

REZONING: CONDITIONAL REZONING – FIRST AVE VILLAS (P24-026-CZD)

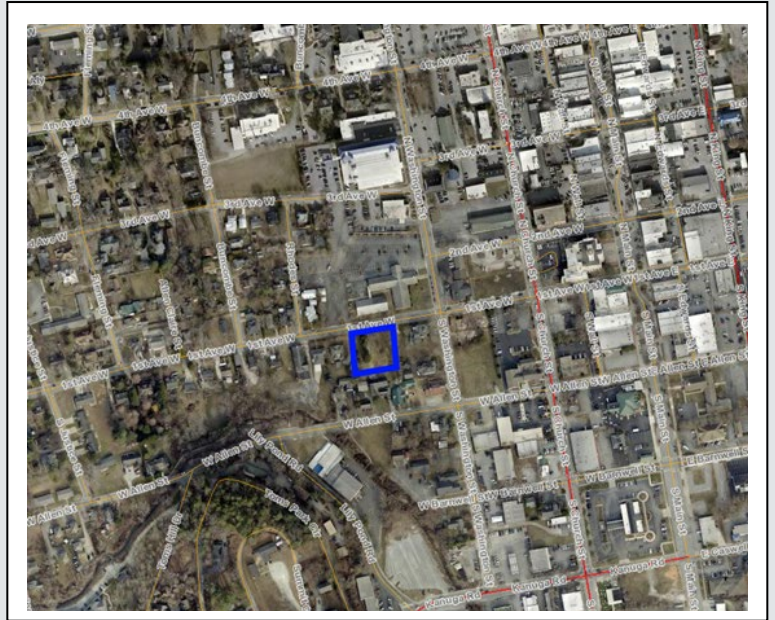
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF
REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - First Ave Villas
 - P24-026-CZD
- Applicant & Property Owner:
 - Sarah McCormick [applicant]
 - Rafique Charania of ARY Development LLC [Owner]
- Property Address:
 - 320 1st Ave W, Hendersonville, NC 28792
- Project Acreage:
 - 0.57 Acres
- Parcel Identification (PIN):
 - 9568-77-1057
- Current Parcel Zoning:
 - CMU-CZD - Central Mixed Use Conditional Zoning District
- Requested Zoning:
 - CMU-CZD – Central Mixed Use Conditional Zoning District
- Future Land Use Designation:
 - Medium Intensity Neighborhood
- Neighborhood Compatibility Meeting:
 - June 6, 2024

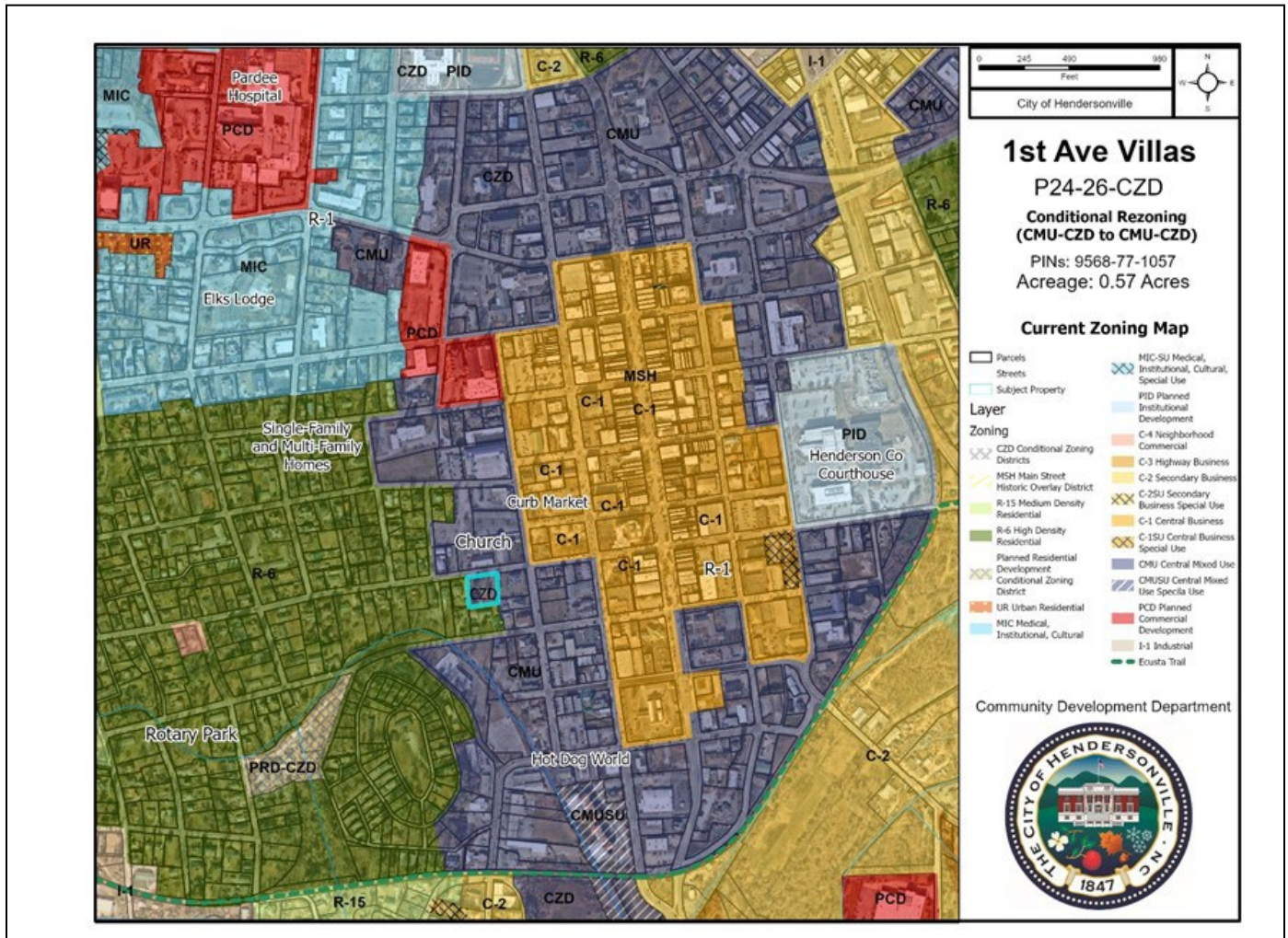


SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Conditional Zoning District from ARY Development LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is requesting to amend the current Conditional Zoning District for the construction of two three/four story buildings comprised of 18 residential units on a .57 acre parcel. The current site plan depicts 23 parking spaces.

There will be open space located at the front of the property. The parking is located at the center and rear of the property, and the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned CMU - CZD and is located within city limits. The property is on the edge of the CMU zoning, which is located around the periphery of downtown. The CMU zoning is immediately adjacent to the east and north of the subject property. The CMU zoned property to the north of 1st Ave is the location of the 1st Church of the Nazarene. The property to the east at the corner of Washington St is an historic single-family home constructed circa 1882. A small portion of the lot at the very southeast corner is shared by another historic single-family home constructed in 1902. The adjacent parcels to the immediate south and west are zoned R-6. The R-6 property to the south is a multi-family property featuring 5 residential units. The R-6 property to the west is single-family structure built in 1910.

SITE IMAGES



View of subject property from First Avenue W (facing south). The building visible at the back of the property is a multi-family unit located on an adjacent property.



Mature trees located on subject property (view from First Avenue W facing southeast).

SITE IMAGES



View of adjacent property to the west.



Tree buffer to adjacent property (facing east).

SITE IMAGES



View of right of way looking east.



View of right of way looking west.

SITE IMAGES

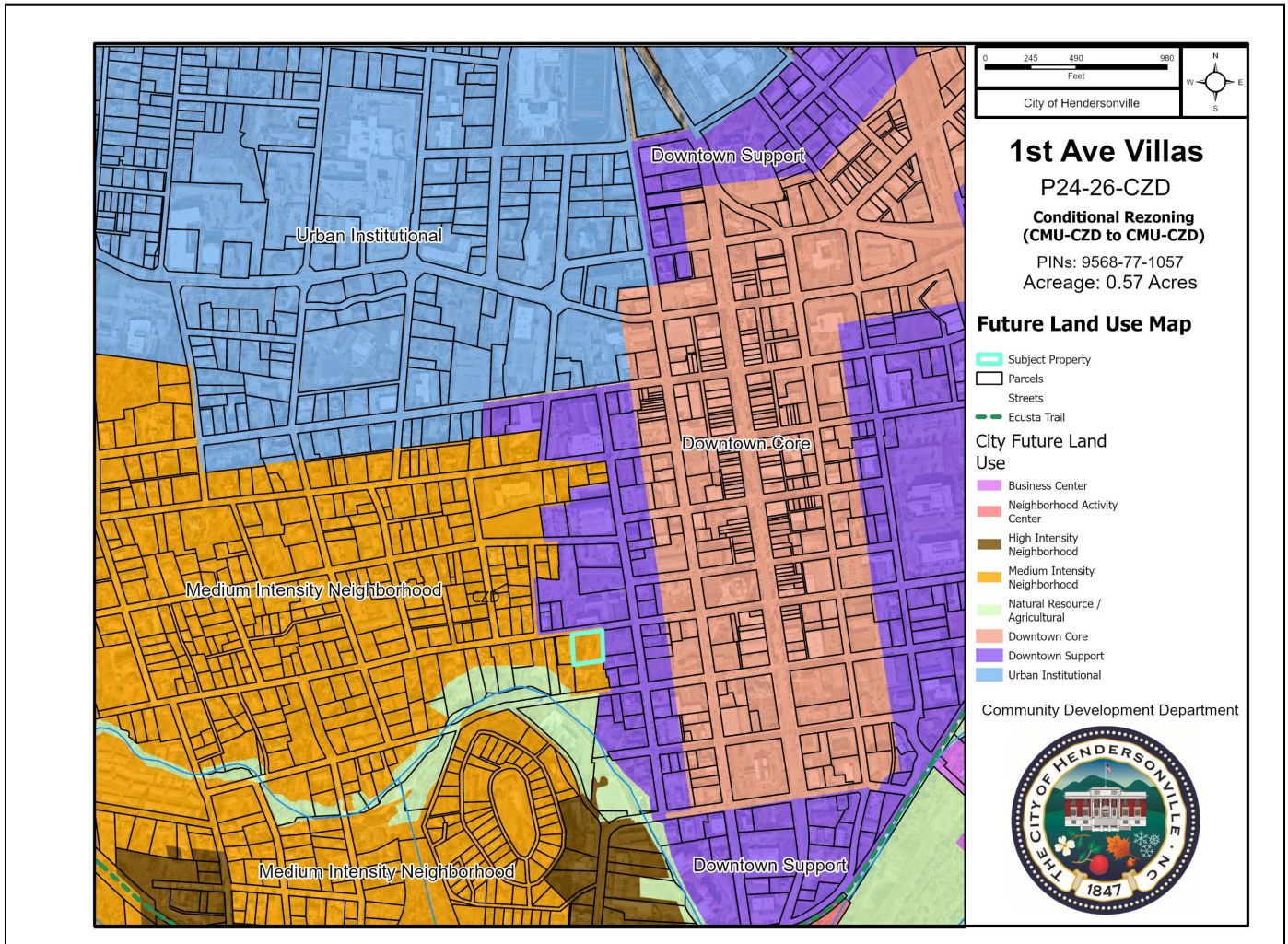


Existing driveway running through property.



View of 1st Church of the Nazarene and 1st Ave from frontage of subject property

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is designated a Medium Intensity Neighborhood in the 2030 comprehensive plan. The Medium Intensity Neighborhood encompasses all of the single-family residential neighborhoods to the West of the subject property. Parcels to the east of the subject property are designated Downtown Support. Natural Resource / Agricultural designation is to the south of the subject property following the Wash Creek floodplain.

West Ave Villas Proposal Timeline:

August 2020 – Conditional Rezoning (R-6 to CMU-CZD) - 10 Units (Two 1,742 Sq Ft Buildings + Two Garage Apts) – APPROVED

August 2021 – Conditional Rezoning (CMU-CZD Amended) - 11 UNITS (Two – 1,742 Sq Ft Buildings + Three Garage Apts) 340 Sq Ft Total Increase – APPROVED

Note:

At the time of these approvals, the proposed development was considered consistent with the *Medium Intensity Neighborhood* future land use designation. Despite there being inconsistencies, the Future Land Use designation was not changed when the property was rezoned to CMU-CZD. It remains *Medium Intensity Neighborhood* and is evaluated as such for the purposes of this staff analysis of comprehensive plan consistency.



Full Minutes from City Council Meeting:

August 2020 Adoption of CMU-CZD Rezoning:

<https://mccmeetings.blob.core.usgovcloudapi.net/hvInc-pubu/MEET-Minutes-742cc7de0f094b0f9d6754d8941c3eeb.pdf>

August 2021 Update to CZD:

<https://mccmeetings.blob.core.usgovcloudapi.net/hvInc-pubu/MEET-Minutes-3cb3462df8a840ff9b290d0d871faa1d.pdf>

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>Note: The property was rezoned to CMU-CZD in August 2020. However, the Future Land Use designation in the Comprehensive Plan was not altered at that time despite the approved density (22 units/acre) far exceeding the recommended 8 units per acre. The Future Land Use designation remains Medium Intensity Neighborhood.</p>
	<p>Goal LU-6. Medium-Intensity Neighborhood: Provide a transition between High and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods. [SOMEWHAT CONSISTENT]</p>
	<p>Strategy LU-6.1. Locations:</p> <ul style="list-style-type: none"> Existing neighborhoods zoned R-15, R 10, and R-6, including residential historic districts. Undeveloped properties that are surrounded by or adjacent to above neighborhoods. [CONSISTENT]
	<p>Strategy LU-6.4. Development guidelines:</p> <ul style="list-style-type: none"> Two to eight units per gross acre. [INCONSISTENT] Architectural guidelines to encourage compatibility when different housing types abut one another (e.g. similar building height, massing, roof pitch, and rhythm of windows and façade detailing). [INCONSISTENT] Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2. [CONSISTENT]
Land Use & Development	<p>The property is designated as “Preservation/Enhancement Area” on the Growth Management Map (Map 8.3a): Developed areas in which few significant changes are expected, or undeveloped areas that are not considered a high priority for growth. The City should respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies. [SOMEWHAT CONSISTENT]</p>
	<p>Goal LU-1: Encourage infill development that utilizes existing infrastructure in order to maximize public investment and revitalize existing neighborhoods. [CONSISTENT]</p>
	<p>Strategy LU-1.1: Encourage infill development and redevelopment in areas planned for high-intensity development, as indicated by the “Priority Infill Areas” on Map 8.3a. [INCONSISTENT]</p>
Population & Housing	<p>Goal PH-1. Maintain and enhance older neighborhoods so that they retain their value and viability in the face of demographic and market changes.</p>
	<p>Strategy PH-1.1. Promote compatible infill development:</p> <ul style="list-style-type: none"> Compatible infill development helps to reinvigorate older neighborhoods with new housing products, amenities or services while minimizing negative impacts. Compatibility is achieved through selection of appropriate land uses and/or design strategies that smooth the transition between potentially conflicting land uses. Design strategies should address architectural compatibility and scale as well as landscape buffering.
	<p>Goal PH-2. Encourage a wide range of housing types and price points in order to meet the diverse and evolving needs of current and future residents, match the housing supply with the local workforce, and promote diverse neighborhoods.</p>
	<p>Strategy PH-2.3. Allow housing arrangements in existing and new neighborhoods that provide affordable and/or multigenerational housing alternatives in single-family neighborhoods.</p>

	Goal PH-3. Promote safe and walkable neighborhoods.
	Action PH-3.1.1. Encourage pedestrian-friendly design features in residential developments, such as recessed or rear garages and front porches in single-family development, and rear parking lots and front entrances in multi-family developments.
Natural & Environmental Resources	Goal NR-2. Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements.
	Strategy NR-2.4. Promote the location and design of open space areas within developments so that they contribute to and link individual homes to the City's green infrastructure network
Cultural & Historic Resources	Goal CR-1. Preserve the viability and individuality of Hendersonville's historic neighborhoods in order to maintain their role in supporting community pride, livability and identity.
	Strategy CR-1.3. Promote investment in and adjacent to Historic Districts through compatible infill development, particularly on currently underutilized, non-historic properties.
Community Facilities	Goal CF-6. Encourage that a park and/or accessible open space are available within a ten-minute walk of each neighborhood.
	Strategy CF-6.1. Encourage community open-space or play areas in new or redeveloped residential neighborhoods.
Water Resources	<i>No Goals, Strategies, or Actions are directly applicable to this project.</i>
Transportation & Circulation	Strategy TC-3.1. Continue to develop and require a connected street grid.

GENERAL REZONING STANDARDS	
Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –
	The subject property is currently vacant. It is surrounded by single-family and multi-family residential homes. Directly across 1 st Avenue from the subject property is Hendersonville First Church of Nazarene. To the northwest of the property is the West End National Register Historic District, which primarily consists of single-family homes on varying sized lots. There are also a mix of multi-family units in small apartment buildings, or in homes that have been converted into multi-family. To the east of the property is Downtown - the city's core commercial business district.
Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	The property has previously been rezoned to accommodate 11 units on the property. Additionally, the Ecusta trail, which will be partially completed by the end of this year, is a new transportation and recreation facility located less than 1/2 mile from the subject property.
Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	The status of the region's affordable housing crisis is well documented from reports such as the Bown Study. The City of Hendersonville is currently engaged in a Strategic Housing Plan to further address this issue.
	The provision of 18 additional housing units on a relatively small, infill parcel will put residents within close proximity to employment, shopping, recreation, etc. The proposed development would utilize existing infrastructure and city services. The subject property is located within the City's existing interconnected street grid, which facilitates the disbursement of additional automobile traffic, and is in close proximity to the Ecusta trail, and less than a 5 minute walk to historic Main St, both of which facilitate a reduction in typical per household vehicular miles traveled.
Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The subject property will be served by City of Hendersonville services.
Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	Mature Trees: There are a number of mature trees and vegetation around the subject property. Tree canopy in the center of the property is proposed to be removed. Some of the trees on the east side of the property are proposed to be removed while others will be preserved and incorporated into the required buffer.

The petition is found to be **inconsistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is inconsistent with a range of goals and strategies for Medium Intensity Neighborhood in the City's 2030 Comprehensive Plan in particular the maximum recommended density of 8 units per acre

Therefore, we recommend the Future Land Use of the subject property be redesignated as:

Downtown Support where multi-family residential is a primary recommended land use and minimal front setbacks, rear/side parking and façade articulation are recommended design features.

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

DRAFT [Rationale for Approval]

- *The petition incorporate a mix of housing types into an existing urban neighborhood*
- *The petition provides an efficient use of property in the core of the city*
- *The petition would place residents within an area of existing city services and infrastructure*
- *The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation.*

DRAFT [Rational for Denial]

- *The petition proposes a development that is incompatible with the existing neighborhood due to height, scale, and architectural design.*
- *The petition proposes a density that is out of character with the surrounding neighborhood*
- *The petition would generate excessive traffic, noise and light in an existing residential neighborhood.*

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Use: Residential, multi-family
- Total Dwelling Units: 18
- Site: .57 Acres
- Density: 31.6 Units / Acre
- Buildings:
 - Building 1 - 2,432 Sq Ft (footprint)
 - Building 2 - 2,432 Sq Ft (footprint)
 - Gross Floor Area - 20,646
 - Height:
 - Mid-point of gable between ridge and eaves (height by definition) = 44'
 - Height of Ridge for 3-Story portion = 40'
 - Height of Ridge for 4-Story portion = 48' (highest point)
- Transportation:
 - 1 centrally-located vehicular access point off of 1st Ave
 - The projected Average AM Peak Trips = 9.18 (Threshold for TIA = 100)
 - The projected Average PM Peak Trips = 11.16 (Threshold for TIA = 100)
 - The projected Daily Trips = 118 (Threshold for TIA = 1,000)
- Sidewalks:
 - Staff is proposing that a Fee-in-Lieu of sidewalk be provided given the existing continuous sidewalk on the north side of 1st Ave and the right-of-way limitations for providing a continuous sidewalk on the south side of 1st Ave.
- Lighting:
 - All site lighting will be required to conform to the City's lighting standards for multi-family developments. The lighting plan is a component of the final site plan review.
- Parking:
 - Off-Street Parking
 - Required: 1 per unit (1&2-bedroom units) = 18 spaces
 - Provided: 21 spaces
 - 1 ADA
 - On-Street Parking
 - 12 -13 on-street parallel parking spaces provided on north side of 1st Ave to alleviate concerns of under parking and to provide buffer for pedestrians.

- Drive Aisles
 - The center drive aisle is 26' wide.
 - The parking lot drive aisle is 24' 9"
- Landscaping:
 - This development will be required to provide:
 - Vehicular Use Landscaping
 - Interior parking lot plantings (Sec. 15-9 a))
 - Planting strip to buffer from rear property (Sec. 15-9 b))
 - Street Trees (Sec. 15-15)
 - Urban Open Space landscaping (Sec. 5-19-3.3 f) 3))
 - A detailed Landscaping Plan will be provided at final site plan
- Building Design:
 - 3-Story design with a 4-Story step-up on portion of building furthest from the street
 - Building Materials - Additional Information needed
 - Some heavier stone materials placed on lower portion of 1st story
 - Balconies proposed for 2nd and 3rd floors on front façade
 - Balconies and patios proposed for all floors on side facades
 - Roof line features a variety of gables and false gables
- Floodplain: N/A
- Stream Buffer: N/A

DEVELOPER PROPOSED CONDITIONS: None

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT

Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for CMU-CZD with the following exceptions:
 - Additional information needed on Building Materials
 - Update Land Disturbance delineation. Appears to encompass entire parcel.
 - Include area calculations for Urban Open Space
 - Provide calculations for landscaping requirements. In table form, provide the area or length of required buffers, vehicular use area, urban space, etc, and provide the planting calculations required based on the zoning standards, provide the total plantings for each planting requirement. Consider separate preliminary landscaping plan on separate sheet
 - Placement of 40' to 48' tall buildings located 8' from the property lines of adjacent single-family homes, could be considered

- “unreasonable loss of privacy” as is referenced in Section 18-6-1 and revisited under Sec 18-6-4.4. Further, it would have impacts to the existing neighborhood as is given consideration under Chapter 8 of the 2030 Comprehensive Plan under LU-3.5 “Minimize negative impacts from growth and land use changes on existing land uses”
- The following comments need to be addressed to improve clarity or improve site design and function:
 - The “Site Statistics” table needs to be updated and revised for clarity.
 - Discrepancies exist between square footage totals shown on site plan for each building vs those shown in the “Site Statistics” table.
 - Clarity is needed on potential discrepancies between footprint square footage and gross floor area
 - Provide canopy area and indicate trees to be removed vs trees to be preserved on the “tree survey”.
 - Parking Spots 14 and 7 appear encumbered by building columns
 - Loading Zone looks difficult to access
 - Improve clarity of building footprint where surface level parking is provided under the 2nd floor.
 - Add note that this will meet the screening requirements of 5-19-3.3 c).

Proposed City-Initiated Conditions:

- Provide balconies and patios on front façade - [Developer Agreed]
- Provide delineated on-street parking on north side of 1st Ave to address parking concerns expressed at NCM, to help buffer the sidewalks and to help achieve Strategy LU-6.4 and Action PH-3.1.1 of the 2030 Comp Plan and Sec. 5-19-3.3 of the Zoning Code - [Developer Agreed]

CITY ENGINEER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

WATER / SEWER

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FIRE MARSHAL

Site Plan Comments:

- Please make sure that this surface shall be capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds.

Proposed City-Initiated Conditions:

- None

STORMWATER ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

FLOODPLAIN ADMINISTRATOR

Site Plan Comments:

- None

Proposed City-Initiated Conditions:

- None

PUBLIC WORKS

Site Plan Comments:

- For on-street parking:
 - Add dimensions showing the width of the road,
 - Remove the mid-block crosswalk
 - Close the 17' 10" gap in the parking spaces
 - Show the drive entrance on the west end of the building as well to make sure we have the setback from that entrance/exit.

Proposed City-Initiated Conditions:

- None

NCDOT

Site Plan Comments:

- None

Proposed NCDOT-Initiated Conditions:

- None

HENDERSON COUNTY SOIL & EROSION CONTROL

Site Plan Comments:

- None

Proposed Condition:

- None

TRANSPORTATION

Staff Comments:

- A TIA was not required for this project due to the low expected trip generation. The City's triggers of 100 Peak Hour Trips and 1,000 Daily Trips were not met.
- The trip generation for this project is 28 AM Peak Hour Trips, 28 PM Peak Hour Trips and 191 Daily Trips

Proposed Condition:

- None