

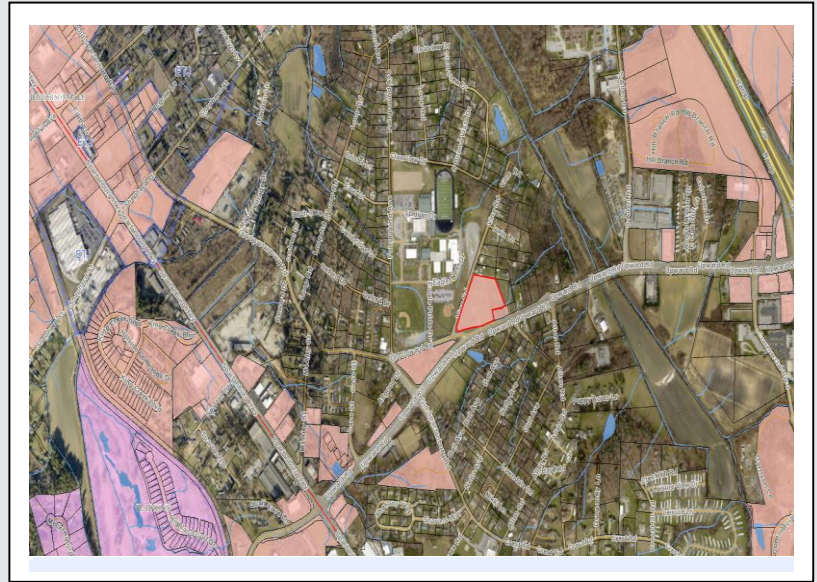
PRELIMINARY SITE PLAN REVIEW-LIVING SAVIOR CHURCH (A24-02-SPR)  
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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## PROJECT SUMMARY

- Project Name & Case #:
  - Living Savior Church
  - A24-02-SPR
- Applicant & Property Owner:
  - Living Savior Evangelical Lutheran Church (Daniel Meyer, President) [Applicant & Owner]
- Property Address:
  - 200 Upward Road
- Project Acreage:
  - 4.72 Acres
- Parcel Identification (PIN):
  - 9578-90-1278
- Parcel Zoning:
  - CHMU, Commercial Highway Mixed Use
- Future Land Use Designation:
  - High Intensity Neighborhood
- Requested Uses:
  - Religious institutions
- Type of Review:
  - **Administrative**- Decisions made in the implementation, administration, or enforcement of the Zoning Ordinance that involve the determination of facts and the application of objective standards set forth in the Zoning Ordinance.



SITE VICINITY MAP

*The City of Hendersonville is in receipt of an application for preliminary site plan review from Daniel Meyer of the Living Savior Evangelical Lutheran Church. The applicant is proposing to construct a 12,125 square foot church on the subject property.*

*The proposed site plan shows that the church will have a height of 29' 7" from the average grade. The church is slated to have both driveway access points off the NCDOT maintained Vine Road (SR-1782). The site plan shows that the proposed development will provide 67 parking spaces with 3 ADA parking spaces to serve the development.*

*Due to this development adding more than 30 parking spaces, the project is required to go through preliminary site plan review as defined in Chapter 7 of the zoning ordinance.*

*Since this project does not exceed the 50,000 square foot trigger that requires a rezoning to a conditional zoning district, the project will be developed in accordance with the underlying CHMU zoning.*

*City Council at their December 7<sup>th</sup> 2023 meeting zoned the subject property from Henderson County CC (Community Commercial) to City CHMU (Commercial Highway Mixed Use).*

## PRELIMINARY SITE PLAN REVIEW GUIDELINES

### **Review of Preliminary Site Plans**

Review of preliminary site plans applies to larger projects where the costs of developing detailed final plans can be substantial. It is designed to provide the applicant an opportunity to obtain authorization for a site specific development while incurring reduced expense. Review of preliminary plans is a function of the Planning Board.

Preliminary plan review is required of all development undergoing Site Plan Review for the following:

- Any commercial, industrial or institutional development consisting of more than 20,000 square feet of floor area.
- Addition of more than 30 parking spaces.
- Any Minor Planned Residential Development consisting of 9 or more dwelling units.

An application for preliminary site plan approval shall not be approved unless the planning board determines that the application and final site plan demonstrate compliance with this ordinance, including the provisions of section 7-11 below, and other applicable regulations.

**The planning board may impose such reasonable conditions on an approval as will ensure such compliance with this ordinance.**

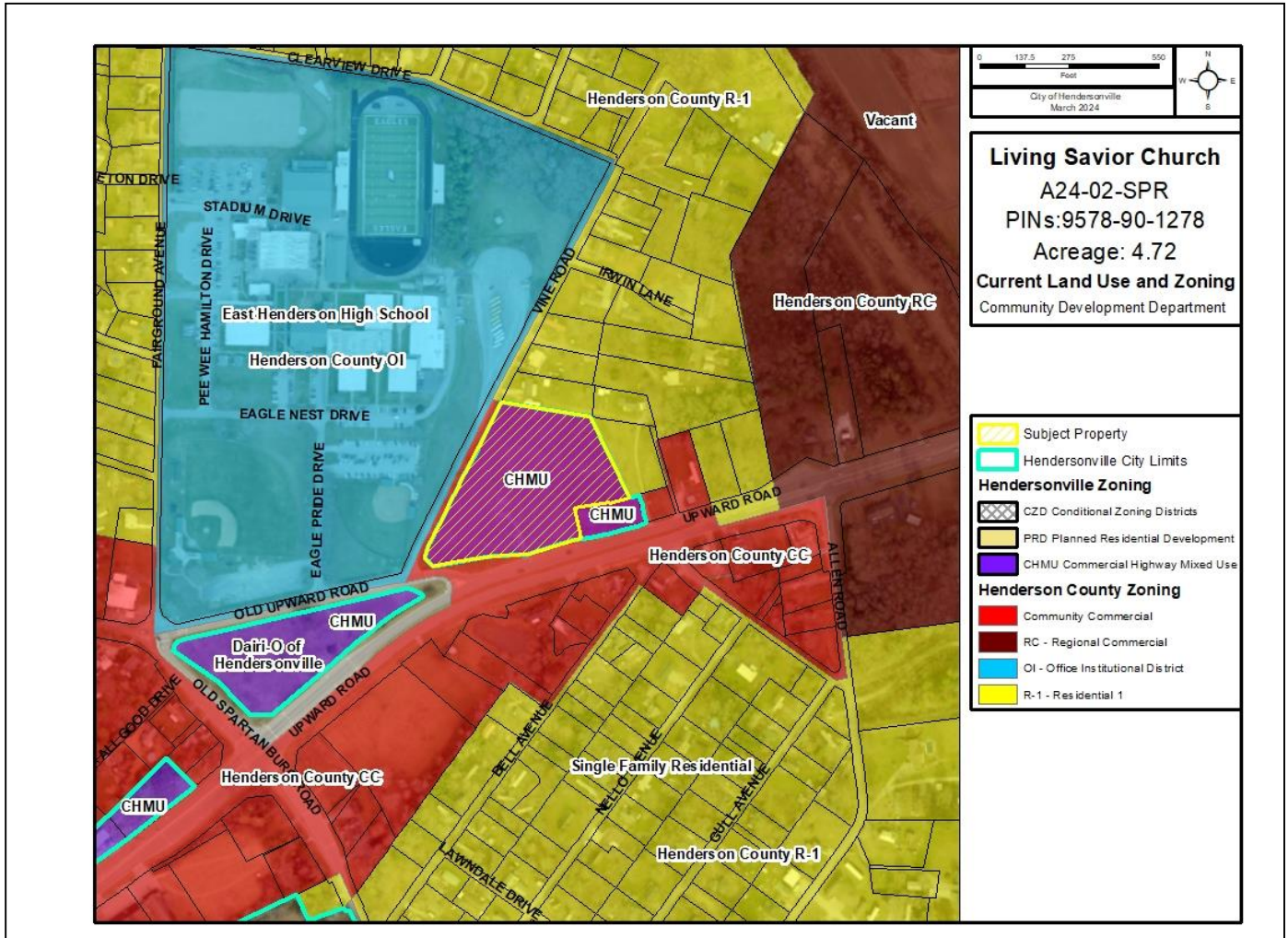
Approval of a preliminary site plan shall **not** entitle the applicant to the issuance of a zoning compliance permit. Upon approval of the preliminary site plan by the Planning Board the applicant must then submit an application and final site plans meeting the requirements of of the zoning ordinance, in addition to any other approval including but not limited to stormwater approval, utility approval, driveway permits, land disturbance approval, etc. The applicant shall have two years from the date of such approval to obtain final site plan approval.

### **Review of CHMU Building Design Standards**

This project is located within the Commercial Highway Mixed Use Zoning District which does have design standards for any project within this district (minus single and two family homes). Article 18 “Mixed Use Zoning” outlines the process that all projects located within a mixed use zoning district shall undergo. Mixed use zoning districts require special attention to design because of the intermixing of land uses in close proximity. Applications for development authorization for projects located within one of the mixed use zoning districts shall, in addition to site layout, address building and site design, as well as the functional integration of residential and commercial uses. In addition to meeting the requirements for site plan review contained in section 7-3, applications for development authorization within a mixed use zoning district shall also demonstrate that the design of the project meets the goals and intent of the mixed use zoning district classifications.

Article 18-3-1.2 Joint site plan and design review outlines the process for any project that is receiving a joint approval of the preliminary site plan and design. If the applicant chooses to undergo joint site plan and design review, it shall submit, in addition to the preliminary site plan, a design concept meeting the requirements of [section 18-3-3](#). The preliminary site plan and the design concept shall undergo a threshold review by the planning director to determine whether they demonstrate compliance with the design standards for the zoning district in which the property is situated. If the planning director determines the plans are compliant with the applicable design standards, the planning director shall refer the application to the reviewing authority for preliminary review (Planning Board). The decision as to compliance shall be that of the reviewing authority and shall be subject to review in accordance with article VII. Joint preliminary site plan and design approval shall entitle the applicant to final approval to develop the property in accordance with the approved preliminary site plan so long as final plans, including the final design concept, do not deviate substantially therefrom.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned CHMU (Commercial Highway Mixed Use) by the City of Hendersonville. It is a satellite annexed parcel for the City of Hendersonville. There are other satellite annexed parcels present along this corridor with zoning designations including Commercial Highway Mixed Use (CHMU) and PRD-CZD (Planned Residential Development Conditional Zoning District). The properties within these districts are developed with a fast-food restaurant and the Oak Preserve residential development.

The area is largely made up of Henderson County Zoning. Henderson County Community Commercial is present along the Upward Road Corridor going east until Allen Road and then it transitions to Henderson County Regional Commercial. Henderson County R-1 is the predominant County residential zoning classification found in this area and it consists of single-family neighborhoods. East Henderson directly west of Vine Road from the subject property is zoned Henderson County Office Institutional.

SITE IMAGES



*View of the mature trees along Vine Road.  
24 Trees were identified along this property line. 13 Retained, 11 removed.*



*Typical view of the subject property looking northward.*

SITE IMAGES



*View of Vine Road. Both access points will be off of Vine Road.*



*View of site facing west towards East Henderson High School.*

## PROPOSED DEVELOPMENT DETAILS

- **Proposed Use: Religious Institution**
  - Total Square footage- 12,125 square feet
    - First floor (main floor)- 8,030 square feet
    - Basement- 4,095 square feet.
  - Proposed Height- 29' 7" from the average grade to the mean height level.
    - 35' 7" from the ground to the mean of the roof (on the tallest side-east side)
  - Building Measurement per Ordinance- The vertical distance measured from the average grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.
- **Site:**
  - 4.75 Acres
  - No special flood hazard areas are present on the site.
  - No steep slopes are on the site.
  - It appears that parts of the site have been previously disturbed.
  - 27 trees were identified on the property.
    - 16 retained.
    - 11 removed.
- **Streets/ Access**
  - The site has two proposed access points.
  - Both points would be accessed off of Vine Road (a NCDOT maintained road).
  - No driveways are proposed to be off of Upward Road. All driveways would be required to obtain a driveway permit from NCDOT at final site plan approval.
- **Parking**
  - Religious Institution: 1 per each 4 seats
    - Required:  $210 \text{ Seats} / 4 = 53 \text{ Spaces}$
    - Currently proposed: 67 Spaces, including 3 ADA spaces.
- **Sidewalks**
  - Sidewalks will be required along the entire parcel frontage on Upward Road and Vine Road.
  - The site plan also shows sidewalks connecting the main entrance to the building to the public street sidewalks.
- **Stormwater Management**
  - The project will be required to install post construction stormwater measures. These plans will be reviewed as an aspect of the final site plan review.

- **Public Utilities**
  - The site will be served by City of Hendersonville Water and Sewer.

OUTSTANDING PRELIMINARY SITE PLAN COMMENTS

**COMMUNITY DEVELOPMENT**

**Site Plan Comments:**

The preliminary site plan accompanying this petition meets the standards established by the Zoning Ordinance for developments in the Commercial Highway Mixed Use District (5-27), and Preliminary Site Plan (7-3-3) with the following exceptions:

- None

**CITY ENGINEER**

**Preliminary Site Plan Comments:**

- None

**WATER / SEWER**

**Preliminary Site Plan Comments:**

- None

**FIRE MARSHAL**

**Preliminary Site Plan Comments:**

- None

**STORMWATER ADMINISTRATOR**

**Preliminary Site Plan Comments:**

- None

**FLOODPLAIN ADMINISTRATOR**

**Preliminary Site Plan Comments:**

- None

**PUBLIC WORKS**

**Preliminary Site Plan Comments:**

- None

**NCDOT**

**Preliminary Site Plan Comments:**

- None

**TRANSPORTATION CONSULTANT**

**Preliminary Site Plan Comments:**

- None (the proposed use did not trigger a TIA)



STAFF ANALYSIS

Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan and building design for the Living Savior Church Project meets the Zoning Ordinance standards established for commercial projects within the Commercial Highway Mixed Use District, Preliminary Site Plan Review (Section 7-3-3.2) and Building Design Review (Article XVIII. - Mixed Use Zoning.)