

WASHBURN TRACT DEVELOPMENT: P21-68-CZD

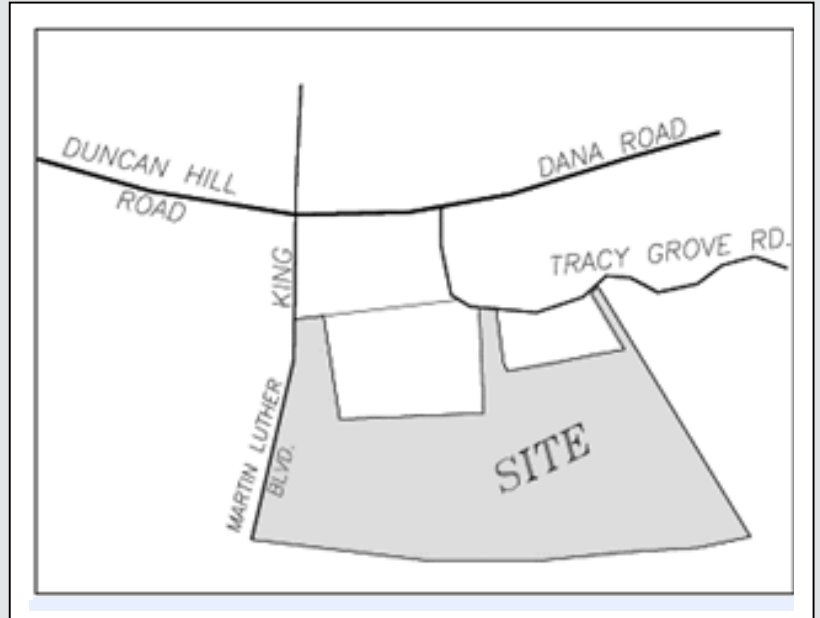
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

PROJECT SUMMARY	2
EXISTING ZONING & LAND USE	3
SITE IMAGES.....	4
REZONING HISTORY	8
FUTURE LAND USE	9
REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)	10
REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)	11
REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)	12
REZONING ANALYSIS – GENERAL REZONING STANDARDS (ARTICLE 11-4)	13
DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT	14
STAFF SITE PLAN REVIEW – SUMMARY COMMENTS	15
STAFF SITE PLAN REVIEW – OUTSTANDING ISSUES & TECHNICAL REVISIONS	18



PROJECT SUMMARY

- Project Name & Case #:
 - Washburn Tract Development
 - P21-68-CZD
- Applicant & Property Owner:
 - Mike Washburn [Applicant]
 - Thomas Family [Owner]
- Property Address:
 - 240 Wilmont Drive
- Project Acreage:
 - 162.1 Acres
- Parcel Identification (PIN):
 - 9578-39-5229 & 9579-11-8417
- Current Parcel Zoning:
 - Planned Residential Development Conditional Zoning District (PRD-CZD)
- Future Land Use Designation:
 - Medium Intensity Neighborhood & Natural Resource/Agriculture
- Requested Zoning:
 - Planned Residential Development Conditional Zoning District (PRD-CZD)
- Requested Uses:
 - Residential dwelling, multi-family & residential dwelling, single-family
- Neighborhood Compatibility Meeting:
 - November 2nd & 30th, 2021



SITE VICINITY MAP

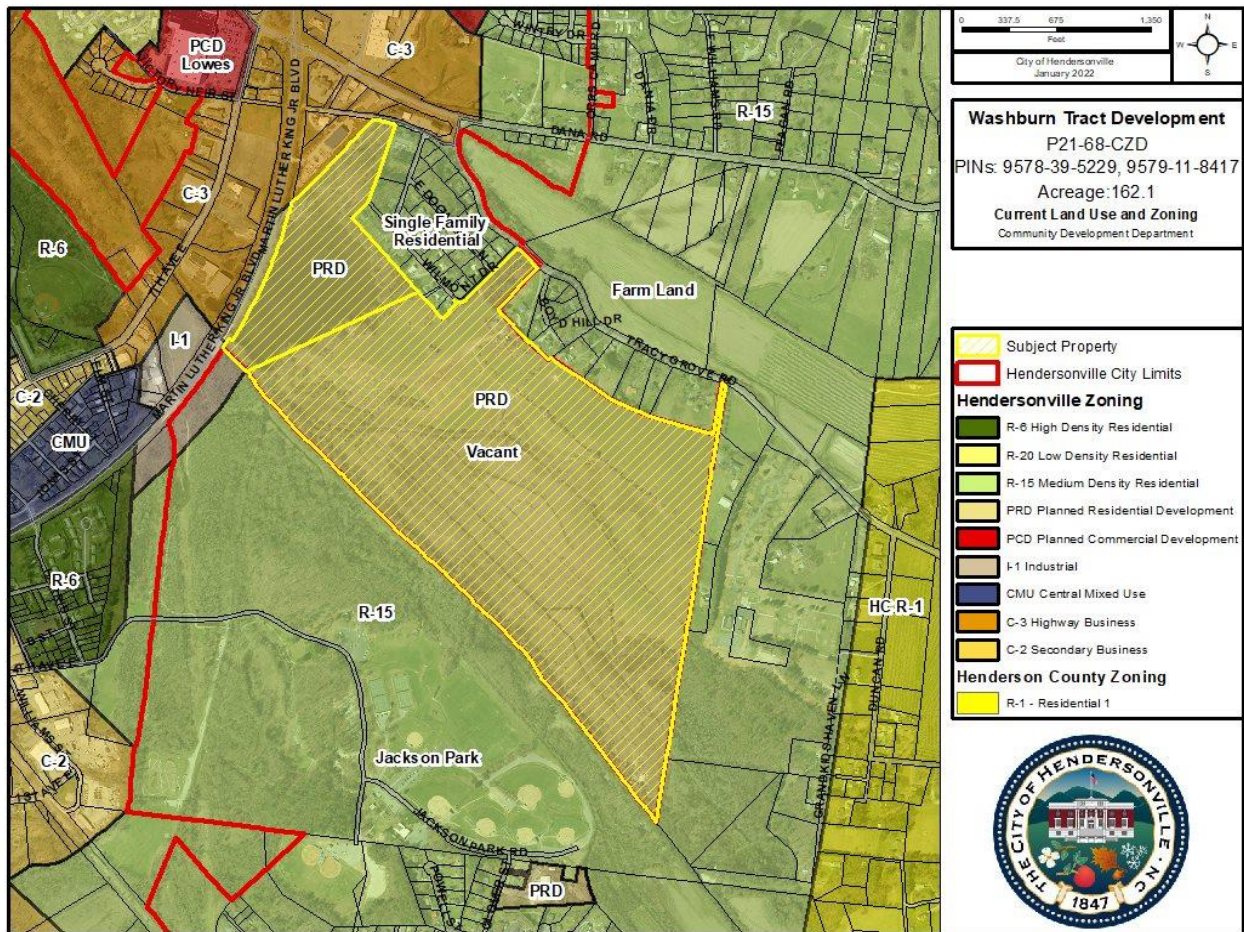
The City of Hendersonville is in receipt of an application for a conditional rezoning from Mike Washburn (developer). The applicants are requesting to rezone the subject property located off Tracy Grove Road for the for the construction of a multi-family / single-family development consisting of 300 apartment units and 160 single family homes on approximately 162 acres with a density of 2.8 Units / Acre. No other uses are proposed to be permitted by the rezoning.

There are 13 apartment buildings proposed. The apartments are proposed to be 3-Story or 2/3-Story Split and consist of 270 – 1-to-2-bedroom units and 30 – 3 bedroom units. A clubhouse and pool are also features of the apartment development.

The single-family home lots are proposed to be 50'x100' (5,000 Sq Ft or .115 Acres). They feature a 20' wide driveway in front of the building area.

The project triggers a rezoning as a result of the major change to the previously approved and now expired site plan for the site.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

Parcels to the north and northeast are zoned R-15 and consist of single-family homes which are located along Tracy Gove Rd, along with the Woodlawn neighborhood which is accessed off of Wilmont Dr and Dogwood Ln. There is one multi-family building (East Wind Apartments) adjacent to the site. The density of this area is 1.86 units per acre not including the multi-family use. The properties to the east are zoned R-15 and consist of long, narrow, single family home lots along with a 40-Acre cemetery that abuts a portion of the eastern boundary. To the southwest, the property is bordered by Jackson Park which is owned and operated by Henderson County. This area is primarily wetlands/floodplain associated with Bat Fork Creek and a series of drainage ditches. To the west the property abuts Martin Luther King Jr. Blvd (US 64). Commercial (C-3) zoning is located across US 64 from the site. There is a large pond consisting of approximately 16 acres on the western end of the subject property.

SITE IMAGES



View looking north. Immediate foreground is proposed for single family with distant views of the knoll where multi-family is proposed.



Area proposed for single-family homes along eastern edge of property.

SITE IMAGES



Area proposed to be developed for single-family homes (looking back towards Wilmont Drive; North)



Typical existing vegetated buffer in place between proposed site and adjacent single-family homes.

SITE IMAGES



Grove of trees around location of old home place slated for preservation in Open Space.



Wooded area which fronts Tracy Grove Rd and abuts Wilmont Dr is slated for development. Narrow strips on either side are slated for preservation.

SITE IMAGES



Looking southeast over wetlands from site where apartments are proposed



View of 16 Acre Pond/wetland (Ewbank Swamp) on the subject property and adjacent to Route 64.

REZONING HISTORY

Prior Rezoning	Summary of Prior Petition	Status
2-7-08 (R-15 & C-3 to PRD-SU)	28.47 Acre development for skilled care, assisted living and independent living facilities, condos, and duplexes	Site Plan Expired

Full Minutes from City Council Meeting:

<https://library.municode.com/nc/hendersonville/munidocs/munidocs?nodeId=2d9a767e4edaf>

OAK PARK PLACE

Units / Buildings (Total Building Square Footage = 204,732 Sq Ft)

305 Units (79 - 1-bedroom units / 195 – 2-bedroom units / 31 additional units)

- 4 – 4-story buildings (tallest building 49' 4")
- 2 – 3-story buildings
- 2 – 2-story building
- 5 – 1-story duplexes

Circulation:

- New entrance off of Tracy Grove Rd (remainder of wooded area to be used for trails/recreation)
- Additional Access off of Wilmont Dr (Emergency Only)

Parking:

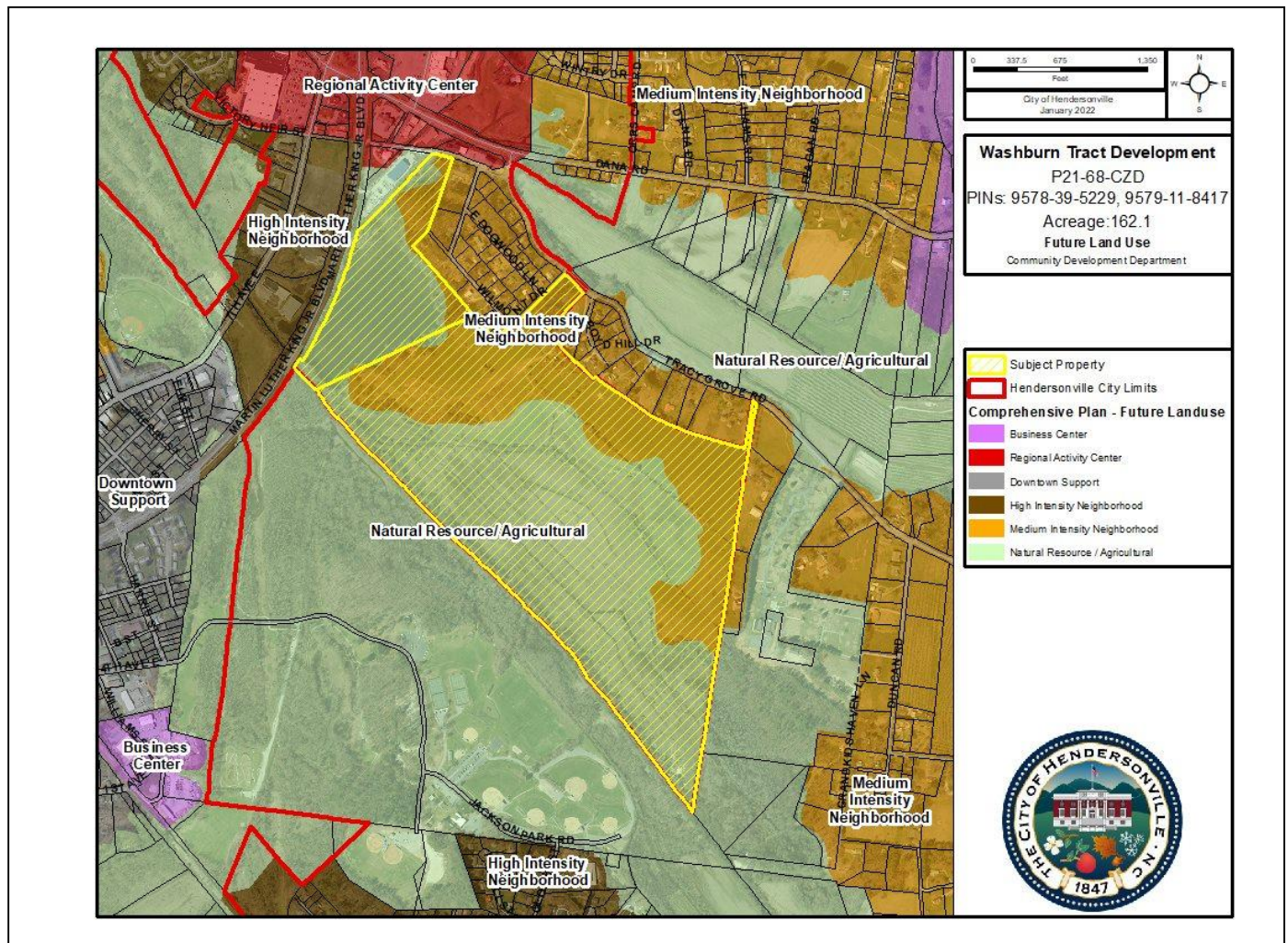
- Includes surface parking, underground parking and garage parking
 - 429 Parking Spaces for Apartment Buildings
 - 44 Parking Spaces for Duplexes

Previously Approved Conditions (only those relevant to current proposal):

- 1) City of Hendersonville Zoning Ordinance Section 17-3 Stream Buffer Protection Standards shall be applied to the entire perimeter of the marsh/pond area.
- 2) All living trees 12-in or greater in DBH shall be preserved and protected with the exception of those trees located with the proposed roadway areas that connects the project with Tracy Grove Road.
- 3) No sedimentation ponds shall be located within the 100 year floodplain.
- 4) The developer will pursue a conservation easement or mitigation program in accordance with the requirements of the City Attorney.



FUTURE LAND USE



City of Hendersonville Future Land Use Map

The majority of the site is designated Natural Resource/Agricultural due to the presence of a large floodplain/wetland area. The portion of the property not in the special flood hazard area (100 year floodplain) is designated as Medium Intensity Neighborhood, as are adjacent residential neighborhoods between the subject property and Tracey Grove Road.

Looking at surrounding properties you can see the prevalence of the floodplain (Bat Fork, Mud Cree & Devils Fork), Jackson Park and an adjacent cemetery in the large areas dedicated to Natural Resource/Agriculture on the future land use map. Looking to the border with Rte 64 and Dana Road you see Regional Activity Center and High Intensity Neighborhood designations near the site.

The primary access corridor to the site is Tracey Grove Road which is designated a Minor Thoroughfare on the Future Land Use Map and further identified on the Transportation Plan for proposed improvements.

COMPREHENSIVE PLAN CONSISTENCY	
Future Land Use	<p>Medium Intensity Neighborhood: Goal LU-6 Provide a transition between High and Low-Intensity Neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods and as a means of preserving and enhancing existing neighborhoods.</p> <p>Primary Land Uses: Single Family attached and detached & Open Space (consistent)</p>
	<p>Secondary Land Uses: Limited multi-family residential along roadways designated as Boulevards or Major Throughfares on the Future Land Use Map (inconsistent) Planned Residential Developments (consistent)</p>
	<p>2 to 8 Units per gross acre (consistent). Project proposed 3 units per acre. At least 60% Open Space (consistent). Project proposed 86% Open Space.</p>
Land Use & Development	<p>The portion of the property outside the floodplain is designated as a “Preservation/Enhancement Area” on the Growth Management Map (Map 8.3a). ... respond to development or redevelopment in these areas by maintaining and enhancing existing neighborhood character and maintaining consistency with Comprehensive Plan goals and strategies.</p>
	<p>The portion of the property in the floodplain is designated Natural Resource/Agricultural, “...areas in which...preservation of environmentally sensitive features” should be promoted.</p>
	<p>Strategy LU-2.I Implement strategies under Goal NR-I for the preservation of environmentally sensitive areas.</p>
	<p>The project area is identified as a “development opportunity” in the Comprehensive Plan’s Map 8.2b: Development Framework.</p>
	<p>Significant portions of the property are located in the Special Flood Hazard Area (100 year floodplain)</p>

COMPREHENSIVE PLAN CONSISTENCY	
Population & Housing	PH – 2.1 Encourage variation in lot sizes and housing types within new developments.
	PH – 2.2. Encourage provision of affordable housing units in new developments. PH 2.2.1 Require encourage at least 10%of...units sold in a new development to be affordable to people making up to 80% of the area median household income.
	PH-3.1 Establish neighborhood design guidelines that promote safe walkable and bikeable neighborhoods while accommodating the automobile. PH 3.1.1...pedestrian friendly design features; PH 3.1.2...public space features that calm traffic and provide space for pedestrian gathering and circulation.
Natural & Environmental Resources	NR-1.1 Discourage and reduce development of structures and impervious surfaces within the FEMA Floodway and 100 Floodplain.
	NR-1.2 Protect land adjacent to streams to protect water quality, reduce erosion and protect wildlife habitat.
	NR-1.3 Encourage restoration of natural habitat and drainage patterns in developed areas.
	NR-1.5 Assess development and preservation...based on conservation value.
Cultural & Historic Resources	N/A

COMPREHENSIVE PLAN CONSISTENCY	
Community Facilities	CF-6.1 Encourage community open-space or play areas in new or redeveloped residential neighborhoods.
	CF-7.2 Preserve and expand the public greenway system as a means of connecting neighborhoods to parks and increasing recreational amenities and open space.
Water Resources	WR-2.3 Enable and encourage Low-Impact Development practices in stormwater management.
Transportation & Circulation	TC 2.2 Preserve and expand the public greenway system as a core component of the bicycle and pedestrian transportation system. TC-2.2.1 Pursue opportunities for greenway expansion along stream corridors and rail lines; TC-2.2.2 Design and locate new greenways so that the greenways provide a logical link to neighborhoods...parks...and future regional greenways.
	TC-3.4 Improve roadways as needed to implement the land use vision and meet level of service requirements. TC-3.4.5 widen and improve existing roadways as indicated on Map 7.3a (includes Tracey Grove)
	See “Staff Site Plan Review” for transportation consultant’s summary review of applicant’s traffic impact analysis (TIA).

GENERAL REZONING STANDARDS	
Compatibility	Is the proposed rezoning compatible or incompatible with surrounding uses?
	The surrounding land uses are single-family neighborhood, rural farmland, multi-family apartments, cemetery and vacant land.
Changed Conditions	Highlight any changed conditions, on surrounding property, etc. that suggest a rezoning is appropriate.
	The existing site plan for the site has expired. Development in vicinity of US Hwy 64 has continued to intensify and further commercial / multi-family development is anticipated.
Public Interest	Are there public interests or benefits that would be derived for the greater population from the rezoning?
	The addition of 161 single-family homes and 300 apartment units will fill a need for additional housing stock in Hendersonville.
	NC Wildlife Resources Commission's Green Growth Toolbox habitat assessment tool identifies multiple portions of the site associated with the floodplain as having some level of conservation value, giving high value to the Rte. 64/Ewbank Swamp. The project's proposal is to conserve all the floodplain on the site including the Ewbank Swamp.
Public Facilities	Are there public facilities that can support the proposed rezoning, water, wastewater, fire and police, schools, and transportation?
	The size of the project did trigger a Transportation Impact Analysis, our transportation consultant's assessment of the TIA is provided in the "Site Plan Review – Summary Comments" section of this report.
	The Water & Sewer department has received an availability request and has indicated there are adequate facilities in the area to serve the development.
Effect on Natural Environment	Would the proposed amendment result in "significantly adverse impacts" on the natural environment?
	Site is currently a greenfield, new development reflects a significant increase in impervious surfaces.
	The site does include several high-value and sensitive environmental resources. The projects clustering of development outside the floodplain and the developer's proposal to restore the wetlands and associated habitat do offer mitigation.

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The Medium Intensity Neighborhood designation calls for Planned Residential Developments as a secondary recommended land use and the proposed site plan aligns with development guidelines under strategy LU 6.4.

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 development is near the Rte 64 commercial corridor, an area of the city experiencing on-going development and redevelopment.*
- *The addition of multi-family and single-family residential addresses an ongoing supply need and is in keeping with the surrounding land uses.*
- *The proposal to conserve, via a conservation easement, the flood plain area on the site, including efforts to restore the ecological function of this important area is a general public good for the community.*
- *The site plan clusters development impacts away from the Natural Resource/Agriculture designated portions of the site, aligning with guidance from the Natural & Environmental Resource Chapter of the Comprehensive Plan. (NR-1 & LU-4)*
- *Greenway construction and ROW dedication adds to existing greenway network of aligns with specific goals established for greenways. (TC-2 & CF 7.2)*

DRAFT [Rational for Denial]

- *The comprehensive plan Medium Intensity Neighborhood does not recommend multi-family on Minor Throughfare. (LU-6)*
- *The petition does not directly address affordable housing as recommended in the comprehensive plan. (PH-2.2)*

COMMUNITY DEVELOPMENT DEPARTMENT

The site plan accompanying this petition meets the standards established by the Zoning Ordinance for Planned Residential Development (5-14) and Site Plan Review (7-3).

The petition and site plan requests that “residential dwellings, multi-family” and “residential dwellings, single-family” be the permitted uses on site.

A sun study was submitted to provide support for a request to allow multi-family buildings to exceed 35’. The multi-family residential is proposed to be 46’. The proposal complies with criteria established for building height in association with PRD (5-14-6.5). City Council has the authority to grant this increase in height limit and it is included as a developer proposed condition.

The site plan accompanying this petition meets the relevant and applicable standards established by the Subdivision Ordinance with the exception of some standards associated with site access, please review the Outstanding Issues section below for additional information.

The site plan accompanying this petition commits the project to the following provisions:

- Commits to the dedication of a 50’ greenway easement.
- Commits to the dedication of 1.84 acres of public parkland.
- Commits to the preservation of 62.6% of on-site trees greater than 12” dbh.
- Commits to stream buffer standard around the edge of the wetland. This buffer is typically required from top of bank of blue line stream.

The site plan requests the following optional provisions (developer proposed conditions):

- That the second access at the southeastern corner of the property be permitted as a “exit only” Emergency Access Road and not be required to meet the full access public street standards.
- That the height limitation for the project be increased from the 35’ to 46’ in compliance with the standards established for building height in Section 5-14-6.5 of the Zoning Ordinance.

CITY ENGINEER

N/A

FIRE MARSHALL

N/A

STORMWATER ADMINISTRATOR

The site plan accompanying this petition increases onsite impervious services from less than a ½ acre of impervious surface to over 22 acres of impervious surface.

Conceptual Stormwater treatment facilities meet the standards of the City's Stormwater Ordinance.

Due to the significant increase in impervious surface alongside the sites proximity to valuable and sensitive natural resources, we do suggest some enhanced stormwater features to further protect and ensure the health of those resources.

FLOODPLAIN ADMINISTRATOR

The site includes over ____ acres of 100 year floodplain. No development is proposed within the floodplain.

Proposed conservation and restoration efforts within the floodplain are permitted via... and have the capacity to strengthen the function of the floodplain area???

TRANSPORTATION SUMMARY

The proposed development is anticipated to generate 3,244 daily trips as per the International Transportation Engineer Trip Generation Manual, 10th Edition, thus triggering the Zoning Code 1,000 daily trip threshold (Section 6-18). The City's Transportation Consultant (Jonathan Guy, Kimley Horn) provided the following feedback on the TIA submitted by the development team:

The TIA as presented provides a reasonable representation of the traffic impacts associated with the proposed development on the adjacent street network. It is important to note that some of the intersections, approaches, and movements do operate an unacceptable level of service under existing and background conditions without the proposed development. The proposed development will have a measurable impact on the subject intersections as well.

Based on a technical review of the TIA as submitted, it is my professional opinion in review of the TIA and according to NCDOT and City of Hendersonville guidelines the following mitigation is necessary to mitigate the impact of the proposed development:

- *A left turn lane with 150 feet of storage and appropriate taper on Tracy Grove Road at Access 1.*
- *A right turn lane with 150 feet of storage and appropriate taper on Dana Road at the signal with Tracy Grove Road intersection.*
- *Extend the existing right turn on Tracy Grove Road from 100 feet to 200 feet with the appropriate taper.*
- *Relocate the proposed location of Access 1 to a point that creates further separation from Wilmont Drive.*

In reviewing the above TIA mitigation measures with the development team, Mr. Guy of Kimley Horn and the Community Development Department, the desirability of a single access point at Wilmont Drive for reasons of safe traffic movement was discussed and

agreed upon. This required an updated Preliminary Site Plan and TIA. Additional information on the status of this element of the project is below.

OUTSTANDING ISSUES (Compliance Required)

Land Use & Development

Population & Housing

Natural & Environmental Resources

Cultural & Historic Resources

Community Facilities

Water Resources

Transportation

- Updated site plan submission and associated updated TIA as needed to address the comments for mitigation provided by the City's Transportation consultant. [outstanding]
 - The City has received an updated preliminary site plan showing a single access at Wilmont and a secondary exit only "Emergency Access" at the southeastern corner of the property. The City is still awaiting an updated TIA for this revised site plan.
- Initial review of the revisions submitted highlights the following:
 - The proposed second access as shown does not meet city standards. Developer has proposed an exit only "Emergency Access" as an alternative and included that design as a "proposed condition."
 - Per the subdivision ordinance, an exemption to the standard highlighted above may be granted under certain circumstances, including if a "TIA allows a deviation." We are awaiting the updated TIA to provide additional information and to provide our Traffic Consultant with the information required to make a recommendation.
 - Per the Zoning Ordinance Section 5-14-3, Wilmont Drive or the southeastern entrance will have to be improved to City standards to meet the requirement that "access...shall be by means of a boulevard or thoroughfare (major or minor).

REQUESTED TECHNICAL REVISIONS (Suggested Conditions)

Land Use & Development

Population & Housing

Natural & Environmental Resources

- Provide details regarding conservation easement with Conserving Carolina, including commitment from Conserving Carolina as a note on the site plan. [outstanding]
- Provide details on developer proposed restoration of on-site wetlands; delineating areas proposed for restoration as note on the site plan. [outstanding]
- See Tree Board Summary

Cultural & Historic Resources

Community Facilities

Water Resources

- Enhance the Stormwater run-off system to treat and retain, at a minimum a 25-year event. Treatment and retention are currently required for a 10-year event. [outstanding]
- Utilize Low Impact Development practices through the incorporation of bioretention ponds to retain and treat on-site stormwater. [outstanding]

Transportation

- Dedicate ROW along frontage of Tracey Grove Road. [outstanding]
- Commit to the construction of the following mitigation measures as identified in the Transportation Impact Analysis.
 - A left turn lane with 150 feet of storage and appropriate taper on Tracy Grove Road at Access I. [outstanding]
 - A right turn lane with 150 feet of storage and appropriate taper on Dana Road at the signal with Tracy Grove Road intersection. [outstanding]
 - Extend the existing right turn on Tracy Grove Road from 100 feet to 200 feet with the appropriate taper. [outstanding]