

January 6, 2016

Mr. Jeremy Goldstein
Chair, Planning & Zoning Commission
City of Asheville
City Hall
70 Court Plaza
Asheville, NC 28801

Re: Conditional Zoning Request for 60 Mills Gap Road

Dear Mr. Goldstein,

We, the 371 undersigned individuals, write to strenuously oppose the conditional zoning request for 60 Mills Gap Road. As Asheville residents and neighbors who live near this proposed development, we believe that adding a 272-unit development to one of the worst traffic bottlenecks in South Asheville - when nearly 600 apartment units within one mile of the proposed project are currently under construction - is neither reasonable nor in the best public interest.

While critically important to South Asheville, the Sweeten Creek/Mills Gap intersection already routinely causes traffic backups over a mile long. To put its traffic volume into context, according to the 2014 NCDOT traffic volume analysis, Sweeten Creek Road north of Mills Gap Road handles 18,000 vehicles per day despite being only two lanes. By contrast, Merrimon Avenue north of Chestnut Street (Trader Joes/Harris Teeter) handles 20,000 vehicles per day with four lanes. Imagine the response if the City shrunk Merrimon Avenue to two lanes, reduced traffic volume by just 10% and proposed building a 272-unit apartment complex directly across the street from Trader Joes that required people to drive to get anywhere.

The Planning and Zoning Commission's professional staff has recommended against the conditional zoning request. Their analysis supports the following concerns that we have with this project.

Infrastructure and Growth Issues

This project not only proposes to add an additional 272-units, but proposes to place them directly at the traffic bottleneck that is contributing to all of these traffic problems. While some have argued that the state may widen Sweeten Creek Road at some point in the future, that project has been delayed many times in the past and is not slated to occur until 2022 at the earliest. On this point, the Staff Report states, "To allow a project to move forward that will create additional traffic burdens knowing that mitigation measures will not materialize for six years is not responsible planning."

Furthermore, this area in South Asheville has not even had the chance to absorb the nearly 600 apartment units currently in development within one mile of this proposed project. The Staff Report points out that these units “are not yet generating traffic.”

Even during non-peak times, it is very difficult to turn out of our neighborhoods onto Sweeten Creek Road as the entrances to most of our communities do not have traffic lights. Residential growth in this area has contributed to the traffic problems as noted in the professional staff report, “Since 2013, the City has permitted the construction of over 800 residential units within two miles of this project.” We are unaware of any other part of the City that has seen such rapid apartment growth.

Although the developer’s traffic engineer takes great pains in the revised traffic improvement study to argue that the listed mitigation efforts will address the additional traffic, it says nothing about whether the developer can actually implement them and uses language that provides room to excuse the developer if he does not. For example, while a significant mitigation provision is to build a right turn lane on eastbound Mills Gap Road (see p. 33, first bullet), that improvement includes the language “subject to available right-of-way.” According to the Buncombe County GIS, Duke Energy owns that land and we have no information as to whether the developer will even be able to secure the right of way.

Similarly, though the developer also touts the proximity of this property to Hendersonville Road amenities as part of his affordable housing argument, he does not commit to providing a sidewalk to actually allow them to walk there safely. Rather, the traffic improvement study states that the developer should “**investigate the feasibility of** extending the sidewalk along Mills Gap Road across the railroad tracks ...” (emphasis added). Again we have no indication of the feasibility of this improvement and, based on the loose language included, one could argue that the developer already complied with this.

Unless the Planning & Zoning Commission requires the actual installation of ALL the mitigation measures that the traffic engineer mentions on pages 33 and 34 of his revised study (including obtaining right of ways) as conditions to issuing the building permits and starting construction on the property, P&Z should not consider any impacts they might have to the traffic situation.

Affordable Housing Issues

We also understand the desire to deal with housing issues in Asheville however the developer’s affordable proposed maximum monthly rental rate of 80% of Area Median Income (may increase as AMI increases; sunset after 10 years) would permit the developer to charge \$819/month for a 1 bedroom apartment and \$914/month for a 2 bedroom apartment (no utilities). We contacted the nearby Palisades apartment complex and found that their current market rate for a 1 bedroom apartment was \$899/month and \$1,054/month for a 2 bedroom apartment meaning that the proposed affordable units

would only be \$80 less per month than market for a 1 bedroom and \$140 less per month than market for a 2 bedroom apartment.

The following chart reflects the developer’s proposed initial maximum monthly rent for the “affordable” apartment units:

Affordable Housing Standards – 2015 Income Standards

	100% AMI	80% AMI	Developer Affordable Housing Proposal Monthly Max [Max. Affordable Rent at 80% AMI - no utilities]
0 Bedroom	\$39,250	\$31,400	\$725
1 Bedroom	\$44,813	\$35,850	\$819
2 Bedroom	\$50,438	\$40,350	\$914
3 Bedroom	\$56,000	\$44,800	\$1,003
4 Bedroom	\$65,000	\$52,000	\$1,154

(Data above provided by City Planning Office)

To further put these numbers into context, note that a 30-year mortgage in the amount of \$200,000 at 4% interest would result in a monthly payment of \$955 – slightly more than the rent for an “affordable” 2 bedroom apartment.

Environmental Concerns

We also have concerns about the potential environmental issues associated with the proposed residential and commercial development. As you know, this site was a former manufacturing plant of plastic products which obviously involves chemicals. We are not aware of any environmental study of this property to see whether there is any contamination that would be a hazard.

Environmental issues are significant concerns for us as our neighbors just a few miles away in Southside Village are currently dealing with severe environmental issues stemming from the old CTS plant. Without an environmental study of this former plastics manufacturing plant, we do not believe that the Commission and City Council would have enough information to feel comfortable approving a residential development at this site even if somehow the traffic problems were somehow fixed.

Conclusion

The benefit of providing 272 more apartment units in an area of the City with 800+ apartments recently built/permitted with an inadequate road system is outweighed by the

detriments of the proposal particularly when there are legitimate concerns as to the developer's ability to mitigate traffic impacts and that no true relief to the traffic issue is in the foreseeable future. We respectfully request that the Planning and Zoning Commission deny the conditional zoning request.

Respectfully submitted,

Vijay Kapoor
8 Braddock Way

Lynn Eddy
25 Gardenwood Lane

Jill Sagarin
93 Distant View Drive

Anne Kapoor
8 Braddock Way

Don Kessler
25 Gardenwood Lane

Joseph Bonamarte
93 Distant View Drive

Thomas Peterson
16 Elmwood Lane

Michael Mueller
113 Ballantree Drive

John Nelson
39 Ballantree Drive

Susan Peterson
16 Elmwood Lane

Brigitte Mueller
113 Ballantree Drive

Mindy Nelson
39 Ballantree Drive

Jana Childress
23 Gardenwood Lane

Corey Atkins
4 Braddock Way

Bill Becker
18 Gardenwood Lane

Sally Darling
1 Secluded Vista Drive

Heidi Atkins
4 Braddock Way

Sybil Becker
18 Gardenwood Lane

Richard Darling
1 Secluded Vista Drive

Sandra Y. Mueller
83 Ballantree Drive

John Dugan
3 Gardenwood Drive

George Lycan
Ballantree

Barbie Hunter
38 Ballantree Drive

Amy Rehfield
3 Gardenwood Drive

Russell Mitchell
9 Gardenwood Lane

Al Nichols
31 Braddock Way

Mark Lynch
26 Braddock Way

Carla Mitchell
9 Gardenwood Lane

Cathy Nichols
31 Braddock Way

Marti Lynch
26 Braddock Way

Steve Hopkins
22 Braddock Way

Pitt Beam
27 Campbell Circle

Matthew Manning
11 Gardenwood Drive

Francisca Hopkins
22 Braddock Way

Bridget Truman
27 Campbell Circle

Dorothy Manning
11 Gardenwood Drive

Aaron Frederick
23 Campbell Circle

Gwynne Rukenbrod Smith
22 Gardenwood Lane

Dana Lycans
12 Campbell Circle

Elena Frederick 23 Campbell Circle	Greg Sipes 15 Gardenwood Drive	Evelyn Lycans 12 Campbell Circle
Daniel Harris 9 Braddock Way	Lynn Schneider Ballantree	Richard Hudspeth 8 Elmwood Lane
Tricia Harris 9 Braddock Way	George Wood Ballantree	Sally Boerschig 8 Elmwood Lane
Mary Katherine Goodwin 6 Elmwood Lane	Lisa Wood Ballantree	Sydney Wood Ballantree
Bud Mayfield 12 Ballantree Drive	Deb Biggert 23 Ballantree Drive	Greg Sessoms 16 Braddock Way
Kris Mayfield 12 Ballantree Drive	Tim McMullan 21 Braddock Way	Betsy Boggs 47 Braddock Way
Ann-Marie Breen 21 Braddock Way	Bill Vintson 18 Ballantree Drive	Sherry Vintson 18 Ballantree Drive
Russell Mitchell 9 Gardenwood Lane	Cyndi Phillips 11 Elmwood Lane	Jason Phillips 11 Elmwood Lane
Jay Calloway Brookwood	John Kay Brookwood	Dan Friedman Brookwood
Tony Calloway Brookwood	John Kay Brookwood	Melodie Friedman Brookwood
Marjorie Skwara 1 Muirfield Circle	Zac Sheldon 905 Weston Road	Regina Asriel 10 Crestbrook Drive
Linda Hollis 113 Lambeth Drive	Robert Hollis 113 Lambeth Drive	Frank Justice 10 Crestbrook Drive
John Ingersoll 81 Lambeth Drive	Sheila Ingersoll 81 Lambeth Drive	Nancy McCarthy 24 Highbridge Crossing, #1002
Margot Coleman 16 Salisbury Dr., #7518	Suzanne Vermilye 16 Salisbury Dr., #7204	Helen Reilly 16 Salisbury Dr., #7114

Anna-Cay Hawes
11 Wakefield Dr., #2416

Mary Bartholomew
125 Lambeth Drive

Emiko Flynn
16 Salisbury Dr., #7502

Floyd Domer
16 Salisbury Dr., #7402

Marleen Varner
16 Salisbury Dr., #7205

Tadeus Jakubowski
11 Wakefield Dr., #2210

Bonnie Weldon
16 Salisbury Dr., #7409

Betsy Cantrell
128 Lambeth Dr.

Joseph Pawlick, Jr.
16 Salisbury Dr., #7406

Anita Fletcher
5 Timson Road

Becky Prevost
16 Salisbury Dr., #7413

Jerry Friedman
8 Timson Rd., #A-1

James Graves
24 Highbridge Crossing

Ray Ponder
121 Lambeth Drive

Douglas Esbensen
108 Clubwood Court

Peter Hawes
11 Wakefield Dr., #2416

Gay Symmes
11 Wakefield Dr., #2005

Alan Flynn
16 Salisbury Dr., #7502

Douglas Young
16 Salisbury Dr., #7313

Tava Taylor
699 Pleasant Hill Rd.

Franklin Sanders
14 Saint Albans Court

Susan White
16 Salisbury Dr., #7405

Jane Smith
11 Wakefield Dr., #2112

Robert Libbey
16 Salisbury Dr., #7410

David Lockett
11 Wakefield Dr., #2505

Susan Bolton
11 Wakefield Dr., #2411

Nancy Smith
12 Wakefield Dr.

Suzanne Johannes
24 Highbridge Crossing,
#1302

Penelope Ponder
121 Lambeth Drive

Lee Sanders
24 Campbell Circle

Gail Anderson
11 Wakefield Dr., #2507

Stephanie Book
16 Salisbury Dr., #7417

Judith Domer
16 Salisbury Dr., #7402

Jean Jakubowski
11 Wakefield Dr., #2210

Melonie Tyner
Hidden Valley

Jane Sanders
14 Saint Albans Court

Walter Cantrell
128 Lambeth Dr.

Nancy Dill
11 Wakefield Dr., #2405

Christina Wehmeyer
24 Highbridge Crossing,
#1405

Bernard Coleman
16 Salisbury Dr., #7518

Dorothy Sproule
32 Wakefield Dr.

Claire Graves
24 Highbridge Crossing

Richard Johannes
24 Highbridge Crossing,
#1302

Margaret Price
Windsor Park

Megan Sanders
24 Campbell Circle

Dan Steward Distant View Drive	Neil Altman Distant View Drive	Steven Betso 113 Distant View Drive
Eva Steward Distant View Drive	Diane Altman Distant View Drive	Joanne Betso 113 Distant View Drive
Amber Guilfoyle 88 Distant View Drive	Jane Robison 100 Distant View Drive	Daniel Baseman 88 Distant View Drive
Mark Yungbluth 102 Distant View Drive	Paul Summey 108 Distant View Drive	Gerry Stanley 86 Distant View Drive
Joan Alston 102 Distant View Drive	Diane Summey 108 Distant View Drive	Margaret Stanley 86 Distant View Drive
Alvin Rosenfarb 106 Distant View Drive	Richard Green 91 Distant View Drive	William Uhle 95 Distant View Drive
Karen Rosenfarb 106 Distant View Drive	Judy Green 91 Distant View Drive	Chandra Uhle 95 Distant View Drive
Tripp Summey 108 Distant View Drive	Joan Alston 102 Distant View Drive	Mark Yungbluth 102 Distant View Drive
Michael Osborne 110 Distant View Dr.	Nancy Osborne 110 Distant View Dr.	Pete Lynch 19 Hilltop Road
Lane Godsey 27 S. Oak Forest Road	Suzanne Godsey 27 S. Oak Forest Road	Jill Levin 21 Pheasant Drive
Catherine Townsend Oak Forest	Hinton DeJong 7 Bevlyn Drive	Bob Kearney 25 Briarcliff Drive
M.E. Gray Oak Forest	Chris Yavelow 121 Cedar Forest Trail	Pam Kearney 25 Briarcliff Drive
Annette Traylor Oak Forest	Winston Traylor Oak Forest	Jim Ladd Oak Forest
Justin McCleery 20 Bennington Court	Lauren Vaught 109 Galloway Drive	Lisa Ladd Oak Forest
Leigh McCleery 20 Bennington Court	Roger Vaught 109 Galloway Drive	Hector Romero 105 Galloway Drive

Michael Scharf
50 Camby Drive

David Keplinger
10 Thelma Lane

Gloria Keplinger
978 Old Fort Road

Phyllis Scharf
50 Camby Drive

Dieon Clontz
978 Old Fort Road

Tom Reeder
3 White Pine Way

Angela Guiffrida
55 White Pine Circle

Joseph Guiffrida
55 White Pine Circle

Abby Reeder
3 White Pine Way

Richard Brown
54 White Pine Circle

Lauren Brown
54 White Pine Circle

Sue Stephens
24 Pine Ridge Court

Lyn Dunn
6 Southborough Drive

Scott Joslin
405 Oak Tree Lane

Bob Wernet
37 Glen Cove Drive

Leigh Lohwasser
23 Shelby Drive

Sharron St. John
22 Shelby Drive

Sharon Sansone
16 Shelby Drive

Stephanie Van Deventer
23 Shelby Drive

Julie Sinclair
The Oaks

Gail Cyr
74 Park Avenue

Kaaren McNulty
50 Park Avenue

Ginger Sink
Park Avenue

Claire Smith
62 Park Avenue

Lee Shapleigh
58 Park Avenue

Mary Powell
48 Park Avenue

Mike Martinelli
64 Park Avenue

Sue Reed
58 Park Avenue

Holly Vestal
1 Park Ridge Court

Sara Cunningham
8 Park Ridge Court

David Randall
20 Park Avenue

Jim Hierl
3 Clubhouse Court

Linda McDaniel
6 Creekside Court

Laurie Randall
20 Park Avenue

Mary Hierl
3 Clubhouse Court

Virginia Allen
1 Creekside Court

Bob Kovacs
7 Park Ridge Court

Bill Wright
3 Park Ridge Court

Charles Furlow
1 Creekside Court

Kim Kovacs
7 Park Ridge Court

Judy Wright
3 Park Ridge Court

Faye Bobbitt
Park Avenue

Cameron Furlow
3 Creekside Court

Jo Furlow
3 Creekside Court

Krystyn Arnold
7 Gatehouse Court

Matt Rose
6 Briar Knoll Court

Jim Bucci
4 Briar Knoll Court

Cary Cocke
18 Park Avenue

Karen Rose
6 Briar Knoll Court

Bette Bucci
4 Briar Knoll Court

Pam Cocke
18 Park Avenue

Deborrah Arnold
7 Gatehouse Court

Neil O'Sullivan
30 Park Avenue

Margie Brooks
44 Park Avenue

Ron Godbold
68 Park Avenue

Carol O'Sullivan
30 Park Avenue

Kim Kovacs
Park Avenue

Pat Godbold
68 Park Avenue

Cary Cocke
18 Park Avenue

Robert Kovacs
Park Avenue

James R. Lewis
12 Clubhouse Court

Pam Cocke
18 Park Avenue

Jesse Kovacs
Park Avenue

Doreen Peterson
39 Park Avenue

Ross Jones
385 Racquet Club Road

Heather Gregory
54 Cherry Street

Mary Richard
14 Hickory Hills Drive

David Richard
14 Hickory Hills Drive

Cecil Earp
456 Royal Pines Drive

David White
9 Crestbrook Drive

Jenny Feid
12 Crestbrook Drive

Brian Feid
12 Crestbrook Drive

Margaret Franc
60 Tuckaway Drive

Allen Ray
197 Treetops Lane

Donald Dahms
15 Breezeway Drive

Margaret Franc
60 Tuckaway Drive

Drue Ray
197 Treetops Lane

Lani Ray
15 Breezeway Drive

Glen Pier
3400 Sweeten Creek Rd,
Suite A

Marlene Earp
456 Royal Pines Dr.

Deborah Legat
114 Appledorn

Bob Sarabia
Robinson Creek

Wayne Smith
16 Weston Heights Drive

Stacy Smith
16 Weston Heights Drive

Elizabeth Elliott
105 Goldfinch Lane

Julie Burkhart
9 Brody Trail

Anne Babcock
4 Hickory Nut Lane

Patrick O'Connor
191 Treetops Lane

Mike Belk
240 Riverbirch Drive

Candy Belk
240 Riverbirch Drive

Anita Cahill
46 Ballantree Drive

Claudia DeGregorio
24 Gardenwood Lane

Michael DeGregorio
24 Gardenwood Lane

Gemma Pieroni
6 Rosebay Lane

Brett Heimowitz
1052 Columbine Road

Richard Neddall
89 Sunwest Drive

Bonnie Neddall
89 Sunwest Drive

Larry Casper
166 Mt. Royal Drive

Dana Lichty
1403 Kenton Lane

Gina Pieroni
6 Rosebay Lane

Jo Wicker
26 Laurel Court

Thomas Harbaugh
50 Sierra Drive

James Weikart
1403 Kenton Lane

Cathy Eising
Biltmore Park

Joe Savastano
38 Rhododendron Drive

Erwin Hani
Biltmore Park

Jan Elingburg
89 Braddock Way

Michele Boone
311 Red Fox Circle

Belle Reina
336 Royal Pines Drive

Mark Campbell
11 Appian Way

Bev MacDowell
166 Mt. Royal Drive

Diane Campbell
11 Appian Way

Claude King
Biltmore Park

Alice Redrick
95 Locust Court

Cindy Roos
25 Wesley Dr., Apt. B

Steve Roos
25 Wesley Dr., Apt. B

Mark Montini
75 Rilandwell Drive

Jeri Senor
13 Weston Heights Dr.

Wade Greiner
404 Heather Place

Kareem Arrushdi
105 Weston Heights Dr.

Debbie Shaw
7 Weston Heights Dr.

Sharon Foreman
107 Weston Place

Frank Sink
36 Weston Heights Dr.

Bob Poe
27 Weston Heights Dr.

Lorraine Poe
27 Weston Heights Dr.

Peggy White
47 Sunview Circle

Tony Mackey
1339 Heathbrook Circle

Lynnette Smith
210 Carlyle Way

Gary Langohr
103 Weston Place

James McAnulty
80 Sunwest Dr.

Jacelyn Eckman
15 Maybury Court

Rene Gallaher
59 Crestwood Drive

Ariel Sanders
121 Oak Terrace

Vicki Eckman
445 Royal Pines Dr.

Maria Weider
12 Weston Heights Dr.

Regina Pearson 27 Westridge Dr.	Steve Pearson 27 Westridge Dr.	Lisa Horak 10 Weston Heights Dr.
Caroline Sandstedt 104 Weston Place	Erik Sandstedt 104 Weston Place	Dallas McKnight 1366 Heathbrook Circle
Donna McKnight 1366 Heathbrook Circle	Katharine Sheldon Weston Road	Chris Schruckmayr 37 Appian Way
Gary Wayne Mize Royal Pines	Alison Webb 423 Crowfields Drive	Tracy Mathews Ballantree
Brian Lashley 519 Pinchot Drive	Diane Cast 1339 Heathbrook Circle	Jim Benson 55 Crestwood Drive
Susan Tuomey 30 Breezeway Drive	Peter Mudge 161 Treetops Lane	Gayle Mudge 161 Treetops Lane
Carol Cascio Weston Heights	Lynne Edwards 179 Treetops Lane	Bill Edwards 179 Treetops Lane
Thomas Pritchett 305 Jennifer Lane	Aditya Reddy 76 Rathfarnam Road	Grace Reddy 76 Rathfarnam Road
Katie Kelley 26 Oak Leaf Lane	Ray Kelley 26 Oak Leaf Lane	Geoff Stoll 19 Surrey Run
Jenna Stoll 19 Surrey Run	John Olup 8 Park Avenue	Tamela Braswell Willoughby Run Townhomes
Ronald Scheinman Biltmore Lake	Karen Sparer Biltmore Lake	Martin Jones 18 Surrey Run
Bill Petz 1164B Old Fort Road	Allan Dawson Hidden Valley	Abbie Kelly 503 Saddleback Ct.
David Williams 12 Willoughby Run Dr.	Leslie Roland 17 S. Oak Forest Drive	Robert Roland 17 S. Oak Forest Drive
James Harrison Oak Forest	Tom Murphy 5 Creekside Court	Nan Murphy 5 Creekside Court
Susan Sutherland 125 Southbrook Lane	Beth McCann Southbrook	Doris Gant 14 Clubhouse Court

Lawrence Gant
14 Clubhouse Court

Robert Budde
133 Southbrook Lane

Lynnette Budde
133 Southbrook Lane

Richard Adams
42 Surrey Run

Carrie Adams
42 Surrey Run

Meghan Adams
42 Surrey Run

Colleen Adams
42 Surrey Run

Kristen Salvatore
141 Laurel Road

David Stum
624 Vista View Drive

Sheila Lutjens
624 Vista View Drive

John Tiernan
5 Braddock Way

Claire Tiernan
5 Braddock Way

Randy King
628 Vista View Road

Lisa King
628 Vista View Road

Jeff Finch
14 Stoney Brook Court

Karen Finch
14 Stoney Brook Court

Donald Sproule
32 Wakefield Drive

Shirley Schultz
16 Salisbury Dr., #7514

Clifford Joslin
37 Bideford Row

Carol Jordan
30 Weston Heights Drive