

REZONING: CONDITIONAL REZONING -715 GREENVILLE HIGHWAY MULTI-FAMILY(P23-55-CZD)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY ..... 2

EXISTING ZONING & LAND USE ..... 3

SITE IMAGES..... 4

SITE IMAGES..... 5

SITE IMAGES..... 6

SITE IMAGES..... 7

REZONING HISTORY ..... 8

FUTURE LAND USE ..... 9

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4) ..... 10

REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4) ..... 13

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT ..... 15

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS ..... 16

DEVELOPER PROPOSED CONDITIONS: ..... 22

OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS: ..... 24



## PROJECT SUMMARY

- Project Name & Case #:
  - 715 Greenville Highway Multi-Family
  - P23-55-CZD
- Applicant & Property Owner:
  - Matthew Benak (Manager) – Crest Residential LLC [Applicant]
  - Richard Herman (Manager) – South Market LLC [Owner]
- Property Address:
  - 715 Greenville Highway
- Project Acreage:
  - 9.01 Acres
- Parcel Identification (PIN):
  - 9568-83-4302
  - 9568-83-2474
  - 9568-83-2082
- Current Parcel Zoning:
  - PCD- Planned Commercial Development
- Future Land Use Designation:
  - Neighborhood Activity Center
  - Natural Resource / Agricultural
- Requested Zoning:
  - UR-CZD-Urban Residential Conditional Zoning District.
- Requested Uses:
  - Residential, Multi-Family
- Neighborhood Compatibility Meeting:
  - July 19, 2023



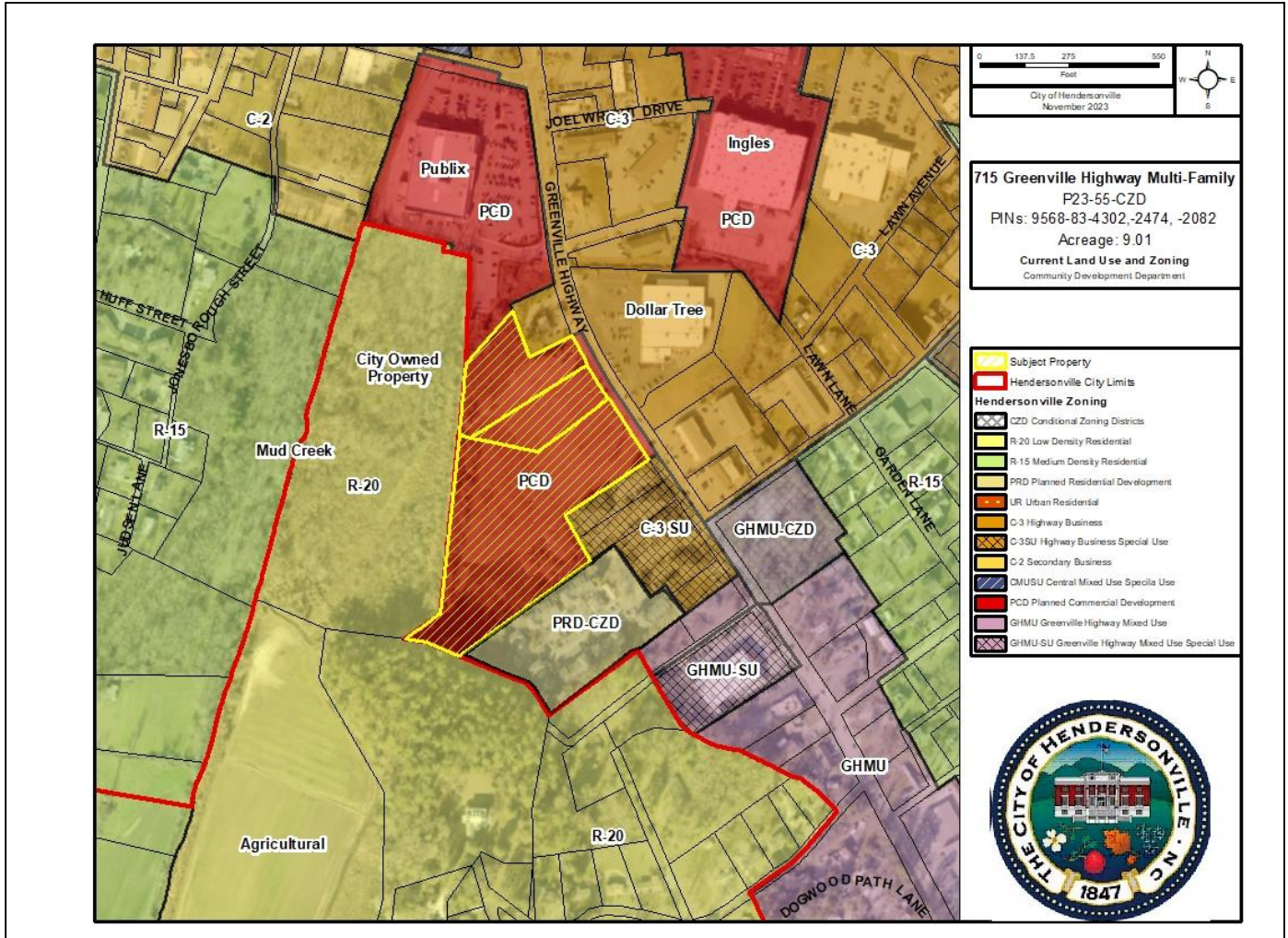
SITE VICINITY MAP

*The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Matthew Benak of Crest Residential LLC., applicant and Richard Herman of South Market LLC., property owner. The applicant is requesting to rezone the subject property, PINs 9568-83-4302, 9568-83-2474 and, 9568-83-2082 and located off Greenville Highway, from PCD, Planned Commercial Development to UR-CZD, Urban Residential Conditional Zoning District for the construction of 185 multi-family units on approximately 9.01 acres. This equates to a density of 20.5 units per acre.*

*The proposal includes the construction of 1 multi-family structure with a footprint of 58,367 square feet and a gross floor area of 231,037 square feet. Additionally, the development proposes 288 parking spaces.*

*The proposed site includes Floodway, 100 Year Floodplain and 500 Year Floodplain within its boundary. The proposed development is shown to be constructed completely outside of the Floodway.*

EXISTING ZONING & LAND USE



**City of Hendersonville Current Zoning & Land Use Map**

*The three parcels that make up the subject property are currently zoned PCD (Planned Commercial Development) and is attached to an expired Special Use permit. The current zoning was granted by City Council in 2008 for the construction of an 89,200 square feet commercial development. This development was never constructed.*

*The Greenville Highway corridor consists of Planned Commercial Development and Highway Business zoning before transitioning to mixed used zoning at Chadwick Ave. The mixed-use zoning follows the Greenville Highway frontage corridor for the remainder of the City’s jurisdiction in that direction.*

*To the west and southwest of the property, you will find traditional single-family districts. These districts are comprised of single family residential, vacant land, farmland and property that has historically been used as flood storage.*

*The subject property abuts an existing multi-family development to the south. The Residences at Chadwick is a 68-unit apartment project on 3.85 acres under PRD zoning. (18 units per acre and 104 parking spaces).*

SITE IMAGES



*View of the property frontage at Greenville Highway showing items that are currently being stored on the site.*



*Typical view of the site looking southward towards Chadwick Square.*

SITE IMAGES



*View of the pond that is under a Water Conservation Easement  
DB 1668 Pg 98, PB 2016 SL 10216  
Army Corp Permit- SAW-2014-00219*



*View of wetland area on the western portion of the subject  
property.*

SITE IMAGES



*View of the blueline stream that runs along the western property boundary.*



*Typical view of property looking northeastern from the southwestern corner.*

SITE IMAGES



*View of southern property frontage looking westward. Area of proposed access #2.*



*View of existing power lines that are associated with the utility easement on the north side of the site.*

REZONING HISTORY

Prior Rezoning (P06-79-SUR)	Summary of Prior Petition	Status
6-5-2008 (R-20 & C-3 to PCD SU)	9.03 acre development for the construction of 6 buildings totaling approximately 89,200 square feet. 316 parking spaces provided.	Expired June 5 <sup>th</sup> 2013

Full Minutes from City Council Meeting:

<https://library.municode.com/nc/hendersonville/munidocs/munidocs?nodid=2d9a769a4e52c>

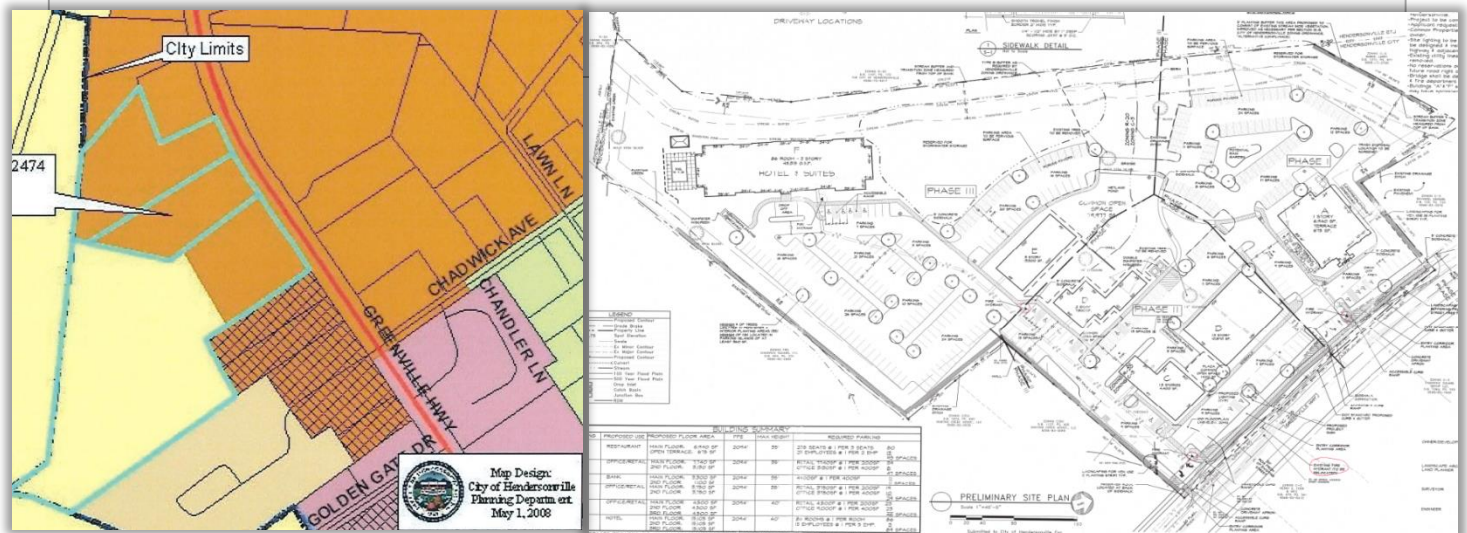
South Market Village

6 Buildings (Total Building Square Footage = 89,200 Sq Ft)

- Building A- Restaurant
  - Floor Area- Main Floor- 6,940 SF, Open terrace 675 SF.
  - 35' Max Height
- Building B- Office/Retail
  - Floor Area- Main Floor- 7,740 SF, 2<sup>nd</sup> floor 3,130 SF.
  - 35' Max Height
- Building C- Bank
  - Floor Area- Main Floor- 3,300 SF, 2<sup>nd</sup> floor 1,100 SF.
  - 35' Max Height
- Building D- Office/Retail
  - Floor Area- Main Floor- 3,750 SF, 2<sup>nd</sup> floor 3,750 SF.
  - 35' Max Height
- Building E- Office/Retail
  - Floor Area- Main Floor- 4,500 SF, 2<sup>nd</sup> floor 4,500 SF, 3<sup>rd</sup> floor 4,500 SF.
  - 40' Max Height
- Building F- Hotel
  - Floor Area- Main Floor- 15,105 SF, 2<sup>nd</sup> floor 15,105 SF, 3<sup>rd</sup> floor 15,105 SF.
  - 40' Max Height

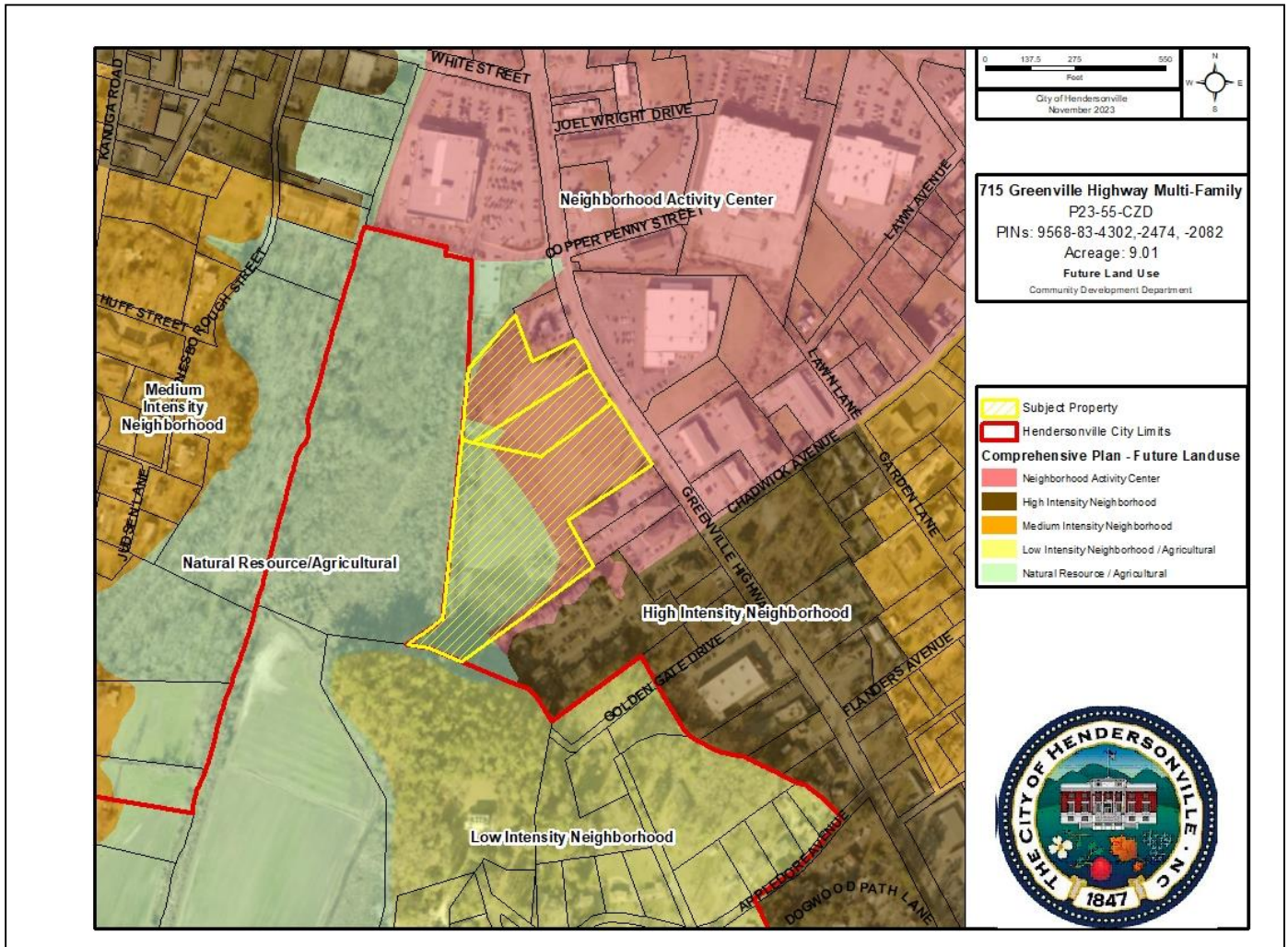
Parking:

- Included surface parking with pervious parking in certain areas.
  - 315 spaces required.
  - 316 spaces proposed.





FUTURE LAND USE



City of Hendersonville Future Land Use Map

*The subject property has a split future land use designation. The rear of the property is designated as Natural Resource/Agricultural and the area along the Greenville Highway frontage is designated as Neighborhood Activity Center.*

*In most instances, the Natural Resource/Agricultural designation follows the floodplain and stream corridors (which is no different with this property). However, where this property differs is that it has floodway, 100- and 500-year floodplain designated as Neighborhood Activity Center as well. The neighborhood activity center is found along the Greenville Highway corridor until transitioning to High Intensity Neighborhood at the Greenville Highway Chadwick Ave intersection.*

*The Natural Resource/Agricultural designation follows the Mud Creek corridor and its associated special flood hazard areas.*

**GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY**

<p><b>Future Land Use</b></p>	<p><b>Goal LU-4. Natural Resource/Agricultural Areas:</b> Create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources. [CONSISTENT]  <b>Strategy LU-4.2. Primary recommended land uses:</b>                  Open space, Recreational amenities, Low-impact stormwater management facilities, Flood storage, Agricultural uses [CONSISTENT]  <b>Strategy LU-4.3 Secondary recommended land uses:</b>                  Utilities other than stormwater management, Single-family attached and detached structures, Cemeteries [INCONSISTENT]</p> <p><b>Goal LU-8. Neighborhood Activity Center:</b> Concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville’s neighborhoods. [INCONSISTENT]  <b>Strategy LU-8.2. Primary recommended land uses</b>                  Neighborhood retail sales and services [INCONSISTENT]  <b>Strategy LU-8.3. Secondary recommended land uses</b>                  Offices, multi-family residential, Live-work units, Public and institutional uses, Pedestrian amenities (plazas, outdoor seating, etc.), Mixed uses [CONSISTENT]  <b>Strategy LU-8.4. Development guidelines:</b>                  Minimal parking in front of buildings (no more than one to two rows) along thoroughfares, with remainder of parking located to the side or rear, Encouragement of buildings that are designed at a human scale, maximizing window coverage on ground floors and utilizing façade articulation, Provision of pedestrian connections to parking and other buildings/ properties. [CONSISTENT]</p>
<p><b>Land Use &amp; Development</b></p>	<p><i>The property is designated as a “Priority Infill Area” and “Natural Resource/Agricultural” on the Growth Management Map (Map 8.3a). Priority infill areas are “Areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties”. [CONSISTENT]</i></p> <p><i>The project area is identified as a “development opportunity” in the Comprehensive Plan’s Map 8.2b: Development Framework. This includes vacant land, agricultural land, and single-family residential properties greater than five acres. [CONSISTENT]</i></p> <p><i>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. [CONSISTENT]</i></p>
<p><b>Population &amp; Housing</b></p>	<p><i>Strategy PH-1.1. Promote compatible infill development.</i></p> <p><i>Action PH-1.1.1. Develop design guidelines for infill development. Guidelines should focus on architectural compatibility and scale. Landscape buffering standards should be included for scenarios in which architectural transitions are</i></p>

	<p><i>inadequate. Special attention should be given to properties within or adjacent to historic districts.</i></p> <p><i>Action PH-1.1.2. Implement zoning map and/or text amendments as needed in the Priority Infill Areas identified on the Growth Management Map in Chapter 8 (Map 8.3a). Priority Infill Areas are areas in which the City encourages infill and/or redevelopment. Amendments will bring zoning standards in line with desired form and land uses.</i></p> <p><i>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.</i></p> <p><i>Goal PH-3. Promote safe and walkable neighborhoods.</i></p> <p><i>Strategy PH-3.2. Encourage mixed land use patterns that place residents within walking distance of services.</i></p> <p><i>Action PH-3.2.1. Promote mixed-use redevelopment along major thoroughfares through zoning map and/or text amendments in accordance with the High-Intensity Neighborhood and Neighborhood Activity Center classifications on the Future Land Use Map</i></p>
<b>Natural &amp; Environmental Resources</b>	<p><i>Goal NR-1. -Preserve environmentally sensitive areas in order to protect life and property from natural hazards, protect water resources, and preserve natural habitat.</i></p> <p><i>Strategy NR-1.1 - Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100 Floodplain.</i></p> <p><i>Strategy NR-1.2 Protect land adjacent to streams to protect water quality, reduce erosion and protect wildlife habitat.</i></p> <p><i>Strategy NR-1.3 Encourage restoration of natural habitat and drainage patterns in developed areas.</i></p> <p><i>Strategy NR-1.5 - Continuously assess development and preservation efforts within areas planned as Natural Resources/Agricultural on the Future Land Use Map (Map 8.3b in Chapter 8) based on their conservation value</i></p> <p><i>Goal NR-2. - Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements</i></p> <p><i>Strategy NR-2.1. - Encourage clustered development that preserves open space while allowing a return on investment.</i></p> <p><i>Strategy NR-3.2. Enable and encourage Low-Impact Development practices in stormwater management</i></p> <p><i>Most of the site is considered “developed 100 year floodplain” according to map 3.3a Green Infrastructure Plan</i></p>
	<p><b>No Goals, Strategies or Actions are directly applicable to this project.</b></p>
	<p><b>No Goals, Strategies or Actions are directly applicable to this project.</b></p>
	<p><i>Strategy WR-2.2. Prevent development of floodplains and stream corridors in order to preserve natural drainage patterns and improve the quality of stormwater runoff.</i></p>

	<i>Strategy WR-2.3. Enable and encourage Low-Impact Development practices in stormwater management</i>
<b>Transportation &amp; Circulation</b>	<i>Greenville Highway is designated as a major throughfare in need of improvements according to Map 7.3a: Transportation Plan</i>
	<i>The subject parcels are adjacent to a City owned piece of property that is slated for a proposed greenway according to Map 7.3a: Transportation Plan. The proposed greenway is proposed to run along Mud Creek.</i>
	<i>Strategy TC-1.1. - Encourage mixed-use, pedestrian-friendly development that reduces the need to drive between land uses.</i>
	<i>Goal TC-3. Provide a safe and efficient roadway system that meets adequate vehicular level-of-service requirements in order to support business activity and residential quality of life.</i>
	<i>Strategy TC-4.2. Ensure that all bus stops are in locations that can be accessed safely and conveniently by pedestrians.</i>

<b>GENERAL REZONING STANDARDS</b>	
<b>Compatibility</b>	<b>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</b>
	The subject property is currently a vacant and previously developed site. The proposed development site is located in a commercial corridor near the US and State route intersection of Spartanburg Highway (US 176) and Greenville Highway (NC225). In the vicinity of the proposed development are the apartment complexes of Residences at Chadwick (68 units), 904 Greenville Highway Multi-family (70 units, entitled but not built) and Southgate apartments (70 units, entitled but not built). Combined, these developments have a density of 22.66 units/acre. The proposed development has a density of 20.5 units/acre.
<b>Changed Conditions</b>	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	The subject property is currently tied to an expired Special Use Permit. A rezoning would be required for any development to occur on the site.
<b>Public Interest</b>	<b>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 -</b>
	Based on the 2021 Bowen Housing Needs Assessment for Western North Carolina, Henderson County has an estimated rental housing gap of 1,650 to 2,008 Units for incomes between <50%-120% AMI. This represents one of the largest gaps in the WNC region. Over the last 3 years, the City of Hendersonville has approved <u>1,895</u> rental units. If this project is approved, Hendersonville’s recently-approved rental units would total <u>2,080</u> . It should also be noted that the Housing Needs Assessment Study does not account for the housing gap for incomes above 120% AMI. An additional gap, beyond that reflected in the “1,650 to 2,008-unit gap”, exist for those income levels greater than 120% AMI.
<b>Public Facilities</b>	<b>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</b>
	The site will be served by City water and sewer service. Greenville Highway (NC 225) is designated as a Major Thoroughfare (needing improvement) in the Comprehensive Transportation Plan and is maintained by NCDOT. The subject property is already serviced by the City Fire Dept and is served by the City of Hendersonville Police. The proposed development is located within 800’ of STIP project U-5886 (the realignment and roadway extension between Willow Road SR1171 and Spartanburg Highway US176). The proposed project is showing the dedication of 40’ of R/W measured from the centerline of Greenville Highway for their entire frontage.
<b>Effect on Natural Environment</b>	<b>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 -</b>

	<p>According to the 2008 floodplain maps, all portions of this property except for a +/- 1536 SF section at the southeastern corner are within a special flood hazard area. The subject property has floodway, 100 Year Floodplain and 500 Year Floodplain all present on it. There is a blueline stream that runs along the property's boundary that triggers the City's stream buffer protection measures. The site has an existing water conservation easement area that was established in 2016. There are very few mature trees on this property (most of which are along the western boundary), all of which are being retained due to them being located within the floodway. The property was previously developed and appears to have been largely graded and filled in places. The floodplain and blueline stream are the most prevalent natural features present on this site.</p>
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The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

*The petition aligns with the City's 2030 Comprehensive Plan's Goals because it encourages infill development and redevelopment in areas planned for high-intensity development, as indicated by the "Priority Infill Areas" and because multi-family residential is a secondary recommended land use in the Neighborhood Activity Center Designation.*

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 proposes to provide additional housing to offset local rental demand.*
- *The petition proposes to provide housing on a long vacant and underutilized piece of property near commercial corridors and is within walking distance to downtown.*
- *The site plan clusters development impacts out of the floodway portions of the site, aligning with guidance from the Comprehensive Plan and best practices.*
- *The petition proposes to redevelop a site that no longer acts as natural floodplain while addressing concerns about urban blight.*

*DRAFT [Rational for Denial]*

- *The proposed development adds impervious surfaces to a subject property that is almost entirely within the special flood hazard area.*
- *The height and scale of the proposed development is incompatible with the surrounding area.*

## **PROPOSED REQUEST DETAILS**

### Site Plan Summary:

- Proposed Uses:
  - Residential, Multi-Family
  
- Building:
  - 185 Units
  - Gross Floor area: 231,037 SF
  - Building footprint: 58,367 SF (14.8% of the site)
  - 4 stories (52' at the highest point)
  - The building/site is required to meet all building and design requirements of Urban Residential developments, and this includes but is not limited to building materials, building offsets, building projections, building orientation, building scale, etc.
  
- Transportation:
  - The site will have two access points, both off of Greenville Highway (NC 225).
    - Access 1 (northern access) is shown as a full access stop control with 100 feet of stem length as per NCDOT guidelines. The plan also shows a dedicated left turn lane on the NC 225 northbound approach and a dedicated right turn lane on the NC 225 southbound approach.
    - Access 2 (southern access) is shown as a right-in/right-out access stop control and has a 50' stem length as per NCDOT. The plan also shows the installation of a dedicated right turn lane on the NC 225 southbound approach.
  - The developer is dedicating 40' of R/W from the center line of Greenville Highway to NCDOT to aid in any future improvements of the major thoroughfare. There currently does not appear to be a recorded R/W for this property along Greenville Highway.
  
- Sidewalks
  - A 7' wide public sidewalk will be provided along the entire property frontage of Greenville Highway. This sidewalk will tie into the existing sidewalk at Chadwick Square. All frontage sidewalks will be constructed within the right of way or easement area and will be publicly maintained by the City. All internal sidewalks will be privately maintained by the developer.
  
- Lighting
  - All site lighting will be required to conform to the City's lighting standards for multi-family developments as well as lighting for areas abutting stream buffers. A compliant preliminary lighting plan is included in the plan packet.
  
- Parking:
  - Parking required at 1 per each dwelling unit or 1.5 per each dwelling unit



containing three or more bedrooms:

- Parking required: 193 spaces.
- Parking provided: 288 spaces (8 handicapped parking spaces)
- The site plan shows 2 electronic charging stations for the development.
- Natural Resources
  - According to the 2008 floodplain maps, all portions of this property except for a +/- 1536 SF section at the southeastern corner are within a special flood hazard area. The subject property has floodway, 100 year floodplain and 500 year floodplain all present on it.
  - The proposed development is shown as staying completely outside of the floodway portions of the property, except for conceptual locations for at-grade walking trails with benches as shown on the plans. They are however proposing to build in the 100- and 500-year floodplain portions. If approved by the City Council, the development would be required to receive a floodplain development permit during final site plan review from the City's Floodplain Administrator.
  - Historic imagery from 2002 (below) shows the commercial uses that were once present on the site.



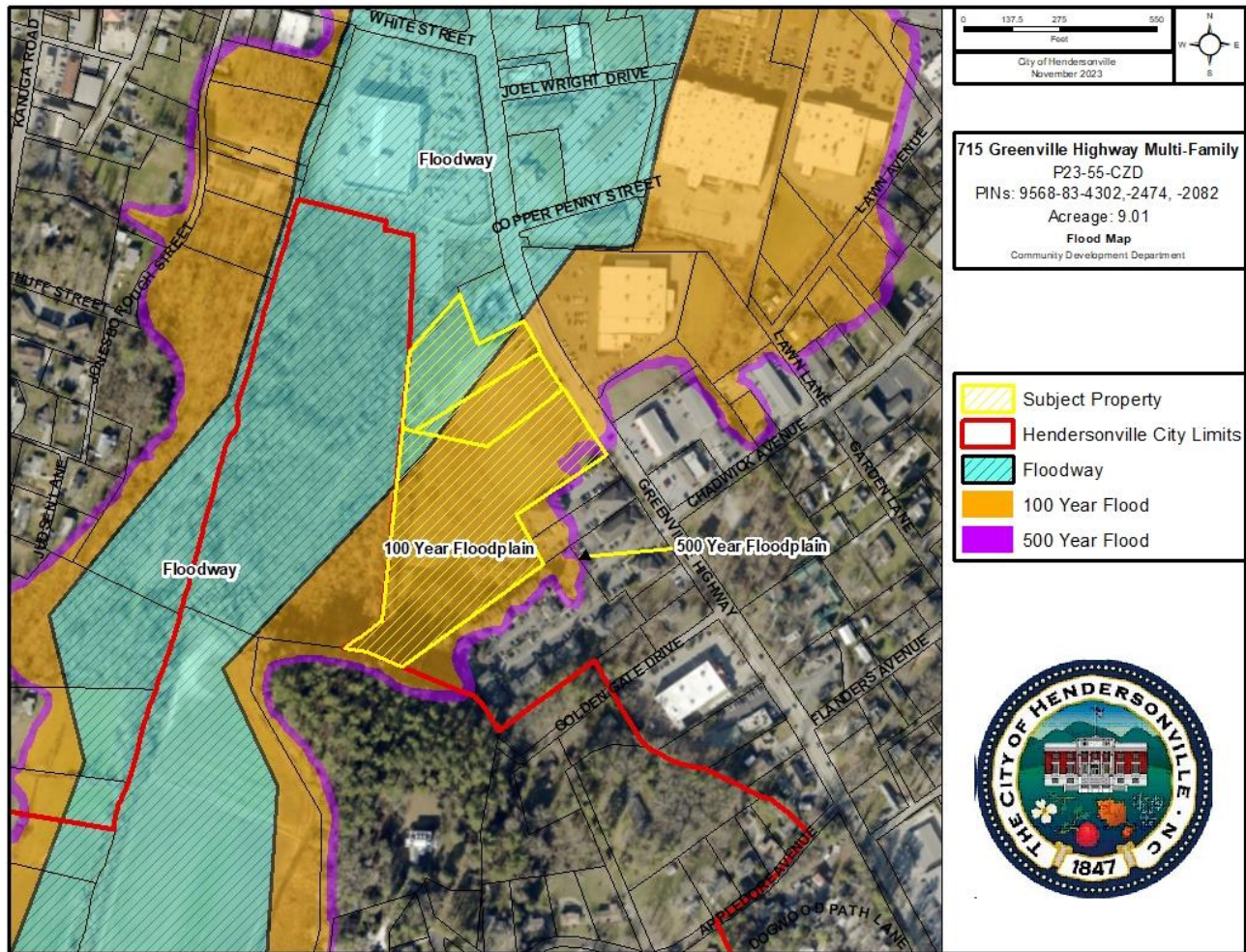
- Reviewing historic aerial imagery and available documents. It appears the site has had quite an extensive amount of grading throughout the years. It also appears that fill has been placed on the site as well. (photo below from 2010)



- Per Article 17, this project would be considered “redevelopment” in accordance with section “17-2-4 - Redevelopment in the floodway and special flood hazard area”. The ordinance states “The proposal is to redevelop an existing developed site as of the date of this ordinance evidenced by substantial coverage of the site by buildings, fill, gravel or paved drives or parking areas or other impervious surfaces.”
- Historically, some areas of the city's planning jurisdiction were developed despite the fact that they lie within the 100-year floodplain. In order to address concerns about urban blight, section 17-2-4 allows redevelopment to occur on existing developed sites which no longer function as natural flood plain and when such redevelopment will not result in any further loss of flood-plain functionality. Where feasible, redevelopment proposals should demonstrate an improvement in the site's functionality as a flood plain. In light of this intent, redevelopment of existing developed sites shall be permitted within the floodway and special flood hazard area only when the applicant has satisfactorily demonstrated that they meet the requirements of section 17-2-4.
- Any redevelopment that occurs in accordance with the zoning ordinance must adhere to the requirements:

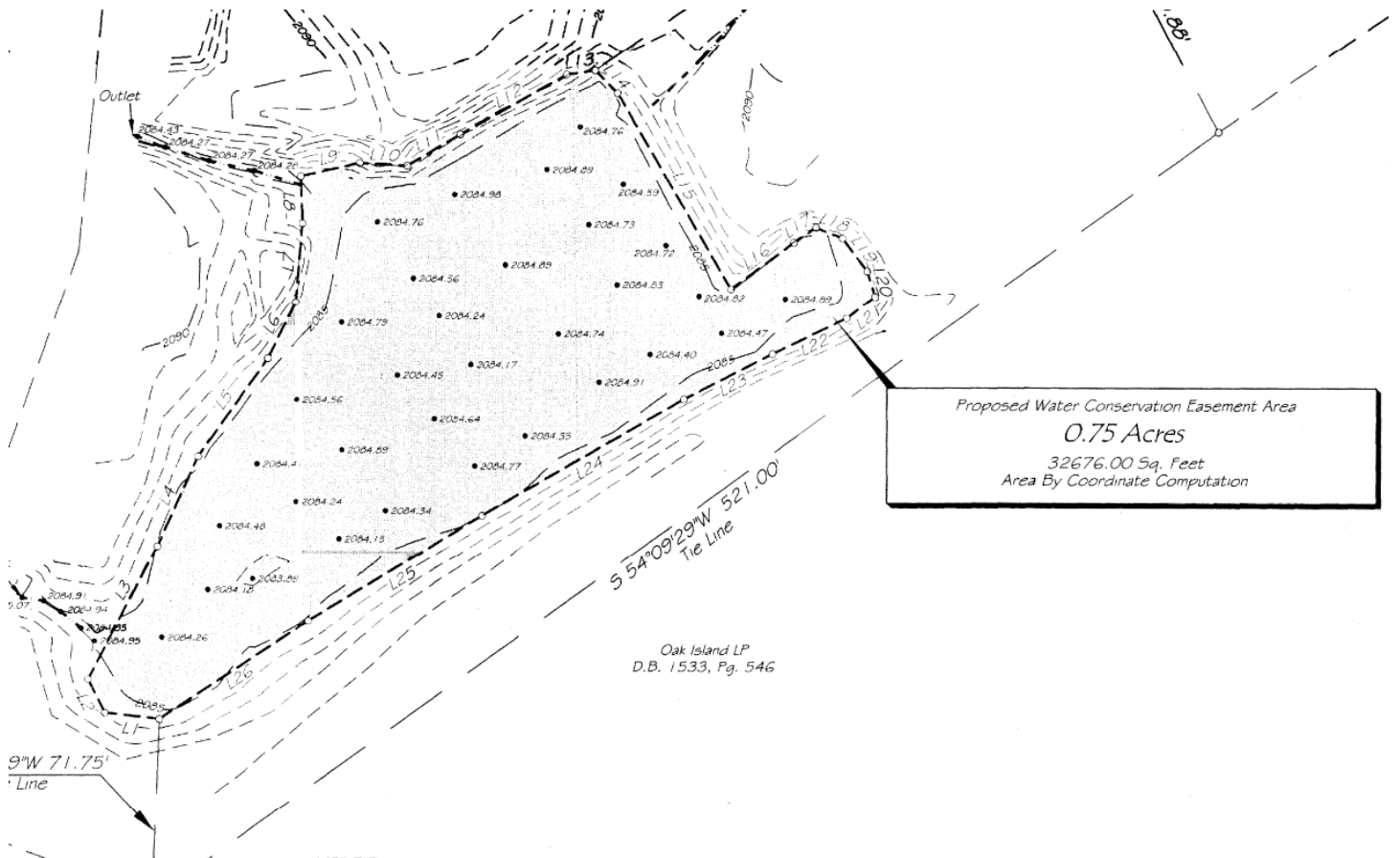
- “There shall be no loss of flood storage capacity on the site as a result of the redevelopment.
- The applicant, utilizing best management practices, shall reduce the post-redevelopment rate of stormwater runoff from the pre-redevelopment rate of runoff, if feasible. In any event, the post-redevelopment rate of runoff shall not be greater than the pre-redevelopment rate.
- The project design, including any best management practices (BMPs) will result in a project which is consistent with the purposes of the Natural Resources Protection Ordinance as stated in section 17-1, above. In this regard, the applicant shall demonstrate the following:
  - The project shall not degrade the quality of the water in creeks, streams, ponds and lakes that flow into and out of the city.
  - The project shall not contribute to future flooding problems.
  - The project preserves the water carrying capacity of watercourses and the natural water storage of the special flood hazard area.
  - The project protects land and watercourses from pollutants, sedimentation and erosion.
  - The project retains open spaces in order to protect their environmentally-sensitive character; and
  - The project protects and conserves significant natural resources from degradation due to urbanization.
- The applicant shall comply with all relevant provisions of the flood damage prevention ordinance including obtaining a no-rise certificate, if needed.”
- The City’s Floodplain Administrator/City Engineer has reviewed this project as a member of the City’s Development Review Committee and does not have any concerns that this project cannot meet the requirements listed above during the Floodplain Development Permit process at final site plan (if the project is approved).
- Due to the information provided above concerning the previous development of the land; this project **would not** be considered “greenfield” or new development of the land which would fall under “17-2-2 - Development allowed in the floodway and special flood hazard area”.
- The site plan states that 98.7% of the site is inside the 1% annual chance area (100-year floodplain) and floodway. It states that 73.5% of this area was filled at some point in the past (all fill was within the 100 year floodplain).

- 17.8% of the project is within the floodway alone. 0% of the floodway has been filled.



- The property does have a blueline stream along the western property edge where a stream buffer is required. The proposed development shows the 30' stream buffer and 20' transitional zone on the site plan. One section of their plan does show 6 parking spaces that are proposed to be located in the 20' transitional zone. They are proposing that this parking utilize a pervious material which is allowed by the ordinance. This is the only proposed intrusion into the stream buffer or transitional area.
- The site also has delineated wetlands along their western property boundary.

- There is an existing pond on the site that is under a water conservation easement. The easement can be found in Deed Book 1668 Page 98 and on Plat Book 2016 Slide 10216. The deed was recorded on June 21<sup>st</sup>, 2016. The proposed development is not proposing to impact this easement area. The easement area is also associated with work that was done in accordance with Army Corp Permit SAW-2014-00219 from October 22<sup>nd</sup> 2014.



## DEVELOPER PROPOSED CONDITIONS:

- 1. PARKING SPACES
  - The number of permitted parking spaces shall be 288 (approx. 1.56 spaces per unit), as shown on the Site Plan. See Sec. 6-5 (providing a minimum requirement of 1 to 1.5 spaces per unit); Sec. 5-25-5.16 (providing that the applicant must demonstrate that parking is “adequate,” while also providing that the number of parking spaces “should not exceed the minimum requirements” found in Sec. 6-5).
- 2. TREE PLANTINGS
  - The number, size, and type of tree plantings required by Section 5-25-5.20 shall be planted. However, due to planting limitations within the floodway and conservation easement areas on the Project site, some of the 3” caliper trees required by Section 5-25-5.20 shall be planted in areas that also qualify for Vehicular Use Area plantings, as shown on the Landscape Plan.
- BUILDING FACADE
  - Façade offsets along the East Elevation may exceed the 16 ft. offset requirement provided in Section 5-25-12(b) as shown on the Site Plan and Elevations. No wall shall exceed 26 feet in length without an offset. Offsets may be provided either in exterior walls or at balconies.
- BUS SHELTER
  - A bus shelter (Sec. 5-25-5.13) shall not be required due to the proximity of an existing bus shelter on a neighboring property (Henderson County PIN #9568-82-7951) to the south of the Project site.
- INCLUSION OF NATURAL RESOURCE / AGRICULTURAL LAND
  - The area of the Project site designated by the Comprehensive Plan as “Natural Resource/Agricultural Land” shall be included in the Urban Residential CZ District, with development limited as shown and referenced on the Site Plan. See Sec. 5-25-2.
- FLOODWAY PLANTINGS / MAINTENANCE (**Tree Board Condition Counter**)
  - To the extent practicable within the limitations of the Floodplain Development Permit required by the attached site plan and grading plan, Developer shall implement a vegetative planting and management plan that will create and enhance the existing wetland and wildlife habitat of the open space areas outside the footprint of the developed area, stream buffer(s) and the Wetland Conservation Area. The plan should include diverse and appropriate species of native upland and/or wetland shrubs, appropriate trees and perennial herbaceous plants (including warm season grasses, sedges, and plants

important to pollinators), and all planted species shall be selected from the City's Recommended Landscape Species List for Street Trees and Land Development Projects. No turf grasses may be used. The plan shall be developed by a qualified landscape architect (with wildlife habitat management expertise) and shall incorporate an appropriate long-term invasive species management and control plan.

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 Urban Residential (5-25) (minus any developer proposed conditions).

**Proposed City-Initiated Conditions:**

- None

**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:**

- None

**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:**

- “Consider adding electric vehicle charging stations in parking lot for residents.”
  - The developer agreed to include this in their development and



shows them on their site plan.

**Proposed City-Initiated Conditions:**

- None

**NCDOT**

**Site Plan Comments:**

- NCDOT Review
  - The TIA Screening / Scoping document was submitted on 3/29/2023 and approved on 4/7/2023.
  - The full TIA was submitted on 8/9/2023 and deemed complete on 10/13/2023.
  - NCDOT accepted the TIA on November 13<sup>th</sup> 2023.
- Any TIA mitigation design details can be worked through during the driveway permitting process at final site plan.

**Proposed City-Initiated Conditions:**

- None

**HENDERSON COUNTY SOIL & EROSION CONTROL**

**Site Plan Comments:**

- None

**Proposed Condition:**

- None

**TRANSPORTATION CONSULTANT (KIMLEY HORN)**

**TIA Comments:**

- An initial TIA was submitted on July, 26<sup>th</sup>, 2023. The review of this TIA resulted in revisions being required. A revised TIA was submitted on September 15<sup>th</sup> 2023. On October 6<sup>th</sup>, 2023, the City Traffic Consultant (Kimley Horn) concluded that based on a technical review of the updated TIA as submitted, the analysis and recommendations provide a reasonable assessment of the traffic impacts associated with the proposed development on the adjacent street network. All previous comments from the DRAFT TIA had been addressed. As such they concurred with the findings and recommendations within the TIA.
- It is important to note that the TIA was completed when the project was still proposing 208 units. The developers have since reduced the unit count to 185, while keeping the TIA recommendations associated with the 208 units. The proposed development of 185 units would likely create less traffic than what is shown in the TIA.
- The expected Trip Generation for the proposed development is as follows:
  - 946 Daily Trips
  - 80 AM Peak Hour Trips
  - 81 PM Peak Hour Trips

### **TIA Proposed Mitigation:**

- **Intersection 1: NC 225 at US 176 / Fresh Market**
  - **Gannett Fleming** recommends no changes to this intersection.
  - **Kimley Horn (the City's traffic consultant)** concurs.
  - **NCDOT** concurs.
  
- **Intersection 2: NC 225 at White Street / Walgreen's**
  - **Gannett Fleming** recommends no changes to this intersection.
  - **Kimley Horn (the City's traffic consultant)** concurs.
  - **NCDOT** concurs.
  
- **Intersection 3: NC 225 at Chadwick Avenue / Chadwick Square Court**
  - **Gannett Fleming** recommends no changes to this intersection.
  - **Kimley Horn (the City's traffic consultant)** concurs.
  - **NCDOT:** After reviewing and looking into the feasibility and discussions concerning additional mitigations at this intersection, NCDOT ultimately rescinded their comments concerning additional mitigations at this intersection and concurred with no mitigation being required at this intersection.
  
- **Intersection 4: US 176 at Chadwick Avenue**
  - **Gannett Fleming** recommends no changes to this intersection.
  - **Kimley Horn (the City's traffic consultant)** concurs.
  - **NCDOT** concurs.
  
- **Intersection 5: NC 225 at Access #1**
  - **Gannett Fleming** recommends the proposed Access #1 be constructed as shown on the site plan (shown in Figure 2 and included in Appendix C) with full access stop control and at least 100 feet of stem length as per NCDOT Guidelines. Gannett Fleming recommends the installation of a dedicated left turn lane on the NC 225 northbound approach with 100 feet of full storage and a dedicated right turn lane with 50 feet of full storage on the NC 225 southbound approach.
  - **Kimley Horn (the City's traffic consultant)** concurs.
  - **NCDOT:** NCDOT concurs overall with the recommendations for a protected stem, turn lane and taper. They do have more specific design related items that would be worked out during the NCDOT driveway permit process at final site plan (if the project is approved by City Council).
  
- **Intersection 6: NC 225 at Access #2**
  - **Gannett Fleming** recommends the proposed Access #2 be constructed as shown on the Site plan (shown in Figure 2 and included in Appendix C) with right-in/right-out access stop control and appropriate stem length as per NCDOT approval. Gannett Fleming recommends the

installation of a dedicated right turn lane with 50 feet of full storage on the NC 225 southbound approach.

- **Kimley Horn (the City's traffic consultant)** concurs.
- **NCDOT:** NCDOT concurs overall with the recommendations for a protected stem, turn lane and taper. They do have more specific design related items that would be worked out during the NCDOT driveway permit process at final site plan (if the project is approved by City Council).
  
- NCDOT did have additional comments concerning upgrades to Greenville Highway (NC225). Some of the items that were included were resurfacing, restriping, traffic signal timing, curb and gutter design, etc. These items are outside of the purview of the TIA for rezoning purposes. If the project is approved by City Council, the developer will have to work out these details with NCDOT prior to obtaining any driveway permits from NCDOT.

**Proposed Condition:**

- Developer shall install all recommended traffic mitigations found in the approved Traffic Impact Analysis, in accordance with City and NCDOT requirements prior to final certificate of occupancy.

**TREE BOARD**

**Site Plan Comments:**

- None

**Proposed City-Initiated Conditions:**

- See attached Tree Board summary.