



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

**SUBMITTER:** Matthew Manley, Planning Manager

**MEETING DATE:** January 12, 2023

**AGENDA SECTION:** New Business

**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Conditional Zoning District – Lakewood Apartments (P22-54-CZD) – Matthew Manley, AICP – Planning Manager

### **SUGGESTED MOTION(S):**

#### **For Recommending Approval:**

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9579-39-2060, 9579-38-2595, 9579-29-0718, & 9579-19-2770) from I-1, Industrial to UR-CZD, Urban Residential Conditional Zoning District, for the construction of 322 multi-family units based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated 12-23-2022,] and presented at this meeting and subject to the following:

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

Permitted Uses:

1. Residential Dwellings, Multi-Family

*[for amendments to uses or conditions discussed and agreed upon in the Council meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed]*

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

1. Developer to update Site Plan to include all proposed parking spaces. Additional 78 Parking Spaces to be located within proposed Limits of Disturbance as shown on site plan dated 12-23-22
2. Developer to grant public access easement on greenway(s)/sidewalks within the

#### **For Recommending Denial:**

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PINs: 9579-39-2060, 9579-38-2595, 9579-29-0718, & 9579-19-2770) from I-1, Industrial to UR-CZD, Urban Residential Conditional Zoning District based on the following:

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

The petition aligns with the City's 2030 Comprehensive Plan's Goals for the 'Business Center', 'Regional Activity Center' and 'Natural Resource and Agriculture Area' Future Land Uses Designations. Specifically, the proposal is consistent with the Secondary Recommended Land Uses and Development Guidelines under LU-13.

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

1. The petition proposes to place undue stress on existing transportation infrastructure - classified as Local Streets
2. Business Center designation does not recommend multi-family uses as a primary recommended land use. (LU-13.2).

<p>development connecting to public greenway system.</p> <ol style="list-style-type: none"> <li>Developer to provide 14 parking spaces for trailhead users.</li> <li>Developer to construct all transportation related mitigation in accordance with the TIA and as coordinated with City's Traffic Consultant and NCDOT.</li> </ol> <p><b>3. 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 because:</b></p> <p>The petition aligns with the City's 2030 Comprehensive Plan's Goals for the 'Business Center', 'Regional Activity Center' and 'Natural Resource and Agriculture Area' Future Land Uses Designations. Specifically, the proposal is consistent with the Secondary Recommended Land Uses and Development Guidelines under LU-13.</p> <p><b>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:</b></p> <ol style="list-style-type: none"> <li>The proposed density and housing type are compatible with the surrounding area.</li> <li>The petition proposes to provide additional housing to offset local rental demand.</li> <li>The petition proposes to connect to the City's greenway network</li> <li>The petition proposes to offset tree loss with a net gain of 1 tree</li> </ol> <p><b>[DISCUSS &amp; VOTE]</b></p>	<ol style="list-style-type: none"> <li>The intensity of the proposed development does not align with the environmentally sensitive area in and around the subject property - which includes grading and partial removal of forest land along blue line streams / in the vicinity of a large floodplain.</li> </ol> <p><b>[DISCUSS &amp; VOTE]</b></p>
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**SUMMARY:** The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Travis Fowler of First Victory, applicant and Group Ventures INC., property owner. The applicant is requesting to rezone the subject property, PINs 9579-39-2060, 9579-38-2595, 9579-29-0718, 9579-19-2770 and located off Lakewood Road, from I-1, Industrial to UR-CZD, Urban Residential Conditional Zoning District for the construction of 322 multi-family units on approximately 60.56 acres. This equates to a density of 5.31 units/acre.

The proposal includes the addition of 8 multi-family structures, a clubhouse with pool and a day care center totaling 136,030 Sq Ft. Additionally, the development proposes 530 parking spaces at a rate of 1.65 spaces per unit (not including day care parking). The site plan features a greenway trail with an access to the City's planned Clear Creek Greenway.

The Site Plan includes the provision of 40.24 acres of Open Space. Of the 911 trees surveyed on the site, the proposal intends to preserve 528 of them (58%). The developer proposes to plant 244 trees in the development and 140 in the floodplain restoration area.

<b>PROJECT/PETITIONER NUMBER:</b>	P22-54-CZD
<b>PETITIONER NAME:</b>	Travis Fowler, First Victory, Inc. [Applicant] Marilyn Barnwell & Robert Hogan, Group Ventures [Owner]
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Staff Report</li> <li>2. Neighborhood Compatibility Summary</li> <li>3. Tree Board Summary</li> <li>4. Proposed Site Plan / Elevations</li> <li>5. Proposed Zoning Map</li> <li>6. Draft Ordinance</li> <li>7. Application / Owner Signature Addendum</li> </ol>