

# TOWN OF FLETCHER

**Lee Bowser**  
**Chair**

**Mike Franklin**  
**Vice Chair**



**BOARD MEMBERS:**  
**Robyn Mondin**  
**Doug Ferguson**  
**Leslie Cuevas**  
**Jacob Compher**  
**Julia Fogel**  
**Bryan Gilbert**

**Planning Board Regular Meeting**  
**Town Hall Council Chambers | 300 Old Cane Creek Road**  
**March 17, 2026 at 6:00 PM**

Call to Order

Approval of Minutes of Previous Meeting

- 1) Minutes from the January 20th, 2026 meeting

Hearing of Cases

- 1) Standard Rezoning and Special Use Permit Review – Birkshire Trace (26-01-SUP) – Tyler Morrow, Planning & Zoning Director

Other Business

Adjournment

"This Institution is an equal opportunity provider."

**PLANNING  
BOARD  
MINUTES**

**DATE: January 20, 2026  
Town of Fletcher  
300 Old Cane Creek Road  
Fletcher, NC 28732**

**Type of Meeting: PUBLIC MEETING**

Chairman Clayton called a regular meeting of the Planning Board to order at 6:00 PM

**BOARD MEMBERS PRESENT:**

George Clayton (Chairman & District 3)  
Leslie Cuevas (At Large/ District 3)  
Mike Franklin (District 1)  
Jacob Compher (At Large/ District 3)

Lee Bowser (District 2)  
Robyn Mondin (At Large/ District 1)  
Doug Ferguson (District 4)

**Public Input:** No one from the public spoke at this time.

AGENDA ITEM:	PRESENTED BY:	ACTION TAKEN:
Recognition of Chairman George Clayton for 31 years of dedicated service	Tyler Morrow, Planning and Zoning Director	Presentation honoring Chairman Clayton's unprecedented service as Chairman of the Planning Board
Approval of Minutes from November 25, 2025 meeting	Chairman Clayton	Approval of the minutes, as transcribed
<b>Hearing of Cases</b>		
1 Heart of Fletcher Review- Burge Flex Warehouse (25-03-SPR) PIN: 9653-91-4137	Tyler Morrow, Planning and Zoning Director; Curtis Burge, Developer	Approval granted for Heart of Fletcher design standards
2 Preliminary Plat Review- Burney Mountain Road Subdivision (25-05-SUB)	Tyler Morrow, Planning and Zoning Director; Will Buie, WGLA Engineering	Major Subdivision approval Granted
<b>Other Business</b>		
1 Approval of Annual Meeting Dates 2026	Chairman Clayton	Approved
2 Election of Chairperson and Vice Chairperson	Chairman Clayton	Lee Bowser nominated as Chairperson. Mike Franklin nominated as Vice Chairperson

**STAFF PRESENT:** Tyler Morrow, Planning and Zoning Director

An audio file of the meeting is available, upon request, for a fee.

### **Presentation honoring Chairman George Clayton's unprecedented service as Chairman of the Planning Board**

**Tyler Morrow** presented a plaque to **Chairman Clayton** in recognition of his 31 years of dedicated service on the Town's Planning Board.

A Proclamation from Town Council was given in gratitude of **George Clayton's** dedicated service to the Town's Planning and Zoning Dept. from December 1994 to January 2026.

### **Approval of Planning Board minutes: corrections-additions-deletions**

**Chairman Clayton** asked for a motion to approve the minutes.

**Lee Bowser** so moved to approve the minutes; second by **Robyn Mondin**. There was no further discussion. The motion carries, all in favor.

## AGENDA ITEM\_CASE 1

### Heart of Fletcher Review (25-03-SPR)- Burge Flex Warehouse

**Tyler Morrow** presented the board with a design and site plan submittal for constructing a new 9,000 square ft. flex space warehouse/office/retail building at 165 Cane Creek Rd.

The property is zoned M-1. There is an existing 4,390 sq. ft. warehouse building which will remain on the site. The site is 2.87 acres.

**Tyler Morrow** gave a report of staff findings with regard to the Heart of Fletcher Overlay design review. He explained that this property is unique since it is the only property in the HOF which is also in the M-1 district. He said the Town's LDC does not have building design requirements for structures in the M-1 district, therefore he has had the applicant provide a design which will comply with the standards established for structures in the C-1 or C-2 zoning districts.

**Mr. Morrow** continued reporting on his findings. The proposed structural design will provide 65% transparency, exceeding the minimum 30% required. The building will be set back greater than the recommended 20 ft, due to changes in the topography between the road and the buildable area of the site. The building meets the requirements that at least 50% of the first floor consists of windows and doors and complies with the standard that no blank wall exceeds 20 feet. It also meets the requirement that all exterior awnings project a minimum of 3.5 feet. Additionally, the building incorporates a Cordova Stone veneer at the corners and front. Cordova Stone has the appearance of natural limestone.

The proposed site development will provide street trees and a five-foot-wide sidewalk along Cane Creek Rd.

**Mr. Morrow** stated it is staff's opinion that the proposed site plan meets the standards of the Town's Land Development Code and the spirit and intent for development within the Heart of Fletcher.

**Chairman Clayton** commented that he appreciates staff requesting the proposed development meet the design standards of the C-1 and C-2 districts since there is no provision in the LDC for such in the M-1 district.

**Tyler Morrow** said this will be the only M-1 property in Fletcher meeting these design standards. The only requirement that has not been met is constructing the building at a maximum setback of 20 ft. That standard was intended for pedestrian access to store front style establishments.

**Chairman Clayton** asked if the developer wanted to make a presentation.

**Mr. Curtis Burge** said that he, his architect, or his engineer could answer any questions that the Board has.

**Mr. Lee Bowser** expressed that the location of the building further back from the road will provide more visibility for traffic on Cane Creek Rd.

**Mr. Doug Ferguson** asked why there is only one driveway.

**Mr. Burge** said he may divide the property, as shown on the survey, therefore another developer would have room for their entrance. He said his existing driveway location was not ideal, therefore they propose relocating it further south as shown on the site plan. He said he had a meeting with DOT this morning to discuss the proposed development.

There were no other questions. **Chairman Clayton** asked if someone would like to make a motion.

**Ms. Robyn Mondin** moved that the Planning Board grant Heart of Fletcher design approval based on the requirements of the LDC, with primary consideration to Article 5, Building Design Standards and Appendix 2, HOF development, finding that the Burge Flex Warehouse project is compliant with all applicable requirements. **Mr. Doug Ferguson** seconded the motion.

There was no further discussion. The motion carries, all in favor.

## AGENDA ITEM\_CASE 2

### Major Subdivision Review—Burney Mountain Road Subdivision (25-05-SUB)

**Mr. Morrow** said review of a preliminary plat of a major subdivision is an administrative review by the Planning Board. The proposed use and density is allowed by right in the R-1A zoning district, therefore no rezoning is required.

**Mr. Morrow** presented photos of the site. He gave some background about the property. It was approved in 2006 as a Major Subdivision, Old Hickory Estates, which was never fully constructed or platted. As a result, the prior approval is no longer vested and may not be constructed. Some infrastructure improvements were installed, including roadway curbing, stormwater inlets, and sewer. These improvements are seen in the photographs.

**Mr. Morrow** said when the subdivision was approved in 2006 the property was zoned R-3, permitting a density of four dwelling units per acre. Some years later this property and the surrounding area were rezoned to R-1A in order to reduce the allowable density and ensure that future development better reflects the area's historical development patterns. The allowed density within the R-1A district is 2 units per acre.

**Mr. Morrow** continued with his Staff Report. He said the overall grade of the site is 25.72% which does not trigger steep slope requirements. None of the individual lots exceed 33% slope, therefore they do not trigger steep slope requirements either.

The developer is proposing 21 total lots, which creates an overall density of 1.62 units per acre on the 12.98-acre property. There will be clustering of homesites which is permissible provided they do not exceed the maximum allowed units per acre allowed for the total site acreage.

Sidewalks will be provided along one side of the internal street and along the frontage on Burney Mountain Rd.

The required open space is 0.24 acres. The developer proposes 0.40 acres of passive recreation which will include a looped, mulched trail. The open space parcel will be dedicated to the future HOA. 84 Parking spaces will be provided which includes garage spaces and driveways.

### **DISCUSSION**

**Mr. Mike Franklin** asked if just one of the four parcels is inside the Town of Fletcher.

**Mr. Morrow** confirmed the parcel which abuts Burney Mtn Rd. is in Town Limits. The three remaining parcels are in Fletcher's ETJ.

**Mr. Bowser** asked if the developer intends to voluntarily annex into the Town.

**Mr. Will Buie** said they plan to annex in order for the residents to receive services provided by the Town.

**Mr. Doug Ferguson** asked if the two rear lots were going to have a shared driveway.

**Mr. Buie** said yes, the paved road for the front nineteen (19) lots will end in the cul-de-sac where a 50ft wide shared driveway will continue to the two larger lots. The owners of the shared driveway easement will be responsible for maintaining this easement. He added that the two rear lots will also be served with private wells. All of the homes will be connected to sewer; however, the two rear lots potentially could have septic systems due to their acreage.

**Mr. Doug Ferguson** asked how wide the driveway will be to the two rear lots.

**Mr. Buie** said it will be 12 feet wide, as a typical driveway is, and it will be paved.

**Mr. Lee Bowser** commented that this would be wide enough for a fire truck to access the lots.

**Chairman Clayton** asked for a motion.

**Mr. Lee Bowser** moved that the Planning Board grant Major Subdivision approval, based on the requirements of the Land Development Code- with primary consideration to Article 13. Subdivision Standards and Article 15. Administration-- finding that the Burney Mountain Road Subdivision project is compliant with all applicable requirements.

**Mr. Mike Franklin** seconded the motion.

There was no further discussion. The motion carries, all in favor.

**Other Business**

**Item 1. Approval of Annual Meeting Dates**

Following a brief recess **Chairman Clayton** presented the proposed meeting dates for the coming year.

None of the members had a conflict at this time.

**Mr. Morrow** said the meeting dates will be posted in front of Town Hall to better inform the public.

**Other Business**

**Item 2. Election of Chairperson and Vice Chairperson of the Planning Board**

**Chairman Clayton** nominated **Mr. Lee Bowser** for Chairperson.

There were no other nominations. The motion carries, all in favor.

**Ms. Leslie Cuevas** nominated **Mr. Mike Franklin** for Vice Chairperson.

There were no other nominations. The motion carries, all in favor.

**Next Meeting: February 17, 2026**

**Meeting Adjourned at 6:57 PM**

Read approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Chairman





## TOWN OF FLETCHER PLANNING DEPARTMENT AGENDA ITEM COVER SHEET

<b>Meeting Type: Planning Board</b>	<b>Meeting Date: March 17<sup>th</sup> 2026</b>
<p><b>Title of Item:</b> Standard Rezoning and Special Use Permit Review –Birkshire Trace (26-01-SUP)– Tyler Morrow, Planning &amp; Zoning Director</p>	

### SUGGESTED REZONING MOTION(S):

<u>Approval:</u>	<u>Denial:</u>
<p>I move the Planning Board recommend Town Council <b>adopt</b> an ordinance amending the official zoning map of the Town of Fletcher, changing the zoning designation of the subject property from C-2 Interstate Business District to NBD, Neighborhood Business District finding:</p> <p><b>1. However, the petition is found to be inconsistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because:</b></p> <p style="padding-left: 20px;">The petition proposes higher-density, multi-family residential outside of the Town Core.</p> <p><b>2. However, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</b></p> <ol style="list-style-type: none"> <li>1. The proposed development would provide affordable housing in a town and region that are currently experiencing extreme challenges with housing availability and affordability.</li> <li>2. The proposed development would locate residents; who may or may not have access to personal vehicles in an area with numerous amenities within walking</li> </ol>	<p>I move the Planning Board recommend Town Council <b>deny</b> an ordinance amending the official zoning map of the Town of Fletcher changing the zoning designation of the subject property from C-2 Interstate Business District to NBD, Neighborhood Business District finding:</p> <p><b>1. The petition is found to be inconsistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because:</b></p> <p style="padding-left: 20px;">The petition proposes higher-density, multi-family residential outside of the Town Core.</p> <p><b>2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</b></p> <ol style="list-style-type: none"> <li>1. This Town has already experienced an increase in higher-density, apartment-style development. The Town’s intent is to direct higher-density residential development toward the core of Town.</li> <li>2. The proposed development would remove a commercially zoned property and replace it with a residential use, further reducing the amount of commercially zoned land</li> </ol>

<p>distance and within close proximity to an Asheville Transit stop.</p> <p>3. The proposed density would not be inconsistent with the level of development intensity already present in and around the Airport Road commercial corridor.</p> <p>[DISCUSS &amp; VOTE]</p>	<p>available along the Underwood Road corridor.</p> <p>3. The proposed development has a higher residential density than the surrounding parcels.</p> <p>[DISCUSS &amp; VOTE]</p>
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**SUGGESTED SPECIAL USE PERMIT MOTION(S):**

<p align="center"><b><u>Approval:</u></b></p> <p>I move the Planning Board recommend Town Council <b><u>approve</u></b> the Special Use Permit associated with this petition, finding that the proposed development is consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The development shall be constructed in accordance with the approved site plan.</p> <p>[DISCUSS &amp; VOTE]</p>	<p align="center"><b><u>Denial</u></b></p> <p>I move the Planning Board recommend Town Council <b><u>deny</u></b> the Special Use Permit associated with this petition, finding that the proposed development is not consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The following criteria have not been met [please state the criteria that was not met]</p> <p>[DISCUSS &amp; VOTE]</p> <p align="center">**This item is not applicable if Town Council does not approve the rezoning of the subject property. **</p>
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<p align="center"><b>Attachments:</b></p>	<ol style="list-style-type: none"> <li>1. Staff Report</li> <li>2. Preliminary Site Plan and Renderings Package</li> <li>3. Proposed Zoning Map</li> <li>4. Application</li> <li>5. Deed</li> <li>6. LLC Annual Reports</li> </ol>
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# TOWN OF FLETCHER

PRESTON BLAKELY  
MAYOR

MARK E. BIBERDORF  
TOWN MANAGER



COUNCIL MEMBERS:  
TREVOR LANCE  
JIM PLAYER  
KEITH REED  
AMBER MCKINNEY

## Standard Rezoning & Special Use Permit Birkshire Trace (26-01-SUP)

Planning Department Staff Report  
Tyler Morrow, Planning and Zoning Director

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# Project Summary

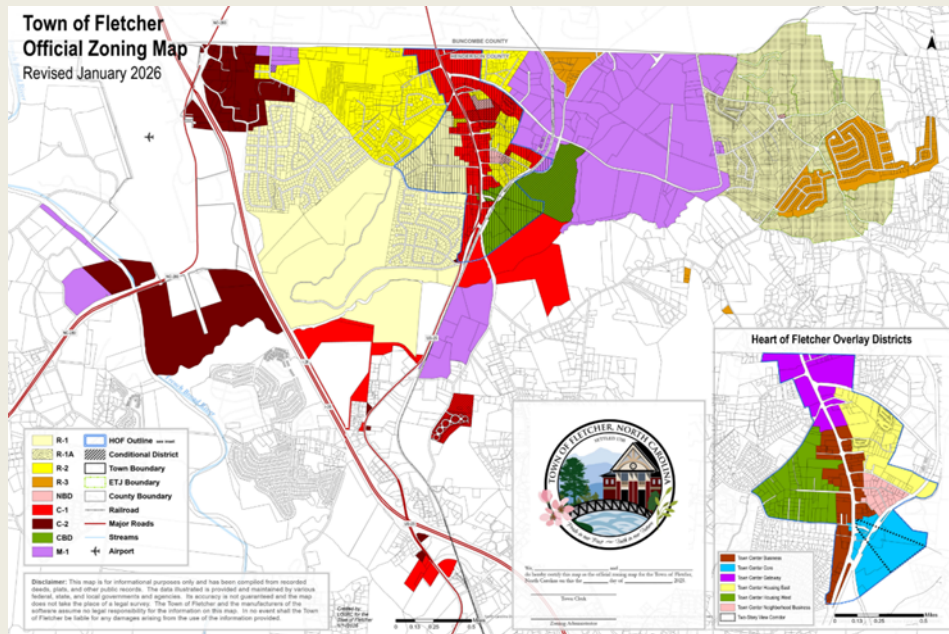


SITE VICINITY MAP

- **Project Name & Case #:**
  - Berkshire Trace
  - 26-01-SUP
- **Applicant:**
  - Dustin Mills of Taft Mills Group LLC
- **Property Owners:**
  - AVL Holdings LLC (PIN: 9643-73-8923)
  - Arden Hospitality, LLC (PINs 9643-84-1236, 9643-84-3220, & 9643-84-4274)
- **Property Address:**
  - 196 Underwood Road
- **Project Acreage:**
  - 7.71 Acres
- **Project overview**
  - 115 Unit Low Income Housing Tax Credit Multi-Family Project. (14.92 units per acre)

- **Parcel Identification (PIN):**
  - 9643-73-8923
  - 9643-84-1236
  - 9643-84-3220
  - 9643-84-4274
- **Current Parcel Zoning:**
  - C-2, Interstate Commercial District
- **Requested Zoning:**
  - NBD, Neighborhood Business District
- **Land Use Plan Designation:**
  - Mixed Use Residential (PIN 9643-73-8923)
  - Single Family Detached (PIN 9643-84-1236 & 9643-84-3220)
  - Not in Use (PIN 9643-84-4274)
- **Requested Uses:**
  - Dwelling-Multifamily more than 4 units in a building

# Map Amendment Process:



As stated previously in this report, the subject property is currently zoned C-2 Interstate Business District. This zoning classification does not permit multi-family residential development. In 2017, Town Council approved amendments to the Land Development Code that removed targeted residential uses from the C-1 and C-2 zoning districts. The Land Use Plan was subsequently amended to reflect these changes.

Because the C-2 district does not allow multi-family residential development, the subject property must first be rezoned to a district where such use is permitted. Accordingly, the applicant has requested that the property be rezoned to NBD (Neighborhood Business District). Within the NBD district, multi-family residential development is permitted only with the approval of a Special Use Permit. Multi-family development is not permitted by right in this district and cannot be constructed without receiving Special Use Permit approval.

Therefore, the applications before the Planning Board and Town Council include two separate requests. The first is a standard rezoning request. If the rezoning request is approved, consideration would then move to the Special Use Permit application for the multi-family residential development in accordance with the standards of the Land Development Code and the site plan submitted by the applicant.

If the rezoning request is not approved, the Special Use Permit application would no longer be applicable and would become moot. However, it is possible for the rezoning request to be approved while the Special Use Permit is denied. In that scenario, the property would still be rezoned to NBD, and any use permitted within that zoning district could be developed on the property, provided the proposal complies with all other applicable review processes and requirements of the Land Development Code.

# Special Use Permit Process:

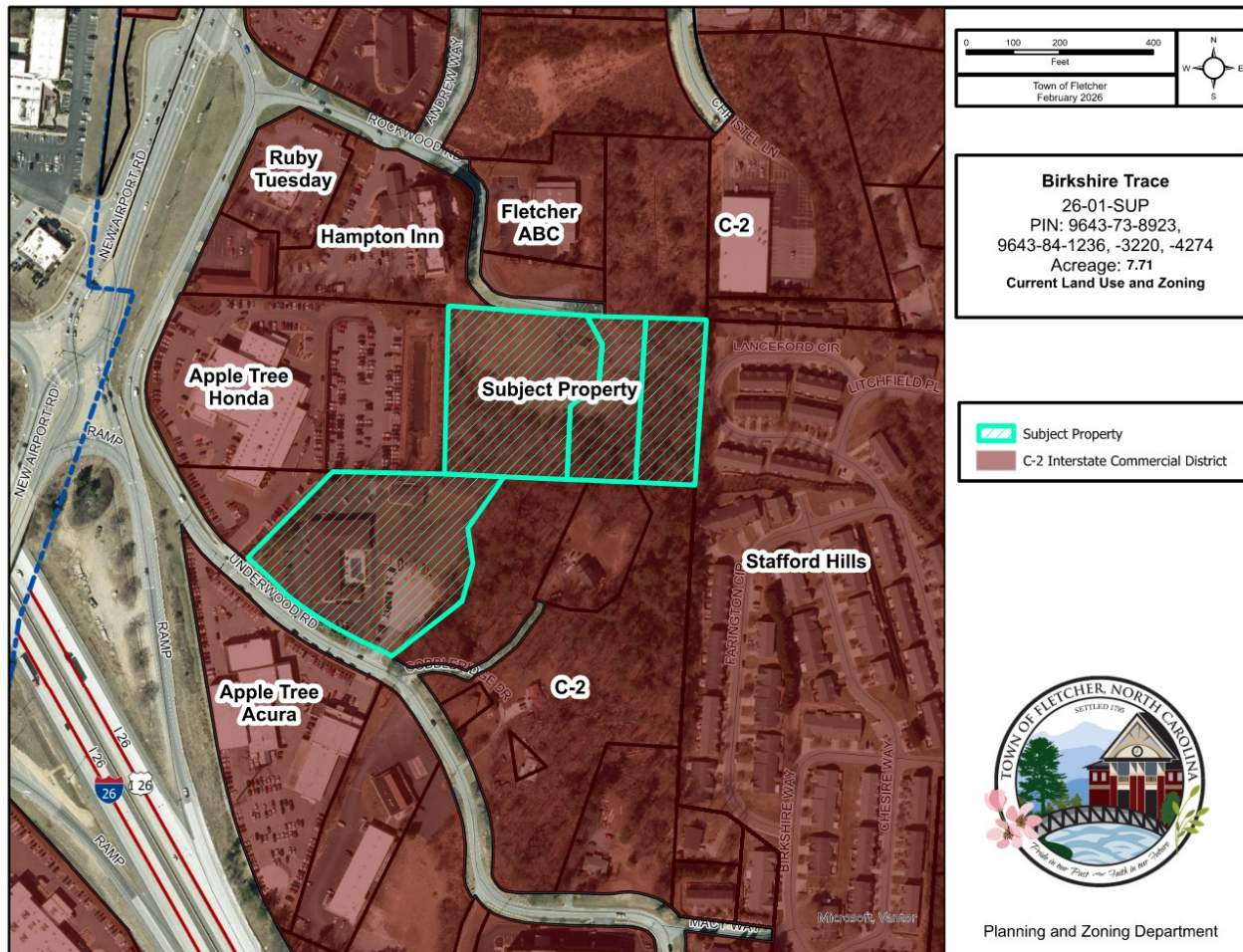
Upon application, the Town Council, following a recommendation from the Planning Board, may grant special use permits in specific cases. Such permits may be approved subject to appropriate conditions and safeguards, as authorized by this ordinance and identified as special uses within the applicable zoning districts.

All Special Use Permit Applications are Quasi-Judicial Proceedings. A quasi-judicial decision is a formal, court-like process used by local governments to apply specific zoning or development ordinances to individual situations. It requires finding facts, holding evidentiary hearings, and basing decisions on evidence rather than political discretion.

For the Town Council to approve a Special Use Permit, the following findings must be made:

1. A complete application has been submitted in accordance with the requirements of the Town Code.
2. The Town Council must determine that the proposed use will not negatively impact the health or safety of nearby residents or employees, will not harm the public welfare, and will not be detrimental to surrounding properties or public improvements. As part of its approval, the Town Council may impose reasonable conditions to ensure the proposed use complies with the intent and requirements of the Code.
3. Prior to issuing the Special Use Permit, the Town Council must adopt written findings confirming that the proposal complies with the specific standards for the requested special use as outlined in Article 3, and that appropriate provisions and arrangements have been made for all applicable requirements.
  1. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control.
  2. Provision of off-street parking and loading areas where required, with particular attention to the items listed above, and the economic, noise, glare and odor effects of the special use on adjoining properties in the area.
  3. Adequate and proper utilities, with reference to locations, availability, and compatibility.
  4. Buffering, with reference to type, location, and dimensions.
  5. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmonies with properties in the district.
  6. Playgrounds, open spaces, yards, landscaping, access ways, pedestrian ways, with reference to location, size, and suitability.
  7. Buildings and structures, with reference to location, size, and use.
  8. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.
9. A site plan/preliminary plat has been submitted, as required in Article 16.3.

# Existing Zoning & Land Use Map and Description



The subject property is zoned C-2, Interstate Commercial District, and all surrounding parcels carry the same C-2 zoning designation. The area is characterized by a mix of commercial uses, with car dealerships and hotels/motels being the most prominent. The subject site is currently developed with and operating as a Quality Inn. If the proposed project is approved, the existing motel use would cease and the building would be demolished. To the east of the subject property is the Stafford Hills development. According to Henderson County address data, this development consists of approximately 184 units on 16.82 acres, resulting in a density of 10.94 units per acre. Under the ordinance, Stafford Hills is classified as multi-family due to the number of units per building (C-2 no longer allows residential uses).

The subject property is within close proximity to the Airport Road commercial corridor. If approved, the proposed development would place future residents within walking distance of restaurants, retail establishments, a grocery retailer, and urgent care services. This proximity is particularly significant given that the project is proposed as an affordable housing development. Residents within this community may have limited access to personal vehicles, making walkability and access to nearby goods and services an important consideration. "ART"- Asheville Rides Transit's south bus route 3 serves Airport Road.

## Site Images



This site photograph depicts the existing motel currently in operation on Underwood Road. If the proposed development is approved, the motel use would cease, and the structure would be demolished to accommodate the new project.



This photograph shows an existing single-family home located to the rear of the motel property. It is unclear whether the structure is currently occupied as a single-family residence; however, based on visual observations made during the site inspection, it appears that it may still be in use.



This photograph illustrates the typical conditions within the wooded portion of the site. The wooded area is generally located in the central portion of the property, situated between the two previously developed areas.



This photograph depicts the area identified as a stream on the most recent USGS quadrangle maps. At this time, staff has not been provided with documentation from the U.S. Army Corps of Engineers confirming whether the feature qualifies as a "Waters of the United States." If it is determined to meet that designation, it would be required to be protected in accordance with the Town's Land Development Code.



This photograph shows the second existing home located on the subject property. This residence currently has access from Rockwood Road.



This photograph illustrates the change in elevation between the existing motel site and the adjacent Apple Tree Honda development. As shown, the car dealership is situated at a significantly higher elevation than the motel property.



This photograph shows the existing cul-de-sac on Rockwood Drive in its current condition. According to mapping from North Carolina Department of Transportation, state maintenance of Rockwood Road terminates prior to this cul-de-sac, and the turnaround area is privately maintained.



This photograph shows the subject property as viewed from Rockwood Drive, looking south toward Underwood Road.

# Site Plan Summary:

## Site:

### Gross Floor Area

- All Buildings- 140,740 SF

### Individual footprints

- Building A-9,630 SF
- Building B-11,060 SF
- Building C- 9,630 SF
- Building D- 9,630 SF
- Building E- 9,630 SF

### Building Design

- The project meets the design requirements for developments in NBD per Article 5 of the LDC.

### Density

- Proposed: 14.92 units per acre
- Allowed: 16 units per acre

### Height

- All Buildings-3 stories.
  - 32' in height per the LDC.
  - 44' 6" to the top of the roof.

### Amenities

- Community Room
- Covered Picnic Area
- Playground
- Computer Center
- Exercise Room
- Outdoor Sitting Area with Benches
- Tot Lot

## Landscaping:

### Landscaping provided for the site:

- Street trees
- Interior parking lot landscaping

### Existing Trees

- Existing vegetation is proposed to be preserved along much of the eastern property boundary to provide a buffer to the adjacent residential properties. However, the entire boundary is not buffered, particularly along the southeastern portion of the site.

## Transportation:

### Transportation

- The site plan shows two access points onto the subject property.
- One access will be off of Rockwood Road (NCDOT maintained), and the other will be off Underwood Road (Town maintained).

### Sidewalks

- Sidewalks are proposed along all property frontages with a minimum width of five feet. The sidewalks will continue through the driveway crossings in accordance with the design standards of the Land Development Code.

### Bike Parking

- The development is providing 10 bike spaces making it multi-modal friendly for residents who may not have a car.

## TRC:

The project was reviewed by the Town's Technical Review Committee (TRC). During the meeting, no major concerns were raised regarding the ability to serve the site. Most comments were minor in nature and have either been addressed or can be resolved during the final site plan approval process. The TRC includes representatives from Fletcher Planning and Zoning, Fletcher Public Works, the Fletcher Fire Department, NCDOT, Henderson County Site Development, Buncombe County MSD, and the City of Hendersonville Water Department.

## Parking:

Parking: 2 Spaces per 1 Bedroom Unit or 1 Space Per Bedroom

- Total required- 247
- Total provided- 247
  - 18 Handicap spaces provided

## Land Use Plan Consistency:



Under North Carolina GS 160D-605, a land use plan consistency statement is a mandatory, board-approved document for zoning amendments that briefly explains how a proposed action aligns (or conflicts) with adopted comprehensive plans. It must be approved by the governing board during the vote and may include a statement of reasonableness.

The proposed development is inconsistent with the Land Use Plan's 10th goal of "Carefully manage allowances for higher density residential development, with the intent of limiting it to the center of Fletcher in a manner supportive of future Town Center growth, while at the same time preserving commercially zoned land for commercial uses".

The Plan states "2018 Update – In the five years since the 2013 Plan, Fletcher (and the region in general) has seen a rise in high density apartment style development. This update seeks to clarify the Town's intent to steer such development to the core center of Town in the immediate vicinity of the future Town Center, and to potentially further limit higher density residential in commercial zoning districts so as to preserve them for commercial growth and to aid in limiting the region wide sprawl being observed."

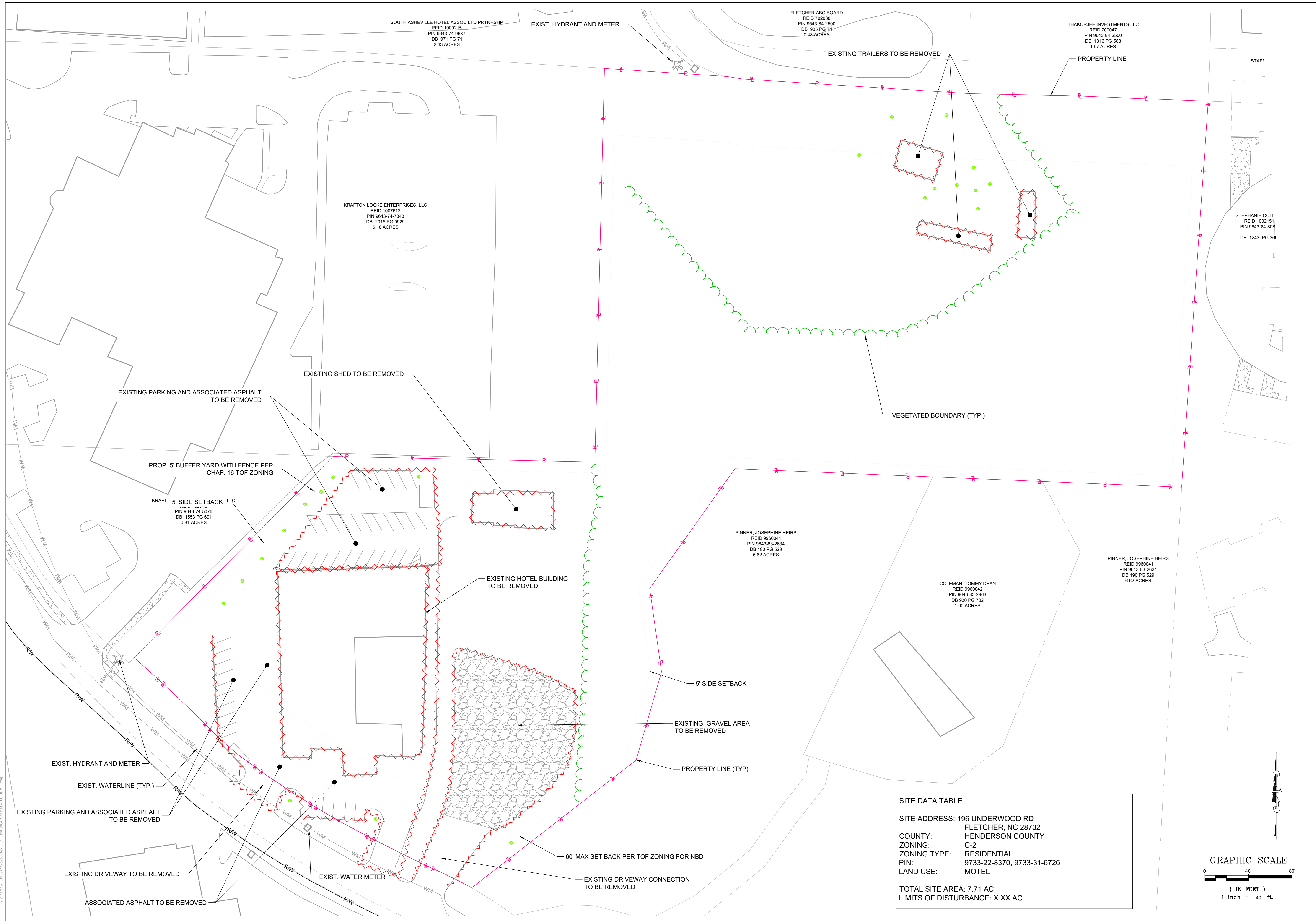
An inconsistency between a proposed map amendment and the Land Use Plan does not automatically prohibit approval. Rezoning requests that are inconsistent with the Land Use Plan may still be approved, provided the Town Council follows the applicable North Carolina General Statutes and adopts the required statements regarding plan consistency and reasonableness.

G.S. 160D-605 clarifies how to handle inconsistencies between plans and approved zoning actions. 160D clarifies (in G.S. 160D-605(a)) that if a zoning amendment is made that is inconsistent with the jurisdiction's duly adopted future land use map, then that future land use map is deemed to be amended. Note that this amendment is limited to the future land use map (and not other parts of a comprehensive plan), and it is only to conform the future land use map to the zoning amendment. As under previous law, no separate application for a plan amendment may be required in this situation.

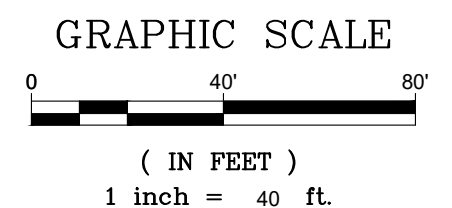
G.S. 160D-501(c) requires that if the future land use map is deemed amended by adoption of an inconsistent zoning action, then that amendment must be noted in the plan itself, helping to ensure that the plan itself is updated for those consulting it after the zoning amendment is made.

G.S. 160D-605(a) also specifically allows concurrent consideration of requests for plan amendments and zoning amendments. This reflects the practice in some jurisdictions to require anyone proposing a zoning amendment that is inconsistent with the plan to also submit a plan amendment so both can be considered at the same time.





SITE DATA TABLE	
SITE ADDRESS:	196 UNDERWOOD RD FLETCHER, NC 28732
COUNTY:	HENDERSON COUNTY
ZONING:	C-2
ZONING TYPE:	RESIDENTIAL
PIN:	9733-22-8370, 9733-31-6726
LAND USE:	MOTEL
TOTAL SITE AREA:	7.71 AC
LIMITS OF DISTURBANCE:	X.XX AC

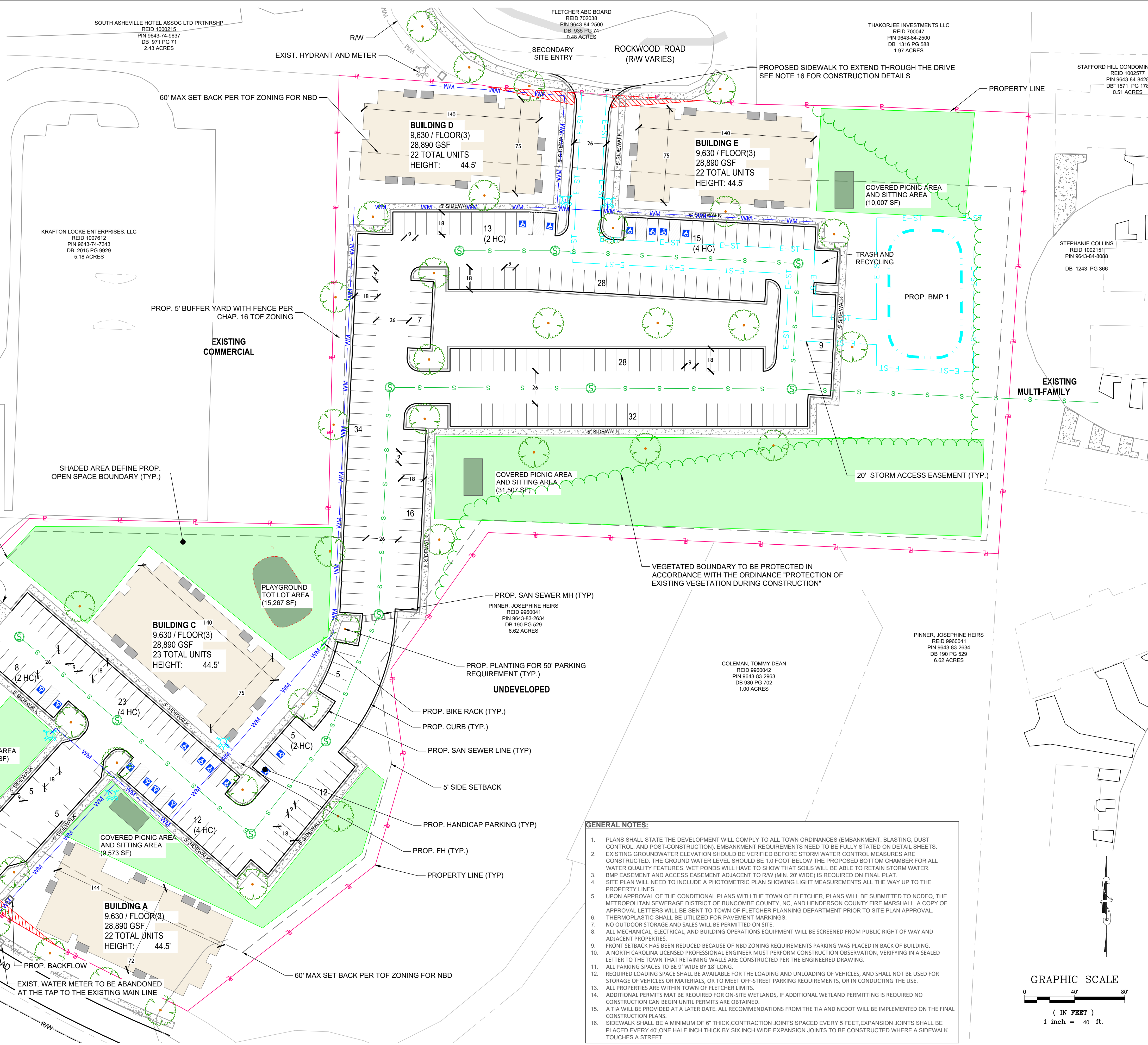


DATE:	
NO. REVISION/SUBMISSION	
PROFESSIONAL SEAL:	
COA: ECA105	03/06/2028
ADDRESS:	122 LYMAN STREET SUITE 10 ASHVILLE, NC 28801 (828) 232-4700
<b>THREE NOTCH GROUP</b>	PRELIMINARY - NOT FOR CONSTRUCTION
BIRKSHIRE TRACE 196 UNDERWOOD RD FLETCHER, NC 28732	
PROJECT NO: SHEET NO:	DATE: SCALE: AS SHOWN
C-100	DEMO

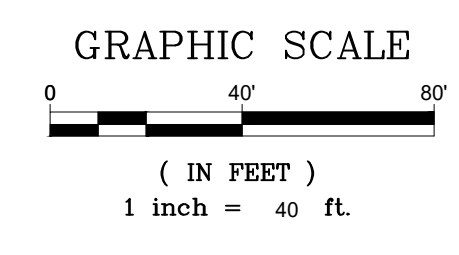
**SITE DATA TABLE**

**SITE ADDRESS:** 196 UNDERWOOD RD  
**FLETCHER, NC 28732**  
**PROPERTY OWNERS:** ARDEN HOSPITALITY LLC  
 AVL HOLDINGS LLC  
**COUNTY:** HENDERSON COUNTY  
**ZONING TYPE:** C-2  
**PIN:** 9733-22-8370, 9733-31-6726  
**LAND USE:** MULTI-FAMILY  
**TOTAL SITE AREA:** 7.71 AC.  
**LIMITS OF DISTURBANCE:** 7.00 AC.

FLETCHER ZONING NBD	TOTAL
SETBACKS: FRONT - 60' SIDE - 0' REAR - 0' MAX HEIGHT - 3 STORIES - 44'-6"	140,740 GSF
PARKING: 2 SPACES / 1 BEDROOM UNIT & 1 SPACE PER BEDROOM	UNITS: 115 TOTAL 1 BED - 24 (21%) 2 BED - 74 (64%) 3 BED - 17 (15%)
OPEN SPACE DEDICATION: 600 SF PER UNIT - 69,000 SF 69,752 SF - OPEN SPACE PROVIDED	PARKING: 247 TOTAL REQUIRED 247 TOTAL PROVIDED 18 HANDICAP PROVIDED
7.71 ACRES	NCHFA REQUIRED AMENITIES: • COMMUNITY ROOM • COVERED PICNIC AREA • PLAYGROUND
	NCHFA ADDITIONAL AMENITIES: • COMPUTER CENTER • EXERCISE ROOM • OUTDOOR SITTING AREA WITH BENCHES • TOT LOT



- GENERAL NOTES:**
- PLANS SHALL STATE THE DEVELOPMENT WILL COMPLY TO ALL TOWN ORDINANCES (EMBANKMENT, BLASTING, DUST CONTROL, AND POST-CONSTRUCTION). EMBANKMENT REQUIREMENTS NEED TO BE FULLY STATED ON DETAIL SHEETS.
  - EXISTING GROUNDWATER ELEVATION SHOULD BE VERIFIED BEFORE STORM WATER CONTROL MEASURES ARE CONSTRUCTED. THE GROUND WATER LEVEL SHOULD BE 1.0 FOOT BELOW THE PROPOSED BOTTOM CHAMBER FOR ALL WATER QUALITY FEATURES. WET PONDS WILL HAVE TO SHOW THAT SOILS WILL BE ABLE TO RETAIN STORM WATER.
  - BMP EASEMENT AND ACCESS EASEMENT ADJACENT TO R/W (MIN. 20' WIDE) IS REQUIRED ON FINAL PLAN.
  - SITE PLAN WILL NEED TO INCLUDE A PHOTOMETRIC PLAN SHOWING LIGHT MEASUREMENTS ALL THE WAY UP TO THE PROPERTY LINES.
  - UPON APPROVAL OF THE CONDITIONAL PLANS WITH THE TOWN OF FLETCHER, PLANS WILL BE SUBMITTED TO NCDEQ. THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NC, AND HENDERSON COUNTY FIRE MARSHALL. A COPY OF APPROVAL LETTERS WILL BE SENT TO TOWN OF FLETCHER PLANNING DEPARTMENT PRIOR TO SITE PLAN APPROVAL.
  - THERMOPLASTIC SHALL BE UTILIZED FOR PAVEMENT MARKINGS.
  - NO OUTDOOR STORAGE AND SALES WILL BE PERMITTED ON SITE.
  - ALL MECHANICAL, ELECTRICAL, AND BUILDING OPERATIONS EQUIPMENT WILL BE SCREENED FROM PUBLIC RIGHT OF WAY AND ADJACENT PROPERTIES.
  - FRONT SETBACK HAS BEEN REDUCED BECAUSE OF NBD ZONING REQUIREMENTS PARKING WAS PLACED IN BACK OF BUILDING.
  - A NORTH CAROLINA LICENSED PROFESSIONAL ENGINEER MUST PERFORM CONSTRUCTION OBSERVATION, VERIFYING IN A SEALED LETTER TO THE TOWN THAT RETAINING WALLS ARE CONSTRUCTED PER THE ENGINEERED DRAWING.
  - ALL PARKING SPACES TO BE 9' WIDE BY 18' LONG.
  - REQUIRED LOADING SPACE SHALL BE AVAILABLE FOR THE LOADING AND UNLOADING OF VEHICLES, AND SHALL NOT BE USED FOR STORAGE OF VEHICLES OR MATERIALS, OR TO MEET OFF-STREET PARKING REQUIREMENTS, OR IN CONDUCTING THE USE.
  - ALL PROPERTIES ARE WITHIN TOWN OF FLETCHER LIMITS.
  - ADDITIONAL PERMITS MAY BE REQUIRED FOR ON-SITE WETLANDS, IF ADDITIONAL WETLAND PERMITTING IS REQUIRED NO CONSTRUCTION CAN BEGIN UNTIL PERMITS ARE OBTAINED.
  - A TIA WILL BE PROVIDED AT A LATER DATE. ALL RECOMMENDATIONS FROM THE TIA AND NCDOT WILL BE IMPLEMENTED ON THE FINAL CONSTRUCTION PLANS.
  - SIDEWALK SHALL BE A MINIMUM OF 6" THICK, CONTRACTION JOINTS SPACED EVERY 5 FEET, EXPANSION JOINTS SHALL BE PLACED EVERY 40', ONE HALF INCH THICK BY SIX INCH WIDE EXPANSION JOINTS TO BE CONSTRUCTED WHERE A SIDEWALK TOUCHES A STREET.



DATE:	
NO. REVISION/SUBMISSION	
PROFESSIONAL SEAL:	
COA: ECA105	03/09/2026
ADDRESS:	122 LYMAN STREET SUITE 10 ASHVILLE, NC 28801 (828) 232-4700
<b>THREE NOTCH GROUP</b>	PRELIMINARY - NOT FOR CONSTRUCTION
BIRKSHIRE TRACE 196 UNDERWOOD RD FLETCHER, NC 28732	
PROJECT NO: R7/255004	DATE: 2/26/2026
SHEET NO:	SCALE: AS SHOWN
	<b>C-101</b>
	DRAWING TITLE: <b>SITE PLAN</b>



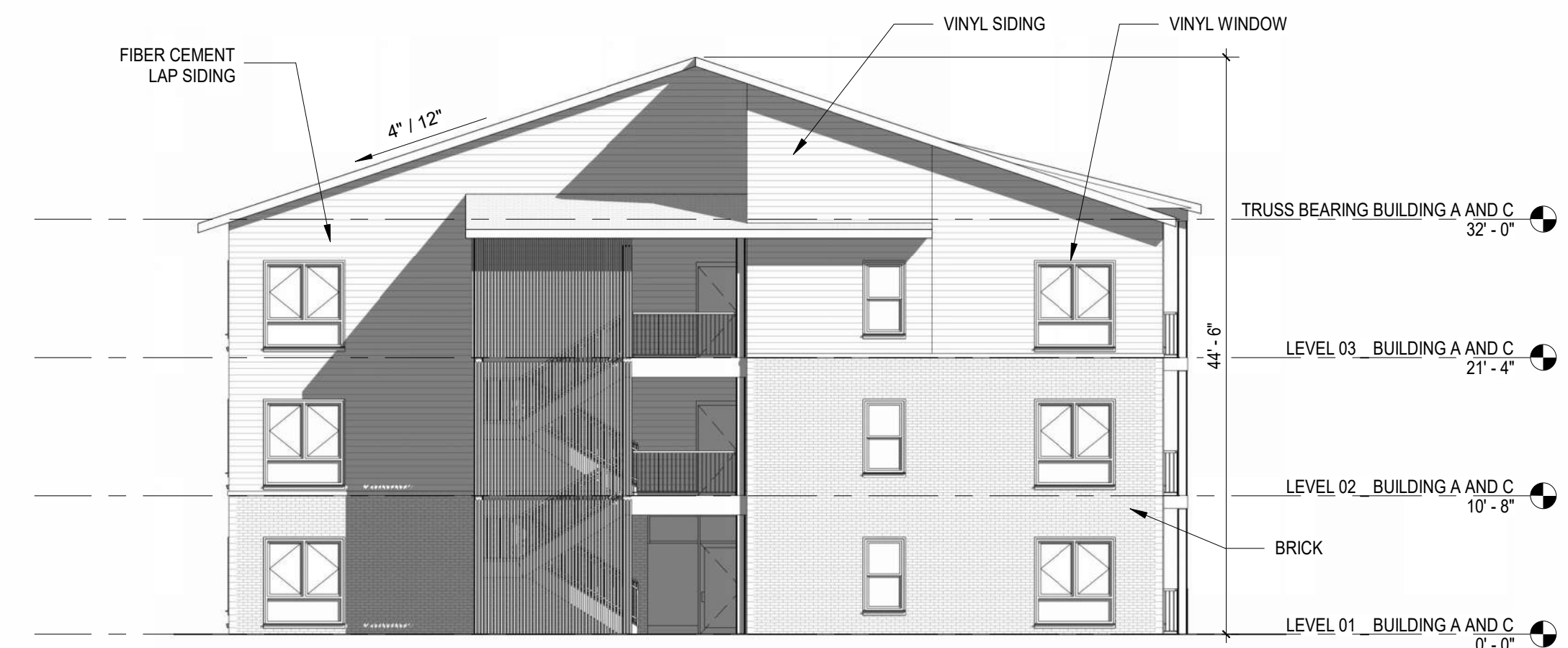
CONSULTANT LOGO

SEALS

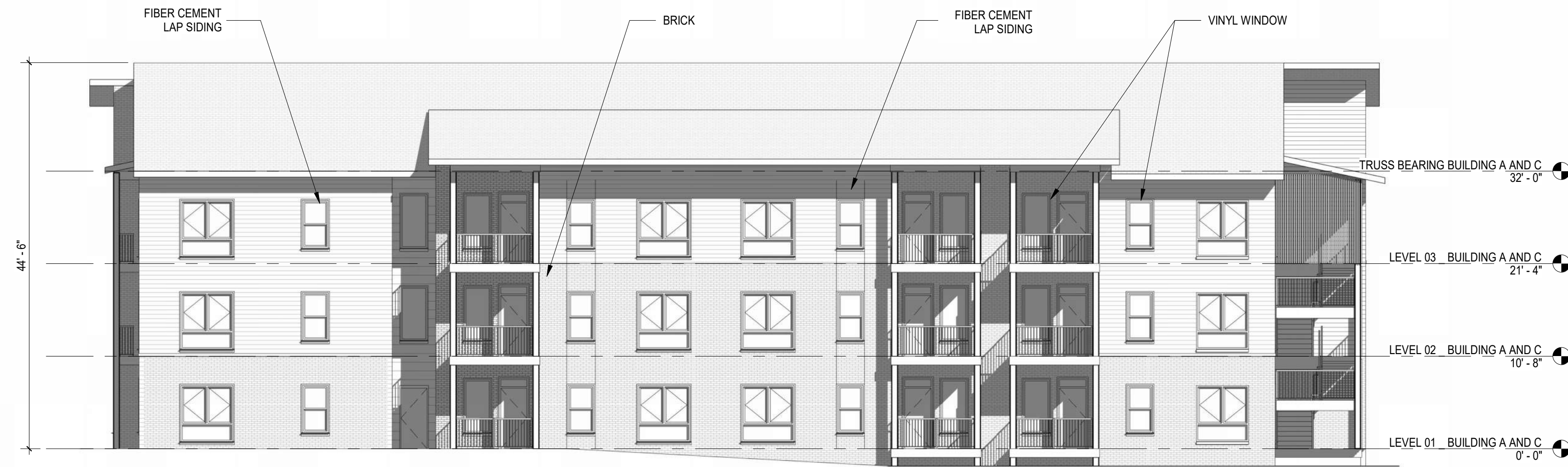
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4 NORTH ELEVATION \_ BUILDING A, C, D AND E  
A02 3/32" = 1'-0"



3 EAST ELEVATION \_ BUILDING A, C, D AND E  
A02 3/32" = 1'-0"



1 SOUTH ELEVATION \_ BUILDING A, C, D AND E  
A02 3/32" = 1'-0"



2 WEST ELEVATION \_ BUILDING A, C, D AND E  
A02 3/32" = 1'-0"

TAFT-MILLS GROUP, LLC  
 CONDITIONAL ZONING DISTRICT APPLICATION  
 BIRKSHIRE TRACE - 196 UNDERWOOD RD. FLETCHER, NC

SHEET ISSUE:  
NO. DATE DESCRIPTION BY

NOT FOR CONSTRUCTION

PRINCIPAL IN CHARGE: NOT SET  
PROJECT ARCHITECT: NOT SET  
DRAWN BY: Author

SHEET TITLE:  
**BUILDING A AND C ELEVATIONS**

SHEET NO. PROJ. NO.  
025963.00

**A02**

CONSULTANT LOGO

SEALS

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**1 NORTH ELEVATION BUILDING B**  
 A03 3/32" = 1'-0"



**2 EAST ELEVATION BUILDING B**  
 A03 3/32" = 1'-0"



**4 SOUTH ELEVATION BUILDING B**  
 A03 3/32" = 1'-0"



**3 WEST ELEVATION BUILDING B**  
 A03 3/32" = 1'-0"

**TAFT-MILLS GROUP, LLC**  
**CONDITIONAL ZONING DISTRICT APPLICATION**

BIRKSHIRE TRACE - 196 UNDERWOOD RD. FLETCHER, NC

SHEET ISSUE:  
 NO. DATE DESCRIPTION BY

**NOT FOR CONSTRUCTION**

PRINCIPAL IN CHARGE:  
 PROJECT ARCHITECT:  
 DRAWN BY:  
 SHEET TITLE:

**BUILDING B ELEVATIONS**

SHEET NO. PROJ. NO. 025963.00

**A03**

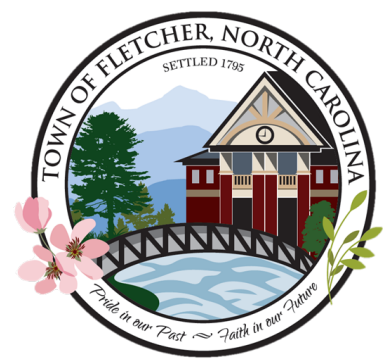


0 100 200 400  
Feet

Town of Fletcher  
February 2026

**Birkshire Trace**  
 26-01-SUP  
 PIN: 9643-73-8923,  
 9643-84-1236, -3220, -4274  
 Acreage: 7.71  
**Proposed Zoning**

Subject Property (NBD-SU)  
 C-2 Interstate Commercial District





# Town of Fletcher

Planning and Zoning  
300 Old Cane Creek Road, Fletcher, NC 28732  
(828) 687-3985 Fax (828)687-7133

## Special Use Permit Application

Application Number 26-01-SUP

Name of Project: Birkshire Trace

Address/Location of Property: 196 Underwood Road, Fletcher, NC 28732

PIN# 9643738923/9643841236/9643843220 PID# \_\_\_\_\_  
9643844274

Type of Development:

Residential  Commercial  Other

Current Zoning: C-2 interstate Proposed Zoning: NBD- Neighborhood  
Commercial District Business District

List requested uses:

The requested zoning change will allow the development to accomodate multi-family units.

Total Acreage 7.71 Proposed Building Sq. Ft. 113,220 Dwelling Units 115 units

Name of Agent

Agent's Address

City, State, Zip

Telephone Number

Signature of Property Owner if other than Petitioner

Name of Petitioner(s)

PO Box 566

Address of Petitioner(s)

Greenville, NC 27835

City, State, Zip  
252-916-2691

Telephone Number

Signature

DUSTIN MILLS, Tafr-Mills Group

If an AGENT is filing the petition, you must have a signed Owner's Affidavit attached to the petition.  
If you have any questions about filling out this application, please contact the Planning and Zoning Department at (828) 687-3985.

Received by Tyler Morrow Date 2-18-26

### Owner's Affidavit

I (we) the undersigned do hereby give permission to (agent's name or organization)

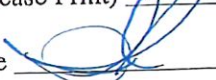
Dustin Mills, Taft-Mills Group, LLC to file petition (application) for property(s)

located at 196 Underwood Road, Fletcher, NC 28732 with


PIN (or PID)# 9643738923/9643841236\*\* on this affidavit for the purpose of requesting a  
\*\* 9643843220/9643844274

Special Use Permit or Conditional Use Rezoning from the Town Council of the Town of Fletcher, NC. I further understand that my signature is consent to all conditions and/or stipulations that may be imposed or adopted by such Town Council as part of the petition approval.

1. Owner's Name (Please Print) AVL Holdings, LLC. Satis Patel, Managing Member

Owner's Signature  Date 2/10/26

2. Owner's Name (Please Print) Arden Hospitality, LLC. Satis Patel, Managing Member

Owner's Signature  Date 2/10/26

3. Owner's Name (Please Print) \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

4. Owner's Name (Please Print) \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

#### Agent's (Contact) Information

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_



# LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: Arden Hospitality, LLC

SECRETARY OF STATE ID NUMBER: 2726335 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2025

Filing Office Use Only
E - Filed Annual Report
2726335
CA202505702856
2/27/2025 04:39
<input type="checkbox"/> Changes

### SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Katherine Perez Posso

2. SIGNATURE OF THE NEW REGISTERED AGENT: \_\_\_\_\_  
SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY	4. REGISTERED AGENT OFFICE MAILING ADDRESS
<u>550 New Airport Rd</u>	<u>550 New Airport Rd</u>
<u>Fletcher, NC 28732-8618 Buncombe County</u>	<u>Fletcher, NC 28732-8618</u>

### SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Hotel

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 687-0378 3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS	5. PRINCIPAL OFFICE MAILING ADDRESS
<u>550 New Airport Road</u>	<u>550 New Airport Road</u>
<u>Fletcher, NC 28732</u>	<u>Fletcher, NC 28732</u>

6. Select one of the following if applicable. (Optional see instructions)

The company is a veteran-owned small business

The company is a service-disabled veteran-owned small business

### SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: <u>Satis Patel</u>	NAME: _____	NAME: _____
TITLE: <u>Managing Member</u>	TITLE: _____	TITLE: _____
ADDRESS: _____	ADDRESS: _____	ADDRESS: _____
<u>PO Box 759</u>	_____	_____
<u>Fletcher, NC 28732-0759</u>	_____	_____

### SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

<u>Satis Patel</u>	<u>2/27/2025</u>
SIGNATURE	DATE

Form must be signed by a Company Official listed under Section C of This form.

<u>Satis Patel</u>	<u>Managing Member</u>
Print or Type Name of Company Official	Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

