

**Minutes of the Planning Board
Regular Meeting - Electronic
March 9, 2023**

Members Present: Andrea Martin, Barbara Cromar, , Yolanda Robinson, Neil Brown, Peter Hanley, Tamara Peacock (Vice-Chair), Jim Robertson (Chair)

Members Absent: Samantha Jamison

Staff Present: Lew Holloway, Director of Community Development, Matthew Manley, Planning Manager and Tyler Morrow, Planner II

- I** ***Call to Order. The Chair called the meeting to order at 4:00 pm. A quorum was established. Prior to conducting business, a moment of silence was had in remembrance of former Planning Board member, Mr. Stuart Glassman. Additionally, former member John Blatt was recognized for his many years of service on the Planning Board.***
- II** ***Approval of Agenda. Mr. Hanley moved to approve the agenda. The motion was seconded by Mr. Brown. Mr. Brown asked a question about the scheduling of the April City Council meeting. Then the approval of the agenda passed unanimously.***
- III** ***Approval of Minutes for the meeting of February 9, 2022. Mr. Hanley moved to approve the Planning Board minutes of the meeting of February 9, 2023. The motion was seconded by Mr. Brown and passed unanimously.***
- IV** **Old Business - *None***
- V** **New Business**
- V(A)** **Standard Rezoning – Hillview Blvd Rezoning - R-15 to C-2 (P23-18-RZO).** Staff gave a 13-minute presentation on the request - reviewing the guidance from the Comprehensive Plan as well as the criteria for considering a rezoning and ultimately making a recommendation on the rezoning with an emphasis on the condition of Hillview Blvd not having the capacity to carry commercial traffic. The Planning Board asked questions related to application of the RCT Zoning District as an alternative. In total Planning Board considered this item for 39 minutes.
The applicant/property owners spoke in favor of the petition:
Ken Gordon, Bickering Brothers, LLC – Spoke in favor of the petition
Justin Chaney, part owner of 212 Hillview Blvd – Spoke in favor of C-2 based on their intentions for the use of the property. He stated that RCT would not work for their intentions. He also spoke about issues related to non-conformity as a result of rezoning to the RCT.

Other public comments include the following:

Dan Brown, 371 Crab Creek Rd - adjacent property owner of PINS 9578045496 & 9578046542 – stated that the street is too narrow to accommodate commercial traffic

Lynne Williams, Chadwick Ave – spoke in opposition to the rezoning as a means of preserving existing housing stock.

The Public Comment was closed.

The Planning Board deliberated about the traffic concerns, the loss of modest housing as a result of the rezoning and potential consideration of RCT. While RCT was given some consideration, members felt as though that decision should be considered in the future if RCT permitted multi-family housing (it currently does not permit multi-family residential).

Mr. Brown moved I move Planning Board recommend City Council deny an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9578-04-4785; 9578-04-5733; and 9578-04-5792 from R-15 (Medium Density Residential) to C-2 (Secondary Business) based on the following:

1. The petition is found to be inconsistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The High Intensity Neighborhood designations call for Attached Single Family Residential and Multi-family Residential as the Primary Land Uses and only recommends Office and Retail uses along Thoroughfares. While the proposed zoning district would permit Attached Single-Family uses, it would also permit a range of Commercial uses on a Local Street.

2. 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:

1. The proposed commercial zoning district is incompatible due to the residential character established along Hillview Blvd.
2. The petition to increase intensity is incompatible given the property frontage on a Local street.

Ms. Cromar seconded the motion. The vote was 8 in favor of denial and 0 opposed. Motion passed.

V(B) Standard Rezoning – Upward Crossing Dr Rezoning PCD to CHMU (P23-07-RZO) Staff gave a 7 Minute presentation on the request and reviewed the guidance from the Comprehensive Plan as well as the criteria for considering a rezoning. In total, the Planning Board considered this item for 10 minutes.

No one spoke during the Public Comment. Public Comment was closed.

Mr. Hanley moved move 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: 9588-21-9113) from PCD (Planned Commercial Development Conditional Zoning District) to CHMU (Commercial 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 Future Land Use designation of Regional Activity Center recommends restaurants & Community/Regional Services as primary land uses and the location of the subject property aligns with the goals and strategies of LU-9.

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 CHMU Zoning District features Design Standards
2. The CHMU Zoning District permits a mix of uses including those that are consistent with the interstate-oriented development occurring in this area.
3. The subject property is located in a "Priority Growth Area"

Ms. Cromar seconded the motion. The vote was 8 in favor and 0 opposed. Motion passed.

The Meeting was paused at 4:51pm to allow for a break. The meeting reconvened at 4:56pm.

V(C) Conditional Rezoning: 1202 Greenville Highway Apartments GHMU to GHMU-CZD (P22-111-CZD).
Staff gave a 21-Minute presentation on the request including a review of the site plan and associated conditions as well as the guidance from the Comprehensive Plan and the criteria for considering rezoning. In total, the Planning Board considered this item for 2 hours and 8 minutes.

The Public Comment period was opened.

The applicant spoke in favor of the petition:

Derek Allen, developer's attorney, 20 Town Mountain Rd – Spoke in favor of the petition. Gave information on how the project addresses affordable housing.

Eric Mioduski, Lock 7 Development, gave an overview of the project

Warren Sugg, project engineer, Civil Design Concepts – Spoke about site specific issues including drainage/stormwater management, access alignment, grading, building footprints, retaining walls, vegetative buffers/open space, and parking arrangement.

The Planning Commission asked questions related to the Developer's Proposed Condition for Affordable Housing (hold available, for 90 days, 10% of Units (16-17 total units) for those at 80%AMI (and below) over the course of 10 years), provision of EV/EV Ready Charging Stations, other projects in North Carolina, on-site amenities, dumpster location, provision of bike storage, and bedroom count. In total, the developer's presentation time totaled 28 Minutes.

Other public comments followed. The following is a list of those who spoke in opposition to the development due to the impacts on traffic, environment, stormwater, compatibility with existing neighborhood, proposed density/height, inconsistency with the Comprehensive Plan, etc.

Richard Adelman, Carousel Ln
Sheryl Fortune, Charlestown Drive
David Thomas, Carousel Ln
George Philips, Carousel Ln
Susan Stubbs, Carousel Ln
Tom Borgo, Carousel Ln
Charles Webb, Appledore Ave
Richard Vickers, Ewbank Dr
Mr. Kahn, Carousel Ln
Gale Fortner, Greenville Highway
Nicole Oursler, Connemara Overlook Rd

Sharon Pearson, Ewbank Dr
Dave Hewitt, Town Place Dr (Zoom)
Ken Fitch, Patton St (Zoom)
Ms. Williams, Chadwick Ave (Zoom)
Mario deGarcia, Pinnacle Peak Ln
Noah George, Carousel Ln
Jody Bell, Carousel Ln
Linda Bischoff, Crooked Creek Ln
Nancy Bullock, Carousel Ln
Donald Bell, Carousel Ln
Noah Rose, Balsam Rd (Zoom)

The Public Comment was closed

The Planning Board deliberated about the project and developed a consensus that the project was out of character with the area/location, that compatibility was not addressed, that traffic impacts would be too great, that the project is too dense, stormwater is a major concern and that the affordable housing offer was insufficient,

Mr. Hanley moved Planning Board recommend City Council deny an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PIN: 9578-01-3440) from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use - Conditional Zoning District), based on the following:

1. **The petition is found to be inconsistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The petition does not align with the City's 2030 Comprehensive Plan's Goals for the 'Medium Intensity Neighborhood' Future Land Uses Designation to provide density at a rate of 2 to 8 units per acre.

2. **We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:**

1. The scale of the development is out of character with the surrounding single-family neighborhood.
2. The proposal fails to address compatibility as the site plan does not scale back in intensity/density as the site transitions from Greenville Highway to the R-15 Single-Family neighborhood.
3. The extent of the proposed land disturbance would do excessive damage to urban forest land and natural drainage areas within the city limit in an area that is already prone to flooding.

Mr. Brown seconded the motion. The vote was 8 in favor of denial and 0 opposed. Motion passed.

- VIII Adjournment – *The meeting was adjourned at 7:05 pm.***

Jim Robertson, Chair