

**Minutes of the Planning Board
Regular Meeting
August 13, 2026**

Members Present: Jim Robertson, (Chair), Betsey Zafra, David McKinley, Kyle Gilgis, Donna Waters, Bob Johnson

Members Absent: Tamara Peacock (Vice-Chair), Lauren Rippey, Mark Russell, Laura Flores

Staff Present: Matthew Manley, Long Range Planning Manager, Lew Holloway, Community Development Director, Sam Hayes, Planner II, Angela Beeker, City Attorney

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

II Approval of Agenda. The Administrative Review for 1910 Haywood Road was removed from the agenda due to noticing. *Ms. Gilgis moved to approve the amended agenda. The motion was seconded by Mr. Johnson and passed unanimously.*

III Approval of Minutes for the meeting of July 9, 2026. *Ms. Waters moved to approve the Planning Board minutes of the meeting of July 9, 2026. The motion was seconded by Ms. Gilgis and passed unanimously.*

IV Old Business

IV(A) Zoning Text Amendment – Small Cell Wireless Facilities (26-47-ZTA). Mr. Holloway gave the following update:

Mr. Holloway presented an updated ordinance for small-cell wireless facilities, explaining that municipalities cannot prohibit these devices but can regulate them through standards like 300-foot spacing requirements, service location analyses, and design standards.

Mr. Holloway went through the standards that were reviewed at the last meeting. This was included in the staff report and presentation.

Ms. Gilgis stated last month that Ms. Peacock mentioned language for removal and abandonment. Is that included in your standards? Mr. Holloway stated it is. He explained why it had been changed to six months instead of twelve months for the removal and abandonment.

Angela Beeker, City Attorney, discussed having a requirement that the city be notified when they are not using a pole.

Chair discussed pre-identifying locations. Mr. Holloway stated they have not talked about pre-identified locations. Ms. Beeker discussed having a radius.

Chair discussed decorating them rather than trying to camouflage them. Ms. Gilgis stated she would rather have them invisible. If you paint and decorate them, then they will be noticeable.

Chair asked if there were any other questions. There were no further questions.

Chair opened public comment.

Lynne Williams, Chadwick Avenue stated Mr. Manley, he mentioned something about health concerns at the last meeting. I'm wondering where online we can find out about that. Electromagnetic radiation 300 feet apart in our entire community, what is that going to do to us? Are we going to be an experiment? If there was specifically something that was posted online on the city website, that'd be great, what information he was referring to. So, I am concerned personally about the health concerns of this. I know that talking about some regulations about in the residential areas, what that might look like, not in front of a house, but in between every house. Even that, to me, is concerning. I do not want one of these and the pole between our house and the house next to us. I am concerned about the mass surveillance aspect of it. I know you said the flock and you laughed, but for me, that's very real. I don't like that we have plate readers downtown reading everybody's plates. I don't like that we have these flock cameras that track in and out, with 100,000 cameras in the United States that track through any network, where people can warrantlessly just go in and search whoever they want. I don't feel comfortable with that. That's a real concern for me. The flock cameras were approved. Look how many there are. Look how many cops are starting to be busted for misuse of it. We had the meeting last month. I heard what you said. Within a day, I saw that one goes up across from, like, the Hendersonville theater. That was horrible. Huge, doesn't fit in. Massive eyesore. Then I saw the one downtown on Main Street. Doesn't look anything like the character of Main Street, just a big block in the sky. We must go through Historic Preservation Commission for everything else, signs, railings, windows, but these giant things, wherever they want, that look horrible, that don't fit in, I'm not sure how that works and why that's okay. She knows you cannot prohibit them, but she felt like it's just going to be an experiment of mass surveillance, personally.

Lud Burkle, 1116 3rd Avenue West stated he submitted a public comment. He stated from the summary that I read on the agenda, seems like if we put a bunch of these small cell towers in, it's going to allow the carriers to dismantle and remove the large cell towers. Is that the gist of it? Mr. Holloway stated I do not believe that there's a linkage between removing large towers and introducing the small cell, necessarily. I don't know the cell providers. But there wasn't any discussion of large tower removal.

Mr. Burkle stated I believe I read it in the project plans, and let's just say I'm right. So, if we do have all these small cell towers in, and they start dismantling the big ones, then we're going to have reliability issues when it comes to major storms. Because from the research that I've done, the small cell towers have small battery backup capabilities, No long-term backup. So, our large towers have diesel generators that can run for weeks if they have to. Much like during Helene. The small cell towers don't. If the vendor tries to remove the large towers, I would just like the Planning Board to keep that in mind. Additionally, is the city going to accrue any revenues from the carriers putting these small cell towers on city property?

Chair closed public comment.

Chair asked if there was anything on the website pertaining to what Ms. Williams had said. Mr. Holloway stated the agenda packet, and information was online but there was no further information posted. Chair asked about the city getting revenue from these. Mr. Holloway stated the city does not get any revenue from them. There are application fees but that is it.

Discussion was made on the 300-foot requirement.

Ms. Gilgis moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Article XII, Definition of Terms and Article XVI, Supplemental Standards for Small Cell Wireless Facilities based on the following: 1. The petition is found to be consistent with the Gen H Comprehensive Plan based on the information from the staff analysis in the public hearing, and because the proposed amendments aligns with the Gen H Comprehensive Goals and Guiding Principles. 2. We find this petition in conjunction with the

recommendations presented by staff 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 amendment aligns with the state law and federal guidelines. 2. The proposed amendment allows for the installation, expansion, and improvement of telecommunications infrastructure. 3. The proposed amendment establishes standards for order, compatibility, and safety in the deployment of small cell facilities. Mr. McKinley seconded the motion which passed unanimously.

Chair stated he would like the City Council to know there was some support for not camouflaging the towers. He also suggested letting the public know what the proposal is for, so they know that these are not flock cameras.

V New Business

V(A) Zoning Text Amendment – Small-Scale Multi-Family to R-6 (26-44-ZTA). Mr. Manley gave the following background:

Matt Manley explained the proposal to allow up to eight units per parcel in R-6 districts with a 42-foot height limit, which would create higher density development without open space requirements. The board discussed concerns about tree canopy loss, historic neighborhood character, and the need for additional oversight.

Mr. Manley stated this was submitted by an applicant, Tamara Peacock. Her partner submitted this particular proposal. The summary of what is being proposed is just to add a use to the R-6 zoning district, that use being small-scale multi-family, which is a use that was created by staff. When we passed, and added small-scale multi-family, this was in 2023, we have not had any developments that have taken up the offer that have applied for and constructed a development in accordance with those allowances. They do come with certain standards.

Mr. Manley discussed some of the changes such as small lot and reduced pole flag lot standards and the setbacks that were reduced in the residential districts. These changes have a range of benefits but, primarily coming from a housing standpoint, it increases opportunities for our housing stock increase with, focus on the creation of smaller size units.

A comparison chart was shown and explained and is included in the staff report and presentation.

Mr. Manley stated small-scale multi-family is appropriate to be added to R-6, that's the proposal. What I'm doing is highlighting, hey, we've already introduced some changes that have created new opportunities for housing and pose the question to you, and eventually to City Council, is this necessary as well? Is this appropriate to continue adding even more options for development in this particular zoning district?

A diagram comparing MIC was shown and discussed and is included in the staff report and presentation.

Mr. Manley stated we did take this to our Legislative Committee, and there was a suggestion. Small-scale multifamily has a list of supplementary standards. I referenced that the design standards that are required are somewhat unique. There are permitted uses and special uses. There are going to be supplementary standards in Article XVI of the zoning ordinance. That you have to meet. But you also have to go to the Board of Adjustment to provide evidence for a site plan that shows, here's how I'm meeting these supplementary standards. There are other instances in the zoning ordinance where there are supplementary standards required, but it's not a special use. It's just a permitted use. The recommendation from the Legislative Committee with consideration that was being made was, okay, what if we don't put this under permitted uses, we list it as a special use under R-6, make it subject to the same supplementary standards, but we give it a little more scrutiny by making them a development, being required to go to the

Board of Adjustment for that special use permit approval? The other suggestion was about adding something to the supplementary standards related to open space.

The City's Strategic Housing Plan has specific goals related to achieving an increase in housing stock, specific units. I won't go through all the numbers there, but that was provided in your staff report.

The General Rezoning Standards for Comprehensive Plan Consistency were shown and discussed and are included in the staff report and presentation.

A draft comprehensive plan consistency statement was shown and is included in the staff report and presentation.

A rationale for approval and denial were shown and included in the staff report and presentation.

Chair asked if there were any questions for staff.

Ms. Gilgis stated how does this interface with the overlay district intent? Mr. Manley stated the downtown overlay that we're working on, the draft, it does not govern uses, land uses. This would be, I guess, when it comes to the design standards that these small-scale multi-family developments have to be and the potential design standards that a new development of any sort would have to meet if it was in the overlay district. You would take whatever is the stricter of the two, and that would prevail. Height is another one, 42 feet, the height limit. If it's in the design overlay, and that is where it's located in the design overlay is in a 40-foot maximum district, then their height would be 40 feet, not 42.

Ms. Waters stated you said that there were pretty much just two developments that would be impacted because they're in this R-6 zoning district. Mr. Manley stated I want to clarify that. Not two developments that would be impacted. There are two neighborhoods that are in our comprehensive plan that are identified as Family Neighborhood Living, that's the character area, and the rest of the R-6 areas are designated as Multi-Generational Living in our comprehensive plan, so it's not consistent in terms of the character area designation across. All of the parcels that are zoned R-6 would be eligible for this use, if it's approved. Ms. Waters asked, are there currently any homes in those areas that are more than two stories high? Mr. Manley stated he does not know. Mr. Hayes stated the Killarney home and the Bold Patton hospital building are three stories and there may be others. Mr. Manley explained the R-6 district is mostly a historic district.

Parking requirements and off-street parking were discussed.

Chair stated there's two things, eight units per parcel are allowed in small-scale multi-family. R-6 is traditionally 6,000 square foot lots, correct? It would take seven of those to make an acre, no? Mr. Manley stated yes. Chair stated so we're going to allow, by right, 56 units per acre. Mr. Manley stated if you had a 6,000 square foot lot. Mr. Manley stated it is very, very hard to create, so we have the allowance for the realities of development and meeting all of our other ordinance standards. This is just one. Even if it is permitted by right, it does not mean they could meet all the standards to actually build what is permitted by right. Chair stated you're not going to get 56 units on an acre, but that would be allowable by right.

The maximum footprint was discussed. Chair stated **so** there's no max footprint as far as percentage, but each building can only be a maximum of 4,000.

Mr. Johnson stated if you didn't have this, you could achieve the same thing, but you'd have to go through a special use permit process. This is just making it easier. Mr. Manley stated so if you had 17 units per acre, because you're getting the double density, and you had a quarter acre, you could do 4.25 units. So, you would need a quarter acre to do a quadplex over here. I think and a quarter acre is,

to keep it in square footage is 10,000, almost 11,000 square feet. Chair stated almost two R-6 lots. Mr. Manley stated whereas your example of a traditional R-6, 6,000 square foot lot, an 8-unit apartment building is probably going to be pushing. Or maybe if you had tiny units, but you could probably do a quadplex and it tucked in relatively nicely into the parameters. So that's a big difference, right? So that's on an eighth of an acre versus minor PRD, you have to have assembled at least a quarter of an acre to build a quadplex. Here, all you need is an eighth of an acre to build a quadplex. I think that's a pretty good comparison of the difference in judging the appropriateness of the request in relationship to the location.

Chair stated why would we apply small-scale multi-family to our smallest lots, R-6, and not to the larger ones. That doesn't really make sense. Mr. Manley stated it's really about, kind of the character of those areas. The larger lots are more spread apart, and that's the character. Chair discussed looking at it on a broader scale. Mr. Holloway stated this is not a staff-initiated text amendment. There is not a request for this in the larger areas.

Discussion was made on this being a special use and having to go before the Board of Adjustment.

Chair asked if there were any questions for staff.

There were no further questions for staff.

Chair opened public comment.

Ken Fitch, 1046 Patton Street stated the common issue with text amendments is that the amendment would apply to all the parcels in the district. The reality is that parcels in the city vary greatly in geography, vegetative conditions, and character. Yes, there are some locations where this amendment would be ideal for some projects. We can all think of properties where that would be true. But some, it would not be ideal at all. And we have a distinguished applicant here who was celebrated for high standards of quality of design and implementation. However, with a text amendment, other developers may apply who may not achieve the same high-quality level of standards or even attempt to do so and thus achieve a high potential for incompatibility. But it's important to recognize that the areas of our six districts include existing established neighborhoods with distinctive character that residents value and wish to preserve. Some years back, the Planning Board at that time cited that the inevitable issues of projects with density are trees and parks and with the number of units and the limited setbacks that would be permitted here, many existing trees would not survive and some of these trees provide essential buffers. The loss of buffering, trees, and a multi-story building presence five feet from the adjacent property would have some major impact on some properties. Trees are important character features of a neighborhood. The R-6 districts include several National Registered districts and others that are currently under consideration for designation for their history and character in which some eight-unit projects were a little disruptive and inappropriate, and incompatible. Some of the streets in these neighborhoods are narrow and would not easily or safely sustain an influx of traffic or street parking. Catch phrase here is missing middle, but as stated here in the packet, and also by recent developers, these units would be market rate. A reality given current costs of construction and the common economic investment model and the reality now is that middle-income families often cannot afford the missing middle housing. Potential parking situation becomes nightmarish, with added cars, on the street.

Mr. Fitch talked about the First Avenue Villas project and if this text amendment is approved, that project would have been approved by right and the neighbors are still having concerns with it even though it was approved under a CZD. So, it becomes a very tricky thing to have a text amendment where you can do development by right when there are issues that really are important to the people who live there. The problem is, if this amendment, you apply it zone-wide, it may, in some areas, be intractable, incompatible and unsustainable.

Lud Burkle, 1116 3rd Avenue West stated I understand the need for growth, but in my opinion, there's nothing gentle about this density. Remember the Planning Board, to promote this zoning amendment. multi-generational living throughout Hendersonville, the optics just don't look good.

Glenn Lange, 623 Ferncliff Lane stated I am Chair of the Tree Board. The Tree Board has not had a chance to review these proposed changes, so I'm speaking for myself today. Because of rapid development, our city is experiencing a continuing decline in tree canopy. Since 2014, Hendersonville has lost, on average, 28 acres of tree canopy each and every year. With a loss of 60 acres of canopy in each of the years 2023 and 2024. And these figures do not include the loss of trees due to Helene, which may be in the thousands of trees. Code changes in recent years have provided some minimal relief from tree loss. It will require some tree planting on the larger developments. But have been proposed in the last couple of years on about 14% of the city's land base. The rest of our land base, 86%, that can support some additional development will occur in partials in one acre or less. And most of these areas still have some mature tree canopy and almost no protection from elimination. The proposal before you today affects the R-6 zoning district. Areas of the city that still have some mature tree canopy. I believe these types of zoning changes must include some reasonable, mature tree protection and tree planting. I do not see any of that in this proposal. No one is against reasonable development, but the continued elimination of our tree canopy is not acceptable. Tree canopy must be integrated into all aspects of city planning and land use. Eighty-two percent of the Hendersonville residents have overwhelmingly indicated, through numerous public input opportunities, that proper land management including canopy protection and expansion, protection of biodiversity and maintaining the numerous benefits that trees provide, this is the most important sustainability topic for them. I hope you will recommend to staff to include some tree protection and or tree planting in these types of proposals.

Lynne Williams, Chadwick Avenue stated the process is important to the community. When we do have a say, that's really important. And to Mr. Fitch's point, the project that you showed looked very much like what was already approved on First Avenue by the applicant. I can't help but wonder if it's just an easier way for her to move through without having to go through the process. Not her, but companies like her, developers and things like this. When I'm looking at the things that are going to change, the five-foot side setback, that's really concerning. You're talking about historic houses that have been there 100 years, and then, boom, all of a sudden, there's a building right there, five feet from the property line on your side. That seems really close. She had concerns about buffers, minimum lot sizes, ADU's and the size for those. She was concerned about open space and not having it. She was concerned about tree preservation. She was concerned about the loss of privacy and not preserving what we have now. She had concerns about the height.

Chair closed public comment.

Chair asked if the applicant would like to speak.

Nicolle Rebolledo, Peacock Architects gave several points as to why this would benefit the city. She discussed this amendment adding more housing to the city which is needed. She also discussed the cost of constructing projects now.

Chair asked if there were any questions for the applicant.

The Board discussed preserving trees and the density. The character of the neighborhood was also discussed. Discussion was made on this being a special use instead of being a permitted use. Discussion was made on creating space and being more affordable. The character of the city was also discussed. Discussion was made on making this text amendment more compatible and it being brought back to the Board. Mr. Manley discussed the Supplementary Standards.

Mr. Holloway clarified that the setbacks are not changing.

Ms. Waters moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Article IV, Establishment of Districts and Article V, Zoning District Classifications as presented by staff, based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan goals and Guiding Principles. 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 amendment creates an opportunity to address the need for additional missing middle housing. 2. The proposed amendment establishes standards to encourage walkable neighborhoods. 3. The proposed amendment would allow development that complement the architecture of existing traditional single-family homes. We further recommend that there be an amendment making this a special use proposal instead of a by-right proposal. Ms. Zafra seconded the motion which passed five in favor and one opposed (Gilgis).

VI Other Business

VII Adjournment – *The meeting was adjourned at 5:47 pm.*

Jim Robertson, Chair