

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITTEE

MEETING: TRC 5-21-19 ZBA 5-29-19

SUBJECT: **Major Site Plan Review for Flex-4-Fitness**

PRESENTER: **Toby Linville**

ATTACHMENTS: **Staff Report**

SUMMARY OF REQUEST: **Major site plan review and special use permit**

SUGGESTED MOTION :

I move to approve/deny the major site plan for Flex-4-Fitness.

I recommend forwarding the special use permit application to the Zoning Board of Adjustment.



Henderson County, North Carolina Code Enforcement Services

1. Committee Request

- 1.1. **Applicant:** Chris and Tangi Brown Flex-4-Fitness
- 1.2. **Request:** Major Site Plan Review/Special Use Permit for Indoor Shooting Range
- 1.3. **PIN:** 9579947618
- 1.4. **Size:** 6.34 acres +/-
- 1.5. **Location:** 1270 N Allen Rd.
- 1.6. **Supplemental Requirements:**

SR 4.17. Shooting Ranges, Indoor

- (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) Structure. Indoor *shooting ranges* shall be designed to contain all projectiles fired within portions of the *structure* specifically designated for firearm discharge.

Map A: Pictometry/Aerial Photography



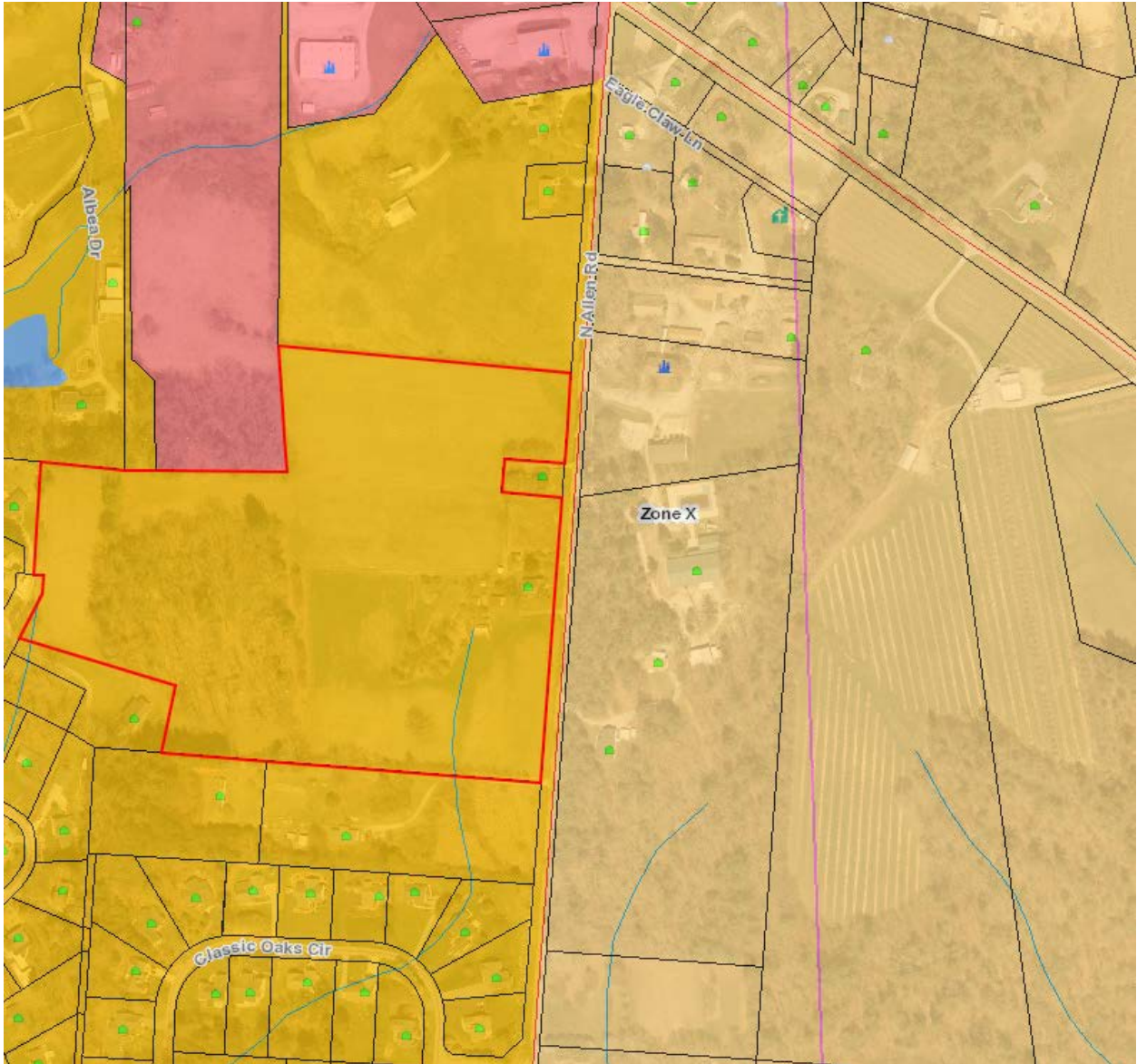
2. **Current Conditions**

Current Use: This parcel is currently a Recreational Facility.

Adjacent Area Uses: The surrounding properties are residential and agricultural.

Zoning: The surrounding properties to the east are Residential Two Rural. Property west is Residential One.

Map B: Current Zoning



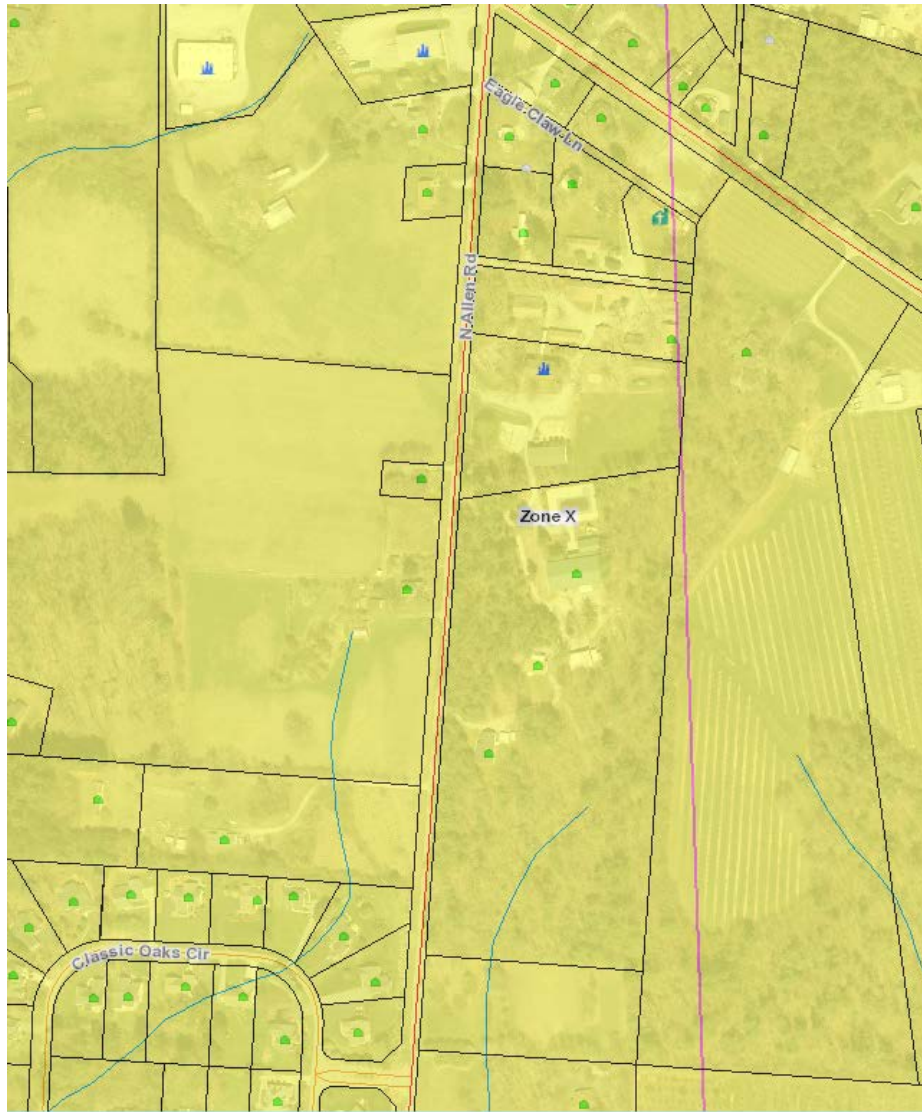
3. **Floodplain /Watershed Protection** The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.

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 Urban Services area. The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

The Urban Services Area is that area within which most urban services and urban scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.

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

HENDERSON COUNTY
MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Owner:

Name: Chris Brown / Eley Etnes Phone: 828-595-9180
Complete Address: 1268 North Allen Rd Hendersonville, NC 28792

Applicant:

Name: Chris Brown Phone: 828-551-4072
Complete Address: 1268 North Allen Rd Hendersonville, NC 28792

Agent:

Name: _____ Phone: _____
Complete Address: _____
Agent Form (Circle One): Yes No

Plan Preparer:

Name: _____ Phone: _____
Complete Address: _____

GENERAL INFORMATION

Date of Application: 4-25-19
Site Plan Attached (Circle One): Yes No Drawing attached

PARCEL INFORMATION

PIN: 9579947618 Tract Size (Acres): 6.34
Zoning District: L-R2R Fire District: Blue Ridge
Supplemental Requirement# _____ Watershed: _____
Permitted by Right _____ Floodplain: _____
Special Use Permit _____

Location / Property to be developed: From Four Seasons onto Dana Rd. Go about a mile and a half. Turn Left onto N. Allen Rd. About a half mile property on Right

County Use Only

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

| | | |
|-----------------------------------|---------------------------|--|
| APPLICATION IDENTIFICATION | | N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION |
| Driveway Permit No. _____ | Date of Application _____ | |
| County: _____ | | |
| Development Name: _____ | | |

LOCATION OF PROPERTY:

Route/Road: _____

Exact Distance Miles N S E W
 Feet

From the Intersection of Route No. _____ and Route No. _____ Toward _____

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other
Property: is is not within _____ City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

SIGNATURES OF APPLICANT

| PROPERTY OWNER (APPLICANT) | | WITNESS | |
|----------------------------|---------------------------|-----------|---------|
| COMPANY | X _____ | NAME | X _____ |
| SIGNATURE | _____ | SIGNATURE | _____ |
| ADDRESS | X _____ | ADDRESS | X _____ |
| | X _____ Phone No. X _____ | | X _____ |

| AUTHORIZED AGENT | | WITNESS | |
|------------------|-----------------------|-----------|-------|
| COMPANY | _____ | NAME | _____ |
| SIGNATURE | _____ | SIGNATURE | _____ |
| ADDRESS | _____ | ADDRESS | _____ |
| | _____ Phone No. _____ | | _____ |

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

SIGNATURE DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

SIGNATURE TITLE DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

SIGNATURE DATE

INSPECTION BY NCDOT

SIGNATURE TITLE DATE

COMMENTS:

**HENDERSON COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

GENERAL INFORMATION

Date of Application: 4-25-2019

Previously Submitted (Circle One): Yes No

Date of Pre-Application Conference: _____

Site Plan Attached (Circle One): Yes ~~No~~ Drawing attached

Traffic Impact Study Required (Circle One): Yes No

SPECIAL USE PERMIT INFORMATION

Type of use to be permitted: Archery shooting Range SR #: _____

Existing Structures or Uses on property: existing building

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: 9579947618 Deed Book/Page: _____ Tract Size (Acres): 6.34

Zoning District: L-R2R Fire District: Blue Ridge Watershed: _____ Floodplain: _____

Location of property to be developed: From Four Seasons onto Dana Rd go 1 1/2 miles left onto North Allen Rd 1/2 mile on Right

CONTACT INFORMATION

Property Owner:

Name: Chris Brown/Flex Fitness Phone: 828-595-9480
Address: 1268 N. Allen Rd City, State, and Zip: H'ville NC 28792

Applicant:

Name: Chris Brown Phone: 828-551-4072

Address: 1228 N. Alford Rd City, State, and Zip: H'ville NC 28792 Application No. _____

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

Plan Preparer:
Name: _____ 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:
NO

B. General Requirement #2. The use will not substantially injure the value of property or improvements in the area.
No

C. General Requirement #3. The use will be in harmony with the surrounding area.
Will be an archery shooting range for the public and schools and boy scouts

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.
Yes
 - 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.
Yes

- 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.

Yes

- 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.

Yes

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).

Yes already on site

- b. Off-street parking and loading areas.

N/A

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

Utilities are already on property

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

N/A

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

Using pre-existing structure that has already been permitted and inspected

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

Christopher Brown
Print Applicant (Owner or Agent)

Christopher C. Brown
Signature Applicant (Owner or Agent)

4/26/19
Date

County Use Only

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

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

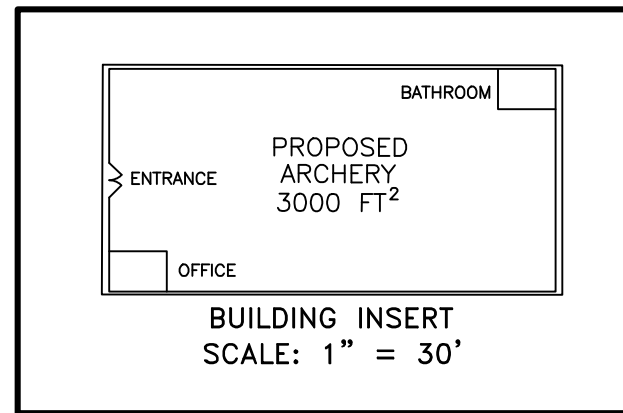
Community Planning Area: _____

PLAT OF SITE PLAN
FOR
FLEX-4-FITNESS, INC.

BLUE RIDGE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

SCALE: 1" = 100'
MAY 6th, 2019

PLAT NORTH
SLIDE 8960



SMITH GILLCHRIST PROPERTIES, LLC
B.O.R. 3087, PG. 263
SLIDE 2431
SLIDE 11710
9579-84-9721
ZONED R1

AGGRESSIVE PROPERTIES, LLC
B.O.R. 3239, PG. 232
SLIDE 11097
SLIDE 11309
SLIDE 11710

9579-94-3247
ZONED R1

9579-94-3359
ZONED R1

9579-94-3562
ZONED R1

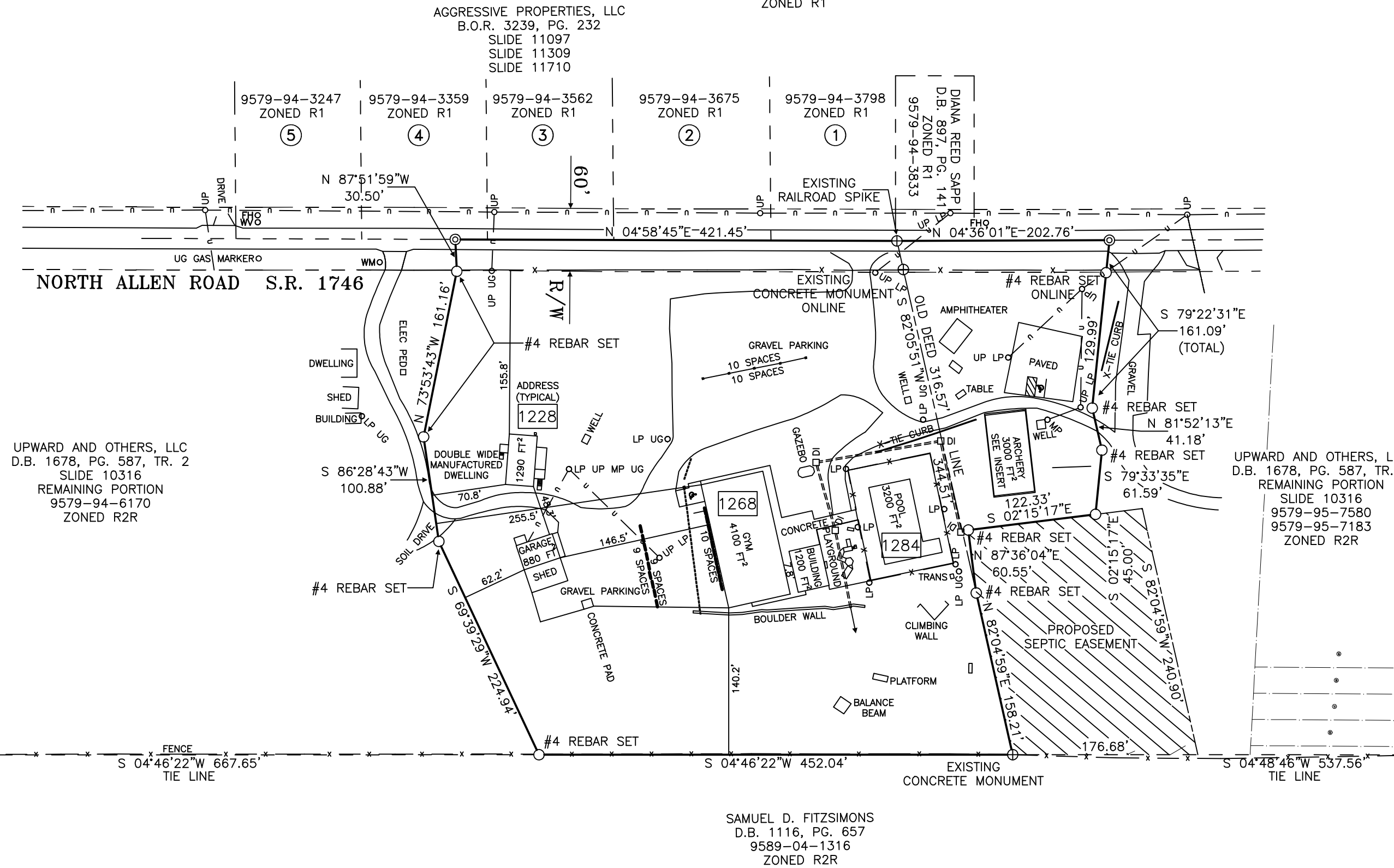
9579-94-3675
ZONED R1

9579-94-3798
ZONED R1

DIANA REED SAPP
D.B. 897, PG. 141
ZONED R1
9579-94-3833

PROJECT DATA

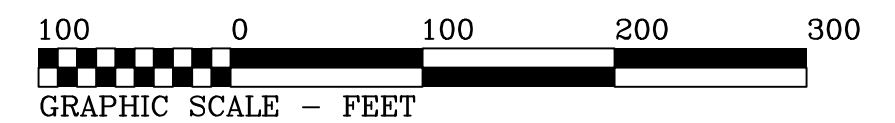
- OWNER: BROWN'S FITNESS, LLC
CHRIS AND TANGI BROWN
1228 NORTH ALLEN ROAD
HENDERSONVILLE, NC 28792
(828)551-4072
- TAX NUMBER: 9579947618
-BOOK OF RECORD 3049, PAGE 503 SLIDE 10636
-ACREAGE: 6.34
-FIRE DISTRICT: BLUE RIDGE
-ZONING DISTRICT: R2R
-WATER SHED: N/A
-FLOOD ZONE: "X" F.I.R.M. 3700957900J REVISED 10/2/2008
-PROJECT WITHIN 1/2 MILE OF A FARMLAND PRESERVATION DISTRICT
-PARKING REQUIREMENT- 16 SPACES
48 EXISTING SPACES
1 EXISTING HANDICAP SPACE
1 PROPOSED HANDICAP SPACE



I, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (deed description recorded in Book SEE, page REFERENCES;) that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, page SHOWN; that the ratio of precision as calculated is 1: 10000; that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1600).
Witness my original signature, registration number and seal this 6th day of MAY, A.D., 2019.

David H. Hill, NCPLS L-3863

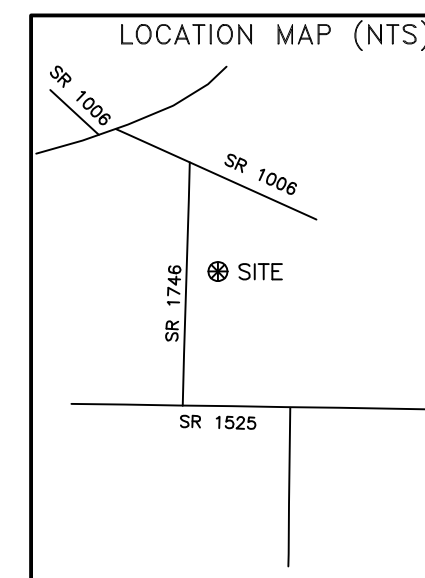
UNCERTIFIED ELECTRONIC COPY 6.34 ACRES



NOTES:

- AREAS BY COORDINATE COMPUTATION.
- ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
- THE PROPERTY SHOWN IS WITHIN AN AREA ZONED R2R BY HENDERSON COUNTY.
SETBACKS:
FRONT- 15' (FROM RIGHT OF WAY)
SIDE- 10'
REAR- 10'
- THE PROPERTY SHOWN IS WITHIN 1/2 MILE OF A FARMLAND PRESERVATION DISTRICT.
- THE CURRENT OWNER OF RECORD IS BROWN'S FITNESS, LLC.

- LEGEND
- ⊕ MONUMENT FOUND AS NOTED
 - MONUMENT SET AS NOTED
 - POINT NOT STAKED
 - P-PED - PHONE PEDESTAL
 - UP - UTILITY POLE
 - PHP - PHONE POLE
 - TRANS - TRANSFORMER
 - TV-PED - CABLE TV PEDESTAL
 - WM - WATER METER
 - WV - WATER VALVE



DEED REFERENCES:
AS SHOWN

TAX REFERENCES:
AS SHOWN

PARTY CHIEF: DHH

REVISIONS:

SURVEY BY
HILL AND ASSOCIATES
SURVEYORS, P.A.

LICENSE NUMBER: C-1991

DAVID H. HILL
N.C.P.L.S. 3863

403 WEST BLUE RIDGE ROAD
EAST FLAT ROCK, NORTH CAROLINA 28726
(828) 693-1409

CHECKED BY: DHH DRAWING: 2500804
DRAWN BY: DHH FILE: 25008

DATE: MAY 6th, 2019

PUBLIC NOTICE

THE BOARD OF SUPERVISORS OF
ZONING BOARD
WILL HOLD A PUBLIC HEARING ON

... SUBJECT ... DATE ... TIME ...
... LOCATION ...

SMP-19-04
INDOOR AIRWAY
...
DATE: **5/23/19**
TIME: **4:00 PM**
LOCATION: **100 N. KING, 5A**

FOR MORE INFORMATION, CONTACT:
JOO N. KING, SA





