

**Minutes of the Planning Board
Regular Meeting
November 13, 2025**

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

Members Absent: Kyle Gilgis, Lauren Rippy, Betsey Zafra

Staff Present: Matthew Manley, Long Range Planning Manager, 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.** Chair moved the items on the agenda. (C moved to A, A to B and B to C) *Ms. Waters moved to approve the amended agenda. The motion was seconded by Mr. McKinley and passed unanimously.*
- III Approval of Minutes for the meeting of October 9, 2025.** *Ms. Peacock moved to approve the Planning Board minutes of the meeting of October 9, 2025 with added corrections. The motion was seconded by Mr. Russell and passed unanimously.*
- IV Old Business**
- V New Business**
- V(A) Zoning Text Amendment – C-4 Upzoning Update (25-76-ZTA)** Mr. Manley gave the following background:
- Mr. Manley stated this a zoning text amendment specifically addressing the C-4 zoning district and it relates directly to the down zoning law and essentially reshaping the C-4 zoning district so that any rezoning from a residential district to this neighborhood business district would be considered to upzone.
- The existing C-4 zoning districts were shown in red and are included in the staff report and presentation.
- Mr. Manley stated it makes up 1% of the total land area in the city. They are primarily located near small intersections, two minor thoroughfares and similar such locations.
- Mr. Manley gave some background on the downzoning law and stated this was adopted last December. It eliminated the authority of the municipalities and counties to downzone property without the property owner's consent.
- Mr. Manley stated we are going to take any and all permitted uses and special uses that are currently allowed in the residential districts and make sure that all of those are also allowed in C-4. We are going to look at dimensional standards in the residential districts and make sure that the least restrictive of those are, at least match or equal to those that are in C-4 and then we are going to make adjustments after that to ensure that we have compatibility moving forward.
- Mr. Manley explained how staff looked at this and how they came up with the proposed changes.

He discussed the newly introduced permitted uses and also the uses that the Legislative and Long Range Planning Committee identified as having externalities or negative impacts on neighboring residential uses. Those were shifted over to special uses with supplementary standards.

Mr. Manley discussed the dimensional requirements as well. All of this is included in the staff report and presentation.

The Future Land Use map was discussed and is included in the staff report and presentation.

General rezoning standards for Comp Plan Consistency 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 draft reasonableness statement for approval and denial was included in the staff report and presentation.

Mr. Manley stated the Legislative Long Range Committee met on October 29th and had a very healthy conversation about this topic and it resulted in some meaningful modifications to what staff has proposed.

Chair asked if there were any questions for staff.

There were no questions for staff.

Chair opened public comment.

Lynne Williams, Chadwick Avenue stated she was here for the Kanuga Road rezoning but this is very relevant to that. She believes that more time and research is needed to look at the individually outlined red lots because it actually seemed like a lot to her, scattered in different areas and she is concerned about that. She is hearing they cannot downzone but how do we integrate this into our design as we build our city, even if we have commercial spaces? She is thinking about what trees are there and what natural features are there and she is concerned we are just going to blanket do this. It is not really considering our city it is just considering a map. She discussed some of the uses such as pet sitting having a very large impact on residential properties. She also discussed an automotive place with a detailing business across the street from her and the impact from the noise concerning this use. She stated Hendersonville is more of a smaller scale and it is really important to note the history in this area of Kanuga Road and Crab Creek. This zoning does not represent our town size today and she is hearing this is a future vision but her concern is we are pushing the development outward and their concern is around preservation of the floodplain. She is concerned about the urban forests, our streams, our land features.

Diana Justice stated she lives in Saddlebrook which is two blocks or less from this intersection. Chair stated that rezoning application has not been heard yet. Chair stated she will have a chance to speak then.

Ken Fitch, 1046 Patton Street stated this text amendment might affect the Kanuga Road rezoning at some point in the future. He asked how Neighborhood Community Center was defined. Would that include a day center or something like that? He stated concerning the uses, a buffering element needs to be added for some of the uses and having residential next to it. Lighting would also be an issue to adjacent residential uses. Concerning the setbacks, is parking permitted in the setbacks? He discussed convenience stores and the apotheca factor to schools and is there anything that would be needed to ensure that kind of compatibility. He stated small scale manufacturing allows shipping in the rear and will have delivery

activity. Would there be buffering for that kind of activity? There could be some real problems with the compatibility of these different uses unless it is defined.

Chair closed public comment.

Chair asked if parking in the setbacks would be allowed. Mr. Manley stated parking is permitted in the setbacks. Mr. Holloway stated but buffers would be required. Discussion was made on commercial use adjacent to residential. Mr. Holloway stated we have vehicular use planting standards and buffer standards for property lines and those would come into play. You wouldn't be able to park in those. There's an eight foot buffer requirement with plantings that would exist. It would prohibit parking. More discussion was made on commercial to residential buffering and the buffering for single-family or multi-family. Uses were also discussed.

Mr. Manley stated small scale manufacturing is not a permitted use in C-4.

Ms. Peacock moved Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance Article V Zoning District Classifications and Article XVI Supplementary Standards to update the C-4 Neighborhood Commercial Zoning District 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 amendment aligns with the Gen H Comprehensive Plan Future Land Use and Conservation Map and guiding principles. 2. Furthermore we find this petition to be reasonable and in the public interest based on the information from staff analysis public hearing and because: 1. The proposed amendment creates an opportunity to accommodate neighborhood commercial infill development. 2. The proposed amendment allows for greater utilization of existing infrastructure and 3. The proposed amendment increases opportunities for additional housing in key location in the city. Ms. Flores seconded the motion which passed unanimously.

V(B) Zoning Map Amendment– Standard Rezoning – Kanuga Road Area Rezoning (25-59 & 77-RZO). Mr. Manley gave the following background:

Discussion was made on this rezoning moving forward on the assumption that the previous text amendment would get approval from City Council.

Mr. Manley stated this is a standard rezoning that includes three parcels. The property at 1207 Kanuga Road is a vacant property with an old stone residential structure on it. There was an applicant, Greg Grooms from Blue Pinnacle Homes who submitted an application to rezone that property from R-15 to C-4 Neighborhood Business. Staff looked at that request and came to the Planning Board and said we are going to table this application one month. Staff asked that this come back to the Board so that staff could consider expanding the request so that we created a more cohesive C-4 district around the intersection of Kanuga and State Street and really looking at it from a bigger picture and not just a single parcel.

Mr. Manley stated the other two parcels at 1201 Kanuga Road and 1155 Kanuga Road are part of a city initiated rezoning, kind of packaging all this together so that you have both the .81 acre initial applicant driven parcel on Drake Street and Kanuga, the .23 acre parcel that is on the south side of State Street at Kanuga and the 1.56 acre parcel on the north side of State Street at Kanuga included in this rezoning.

Site photos were shown and discussed and are included in the staff report and presentation.

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

General rezoning standards for Comp Plan Consistency were discussed and are included in the staff report and presentation.

Mr. Manley stated the Shepherd Creek floodplain and the Mud Creek floodplains are defining features of this area. A very small portion of the subject property is in the 100 year floodplain, while all the surrounding agriculture, commercial and utility uses are in the floodway or floodplain.

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 draft reasonableness statement for approval and denial were included in the staff report and presentation.

Mr. Manley stated he will note there was initially an applicant that wanted to rezone one parcel so the first question is does it make sense to rezone just one parcel to C-4 and not the other two that were included. That's a question for the Planning Board. You have the option to make the standalone recommendation. You also have the other idea of creating a little bit larger, more cohesive node of C-4, and is rezoning that node appropriate at this time. Is the current zoning of R-15 appropriate at this time? You have to ask yourselves those questions.

Mr. Holloways discussed the traffic count. He stated NCDOT traffic counts, the most recent year for the counts is 2022 and every other year DOT studies their corridors. They just haven't released the 24 numbers. Erkwood south, basically adjacent to the Johnson Family Farm, traffic count at that location is 5,700 average daily count. Kanuga to the south going toward Raymond's Garden Center is 9,700 daily trips and Erkwood or State Street to the north going towards Saddlebrook is 3,300 daily trips. And then as you go into town, Kanuga at Willow Road is actually fewer trips, 7,400, which just suggests that some of the traffic that is on Kanuga coming into town is turning off on Erkwood and going out 176 or 225. Those are some of the traffic counts right around there. We just did a count at Blythe and Haywood Road for some comparison. Haywood just to the west of the Blythe Street intersection is 12,500 daily trips and Blythe at that intersection is 6,200 daily trips, just for comparison. Mr. Manley pointed out the existing C-4 zoning on Haywood Road.

Chair asked if there were any questions for staff.

Mr. Johnson stated on that intersection of State and Kanuga, does he understand that there is no immediate plan to address the dangerousness of that. Mr. Manley stated that is correct. It was a funded project as part of a longer corridor improvement, called a modernization and due to public outcry it was unfunded. Mr. Johnson stated along with that, would C-4 increase, make that even worse? Mr. Manley stated it is staff's opinion that it would not increase traffic. He doesn't think that people would reroute themselves to come to this location as much as they would stop along the way. You would have these existing traffic patterns that would then find it convenient to stop here, maybe on their way home or to work, things of that nature. In theory you've got some potential reductions in vehicular trips as it relates to introducing commercial uses in close proximity to residential uses due to walkability and bikeable connections.

Chair asked about Raymonds. Mr. Manley stated that is a commercial use. Mr. Holloway stated it more than likely predates the ETJ.

Chair stated there is a resident of Drake Street that couldn't be here tonight that he use to work with and he sent an email with some pictures of the flooding from Shepherd Creek. Potentially if you are talking about adding parking lots because it is commercial, is there any type of stormwater retention rules associated with C-4 if it is less than an acre? Mr. Manley stated no and that's citywide. It has to be an acre.

It was stated that the body shop was an existing use and predates the expansion of city zoning.

There were no further questions for staff.

Chair asked if the applicant would like to speak.

Greg Grooms stated they purchased this property with the intention of hopefully having a rezone. It seemed like based on everything that's been discussed here a good opportunity for their intended uses of the actual site. Based on everything they had analyzed prior to, this seemed to be an appropriate spot for them and they look forward to seeing this approved.

Chair asked if there were any questions for the applicant. There were no questions for the applicant.

Chair opened public comment and asked it to be kept to three minutes.

Diana Justice, 1050 Saddlebrook Drive stated she had one question for Mr. Manley. She stated this gentleman with the smallest piece of property is the one that started all of this, so we are bringing the two bigger properties into it to do what you want to do, is that right? Chair stated the city is the applicant on the other two properties, yes.

Ms. Justice stated talking about convenience stores and a carton of milk, a half mile from that intersection there is a City Stop with a gas station, convenience store and a laundromat. A mile in the opposite direction is a Daily Stop with gas and a convenience store. She hopes they don't get a massage parlor or a tattoo joint or something like that. We are a nice loving neighborhood, a quiet little place and it just opens this up to so many things that none of us want to have to deal with. The noise and the traffic. There is no walkability. If you wanted to walk down White Street, Erkwood or Kanuga, it's a death sentence. The traffic is crazy. She stated the Gordons had wanted to move their car wash there from the traffic circle and maybe a convenience store and that got voted down three to four years ago. Is this change in the text, is that what you have just voted in so these things can happen now? Chair stated they will get to her questions after they close public comment.

Whitney Gray stated she was a disabled veteran who works for Henderson County helping veterans and their families receive benefits. Her community is very important to her. She lives at 1111 Temon Street. The proposed rezoning of Kanuga is very close to her property and her family would be greatly impacted by rezoning this. You can actually see her house in one of the pictures of the site presentation earlier. The owners also own the land that directly borders her property. She is strongly opposed to this rezoning. Again, no one but the people who own this property wants this rezoning. She believes a business located here would significantly complicate the traffic issue and to piggyback on what has already been said, it's completely unsafe to walk in any direction. You can use community-focused language all you want. She believes most of us that live in the area, know they want to put a car wash, a laundry or a gas station there because they lost it with the traffic circle. Again, this is not what the people who live there want. There is no community need, the traffic is already an issue, the noise, the lights, the increase in traffic. Again there is no need for this. There is a Publix and Ingles, a Harris Teeter Shopping Center, the newly remodeled Fresh Market Shopping Center, also, Lennox Station, which is in walking distance and safe because there are sidewalks. Shame on the people trying to make money from the inconvenience and detriment of others. Please, please, She pleads with you, do not rezone this property.

Bill Goodman, 1054 Saddlebrook Drive stated he would like to see the rezoning get postponed. He knows the traffic studies were done in 22 and this morning as he left from Saddlebrook coming down, two cars got through the intersection was all. Going home last night, he waited for the third stoplight to be able to turn up State Street. Until the intersection has some correction, he would like to see the zoning postponed. Like Diana said, there's no way to walk anywhere around there. There's no sidewalks and because old programs got delayed. He does not see whatever they might do feasible until that intersection is addressed.

Tony Angle stated he lives in Crooked Creek and owns the apartment house complex right here on the corner and the traffic is bad enough and everything around it is zoned residential. So by putting commercial property there it is inconsistent with what's around. There's no commercial actually all the way to the state line. He thinks it is very inappropriate to rezone anything commercial in that location.

Lynn Williams, Chadwick Avenue stated clearly the long-term neighbors are not in support of this project telling you it is not compatible. The C-4 conservation open space was just ignored in the last vote. She discussed the area being an Ag district in a flood zone and agribusiness corridor with historic character that leads to Crab Creek rural and agricultural areas. This designation does not match the Comp Plan and it is going to massively increase the density and traffic next to the voluntary Ag district and floodplain for even potential housing. There is low visibility coming over that hill and it is not safe. What is the county's input since it is ETJ? The Johnson Farm owners are a Bonafide farm, what's their input? Existing commercial around the area, yes, but it is tied to commercial historic use with low impact. This is inconsistent with family and neighborhood designations. The owner bought the property knowing how it was zoned. It's not by right. Also, the reasons for denial are all perfectly smart reasons, and you need to figure out how you're going to solve that before you approve this. The incompatible surrounding land use, the increased traffic, and that resulting in environmental degradation, that 22 traffic count, that was during Covid so that's not really relevant to how it runs today.

Ian Hrinko (zoom), 1285 State Street stated so if this rezoning goes through, you can see here on the map, this leads to him being opened up to be nearly surrounded by commercial use. He could wake up one morning and he could have a car wash on one side, a gas station in front and then next to his neighbors he could have a laundromat. That gas station could have cars parked five feet from his property line. There's already tons of traffic in this intersection. It is noisy and sometimes he can't even get out of this driveway and that's with the existing zoning. There is no walkability. There are no sidewalks. There is no logical way that this rezoning would reduce traffic congestion. He thinks that is an absurd statement and it's insulting that argument was even made like we don't see through it. The noise increase, the light pollution and then what about crime? We already have some issues here. Johnson Farm was already broken into recently. As a matter of fact, 1207 Kanuga Road was broken into a couple of weeks ago. We increase density, increase traffic because of commercial uses and that almost always results in an increase in crime. He saw there was city water and sewer mentioned that serves these properties. He is curious to that because he has been told that there is no city sewer service to these areas. Concerning the stormwater retention, he stood on his front porch during Helene and watched how everything flooded. If we are going to pave over these lots and have no plan for stormwater retention, it is going to take a lot less than a Helene situation to cause flooding in the adjacent parcels. He has spoken with his neighbors that could not be here due to work and other commitments but everybody is vehemently against this. It is very clear that this is an attempt to serve the needs of a newcomer to the area at the detriment of the people who have lived there. He did not buy this property to be surrounded by gas stations, laundromats and other businesses and to see traffic increase. We all know this could lead to State Street being widened. What happens to his yard? How much land does he lose? How much land does everybody else along that corridor lose? On the face of it, this is a terrible idea, He doesn't even understand how this is being considered.

Ken Fitch (zoom), 1046 Patton Street stated on a map this rezoning may seem logical and desirable however, for those of us who know this location and its conditions, the proposal is deeply troubling. This intersection and highway segment has been designated a high injury intersection and a high injury network and safety becomes a primary issue. To establish a commercial node at this location with additional traffic, congestion and complex maneuvering at this location seems dangerous and inadvisable. Given the sad tragic events that have occurred in the corridor this seems woefully inappropriate. The presentation cites the existing commercial use, although the Johnson Farm entities are an extension of that very special zoning. Duke Energy is a utility and not what some consider a commercial entity. He was concerned about the 100 year and 500 year floodplain in the area. He further noted that 93% of the properties are pervious green space. To place inevitable impervious surfaces would add situations that would compromise the existing environment and agricultural conditions. It becomes important to retain the existing family neighborhood character rather than introduce a number of intractable conditions and interactions that would further endanger safety when no site plan or list of uses or conditions would be required.

Chair closed public comment.

Ms. Flores asked staff to speak more to the Family Neighborhood Living versus Neighborhood Center. Mr. Manley stated the Family Neighborhood Living is going to primarily be single-family and two-family detached. The range is like a quarter acre to one-eighth of an acre lot size. There could be some caveats for potentially attached housing but it's primarily detached like your traditional single-family and two-family neighborhood. The Neighborhood Center is the kind of description where you have a neighborhood scale or smaller scale businesses that are oriented towards serving the immediate surrounding area for convenience or the coffee shops and small restaurants and markets and things of that nature. Mr. Manley explained the parcel is at 1155 and then the one across the street which is part of a larger agricultural parcel. Just a portion of that parcel that's outside the floodplain is recommended for Neighborhood Center. Staff did not include that as part of this because it's part of a larger parcel so you would end up with a split zoned parcel.

Ms. Flores asked if a car wash could go there at the one in the middle or the lower one if the Family Neighborhood Living is part of this. Mr. Manley stated so for that to be rezoned part of the motion would be, by rezoning it you would be amending the Future Land Use map and to make sure that is clear and we know exactly how you are amending it, staff included draft language that would specifically call out and say the designation. We are proposing to re-designate these from Family Neighborhood Living to Neighborhood Center. The Future Land Use map is advisory. It is intended to reflect a conceptual growth pattern and a set of ideals that are really highlighted further in the goals and guiding principles. If you combine the goals and guiding principles and what's trying to be achieved here, staff's opinion is that expanding the Neighborhood Center from those two that are currently shown in red to others that are adjacent or in very close proximity to that intersection is achieving the same outcome which is that you have got a place in close proximity to residents where you can have some smaller scale commercial uses. Similarly, around these neighborhood centers a smaller circle is what you should probably envision, and maybe what we should have done to convey that idea that these are little hubs, these are nodes intended to be in these specific intersections where we have higher amounts of vehicular traffic and they are in close proximity to residential uses.

Chair asked what the rezoning request several years back for 1155 was for. Was it for C-4? Mr. Manley stated it was either C-2 or C-3. He believes it was C-3. Chair stated and that was denied recommendation by the Planning Board? Did it go to City Council? Mr. Manley stated it did not. He thinks the recommendation was for them to come back with a CZD so it would be a site-specific approval and the applicant did not pursue that.

Chair stated had this applicant applied for conditional zoning, a site plan would have to be provided and they could divulge the type of business that they were planning and the recommendation could come along

with a condition about stormwater retention. Is that true? Mr. Manley stated yes. Chair stated with conditional zoning, the neighborhood could find out what type of business it would be, they could see the site plan and a recommendation could be made to City Council to have some type of stormwater retention based on the fact that it floods in that area pretty readily. Mr. Manley stated that is correct.

Ms. Waters asked what consideration has been given to the fact that this is already a dangerous road and any commercial use is going to increase traffic. It just seems like it is really dangerous. Mr. Manley stated NCDOT would handle all that and it would be governed by NCDOT standards.

Mr. Russell asked if the previous plan to improve safety along that corridor, did it answer some of the traffic concerns in that intersection? Mr. Manley stated the modernization improvement project, yes it would have addressed that intersection as well.

Mr. Johnson stated it is disconcerting that we have got this intersection that has created fatalities and somehow the community voted it down and we are sitting here with a bunch of red flags, one we saw earlier where it's not even proved to do C-4. One if the traffic study is delayed and it seems like that would be important to know about. The no sidewalks is critical. It's a place you wouldn't walk. His son lived in Crooked Creek for the past year and he had to go through that intersection and you don't have to be smart at all to realize that it's a problem and it's amazing that no one is addressing it.

Discussion was made on the intersection and the traffic and safety issues in this location. Ms. Peacock felt like they are jumping the gun a little bit with the rezoning and there's still some homework to be done.

More discussion was made on conditional zoning for this location. Mr. Holloway discussed NCDOT and the roadway corridors. Problematic areas and having the funding was discussed.

Ms. Waters moved the 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 PIN(s) 9568-61-2215, 9568-61-3453 and 9568-61-4766 from R-15, Medium Density Residential Zoning District to C-4, Neighborhood Commercial Zoning District based on the following: 1. The petition is found to be inconsistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from staff analysis and the public hearing and because the petition for C-4 zoning is inconsistent with the Future Land Use and Conservation Map designation of Family Neighborhood Living and consistent with the designation of Neighborhood Center. 2. We do not find this petition to be reasonable and in the public interest based on the information from staff analysis, public hearing and because: 1. The proposed zoning is incompatible with the surrounding land uses. 2. The proposed zoning would result in increased traffic congestion to the surrounding area. 3. The proposed zoning would result in environmental degradation. Ms. Flores seconded the motion which passed unanimously.

Chair stated he would like to encourage the applicant to come back with conditional zoning. That way these folks can see what you have planned.

V(C) Zoning Text Amendment – Elimination of Waiting Period (25-76-ZTA). Mr. Manley gave the following background:

Mr. Manley stated there was a change to state law that eliminated the city's ability to require that you have to wait any amount of time after a rezoning request is denied. He gave two examples and stated we cannot require that they wait a year after denial.

Mr. Manley discussed the proposed amendment which is included in the staff report and presentation.

The two changes were discussed and they are just for compliance with state law.

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

Chair opened public comment.

Lynne Williams, Chadwick Avenue stated so it sounds like no matter what she says it doesn't matter because you're basically conforming to state law, so your hands are tied. For the record, it is very traumatic for the residents to go through this whole process over and over and over. Every night you think, are there trees going to come down next door, am I going to be able to even get to the hospital because it's going to be flooded? We already go through so much trauma dealing with the process as it is and this is just painful to see happen.

Ken Fitch stated yes, clearly this action is necessary for compliance with the NC General Statute eliminating waiting periods and eliminating protest petitions but with this action as Lynne stated, one does recognize that in some cases this does place a burden on staff, on you the Planning Board and also businesses and residents for whom the rezoning presents issues of concern. It does raise the importance of serious consideration of each application and its particular issues. The question some may have is what is the process, if any, for appeal of decisions.

Chair closed public comment.

Chair stated there is an appeal process.

Mr. Russell moved the Planning Board recommend City Council adopt an ordinance amending the official zoning code of the City of Hendersonville Article IX amendments to align with NC General Statute 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 amendment aligns with the Gen H Comprehensive Plan. 2. Furthermore, we find this petition to be reasonable and in the public interest because: 1. The proposed changes bring the zoning ordinance into alignment with NC General Statute with the elimination of waiting periods for denied rezoning applications. 2. The proposed changes bring the zoning ordinance into alignment with NC General Statute by eliminating the provisions for protest petitions. Ms. Flores seconded the motion which passed unanimously.

VI Other Business. Mr. Holloway stated they have a December meeting and he thinks the LEO project will be back. Discussion was made on rehearing this project.

VII Adjournment – *The meeting was adjourned at 6:08 pm.*

Jim Robertson, Chair