

MINUTES**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON****BOARD OF COMMISSIONERS
JULY 27, 1995**

The Henderson County Board of Commissioners met for a Special Called meeting at 7:00 p.m. in the Auditorium at West Henderson High School. The purpose of the meeting was a Public Hearing on a rezoning request submitted by Ingles for location on Hwy. #191.

Those present were: Chairman Renee Kumor, Commissioner Vollie G. Good, Commissioner J. Michael Edney, Commissioner Bob Eklund, Commissioner Don Ward, County Manager David F. Thompson, Assistant County Manager David E. Nicholson, and Clerk to the Board Elizabeth W. Corn.

Also present were Planning Director Matt Matteson, Planner Karen Collins, Zoning Administrator Sam Laughter, and numerous members of the media.

CALL TO ORDER

Chairman Kumor called the meeting to order and welcomed those in attendance. There was a standing room only crowd (auditorium holds 600). Chairman Kumor introduced Christopher Stepp, attorney for the petitioner, to present the petition for the rezoning request.

PETITION

"INGLES MARKETS, INC. respectfully requests the Henderson County Board of Commissioners to consider rezoning the subject tract of land from its current classification to either C-2 or C-4. This is not an amendment of the original Application. However, the original Application only requested rezoning the subject area to C-4. Since the C-2 classification is more restrictive than the C-4 classification, the Petitioner requests the Board to consider either C-2 or C-4."

The subject tract of land is a 28.63 acre parcel of property owned by the Estate of Lena Jamison, such property being located on the west side of NC 191 (Haywood Road), south of Rugby Middle School. Approximately two thirds of the property is currently zoned R-20 (low density residential) and the remaining one third of the property is zoned R-30 (low density residential). The applicant has requested that the entire parcel be rezoned.

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On May 30, 1995, the Henderson County Planning Board voted 8 to 1 to send an unfavorable recommendation to the Board of Commissioners on the rezoning application. The Board must hold a Public Hearing on the rezoning request before taking any action.

Following Mr. Stepp's presentation, the Clerk to the Board called the names of those who had signed up to speak. Each speaker was limited to three minutes.

PUBLIC INPUT

1. Bob Ingle - Mr. Ingle stated that he started out as a "Mom & Pop" business with one store. He stated that he is no stranger to Henderson County. He plans to build a modern, well equipped and stocked store at the proposed location.

2. Sid Baker - Mr. Baker is President of the Haywood Knolls Association, a home owners group. He spoke in opposition of the rezoning request.

3. Don Soula - Mr. Soula presented petitions on behalf of the Haywood Road corridor group signed by 1,586 expressing opposition to the rezoning of the Jamison property on 191. This group represents some 25 subdivisions, neighboring areas, and individual homes extending from Mills River to Druid Hills. Mr. Soula also had a map of the area in question he referred to.

4. Frances Caruso - Mrs. Caruso, a resident of Haywood Knolls, spoke in opposition to the rezoning request. She addressed a statement that had been circulated regarding the Duke Power lines running through this area. It had been stated that the area is better suited to commercial rather than residential zoning because of the power lines. Mrs. Caruso rebutted that statement, saying that there is no proven scientific evidence that electromagnetic fields cause illness.

5. Tony Varnadore - Mr. Varnadore owns property across the road from the proposed Ingles site and teaches Health and Physical Education at Rugby Middle School. He spoke in opposition of the rezoning request.

6. Cathy Credle - Ms. Credle, principal of Rugby Middle School and a resident of Indian Hills, spoke in opposition of the rezoning request. She spoke about the current traffic problems on 191 related to the two schools and their associated traffic.

7. Ken Warren - Mr. Warren, a member of the Haywood Knolls group, spoke in opposition of the rezoning request.

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8. Frank Boehm - Mr. Boehm spoke in opposition of the rezoning request. He asked for a show of hands of all those in favor of the rezoning request, there were six. He then asked for a show of hands of those in opposition of the rezoning request, there were many more. Mr. Boehm reminded the Board that these people are voters.

9. Margaret Hunt - Ms. Hunt, a resident of Sedgewood East subdivision, spoke in opposition of the rezoning request. Every family but one in her subdivision signed a petition opposing the rezoning request.

10. Howard Simpson - Mr. Simpson, a resident of Haywood Knolls, spoke in opposition of the rezoning request. Mr. Simpson stated that if Ingles persisted in trying to locate on this property, he would boycott all Ingles stores. He received a hardy round of applause.

11. Reagan "Rick" Houston - Mr. Houston, a resident of Long John Mountain, spoke in opposition of the rezoning request.

12. Randy Romeo - Mr. Romeo, an Attorney in Hendersonville, stating he was present representing only himself. He spoke in opposition of the rezoning request.

13. Tamra Crane - Mrs. Crane stated that she and her husband own 15.5 acres on 191 bordering Bradley Road, the Johnson Farm, and Mr. & Mrs. Glenn Marlowe. She stated that she has three young children and two elderly people in her care and she probably buys as many groceries as anyone in the area. She has nothing against Ingles stores in particular but does not want one in the proposed location. She spoke in opposition of the rezoning request.

14. Terry Skeby - Ms. Skeby, a resident of the Essex subdivision, spoke in opposition of the rezoning request. She is president of the Homeowners Association and stated that 100% of the residents of the Essex subdivision are opposed to the rezoning request. She spoke briefly of the current traffic problems along 191 and the increased traffic if commercial zoning is allowed.

15. Dean Malsbary - Mr. Malsbary, representing Carriage Park, spoke in opposition of the rezoning request. He stated that 128 people from Carriage Park signed the petition against rezoning the area. He also addressed the traffic problem.

At this point in the meeting, Chairman Kumor interrupted, stating that Mr. Bob Ingle wished to address the crowd.

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PETITION WITHDRAWN

Mr. Ingle withdrew the petition stating that he wished to be a good neighbor and that he had heard the feelings of the neighborhood and they were loud and clear. "These people are my friends" said Bob Ingle. Mr. Ingle received cheers and a standing ovation.

There were twenty (20) others who had signed up to speak but did not after Mr. Ingles withdrawal.

The meeting was adjourned at approximately 8:00 p.m.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

Renee Kumor
Renee Kumor, Chairman