

STANDARD REZONING: BROOKLYN AVE TOWNHOMES (P24-62-CZD)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - Brooklyn Ave Townhomes
 - P24-62-CZD
- Applicant & Property Owner:
 - Zach Grogan, MPG Shelby, LLC. (Applicant)
 - Eugene Holbert (Owner)
 - John Holbert (Owner)
 - Edgar Holbert (Owner)
 - Wanda Ponder (Owner)
- Property Address:
 - 914 Brooklyn Ave
 - 924 Brooklyn Ave
- Parcel Identification (PINS):
 - 9578-43-7077
 - 9578-53-0013
 - 9578-43-9238
- Project Acreage:
 - 6.33 Acres
- Current Parcel Zoning:
 - R-15 Medium Density Residential
- Proposed Zoning District:
 - Urban Residential Conditional Zoning District
- Future Land Use Designation:
 - Multi-Generational Living



SITE VICINITY MAP

The City of Hendersonville is in receipt of a Conditional Zoning District application from Zach Grogan of MGP Shelby, LLC for 3 parcels (PINs listed on left) totaling 6.33 Acres located along Brooklyn Ave at Old Spartanburg Rd. The properties are currently zoned R-15 and were the former site of a mobile home park with some single-family homes still present on the site. The petitioner is requesting that the parcels be rezoned to Urban Residential for a townhome development.

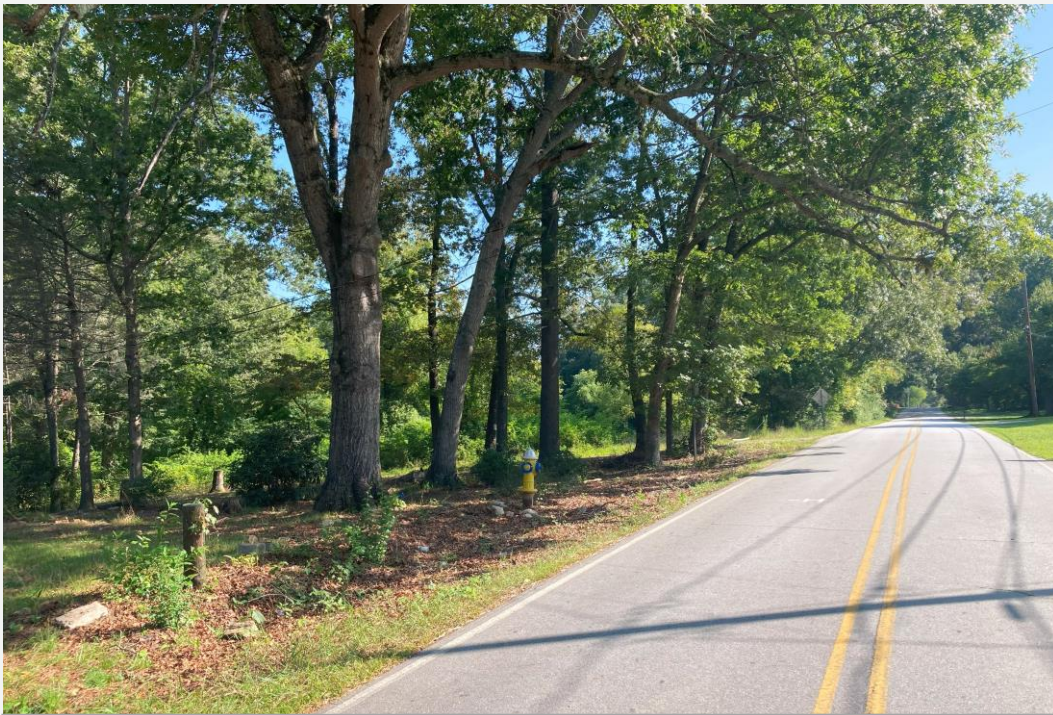
The development proposes 60 townhomes with new public streets, above ground stormwater facility, open space, common space and tree preservation area. The proposed density is 8.6 units per acre.

If approved, the project is proposed to be subdivided and would be processed under the City's Subdivision Ordinance as a Major Subdivision.

SITE IMAGES



View of corner of the site from Brooklyn Ave at Old Spartanburg Rd.



View of frontage of site along Brooklyn Ave facing east/northeast

SITE IMAGES



View of interior of site in vicinity of wetlands



View of existing structures on the site

SITE IMAGES

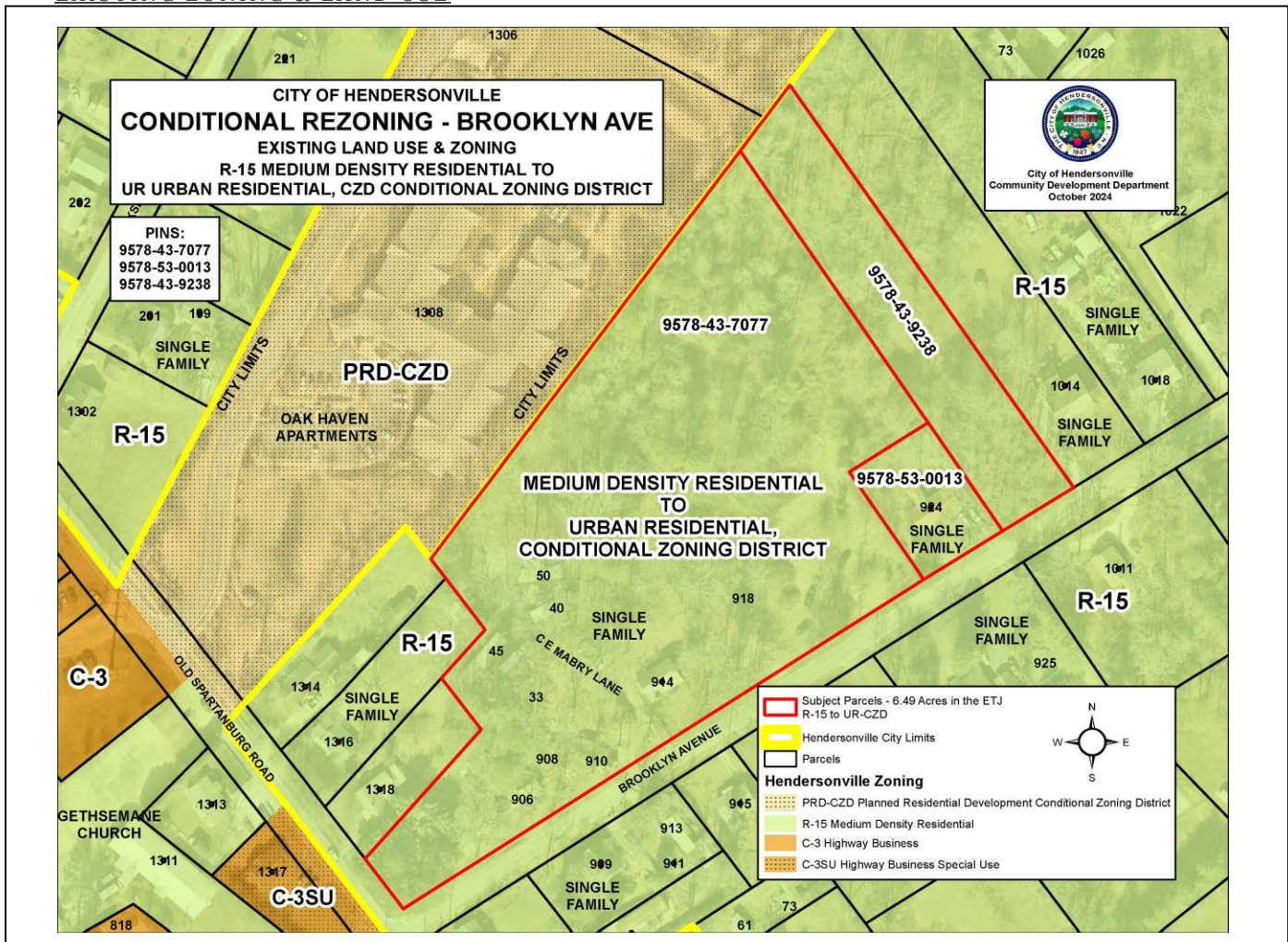


View of rear of site. Neighboring apartments to the north visible through foliage in background.



View of neighboring single-family home to the east at 1014 Brooklyn Ave

EXISTING ZONING & LAND USE



Existing Land Use & Current Zoning Map

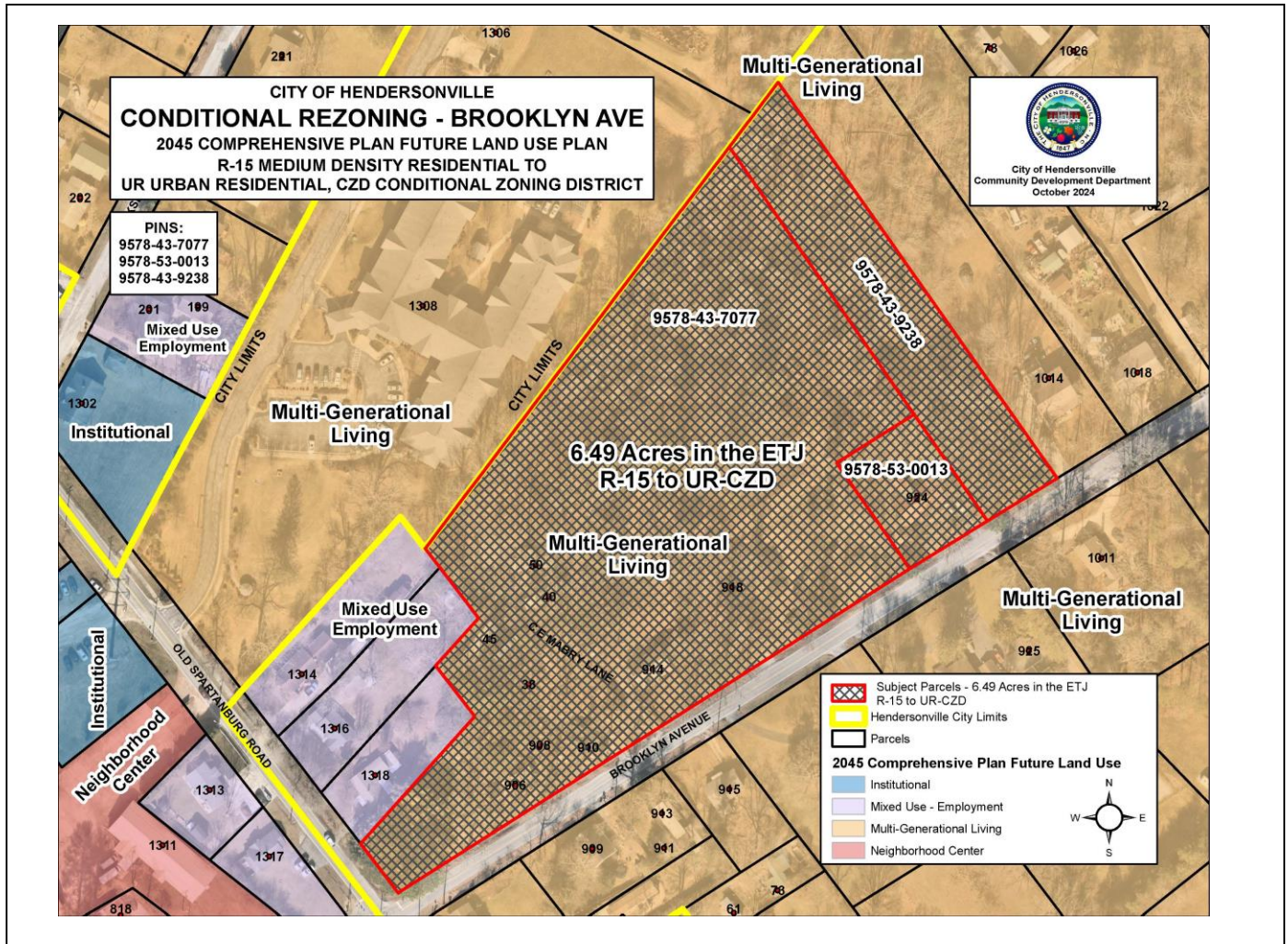
The subject property is currently in the City's ETJ and zoned R-15. The property is made up of 3 parcels and was the former location of mobile home park. The lots also feature some existing single-family homes, one of which is currently occupied.

The remainder of the properties fronting Brooklyn Ave east of Old Spartanburg Rd are zoned R-15 and feature single-family homes.

Adjacent to the rear of the site is an apartment complex zoned PRD. There are two 2-story structures featuring 80 units on 8.36 acres (9.5 units / acre).

Across Old Spartanburg Rd from the site the zoning is C-3/C-3SU, Highway Business. The site is 750' from the intersection of Spartanburg Hwy and Brooklyn Ave.

FUTURE LAND USE



Future Land Use & Conservation Map

The City's Gen H 2045 Comprehensive Plan designates the subject property as "Multi-Generational Living" in the Future Land Use & Conservation Map. Most of the surrounding properties, including frontage along Brooklyn Ave and nearby blocks to the east are also designated as "Multi-Generational Living". The site is also adjacent to Mixed Use – Employment. Across Old Spartanburg Rd, the Character areas are Neighborhood Center and Mixed Use Employment. The Character Area description for Multi-Generational Living includes the following:

This area is characterized by mixed residential development and a limited amount of small scaled neighborhood-serving commercial. It is comprised of a variety of homes, mixing detached and attached (e.g., townhomes and duplexes) units with a lesser amount of multi-family units. The combination of housing types are intended to create intergenerational neighborhoods. Improved open spaces in the form of greens, pocket parks, and neighborhood parks are interspersed. Lot sizes are similar to those in FNL, but with increased densities.

PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Use: Residential, single-family (attached)
- Total Dwelling Units: 60
- Site: 6.94 Acres
- Density: 8.6 Units / Acre
- Buildings:
 - Total Footprint – 63,440 Sq Ft
 - 1,057 Sq Ft per Unit
 - 9 Buildings with varying number of units
 - Height:
 - Mid-point of gable between ridge and eaves (height by definition) = max 35'
- Open Space: 86,872 Sq Ft
 - Tree Preservation Tier I: 50,769 Sq Ft
 - Common Open Space: 36,106 Sq Ft
- Parkland Dedication: 30,430 Sq Ft
 - Condition Proposed
- Transportation:
 - 2 Access Points from Brooklyn Ave
 - The projected Average AM Peak Trips = 29 (Threshold for TIA = 100)
 - The projected Average PM Peak Trips = 34 (Threshold for TIA = 100)
 - The projected Daily Trips = 432 (Threshold for TIA = 1,000)
- Sidewalks:
 - 5' Proposed along Brooklyn Frontage – 7' Required
 - 5' Proposed along one side of internal streets – 7' on both sides Required
 - Condition proposed
- 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) = 60 spaces
 - Provided: 130 spaces (2 spaces per unit + 8 common)
 - 0 ADA
 - On-Street Parking
 - Required but not provided
- Landscaping:
 - This development will be required to plant:
 - Street Trees (Sec. 5-25)
 - Common Space Plantings (5-25)
 - Any Tier II plantings that are elected to offset canopy loss. Currently showing the provision of 17,648 Sq Ft of replacement canopy.
 - This development is required to plant or use credits for the following:

- Open Space Plantings (Article 15)
 - Buffer Plantings (Article 15)
 - Vehicular Use Area Plantings (Article 15)
 - Common Open Space Plantings (Article 15)
 - Street Trees (Article 15)
- A detailed Landscaping Plan will be provided at final site plan
- Building Design:
 - 2-Story attached Single-Family Units
 - Brooklyn Ave side has front-facing entries
 - Interior units have front-facing garages
 - All units have gabled roofs
- Floodplain: N/A
- Stream Buffer: Northeast corner of the site

OUTSTANDING ISSUES & CITY-PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT:

Preliminary Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for UR-CZD and Subdivision Ordinance for Major Subdivision with the following exceptions.
- These outstanding items shall need to be resolved as part of the CZD process.
 - Developer-Proposed Condition is needed in order to plant the proposed medium-size street trees along Brooklyn Ave. As shown this does not meet our standards, however the City would consider a condition given feedback received from NCDOT. If no condition is offered, the Developer will have to meet the Zoning Ordinance standards at the time of Final Site Plan [Unresolved – Resolve at CZD]
- These outstanding items shall be resolved at the time of Final Site Plan and/or Preliminary Plat.
 - Building elevations lack the specifications and details to reasonably determine if they are compliant with design standards. [Unresolved – resolve at Final Site Plan].
 - Loading Zone is encumbering the public street ROW. A condition and Fire Marshal approval would be needed to locate as shown. Alternatively, since On-Street Parking is required, you can utilize On-Street Parking to comply with Loading Zone requirements. [Unresolved – resolve at Final Site Plan]
 - Bulb-Outs required at crosswalks per 5-25-5.15 [Unresolved – resolve at Final Site Plan]
 - Pedestrian walkways should connect to front entrance of each unit per 5-25-5.15 [Unresolved – resolve at Final Site Plan]

- On-street parking required where it can be provided per 5-25-5.16 b) [Unresolved – resolve at Final Site Plan]
 - Details needed to illustrate the intent and standards for the development of common space are met per 5-25-5.20 [Unresolved – resolve at Final Site Plan]
 - Tier 2 Tree Canopy Preservation area may overlap with area designated for Parkland Dedication (if accepted by City). [Unresolved – resolve at Final Site Plan]
 - Tree Credits allowed under Article 15 cannot be applied to tree plantings required per Sec. 5-25, i.e. Street Trees, Parking Lot trees, and Common Space trees. [Unresolved – resolve at Final Site Plan]
 - Street Trees are required on all internal and external streets [Unresolved – resolve at Final Site Plan]
 - A waiver of the Fee-in-Lieu for Parkland Dedication cannot be waived during the CZD process.
- The following comments need to be addressed to improve clarity or improve site design and function [Resolved/Unresolved]:
 - Create Standalone Plan Set submittal. Application, comment sheets, etc. shall be submitted separately [Unresolved]
 - Improve readability of symbology used for open space, common open space, tree preservation areas [Unresolved].

Proposed City-Initiated Conditions:

- I. As was discussed and agreed to at the Neighborhood Compatibility Meeting, the developer shall remove bamboo stand at/near the corner of Old Spartanburg Rd and Brooklyn Ave to improve sight visibility, reduce future impacts on new sidewalks, and to reduce stress on other existing mature vegetation in that area (that shall be preserved).

DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The Development Review Committee consist of the following Departments/Divisions and Agencies: Engineering, Water/Sewer, Fire Marshal, Stormwater Administration, Floodplain Administration, Public Works, NCDOT, Henderson County Soil & Erosion Control and the City's Traffic Consultant. While all pertinent members of the DRC reviewed this project, staff has provided only the relevant/outstanding comments / conditions below:

PUBLIC WORKS:

Preliminary Site Plan Comments:

- I. Driveway and Parking Locations:
 - Driveways need to be properly spaced away from intersections, minimum of 50' away from the end of the radius point per policy on street and driveway access to NC highways. [Resolve at Final Site Plan]
 - MUTCD restricts parking within 20' of a stop intersection. [Resolve at Final Site Plan]
2. Parkland Dedication
 - The proposed parkland dedication does not appear to meet the standards

necessary to be accepted by the City. [Resolve at Preliminary Plat]
Proposed City-Initiated Conditions:
 2. None

DEVELOPER-PROPOSED CONDITIONS:

1. 5-25-2.3.1 Traffic Impact Analysis. Traffic Impact Analysis requirement for Urban Residential zoning waived for not reaching City of Hendersonville TIA standards. [Staff is agreeable to this condition]
2. 5-25-5.13 Internal Access and Connectivity. Waiver of the limitation of two driveways per block face. [Staff is agreeable to this condition. The condition will not be necessary if changes proposed by the Urban Residential Zoning Text Amendment (P24-66-ZTA) are adopted]
3. 5.25-5.15 Pedestrian Zone and Sidewalks. Waiver of the requirement for sidewalks on both sides of internal streets. And 5.25-5.15 Reduction of sidewalk width on internal streets from 7' to 5'. [Staff is agreeable to this condition]

**Condition Justification included as exhibits to the application.

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	<p><u>LAND SUPPLY, SUITABILITY & INTENSITY</u></p> <p>The subject property is located on an underdeveloped property in the <u>Land Supply Map</u>. It ranks as “Most Suitable” for residential development in the <u>Suitability Assessment</u>. The subject property is located in an area designated as “Highest” for <u>Development Intensity</u>. The subject property is located between two <u>Focused Intensity Nodes</u>. The subject property is just adjacent to the Spartanburg Hwy <u>Focus Area</u>. Townhomes are featured in this Focus Area in vicinity of the subject property.</p>
	<p><u>FUTURE LAND USE & CONSERVATION MAP</u></p> <p>Character Area Designation: Multi-Generational Living Character Area Description: Consistent - with some considerations related to design compatibility. Zoning Crosswalk: Consistent Focus Area Map: Consistent</p>
2) COMPATIBILITY	<p><i>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property</i></p>
	<p>In addition to a general analysis of the existing conditions, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating issues related to “compatibility”. The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the</p>

	Gen H Plan.
	<u>EXISTING CONDITIONS</u> The subject property is currently in the City's ETJ and zoned R-15. The property is made up of 3 parcels and was the former location of a mobile home park. The lots also feature some existing single-family homes, one of which is currently occupied. The abutting neighboring land uses are multi-family (north) and single-family (east and west). Single-family homes are also located to the south along Brooklyn Ave. The subject property is heavily wooded and features a blueline stream and wetlands.
	<u>GEN H COMPREHENSIVE PLAN GOALS</u> (Chapter IV) Vibrant Neighborhoods: Consistent Abundant Housing Choices: Consistent Healthy and Accessible Natural Environment: Consistent Authentic Community Character: Consistent Safe Streets and Trails: Consistent Reliable & Accessible Utility Services: Consistent Satisfying Work Opportunities: N/A Welcoming & Inclusive Community: N/A Accessible & Available Community Uses and Services: N/A Resilient Community: N/A
	<u>GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES</u> (Chapter IV) Mix of Uses: Consistent Compact Development: Somewhat Consistent Sense of Place: Consistent Conserved & Integrated Open Spaces: Consistent Desirable & Affordable Housing: Consistent Connectivity: Consistent Efficient & Accessible Infrastructure: Consistent
	<u>DESIGN GUIDELINES ASSESSMENT</u> (Chapter V): N/A
3) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment - Aerial imagery from as far back as 1984 show the subject property was formerly the site of a mobile home park featuring 6-7 manufactured homes and 2-3 single-family homes. The mobile homes are no longer present on the site and multiple structures are uninhabitable.
4) 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 proposed development provides additional opportunities for owner-occupied housing. The proposed development is clustered towards the least environmentally-sensitive areas on the site.

5) 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. Brooklyn Ave is an NCDOT designated as a Local Street. Old Buncombe Rd is an NCDOT street designated as a Minor Thoroughfare. The site is one block from the Major Thoroughfare of Spartanburg Hwy.
6) 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 -
	The 2023 Tree Canopy Coverage map indicates that just short of 90% of the site is covered with tree canopy. The applicant proposes to meet the new tree preservation requirements by preserving a minimum of 20% of the site's tree canopy.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

- 1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be fully consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description.
- 2) Compatibility - Staff finds that the general location of the rezoning and the proposed 'missing middle housing' type are compatible with the city's overall growth strategies.
- 3) Changed Conditions - Staff finds that the changed conditions present an opportunity for infill development that will provide needed "owner occupied" housing.
- 4) Public Interest - Staff finds that it is in the public interest to provide for infill residential development.
- 5) Public Facilities - Staff finds that the proposed development would efficiently utilize existing services and infrastructure.
- 6) Effect on Natural Environment – Staff finds that despite the loss of some tree canopy, the most environmentally-sensitive areas of the site are slated for preservation.

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

The requested rezoning to Urban Residential Conditional Zoning District and the associated proposed development align with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Muti-Generational Living'.

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 proposed development would improve an underutilized property in close proximity to a major commercial corridor.*
- *The proposed development would provide additional needed housing*
- *The proposed development is clustered to reduce pressure on environmentally-sensitive areas at the rear of the site.*

DRAFT [Rational for Denial]

- *The proposed development would have negative environmental impacts from loss of tree canopy*
- *The proposed development is incompatible with the surrounding land uses*