

**Minutes of the Planning Board  
Regular Meeting - Electronic  
December 13, 2021**

**Members Present:** Jim Robertson, Chair, Neil Brown, Bob Johnson, Barbara Cromar, Hunter Jones, Jon Blatt (Vice-Chair)

**Members Absent:** Peter Hanley, Tamara Peacock, Stuart Glassman

**Staff Present:** Matthew Manley, Planning Manager, Jamie Carpenter, Downtown Manager, Alexandra Hunt, Planner I and Terri Swann, Administrative Assistant III; Staff attending via Zoom: Tyler Morrow, Planner II, 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. Brown moved for the agenda to be approved. The motion was seconded by Mr. Blatt and passed unanimously.*

**III Approval of Minutes for the meeting of November 8, 2021.** *Mr. Brown moved to approve the Planning Board minutes of the meeting of November 8, 2021. The motion was seconded by Ms. Cromar and passed unanimously.*

**IV Old Business - None**

**V New Business**

**V (D) Conditional Zoning District - Application for a conditional zoning district from Sanjay Patel of Sugarloaf Hospitality LLC, for the construction of a 66,000 sq. ft. four-story hotel with meeting room on 2.30 acres. (P21-73-CZD).** Ms. Hunt gave the following background:

This zoning district and site plan for this property was previously approved by City Council as a Special Use Permit in August 2018. The permit lapsed as construction did not begin within the given amount of time and therefore the project must seek new approvals under the current zoning regulations. The applicant is requesting that the permitted use of Hotels & Motels in PCD CZD be permitted.

The vicinity map was shown and I-26 was pointed out as well as the other hotels in the area.

Parcels to the north and south are zoned C-3 Highway Business and contain commercial uses such as the Ramada Inn and Best Western and restaurants/cafes. Parcels to the East are zoned R-15 Medium Residential.

Ms. Hunt stated as you can see, grading has begun on the site. The existing vegetation was approved to be removed without mitigation in 2018. The applicant began grading the site per the 2018 approval prior to planning staff receiving this application at which point the applicant was made aware that the entitlements have lapsed. The applicant will have to plant additional landscaping to bring the site into conformance with the current landscaping requirements of Section 15 of the Zoning Ordinance.

The building is a four story hotel with meeting room, 98 guest rooms and 16, 500 sq ft per floor which is 66,000 sq ft total. Meeting room is 860 sq ft. Parking Requirements (Section 6-5-2) = 100 required parking spaces and 104 are provided which includes 5 handicap spaces.

The comprehensive plan designates the subject property and surrounding area as Regional Activity Center. The Goals of this designation is to meet the large-scale retail needs of residents while encouraging mixed-use, walkable design through redevelopment and infill projects. Locations for Regional Activity Centers are commercial areas surrounding US-64/I-26 and Upward Rd/I-26 interchanges. Secondary Land Uses include multi-family residential, offices, public and institutional uses.

The comprehensive plan also designates this area as a priority infill area which are areas that are considered high priority for the City to encourage infill development on remaining vacant lots and underutilized/underdeveloped properties.

At the Neighborhood Compatibility meeting the Dark Sky lighting requirements were brought up. The developer was to relay this to their engineer.

Chair asked if there were any questions for staff.

Mr. Jones asked about sidewalks and having connectivity. Ms. Hunt stated a sidewalk would be required on Sugarloaf Road. Mr. Jones asked about having sidewalks on adjacent properties to connect. Ms. Hunt stated that is not required.

Mr. Blatt stated if this was still zoned C-3 then none of this would be necessary. Mr. Manley stated it is over 50,000 sq. ft. and therefore must go through the CZD process. This was rezoned to PCD and now needs a rezoning to PCD CZD. The binding site plan has been voided. The develop was on Zoom but had another meeting at 5:30 pm.

Chair opened the public comment,

Ken Fitch, 1046 Patton Street stated the presence of another hotel does not raise any objections. The concern was the lot was clear cut before any approvals were granted. There is the presence of a Blueline Stream and that is a concern. Compatibility with the nearby residential areas is a concern. This will need to be reviewed by the Tree Board as well. There needs to be a measure of respectful compliance.

Amit Govindji (Zoom) 155 Sugarloaf Road stated they did not know the permit was expiring. They are excited to be part of the City of Hendersonville. They want to make sure they fit into the community nicely. He apologized for starting the work before the approval.

No one else spoke via Zoom. Chair closed the public comment.

Mr. Brown asked about having a written agreement with the conditions. Mr. Manley stated that will come after City Council approval. The written conditions are attached to the ordinance.

Chair asked if the Tree Board looked at the initial project. Ms. Hunt stated a landscaping plan was approved. She did not see where the application was reviewed by the Tree Board in 2018. Mr. Manley stated since they are submitting a new plan, this will be taken before the Tree Board on December 21<sup>st</sup>.

Chair asked about looking at the elevations and having design standards for the building. Mr. Manley stated the PCD zoning does not have design standards. Discussion was made on adding conditions related to design standards.

Mr. Jones asked how much the plan has changed from the 2018 approval. Mr. Manley stated this is the same site plan from 2018.

Ms. Cromar asked if this was the same contractor. Mr. Manley stated it is the same development team.

Mr. Manley stated if conditions are added for design standards the developer would have to agree to them and staff can work with them on the standards.

Mr. Blatt stated he feels like this is changing the rules midstream. Mr. Manley stated they are changing the rules, there are conditions that change the factors and they must now go through the CZD process.

Amit stated the plans have not changed from 2018. they had delays in the financing and Covid and this caused a lapse in the development. This will be a beautiful building. It will be similar to the Home 2 built in Asheville. This will be a high end product. He was not sure about meeting the Dark Sky requirements.

Mr. Blatt stated they do not have a lighting ordinance that requires a developer to be Dark Sky compliant. Mr. Brown stated the Tree Board has not had a chance to review this either. Mr. Manley stated the Tree Board recommendation would go to City Council. Mr. Manley discussed the timing of the projects going to the Tree Board before coming to the Planning Board. It was a mistake on his part that this project did not go to the Tree Board first.

***Mr. Blatt made a motion to table this item until after the Lighting Ordinance draft presentation. Mr. Jones seconded the motion which passed unanimously.***

#### **V(D) Continuation of Hendersonville Home 2 (P21-73-CZD)**

Discussion was made about a condition being added for the project to meet the requirements of the Draft Lighting Ordinance. Mr. Blatt was not in favor of this.

Amit stated this was the first time they had heard about Dark Sky lighting. He did some research on it and they will do the best they can to comply with it. They are more than willing to work with staff.

Mr. Blatt stated Chair had concerns about having design standards for the building. He does not want to inflict this on this project. Would the developer be willing to accept design standards? Amit stated they are planning to replicate close to how the Asheville Home 2 is built. It will be subtle and very beautiful. They can submit elevations to staff. They will also work with the Tree Board on any recommendations they may have. They want to add to the beauty of Hendersonville.

Chair stated he is ok with not placing design standards on the developer.

Mr. Blatt asked if they are committing this to be a Home 2 Suites. Amit stated yes.

Discussion was made on design standards in zoning districts and the lighting ordinance.

***Mr. Blatt moved the Planning Board recommend City council approve the adoption of an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property PIN 9579-56-7956 from PCD (Planned Commercial Development to PCD CZD (Planned Commercial Development Conditional Zoning District based on the site plan submitted by the applicant. Finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map designation of High Intensity Neighborhood and that the rezoning is reasonable and in the public interest for the following reasons: That the map amendment is consistent with the 2030***

***Comprehensive Plan, Chapter 8 – Land Use & Development. That the rezoning is compatible with the surrounding land uses. That it is reasonable and in the public's interest to approve the application because it will advance goals related to the Comprehensive Plan. Ms. Cromar seconded the motion.***

The Board discussed the conditions to be added to an amended motion. Mr. Manley stated the Comp Plan is a guiding document. He discussed design standards in mixed use districts and the draft lighting ordinance. Mr. Manley stated they could review the site plan based on the draft ordinance.

Mr. Blatt asked the Board what conditions they would like to add to the motion before taking the vote. Mr. Jones stated he would like to add a recommendation that the developer comply with the draft lighting ordinance. Mr. Blatt stated he has no problem with this as long as it is a recommendation and not a requirement. Chair stated he wasn't too concern about design standards because these buildings are all traditionally good-looking buildings.

***Three conditions were added to the motion: 1. Recommendation that the developer review the lighting ordinance and work with City staff to comply with the draft lighting ordinance, 2. There must be a walkway combining the Day In the Country parking lot with this hotels' parking lot, and 3. Provide elevations of the proposed hotel prior to City Council.***

Mr. Brown made an amendment stating the developer comply with the draft lighting ordinance as it is today. Mr. Blatt did not accept the amendment to the motion as he felt it was not legal or fair to the developer.

***The vote was taken. It was 5 in favor and 1 opposed. Motion passed.***

**VII Adjournment – *The meeting was adjourned at 7:57 pm.***

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Jim Robertson, Chair