



## PLANNING BOARD RECOMMENDATION

Project #: P22-16-CZD

May 5, 2022

PETITION REQUEST: Conditional Rezoning – Hawkins Pointe

APPLICANT/PETITIONER: Dr. Leon Elliston (Regional Properties ANC General Partnership) and Nicholas J. Iosue (Castles and Cottages LLC) [Owners]

David Cooper Jr, Woda Cooper Companies, Inc. {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 45 minutes. The main topics discussed by the Planning Board members related to impact on adjoining properties, parking and traffic circulation.

The following members of the development team were present and provided information related to the proposed apartment complex: Clay Cooper, applicant/developer and Jeff McCluskey, engineer for the project.

The development team discussed how the proposed development is satisfying goals of the Comprehensive Plan and that the project has the top score for those competing for the Low-Income Housing Tax Credit in Western NC. The developer compared the intensity of uses permitted by right under the current MIC zoning and pointed out, for comparison, large scale neighboring structures in proximity of the site. Mr. Cooper also discussed the fact that they have reduced the scale of their original proposal which was for a 4-story, 60 unit complex. The changes made to the site along with concessions made by the developer were based on feedback from residents.

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

- Ken Fitch of Patton Street discussed the project's impact on neighbors, incompatibility with the neighborhood, the impacts to the 6<sup>th</sup> Ave corridor, inadequate parking, and the need for affordable housing.
- Ginny Faust of Florida Ave spoke at length about her concerns with the development. She provided a presentation running approximately 15 minutes and she spoke on behalf of five other residents that were in attendance. She made several points that are summarized as follows:
  - o The requirement for Urban Residential projects to be oriented around significant open space (parks/plazas) not being met.
  - o Comp Plan Goal PH-I.4 is not being met – which calls for high intensity redevelopment along major corridors in order to reduce traffic on local residential streets.
  - o No sidewalks provided for 16 parking spaces in south end of lot
  - o Urban Institutional is not a permitted Future Land Use for Urban Res.
  - o Compatibility concerns with the West Side Historic District due to

impacts to privacy, impacts to vistas, and proposed scale of the building.

- Additional concerns related to the proposed parking layout / issues with assigned parking spaces vs unassigned parking spaces.
- The precedent of using the Urban Residential zoning district.

Planning Board members expressed concerns related to height of the building not fitting into the neighborhood, if age 55+ is appropriate for this area, if the proposed project is too large given the size of the site, parking demand and configuration, and the need for affordable housing and stormwater control measures.

The Planning Board voted 7-1 to recommend **DENIAL** of this petition and adopted the following statements:

#### 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 Urban Institutional designation calls for Multi-Family Residential as a secondary recommended land use and compliments the surrounding primary recommended land uses (public & institutional uses and offices) and the proposed location and site plan aligns with a majority of development guidelines listed under LU 11.4/12.4.*

We 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:

#### [Rationale for Denial]

1. The petition proposes a building mass that is out of scale with the abutting single-family homes to the south of the site.
2. The petition is partially located in a National Register Historic District and proposes a design and site size which is out of character with abutting properties and the West Side Historic District.
3. Other permitted uses in the MIC zoning district which contain a residential component have additional limitations which would not permit the scale or density of the proposed project – limitations on # of bedrooms/acre, minimum lot size, etc.
4. The Urban Residential Zoning District requires that only parcels designated as Medium Intensity Neighborhood, High Intensity Neighborhood, Neighborhood Activity Center, Regional Activity Center and Business Center shall be considered for Urban Residential.
5. Because of the lack of community green space available and
6. The lack of a 10-year stormwater retention requirement.

#### BOARD ACTION

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