Strategy LU-7.4. Development guidelines:</p> <ul style="list-style-type: none"> • Eight or more units per gross acre [CONSISTENT ~ GHMU - No density limits] • Placement of higher-intensity uses (e.g. office or higher-density residential) close to Boulevards and Major Thoroughfares, and/or adjacent to Neighborhood and Regional Activity Centers [PARTIALLY CONSISTENT - close but not adjacent to Major Thoroughfare. GHMU does not require frontage on Thoroughfare for high intensity uses] • At least 60% open space in new residential developments greater than three acres [INCONSISTENT - GHMU requires 40%] • Architectural guidelines to encourage compatibility between different land uses (e.g. similarities in building height, massing, roof pitch, and rhythm of windows and façade detailing) [CONSISTENT] • Encouragement of walkable neighborhood design [CONSISTENT]
Land Use & Development	<p>Growth Management (Map 8.3a): Designated as a “Priority Infill Area” - Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties</p>
	<p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.</p>
	<p>Strategy LU-1.1 Encourage infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a.</p>
	<p>Strategy LU-3.5 Minimize negative impacts from growth and land use changes on existing land uses</p>

Population & Housing	<i>Strategy PH-1.1 – Promote Compatible infill development...</i>
	<i>PH-1.4. Allow redevelopment and/or reuse of single-family homes that directly front on arterials into office or high-density residential uses in coordination with the Future Land Use Map.</i>
	<i>Goal PH-2 – Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods. Strategy 2.3- Allow housing arrangements in existing and new neighborhoods that provide affordable and/or multigenerational housing alternatives in single-family neighborhoods</i>
	<i>Goal PH-3 – Promote safe and walkable neighborhoods. Strategy PH-3.2 - Encourage mixed land use patterns that place residents within walking distance of services.</i>
Natural & Environmental Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Cultural & Historic Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Community Facilities	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Water Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Transportation & Circulation	<i>TC-1.1. Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>

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

GENERAL REZONING STANDARDS	
Compatibility	The subject property is located in a transition area. It is adjacent to a commercial lodging business and single-family residential uses. The parcels in proximity to the subject property are zoned GHMU with the exception of parcels zoned R-15 to the northeast of Southern Dr and parcels to the southeast which are zoned Henderson County Residential One (RI). The entire northwest side of Stewart St is zoned GHMU (from Greenville Highway to Resort St). Only two of the nine parcels on Stewart St are zoned R-15 - the subject property and 122 Southern Drive.
Changed Conditions	A roundabout was installed at the nearby intersection of Shepherd St and Greenville Highway in 2022. The Greenville Highway corridor has seen multiple development request of varying scales within the last two years. The city’s housing shortage continues to persist.
Public Interest	The rezoning will allow for both residential and commercial development. GHUM has no density cap. However, the parcel sits at .44 acres which would constrain high intensity uses from locating there.
Public Facilities	The subject property is currently served by City of Hendersonville Water / Sewer. The site is served by a City maintained street, which is classified as a “local street” in the comprehensive plan.
Effect on Natural Environment	The subject property is currently developed with 1 single-family home and an additional garage apartment is under construction. No specific future development is being considered as part of the standard rezoning, therefore there are no known environmental impacts at this time.

For Approval:

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 Development Guidelines and Primary Recommended Land Uses of the High Intensity Neighborhood designation align with the design standards and permitted uses outlined in the Greenville Highway Mixed Use Zoning District.

DRAFT [Rationale for Approval]

- *The proposed rezoning would align the zoning of the subject parcel with other parcels on Stewart St.*
- *The proposed rezoning would allow an increase in residential density.*
- *The size of the lot would constrain potential high intensity uses from entering the surrounding residential neighborhood.*

For Denial:

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

The Secondary Recommended Land Uses of the High Intensity Neighborhood designation do not align with the permitted uses outlined in the Greenville Highway Mixed Use Zoning District.

DRAFT [Rational for Denial]

- *The proposed rezoning would not align with residential uses in the surrounding neighborhood.*
- *The proposed rezoning would permit a range of commercial uses*

Permitted / Special Uses Comparison | R-15 to GHMU

USES	R-15	GHMU	USES	R-15	GHMU
Accessory dwelling units	SS	P	Neighborhood community centers	-	P
Accessory uses and/or structures	P	P	Newspaper office & printing establishments	-	P
Adult care centers	-	SU	Offices, business, professional & public	-	P
Adult care homes	SS	SU	Parks	P	P
Banks & other financial institutions	-	P	Personal services	-	P
Bed & breakfast facilities	SU	P	Pet-sitting	-	-
Business services	-	P	Planned residential development (minor)	SS	-
Camps	P	-	Public & semi-public buildings	-	P
Cemeteries, mausoleums, memorial gardens, crematoriums	SU	-	Public utility facilities	SU	SU
Child care centers	-	SU	Religious institutions	SS	P
Child care home	SS	SU	Residential dwellings, single-family	P	P
Convenience stores without gasoline sales	-	P	Residential dwellings, multi-family	-	P
Cultural arts buildings	-	P	Residential dwellings, two-family	P	P
Dance & fitness facilities	-	P	Restaurants	-	P
Dry cleaning & laundry (≤2,000SF)	-	P	Retail stores	-	SS
Funeral homes	-	P	School, post secondary, business, technical & vocational	-	SU
Home occupations	P	P	Schools, primary & secondary	SU	SU
Hotels	-	P	Signs	SS	SS
Laundries, coin-operated	-	P	Telecommunications antennas	SS	SS
Lawn & garden centers	-	SU	Theaters, indoor	-	P
Microbreweries	-	SS	Veterinary clinics	-	P
Motels	-	P			
Music & art studios	-	P			

Dimensional requirements Comparison | R-15 to GHMU

Section 5, Item B.

R-15

Minimum lot area in square feet:	15,000
Lot area per dwelling unit in square feet:	15,000 for the first; 7,500 for one additional dwelling unit in one building.
Minimum lot width at building line in feet:	85
Minimum yard requirements in feet:	
Principal structure	Front: 30
	Side: 10
	Rear: 15
Accessory structures	Front: 30
	Side: 5
	Rear: 5
Maximum height in feet:	35

GHMU

Design Standards:	Yes, except single & two-family
Density:	No Density Cap
Minimum lot area in square feet:	None
Minimum lot width:	None
Open space ratio:	Greater than or equal to 0.40
Maximum footprint for any structure:	12,000 square feet. For structures with a footprint greater than 12,000 square feet see section 5-22-2 Special Uses above.
Nonresidential floor area allowance:	0.25 x area. Floor area devoted to residential use shall not count against this allowance.
Yard requirements:	Detached: Front - 15'; Side - 20% of Lot Width; Rear - 15'
	Townhomes: Front - 8'; Side - 0'; Rear - 15'
	Multi-Family: Front - 0'; Side - 15' + 5' for each floor above 2; Rear - same as side
	Commercial & Institutional: Front - 10'; Side - 15' + 5' for each floor above 2; Rear - same as side

Principal building separation:	Principal buildings on a lot shall be separated a minimum of 15	Section 5, Item B.
Building height:	Detached - 35' Townhomes - 42' Multi-Family: 42' Commercial & Institutional: 42'	

Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL NUMBER: 9577-19-7262 BY CHANGING THE ZONING DESIGNATION FROM R-15 (MEDIUM DENSITY RESIDENTIAL) TO GHMU (GREENVILLE HIGHWAY MIXED USE)

IN RE: Parcel Number: 9577-19-7262
(File # P23-96-RZO)

WHEREAS, the City is in receipt of a Zoning Map Amendment application from Roger Grant [Applicant / Owner], and

WHEREAS, the Planning Board took up this application at its regular meeting on January 11th, 2024; voting to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its called meeting on February 1, 2024, and

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number 9577-19-7262, from R-15 (Medium Density Residential) to GHMU (Greenville Highway Mixed Use)
2. Any development of the parcels shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

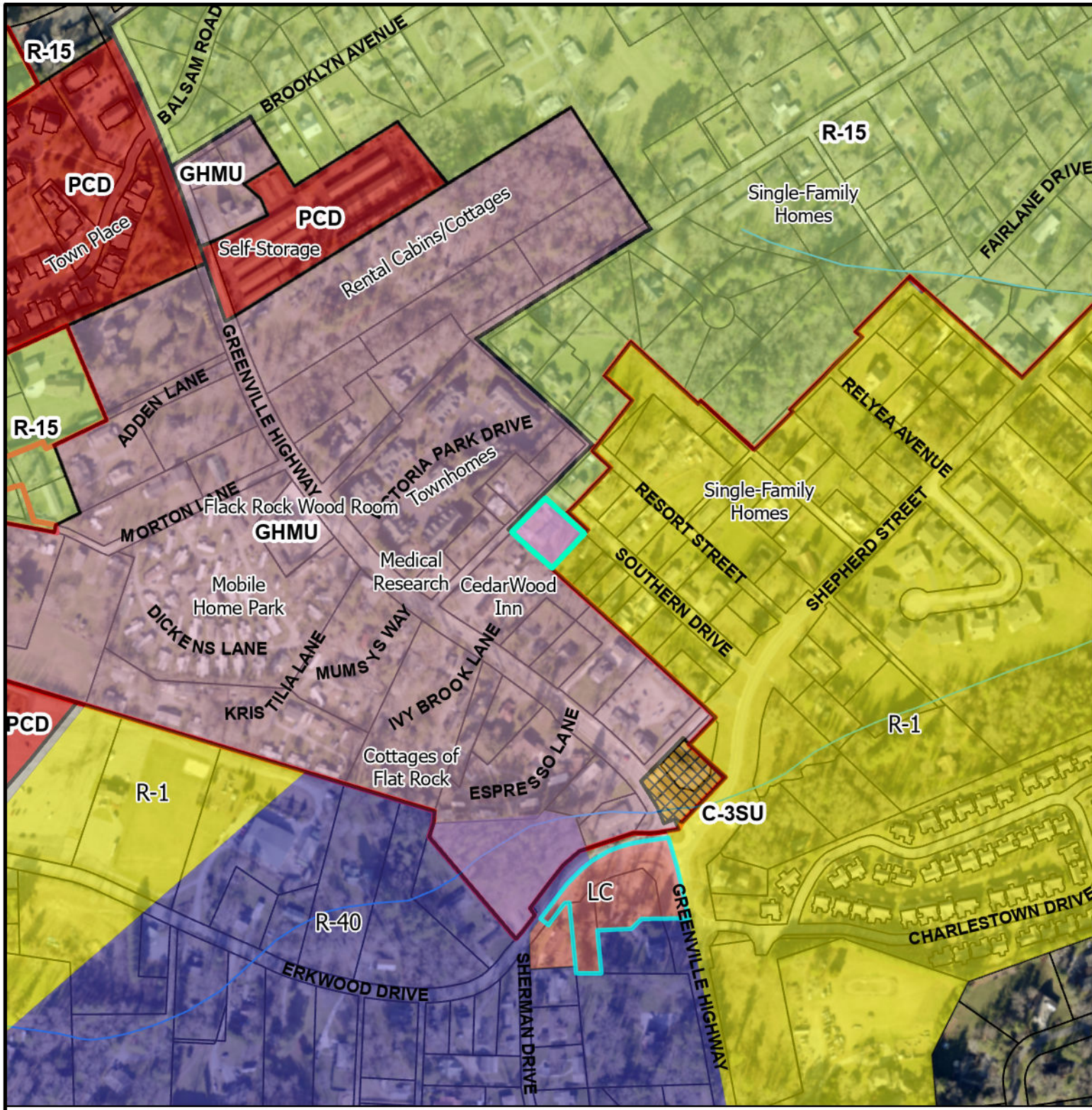
Adopted this First day of February 2024.

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

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



116 Stewart Street
 P23-96-RZO
 PIN: 9577-19-7262
 Acreage: .44 Acres
 (19,166 Sq Ft)

Community Development Department

- Proposed Zoning**
- Hendersonville City Limits
 - 116 Stewart St - Subject Parcel to GHMU
 - Parcels
 - Streams/Rivers
 - Local Commercial
 - R-1 - Residential 1
 - R-40
 - R-15 Medium Density Residential
 - C-3SU Highway Business Special Use
 - PCD Planned Commercial Development
 - GHMU Greenville Highway Mixed Use



Entry #: 10 - 11/22/2023 **Status:** Submitted **Submitted:** 11/22/2023 1:01 PM

Date:
11/22/2023

Address/Location of Property:
116 Stewart St

Current Zoning:
R-15

Proposed Zoning:
GHMU

List the adjacent property parcel numbers and uses.

PIN or PID #
9577196044

Adjacent Property Use:
Motel (GHMU)

PIN or PID #
9577198346

Adjacent Property Use:
RES-SINGLE FAMILY (R-15)

PIN or PID #
9577196364

Adjacent Property Use:
RES-SINGLE FAMILY (GHMU)

PIN or PID #
9577196218

Adjacent Property Use:
RES-SINGLE FAMILY (GHMU)

Applicant Name:
Roger Grant

Address
116 Stewart St, Hendersonville, North Carolina 28792

Phone
(407) 748-5282

Email
2rogergrant@gmail.com

Property Owner Name:
Roger Grant

Address
116 Stewart St, Hendersonville, North Carolina 28792

PIN or PID #
9577197262

Signature

Roger Grant

Printed Name:

Roger Grant

Official Use Only:

Date Recieved:

Received By:

Fee Received:

Section 11-4 Standards: The advisability of amending the text of the Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

a) Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.

Consistent with the plan to develop mixed use areas and to support additional residence.

b) Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.

This is consistent with the current mixed use zoning of properties adjacent to and across the street from the owner's property.

c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.

Homeowner wishes to add a rental apartment above the garage

d) Public Interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.

Provides additional housing within city limits.

e) Public facilities. Whether and to the extent 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.

No impact

f) Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, stormwater managment, streams, vegetation, wetlands and wildlife.

No impact

<p>2. The proposed rezoning to C-2 could lead to infill commercial development on a long vacant and underutilized property.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p style="text-align: center;">[DISCUSS & VOTE]</p>
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SUMMARY: *The City of Hendersonville is in receipt of an application for a Standard Rezoning from Roy D. Neil, applicant/property owner. The applicant is requesting to rezone the subject property at 799 S. Grove Street (PIN: 9578-14-0598) totaling 0.52 acres, from R-15, Medium Density Residential to C-2 Secondary Business.*

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the C-2 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	P23-95-RZO
PETITIONER NAME:	1. Roy D. Neil
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Permitted Use Comparison 3. Draft Ordinance 4. Proposed Zoning Map

STANDARD REZONING: 799 S. GROVE STREET (P23-95-RZO)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 11



- Project Name & Case #:
 - 799 S. Grove Street Rezoning
 - P23-95-RZO
- Applicant & Property Owner:
 - Roy D. Neil [Applicant and Owner]
- Property Address:
 - 799 S. Grove Street
- Parcel Identification (PIN):
 - 9578-14-0598
- Project Acreage:
 - 0.52 Acres
- Current Parcel Zoning:
 - R-15 Medium Density Residential
- Requested Zoning:
 - C-2 Secondary Business
- Future Land Use Designation:
 - High Intensity Neighborhood

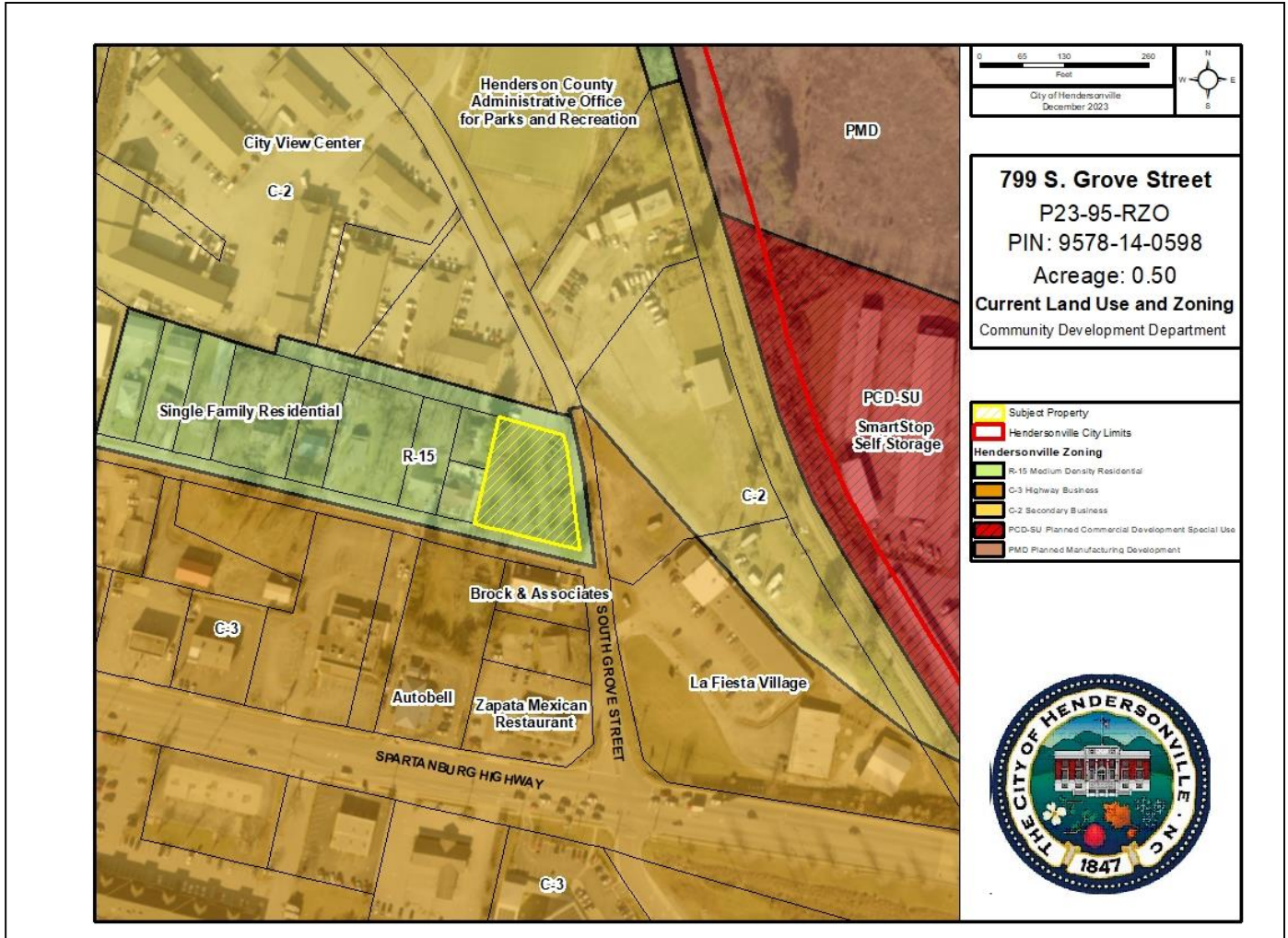


SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Standard Rezoning from Roy D. Neil, applicant/property owner. The applicant is requesting to rezone the subject property at 799 S. Grove Street (PIN: 9578-14-0598) totaling 0.52 acres, from R-15, Medium Density Residential to C-2 Secondary Business.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the C-2 district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is the “endcap” of a residentially zoned area between two commercial districts. The parcels closer to Spartanburg Highway are zoned C-3 and contain uses that are found along our major commercial thoroughfares. The properties to the north along S. Grove Street are zoned C-2 and contain a variety of commercial land uses. The R-15 zoning, and single-family land uses located along Hillview Blvd represent the final remnants of what once was an entirely residential area (Hillview Subdivision originally platted July 12, 1946).

The subject property is adjacent to C-2 to the north and across the street from C-3 to the south and east. C-3 consists of highway focused businesses and is the prominent zoning district along all of our major corridors (4 Seasons Blvd., Spartanburg Highway, Asheville Highway). C-2 is less prominent around the city and is found more along the railroad corridors.

SITE IMAGES



View of the subject property from the “City View Center” plaza.



View of the subject property from the intersection of S. Grove Street and Hillview Boulevard.

SITE IMAGES



Typical view within the subject property.



View from Hillview Boulevard to the subject property.

SITE IMAGES

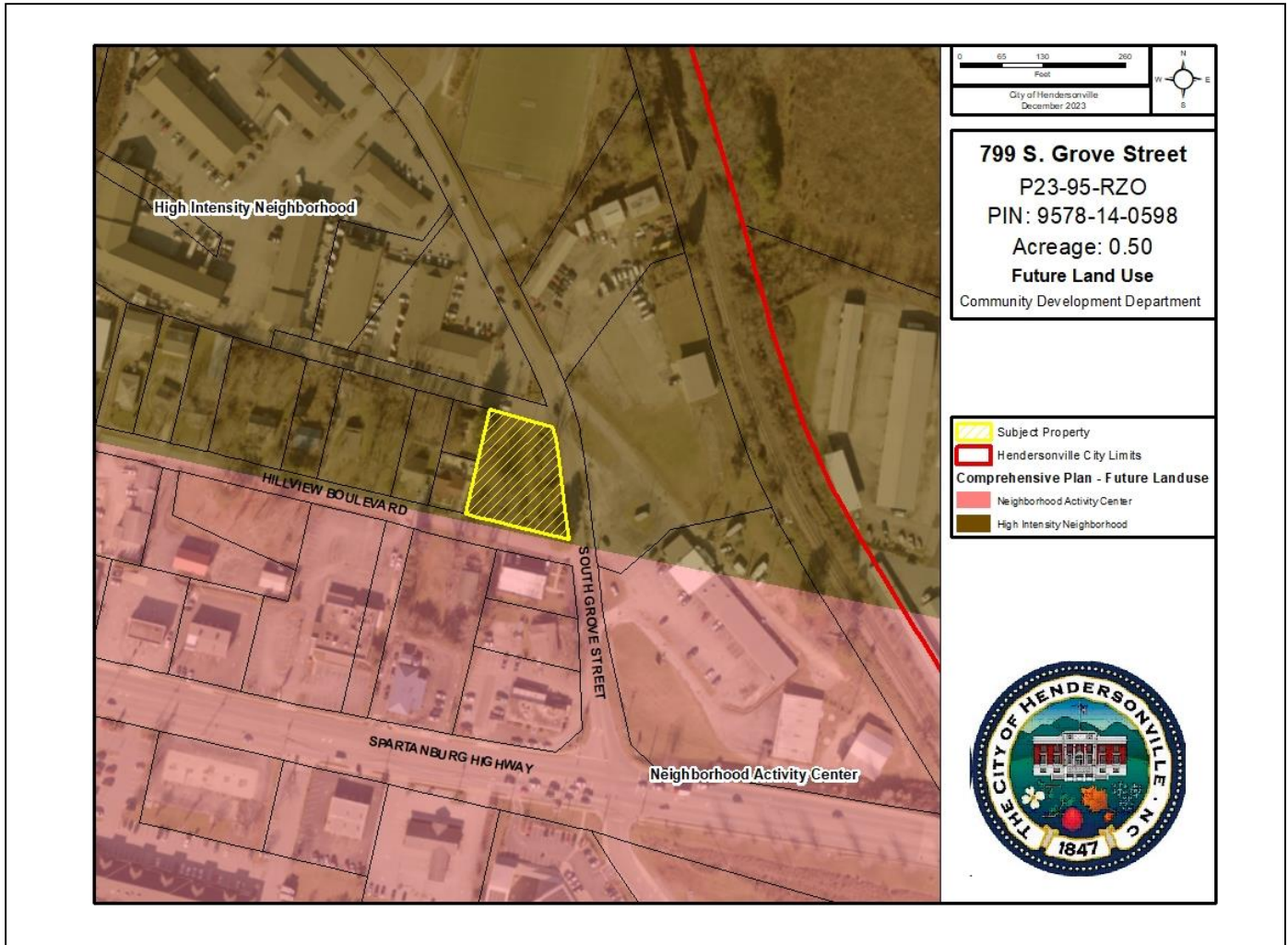


View of Brock & Associates which is located across Hillview Blvd. from the subject property.



View of City View Center which is adjacent to the subject property.

FUTURE LAND USE



City of Hendersonville Future Land Use Map

Hillview Blvd serves as the transition line between High Intensity Neighborhood and Neighborhood Activity Center as established in the Comprehensive Plan.

The 2030 Comprehensive Plan’s Future Land Use Map designates the subject property as High Intensity Neighborhood. This designation is also representative of the parcels north of Hillview Blvd, and those fronting either side of S. Grove St north of the subject property.

Properties to the south of Hillview Blvd are designated as Neighborhood Activity Center - as are all of the properties in the vicinity of Spartanburg Highway.

It should be noted that High Intensity Neighborhood designation calls for dense residential uses, but it does not recommend commercial uses along local streets. The commercial uses along S. Grove St that are designated as High Intensity Neighborhood would likely still be in alignment with the Comp Plan due to their location along a Minor Thoroughfare.

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

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>Goal LU-7 - High Intensity Neighborhood: Encourage low-maintenance, high density housing that supports Neighborhood and 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</p>
	<p>Strategy LU-7.1. Locations:</p> <ul style="list-style-type: none"> • Neighborhoods between Jackson Park and US-176 [CONSISTENT]
	<p>Strategy LU-7.2. Primary recommended land uses:</p> <ul style="list-style-type: none"> • Single-family attached [CONSISTENT] and multi-family residential [INCONSISTENT] • Planned Residential Developments [INCONSISTENT] • Open space [CONSISTENT]
	<p>Strategy LU-7.3. Secondary recommended land uses:</p> <ul style="list-style-type: none"> • Public and institutional uses [CONSISTENT] • Offices and retail along thoroughfares [CONSISTENT] • Recreational amenities [CONSISTENT]
	<p>Strategy LU-7.4. Development guidelines:</p> <ul style="list-style-type: none"> • Eight or more units per gross acre [PARTIALLY CONSISTENT ~ C-2 Min. Lot Size = 7 units per acre; C-2 Minor PRD = 8.5 units per acre] • Placement of higher-intensity uses (e.g. office or higher-density residential) close to Boulevards and Major Thoroughfares, and/or adjacent to Neighborhood and Regional Activity Centers [CONSISTENT] • At least 60% open space in new residential developments greater than three acres [INCONSISTENT] • Architectural guidelines to encourage compatibility between different land uses (e.g. similarities in building height, massing, roof pitch, and rhythm of windows and façade detailing) [INCONSISTENT] • Encouragement of walkable neighborhood design [INCONSISTENT]
Land Use & Development	<p>Growth Management (Map 8.3a): Designated as a “Priority Infill Area” - Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties</p>
	<p>Goal LU-1. Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods.</p>
	<p>Strategy LU-1.1. Encourage infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a.</p>

Population & Housing	<i>Strategy PH-1.1 – Promote Compatible infill development...</i>
	<i>Goal PH-3 – Promote safe and walkable neighborhoods. Strategy PH-3.2 - Encourage mixed land use patterns that place residents within walking distance of services.</i>
Natural & Environmental Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Cultural & Historic Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Community Facilities	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Water Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Transportation & Circulation	<i>TC-1.1. Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>

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

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	The subject property fronts on S. Grove Street. Most of the parcels along this corridor have through time transitioned into commercial uses with very minimal S. Grove Street facing residences remaining. Judging by historical aerial photography, the property has been vacant since around 2009. Before this time, there was a single-family home located on the property. There are currently only 2 parcels with strictly residential zoning (R-15) along Grove Street (this one included).
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	Through time, Grove Street has become a minor commercial thoroughfare that connects the major commercial corridors of US 64 and US 176.
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 -
	The rezoning will allow for additional commercial development in an area that has transitioned from single-family residential to commercial zoning. It also creates the possibility of developing a long vacant parcel along a minor thoroughfare.
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
	City water and sewer are both available to the site. The site will be served by a NCDOT maintained street (S. Grove) which is classified as a “minor thoroughfare” and a City maintained street (Hillview Blvd), which is classified as a “local street” in the comprehensive plan. The site would also be served by City police and fire.
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	The subject property is currently vacant. There are a few mature trees on the property. If developed, these mature trees could potentially be removed.

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

The subject property is designated as a “Priority Infill Area” in the comprehensive plan which are areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties. The High Intensity Neighborhood designations also calls for offices and retail along thoroughfares as a secondary recommended land use.

DRAFT [Rationale for Approval]

- C-2 zoning is present all along the Grove Street corridor north of the property until the zoning transitions to CMU at the intersection of S. Grove Street and E. Caswell Street.*
- The proposed rezoning to C-2 could lead to infill commercial development on a long vacant and underutilized property.*

DRAFT [Rational for Denial]

- The proposed rezoning removes a piece of the remaining R-15 pocket along Hillview Blvd which is nestled between C-3 to the south and C-2 to the north.*

R-15 Medium Density Residential	C-2 Secondary Business
<p>Permitted in both districts. Not permitted in both districts.</p>	
<p>Permitted Uses:</p> <ul style="list-style-type: none"> • Accessory dwelling units, subject to supplementary standards contained in section 16-4, below • Accessory structures • 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 • Camps • 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 • Home occupations • Parks • Planned residential developments (minor), subject to the requirements of article VII, below • Religious institutions containing no more than 50,000 square feet of gross floor area • Residential dwellings, single-family • Residential dwellings, two-family • Signs, subject to the provisions of article XIII • Telecommunications antennas, subject to special use requirements contained in section 16-4. <p>•</p> <p>Special Uses:</p> <ul style="list-style-type: none"> • Bed and breakfast facilities • Cemeteries • Public utility facilities • Schools, primary and secondary, containing no more than 50,000 square feet of gross floor area 	<p>Permitted Uses:</p> <ul style="list-style-type: none"> • Accessory dwelling units subject to supplementary standards contained in section 16-4, below • Accessory uses and structures • Adult care centers registered with the NC Department of Health and Human Services (DHSS) • Animal hospitals and clinics so long as the use contains no outdoor kennels • Automobile car washes • Automobile sales & service establishments • Banks and other financial institutions • Bed and breakfast facilities • Business services • Congregate care facilities, subject to supplementary standards contained in section 16-4, below • Construction trades facilities so long as the storage of equipment and materials is screened from view from public rights-of-way • Convenience stores with or without gasoline sales • Cultural arts buildings • Dance and fitness facilities • Dry cleaning and laundry establishments containing less than 6,000 square feet of floor area • Farm equipment sales and service • Food pantries, subject to the supplementary standards contained in section 16-4, below • Funeral homes • Golf driving ranges and par three golf courses • Greenhouses and nurseries, commercial • Home occupations • Hotels and motels • Laundries, coin-operated • Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below • Mobile food vendors, subject to supplementary standards contained in section 16-4, below • Music and art studios • Neighborhood community centers • Newspaper offices and printing establishments • Nursing homes subject to supplementary standards contained in section 16-4, below • Offices, business, professional and public • Parking lots and parking garages • Parks • Personal services

- Planned residential developments (mirrored to the requirements of article VII, below)
- Private clubs
- Progressive care facilities subject to supplementary standards contained in section 16-4, below
- Public and semi-public buildings
- Recreational facilities, indoors
- Recreational facilities, outdoors, commercial
- Religious institutions
- Repair services, miscellaneous
- Residential care facilities
- Residential dwellings, single-family
- Residential dwellings, two-family
- Residential dwellings, multi-family, subject to supplementary standards contained in section 16-4, below
- Rest homes, subject to supplementary standards contained in section 16-4, below
- Restaurants
- Retail stores
- Schools, post-secondary, business, technical and vocational
- Schools, primary and secondary
- Service stations
- Signs, subject to the provisions of article XIII
- Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below
- Theaters, indoor
- Wholesale businesses

Special Uses:

- Animal kennels
- Automotive paint and body work
- Bus stations
- Child care centers
- Civic clubs and fraternal organizations
- Light manufacturing
- Public utility facilities

Dimensional Requirements:

Minimum Lot Area in Square Feet: **15,000**
 Lot Area per Dwelling Unit in Square Feet: **15,000;**
7,500 (for one additional dwelling unit)

Dimensional Requirements:

RESIDENTIAL

Minimum Lot Area in Square Feet: **6,000**
 Lot Area per Dwelling Unit in Square Feet: **6,000;**
4,000 (for one additional dwelling unit).

<p>Minimum Lot Width at Building Line in Feet: 85</p> <p>Minimum Yard Requirements in Feet: Principal Structure: Front: 30 Side: 10 Rear: 15</p> <p>Accessory Structures: Front: 30 Side: 5 Rear: 5</p> <p>Maximum Height in Feet: 35</p>	<p>Minimum Lot Width at Building Line in Feet: 50</p> <p>Minimum Yard Requirements in Feet: Principal Structure: Front: 20 Side: 0 Rear: 10</p> <p>Accessory Structures: N/A</p> <p>Maximum Height in Feet: 48</p> <p><u>NON-RESIDENTIAL</u></p> <p>Minimum Lot Area in Square Feet: 8,000</p> <p>Lot Area per Dwelling Unit in Square Feet: N/A</p> <p>Minimum Lot Width at Building Line in Feet: 0</p> <p>Minimum Yard Requirements in Feet: Principal Structure: Front: 15 Side: 0 Rear: 0</p> <p>Accessory Structures: N/A</p> <p>Maximum Height in Feet: 48</p>
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Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL NUMBER: 9578-14-0598 BY CHANGING THE ZONING DESIGNATION FROM R-15, (MEDIUM DENSITY RESIDENTIAL) TO C-2 (SECONDARY BUSINESS)

IN RE: Parcel Number: 9578-14-0598
(File # P23-95-RZO)

WHEREAS, the City is in receipt of a Zoning Map Amendment application from Roy D. Neil [Applicant/Property Owner].

WHEREAS, the Planning Board took up this application at its regular meeting on January 11th, 2024; voting [redacted] to recommend/not recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular called meeting on February 1st, 2024, and

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9578-14-0598 from R-15, (Medium Density Residential) to C-2 (Secondary Business).
2. Any development of the parcels shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this first day of February 2024.

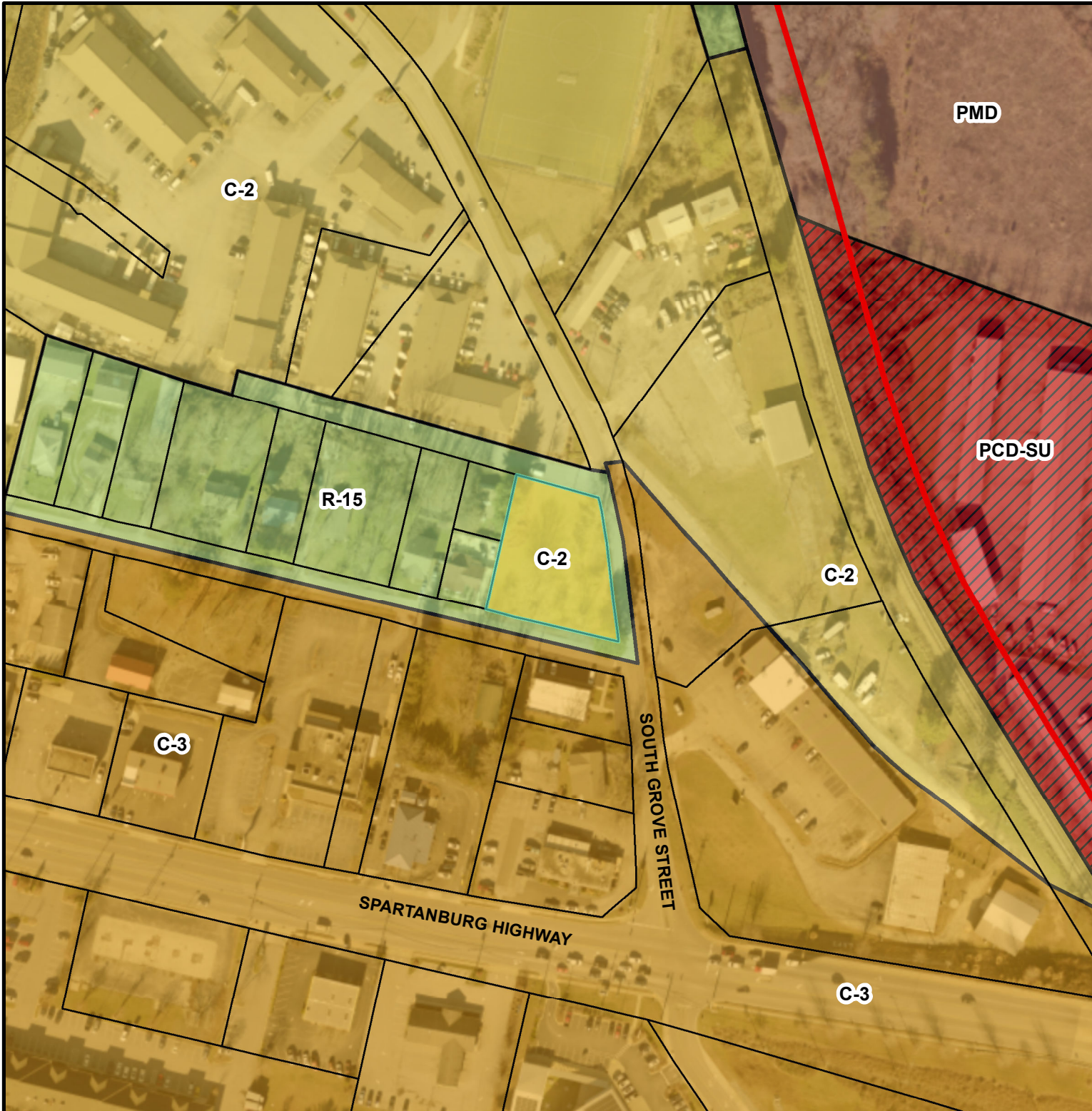
Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



799 S. Grove Street
 P23-95-RZO
 PIN: 9578-14-0598
 Acreage: 0.50
Proposed Zoning
 Community Development Department

- Subject Property
- Hendersonville City Limits
- Hendersonville Zoning**
- R-15 Medium Density Residential
- C-3 Highway Business
- C-2 Secondary Business
- PCD-SU Planned Commercial Development Special Use
- PMD Planned Manufacturing Development



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SUMMARY: As part of the budget bill, NC General Statute 110-86(3)b defining “family child care homes” (FCCH) and NC General Statute 110-91(7)(b) regarding FCCH capacity was revised. This revision increased the maximum capacity of children a family child care home operator is permitted to provide care for. The new standards exceed what is currently permitted under the City’s Zoning Ordinance.

Both family child care homes and child care centers are required to be licensed by the Division of Child Development and Early Education within the NC Department of Health and Human Services. Part of the process to obtain a license requires that the child care facility (home or center) comply with all local ordinances. This proposed zoning text amendment would align with these licensing requirements and allow child care home operators the ability to increase the maximum capacity of children thereby increasing child care options within the City.

Staff is also proposing to amend the definition for child care center to align with the state statute definition and capacity requirements. After reviewing the revisions made to family child care homes, staff also reviewed the existing state statutes for child care centers and determined that the current zoning ordinance definition should also be updated to reflect the state definition and capacity requirements for child care centers.

For these reasons, staff is proposing to amend the current definition for “child care homes” to meet the revised standards of NCGS 110-862(2) and NCGS 110-97(7)(b); and to amend the current definition for “child care center” to align with the state statute definition and state capacity requirements for child care facilities.

PROJECT/PETITIONER NUMBER:	P23-099-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Planning Board Summary Report 3. Draft Ordinance 4. Revised G.S. 110-86(3) and G.S. 110-91(7)b

ZONING TEXT AMENDMENT: CHILD CARE HOMES AND CENTERS UPDATES
(P23-099-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW..... 3

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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND TEXT AMENDMENT REASONABLENESS STATEMENT 7

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 7

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 7

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 7



PROJECT SUMMARY

- Project Name & Case #:
 - Child care Homes & Child care centers Update
 - P23-099-ZTA
- Applicant:
 - City of Hendersonville
- Zoning Ordinance Articles Amended:
 - 12-2-2: Child care center
 - 12-2-2: Child care home
- Summary Basics:
 - Staff is proposing to amend the definition for “child care home” to align with the state statute definition and capacity requirements for child care homes.
 - Staff is also proposing to amend the definition for “child care center” to better align with the state statute definition and capacity requirements for child care facilities.



Summary of Amendment Petition:

As part of the budget bill, NC General Statute 110-86(3)b defining “family child care homes” (FCCH) and NC General Statute 110-91(7)(b) regarding FCCH capacity was revised. This revision increased the maximum capacity of children a family child care home operator is permitted to provide care for. The new standards exceed what is currently permitted under the City’s Zoning Ordinance.

Both family child care homes and child care centers are required to be licensed by the Division of Child Development and Early Education within the NC Department of Health and Human Services. Part of the process to obtain a license requires that the child care facility (home or center) comply with all local ordinances. This proposed zoning text amendment would align with these licensing requirements and allow child care home operators the ability to increase the maximum capacity of children thereby increasing child care options within the City.

Staff is also proposing to amend the definition for child care center to align with the state statute definition and capacity requirements. After reviewing the revisions made to family child care homes, staff also reviewed the existing state statutes for child care centers and determined that the current zoning ordinance definition should also be updated to reflect the state definition and capacity requirements for child care centers.

For these reasons, staff is proposing to amend the current definition for “child care homes” to meet the revised standards of NCGS 110-862(2) and NCGS 110-97(7)(b); and to amend the current definition for “child care center” to align with the state statute definition and state capacity requirements for child care facilities.

AMMENDMENT ANALYSIS – AMENDMENT OVERVIEW

The City’s Zoning Ordinance Section 12-2-2 defines “Child care home” as the following:

- Section 12-2-2 – Child care home: A facility run by an individual that provides supervision or care on a regular basis in the individual’s home for not more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.

The revision to G.S. 110-86(3)(b) increased the maximum number of children a child care home operator could have from 9 children to 10 children. The amended statute reads as follows:

“A family child care home is a child care arrangement located in a residence where, at any one time, more than two children, but less than 10 children receive child care, provided the arrangement is in accordance with G.S. 110-91(7)b.”

The revised NCGS 110-91(7)b that governs child care home capacity reads as rewritten:

“A family child care home is allowed to provide care for one of the following groups of children, including the operator’s own preschool-age children and excluding the operator’s own school-age children up to 13 years of age:

- 1. A maximum of eight children, with no more than five children who are birth to 5 years of age, plus three school-age children.*
- 2. A maximum of three children from birth to 24 months of age plus three children from 2 to 5 years of age and three school-age children up to 13 years of age, for a total of nine children.*
- 3. A maximum of 10 children if all children are older than 24 months of age.”*

In order to meet the increase demands for child care options within the City, staff is proposing to amend the current definition for child care home to meet the current statutory language for family child care homes. This would increase the maximum allotted number of children from 6 to 10, provided the arrangement is in accordance with G.S. 110-9(7)b.

Lastly, the current City’s Zoning Ordinance definition for “Child Care Center” is the following:

- Section 12-2-2 Child care center: An individual, agency or organization providing supervision or care on a regular basis to more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children, of the supervising adult.

The definition for child care facility under G.S. 110-86(3)a states the following:

“A child care center is an arrangement where, at any one time, there are three or more preschool-age children or nine or more school-age children receiving child care.”

The staff-child ratio and capacity for child care facilities under G.S. 110-91(7) is comprehensive and is attached to the staff report as a separate document. However, staff is proposing to amend the current definition for child care center to align with the state statute definition for child care facility and capacity requirements in G.S. 110-91(7)a by referencing the general statute in the definition itself.

ZONING TEXT AMENDMENT - CHILD CARE HOME AND CHILD CARE CENTER

The proposed Child Care Home and Child Care Center Language Changes reads as follows:

Additions to the Ordinance

~~**Deletions from the Ordinance**~~

12-2-2 Child Care Home.

Child care home: A facility run by an individual that provides supervision or care on a regular basis in the individual's home where at any one time, more than two children, but less than 10 children, receive child care, provided the arrangement is in accordance with the requirements under G.S. 110-91(7)(b). ~~for not more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.~~

12-2-2 Child Care Center.

Child care center: An individual, agency or organization, located within a commercial facility, providing supervision or care on a regular basis to three or more preschool-age children or nine or more school-age children receiving child care. ~~more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult per G.S. 110-91(7)a.~~

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

COMPREHENSIVE PLAN CONSISTENCY	
Land Use & Development	<i>Strategy LU-3.5. Minimize negative impacts from growth and land use changes on existing land uses. Strategy LU-3.6. Update the Zoning Code to ensure conformance with the Comprehensive Plan</i>
Population & Housing	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Natural & Environmental Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Cultural & Historic Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Community Facilities	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Water Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Transportation & Circulation	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</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>The proposed text amendment is compatible with existing child care homes and child care centers in the City.</i>
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	<i>There has been an increased demand for child care options within the City and the proposed text amendment would help address those demands for both residents and the workforce.</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 text amendment aligns with the public interest in that it addresses an increased need for child care within the City. Additionally, both child care centers and child care home are required to comply with all state, federal, and local ordinances that pertain to child health, safety and welfare.</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 proposed text amendment does not have a large impact on 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 not any direct connections between this text amendment and the environment/ natural resources. The current effect on the natural environment would not change with the passing of this text amendment.</i>

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND TEXT AMENDMENT 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 the Comprehensive Plan’s Strategy LU-3.5. of minimizing negative impacts from growth and land use changes on existing land uses by reflecting current and ongoing trends in the community concerning the need for more child care services within the City.

We [find] this proposed zoning text amendment petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and

DRAFT [Rationale for Approval]

- *The proposed text amendment aligns with the state licensing requirements for child home care and child care centers.*
- *The proposed text amendment allows existing and future child care facilities to increase their child home care capacity and thereby increasing the child care opportunities within the City.*

DRAFT [Rational for Denial]

- *The proposed text amendment increases the impact of child home care in residential zoning districts.*

participating employer, (ii) has a household income between one hundred eighty-five percent (185%) and three hundred percent (300%) of the federal poverty level, and (iii) is not otherwise eligible for subsidized child care in this State. An eligible employee may reside outside of the designated region for the respective facilitator hub. Additionally, the regional facilitator hubs shall develop and implement other criteria for the child care program, including, but not limited to, each of the following:

- (1) Ensuring payment for the cost of child care is divided equally between an employer, an eligible employee, and the State.
- (2) Soliciting participating employers.
- (3) Ensuring participating employers agree to (i) identify and recruit eligible employees, (ii) provide the employer portion of each participating employee's child care costs, and (iii) maintain communication with the regional facilitator hub regarding each eligible employee's continued employment and eligibility.
- (4) Verifying that child care providers seeking to participate in the program are licensed in this State.
- (5) Upon determining an employee's eligibility, ensuring payment by the employee of the employee's portion of the cost of child care.
- (6) Coordinating payments between employers and licensed child care providers.

SECTION 9D.9.(e) For purposes of this section, child care includes part-time and full-time care, before and after school care, and summer day camps.

SECTION 9D.9.(f) A regional facilitator hub may use up to nine percent (9%) of its allocation for administrative costs.

SECTION 9D.9.(g) Within six months after completion of the pilot program, the Division shall submit a report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. The report shall include, at a minimum, each of the following:

- (1) The number of children served, by age and county.
- (2) Total pilot program costs, including any administrative costs.
- (3) The amount of funds needed to expand the program statewide.
- (4) The list of employers participating in the pilot program.
- (5) Any other relevant information deemed appropriate.

INCREASE CAPACITY/FAMILY CHILD CARE HOMES

SECTION 9D.10.(a) G.S. 110-86(3) reads as rewritten:

- "(3) Child care facility. – Includes child care centers, family child care homes, and any other child care arrangement not excluded by G.S. 110-86(2), that provides child care, regardless of the time of day, wherever operated, and whether or not operated for profit.
 - a. A child care center is an arrangement where, at any one time, there are three or more preschool-age children or nine or more school-age children receiving child care.
 - b. A family child care home is a child care arrangement located in a residence where, at any one time, more than two children, but less than ~~nine~~ 10 children, receive child ~~care~~ care, provided the arrangement is in accordance with G.S. 110-91(7)b."

SECTION 9D.10.(b) G.S. 110-91(7)b. reads as rewritten:

- "b. Family Child Care Home Capacity. – ~~Of the children present at any one time in a family child care home, no more than five children shall be preschool-aged, including the operator's own preschool-age children.~~ A family child care home is allowed to provide care for one of the following groups of children, including the operator's own

preschool-age children and excluding the operator's own school-age children up to 13 years of age:

1. A maximum of eight children, with no more than five children who are from birth to 5 years of age, plus three school-age children.
2. A maximum of three children from birth to 24 months of age, plus three children from 2 to 5 years of age and three school-age children up to 13 years of age, for a total of nine children.
3. A maximum of 10 children if all children are older than 24 months of age."

EXTEND COMPENSATION GRANTS FOR CHILD CARE PROGRAMS

SECTION 9D.11. Section 9L.2(b) of S.L. 2021-180, as amended by Section 9L.2(a) of S.L. 2022-74, reads as rewritten:

"SECTION 9L.2.(b) Of the funds appropriated in this act from federal Child Care and Development Block Grant funds received pursuant to ARPA to the Department of Health and Human Services, Division of Child Development and Early Education, the sum of five hundred ~~two—three~~ million seven hundred ~~seventy-seven~~ninety-three thousand seven hundred ~~eighty-nine~~eleven dollars (~~\$502,777,789~~)(\$503,793,711) in nonrecurring funds shall be allocated for the following in response to the COVID-19 pandemic:

- (1) Up to two hundred seventy-four million dollars (\$274,000,000) of the funds shall be used as follows:
 - a. A minimum of two hundred six million dollars (\$206,000,000) but no more than two hundred fifteen million dollars (\$215,000,000) to (i) reduce the waitlist for children eligible for subsidized child care who are in foster care and (ii) after addressing the waitlist under item (i) of this sub-subdivision, work toward reducing the waitlist for children eligible for subsidized child care. Additionally, the Division shall use a portion of these funds to ~~temporarily increase the child care subsidy reimbursement rates to those recommended in the 2018 Child Care Market Rate Study until the funds expire on September 30, 2024.~~extend the compensation grants portion of the child care stabilization grants, as authorized under Section 3.2(a) of S.L. 2021-25, until these funds are exhausted.
- ...
- (3) Up to two hundred seven million seven hundred seventy-seven thousand seven hundred eighty-nine dollars (\$207,777,789) of the funds ~~shall~~may be used to build the supply of qualified child care teachers with staff bonuses and other teacher pipeline programs, including apprenticeships, stackable courses, and fast-track programs. ~~The Division of Child Development and Early Education shall provide staff bonuses under this subdivision based on the number of months the teacher or staff person has worked at the child care facility with the maximum bonus being provided to a teacher or staff person who has worked at least 12 months at the teacher or staff person's current child care facility."~~

PART IX-E. HEALTH BENEFITS

CONTINUE MEDICAID ANNUAL REPORT

§ 110-91. Mandatory standards for a license.

All child care facilities shall comply with all State laws and federal laws and local ordinances that pertain to child health, safety, and welfare. Except as otherwise provided in this Article, the standards in this section shall be complied with by all child care facilities. However, none of the standards in this section apply to the school-age children of the operator of a child care facility but do apply to the preschool-age children of the operator. Children 13 years of age or older may receive child care on a voluntary basis provided all applicable required standards are met. The standards in this section, along with any other applicable State laws and federal laws or local ordinances, shall be the required standards for the issuance of a license by the Secretary under the policies and procedures of the Commission except that the Commission may, in its discretion, adopt less stringent standards for the licensing of facilities which provide care on a temporary, part-time, drop-in, seasonal, after-school or other than a full-time basis.

- (1) **Medical Care and Sanitation.** - The Commission for Public Health shall adopt rules which establish minimum sanitation standards for child care centers and their personnel. The sanitation rules adopted by the Commission for Public Health shall cover such matters as the cleanliness of floors, walls, ceilings, storage spaces, utensils, and other facilities; adequacy of ventilation; sanitation of water supply, lavatory facilities, toilet facilities, sewage disposal, food protection facilities, bactericidal treatment of eating and drinking utensils, and solid-waste storage and disposal; methods of food preparation and serving; infectious disease control; sleeping facilities; and other items and facilities as are necessary in the interest of the public health. The Commission for Public Health shall allow child care centers to use domestic kitchen equipment, provided appropriate temperature levels for heating, cooling, and storing are maintained. Child care centers that fry foods shall use commercial hoods. These rules shall be developed in consultation with the Department.

The Commission shall adopt rules for child care facilities to establish minimum requirements for child and staff health assessments and medical care procedures. These rules shall be developed in consultation with the Department. Each child shall have a health assessment before being admitted or within 30 days following admission to a child care facility. The assessment shall be done by: (i) a licensed physician, (ii) the physician's authorized agent who is currently approved by the North Carolina Medical Board, or comparable certifying board in any state contiguous to North Carolina, (iii) a certified nurse practitioner, or (iv) a public health nurse meeting the Departments Standards for Early Periodic Screening, Diagnosis, and Treatment Program. However, no health assessment shall be required of any staff or child who is and has been in normal health when the staff, or the child's parent, guardian, or full-time custodian objects in writing to a health assessment on religious grounds which conform to the teachings and practice of any recognized church or religious denomination.

Organizations that provide prepared meals to child care centers only are considered child care centers for purposes of compliance with appropriate sanitation standards.

- (2) **Health-Related Activities.** -
- a. through f. Repealed by Session Laws 2012-142, s. 10.1(c1), effective July 1, 2012.
- g. **Nutrition standards.** - The Commission shall adopt rules for child care facilities to ensure that food and beverages provided by a

child care facility are nutritious and align with children's developmental needs. The Commission shall consult with the Division of Child Development and Early Education of the Department of Health and Human Services to develop nutrition standards to provide for requirements appropriate for children of different ages. In developing nutrition standards, the Commission shall consider the following recommendations:

1. Limiting or prohibiting the serving of sweetened beverages, other than one hundred percent (100%) fruit juice to children of any age.
 2. Limiting or prohibiting the serving of whole milk to children two years of age or older or flavored milk to children of any age.
 3. Limiting or prohibiting the serving of more than six ounces of juice per day to children of any age.
 4. Limiting or prohibiting the serving of juice from a bottle.
- h. Parental exceptions. -
1. Parents or guardians of a child enrolled in a child care facility may (i) provide food and beverages to their child that may not meet the nutrition standards adopted by the Commission and (ii) opt out of any supplemental food program provided by the child care facility. The child care facility shall not provide food or beverages to a child whose parent or guardian has opted out of any supplemental food program provided by the child care facility and whose parent or guardian is providing food and beverages for the child.
 2. The Commission, the Division of Child Development and Early Education of the Department of Health and Human Services, or any State agency or contracting entity with a State agency shall not evaluate the nutritional value or adequacy of the components of food and beverages provided by a parent or guardian to his or her child enrolled in a child care facility as an indicator of environmental quality ratings.
- i. Rest time. - Each child care facility shall have a rest period for each child in care after lunch or at some other appropriate time and arrange for each child in care to be out-of-doors each day if weather conditions permit.
- (3) Location. - Each child care facility shall be located in an area which is free from conditions which are considered hazardous to the physical and moral welfare of the children in care in the opinion of the Secretary.
 - (4) Building. - Each child care facility shall be located in a building which meets the appropriate requirements of the North Carolina Building Code under standards which shall be developed by the Building Code Council, subject to adoption by the Commission specifically for child care facilities, including facilities operated in a private residence. These standards shall be consistent with the provisions of this Article. A local building code enforcement officer shall approve any proposed alternate material, design, or method of construction, provided the building code enforcement officer finds that the alternate, for the purpose intended, is at least the equivalent of that prescribed in the technical building codes in

quality, strength, effectiveness, fire resistance, durability, or safety. A local building code enforcement officer shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate. The Child Care Commission may request changes to the Building Code to suit the special needs of preschool children. Satisfactorily written reports from representatives of building inspection agencies shall be required prior to the issuance of a license and whenever renovations are made to a child care center, or when the operator requests licensure of space not previously approved for child care.

- (5) Fire Prevention. - Each child care facility shall be located in a building that meets appropriate requirements for fire prevention and safe evacuation that apply to child care facilities as established by the Department of Insurance in consultation with the Department. Except for child care centers located on State property, each child care center shall be inspected at least annually by a local fire department or volunteer fire department for compliance with these requirements. Child care centers located on State property shall be inspected at least annually by an official designated by the Department of Insurance.

- (6) Space and Equipment Requirements. - There shall be no less than 25 square feet of indoor space for each child for which a child care center is licensed, exclusive of closets, passageways, kitchens, and bathrooms, and this floor space shall provide during rest periods 200 cubic feet of airspace per child for which the center is licensed. There shall be adequate outdoor play area for each child under rules adopted by the Commission which shall be related to the size of center and the availability and location of outside land area. In no event shall the minimum required exceed 75 square feet per child. The outdoor area shall be protected to assure the safety of the children receiving child care by an adequate fence or other protection. A center operated in a public school shall be deemed to have adequate fencing protection. A center operating exclusively during the evening and early morning hours, between 6:00 P.M. and 6:00 A.M., need not meet the outdoor play area requirements mandated by this subdivision.

Each child care facility shall provide indoor area equipment and furnishings that are child size, sturdy, safe, and in good repair. Each child care facility that provides outdoor area equipment and furnishings shall provide outdoor area equipment and furnishings that are child size, sturdy, free of hazards that pose a threat of serious injury to children while engaged in normal play activities, and in good repair. The Commission shall adopt standards to establish minimum requirements for equipment appropriate for the size of child care facility. Space shall be available for proper storage of beds, cribs, mats, cots, sleeping garments, and linens as well as designated space for each child's personal belongings.

The Division of Child Development of the Department of Health and Human Services shall establish and implement a policy that defines any building which is currently approved for school occupancy and which houses a public or private elementary school to include the playgrounds and athletic fields as part of the school building when that building is used to serve school-age children in after-school child care programs. Playgrounds and athletic fields referenced in this section that do not meet licensure standards promulgated by the North Carolina Child Care Commission shall be noted on the program's licensure and rating information.

(7) Staff-Child Ratio and Capacity for Child Care Facilities. - In determining the staff-child ratio in child care facilities, all children younger than 13 years old shall be counted.

a. The Commission shall adopt rules for child care centers regarding staff-child ratios, group sizes and multi-age groupings other than for infants and toddlers, provided that these rules shall be no less stringent than those currently required for staff-child ratios as enacted in Section 156(e) of Chapter 757 of the 1985 Session Laws.

1. Except as otherwise provided in this subdivision, the staff-child ratios and group sizes for infants and toddlers in child care centers shall be no less stringent than as follows:

Age	Ratio Staff/ Children	Group Size
0 to 12 months	1/5	10
12 to 24 months	1/6	12
2 to 3 years	1/10	20.

No child care center shall care for more than 25 children in one group. Child care centers providing care for 26 or more children shall provide for two or more groups according to the ages of children and shall provide separate supervisory personnel and separate identifiable space for each group.

2. When any preschool-aged child is enrolled in a child care center and the licensed capacity of the center is six through 12 children, the staff-child ratios shall be no less stringent than as follows:

Age	Ratio Staff/Children
0 to 12 months	1/5 preschool children plus 3 additional school-aged children
12 to 24 months	1/6 preschool children plus 2 additional school-aged children.

The following shall also apply:

I. There is no specific group size.

II. When only one caregiver is required to meet the staff-child ratio, the operator shall make available to parents the name, address, and phone number of an adult who is nearby and available for emergency relief.

III. Children shall be supervised at all times. All children who are not asleep or resting shall be visually supervised. Children may sleep or rest in another room as long as a caregiver can hear them and respond immediately.

b. Family Child Care Home Capacity. - Of the children present at any one time in a family child care home, no more than five children shall be preschool-aged, including the operator's own preschool-age children.

(8) Qualifications for Staff. - All child care center administrators shall be at least 21 years of age. All child care center administrators shall have the North Carolina Early Childhood Administration Credential or its equivalent as determined by the Department. All child care administrators

performing administrative duties as of the date this act becomes law and child care administrators who assume administrative duties at any time after this act becomes law and until September 1, 1998, shall obtain the required credential by September 1, 2000. Child care administrators who assume administrative duties after September 1, 1998, shall begin working toward the completion of the North Carolina Early Childhood Administration Credential or its equivalent within six months after assuming administrative duties and shall complete the credential or its equivalent within two years after beginning work to complete the credential. Each child care center shall be under the direction or supervision of a person meeting these requirements. All staff counted toward meeting the required staff-child ratio shall be at least 16 years of age, provided that persons younger than 18 years of age work under the direct supervision of a credentialed staff person who is at least 21 years of age. All lead teachers in a child care center shall have at least a North Carolina Early Childhood Credential or its equivalent as determined by the Department. Lead teachers shall be enrolled in the North Carolina Early Childhood Credential coursework or its equivalent as determined by the Department within six months after becoming employed as a lead teacher or within six months after this act becomes law, whichever is later, and shall complete the credential or its equivalent within 18 months after enrollment.

For child care centers licensed to care for 200 or more children, the Department, in collaboration with the North Carolina Institute for Early Childhood Professional Development, shall establish categories to recognize the levels of education achieved by child care center administrators and teachers who perform administrative functions. The Department shall use these categories to establish appropriate staffing based on the size of the center and the individual staff responsibilities.

Effective January 1, 1998, an operator of a licensed family child care home shall be at least 21 years old and have a high school diploma or its equivalent. Operators of a family child care home licensed prior to January 1, 1998, shall be at least 18 years of age and literate. Literate is defined as understanding licensing requirements and having the ability to communicate with the family and relevant emergency personnel. Any operator of a licensed family child care home shall be the person on-site providing child care.

The Commission shall adopt standards to establish appropriate qualifications for all staff in child care centers. These standards shall reflect training, experience, education and credentialing and shall be appropriate for the size center and the level of individual staff responsibilities. It is the intent of this provision to guarantee that all children in child care are cared for by qualified people. Pursuant to G.S. 110-106, no requirements may interfere with the teachings or doctrine of any established religious organization. The staff qualification requirements of this subdivision do not apply to religious-sponsored child care facilities pursuant to G.S. 110-106.

- (8a) Expired pursuant to Session Laws 2010-178, s. 2, as amended by Session Laws 2011-145, s. 10.4A, effective July 1, 2011.
- (9) Records. - Each child care facility shall keep accurate records on each child receiving care in the child care facility and on each staff member or other person delegated responsibility for the care of children in

accordance with a form furnished or approved by the Commission, and shall submit records as required by the Department.

All records of any child care facility, except financial records, shall be available for review by the Secretary or by duly authorized representatives of the Department or a cooperating agency who shall be designated by the Secretary and shall be submitted as required by the Department.

- (10) Each operator or staff member shall attend to any child in a nurturing and appropriate manner, and in keeping with the child's developmental needs.

Each child care facility shall have a written policy on discipline, describing the methods and practices used to discipline children enrolled in that facility. This written policy shall be discussed with, and a copy given to, each child's parent prior to the first time the child attends the facility. Subsequently, any change in discipline methods or practices shall be communicated in writing to the parents prior to the effective date of the change.

The use of corporal punishment as a form of discipline is prohibited in child care facilities and may not be used by any operator or staff member of any child care facility, except that corporal punishment may be used in religious sponsored child care facilities as defined in G.S. 110-106, only if (i) the religious sponsored child care facility files with the Department a notice stating that corporal punishment is part of the religious training of its program, and (ii) the religious sponsored child care facility clearly states in its written policy of discipline that corporal punishment is part of the religious training of its program. The written policy on discipline of nonreligious sponsored child care facilities shall clearly state the prohibition on corporal punishment.

- (11) Staff Development. - The Commission shall adopt minimum standards for ongoing staff development for facilities but limited to the following topic areas:

- a. Planning a safe, healthy learning environment;
- b. Steps to advance children's physical and intellectual development;
- c. Positive ways to support children's social and emotional development;
- d. Strategies to establish productive relationships with families;
- e. Strategies to manage an effective program operation;
- f. Maintaining a commitment to professionalism;
- g. Observing and recording children's behavior;
- h. Principles of child growth and development; and
- i. Learning activities that promote inclusion of children with special needs.

These standards shall include annual requirements for ongoing staff development appropriate to job responsibilities. A person may carry forward in-service training hours that are in excess of the previous year's requirement to meet up to one-half of the current year's required in-service training hours.

- (12) Developmentally Appropriate Activities. - Each facility shall have developmentally appropriate activities and play materials. The Commission shall establish minimum standards for developmentally appropriate activities for child care facilities. Each child care facility shall have a planned schedule of developmentally appropriate activities displayed in a prominent place for parents to review and the appropriate materials and equipment available to implement the scheduled activities.

Each child care center shall make four of the following activity areas available daily: art and other creative play, children's books, blocks and block building, manipulatives, and family living and dramatic play.

- (13) Transportation. - When a child care facility staff person or a volunteer of a child care facility transports children in a vehicle, each adult and child shall be restrained by an appropriate seat safety belt or restraint device when the vehicle is in motion. Children may never be left unattended in a vehicle.

The ratio of adults to children in child care vehicles may not be less than the staff/child ratios prescribed by G.S. 110-91(7). The Commission shall adopt standards for transporting children under the age of two, including standards addressing this particular age's staff/child ratio during transportation.

- (14) Any effort to falsify information provided to the Department shall be considered by the Secretary to be evidence of violation of this Article on the part of the operator or sponsor of the child care facility and shall constitute a cause for revoking or denying a license to such child care facility.

- (15) Safe Sleep Policy. - Operators of child care facilities that care for children ages 12 months or younger shall develop and maintain a written safe sleep policy, in accordance with rules adopted by the Commission. The safe sleep policy shall address maintaining a safe sleep environment and shall include the following requirements:

- a. A caregiver in a child care facility shall place a child age 12 months or younger on the child's back for sleeping, unless: (i) for a child age 6 months or younger, the operator of the child care facility obtains a written waiver of this requirement from a health care professional, as defined in rules adopted by the Commission; or (ii) for a child older than 6 months, the operator of the child care facility obtains a written waiver of this requirement from a health care professional, as defined in rules adopted by the Commission, a parent, or a legal guardian.

- b. The operator of the child care facility shall discuss the safe sleep policy with the child's parent or guardian before the child is enrolled in the child care facility. The child's parent or guardian shall sign a statement attesting that the parent or guardian received a copy of the safe sleep policy and that the policy was discussed with the parent or guardian before the child's enrollment.

- c. Any caregiver responsible for the care of children ages 12 months or younger shall receive training in safe sleep practices. (1971, c. 803, s. 1; 1973, c. 476, s. 128; 1975, c. 879, s. 15; 1977, c. 1011, s. 4; c. 1104; 1979, c. 9, ss. 1, 2; 1981 (Reg. Sess., 1982), c. 1382, ss. 1, 2; 1983, c. 46, s. 2; cc. 62, 277, 612; 1985, c. 757, ss. 155(h), (i), 156(c)-(h); 1987, c. 543, s. 3; c. 788, s. 6; c. 827, s. 234; 1989 (Reg. Sess., 1990), c. 1004, s. 56; 1991, c. 273, s. 5; c. 640, s. 1; 1993, c. 185, s. 3; c. 321, s. 254(c); c. 513, s. 9; c. 553, s. 32; 1995, c. 94, s. 32; 1997-443, s. 11A.44; 1997-456, s. 43.1(a); 1997-506, s. 8(a); 1998-217, s. 11; 1999-130, s. 2; 2003-407, s. 1; 2007-182, s. 2; 2009-64, s. 1; 2009-244, s. 1; 2010-117, s. 1; 2010-178, s. 1; 2011-145, s. 10.4A; 2012-142, 10.1(c1); 2012-160, s. 2.)

Ordinance # ____ - ____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING ORDINANCE, SECTION 12-2-2 CHILD CARE HOME AND SECTION 12-2-2 CHILD CARE CENTER

WHEREAS, the Planning Board took up this application at its regular meeting on January 11th, 2024; voting ____ to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on _____, and

WHEREAS, the proposed amendment is intended to not duplicate regulations enforced by other agencies and to keep the requirements up to date and reflective of current trends; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that Section 12-2-2 Child Car Home and Section 12-2-2 Child Care Center of the Zoning Ordinance of the City of Hendersonville be amended as follows:

12-2-2 Child Care Home.

Child care home: A facility run by an individual that provides supervision or care on a regular basis in the individual's home where at any one time, more than two children, but less than 10 children, receive child care, provided the arrangement is in accordance with the requirements under G.S. 110-91(7)(b). ~~for not more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.~~

12-2-2 Child Care Center.

Child care center: An individual, agency or organization, located within a commercial facility, providing supervision or care on a regular basis to three or more preschool-age children or nine or more school-age children receiving child care, ~~more than six children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult per G.S. 110-91(7).~~

Adopted this ____ day of _____ 2024.

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

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



CITY OF HENDERSONVILLE AMENDED AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Alexandra Hunt **MEETING DATE:** January 11, 2023

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

TITLE OF ITEM: Zoning Text Amendment: Addition of Definitions (P23-080-ZTA) –*Alexandra Hunt, Planner I*

SUGGESTED MOTION(S):

<p><u>For Recommending Approval:</u></p> <p>I move Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 12-2 Definition of Commonly Used Terms and Words; Section 4-5 Table of Uses; Section 5-7-1, Section 5-8-1, Section 5-15-1, Section 5-11-1, Section 5-12-1 and Section 5-27-1 Permitted Uses by adding definitions for existing 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 style="padding-left: 40px;">The petition aligns with the Comprehensive Plan’s goals to Promote conformance and consistency between the City’s Zoning Ordinance and Comprehensive Plan (Strategy LU-3.6)</p> <p>2. We [find] this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ol style="list-style-type: none"> 1. The proposed text amendment provides clarification for the uses listed in the zoning ordinance. 2. The proposed text amendment promotes transparency and better customer service for the public. <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p><u>For Recommending Denial:</u></p> <p>I move Planning Board deny City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 12-2 Definition of Commonly Used Terms and Words; Section 4-5 Table of Uses; Section 5-7-1, Section 5-8-1, Section 5-15-1, Section 5-11-1, Section 5-12-1 and Section 5-27-1 Permitted Uses by adding definitions for existing 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 style="padding-left: 40px;">The petition aligns with the Comprehensive Plan’s goals to Promote conformance and consistency between the City’s Zoning Ordinance and Comprehensive Plan (Strategy LU-3.6)</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 proposed text amendment does not provide clarification for the uses listed in the zoning ordinance. 2. The proposed text amendment does not promote transparency and better customer service for the public. <p style="text-align: center;">[DISCUSS & VOTE]</p>
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SUMMARY:

City staff is proposing to add missing definitions for uses found in the City’s Zoning Ordinance. This proposed amendment is part of a larger, ongoing effort by City staff to audit the existing zoning ordinance and identify inconsistencies between ordinance sections, alongside spelling and grammatical errors. Through this effort, staff identified and developed a list of existing permitted uses that did not have a corresponding definition.

The overall goal of this zoning ordinance audit or “clean up” is to provide property owners, businesses, and the community continued transparency and better customer service via accurate and complete information.

PROJECT/PETITIONER NUMBER:	P23-080-ZTA
PETITIONER NAME:	City Staff
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Table of Uses3. Definitions Cheat Sheet

ZONING ORDINANCE TEXT AMENDMENT: ADDITION OF DEFINITIONS (P23-080-ZTA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 10

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT 10



PROJECT SUMMARY

- Project Name & Case #:
 - Addition of Definitions
 - P23-080-ZTA
- Applicant:
 - City of Hendersonville
- Zoning Ordinance Articles Amended:
 - Section 12-2 Definition of Commonly Used Terms and Words
 - Section 4-5 Table of Uses
 - Section 5-7-1 C-2 Secondary Business
 - Section 5-8-1 C-3 Highway Business
 - Section 5-15-1 PCD Planned Commercial Development CZD
 - Section 5-11-1 PMD Planned Manufacturing Development CZD
 - Section 5-12-1 I-1 Industrial
 - Section 5-27-1 CHMU
- Planning Board - Legislative Committee Meeting
 - October 2nd, 2023
- Summary Basics:
 - City staff is proposing to add definitions to the existing uses in zoning districts that currently do not have corresponding definitions. Additionally, City staff is also proposing to remove definitions for uses that are no longer permitted or that have been replaced with a new use and definition rendering them no longer necessary.

*Amendment Overview:*

City staff is proposing to add missing definitions for uses found in the City's Zoning Ordinance. This proposed amendment is part of a larger, ongoing effort by City staff to audit the existing zoning ordinance and identify inconsistencies between ordinance sections, alongside spelling and grammatical errors. Through this effort, staff identified and developed a list of existing permitted uses that did not have a corresponding definition.

The overall goal of this zoning ordinance audit or "clean up" is to provide property owners, businesses, and the community continued transparency and better customer service via accurate and complete information.

DEFINITIONS UPDATE TEXT AMENDMENT**Additions to the Ordinance****Staff Notes on Definitions****Sec. 12-2. Definition of commonly used terms and words.**

Automobile sales & service establishments: Storage and display for sale of more than two motor vehicles or unoccupied trailers, and including repair or body work incidental to the operation of the new or used vehicle sales. Motor vehicle sales includes motor vehicle retail or wholesale sales.

***Automobile service and repair shop:** An establishment primarily engaged in providing a wide range of mechanical and electrical repair and maintenance services for automotive vehicles, such as passenger cars, trucks, and vans and all trailers or engine repair or replacement.

***Proposed new use to be added in the same districts that Automotive sales & service establishments: C-2, C-3, PCDCZD, I-1, PMDCZD, CHMU**

Exhibition buildings: Facilities whose primary purpose is to provide exhibition space for the temporary display of goods, art, technology, demonstrations, vehicles or other items of interest for viewing by the public or a specific group of people. Sale of the items on display as part of the exhibition shall not disqualify a building from being considered an exhibition building. This term does not include banquet halls, clubs, lodges, or other meeting facilities of private or nonprofit groups that are primarily used by group members.

Fair grounds: An area wherein buildings, structures, and land are used for the exhibition of livestock, farm products, etc. and/or for carnival-like entertainment on more than a sporadic basis.

Feed and grain store: A retail store selling primarily agricultural products, including but not limited to the bulk storage and sales of feeds, grains, fertilizers and related agrichemicals.

Funeral homes: An establishment used for the cremation and/or preparation of the deceased for burial, including on site viewing of the deceased and services or rituals connected therewith before burial or cremation. A funeral home, as defined for the purposes of this code, includes a funeral chapel.

Golf course and related activities: A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities, including clubhouses, snack bars, pro shops and other amenities, but excluding miniature golf.

Hotel: An establishment consisting of one or more buildings in which more than five rooms or temporary lodging units are provided and offered to the public for a fee, which is open to transient guests and is not a rooming or boarding house or a bed and breakfast facility. Hotels may also offer food and beverage services, conference rooms, convention services and parking facilities or decks primarily for the use of their guests.

Laundries, coin operated: A facility where patrons wash, dry clothing or other fabrics in a machines operated by the patron, for a fee.

Mini warehouses: Establishments consisting of one or more buildings, divided into individual storage units designed for storage by individuals that typically do not contain facilities for utility service unless they are climate controlled, and are not used for sales or service, or for habitation by humans or animals.

Motel: An establishment consisting of one or more buildings in which more than five rooms or lodging units are provided and offered to the public for a fee, which is open to transient guests and is not a rooming or boarding house or a bed and breakfast facility, and in which access to and from each room or unit is through an exterior door.

Parking lots and parking garages:

Parking garage: A building or portion of a building intended to be used for the parking and storage of motor vehicles. As used herein, parking garages include a principal use of a lot. Parking garages that are accessory to another use shall be considered part of that use, for example a parking garage that is accessory to a hotel shall be considered part of the hotel.

Parking lot: An open, hard-surfaced area, other than a street or public way, to be used for the storage, for limited periods of time, of operable motor vehicles and/or commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients, customers, residents, or owners.

Sec. 5-7. C-2 Secondary Business Zoning District Classification.

This zoning district classification is designed primarily to accommodate a) existing developments of mixed commercial and light industrial uses, and b) certain commercial and light industrial uses compatible with one another but inappropriate in certain other zoning district classifications.

5-7-1. Permitted uses.

The following uses are permitted by right in the C-2 Secondary Business Zoning District Classification, provided that they meet all requirements of this section and all other requirements established in this appendix:

Automobile service and repair shop

Sec. 5-8. C-3 Highway Business Zoning District Classification.

This zoning district classification is designed primarily to encourage the development of recognizable, attractive groupings of facilities to serve persons traveling by automobile and local residents. Since these areas are generally located on the major highways, they are subject to the public view. They should provide an appropriate appearance, ample parking, and be designed to minimize traffic congestion.

5-8-1. Permitted uses.

The following uses are permitted by right in the C-3 Highway Business Zoning District Classification, provided that they meet all requirements of this section and all other requirements established in this appendix:

Automobile service and repair shop

Sec. 5-12. I-1 Industrial Zoning District Classification.

This zoning district classification is established for those areas of the city where the principal use of the land is for industrial activities that by their nature may create some nuisance and which are not properly associated with residential, commercial and/or service establishments. This district is also established to preserve areas exhibiting industrial potential. Selected business uses of a convenience character are also permitted in this district. Some of the permitted uses in this district are exempt from the size limitations contained in section 4-5(e)(2) of the Zoning Ordinance, as is indicated specifically below.

5-12-1. Permitted uses.

5-12-1(a) Permitted uses: The following uses are permitted by right in the I-1 Industrial Zoning District Classification and are not exempted from the size limitations contained in section 4-5(e)(2) of this ordinance, provided that they meet all requirements of this section and all other requirements established in this ordinance. SIC references are to the 1987 edition of the Standard Industrial Classification Manual published by the Office of Management and Budget.

Automobile service and repair shop

Sec. 5-15. PCD Planned Commercial Development Conditional Zoning District Classification.

This classification is designed to accommodate the development of shopping centers and retail establishments larger than 50,000 square feet of floor area or which contain commercial uses which are proposed to be developed in conjunction with residential uses. A rezoning of the property to a Planned Commercial Development Conditional Zoning District is required. Such rezoning shall insure that the proposed use or development is consistent with the requirements of this section and may further specify the timing of development, the location and extent of rights-of-way and other areas to be dedicated for public use, and other such matters as the applicant may propose as conditions upon the request. In granting the rezoning for a planned commercial development conditional zoning district, city council may

impose such additional reasonable and appropriate safeguards upon such approval as it may deem necessary in order that the purpose and intent of this chapter are served, public welfare secured and substantial justice done.

5-15-1. Application.

The reclassification of property to PCD Planned Commercial Development Conditional Zoning District shall constitute an amendment of the official zoning map which may be initiated only by all of the owner(s) of a legal interest in the affected property. Such amendment shall be initiated by means of an application for rezoning to a PCD Planned Commercial Development District Conditional Zoning District. No permit shall be issued for any development within a PCD Planned Commercial Development Conditional Zoning District except in accordance with an approved rezoning.

5-15-2. Permissible uses, subject to rezoning to a Planned Commercial Development Conditional Zoning District.

A building or land shall be used only for those purposes specified in the rezoning for the project which may include one or more of the following:

Automobile service and repair shop

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

The Commercial Highway Mixed Use Zoning District Classification is intended to encourage a mix of high density residential development in conjunction with appropriately scaled and compatible commercial development, consisting of community and regional retail sales and services, professional offices, research facilities, restaurants, accommodations services and similar uses. Development design becomes a critical consideration when establishing regional activity centers that create attractive and functional roadway corridors which also encourage mixed-use and walkable design. In addition to the general dimensional and use provisions, the regulations contained herein, along with those in article XVIII which apply to mixed use zoning district classifications generally, address the design of buildings and development sites.

5-27-1 Permitted uses.

The following uses are permitted by right in the CHMU Commercial Highway Mixed Use Zoning District Classification, provided they meet all requirements of this section and all other requirements established in this ordinance:

Automobile service and repair shop

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

COMPREHENSIVE PLAN CONSISTENCY	
Land Use & Development	<i>Strategy LU-3.6. Update the Zoning Code to ensure conformance with the Comprehensive Plan.</i>
Population & Housing	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Natural & Environmental Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Cultural & Historic Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Community Facilities	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</i>
Water Resources	<i>There are no Goals, Strategies, or Actions that are directly applicable to this petition.</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>This zoning text amendment clarifies the meaning of existing uses.</i>
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	<i>This zoning text amendment addresses the lack of clarification of the meaning of existing uses.</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>This zoning text amendment is in the public interest in that it provides additional clarification and transparency of existing uses within the City's Zoning Ordinance.</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>There are not any direct connections between this text amendment and 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 -

	<p><i>There are not any direct connections between this text amendment and the environment/ natural resources.</i></p>
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DRAFT COMPREHENSIVE PLAN CONSISTENCY AND TEXT AMENDMENT 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 the Comprehensive Plan’s goals to Promote conformance and consistency between the City’s Zoning Ordinance and Comprehensive Plan.

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

DRAFT [Rationale for Approval]

- *The proposed text amendment provides clarification for the uses listed in the zoning ordinance.*
- *The proposed text amendment promotes transparency and better customer service for the public.*

Sec. 4-5. Classification of uses.

The range of uses allowed in each district established in this ordinance is summarized in Table 4-5 Table of Permitted Uses, which is a part of this section. In the event of a conflict between Table 4-5 and the text of this appendix, the text shall control.

The Table of Uses orders uses into the following four classifications. All uses must comply with regulations of general application in the zoning ordinance, including, without limitation, those in articles VI, VII, and XV. In addition, uses must comply with specific development standards as noted below:

- a) **Permitted by right (P).** A use which is permitted by right must comply with the development standards for the relevant zoning district. This process requires administrative (i.e. professional city staff) review leading to an administrative decision.
- b) **Permitted by right subject to supplementary standards (SS).** Same as above except that the use must comply with one or more additional standards not required of other permitted uses in the district. These additional standards are either incorporated into the description of the use or, when they are too lengthy, a reference is given to their location in the ordinance. This process requires administrative (i.e. professional city staff) review leading to an administrative decision.
- c) **Special Use (SU).** A use which may be authorized only by means of a special use permit (SUP) issued by the board of adjustment pursuant to article X, below. This process requires initial administrative review (i.e. professional city staff) and a final quasi-judicial decision by the board of adjustment (quasi-judicial process).
- d) **Limited (L).**
- e) **Uses permitted only pursuant to a rezoning to a conditional zoning district.**
 - 1) Any building or structure that exceeds the maximum square footage as stated in a conventional zoning district shall require a rezoning to a conditional zoning district which allows the proposed square footage for the building or structure in order to be permitted.
 - 2) Any of the following development or redevelopment shall require a rezoning to a conditional zoning district which allows it:
 - (a) Any nonresidential development or redevelopment that includes a cumulative total gross floor area for all buildings combined for all phases combined of the development or redevelopment of 50,000 square feet or more;
 - (b) Any mixed-use development or redevelopment that includes a cumulative total gross floor area for all buildings combined (including both residential and nonresidential) for all phases combined of the development or redevelopment of 50,000 square feet or more;
 - (c) Any amendment to an approved nonresidential or mixed-use development or redevelopment that, when added to the approved development or redevelopment for all phases of the development or redevelopment combined, brings the development or redevelopment (including the amendment) within the parameters of (a) or (b) above.
 - (d) Any single, two or multi-family residential development or redevelopment that includes 51 or more residential dwelling units for all phases combined: or

- (e) Any amendment to an approved single, two or multi-family residential development or redevelopment that, when added to the approved number of dwelling units for all phases combined, brings the total number of dwelling units (including the amendment) for all phases of the development or redevelopment combined to 51 or more dwelling units.
- 3) The provisions in this Section 4-5(e) for requiring a rezoning to a conditional zoning district are subject to any exemptions established in article V, zoning district classifications.

USE	R-40	R-20	R-15	R-10	R-6	PRDCZD	PMHCZD	RCT	MIC	C-1	C-2	C-3	C-4	CMU	PCDCZD	I-1	PMDZD	PIDZD	GHMU	HMU	UVCZD	URCZD	CHMU
Accessory dwelling units	SS	SS	SS	SS	SS	-	-	SS	SS	SS	SS	SS	SS	P	-	SS	P	-	P	SS	SS	-	SS
Accessory uses and/or structures	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	L	P
Adaptive reuse						-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Adult care centers	-	-	-	-	-	P	P	SS	SS	SS	SS	SS	SS	SS	P	-	-	P	SU	SS	SS	L	P
Adult care homes	SS	SS	SS	SS	SS	P	P	SS	SS	-	-	-	-	P	-	-	-	-	SU	P	P	-	P
Adult establishments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	P	-	-	-	-	-	-
Agriculture	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Agricultural supplies, bulk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Amphitheaters, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Animal hospitals & clinics	-	-	-	-	-	-	-	SS	-	-	SS	SS	-	SS	P	SS	P	-	-	SS	SS	-	P
Animal boarding facilities	-	-	-	-	-	-	-	-	-	-	SU	SU	-	-	P	SU	P	-	-	-	-	-	-
Automobile car washes	-	-	-	-	-	-	-	SS	-	-	P	P	SS	P	P	P	P	-	-	P	-	-	P
Automobile sales & service	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	-	P

Automobile service and repair shop	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	-	P
Automotive paint & body work	-	-	-	-	-	-	-	-	-	-	-	SU	P	-	-	P	P	P	-	-	-	-	-	-
Banks & other financial institutions	-	-	-	-	-	-	-	SS	P	P	P	P	P	P	P	-	-	-	P	P	P	L	P	
Bed & breakfast facilities	SU	SU	SU	SU	SU	-	-	SU	SU	P	P	P	SU	P	SS	-	-	-	P	P	P	P	-	
Bottling plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Breweries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Bus stations	-	-	-	-	-	-	-	-	-	-	SU	SU	-	P	-	P	P	-	-	SU	-	-	SU	
Business services	-	-	-	-	-	-	-	SS	-	P	P	P	P	P	P	P	P	-	P	P	P	L	P	
Camps	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Cemeteries, mausoleums, columbariums, memorial gardens, crematoriums	-	SU	SU	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Child care centers	-	-	-	-	-	P	P	SU	SU	SU	SU	SU	SU	SU	P	-	-	P	SU	SS	SS	L	SS	
Child care home	SS	SS	SS	SS	SS	P	P	SS	SS	-	-	-	-	P	-	-	-	-	SU	P	P	-	P	
Cideries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Cideries, hard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Civic centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Civic clubs & fraternal organizations	-	-	-	-	-	-	-	SU	SU	SU	SU	SU	SU	SU	P	SU	P	P	-	SS	SU	L	SS	
Concrete plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Congregate care facilities	-	-	-	-	-	-	-	-	SS	-	SS	SS	-	SS	P	SS	P	P	-	SS	SS	-	SS	
Construction trades facilities	-	-	-	-	-	-	-	-	-	-	SS	SS	-	P	P	P	P	-	-	SS	-	-	P	

Convenience stores with or without gasoline sales	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-	P
Convenience stores without gasoline sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P
Copy centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	L	-
Cultural arts buildings	-	-	-	-	-	-	-	-	SU	SU	P	P	-	P	-	-	-	P	P	P	P	L	P
Day care facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	P
Day centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dance & fitness facilities	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	P	P	P	L	P
Distilleries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Dry cleaning & laundry (≤2,000SF)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	P	P	P	-	-
Dry cleaning & laundry (≤6,000SF)	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	-	-	-	-	P	P	-	P
Dry cleaning & laundry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-
Dry cleaning & laundry (pickup & drop off only)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	L	-
Electronic gaming operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-
Equipment rental & sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Exhibition buildings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Exterminators	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Fairgrounds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-

Farm equipment sales & service	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	-	-	-
Feed & grain stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Freight terminals (SIC groups 40, 41, 42)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Food pantries	-	-	-	-	-	-	-	-	-	-	SS	SS	-	-	-	-	-	-	-	-	-	-	-	-
Food processing establishments	-	-	-	-	-	-	-	-	-	-	-	SS	-	-	P	SS	P	-	-	-	-	-	-	-
Funeral homes	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	P	P	P	-	P	P
Garage apartments	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
Golf courses	-	-	-	-	-	P	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-
Golf driving ranges, par 3 golf	SU	-	-	-	-	P	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	-	-	-
Government facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Greenhouses & nurseries, commercial	-	-	-	-	-	-	-	SS	-	-	P	P	-	-	-	P	P	-	-	P	-	-	-	P
Health clubs & athletic facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	P
Heavy equipment, sales, rentals, leases & service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Heavy equipment storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Home occupations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	P	P	P	P	L	P
Hospitals	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-
Hotels	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	P	P	P	P	P	-
Hotels & motels	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P

Laboratories, with or without outdoor storage or operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Laundries, coin-operated	-	-	-	-	-	-	-	SS	P	P	P	P	P	P	P	-	-	-	P	P	P	-	P	
Laundries, coin-operated, for the sole use of the occupants of the building within they are located	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lawn & garden centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	P	P	-	P	
Manufactured homes	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Manufacturing (select industries)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Manufacturing, light	-	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	P	P	-	-	-	-	-	-	
Merchandise gaming operation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	
Microbreweries	-	-	-	-	-	-	-	-	-	SS	SS	SS	-	SS	P	P	P	-	SS	SS	-	-	-	
Mini-warehouses	-	-	-	-	-	-	-	-	-	-	-	SU	-	-	P	P	P	-	-	-	-	-	-	
Mobile food vendors	-	-	-	-	-	-	-	-	-	-	SS	SS	-	SS	-	SS	-	-	-	SS	-	-	-	
Mobile homes	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Mobile home sales	-	-	-	-	-	-	-	-	-	-	-	SS	-	-	-	-	-	-	-	-	-	-	-	
Motels	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	P	P	P	P	-	
Motor freight terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	

Movie theaters, indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	L	-
Music & art studios	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	P	P	P	P	L	P	
Neighborhood community centers	-	-	-	-	P	-	-	P	P	-	P	-	-	-	-	-	-	P	P	P	P	-	P		
Newspaper office & printing establishments	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	-	-	-	P	P	P	-	P		
Nursing homes	-	-	-	-	-	P	-	-	SS	-	SS	SS	-	SS	P	SS	P	P	-	SS	-	-	SS		
Offices	-	-	-	-	-	SS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Offices, business, professional & public	-	-	-	-	-	-	-	SS	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P		
Parking lots & parking garages	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	P	-	P	P	-	P		
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Passenger transportation terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-		
Personal services	-	-	-	-	-	-	-	SS	SS	P	P	P	P	P	P	P	-	-	P	P	P	L	P		
Pet-sitting	-	-	-	-	-	-	-	SU	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	-		
Planned residential development (minor)	SS	SS	SS	SS	SS	-	-	SS	SS	-	SS	SS	-	SS	-	SS	SS	-	-	-	SS	-	-		
Planned residential development (major)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Private clubs	-	-	-	-	-	-	-	-	-	SU	SU	SU	-	SU	-	SU	P	-	-	-	-	L	-		
Progressive care facilities	-	-	-	-	-	SS	-	-	SS	-	SS	SS	-	SS	SS	SS	SS	SS	-	SS	-	-	SS		

Public & private recreational facilities, indoor & outdoor, including uses accessory to the recreational facility such as snack bars, cabanas, etc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	CV
Public & semi-public buildings	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	P
Public utility facilities	SU	SU	SU	SU	SU	P	P	SU	SU	SU	SU	SU	SU	SU	P	SU	P	-	SU	SU	SU	P	SU		
Publishing & printing establishments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	
Radio & television broadcasting studios	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	
Recreational facilities, indoors	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	-	P	P	-	-	P	
Recreational facilities, outdoors, commercial	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	-	P	-	-	-	P	
Recycling centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	
Religious institutions	SS	SS	SS	SS	SS	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	L	P		
Repair services, miscellaneous	-	-	-	-	-	-	-	-	-	SS	P	P	-	P	P	P	P	-	-	P	P	-	-	P	
Repair services, (non-automotive) miscellaneous, so long as the use is contained within an enclosed building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	L	-	

Research & development with or without outdoor storage and operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	P
Residential care facilities	-	-	-	-	SU	-	-	SU	SS	-	P	P	-	-	-	-	-	-	-	P	P	-	P	
Residential dwellings, single-family	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P
Residential dwellings, multi-family	-	-	-	-	-	P	-	-	-	SS	SS	-	P	SS	P	-	-	P	P	P	P	P	P	P
Residential dwellings, two-family	-	P	P	P	P	P	-	P	P	P	P	P	-	P	P	-	-	P	P	P	P	P	-	P
Rest homes	-	-	-	-	-	P	-	-	SS	-	SS	SS	-	SS	P	SS	P	P	-	-	-	-	-	-
Restaurants	-	-	-	-	-	-	-	SU	SU	P	P	P	SU	P	P	P	P	-	P	P	P	L	P	
Restaurants, drive-in	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	P	-	-	P	
Retail stores	-	-	-	-	-	-	-	SS	SS	P	P	P	SS	P	P	P	P	-	SS	P	SS	L	P	
School, post secondary, business, technical & vocational	-	-	-	-	-	-	-	-	P	P	P	P	-	P	-	-	-	P	SU	P	P	L	P	
Schools, primary & secondary	SU	SU	SU	SU	SU	P	-	-	-	-	P	P	-	P	-	-	-	P	SU	P	P	P	P	
Service stations	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	-	P	-	-	P	
Shelter facilities	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	-	-	-	-	
Signs	SS	SS	SS	SS	SS	-	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS
Storage yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-

Telecommunications antennas	SS	SS	SS	SS	SS	SS	-	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS
Telecommunications towers	-	-	-	-	-	SS	-	-	-	-	-	SS	-	-	SS	SS	SS	-	-	-	-	-	-	-
Theaters, indoor	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	-	-	-	P	P	P	L	P	
Theaters, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SS	P	-	
Travel trailer sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Treatment plants, water & sewer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Vehicle repair shops with or without outdoor operations & storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Vehicle repair & service, without outdoor operations	-	-	-	-	-	-	-	-	-	-	-	-	-	SU	-	-	-	-	-	-	-	-	-	
Vehicle storage areas, not to include junk yards and wrecking yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Veterinary clinics	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
Warehouses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Wineries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Wholesale businesses	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	-	-	-	-	-	

(Ord. No. 22-06 , 1-6-22; Ord. No. 22-22 , 5-5-22)

Automotive-Automobile sales & service, Automobile sales & service establishments, Automobile sales, service & repair:

Storage and display for sale of more than two motor vehicles or ~~any type of unoccupied trailers,~~ provided the trailer is unoccupied, and ~~including where~~ repair or body work ~~is~~ incidental to the operation of the new or used vehicle sales. Motor vehicle sales includes motor vehicle retail or wholesale sales.

Exhibition buildings: ~~A commercial facility~~ Facilities whose primary purpose is to provide exhibition space for the temporary display of goods, art, technology, demonstrations, vehicles or other items of interest for viewing by the public or a specific group of people. Sale of the items on display as part of the exhibition shall not disqualify a building from being considered an exhibition building. ~~used for assemblies or meetings of the members or representatives of groups, including exhibition space.~~ This term does not include banquet halls, clubs, lodges, or other meeting facilities of private or nonprofit groups that are primarily used by group members.

Fair grounds: An area wherein buildings, structures, and land are used for the exhibition of livestock, farm products, etc. and/or for carnival-like entertainment on more than a sporadic basis.

Feed and grain storage: A retail store selling primarily agricultural products, including but not limited to the bulk storage and sales of feeds, grains, ~~of~~ fertilizers and related agrichemicals.

Funeral homes: An establishment building used for the cremation and/or preparation of the deceased for burial, including on site viewing and display of the deceased and services or rituals connected therewith before burial or cremation. A funeral home, as defined for the purposes of this code, includes a funeral chapel.

Golf course and related activities: A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities, including clubhouses, snack bars, pro shops and other amenities, but excluding miniature golf.

Hotel: An establishment consisting of one or more buildings in which more than five rooms or temporary lodging units is ~~are~~ provided and offered to the public for compensation a fee, and which is open to transient guests and is not a rooming or boarding house or a bed and breakfast facility. Hotels may also offer food and beverage services, conference rooms, convention services and parking facilities or decks primarily for the use of their guests.

Laundries, coin operated: A facility where patrons wash and, dry clothing or other fabrics in a machines operated by the patron, for a fee.

Mini warehouses: Establishments consisting of one or more buildings, divided into individual s ~~Storage units designed for storage by individuals~~ storage that typically do not contain facilities for utility service unless they are climate controlled, and are not used for sales or service, or for habitation by humans or animals.

Motel: An establishment consisting of one or more buildings in which more than five rooms or lodging units are provided and offered to the public for a fee, which is open to transient guests and is not a rooming or boarding house or a bed and breakfast facility, A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

Parking lots and parking garages:

Parking lot: An open, hard-surfaced area, other than a street or public way, to be used for the storage, for limited periods of time, of operable passenger ~~automobiles-motor vehicles~~ and/or commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients, ~~or~~ customers, residents or owners.

Parking garage: A detached accessory building or portion of a principal building intended to be used for the parking and storage of motor vehicles. As used herein, parking garages include a principal use of a lot. Parking garages that are accessory to another use shall be considered part of that use, for example a parking garage that is accessory to a hotel shall be considered part of the hotel. operated by the customers, visitors, and employees of the premises on which the garage is located.

NOTICE

City of Hendersonville Planning Board

305 Williams St. Operations Center, NC 28792

PLANNING BOARD ANNUAL SCHEDULE OF REGULAR MEETINGS

Regular Meetings of the City of Hendersonville Planning Board are held **on the Second Thursday** beginning at **4:00 p.m.** in the City Operations Assembly Room located at 305 Williams St., Hendersonville NC. The following regular meetings have been scheduled for 2024:

January 11, 2024
February 8, 2024
March 14, 2024
April 11, 2024
May 9, 2024
June 13, 2024

July 11, 2024
August 8, 2024
September 12, 2024
October 10, 2024
November 14, 2024
December 12, 2024

Jim Robertson
Chair

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 a particular accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.

Adopted: _____ Posted 01/11/2024

<https://www.hendersonvillenc.gov>

