

REZONING: CONDITIONAL REZONING –RONAN AT HENDERSONVILLE (P24-33-CZD)

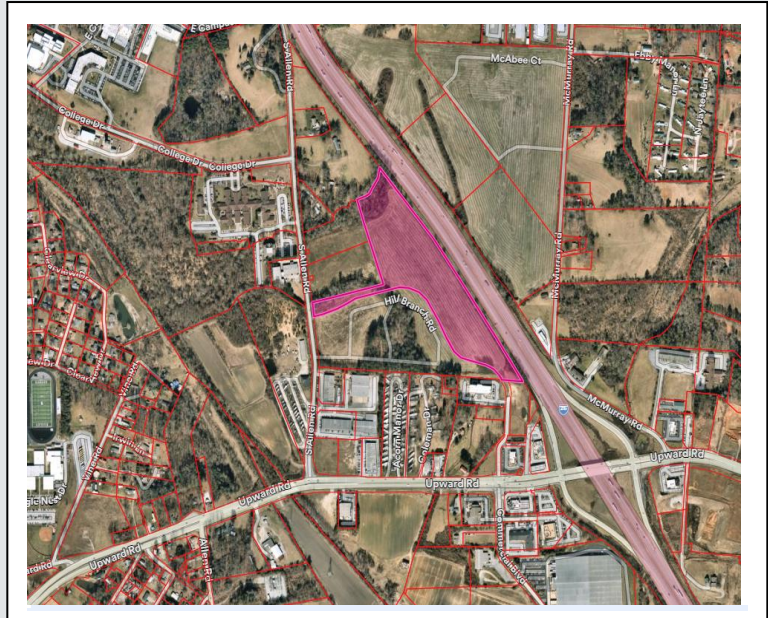
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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## PROJECT SUMMARY

- Project Name & Case #:
  - Ronan at Hendersonville (Waterleaf Phase II)
  - P24-33-CZD
- Applicant & Property Owner:
  - Paul Aiesi, manager (Graycliff Capital Development, LLC) [Applicant]
  - Robert O. Camenzind, Peggy C. Cabe, John T Fleming, Enno F. Camenzind, Paula Camenzind Carter [Owners]
- Property Address:
  - 0 S. Allen Road
- Project Acreage:
  - 17.13 Acres
- Parcel Identification (PIN):
  - 9588-22-1126
- Current Parcel Zoning:
  - CHMU-Commercial Highway Mixed Use
- Future Land Use Designation:
  - Mixed Use-Commercial
- Requested Zoning:
  - CHMU-CZD, Commercial Highway Mixed Conditional Zoning District.
- Requested Uses:
  - Residential dwellings, multi-family
  - Accessory uses & structures
- Neighborhood Compatibility Meeting:
  - June 19th, 2024

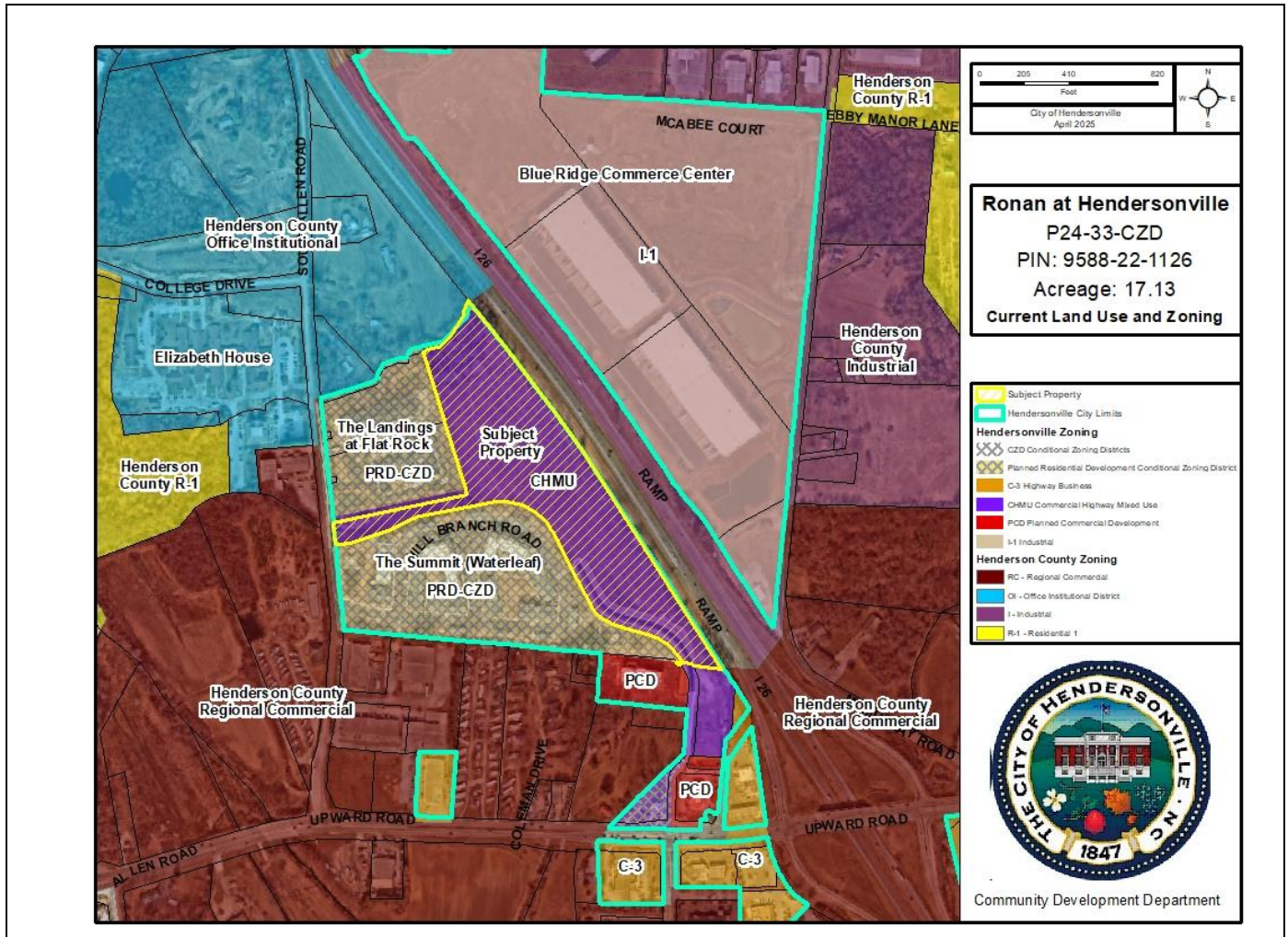


SITE VICINITY MAP

*The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Paul Aiesi, manager of Graycliff Capital Development, LLC, applicant and Robert O. Camenzind, Peggy C. Cabe, John T Fleming, Enno F. Camenzind, Paula Camenzind Carter, property owners. The applicant is requesting to rezone the subject property, PIN 9588-22-1126 and located on S. Allen Road, from CHMU, Commercial Highway Mixed Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District for the construction of a 192-unit multi-family development and associated accessory structures and amenities.*

*The site plan depicts eight multi-family buildings, each comprising 24 units. These buildings are proposed to be three stories tall, slightly exceeding 39 feet. Additionally, the plan includes five garages, a cabana, a clubhouse with a pool, and various amenities such as a fire pit, community garden, dog park, and playground.*

## EXISTING ZONING & LAND USE



### City of Hendersonville Current Zoning & Land Use Map

The subject property is a large vacant parcel located along I-26. It is a residual parcel remaining after the Stonecroft (Landings of Flat Rock) Development and the Summit at Hendersonville (Waterleaf Phase I) subdivided and developed the other sections of the parent tract. The property was annexed into the City as a satellite parcel on September 2, 2021, and subsequently rezoned by the City Council to Commercial Highway Mixed Use, a zoning district designated for the Upward Road Corridor.

The surrounding area includes a mix of City of Hendersonville and Henderson County zoning. The City parcels, concentrated near the interstate exit, feature a variety of commercial, residential, and mixed-use zoning designations. The Upward Road Corridor within Henderson County's jurisdiction is zoned Regional Commercial. Blue Ridge Community College, located nearby, is zoned Office and Institutional.



## SITE IMAGES



*View of the strip of land between Waterleaf Phase I and the Landings of Flat Rock, where a road was previously indicated on earlier site plans.*

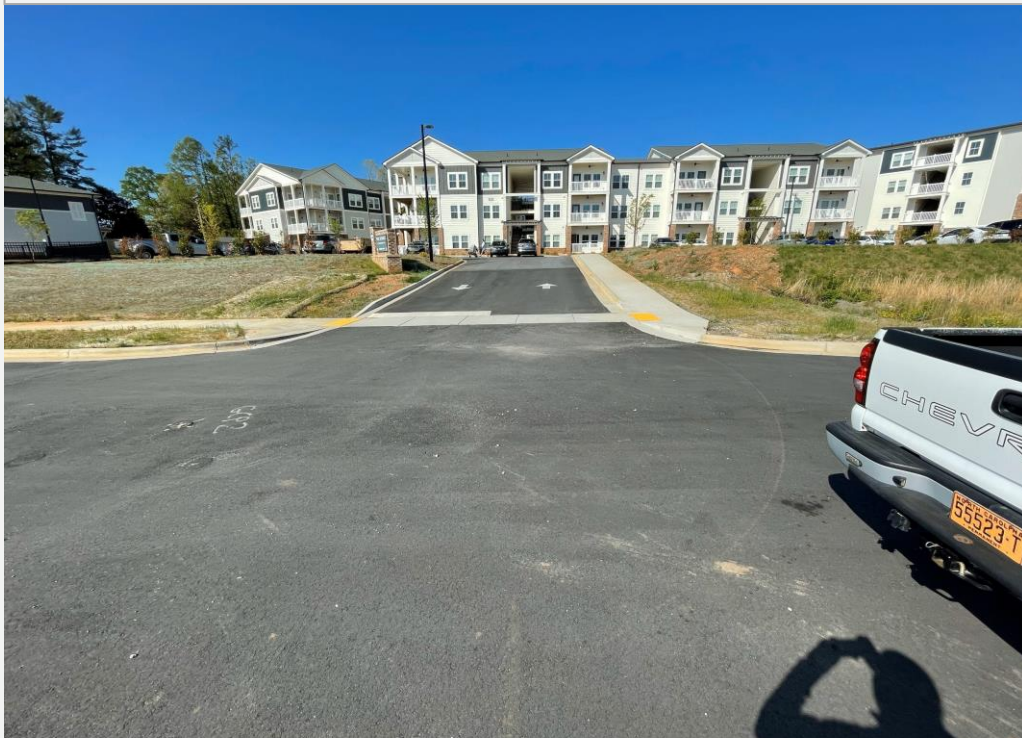


*View of the subject property from Upward Crossing Drive.*

## SITE IMAGES



*View of the sidewalks across from the subject property, which were constructed as part of Waterleaf Phase I to qualify for a density bonus.*



*View of Waterleaf at Flat Rock Phase I from the approximate location of the Ronan at Hendersonville entrance.*



## SITE IMAGES



*Typical view of the subject property.*



*Mature trees located between the Waterleaf at Flat Rock Phase I property and the Landings at Flat Rock property.*



SITE IMAGES



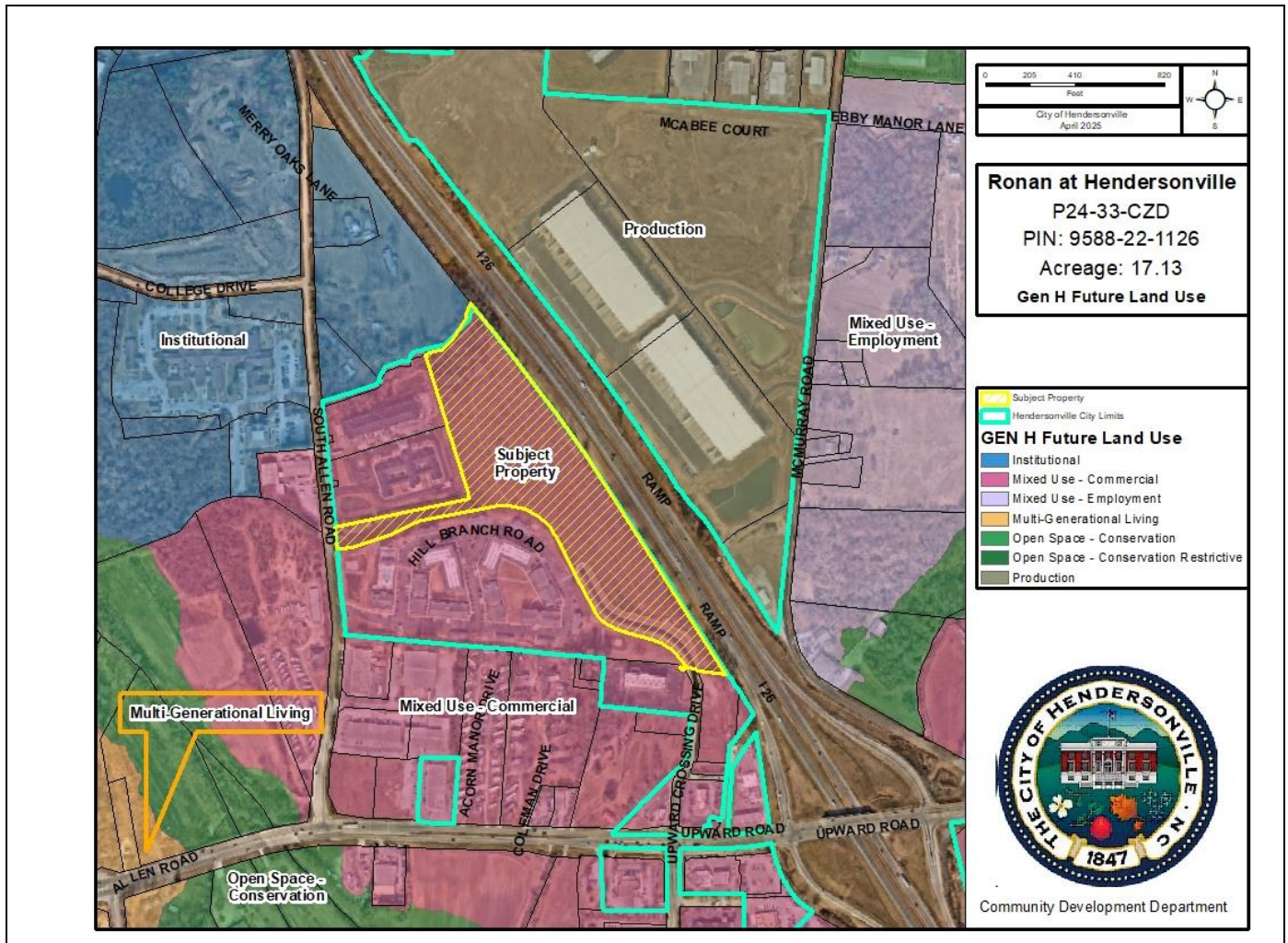
*View of the mature grove of trees close to the stream to the northwest.*



*View of the blueline stream to the northwest.*



## FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is designated as Mixed-Use Commercial. This designation follows the Upward Road frontage corridor starting at the Upward Road and South Allen Road Intersection and continues east to the edge of the map's boundary. Parcels to the northwest are designated as institutional, a designation associated with the Elizabeth House and Blue Ridge Community College. The parcels directly across I-26 from the subject property are designated as Industrial, a designation associated with the Blue Ridge Commerce Center which is 50% completed. Open Space Conservation is also found near the subject property; this designation follows Bat Fork Creek and its associated floodplain.

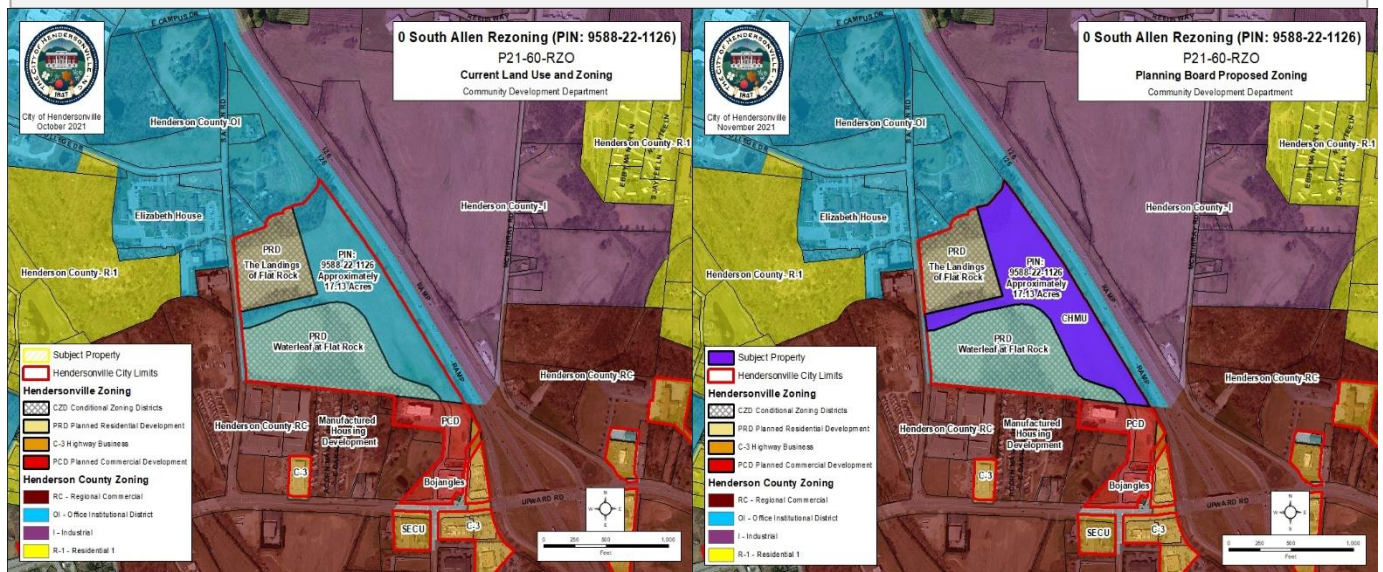


## REZONING HISTORY

Prior Rezoning (P21-60-RZO)	Summary of Prior Petition	Status
1-6-2022 (County O&I to City CHMU)	17.13-acre tract that was annexed into the City and zoned CHMU as its initial City zoning district.	Active

### Subject Property History

- September 2<sup>nd</sup>, 2021:** City Council annexed this parcel and the Waterleaf at Flat Rock Phase I parcel. At the time of annexation, they were both combined into a 32.66 acre parcel.
  - Meeting Minutes: <https://mccmeetings.blob.core.usgovcloudapi.net/hvlnC-pubu/MEET-Minutes-3cb3462df8a840ff9b290d0d871faal d.pdf>
- December 2<sup>nd</sup>, 2021:** The public hearing was opened by City Council and continued to the January 6<sup>th</sup>, 2022.
  - Meeting Minutes: <https://mccmeetings.blob.core.usgovcloudapi.net/hvlnC-pubu/MEET-Minutes-fd0bde158b6f4b7ea7b0bdf4e3f49cc7.pdf>
- January 6<sup>th</sup>, 2022:** City Council zoned the subject property CHMU. The applicant/owners of the property originally petition that the parcel be zoned C-3 due to it's I-26 frontage and their desire to have a commercial tenant (commercial uses are also permitted in CHMU), however, they became agreeable to CHMU after Planning Board recommended denial of the C-3 petition and recommend approval of the property being zoned CHMU.
  - Meeting Minutes: <https://mccmeetings.blob.core.usgovcloudapi.net/hvlnC-pubu/MEET-Minutes-7d5c21a0dc6840f0becb52143a824a4d.pdf>



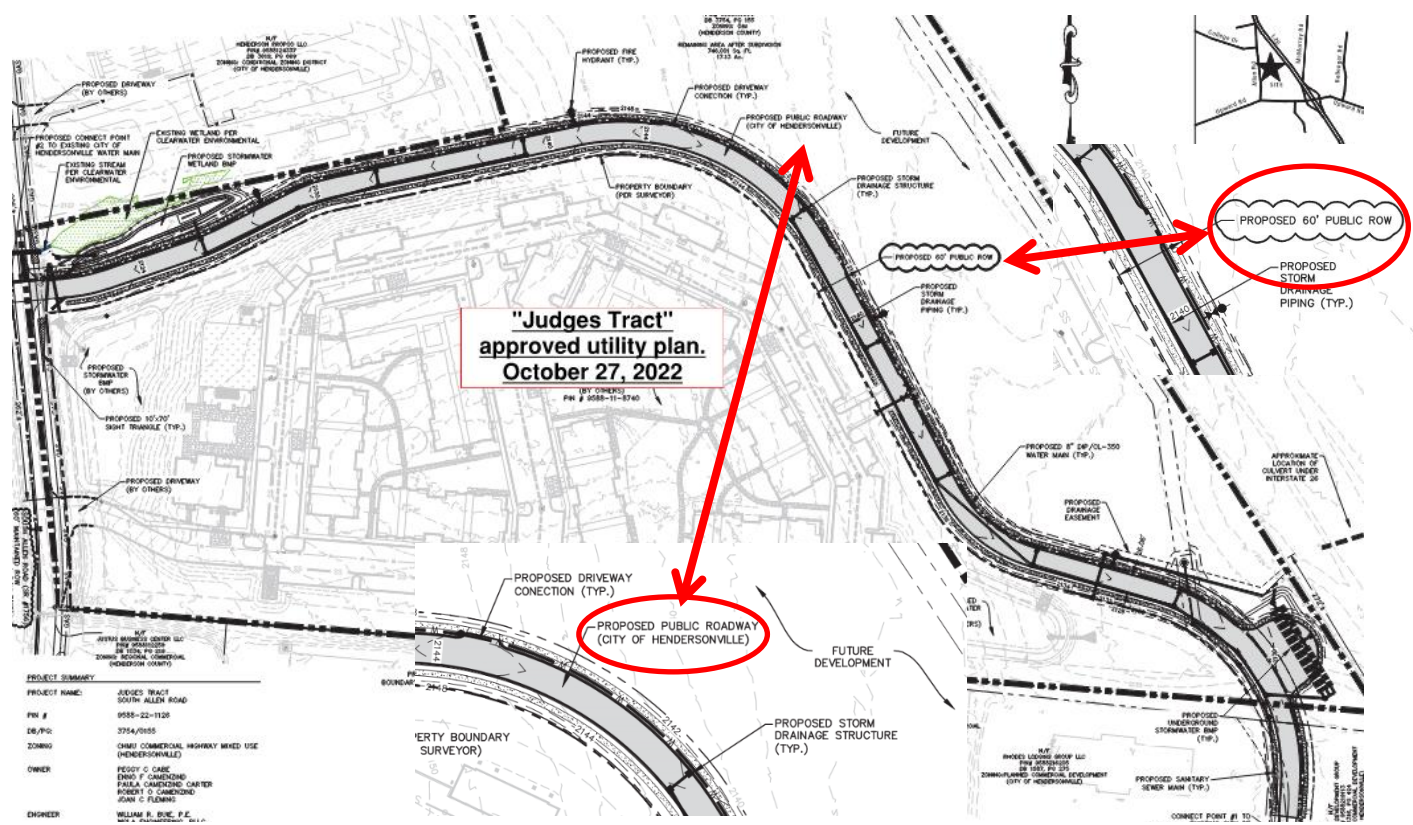
## **PROPOSED REQUEST DETAILS**

### Site Plan Summary:

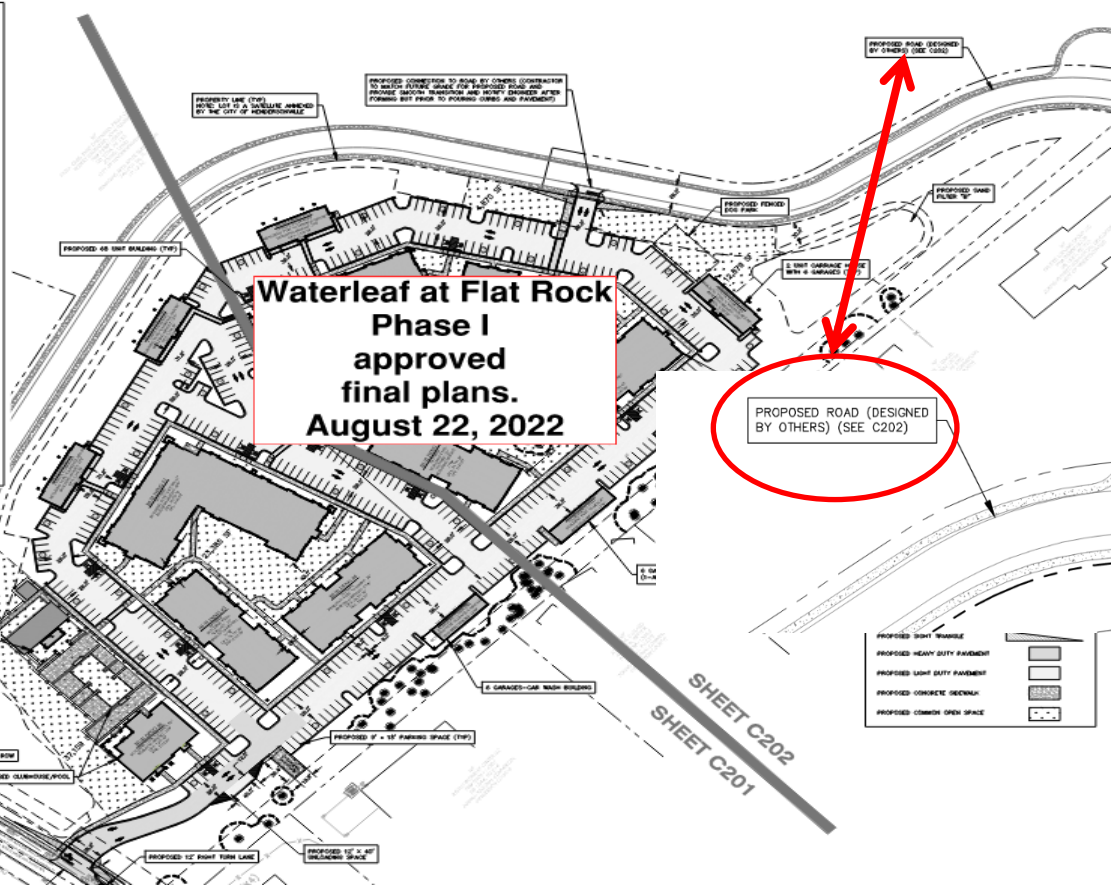
- Proposed Uses:
  - Residential dwellings, multi-family
  - Accessory uses & structures
- Buildings:
  - 8 apartment buildings 27,340 SF each (218,720 total).
  - Clubhouse 3,500 SF
  - 5 Garages 1,980 SF
  - Cabana 273 SF
- Building Design
  - The building/site is required to meet all building and design requirements of a Commercial Highway Mixed Use development, and this includes but is not limited to building materials, building offsets, building projections, building orientation, building scale, etc.
  - All buildings on site meet the design requirements for CHMU developments.
- Height
  - CHMU allows 4 stories for multi-family buildings.
  - Proposed-
    - 8 apartment buildings- 39' 2" (3 stories)
    - Clubhouse- 17' 11"
    - 5 Garages- 12' 9"
    - Cabana- 12'
- Transportation
  - The site plan shows two access points onto the site, both of which are coming off of Upward Crossing Drive.
  - The site plan proposes a cross-access easement through the Summit at Hendersonville Development (Waterleaf Phase I). This easement would allow permanent access from the Ronan development to S. Allen Road.
- Public roadway connection to S. Allen Road
  - City staff have asked that the developer provide a roadway connection between the existing Upward Crossing stub-out (which was constructed to public street standards as part of the Waterleaf Phase I project) and S. Allen Road. The design of this roadway connection should follow the public street design established by the Waterleaf Phase I project. The roadway connection has been shown at various stages. The roadway was shown on the Waterleaf Phase I final plans dated August 22, 2022 as a "road by



others". Additionally, the proposed roadway connection is shown in the approved 'Judges Tract' water and sewer extension plan, which was approved by City Engineering on October 27, 2022.



- NOTES**
1. ALL WORKMAN SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND NATIONAL REGULATORY REQUIREMENTS AND ALL REQUIREMENTS IN THE PROJECT TECHNICAL SPECIFICATIONS.
  2. SINGLE-PHASE CONSTRUCTION.
  3. ALL WORK SHALL BE PERFORMED BY A NORTH CAROLINA LICENSED CONTRACTOR.
  4. TO MINIMIZE THE REQUIRED DISTURBANCE ON ALL WORK, THE CONTRACTOR SHALL SUBMIT A DETAILED CONSTRUCTION PLAN TO THE CITY OF HENDERSONVILLE FOR REVIEW AND APPROVAL. THE PLAN SHALL SHOW THE LOCATION OF ALL EXISTING UTILITIES, THE LOCATION OF ALL NEW UTILITIES, THE LOCATION OF ALL EXISTING AND NEW STRUCTURES, AND THE LOCATION OF ALL EXISTING AND NEW DRIVEWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HENDERSONVILLE AND ANY OTHER AGENCIES THAT MAY BE INVOLVED IN THE PROJECT.
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- Given that this roadway connection has been consistently shown in multiple review processes and discussed previously, the City anticipated that this connection would be included in the development of this property. This roadway connection is supported by CHMU standards, specifically section 5-27-5 - Transportation, which states "It is the intent of these regulations to create interconnectivity between development parcels in order to provide alternative transportation routes to existing thoroughfares.", it further states "when development parcels have potential to provide access between major arterial roadways and adjoining parcels, developers are encouraged to utilize public streets, rather than private streets or driveways.". The need for such interconnectivity is also supported by the Gen H Comprehensive Plan (pages 112-113) and Section 18-6-4.6 of the Zoning Ordinance, which emphasizes the importance of interconnected street networks to disperse traffic.



Building redundancy into the street network provides more routes and reduces congestion | CNU

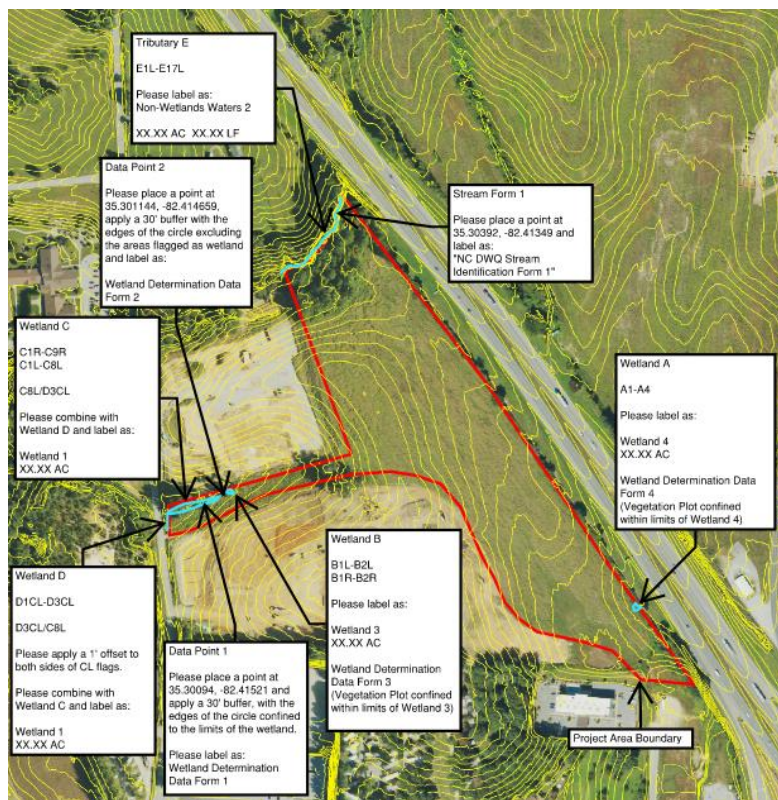
#### ○ Sidewalks

- Sidewalks are provided along the property frontage of Upward Crossing Drive.
- The developer is requesting a condition for the frontage sidewalks along the S. Allen Road property boundary. Staff **does not** support this condition, as it would eliminate a crucial connection between the Waterleaf Phase I sidewalks and the Landings at Flat Rock sidewalks.

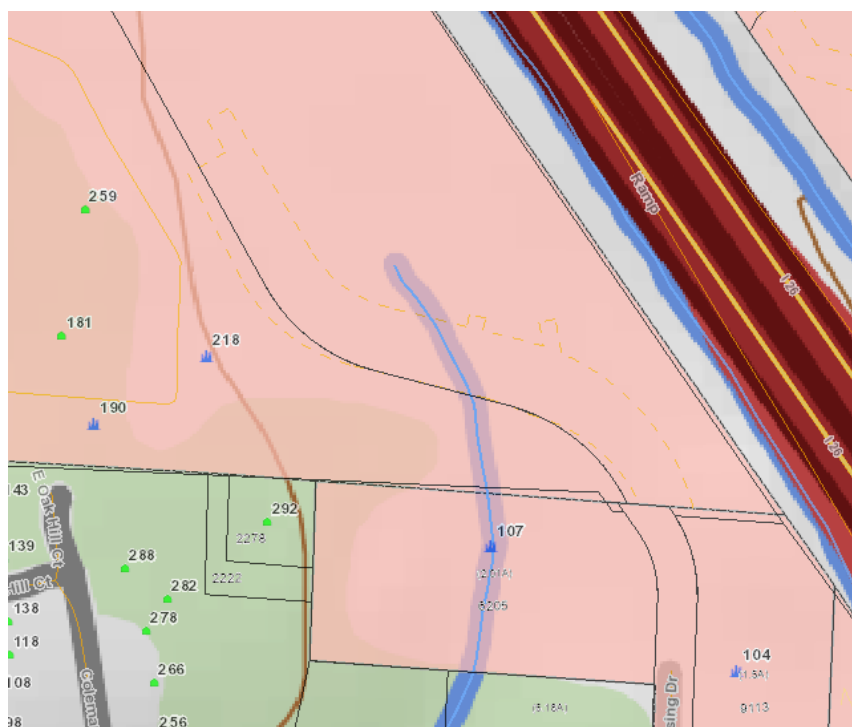




- Lighting
  - All site lighting will be required to conform to the City's lighting standards for multi-family developments as well as lighting for areas abutting stream buffers.
- Parking:
  - Required vs. proposed
    - 1 space for 1- and 2-bedroom units, 1.5 for 3+ bedroom units.
      - 1- or 2-bedroom units-168
      - 3+ bedroom units- 24
        - Total required- 204
        - Total provided- 324
  - CHMU requires "Off-street parking be located in the rear or side yard only and shall be screened from view from public roadways.". The current design of the parking lots does not meet this requirement and the development is asking for a condition concerning their parking.
- Natural Resources
  - According to the latest USGS topographic maps there is a blueline stream on the northwestern portion of the subject property. This blueline stream will require an undisturbed 30' stream buffer and 20' transitional area with no impervious surfaces.
  - A wetland and stream delineation conducted by Blueline Environmental Consultants LLC shows a small wetland on the eastern portion of the subject property. It also shows wetlands on the eastern "pole" property area.



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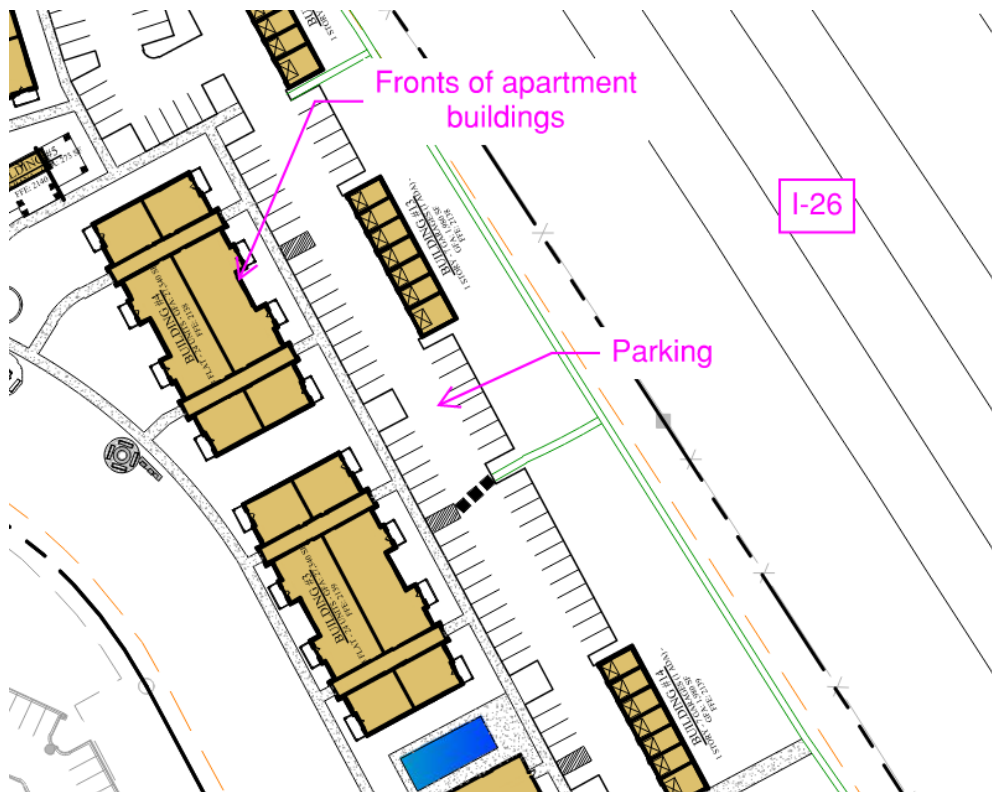
### DEVELOPER-PROPOSED CONDITIONS:

1. Request condition to remove the requirement of street connectivity & stub-outs per section 5-27-5-2-4 as the proposed project area is surrounded by new development that likewise do not have reciprocated stub outs.
2. An updated boundary survey will be provided for final design.
3. Jurisdictional letter confirmed by Army Corps of Engineers will be provided for final design.
  - Staff notes: The developer has hired a consultant to conduct a stream and wetland determination for the subject property. The findings of this delineation have not yet been confirmed by the Army Corps of Engineers. The developer is requesting that this confirmation be made during the final site plan review. The primary point of uncertainty is whether the blue line stream shown in the southwestern portion of the property is, in fact, a stream and subject to stream buffer protections. The currently provided delineation does not classify it as a stream.
4. Request to not provide sidewalk along S. Alen Road frontage to prevent wetland impact.
  - Staff notes: Although it appears that the sidewalk may potentially impact the wetlands, staff does not support forgoing this important sidewalk connection between two existing sidewalks.





5. Acknowledge that the CHMU requires off street parking to be located to the side or rear, but due to traffic and noise levels associated with the interstate, requiring parking be located adjacent to the interstate as shown in the current design to allow residents to be further from interstate.
  - Staff notes- See clip from site plan below.



6. Developer shall install 1.5" minimum caliper trees instead of the 3" to 3.5" caliper trees as required for CHMU common space trees



## OUTSTANDING ISSUES & CITY PROPOSED CONDITIONS:

### **COMMUNITY DEVELOPMENT**

#### **Site Plan Comments:**

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Commercial Highway Mixed Use Developments (5-27) (minus any developer proposed conditions).
  - Comments that will be reviewed/addressed during final site plan review process and do not need to be addressed during the preliminary site plan review process:
    - Landscaping:
      - All final landscaping comments will be addressed as part of the final site plan approval between City staff and the project designer in accordance with the City's ordinances.

#### **Proposed City-Initiated Conditions:**

- "The developer shall record a 24' wide cross access easement as shown on sheet C200 between the Ronan at Hendersonville Project (Waterleaf Phase 2) and the Summit at Hendersonville Project (Waterleaf Phase I). Thus, providing permanent access from the Ronan at Hendersonville Development to S. Allen Road." **This condition was agreed to by the developer.**
- "The development shall provide a roadway connection between the current dead end of Upward Crossing and S. Allen Road. This roadway connection is supported by the zoning ordinance, comprehensive plan, and transportation best practices. The connection shall follow the public roadway design established with the existing Waterleaf Phase I extension." **This condition was not agreed to by the developer.**

### DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The Development Review Committee consists of the following Departments/Divisions and Agencies: Engineering, Water/Sewer, Fire Marshal, Stormwater Administration, Floodplain Administration, Public Works, NCDOT, Henderson County Soil & Erosion Control and the City's Traffic Consultant. While all pertinent members of the DRC reviewed this project, staff have provided only the relevant/outstanding comments / conditions below:

### **TRANSPORTATION CONSULTANT (KIMLEY HORN)**

#### **TIA Comments:**

- The Traffic Impact Analysis for the development was submitted on July 29<sup>th</sup>, 2024, by the developer's traffic consultant DRMP. The City's traffic consultant Kimley Horn provided their review comments on August 5<sup>th</sup> 2024. Kimley Horn stated that "Based on a technical review of the TIA as submitted, the

- analysis and recommendations as stated are acceptable and no revisions are required.”
- The TIA was based on the premise that access to Upward Road would be provided via a connection to Upward Crossing Drive while connection to South Allen Road is to be provided via connectivity to Phase I of the Waterleaf at Flat Rock development.
  - The expected **new** trip generation for the proposed development is as follows:
    - 1,306 Daily Trips
    - 82 AM Peak Hour Trips
    - 103 PM Peak Hour Trips

**TIA Proposed Mitigation:**

- Upward Road and Upward Crossing Drive
  - DRMP’s Response: Based on the findings of this study, no specific geometric or traffic control improvements have been identified.
  - Kimley Horn’s Response: This intersection is projected to experience a change in LOS from B to C based on an increase in delay by 1 second in the AM peak hour. Considering the small increase in overall delay and all movements are projected to have no change in LOS, we concur with the recommendation of no mitigation as reported in the TIA.
- Upward Road and I-26 WB Ramps
  - Based on the findings of this study, no specific geometric or traffic control improvements have been identified.
  - Kimley Horn’s Response: Concur.
- Upward Road and I-26 EB Ramps
  - Based on the findings of this study, no specific geometric or traffic control improvements have been identified.
  - Kimley Horn’s Response: Concur.
- Upward Road and South Allen Road
  - Based on the findings of this study, no specific geometric or traffic control improvements have been identified.
  - Kimley Horn’s Response: Concur.
- Hill Branch Road and South Allen Road
  - Based on the findings of this study, no specific geometric or traffic control improvements have been identified.
  - Kimley Horn’s Response: Concur.



## FIRE DEPARTMENT

- Appendix D of the Fire Code.
  - Per Appendix D, secondary access is required for the development. The second access provided does not meet the requirements for remoteness. Secondary access needs to be further apart **OR all** buildings must have a sprinkler system (including the nonresidential buildings).
    - The developer proposes to sprinkle all buildings in order to keep the current access points where they are.

GENERAL REZONING STANDARDS	
1) Comprehensive Plan Consistency	<b>Land Supply, Suitability &amp; Intensity</b> The subject property was not listed on the land suitability or supply maps. The subject property is within the focused intensity node of the I-26 Interchange.
	<b>Future Land Use &amp; Conservation Map-</b> See Gen H appendix.  <b>Designation:</b> Mixed Use Commercial <b>Character Area Description:</b> Somewhat Consistent <b>Zoning Crosswalk:</b> Consistent
2) Compatibility	<b>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</b>
	The proposed development follows a design similar to that of the adjacent developments (Summit at Hendersonville (Waterleaf Phase I) and Stonecroft (Landings at Flat Rock). If approved and constructed, this development would complete the buildout of the overall parent parcel for these three developments. The development places residents within walking distance of dining, retail, and banking amenities.
3) Changed Conditions	<b>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</b>
	The subject property is currently annexed and zoned Commercial Highway Mixed Use. The proposed project aligns with the underlying zoning and design requirements for this district. It is required to be reviewed as a conditional zoning district due to the number of dwelling units proposed.
4) Public Interest	<b>Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -</b>
	According to the 2024 Housing Needs Assessment, Henderson County requires an estimated 10,000 new housing units over the next five years. Of these, at least 2,000 units are needed in Hendersonville for low-to-moderate income households. Over the past five years, the City of Hendersonville has approved 1,938 multi-family units. If this project is approved, the total number of recently approved multi-family units in Hendersonville would rise to 2,130. However, of the 1,938 units approved, only 1,825 are currently active. Additionally, only 163 of the approved active units are affordable for citizens earning between 30% and 80% of the Area Median Income (AMI).
5) Public Facilities	<b>Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the</b>



	<b>proposed amendment</b>
	The site will be served with City water and sewer. The whole property was annexed as part of the Waterleaf Phase I development.
<b>6) Effect on Natural Environment</b>	<b>Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -</b>
	According to the 2008 floodplain maps, no part of this property is located within the floodplain or floodway. However, the most recent USGS topographic maps, along with a wetland and stream delineation conducted by Blueline Environmental, show a blue line stream along the northwestern property boundary and wetlands along the eastern and western boundaries. The delineation by Blueline Environmental does not identify the blue line stream on the southwestern property boundary, which is depicted on the USGS maps. As indicated in the site plans, the development currently includes 114,631 square feet of tree canopy, covering 15.28% of the site. The proposed development will retain 34,389 square feet, or 30%, of the existing tree canopy.

The petition is found to be **consistent** with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

*The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.*

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

*DRAFT [Rationale for Approval]*

- *The proposed development further supports the growth of this area as a multi-family node along the I-26 corridor, placing residents in close proximity to I-26, Blue Ridge Community College, a bank, and other commercial amenities.*
- *The proposed development adds needed housing to help address local demand.*

*DRAFT [Rational for Denial]*

- *The proposed development does not align with the interconnectivity guidance outlined in the zoning ordinance and comprehensive plan, as it fails to include stub outs or explore opportunities for better connectivity and traffic dispersion.*