

**Minutes of the Planning Board
Regular Meeting - Electronic
May 9, 2024**

Members Present: Jim Robertson (Chair), Peter Hanley, Tamara Peacock (Vice-Chair), Donna Waters, Barbara Cromar

Members Absent: Laura Flores, Beth Robertson, Chauncey Whiting, Dr. Yolanda Robinson

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

- I Call to Order. *The Chair called the meeting to order at 4:00 pm. A quorum was established.***
- II Approval of Agenda. *Mr. Hanley moved to approve the agenda. The motion was seconded by Ms. Waters and passed unanimously.***
- III Approval of Minutes for the meeting of April 11, 2024. *Mr. Hanley moved to approve the Planning Board minutes of the meeting of April 11, 2024. The motion was seconded by Ms. Cromar and passed unanimously.***
- IV Old Business**
- V New Business**
- V(A) Administrative Review – Preliminary Site Plan – Church Street Funeral and Cremation Parking Expansion (A24-16-SPR). Mr. Morrow gave the following background:**

This is a preliminary site plan approval for the Church Street Funeral and Cremation Parking Expansion. Mr. Morrow stated this is an administrative review and the term administrative is defined as decisions made in the implementation, administration or enforcement of the Zoning Ordinance or Subdivision Ordinance that involve the determination of facts and the application of objective standards in the Zoning Ordinance or Subdivision Ordinance.

Preliminary plan review is required of all development undergoing Site Plan Review for the addition of more than 30 parking spaces. Planning Board must administratively review the preliminary site plan to ensure compliance with the zoning ordinance. Approval of a preliminary site plan shall not entitle the applicant to the issuance of a zoning compliance permit. The developer will be required to submit final site plan to staff for review.

The project is located at 125 S. Church Street. The applicant and property was submitted by Dignity Funeral Services, Inc. The property is currently zoned CMU, Central Mixed Use and is approximately 1.12 acres. The property contains a funeral home and cremation business that is currently operating on the site.

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

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

The preliminary site plan was shown and discussed and is included in the staff report and presentation. The required parking spaces is 43.

Based on the review by staff, the submitted preliminary site plan for the Church Street Funeral and Cremation Parking Expansion Project meets the Zoning Ordinance standards established for commercial projects within the CMU, Central Mixed-Use District and Preliminary Site Plan Review (Section 7-3-3.2).

Chair asked if there were any questions for staff.

Mr. Morrow explained that the parking lot that had been used for Shepherd's Funeral Home could no longer be used. Originally when it was Shepherd's they owned the two parcels to the north and were included in the funeral home business. That business has since changed owners. The owner of the previous business that was Shepherd's still owns these two adjacent parcels and they were not sold to the current owners. Chair asked don't you enter that business from a side street. Mr. Morrow stated you could but there is fence up now. There is also a barricade. Chair stated so they have lost two parking lots. Mr. Morrow stated that is correct. Mr. Hanley stated the owner will not sale and wants nothing to do with it.

Ms. Cromar asked what the parking lot would be covered with.

There were no further questions for staff.

Scott Bolyard, 1003 4th Avenue West stated he is a landscape architect and prepared the plans for the project.

Ms. Cromar asked what substance they would use in the parking lot. Mr. Bolyard stated they plan to use asphalt. Ms. Cromar asked if there was any way they would consider using something not as pervious as asphalt. Mr. Bolyard stated he did want to speak to the need for this parking lot. He stated they lost about 30 to 40 spaces with this change of ownership that they are no longer allowed to use. They are trying to operate maybe the largest funeral home in this area with 16 parking spaces. It is a mess. They do need the parking. They had originally discussed it to be gravel and they had discussed this as just being temporary parking, they thought there could be a breakthrough with the ownership. Basically it is a heir thing. One part of the family is playing hardball with the other part and the other part is still trying to operate a funeral home. Basically they do need to have the parking lot. They looked at doing gravel and the owners said they really wanted it to be asphalt. They want less maintenance and they have a lot of elderly people that visit a funeral home. They have no current handicap parking now that meets any regulations. The only thing they are doing in that front part is adding three handicap spaces and improving the accessibility into the place. The new stuff is where they plan to do asphalt. The disturbance is like a third of an acre or something. They are proposing the islands will be kind of like a rain garden with river rock and use that as some drainage. The whole southern area, in that buffer they have a lot of landscape and they are also doing about a five-foot wide river rock swell which can act like a rain garden. With the amount of landscaping the city ordinance requires they will have a parking lot and a garden center. There is a significant amount of vegetation being proposed. He stated he will talk with the owners about pervious pavement but he would say in his experience they cost about two to three times as much as asphalt.

There were no further questions for the applicant.

Chair stated staff has stated that this does meet the requirements.

Mr. Hanley moved Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-19 CMU, Central Mixed Use and 7-3-3 Review of Preliminary Site Plans) finding that the Church Street Funeral and Cremation Parking Expansion project is compliant with all applicable requirements.

Ms. Cromar seconded the motion which passed unanimously.

V(B) Administrative Review – Preliminary Site Plan – Spinx Upward Road (A23-98-SPR). Mr. Manley gave the following background:

Mr. Manley stated preliminary site plan review is required of all developments undergoing Site Plan Review for the following: Addition of more than 30 parking spaces. Planning Board must administratively review the preliminary site plan to ensure compliance with the zoning ordinance. Approval of a preliminary site plan shall not entitle the applicant to the issuance of a zoning compliance permit. The developer will be required to submit final site plans to staff for review. The property is located at the corner of Upward Road and Old Spartanburg Road and it involves four parcels that were recently purchased. It has been recently annexed and rezoned to CHMU. CHMU does contain design standards.

Mr. Manley gave a background of the project which is included in the staff report and presentation.

The current Land Use and Zoning map was shown and is included in the staff report.

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

A preliminary site plan was shown and is included in the staff report and presentation. He discussed the requirements of the site plan such as easements and cross connections.

The landscaping plan was shown and discussed and is included in the staff report and presentation.

Building elevations were shown and are included in the staff report and presentation. Deviations have been proposed for the design standards by the applicant. The Current Planning Committee met just prior to this meeting and Mr. Manley will discuss their recommendations. The Planning Board does have some discretion to grant the deviations from the design standards or not grant them.

The total square footage of the building is 6,470 sq. ft. The height is 27 feet. The building contains at least three of the architectural details required by Section 5-27-4.1.5. Those are the center tower, the offsets of the roof and the decorative cornices. The building contains at least two contrasting building materials with brick making up at least 15% of the façade. They achieved distinct architectural interests on the building which faces an intersection, so it is a corner lot. They are achieving distinct architectural interest through the proposal of additional height to the parapet, a corner entrance and a corner canopy. And the applicant proposes alternative building design to accommodate relief from the projection depth requirements. These requirements are only for street facing facades and common space facing facades and that means the front and the right. The depth of offsets are based on the length of a wall. The longer the wall the deeper the projection has to be. In this case they are required a two-foot four-inch deep projection on the front façade and the deviation they are proposing is a one-foot depth projection on this front façade as proposed to a two foot four inch projection and the applicant can speak to this further. They are proposing this due to the depth of the sidewalk and the proportions of the building entrance. The Alternative Design Committee (Current Planning Committee) recommended denial for that deviation. They are basically saying the applicant should meet the two-foot four-inches in the depth of the projection on the front. Additionally the applicant is proposing to provide two-foot four inch projection on this side of the building and that is less than the required for the four foot depth. In this case the Alternative Design Committee recommended approval. They felt this was as good or better than what the design standards required so they recommended approval. Three out of five of our members are on that committee however the Planning Board as a full body has to be the ones to vote. Planning Board can either decide to grant the deviations, grant one of the deviations or grant neither. That would go along with your approval or denial of the site plan itself. The left and rear of the building are not required to meet those depth projections but they are providing them.

A rendering of the building was shown and is included in the staff report and presentation.

There were no outstanding comments from staff.

Chair asked if there were any questions for staff.

Discussion was made on this being a visual issue.

Ms. Cromar asked is this the usual customary structure of newer gas stations.

Greg Minton, 309 Ellington Creek Lane, Greer SC stated this is not our prototype building we've been working on. Our architects, Betsch & Associates have been communicating with Hendersonville city staff to look at some ways to come into compliance with the required spacing. So our architect has been working to modify this building to come close to meeting the guidelines that are set forth in the ordinance. Frank Towe with Betsch & Associates is here and he can speak more detailed on this. What they have tried to do is to come in and expand it but still give a balanced look to the building. If you look out the front entryway, we have a six-foot double door and it's about an eight-foot entryway that comes off the front of the building about seven and a half feet right in the center. So that creates a big separation at the front and then again as we moved and expanded the block and brick out on the sides to meet the two foot four inch requirement that balance with the entry door on the left and that corner that comes across the front. That design allows for pedestrians to come in that side door or also enter in through the front double doors. The key is to balance the architectural feel of this building without creating this square dead space up in that front area and not be pushed out further to the front. They did expand and meet it on the sides and did that equally to balance that look so the building has a better feel from an architectural standpoint. Frank Towe can speak more to this.

Ms. Cromar asked where their deliveries will be made for their large trucks. Mr. Minton stated they deliver to the back. He pointed out the area on the site plan. He stated gasoline deliveries will be made at the front but there is 40 feet of spacing in the front between the canopy for this. He stated they have 80 plus locations and they have spent many years trying to create a safe flow for the customers coming in and out of the site. They have set standards that will ensure a safe flow and have worked with DOT up front on Upward Road. They added a decel turn lane that was not required but they did it to be able to pull traffic off of Upward Road in a safe manner.

Mr. Minton stated in closing, they are excited to be here in Hendersonville and appreciate everything the city has done so far, working with them.

Chair stated he was surprised when he saw the site plan to see the main entrance, and you can get in from any direction, so close to the residential area only because the city does have a lighting ordinance and none of your lighting can bleed into that residential area. Typically your main entrance, he knows from the Spinx and QT down on US Highway 25 in Greenville County, you have to put sunglasses on at night to go past it because it is so well lit. Do you have any concerns about that? It is a requirement that is going to need to be met.

Mr. Minton stated they do a photometric site plan for lighting and it has to meet the standards of the ordinance. Whatever the ordinance is they design to meet that standard.

There were no further questions for the applicant.

Chair stated he noticed the gentleman on Bell Avenue that attended the initial rezoning hearing and asked if he would like to address the Board with any concerns.

Jay Marlowe, 202 and 204 Bell Avenue stated his property on the site plan would be the last lot shown on Bell Avenue. He stated this was the first time he had seen the site plan and nothing concerns him too much. He just wanted to make sure that they are conscious that this is a residential property along Bell Avenue. He wants them to do everything they can to buffer lights and noise. He pointed out a shared drainage area in the southeast corner that would need some grading. He discussed the large drain on the property and stated him along with some other homeowners have french drains installed because where his home is located it can become like a marsh. He spent \$14,000 on the french drain lines. He wants to make sure that gets preserved. He would also like for the bamboo to be preserved.

Mr. Minton stated he is not aware of an easement for any kind of storm drainage coming to this property that was identified through their title work. There is not a recorded easement that he is aware of with the homeowners and that drain. They will have to look and see if there is any impact and how that can be addressed.

Norm Hamilton with Site Design, 225 Rocky Creek Road stated there is a pipe in the back of the property but he wasn't aware that anybody had tied into it because it is on the Spinx property, but they aren't affecting that area currently.

There were no further comments.

Discussion was made on the motion.

Mr. Hanley moved the Planning Board grant preliminary site plan approval based on the requirements of the City of Hendersonville Zoning Ordinance with primary consideration of Section 5-27 Commercial Highway Mixed Use and 7-3-3 Review of Preliminary Site Plans for the Spinx – Upward Road project subject to the following conditions. Mr. Hanley stated there are no conditions. He further moves the Planning Board grant preliminary building design approval based on the requirements of Section 5-27 Commercial Highway Mixed Use and in accordance with Article 18. It is determined that the alternative design plan does advance the general design considerations as outlined in Section 18-6 and is as good as, or better than, the design standards of Section 5-27. This approval shall allow alternative design measures as shown in the elevation included in the packet which allows for deviations to the following. The front deviation is not approved as a setback as it was presented. The right side deviation is accepted. Ms. Peacock seconded the motion which passed unanimously.

Chair stated this is to approve the site plan but not approve the deviations on the front elevation but to approve the deviations on the right elevation.

VI Other Business. An update on the Comp Plan was given.

VII Adjournment – *The meeting was adjourned at 5:08 pm.*

Jim Robertson, Chair