

**Minutes of the Planning Board
Regular Meeting
June 12, 2025**

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

Members Absent: Mark Russell, Laura Flores

Staff Present: Tyler Morrow, Current Planning Manager, Sam Hayes, Planner II, Matthew Manley, Long Range Planning Manager

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. Johnson and passed unanimously.*

III(A) Approval of Minutes for the meeting of May 8, 2025. *Ms. Waters moved to approve the Planning Board minutes of the meeting of May 8, 2025. The motion was seconded by Ms. Peacock and passed unanimously.*

Chair stated long time Planning Board member Peter Hanley passed away on June 2nd. A moment of silence was taken in honor of Mr. Hanley.

IV Old Business

V New Business

V(A) Conditional Zoning District – Spartanburg Highway Medical Office Building (25-23-CZD). Mr. Morrow gave the following background:

Mr. Morrow stated the subject parcel is made up of two parcels. These parcels are located on Spartanburg Highway. The applicant is UNC Health Pardee and the property owner is Henderson County. The applicant is requesting to rezone this property to CHMU CZD. The subject property is approximately 4.54 acres and the applicant is proposing to construct a 42,520 square foot medical office building. The Gen H Comprehensive Plan designates this as Mixed Use – Employment.

The NCM for this project was held April 29, 2025. No submitted public comments were received for that meeting. Topics discussed were the type of medical services that would be provided, whether or not behavioral health programs would be incorporated into the development, drainage, stormwater and the blue line stream shown on the USGS maps, funding for the project and Henderson County's involvement. It was noted that Pardee was an incredible asset to our community.

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.

A site plan and renderings were shown and is included in the staff report and presentation. The site plan was discussed.

Mr. Morrow stated that CHMU does allow for four stories. This building is proposed at 32 feet and two stories.

Mr. Morrow stated a Traffic Impact Analysis was submitted for this project. The TIA showed this project would generate 1,826 daily trips, 118 AM peak hour trips and 180 PM peak hour trips. Six intersections were used as part of this TIA.

Mr. Morrow stated neither the city or the developer have any proposed conditions for this development.

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.

Ms. Gilgis asked at this part of Spartanburg Highway is the five lanes with a center turn lane. Mr. Morrow stated yes, two travel lanes and a middle turn lane. She asked if the entrance way from Spartanburg to this facility is not a right in and right out, it is both. Mr. Morrow stated it is a full access entrance and there would not be a right in, right out component. She stated a crosswalk was mentioned on Spartanburg Highway, a crosswalk? Mr. Morrow stated he thinks a zoning crosswalk is what was mentioned. That is from the Comprehensive Plan, there isn't a crosswalk on Spartanburg Highway proposed that doesn't exist currently. They will be providing a crosswalk from the staff parking. He pointed this out on the site plan. Outside of the accesses that is the only crosswalk connection that would be proposed.

Chair stated CHMU CZD has never been done on Spartanburg Highway. Why wouldn't they suggested C-3 CZD. Mr. Morrow stated we are trying to phase out C-3. It is one of the historic commercial highway corridor zonings and we see how it played out on Four Seasons. We are trying not to replicate that. CHMU is compatible with Gen H and the future vision of what city wants to see moving forward. There is no footprint maximum.

There were no further questions for staff.

Chair asked if the applicant would like to speak.

John Bryant, VP of Operations and Support Services with UNC Health Pardee at 800 N. Justice Street. He stated the alignment with the Gen H Comprehensive Plan as well as the opportunity to extend healthcare services to the southern part of the county is a priority for them when it comes down to creating access as close to people's homes as possible. They have met all the requirements of the zoning ordinance. They

recognize this not only benefits the citizens of Henderson County but creates an opportunity for them to provide greater services to the southern end of the county. They received great feedback from the NCM and were responsive to some of that feedback. They have met with the Planning team on a number of occasions and have received great feedback and revisions for the work. He stated the Planning and Design team are here if anyone had any questions.

Chair asked if there any questions for the applicant.

Chair asked Mr. Bryant to provide the Board with the summary of the history of the need and the funding for this project. Mr. Bryant gave a brief summary. He discussed partnering with Henderson County and stated the county is the borrower of the resources and then the tenants cover that borrowing. He discussed expanding services and building new locations.

Chair stated the number of parking spaces, is it right at what is required, is it more than what is required, less than what is required. Mr. Morrow stated it is more than what is required, 170 is required and 196 is what is being proposed. He stated this is within the Entry Corridor so there is a 20% reduction in parking if the developer decided to do that but they are not utilizing that 20% there.

Parking was discussed by the applicant and why it was more than what is required.

There were no further questions for the applicant.

Chair opened public comment.

Glenn Lange, 623 Ferncliff stated he is with the Hendersonville Tree Board and is a certified wildlife biologist. He stated he wanted to compliment that particular design team particularly the folks working on the landscaping plan because he has seen very few developments that utilize almost entirely native plants. Native plants provide the best conditions we can for our ecosystem. It is very commendable that they are doing this.

Ken Fitch, 1046 Patton Street (zoom) stated he would like to commend the Planning team for this project. The NCM was remarkably productive. One of the issues he raised was the flow of traffic through the site. That is something that will have to be worked out. He explained the reasons why he thought this facility was important. He discussed having a bus stop. He stated there is a piped blueline stream and asked what the condition was of the pipe.

Chair closed the public hearing.

Chair asked if the pipe was sufficient and has it been inspected and when was it installed.

Tom Jones, WGLA Engineering 724 5th Avenue West stated they are the civil engineers working on this site. He stated the pipe is old and they will need to look at it and it will probably have to be replaced. As part of that process they will analyze it and see if it is adequate for the flow. It is to be determined as to what needs to be done to the pipe. Sometimes you can rehabilitate them and they will look at that as a possibility or replacement. They won't allow it to deteriorate, they will replace or repair it. They will also consider the size at that time. Mr. Morrow stated it flows towards Upward Road. Chair asked about putting a condition that it be inspected and repaired or replaced. Mr. Morrow stated they could recommend that as a condition. Chair stated he trusts that it will be done but it might be good to have a condition on it.

Sidewalks were discussed. There are existing sidewalks on Spartanburg Highway and new sidewalks on Old Spartanburg Road.

Ms. Peacock 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 (PINs: 9578-41-6876 & 9578-42-5074) from C3-SU, Highway Business Special Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District, for the construction of a 42,520 square foot medical office building based on the master site plan and list of conditions submitted by and agreed to by the applicant, [dated 6-4-25] 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. Offices, business, professional and public. 2. Permitted uses and applicable conditions presented on the site plan shall be amended to include the inspection and replacement if needed of the blueline stream pipe. 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 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 proposed development would provide citizens who reside on the southern side of Henderson County the opportunity to have primary care, physical therapy, and pharmacy service within a closer proximity to where they live. 2. The proposed development is within close proximity to other institutional uses along this corridor. Ms. Gilgis seconded the motion which passed unanimously.

V(B) Administrative Review – Preliminary Site Plan – Signal Hill Townhomes (25-20-SPR). Mr. Hayes gave the following background:

Mr. Hayes discussed what a preliminary site plan review entails. This is included in the staff report and presentation. He stated this project will come back to the Planning Board for the preliminary plat since this is a major subdivision.

Chair stated if this meets all the conditions of the ordinance then they have to approve it.

Mr. Hayes gave a project background which 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. The uniqueness of the site was explained.

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

The site plan was shown and discussed and is included in the staff report and presentation. Mr. Hayes stated we did just revise our Planned Residential Development ordinance. It came to the Planning Board last month and passed City Council on Thursday of last week. However, because this application came in before that was adopted, they have the choice of going with the previous ordinance or the current ordinance. He has not heard that they want to go with the new ordinance so staff is judging this based off of the previous ordinance. He discussed the variances that were approved in 2023.

Landscaping was also discussed. Mr. Hayes stated the preliminary site plan does meet the landscape requirements. He also discussed parkland dedication. Mark Stierwalt with the City of Hendersonville did determine that the city would not want to accept that piece of property as parkland. The resolution of this is that instead they would designate a greenway easement. Mr. Hayes pointed this out on the site plan and explained the greenway easement. The applicant will actually pay a fee in lieu for constructing that greenway.

Mr. Hayes stated there are two major outstanding comments on the site plan. A sidewalk leading to Signal Hill Road needs to be included in the plan and NCDOT – alterations made to the entrance island on the western entrance. They can be resolved by final site plan.

Mr. Hayes stated based on the review by staff, the preliminary site plan for the Signal Hill Townhomes project meets the Zoning Ordinance standards established for Minor Planned Residential Developments (Section 5-14) and Preliminary Site Plan Review (Section 7-3-3.2).

Chair asked if there were any questions for staff.

Mr. Johnson asked in the middle of this what is happening there? Just some other houses? Mr. Hayes stated there are several properties that are not included in this development. They are existing homes. They are just existing homes and are not included in the development. The applicant has adjusted some of their property lines a little to accommodate them.

Ms. Gilgis asked about the driveways and if the road is smaller than normal there is going to be parking on that street. Mr. Hayes stated they are required one driveway per unit. There are garages so they are providing a parking space in the garage and then of course you have the driveways. They do appear small and he does not have the size of the driveway. The applicant is here and can answer that. Adjusting the driveways is something that can be resolved by final site plan. It is also something the Board could make as a condition to accommodate a larger driveway. Mr. Hayes stated 9' x 18' is the standard size and there is a provision that does not allow the vehicle to stretch over the sidewalk.

There were no further questions for staff.

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

Greysen Nolen, 542 S. Caldwell Street in Brevard stated he is with the developer First Victory and they are looking forward to this project. He stated some experts from the design team are here. They can answer any questions.

Ms. Gilgis asked if the garages are single car garages and how big are the driveways. It was stated the driveways are 10 feet wide and 20 feet long. The driveways will be a minimum of 10' x 20' and the garages are single car and built on slabs. Chair stated everyone will store their stuff in the garage and park in the driveway.

Chair asked if the garage could be pushed back a little and get a 24-foot driveway, which is the new ordinance as of last week. A member of the design team asked for Chair to explain to him the benefit of the added four feet. Chair stated it keeps the cars out of the street. Chair stated what will happen is the garage will get storage in it because it is on a slab and there is no basement so most people will park in the driveway. Chair stated but if they are 20 feet long before you get to the sidewalk then you have a 25 foot driveway so that is fine. Chair stated they don't want bumpers sticking out in the road, bumpers over the sidewalk. It was stated there was a planting strip also, then the sidewalk and then the driveway. Mr. Hayes stated they could propose a condition that the driveways be 10' x 20' after the sidewalk.

Ms. Waters asked about making it an easier access. A member of the team stated NCDOT had asked to have a right turn lane and a transition along with the concrete median so the first entrance is right in, right out. The bottom entrance is a full access.

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

Chair opened public comment.

Sean Givens, 3 Tiptop Drive stated he owns the property at 329 Signal Hill Road. He stated he is between Brevard Knoll Road and Lafayette Road and Lafayette does not directly line up with Linda Vista Drive. His concern is if they are going to take 30 feet of his property from the upper side where they have the two turn ins and take an additional 30 feet from the Lafayette side which is where his current parking lot is and he has been told that he will lose his parking. When they put the sidewalk in, his parking lot is currently there, its poured, they will actually be about four feet into his concrete. They are basically going to take about 60 feet of his property for those two roads, in and out. He has no problems with anything they are trying to do but put him out of business. His proposal or his question is if they took the two at Brevard Knoll, could they find another exit other than his lower driveway at Lafayette so that he doesn't lose his parking because he knows according to city ordinance that is his parking there now and it is handicapped marked and the whole nine yards, if they put that road there he can no longer use that for parking. He will have no place to park. On the upper side he has a little grassy area there but he can't put anything up there because that is where his septic system and leech field is. It would basically just wipe him completely out. He asked if those are the only two entrances because he sees in the drawing they show, why can't they come out on Amazing Grace Lane? A member of the team stated Amazing Grace and Lafayette are the two streets shown on the site plan, not Brevard Knoll. Mr. Givens stated Brevard Knoll is where there is a big culvert and it is usable and right beside that is his septic field and leech field. If they come in at Lafayette that is where his parking is. He was under the impression they would come in at Brevard Knoll. So his question is why can't they come in Brevard Knoll and come out Amazing Grace. Chair stated they do not have access to Brevard Knoll. It is not attached to their property. Mr. Givens stated if they go in on the Lafayette side it will take all of his property. When they run their sidewalk it will be about three feet into his parking.

Chair closed public comment.

Mr. Hayes stated staff was out there several weeks ago and met with the property owner and brought this to everyone's attention. Staff discussed this with the Legal Department and they did not think that we are able to require them to physically take away his parking. Staff is working with Legal to find a way where he is able to keep the parking pad and that road can still be constructed. This is something that can be resolved by final site plan. Staff is aware of it and Legal is looking into it.

Discussion was made on finding the centerline of the gravel road. A design team member stated there is an existing 30 foot right-of-way and they will stay within the existing 30-foot right-of-way and that is why they came to the Board of Adjustment two years ago. That was mentioned earlier where they do not have a 40-foot right-of-way through there, they have 30-foot right-of-way and they are within that 30-foot right-of-way. Mr. Hayes stated the issue there was building a curb and cutting off that entrance. You can't enter that parking lot from Signal Hill Road so what Legal is advising is instead you just have the driveway entrance there so you can still accommodate the sidewalk within that 30-foot right-of-way and not block off the entrance to that parking.

Mr. Manley discussed the parking situation.

Mr. Hayes stated this is on staff's radar and they will be working to resolve this.

Mr. Johnson moved that the Planning Board grant preliminary site plan approval, based on the requirements of the City of Hendersonville Zoning Ordinance (with primary consideration of sections 5-14 Planned Residential Development and 7-3-3 Review of Preliminary Site Plans) for the Signal Hill Townhomes project. Condition(s): The applicant shall work with City staff to further evaluate sidewalk design possibilities within the section of right of way that is 30' wide. If no feasible design is determined by City staff; the applicant may request a fee in lieu of sidewalk for that portion. And to ensure that the driveways meet the requirements of the City's parking

requirements. Ms. Peacock seconded the motion which passed. Five in favor and two against. (Ms. Waters and Ms. Gilgis were the opposing votes). The reason behind the opposing vote was because it will affect another property owner and traffic for pulling out onto the road. It will create a public safety problem.

V(C) Zoning Map Amendment – Standard Rezoning – Old Sunset Hill Road Rezoning/Albea & Taylor (25-38-RZO). Mr. Manley gave the following background:

Mr. Manley stated there are two zoning designations for the Planning Board to decide upon. This is a city initiated rezoning. The property location is 205 Old Sunset Hill Road. It includes four parcels that are owned by two families. It totals 21.32 acres. It is currently under county zoning but was recently annexed as part of a development proposal that did not go through. Since it was annexed it has to be assigned zoning since it is now in the jurisdiction of the City of Hendersonville. One zoning district to consider that is compatible with the surrounding area is R-15. The other is more consistent with the Comprehensive Plan and it is R-6.

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

The Future Land Use map was shown and discussed 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 for both R-15 and R-6 zoning.

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.

Mr. Johnson asked if the opinions of the developers/owners have any effect on what they would do. Mr. Manley stated it is a legislative process and you are welcome to take in the owners account. There would not be any nonconformities being created by the assignment of zoning. Technically the city does not need the property owners consent. The city could assign whatever zoning it wanted as long as it was not a downzoning of some sort and/or created some type of nonconformity. He stated they could take into account if the owners had a preference on the zoning. He did not know if the property owners had a preference.

Chair asked how or why this property got annexed when the development did not get approved. Mr. Manley stated you can't zone something unless it is in your jurisdiction so since it was outside the ETJ, there was no city zoning and you can't zone it until you annex it. If you are outside the ETJ, the property must be annexed first to be rezoned. Mr. Morrow stated staff does have the conversation with developers concerning developments outside the ETJ but he thinks this is the first time this has actually happened where the development does not move forward but the property was annexed. In this case the developer felt like the conditions were not financially feasible and they had to walk away.

The ETJ corporate limits were discussed.

Chair opened public comment.

Greg Albea, 430 S. Mills River stated he owned the property in question and it started out as a land sale with Horton Forestar 30 months ago and throughout all of this agreed to sale some land that we weren't intending to sale. It went on and on and he thinks was close to being approved but they came to him and said it has gotten to be too expensive for the requirements for them to do high density there. He thinks this group is looking for medium density now and they think they can meet all the requirements that would be required in medium density. The property next to them has 12 units per acre and he doesn't know how many units this group is wanting to do. His knowledge of this property being in the city came after Forestar sent them a notice saying they were passing on the property after being under contract for 30 months. It may have been something he signed so they could proceed to get it in the city but that was really his first knowledge after it had been denied. Some of the pictures are a bit misleading. The property was logged 25 to 30 years ago and the picture shown showing the nice timber is a very small portion of the property. It is a lot of saplings and stuff that grew up. The wetlands that have been shown were more than likely created during the logging process when it done improperly 20 years ago. They got a notice from the city saying they owned city taxes on it and they really didn't know that was happening and if he did it was something he signed so they could proceed. He talked about the encroachment of the trailers from Conner Creek and stated they are getting a sewer line easement for a small piece of property to remedy the encroachment.

Chair closed public comment.

The Board discussed the two zonings and which would be more appropriate.

Ms. Gilgis 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 properties (PINs: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724) from Henderson County R2R, Residential Two Rural to R-6, High Density Residential Zoning District based on the following: 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 the public hearing and because: R-6 zoning is consistent with the Future Land Use and Conservation Map due to the subject property's designations as 'Multi-Generational Living' and due to the location of the subject property in a 'Focused Intensity Node' as established in Chapter 4 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 zoning allows for the provision of additional housing to offset local demand. 2.The proposed zoning district's permitted uses are consistent with nearby developments. Ms. Rippy seconded the motion which passed unanimously.

V(D) Zoning Map Amendment – Standard Rezoning – Quattlebaum Properties F LLC (Sheetz Upward Road) (25-37-RZO). Mr. Hayes gave the following background:

Mr. Hayes stated this is a standard rezoning of Quattlebaum Properties F LLC also called Sheetz Upward Road. Chair stated this is a standard rezoning and asked why we are talking about what is proposed. Mr. Hayes stated it is just in the title and not a secret that Sheetz is interested in this property. Chair stated in a standard rezoning they cannot consider that. If they rezone it to CHMU it can be anything permitted in that district. Mr. Hayes stated that is correct. This is not a CZD and there is nothing binding it to be a gas station on Upward Road.

Mr. Hayes stated this was annexed into the city at last week's City Council meeting and now must be rezoned by the city. The applicant has not requested a zoning district so staff has proposed CHMU. This is a city initiated rezoning and the property is 2.65 acres. The zoning was previously Henderson County RC. Staff has proposed CHMU because that was the zoning district established for the Upward Road corridor.

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

The Future Land Use map was shown and discussed 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 for Comprehensive Plan Consistency were discussed and are 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 a Sheetz gas station would be permitted by right if the property were zoned CHMU. Mr. Hayes stated yes. Any permitted use under CHMU would be permitted.

Discussion was made on standard rezonings not having a specific use but the Board considering all uses in the proposed designated zoning district.

Chair opened public comment.

Chair closed public comment.

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: 9588-40-7325) from Henderson County RC to City of Hendersonville Central Highway Mixed Use and designating the Future Land Use classification as "Mixed Use – Commercial" 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 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 would rezone the property to an appropriate zoning district meant for the Upward Road corridor. 2. The adjacent property uses are congruent with the proposed use. Ms. Gilgis seconded the motion which passed unanimously.

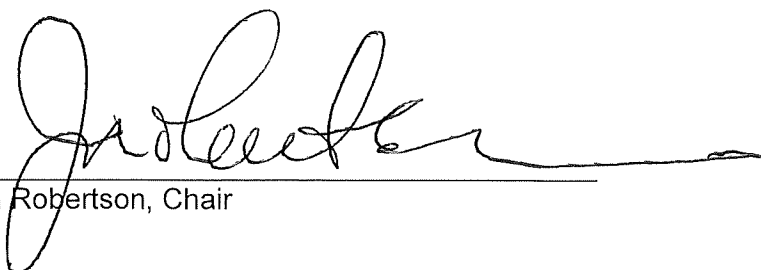
V(E) Zoning Text Amendment – Tree Canopy Preservation & Enhancement Clarifying Edits (25-15-ZTA)

Mr. Manley stated this item will be tabled due to Mr. Holloway being out of town.

Ms. Peacock made a motion to table the Tree Canopy Preservation & Enhancement Clarifying Edits to the July Planning Board meeting. Mr. Johnson seconded the motion which passed unanimously.

VI **Other Business.** Mr. Manley gave a brief update on some upcoming items.

VII **Adjournment – *The meeting was adjourned at 5:52 pm.***



Jim Robertson, Chair