

Providence Walk P21-31-CZD

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

Staff Report Contents

PROJECT SUMMARY	2
City of Hendersonville Current Zoning & Land Use Map	3
SITE CONDITIONS – SITE IMAGES.....	4
SITE PLAN OVERVIEW	7
Proposed Site Plan.....	7
REZONING CRITERIA – COMP PLAN CONSISTENCY	10
STAFF ASSESSMENT	13
Zoning Compliance.....	13
Zoning Map Amendment Standards	13
Proposed Conditions:	14
TREE BOARD / PLANNING BOARD - SUMMARY OF ACTION.....	15
Summary of Tree Board Recommendation.....	15
Summary of Planning Board Recommendations.....	16
Planning Board Motion	16
SUGGESTED MOTION(S) & CONSISTENCY STATEMENTS	17
ATTACHMENTS:	17



PROJECT SUMMARY

Applicant: First Victory Construction, Inc.

Property Owner: Hickory Realty Fund; Claudia Brown Heirs; Tommy & Donna Fair,

Property Address: 1828 N Main St.

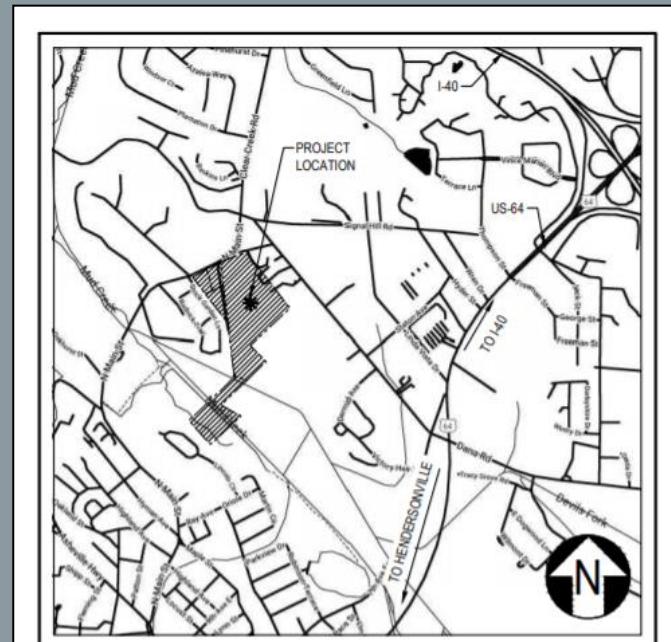
Project Acreage: 20.22 Acres

Parcel Identification Number(s): 9569857172; 9569834918; 9569853434; 9569851398; and 9569853178

Current Zoning: R-20 (Low Density Residential) & PCD-CZD (Planned Commercial Development-CZD)

Neighborhood Compatibility Meeting: May 26, 2021 & June 30, 2021

Planning Board: September 13, 2021



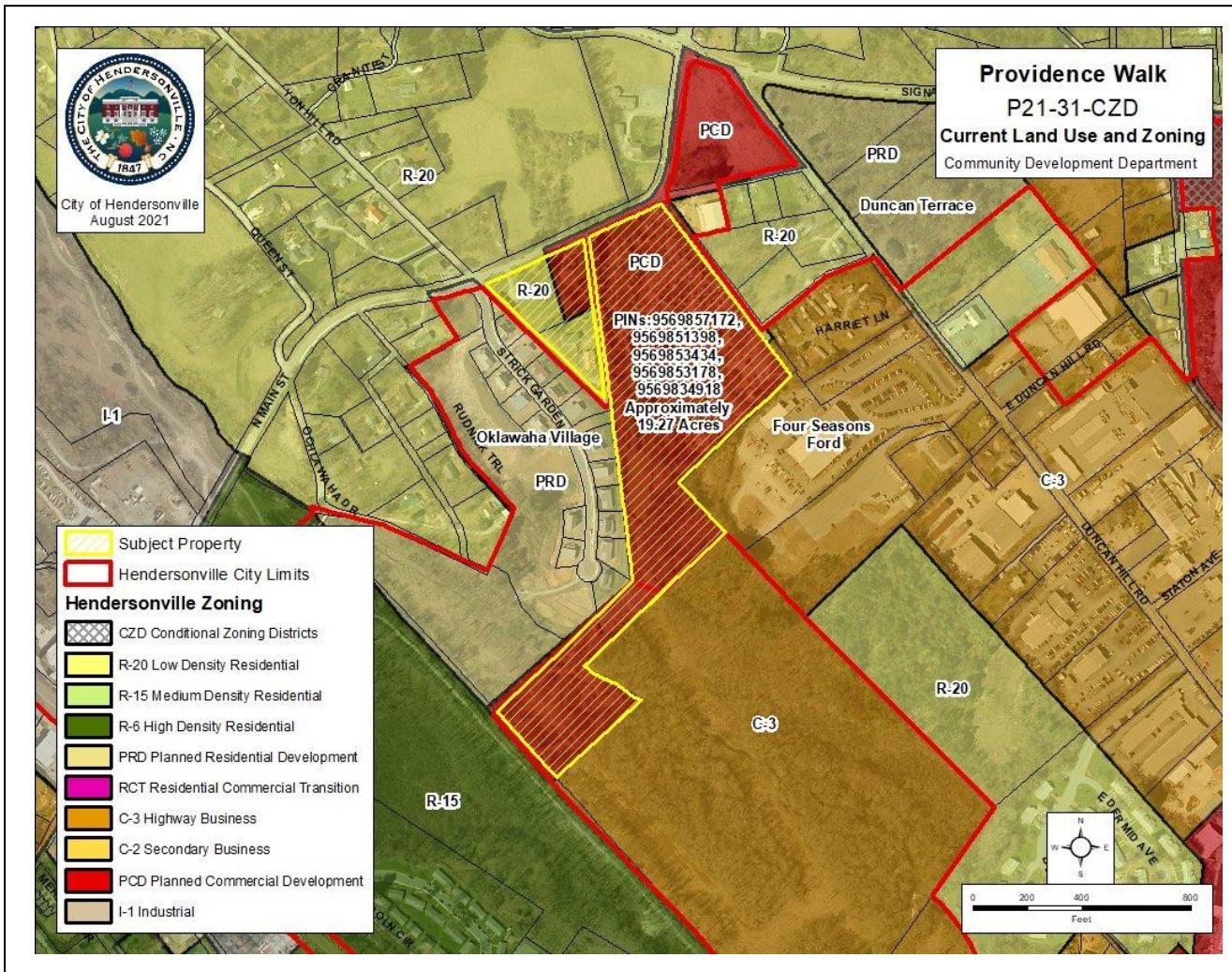
SITE VICINITY MAP

Summary Statement of Applicant Rezoning Request

The City is in receipt of a Conditional Rezoning application from High Country Engineering, PC (Michael Goforth) on behalf of First Victory Construction, Inc. (Travis Fowler) for the development of 93 Detached Single-Family Residential homes on a 20.22 Acre tract on 5 parcels located in both the city limits and the ETJ. The largest parcel of the property is currently vacant - former agriculture land that has been unmaintained. Three smaller parcels are currently occupied by single-family homes. One additional parcel will remain undeveloped as it is primarily in the floodplain/floodway. The applicant is requesting to rezone the subject property to PRD (Planned Residential Development) Conditional Zoning District with a density of 4.6 Units / Acre.

This project required a conditional rezoning due to the fact that there was a binding site plan attached to the existing zoning. A Major PRD is also required for projects with 50+ units. PRDs are only permitted as a Conditional Zoning District.

PROJECT SUMMARY - CONTINUED



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north across N. Main St are zoned R-20 Low Residential as are parcels to the East. To the South, parcels stretching all the way towards Four Seasons Blvd along Duncan Hill Rd are zoned C-3 Highway Business. Parcels to the West are zoned PRD as part of a Housing Assistance Corporation development (Oklawaha Village). Primary land uses around this site are residential and vacant land. The largest non-residential use in proximity is the Four Seasons Ford dealership which is immediately adjacent to the site at the southeast corner of the development.

SITE CONDITIONS – SITE IMAGES

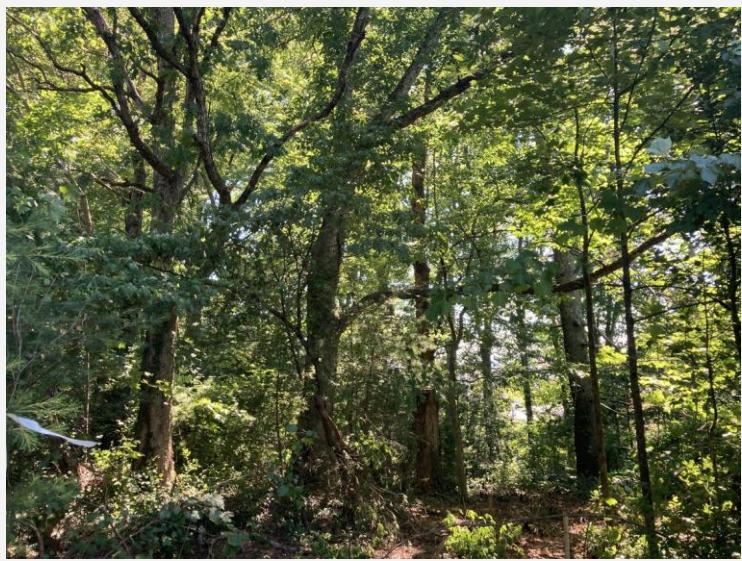
Example of primary site conditions



Existing pond on site which will be converted to serve as a stormwater management facility.



Typical of heavily wooded area at rear of site



SITE CONDITIONS – SITE IMAGES CONTINUED

View of neighboring Oklawaha Village



View of neighboring Oklawaha Village/ Duke Energy ROW & Transmission Line



View of neighboring Oklawaha Village

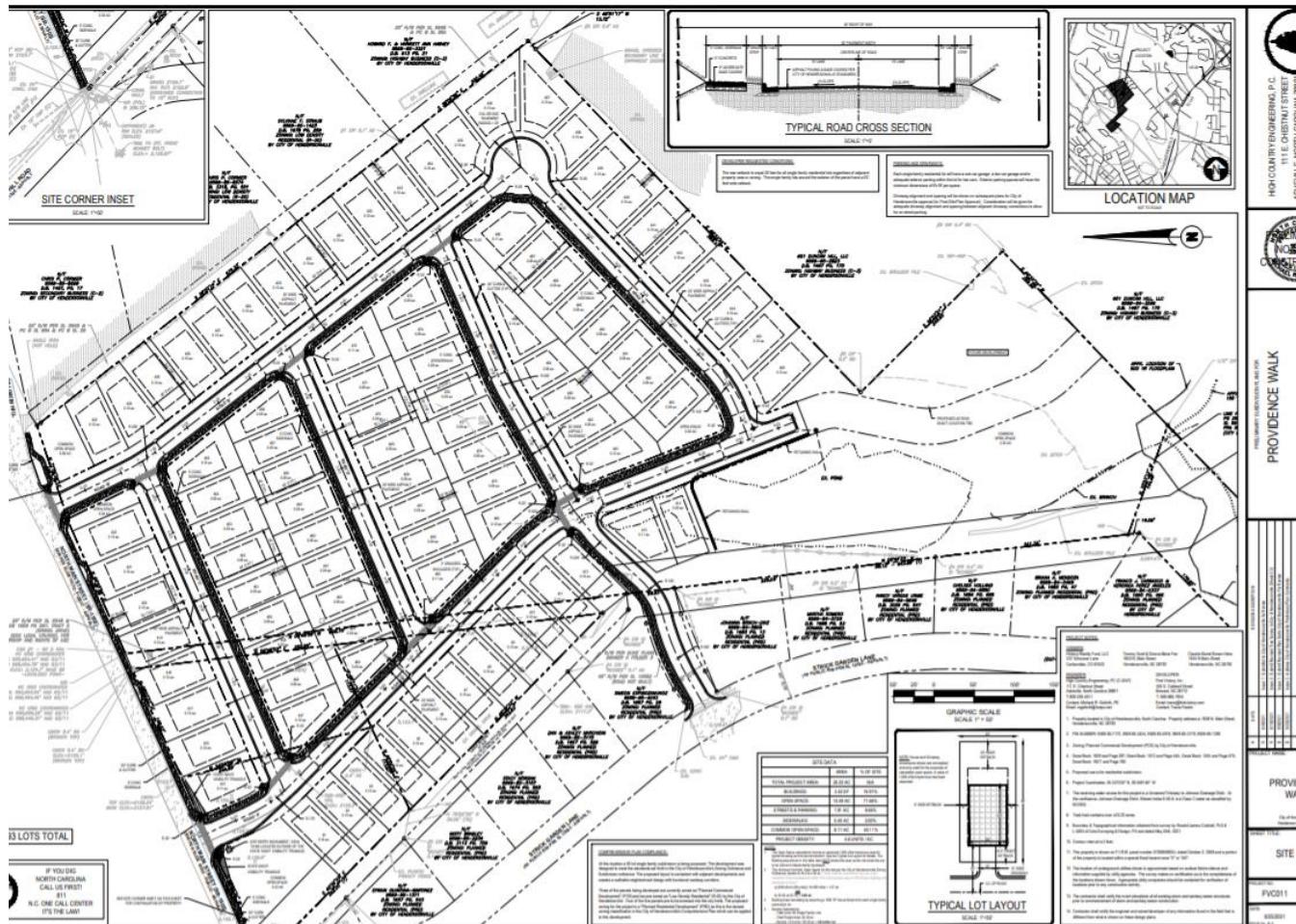


AERIAL PHOTOS

Bird's Eye View - Oriented North



SITE PLAN OVERVIEW



Proposed Site Plan

Site Plan Overview:

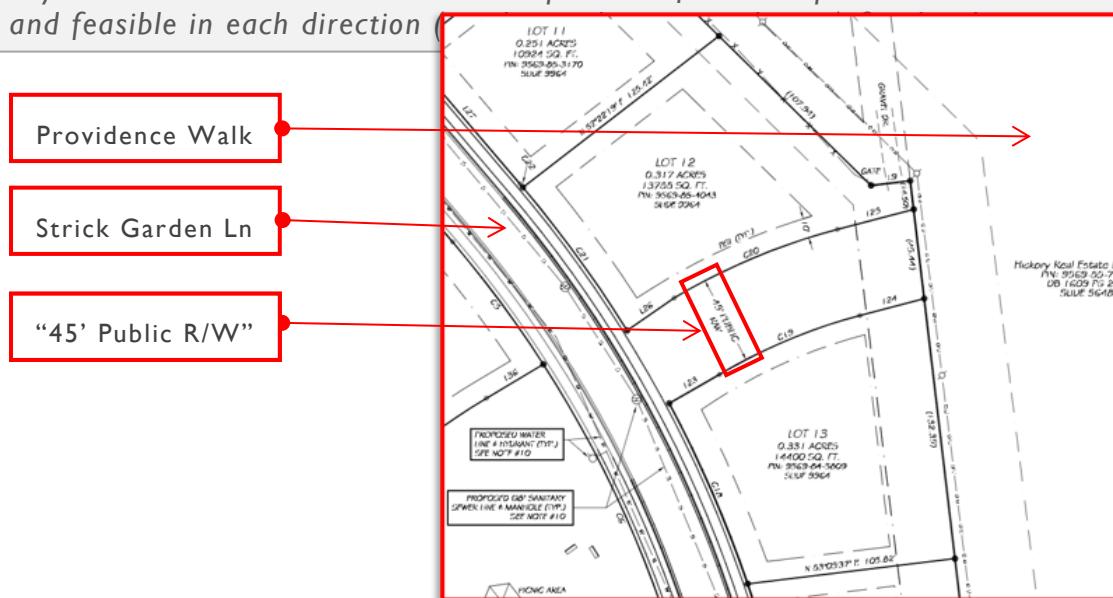
The site plan shows the following:

- 93 Individual Lots / Home Sites
- Public Streets with sidewalks
- Paved public street stub to edge of property line aligned with 45' Public ROW associated with Oklawaha Village (see below).
- Paved public street stub out to vacant land to the south
- Open Space on undeveloped lot in the floodplain and pockets throughout development
- Existing Pond for stormwater
- Setbacks and area of disturbance
- Preservation of Existing Trees:
 - Proposing to preserve 125 trees (greater than 12" dbh)
 - Proposing to remove 71 trees (greater than 12" dbh)
- Utilities: Water is available along N Main St. Sewer is available from Oklawaha Village / Strick Garden Lane.
- **Site Plan Assessment:** Based on the review by staff, the submitted site plan for this project appears to meet the Zoning Ordinance standards established in Article 5-14 (PRD) of the City Zoning Ordinance as well as the standards of the City Subdivision Ordinance.
- **Connection to Strick Garden Ln:** This connection has been discussed at length. In order to address this issue, staff is providing language from the Subdivision Ordinance (4.03 5. c. & d). below, as well as a screenshot from the approved Final Site Plan for Oklawaha Village which features a "45' Public Right-of-Way". The developer will not be required to pave the connection beyond the Providence Walk property line. The City will retain the option to make the paved connection within the City's Right-of-Way should it be deemed necessary in the future.

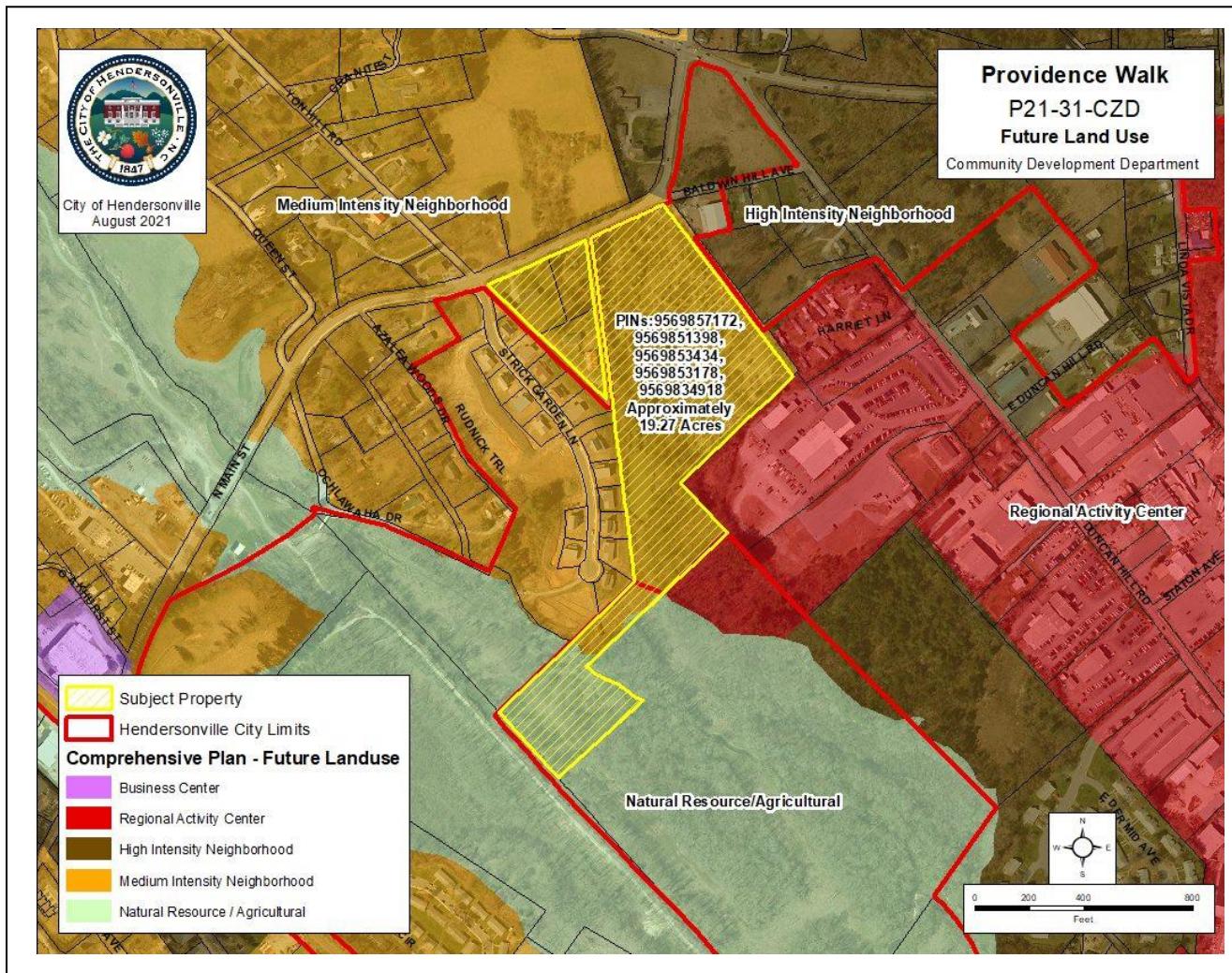
4.03 Streets -5. Continuation & Coordination of New Streets

c. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands in those cases in which the adjoining lands are undeveloped and deemed appropriate by the DRC for future development or in which the adjoining lands are developed and include opportunities for such connections.

d. Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (



REZONING CRITERIA – COMP PLAN CONSISTENCY



As indicated on the map, this area is transitional with a number of different future land use designations coming together around this specific area. The subject property is primarily designated as Medium Intensity Neighborhood according to the City Future Land Use Map. Due to the presence of floodplain, the Natural Resource/Agricultural designation is also present on a portion of the excess parcel which is located in the floodplain and not proposed to be developed. High Intensity Neighborhood is found to the east of the site around the intersection of N. Main St. / Baldwin Hill Ave. / Duncan Hill Rd / Signal Hill Rd. The Regional Activity Center designation extends from the rear of the site to US Hwy 64 (Four Seasons Blvd.).



Goal LU-6.

Medium-Intensity Neighborhood:
Provide a transition between High- and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points.
Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods.

Strategy LU-6.1.

Locations:

- Existing neighborhoods zoned R-15, R-10, and R-6, including residential historic districts
- Existing or planned neighborhoods that reflect the same densities as the R-15, R-10 and R-6 zoning districts (Two to eight units per gross acre)
- Undeveloped properties that are surrounded by or adjacent to the above neighborhoods

Strategy LU-6.2.

Primary recommended land uses:

- Single-family attached and detached residential
- Open space

Strategy LU-6.3.

Secondary recommended land uses:

- Limited multi-family residential along roadways designated as Boulevards or

Major Thoroughfares on the Future Land Use Map

- Planned Residential Developments
- Local public and institutional uses
- Recreational amenities

Strategy LU-6.4.

Development guidelines:

- Two to eight units per gross acre
- At least 60% open space in new developments on three or more acres
- Architectural guidelines to encourage compatibility when different housing types abut one another (e.g. similar building height, massing, roof pitch, and rhythm of windows and façade detailing)
- Encouragement of walkable neighborhood design, as described under Goal PH-3 in Chapter 2



Single-family homes at densities comparable to Medium-Intensity Neighborhood

Chapter 8: Land Use & Development designates the subject property as Medium Intensity Neighborhood on the 2030 Future Land Use Map.

The Transportation & Circulation

(Chapter 7 of the City's Comprehensive Plan) designates N Main Street as a Major Thoroughfare. Nearby Duncan Hill Rd is also classified as a Major Thoroughfare.

Growth Management

Preservation/Enhancement Areas (gray): Developed areas in which few significant changes are expected, or undeveloped areas that are not considered a high priority for growth. The City should respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies

- Historic Preservation
- Priority Growth Areas
- Natural Resource/Agricultural
- Priority Infill Areas
- Preservation/Enhancement

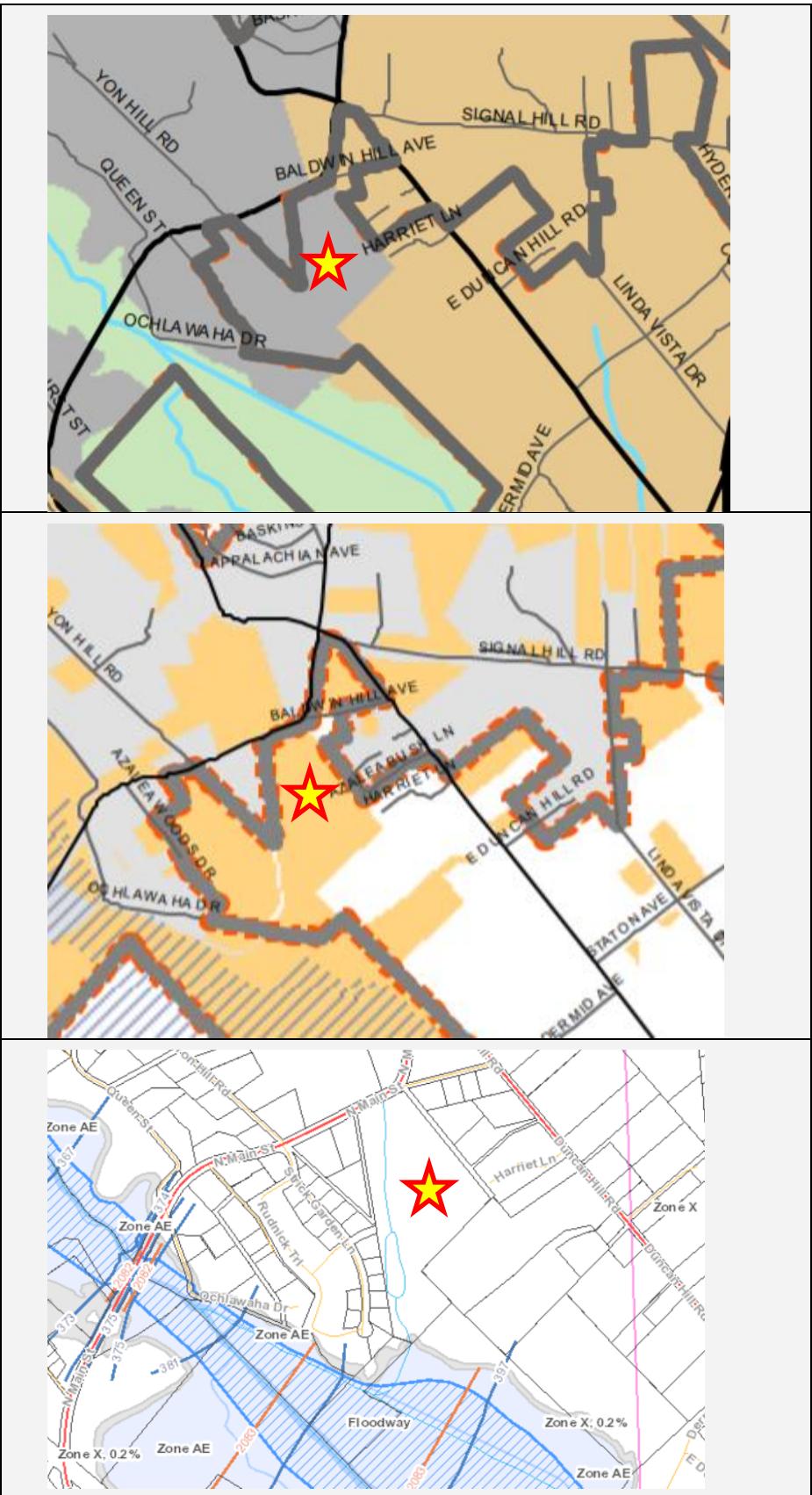
Development Framework Map: The map depicts locations of greenfield development opportunities in Hendersonville and surrounding areas

- Development Opportunities (includes vacant land, agricultural land, and single-family residential properties greater than five acres)

Floodplain Considerations:

The map indicates that the Subject Property has a blue line stream present on the site. However, this stream is piped.

Areas of the property not proposed for development include Floodway / 100 Yr floodplain.



<p>Chapter 2: Population and Housing</p> <p>While the development is not slated to provide affordable housing, the development does increase the city's overall housing stock. However, the development lacks variety in its offering of housing types.</p> <p>While sidewalks are proposed for the site, the design appears to prioritize cars with parking areas in the front of the houses. Connectivity to surrounding parcels is an added benefit for maintaining an interconnected street network and planning for future development connections.</p>	<p>Goal PH-2.</p> <p><i>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>Action PH-3.1.1.</p> <p>Encourage pedestrian-friendly design features in residential developments, such as recessed or rear garages and front porches in single-family development, and rear parking lots and front entrances in multi-family developments.</p>
<p>Chapter 3: Natural & Environmental Resources</p> <p>Aligning with the strategies of the Natural and Environmental Chapter of the Comprehensive Plan, the proposed development provides open space and preserves existing forest by clustering the development towards the front of the tract.</p> 	<p>Goal NR-2.</p> <p><i>Provide a variety of quality open space, distributed equitably throughout Hendersonville, that can be used for recreational opportunities and aesthetic enhancements.</i></p> <p>Strategy NR-2.1.</p> <p>Encourage clustered development that preserves open space while allowing a return on investment. Clustering homes on smaller lots, or clustering commercial development in multi-story buildings, preserves open space without sacrificing housing units or leasable floor area. Zoning regulations can encourage such development by avoiding minimum lot area standards and promoting flexibility in design.</p> <p>Action NR-2.1.1</p> <p>Maintain density bonuses that allow additional density in return for open space preservation.</p> <p>Strategy NR-2.3.</p> <p>Promote preservation of woodlands. Mature trees and wooded areas are significant community-defining natural features that contribute to Hendersonville's identity. Trees provide several additional community benefits, as described in Figure 3.3c.</p>

Zoning Compliance:

Based on the review by staff, the submitted preliminary site plan for this project meets the Zoning Ordinance standards established for Planned Residential Development CZDs (Section 5-14) and Site Plan Review (Section 7-3).

Final Site Plan -

Final zoning ordinance compliance will be established at the time of Final Site Plan review and approval. The developer has noted that the Final Site Plan will provide details related to parking, further stating that each home site will feature a one-car garage, a two-car garage and/or adequate exterior parking to accommodate two cars and that parking spaces will be 9'x18'. Additionally, staff is in the process of determining if right-of-way dedication can be required and if so, how much area would be required for the dedication along N. Main St. Initial indications are that a dedication cannot be required. Therefore, a reservation would be the next viable option. A reservation would prevent structures from being located in an area that could eventually be acquired for right-of-way. By providing a reservation it helps to reduce expected acquisition cost in the future.

Zoning Map Amendment Standards:

Chapter XI of the Zoning Code provides standards for consideration of zoning map amendments. The following factors are to be included in decision-making process:

a) Comprehensive Plan Consistency:

Ch. 8 - Land Use & Development - Medium Intensity Neighborhood calls for new developments adjacent to or surrounded by other single-family neighborhoods / low to medium density residential zoning. This designation also states Single-Family Residential as a Primary Land Use. The development guidelines for Medium Intensity Neighborhood call for 2-8 Units / Acre, Walkable Neighborhood Design and minimum 60% Open Space.

Ch. 2 – Population & Housing - Considerations related to Walkable Neighborhood Design (PH-3.1.1) call for rear parking or recessed garages. This item has been addressed in the Planning Board's recommended conditions.

Ch. 3 – Natural & Environmental Resources – This chapter makes recommendations related to low-impact/cluster developments.

Staff finds that the proposed Conditional Rezoning is consistent with the City's 2030 Comprehensive Plan for the following reasons:

1. The location of the proposed Planned Residential Development is in keeping with the surrounding land uses. (Chapter 8 LU-6.1)).
2. Single-Family Detached is a primary use stated in the Land Use & Development Chapter (Chapter 8 – LU-6.2).
3. The proposed density of the development (4.6 Units / Acre) is in line with the Land Use & Development Chapter's guidance of 2 – 8 Units / Acre. (Chapter 9 – LU-6.4).

4. The development has been laid out to minimize the impact to environmentally-sensitive resources on the site and to preserve existing vegetation (Chapter 3 – NR-2.1).

b) Compatibility with surrounding uses

The surrounding land uses are single-family neighborhood, car dealership and vacant land.

c) Changed conditions

The adjacent parcel to the west was most recently developed (Oklawaha Village) with a mix of multi-family and single-family homes. Several other developments in this area have either received entitlements or have held pre-application meetings with Planning Division staff. It is anticipated that future build out of vacant land in the vicinity of this development will occur in the near term.

d) Public Interest

The addition of 93 single-family homes will fill a need for additional housing stock in Hendersonville.

e) Public facilities

According to the Water & Sewer department, there are adequate facilities in the area. The size of the project did not trigger a Transportation Impact Analysis and therefore impact to street capacity has not been studied.

f) Effect on natural environment.

As mentioned previously under the Comprehensive Plan Consistency, the project proposes to preserve an existing wooded area, an existing pond and floodplain. However, due to requirements to pave the right-of-way connection to adjacent vacant parcels, several trees in this area will likely need to be removed.

Proposed Conditions: Staff have no standalone recommendations for conditions. However, the developer has proposed the following condition. Staff finds no conflict with this proposed condition.

Developer Proposed Condition: *The rear setback to equal 20 feet for all single-family residential lots regardless of adjacent property uses or zoning. The single family lots around the exterior of the parcel have a 20feet wide setback.*

Staff Comment on Developer Proposed Condition: *It is important to highlight that the 25' setback required for the lots that back up to N. Main St is required by the Subdivision Ordinance and therefore cannot be reduced as part of a Conditional Rezoning. This setback could only be reduced by a variance request to the BOA. Furthermore, the reduction of this setback along N. Main St would potentially increase acquisition cost associated with any future widening or enhancement of N. Main St. All other setback reductions requested are within the purview of City Council.*

Planning Board and Tree Board recommended conditions are outlined below.

PUBLIC COMMENT

Neighborhood Compatibility Meetings were held on April 5, 2021 and June 30, 2021 for this project.

At the April 5th meeting, Eight members of the public attended along with three members of the planning staff and a representative from the developer's engineering firm. Written statements submitted prior to the meeting were read into the record and addressed by the development team. Primary concerns were voiced by residents of the adjacent Oklawha Village. These concerns revolved around security, connections to Strick Garden Ln., traffic safety on N. Main and within existing neighborhood, tree preservation, and stormwater management,

At the June 30th meeting, four members of the public attended including two representatives from the Housing Assistance Corporation. Attendees also include the developer and three members of the Planning Division staff. Primary concerns were connection to Strick Garden Ln., Sight Distance on N. Main St at access points, and other traffic related concerns. Please note that the site plan originally called for 28 apartment units that were removed between the April 5 NCM and the current proposal.

TREE BOARD / PLANNING BOARD - SUMMARY OF ACTION

Summary of Tree Board Recommendation

The Tree Board reviewed this project on two occasions, both in June and August. At their August 17, 2021 meeting they noted that the developer had changed their site plan – removing the apartments from the back of the property and adding additional home sites near the road. Further noting that this saved additional trees since a majority of the trees were in the proposed apartment complex area. A motion was made by Glenn Lang to require the developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance, and to require all new tree plantings to be a minimum of two inch caliper. Roll call vote – Glenn Lang – aye, Mark Madsen – aye, Pat Christy – aye, Mac Brackett – aye.

While staff have included portions of the Tree Board's recommended condition in the proposed List of Uses and Conditions, the recommendation to require plantings according to the Recommended Species List is a zoning code requirement and does not need to be included as a condition. Furthermore, only a portion of the Tree Board recommendation was supported by the Planning Commission. The distinction between those recommendations by the Tree Board and the Planning Board are noted in the Suggested Motion found in the Cover Sheet.

Summary of Planning Board Recommendations

The Planning Board discussed several aspects of this development at length at their hearing on September 13, 2021. The following issues were addressed: parking, connectivity/access, walkable design, use of open space, and impacts to N. Main St (traffic congestion/potential hazards).

Planning Board Motion

Ms. Peacock moved the Planning Board recommend City Council to approve an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property from PCD CZD, Planned Commercial Development Conditional Zoning District and R-20, Low Density Residential District based on the site plan submitted by the applicant and subject to the following: **1. Residential Dwellings, Single-family.** Conditions that shall be satisfied prior to final site plan approval include:

- 1. Require developer to utilize trees and shrubs from the Recommended Landscape Species List for Street Trees and Development Projects, to comply with Section 15-4 of the Zoning Ordinance.**
- 2. The developer will work with staff to recess the garages and create longer driveways in accordance with the Comp Plan Chapter 2: Population and Housing for Walkable Neighborhoods and**
- 3. There will be a right-in/right-out northern entrance and the main entrance will include a deceleration lane.**

Finding that the rezoning is consistent with the Comprehensive Plans Future Land Use map and that the rezoning is reasonable and in the public interest for the following reasons:

- 1. The location of the proposed Planned Residential Development is in keeping with the surrounding land uses (Chapter 8 LU-6.1).**
- 2. Single family detached is a primary use stated in the Land Use and Development (Chapter 8 LU 6.2).**
- 3. The proposed density of the development (4.6 units/acre) is in line with the Land Use and Development Chapter's guidance of 2-8 units/acre (Chapter 9 LU 6.4).**
- 4. The development has been laid out to minimize the impact to environmentally sensitive resources on the site and to preserve existing vegetation (Chapter 3 NR 2.1).**

Mr. Blatt seconded the motion. The vote was unanimous to approve.

SUGGESTED MOTION(S) & CONSISTENCY STATEMENTS

[SEE AGENDA COVER SHEET]

ATTACHMENTS:

1. Ordinance
2. Neighborhood Compatibility Meeting Minutes (meetings 1 & 2)
3. Site Plan
4. Application
5. Owner Signature Addendum