

Read  Status: **Submitted**☐ Unread

Entry #: 22

Date Submitted: 2/10/2022 11:17 AM

Date:

2/3/2022

Name of Project

00971 - Hendersonville Retail

Address/Location of Property

605 Lexington Ave

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

9588206649

Check type of Development

Commercial

Current Zoning

PCD

Proposed Zoning

CHMU-CZD - Commercial Highway Mixed Use with Conditional Zoning

List requested uses

Restaurants, Drive-in

Total Acreage

0.75

Proposed Building Sq. ft.

1150

Dwelling Units

0

Conceptual Plan

[00971_Hendersonville Drive-In Restaurant Sketch Plan \(02.08.2](#)
0.8 MB**Conditional Zoning District Petition
(Continued)****Proposed conditions for the site:**

The proposed conditions are such that:

The vehicular use proposed setback shall be lowered from 20 feet to 5 feet from the right of way line from Upward Road. The Common Space Ratio shall be lowered from 0.10 to 0.05. The depth of the building offset can be as little as 1/15th and up to 1/5th the length of the longest adjacent wall panel.

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

Explain consistency with the City's Comprehensive Plan:

The proposed rezoning fits the City's plan for this corridor as a commercial space.

Explain compatibility with surrounding land uses:

East of the subject property is zoned as PCD and contains a Bojangles restaurant. South and East of the subject property is zoned as C-3 and contains a State Employees' Credit Union, McDonald's, and an Exxon gas station. North and West of the subject property is residential and not within Hendersonville City limits.

Explain whether changed conditional require a map amendment:

Modified conditions should not require a map amendment as this is not considered a "large-scale rezoning".

Explain how the petition is in the public interest:

The development would be a great addition to the area being that it is so close to Interstate 26. The proposed use follows the surrounding area by providing a service that has been very popular all over the country.

Explain whether adequate public facilities are available:

There is existing water and an existing fire hydrant located on site on the corner of the site.

Sanitary sewer is located on the northeast corner of the property.

There are two bus stops located close to the site, the first one is across the street immediately adjacent to the McDonald's and the second is located along South Allen Road ~0.4 miles away. The Blue Ridge Fire & Rescue is located ~1.0 miles away from the site.

The Hendersonville Police Department is located ~4.5 miles away from the site.

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

The proposed development would increase runoff volume in the immediate area of the property but would be mitigated by storm water control measures.

There will be no adverse impacts to wetlands or streams as there are no wetlands or streams within the property.

Air and Noise measures would increase during construction but will return to similar levels once the project is fully constructed.

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

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

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

Dennis Terry

Address

2923 S Tryon Street, Charlotte, North Carolina 28203

Phone

(704) 940-2883

Email

DTerry@Bloc-NC.com

Applicant Name

Dennis Terry

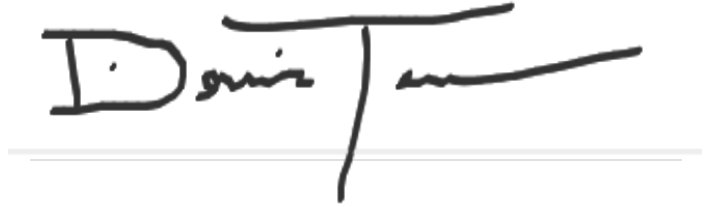
Address

2923 S Tryon Street, Charlotte, North Carolina 28203

Phone

(704) 940-2883

Signature

A handwritten signature in black ink, appearing to read "Philip J. Wilson", written over a horizontal line.

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

Property Owner Name

NC Hendersonville Upward Road LLC

Address

201 Riverplace Ste 400, Greenville, South Carolina 29601

PID or PIN #

9588206649

Signature

A handwritten signature in black ink, reading "Philip J. Wilson", written over a horizontal line.

Property Owner Name

Address

PID or PIN #

Signature

Signature pages for Conditional Zoning District Petition (continued)

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

Property Owner Name

Address

PID or PIN #

Signature

Property Owner Name

Address

PID or PIN #

Signature

Property Owner Name

Address

201 Riverplace, Suite 400, c/o Realtylink, LLc, c/o Realtylink, LLc, Greenville, South Carolina 29601

PID or PIN #	Signature
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