

Planning Report  
 Neighborhood Compatibility Meeting  
 Application for a Conditional Zoning District  
 Kid City USA File # P23-066-CZD  
 Wednesday, August 30, 2023 2:00 p.m.

Tyler Morrow, Planner II, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Building, 305 Williams Street. Approximately two members of the public, the applicants and three City staff were in attendance and three others attended via Zoom. The following attended:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Tyler Morrow	staff		
Alexandra Hunt	staff		
Linda Carter	220 King Creek Boulevard		
Margit Nelson	498 Oak Grove Road		
David Lee	Applicant		
Ryan Latrell	Applicant		
Matthew Manley	staff		

Mr. Morrow opened the meeting explaining this is the Neighborhood Compatibility meeting for Kid City USA project located at 9<sup>th</sup> Avenue West and Orleans Avenue. The subject property is made up of two individual parcels.

According to the City’s Zoning Code, the Neighborhood Compatibility meeting is the first step in the Conditional Zoning process. This project has NOT yet been reviewed by staff for Zoning Code Compliance or Comprehensive Plan Consistency. A more detailed preliminary site plan and building design will be submitted prior to advancing to the next stage of the process. Once the Preliminary Site Plan is submitted, it will be reviewed by staff and the project will go to the Tree Board before going to the Planning Board. Both of these boards are advisory to the City Council. Planning Board and Tree Board will both make recommendations that will be reviewed by City Council. At both the Planning Board and the City Council meetings, public comments will be heard on this item – thus providing additional opportunities for public input. City Council is the last step in the Conditional Rezoning process. City Council will review the project and the recommendations from Tree Board and Planning Board, and they will give consideration to public comments before ultimately making a decision on the rezoning. A property is not rezoned until it is approved by City Council.

Pre-submitted public comments for today’s meeting were accepted via the City of Hendersonville website and via email and will be addressed during this meeting. Staff did not receive any pre-submitted public comments for this project. Comments and questions will also be accepted during today’s meeting, both in-person and through zoom by following these procedures:

Participants must use the raise hand feature to make comments or ask questions. At the appropriate time, we will identify users by name and unmute you. You may need to click “participants” to see the raise hand feature. On the telephone, you must press star-9.

If you are in the room and would like to speak, please make yourself known and we will direct you up to the podium. Before you speak, please state your name and address to be included in the record.

An overall vicinity map of the subject property is shown on the screen. The subject property is denoted with an orange star. You will see the Hendersonville Elementary and Middle schools within close proximity of the subject property. The Pardee Hospital campus can be seen to the east of the subject property and the 6<sup>th</sup> Ave/US 64 corridor is to the south. The north is made up of existing single-family neighborhoods.

Regarding the project:

The subject property is currently zoned R-15 Medium Density Residential.

The application is to change the zoning designation to Planned Institutional Development Conditional Zoning District.

The surrounding area has existing PID-CZD zoning for the Middle and Elementary Schools. The other prevalent zoning districts in the areas are R-15 Medium Density residential and R-6 High Density Residential, both of which are primarily consisting of single-family homes. MIC and PCD zoning are in the area and are associated with Pardee Hospital and other medical type uses.

Conditional Zoning Districts have a binding Site Plan and List of Uses and Conditions.

The concept plan shows the existing one-story brick structure at 913 9<sup>th</sup> Avenue West to remain and be repurposed into a childcare facility. The site plan also shows associated parking and two proposed playgrounds. The plan also shows an access off of 9<sup>th</sup> Avenue West and Orleans Avenue. The subject property is approximately 0.95 acres. If approved, the development would be limited to the stated uses and what is shown on the approved plan.

Following the developer's presentation, you will be able to question the developer about points which remain unclear. Questioning shall center on the proposal's compatibility as presented. There were no pre-submitted comments so after the developer's presentation we will move into the people who are attending the meeting in person and on zoom. We will identify speakers in order and unmute you if virtual.

Before you speak, please give your name and address for the record. Minutes of this meeting are being recorded and will be forwarded to the Planning Board and City Council.

Mr. Morrow stated David Lee and Ryan Latrell with the development team were in attendance.

David Lee stated he has been a resident of Henderson County for 25 years. He stated he has children and grandchildren and his children are struggling to keep their kids in child care. It is very hard to find good child care and be able to afford it. They found this opportunity and realized they could repurpose this building. It was previously a retirement home. It has 21 rooms and 13 bathrooms, a cafeteria, a kitchen, a rec room, a playground. They will expand the playground and parking. They will be using the building in its current configuration. They will be making updates such as new paint and new signage and new windows and doors and flooring, etc.

Kid City USA is a national childcare corporation. They have almost 150 locations and been in business 25 years. They spoke with a lot of childcare companies to see who would be interested in it and they just beat everyone else on the marks. They have a great corporation. They have a great board and have learned a lot about childcare. This is a school that will offer up to 40% of their student body will be subsidized. They will be licensed for roughly 200 students. It will be opened to everyone and provide a lot of options. They will provide breakfast and lunch and be open from 6:30 am until 6:30 pm.

Mr. Lee stated his children have struggled with finding childcare open all day and that was affordable. They believe this is a critical service that the town needs.

Mr. Morrow opened up public comment to anyone in the room.

Linda Carter with WNC Source stated they are down the road and are in the childcare business with Head Start. Her question was concerning staff. That was a struggle for them, getting teaching staff. Right now looking in Henderson County, the numbers they are down, it is close to 20 and if you are going to have 200 children at what rate do you propose to pay and how are you going to get the staff needed to man that large of a facility.

Ryan Latrell stated licenses are based on square footage but the capacity will probably be 125 to 150 children because they do not like to max out completely. Their model is not pre-k. Their structure and pay seems to be pretty good from what he has learned. He doesn't know the exact number for what they pay their teachers. They don't seem to have a staffing issue per say. This franchisee, Jenny, if she takes over has six other schools in Western North Carolina and in South Carolina. She doesn't seem to struggle with placing people there. Ms. Carter stated she was just curious because their rate of pay was highest in the area and it is difficult finding the workforce and there will be education requirements for staff. Mr. Latrell stated she comes with a large background in child development, 25 years. She worked licensed for the state of Florida for 15 years.

The rates were discussed along with grant monies. The rates will vary depending on age. There are subsidies left where it is like 1,400 for infants per month. That is a subsidy she would get to help the parents out and up to 40% of the children would get a discount with whatever they can afford to pay. The rates are all based on age.

Mr. Lee stated they do not work for Kid City, they are partnering with Kid City. They own the building and have connected with them over the last year. Jenny told him that she will maintain a five star rating in this school. The corporation is highly involved and they are out of Florida.

Ms. Carter asked what their pay scale will be. Mr. Lee stated he will follow up with her about this.

Mr. Morrow opened up for comments on zoom.

Celeste Mayes stated she is the wife of Paul Mayes and they live on an adjacent parcel. Her address is 911 Thornton Place. Thornton Place is used as a main avenue for cars to drop kids off in the morning to both schools and pick up in the afternoon. The street, 9<sup>th</sup> Avenue is essentially one way coming out of middle school. A route around this block is through Thornton Place. The cars tend to back up onto Orleans going down the hill and turning onto Thornton Place from Orleans. Her concern for herself and for the neighborhood is an increase in traffic. She realizes that a lot of these families are already dropping kids off at school and there is no impact there but there will be families that are coming there just for the childcare center. She wanted to know if anything had been discussed to mitigate the traffic and has anything been discussed with the city about the paving of Orleans as it narrows down in the neighborhood at the three-way stop. She had concerns about the maintenance of the road and bushes being unattended. She was concerned about children walking in the area and with the increase in traffic it will be worse.

Matthew Manley, Strategic Projects Manager for the city stated the applicant may want to address this from the traffic that will be generated by the use. He stated Orleans Avenue has been identified in a draft pedestrian plan that the city is working on with some consultants that will be considered for adoption later on this fall or winter. That pedestrian plan lists Orleans Avenue as the second highest ranked priority for local

streets under the city's maintenance for improvements along Orleans. He talked about this being a complex project and stated it is on the radar.

Mr. Latrell stated they have talked with Kid City about the one-way street and traffic. He didn't believe it will increase the traffic pattern during school hours because most will drop their kids off earlier in the morning and later in the evening they will pick them up. He has noted Ms. Mayes concerns.

Ken Fitch, 1046 Patton Street stated the previous use was all residential. Mr. Morrow stated people were living there but it was more of a commercial use as it was a retirement center. There was a home on the corner that was uninhabitable. Mr. Lee stated the home had been broken into many times and it had to be boarded up. It was more of a nuisance than a residence. Mr. Fitch wanted to know what generated the rezoning. Mr. Morrow stated a rezoning of some type was needed because R-15 does not allow a childcare facility as a permitted use. He explained staff's recommendation for the PID rezoning. Mr. Fitch wanted the management explained. Mr. Latrell stated Mr. Lee is the property owner and the childcare center is a national chain.

Mr. Manley stated the petition pertains to the site and proposed use. Is it consistent with the comp plan and compatible with the area? The use is what is being approved and not who the occupant or group is that will manage the building or who the franchisee is. That is no concern for the rezoning.

Mr. Fitch had concerns about the traffic that will be going in and out during the day at this location. This is an intense location. He wanted to know about the setback and buffers from the residential properties would be. Mr. Morrow stated staff has not yet reviewed this and that will come after the preliminary plan is submitted. Against residential zoning it would require some type of buffering. As far as setbacks, this is an existing building. If they do not meet the requirements for PID zoning they can propose conditions. Mr. Fitch asked about playgrounds. Mr. Morrow stated he believes there are supplementary standards and once the project is reviewed they will get into those standards. Mr. Morrow stated there would be a tree survey for this project. The state also has requirements that will need to be met for playgrounds. Mr. Morrow discussed the tree survey and the cutting of trees. All current trees greater than 12 inches in diameter will have to be shown on the tree survey.

Discussion was made on the boundary and it being heavily vegetated.

Mr. Lee stated he is not planning to take any of the trees down. They did remove a pine tree. There will be a landscape plan. He stated staff will need about 12 to 15 spaces for parking and they plan to add more than that. Street parking was discussed.

Mr. Lee discussed where the dumpster would be placed. He stated they are hoping final approval would come in November or December and have the property updates complete sometime in April.

Mr. Morrow stated September 1<sup>st</sup> is the deadline for the preliminary site plan submittal. That would put them on the Tree Board for September 19<sup>th</sup>. The Planning Board meeting would be October 12<sup>th</sup> at 4:00 pm. City Council would be slated for November 2<sup>nd</sup> at 5:45 pm. Letters will be sent for the Planning Board and the City Council meetings. That would be the time table as long as there are no delays.

Staff has not fully reviewed this project yet. Mr. Morrow discussed the process and who reviews the site plan.

Eliana Owens, 922 Thornton Place stated she welcomes the use of the building and glad someone is planning to occupy it. She can see the building from her backyard. She shares the concerns with the traffic on Thornton Place. She would like the city to look at this and discuss having speed bumps and a discussion on the streets

and traffic with the city. Mr. Morrow stated he has made notes of the concerns and will see what information he can get from the Public Works Department.

Mr. Morrow stated the time table again. If they submit September 1<sup>st</sup> the project will go the Tree Board on September 19<sup>th</sup> and the Planning Board on October 12<sup>th</sup>. These boards are advisory boards to City Council. The project will go to City Council on November 2<sup>nd</sup>. The rezoning will not take place until City Council approves it. City Council will make the final decision on the rezoning.

With no further comments or questions, Mr. Morrow closed the meeting at 2:48 pm.