

**DRAFT MINUTES
HENDERSON COUNTY PLANNING BOARD
May 19, 2011**

The Henderson County Planning Board met on May 19, 2011 for a meeting at 5:30 p.m. in the King Street Meeting Room located at 100 North King Street, Hendersonville, NC. Planning Board members present were Jonathan Parce, Chair; Steve Dozier; Stacy Rhodes; Rick Livingston; and Marilyn Gordon. Others present included Anthony Starr, Planning Director; Autumn Radcliff, Senior Planner; Matt Cable Planner and Kathleen Scanlan, Secretary. Planning Board members Wayne Garren, Mike Cooper and Tommy Laughter were absent.

Chairman Parce called the meeting to order of the Henderson County Planning Board. Chairman Parce asked for the approval of the March 17, 2011 minutes. Steve Dozier made the motion to approve the set of minutes and Rick Livingston seconded the motion. All members voted in favor.

Edneyville Community Plan Implementation – Proposed Zoning Map Amendments – Matt Cable, Planner. Edneyville Community Plan Proposed Zoning Map Amendments (Rezoning # R-2011-01). Presentation by Matt Cable, Planner. Mr. Cable said the Planning Board, on the direction of the Board of Commissioners, has been reviewing and discussing the zoning map amendments recommended by the Edneyville Community Plan. The TRC and Planning Board must provide formal recommendation to the Board of Commissioners regarding the proposed zoning map amendments. The TRC reviewed the proposed zoning map amendments at its May 3, 2011 meeting and provided a favorable recommendation. Mr. Cable stated that approximately 40 notices of the proposed zoning map amendments were posted on properties throughout the Edneyville area and the department has received approximately twenty-five calls on the proposed zoning. Staff encouraged callers to submit a written document or attend this meeting if there were concerns about the proposed zoning. Mr. Cable said there are six general areas where zoning changes are proposed and include 218 parcels on approximately 880 acres of land—about 3% of the Edneyville Community Planning area. He reviewed the following proposed zoning map amendments as recommended by the Edneyville Community Plan:

Local Commercial (LC) Zoning Map Amendments.

1. **Fruitland Rd/US Highway 64 E Intersection (Area A):** The area surrounding the intersection of Fruitland Road and US Highway 64 East is proposed to be rezoned LC (Local Commercial) from existing R1 (Residential One) and R2R (Residential Two Rural) zoning districts. This includes Apple Valley Travel Park and a total acreage of this area is approximately 18.23 acres, affecting six parcels.

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2. **Along US Highway 64 E (Area B):** The area along US Highway 64 East from existing LC zoning and extending northeast along the northern portion of US Highway 64 East to the property containing Cloud Nine, Southern Aire Motel and Jaymar Travel Park. The area is currently zoned R2R. This area's total acreage is approximately 34.15 acres and are some split zoning.
3. **Along Fruitland Rd (Area C):** The area along Fruitland Road from Fiesta Lane extending northeast along both sides of Fruitland Road to its intersection with Terry's Gap Road, and extending then south and southeast along South Mills Gap Road. The area is currently zoned R2R.
4. **Along Gilliam Rd (Area C):** The area along Gilliam Road beginning south of Fruitland Baptist Institute and extending southeast along the western side of Gilliam Road to Arabian Lane. The area is currently zoned R2R.
5. **Along US Highway 64 E (Area C):** The area along US Highway 64 East between Townsend Road and Gilliam Road, expanding existing LC zoning further north; additionally, extending existing LC zoning to the property northeast of the intersection of US Highway 64 East and Gilliam Road. The area is currently zoned R2R.
6. **Along US Highway 64 E (Area D):** The area along US Highway 64 East, east of its intersection with Laycock Road, extending existing LC zoning to the south. The area is currently zoned R2R. Includes 29 separate parcels, all or a portion thereof and 51.78 acres from R2R and LC to LC and CC (Community Commercial).
7. **Along US Highway 64 E (Area E):** The area along US Highway 64 East at its intersection with St. Pauls Road, extending existing LC zoning to the north, east and west. The area is currently zoned R2R. Six parcels, all or a portion thereof are included with a total acreage of 5.48 acres going from R2R to Local Commercial. A large portion of this proposed rezoning is the Justice Academy property.

Office Institutional (OI) Zoning Map Amendments.

Fruitland Rd/Gilliam Rd/S Mills Gap Rd Intersection (Area C): The area extending south from Fruitland Road and including parcels containing the Fruitland Baptist Institute and neighboring parcels to the south and west in residential use. The area is currently zoned R2R (Residential Two Rural). This map amendment would create a single OI (Office Institutional) zoning district in the Planning Area.

Community Commercial (CC) Zoning Map Amendments.

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US Highway 64 E and South Mills Gap Rd Intersection (Area D): Several parcels north and south of US Highway 64 East, extending west and east of its intersection with South Mills Gap Road. The area is currently zoned LC (Local Commercial). This map amendment would create a single CC (Community Commercial) zoning district in the Planning Area.

Residential One (R1) Zoning Map Amendments.

Chestnut Gap Rd to Lancaster Rd/Fruitland Rd (Area F): The area west of Chestnut Gap Road and Lancaster Road/Fruitland Road and several parcels northeast of the intersection of US Highway 64 East and Fruitland Road, extending the existing R1 (Residential One) zoning applied at Apple Valley Middle and North Henderson High. The proposed expansion extends beyond the Edneyville Planning Area to the west in order to prevent spot zoning. The R1 (Residential One) boundary is parcel specific intended to largely follow the Urban Services Area boundary prescribed by the Henderson County 2020 Comprehensive Plan. The area is currently zoned R2R (Residential 2 Rural).

Public Input:

Carlton Freeman. Mr. Freeman lives in the Area C (proposed zoning area from R2R/R3 to LC and O&I). He was concerned what could be put in a LC and OI zoning district and the impact it would have on the residential areas.

Mr. Cable explained that the LC district is a mixed-use district that allows a range of uses from single-family residential to manufacturing operations up to 10,000 square-feet or less. Permitted retail establishments are limited to less than 30,000 square feet. Individual businesses on individual lots would be limited to 10,000 square feet of commercial space. He stated there are some uses allowed in LC that are not currently allowed in the R2R district. Buffering would be required between residential and commercial uses.

He said the OI district is similar to LC except it would not allow single family residential uses, but would allow for mixed residential uses. He added that it does not allow for as wide a range of retail establishments or the manufacturing and assembly operations as the LC district. Local Commercial was more widely applied because it allows for single-family residential dwellings.

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Mr. Freeman asked whether LC or OI would allow for apartment complexes. Mr. Cable said that both districts would allow for multi-family residential developments and apartment-type developments. He said you would need an extensive amount of acreage to handle the septic and well requirements for these developments. Without public water and sewer, it is unlikely that these types of developments would occur since an extensive amount of land would be required to handle individual septic and wells.

Tim Braddy. Mr. Braddy stated that he doesn't know of any reason why to rezone his area (Chestnut Gap) to R1. It has read that this district will allow for four residences per lot and wants to know the specifics. He said most of the area is occupied by apple orchards. He wants to know what is being offered to the residents in his area with this zoning change.

Mr. Cable said the Committee felt that the Edneyville area would be pressured for growth and wanted to preserve areas near existing water and sewer infrastructure that could accommodate additional residential development. Stacy Rhodes stated that this is the only area that sewer and water would be feasible. Mr. Cable stated that the County Comprehensive Plan (CCP) recommended the Urban Services Area (USA) boundary to extend more intense and dense development to areas that were identified for future expansion of water and sewer. Ms. Gordon added that the County would not be the governmental entity that would expand water and sewer, only the City of Hendersonville is responsible, if that should ever happen. Mr. Starr stated that the overall recognition is a matter of growth over time. The Committee looked at the future, 15 and more years, and areas of the community that could accommodate growth best. He said this area - with the proximity to various roads, water and sewer - could best accommodate growth as the area has changed and continues to do so.

Mr. Pittillo praised the speakers for their questions, concerns and conduct. He spoke on the concerns and reasons for the decisions made by the Committee regarding the various proposed rezoning districts.

Kim Whitmire. Ms. Whitmire lives on Chestnut Gap Road and wants to know what the R-1 district would allow.

Mr. Cable said that R-1 allows, single-family dwellings, multi-family dwellings of five or more units such as an apartment, with a Special Use Permit; a Quadraplex dwelling, which comprises of four units; a fraternity or sorority house; and a number of recreational, educational and institutional uses.

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He said there are a number of uses that will not be allowed in the R-1 district such as single-wide manufactured homes; manufactured home parks; some additional accessory uses, such as outdoor storage; specific rural occupation or home occupation; and RV Parks, among others.

Ron Griffin. Mr. Griffin lives on Chestnut Gap Road and is concerned with this rezoning. He feels that the area will eventually become commercial or the Wolfpen development might be expanded into area. He felt in order to keep the rural ambiance; he will need to move further out into the country.

Mr. Starr said there are many site constraints and the availability for sewer and water would also have to be in place. If there should be a multi-family development occur on the site, it will first need to have a Special Use Permit, which the Board of Adjustment will review and make a decision on whether that site would be appropriate for the proposed use. Some of items that would be studied by the Board are traffic, and the impact on neighboring projects.

Mr. Parce reviewed the process of the proposed rezonings and stated that the Planning Board tonight is here to review the zoning map amendments and make a formal recommendation to the Board of Commissioners who will set a public hearing. After the public hearing, the Commissioners will then make a decision.

Jasmine Whitmire. Ms. Whitmire lives on Chestnut Gap Road and is concerned about the rezoning change in her area and the possibility of unfavorable development that could occur and cause her family members to move. She indicated developments that have occurred, but contrary to what the owner initially had promised, there was a warehouse/manufacturing facility put on the land instead. She worried that the proposed zoning will allow more developments not pleasing to her community.

Mr. Parce stated that this zoning change is an attempt to ward off undesirable development in the area and be able to control it better. Mr. Cable mentioned that warehouses and manufacturing facilities are allowed in the current R2R district and would not be allowed in the R1 district. Ms. Gordon explained how zoning can benefit the property owner. This rezoning is an attempt to fine tune the type of zoning for your area and what is most desirable for the future. She said we don't know what the future will bring, but the County tries to attempt to zone with some flexibility, but sets limits on what can happen in the area around you.

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Angela Valentine. She was interested in knowing whether a homeowner would have any restrictions regarding increasing the square footage of their home with the new proposed zoning. Mr. Starr said no.

Rick Livingston said that he feels that zoning does place restrictions on one's property, but it also provides protection. He said there are good and bad effects on having zoning, but feels we cannot live without zoning. After some further discussion, Marilyn Gordon made a motion that the Planning Board recommend the Board of Commissioners approve the proposed map amendments, as presented and discussed, for the Edneyville Community Planning Area, based on the recommendations of the Edneyville Community Plan and consistent with the recommendations of the Henderson County 2020 Comprehensive Plan, and further recommend the Board of Commissioners amend the Comprehensive Plan as necessary so that the Urban Services Area boundary corresponds with the proposed R1 district boundary line. Steve Dozier seconded the motion and all members voted in favor.

2010 Census Data Preview – Anthony Starr, Planning Director. Mr. Starr gave a PowerPoint presentation regarding the 2010 Census Data Preview. The U.S. Census Bureau completed and released the 2010 Census local-level data to all states including the District of Columbia and Puerto Rico. While there are still a number of data products that will be released in the coming year, the available data for Henderson County allows us to begin reviewing certain trends related to population and housing.

Staff Reports. Mr. Starr said that there is a vacancy on the Planning Board. The Commissioners will have that on their agenda for consideration. He also mentioned that the Planning Department will not be moving to the old health department.

Adjournment. There being no further business, the meeting was adjourned at 7:05 p.m.

Jonathan Parce, Chairman
Henderson County Planning Board

Kathleen Scanlan, Secretary