Minutes of the Planning Board
Regular Meeting - Electronic
April 12, 2021

Members Present: Jim Robertson (Chair), Neil Brown, Jon Blatt, Candi Guffey, Peter Hanley, Bob Johnson

Members Absent: Robert Hogan, Tamara Peacock, Hunter Jones

Staff Present: Tyler Morrow, Planner, Lew Holloway, Community Development Director, Matt Manley, Planning Manager and Terri Swann, Administrative Aide

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. Hanley and passed unanimously.***

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

IV **Old Business** - None

Chair introduced Bob Johnson to the Board. He is a new member.

V(A) **Zoning Map Amendment – Application from Tamara Peacock Architects to rezone the property at 0 Edgewood Avenue (PIN #9569-81-2770) from I-1 Industrial to R-6, High Density Residential. (File #P21-17-RZO).** Mr. Manley gave the following background:

Mr. Manley stated the .03-acre lot is currently a vacant wooded lot that is adjacent to a railroad line. The use will be single-family residential. They plan to place an accessory dwelling unit on each lot. This is a standard rezoning and there is no binding site plan or restriction of uses beyond what is permitted in the R-6 district per the Zoning Code.

There is an additional vacant lot to the south of the subject property, which has been approved for development as a R-6 CZD. This property is accessed by the same platted right-of-way. Across this platted right-of-way the properties are zoned R-6. The residential use to the north of the subject property is zoned I-1 as is the railroad right-of-way to the east of this property. The development of this site would be for infill residential uses which are in high demand.

The property is within one block of a historic district and within walking distance to the 7th Avenue district. The predominate uses in the area are residential.

The current I-1 zoning does allow for residential uses but the minimum lot size, width at front building line and setback requirements are not conducive to infill, residential development.

Mr. Manley presented photos to the Board and explained the views of the property. He also showed the concept plan and stated the proposed concept plan shown is a non-binding site plan. The applicant is proposing to use the lot for single-family, working-class, financially attainable homes with ADU’s.

The subject property is classified as Medium Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map. This classification provides a transition between high and low intensity neighborhood areas while providing a wide range of housing formats and price points. Promote walkable neighborhood design and compatible infill development in new neighborhoods as a means of preserving and enhancing existing neighborhoods. The proposed residential use is in line with the existing uses in the area and aligns with the Comp Plan. This will preserve the residential character of the area will utilizing an undeveloped, overgrown lot that has been used as a dump site.

Mr. Manley stated given the size of the lot, it can be subdivided into two lots providing an opportunity for two single-family dwellings and two ADU's.

Mr. Blatt stated he felt like staff should not go there with what the applicant should do with the property. They can do whatever is permitted in the R-6 zoning if the property is rezoned to R-6. Chair stated this is correct, they would be allowed any of the uses in R-6 if the zoning is changed.

Mr. Hanley asked if there were any known drainage issues on the property. Mr. Manley stated not that he is aware of.

Mr. Johnson asked about a denser zoning for the property. Mr. Manley stated to get additional density it would have to be pursued as a minor PRD, which requires a minimum of three acres. Therefore, this lot would not qualify. Most of the properties in the area are zoned R-6 and this rezoning to R-6 makes more sense.

Ms. Guffey asked about extending Edgewood Avenue. Mr. Manley stated staff will discuss this with Public Works when they submit a site plan. This is just for the rezoning.

Chair stated the owner of the lot is a member of the Planning Board. Mr. Manley stated yes, Tamara Peacock is the owner of the lot, but she is not in attendance today. If she was, she would have to recuse herself. Joey Burnett is representing her on this item.

Joey Burnett, 511 West Chestnut Drive stated they are looking to patch together the neighborhood. R-6 is the only residential zoning in this area and it just makes sense to have this property rezoned to R-6 so they can better utilize the property. He will be happy to answer any questions.

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

Chair opened up the public comment time. No one had any comments.

Mr. Manley stated a neighborhood compatibility meeting was not required for a standard rezoning.

Chair closed the public comment.

Mr. Blatt moved in considering the proposed Zoning Map Amendment (rezoning) application P21-17-RZO; Edgewood Avenue Lot, the Planning Board recommends approval of the request to rezone the property at 0 Edgewood Avenue (which means no address has been assigned) PIN # 9569-81-2770, from I-1, Industrial to R-6, High Density Residential, based on the following: that the map amendment is consistent with the 2030 Comprehensive Plan, Chapter 2 – Population & Housing and Chapter 8 – Land Use Development, that the rezoning is compatible with the surrounding land uses and that it is reasonable and in the public's interest to approve the application because it will advance goals related to infill development and housing. Mr. Hanley seconded the motion which passed unanimously.

V(B) Conditional Zoning District – Application for a conditional rezoning from B & G Enterprises, LLC and Larry Holbert. The applicants are requesting to rezone the subject property, PIN 9569-47-6603 and located at 2310 Asheville Highway, from C-3, Highway Business to C-3 CZD, for the development of a 99,480 square foot mini storage facility on approximately 7.4 acres. (File #P21-10-CZD). Mr. Morrow gave the following background:

The property is located at 2310 Asheville Highway. The property currently contains a used car lot on the front portion of the property. Most of the property is currently vacant. The applicant is requesting to rezone the subject property to C-3 CZD, Highway Business Conditional Zoning District. This project required a conditional rezoning due to the floor area exceeding 50,000 square feet and due to mini warehouses not being a permitted use in the C-3 Highway Business District.

The project is for a 99,480 square foot mini storage facility consisting of 7 buildings and 2 covered storage areas. The project acreage is 7.4 acres. A Neighborhood Compatibility meeting was held February 22, 2021. Notice was given to property owners within 400 feet of the proposed project and the property was posted with a sign.

Parcels to the north are zoned C-3, Highway Business and PCD, Planned Commercial Development. They contain commercial uses. Parcels to the east are zoned I-1, Industrial and include Kimberly Clark and vacant parcels along the railroad. Parcels to the south are zone C-3, Highway Business and R-10, Medium Density Residential and contain a single-family residential neighborhood. Parcels to the west are zoned C-3, Highway Business and R-15, Medium Density Residential and contain a mix of residential and commercial uses.

Mr. Morrow stated the 2030 Comprehensive Plan’s Future Land Use Map designates parcels to the north and west as Neighborhood Activity Center. Parcels to the south are classified as Neighborhood Activity Center and Medium Intensity Neighborhood. Parcels to the east are classified as Business Center.

Neighborhood Activity Center concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville’s neighborhoods.

Mr. Morrow showed photos of the property and explained each view. He also showed a proposed site plan and stated there will be 7 self-storage structures and two covered RV storage areas. There will be an office on-site. 282 units will be climate controlled and 171 units will be standard storage. The plan shows 84 units that will be future climate-controlled units and 40 units that are future RV covered storage.

Mr. Morrow explained the colored circles on the site plan and what trees are proposed to be saved. This project abuts a residential use so a Type B buffer will be required along the southern property boundary. Staff has discussed with the applicant, saving the existing buffer between the residential properties to the south. Staff feels it is important to save some of the trees but also protect the other mature plantings that currently serve as a buffer. (bamboo, shrubs, etc.)

He stated the stormwater will be contained and treated on-site.

The project meets the parking requirements and the requirement for the drive lanes for mini-storage facilities. There is a sidewalk along Asheville Highway. The site will have one entrance off of Asheville Highway, they will utilize the existing curb cut for the property.

Staff has one recommended condition: The section along the southern border that does not currently have an existing vegetative buffer shall be planted with a Type B buffer in accordance with the zoning ordinance, and that any area deemed to not have a sufficient existing buffer shall be supplemented on the final landscaping plan by the developer during the final site plan review.

Mr. Morrow stated there is also one developer proposed condition: Plant 61 evergreen shrubs, 60 deciduous shrubs and 3 small flowering trees along the southern border, while maintaining the existing vegetative buffer as shown on the preliminary landscaping plan to count as the required Type B buffer.

The applicant is proposing to save 101 trees for a total of 235 tree credits. Staff has spoken with the developer concerning retaining the existing vegetation on the southern property line since it is already an established buffer from the residential neighborhood. The existing plantings should be supplemented by new plantings where gaps occur.

Mr. Morrow stated the Tree Board reviewed this project at their meeting on April 6, 2021. The Tree Board's recommendation is as follows: They asked to remove the invasive species listed in the Recommended Tree Species List except the bamboo which is serving as a visual buffer from the adjacent neighborhood and to replant using trees from the Recommended Tree Species List. This was approved unanimously by the Tree Board.

Chair asked if there were any questions for staff.

Mr. Brown asked if based on the site plan, the car lot will be removed. Mr. Morrow stated yes. Mr. Brown asked if the drop down to the office center across the street would present any drainage issues. Mr. Morrow stated that is a question for the developer. The water cannot leave the property and must be contained on-site.

Mr. Johnson asked about the activity node and if there was a connection to this project. Mr. Morrow stated this is the Future Land Use map and all this information is on the Comp Plan. The activity node is just places that have been highlighted, places where more design standards should be put in place to get a particular look for a piece of property. Staff reviewed those requirements along with this development and staff did not see anything that would be beneficial in taking those design standards and adding it to this, basically like moving some of the buildings closer to the lot line and a lot them were not applicable due to this being a mini-storage development. A lot of those standards were designed for mixed use, commercial on the bottom and residential on top type of design standards. So, a lot of them were not applicable for this project.

Chair asked if the Tree Board recommendation has been submitted to the applicant. Mr. Morrow stated yes, and the developer can speak on that as well.

Will Buie with WGLA Engineering in Hendersonville spoke to the Board. He introduced the project owners, Bart Salvaggio is one of the owners of Eagle Self Storage. In the overflow room is his sister Dale Bradshaw and her husband Steve Bradshaw. They are all natives of Henderson County. They also have other facilities that are located in the community.

Mr. Buie reviewed their existing facilities in the area. The existing facility on Spartanburg Highway was shown. This facility was constructed 16 years ago. This facility has an office and a full staff, and the proposed project will be much like this one.

Mr. Buie showed photos of the facility on South Allen Road. They have already expanded this facility a couple of years ago. This is an automated lease space and you can lease a space through the teller without having to speak with anyone on site.

Photos of the proposed site were shown. The used car facility will be removed and aesthetically it will look much better. The site plan shows seven buildings, two of those will be for RV storage. It will be one-way in and one-way out. Parking will be south of the office building and they will meet the 25-foot aisle requirement for mini storage facilities. There will be a 10-foot loading and unloading strip and a 15-foot driveway. They met with the Fire Marshal about the driveway and no issues were noted.

They will work with the Engineering Department on the stormwater and will incorporate the BMP – Best Management Practice concerning stormwater and the retention pond.

Mr. Buie stated the neighbors to the south are residential and they plan to place the buildings away from the southern end and provide more buffer to benefit the property. He pointed out the existing trees and they are comfortable with the developer and the staff conditions. He stated Trisha King is the Landscape Architect for the project.

Mr. Buie stated there is a demand for this type of project in the area. The other facilities have a wait list and there is a need for this type of storage facility in the community.

The property has been graded and partially used and this is infill development. They will be compatible with the surrounding uses and this project is consistent with the Comp Plan. This is a very visually attractive project that will help support growth in the area. The project requires open space and they will have and preserve open space for this project. They feel this project will provide a better condition for the environment and the public interest is represented by the need for this facility.

Chair asked if there any questions for the applicant.

Mr. Johnson asked about the hatched area on the site plan. Mr. Buie explained the open space and where the large culvert was on the site. He stated they do not want to build in that area due to the culvert.

Mr. Blatt asked the applicant to describe the landscaping along Asheville Highway and the Entry Corridor requirement. Mr. Buie stated there is a requirement for small maturing trees (small because they have overhead utilities). They will have low-growth shrubs and landscaping along the frontage. The landscaping island may be grass or some low plantings in that area. Mr. Blatt asked if it was beneficial have the low plantings so that the people can see what is in there. Bart Salvaggio stated it is beneficial because it is storage and one of the reasons they want to be on this site is because they want to visually be able to be seen, so that people can easily find them. He explained the trees along the corridor and how they want to make the project aesthetically pleasing.

Chair asked about the culvert and the low spot on Asheville Highway. Mr. Buie pointed out where the culvert discharges and explained that is why they do not have any buildings in that area.

Chair stated there is also an active homeless camp on the property and asked that even though they are trespassing, that compassion be shown for them.

Mr. Hanley asked about the property to the north and water not being handled properly. Mr. Morrow stated property owners are not permitted to run their water onto another property. Mike Huffman would handle the enforcement of this.

Ms. Guffey asked about a timeline for Phase II. Mr. Salvaggio stated Phase I will be six buildings and Phase II will be one building and the RV storage. Phase II will most likely happen in three to five years. They will do the stormwater management for the entire site. They will do all of that upfront.

Chair opened up for public comment.

Ken Fitch, 1046 Patton Street stated the primary issue is that this project will contain a large area of impervious surface. He understands there is an on-site retention plan, the question is where will that water eventually go. A concern is that the project is located close to the Oklawaha Greenway and a stream restoration project. Impact to those areas should be avoided. There are existing trees on the eastern edge of the property in the railroad right-of-way and he thinks that existing buffer should remain. He also stated there is no mention of the Dark Sky Initiative. He is sure Council will want to raise that issue.

No one else had any comments.

Chair asked the developer to speak on the stormwater concerns. Mr. Buie stated there are impervious surfaces on the site and they will account for all the impervious surfaces that are exposed. They will direct the water back to where that active stream goes after the detention occurs and after the treatment occurs. That will be a better condition than what is there today in his opinion as an engineer.

Mr. Morrow stated in the motion they have it includes the staff proposed condition as well as the developer's proposed condition, if you want to take either one of those out of their recommendation they will need to state that and also the Tree Board recommendation is currently not in the motion so if you would like for it to be included they would have to state that as well.

Mr. Buie stated concerning the Tree Board's recommendation, Mr. Morrow did share that this morning they would ask that they be allowed to review that with their landscape architect so they can understand what the impact might be. They are not suggesting they would not do that, but he is not qualified to determine if this is a good thing or a bad thing. Removal of all of the invasive species might impact that buffer negatively. They are not opposed to the idea but would like to study it.

Mr. Manley stated they do not have to agree on the Tree Board condition today if the Planning Board makes the recommendation, that will be decided at the City Council stage, therefore that will give them some time. He explained there was some lengthy conservation about the removal of the invasive species and removing over 50% of that could have a negative effect on the neighbors. This can be worked on with staff and an arborist. He discussed coming up with a viable solution.

Some discussion was made about the Tree Board recommendations. They also talked about the visual impact removing the bamboo would have to the residential neighborhood.

Ms. Guffey was concerned about the removal of some of the trees or invasive species and their established root systems holding up the area. She was concerned about the removal causing erosion issues.

Chair stated the buffer itself is a pretty nice buffer except for where the fence is falling in.

Mr. Johnson asked if the Dark Sky was part of this. Chair stated currently they have a committee made up of some of the members of this Board, staff and a few from the general public that are working on an ordinance to present to City Council on the Dark Sky Initiative. It is not ready and he is not sure if it will be ready for Council to look at before this development goes into place.

Mr. Neil stated he was a Dark Sky supporter and he would love to bring it up, but we have no definition and we have no enforcement. Chair stated there is a lighting ordinance, but it is not very restrictive. Mr. Johnson was concerned that this site would be well lit, and they have a neighborhood to consider.

Mr. Buie stated they only use down lighting at their other facilities, and they would commit to that here.

Mr. Manley stated the Board has made Dark Sky requirements a condition in the past and he discussed they were trying to prevent the lighting escaping from the site.

Ms. Guffey stated at this point in advance she would like to recommend before the motion that they exclude the Tree Board recommendation and it not be included.

Mr. Blatt state he has not heard from the applicant that they are ready to engage the Dark Sky requirements. Mr. Buie stated they do not understand what all is considered as far as those requirements go. What he can say is they are currently using down lighting with cut offs on all their lights so that all of lights on the facility is projected downward. They can say that today, but he does not know beyond that what else may be in the ordinance. For security and safety reasons they have to have lighting but will not project it on the neighboring properties.

Mr. Blatt 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 from C-3, Highway Business to C-3 CZD, Highway Business Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map, and that the rezoning is reasonable and in the public interest for the following reasons: The development will provide additional storage options for the residents of the City of Hendersonville, the proposed use is compatible with the area, the development is in the public interest because as stated there is a great need for additional storage space and the development will not have a detrimental impact on the natural environment. Mr. Johnson seconded the motion which passed unanimously.

VI **Other Business**. Mr. Brown gave an update on the Dark Sky Committee meeting.

VII **Adjournment** - ***The meeting was adjourned at 5:13 pm.***