

**Minutes of the Planning Board
Regular Meeting - Electronic
December 13, 2021**

Members Present: Jim Robertson, Chair, Neil Brown, Bob Johnson, Barbara Cromar, Hunter Jones, Jon Blatt (Vice-Chair)

Members Absent: Peter Hanley, Tamara Peacock, Stuart Glassman

Staff Present: Matthew Manley, Planning Manager, Alexandra Hunt, Planner I and Terri Swann, Administrative Assistant III; Staff attending via Zoom: Tyler Morrow, 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.** *Mr. Brown moved for the agenda to be approved. The motion was seconded by Mr. Blatt and passed unanimously.*

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

IV **Old Business - None**

V **New Business**

V(A) **Major Subdivision– Preliminary Plat – Providence Walk (P21-66-SUB).** Mr. Manley gave the following background:

This is an administrative hearing for a major subdivision. This is the opportunity for the Planning Board to review. This is administrative and not legislative. They are just looking for compliance. Does it comply with the Subdivision Ordinance and Zoning Code where referred to? Providence Walk is now owned by Providence Walk, LLC. It is just over 20 acres and consists of five parcels.

The vicinity map was shown along with photos of the existing conditions of the site. The pond has been drained. There are large mature trees on the eastern side. The plat differs a bit as the continuation of the right-of-way has been shifted to accommodate the Duke right-of-way. The stub out is to the south side.

A general overview of the site plan was shown.

Mr. Manley stated all applicable standards have been satisfied except for Section 3.07 Subdivision Names – that needs final confirmation from Henderson County. Also, Section 3.09 Dedication of Public Land – this has been noted for a “Fee-in-Lieu” to be made. Potential for actual dedication to come to fruition at Final plat. The location of the southern stub out also needs adjustment. Mr. Manley stated the dedication of public land to the City is usually right at an acre. The applicant has suggested doing a fee in lieu of the dedication. Access can be provided when the dedicated land is adjacent to existing or proposed public parkland with street access. Staff has recommended a location for dedication and that would free the applicant up from paying the fee. You may consider this in the motion. Staff has recommended that alignment be shifted down to align with the parcel adjacent for future development.

The alignment of the stub out was shown. This would be better alignment for future development for a future connection. The applicant has addressed all the standards. They are not required to pave all the way to Strick Garden Lane.

Public Comments received were read into the record. This included a petition submitted by the Oklawaha residents and a public comment from Franco Carrasco.

Mr. Manley stated this is an administrative hearing and no public comment is required. The School of Government states you can take public comment, but it must be limited to whether the subdivision is compliant with the Subdivision Ordinance or not. He will leave it up to the Planning Board on whether they want to take public comment or not.

Chair asked if there were any questions for staff.

Mr. Johnson asked to see the sidewalk detail again. Mr. Manley pointed out the sidewalk on the site plan. He asked how wide the planter strip is. Mr. Manley stated the planter strip is two feet. Mr. Johnson felt like they should do the dedication and not pay the fee.

Mr. Brown discussed the cut through to Strick Garden Lane. Mr. Manley stated they only have to pave to the property line. The City does not have the authority to ask them to pave any further. They do not have to pave but to the property line and that is per the City Attorney. This is done to help connectivity with future development. They will place a sign at the end of the street stating it is for future connectivity. It could happen in the future.

Ms. Cromar asked if they pay the fee in lieu, what happens? Mr. Manley stated there would be no dedication of the land and it would be the owner's prerogative as to what the acre is used for.

Mr. Manley stated they should look at the checklist and decide if they are compliant with the standards. This is the time for any fine tuning. If they get approval of the preliminary plat, they could start construction of the public infrastructure. They would supply the city with as-builts and once the as-builts are approved they would submit a final site plan. Staff would make sure all standards have been met and then the applicant could record the final plat and start selling the lots.

Mr. Brown discussed the approval of the Kanuga site plan review and how he had voted against that. It really was not an approval and he had concerns about that. Mr. Holloway explained the difference between an administrative decision and a legislative decision. What is before them today is an administrative decision and it is based purely on the Subdivision Ordinance and if the standards have been met. Either this does meet the standards, or it does not. That is what the Planning Board is looking at. Mr. Holloway stated City Council does not make any administrative decisions and they cannot apply any other standards to the Subdivision Ordinance. Mr. Manley explained how this approval is a different process. They are only here to make sure this meets all the standards of the Subdivision Ordinance.

Chair stated the Subdivision Ordinance is only about two years old. The consultant had recommended this being an administrative review.

Mr. Johnson was concerned that the stub out would become a potential nuisance. Mr. Manley stated this is not always a cause for concern. Sometimes when property is developed, and eyes are on the property it will deter negative activity. Mr. Johnson stated he was just thinking about the folks at the end of the development. Mr. Manley suggested the Board members look at CPTED, a law enforcement program for developers to deter negative activity.

Michael Goforth, High Country Engineering discussed the stub out and stated they will work with the City on aligning this. He also stated they will work with the City on the dedication of land. They are open to dedicating the acre of land. They are willing to work with the City on the stub out.

Mr. Brown asked about the use of permeable substance to pave the road. Mr. Goforth stated he does not have an answer for that but will work with staff on it. Mr. Manley stated Public Works would have to review this since it is a city street. They would need to review this.

Chair discussed the comment from Mr. Carrasco and asked about where the connection is made at the Duke powerline it expands on both properties. He discussed shifting the road away from the base of the pole. Mr. Manley stated they would need a radius adequate to the City street standards. They discussed filling in the area where the sewer is located and working with Duke.

The slope of the land was discussed.

Alexandra Hunt, Planner I stated she had spoken with the City Attorney and she said that anyone impacted could make public comment but they would need to state why this did not meet the Subdivision Ordinance and the comments must be related to that.

Chair opened the public comment and stated all comments must tie to the Subdivision Ordinance.

Ken Fitch, 1046 Patton Street stated he had concerns about the connection and thought City Council had voted to leave it as is. There is an issue with stormwater and raising the elevation. He was under the impression that the right-of-way would be left as it is and would not be used. They should have worked this out before they got here. Mr. Manley stated only those substantially impacted should make comments.

Lynn Clark, 343 Yon Hill Road stated there are quite a few things being proposed on North Main Street. She wanted clarification on the setbacks. Mr. Manley explained that there is a turn lane at the entrance and 25 feet would be a reservation with no structures or improvements made in this area in case an additional section is needed for road widening. They would need to contact NCDOT for the actual right-of-way. He stated reserved land cannot be developed. Chair discussed the turn lane and asked if NCDOT would acquire more land. Mr. Goforth stated this is actually a decel lane and not a turn lane. It will be right in and right out only. He pointed that out on the site plan.

Chair stated comments should pertain to the plat and why it does not meet the ordinance.

Lynne Williams, 309 Chadwick Avenue discussed the Floodplain ordinance and taking down trees. She discussed the pond on the property. Chair stated the pond was green and stagnant and is being improved now for the stormwater retention pond.

Chair asked if anyone via Zoom would like to speak.

Jeffrey Doody, 156 Yon Hill Road asked about the sidewalks on North Main Street. He was unsure why the setback was reduced to 20 feet. This reduces the vision, and the planting of trees will create less of a sight path. Mr. Manley stated the setback is 25 feet and it is a reservation. Site distance requirements will be looked at by NCDOT.

There was no one else that spoke via Zoom.

Chair closed the public comment.

Mr. Jones stated it comes down to three standards and he would like to see the dedication of land and not the fee in lieu.

Mr. Jones moved the Planning Board approve the Major Subdivision Plat for the properties PINs: 9569857172; 9569834918; 9569853434; 9569851398; and 9569853178 based on the Preliminary Plat submitted by the applicant and subject to the following conditions: Conditions that shall be satisfied prior to Final Plat approval include: 1. Dedication of land of one acre. 2. Permeable surface to be used in compliance with City staff review. 3. Confirmation that subdivision name will not be duplicated, and 4. The location of the stub out for adjustments will be reviewed with staff. Ms. Cromar seconded the motion which passed unanimously.

V(B) Major Subdivision– Preliminary Plat – Half Moon Heights (P21-67-SUB). Mr. Manley gave the following background:

Mr. Manley stated this is the Half Moon Heights project located adjacent to Wolf Chase and Ballantyne Commons. It is 33.65 acres and is zoned PRD CZD. The applicants are requesting a 93, single family lot subdivision.

Photos of existing conditions of the site were shown. The preliminary site plan was shown.

The plat features were shown and discussed. Dedication of public land has been addressed by their recent submittal. They will need final confirmation from Henderson County of the subdivision name.

Dedication of Public Land b., states USABILITY Public parkland must be without significant topographic elevation changes, well-drained, and suitable usable land for use as a public park under generally accepted public park development standards for the development of a public park, as determined by the City Manager. In cases where dedication includes an area of water, public access to all portions of a water feature shall be provided and maintained, regardless of water feature's size. This has been addressed by their recent submittal.

STREET DESIGN 5. CONTINUATION AND COORDINATION OF NEW STREETS - c. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands in those cases in which the adjoining lands are undeveloped and deemed appropriate by the DRC for future development or in which the adjoining lands are developed and include opportunities for such connections. **d.** Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development which abuts vacant lands. **The connection alignment to property to the south may need adjustment.**

The Subdivision Ordinance requires a K Value of 40. The applicant has met NCDOT standards for mountainous areas with a K Value of 10. They are requesting a deviation approval from the City Manager as is applicable under item d. for Street Grade: **"d. The City Manager may consider deviations from these standards based on topographic conditions or public safety concerns.**

The K Value is a greater standard than most coastal towns. This has been resolved with the City Manager.

The connectivity index was explained, and the standards included in the staff report that were incorrect were corrected. This exceeds the requirements for the continuation of new streets. Currently a 20-foot easement is shown but it will need to be expanded to 40 feet to cover the full width. The area extended and placed in the easement is to be maintained as open space.

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

Public Comments. Two public comments were read into the record from Donna Waters and Gus Martschink. Mr. Manley stated those comments were not applicable to the Subdivision Ordinance. He also explained staff's role and their job to ensure developments are aligned with the strategic goals. Staff is in no way working in partnership with any developer.

Chair asked about the bonding requirement in the Subdivision Ordinance. Mr. Manley stated he did not know what this refers to. They have to build certain aspects of the public infrastructure and things can be bonded such as the top layer of pavement, sidewalks, etc. The money is held to ensure City standards are met.

Joseph Schlotterbeck, developer stated the area listed as an easement is intended to be left as open space. He clarified that it makes sense to shift the stub out to the other side. Discussion was made concerning the slopes and the grade. Chair discussed working with staff and how a different angle could work but would take a portion of Lot 4. Mr. Schlotterbeck stated he was happy to through this with staff. He explained building the road and grading.

Chair opened public comment. He stated they are looking at the plat for Subdivision Ordinance compliance only.

Gus Martschink stated when he wrote his public comment his intention was to imply anything negative. Staff has done an excellent job if being neutral. He talked about the effects of the development and not causing harm to the property.

Janice Muldine, 135 Creekwalk Lane asked about the public street and if the stormwater would run into the retention basin for Wolf Chase. Her concern was the public streets and if they would be maintained by the City and whether or not the stormwater would eventually go into their retention system.

No one commented via Zoom.

Mr. Manley stated all public streets are inspected by City staff and must meet all requirements of the City. The stormwater system is constructed to retain a 50-year storm event. The developer has agreed to this condition. They are only required to retain water for a 10-year flood but have agreed to a 50-year flood. This exceeds the requirements. Mr. Schlotterbeck explained the flow of their system and how the water would be retained for up to 48 hours and then would gradually be released. Their storm tech system will catch and hold the water but it will eventually go into the Wolf Chase system. This is normal for every site. The streets will be maintained by the City.

Mr. Jones asked about the parkland trail in the dark area on the site plan and if it extends into the easement. Mr. Schlotterbeck stated the easement contains 25% more land than what is required, and the nature trail connection will be determined at the time of final site plan submittal.

Ms. Cromar moved the Planning Board approve the Major Subdivision Plat for the subject property PIN: 9568-00-1446 based on the Preliminary Plat submitted by the applicant and subject to the following conditions: Conditions that shall be satisfied prior to Final Plat approval include: 1. Knowing of easement clarity behind lots 15-19. 2. Developer work with City staff to determine the best location for the stub out located on the southern side and, 3. Subdivision name to be approved by Henderson County. Mr. Blatt seconded the motion which passed unanimously.

The Board took a three-minute break and reconvened at 5:44 pm.

V(C) Zoning Text Amendment – Industrial Conditional Zoning District (P21-76-ZTA). Mr. Morrow gave the following background:

Community Development staff initiated a conversation about allowing certain I-1 uses which exceed 50,000 square feet to proceed without requiring rezoning to I-1 CZD following a series of discussions with economic development stakeholders in Hendersonville and previous project experiences.

The proposed text amendment is to exempt certain industrial uses from triggering a Conditional Zoning District when exceeding 50,000 square feet in floor area.

Reasons to allow were: to allow the City to be more competitive for large scale economic development projects, to better foster job creation and to adapt to new trends in economic development.

Changes to Article IV were shown in the presentation as well as changes to Article V. Changes to Section 5-12-4 were shown.

Example of Uses Exempt from 50,000 Square Foot Trigger are Bottling Plants, Food processing; bakery products, Textile Mill Products, Printing, publishing & allied industries, Apparel and other textile products and Furniture and fixtures.

Example of Uses Not Exempt from 50,000 Square Foot Trigger are Concrete plants, Automobile paint & body work, Civic centers, Freight terminals, Recycling centers, Exterminators and Fairgrounds.

The zoning map was shown with the existing I-1 zoning. Kimberly Clark was pointed out on the map.

Future Land Use Map Classifications include Business Center, Downtown Core, Downtown Support, Neighborhood Activity Center, High Intensity Neighborhood, Medium Intensity Neighborhood and Natural Resource/ Agricultural.

Comprehensive Plan Consistency: Action LU-13.5.3: Work with the Henderson County Partnership for Economic Development and other economic development organizations in packaging incentives and overcoming development obstacles for economic development projects that meet the City's Comprehensive Plan goals: Action LU-13.5.1: Work with the Henderson County Partnership for Economic Development and other economic development organizations to market Hendersonville as a business destination.

The Planning Board Legislative Committee met November 16th, 2021 and discussed the proposed text amendment. Discussions centered around the uses involved and if a higher square footage trigger would be a better option. No motions were made, only discussion.

Chair asked if there were any questions for staff.

Mr. Blatt asked about the marked off section in 5-12-1 (B) and asked if that was being removed. Mr. Morrow stated yes. Mr. Blatt stated it is not clear how the choices were made. Mr. Holloway explained how they were competing with other communities and how these industrial type businesses are built on the needs of local conditions and requires a competitive edge to selling products all over the world. He discussed the project on Upward Road and lessons were learned from that. He discussed the advantages to this text amendment. He stated this was based on aligning with the county.

Ms. Cromar asked about the apartments in the area. Mr. Morrow stated you don't find I-1 abutting residential. In that one case they are closer, but you don't normally see residential and industrial side by side.

Mr. Manley stated Berkeley Road is not suitable for biking or walking but you could get on the greenway and walk to other areas.

Discussion was made about wages and economic strategies. The median wage for the area was discussed. Mr. Holloway stated there is a study related to this and he would share it with the Board.

Chair stated this text amendment was to entice someone to bring jobs here and a stumbling block is having to go through the CZD process on some of the industrial uses. Mr. Jones stated this would make it more enticing.

It was stated that anything 20,000 sq. ft. would only go through site plan review but would go before the Planning Board.

Mr. Brown stated the City staff did a great job. He wasn't a fan of this, but it is a good balance and now he is in favor of the text amendment.

Chair opened the public comment. No one spoke.

Chair closed the public comment.

Mr. Jones moved the Planning Board recommend City Council approve an ordinance amending the official zoning ordinance of the City of Hendersonville, Article V – Zoning Districts Classification, Section 5-12-4 I-1CZD Industrial Conditional Zoning District as presented. Finding that the zoning text amendment is consistent with the Comprehensive Plan Chapter 8, Strategy LU-13.5, Action LU-13.5.3 and that the zoning text amendment is reasonable and in the public interest for the following reasons: It encourages reinvestment in commercial real estate within the City of Hendersonville, supporting a sustainable tax base, It positions the City to support the Henderson County Partnership for Economic Development in overcoming development obstacles associated with industrial/manufacturing recruitment, It reflects adaptation by the City to changing market trends in industrial recruitment, it aligns development review steps across local government entities to promote predictable and comparable development processes, optimally positioning the city for success in recruitment of industry to existing Industrial sites. Mr. Brown seconded the motion. The vote was 5 in favor and 1 opposed. Motion passed.

V (D) Conditional Zoning District - Application for a conditional zoning district from Sanjay Patel of Sugarloaf Hospitality LLC, for the construction of a 66,000 sq. ft. four-story hotel with meeting room on 2.30 acres. (P21-73-CZD). Ms. Hunt gave the following background:

This zoning district and site plan for this property was previously approved by City Council as a Special Use Permit in August 2018. The permit lapsed as construction did not begin within the given amount of time and therefore the project must seek new approvals under the current zoning regulations. The applicant is requesting that the permitted use of Hotels & Motels in PCD CZD be permitted.

The vicinity map was shown and I-26 was pointed out as well as the other hotels in the area.

Parcels to the north and south are zoned C-3 Highway Business and contain commercial uses such as the Ramada Inn and Best Western and restaurants/cafes. Parcels to the East are zoned R-15 Medium Residential.

Ms. Hunt stated as you can see, grading has begun on the site. The existing vegetation was approved to

be removed without mitigation in 2018. The applicant began grading the site per the 2018 approval prior to planning staff receiving this application at which point the applicant was made aware that the entitlements have lapsed. The applicant will have to plant additional landscaping to bring the site into conformance with the current landscaping requirements of Section 15 of the Zoning Ordinance.

The building is a four-story hotel with meeting room, 98 guest rooms and 16, 500 sq ft per floor which is 66,000 sq ft total. Meeting room is 860 sq ft. Parking Requirements (Section 6-5-2) = 100 required parking spaces and 104 are provided which includes 5 handicap spaces.

The comprehensive plan designates the subject property and surrounding area as Regional Activity Center. The Goals of this designation is to meet the large-scale retail needs of residents while encouraging mixed-use, walkable design through redevelopment and infill projects. Locations for Regional Activity Centers are commercial areas surrounding US-64/I-26 and Upward Rd/I-26 interchanges. Secondary Land Uses include multi-family residential, offices, public and institutional uses.

The comprehensive plan also designates this area as a priority infill area which are areas that are considered high priority for the City to encourage infill development on remaining vacant lots and underutilized/underdeveloped properties.

At the Neighborhood Compatibility meeting the Dark Sky lighting requirements were brought up. The developer was to relay this to their engineer.

Chair asked if there were any questions for staff.

Mr. Jones asked about sidewalks and having connectivity. Ms. Hunt stated a sidewalk would be required on Sugarloaf Road. Mr. Jones asked about having sidewalks on adjacent properties to connect. Ms. Hunt stated that is not required.

Mr. Blatt stated if this was still zoned C-3 then none of this would be necessary. Mr. Manley stated it is over 50,000 sq. ft. and therefore must go through the CZD process. This was rezoned to PCD and now needs a rezoning to PCD CZD. The binding site plan has been voided. The developer was on Zoom but had another meeting at 5:30 pm.

Chair opened the public comment,

Ken Fitch, 1046 Patton Street stated the presence of another hotel does not raise any objections. The concern was the lot was clear cut before any approvals were granted. There is the presence of a Blueline Stream and that is a concern. Compatibility with the nearby residential areas is a concern. This will need to be reviewed by the Tree Board as well. There needs to be a measure of respectful compliance.

Amit Govindji (Zoom) 155 Sugarloaf Road stated they did not know the permit was expiring. They are excited to be part of the City of Hendersonville. They want to make sure they fit into the community nicely. He apologized for starting the work before the approval.

No one else spoke via Zoom. Chair closed the public comment.

Mr. Brown asked about having a written agreement with the conditions. Mr. Manley stated that will come after City Council approval. The written conditions are attached to the ordinance.

Chair asked if the Tree Board looked at the initial project. Ms. Hunt stated a landscaping plan was approved. She did not see where the application was reviewed by the Tree Board in 2018. Mr. Manley stated since they are submitting a new plan, this will be taken before the Tree Board on December 21st.

Chair asked about looking at the elevations and having design standards for the building. Mr. Manley stated the PCD zoning does not have design standards. Discussion was made on adding conditions related to design standards.

Mr. Jones asked how much the plan has changed from the 2018 approval. Mr. Manley stated this is the same site plan from 2018.

Ms. Cromar asked if this was the same contractor. Mr. Manley stated it is the same development team.

Mr. Manley stated if conditions are added for design standards the developer would have to agree to them and staff can work with them on the standards.

Mr. Blatt stated he feels like this is changing the rules midstream. Mr. Manley stated they are not changing the rules, there are conditions that change the factors and they must now go through the CZD process.

Amit stated the plans have not changed from 2018. they had delays in the financing and with Covid and this caused a lapse in the development. This will be a beautiful building. It will be similar to the Home 2 built in Asheville. This will be a high-end product. He was not sure about meeting the Dark Sky requirements.

Mr. Blatt stated they do not have a lighting ordinance that requires a developer to be Dark Sky compliant. Mr. Brown stated the Tree Board has not had a chance to review this either. Mr. Manley stated the Tree Board recommendation would go to City Council. Mr. Manley discussed the timing of the projects going to the Tree Board before coming to the Planning Board. It was a mistake on his part that this project did not go to the Tree Board first.

Mr. Blatt made a motion to table this item until after the Lighting Ordinance draft presentation. Mr. Jones seconded the motion which passed unanimously.

V(E) Conditional Zoning District – 137 & 139 E. Central Street – (P21-72-CZD). Ms. Hunt gave the following background:

City Council previously approved a conditional rezoning request and site plan for the subject property on April 2, 2020. No changes to the approved site plan are proposed. Rather, the applicant is requesting to add Automotive Paint and Body Work – which is a Special Use in C-2 - and additional permitted uses in the C-2 zoning district to the approved list of uses for the Conditional Zoning District at the subject property.

The vicinity map was shown along with the site plan and existing conditions.

As stated earlier, the existing zoning is not changing – it will remain C-2 CZD. Predominate uses in the area are R-15 Medium Density Residential however, parcels to the South are zoned C-3 Highway Business and include commercial uses such as the Henderson County Board of Elections. The subject property is in close proximity to Spartanburg Hwy and Old Spartanburg Road.

The Comprehensive Plan designates the subject property and surrounding parcels as High Intensity Neighborhood. The goal of this designation is to encourage low-maintenance high density housing that supports Neighborhood and Regional Activity Centers and Downtown and provides a transition between commercial and single-family development. Secondary Uses recommended Land Uses include – public and institutional uses, office and retail along thoroughfares and recreational amenities. The additional uses that the applicant is requesting (which I have listed on the following slides) but include Automotive Paint & Body Work as a special use in C-2 aligns with the Comprehensive Plan's Land Use & Development.

Chair asked if there were any questions for staff.

Discussion was made about the full list of the C-2 uses. Ms. Hunt stated anything incompatible was left off the list. The permitted uses will be for just this property and not for any other C-2 zoned property.

Billy Pace, applicant stated this is just for this specific property. He wants to put a business in his existing building. This is an established business that is downsizing. They sold their current business to a franchise. Mr. Pace stated he is back because the uses need to be better defined.

There were no questions for Mr. Pace.

No one had any public comment via Zoom or in the room.

Chair closed the public comment.

Mr. Holloway discussed the CZD process and the site-specific conditions that go along with it. He discussed staff working on a wider list of uses.

Mr. Brown moved the Planning Board recommend City Council approve the adoption of an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9578-24-9710) from C-2 CZD (Secondary Business Conditional Zoning District) to C-2 CZD (Secondary Commercial Zoning District) based on the application submitted by the applicant. Finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map designation of High Intensity Neighborhood and that the rezoning is reasonable and in the public interest for the following reasons: That the map amendment is consistent with the 2030 Comprehensive Plan, Chapter 8 – Land Use & Development. That the rezoning is compatible with the surrounding land uses. That it is reasonable and in the public's interest to approve the application because it will advance goals related to the Comprehensive Plan. Mr. Johnson seconded the motion which passed unanimously.

VI Other Business. Mr. Holloway gave a presentation of the Draft Lighting Ordinance. There was no Board action on this item.

V(D) Continuation of Hendersonville Home 2 (P21-73-CZD)

Discussion was made about a condition being added for the project to meet the requirements of the Draft Lighting Ordinance. Mr. Blatt was not in favor of this.

Amit stated this was the first time they had heard about Dark Sky lighting. He did some research on it and they will do the best they can to comply with it. They are more than willing to work with staff.

Mr. Blatt stated Chair had concerns about having design standards for the building. He does not want to inflict this on this project. Would the developer be willing to accept design standards? Amit stated they are planning to replicate close to how the Asheville Home 2 is built. It will be subtle and very beautiful. They can submit elevations to staff. They will also work with the Tree Board on any recommendations they may have. They want to add to the beauty of Hendersonville.

Chair stated he is ok with not placing design standards on the developer.

Mr. Blatt asked if they are committing this to be a Home 2 Suites. Amit stated yes.

Discussion was made on design standards in zoning districts and the lighting ordinance.

Mr. Blatt moved the Planning Board recommend City Council approve the adoption of an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property PIN 9579-56-7956 from PCD (Planned Commercial Development to PCD CZD (Planned Commercial Development Conditional Zoning District based on the site plan submitted by the applicant. Finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use map designation of High Intensity Neighborhood and that the rezoning is reasonable and in the public interest for the following reasons: That the map amendment is consistent with the 2030 Comprehensive Plan, Chapter 8 – Land Use & Development. That the rezoning is compatible with the surrounding land uses. That it is reasonable and in the public's interest to approve the application because it will advance goals related to the Comprehensive Plan. Ms. Cromar seconded the motion.

The Board discussed the conditions to be added to an amended motion. Mr. Manley stated the Comp Plan is a guiding document. He discussed design standards in mixed use districts and the draft lighting ordinance. Mr. Manley stated they could review the site plan based on the draft ordinance.

Mr. Blatt asked the Board what conditions they would like to add to the motion before taking the vote. Mr. Jones stated he would like to add a recommendation that the developer comply with the draft lighting ordinance. Mr. Blatt stated he has no problem with this as long as it is a recommendation and not a requirement. Chair stated he wasn't too concerned about design standards because these buildings are all traditionally good-looking buildings.

Three conditions were added to the motion: 1. Recommendation that the developer review the lighting ordinance and work with City staff to comply with the draft lighting ordinance, 2. There must be a walkway combining the Day in the Country parking lot with this hotel's parking lot, and 3. Provide elevations of the proposed hotel prior to City Council.

Mr. Brown made an amendment stating the developer comply with the draft lighting ordinance as it is today. Mr. Blatt did not accept the amendment to the motion as he felt it was not legal or fair to the developer.

The vote was taken. It was 5 in favor and 1 opposed. Motion passed.

VII Adjournment – The meeting was adjourned at 7:57 pm.



Jim Robertson, Chair