

**Minutes of the Planning Board
Regular Meeting - Electronic
September 12, 2024**

Members Present: Peter Hanley, Tamara Peacock (Vice-Chair), Donna Waters, Chauncey Whiting, Kyle Gilgis

Members Absent: Beth Robertson, Jim Robertson (Chair), Laura Flores, Bob Johnson

Staff Present: Matthew Manley, Long Term Planning Manager, Sam Hayes, 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. *Ms. Gilgis moved to approve the agenda. The motion was seconded by Mr. Whiting and passed unanimously.*

III(A) Approval of Minutes for the meeting of August 8, 2024. *Mr. Hanley moved to approve the Planning Board minutes of the meeting of August 8, 2024. The motion was seconded by Ms. Waters and passed unanimously.*

IV Old Business

V New Business

V(A) Zoning Map Amendment – Standard Rezoning – 7th Avenue Chariff (P24-58-RZO). Mr. Manley gave the following background:

Mr. Manley stated this is a standard rezoning off of 7th Avenue and it includes a number of PIN's and is an entire block. It is currently zoned C-2, Secondary Business and the proposed zoning is for CMU, Central Mixed Use. The property is three quarters of an acre.

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

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

The Comprehensive Plan Consistency was explained and is 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 were discussed and are included in the staff report and presentation.

A draft Comprehensive Plan Consistency statement was shown and included in the staff report and presentation.

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

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

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

Ms. Giglis asked about the six buildings on the properties and how many were considered historic. Mr. Manley stated only the one on the corner. She asked about the ones on Maple Street with the distillery, etc. Mr. Manley stated the outline on the hatched area under the red, that includes the National Register District there. He stated the National Register District does not provide any standards. There are no restrictions or regulations for the National Register District, only local historic districts have those.

There were no further questions for staff.

Vice-Chair asked if there were any comments from the applicant.

Lyle Chariff, 350 Roberts Drive stated he was focused on the revitalization of 7th Avenue. He recently completed a restoration on 7th Avenue. He is the owner of the building where Claywood is and restored that building and the art gallery across the street. They have gone over and above what most people thought they would do in this neighborhood. He does take into consideration the historic value even though they are not required to do so. They plan to do great things in this neighborhood.

Vice-Chair opened public comment.

Lynne Williams, Chadwick Avenue stated her concerns were about gentrification. She appreciates that an investor has come in and is fixing up 7th Avenue but she still sees it as a gentrifying factor. She doesn't see the protection of the historic unity that has been there and built that area. Displacement and gentrification on 7th Avenue is very real and it is happening. How do we do this strategically to preserve the history and give opportunity to the historic communities that have been there instead of shutting out that opportunity.

No one on zoom spoke.

Vice-Chair closed public comment.

The Board had discussion on the application. Historic Preservation was discussed and Mr. Manley explained the National Register recognition. Sam Hayes, Planner II discussed the HPC talking with property owners in the area. Mr. Hayes stated the Historic Preservation Commission does not hear applications in this area. This is not a local historic district.

Mr. Whiting 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 (PINs: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, 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 zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'. 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. CMU zoning would be extended to align with adjacent zoning. 2. The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties. 3. CMU standards will allow for new infill development designed to complement the surrounding 7th Ave area in a way that C-2 zoning will not. Ms. Gilgis seconded the motion which passed unanimously.

V(B) Zoning Text Amendment – Alignment of Urban Village and Urban Residential with Gen H Comprehensive Plan (P24-66-ZTA). Mr. Manley gave the following background:

Mr. Manley stated this text amendment is staff initiated. It mainly relates to updating the zoning code to align with the new Comprehensive Plan. There are references that are tied to the 2030 Comprehensive Plan that are now out of date as of August 1st. They are focused on the Urban Residential and Urban Village zoning districts.

Mr. Manley discussed the proposed amendment for Urban Village which is included in the staff report and presentation. He also discussed the proposed amendment for the Urban Residential district which is included in the staff report and presentation.

He discussed the relationship to the previous Comp Plan which is included in the staff report and presentation.

A map was shown clarifying the 2009 Comp Plan to the Gen H Comp Plan. This is included in the staff report and presentation.

The proposed amendment for the Subdivision Ordinance was shown and is included in the staff report and presentation.

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

Relationship to Gen H Comp Plan character areas were shown and included in the staff report and presentation.

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

The relationship to the Gen H Comp Plan guiding principles were discussed and are included in the staff report and presentation.

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

Mr. Manley stated this item was not noticed so tonight they are just doing the presentation. The public hearing was not noticed so the Board can continue it then they can pick up at the October 10th meeting and have a brief presentation and vote on it.

Ms. Gilgis made a motion to continue this item to the October 10th Planning Board meeting. Ms. Waters seconded the motion which passed unanimously.

V(C) Subdivision Text Amendment – Changes to Double Frontage Lots in New Subdivisions (P24-048-STA). Mr. Hayes gave the following background:

Mr. Hayes stated Zachary Grogan is the applicant. The applicant's petition proposes a waiver for the requirements in section 3.03 (D) and section 3.04 (C) of the Subdivision Ordinance to allow for double frontage lots in more instances. The applicant's reasoning is to enable more urban site design options while also aligning with NCDOT requirements.

Staff believes this will increase the ability of property owners to propose double frontage lots in their developments and enable staff to classify more streets to enable double frontage lots while also assisting in managing street access.

Definitions were shown and included in the staff report and presentation.

A current ordinance example was shown and is included in the staff report and presentation.

The staff recommended code revision was discussed and is 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 met on August 20th. Committee members voiced support for the changes.

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

A draft rationale for approval and denial were included in the staff report and presentation.

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

Ms. Gilgis asked what the perimeters would be to reclassify a street. Mr. Hayes stated staff has talked with the Public Works Department and they would go out and do the counts and the City Manager would have the ability to reclassify a street. Lew Holloway, Community Development Director discussed sidewalks and driveways.

There were no further questions for staff.

Vice-Chair asked if the applicant would like to speak.

Zach Grogan, Greenville SC stated he supports this. It will allow double frontage and allow staff to reclassify streets. He explained the reasoning for this text amendment and it will help bring development towards the road. He discussed other developments and the new Comp Plan.

Mr. Holloway stated the double frontage was actually on staff's list of text amendments that was created about a year ago. There was already a conversation going on with staff concerning double frontage lots from running into other situations where they wanted to use them but the Subdivision Ordinance would not allow it. Mr. Manley stated they wanted to give flexibility to developers but also give flexibility to staff. This will greatly improve walkability. There are also of places throughout the city that would benefit from this change. He discussed the buffers as well. He discussed sidewalks and bike lanes.

Mr. Grogan discussed the buffer and explained those. He had a draft showing the 25 foot buffer verses the 12 foot buffer. Mr. Manley stated this is for only when you are doing subdivisions and creating double frontage.

Mr. Hayes explained the difference between a right-of-way and a buffer.

Vice-Chair opened the public hearing.

Lynne Williams, Chadwick Avenue stated this is very confusing to her but when she sees this gentleman here and the development on Old Spartanburg and Brooklyn and she is trying to figure out how that plays out. Her concern is how that plays out. She discussed having packed units on a lot and buffering on Brooklyn Avenue.

Mr. Holloway stated the Brooklyn project would come before the Board and at that time they can answer questions.

Ms. Williams was just wondering how this would potentially play out. Vice-Chair stated it seems like the overall quality of a higher density development would improve with this amendment.

No one else spoke.

Vice-Chair closed the public hearing.

Mr. Hanley moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Subdivision Ordinance, Section 3.03 and 3.04 and 4.03 as presented by staff, based on the following: 1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, 2018 Bicycle Plan and 2023 Walk Hendo Pedestrian Plan based on the information from the staff analysis and the public hearing, and because: The petition aligns with the City's adopted plan's policy guidance to promote vibrant neighborhoods, create compact development, establish connectivity and improve walkability/bikeability throughout the community. 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 the public hearing, and because: 1. The proposed text amendment creates flexibility for property owners while still limiting potential impacts to the greater community which include congestion management through driveway consolidation and reduction of conflict point for pedestrians, cyclists and vehicles. 2. The proposed text amendment expands the number of streets that will allow double frontage lots, while also imposing more requirements to ensure that these lots do not negatively impact the community. 3. The proposed text amendment will assist in redeveloping smaller lots in areas targeted for infill. Ms. Waters seconded the motion which passed unanimously.

V(D) Zoning Map Amendment – Standard Rezoning – Sixth Avenue and Bearcat Loop (P24-65-RZO). Mr. Manley gave the following background:

This property is currently zoned MIC CZD and the proposed zoning would be MIC. It is 0.05 acres. The Future Land Use Designation is Institutional. This is a remnant of a parcel that was rezoned for the church at the corner of Blythe and 64. This is a small vacant piece of property. Jon Blatt is the current owner. This will clean it up and take it back to base zoning.

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

The Future Land Use map was shown and is 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.

A staff analysis overview on the comprehensive plan consistency was discussed and is included in the staff report and presentation.

A draft Comprehensive plan consistency statement was included in the staff report and presentation.

A draft reasonableness statement was included in the staff report and presentation along with rationale for approval and denial.

There were no questions for staff.

Vice-Chair opened for public comment.

Lynne Williams, Chadwick Avenue stated she liked Mr. Blatt's idea of a pet cemetery and she hopes that can move forward. It is very peaceful on that forested lot. She discussed giving that to the city and extending Oakdale Cemetery with the pet cemetery. The trees around it are really important and it is a nationally registered historic property. She begged Mr. Blatt not to develop this lot.

No one else spoke.

Vice-Chair closed the public hearing.

Ms. Waters 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: 9568-39-3793 from Medical, Institutional and Cultural – Conditional Zoning District to Medical, Institutional and Cultural 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 zoning district, Medical, Institutional and Cultural (MIC), aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Institutional'. 2. Furthermore, we 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 zoning standards for this parcel do not change with the removal of the Conditional Zoning District designation. 2. The permitted uses and development standards of the MIC zoning aligns with existing character of the 6th Avenue corridor. 3. The rezoning allows for a diminutive vacant parcel to be used in combination with surrounding MIC parcels in a productive fashion. Mr. Hanley seconded the motion which passed unanimously.

VI Other Business. Mr. Holloway discussed the next Planning Board meeting and the items on it. He discussed planning a second Planning Board meeting. Discussion was made on dividing up the meeting. Time limits for public comment was discussed.

VII Adjournment – *The meeting was adjourned at 5:57 pm.*

Jim Robertson, Chair