

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: May 21, 2020

SUBJECT: Amendment to Conditional District (CD-2019-07) for Skylaranna

PRESENTER: Matt Champion, Project Development Planner
Autumn Radcliff, Planning Director

ATTACHMENTS: 1. Staff Report
2. Amended Site Plan
3. Approved List of Conditions
4. Planning Staff PowerPoint Presentation

SUMMARY OF REQUEST:

Skylaranna was approved as a conditional zoning district on March 2, 2020 (CD-2019-07). The subject area is located on PIN: 9651-07-2408 at 2075 N. Rugby Road (SR1365) about a ½ mile north of Rugby Drive (SR1417). The property owner and applicant are Highway, LLC. Due to regulations with the NC Department of Insurance (NCDOI) and NC Fire Code, the applicant is requesting an amendment to the approved site plan. The amendment includes the following:

1. Proposed yurts (20 total) will be replaced with onsite, stick built cabins (20 total) with a bathroom and kitchen efficiency (includes a coffee pot, refrigerator, microwave, toaster oven and sink). These dwellings will meet the required NCDOI and NC Building Code requirements.
2. The proposed bathhouses will be removed. According to the project engineer, the existing septic system will support the individual bathrooms in the cabins.
3. The existing logging road will be utilized for emergency service access to the cabins, with an additional gated one-way exit onto N. Rugby Road.
4. The applicant has proposed the addition of a gazebo on the property.

Since the conditional rezoning is approved with an associated site plan, any changes to the proposed site plan requires the Board of Commissioners to approve the amendment.

A neighbor compatibility meeting will be held on Monday, May 18th on the proposed amendments and the Technical Review Committee will review the proposed amendments on May 19th. A recommendation by the Planning Board with any additional conditions noted is requested prior to the Board of Commissioners review. The prior approval, not related to this amendment, and approved conditions will still apply to the subject area.

BOARD ACTION REQUESTED:

Staff requests the Planning Board make a recommendation to the Board of Commissioners on the amendment to conditional district CD-2019-07 as shown on the attached site plan.

Suggested Motion:

I move that the Planning Board forward the proposed amendment to conditional district (CD-2019-07) with a (favorable or unfavorable) recommendation and with any conditions discussed and based on the recommendations of the Henderson County Comprehensive Plan.

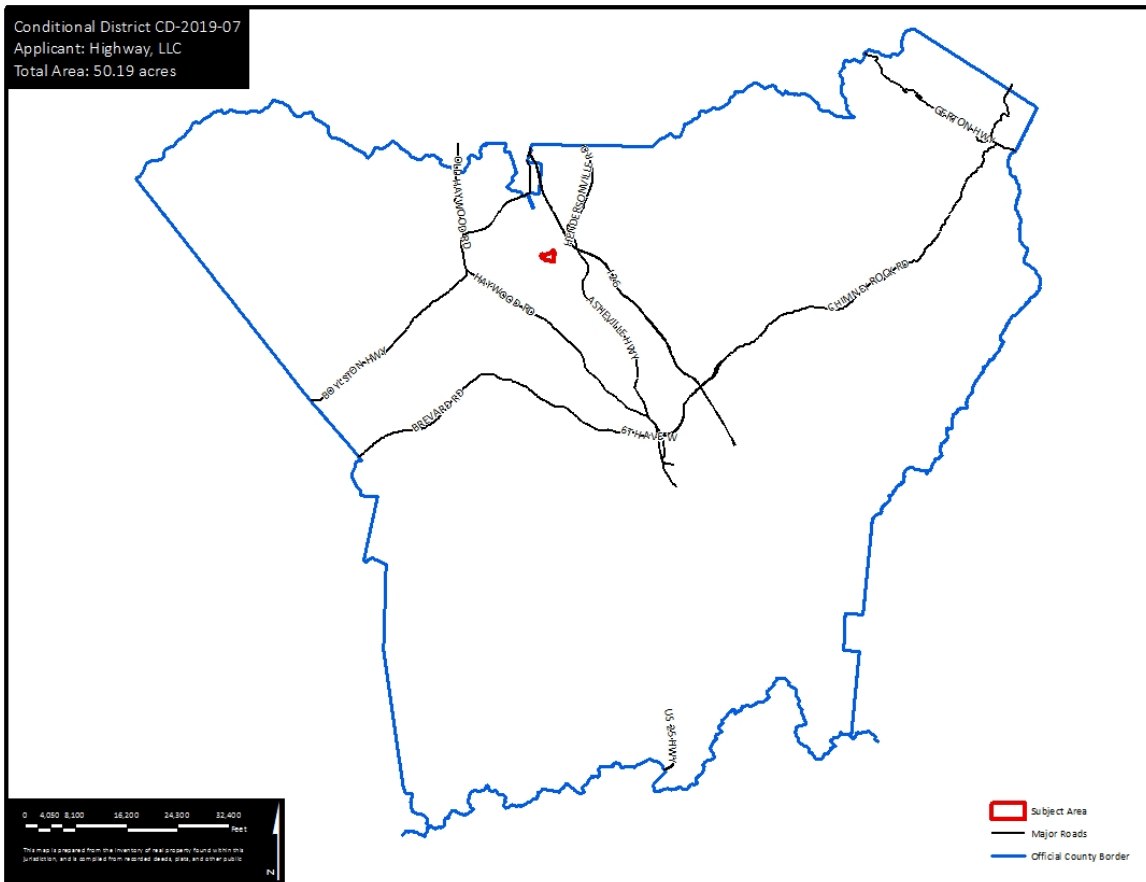
**Henderson County Planning Department Staff Report
Amendment to Conditional Zoning District #CD-2019-07**

Owner/ Applicant: Highway, LLC

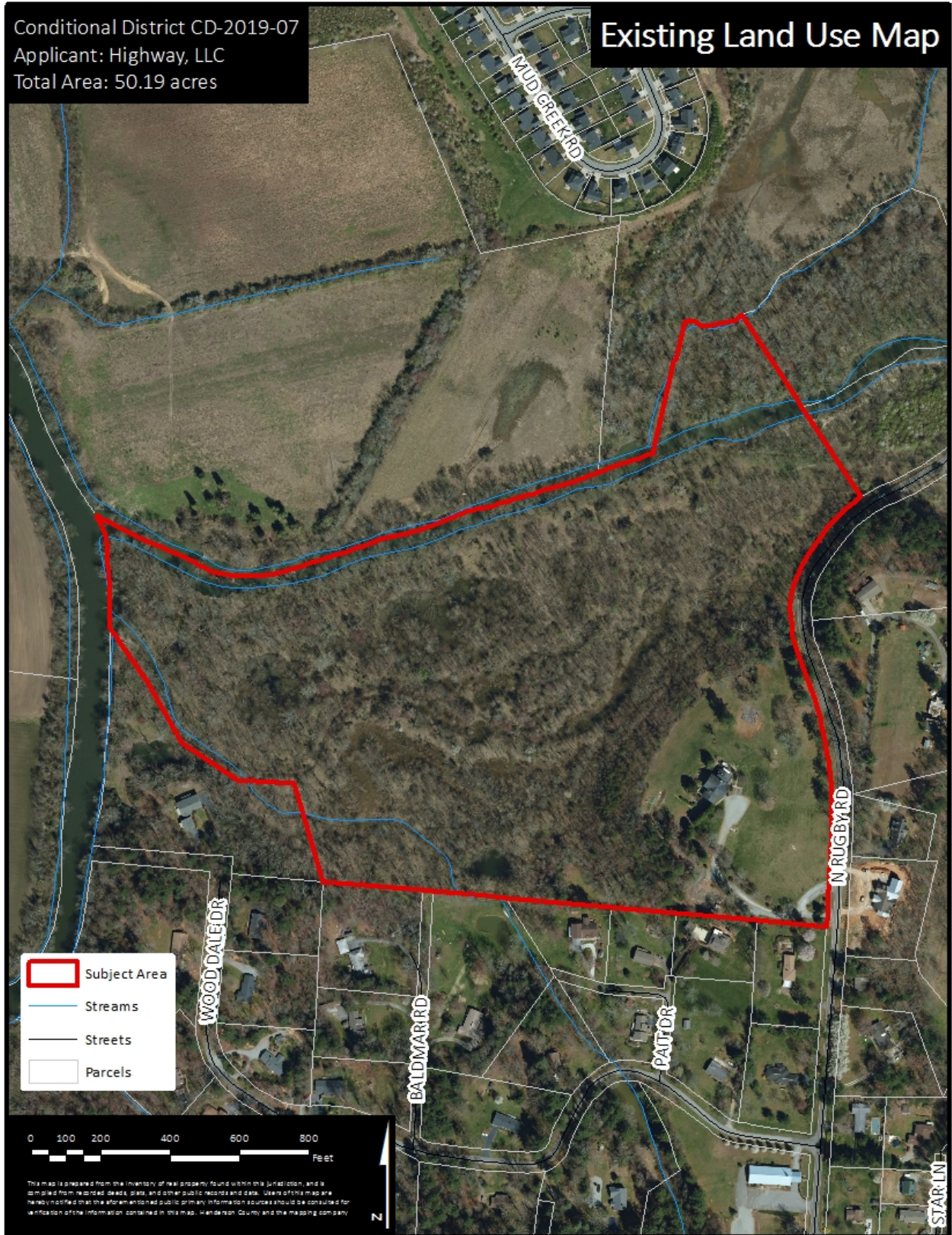
1. Rezoning Request

- 1.1. **Owner:** Highway, LLC
- 1.2. **Applicant:** Highway, LLC
- 1.3. **PIN:** 9651-07-2408
- 1.4. **Request:** Amend Conditional Zoning District (CD-2019-07) to comply with NC Department of Insurance (NCDOI) and NC Fire Code Regulations
- 1.5. **Size:** Approximately 50.19 acres
- 1.6. **Location:** The subject area is located at 2075 N. Rugby Road (SR1365) about a ½ mile north of Rugby Drive (SR1417).

Map A: County Context



Map B: Aerial Image



2. Current Conditional Zoning District (CD-2019-07) for Skylaranna:

2.1. The current conditional zoning district was approved by the BOC on March 2, 2020 with conditions (see attached conditions of approval). The approved site plan included:

- Existing 16,564 square foot house with basement retrofitted to accommodate 12 hotel rooms and 25-person capacity public restaurant
- New day spa in place of existing patio
- New bakery building to support public restaurant
- New 4,320 square foot barn with taproom open to public
- New pool with hot tub and fireplace
- Existing basketball court retrofitted for tennis court
- 20 yurts 15' in diameter on elevated platforms 2' above BFE
- 4 bathhouses with 6 toilets and 6 showers in each building
- 66 parking spaces provided to accommodate all uses (only 51 parking spaces required by LDC)

3. Proposed Amendments to Site Plan:

3.1. Proposed yurts (20 total) will be replaced with onsite, stick built cabins (20 total) with a bathroom and kitchen efficiency which includes a coffee pot, refrigerator, microwave, toaster oven and sink. These dwellings will meet the required NCDOI and NC Building Code requirements.

3.2. The proposed bathhouses will be removed. According to the project engineer, the existing septic system will support the individual bathrooms in the cabins.

3.3. The existing logging road will be utilized for emergency service access to the cabins, with an additional gated one-way exit onto N. Rugby Road.

3.4. The applicant has proposed the addition of a gazebo on the property.

4. Conditional Zoning District Approval: Only those uses, and structures indicated in the approved petition and site plan shall be allowed on the subject property, including any subsequent amendments. A change of location of the structures may be authorized pursuant to §42-50 (Alterations to Approval). Changes to the site plan layout shall not increase the number of structures. (LDC §42-49).

5. Technical Review Committee (TRC) Recommendations:

5.1. The TRC will discuss the proposed amendment on Tuesday, May 19, 2020.

6. Neighborhood Compatibility Meeting:

6.1. A neighborhood compatibility meeting will be held on Monday, May 18, 2020.

6.2. A report of this meeting will be forwarded to the Planning Board and Board of Commissioners.

7. Planning Board Meeting:

7.1. The Planning Board will discuss the proposed amendments on Thursday, May 21, 2020.



100 North King Street
Hendersonville, NC 28792

List of Conditions for Conditional Rezoning Application #R-2019-07-C

Conditions per Land Development Code (LDC §42-52):

1. Meet all supplemental requirements for each proposed use (LDC §42-63)

Conditions per Erosion/Sedimentation/Flood:

2. Yurts must be placed on platform 2' above Base Flood Elevation
3. Erosion control permit required if disturbance is greater than 1 acre
4. Stormwater Phase II permit required for all new impervious surfaces
5. Cart path construction will require an as-built and no-rise

Conditions per Building/Inspections:

6. Yurt platforms will be inspected
7. Yurts must be fixed to platform
8. Yurt manufacturer must provide an engineered seal set of building plans
9. 2018 North Carolina Building Code
10. 2017 North Carolina Building Code for electrical
11. Carbon monoxide detectors required
12. Sprinklers as required by building code
13. Fire separation required between hotel rooms
14. Bathhouses are to be built to commercial standards
15. ADA parking spaces required for each building

Conditions per Fire Marshal/Emergency Services:

16. Cart path must meet North Carolina Fire Code for emergency response vehicles (minimum of 12' wide)
17. Cart path not to exceed 15% grade
18. Cart path needs road name and yurts require addresses

Conditions per Environmental Health:

19. Permit required for proposed pool
20. Pool requires dressing rooms and showers per North Carolina code
21. Existing septic system requires a licensed operator
22. Calculated flows for each proposed use needed to determine if existing wastewater system is sufficient

Conditions per NCDOT:

- 23. Access to site will require NCDOT driveway permits


Conditions per Public Utilities (City of Hendersonville Water):

- 24. City of Hendersonville requires a change of use permit
- 25. Upgrade existing water infrastructure or verify backflow prevention and cross-connection prevention measures are installed to meet current standards

Conditions per Henderson County Planning Board

- 26. Vegetative buffer consisting of trees along southern border
- 27. 2' tall berm along southern border of subject area to mitigate stormwater runoff
- 28. 11 PM outside noise curfew

WE, all the applicants and property owners in R-2019-07-C, agree to the foregoing conditions:



Keon J. High
Managing Member Highway LLC 2/13/20

Amendment to CD-2019-07 Skylaranna



Planning Board Meeting
May 21, 2020

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1

Background

- Conditional Rezoning: CD-2019-07 was approved by the Board of Commissioners on March 2, 2020
- Owner: Highway, LLC (Kevin High)
- Property Location: 2075 N. Rugby Road
- Approximately 50.19 acres

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2

Conditional Districts

Conditional rezoning's are:

- Legislative decisions
- Require a site specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

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3

Current CD-2019-07

Skylarann is currently approved for:

- Existing 16,564 square foot house with basement retrofitted to accommodate 12 hotel rooms and 25-person capacity public restaurant
- New day spa in place of existing patio
- New bakery building to support public restaurant
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4

Proposed Amendments

- The owner/applicant has applied for amendments to the approved site plan to comply with NC Department of Insurance (NCDOI) and NC Fire Code Regulations

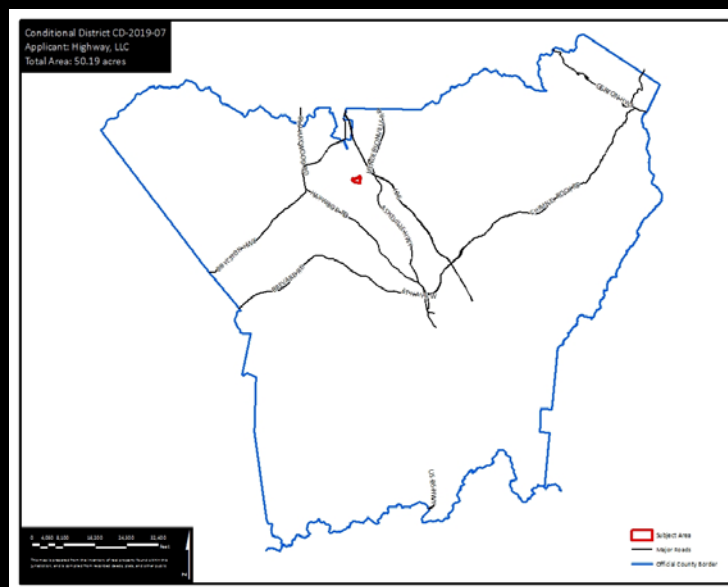
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5

County Context Map



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6

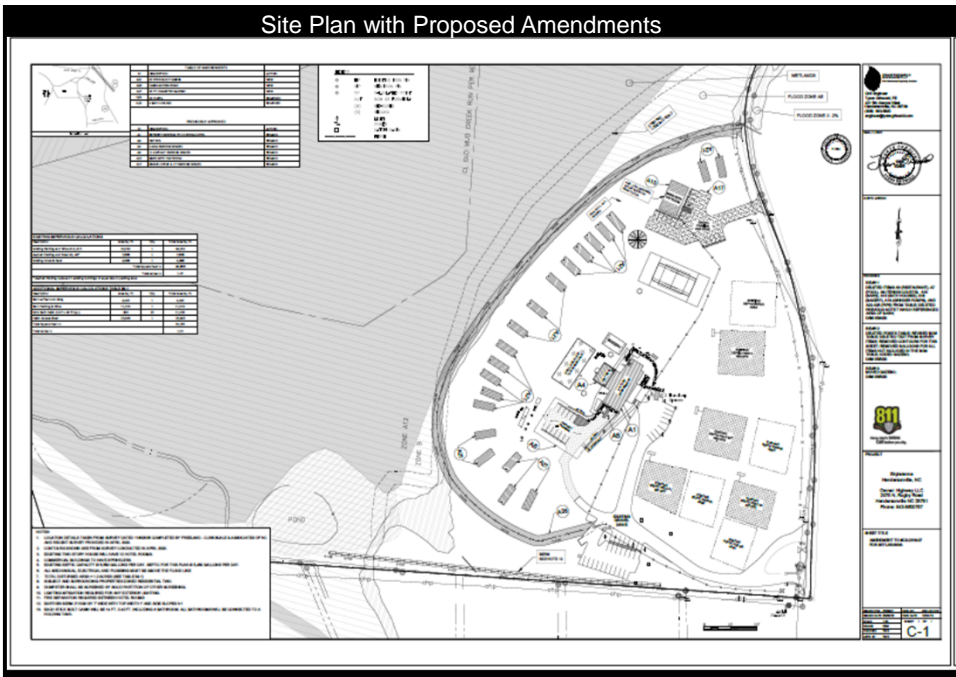
Aerial Map



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7

Site Plan with Proposed Amendments



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8

Summary of Proposed Amendments

1. Proposed yurts (20 total) will be replaced with onsite, stick built cabins (20 total) with a bathroom and kitchen efficiency which includes a coffee pot, refrigerator, microwave, toaster oven and sink. These dwellings will meet the required NCDOI and NC Building Code requirements.
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9

Next Steps:

Neighborhood Compatibility Meeting: Monday, May 18th at 1:00 pm

Technical Review Committee: Tuesday, May 19th at 2:00 pm

Planning Board: Thursday, May 21st at 5:30 pm

Board of Commissioners: Public Hearing will be scheduled at a later date. The meeting will be notified by the Clerk to the Board.

**Due to concerns with COVID-19 and to meet social distancing requirements, these meetings will be remote. Please visit the county website for remote meeting access.

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10

Public Comment Opportunity:

Public comment may be received up until the day before the meeting. Public comment should be limited to 3 minutes and will be read at the meeting. Public comment may be submitted in one of the following ways.

1. Written comment addressed to the Planning Department at 100 N. King Street, Hendersonville, NC 28792
2. Emailed to hcplanning@hendersoncountync.gov
3. Calling the Planning Department at 828-697-4819 M-F, 8:00 am to 4:30 pm
4. Submitted directly online at the www.hcplanning.org

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11

Board Questions or Comments



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12