

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 7, 2025

SUBJECT: Public Hearing for Conditional Rezoning Application #R-2025-01-CD,
The Cottages at Sugarloaf Meadows

PRESENTER: Lee Stevens, Planner III

ATTACHMENTS:

1. Staff Report
2. Site Plan
3. Proposed Conditions
4. Neighborhood Meeting Summary
5. Certification of Public Hearing Notification
6. Plan Consistency Statement
7. Staff PowerPoint Presentation

SUMMARY OF REQUEST:

Rezoning Application #R-2025-01-CD was initiated on February 14, 2025, and requests that the County conditionally rezone approximately 31.46 acres of land from Residential Two Rural (R2R) to a Conditional District (CD-2025-01). The project contains all of PINs 9589-35-2768 and 9589-26-9624 that have direct access to Sugarloaf Rd (SR1734). The Cottages at Sugarloaf Meadows, LLC, and Claire McConnell are the current property owners. The applicant is the Cottages at Sugarloaf Meadows, LLC, and Tyler Wagner is the appointed agent.

The applicant is proposing to develop a single-family residential subdivision for 50 homes. As a part of this project, the applicant requests the parcel to be rezoned to a Conditional Zoning District (CD-2025-01). Conditional rezonings allow for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighborhood compatibility meeting was held on Tuesday, March 11, 2025, in the King Street Meeting Room. A copy of the meeting report is attached.

The Technical Review Committee (TRC) reviewed this application on March 18, 2025, and made a motion to forward it to the Planning Board with conditions as discussed. The Planning Board reviewed this application on March 20, 2025, and voted unanimously to forward a favorable recommendation to the Board of Commissioners with the conditions as discussed. A copy of the conditions is included as an attachment.

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law. Notice of the April 7, 2025, public hearing regarding rezoning application #R-2025-01-CD was published in the Hendersonville Lightning on March 26th, 2025, and April 2nd, 2025. The Planning Department sent notices of the hearing via first-class mail to the owners of properties within 400 feet of the Subject Area on March 21, 2025, and posted signs advertising the hearing on March 24, 2025.

BOARD ACTION REQUESTED:

Before taking action on the rezoning request, the Board of Commissioners must hold a public hearing. A suggested motion is provided.

Suggested Motion:

I move that the Board (approve, approve with modifications, or deny) rezoning application #R-2025-01-CD to rezone the Subject Area to a Conditional District (CD-2025-01) with the attached 2045 Comprehensive Plan Statement based on the recommendations of the 2045 Comprehensive Plan, and with any conditions stated in the proposed conditions attachment and additional conditions as discussed, and;

If approved, I move that the Board amend the 2045 Comprehensive Plan Future Land Use Map to apply the Infill Character Area to the Subject Area parcels.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:
Lee Stevens, Planner III

APPLICATION #
R-2025-01-CD

BOARD OF COMMISSIONERS MEETING DATE:
April 7, 2025

PROPERTY OWNERS
The Cottages at Sugarloaf Meadows, LLC
Claire H. McConnell

PROPERTY LOCATION/ADDRESS
1936 Sugarloaf Rd
1862 Sugarloaf Rd (SR 1734)
Blue Ridge Township

APPLICANTS
Tyler Wagner, P.E.

PIN(S):
9589-35-2768 & 9589-26-9624

SUMMARY OF REQUEST

A rezoning of the above-referenced PINs (hereafter the subject area) from **Residential Two Rural (R2R)** to **Conditional District (CD-2025-01)** for the Cottages at Sugarloaf Meadows.

Existing Zoning	Residential Two Rural (R2R)
FLUM Character Area	Employment and Industry
Existing Land Use	Residential
Site Improvements	Two single-family homes
Request Acreage	31.46 Acres per engineer site plan

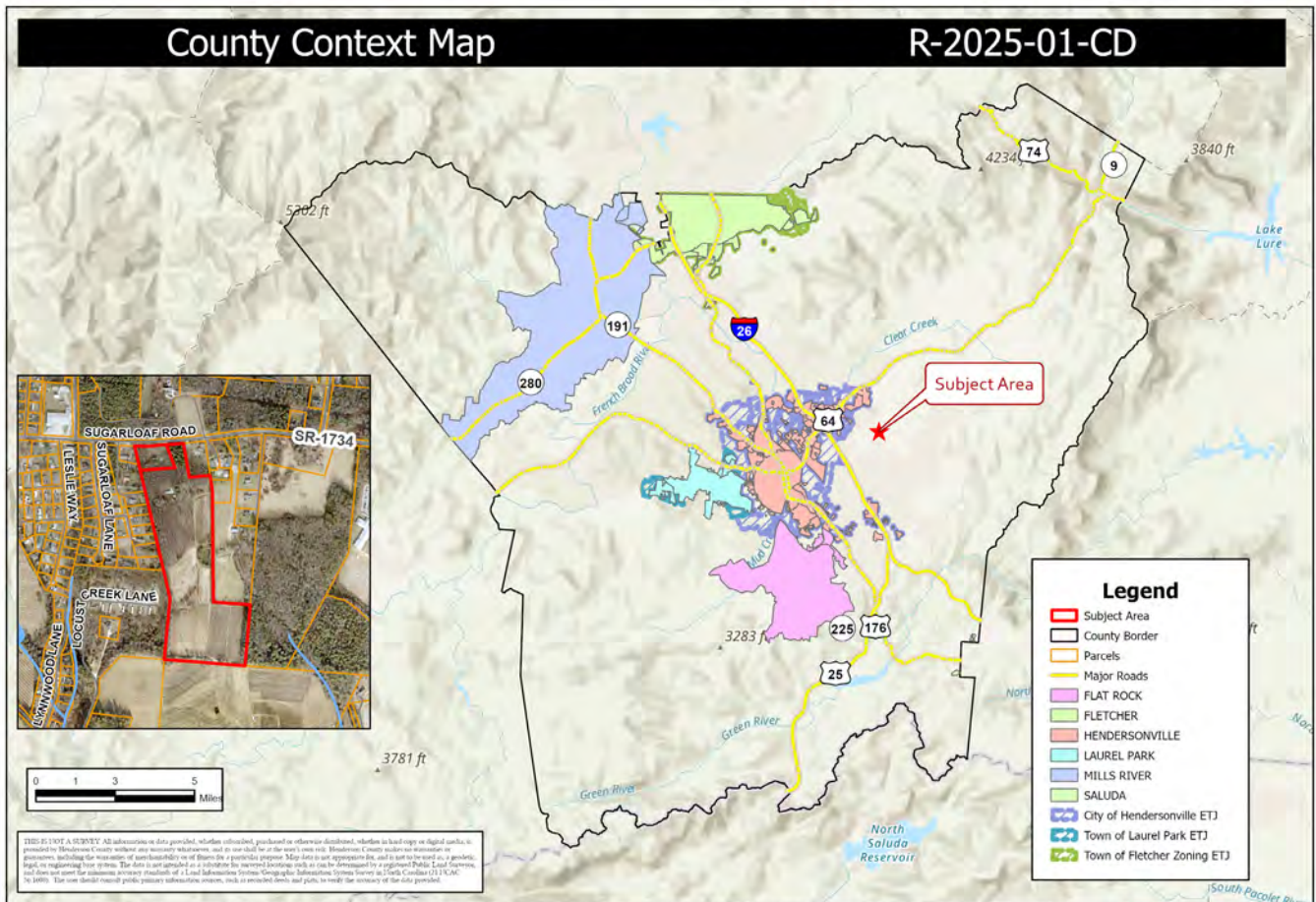
ADJACENT ZONING

North	R2R
East	R2R, I
South	I
West	R2R

USE OF LAND

Vacant
Residential, Vacant
Residential, Agriculture
Residential, Vacant

Map A: County Context



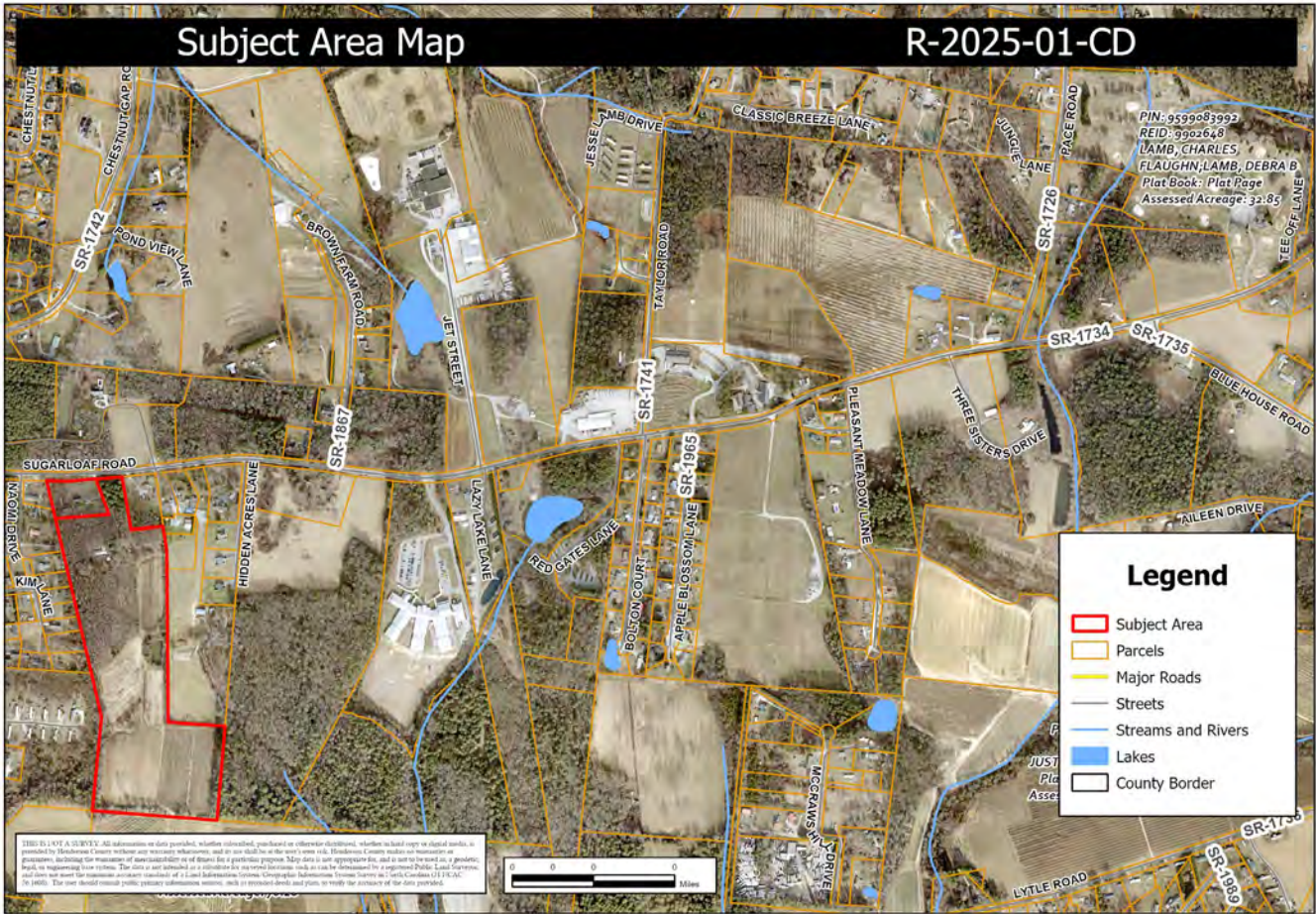
Property Owner(s): The Cottages at Sugarloaf Meadows LLC; Claire McConnell
 Total Acreage: 31.46 Acres
 Zoning District: R2R to CD-2025-01



BACKGROUND:

The applicants, the Cottages at Sugarloaf Meadows, LLC, and Claire H. McConnell, seek to rezone PIN 9589-35-2768 and PIN 9689-26-9624 from Residential Two Rural (R2R) to Conditional District (CD-2025-01). The subject area is approximately 31.46 acres. The attached site plan proposes a subdivision for 50 single-family homes, common space, and an amenity area. Each parcel currently has a single-family home on it that would be removed for development.

Map B: Subject Area



Property Owner(s): The Cottages at Sugarloaf Meadows, LLC; Claire McConnell
 Total Acreage: 31.46 Acres
 Zoning District: R2R to R-2025-01-CD



SUBJECT AREA & ADJACENT PROPERTIES:

Subject Area

Both parcels are currently residential in use. Each parcel has a single-family home. The larger tract was previously enrolled in Present Use Value (PUV) until its sale in September 2024, and is in a Voluntary Agriculture District (VAD). If this conditional rezoning is approved, it will be removed from VAD. It is currently actively used for agriculture.

Adjacent Uses

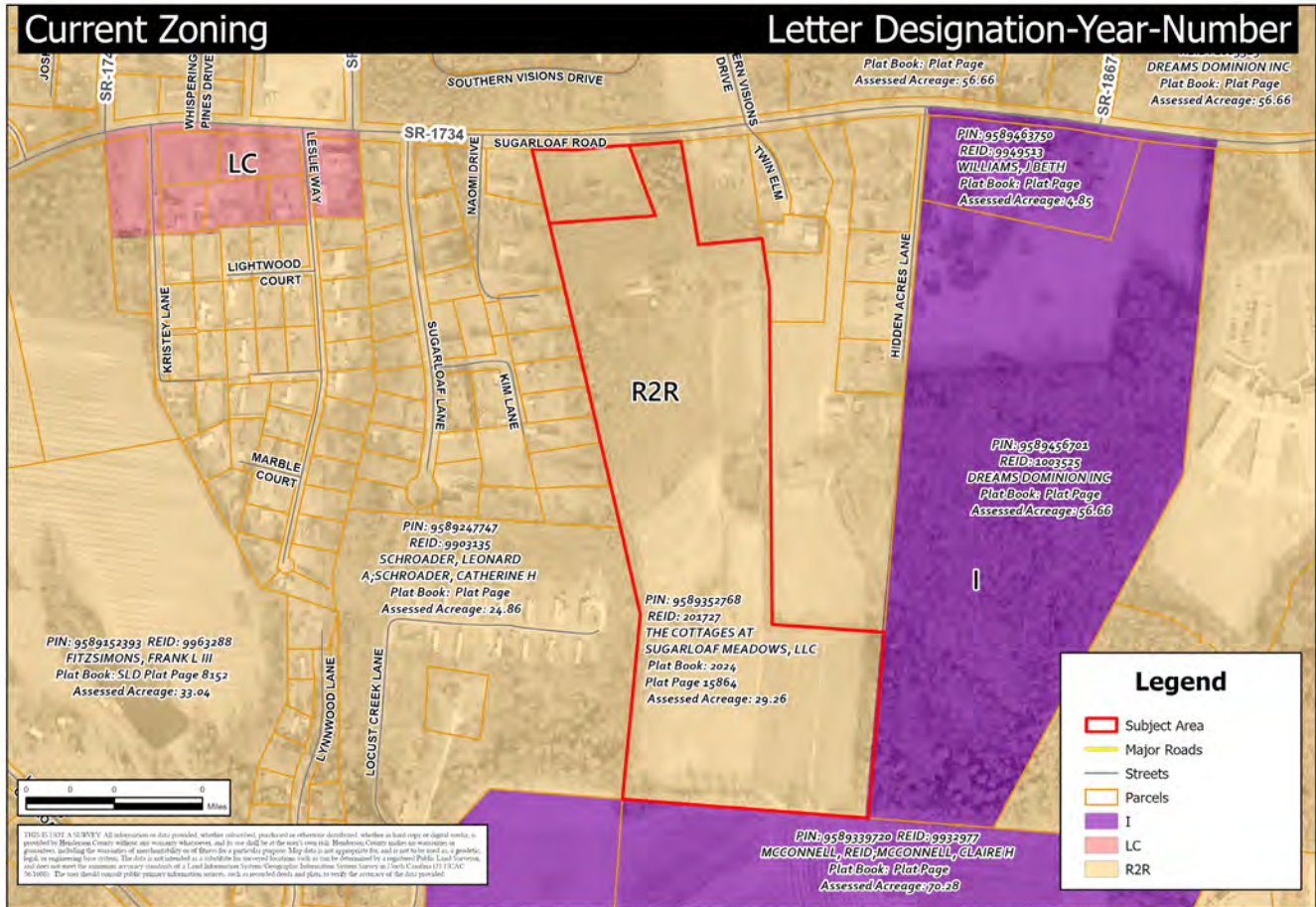
West: The parcels to the West of the subject area contain residential structures and vacant land.

South: The parcel to the South of the subject area contains a residential structure and agriculture, including a barn, storage structures, and greenhouses.

East: The parcels to the East of the subject area contain residential structures and vacant land.

North: The parcel to the North of the subject area, across Sugarloaf Rd, is currently vacant.

Map C: Current Zoning



Property Owner(s): The Cottages at Sugarloaf Meadows, LLC; Claire McConnell
 Total Acreage: 31.46 Acres
 Zoning District: R2R to CD-2025-01



District Comparison:

Residential Two Rural (R2R): “The purpose of Residential Two Rural (R2R) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development and rural commercial and light industrial development consistent with the recommendations of the Comprehensive Plan. This general use district is typically meant to be utilized outside areas designated as Utility Service Area (USA) in the *Comprehensive Plan*.” Standard residential density is 1 unit per acre and a maximum height of 40’. (LDC §42-27).

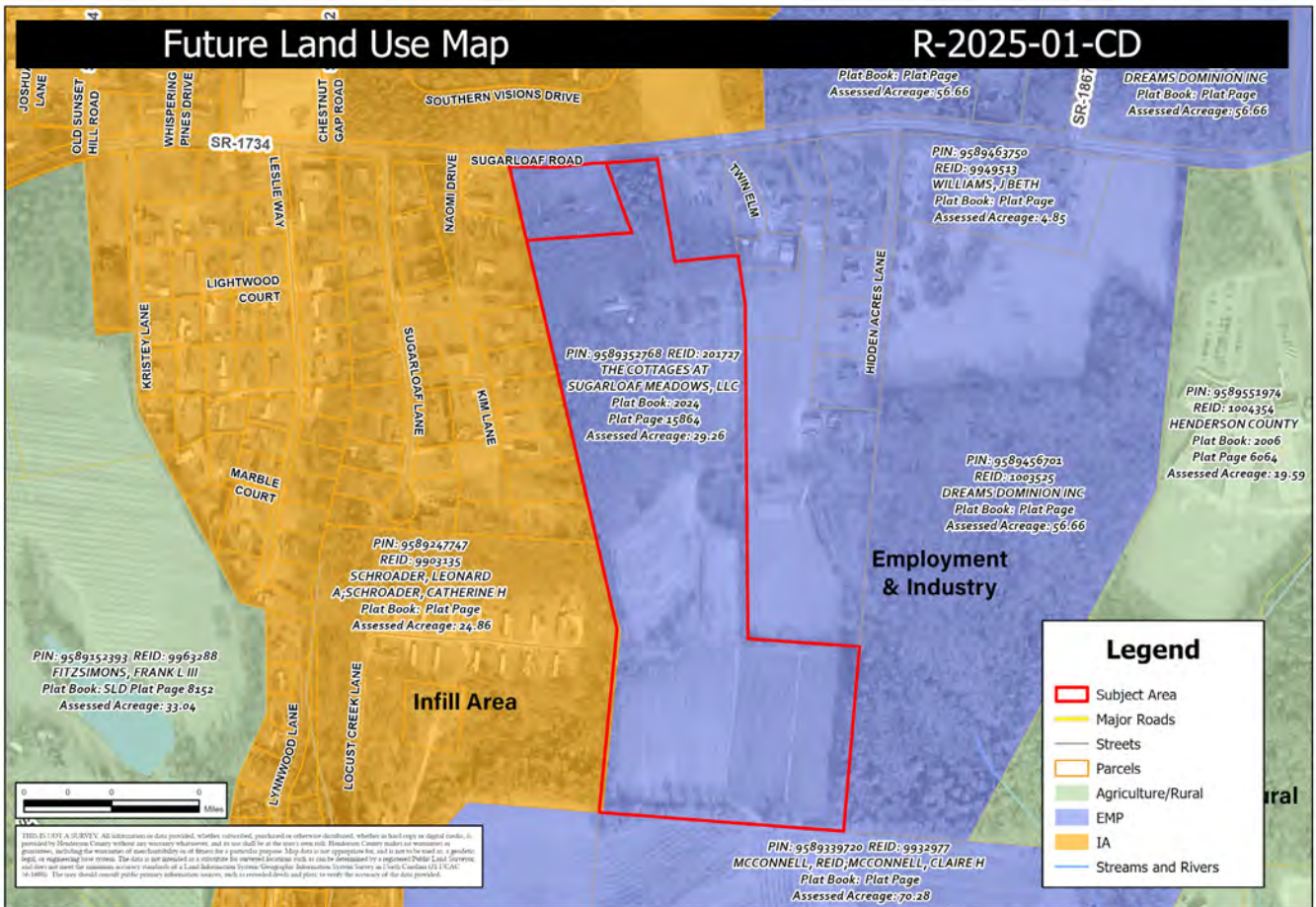
Conditional District (CD): “Conditional Zoning Districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and, in order to, among other reasons, carry out the purposes of the Comprehensive Plan, proposes to impose special limitations and conditions on the use of the property proposed for rezoning”

(Chapter 42, Land Development Code §42-45). Conditions may be imposed in the furtherance of the purpose of the LDC and the recommendations of the County Comprehensive Plan.

Nearby Development: Orchard Trace is a recently submitted development on Sugarloaf Road east of the subject area. Orchard Trace received conditional approval for its master plan for 52 single-family residential lots on a total of 32.43 acres, with an overall density of 1.5 units per acre.

Conditional Zoning Approval: If a petition for conditional zoning is approved, the development and use of the property shall be governed by the existing Chapter requirements applicable to the district's category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute zoning regulations for the approved district and are binding on the property as an amendment to these regulations and to the Official Zoning Map. Only those uses and structures indicated in the approved petition and site plan shall be allowed on the subject property.

Map D: 2045 Future Land Use Map



Property Owner(s): The Cottages at Sugarloaf Meadows, LLC; Claire McConnell
 Total Acreage: 31.46 Acres
 Zoning District: R2R to CD-2025-01



2045 Comprehensive Plan Compatibility

The 2045 Comprehensive Plan Future Land Use Map identifies the subject area as being in the **Employment and Industry** character area.

Employment and Industry: “Employment and Industry areas offer job-generation, site-ready parks, accessible road networks, and utilities. Industries come in many different forms including manufacturing, agriculture, distribution, office, research and development (R&D), etc. The design of development sites in these areas should be tailored to be compatible with other nearby uses.” (Part 2, page 46)

It is also adjacent on the Future Land Use Map to the **Infill** character area, which is defined as “Infill Area consists of residentially focused areas that include a mix of housing types inside subdivisions and planned developments. These areas should have an improved transportation network and accommodate a variety of home options. Universal design that allows aging-in-place should be encouraged where appropriate.” (Part 2, page 45)

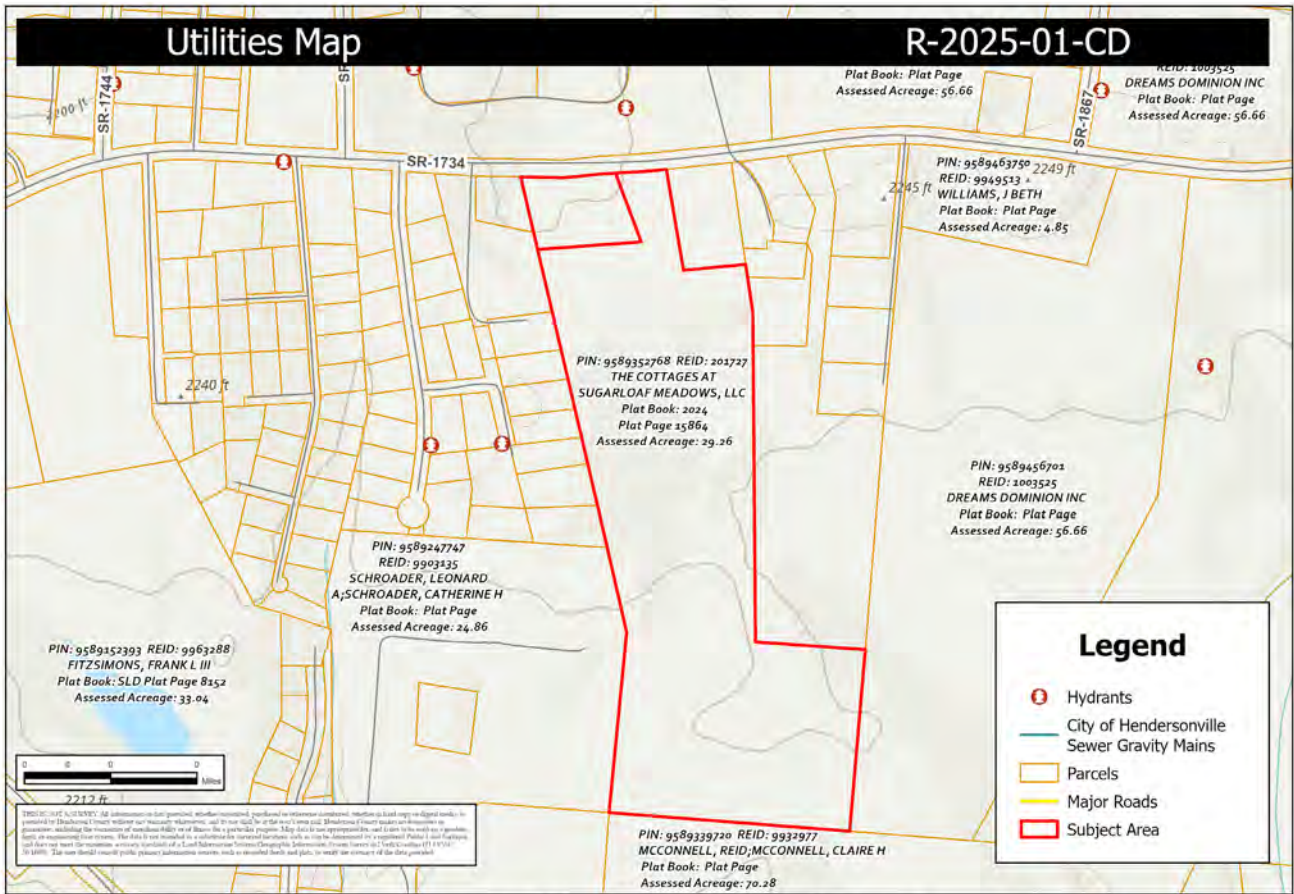
If the rezoning is approved for development, the FLUM should be amended, and Infill should be applied to the subject area.

Plan Outcomes & Goals:

The 2045 Comprehensive Plan highlights the need for more housing supply with a greater variety of housing types in Henderson County to accommodate a broader range of residents. Rising housing demand and costs arose as a key issue during the engagement process. Outcome 3 of the plan emphasizes the need to improve housing availability. Goal 7 of the plan states to “diversify housing choices and increase availability” (p. 86).

- Rec 7.2: Encourage development of housing.
 - A. Consider creating incentives to encourage the creation of workforce housing developments.
 - C. Support appropriately sized affordable housing developments within rural, agricultural areas and residential zoning districts.
- Rec 7.4: Locate workforce housing near jobs.
 - A. In accordance with guidance from the Future Land Use Map, support residential development near employment areas and in and around commercial centers.

Map F: Utilities Map



Property Owner(s): The Cottages at Sugarloaf Meadows, LLC; Claire McConnell
 Total Acreage: 31.46 Acres
 Zoning District: R2R to CD-2025-01



Water and Sewer

The applicant is proposing to connect the subject area to the City of Hendersonville municipal water. The applicant will also provide individual septic systems for each proposed single-family home. The applicant has hired a soil scientist who has inspected the land and has designed the lots, homes, septic systems, and roads around soil suitability. The applicant has selected an Engineered Option permit.

Proposed Conditional District (CD-2025-01) Development

As part of the rezoning application, the applicant has submitted a site plan of the proposed development. The applicant is proposing to use the site for a residential development with on-site amenities for the residents. The standard density of R2R is one unit per acre, and a maximum of two units per acre. The Conditional District allows the Board of Commissioners to place conditions or restrictions on the property that binds this specific development and location. The site plan limits the development size and density as shown if approved. Any changes would require an amended site plan and approval of the Board of Commissioners. Below is an overview of the proposed development.

- 50 total single-family residential homes
 - 0.4 acre average lot size
- Amenities
 - Privacy fence along Sugarloaf Rd with gate for entry to the subdivision
 - Pickleball courts (2)
 - Dog park
 - Playground
 - Restroom facilities
- 20 parking spaces proposed adjacent to the Common Space amenities, including one handicap space
- Landscaping
 - 168 street trees (min. 50 ft apart)
- 4,365 LF of private roadway
 - 50' right-of-way
 - 20' wide drive aisles throughout development
 - Valley curb
 - Gated entry
- Septic and repair area
 - A soil scientist has determined where there are suitable soils for septic drain fields, and the lots, private drive, and structures have been designed around soil suitability
 - Individual septic and repair area for each proposed home
- Open Space is shown as 7.85 acres
- Common Space is shown as 1.33 acres

Neighborhood Compatibility Meeting

The Neighborhood Compatibility Meeting was held on March 11, 2025, and a meeting summary is provided as an attachment.

Technical Review Committee (TRC) Recommendations

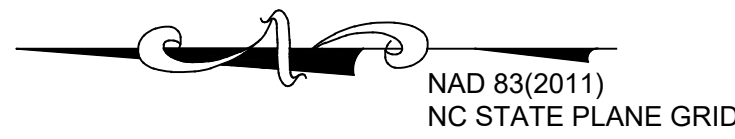
TRC met on March 18, 2025. All conditions placed on the project have been included in the attached conditions list.

Planning Board Recommendations

The Planning Board reviewed the application on March 20, 2025, and voted unanimously to recommend the BOC approved the conditional zoning application with the conditions discussed. All conditions placed on the project have been included in the attached conditions list.

Board of Commissioners Public Hearing

The Board of Commissioners will hold a public hearing for the application of April 7, 2025.



SITE DATA:
 TRACT #1:
 THE COTTAGES AT SUGARLOAF MEADOWS, LLC
 PIN: 958932788
 D.B. 4208 PG. 167
 AREA: 29.34 ACRES

TRACT #2:
 MCCONNELL, CLAIRE H.
 PIN: 958926924
 D.B. 4239 PG. 188
 AREA: 2.12 ACRES

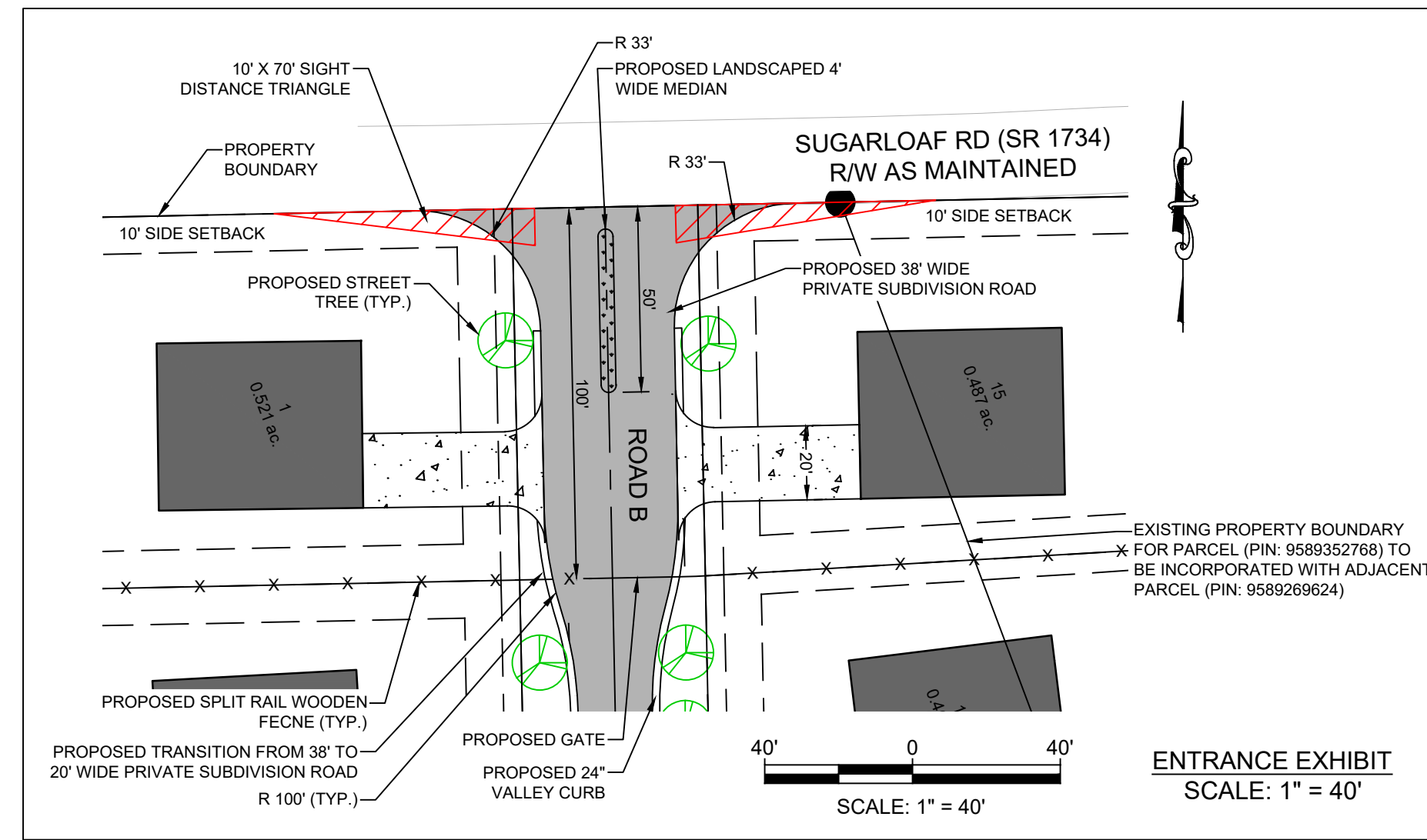
PROPOSED COMBINED PARCEL:
 TOTAL AREA: 31.46 ACRES
 COMMON AREA: 1.30 ACRES
 AREA IN LOTS: 26.51 ACRES
 AREA IN PROP. R/W: 4.93 ACRES
 NUMBER OF LOTS: 54
 NUMBER OF HOMES: 50
 HOME TYPE: SINGLE FAMILY RESIDENTIAL (3 BEDROOMS EA)
 LINEAR FEET OF STREET: 4,365 LF

PRE-DEVELOPMENT IMPERVIOUS: 0.38 ACRES
POST-DEVELOPMENT IMPERVIOUS: 6.55 ACRES

ZONING:
 EXISTING ZONING: RESIDENTIAL TWO RURAL (R2R)
 PROPOSED ZONING: RESIDENTIAL ONE (R1)
 DEVELOPMENT STANDARDS: HENDERSON COUNTY
 MINIMUM LOT SIZE: 0.25 ACRES
 FRONT SETBACK: 15'
 SIDE SETBACK: 10'
 REAR SETBACK: 10'
 AVG. LOT SIZE: 0.4 ACRES
 OPEN SPACE REQ. 25% x 31.46 ACRES = 7.86 ACRES
 OPEN SPACE PROVIDED: 7.99 ACRES
 - SEPTIC & REPAIR AREA: 4.59 ACRES
 - AMENITY AREA: 0.90 ACRES
 - LOT 52: 0.40 ACRES
 - EASEMENT: 2.10 ACRES

LANDSCAPING:
 REQUIRED LANDSCAPING: 1 TREE / 50 LF OF ROAD FRONTAGE
 X 8,391 LF OF ROAD FRONTAGE = 188 STREET TREES
 PROVIDED LANDSCAPING: 188 STREET TREES

WATERSHED DATA:
 WATERSHED: NONE
 WATERSHED CLASSIFICATION: NONE
 RIVER BASIN: FRENCH BROAD
 SOIL TYPES:
 - DELANCO (DILLARD) LOAM (DdB)
 - HAYESVILLE LOAM, 2 TO 7 PERCENT SLOPES (HyB)
 - HAYESVILLE LOAM, 7 TO 15 PERCENT SLOPES (HyC)
 - TATE FINE SANDY LOAM (TdB)
 DISTURBED AREA: TBD



GEOTECHNICAL AND ENVIRONMENTAL ASSESSMENTS PENDING
 1. THIS PRELIMINARY PLAN DOES NOT ACCOUNT FOR SUBSURFACE CONDITIONS SUCH AS SOIL STABILITY, CONTAMINATION, GROUNDWATER LEVELS, OR OTHER GEOTECHNICAL FACTORS. A GEOTECHNICAL INVESTIGATION AND ENVIRONMENTAL STUDY WILL BE NECESSARY TO VERIFY THE SITE'S SUITABILITY FOR THE PROPOSED DEVELOPMENT.

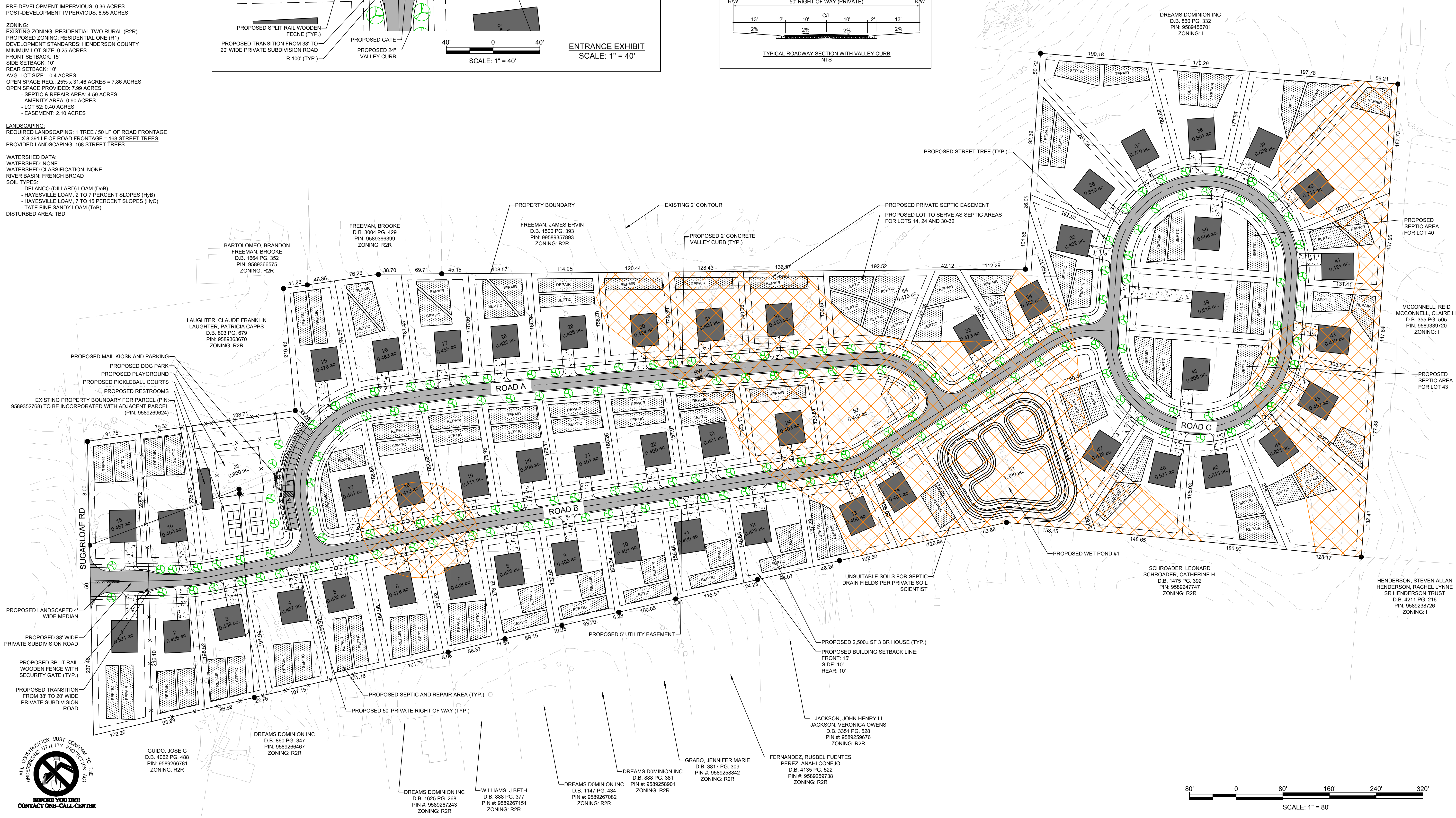
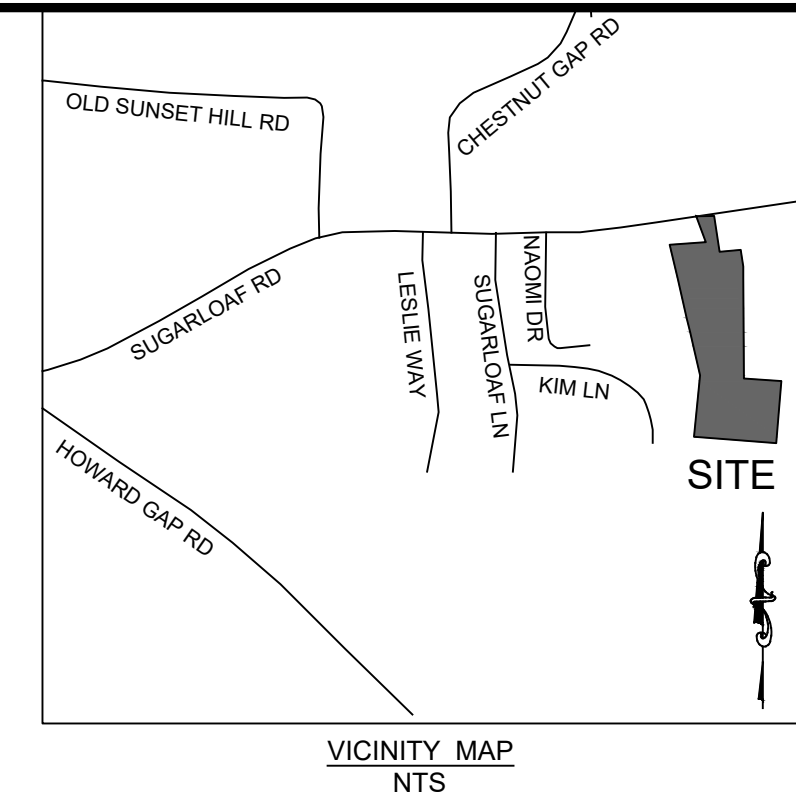
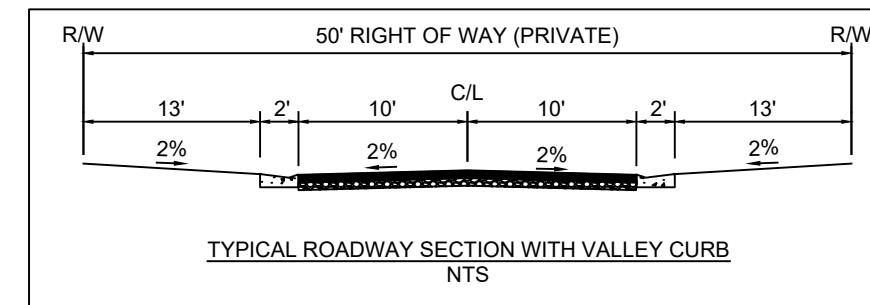
UTILITY LOCATIONS AND AVAILABILITY
 2. THE LOCATION AND CAPACITY OF EXISTING UTILITIES (WATER, SEWER, ELECTRICAL, ETC.) SHOWN ON THIS PLAN ARE BASED ON PRELIMINARY ASSUMPTIONS AND MAY NOT BE ACCURATE. FINAL DESIGN WILL REQUIRE COORDINATION WITH UTILITY PROVIDERS TO CONFIRM UTILITY LOCATIONS, CAPACITY, AND THE NEED FOR EXTENSIONS OR UPGRADES.

NO ASSUMPTION OF CONSTRUCTION COSTS
 3. THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS HAVE NOT BEEN ESTIMATED AND WILL VARY BASED ON FINAL DESIGN, MATERIAL SELECTION, CONTRACTOR BIDDING, MARKET CONDITIONS, AND UNFORESEEN FIELD CONDITIONS. PRELIMINARY BUDGETARY FIGURES SHOULD NOT BE RELIED UPON FOR FINANCING OR DEVELOPMENT DECISIONS.

EASEMENTS, RIGHTS-OF-WAY, AND OTHER LEGAL ENCUMBRANCES
 4. THE EXISTENCE OF EASEMENTS, RIGHTS-OF-WAY, AND OTHER ENCUMBRANCES ON THE PROPERTY IS NOT FULLY REPRESENTED IN THIS PLAN. A TITLE SEARCH AND LEGAL REVIEW ARE NECESSARY TO IDENTIFY ANY SUCH RESTRICTIONS THAT MAY AFFECT THE DEVELOPMENT.

APPROVAL CONTINGENT ON LOCAL AUTHORITIES
 5. THIS PLAN IS SUBJECT TO REVIEW AND APPROVAL BY THE RELEVANT MUNICIPAL AUTHORITIES, INCLUDING PLANNING BOARDS, ZONING BOARDS, AND PUBLIC UTILITY COMMISSIONS. NO GUARANTEE IS PROVIDED THAT THE PROJECT WILL RECEIVE THE NECESSARY APPROVALS WITHOUT REVISION OR THAT APPROVAL WILL BE GRANTED AT ALL.

RISK OF RELIANCE ON PRELIMINARY PLAN
 6. AS THIS PLAN IS PRELIMINARY, IT SHOULD NOT BE RELIED UPON FOR FINAL DECISION-MAKING. ANY RELIANCE ON THIS PLAN FOR INVESTMENT, PURCHASE, OR DEVELOPMENT WITHOUT FURTHER INVESTIGATION AND APPROVAL IS UNDERTAKEN AT THE CLIENT'S OWN RISK. FINAL APPROVALS, PERMITS, AND CONSTRUCTION DOCUMENTATION WILL SUPERSEDE THIS PLAN.



Civil Engineers and Land Surveyors
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 Arden, NC 28704
 (828) 676-2011
 www.feiconsulting.com
 License No. C-0950

COTTAGES AT SUGARLOAF MEADOWS
 REZONING PLAN

DEVELOPER INFORMATION:
 MOORE & SON SITE CONTRACTORS, INC.
 103 McDowell Rd
 US River, NC 28799
 828-250-9794

PROJECT LOCATION:
 TOWNSHIP: HENDERSONVILLE
 COUNTY: HENDERSON
 STATE: NORTH CAROLINA

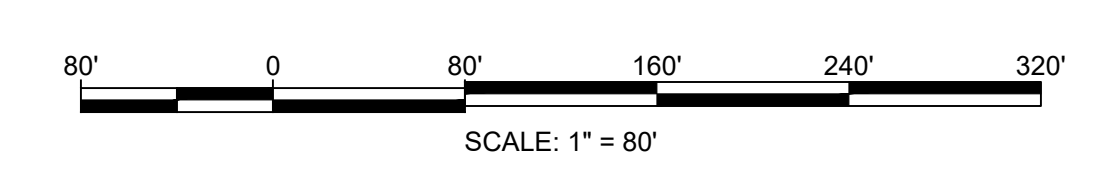
REVISION NOTE

NO.	DATE	RIGHT OF WAY AND ROAD WIDTHS
1	03/13/2025	

DRAWN BY: JHE
 CHECKED BY: TJW
 DATE: 2/14/25
 PROJECT NO.: 13055.004
 REF. NO.:
 SCALE: 1" = 80'

PRELIMINARY SEAL FOR CONSTRUCTION
 J. WAGNER

SHEET
 1 OF 1



Rezoning Application #R-2025-01-CD
The Cottages at Sugarloaf Meadows
Proposed Conditions for Approval

The following conditions are for the application for conditional zoning submitted by the Co-Applicants, the proposed site plan and the Henderson County Land Development Code (herein “Henderson County LDC”). In case of any conflict between this document, the LDC, and the site plan, the final approved site plan will control. To the extent that any specification or development standard has been omitted from or is not addressed in the site plan or this document, the presumption is that the standard or specification in the LDC shall apply. The proposed conditions are as follows.

1. **NCDOT Driveway Permit.** NCDOT Driveway Permit and encroachment agreement is required for access onto Sugarloaf Road (SR 1734). If NCDOT requires a Traffic Impact Analysis (TIA), the applicant is required to install all improvements requested by NCDOT before 50% of the homes are constructed.
2. **Soil Erosion and Sedimentation Control Plan.** The applicant will be required to submit a Soil Erosion and Sedimentation Control Plan to Henderson County Site Development Department. No ground disturbance can take place until a valid permit is obtained and a master and development plan is approved (LDC §42-255).
3. **Stormwater/Water Quality.** The applicant is required to obtain a Stormwater Control Permit from the Henderson County Site Development Department (LDC §42-239).
4. **Water Availability.** The development is proposed to be served by City of Hendersonville public water. The city has approved the water allocation to the site. The applicant still needs to submit all required documentation to the city for final approvals.
5. **Septic System Approval.** The applicant is proposing individual septic systems for each lot and is using the engineered option permit and has provided documentation for the septic system layout including soil determinations.
6. **Fire Protection Requirements.** Per the current fire code, subdivision of more than 30 homes is required to have a second form of egress. This second egress may be utilized by emergency response personal or residents if the main access is inaccessible. If a secondary egress cannot be secured, each home is required to have a fire sprinkler system. However, the fire code is anticipated to be amended in July 2025, and the applicant will have the choice of developing under the current or new fire code regulations if they have not pulled applicable building permits for home construction. The applicant will be required to install a minimum of one (1) hydrant per 1,000LF of road distance since the development area is served by City of Hendersonville public (LDC §42-95(D)).
7. **Entry Gates.** The Applicant should become familiar with the Entry Gate provisions (LDC §42A-81 C (7)) if gates are to be utilized. All entry gates shall be constructed and maintained as required by and in accordance with Chapter 42 of the Henderson County Code, Entry Gates.
8. **Street Tree Requirements.** The applicant will be required to provide one tree per 50 linear feet of property abutting an internal road. Trees may be placed in groups with a minimum spacing of no less than 15 feet and a maximum spacing of no more than 65 feet. The trees

may be placed within the right-of-way or within 20 feet of the edge of the right-of-way. The applicant may use existing trees instead of planting new trees. These existing trees must also be located within the right-of-way or 20 feet off the edge of the right-of-way. The applicant must meet the standards as stated in Chapter 42 (LDC §42-145 &146).

9. **Open Space.** The applicant is proposing 7.85 acres of open space (LDC §42-88).
10. **Lighting Mitigation.** Lighting mitigation is required for all amenity areas.
11. **Hours of Operation.** The hours of operation for any amenity area shall be from dawn to dusk.
12. **Dog Park.** The location of the dog park shall be relocated from behind the playground area to a central location in the development, preferable the inner parcel identified on the plans and reserved for open space.
13. **Vegetative Buffer.** The applicant shall provide a vegetative buffer in areas where there are no trees or buffering established.
14. **Subdivision Setbacks and Buffering for Sugarloaf Road.** The applicant will be required to maintain a 50' structure setback from Sugarloaf Road (SR 1734), with the understanding that lots may be created which contain all or portions of the setback. Additionally, the applicant will be required to install a B2 buffer within the 50' structure setback since Sugarloaf Road (SR 1734) is classified as a collector road (LDC §42-95 (I)). If NCDOT determines that Sugarloaf Road is a classified as a local road, this provision would not apply.
15. **Agricultural Awareness Statement.** The applicant shall record with the on each lot of record an agricultural awareness statement notifying buyers of the close proximity to working agricultural lands and Voluntary Agricultural Districts. The applicant's attorney is working with the County Attorney to determine the final Agricultural Awareness Statement language.

The applicants/developer agrees to all the above conditions.

The Cottages at Sugarloaf Meadows, LLC
Rick Moore

Claire McConnell



Neighborhood Compatibility Meeting
Conditional Zoning Request #R-2025-01-CD (The Cottages at Sugarloaf Meadows)
March 11, 2025, at 3:00 p.m.
King Street Meeting Room located at 100 N. King Street, Hendersonville, NC

Letters about the meeting were mailed to property owners within 400 feet of the proposed development. Both County staff and the applicant(s) agent were present at the meeting.

Ms. Lee Stevens opened the meeting and provided a welcome and introductions. She stated that the purpose of the meeting is for nearby neighbors to learn about the proposed project and ask questions of the applicant prior to formal review by the Planning Board and Board of Commissioners (BOC). The Planning Board meeting to discuss this project will be March 20, 2025, and the anticipated date for the BOC Public Hearing is April 7, 2025, but all property owners within 400 feet of this proposed development will receive notice letters when the public hearing is officially set. She stated that the applicant would provide an overview of the proposed project and offer an opportunity for attendees to ask questions about the proposed development.

Project Overview by the Applicant:

The subject area is currently zoned Residential Two Rural (R2R), with adjacent properties zoned R2R or Industrial (I). Current zoning limits density to 1 house per acre, but the proposed site plan would increase density to approximately one single-family home per 0.4 acre lot. The conditional rezoning, if approved, will force this property to only develop as a single-family development, even if ownership changes. Vegetation that is already present on the lot will be kept as a natural buffer at the property's edge, to the extent possible. As appropriate, smaller existing trees from the interior of the lot will be moved and replanted to fill in gaps in the current vegetative buffer. Ten-foot structure setbacks are indicated on the site plan. Amenities include a dog park, playground, and pickleball courts. The development will have a gated entry, which is set back as required by NCDOT. The development will have City of Hendersonville municipal water, but each lot will be served by a private septic system. There will be a wet pond to treat stormwater on-site, limiting the discharge to less than or equal to the current discharge rate, as required.

Questions and Answer Discussion: Below is a list of questions or comments asked or stated by the adjacent residents that attended the meeting followed by the applicant's response/explanation.

1. The existing pond on the site was already drained; has it been drained to that low point on the site?
 - a. Yes, it has already been drained
2. Why are some lots marked red on the site plan?
 - a. The hatch pattern shows inadequate soils for drain fields for septic, so the lots and septic systems have been designed around soil suitability.
3. Have there been soil samples to test for pesticides, insecticides, etc.?
 - a. Not sure, that would be done if an environmental study was required. That is a factor when well water is planned, where that could be a potential contaminant. But this project plans to use City water.
4. What can we expect for our water pressure as neighbors between this and Orchard Trace?
 - a. That will be determined further into the design process. We will model residential demand. We don't have information on Orchard Trace yet.
 - b. Hydraulic Flow Test will be required by the city to test existing pressure. The city is required to take into account all proposed connections on the line, and if there is a

deficiency, it could be on the developers to upgrade the system for fire suppression and adequate flow. If there is not adequate availability, they must seek an alternative solution to this project. They are also required to supply fire hydrants for this development.

5. Will the City annex this for City taxes?
 - a. No. The city typically requires a voluntary annexation when both water and sewer connectivity is planned.
6. Can the City skip over other properties to annex an area?
 - a. They can do satellite annexation, and they can only push for voluntary annexation when public sewer is requested.
7. Will Ms. McConnell's property be part of this?
 - a. Yes
8. Will the amenity area be open 24/7?
 - a. The hours can be discussed as a potential condition.
 - b. The fence line will go up and around that area. Can make it an opaque fence to block noise and visual.
9. Will the amenity area be lit?
 - a. Probably not, but if it is, they will have to mitigate the lighting per regulations.
 - b. Because this is conditional, we can add conditions that the developer would have to meet, such as lighting mitigation and fencing.
10. There is currently a one-lane driveway currently off Sugarloaf Rd; will that be expanded?
 - a. Existing drive will be totally removed. The drive aisle for this property will be farther west on the property.
11. Many of the trees currently on the property have been there for 20+ years and are too big to be moved, so what will be used to create the buffer?
 - a. They will take smaller trees that are easier to move. Where there are bare areas, we can plant evergreens to ensure year-round privacy.
12. Will there be any improvements to the Sugarloaf Rd and Howard Gap intersection, given all the upcoming development and Sugarloaf Elementary traffic in this area?
 - a. This project falls below the threshold for DOT for a Traffic Impact Analysis. Right now, no TIA is required, but NCDOT could require one when a driveway permit is submitted.
 - b. NCDOT can't force a developer to fix a road that is NCDOT's responsibility. But NCDOT can ask a developer to make improvements to mitigate any damage that their development could cause to the roadway if a TIA is required.
13. What about broadband connectivity? Just like reduced water pressure, we don't want additional broadband users to reduce speed. Optimum internet is currently all that is available.
 - a. The developer has not worked with an internet provider as of yet and does not know what could be provided.
 - b. It's not required by County ordinance to provide broadband.
14. Will there be prevention efforts for drainage and flooding risk?
 - a. We are required to treat and detain runoff from this property. Everything will drain to a wet pond and get treated for turbidity before being discharged to a low at a rate that is less than or equal to what is there today.
15. There's a berm there currently on the backside of the property. Will that stay? We farm that property back behind it.
 - a. We would leave it as a natural buffer. A landscaped buffer between the industrial-zoned property to the south could be required if it is ever developed. The developer will work with neighbors to make sure
16. How close will those houses be to the property line? Adjacent property is an active farm.
 - a. Setback line of 10 feet, but those houses on the south side will likely be set back 50 feet.
 - b. The developer will be required to put a note on the plat that it's in proximity to a farm.
17. Is there a requirement for open space?
 - a. For a traditional subdivision, we require 25% open space, and we allow recreation and stormwater to count towards this.
18. The amenity area operation hours are not set yet. Preference for 8 am to 7 pm.
 - a. Not yet, but the developer is willing to work out hours as a condition.

19. What will the homes look like? Will they have garages?
 - a. They will be modeled after Cottages at Byron Forest off Banner Farm Rd. They will have garages.
20. Will they be wood frame or steel?
 - a. Wood frame.
21. Not like the Cottages off Howard Gap of Windy Acres
 - a. I think those are smaller houses than what these will be.
22. Avg. Square Footage?
 - a. 2,500 SF, two-story, 3-bedroom homes. Each lot has a 3-bedroom septic and repair area.
23. How far apart will the houses be?
 - a. Estimate 50'-60' between houses. Maybe as small as 40' in some areas.
24. If this goes through, what's the development timeline?
 - a. If approved, it will need all necessary permits, such as their driveway permit from NCDOT, which could take a while. Then a soil erosion and sediment permit are needed before they start putting in infrastructure. Then they will apply for a subdivision to record the lots before they can start pulling permits to build homes on each lot.
25. Will electrical be underground or overhead?
 - a. Underground.
26. Will there be fences on the property lines?
 - a. There is a fence planned as far as the amenity area. The developer didn't see a need to extend it, but that can be agreed upon as a condition.
27. Will this have an HOA?
 - a. Yes, it will be an HOA. It will be a private road and ROW, so the HOA will be part of that when we get to the final plat.
28. Do they plan to purchase more property to add on to this in the future?
 - a. Not at this time. The developer would have to go through this entire process again to amend their site plan to expand the project. Because it's conditional, they can only build what is shown on the site plan and per the conditions, if approved.
29. Will my zoning change?
 - a. No, your property zoning will stay the same.
30. Will outbuildings be allowed once approved?
 - a. The HOA may restrict that. The Cottages at Byron Forest do not have any accessory structures. It may not be an option anyway because of how the septic is laid out.

You can send us questions or comments in writing that we can give to the planning board. Any conditions put on the applicant must be agreed to in writing. Any required permits as conditions must be in hand before work can be done. We will create a summary of this meeting that will become part of the packet as it moves through the process. Staff is also working on developing a list of conditions.

Next Steps: The Planning Board will review this application at its March 20th meeting and make a recommendation to the Board of Commissioners (BOC). The BOC will hold a public hearing before acting on the application most likely at the first meeting in April. Ms. Stevens stated that property owners within 400 ft of the project have already received a mailed notice for the Planning Board meeting and will receive an additional mailed notice of the BOC meeting once the date has been set. The public hearing will be advertised in the Hendersonville Lightning and the property will be posted. The BOC has the final approval authority on the project.

With no further comments or questions, the meeting was concluded at 3:51 p.m.

Certification of Notice of Public Hearing

In accordance with NCGS 160D-343 the Planning Department certifies notice of the April 7, 2025 hearing regarding Rezoning Application #R-2025-01-CD were:

1. Submitted to the Hendersonville Lightning on March 21, 2025 to be published on March 26, 2025 and April 2, 2025 by Lee Stevens;
2. Sent, via first class mail, to the owners of properties adjacent to the Subject Area(s) on March 21, 2025 by Lee Stevens;
3. Sent, via first class mail, to the property owner on March 21, 2025 by Lee Stevens; and
4. Signs were posted on the Subject Area(s) on March 24, 2025 by Lee Stevens.

The signatures herein below indicate that such notices were made as indicated herein above:

1.  _____

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

I, Toby Linville , a Notary Public, in and for the above County and State, do hereby certify that

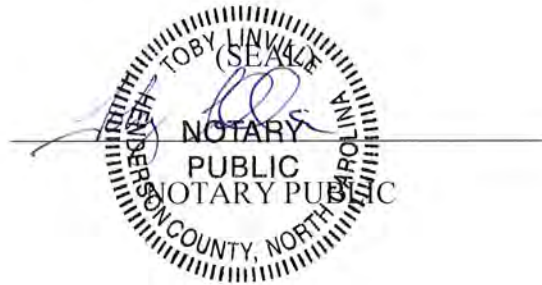
 Lee Stevens

personally appeared before me this day.

WITNESS my hand and notarial seal, this the 25th day of March , 20 25 .

My commission expires:

 6/29/26





**REZONING APPLICATION R-2025-01-CD
THE COTTAGES AT SUGARLOAF MEADOWS
COMPREHENSIVE PLAN STATEMENT**

Related to rezoning application R-2025-01-CD, the Comprehensive Plan states the following:

The 2045 Comprehensive Plan highlights the need for more housing supply with a greater variety of housing types in Henderson County to accommodate a broader range of residents. Rising housing demand and costs arose as a key issue during the engagement process. Outcome 3 of the plan emphasizes the need to improve housing availability. Goal 7 of the plan states to “diversify housing choices and increase availability” (p. 86).

- Rec 7.2: Encourage development of housing.
 - A. Consider creating incentives to encourage the creation of workforce housing developments.
 - C. Support appropriately sized affordable housing developments within rural, agricultural areas and residential zoning districts.
- Rec 7.4: Locate workforce housing near jobs.
 - A. In accordance with guidance from the Future Land Use Map, support residential development near employment areas and in and around commercial centers.

The Board should determine if the proposed amendment provides for the sound administration of the Land Development Code while balancing property rights and promoting reasonable growth within the County.

THE COTTAGES AT SUGARLOAF MEADOWS

#R-2025-01-CD

Public Hearing

April 7, 2025

1

APPLICATION BACKGROUND

- Rezoning Application #R-2025-01-CD, requests to be rezoned from Residential Two Rural (R2R) to Conditional District CD-2025-01
- PINs: 9589-35-2768 & 9589-26-9624
- Approximately 31.46 acres
- Access from Sugarloaf Rd (SR1734)
- Owners: The Cottages at Sugarloaf Meadows, LLC, & Claire McConnell
- Applicant: The Cottages at Sugarloaf Meadows, LLC.
- Agent: Tyler Wagner
- Neighborhood Compatibility Meeting held on March 11, 2025
- TRC reviewed this application at their March 18, 2025, meeting
- Planning Board reviewed this application on March 20, 2025

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PUBLIC HEARING NOTICE

- Legal Ad was published in the Hendersonville Lightning on March 26, 2025, and April 2, 2025
- The property was posted on March 24, 2025
- Letters were mailed to property owners within 400 feet of the Subject Area on March 21, 2025

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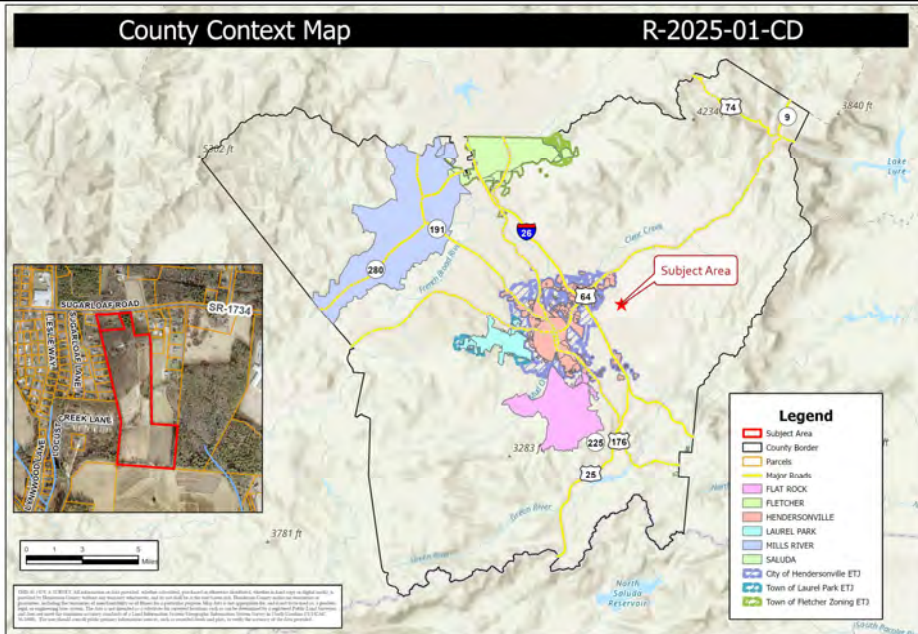
CONDITIONAL DISTRICTS

Conditional Rezonings are:

- Legislative decisions
- Require a site-specific plan (only what is on the plan is allowed)
- The BOC may require conditions of the development, provided the applicant agrees to those conditions
- The Conditional process provides protection to adjacent properties

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LOCATION

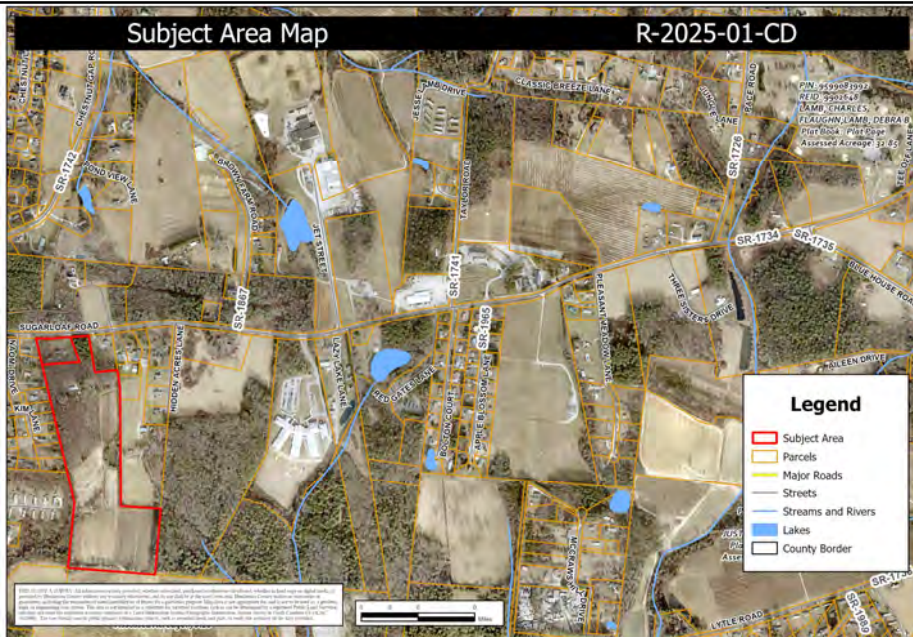


Property Owner(s): The Cottages at Sugarloaf Meadows LLC; Claire McConnell
Total Acreage: 31.46 Acres
Zoning District: R2R to CD-2025-01

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Subject Area Map

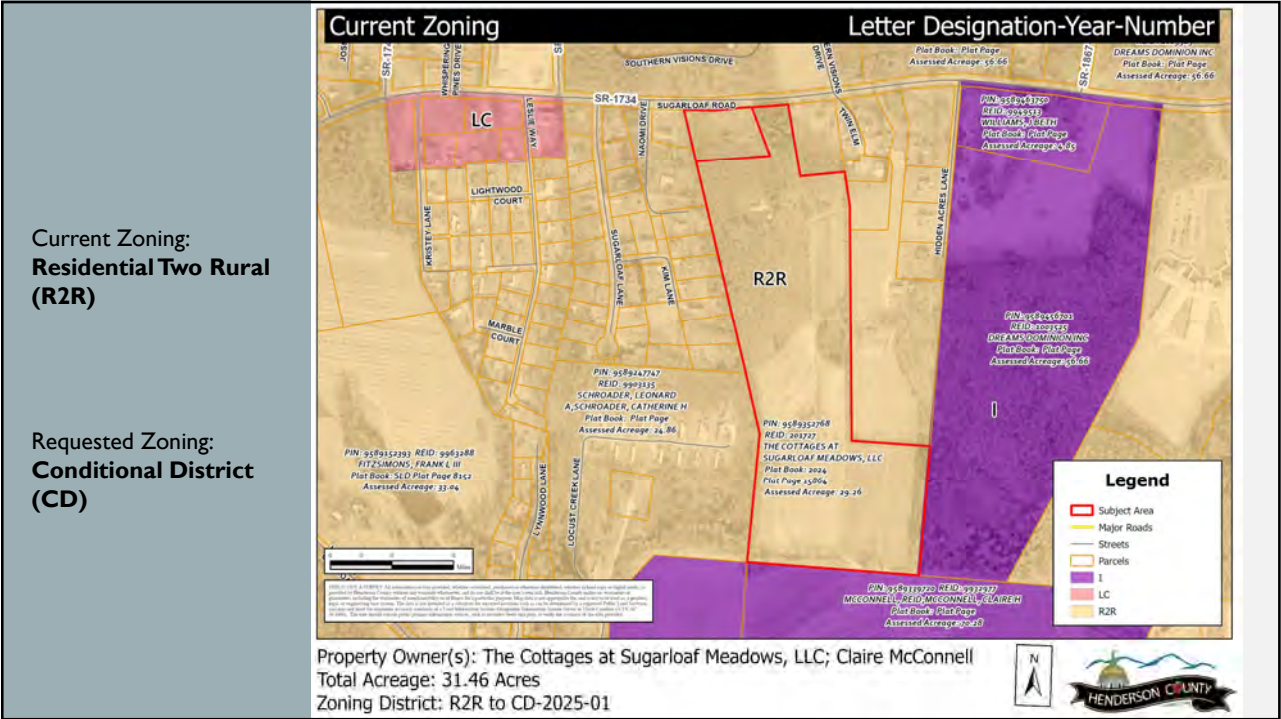
R-2025-01-CD



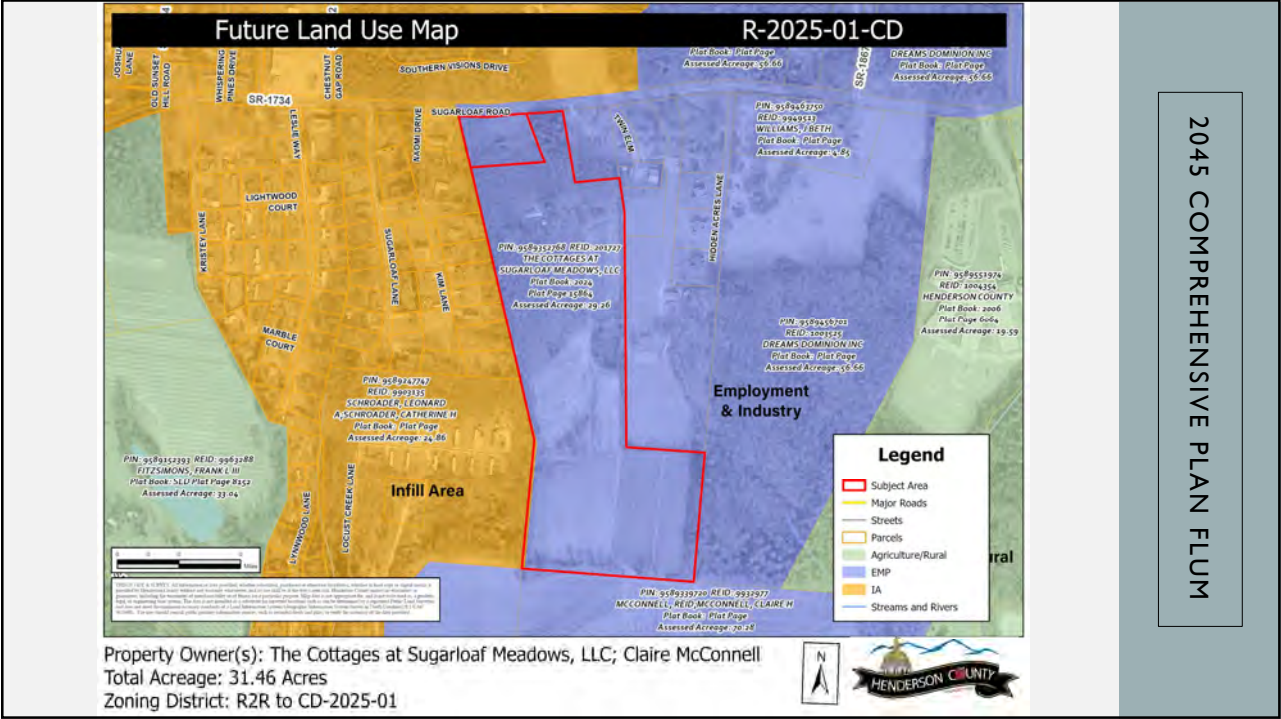
Property Owner(s): The Cottages at Sugarloaf Meadows, LLC; Claire McConnell
Total Acreage: 31.46 Acres
Zoning District: R2R to R-2025-01-CD

SUBJECT AREA

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2045 COMPREHENSIVE PLAN

FUTURE LAND USE CHARACTER AREAS

FLUM Character Area:

Employment and Industry: “Employment and Industry areas offer job-generation, site-ready parks, accessible road networks, and utilities. Industries come in many different forms including manufacturing, agriculture, distribution, office, research and development (R&D), etc. The design of development sites in these areas should be tailored to be compatible with other nearby uses.”

Adjacent Character Area:

Infill: “Infill Area consists of residentially focused areas that include a mix of housing types inside subdivisions and planned developments. These areas should have an improved transportation network and accommodate a variety of home options. Universal design that allows aging-in-place should be encouraged where appropriate.”

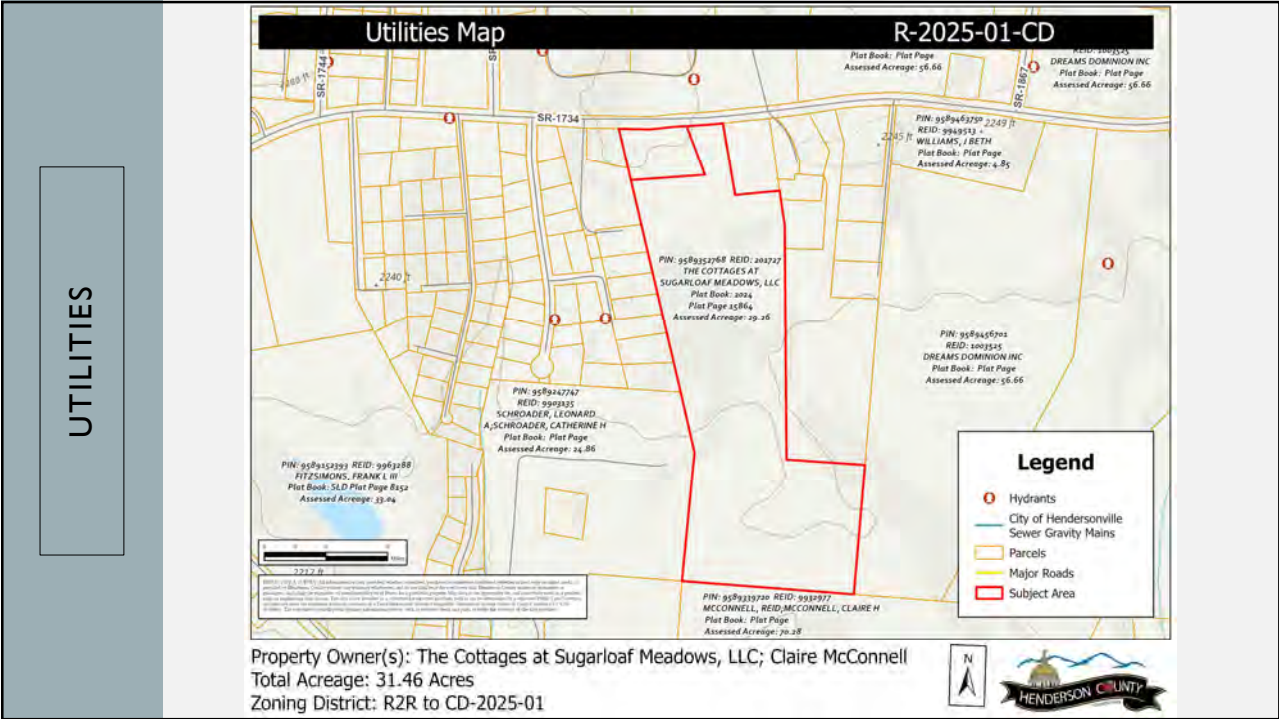
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2045 COMPREHENSIVE PLAN

Plan Outcomes & Goals

- More housing supply with a greater variety of housing types in the County to accommodate a broader range of residents.
- Outcome 3 of the plan emphasizes the need to improve housing availability.
- Goal 7 of the plan states to “diversify housing choices and increase availability.”
 - REC 7.2: Encourage development of housing.
 - A. Consider creating incentives to encourage the creation of workforce housing developments.
 - C. Support appropriately sized affordable housing developments within rural, agricultural areas and residential zoning districts.
 - REC 7.4: Locate workforce housing near jobs.
 - A. In accordance with guidance from the Future Land Use Map, support residential development near employment areas and in and around commercial centers.

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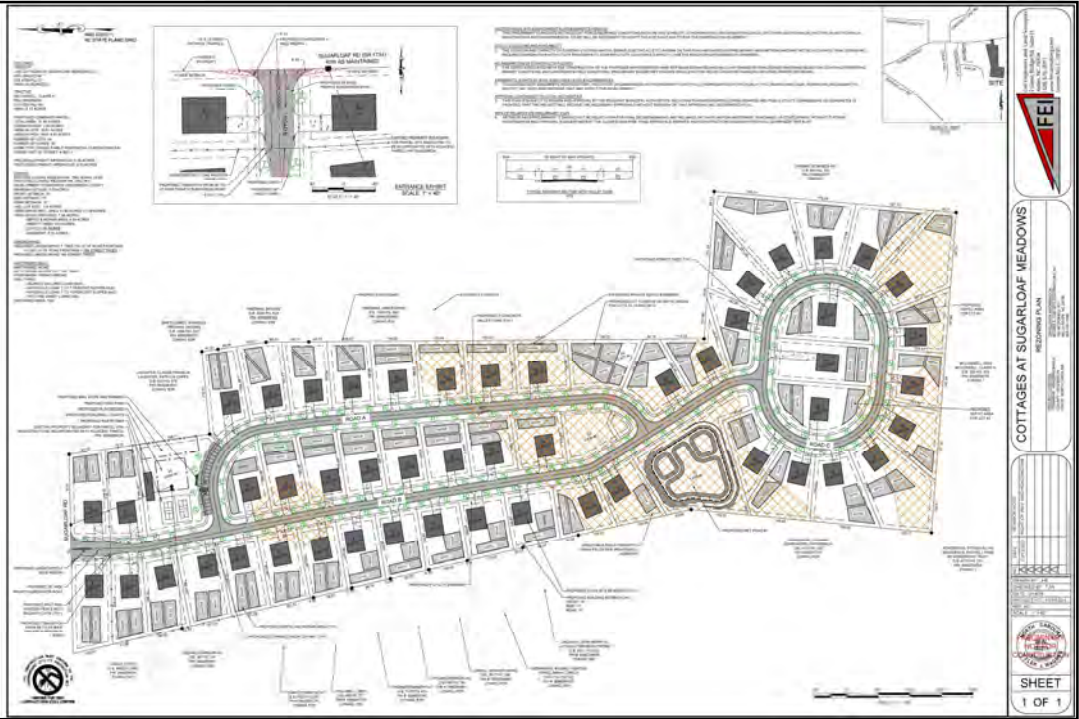
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PROJECT SUMMARY

- 31.46 ac
- 50 Single-Family homes
 - 2-story, 3 bedroom
 - 0.4 ac avg lot size
- Utilities:
 - City of Hendersonville Water
 - Individual septic systems for each home
- Amenities
 - Pickleball courts
 - Dog park
 - Playground
 - Restroom facilities
 - 20 parking spaces, 1 ADA space
- 4,365 LF of private roadway
 - 50' ROW
 - 20' wide drive aisles
 - Valley curb
 - Gated entry
- Open Space: 7.85 ac
- Common Space: 1.33 ac

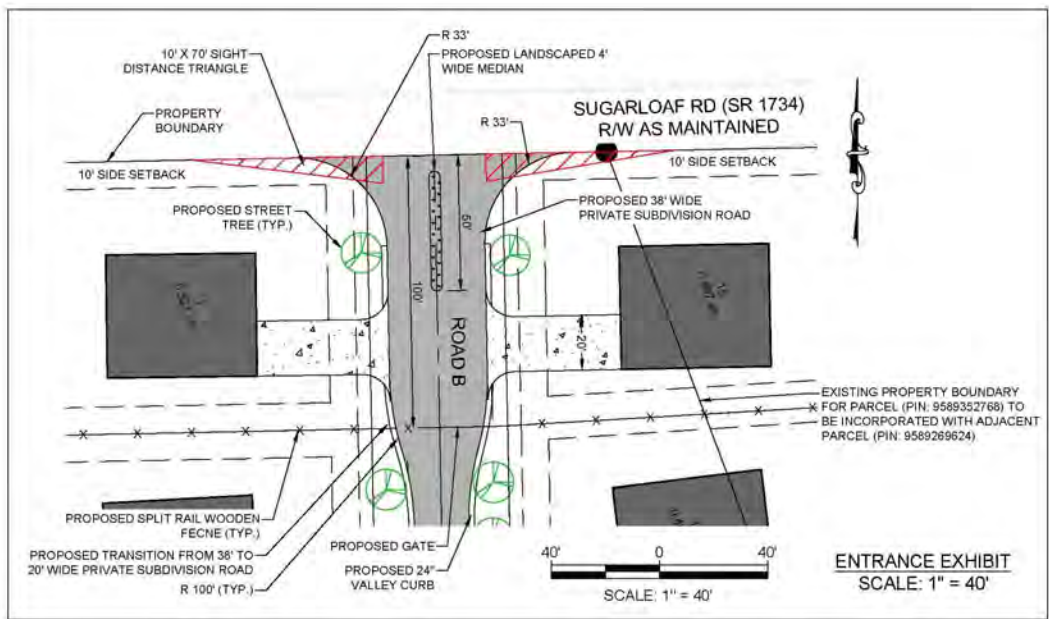
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SITE PLAN



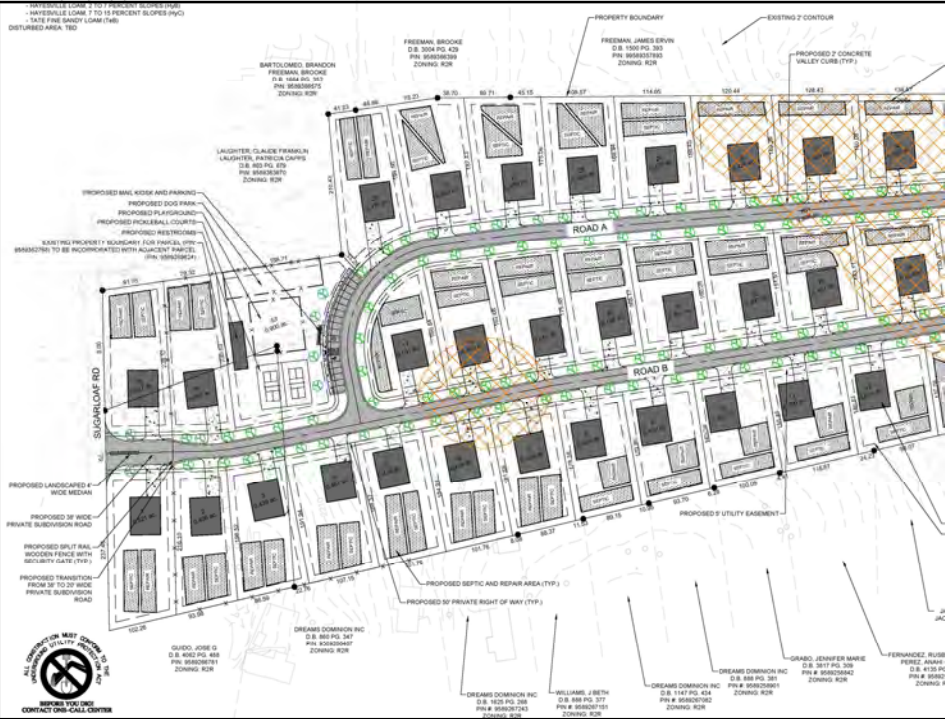
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SITE PLAN



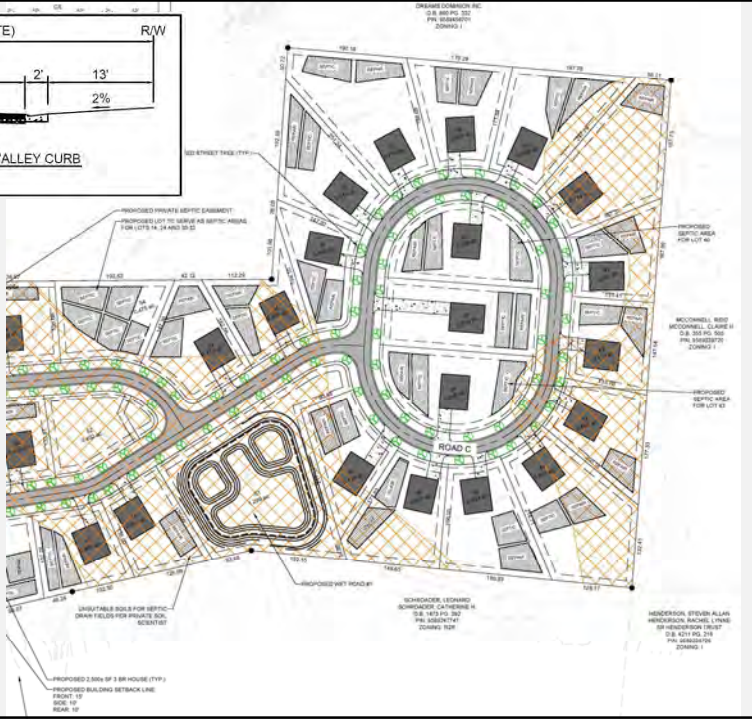
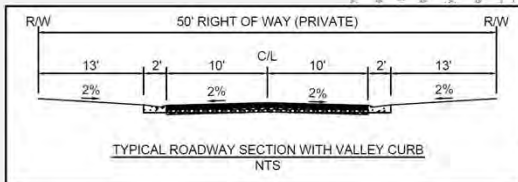
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SITE PLAN: NORTH



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SITE PLAN: SOUTH



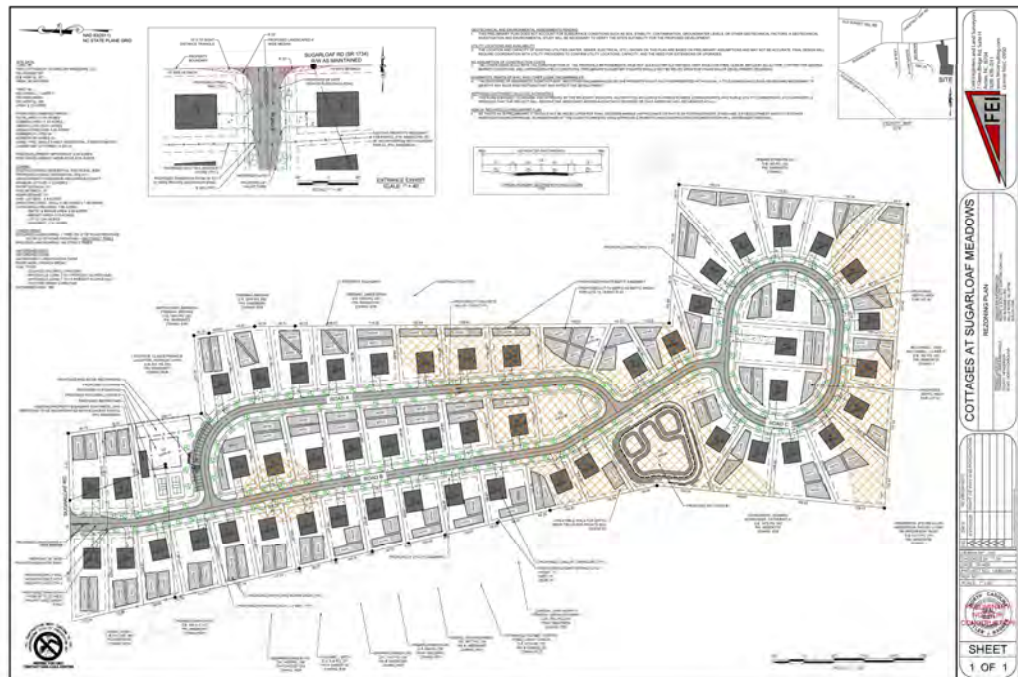
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REVIEW PROCESS

- A Neighborhood Compatibility Meeting was held March 11, 2025.
- TRC reviewed the application on March 18, 2025.
- The Planning Board reviewed the application on March 20, 2025, and voted unanimously to recommend approval and to recommend that the Infill Character Area be applied to the FULM if approved by the BOC.
- The conditions list is included as an attachment and states.
- A 2045 Comprehensive Plan Statement is included as an attachment.

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SITE PLAN



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