

AGENDA

**CITY OF HENDERSONVILLE
PLANNING BOARD MEETING
City Operations Center
305 Williams Street
Monday, June 8, 2020
4:00 P.M.**

- I. Call to Order**
- II. Approval of Agenda**
- III. Approval of Minutes for the meeting of April 20, 2020**
- IV. Conditional Zoning District** – Application for a conditional rezoning from Riddle Development, LLC. The applicant, Stephen Drake, is requesting to rezone the subject property PIN 9568-77-1057, and located on 1st Avenue West, from R-6, High Density Residential to CMU CZD, Central Mixed Use Conditional Zoning District for the development of two quadplex units, for a total of 8 residential units on approximately 0.57 acres (File #P20-1-CZD).
- V. Adjournment**

M E M O R A N D U M

TO: Planning Board
FROM: Development Assistance Department
RE: West Avenue Villas
FILE #: P20-1-CZD
DATE: June 8, 2020

PROJECT DESCRIPTION

The City is in receipt of a Conditional Rezoning application from Andrew Riddle, of Riddle Development, LLC for the development of two quadplex units, for a total of 8 residential units on approximately 0.57 acres. The project is located on Parcel #9568-77-1057. The applicant is requesting to rezone the subject property from R-6 High Density Residential to CMUCZD, Central Mixed-Use Conditional Zoning District.

At their February 10th meeting, the Planning Board decided to continue this project to ensure that adequate time was available to discuss possible conditions with the developer, members of the board and citizens. The applicant has submitted a revised site plan to address comments received at the neighborhood compatibility meeting and Planning Board meeting.

This application is a conditional rezoning review. The preliminary site plan is subject to recommendation by the Planning Board and approval by City Council.

EXISTING LAND USE & ZONING

The subject property is zoned R-6 high density residential and is vacant.

Parcels to the north are zoned CMU, Central Mixed Use and contain Hendersonville First Church of the Nazarene and residential uses. Parcels located to the east are zoned CMU and include residential and commercial uses. Parcels located to the south are zoned R-6 and CMU and include commercial and residential uses. Parcels located to the West are R-6 and contain religious and residential uses. Surrounding land uses and zoning districts are shown on the "Existing Land Use Map" and "Zoning Map" on page 11 and 12 respectively.

COMPREHENSIVE PLAN CONSISTENCY

The subject property is classified as Medium Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map. The goal of the Medium Intensity

Neighborhood classification is to “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.”

The 2030 Comprehensive Plan’s Future Land Use Map designates Parcels located to the North and East of the subject property as Downtown Support. The parcels located to the south and west of the project are classified as Medium Intensity Neighborhood and Natural Resource and Agricultural.

The 2030 Comprehensive Plan’s Future Land Use Map is located on page 13.

PLAN REVIEW

Buildings

The revised preliminary site plan shows two quadplex units for a total of 8 residential units. The site plan and building elevations are attached to this memo.

Parking

Eight parking spaces are required per the Zoning Ordinance. 18 parking spaces are provided at the rear of the property. Street parking will also be available.

Landscaping

Landscaping is provided for vehicular use areas, as well as additional trees along the internal streets and around the common amenities.

1 tree is provided for every 25 linear feet of property line that abuts a public street.

Trash facilities

A trash can corral is provided at the rear of the property to house roll-out containers for the units.

Sidewalks

Sidewalks will be provided along the 1st Avenue frontage of the project.

NEIGHBORHOOD COMPATIBILITY

A neighborhood compatibility meeting concerning the application was held on January 30th, 2020. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by the Zoning Ordinance.

12 people representing the public attended the meeting. Attendees asked questions regarding traffic on First Ave., parking, density, and lot size. A copy of the neighborhood compatibility report accompanies this memorandum on page 7.

ZONING ORDINANCE GUIDELINES

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. **Comprehensive Plan consistency.** Consistency with the Comprehensive Plan and amendments thereto.
2. **Compatibility with surrounding uses.** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. **Changed conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
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.
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.
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.

SUGGESTED MOTIONS

I move the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property from R-6 High Density Residential to CMUCZD, Central Mixed Use Conditional Zoning District, based on the revised site plan submitted by the applicant and subject to the limitations and conditions stipulated on the Published List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons:

[PLEASE STATE YOUR REASONS]

For Recommending Denial:

I move the Planning Board recommend the City Council not adopt an ordinance rezoning the subject property for the following reasons:

[PLEASE STATE YOUR REASONS]

IN RE: West Avenue Villas (File # P20-1-CZD)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

Residential dwellings multi-family

II. Conditions:

(1) Shall Be Attached to the Conditional Rezoning and Satisfied Prior to Issuance of Final Site Plan Approval:

(2) Shall Be Attached to the Conditional Rezoning:

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Hendersonville Zoning Ordinance and Code of Ordinances.

Riddle Development, LLC

Signature: _____

Printed Name: _____

Date: _____

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF HENDERSONVILLE**

IN RE: West Avenue Villas
(File # P20-1-CZD)

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:

Parcel 9568-77-1057 from R-6 High Density Residential to CMUCZD
Central Mixed-Use Conditional Zoning District.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 2nd, day of July 2020.

Barbara Volk, Mayor

ATTEST:

Tammie K. Drake, CMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney

Planning Report
Neighborhood Compatibility Meeting
Application for a Conditional Zoning District
West Avenue Villas File # P20-1-CZD
Thursday, January 30, 2020 2:00 p.m.

Daniel Heyman, Planner, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Center. Approximately twelve members of the public, two application representatives and three City staff were in attendance. The follow signed in:

Name	Address	Name	Address
Stephen Drake (app)	Mills River	Ronnie Redden	336 1 st Avenue West
Andrew Riddle (app)	First Avenue West	Mary Jo Pagent	334 3 rd Avenue West
John McMahan	822 Barbara Blvd.	Jeff Fox	332 1 st Avenue West
John Carnes	530 1 st Avenue West	Katy Gash	400 1 st Avenue West
Cynthia Chapman	530 1 st Avenue West	Sherrie Hill	403 1 st Avenue West
Nenon Ujiki	115 S. Washington St.	Daniel Heyman	staff
Alton King	109 Fleming Street	Tyler Morrow	staff
Ed King	105 Fleming Street	Terri Swann	staff
Jo Kay	336 1 st Avenue West		

Mr. Heyman opened the meeting explaining this is the first step in a three-step process. He explained the conditional rezoning process adding anyone who received notice of this meeting would receive notice of the City Council Public Hearing. Minutes of this meeting will be forwarded to Planning Board and City Council. Mr. Heyman said the project will go before the Planning Board February 10th and City Council will hear the project March 5th. Mr. Heyman stated this meeting is for the neighbors to learn about the project and they should focus on the compatibility of the project in the neighborhood. The property is currently zoned R-6, High Density Residential. This will be a 12-unit multi-family structure. This is an informal meeting, but everyone should speak one at a time because minutes are being taken.

Stephen Drake, applicant stated he is requesting the rezoning and will be rebuilding the site. This is a unique parcel as it has been vacant for a long time. This will be a residential nature and will provide homes for several families. It will be called West Avenue Villas and is a two-story building that will cater to seniors, snowbirds, empty nesters and single professionals that would like to be in a walkable community. Residents can walk to church, work, events, etc. This building will look like a larger home with smart siding or high-end vinyl. It will have a brick veneer foundation. The parking will be in the rear of the building and won't really be seen. He plans to have a landscape buffer on each side of the property. The units will be sold as condos with the possibility of being rented. Any rentals will be handled by a professional management company and applicants will be screened. This proposed development provides a great opportunity for anyone that loves downtown.

Jo Kay, 336 1st Avenue West asked what the cost of the units would be. Mr. Drake stated \$240,000 to \$250,000. There will be 13 spaces for the multi-family units. The target market is snowbirds, seniors and single professionals. If they see any overflow, then they could park on the street.

Cynthia Chapman, 530 1st Avenue West asked if the developer was the current owner. Mr. Drake stated no, Mr. Riddle owns the property, but Mr. Drake will be developing it. Ms. Chapman asked if any would be reserved for lower income. Mr. Drake stated no.

Nenon Ujiki, 115 A & B South Washington Street stated her mother sold her property to Sam Riddle and there are three homes in the area that he purchased. It was her family homes that belonged to her mother and aunt. She wanted to know if the structures on those properties would be torn down. Mr. Drake stated no, they did not own that property and the property they are proposing to develop is vacant. She was also concerned about who would be buying these units. You cannot make the seniors or snowbirds purchase the units. Anyone could try to purchase one.

Mr. Drake stated they are not allowed to discriminate but he builds a lot of properties like this and they tend to have more seniors purchasing them.

Ms. Ujiki believes there is more of a need for lower moderately priced housing for young couples starting out.

Mr. Drake stated this project is so small that they cannot make it work as restricted income development. They would never get approval from the agencies providing the money. He does agree that lower income housing is needed but this project is not suited for that.

Ms. Chapman stated she thinks something does need to be done with the property, but she is not sure this is the right fit.

There were some concerns about who owns this property. Mr. Drake stated the Riddle family owns this piece of land.

Andrew Riddle, property owner stated he owns this tract that they are proposing for the condos. He sold the other properties to Matt Johnes about two years ago.

Ms. Ujiki stated she thinks Mr. Johnes should be at this meeting. Mr. Riddle stated he received a letter about this meeting. She also was concerned about these units being used as vacation rentals. Mr. Drake stated they will have a Homeowner's Association in place so that the buyers will sign an agreement not to use the units as vacation rentals.

Ms. Kay asked if the building would have an elevator. Mr. Drake stated no, there will be two sets of internal stairs in the building.

Ms. Chapman asked if the zoning was the same for condos and apartments. Is there a difference? Mr. Heyman stated they are both considered multi-family.

Mr. Ed King stated he lives at 105 Fleming Street and he is concerned about the parking on the street. Traffic is a lot heavier than when his parents built their house in 1972. Adding 12 to 15 cars parking on

the street is only going to create more traffic problems. Why limit the parking they have? Why not limit the number of units to six?

Mr. Drake stated it is a very wide road out there. Mr. King stated there have been a lot of wrecks on 1st Avenue. They are saying this is not a problem, but it is a problem. Add that many cars to the street and you are going to have problems. Mr. Drake stated they can talk with NCDOT about this and maybe designate parking to one side of the street.

Jeff Fox, 332 1st Avenue West asked if the zoning has been successfully changed yet. Mr. Heyman stated no, this is a three-step process and this meeting is only the first step. It will go the Planning Board for their recommendation in February and then to City Council for final approval in March.

Mr. King asked what this project will do to the value of the surrounding properties. Mr. Drake stated he believes it will increase the value of the surrounding properties. Mr. King stated in that case he has another concern. If the value of those properties increase, then so will their taxes. These are old properties and they cannot afford their taxes going up. Some of these places will just have to be torn down because they will not be able to keep up.

Ms. Chapman stated she has four major concerns: parking on the street, increasing the density because that makes it out of character with the neighborhood, more architectural detail needs to be added to the building and the 12-foot setback is not enough. This is a massive building on a very small lot. The front setback influences the whole neighborhood and most of the homes have double the setback on the front.

Ronnie Redden, 336 1st Avenue West stated he does not think this building fits into the neighborhood. The parking is not going to work. They need at least 24 parking spaces on site. The street is wide but if you have cars parked on both sides, that narrows the street.

A neighbor asked about having a dumpster on the property. Mr. Drake stated they would not have a dumpster. They plan to have shared roll outs. The neighbors were concerned this would be an issue as well.

Mr. Redden stated this does not fit in with the neighborhood. He is not sure why the city would want this project this close to Main Street.

Mr. Drake stated having the project this close to Main Street will allow people to walk downtown.

Mr. King stated the doesn't see the need for this and throwing all this traffic on 1st Avenue. His concerns are the cars, traffic, density and trash cans. These are all big concerns.

Mr. Fox stated people park here during events and it doesn't work now. He can only imagine what parking will be like if this is built.

Mary Jo Pagent, 334 3rd Avenue West asked staff to explain the difference in a rezoning request and conditional zoning. Mr. Heyman stated this is a rezoning request to a conditional zoning district. The request is for the rezoning to be Central Mixed Use Conditional Zoning District. This means conditions

may be placed on the project by the Planning Board or City Council as long as the applicant is agreeable. Mr. Heyman stated the property is currently zoned R-6 which is a strictly residential zoning. The change would make it mixed use but no commercial use will be on this development.

Ms. Chapman was concerned that the rezoning would take place and then the project would not get built and if this property was resold it could be a commercial building built on the property. Mr. Heyman explained that if the rezoning gets approval it is only for this development. If this development does not get built, any changes would have to go back through the three-step process for another approval.

Mr. Heyman stated the current zoning does not allow commercial uses on the property. Mr. Heyman explained the density requirements for the R-6 zoning district.

Katy Gash, 400 1st Avenue West had concerns about how important this meeting was. She was concerned if what was said here really matters. Mr. Heyman stated that minutes are being taken for this meeting and then put into the memo for Planning Board and City Council. Ms. Gash asked if he had already sided with the developer. Mr. Heyman explained that he did not take any sides, he is only staff. The citizens have elected officials, which is their City Council and they do take into consideration the concerns of the residents. The City Council does feel that the citizens input is important. City Council will have final decision on this project.

Mr. Heyman stated that staff does notify the adjacent property owner within 400 feet of a project. The site also gets posted and it is advertised with the media. There were quite a few letters sent out for this meeting.

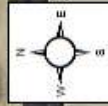
Ms. Ujiki stated she would not be in town for the February or March meeting. Mr. Heyman stated he would be glad to take her written comments and concerns to the Planning Board and City Council. Ms. Ujiki stated she did not want him to do that.

Mr. Riddle stated he wants to be a good neighbor, but he does not believe both sides will be 100% agreeable. They need to work together and come up with a solution on how to grow without growing on top of each other. Yes, things can change and yes, they are flexible. He appreciates the concerns of the neighbors.

Mr. Heyman stated this concludes the meeting. He stated the next step for this project is the Planning Board and everyone that got noticed will be noticed of the Planning Board meeting as well.

With no further comments or questions, Mr. Heyman closed the meeting at 2:45.

WEST AVENUE VILLAS
P20-1-CZD
DEVELOPMENT ASSISTANCE DEPARTMENT
EXISTING LAND USE



**HENDERSONVILLE FIRST
CHURCH OF THE
NAZARENE**

PIN: 9568-77-1057
APPROXIMATELY
0.57 ACRES

**THE
FURNITURE
BARN OF
HENDERSONVILLE**

WHITMIRE ACTIVITY CENTER



CITY OF HENDERSONVILLE
JANUARY 2020

**SPEAK LIFE
COMMUNITY CHURCH**

Subject Property



