

**HENDERSON COUNTY PLANNING BOARD
MEETING SUMMARY
January 17, 2019**

Planning Board Members Present:

Jim Miller, Vice Chair
Trey Ford
Bruce Hatfield
Paul Patterson
Dan Poeta
Rebecca McCall, BOC Liaison

Planning Board Members Not Present:

Steve Dozier
Eric Goodman
Rick Livingston
Hunter Marks

Staff Present:

Autumn Radcliff, Planning Director
John Mitchell, Business & Community Development Director
Allen McNeill, Planner
Eric Warren, Planner
Russ Burrell, County Attorney

Meeting called to order: Mr. Jim Miller called the meeting to order and Roll Call was stated.

Adjustment of Agenda: There were no adjustments to the agenda.

November Meeting Summary: There were no adjustments to the minutes. Mr. Trey Ford made a motion to accept as presented. Mr. Bruce Hatfield second the motion.

Informal Public Input: No public comment at this time.

Rezoning Application (#R-2018-06): Applicant – Gloria Ashley; Request – Rezone 1.86 ac from Estate Residential (R-40) to Local Commercial (LC); Presenter – Allen McNeill,

Planner: Mr. Mr. Allen McNeill stated that rezoning application #R-2018-06 was initiated on October 1, 2018 by Gloria Ashely. The applicant requests that the County rezone approximately 1.86 acres of land located off Erkwood Drive from Estate Residential (R-40) to a Local Commercial (LC) district. He stated that the Planning Board considered the rezoning application at its November 15th meeting and voted 5-1 send forward a favorable recommendation to the Board of Commissioners. The Board of Commissioners held a public hearing on January 7th and voted to table the item and send it back to the Planning Board to address specific concerns raised during the public hearing. These concerns included the recommendations of the East Flat Rock Community Plan in reference to this rezoning request, the allowed uses in the LC district compared to the current R-40 zoning, and any potential impacts that could result from the round-a-bout construction at Erkwood and Shepherd. Ms. Autumn Radcliff explained that there was public concern about the potential land uses allowed in the LC district as, such as an assistant living residences, that would be permitted by right in this district.

The Planning Board heard from the applicant's agent Ms. Sherry Brewer. She stated that the property owner was seeking a rezoning for marketing the property for sale. The Board

discussed several options with the applicant's agent including the possible withdrawal of the application to allow a future buyer to seek a conditional rezoning for a specific use instead of a blanket rezoning. It was unknown at this time if the applicant would consider this option. After some discussion, Mr. Bruce Hatfield made a motion that the Board make an unfavorable recommendation to rezone the subject area considering the neighbors' concerns and the permitted uses. The motion failed with no second. Mr. Trey Ford made a motion that the Board support its original recommendation in favor of the rezoning request. Mr. Dan Poeta second the motion. The motions passed 4-1.

Conditional Rezoning Application (#R-2018-06C): Applicant – SEN-Asheville I, LLC; Request – Rezone 79.588 ac from Residential Two (R2) to Local Commercial Conditional (LC-CD); Presenter – Allen McNeill, Planner:

Mr. Allen McNeill stated that rezoning application #R-2018-07-C was initiated on November 30, 2018 and request that the County conditionally rezone approximately 79.588 acres of land from a Residential Two (R2) zoning district to a Local Commercial Conditional Zoning District (LC-CD). The acreage consists of 6 parcels owned by SEN-Asheville I, LLC. Mr. John Turchin is the agent. Mr. McNeill stated that the property currently has a master plan approval for a subdivision and if this rezoning request is approved the prior approvals will be invalid. The Board heard from the applicant's agent Mr. John Turchin and Mr. Bob Grasso stating that the new plan would reduce the project scope from 132 units to 28 single-family units with a commercial spa and amenities.

After some discussion, Mr. Dan Poeta requested to be recused from any decision due to a conflict of interest. The Board accepted this request. Mr. Trey Ford made a motion to approve the rezoning request. The motion was seconded by Mr. Jim Miller. The motion failed with a 2-2 vote. Being no option for a tie break, the Board agreed to forward the request to the Board of Commissioners.

Conditional Rezoning Application (#R-2018-08-C): Applicant – Spano & Associates Haywood, LLC; Request - rezone 18.35 ac from Residential Two (R2) to Residential One Conditional (R1-CD); Presenter – Eric Warren, Planner:

Mr. Eric Warren stated that rezoning application (#R-2018-08-C) was submitted on December 3rd and requests that the County conditionally rezone approximately 18.35 acres of land from Residential Two (R2) to Residential One Conditional Zoning District (R1-CD). The acreage consists of 8 parcels owned by Spano & Associates Haywood, LLC. Mr. Warren explained that following the TRC meeting, the applicant met with NCDOT and determined that the second entrance would be a right in right only onto NC 191. The Board heard from the applicant's agent Mr. Scott Burwell with McGill and Associates about the details of the proposed subdivision. Ms. Radcliff stated that staff had contacted the one existing homeowner in the subdivision about the revised plans. This homeowner asked questions but did not indicate if they were for or against the proposed project.

The Board also heard from the applicant's attorney Mr. Craig Justice about the rezoning request. After some discussion concerning the adjacent West Henderson High property, Mr. Trey Ford made a motion to table the item until the February meeting to give the school the

opportunity to respond with any comments about the rezoning request. Mr. Bruce Hatfield second the motion. All voted in favor.

Staff Reports: Mr. John Mitchell announced that Mr. Allen McNeill has taken a new position with Transylvania County and this will be his last meeting and we wish him well.

Ms. Radcliff updated the Board about upcoming items for the February meeting including the proposed Tap Root Farms conditional rezoning request. She said that this development is the first project that is required to have a neighborhood compatibility meeting which is scheduled for Monday, January 28th at 3:00 PM in the King Street Meeting Room. She said the Board will be provided information about the outcome of this meeting.

Ms. Radcliff reminded the Board that the 2020 Census is coming up and a postcard mailing will be sent out in March and there will be an online option available this time. She asked the Board to help get the word out and explained why it is important to be counted. She also stated that for seasonal residents still count if they are residing in Henderson County on April 1, 2019.

Adjournment: There being no further business, meeting was adjourned at 6:28 p.m.