



PLANNING BOARD RECOMMENDATION

Project #: P21-79-CZD

Meeting Date: May 9, 2022

PETITION REQUEST: Conditional Rezoning – Duncan Terrace

APPLICANT/PETITIONER: Lee Ray Bergman LLC. [Owner]
Leah Bergman [Applicant/Developer]

PLANNING BOARD ACTION SUMMARY:

Staff gave a presentation on the request and reviewed the guidance from the Comprehensive Plan as well as the criteria for considering a rezoning. Planning Board considered this item for 1 hour and 24 minutes. The main topics discussed by the Planning Board members related to the Tree Board conditions, the increase in the number of units from the previously approved rezoning and the sewer lift station.

The following members of the development team were present and provided information related to the proposed apartment complex: Leah Bergman, applicant/developer and Jeff Harmon and Erik Horton, engineers/site planners for the project.

The development team discussed how the proposed development is satisfying a need for Work Force Housing in Hendersonville. She presented search results for rental housing currently available in Hendersonville. The developer showed images and provided details related to other similar projects they developed in NC.

Five members of the public spoke in opposition to the development:

- Glenn Lange of the Tree Board, Ferncliff Dr - urged the Planning Board to uphold the condition that an additional 75 trees be planted on the site.
- Lynn Clark, Yon Hill Rd - spoke about the loss of trees and greenspace in Hendersonville and the impact to traffic.
- Ester Padula, Brevard Knoll Dr - spoke about the impact to the area due to the loss of trees/habitat for wildlife that she seen on her property nearby.
- Lynne Williams, Chadwick Ave – spoke about concerns with access to the site, traffic impacts, environmental impacts and change of character to the area.
- Ken Fitch, Patton Ave – shared concerns about the traffic impact to intersection in the area and impact to the character of the area.

Mr. Hanley made a motion for approval with Mr. Blatt seconding. The Planning Board voted 7-0 to recommend **APPROVAL** of this petition and adopted the following statements:

CONDITIONS:

In addition to the Conditions on the site plan agreed to by the developer, Planning Board include the following in their motion:

Permitted uses and applicable conditions presented on the site plan shall be amended to include:

- 1. Exterior site lighting should be in accordance with the International Dark Sky Association's recommendations subject to any ADA requirements and*
- 2. 15 years instead of 10 years for the affordable housing maintenance term of 25% of the housing and people in the residences will be grandfathered in until they leave and will not be evicted.*

COMPREHENSIVE PLAN CONSISTENCY AND REASONABLENESS STATEMENT:

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 High Intensity Neighborhood designation calls for multi-family residential, Planned Residential Developments and open space as primary recommended land uses. The proposed project satisfies a majority of design guidelines under LU-7.4.

REASONABLENESS STATEMENT

We 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:

[Rationale for Approval]

1. The development would provide 33 "affordable" rental units (for 15 years) for those with household incomes at 80% AMI or less. These units would help to fill the need for affordable housing which currently has a projected gap (shortage) of approximately 700 units in Henderson County according to the 2021 Housing Needs Assessment (Bowen Study).
2. The development would provide 99 "market-rate" rental units. These units would help reduce the rental housing gap estimated 500 units needed within Henderson County to satisfy demand according to the 2021 Housing Needs Assessment (Bowen Study).
3. The applicant is dedicating +/- 0.59 Acres of right of way at the intersection of Signal Hill and Duncan Hill Road to facilitate future NCDOT road improvements.
4. The area in proximity to the subject property includes similar and comparable development, including multi-family residential within 0.25 miles of the project.
5. This development would serve as a transition between the US-64 commercial corridor and the lower density residential northeast of Signal Hill Rd / Berkeley Rd.

BOARD ACTION

- **Motion/Second:** Hanley / Blatt
- **Yeas:** Hanley, Peacock, Brown, Robertson, Nace, Blatt, Cromar
- **Nays:** N/A
- **Absent:** Glassman
- **Recused:** N/A