

REZONING: CONDITIONAL REZONING -HALF MOON HEIGHTS PHASE II
(P24-41-CZD)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
 - Halfmoon Heights Phase II
 - P24-41-CZD

- Applicant & Property Owner:
 - Tricia Chassen, Forestar USA Real Estate Group, Inc [Applicant]
 - Gregory and Julianne Albea [Owner]
 - Joseph and Laura Taylor [Owner]

- Property Address:
 - 205 Old Sunset Hill Road

- Project Acreage:
 - 20.66 acres after removing area to be deeded to Connor Creek MHP and NCDOT (21.32 total)

- Parcel Identification (PIN):
 - 9579-98-0375
 - 9579-98-3527
 - 9579-99-4115
 - 9579-99-8724

- Current Parcel Zoning:
 - Henderson County Residential Two Rural

- Future Land Use Designation:
 - Henderson County- Infill Area
 - City of Hendersonville- Multi-Generational Living

- Requested Zoning:
 - PRD-CZD-Planned Residential Development Conditional Zoning District.

- Requested Uses:
 - Residential, Single Family

- Neighborhood Compatibility Meeting:
 - September 18th, 2024

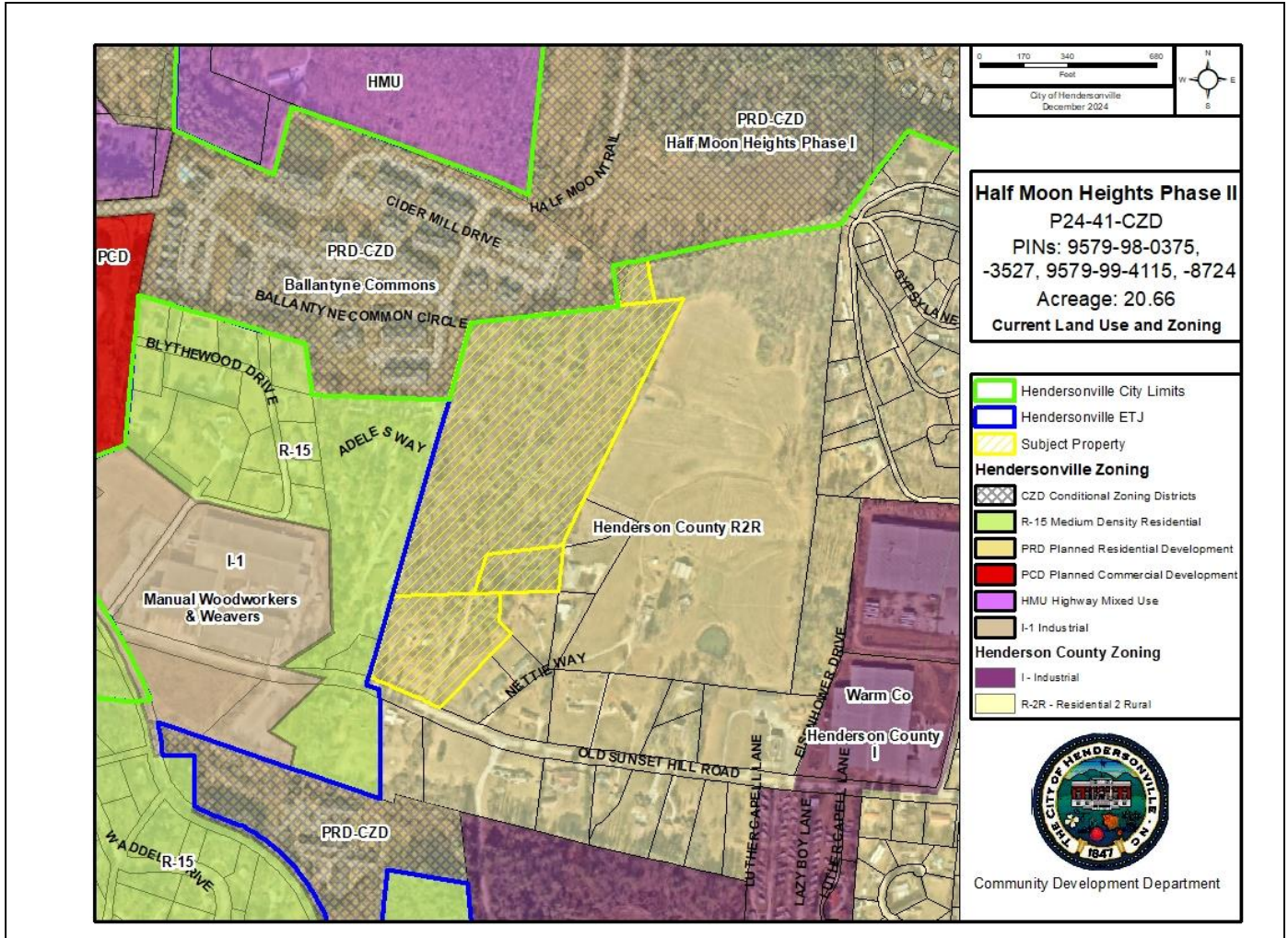


SITE VICINITY MAP

The City of Hendersonville is in receipt of an application for a Conditional Rezoning from Tricia Chassen of Forestar USA Real Estate Group, INC., applicant and Gregory Albea, Julianne Albea, Joseph Taylor, and Laura Taylor property owners. The applicant is requesting to rezone the subject property, PINs 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724 and located off Old Sunset Hill Road, from Henderson County Residential Two Rural to PRD-CZD, Planned Residential Development Conditional Zoning District for the construction of 59 single-family units on approximately 20.66 acres. This equates to a density of 2.86 units per acre.

The proposed lots within the development range from 0.13 acres to 0.40 acres. The development is proposing to have an access off of Old Sunset Hill Road and a connection to a street stub provided by Phase I of the Half Moon Heights development to the north. All proposed streets will be built to public street standards.

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property comprises four parcels currently zoned Henderson County Residential Two Rural. To the north, parcels are zoned Planned Residential Development Conditional Zoning District and include Ballantyne Commons, an apartment community with a density of 12 units per acre, and Half Moon Heights Phase One, a single-family development with a density of 2.67 units per acre. Farther north, single-family home subdivisions (Major PRDs), including Wolf Chase and Wolf Pen, have densities of 2.6 and 2.7 units per acre, respectively.

Parcels to the east consist primarily of smaller lots with single-family homes. However, a large, underutilized property directly adjacent to the subject property has redevelopment potential in the future.

To the west, the Connor Creek Mobile Home Park occupies the neighboring parcel. This park contains 94 mobile/manufactured home units, with a density of 12 units per acre. According to the survey provided by the applicant, some mobile homes in Connor Creek encroach on the subject property. To address this, the developer proposes deeding land to Connor Creek, thereby resolving the encroachments and bringing those units into conformity.

SITE IMAGES



View of one of the streams that run through the subject property.



View from the subject property to the adjacent apartment development (Ballentyne Commons)

SITE IMAGES



Typical view within the subject property.



View of the largely underutilized land to the east of the subject property.

SITE IMAGES



View of Half Moon Heights Phase I from the subject property.



View of the adjacent mobile home park (Connor Creek).

SITE IMAGES



View of the stream that runs along the western portion of the property.



View of an existing house located on the subject property.

SITE IMAGES

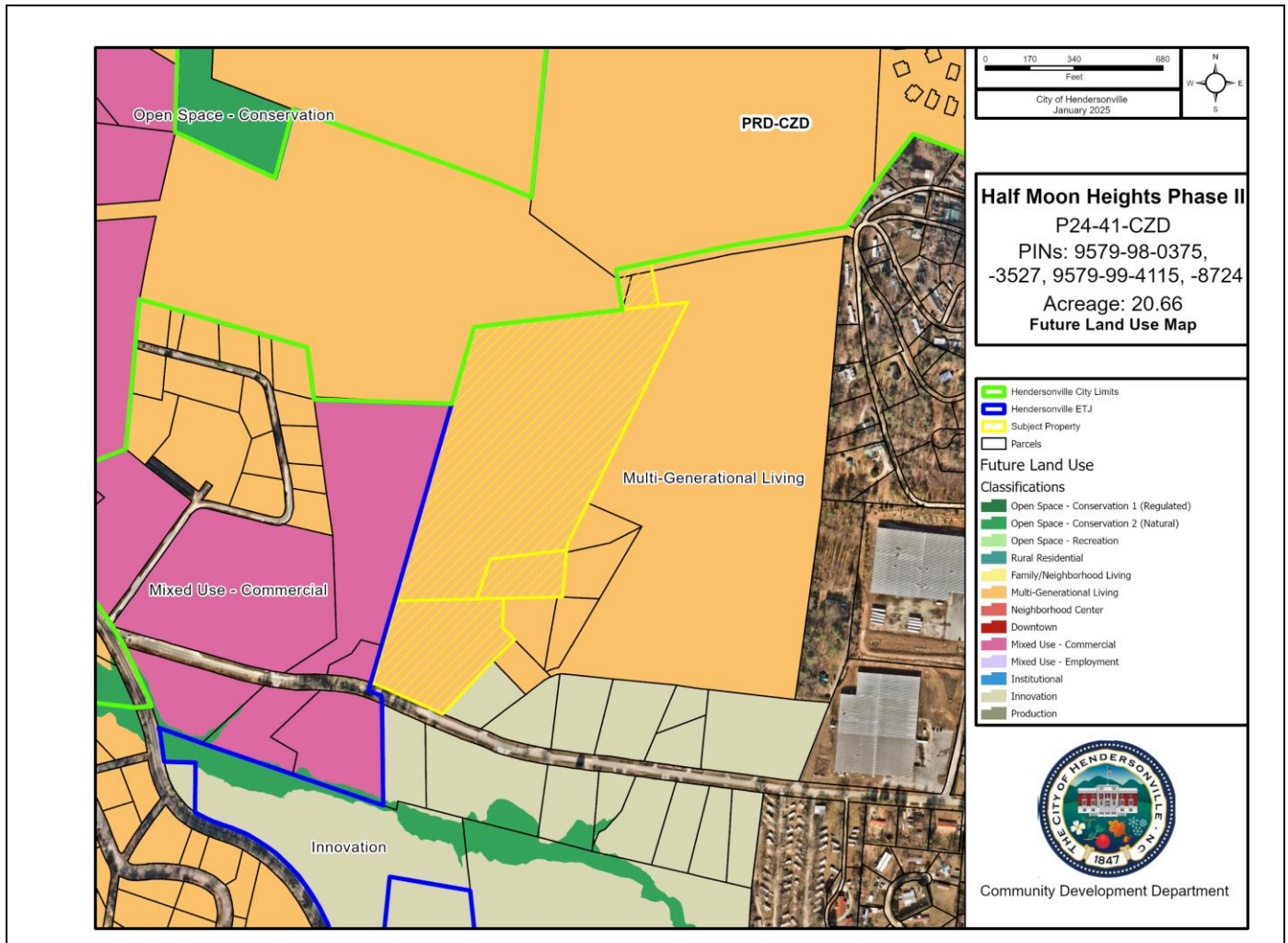


View of the subject property from Old Sunset Hill Road



View of the subject property's Old Sunset Hill Road frontage

FUTURE LAND USE



City of Hendersonville Future Land Use Ma

The subject property is designated as Multi-Generational Living. These parcels and all other surrounding parcels included in existing Planned Residential Developments have this designation. Parcels to the west are designated as Mixed-Use Commercial and these parcels include the Connor Creek Mobile Home Park as well as the Manual Woodworkers & Weavers. The large, underdeveloped parcel to the east is designated as Multi-Generational Living. Parcels to the south along Old Sunset Hill Road are designated as innovation and Open Space Conservation.

PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Uses:
 - Residential, Single Family

- Building:
 - 59 Detached Single Family Units
 - Building Coverage: 151,325 SF
 - 2.86 Units Per Acre.

- Site Coverage
 - Streets and Parking: 130,991 SF
 - Open Space: 617,668 SF
 - Common Open Space: 93,552 SF
 - Proposed Lots: 470,313 SF

- Transportation:
 - The site will have two access points.
 - Access 1 (northern access) will be a continuation of a street stub out that was provided during phase I of Half Moon Heights.
 - Access 2 (southern access) is shown as a full movement access from Old Sunset Hill Road. A left-hand turn lane on Old Sunset Hill Road into the site will be provided.

- Sidewalks
 - A sidewalk will be provided on one side of all new internal streets and along the existing road frontage of Old Sunset Hill Road.
 - The sidewalks on the northern side of the property will tie into the sidewalk network for Half Moon Heights phase I.

- Parking:
 - Parking required at 1 per each dwelling unit or 1.5 per each dwelling unit containing three or more bedrooms:
 - Parking provided: 2 spaces per dwelling unit (1 garage space and 1 driveway space).
 - 2 parallel spaces will be provided at the mail kiosk.

- Natural Resources
 - According to the 2008 FEMA floodplain maps, the entire property is outside of the floodplain.
 - The site does have several blueline streams where a stream buffer and transitional area are required. The proposed development shows the 30' stream buffer and 20' transitional zone on the site plan.
 - The site also contains delineated wetlands. Stormwater Administrator Mike Huffman proposed a condition to better protect the wetlands but it was not agreed to by the developer. The City's zoning ordinance does not currently

protect wetlands the same way that it does streams. Wetlands and their protection were a large topic of discussion during the Neighborhood Compatibility Meeting. Mr. Huffman's proposed condition was intended to further protect and monitor the wetlands.

- Landscaping and Tree preservation
 - The site will be required to provide the following landscaping:
 - Common and Open Space plantings
 - Street trees
 - Tier II Plantings
 - The developer plans to preserve 3.9 acres of the existing tree canopy, equating to 20% of the total tree canopy on the site. Additionally, they propose preserving an extra 7.1% (1.38 acres) to partially fulfill the Tier II planting requirements. Under the zoning ordinances "Option 2" classification, the project will also be required to install an additional 7% of new tree canopy to fully meet the Tier II requirements.

DEVELOPER-PROPOSED CONDITIONS:

1. Proposed left turn lane on Howard Gap Road (SR-1006) onto Old Sunset Hill Road (SR-1744) will be constructed per the City's request if feasible within the existing right of way and if found necessary and/or acceptable by NCDOT. **(The Planning Board countered this condition and their counter is listed under City Proposed Conditions.)**
2. Any proposed wetland impact will be properly permitted within the respective agency and comply with any and all federal, state and local laws.
3. The developer proposes a 30' wetland buffer in areas shown on sheet C-201. No construction, grading, or vegetation removal may occur within these identified wetland buffers except for restoration or approved mitigation activities.
4. The Developer proposes a lot side setback of 5.5'
5. The developer intends to achieve canopy installation requirements by using required street trees, common open space trees, and open space trees. In the event that this is not achievable, the developer will achieve the requirements of the remaining tier two canopy by paying a fee in lieu of.

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 Planned Residential Developments (5-14) (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:

- Final determination on planting credits, species, locations, final quantity of required vs. proposed new plantings. The current plans show “areas to be screened, fenced, walled and/or landscaped” which is what is required at the preliminary site plan stage.
 - 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.
 - Stream buffers:
 - There appears to be grading work within the stream buffer areas. This is not allowed by the zoning ordinance. This will need to be corrected during the final grading plan if approved by the City Council.

Proposed City-Initiated Conditions:

- None

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:

Stormwater/Natural Resource (Mike Huffman)

Site Plan Comments:

- Made general comments concerning the protection of the wetlands and ways to limit the impacts to the wetlands.

Proposed City-Initiated Conditions:

- Wetland Delineation and Buffer Establishment.
 - Prior to any land disturbance, a professional wetland delineation study shall be conducted to define the exact boundaries of all wetlands on the site. **This section was not agreed to by the Developer.**
 - A buffer zone of no less than 30 feet shall be established around all delineated wetlands, where no construction, grading, or vegetation removal may occur, except for restoration or approved mitigation activities. **This section was not agreed to by the Developer.**
- Mitigation for Unavoidable Impacts:
 - If any impact to wetlands is deemed unavoidable, the applicant must obtain the necessary permits from the U.S. Army Corps of

Engineers or other relevant agencies and provide appropriate mitigation. This mitigation must include wetland creation, enhancement, or preservation at a ratio compliant with applicable federal, state, and local requirements. **This section was not agreed to by the Developer.**

- Monitoring and Reporting:
 - The applicant shall establish a monitoring program to assess the health of the wetland and buffer areas during and after development activities for a period of no less than [2 years]. Annual reports documenting compliance with the wetland protection measures shall be submitted to The City of Hendersonville. **This section was agreed to by the Developer.**
- Environmental Education and Site Signage:
 - The applicant must install appropriate signage to identify wetland areas and educate site users about their importance. Signage must be maintained in perpetuity. **This section was agreed to by the Developer.**
- This condition ensures that development proceeds in a manner that minimizes or mitigates impacts on wetlands and associated ecosystems, protecting these resources for their ecological, aesthetic, and functional value.

TRANSPORTATION CONSULTANT (KIMLEY HORN)

TIA Comments:

- The expected Trip Generation for the proposed phase II development is as follows:
 - 155 Detached Single-Family Homes (Phase I and II combined)
 - 1,510 Daily Trips
 - 111 AM Peak Hour Trips
 - 150 PM Peak Hour Trips

Intersections Studied:

- US 64 Southbound and Howard Gap Road
- US 64 Northbound and Howard Gap Road
- US 64 Northbound and Ballantyne Commons Circle
- US 64 and Half Moon Trail
- Howard Gap Road and Old Sunset Hill Road
- Sugarloaf Road and Old Sunset Hill Road
- Howard Gap Road and Sugarloaf Road

- Old Sunset Hill Road and Access A

TIA's Proposed Mitigation:

- Old Sunset Hill Road and Access A
 - Construct an eastbound left turn lane on Old Sunset Hill Road at Access A with 50 feet of storage and appropriate taper.
- US 64 SB & Howard Gap Road
 - No mitigation based on LOS
- US 64 & Half Moon Trail
 - No mitigation based on LOS
- Howard Gap Road & Old Sunset Hill Road
 - No mitigation based on LOS.

Proposed Condition:

- “Developer shall install a left-turn movement from Howard Gap Road onto Old Sunset Hill Road. The design of the turn lane and the necessary storage length for the turn lane should be coordinated with the North Carolina Department of Transportation to determine the most optimal configuration for the turn lane. Consideration should be given to a partial symmetrical with a proportional offset to the outside (western side) of Howard Gap Road to minimize impacts to existing utilities, maximize visibility, and to utilize available right of way present to the existing pavement.” **This condition was not agreed to by the Developer.**

Jonathan Guy, the City traffic consultant states “It is recommended that the City of Hendersonville consider requiring a left-turn lane from Howard Gap Road onto Old Signal Hill Road. The need for the turn lane, while present prior to the development, is further exacerbated with the addition of site traffic. The proposed site adds 40 vehicles in the PM peak hour, which equates to 27% of the total traffic for that movement. The additional traffic, the limited visibility, and the further impact to through movements on Howard Gap Road, all contribute to the need for the turn lane. The design of the turn lane and the necessary storage length for the turn lane should be coordinated with the North Carolina Department of Transportation to determine the most optimal configuration for the turn lane. Consideration should be given to a partial symmetrical with a proportional offset to the outside (western side) of Howard Gap Road to minimize impacts to existing utilities, maximize visibility, and utilize available right of way present to the existing pavement. This approach should minimize overall impacts and construction costs. “

Additional information can be found in the Kimley Horn memo provided

in the staff agenda packet.

GENERAL REZONING STANDARDS	
1) Comprehensive Plan Consistency	<p>Land Supply, Suitability & Intensity The subject property is outside the scope of the land suitability and supply maps and was not evaluated. The subject property is in a Focused Intensity Node centered at the intersection of Howard Gap Road and Chimney Rock Road.</p>
	<p>Future Land Use & Conservation Map- See Gen H appendix.</p> <p>Designation: Multi-Generational Living Character Area Description: Consistent Zoning Crosswalk: Inconsistent</p>
2) Compatibility	<p>Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –</p>
	<p>The subject property is located near four other Planned Residential Developments, including three single-family developments and one multi-family development. Additionally, it is in close proximity to Chestnut Ridge, a subdivision under Henderson County's jurisdiction that was platted in 1988 and consists of approximately 118 lots on 62 acres. The US 64 corridor continues to experience growth, driven by the presence of large undeveloped and underdeveloped parcels in the surrounding area.</p>
3) Changed Conditions	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment -</p>
	<p>The subject property is requesting to be annexed into the City. If annexed, the City must apply zoning to the parcels. The owners and developers are requesting that the initial zoning be for the Planned Residential Development that has been presented.</p>
4) Public Interest	<p>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 -</p>
	<p>Based on the 2021 Bowen Housing Needs Assessment for Western North Carolina, Henderson County has an estimated rental housing gap of 1,650 to 2,008 Units for incomes between <50%-120% AMI. This represents one of the largest gaps in the WNC region. Over the last 3 years, the City of Hendersonville has approved <u>634</u> detached single family homes. If this project is approved, Hendersonville’s recently-approved detached single family homes would total <u>693</u>. It should also be noted that the Housing Needs Assessment Study does not account for the housing gap for incomes above 120% AMI. An additional gap, beyond that reflected in the “1,650 to 2,008-unit gap”, exist for those income levels greater than 120% AMI.</p>
5) Public	<p>Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and</p>

<p>Facilities</p>	<p>police protection and transportation are available to support the proposed amendment</p> <p>Howard Gap Road is a NCDOT maintained road, identified in the Comprehensive Transportation Plan as a boulevard in need of improvements. If approved, the site would be served by City of Hendersonville water and sewer services. Water infrastructure is already available on Old Sunset Hill Road, while sewer service will be extended from the Connor Creek Mobile Home Park to the west.</p>
<p>6) Effect on Natural Environment</p>	<p>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 -</p> <p>According to the site plan, approximately 19.50 acres of the 20.66-acre property are currently covered by an existing tree canopy. Of this canopy, the developers propose to retain 3.9 acres, meeting the minimum tree preservation requirement of 20% for projects of this type.</p> <p>The site includes blue-line streams identified by Clearwater Environmental and confirmed by the Army Corps of Engineers. These streams will be protected in compliance with the natural resource provisions of the zoning ordinance. Additionally, wetlands were identified on the site; however, unlike streams, the zoning ordinance does not extend specific protections to wetlands. As a result, the wetlands are not being preserved under local regulations. Any disturbance to the wetlands will require compliance with federal and state permitting and review processes.</p> <p>Mike Huffman, the City's Floodplain Administrator and Stormwater Division Manager, proposed a city-initiated condition to enhance protections for the wetlands. However, this condition was not accepted by the developers.</p>

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 the Future Land Use and Conservation Map Designations of Multi-Generational Living and is located in a focused intensity node within chapter 4 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 petition proposes to provide additional housing to offset local demand.*
- *The proposed development establishes a valuable new roadway connection between US 64 and Old Sunset Hill Road/Howard Gap Road. This type of street interconnectivity aligns with the goals outlined in the Gen H Comprehensive Plan.*
- *The proposed density is consistent with other nearby developments.*

DRAFT [Rational for Denial]

- *The proposed development does not sufficiently mitigate its impacts on the delineated wetlands present on the site.*
- *The proposed development does not adequately address its anticipated traffic impacts on the surrounding area by guaranteeing the installation of a left-turn lane from Howard Gap Road onto Old Sunset Hill Road.*