

**Minutes of the Planning Board
Regular Meeting - Electronic
January 11, 2024**

Members Present: Jim Robertson (Chair), Peter Hanley, Beth Robertson, Laura Flores, Donna Waters, Tamara Peacock

Members Absent: Barbara Cromar, Yolanda Robinson

Staff Present: Tyler Morrow, Planner II, Matthew Manley, Strategic Projects Manager, Lew Holloway, Community Development Director (Zoom)

I Call to Order. *The Chair called the meeting to order at 4:00 pm. A quorum was established.*

II Approval of Agenda. Chair stated the agenda has changed and the 715 Greenville Highway application has been removed by the applicant. There are two city initiated text amendments that were on the agenda. The Childcare Home amendment and the definitions amendment which were to be presented by Alex and she is out sick so these two items have been removed. ***Mr. Hanley moved to approve the revised agenda. The motion was seconded by Ms. Peacock and passed unanimously.***

Lew Holloway, Community Development Director stated for clarification that the applicant for 715 Greenville Highway requested to have their application removed from the agenda tonight. Chair stated so they have not withdrawn their application. Mr. Holloway stated they have not withdrawn their application, they asked to be removed from tonight's agenda.

III Approval of Minutes for the meeting of November 9, 2023. *Ms. Peacock moved to approve the Planning Board minutes of the meeting of November 9, 2023. The motion was seconded by Ms. Waters and passed unanimously.*

Chair stated normally the Planning Board does not allow for public comment before the meeting because they do allow for public comment before each item. He stated because 715 Greenville Highway was on the agenda and some folks showed up tonight expecting it to be on the agenda he is going to allow for two minutes by any member of the public that wishes to speak tonight about anything that is maybe not on the agenda any longer to make comments. Chair stated if anyone would like to make any comments he will allow two minutes at this time.

Lynne Williams, Chadwick Avenue stated she submitted photos to the Board for the 715 Greenville Highway rezoning which included the entire front section of Greenville Highway where the entrance and exits for the project would be and that was completely submerged in water. The back of the property was also completely flooded. It is an island on the southside of town and if she needed to go to the hospital she has to think of alternative routes to get there and is unable to find one. She was concerned about the loss of trees and the loss of the floodplain and has stated this at several Planning Board meetings. Ten-year storm drains are not sufficient with these large development sites. She suggested making increments for the requirements for the storm system. This was not pouring rain but lightly sprinkling for a day. She was concerned about the impacts of these larger developments.

Sandra Williams, 309 Chadwick Avenue (Zoom) stated it was interesting to her that this was to be submitted for rezoning today and nature decided to show them what it would be like if the apartments were there. If it is resubmitted she will show up for that meeting and bring photographs and remind the city that

the flooding could happen at any time and it was a mess. She complimented the first responders for their work during the flooding. If this was to happen again it would be hard for the responders to get 184 people out of a building if the building was there on that corner. She objects to the project and thinks nature showed us why it is not the proper place for 184 apartment units with families and children living in them.

Chair closed public comment.

IV Old Business

V New Business

V(A) Zoning Map Amendment- Standard Rezoning – 116 Stewart Street (P23-96-RZO). Mr. Manley gave the following background:

The property is located at 116 Stewart Street. The property owners are Roger and Deborah Grant. It is a 0.44 acre tract of land that is zoned R-15 and the applicants are requesting it to be rezoned to GHMU, Greenville Highway Mixed Use. There is a single-family dwelling on the property. The Future Land Use Designation is High Intensity Neighborhood.

The current land use map was shown and is included in the staff report and the presentation. Mr. Manley discussed the map.

A use comparison table was included in the staff report and the presentation. The dimensional requirements were included and discussed.

Site photos were shown and included in the staff report and the presentation. The new construction above the garage was pointed out.

The 2030 Comprehensive Future Land Use Map was shown in the staff report and presentation.

Comprehensive Plan Consistency was discussed and is included in the presentation and staff report.

General amendment standards were discussed and are included in the staff report.

A draft consistency statement is included in the staff report.

Rationale for approval and denial were included in the staff report.

Chair asked if there were any questions for staff.

Chair asked about Supplementary Standards for Accessory Dwelling Units in the R-15 district. Mr. Manley stated he wasn't sure off the top of his head but one standard is the accessory dwelling unit cannot exceed 800 square feet. And there can only be one accessory dwelling unit per lot. Chair asked why they restrict that to 800 sq. ft. Mr. Manley stated the nature of the accessory dwelling unit is that it is subordinate to the primary structure. Other places require accessory dwelling units to be a percentage of the primary structure. Chair asked when this requirement was established. Mr. Manley stated that was before his time. Accessory dwelling units are allowed in all residential districts.

Chair asked about Bill HP365 allowing accessory dwelling units by right. Mr. Manley was unaware of this bill.

Chair asked where 122 Stewart was on the map. Mr. Manley stated the property is north of the city limits line. Chair stated this is the only other property not zoned GHMU.

Roger Grant, 116 Stewart Street stated his name and address for the record. Chair stated because the Board needs to consider all the permitted uses for a rezoning, he asked Mr. Grant not to tell the Board what they have planned.

Mr. Grant stated he is simply looking for the same zoning that the rest of his neighbors have. That street and across the street from him are all zoned as GHMU. Adjacent to him is GHMU. His property is sitting there in a different zoning requirement and that is why he would like to have his property rezoned.

There were no questions for the applicant.

Chair opened for public comment.

Lynne Williams, Chadwick Avenue was concerned about neighbors being pushed out by commercial uses and the impacts this will have on the neighborhoods. She was concerned about the GHMU zoning having no minimum lot size requirement and no density cap. The GHMU zoning continues to grow and this has a huge impact on residential neighborhoods and Chadwick Avenue. She was concerned about extending GHMU and this not being consistent with the Comp Plan's goals. There are no checks for stormwater for properties under one acre. She was also concerned about open space with new construction. This cuts into the residential character of the neighborhood and she is concerned about the permitted uses in the GHMU zoning district.

Chair closed public comment.

The Board discussed the change not being extreme compared to the existing zoning. The applicant is limited to what he can do there with the size of the property. Ms. Waters asked about a variance. Chair stated he believes the rezoning was recommended by staff to the property owner. Mr. Manley stated variances are based on a hardship. Board discussed the definitions and the removal of the term garage apartment. Mr. Hanley felt this was no big deal and fits in with the neighborhood.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9577-19-7262) from R-15 (Medium Density Residential) to GHMU (Greenville Highway Mixed Use) based on the following: 1. 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 Development Guidelines and Primary Recommended Land Uses of the High Intensity Neighborhood designation align with the design standards and permitted uses outlined in the Greenville Highway Mixed Use Zoning District. 2. 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: 1. The proposed rezoning would align the zoning of the subject parcel with other parcels on Stewart Street. 2. The proposed rezoning would allow an increase in residential density. 3. The size of the lot would constrain potential high intensity uses from entering the surrounding residential neighborhood. Ms. Peacock seconded the motion which passed unanimously.

V(B) Zoning Map Amendment– Standard Rezoning – 799 S. Grove Street (P23-95-RZO). Mr. Morrow gave the following background:

The City of Hendersonville received an application from Roy D. Neill, property owner for 799 S. Grove Street (PIN 9578-14-0598) and currently zoned R-15, Medium Density Residential. The proposed rezoning request is for C-2, Secondary Business district. The property is 0.52 acres and the Future Land Use Designation is High Intensity Neighborhood.

The Future Land Use Designation was discussed and included in the staff report and presentation.

The dimensional requirements for each zoning was shown and discussed and is included in the staff report and presentation. A comparison table of the uses for each district was included in the staff report.

Site photos of the property were shown and included in the staff report and presentation.

The City's Future Land Use Map was shown and deemed the subject property as High Intensity Neighborhood. This is included in the staff report and presentation.

Comprehensive Plan Consistency was discussed and is included in the presentation and staff report.

General rezoning standards were discussed and are included in the staff report.

A draft consistency statement is included in the staff report.

Rationale for approval and denial were included in the staff report.

Chair asked if there were any questions for staff.

Chair asked about tree removal for residential and commercial. Mr. Morrow stated there are no requirements currently for tree preservation but this could change. Chair asked about the requirements if this property was developed as residential. Mr. Morrow explained the requirements for R-15 which has a minimum lot size for single-family as 15,000 sq. ft. Realistically they could put one single-family dwelling and an accessory dwelling unit on the property. For a minor PRD the requirement is 2.75 dwelling units per acre so the most they could get would be two units. Chair stated this is if they developed it with the current zoning. Mr. Morrow stated yes.

Mr. Morrow stated the minimum lot size for the C-2 zoning is 6,000 sq. ft. for residential so they could get more on the property under the C-2 zoning. For minor PRD's in the C-2 zoning it is 8.5 units per acre. The C-2 zoning does not allow multi-family and the R-15 zoning does not allow multi-family.

Chair asked if they could combine the uses and have commercial on the bottom floor of the building and residential on top floor. Mr. Manley stated yes.

There were no further questions for staff.

Roy Neill, 131 Lyndale Street stated in the past decade Grove Street has changed dramatically. It is about 150 yards from the intersection of Spartanburg Highway and Grove Street. He feels this would be the best use of the property. There are only two residential properties on S. Grove Street at this time. He feels this would be an ideal commercial lot.

There were no questions for the applicant.

Chair opened the meeting for public comment.

Ken Fitch (Zoom), 1046 Patton Street stated at a past Planning Board meeting there was concern about endangered residential zoned areas and one of the concerned areas was this location. There are only two residential properties on Grove Street but there are other residential properties in the area and this could impact them.

Lynne Williams, Chadwick Avenue stated like Mr. Fitch stated there were extensive conversations for other properties on Hillview Boulevard. This area is similar to the Chadwick Avenue area. The impact of living on a street that is half commercial causes impacts to the residential properties such as traffic and noise and even drilling like what happens on Chadwick Avenue.

Chair closed public comment.

Ms. Peacock moved Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9578-14-0598) from R-15 Medium Density Residential Zoning District to C-2 Secondary Business Zoning District based on the following: 1. 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 subject property is designated as a "Priority Infill Area" in the comprehensive plan which are areas that are considered a high priority for the City to encourage infill development on remaining vacant lots and redevelopment of underutilized or underdeveloped properties. The High Intensity Neighborhood designation also calls for offices and retail along thoroughfares as a secondary recommended land use. 2. 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: 1. C-2 zoning is present all along the Grove Street corridor north of the property until the zoning transitions to CMU at the intersection of S. Grove Street and E. Caswell Street. 2. The proposed rezoning to C-2 could lead to infill commercial development on a long vacant and underutilized property. Mr. Hanley seconded the motion which passed unanimously.

VI Other Business.

VI(A) Election of Chair and Vice-Chair. Mr. Robertson stated he is willing to serve as Chair again unless someone else would like to be nominated. **Mr. Hanley nominated Jim Robertson as Chair and Tamara Peacock as Vice -Chair to serve for one year. Ms. Waters seconded the motion which passed unanimously.**

VI(B) Approval of Annual Schedule for Regular Meetings. **Mr. Hanley moved the Planning Board to approve the annual meeting dates for 2024. Ms. Robertson seconded the motion which passed unanimously.**

Mr. Manley gave a Comp Plan update.

VII Adjournment – The meeting was adjourned at 5:10 pm.

Jim Robertson, Chair