

**HENDERSON COUNTY PLANNING BOARD
MEETING MINUTES
March 20, 2025, at 5:30 PM**

Planning Board Members Present:

Hunter Marks, Chair
Rick Livingston, Vice Chair
Jim Miller
Linda Bradley
Bruce Hatfield
Jason Davis
Bill Lapsley, BOC Liaison

Planning Board Members Not Present:

Robert Griffin
Trey Ford
Jared Ownbey

Staff Present:

Autumn Radcliff, Planning Director
Russ Burrell, County Attorney
Lee Stevens, Planner III
Liz Hanson, Planner I
Toby Linville, Floodplain Administrator

Meeting called to order: Mr. Hunter Marks called the meeting to order.

Roll Call: Roll call was taken.

Informal Public Comment: The Board heard from two members of the public concerning new standards needed in zoning and policy following the 2045 Comprehensive Plan update and Helene impacts, and another comment on consideration of flag lots.

Adjustment of Agenda: None.

February 20, 2024, Meeting Summary: No change to the meeting summary was noted.

Conditional Rezoning Application (#R-2025-01-CD), Cottages at Sugarloaf Meadows: The Board heard from one member of the public who had concerns with the location of the dog park to their property, removal of trees and shrubs on the subject area, and hours of operation for the amenities area. Following public comment, Mr. Jim Miller stated that the developer is a friend and wanted to make sure that the Board and County Attorney did not see any conflict of interest. The County Attorney asked if Mr. Miller's vote provided any advantages or financial gain, and the answer was no. There was no conflict of interest found for Mr. Miller to vote on a recommendation to the rezoning request.

Ms. Lee Stevens stated that the rezoning application #R-2025-01-CD was initiated on February 14, 2025, and requests that the County conditionally rezone approximately 31.46 acres of land from Residential Two Rural (R2R) to a Conditional District (CD-2025-01). The project contains all of PIN 9589-35-2768 and PIN 9589-26-9624 that have direct access to Sugarloaf Rd (SR1734). The Cottages at Sugarloaf Meadows, LLC, and Claire McConnell are the current property owners. The applicant is The Cottages at Sugarloaf Meadows, LLC.

The applicant is proposing to develop a single-family residential development consisting of 50 homes and 53 lots with common area designation and an amenity area. As a part of this project, the applicant requests the parcel to be rezoned to a Conditional Zoning District (CD-2025-01). Conditional rezonings allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighborhood compatibility meeting was held on

Tuesday, March 11, 2025, in the King Street Meeting Room. A copy of the meeting summary is included in the agenda item.

The Technical Review Committee reviewed this application on February 18, 2025, and voted to forward the item to the Planning Board with noted conditions.

After much discussion with the applicant and agent, Mr. Rick Livingston made a motion to recommend the rezoning request with the conditions as noted:

- relocating the dog park to a central location
- add language for notification to buyers about nearby agricultural operations
- limit the hours of operation for the amenities from dawn to dusk
- plant a vegetative buffer in areas where there is none
- remove conditions #2, #3 and #5 from the neighborhood compatibility meeting

Mr. Jim Miller seconded the motion. All voted in favor. Mr. Jim Miller made a motion to also recommend that if the Board of Commissioners approve the rezoning request that the Future Land Use Map be amended to extend the Infill Area to the subject area. Mr. Rick Livingston seconded the motion. All voted in favor.

Rezoning Application (#R-2025-02), Fireside Golf: Ms. Liz Hanson stated rezoning application R-2025-02, submitted on February 19, 2025, requests that the County rezone approximately 25.67 acres of land from the Residential One (R1) zoning district to the Local commercial (LC) zoning district. The zoning map amendment application is for all of PIN: 9660-39-3429 with access from Brookside Camp Road (SR 1528). The property owner is Brookside Camp Holdings, LLC and the applicant is Madison McMahan.

The Technical Review Committee reviewed this application on February 18, 2025, and voted to forward the item to the Planning Board for its review and recommendation.

Following Planning Board questions, Ms. Linda Bradley made a motion to send forward a favorable recommendation on the rezoning request stating that it was consistent with the 2045 Comprehensive Plan. Mr. Jason Davis seconded the motion. All voted in favor.

Text Amendment (#TX-2025-02), Ecusta Trail Parking: Ms. Autumn Radcliff stated that the Board of Commissioners has requested a public hearing for April 7, 2025, to consider commercial parking options along the Ecusta Trail in the unincorporated areas. The Planning Board discussed options to accomplish this with staff and recommended adding a new use for Ecusta Trail Parking that would be permitted in specific zoning districts with SR (Supplemental Requirements) for parcels that were adjacent to the trail at its February 20th meeting.

The Planning Board noted that an Ecusta Overlay District could be incorporated in the LDC rewrite that could expand parking options and other related trail-oriented developments, but the draft amendment could address the parking concern initially for the first six (6) miles of the trail that will be completed summer of 2025.

The Rail Trail Advisory Committee (RTAC) reviewed the draft amendment at its meeting on March 12th and unanimously recommended to send forward a favorable recommendation to the Planning Board and Board of Commissioners.

Following Board discussion, Mr. Jason Davis made a motion to send the Board of Commissioners a favorable recommendation on the text amendment as presented and stated that it is consistent with the 2045 Comprehensive Plan recommendations. Ms. Linda Bradley seconded the motion. All voted in favor.

Text Amendment (#TX-2025-01), Flood Amendments: Ms. Autumn Radcliff stated that the Board of Commissioners adopted changes to the flood regulations in October of 2023 that amended the special fill requirements for the floodways and non-encroachment areas. The state ordinance allows for fill within the floodway if an applicant obtains a certification by a registered professional engineer proving that the anticipated encroachment will not result in any increase in the elevation of the regulatory flood during an occurrence of the base flood.

The current LDC allows for 20% of the flood fringe to be filled and allows for an applicant to seek a special fill permit from the Board of Commissioners when exceeding the 20% fill threshold if certification can be obtained. With the amendment that passed in October of 2023, the LDC now also allows for an applicant to fill in the floodway with a special fill permit. The same certification and standards also apply.

The Board of Commissioners requested that the Planning Board review the flood regulations and make a recommendation on removing the special fill option in the floodway, and any other flood related amendments. The Planning Board briefly discussed the issues at its February meeting and tabled the item until the March meeting.

Mr. Toby Linville proved some information to the Board about the flood fringe and floodway and the current requirements. After answering the Boards questions and some discussion, Mr. Jim Miller made a motion to recommend that the Board remove the special fill option from the floodway and asked that the Board review the 20% fill in the flood fringe. Ms. Linda Bradley seconded the motion. All voted in favor.

Staff Updates: None.

Adjournment: The meeting was adjourned at 7:52 pm.



Hunter Marks, Chair
Jim Miller