

**Henderson County
Technical Review Committee Minutes
December 1, 2009**

The Henderson County Technical Review Committee met on December 1, 2009 at 2:00 pm in the King Street Board Room at 100 N. King Street, Hendersonville, NC. Members present were Anthony Starr, Chair: Seth Swift, Rocky Hyder, Toby Linville, Marcus Jones, and Tom Stauffer. Others present were Parker Sloan, Planner, Mark Gibbs, NCDOT and Kathleen Scanlan, Secretary.

Mr. Starr called the meeting to order and asked for the approval of the November 3, 2009 meeting minutes. Rocky Hyder made a motion to approve the minutes and all members voted in favor.

Rezoning Application # R-2009-03 – Request the County to rezone Approximately 2 Acres of an Existing 4.5 Acre Tract from Residential One (R1) to a Regional Commercial (RC) Zoning District – Timothy Hoffman, Applicant’s Agent for William Hoffman, Owner. Presentation by Parker Sloan, Planning Department. Mr. Sloan stated that the applicant requests a rezoning from a Residential One (R1) to a Regional Commercial (RC) zoning district. The subject area is owned by William Hoffman and Mr. Timothy Hoffman is the applicant’s agent. Mr. Sloan said that the subject area is adjacent to R1 zoning to the north and east and RC (Regional Commercial) is to the south and west of the subject area. He explained the zoning comparisons and stated that currently the subject area contains a fenced in RV storage area. The surrounding properties include an apple orchard to the south, other agricultural uses to the southwest with some single-family residential homes, and an RV park is located to the north on property owner by the applicant. Where McMurray Road intersects with Upward Road, there are commercial uses including but not limited to Zaxby’s the Waffle House, Mountain Inn and Suites, Bloomfield’s Dish Barn. He said the nearest water line abuts the subject area along Ballenger Road and public sewer serves the subject area along Ballenger Road. Mr. Sloan stated that Staff’s position at this time, supports the rezoning of the subject area to Regional Commercial which is consistent with the recommendation of the Henderson County 2020 Comprehensive Plan. After a brief discussion period, Anthony Starr made a motion that the Committee forwards their recommendation to the Planning Board to approve rezoning application # R-2009-03, to rezone the subject area from Residential One (R1) to a Regional Commercial (RC) zoning district based on the recommendations of the Henderson County 2020 Comprehensive Plan. All members voted in favor. Mr. Starr mentioned that it will now be taken up by the Planning Board and they will forward a recommendation to the Board of Commissioners, who will hold a public hearing and then give their final decision.

Major Site Plan Review for Darrell Russell – Request for the Use of a Swim and Tennis Club – Located Adjacent to 362 Old Mountain Page Road – David Huntley, Agent for Darrell Russell, Owner. Presentation by Toby Linville, Code Enforcement Department. Mr. Linville stated that Darrell Russell submitted the major site plan for this project. They wish to utilize the property for a Swim and Tennis Club which requires a major site plan review. Mr. Linville reviewed requirements for a major site plan:

1. Site Plan is required.
2. Structure – a swimming pool, spa or hot tub shall be protected by a fence or equal enclosure a minimum of six feet in height, if outdoors and shall have controlled access.
3. Lighting mitigation is required.

He said the project site is located on approximately .59 acres of land adjacent to 362 Old Mountain Page Road and is in the R-3 (Residential Three) zoning district. Private water and sewer are proposed. He stated that the project meets the requirements of the Land Development

Code and all the applicable major site plan requirements are met. Mr. Russell indicated that the swimming pool will be indoors for teaching scuba diving and rescue through Blue Ridge Community College and Isothermal Community College. Mr. Russell indicated that this will be a private facility and not open for public use. Mr. Gibbs indicated that there will need to be a driveway permit, as it will need to be paved where you access Old Mountain Page Road, approximately 15 – 20 feet off the edge of the pavement, with certain width and radius requirements just to make sure that the traffic gets on to and off Old Mountain Page Road safely. Past that point, any other requirements are up to County regulations. Mr. Hyder reminded the applicant that because it is a business, it will need a roadway width of 20 feet to the business and that handicapped parking area will need to be paved. After some discussion, Toby Linville made a motion to approve the major site plan for Darrell Russell's swim and tennis club plans subject to the following:

- (1) Revising the existing plans to show a 20-foot wide road access from Old Mountain Page Road going into the site for fire code and NCDOT purposes and that the handicapped parking be paved
- (2) Verification of a recorded right-of-way documentation to Toby Linville of the Code Enforcement Department.

All members voted in favor.

Major Site Plan Review for Western Justice Academy – Request to Utilize the Property for a Law Enforcement Training Center – Located at 3973 Chimney Rock Road – Harrell, Saltrick, and Hopper, Agent for Western Justice Academy, Owner. Presentation by Toby Linville, Code Enforcement Department. Mr. Linville stated that the Western Justice Academy submitted the major site plan for this project and wishes to utilize the property for a Law Enforcement Training Center which requires a major site plan review. The requirements for this are:

1. Site Plan is required.
2. Adequate lighting shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. Lighting mitigation is required.
3. Dust reduction. Unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adversely affects to adjacent properties.
4. Separation. Mechanical equipment shall not be placed within 300 feet of an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).
5. Outdoor Training Facilities. A school which contains an outdoor training facility shall place such facility in the side or rear yard.

He said the project site is located on approximately 21.49 acres of land located at 3973 Chimney Rock Road and is located in the Local Commercial (LC) zoning district. There is public water and sewer proposed. He said the project meets the requirements of the Land Development Code and all the applicable major site plan requirements are met.

Mr. Mark Montgomery, Project Manager with Harrell, Saltrick and Hopper, stated that this project is an indoor range with 20 lanes and he gave a brief description of the inside construction of the building. He said they will be using all existing uses – parking and driveways included. He stated that they have submitted to the State an Erosion Control Permit. Mr. Montgomery mentioned that they will be modeling this facility after an indoor range in Cumberland County, North Carolina. Mr. Starr stated that the Committee is approving this plan as a technical school and they discussed the buffering requirements. Mr. Starr stated that a B1 buffer will be required between commercial and residential zoning districts along the northern property line.

Mr. Starr made a motion to approve the major site plan for the Western Justice Academy for an indoor law enforcement training center subject to a B1 buffer requirement between commercial and residential zoning districts along the northern property line. All members voted in favor.

Mr. Starr reminded the Committee members about the Special Called Meeting on December 15, 2009 at 2 p.m. regarding the major subdivision on Old Brickyard Road. It is for an existing development and also included at the meeting will be the possible discussion concerning stormwater regulations.

Mr. Starr adjourned the meeting at 2:35 p.m.

Anthony Starr, Planning Director

Kathleen Scanlan, Secretary