

**Minutes of the Planning Board
Regular Meeting
April 10, 2025**

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

Members Absent: Mark Russell, Peter Hanley

Staff Present: Tyler Morrow, Current Planning Manager, Sam Hayes, Planner II, Matthew Manley, Long Range Planning Manager, Lew Holloway, Community Development Director. Angela Beeker, City Attorney

- I Call to Order.** *The Chair called the meeting to order at 4:00 pm. A quorum was established.*
- II Approval of Agenda.** *Chair stated they do have an applicant that deferred which is Item B the Sugarloaf Road project which will need to be removed from the agenda. Chair stated one of our members will need to recuse himself from Item A so that item will need to be moved to the end. Ms. Gilgis moved to approve the agenda as amended. The motion was seconded by Ms. Waters and passed unanimously.*
- III(A) Approval of Minutes for the meeting of March 13, 2025.** *Ms. Peacock moved to approve the Planning Board minutes of the meeting of March 13, 2025. The motion was seconded by Mr. Johnson and passed unanimously.*
- III(B) Approval of Minutes for the Special Called meeting of March 25, 2025.** *Ms. Peacock moved to approve the Planning Board minutes of the Special Called meeting of March 25, 2025. The motion was seconded by Mr. Johnson and passed unanimously.*
- IV Old Business**
- V New Business**
- V(A) Zoning Map Amendment – Standard Rezoning – 2620 Chimney Rock Road (and other associated White Pine Villas parcels) (25-14-RZO).** Mr. Morrow gave the following background:

Mr. Morrow stated the city has received an application for a standard rezoning of 2620 Chimney Rock Road. This property was part of a larger Planned Residential Development called White Pine Villas. City staff has decided if this parcel is rezoned that the other two parcels associated with this development get rezoned as well.

The applicant has requested the subject property be rezoned to Highway Mixed Use. The total of all three parcels is 4.64 acres. Currently only multi-family residential is permitted on the site.

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

A brief rezoning history was discussed and is included in the staff report and presentation.

Ms. Flores arrived.

A site plan that was associated with the White Pine Villas development was shown and is included in the staff report and presentation. The site plan was discussed.

Mr. Morrow stated that rezoning the one parcel alone would be problematic because it would rezone half the building proposed with the White Pine Villas development making the remainder of the development not constructable. For this reason city staff is requesting you rezone all the associated parcels with the development if you decided to approve the rezoning.

Mr. Morrow stated the White Pine Villas did not receive tax credits and the developer for this project retained tax credits for another project in the city and no longer has an option on this property.

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

General Rezoning standards for Comprehensive Plan Consistency were discussed and are 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 for compatibility were discussed and are included in the staff report and presentation.

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

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

Chair asked if there were any questions for staff.

Chair asked if all three parcels were under the same ownership. Mr. Morrow stated no, the other two properties are owned by separate entities. Chair asked if they were notified. Mr. Morrow stated they were notified of the rezoning.

Mr. Johnson was concerned about losing these properties for housing and asked if HMU would allow some type of housing. Mr. Morrow stated HMU does allow for housing as well and multi-family. It allows for single, two-family and multi-family. There would not be a loss in housing but it does increase the other uses they could do in conjunction with housing. Right now the property can only be used for that site plan and multi-family. If rezoned this would open it back up to other uses but also multi-family as well.

Chair asked if the sale of the property was contingent on the rezoning. Mr. Morrow stated yes.

There were no further questions for staff.

Chair asked if the applicant would like to speak. The applicant did not speak.

Chair asked if there any questions for the applicant.

There were no questions for the applicant.

Chair opened public comment. No one spoke.

Chair closed public comment.

Chair stated he felt like concerning these properties that are zoned PRD CZD, they should have some language where it reverts back if it doesn't get developed within a certain period of time. This has happened several times where things don't get funded and they don't get built. He thinks after a certain period of time and he does not know what that timeframe is but things should revert back to what they were rather than going through this process of rezoning it back. Mr. Holloway stated they could have a timeline in which staff brings them back but he does not think you can just revert. Whatever process is used to rezone it in the first place you have to go through that process to rezone again. It would be a rezoning and would be required to go through the rezoning steps. Once the property is zoned CZD to change that you have to go through the same series of steps. Staff can look at what the timelines would be. Chair asked about having a condition at the time of approval where it would revert back if the project does not get funded. Ms. Beeker, City Attorney stated it would still have to go back through the process to make a determination at the time as far as what the best zoning is for it. Something could have changed in that interim and she thinks it has to be looked at every time. You also have to work in conjunction with the property owners. She stated the plan is good for two years once it gets approved but right now the legislature has extended that automatically because of Helene and anyone that has a plan that was valid in the last year has been extended out (she wasn't sure of the length of time it was extended to). She stated they cannot down zone right now.

Mr. Johnson moved 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: 9670-70-6498) from PRD-CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use as requested in the zoning map amendment application. I further move Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of PINs 9670-70-8607 and 9670-70-8864 from PRD-CZD, Planned Residential Development Conditional Zoning District to HMU, Highway Mixed Use so that no unconstructable residual parcels of the White Pine Villas Development remain, based on the following 1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: 1. The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan. 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 proposed map amendment seeks to return the parcels to their previous base zoning. 2. The proposed map amendment restores potential development opportunities on this property by permitting the same uses available to the other adjacent Highway Mixed Use properties. Ms. Waters seconded the motion which passed unanimously.

V(B) Zoning Text Amendment – Tree Ordinance Clarifying Edits (25-15-ZTA).

Chair stated this item would like to be continued. Mr. Holloway stated they would like to open the public hearing and continue it to next month's meeting so that it does not have to be readvertised.

Mr. Holloway stated the Board would simply open the public hearing and note that you are going to continue that to the next month's meeting.

Ms. Peacock moved the Planning Board open and continue this public hearing to the May 8th Planning Board meeting. Ms. Gilgis seconded the motion which passed unanimously.

Chair stated there is a Board member that asked to be recused for this next item. The applicant is a non-profit and Bob Johnson sits on the Board. We will need a motion to recuse Bob.

Ms. Gilgis made a motion to accept Mr. Johnson's recusal due to a conflict of interest. Mr. McKinley seconded the motion which passed unanimously.

Mr. Johnson left the meeting.

V(C) Conditional Zoning District – Meadowcrest (25-12-CZD). Mr. Hayes gave the following background:

Mr. Hayes stated the city has received an application for a conditional rezoning. The project is called Meadowcrest. The property is located on Dermid Avenue. The applicant is the Housing Assistance Corporation and they also own the subject property. The current zoning is R-20, Low Density Residential and the applicant is requesting to rezone the property to Urban Residential Conditional Zoning District. The property is 10.48 acres and the applicant is proposing multi-family which would be affordable housing and utilize low income tax credits. The project is split into two phases each consisting of three residential buildings, one community building and a playground.

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

An aerial view of the property was shown and is included in the staff report and presentation. Mr. Hayes pointed out that it was a rather wooded lot. He also pointed out the two streams on the property. The floodplain barely touches the property in the southwestern corner.

The Neighborhood Compatibility meeting was held on March 5, 2025. Topics discussed were related to the floodplain and the encroachment in the 500-year floodplain, concerns regarding the impact of development on flooding in the adjacent neighborhoods, questions regarding the uses in the adjacent area, questions regarding the blue line streams on site and questions about the design of the building, the number of bedrooms and the site plan.

The site plan was shown and discussed and is included in the staff report and presentation. The first phase consists of 60 units and the second phase consists of 72 units. Mr. Hayes stated the site plan was reviewed by the Development Review Committee. The Community Development Department comments were all resolved or addressed by the developer by conditions. Planning staff offered no city initiated conditions on this project.

Phase 1 of the site plan was discussed.

Phase 2 of the site plan was shown and Mr. Hayes pointed out the stub out and explained this. This is not required by the zoning district however staff requested it. The developer has agreed to install the start of a stub out. It does not go all the way to the property line however, they have agreed to grant the city an easement so that in the future if the city wanted to connect it to an adjacent property they would have the ability to do so.

The landscaping plan for Phase 2 was shown and is included in the staff report and presentation. Mr. Hayes discussed the buffer requirements.

Tree canopy preservation was discussed. They are meeting the 20%. They are currently showing an additional 10% of tree canopy preservation however there was some discrepancy between what they were saying and what staff was saying and staff is working with them to get that sorted out.

The developer proposed conditions were briefly discussed and are included in the staff report and presentation.

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

General Rezoning standards for Comprehensive Plan Consistency were discussed and are 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 for compatibility were discussed and are included in the staff report and presentation.

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

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

Chair asked if there were any questions for staff.

Staff was asked how tall the buildings would be. Mr. Hayes stated they are three stories tall and 34 feet in height. There will be no elevator only a stairwell.

Ms. Waters asked about the access to Phase 2 and having to drive through the parking lot to get to it. Mr. Hayes stated you would enter in off of Dermid Avenue and turn right and follow the drive around to Phase 2. He pointed this out on the site plan. He stated you do enter into a parking lot but you follow the outside edge. Chair stated all those construction vehicles would have to drive through a residential area to get to Phase 2.

Mr. Hayes explained that Phase 1 would be done first but they are going through the tax credit process for funding. Phase 2 would also have to go through that process for funding as well.

Ms. Waters stated it would almost be better to have Phase 2 have their own entrance coming off of that road.

There were no further questions for staff.

Chair asked the applicant to come forward and give their presentation.

Meg Fenton Lebeck, Executive Director for the Housing Assistance Corporation just down on King Street talked about the Housing Assistance Corporation and their presence in the community. She stated this project will be similar to the Oklawaha Village project. She discussed the need for affordable housing. She explained the funding due to Helene and the changes for multi-family projects and they wanted to get Phase 1 moving due to this. There are different allocations for multi-family right now. Their hope is that they make it to do Phase 1 and Phase 2 at the same time. The funding possibilities are a little different this year as the state is choosing to fund more projects this year. She discussed being able to build as much as they can as quickly as they can.

Matthew Lebeck, ESP Associates, 3475 Lakemont Boulevard, Fort Mill South Carolina stated they are working through their local office at 1027 Fleming Street. He showed a site plan and discussed this. They were able to avoid impact on the stream buffers and the wetlands. They did preserve all of those. The only instances where they are crossing the stream is to get the access to the site and that was a challenge due to the topography that we are dealing with in this location. They are also trying to save the 20% tree canopy as well. They are trying not to impact those sensitive areas. He discussed the open space and green space areas and the placement of the buildings. He talked about maximizing the parking and also discussed the condition of the easement. They tried to get a direct access into the Phase 2 area. They looked at three or

four scenarios. They went this route due to the grading and sewer to work due to the gravity perspective. One benefit to this is from a traffic perspective they will not need a stop and can travel on through to the Phase 2 section. This could be developed in one phase and if not they will look at construction traffic options.

Chair stated there is no disturbance in the floodplain or the wetlands. Mr. Lebeck stated they were able to stay out of all the wetlands and the wetland buffers and they are not in the 100 year floodplain.

Ms. Waters was still concerned that if they start construction on Phase 2 after Phase 1 if that is the case. She was concerned about fire trucks, delivery trucks, etc., having to turn by the clubhouse and go through the Phase 1 portion. The construction is her biggest concern because it will take a while to build those three buildings. The construction is going to affect everyone who is already living there. It seems there needs to be a more dedicated way to get the construction vehicles back there. Mr. Lebeck appreciated her concerns and it is something they looked at heavily and considered. They have larger radiuses on that back path for emergency vehicles to turn. They will continue to explore and evaluate as they get further into the project to see if there is a better option. For right now this is the option and they do not have any drive aisle in front of the doorways. They tried to limit it to the side and the perimeter of the parking.

It was stated that the sewer ties in on Dermid Avenue.

Chair asked about stormwater management and asked if Mike Huffman had signed off on it. Mr. Lebeck stated they will design it to meet or exceed the requirements. Mr. Holloway stated Mr. Huffman is part of the Design Review Committee.

Chair asked about the retention pond. Mr. Lebeck stated they are looking at some detention under the parking lot. Chair asked if there was a reason they needed 100 more parking spaces than what is required. Mr. Hayes stated the low income housing tax credit project requires 1.7 parking spaces per unit and so there is a higher amount of required parking.

Discussion was made on who can utilize the playground.

There were no further questions for the applicant.

Chair opened public comment. Chair stated public comment will be limited to three minutes.

Ken Fitch, 1046 Patton Street stated this is an important project that addresses an urgent need. There are a few issues of concern. It is a forested track and it is a habited site for wildlife species that will be eliminated from the area. The project is located near the natural conservation area identified in the Comp Plan and within the Mud Creek watershed which identifies streams and tributaries. Did this area flood? There is a 500-year floodplain on the edge of the property in which a retaining wall will be erected which does raise some concerns. There is concern about the loss of the trees. Ms. Frady did say they would try to save as many trees as possible. The most disturbing element of the project is that the project has been asked to provide a road stub at the northern edge of the property and the full extent of that stub was rejected by the project. But as is this will be a private road connection that would puncture the streambank and buffer, remove canopy trees, create a change in elevation. We all remember the recent storm impact on streams and bridges in the region. He was concerned about private road connections into other developments as well. He stated there were issues with Providence Walk as well and having a private road connection could stir up a hornets nest for the neighboring opposition to this action.

Lynne Williams, Chadwick Avenue stated she wanted to applaud the Housing Assistance for affordable housing and the tree preservation. Moving from R-20 to this zoning is much more dense. You have a forest there right now and two streams at both ends of the property, the 100-year floodplain in the southwest corner and the 500-year floodplain. If a road has to be built over the stream will it be protected with a buffer. There are wetlands on the site and still no new FEMA maps, so this is really just a joke. She read some of the Floodplain Ordinance and the Natural Resource Protection Standards. She is concerned that this project will contribute to future flooding problems. She was concerned about the retention walls and it is well known that behind Lowes is a flood reservoir area. You are talking about doing retention wall with major grading so those retention walls will act as floodway deflectors and create a bottleneck for the water. She talked about affordable housing and environmental justice going hand in hand. She talked about building around the edge to save the trees and she felt like that is not feasible and just creates a big mess. She thanked them for preserving the canopy and asked them to preserve more canopy. She also does not see three stories anywhere in the area. As far as compatibility goes she does not see that. They will need to meet the requirements of the Dark Skies ordinance. She felt there should be a TIA and it should not be waived. Because there was no elevator she did not feel it was ADA accessible. The construction traffic is a huge concern especially next to the playground. Please exceed the stormwater from two to ten year to a fifty year. The stub out was also concerning.

Chair closed public comment.

The Board discussed the retaining wall.

Susan Frady, Housing Assistance (zoom) stated she wanted to speak to the stub out. She pointed out on the plan where they had stubbed to and stated a lot of the reasons that Mr. Fitch mentioned, they only wanted to stub to there and then they will give the easement to the city for the remainder if the city ever decides to use that.

Mr. Lebeck stated they are not actually crossing the stream unless it is absolutely needed.

Ms. Waters stated if that stub out is put there so that you can get access to another property that is vacant then again you are going to have construction traffic that will be even worse because then it will be going through two sections. Ms. Frady stated they did not request that stub out, the city staff requested that they do that stub out. They have no intention of extending to another property.

Chair asked if anyone knew how far the water came up on this property during the storm.

Will Buie, WGLA Engineering stated he is still working with Housing Assistance and the Director of the Housing Authority was at the NCM and she confirmed there was no flooding on the property.

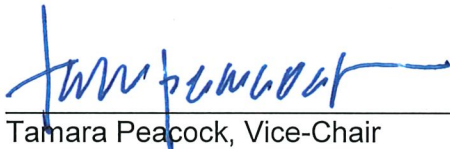
Chair stated this project will not serve 55 and older, it is for families.

Discussion was made on having stub outs. Mr. Holloway stated staff did ask for the stub out and it was for connectivity in the city between developments. They do recognize the concerns that come up with this. He discussed interconnectivity and traffic. That is a stated goal in the Subdivision Ordinance and the Comp Plan.

Chair asked about the requirement for a loading zone. Mr. Hayes stated they have achieved that.

Ms. Peacock 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: 9569-94-7077) from R-20 (Low-Density Residential) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant [dated 4/1/25], and presented at this meeting and subject to the following: 1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses Permitted Uses: 1.132, 1-3 Bedroom Multi-Family Units 2. Permitted uses and applicable conditions presented on the site plan shall be amended to include a note on the site plan #4 where it says southwest to be amended to where it says northwest. 3. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation of Multi-Generational Living as defined in Chapter IV of the Gen H Comprehensive Plan. 4. We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The petition incorporates a mix of housing types into an existing urban neighborhood. 2. The petition places residents within an area of existing city services and infrastructure. 3. The petition places residents within an area of existing job opportunities. 4. The petition will provide more housing to support existing and future residents of Hendersonville. Ms. Gilgis seconded the motion which passed unanimously.

VII Adjournment – The meeting was adjourned at 5:12 pm.



Tamara Peacock, Vice-Chair