



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager

MEETING DATE: March 2, 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 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 2-21-2023,] 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
2. Child Care Center

[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 agrees to provide a TIA deemed acceptable by the City and by NCDOT.
2. Developer agrees to recommendations made by City Transportation consultant for the daycare access at Lakewood Rd.

For Recommending Denial:

I move 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>3. Developer agrees to provide mitigation at the intersection of US 64 & Francis Rd/Sugarloaf as recommended by the City Transportation consultant in consultation with NCDOT and in conjunction with the required mitigation associated with the Universal at Lakewood development.</p> <p>4. Make 10 rental units, dispersed throughout the development, available to residents at or below 60% Area Median Income (AMI) for the initial 10 years that the buildings are in service. The developer shall provide an annual report to the City of Hendersonville to prove compliance with this requirement.</p> <p>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:</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>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 proposed density and housing type are compatible with the surrounding area. 2. The petition proposes to provide additional housing to offset local rental demand. 3. The petition proposes to connect to the City’s greenway network 4. The petition proposes to offset tree loss with a net gain of 1 tree <p>[DISCUSS & VOTE]</p>	<p>3. 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.</p> <p>[DISCUSS & VOTE]</p>
---	---

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.

PROJECT/PETITIONER NUMBER:	P22-54-CZD
PETITIONER NAME:	Travis Fowler, First Victory, Inc. [Applicant] Marilyn Barnwell & Robert Hogan, Group Ventures [Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Planning Board Summary3. Tree Board Summary4. Neighborhood Compatibility Summary5. Proposed Site Plan / Elevations6. Proposed Zoning Map7. Wetland Delineation Map8. Clear Creek Greenway Conceptual Alignment9. Draft Ordinance10. Application / Owner Signature Addendum