

**Henderson County  
Technical Review Committee Minutes  
December 4, 2007**

The Henderson County Technical Review Committee met on December 4, 2007 for their meeting at 2:00 p.m. in the King Street Meeting Room at 100 N. King Street, Hendersonville, NC. Members present were Anthony Starr, Chair; Seth Swift, Rocky Hyder, Marcus Jones, Natalie Berry, Sam Laughter and Toby Linville. Others present were Matt Cable, Planner II, Matt Card, Planner II, Mark Gibbs, District Engineer, NCDOT; and Kathleen Scanlan, Secretary.

Mr. Starr called the meeting to order. Mr. Starr asked for the approval of the November 6, 2007 minutes. Seth Swift made a motion to approve the minutes and all members voted in favor.

Master Plan – Laurel Rock Reserve Major Subdivision – Located on 309.85 Acres near the Intersection of Hutch Mountain Road and Clark Gap Drive – 149 Single-Family Residential Lots – Planning Department. Mr. Cable stated that this is only a Master Plan approval for Laurel Rock Reserve. He stated that they are proposing 149 Single-Family Residential Lots on 309.85 acres composed of three (3) separate parcels in two (2) different districts, R2 and R3 zoning districts.

Mr. Cable stated that Staff is recommending, if possible, to alter the design of the lots so that the areas where the slope exceeds 60% would be common area or open space only. He said there would be 26 lots affected.

Mr. Cable stated that the main concerns with this project, which have already been discussed with the Applicant, are road frontage and off-site access, in terms of the Subdivision Ordinance. They are proposing to extend a road off-site, which would be approximately 2,500 feet in length and goes through two (2) other properties, one of which is owned by Couch Mountain and the other is owned by Thelma McMinn. Mr. Cable said that the applicant has provided a right-of-way agreement to purchase this right-of-way, but there is nothing that is deeded or recorded so Staff is suggesting that this be a condition before the first development plan is approved to insure that they have access through this property. He said that they will be widening the right-of-way on Clark Gap Drive, and there are some issues with this road dealing with steep grades and turnarounds, but the owners suggest that they will be making improvements accordingly. At the end of the road where it connects to Hutch Mountain, you can see where Clark Gap Drive veers to the left it appears that they are proposing a new driveway cut on Hutch Mountain Road. Staff would like clarified whether it is a new driveway cut or realignment. He stated that the applicant has provided an emergency services impact report, which would allow the Staff or Planning Board to either recommend or require a maximum density of one unit per three acres and to consider whether that is appropriate in this case. He said that the applicant will be required to provide a traffic impact study before the first Development Plan.

Eric McAbee with McAbee and Associates, agent for the owner stated that they plan on upgrading and paving to County standards on Clark Gap Drive. He said that they have worked out a deeded right-of-way agreement granting the applicant on a 60-foot right-of-way with Ms. McMinn. He said regarding the areas of steep slopes where the majority of the area was 60%, they have tried to put common areas. Rocky Hyder asked how they propose water protection for this dense development. The owner of the development said that there are a number of streams on the property but they possibly might build a large pond into the landscaping features in order to retain some water on the property for protection. Mr. Hyder stated that he would suggest two (2) static water points just because the terrain and the extended response time for emergency services due to the location of the development. There was discussion to reserve a right-of-way for an alternate evacuation route for emergency services and that the owner stated that he would look into this matter.

Mr. Starr reviewed the list of conditions:

1. Preserve the areas where the slope exceeds 60%;
2. The right-of-way across the McMinn property be platted and recorded prior to the first Development Plan being approved;
3. Coordinate with NCDOT to obtain a street and driveway access permits for connecting any roads or driveways to a state maintained road;
4. Upgrading and paving Clark Gap Road to County standards for the sections that the applicant uses for this project;
5. Suggest a surface storage area of at least 100,000 gallons per 50-year drought survey with access being an all-weather road with two (2) static water points for water protection;
6. Require a traffic impact study be completed before submitting the first Development Plan;
7. Provide an alternate entry point and right-of-way;
8. Compliance with the entry gate ordinance; and
9. Submittal of a revised Master Plan to indicate the alternative evacuation route.

Rocky Hyder made a motion to send a favorable recommendation to the Planning Board subject to the conditions mentioned. All members voted in favor.

Combined Master and Development Plan – Mountainside Major Subdivision – Located on 65 Acres off Wickins Road – 45 Single-Family Residential Lots – Planning Department. Combined Master and Development Plan – Mountainside Major Subdivision – Located on 65 Acres off Wickins Road – 45 Single-Family Residential Lots – Planning Department. Mr. Card stated that they are proposing two phases, but only requesting approval of the Phase 1 Development Plan and the Master Plan for the entire subdivision. Mr. Card stated that they are proposing twenty lots in Phase 1 with local residential roads, which needs to be built to the minimum standards. The property will have public water and individual septic systems with private roads. Mr. Card stated that Staff's only concern with this project is the street tree spacing. He said at Laurel Cherry Drive where no street trees are provided, there are steep cut and fill slopes to put this road in. The street trees might not be the best for this location. Mr. Card noted that on Laurel Cherry Drive, the curve radii have been reduced down to 60 feet plus. Mr. Starr asked, under the normal compliance for street trees, how many street trees would be required? Mr. Card said 102 trees is the requirement, which he has proposed for the plan. Mr. Bruce Lowe with Clark and Company, who is agent for the owner stated that he would suggest under the Ordinance, that the existing trees be given a credit. He said that he feels they will meet the 102 street tree requirement. Mr. Starr stated that Staff could work out some type of credit for the existing trees. Mr. Starr requested that the applicant could submit a plan noting which existing trees they plan to reserve for a credit. Mr. Maxie Small, owner of the project, stated that he is interested in preserving as many trees on the project as possible. After some discussion further regarding the street trees and credit, Mr. Starr suggested that they should figure out what trees on the project they want to preserve and ones that they do not want to. If you meet the 102 tree credit requirement all within the right-of-way, then you don't have to worry about the private property, but if you need to, part of it would be the issue of preservation. He suggested that the owner might want to put a restrictive covenant to remove one of those trees that are identified on private property and ask the homeowner's association to approve it prior to the removal. Mr. Swift of Environmental Health Department stated that there are some environmental challenges on four lots in particular in the development, lots 19, 13, 4 and 9. He suggested a soil scientist to study the feasibility of septic systems on these lots.

Mr. Starr made a motion to send a favorable recommendation to the Planning Board subject to the condition that the alternative street tree requirement be submitted to Planning Staff prior to first final plat being approved. All members voted in favor.

Major Site Plan Review – John Youngblood – Located on 212 Acres at 6011 Asheville Highway North of the Intersection with I-26 – Propose Grocery Store/Retail Sales – Code Enforcement Department. Mr. Toby Linville stated the applicant wishes to utilize the property for a different type of retail sales, a grocery store and butcher shop. The project site is located on 2.2 acres of land at 6011 Asheville Highway, north of the I-26 intersection. He will be using the same footprint of the existing building and parking area. Mark Gibbs with NCDOT had some access and driveway permit concerns. Seth Swift of Environmental Health Department wanted to know about sewer availability. Rocky Hyder, Fire Marshal, stated that his concerns involved the fire hydrant location and fire apparatus access roads. Although it is not required that the applicant be present, since the members had various questions that could not be answered, it was suggested that this item be tabled until the next TRC meeting, December 17<sup>th</sup>. Mr. Starr suggested that any committee member who has questions concerning this project e-mail Mr. Linville so that he can get in contact with the applicant to answer them before December 17<sup>th</sup> meeting.

Marcus Jones made a motion to table this matter until the December 17<sup>th</sup> meeting at 9:30 a.m. All members voted in favor.

Major Site Plan Review – Mt. Moriah Baptist Church – Located on 2.96 Acres at 635 Gillam Mountain Road – Propose Construction of a Larger Sanctuary – Code Enforcement Department. Mr. Linville stated that the project site is located on 2.96 acres at Gillam Mountain Road. The project is pertaining to demolishing the church's old sanctuary and building a larger sanctuary, which changes the footprint and requires a major site plan. During review of the project, Mr. Marcus Jones said that there are gravesites around that structure and whether the parking area or structure will impact the gravesites. Mr. Linville stated that they would not. He added that since the use has not changed, buffering would not be affected.

There was no discussion regarding this project and Mr. Hyder made a motion to approve the major site plan for Mt. Moriah Baptist Church as presented. All members voted in favor.

Major Site Plan Review – Gould Properties LLC – Located on 15.5 Acres at the Intersection of Mill Street and W. King Street – Propose Wholesale Trade with Fuel Oil Distribution, Outdoor Storage and a Manufactured Home Park as Accessory Uses – Code Enforcement Department. Mr. Linville stated that the applicant proposes to utilize the property for wholesale trade with fuel oil distribution, outdoor storage greater than 5,000 square feet and a manufactured home park as accessory uses, which requires a special use permit in the industrial zoning district.

Luther E. Smith, agent for the owner, Chip Gould of Gould Properties, stated that there are two new buildings and an expansion of an existing building. Mr. Smith reviewed the development proposal. He stated that on West King Street portion of the property is where the main office will be located and said at this time they have no idea what trees or how many they plan on preserving but will notify Mr. Linville when they decide. They propose to widen and realign the right-of-way as it joins West King Street as well as a few stub streets nearby. Mr. Gould stated that this is a relocation of Cason Building Supplies from Spartanburg Highway to King Street, which he feels will be a better location.

Mr. Linville made a motion to approve the development proposal of the major site plan for Gould Properties. All members voted in favor.

January 2008 Meeting Date. Mr. Starr stated that since our meetings are held the first Tuesday of each month and that January 1<sup>st</sup> is a holiday, the meeting needs to be moved. After checking the schedule, it was noted that January's meeting would be held on January 2, 2008.

Mr. Starr reminded all members of the meeting on December 17<sup>th</sup> at 9:30 a.m. to discuss the Land Development Code and Comprehensive Land Use Plan updates.

Mr. Linville made a motion to recess this meeting until December 17, 2007 at 9:30 a.m. and all members voted in favor. The meeting recessed at 3:15 p.m.

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Anthony Starr, Chairman

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Kathleen Scanlan, Secretary