

**Minutes of the Planning Board
Special- Called Meeting
March 25, 2025**

Members Present: Tamara Peacock (Vice-Chair), Donna Waters, Kyle Gilgis, Laura Flores, David McKinley, Bob Johnson, Mark Russell

Members Absent: Jim Robertson (Chair), Peter Hanley

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

- I Call to Order.** *The Vice-Chair called the meeting to order at 3:02 pm. A quorum was established. She explained that there were no minutes to approve for Item III.*
- II Approval of Agenda.** *Ms. Gilgis moved to approve the amended agenda without Item III. The motion was seconded by Ms. Waters and passed unanimously.*
- III Approval of Minutes.** None
- IV Old Business.** None
- V New Business**
- V(A) Zoning/Subdivision Text Amendment – Flag Lots & Small Lots (P24-89-ZTA).** Mr. Manley gave the following background:
 - Mr. Manley stated this will be a brief overview and there would be no public comment. This meeting was not advertised for public comment.
 - Mr. Manley stated this is an applicant driven text amendment that touches on both the Subdivision Ordinance and the Zoning Ordinance.
 - A project background was given and is included in the staff report and presentation. Mr. Manley stated this text amendment is targeting attainable housing, fee simple. They are smaller homes and they will be more attainable so they are starter homes.
 - The current standards were shown and discussed and are included in the staff report and presentation. Scenarios were presented to the Board concerning the current standards and the text amendment that is proposed.
 - The proposed standards were shown and discussed and are included in the staff report and presentation.
 - A real world example was shown from Durham, NC and is included in the staff report and presentation.
 - Proposed amendments to the zoning ordinance were discussed and are included in the staff report and presentation.
 - Mr. Manley stated staff has worked closely with the applicant to align the proposals with what we think are key goals of the city.

Proposed amendments to the Subdivision Ordinance were discussed and are included in the staff report and presentation.

A description of the Comp Plan Character Areas was discussed and is included in the presentation.

Future Land Use and Conservation map was shown along with the a relationship to the Gen H Com Plan. This is included in the staff report and presentation. A zoning districts distribution chart was also shown and included in the staff report and presentation.

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

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

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

Vice-Chair asked if there were any questions for staff.

Would there be any issues with emergency vehicles in these neighborhoods? Mr. Manley stated they would have to meet fire access. The width of the poles will be ten feet. If you have two flag lots that will be 20 feet and that is the minimum width for the access road for fire. The Fire Marshals have reviewed this along with the Development Review Committee.

A developer would be able to sale or rent the lots. The city does not dictate this.

Mr. Manley discussed having an existing structure and the possibility of dividing some of the land off and having a small lot that could be developed. He also discussed being able to preserve existing homes. Connection in most cases will be required to city sewer. Discussion was made on septic systems.

Mr. Manley stated the Board could hear from the applicant if they would like. We did not advertise that we were taking public comment. The Board did not want to hear from the applicant.

Ms. Waters moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Article V 'Zoning District Classifications', Article VIII 'Exceptions & Modifications', and Article XII 'Definition of Terms' and further amending the official City of Hendersonville Subdivision Ordinance, Article 3. 'Configurations', Article 8. 'Measurements', and Article 9. 'Definitions', 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 because: The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions. 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis and because: 1. The proposed amendment creates an opportunity to address the need for additional "attainable housing" in the city. 2. The proposed amendment allows for property owners to better utilize their property and earn additional revenue. 3. The proposed amendment ensures compatibility by limiting the size and scale of new construction resulting from the proposed allowances. Mr. Johnson seconded the motion which passed unanimously.

Vice-Chair stated she had to leave and she did have a conflict with one of the items and at this time she would like a motion to approve Ms. Gilgis as the interim Chair.

Ms. Waters made a motion to recuse Ms. Peacock from the meeting and to appoint Ms. Gilgis as the acting Chair. Mr. Russell seconded the motion which passed unanimously.

V(B) Zoning Text Amendment – Board of Adjustment Member and Quorum Changes (P24-088-ZTA) Mr. Hayes gave the following background:

This is a staff initiated text amendment.

Mr. Hayes stated these are changes that staff is proposing pertaining to the Board of Adjustment. It primarily deals with Section 10-1 and 10-6 of the Zoning Ordinance. The rationale behind this is to help staff streamline processes and make sure that applications can be heard in a timely fashion.

Mr. Hayes explained what the Board of Adjustment was and their duties. He discussed having issues with attendance on this Board.

Staff recommended code revisions were discussed and are included in the staff report and presentation.

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

The Planning Board Legislative Committee heard this on December 17, 2024. There were generally no concerns. One member expressed disagreement with lowering the threshold for a variance from seven.

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

A draft rationale for approval and denial was shown and is included in the staff report and presentation.

Chair asked if there were any questions for staff. There were no questions.

Mr. Russell moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance, Section 10-1. Establishment of Board of Adjustment and qualifications of members., Section 10-6. Quorum and voting., Section 10-8-2 Preliminary site plan., and Section 10-8-3 Evidentiary hearings on applications for special use permits. based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the and because: The petition aligns with the City's adopted plan's policy guidance to provide efficient government services. 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 because: 1. Changing the number of members on the Board of Adjustment will assist with ensuring applications will be heard in a timely manner. Ms. Waters seconded the motion which passed unanimously.

V(C) Conditional Zoning District – First Ave. Villas UR (P24-86--CZD). Mr. Manley gave the following background:

Mr. Manley stated this is a new application to rezone a piece of property on First Avenue to Urban Residential Conditional Zoning District. The project is known as the First Avenue Villas.

Mr. Manley stated the property is located on First Avenue West. A map was shown with the parcel highlighted in red. The applicant is Sarah McCormick with Peacock Architects and ARY Development LLC is the property owner and developer. The property is currently zoned CMU-CZD and they are proposing to rezone to UR-CZD. The property is .57 acres and the proposal is for twelve multi-family units which equates to 21 units per acre.

The developer proposed conditions were discussed and are included in the staff report and presentation.

The city proposed conditions were discussed and are included in the staff report and presentation.

The Comprehensive Plan Consistency Future Land Use map was shown and is included in the staff report and presentation.

General rezoning standards for comprehensive plan consistency were discussed and are included in the staff report and presentation.

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

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

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

A reasonableness statement was shown and is included in the staff report and presentation.

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

Chair asked if there were any questions for staff.

Mr. Johnson asked if the parking would be retained from the previous application or reduced. Mr. Manley stated he believes the parking will be the same. The on-street parking is the same and they still have the option for the off-site parking spaces.

The privacy issue has been addressed with the buffer and the trees. Mr. Johnson asked if any trees would be coming down on the eastern side where Sinbad was located. Mr. Manley stated the black dots on the eastern side are all proposed to be preserved. He thinks there may be one or two that will come out. For the most part all the tree preservation is happening. Discussion was made on the smaller trees and the screening that exists today.

Ms. Flores asked if these would be rentals. Mr. Manley stated that is what was indicated but they could be condos at any time. Staff is not familiar with any subdivision proposal.

Discussion was made on the renderings for the previous rezoning.

There were no further questions for staff.

Mr. McKinley 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: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant and presented at this meeting and subject to the following: 1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses: Residential, Multi-Family 12 – 2-3 Bedroom Units. 2. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because: The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan. 3. We find this petition to be reasonable and in the

public interest based on the information from the staff analysis and because: 1. The petition incorporates a mix of housing types into an existing urban neighborhood. 2. The petition provides an efficient use of property in the core of the city. 3. The petition would place residents within an area of existing city services and infrastructure. 4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation. 5. The petition provides walkable neighborhood design characteristics. 6. The petition proposes to have a vibrant interface with the public realm. Mr. McKinley amended the motion to include a condition that the developer would amend their condition #6 to include noninvasive vegetation, Mr. Johnson seconded the motion which passed unanimously.

VI Other Business. Chair welcomed Mr. Russell and Mr. McKinley to the Planning Board.

VII Adjournment – The meeting was adjourned at 3:52 pm.

Jim Robertson, Chair