



**CITY OF HENDERSONVILLE
AGENDA ITEM SUMMARY
PLANNING DIVISION**

SUBMITTER: Matthew Manley

MEETING DATE: May 9, 2024

AGENDA SECTION: New Business

DEPARTMENT: Community Development

TITLE OF ITEM: Administrative Review: Preliminary Site Plan– Spinx-Upward Rd (A23-98-SPR) – *Matthew Manley, AICP - Strategic Projects Manager*

SUGGESTED MOTION(S):

For Approval:

I move that the Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-27 Commercial Highway Mixed Use and 7-3-3 Review of Preliminary Site Plans) for the Spinx-Upward Rd project subject to the following conditions:

- No Conditions

I further move that the Planning Board grant preliminary building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. It is determined that the alternative design plan does advance the general design considerations as outlined in Section 18-6 and is as good as, or better than, the design standards of Section 5-27. This approval shall allow alternative design measures as shown in the elevation included in the packet which allows for deviations to the following sections:

1. **5-27-4.1.8 Building scale**

[DISCUSS & VOTE]

For Denial:

I move that the Planning Board deny the application for preliminary site plan approval for the Spinx-Upward Rd project because the applicant has failed to demonstrate compliance with the following provisions of the Zoning Ordinance:

- [INSERT NON-COMPLIANCE REFERENCE]

I further move that the Planning Board deny preliminary building design approval based on the requirements of 5-27 Commercial Highway Mixed Use and in accordance with Article 18. The proposed alternative design plan does not advance the general design considerations as outlined in Section 18-6 and is not as good as, or better than, the design standards of Section 5-27

[DISCUSS & VOTE]

SUMMARY:

The City of Hendersonville is in receipt of an application for preliminary site plan review from Norman Hamilton of Site Design, Inc and Mitch Reise of the Spinx Company, LLC. The applicant is proposing to construct a 6,470 Sq Ft convenience store and 6,160 Sq Ft gas station canopy on the subject property.

Due to this development exceeding the threshold of 30 new parking spaces, the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.

The site plan shows two access points to the subject property - one right-in/right-out access at Upward Rd and one full movement access at Old Spartanburg Rd. The site plan shows 60 parking spaces, drive aisles, sidewalks and common space.

The landscaping plan shows the distribution of new plantings including 41 trees and 611 shrubs. The applicant proposes to preserve 11 trees on the site and utilize tree credits. Due to the timing of the application (submitted 3/11/24), the applicant has “permit choice” and is not subject to the newly adopted tree preservation and tree planting standards (adopted 4/4/24).

The proposed building design plan shows that the convenience store will have a height of 27’ at its highest point. The building contains at least 3 of the architectural details required by 5-27-4.1.5 (center tower, offsets in roof/building, decorative cornices). The building contains at least two contrasting building materials with brick making up at least 15% of the façade. To achieve distinctive architectural interest on a building facing an intersection, the applicant is proposing additional height to the parapet, a corner entrance, and corner canopy. The applicant proposes an alternative building design to accommodate relief from the projection depth requirement of 5-27-4.1.8 ‘Building Scale’. The Alternative Design Committee (Current Planning Committee) will consider this request for an alternative building design and make a recommendation to the Planning Board per Article 18.

PROJECT/PETITIONER NUMBER:	(A23-98-SPR)
PETITIONER NAME:	Upward Road Hospitality, LLC [Applicant/Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Preliminary Site Plan3. Landscaping Plan4. Building Elevations5. Section 5-27 CHMU Zoning District Standards6. Sections 18-5 & 18-6 Mixed Use Zoning7. Application / Owner Signature Addendum