

**REQUEST FOR COMMITTEE ACTION**

**HENDERSON COUNTY**

**TECHNICAL REVIEW COMMITTEE**

MEETING: **April 27, 2016**

SUBJECT: **Special Use Permit-Kitchen Motor Vehicle Sales**

PRESENTER: **Toby Linville**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST: **Special Use Permit Application**

SUGGESTED MOTION :

**Suggested Motion:**

**I move to approve/deny SUP-16-03 because it meets/does not meet the requirements of special use permit approval:**

**The proposed *use* will:**

- a. Not materially endanger the public health, safety or welfare;**
- b. Not substantially injure the value of property or improvements in the area; and**
- c. Be in harmony with the surrounding area.**

**Additionally the *applicant* may be required, in his/her rebuttal, to show that the proposed *use* shall be located and developed in such a manner as to:**

- a. Comply with all applicable local, state and federal statutes, ordinances and regulations;**
- b. Be in accordance with the *Comprehensive Plan*, Long Range Transportation Plans and Comprehensive Transportation Plans of the County and/or Long Range Transportation Plans and Comprehensive Transportation Plans of any municipality of the County;**
- c. Minimize the effects of noise, glare, dust, solar access and odor on those *persons* residing or working in the *neighborhood* of the proposed *use*; and**
- d. Minimize the environmental impacts on the *neighborhood* including the following groundwater, surface water, *wetlands*, endangered/threatened species, archeological sites, historic preservation sites and *unique natural areas***



## Henderson County, North Carolina Code Enforcement Services

### 1. Committee Request

- 1.1. **Applicant:** Kitchen Motor Vehicle Sales
- 1.2. **Request:** Major Site Plan Review
- 1.3. **PIN:** 9680996176
- 1.4. **Size:** 1.97 acres +/-
- 1.5. **Location:** 3265 Chimney Rock Rd.
- 1.6. **Supplemental Requirements:**

#### **SR 7.10. Motor Vehicle Sales or Leasing (Including automobile, motorcycle, boat and recreational sales and rental cars)**

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *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* required.
- (3) Dust Reduction. Unpaved *roads, travelways* and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

**Map A: Pictometry/Aerial Photography**



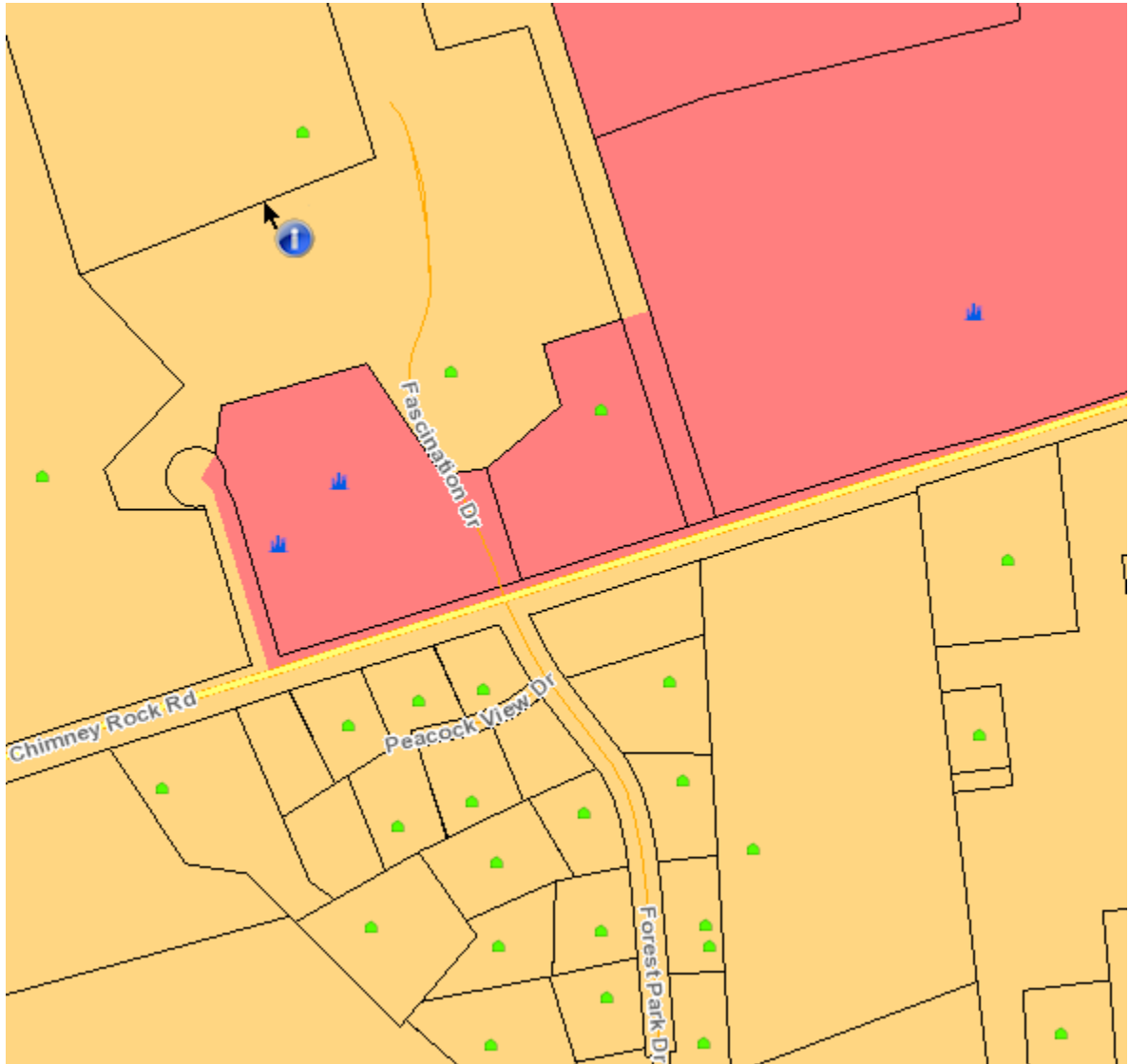
2. **Current Conditions**

**Current Use:** This parcel is currently residential.

**Adjacent Area Uses:** The surrounding properties are residential and commercial.

**Zoning:** The surrounding properties are Local Commercial and property north is Residential Two Rural.

**Map B: Current Zoning**



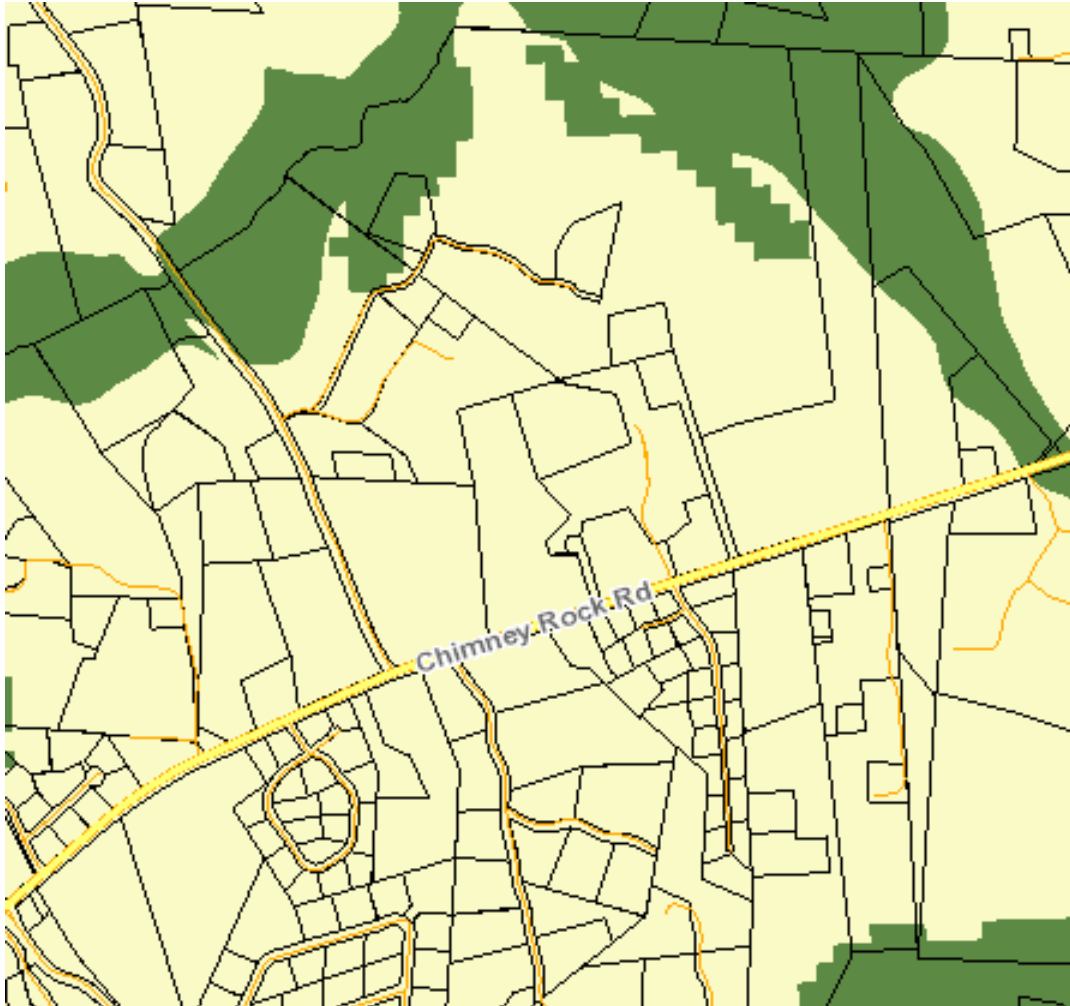
3. **Floodplain /Watershed Protection** The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

4. **Water and Sewer** This property is served by public water and septic.

**Public Water:** City of Hendersonville

**Public Sewer:** N/A

**Map C: CCP Future Land Use Map**



**5. Comprehensive Plan**

**The 2020 CCP:** The CCP Future Land Use Map places the Subject Area in the Rural/Urban Transition Area. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered to be generally developable. The primary factor preventing urban development in the RTA is the absence of sewer and water service. The RTA will continue to experience extensive development over the operational timeframe of this Comprehensive Plan.

**6. Staff Recommendations**

Staff's Position at this time, under the guidelines of current plans, policies and studies, is to approve the Major Site Plan because it is consistent with the current surrounding land uses and future land use recommendations.

**7. Photographs**





2016/03/22  
10:05





2016/03/22  
10:05





2016/03/22  
10:05



**HENDERSON COUNTY**  
**SPECIAL USE PERMIT APPLICATION FORM**

**GENERAL INFORMATION**

Date of Application: 3/7/2016  
Previously Submitted (Circle One): Yes ☐ No ☒  
Date of Pre-Application Conference: 3  
Site Plan Attached (Circle One): Yes ☒ No ☐  
Traffic Impact Study Required (Circle One): Yes ☐ No ☒

**SPECIAL USE PERMIT INFORMATION**

Type of use to be permitted: Car Dealer (small lot) SR #: \_\_\_\_\_  
Existing Structures or Uses on property: Private Home  
Road System (Circle): Public ☐ Private ☒  
Water System (Circle): Individual ☐ Community ☐ Public (Municipal or County) ☒  
Sewer System (Circle): Individual ☒ Community ☐ Public (Municipal or County) ☐

**SITE PLAN REQUIREMENTS**

If a minor or major site plan is not specifically required, the applicant shall submit a site plan with the following items:

- Dimensions of property.
- Location of existing and proposed structures (including accessory structures), and general use thereof.
- Setbacks of existing and proposed structures from property lines and edge of right-of-way for roads (from centerline of roads for uses located in the R-40, WR, or SW districts).
- Separation of existing and proposed structures from one another.
- Parking and off/on loading areas
- Location of signs (including sign dimensions, height, type of material, lighting).
- Location and dimensions of existing and proposed roads / driveways and their entrance/exits.
- Location of dumpsters.
- Location and general description of any fences, landscaping or other buffering (proposed or existing).

Site plan not to exceed 11 X 17 size. Anything submitted larger than 11 X 17, the applicant must provide 12 copies with the application form.

**PARCEL INFORMATION**

PIN: 9880996176 Deed Book/Page: \_\_\_\_\_ Tract Size (Acres): 1.97  
Zoning District: \_\_\_\_\_ Fire District: Edenwille Watershed: \_\_\_\_\_ Floodplain: \_\_\_\_\_  
Location of property to be developed: 3265 Chimney Rock Rd.

**CONTACT INFORMATION****Property Owner:**

Name: Jarretta Audra Kitchen Phone: 828-774-9200  
Address: 3265 Chimney Rock Rd City, State, and Zip: Hendersonville, NC 28792

**Applicant:**

Name: Audra Kitchen Phone: 828-774-9200



Application No.

Address: 3265 Chimney Rock Rd. City, State, and Zip: Hendersonville, NC 28792

**Agent:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_  
Agent Form (Circle One):    Yes    No

**Plan Preparer:**

Name: Same as Owner Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

**STANDARDS FOR REVIEW**

The Land Development Code imposes the following GENERAL REQUIREMENTS on the use requested by the applicant. Under each requirement, the applicant should explain, where applicable, how the proposed use satisfies these requirements:

- A. General Requirement #1: The use will not materially endanger the public health, safety or welfare;

There is no threat to public safety, health, or welfare by our proposed business.

- B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.

The proposed business <sup>will be</sup> is on a lot located between two existing businesses, so there's no injury to the existing property values.

- C. General Requirement #3. The use will be in harmony with the surrounding area.

This area is full of existing residential & commercial use, our property will be a reflection of all of our neighbors, as there are businesses already located on both sides of us.

The Land Development Code also imposes the following SPECIFIC REQUIREMENTS on the use requested by the applicant. The applicant should be prepared to demonstrate that satisfactory provisions have been made for the following, where applicable.

The proposed use shall be located and developed in such a manner as to:

- a. Comply with all applicable local, state and federal statutes, ordinance and regulations.

All laws will be followed and complied with, from the county up.

- b. Be in accordance with the Comprehensive Plan, Long Range Transportation Plans and Comprehensive Transportation Plans of the county and/or Long Range Transportation Plans and comprehensive Transportation Plans of any municipality of the County.

We will adhere to any guidelines placed before us regarding transportation.



- c. Minimize the effects of noise, glare, dust, solar access and odor on those persons residing or working in the neighborhood of the proposed use.

The building and lot will be off the road no vehicles will be parked to cause a glare from the sun onto traffic there will be minimal noise or odor as these will be passenger vehicles.

- d. Minimize the environmental impacts on the neighborhood including the following groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites and unique natural areas.

There will be no toxic chemicals used and only minimal water used. The proposed business will also be on a private septic system.

Show that satisfactory provision/arrangement has been made (where applicable or required) concerning:

- a. Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).

There will be a separate, DOT approved, entrance to the proposed business.

- b. Off-street parking and loading areas.

There will be a large, gravel parking and loading/unloading area located at/around the proposed business.

- c. Utilities (with particular reference to locations, availability and compatibility).

City water will be used, Electricity, all utilities are readily available.

- d. Buffering and landscaping (with particular reference to type, location and dimensions).

The proposed business will not alter the landscape of the existing property or surrounding area in a negative impact. The area will be nicely landscaped to blend in.

- e. Structures (with particular reference to location, size and use).

We already have a septic permit secured along with a site plan for the building that will house the proposed business.

I certify that the information shown above is true and accurate and is in conformance with the Land Development regulations of Henderson County.

Audra Kitchen

Print Applicant (Owner or Agent)

Audra Kitchen

Signature Applicant (Owner or Agent)

3/7/16  
Date

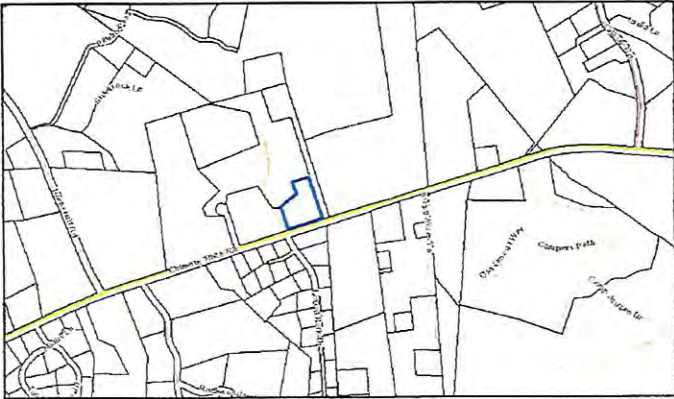
### County Use Only

Fee: \$ \_\_\_\_\_ Paid: \_\_\_\_\_ Method: \_\_\_\_\_ Received by: \_\_\_\_\_

Authority to grant the requested permit is contained in the Land Development Code, Sections: \_\_\_\_\_

Community Planning Area: \_\_\_\_\_

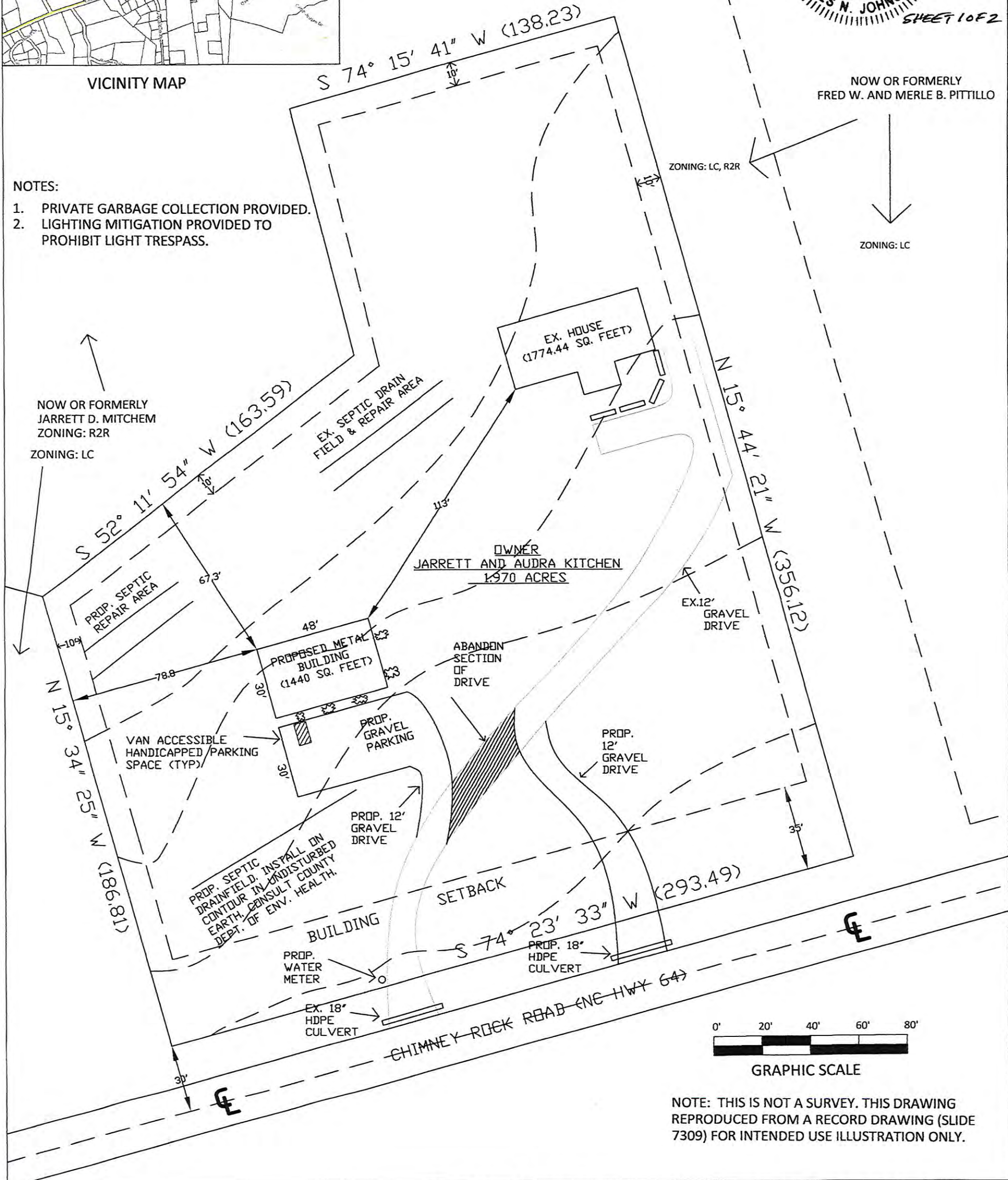




VICINITY MAP

**NORTH CAROLINA**  
**PROFESSIONAL SEAL**  
23927  
**ENGINEER**  
JAMES N. JOHNSTON  
3/29/16  
SHEET 1 OF 2

- NOTES:
- 1. PRIVATE GARBAGE COLLECTION PROVIDED.
  - 2. LIGHTING MITIGATION PROVIDED TO PROHIBIT LIGHT TRESPASS.



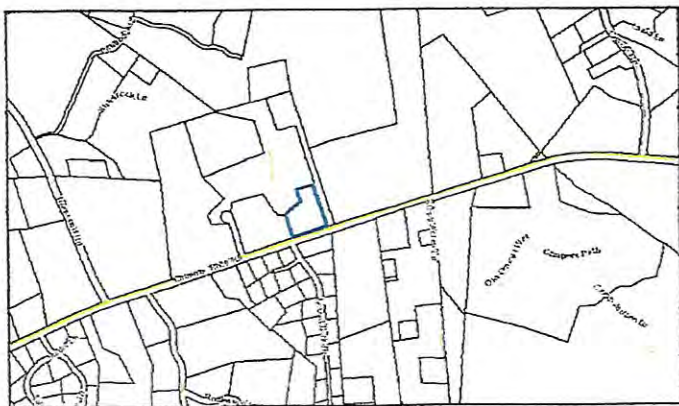
NOTE: THIS IS NOT A SURVEY. THIS DRAWING REPRODUCED FROM A RECORD DRAWING (SLIDE 7309) FOR INTENDED USE ILLUSTRATION ONLY.



**SITE PLAN FOR:**  
JARRETT & AUDRA KITCHEN  
3265 CHIMNEY ROCK ROAD  
HENDERSONVILLE, NC 28792  
(828) 774-9200

**PREPARED BY:**  
JAMES N. JOHNSTON, PE  
5 SQUIRREL TRAIL COURT  
HENDERSONVILLE, NC 28791  
(828) 989-6785 P-1484





VICINITY MAP

NOTES:

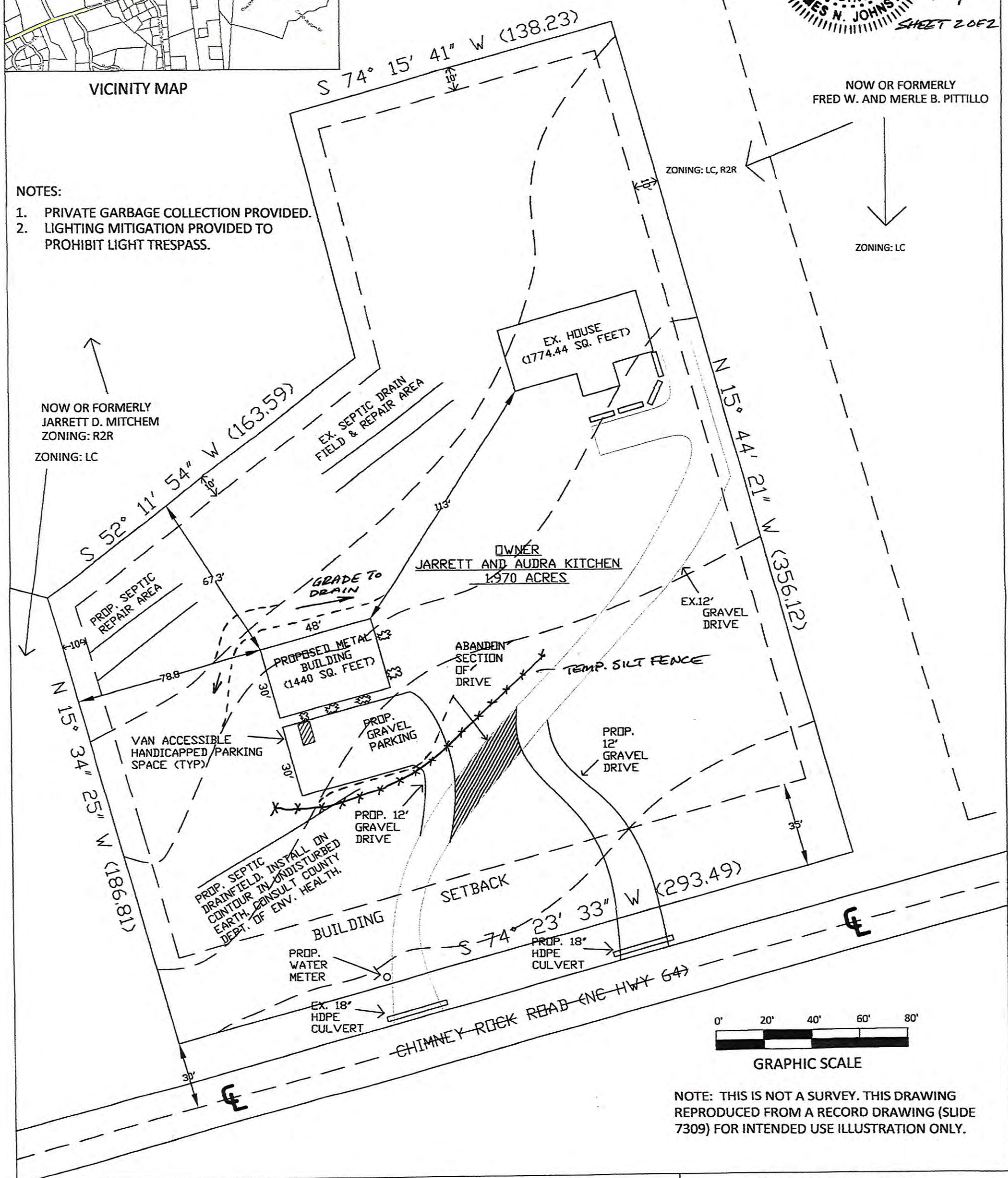
1. PRIVATE GARBAGE COLLECTION PROVIDED.
2. LIGHTING MITIGATION PROVIDED TO PROHIBIT LIGHT TRESPASS.

NOW OR FORMERLY  
JARRETT D. MITCHEM  
ZONING: R2R

NOW OR FORMERLY  
FRED W. AND MERLE B. PITTILLO

ZONING: LC, R2R

ZONING: LC



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