

PRELIMINARY SITE PLAN AND PRELIMINARY PLAT REVIEW– 1202  
GREENVILLE HIGHWAY TOWNHOME PROJECT

(A23-59-SPR) (A23-60-MAJ SUB)

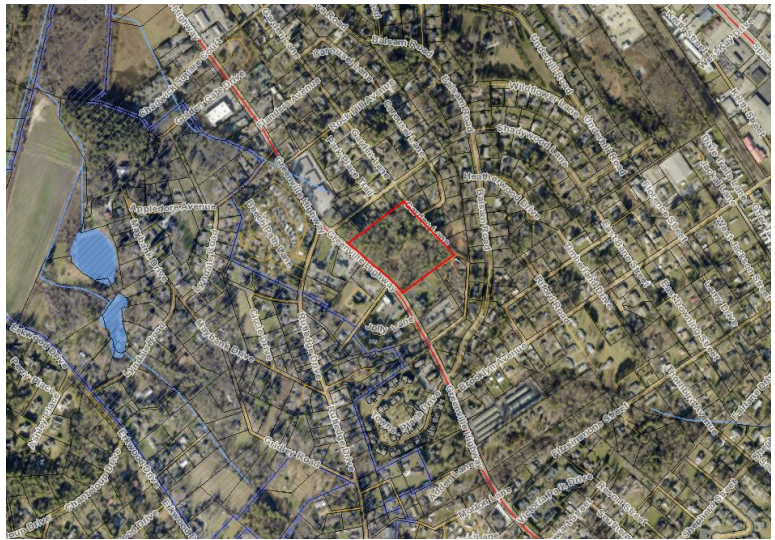
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF  
REPORT

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## PROJECT SUMMARY

- Project Name & Case #:
  - 1202 Greenville Highway Townhome Project
  - A23-59-SPR
  - A23-60-MAJ SUB
- Applicant & Property Owner:
  - David Gorman, Lock 7 Development [Applicant]
  - 1202 Greenville Hwy LLC [Owners]
- Property Address:
  - 1202 Greenville Highway
- Project Acreage:
  - 6.76 Acres
- Parcel Identification (PIN):
  - 9578-01-3440
- Parcel Zoning:
  - GHMU, Greenville Highway Mixed Use
- Future Land Use Designation:
  - Medium Intensity Neighborhood
  - High Intensity Neighborhood
- Requested Uses:
  - Residential dwellings, single-family (attached)
- Type of Review:
  - **Administrative**- Decisions made in the implementation, administration, or enforcement of the Zoning and Subdivision Ordinances that involve the determination of facts and the application of objective standards set forth in the Zoning and Subdivision Ordinances.



SITE VICINITY MAP

*The City of Hendersonville is in receipt of an application for preliminary site plan review from David Gorman of Lock 7 Development (applicant) and Greenville Hwy LLC (property Owner). The applicant is proposing to construct 50 single-family attached units on the subject property at 1202 Greenville Highway (PIN 9578-01-3440).*

*The proposed site plan shows 50 2-story attached townhome units. The development consists of 11 total residential buildings ranging between 4 and 5 units per building. The building gross floor area ranges from 7,549 square feet to 9,723 square feet.*

*The proposed density of the development is approximately 7.39 units per acre. Greenville Highway Mixed use does not have a density cap for residential development.*

*Since this development is proposed single-family attached units, the land must be subdivided in order to be built and sold in its current configuration. Due to this, the project must also go through the City's subdivision process. The project involves 8 or more lots and the dedication of a new street which meets the criteria of a major subdivision and therefore will be reviewed according to the standards of section 2.04 H of the subdivision ordinance.*

## PRELIMINARY SITE PLAN REVIEW GUIDELINES

### **Review of Preliminary Site Plans**

Review of preliminary site plans applies to larger projects where the costs of developing detailed final plans can be substantial. It is designed to provide the applicant an opportunity to obtain authorization for a site specific development while incurring reduced expense. Review of preliminary plans is a function of the Planning Board.

Preliminary plan review is required of all development undergoing Site Plan Review for the following:

- Any commercial, industrial or institutional development consisting of more than 20,000 square feet of floor area.
- Addition of more than 30 parking spaces.
- Any Minor Planned Residential Development consisting of 9 or more dwelling units.

In order to meet the parking requirements of the development, the developer is adding more than 30 parking spaces. The developer is currently showing 50 parking spaces. These parking spaces will not be provided in standalone parking lots but are provided outside of the right of way on private property within a driveway.

Approval of a preliminary site plan shall **not** entitle the applicant to the issuance of a zoning compliance permit. Upon approval of the preliminary site plan by the Planning Board the applicant must then submit an application and final site plans meeting the requirements of the zoning ordinance, in addition to any other approval including but not limited to stormwater approval, utility approval, driveway permits, land disturbance approval, etc. The applicant shall have two years from the date of such approval to obtain final site plan approval.

### **Contents of a Preliminary Site Plan**

- a) The date of the site plan or submittal, including any revisions thereto;
- b) The proposed title of the project and the name of the engineer, architect, landscape architect, planner and/or licensed surveyor; developer; and owner of record;
- c) The north arrow point, scale at not greater than one inch equals 40 feet and such information as the names of adjacent roads, streams, railroads, subdivisions or other landmarks sufficient to clearly identify the location of the property;
- d) Location of site by an insert vicinity map at a scale no less than one inch equals 2,000 feet;
- e) Existing project zoning and zoning of adjacent property, to include properties abutting either side of a public right-of-way;
- f) City limits line or a note indicating that the project site and any adjoining parcels are totally within or without the city limits;
- g) Names of adjacent property owners;
- h) Boundary survey of site and the location of all existing easements, buildings, rights-of-way or other encroachments;
- i) Location of 100-year floodplain and floodway, if applicable. Other significant natural features affecting the site including but not limited to wetlands, major rock outcrops and lakes or streams;
- j) All proposed streets with proposed names, pavement widths and rights-of-way and showing sight distances for all entrances and exits and their relationship to street and driveway intersections within a 200-foot radius of the intersection such entrance and exit with any public right of way. All alleys, driveways, curb cuts for public streets and handicap ramps, loading areas and provisions for off-street parking spaces and sidewalks; calculations indicating the number of parking spaces required and the number provided. All streets shall be clearly identified as public or private; a typical cross-section of the public or private street shall be included;

- k) Preliminary utility layout, including location and size of existing and proposed water, sanitary and storm sewer lines;
- l) Location and size of all existing and proposed entrances and exits to the site. All proposed entrance and exit points, regardless of the classification of the roadway facility the entrance and exit points connect to, shall follow the North Carolina Department of Transportation's most current Policy on Street and Driveway Access to NC Highways;
- m) Proposed reservations or dedications for parks, playgrounds, school sites and open spaces and a note indicating ownership and maintenance provisions;
- n) A survey showing tree line before site preparation with species and diameter of trees 12 inches or greater DBH (diameter at breast height) indicated and showing areas to be screened, fenced, walled and/or landscaped;
- o) General location and intended use of all buildings with their dimensions, the number of floors, total floor area and maximum height above lowest ground point of each building;
- p) Notations to include the total project area, proposed lot areas (or individual areas owned by a homeowners association), the amount and percentage of the site to be covered by buildings, open space, streets and parking and other facilities;
- q) General location, size, height, orientation and appearance of proposed signs;
- r) General location of proposed project phasing lines and notation including special conditions pertinent to establishing sales or model units, if applicable;
- s) A transportation impact analysis, if one is required by the terms of section 6-19, above, demonstrating the project will comply with the requirements of section 7-11, below.

## PRELIMINARY PLAT AND MAJOR SUBDIVISION GUIDELINES

### **Preliminary Plat Standards of review**

An application for a Major Subdivision shall be approved, if it complies with the following:

- The Major Subdivision is prepared and sealed by a licensed professional authorized by the state to prepare such documents.
- The Major Subdivision complies with the applicable standards in G.S. 47-30.
- The Major Subdivision includes all required certifications and other pertinent information as required by the city;
- All lots shall be served by a NCDOT-maintained roadway or a right-of-way constructed to and maintained in accordance with NCDOT or city standards, as appropriate.
- The name of the subdivision shall not duplicate or be similar to the name of an existing subdivision in Hendersonville or Henderson County.
- Street names used in the subdivision shall not duplicate or be similar to the names of streets in an existing subdivision in Hendersonville or Henderson County.
- All standards or conditions of any prior applicable permits and development approvals.
- The Major Subdivision complies with all other applicable requirements in this ordinance and the City Code of Ordinances.

## Major Subdivision

Major Subdivisions include all divisions of land involving 8 or more lots; and/or involve the dedication of a new street or change in existing streets. Major Subdivisions must be reviewed by staff and must undergo an administrative review hearing by the Planning Board.

The Planning Board shall make an administrative decision after the conclusion of a public meeting. The procedure for a public meeting is as follows:

- Public meetings shall comply with the notice requirements of section 2.03.F.
- A public meeting shall be open to the public and shall be conducted in accordance with the planning board's adopted rules of procedure for administrative hearings.
- There is no requirement to allow general public comments during a public meeting, though it may be allowed by the chair or other presiding officer. However public input and comment shall be allowed as required by applicable laws, the standards of this ordinance, and the Planning Board's adopted rules of procedure.

The Planning Board's decision shall be one of the following. All the following decisions are administrative in nature:

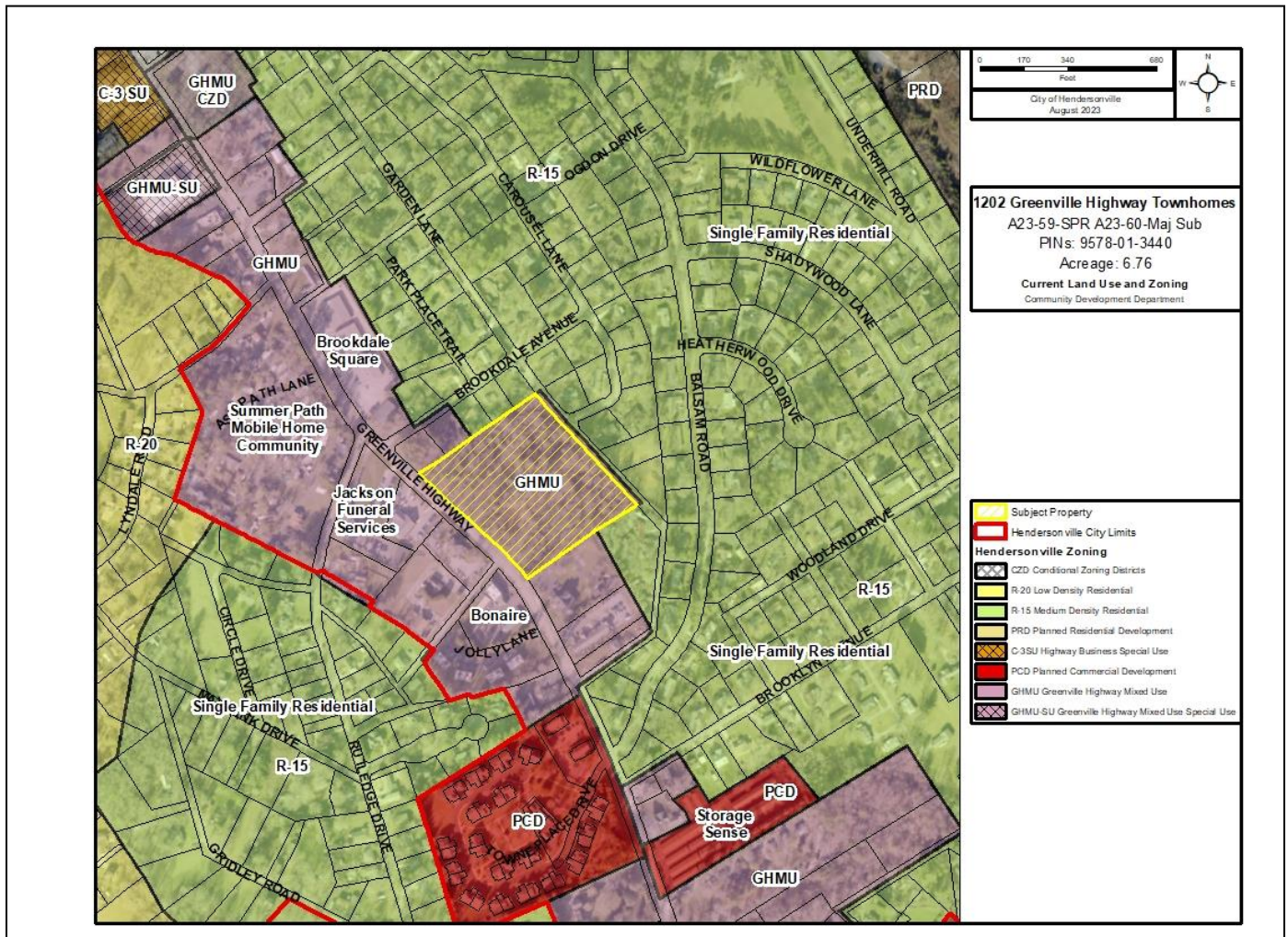
- Approval of the Major Subdivision as proposed.
- Approval of a revised Major Subdivision.
- Denial of the Major Subdivision.

The Planning Board shall render a decision on an application for a Major Subdivision within 32 days of the date of the first public meeting to consider the application unless a different review schedule is agreed to by the Planning Board, the City, and the Applicant.

Approval of a required Major Subdivision **shall not** constitute the approval for recording a subdivision with the Register of Deeds, or approval for the conveyance of lots. Approval of a required Major Subdivision authorizes the submittal of street and utility construction plans, and soil erosion and sedimentation control plan.



## EXISTING ZONING & LAND USE



### City of Hendersonville Current Zoning & Land Use Map

The subject property is zoned Greenville Highway Mixed Use (GHMU). The length of the western boundary fronts along Greenville Highway (Major Thoroughfare). Parcels fronting along this corridor are primarily Zoned GHMU. A mix of residential, retail, restaurant and professional services are present along this corridor along with varying levels of intensity. While there are a mix of uses, the corridor has a unique local character partially due to the lack of chain stores, with a few exceptions.

Parcels abutting the property to the north, east and southeast are zoned R-15. This is a medium-density zoning that represents the Brookland/Brookdale neighborhood, a single-family neighborhood primarily constructed during the 1950s, 60s, & 70s with some homes built in the early 20<sup>th</sup> century.

The existing tree canopy, creek, wetlands and wet weather drainage areas on the site are the defining natural characteristics. The heavily wooded site also features a dilapidated single-family home that is proposed to be demolished.



## SITE IMAGES



*View of ¼ acre open area (foreground) between Greenville Highway and existing structure (background) from edge of tree line. Drainage area in center. (Photo from 1-24-23)*



*View along Greenville Highway facing northwest from current driveway point. (Photo from 1-24-23)*



SITE IMAGES



*View of wetland area at property line. (Photo from 1-24-23)*



*View of wetland area and unnamed creek in north corner of subject property (Photo from 1-24-23)*



## SITE IMAGES



*Typical view of subject property (Photo from I-24-23)*



*View of subject property from corner of Garden Ln and Carousel Ln  
(Photo from I-24-23)*





*View of neighboring Hidden Treasures Mobile Home Park from southeast corner of subject property (Photo from 1-24-23)*



*Typical view of English ivy that has invaded certain portions of the property (Photo from 1-24-23)*

## PREVIOUS REZONING REQUEST

Previous Rezoning Request	Summary of Prior Petition	Result
<u>GHMU-CZD</u>	<u>Below</u>	<u>Withdrawn March 2023</u>

The subject property was previously proposed to be developed as a Conditional Zoning District due to the number of dwelling units exceeding 50. The development was proposed to be 165 multi-family units on approximately 6.91 acres of land. This equates to a density of 24 units/acre. The proposal included the addition of 11- 3-story multi-family structures and a clubhouse with a pool totaling 273,113 Sq Ft of Gross Floor Area. The apartment buildings were proposed to be 45' tall. Additionally, the development proposed 214 parking spaces at a rate of 1.3 spaces / unit.

The project went before the Planning Board for recommendation at their March 9th, 2023 meeting. The Planning Board considered the item for 2 hours and 8 minutes. The Planning Board deliberated about the project and developed a consensus that the project was out of character with the area/location, that compatibility was not addressed, that traffic impacts would be too great, that the project was too dense, and stormwater was a major concern. Peter Hanley made a motion to deny the petition. The motion was seconded by Neil Brown and the motion to deny passed unanimously.

The rezoning petition was withdrawn and never went before City Council for a public hearing or vote.

### ZONING DATA

#### PARKING CALCULATIONS:

VEHICULAR:  
 REQUIRED SPACES: (1 SPACE/UNIT) - 165 UNITS  
 SPACES PROVIDED: 214 (1.3:1 RATIO)

HANDICAPPED SPACES:  
 SPACES REQUIRED: 7 SPACES PROVIDED: 7

#### BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GFA
A	3 STORIES	45'	29,833± SF
B	3 STORIES	45'	20,865± SF
C1	3 STORIES	45'	24,246± SF
C2	3 STORIES	45'	21,391± SF
D1	3 STORIES	45'	15,547± SF
D2	3 STORIES	45'	29,815± SF
E1	3 STORIES	45'	26,243± SF
E2	3 STORIES	45'	22,430± SF
F1	3 STORIES	45'	28,710± SF
F2	3 STORIES	45'	15,254± SF
G	3 STORIES	45'	37,679± SF
H	1 STORY	22'	1,100± SF

#### DENSITY CALCULATIONS:

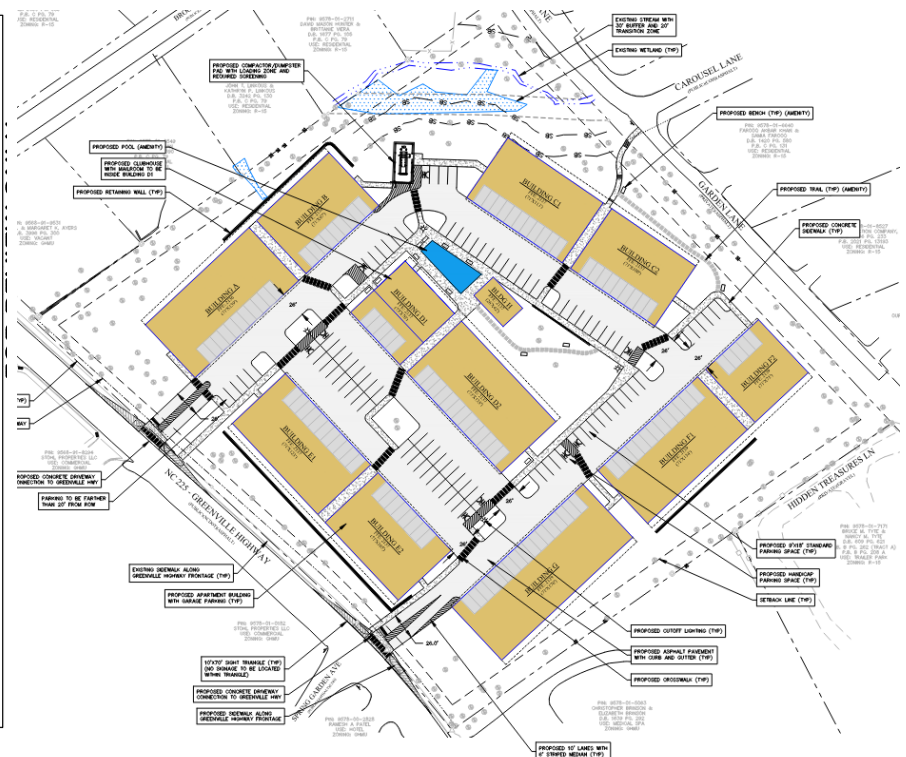
ALLOWED: NO MAXIMUM DENSITY  
 PROJECT UNITS: 165 UNITS (23.9 U/A)

#### OPEN SPACE CALCULATIONS:

REQUIRED: 2.76 AC (40%) PROVIDED: 2.76 AC (SEE L101)

#### COMMON OPEN SPACE:

REQUIRED: 0.69 AC (10%) PROVIDED: 0.69 AC (SEE L101)





## PROPOSED DEVELOPMENT DETAILS

- **Units**
  - 50 Attached Single Family Townhomes units.
  - 2 Story Buildings. Heights range from 25' 5" and 26' 2".
  - Building Footprint Ranges
    - Smallest-3,676 Square Feet (Building 6)
    - Largest-4,876 Square Feet (Buildings 1,2, and 5)
  - Gross Floor Area Ranges
    - Smallest- 7,549 Square Feet (Building 10)
    - Largest- 9,723 Square Feet (Building 1)
- **Proposed Use:**
  - Residential, Single Family (attached)
- **Acres/Density**
  - 6.76 Acres
  - Proposed density-7.39 units per acre.
  - Allowed density-Unlimited.
- **Natural Resource**
  - The development will be required to have a Stormwater Control Measure (SCM). They are currently proposing an underground Stormtech system.
  - The 30' stream buffer and 20' transitional zone will be protected in accordance with the Zoning Ordinance.
  - There are also wetlands on the site that will require additional permitting and review at the final site plan stage.
- **Streets**
  - All internal streets to the site will be built to public street standards and dedicated to the City.
  - Per the subdivision ordinance, the developer is dedicating additional right of way between road A and Garden Lane. This section of Garden Lane appears to be private, and is not maintained by the City. The provided right of way is intended to make the connection to Garedn Lane if it ever becomes public and is an opportunity for future connection. **This connection is not being built, the right of way is only being proposed and dedicated in the case there is an opportunity for a future connection.**
- **Parking**
  - GHMU requires a minimum of one off-street parking space per dwelling unit. The proposed development shows 1 driveway space and 1 garage space for all units. Two parallel spaces at the mail kiosk are proposed.
  - The development is required to make the driveways a minimum of 9' x 18' to be counted as a parking space. This space would have to be accomplished outside of the right of way and done in such a way that the cars will not impede the use of the sidewalks. The plan currently shows 9' x 18' and 9' x 19' driveways.

- **Sidewalks**

- The development shows sidewalks along all internal streets. There is an existing sidewalk along Greenville Highway, if any of the existing sidewalks are removed then the developer will be required to replace them. Sidewalks are also required along the public portion of Garden Lane. The plan has a note stating that the sidewalk will be constructed or they will request a fee in lieu referencing a stream buffer and wetland hardship. The determination on which is preferred can occur during final site plan approval. The City Manager must approve all fee in lieu requests.
- Whenever a tract of land included within any proposed major subdivision includes any part of a greenway designated in the city's adopted policy guidance, the greenway shall be platted and dedicated to the city as a greenway easement. Greenways shall be constructed as part of the required infrastructure serving a site or a subdivision. The City's comprehensive plan shows a potential greenway along this site's frontage. This would require that the developer grant an easement and construct the greenway along the frontage. The site plan shows the proposed easement and 10' wide greenway sidewalk.

- **Public Utilities**

- The site is within the City limits and will be served by all City services including water, sewer, trash, fire, police, etc.

- **Greenville Highway**

- The development is proposing to dedicate 50' from the Center line of Greenville Highway. The dedication of additional R/W is to allow for any future NCDOT improvements. NCDOT supports dedication.

- **Design Guidelines**

- Greenville Highway Mixed Use Zoning has building design standards that developments within the zoning classification must follow. However, General Statute 160D-702 (b) states that any building that are subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings are exempted from following building design elements.

- **Landscaping**

- The development is required to have common open space, open space and entry corridor plantings. They are currently showing that their development will meet these requirements through the preservation of existing trees (tree credits) and the planting of new trees. Trees slated for preservation and the proposed new trees are shown on the landscaping plan in your packet. Trees slated to be used for tree credits will be protected in accordance with 15-4.

## **COMMUNITY DEVELOPMENT**

### **Site Plan Comments:**

The preliminary site plan and preliminary plat accompanying this petition meets the standards established by the Zoning and Subdivision Ordinances for Greenville Highway Mixed Use (5-22), Preliminary Site Plan (7-3-3), and Preliminary Plat (2.04.H) with the following exceptions:

- (Subdivision Ordinance Requirement) All proposed streets shall meet all applicable requirements for local streets in accordance with the subdivision Ordinance. This has been made a proposed condition of approval. This item can be addressed at the final site plan review stage.
- (Subdivision Ordinance Requirement) The site plan or plat does not show the area required to be dedicated as public parkland in accordance with the subdivision ordinance. Single-family residential subdivisions of 30 or more lots shall dedicate 500 square feet of land per residential lot to the city for its use in developing public parkland. The applicant can propose an area for public park land or propose to pay the fee in lieu. The plat or plan does not currently show the area for dedication. This has been made a condition of approval. The city shall review the proposed application and determine if it complies with the standards in section 3.09.A.3, nature of area to be dedicated, or section 2.06, fee-in-lieu, as appropriate. The decision to accept dedication is up to the sole discretion of the city council. Land shall be dedicated prior to recording the first final plat for the subdivision, or the payment-in-lieu shall be paid prior to recording the first final plat for the subdivision for which the payment-in-lieu is paid.

## **CITY ENGINEER**

### **Preliminary Site Plan Comments:**

- None

## **WATER / SEWER**

### **Preliminary Site Plan Comments:**

- None

## **FIRE MARSHAL**

### **Preliminary Site Plan Comments:**

- None

## **STORMWATER ADMINISTRATOR**

### **Preliminary Site Plan Comments:**

- None

## **FLOODPLAIN ADMINISTRATOR**

### **Preliminary Site Plan Comments:**



- None

## **PUBLIC WORKS**

### **Preliminary Site Plan Comments:**

- None

## **NCDOT**

### **Preliminary Site Plan Comments:**

- None

## **TRANSPORTATION CONSULTANT**

### **Preliminary Site Plan Comments:**

- None (the proposed use and unit count did not trigger a TIA)

Trip Generation											
Land Use	Intensity	Units	ITE TGM Version	WKDY/SAT/SUN	Daily	AM Peak Hour			PM Peak Hour		
						Total	In	Out	Total	In	Out
220 - Multifamily Housing Low-Rise	50	DU	10	WKDY	337	25	6	19	32	20	12
210 - Single-Family Detached Housing	50	DU	11	WKDY	533	40	10	30	52	33	19
<b>Subtotal</b>					<b>870</b>	<b>65</b>	<b>16</b>	<b>49</b>	<b>84</b>	<b>53</b>	<b>31</b>

## STAFF ANALYSIS

### Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan for the 1202 Greenville Highway Townhome Project meets the Zoning Ordinance standards established for Greenville Highway Mixed Use (Section 5-22) and Preliminary Site Plan Review (Section 7-3-3.2).

### Subdivision Compliance:

Based on the review by staff, the submitted preliminary plat for the 1202 Greenville Highway Townhome Project generally meets the Subdivision Ordinance standards established for Major Subdivisions (Section 2.04 H). Deficiencies in the plat are listed in “Outstanding Preliminary Site Plan and Preliminary Plat Comments.”