City Council Agenda Item Request
Submit to Clerk's Office
No later than 30 days before proposed Council meeting

1. **Date submitted to Clerk's Office:** Sep 5, 2025

2. **Primary contact person and Department requesting agenda item:** Sam Starr-Baum, AICP, Planning & Urban Design

3. **Requested Council meeting date:** Oct 14, 2025 - Applicant requested public hearing be moved to October 28, 2025. Applicant then requested public hearing be moved to November 18, 2025.

4. **Subject:** Conditional zoning amendment application for property located at 767 New Haw Creek Rd to amend site plan and conditions for the existing Residential Expansion - Conditional Zone (RES-EXP).

5. **Action Requested:** Public hearing to consider a conditional zoning amendment for 27.05 acres at 767 New Haw Creek Road for the purpose of building 49 new single-family housing units and 35 townhome units.

6. **Note if time sensitive, and why:** Not time sensitive.

7. **Potential fiscal impact(s) - if known by staff at time of request:** Not Applicable

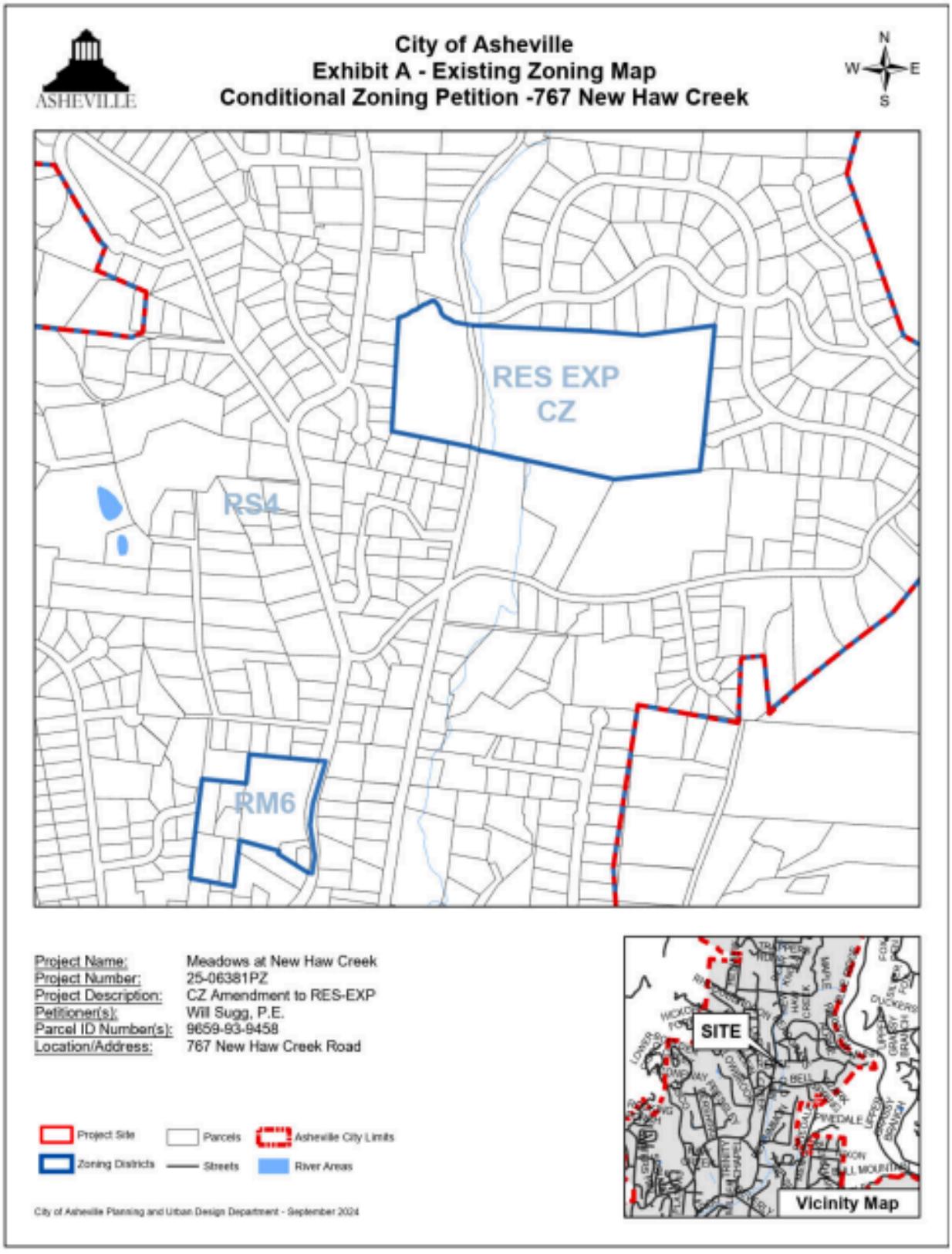
8. **Identify all vendor outreach for Minority & Women Owned Business Enterprises (MWBE).** Not Applicable - no vendors.

9. **Identify all Boards, Commissions and Council Committees with tentative dates - add in the vote and recommendation from each Board:**
    - Technical Review Committee - 8/18/25 - Approve with Conditions
    - Planning and Zoning Commission - 9/4/25 -approve 5-0

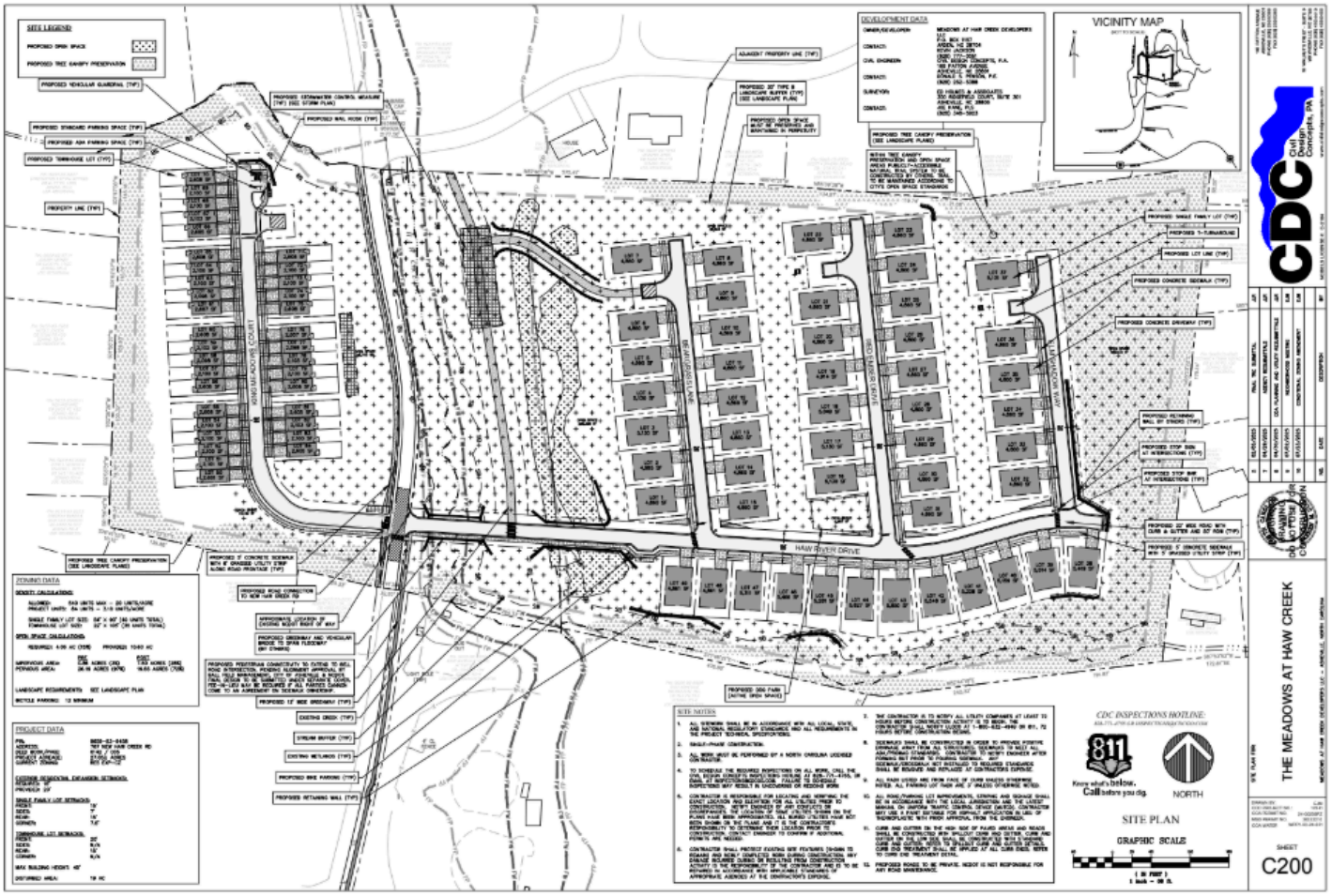
10. **Identify key issues:**
    - Applicant Kevin Jackson and Agent Warren Sugg of Civil Design Concepts submitted the application for a conditional zoning amendment after registering the required neighborhood meeting, and attending additional community meetings.
    - The site plan that was attached to Ordinance 5094 had site access from Sleepy Hollow Drive.
    - The conditional zoning amendment seeks to retain development rights for the existing entitled project, and also have an option where access for the site is from New Haw Creek Drive.
    - The project includes 84 new residential units, with 49 being single-family residences, and 35 townhome units.
    - The project is mostly technically compliant but is requesting technical modifications through the conditional zoning process for:
        1. Street trees along the east side of New Haw Creek Road are spaced greater than 65' at the intersection of Haw River Drive.
        2. Type B buffer to be achieved primarily through protection of existing undisturbed vegetation.
        3. Plantings to be provided per UDO requirements where existing vegetation does not meet standard.
        4. No sidewalk will be built along the east side of New Haw Creek Road

5. A 5’ minimum sidewalk with a 5’ grass strip to be built on one side of Beargrass Lane, Red Ember Drive, and Elm Shadow Way.

Existing zoning map and vicinity:


City of Asheville
Exhibit A - Existing Zoning Map
Conditional Zoning Petition -767 New Haw Creek
ASHEVILLE
N
W
E
S
RES EXP
CZ
RS4
RM6
Project Name: Meadows at New Haw Creek
Project Number: 25-06381PZ
Project Description: CZ Amendment to RES-EXP
Petitioner(s): Will Sugg, P.E.
Parcel ID Number(s): 9659-93-9458
Location/Address: 767 New Haw Creek Road
Project Site
Parcels
Asheville City Limits
Zoning Districts
Streets
River Areas
City of Asheville Planning and Urban Design Department - September 2024
SITE
Vicinity Map

Site Plan:



CDC Civil Design Concepts, PA
160 Patton Avenue, Asheville, NC 28801
828.274.0123 FAX 828.274.0220

NO.	DATE	DESCRIPTION	BY
0	05/01/2020	PRELIM. SUBMITTAL	JLR
1	06/30/2020	AGENCY RESUBMITTALS	JLR
2	08/10/2020	CITY PLANNING AND UTILITY RESUBMITTALS	JLR
3	09/03/2020	STORMWATER SYSTEM	KJB
4	10/01/2020	CONSTRUCTION / OWNER'S REVIEW	KJB

THE MEADOWS AT HAW CREEK

SITE PLAN

SHEET
C200