



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

PLANNING DIVISION

SUBMITTER: Matthew Manley, Long-Range Planning Manager

MEETING DATE: December 5, 2024

AGENDA SECTION: Public Hearing

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – Brooklyn Townhomes (P24-62-CZD) – Matthew Manley, AICP – Long-Range Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning -designation of the subject property (PINs: 9578-43-7077, 9578-53-0013, and 9578-43-9238) from R-15 (Medium Density Residential Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant [dated September 19, 2024] and presented at this meeting and subject to the following:

1. The development shall be consistent with the following permitted uses:
 - a. Residential, Single-Family
 - i. 60 Townhomes
2. The development shall be consistent with the site plan, including the list of applicable conditions contained therein.

[for amendments to uses or conditions discussed and agreed upon by the City & the Developer in the meeting and not yet represented on the site plan, please use the following language]:

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:

Developer-Proposed Conditions and Counters to Planning Board-Proposed Conditions:

- 1) Developer shall remove bamboo stand at/near the corner of Old Spartanburg Rd and

For Recommending Denial:

I move City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning -designation of the subject property (PINs: 9578-43-7077, 9578-53-0013, and 9578-43-9238) from R-15 (Medium Density Residential Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 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 'Multi-Generational Living'.

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

1. The proposed development would have negative environmental impacts from tree canopy loss.
2. The proposed development is incompatible with the surrounding land uses

[DISCUSS & VOTE]

Brooklyn Ave. The removal of bamboo canopy shall not adversely affect canopy preservation calculations.

- 2) The Mabry name shall be represented on internal streets
- 3) Developer shall construct a privacy fence across the width of the street at the portion of the property boundary where the street stub out is located. A sign stating "FUTURE ROAD CONNECTION" shall be placed on the fence in accordance with the Subdivision Ordinance
- 4) Developer agrees to provide on-street parking as shown on the northern portion of the site near the mail kiosk.
- 5) Developer shall design secondary parking spaces (driveway) to meet or exceed Section 6-5-5.1 and 6-5-5.3, motor vehicle parking space design requirements.
- 6) Developer shall be allowed to plant one medium tree (instead of large canopy tree) every 40' to meet street tree requirements along Brooklyn Ave due to NCDOT requirements, topography and public sewer considerations. See landscaping plan. [5-25-5.17]

3. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis 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 'Multi-Generational Living'.

4. We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

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

[DISCUSS & VOTE]

SUMMARY: 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.

The Planning Board voted unanimously to recommend approval of the project with the inclusion of 5 additional proposed conditions:

1. Developer shall remove bamboo stand at/near the corner of Old Spartanburg Rd and Brooklyn Ave to improve sight visibility, reduce future maintenance impacts on new sidewalks, and to reduce stress on other existing mature vegetation in that area (that shall be preserved).
2. The Mabry name remain on the internal street.
3. A Type A buffer be used on the property line between single family residential homes and the townhome project. [Staff Amendment as discussed: In lieu of a Type A buffer at the portion of the property boundary where the street stub out is located, a privacy fence shall be constructed across the width of the ROW and a sign shall be placed on the fence which states "FUTURE ROAD CONNECTION" - as is required per the Subdivision Ordinance.]
4. Delineate on-street parking as negotiated with Public Works requirements.
5. Recessed garages are required to ensure secondary parking spaces do not conflict with sidewalks and improve safety.

The developer has countered these proposed conditions. The developer-proposed counter language is included in the motion.

PROJECT/PETITIONER NUMBER:	P24-62-CZD
PETITIONER NAME:	<ul style="list-style-type: none">• Zach Grogan, MPG Shelby, LLC. (Applicant)• Eugene Holbert (Owner)• John Holbert (Owner)• Edgar Holbert (Owner)• Wanda Ponder (Owner)

ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Planning Board Summary3. Neighborhood Compatibility Summary4. Application / Owner Signature Addendum / LLC Record5. Proposed Site Plan & Building Elevations6. Developer Exhibits7. Comprehensive Plan & FLUM Consistency and Evaluation Worksheets8. Draft Ordinance9. Proposed Zoning Map
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