



**Application for a
SPECIAL USE PERMIT
PLANNED UNIT DEVELOPMENT
Level 1 (PUDI)**

PLEASE NOTE: A PRE-SUBMITTAL CONFERENCE IS REQUIRED PRIOR TO SUBMITTING THIS APPLICATION.

A. Property Information

PIN(s): Portion of 9606-48-4667 & 9607-40-2144

Address(es): 24 Queen Road, Candler, NC

Project Name: The One at Candler

Acreage: 25.18 AC

Zoning District: OU (Open Use)

Average Natural Slope: 24% %

Elevation: 2183 FT above sea level

Current Land Use(s): Vacant

Utilities: COA Water, MSD Sewer, Storm

☐ Floodplain ☐ Steep Slope/High Elevation ☐ Protected Ridge ☐ Watershed ☐ BR Pkwy

B. Application for Special Use Permit for a Level 1 PUD

Application is hereby made to the Board of Adjustment to issue a Special Use Permit for a Level I Planned Unit Development for use of the property as a *(please provide a brief description of the use)*:

Proposed 336 unit multi-family project.

Number of units/structures		Design Information	
Residential units:	336	Community meeting date <i>(Or indicate no meeting)</i> :	TBD (Prior to BOA Hearing)
Residential Structures:	12	Min. distance between buildings <i>(In feet)</i> :	20
Accessory Structures:	9	Smallest Internal property line Setback:	NA
Single Family units:	NA	Height of tallest structure <i>(shortest side to roof peak)</i> :	47 ft.
Townhome units:	NA	Height of tallest retaining wall:	30 ft.
Condo units:	NA	Total lots creating through a subdivision:	NA
Apartment units:	336	Smallest lot size proposed:	NA
For Sale Units:	NA	Will this project use public funding <i>(fed./state/local)</i> ?	No
For Rent Units:	336	Total impervious area for full project buildout:	9 AC
Short term Rent Units:	NA	Total disturbance for full project buildout:	21 AC
Commercial units:	0	Total commercial Sq. Ft. of all buildings:	NA
Commercial structures:	0	Size of largest commercial building in Sq. Ft.:	NA

C. Land Development Standards

Are you proposing any deviations from the Zoning Ordinance standards through this PUD? ☐ Yes ☒ No

If yes, check which standards you are requesting to deviate from:

- ☐ Lot size ☐ Land use types ☐ Maximum building height ☐ Parking
☐ Commercial density ☐ Interior setbacks ☐ Distances between buildings ☐ Other

OFFICE USE ONLY: Date received:

Case: ZPH20

Approval of a PUD is conceptual and does not exempt the applicant from meeting all required Ordinance standards, except for those standards specifically listed on this application to be deviated from, and agreed to by the Board. PUD's which intend to subdivide must submit a subdivision application.

Applicant Contact Information (Developer of this project)

One Real Estate Investment

Company/Corporate Name (if applicable)

Rob Barton

Applicant's Name

1200 Brickell Avenue PH 2020, Miami, FL 33131

Mailing Address (Street number, Street name, City, State, Zip Code)

(309) 254-8388

bob@onereel.com

Telephone

Email


Signature

2/24/23
Date

Additional emails, not listed elsewhere on this page, to receive correspondence about the application/meeting:

D. Authorized Representative (If different)

Civil Design Concepts

Company/Corporate Name (if applicable)

Warren Sugg, P.E.

Applicant's Name

168 Patton Avenue

Mailing Address

Asheville, NC 28801

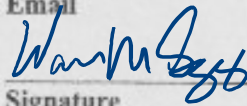
City, State, and Zip Code

(828) 252-5388

Telephone

wsugg@cdcoo.com

Email


Signature

2/23/23
Date

E. Owner (If different)

Anderson Joint Trust, Willis C

Owner's Name

4350 Spring Blvd

Mailing Address

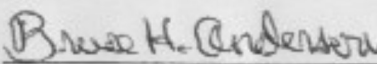
Eugene, OR 97405

City, State, and Zip Code

(541) 913-0710

Telephone

bruce@eugene@comcast.net
Email

 2/27/23
Signature **Date**

F. SPECIAL USE PERMIT APPLICATION CHECKLIST

The Zoning Administrator reserves the right to waive checklist requirements which are not applicable for the project.

I, the petitioner, submit a site-specific development plan containing the following information (Please mark 'NA' by any requirement that is not applicable and provide a brief statement as to why it is not applicable.):

■ **Site Plan: Digitally submitted PDF plan with the following items printed on the plan:**

- PIN number(s) and address(es) of all associated parcels
- Total number and type of residential/commercial units, buildings, parcel size, and gross residential densities.
- Existing conditions including contours, watercourses, flood hazard areas, and any unique natural or manmade features.
- Building footprints, and use of all existing and proposed structures.
- Location of any retaining walls. Maximum height shall be shown on the site plan for each wall.
- Location and size of all areas to be conveyed, dedicated, or reserved as common open space, parks, recreational areas, school sites, and similar public and semipublic uses.
- Locations and/or notation of existing and proposed easements and rights-of-way.
- Location of cluster mailbox unit for mail delivery. Coordinate review and approval with servicing USPS post office.
- Zoning district in which the project is located.
- Approximate location of proposed utility systems.
- Indicate whether street lights, or other exterior lighting is proposed on the site.

Stormwater & Erosion Control:

- Designated trout streams on site: Show a 25 foot undisturbed buffer from top of stream banks.
- Other streams on site: Show 30 foot vegetated setback from top of stream banks.
- Approximate location and type of stormwater control measures (SCMs).
- Approximate location of proposed concentrated stormwater discharges from project property and SCMs.
- Statements from Design Professional indicating the following: Drainage basins to discharge points will not change (or demonstrate on plans); Indicate whether site will meet low-density or high-density water quality regulations; If High Density, indicate if runoff volume match or treatment method will be used; If Runoff Treatment method, include plans showing runoff from net added impervious areas can be captured via stormwater systems, conveyance, and grading.

Roads and Parking:

- Existing and proposed street system, including the major points of access to the public right-of-way.
- Location and number of off-street parking spaces, service areas, and loading areas.
- Show approved road names on plan. Contact the Addressing Coordinator for approval.
- Notation of the proposed ownership of the street system (*public or private*).

Perimeter and Adjacent Uses:

- Boundary lines of the proposed development, lot lines, and plot design.
- Proposed location and type of any screening buffers, privacy fences, landscaped berms, or other perimeter treatments.
- Information on adjacent lands: land use, zoning classifications, public facilities, and any unique natural features.

■ **Additional Application Documents:**

- *Renderings:* For commercial structures, architectural renderings of all principal buildings, drawn to a known scale.
- *Traffic Study:* Developments of more than 75 residential units submit a traffic impact study meeting the guidelines provided in the NC Department of Transportation's "Policy on Street & Driveway Access to NC Highways."
- *Fire Marshal Approval:* Documentation from the Buncombe County Fire Marshal indicating the adequacy of the development's facilities for emergency medical and fire services.
- *Utility Availability:* Public systems: Water and Sewer Availability/Allocation Letters; Private systems: Soil investigation report, septic test, or other documentation showing the site can support the proposed development.
- *Retaining Walls:* Elevation renderings showing the anticipated scale of any walls which exceed 10 feet in height after grading, including proposed landscaping, vegetative screening, and top and bottom of the wall at grade.
- *Business Plans:* One page letter containing the following information:
 - Statement of present and proposed ownership.
 - Development schedule indicating approximate beginning and completion dates, including any proposed stages.
 - Statement of the applicant's intentions regarding future sales and/or leasing of all or portions of the development.
 - Plan for maintenance of common areas, recreation areas, open spaces, streets and utilities.

G. BURDEN OF PROOF

The Board of Adjustment will approval or deny an application based on the facts and testimony offered in the public hearing. The burden of proof lies with the applicant to demonstrate that all requirements have been met. In the spaces provided below, indicate **the facts you intend to demonstrate** and **the arguments that you intend to make** to demonstrate to the Board that it can properly grant the Special Use Permit as provided for in §78-677(g) *Procedures for obtaining a Special Use Permit, Conditions for granting approval*, and the Planned Unit Development Level 1 approval as provided for in §78-678(b)(6) *Special Use Standards, Planned Unit Developments, Level I (PUDI)*.

Answers must be provided in the space below, do not submit answers on a separate form. Where applicable, indicate if a requirement does not apply and why. If this is a revision to a previously approved SUP and the answers to the statements below have not changed, indicate 'no change from previous approval'.

SPECIAL USE PERMIT STANDARDS:

1. Indicate how the proposed SUP will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed SUP:

APPLICANT NARRATIVE

The proposed residential project will provide much needed housing stock to the area, and will provide safe access, municipal water and sewer, stormwater management and outdoor amenities. Amenities include a clubhouse with pool and centralized mail, fire pit, dog park, grilling pavilion, pickleball court, and pedestrian walkability throughout the site.

2. Indicate how the proposed SUP will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed SUP:

APPLICANT NARRATIVE

The proposed multi-family development will meet or exceed all applicable environmental, safety, and other regulations. the project will be served by public infrastructure. Public water and sewer allocations were obtained for the BOA Submittal. These allocations are based on the unit count and have been included with this submittal.

3. Indicate how the proposed SUP will not cause or have adverse effects on surrounding properties due to noise, vibration, odor, or glare effects:

APPLICANT NARRATIVE

The proposed development is a residential use, which will present minimal concerns regarding noise, vibration, odor or glare effects. The project will maintain as much existing vegetation on site as possible, and will be appropriately designed, constructed, and landscaped such that any off-site effects will be further minimized.

4. Indicate how satisfactory ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control have been provided or how the items listed are not applicable to the proposed SUP:

APPLICANT NARRATIVE

Primary ingress and egress to the property is proposed via Queen Road. A traffic Impact Analysis (TIA) is included with this submittal package. Safe pedestrian walkways are provided within the buildings and throughout the site.

5. Indicate how adequate and proper utilities, with reference to locations, availability, and compatibility are to be provided or how the items listed are not applicable to the proposed SUP:

APPLICANT NARRATIVE

The proposed development will tie into City of Asheville public water and MSD of Buncombe County public sewer. Allocation letters were obtained for this BOA submittal. The water connection ties into the existing line currently in Queen Road. Sewer connection will be from existing MSD manhole 14-83969 that is located on the property's Queen Rd Frontage.

6. Indicate how signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic effect will be compatible and harmonious with properties in the area or how the items listed are not applicable to the proposed SUP:

APPLICANT NARRATIVE

The project reserves the right to have monument signs where the access drives intersect Queen Road, as well as wayfinding signs within the project limits. Exterior lighting will be provided for safety in accordance with the Zoning Ordinance for the safety of the community.

7. Indicate what playgrounds, open spaces, yards, landscaping, access ways, and pedestrian ways are proposed, with reference to location, size, and suitability in relation to the proposed SUP or how the items listed are not applicable to the proposed SUP:

APPLICANT NARRATIVE

The project provides a number of amenities, including a clubhouse with pool and centralized mail, fire pit, dog park, grilling pavilion, pickleball court, and pedestrian walkability throughout the site.

8. Describe building(s) and structure(s) with reference to location, size, and use and how the proposed buildings would be compatible with the surrounding neighborhood or how the items listed are not applicable to the proposed SUP:

APPLICANT NARRATIVE

The proposed multi-family buildings will be 3/4 split. Maximum structure height will be approximately 47' from the highest adjacent grade.

9. Describe the hours of operation of the proposed use and how those hours will protect and maintain the character of the surrounding neighborhood or how the hours of operation are not applicable to the proposed SUP:

APPLICANT NARRATIVE

Requirements for hours of operation are not applicable due to the residential nature of the project.

PLANNED UNIT DEVELOPMENT STANDARDS:

10. Indicate ownership of the subject property. The land in a PUDI shall be under single ownership or management by the applicant before final approval and/or construction, or proper assurances (legal title or execution of a binding sales agreement) shall be provided that the development can be successfully completed by the applicant.

APPLICANT NARRATIVE

Ownership is currently as indicated in Item E of this form. The applicant is under contract to purchase the property and the land will be under single ownership by the applicant before construction.

11. Indicate the total number of residential dwelling units and dwelling units per acre. There are no density requirements for nonresidential uses as long as the proposed project does not violate the intent of the district in which it is located. The proposed residential density of the PUDI (dwelling units per acre as shown in Section 78-642) shall conform to that permitted in the district in which the development is located. If the PUDI lies in more than one district, the number of allowable dwelling units must be separately calculated for each portion of the PUDI that is in a separate district, and must then be combined to determine the number of dwelling units allowable in the entire PUDI. When the PUDI is a community oriented development, the allowed density shall be in accordance with Sec. 78-650.

APPLICANT NARRATIVE

The project site is 25.18 acres located in the OU zoning district. There are no density requirements for this district. The multi-family project proposes 336 units, which is approximately 13.3 units per acre.

12. Indicate all proposed uses. A mixture of land uses shall be allowed in any PUDI. However, within residential districts, nonresidential uses shall be carefully designed to complement the residential uses within the PUDI. All PUDIs must be compatible with and not violate the intent of the zoning district; however, said uses may include uses not permitted under Sec. 78-641 within the zoning district(s) within which the project is located, provided that the Board of Adjustment finds that nonresidential uses do not disrupt the character of the community.

APPLICANT NARRATIVE

The planned unit development proposes multi-family apartment structures, which are permitted in OU zoning district.

13. Lot size and setbacks shall be shown on the submitted site plan. The normal minimum lot size and requirements for interior setbacks are hereby waived for the PUDI, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. Please address how proposed lot sizes and interior setbacks comply with the spirit and intention of the Zoning district.

APPLICANT NARRATIVE

The proposed development is designed to comply with the requirements of the zoning district. There are no setback requirements for this area.

14. The normal maximum structure height may be waived for the PUDI, provided that unique elements of the development impose requirements for additional height that are not universal throughout the zoning district. PUDIs within the Blue Ridge Parkway Overlay District may not contain structures which exceed the maximum height allowed within the overlay district. Indicate the height of the tallest structure, as measured on the shortest side of the building. For structures within the Steep Slope/High Elevation or Protected Ridge Overlay, provide the average height. Please address how proposed height of the buildings complies with the spirit and intention of the Zoning district.

APPLICANT NARRATIVE

The proposed multi-family buildings will be 3/4 splits. Maximum structure height will be approximately 47' from the highest adjacent grade. Proposed building heights are compliant with the zoning district being that the district does not have dimension requirements.

15. Indicate distances between buildings. The minimum distance between buildings shall be 20 feet or as otherwise specified by the Board of Adjustment to ensure adequate air, light, privacy, and space for emergency vehicles.

APPLICANT NARRATIVE

The proposed project buildings will be a minimum of 20' apart. The buildings will be designed to ensure adequate light, air, privacy, and space for emergency vehicles.

16. (SUP) Indicate how buffering, with reference to type, locations, and dimensions will be provided or how it is not applicable to the proposed SUP. (PUD) Indicate how the development provides reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its ocSUPants, screening of objectionable views or uses, and reduction of noise. Multilevel buildings shall be located within a PUDI in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the ocSUPants of such low-rise buildings.

APPLICANT NARRATIVE

The proposed project will provide landscaping, walkways, and other amenities typically found in similar communities. Buildings have been placed away from adjacent structures to the extent possible, while working with the existing site constraints, such that reasonable acoustical privacy is maintained among the development and to the surrounding community.

17. Indicate conformance with perimeter setbacks. Structures located on the perimeter of the development must be set back from property lines and rights-of-way of abutting streets in accordance with the provisions of the zoning district.

APPLICANT NARRATIVE

OU Zoning District does not have setback requirements, however, the proposed site layout has placed buildings away from the property line to the extent possible, such that acoustical privacy is maintained among the development and the surrounding community.

18. Indicate how off-street parking and loading areas are proposed to be provided, with particular attention to the items in §78-658 of the Buncombe County Zoning Ordinance or how the items listed are not applicable to the proposed SUP. Include the number of parking spaces proposed. Parking requirements may be waived for the PUDI, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment.

APPLICANT NARRATIVE

The proposed project provides a minimum of 1.75 parking spaces per residential unit for proposed apartments.

19. Indicate proposed conveyance and maintenance mechanisms. Conveyance and maintenance of open space, recreational areas and communally owned facilities shall be in accordance with G.S. 47-1 et seq. the Unit Ownership Act and/or any other appropriate mechanisms acceptable to the Board of Adjustment.

APPLICANT NARRATIVE

The proposed project consists of a housing with open space areas, as well as other amenities. The open spaces will be professionally managed by a designated HOA for the property.

H. CERTIFICATION

- I hereby certify that I am the owner, contractor, or authorized agent of the owner, and the above information is correct to the best of my knowledge and hereby make application for a Special use permit. Any information given that is incorrect will cause this application to become null and void.
- I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application.



Signature of Petitioner

8

Month

28

Day

23

Year