

**Minutes of the Planning Board – Current Planning Committee
Virtual Meeting
November 8, 2021**

Members Present: Tamara Peacock, Barbara Cromar, Jim Robertson (Chair)

Staff Present: Tyler Morrow, Planner II, Lew Holloway, Community Development Director, Matt Manley, Planning Manager, Alexandra Hunt, Planner I, Terri Swann, Administrator III

Call to Order: 2:40PM

Adjourned: 3:50PM

Current Planning Committee Meeting

A meeting was held at the City Operations Building located at 305 Williams St., ahead of the Planning Board Regular Meeting. The meeting topics included the following:

- 0 Shepherd St. – Rezoning
- Landings at Flat Rock – Modification of CZD
- 0 South Allen Rd – Rezoning

0 Shepherd St – Zoning Map Amendment

Alexandra Hunt, Planner I, reviewed the staff presentation for 0 Shepherd St. with the committee members. Ms. Hunt indicated that Staff was in receipt of a Zoning Map Amendment application from the City of Hendersonville requesting to rezone a Parcel located at 0 Shepherd St. (PIN 9578-51-3579) from R-15 Medium Density Residential to C-4 Neighborhood Commercial. Ms. Hunt reviewed the other zoning districts in the area as well as the future land use map. Committee members asked about the reasoning for the rezoning and why the City is requesting this zoning district. Staff discussed Section 11-6 of the Zoning Ordinance which prohibits an applicant from discussing the specific manner in which they intend to use or develop the property even if it is public knowledge of the proposed development on the subject property. Committee Member Robertson ask whether Section 11-6 is requiring that Planning Board must consider all uses under C-4 or whatever zoning district requested and not just a particular use when considering a standard rezoning application. Staff confirmed that Planning Board has to consider all of the uses under the requested zoning district.

Landings at Flat Rock – Modification of CZD

Tyler Morrow, Planner II, reviewed the staff presentation for 0 South Allen Road with the committee members. Mr. Morrow indicated that Staff was in receipt of an application for a conditional zoning district (CZD) amendment from Carolina Commercial Contractors, LLC requesting to amend the CZD on the subject property located on 0 South Allen Rd. (PIN 9588-12-4337). The subject property was rezoned from Henderson Count I, Industrial and OI, Office Institutional District to PRD CZD, Planned Residential Development Conditional Zoning District by City Council in December 2020 for the construction of a one-story, 58 bed, 32,00 sq. ft. assisted living facility and a three-story, 95 bed, 85,000 sq. ft. independent living facility. The proposed amendment is to allow the subject property to be subdivided into two parcels for financing purposes.

Committee Member Cromar asked for clarification as to what “generally compliant with the zoning code” meant in the staff report. Mr. Morrow explained that he is still waiting on some small, additional details which will be present in the final site plan and that generally, the site plan is compliant with the code but he cannot state that it is fully compliant until after staff reviews the final site plan. That question led to discussion between committee members and staff about listing out the reasons for a preliminary site plan not being “generally compliant” or defining what staff means when they use the term “generally compliant.” Jim inquired as to why the staff presentation included the sun study discussion if the site plan was previously approved. Mr. Morrow explained that the sun study was not previously approved because it was not determined until later on that one would be necessary. Mr. Morrow further explained that since the applicant will be asking for a building height exemption, the sun study is required and needs to be reviewed by Planning Board.

0 South Allen – Rezoning

Tyler Morrow, Planner II, reviewed the staff presentation for 0 South Allen Road with the committee members. Mr. Morrow indicated that staff was in receipt of a rezoning request from Peggy C. Cabe, Enno F. Camenzind, Paula Camenzind Carter, Robert O. Camenzind, Joan C. Flemming (property owners) for an initial rezoning from the City of Hendersonville for C-3 Highway Business District. The subject property (PIN 9588-22-1126) is located on S. Allen Road. Mr. Morrow explained that the property was annexed into the City on September 2, 2021 and NCGS 160D-202(g) requires that upon annexation the County’s zoning will stay in place until the City zones the property or 60 days from the effective date of the annexation whichever is sooner. If the 60-days elapses without the City zoning the property it becomes “un-zoned” until the City zones it. Mr. Morrow explained that the applicant is requesting to rezone the subject property to C-3 Highway Business however, staff is recommending that the more appropriate zoning district is CHMU – Commercial Highway Mixed Use. Committee Member and Chair, Mr. Robertson, stated that CHMU was created for this specific area of where the subject property is located. Mr. Morrow and Mr. Manley stated that they met with the applicant prior to the Planning Board meeting to encourage the applicant to choose CHMU and why staff was recommending this zoning district. Mr. Morrow and Mr. Manley explained that the applicant did not agree with staff’s recommendation because of the design standards that are required under CHMU. Mr. Morrow reviewed the permitted and special uses between both C-3 and CHMU zoning districts as well as the similarities and differences between the two zoning districts. Mr. Manley asked Committee Member Peacock to review the design requirements of CHMU given Ms. Peacock’s architectural background. Committee Member Peacock stated that the design requirements are not too intense. Mr. Holloway discussed future developments and direction the community wants or has commented they would want developments to look like when it comes to design elements. Mr. Holloway stated that utilizing zoning districts that have some more design standards rather than zoning districts such as C-3 will allow for that. Committee Member Robertson asked about the sign requirements and standards under C-3 and Mr. Manley conferred with Ms. Swann to confirm the sign dimensions.

Notice: This meeting was noticed to the public in accordance with all requirements. The meeting was also attended by one local resident and a member of the media.