



**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

100 N. King Street, Hendersonville, NC 28792

Phone (828) 697-3010|Fax (828) 698-6185

www.hendersonvillenc.gov

**Conditional Zoning District Petition
Section 7-4 and Article 11 City Zoning Ordinance**

The following are the **required** submittals for a complete application for rezoning a property or properties to a Conditional Zoning District. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Pre-Application meeting with Planning Staff
- ☒ 2. Scheduled Neighborhood Compatibility Meeting
NCM Date: 8/27/24 Time: 2:00 pm
- ☒ 3. Water and Sewer Availability Request
- ☐ 4. Completed Application Form
- ☒ 5. Completed Signature Page (completed Owner's Affidavit if different from applicant)
- ☒ 6. Completed Site Plan as described in Section 7-4.3-1 of the City Zoning Ordinance
- ☒ 7. Detailed explanation of any Proposed Development Description
- ☒ 8. Application Fee
- 9. Transportation Impact Analysis - Required for complete application but not due until 24 calendar days prior to Planning Board Meeting (if required)

Note: Additional Approvals prior to the issuance of a Zoning Compliance Permit may include, but are not limited to the following:

- Henderson County Sedimentation & Erosion Permit
- Stormwater Management Plan
- Utility Approval
- NCDOT Permit
- Any other applicable permits as determined by the Community Development

[Application Continued on Next Page]

Office Use:

Date Received: _____ By: _____ Fee Received? Y/N

A. Applicant Contact Information

Zachary Grogan

* Printed Applicant Name

MPG Shelby, LLC.

Printed Company Name (if applicable)

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Applicant Signature

Applicant Title (if applicable)

31 Wade Hampton Blvd

Address of Applicant

City, State, and Zip Code

Greenville, SC 29609

Telephone

zg@magnoliapropertygroup.com

Email

* Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

[Application Continued on Next Page]

B. Property Owner Contact Information (if different from Applicant)

EUGENE S. HOLBERT

*Printed Owner Name

N/A

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:

Eugene S. Holbert

Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828.606.1994

Telephone

gholbert1@gmail.com

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

B. Property Owner Contact Information (if different from Applicant)

JOHN T. HOLBERT

*Printed Owner Name

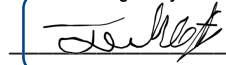
N/A

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828 4354899

Telephone

jh148013@gmail.com

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

B. Property Owner Contact Information (if different from Applicant)

WANDA H. PONDER

*Printed Owner Name

N/A

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828-243-1618

Telephone

Iam911wanda@morrisbb.net

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

B. Property Owner Contact Information (if different from Applicant)

EDGAR M. HOLBERT

*Printed Owner Name

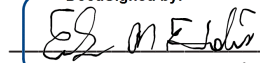
N/A

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

Hendersonville, NC 28739

City, State, and Zip Code

828.606.2696

Telephone

emholb@gmail.com

Email

* Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application.

* If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

C. Property Information

Name of Project: BROOKLYN AVE TOWNHOMES

PIN(s): 597-843-7077, 957-853-0013, 957-843-9238

Address(es) / Location of Property: 924 BROOKLYN AVE HENDERSONVILLE, NC

Type of Development: ☒ Residential ☐ Commercial ☐ Other

Current Zoning: R-15 CITY OF HENDERSONVILLE EJT

Total Acreage: 6.33

Proposed Zoning: URBAN RESIDENTIAL

Proposed Building Square Footage: APPROXIMATELY 64,000SF BLDG FOOTPRINT

Number of Dwelling Units: 60

List of Requested Uses:

CITY OF HENDERSONVILLE ANNEXATION
RE-ZONE: URBAN RESIDENTIAL CZD
SUBDIVISION APPROVAL
SITE PLAN APPROVAL

D. Proposed Development Conditions for the Site

In the spaces provided below, please provide a description of the Proposed Development for the site.

STATEMENT OF DEVELOPMENT CONDITIONS ATTACHED.

**MPG SHELBY, LLC.
31 WADE HAMPTON BLVD.
GREENVILLE, SOUTH CAROLINA 29609**

SUBJECT: Brooklyn Avenue Townhomes – Urban Residential - CZD Application

Detailed Development Description

The proposed development will consist of the demolition of the existing improvements, clearing within the areas of disturbance, erosion control and tree protection measures, grading, utility installation, roadway construction and approximately 60 townhomes. The final neighborhood will feature 2.70 acres of open space (42% of the total land area), a network of sidewalks on the interior of the community connecting to the sidewalk running along the entire length of Brooklyn Ave and attractive entry signage.

Developer Proposed Conditions

5-25-2.3.1 Traffic Impact Analysis. Traffic Impact Analysis requirement for Urban Residential zoning district waived for not reaching City of Hendersonville TIA standards.

5-25-5.13 Internal Access and Connectivity. Waiver of the limitation of two driveways per block face.

5.25-5.15 Pedestrian Zone and Sidewalks. Waiver of the requirement for sidewalks on both sides of internal streets. Reduction of sidewalk width on internal streets from 7' to 5'.

**Condition Justification included as exhibits to the application.

Statement on Comprehensive Plan Compliance

The proposed Brooklyn Ave Townhome project is located on land designated as “Most Suitable” for residential use in the City’s Comprehensive Plan. The plan also designates this area for Multi-Generational Living, which seeks to provide a mix of housing types, both attached and detached, to create an intergenerational neighborhood. Currently, the immediate area consists almost entirely of single-family detached homes. This project introduces a townhome housing product, aligning with the City’s goals for this neighborhood.

Additionally, the Urban Residential zoning classification, which applies to this area, is a recommended zoning for areas designated for Multi-Generational Living in the future land use plan. The proposed development is consistent with the City’s stated goals of creating vibrant neighborhoods with varying housing choices and immediate access to the natural environment. The development adds nearly 700 feet of sidewalk along a minor thoroughfare with direct connection to a network of internal sidewalks and nature trail.

Explain compatibility with surrounding land uses

The surrounding land uses include single-family detached residential and residential apartments (PRD at approximately 10 units per acre). The proposed development is appropriate given the similarity of uses of the immediately adjacent properties. Additionally, the area across Old Spartanburg Road is primarily commercial, with industrial and general business activities. Typically, higher density residential developments, such as the proposed project, are situated between commercial nodes and low-density single-family use. This creates a neighborhood business node, which aligns with the City of Hendersonville's vision for desirable land use in the area.

Explain whether changed conditional require map amendments

Based on our understanding, changing the zoning from R-15 EJT to Urban Residential CZD requires a map amendment.

Explain how the petition is in the public interest

This petition supports a proposed development that will repurpose an existing mobile home park and underutilized property to create a project aligned with the City's stated growth objectives and desired land use. The project will add approximately 60 housing units to the area, enhancing the roadside aesthetics, expanding the local tax base, and providing increased support for the nearby businesses. Additionally, the development plan maintains 2.70 acres of open space, including over an acre of existing tree canopy and five specimen trees.

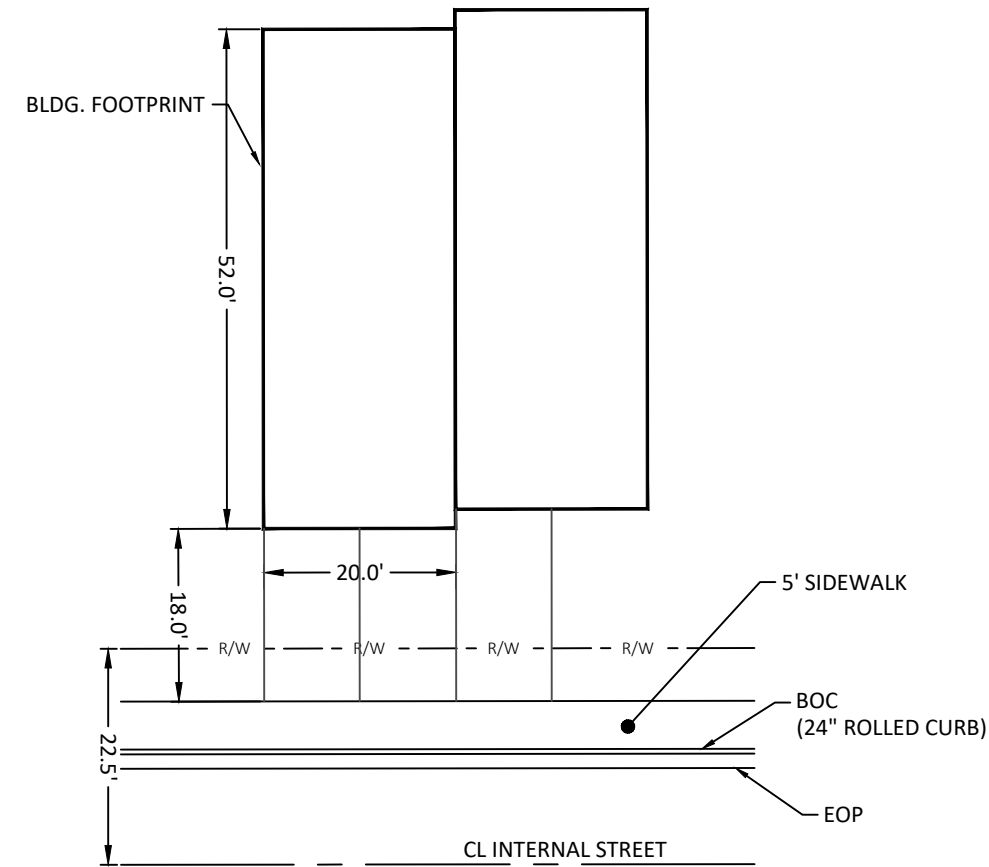
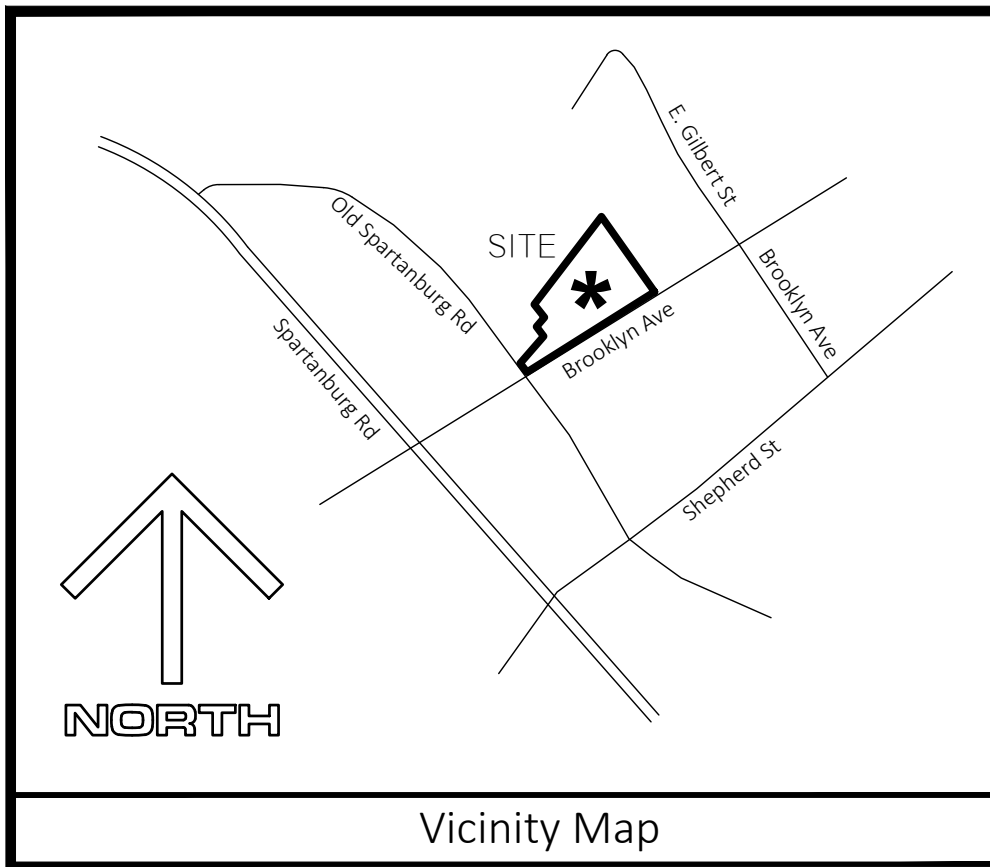
Explain whether adequate public facilities are available

The necessary public facilities are in place to support the proposed project. The City provides water and sewer services in sufficient capacity. Electricity is available through Duke Energy. Both Brooklyn Avenue and Old Spartanburg Road, which are NCDOT roadways, are capable of handling the additional traffic generated by the project, as confirmed by NCDOT engineers.

Explain the impact the petition would have on the natural environment

The proposed development will involve some modification to the existing topography and tree canopy on the Property. However, three wetland areas identified on the site will remain undisturbed. In addition, all low-lying areas, including the existing tree canopy, will be preserved in accordance with the City's open space and tree canopy ordinances.

It's important to note that the implantation of the City's ultra high-density Spartanburg Highway Focus Area, as outlined on page 145 of the Generation H Comprehensive Plan, will necessitate changes to the natural environment, including an increase in impervious surfaces. The proposed development aligns with the City's published growth objectives for this area.



TYPICAL TOWNHOME LOT LAYOUT

SITE LAYOUT NOTES

1. THIS IS NOT A PROPERTY SURVEY. SEE SURVEY FOR BOUNDARY INFORMATION.
2. ALL WORK SHALL COMPLY WITH LOCAL ORDINANCES, NCDOT STANDARDS AND OWNER SPECIFICATIONS. ALL SIGNS AND PAVEMENT MARKINGS SHALL COMPLY WITH MUTCD STANDARD.
3. BLUE RIDGE ENGINEERING SHALL PROVIDE ALL CONSTRUCTION LAYOUT AND STAKING REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING FOR CONSTRUCTION LAYOUT AND STAKING SERVICES PROVIDED. CONTRACTOR SHALL IMMEDIATELY NOTIFY BLUE RIDGE ENGINEERING IF CONDITIONS ARE ENCOUNTERED THAT ARE NOT AS SHOWN.
4. CONTRACTOR IS RESPONSIBLE FOR ALL SAFETY, METHODS, PROCEDURES AND SEQUENCES OF ITS OPERATIONS. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROL FOR ITS OPERATIONS IN COMPLIANCE WITH MUTCD AND NCDOT STANDARDS. CONTRACTOR SHALL NOTIFY NCDOT, OWNER, AND ENGINEER AT LEAST 72 HOURS IN ADVANCE OF ANY LANE CLOSURE OR TRAFFIC SHIFT.
5. ALL WORK IS SUBJECT TO INSPECTION OF THE OWNER, ENGINEER AND AUTHORITIES HAVING JURISDICTION. THE OWNER SHALL PAY FOR ALL QUALITY ASSURANCE TESTING REQUIRED. CONTRACTOR SHALL PROTECT THE WORK UNTIL SUCH TIME THAT THE PROJECT IS APPROVED AND OPENED TO TRAFFIC.
6. SUBGRADE SHALL BE ACCEPTED BY THE ENGINEER PRIOR TO PLACEMENT OF STONE BASE. CONTRACTOR SHALL PROVIDE A LOADED TRUCK FOR ALL PROOF-ROLLS REQUIRED.
7. STONE BASE SHALL BE ACCEPTED BY THE ENGINEER PRIOR TO ASPHALT PLACEMENT. CONTRACTOR SHALL PROVIDE A LOADED TRUCK FOR ALL PROOF-ROLLS REQUIRED.
8. PAVING CONTRACTOR SHALL PROVIDE A CERTIFIED ROADWAY QUALITY CONTROL TECHNICIAN WITH A NUCLEAR GAGE AT ALL TIMES ASPHALT IS BEING PLACED. IF REQUESTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR TAKING ASPHALT CORE SAMPLES FOR VERIFICATION OF COMPACTION AND THICKNESS.
9. SLOPES IN HANDICAP PARKING SPACES AND ACCESS AISLE AREAS SHALL NOT EXCEED 2% IN ANY DIRECTION INCLUDING THE DIAGONAL.
10. CONTRACTOR SHALL MAINTAIN AN APPROVED SET OF PLANS ON THE JOB SITE AT ALL TIMES.

SITE DATA

GENERAL	
LATITUDE	35°18'08" N
LONGITUDE	82°26'14" W
REID	9966086, 105349, 9966087
PIN	9578437077, 9578530013, 9578439238
PROJECT SIZE	6.94 ACRES
PROPOSED ZONING	CZD URBAN RESIDENTIAL
PROPOSED USE	60 SINGLE FAMILY UNITS (8.64 UNITS/ACRE)
MAX BLDG HT.	35'

SETBACKS

FRONT	14' FROM PROPOSED CURB
SIDE	5'
REAR	10'

PARKING PROVIDED	130 (2 SPACES PER UNIT, +8 COMMON SPACES)
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LANDSCAPE DATA

TREE CANOPY PRESERVATION (15-4.C)	
EXISTING COVERAGE:	251,750 SF (PER TREE CANOPY WEB SITE)
T1 PRESERVATION REQ'D	50,350 SF (20% OF EXISTING COVERAGE)
T1 PRESERVATION PROVIDED	50,769 SF

T2 PRESERVATION REQ'D	
REQUIREMENT T2 - OPTION 3	37,762 SF (15% OF EXISTING COVERAGE)
PRESERVED SPECIMEN TREES	(20,188 SF) per 15-4-c.3(d)
TOTAL T2 PLANTING REQ'D	17,574 SF

T2 PRESERVATION PROVIDED	17,648 SF (SEE TABLE)
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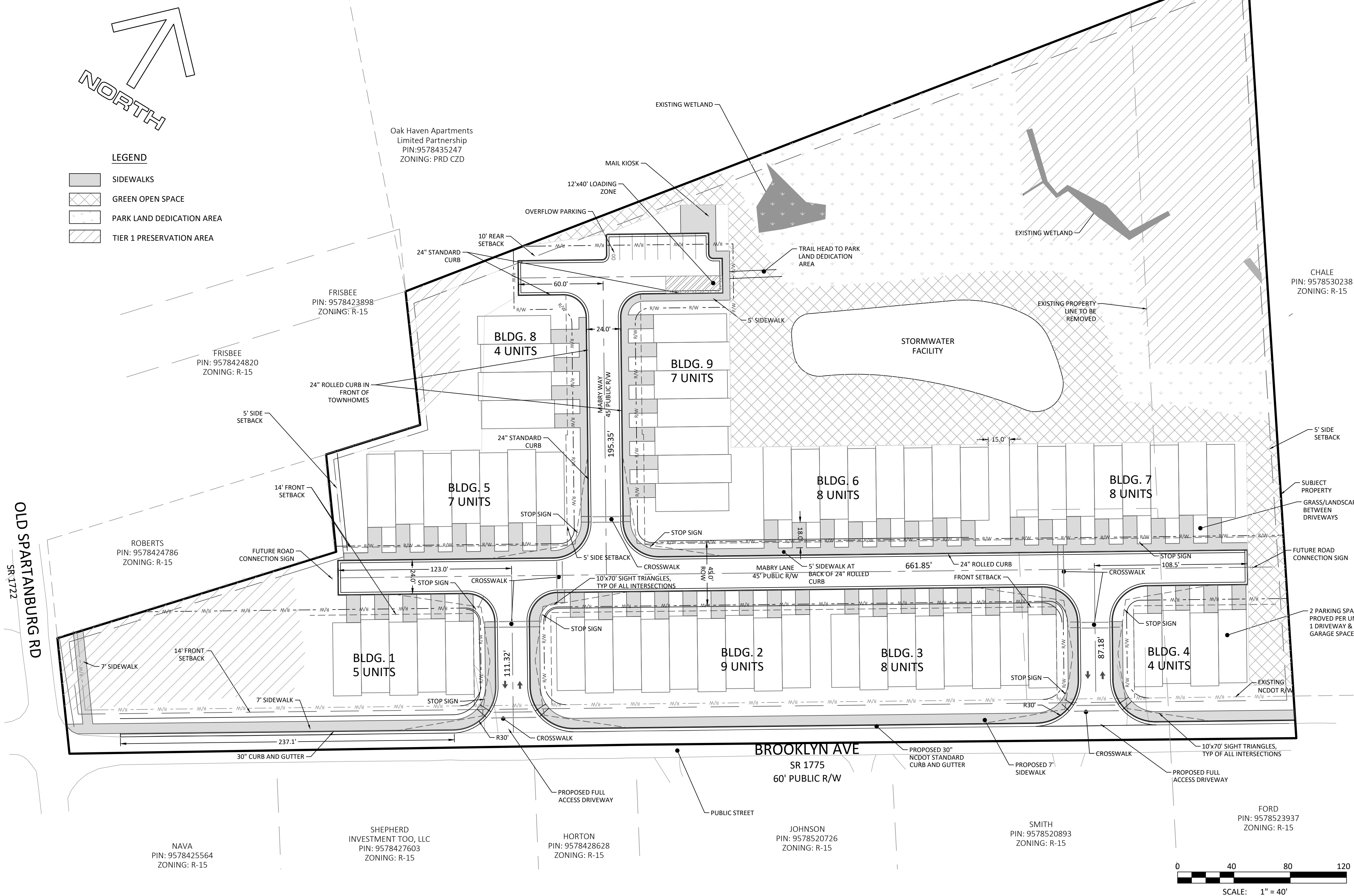
PARKLAND DEDICATION (SEC. 3.09)

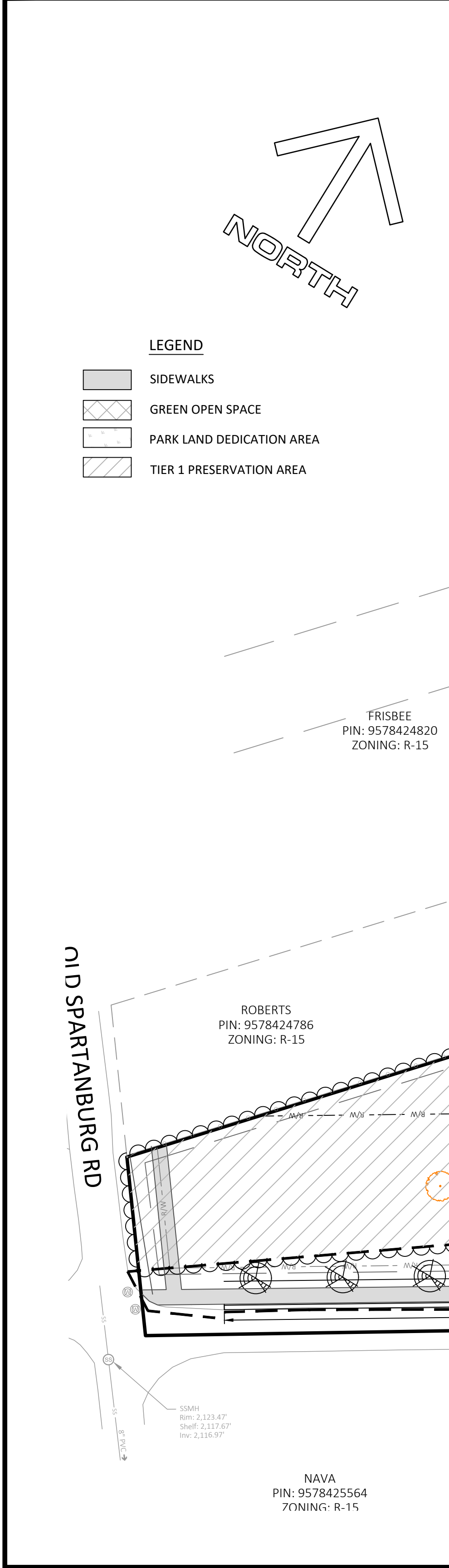
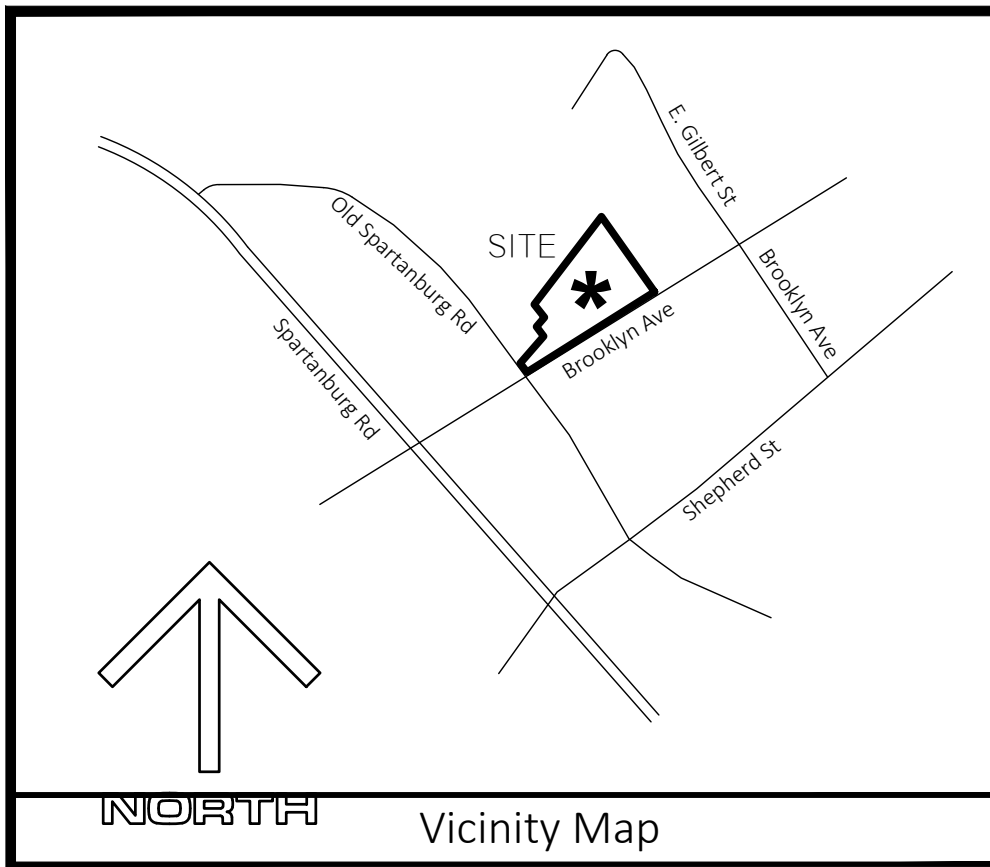
DEDICATION REQUIRED	30,000 SF (500 SF/UNIT AT 60 UNITS)
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DEDICATION PROVIDED	30,430 SF (OUTSIDE OF T1 PRESERVATION)
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LAND USAGE 6.33 ACRES/ 275,801 SF:

BUILDING	63,440SF
STREETS/SIDEWALK & PARKING	50,760 SF
COMMON SPACE (Sec. 5-25-5.19)	
REQUIRED (500SF/UNIT)	30,000 SF
PROVIDED	
SIDEWALKS	4,260 SF
GREEN SPACE	31,846 SF
TOTAL	36,106 SF
OPEN SPACE (Sec. 5-25-5.20)	
REQUIRED (30%)	82,740 SF
PROVIDED	
COMMON OPEN SPACE	36,106 SF
T1 PRESERVATION	50,769 SF
TOTAL	86,872 SF





PROPOSED TIER 2 TREE PLANTINGS				
SYM.	QTY	SPECIES	SIZE OF TREE	TREE CANOPY CREDITS
	6	DEODAR CEDAR Cedrus deodara	LARGE	5,232 SF 6 TREES @ 872 SF/TREE
	2	AUTUMN BLAZE MAPLE Acer x freemanii	LARGE	1,744 SF 2 TREES @ 872 SF/TREE
	4	NORTHER RED OAK Quercus rubra	LARGE	3,488 SF 4 TREES @ 872 SF/TREE
	16	OKAME CHERRY Prunus 'Okame'	MEDIUM	5,600 SF 16 TREES @ 350 SF/TREE
	11	SUGAR TYME CRABAPPLE Malus Hybrids	SMALL	1,584 SF 11 TREES @ 144 SF/TREE
TOTAL				17,648 SF

LANDSCAPE DATA

TREE CANOPY PRESERVATION (15-4.C)
EXISTING COVERAGE: 251,750 SF (PER TREE CANOPY WEB SITE)
T1 PRESERVATION REQ'D 50,350 SF (20% OF EXISTING COVERAGE)
T1 PRESERVATION PROVIDED 50,769 SF

T2 PRESERVATION REQ'D
REQUIREMENT T2 - OPTION 3 37,762 SF (15% OF EXISTING COVERAGE)
PRESERVED SPECIMEN TREES (20,188 SF) per 15-4-c.3(d)
TOTAL T2 PLANTING REQ'D 17,574 SF

T2 PRESERVATION PROVIDED 17,648 SF (SEE TABLE)

PARKLAND DEDICATION (SEC. 3.09)

DEDICATION REQUIRED 30,000 SF (500 SF/UNIT AT 60 UNITS)
DEDICATION PROVIDED 30,430 SF (OUTSIDE OF T1 PRESERVATION)

LAND USAGE 6.33 ACRES/ 275,801 SF:

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PROVIDED	
COMMON OPEN SPACE	36,106 SF
T1 PRESERVATION	50,769 SF
TOTAL	86,872 SF

PRESERVED TREE CREDITS 15-4.b					
*ALL PRESERVED TREES TO BE PROTECTED WITH APPROPRIATE TREE FENCING AS PRESCRIBED IN THE CITY OF THE HENDERSONVILLE LANDSCAPING ORDINANCE					
SYM.	QTY	SPECIES	DBH	TREE CREDITS	SPECIMEN CANOPY TREE CREDIT
	1	MAPLE	2"-12"	1 TREE @ 1 CREDIT/TREE	
	6	OAK	2"-12"	6 TREES @ 1 CREDIT/TREE	
	1	PINE	2"-12"	1 TREE @ 1 CREDITS/TREE	
	7	MAPLE	13"-18"	7 TREES @ 2 CREDITS/TREE	
	11	OAK	13"-18"	11 TREES @ 2 CREDITS/TREE	
	1	BIRCH	13"-18"	1 TREES @ 2 CREDITS/TREE	
	4	MAPLE	19"-24"	4 TREES @ 3 CREDITS/TREE	
	8	OAK	19"-24"	8 TREES @ 3 CREDITS/TREE	
	1	MAPLE	28"	1 TREES @ 3 CREDITS/TREE	3,694.5 SF
	1	MAPLE	30"	1 TREES @ 3 CREDITS/TREE	4,241 SF
	1	MAPLE	32"	1 TREES @ 3 CREDITS/TREE	4,825.5 SF
	1	OAK	26"	1 TREE @ 3 CREDITS/TREE	3,185.5 SF
	1	OAK	30"	1 TREE @ 3 CREDITS/TREE	4,241 SF
TOTAL				97 CREDITS	20,188 SF

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PROJECT #: 20201
CITY COMMENTS:
REVISIONS:
09/05/2024
09/19/2024

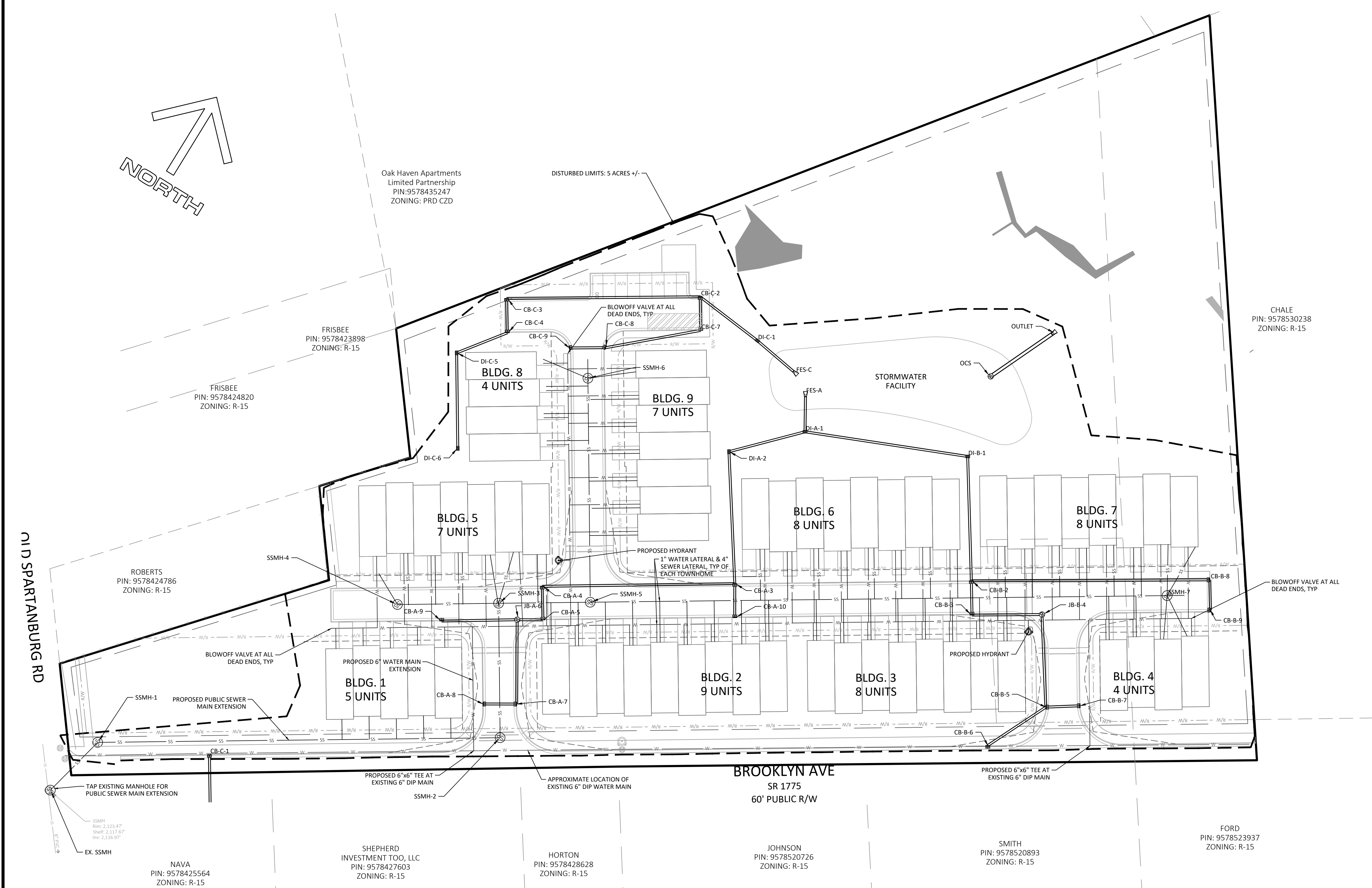
PRELIMINARY
NOT FOR CONSTRUCTION

Blue Ridge Engineering PLLC
924 Main Street - Suite 200
North Wilkesboro, NC 28659
336.838.2500
www.ridge.blue
Firm #P-0205

Prepared for:
MAGNOLIA
PROPERTY GROUP
31 Wade Hampton Blvd
Greenville, SC 29669

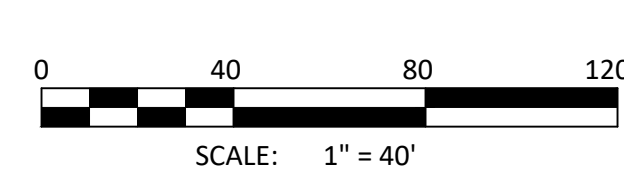
CZD Landscaping Plan
Mabry Woods
914 Brooklyn Avenue, Hendersonville, NC
Hendersonville Township, Henderson County, North Carolina
PRELIMINARY - NOT FOR CONSTRUCTION

CZD
2.0



UTILITY NOTES

- SEE WATER DETAIL SHEETS FOR GENERAL WATER NOTES BY THE CITY OF HENDERSONVILLE AND ALL DETAILS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY, METHODS, MEANS, PROCEDURES AND SEQUENCES OF ITS OPERATIONS. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROL FOR ITS OPERATIONS.
- ALL UTILITY WORK SHALL BE PERFORMED BY A NC LICENSED UTILITY CONTRACTOR.
- THE LOCATION OF UTILITIES SHOWN ON THE PLANS SHALL BE CONSIDERED APPROXIMATE. ALL UTILITIES MAY NOT BE SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE EXISTENCE AND ACTUAL LOCATION OF ALL EXISTING UTILITY LINES WHETHER SHOWN ON THE PLANS OR NOT. CONTRACTOR SHALL CONTACT ULOCO.
- BLUE RIDGE ENGINEERING SHALL PROVIDE ALL CONSTRUCTION LAYOUT AND STAKING REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING FOR CONSTRUCTION LAYOUT AND STAKING SERVICES PROVIDED. CONTRACTOR SHALL PROVIDE BLUE RIDGE ENGINEERING 48 HOURS NOTICE FOR ANY STAKING REQUESTED.
- DURING PIPE LAYING, PIPE ENDS SHALL BE PROTECTED OVERNIGHT WITH APPROPRIATE MEASURES TO PREVENT WATER, DIRT OR OTHER DEBRIS FROM ENTERING THE SYSTEM.
- ALL BACKFILL IN UTILITY TRENCHES SHALL BE TESTED. ALL BACKFILL SHALL BE PLACED AND COMPACTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. DRYING OR WETTING OF FILL MATERIAL MAY BE REQUIRED TO COMPLY WITH MOISTURE LIMITS SPECIFIED. IF NO GEOTECHNICAL STUDY HAS BEEN PERFORMED, ALL EARTHWORK PLACED SHALL BE WITHIN 5% OF OPTIMUM MOISTURE AND COMPACTED TO AT LEAST 95% OF THE STANDARD PROCTOR.
- ALL WORK IS SUBJECT TO INSPECTION OF THE OWNER, ENGINEER AND AUTHORITIES HAVING JURISDICTION. THE OWNER SHALL PAY FOR ALL QUALITY ASSURANCE TESTING REQUIRED.
- ALL PIPE MATERIALS SHALL BE AS SPECIFIED ON THE PLANS. NO SUBSTITUTIONS SHALL BE ALLOWED. ALL FIRE LINES SHALL COMPLY WITH NFPA 24 AND NC STATE BUILDING CODE: FIRE CODE.
- ALL WATER LINE 6" AND LARGER SHALL HAVE RESTRAINED JOINTS, "MEGALUG" OR EQUAL.
- MINIMUM COVER SHALL BE 3' FOR BOTH WATER AND SEWER MAINS.
- MINIMUM SLOPE FOR ANY SEWER LINE SHALL BE 1.0% UNLESS OTHERWISE SHOWN. CONCRETE ANCHOR FOOTINGS SHALL BE INSTALLED ON ALL SEWER LINES EXCEEDING 20% SLOPE.
- WATER/SEWER CROSSINGS: WHERE SEWER MAINS CROSS OVER WATER MAINS, OR WHERE LESS THAN 18" VERTICAL SEPARATION IS PROVIDED, BOTH WATER MAIN AND SEWER MAIN SHALL BE CONSTRUCTED TO WATER MAIN STANDARDS, SUCH AS THE USE OF DUCTILE IRON PIPE OR C-900, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- SEWER/STORM CROSSINGS: WHERE SEWER MAINS AND STORM DRAINS CROSS WITH LESS THAN 18" VERTICAL SEPARATION PROVIDED, SEWER MAINS SHALL BE CONSTRUCTED TO WATER MAIN STANDARDS, SUCH AS THE USE OF DUCTILE IRON PIPE OR C-900, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- WATER/STORM CROSSINGS: WHERE WATER MAINS AND STORM DRAINS CROSS WITH LESS THAN 12" VERTICAL SEPARATION PROVIDED, WATER MAINS SHALL BE DUCTILE IRON PIPE, A MINIMUM OF 10 FEET IN EACH DIRECTION.
- ALL SERVICE CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH STATE AND LOCAL CODES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL PROVIDE ALL APPARATUS NECESSARY FOR ALL PRESSURE TESTING, LEAKAGE TESTING, AND BIOLOGICAL TESTING. ALL TESTING SHALL BE PERFORMED IN THE PRESENCE OF THE ENGINEER OR HIS REPRESENTATIVE.
- CONTRACTOR SHALL COORDINATE ALL WORK AS NECESSARY WITH: POWER COMPANY; TELEPHONE COMPANY; GAS COMPANY; ETC.



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DRAWN BY:
JESSE

PROJECT #:
22031

ORIGINAL ISSUE DATE:
09/05/2024

REVISIONS:
09/19/2024 CITY COMMENTS

PRELIMINARY
NOT FOR CONSTRUCTION

Blue Ridge Engineering PLLC
924 Main Street - Suite 200
North Wilkesboro, NC 28659
336.838.2500
www.ridge.blue
Firm #P-0205

Prepared for:

MAGNOLIA
PROPERTY GROUP
31 Wade Hampton Blvd
Greenville, SC 29609

CZD Preliminary Utility Plan

Mabry Woods

914 Brooklyn Avenue, Hendersonville, NC
Hendersonville Township, Henderson County, North Carolina

SHEET

CZD
3.0

PRELIMINARY - NOT FOR CONSTRUCTION

BUILDING ELEVATIONS

Brooklyn Ave Frontage



BUILDING ELEVATIONS

Interior Units



BUILDING ELEVATIONS

Interior Units



Developer Proposed Condition Justification

5-25-2.3.1 Traffic Impact Analysis

Applicant requests that the Traffic Impact Analysis (TIA) requirement be waived. Per the trip generation table shown below, the proposed development will produce drastically less traffic than the City of Hendersonville Traffic Impact Analysis thresholds in Section 6-18-1 of the zoning ordinance.

6-18-1 – TIA required. Applicants for development authorization in which the proposed development, redevelopment, or change of use is expected to generate 100 or more peak-hour trips (a.m. or p.m.) or 1,000 or more trips daily shall have prepared by a qualified professional a TIA meeting the guidelines established in this section. In addition to the foregoing, the community development director shall have the discretion to require a TIA when a development's traffic will substantially affect an intersection or a roadway segment already identified as operating at a failing level of service, when a development may create a hazard to public safety, or when a development will substantially change the off-site transportation system or connections to it.

The proposed development creates only 432 daily trips, 29 AM peak hour trips and 34 PM peak hour trips. This is 43%, 29% and 34% of the published requirements for performing a TIA. Additionally, the City Planning Staff and NCDOT concluded that a TIA would not be required for this project, unless any changes were made to the site plan, which has not occurred.

As the code is currently written, uses allowed in the Urban Residential (UR), such as large scale apartment communities, mixed use developments and other high-impact developments, a traffic impact analysis could be warranted. This project represents a different type of use than has historically been contemplated by the UR zoning classification and should be evaluated accordingly. For instance, in the zoning classification Planned Residential Development, a TIA is only warranted if the thresholds described in 6-18-1 are reached. Planning Staff has submitted an application for a text amendment to allow both single family residential attached and detached products in the UR zoning classification. Logic maintains that these projects should be evaluated in the same manor.

Further, the purpose of the thresholds for TIA is to avoid unneeded delays and expenses for projects that do not warrant roadway modifications and/or do not degrade the level of service enough to justify major corrections. What's more, the trips calculated in the table are shown as net new trips, however, there are ten existing housing units on the property, currently contributing to trips on Brooklyn Ave. If the current trips are considered, the trips are reduced by nearly 15% further separating the future trips from the City of Hendersonville thresholds.

Trip Generation Rates for LUC #215: Single Family Attached						
Number of Dwelling Units	AM PEAK HOUR			PM PEAK HOUR		
	Vol. Per Average Rate	Directional Distribution		Vol. Per Average Rate	Directional Distribution	
		31% In	69% Out		57% In	43% Out
60	29	9	20	34	19	15
Average Daily Trip Ends (ADT)		Average Rate Equations:				
Units	Average Rate	AM: $T = 0.48 * X = 29$ ADT: $T = 7.20 * X = 432$				
60	432	PM: $T = 0.57 * X = 34$ T = Trips/Unit X = Number of Dwelling Units				

5-25-5.13 Internal Access and Connectivity

Section 5-25-5.13 of the zoning code limits the number of driveways to two per block face. To execute this development, the Applicant requests a waiver of this restriction.

On September 12, 2024, Planning Staff submitted a Zoning Text Amendment to align the Urban Residential and Urban Village zoning classifications with the Gen H Comprehensive Plan. Several design and practical considerations within the current zoning code are not suitable for single family residential developments, including the limitation on driveways. Therefore, we propose that an exception be added to the final sentence of Section 5-25-5.13, specifying that the restriction not apply to single family driveways.

Granting this waiver aligns with both the recently proposed Zoning Text Amendment and the objectives of the Gen H Comprehensive plan, making it a practical and consistent solution.

5.25-5.15 Pedestrian Zone and Sidewalks.

Section 5-25-5.13 requires sidewalks on both sides of internal roads, with a width of 7 feet. The Applicants seeks relief from both of these requirements as they work in tandem to achieve a balanced development approach.

Strict compliance with these provisions would push the development into designated preservation areas, increasing the area that would need to be cleared. This site plan does not aim to maximize density, but rather strike a balance between preserving natural areas and adding an appropriate amount of units to the available high ground.

The units along Mabry Lane that would be affected by the absence of a sidewalk will have direct access to the 7-foot-wide sidewalks on Brooklyn Avenue, along with crosswalks providing safe access to the sidewalks along the internal roads.

Fw: [External] Clarification on TIA Requirements For Proposed Development

Zach Grogan <zg@magnoliapropertygroup.com>

Thu 9/5/2024 8:41 PM

To: Zach Grogan <zg@magnoliapropertygroup.com>

From: Darnell, Russell H <rh darnell@ncdot.gov>

Sent: Wednesday, July 24, 2024 10:42 AM

To: Zach Grogan <zg@magnoliapropertygroup.com>

Cc: Wilson, Troy S <tswilson@ncdot.gov>; Jamison, Wesley A <wjamison@ncdot.gov>; Morrow, Tyler <tmorrow@hvlnc.gov>

Subject: RE: [External] Clarification on TIA Requirements For Proposed Development

Zach

I spoke with the City and no TIA is required for this one – as long as the number of units or the LUC doesn't change.

Let me know if you have any questions.

Rusty

R.H. "Rusty" Darnell

Assistant District Engineer

NC Department of Transportation

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A Statement on the proposed Landscape Plan

The various landscape requirements and tree ordinances are complex, which has resulted in a challenging landscape plan to follow.

Due to the fact that nearly 90% of the project site is covered by existing tree canopy, including significant specimen trees, the development plan generates an excess of tree credits. This allows us to meet the tree requirements (with the exception of common area trees) without the need to designate additional preservation area for the T2 requirement. Instead, we plan to meet the 15% T2 requirement through additional tree planting, while dedicating the full 30,000sf space available for parkland dedication, as shown on the site plan.

Per guidance from Staff, the parkland dedication area will remain available for dedication throughout the process. However, if the proposal is not accepted by Council or the DRC, we plan to use this area for T2 compliance, replacing the proposed Tier 2 Tree Plantings. We are providing this background to ensure transparency throughout the approval process, so that there are no surprises regarding our compliance plan should the land dedication not be accepted.

Additionally, to clarify, we are using tree credits to satisfy the Brooklyn Ave street tree requirement. Rather than leaving this area without trees, we are opting to plant medium-sized Okame Cherry trees because: (i) I personally prefer them, (ii) the stunning yearly show along Brooklyn Ave is a benefit to the community, and (iii) these medium trees meet NCDOT right-of-way planting requirements, this plan has been reviewed and blessed by NCDOT.

Appendix B Section 3.09 Dedication of Public Land:

Our understanding is that the purpose of Parkland dedication is to ensure sufficient public open space for the influx of residents in a given area caused by a proposed development, with a requirement of 500 square feet per housing unit. In this case, the proposed development is required to provide 30,000 square feet of dedicated land.

To meet this requirement, the applicant is planting over 17,000 square feet of trees (small, medium and large maturing) in compliance with the Tier II tree canopy ordinance – plantings that would not otherwise be necessary. However, per the guidance from Planning Staff, the designated area for dedication does not meet the City's criteria as outlined in Appendix B Section 3.09.A.3. We agree that the area for dedication may be impractical to maintain and properly police effectively if dedicated to the City.

The proposed development provides 36,106 square feet of common open space, 50,769 square feet of tree preservation area and 30,430 square feet designated for dedication, totaling 117,305 square feet (2.70 acres) of open space. This amounts to 1,955 square feet of open space per housing unit - nearly four times the required 500 square feet per unit, adequately addressing the needs of the incoming residents.

Given that the private common space on site will be reasonably accessible from the public right of way, and mitigates the parkland needs created by the development, we believe the Parkland Dedication Fee-In-Lieu should be waived in accordance with Appendix B Section 2.06 (D)(1)(b): *Private Common Open Space resources provide on the subject site will be available for public use and will mitigate park land needs created by the proposed development.*