REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY

TECHNICAL REVIEW COMMITEE

MEETING: July 5, 2023

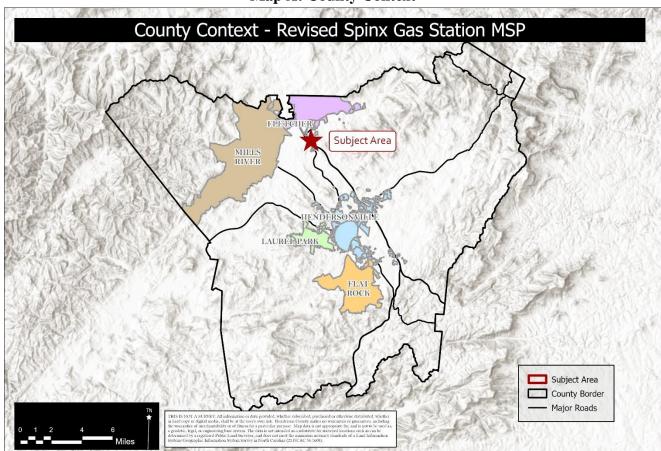
SUBJECT: Revised Major Site Plan Review Spinx at Asheville Hwy

PRESENTER: Matt Champion, Zoning Administrator

ATTACHMENTS: Staff Report, Major Site Plan, & Application

SUMMARY OF REQUEST: Convenience Store SR 7.4 & Fuel Pumps SR 2.5

Suggested Motion: I move that the TRC approve/deny the revised major site plan for Spinx at Asheville Hwy



Map A: County Context

Property Owner: Discovery One Land Holdings, LLC Applicant: Phillip Takacs Assessed Acreage: 5.11 Acres PINs: 9651-49-6716 & 9652-40-5099

Current Zoning: Regional Commercial (RC)





Henderson County, North Carolina Code Enforcement Services

1. Committee Request

1.1. Applicant: The Spinx Company, LLC1.2. Request: Major Site Plan Approval1.3. PINs: 9652-40-5099 & 9651-49-6716

1.4. **Size:** 5.11 acres +/-

1.5. **Location:** The subject area is located off Asheville Hwy (US 25) at 6024 Asheville Hwy.

1.6. Supplemental Requirements:

SR 7.4. Convenience Store

- (1) Site Plan. Major Site Plan required in accordance with §42-330 (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.

SR 2.5. Fuel Pumps

- (1) Structure Requirements. Fuel pumps may be covered by a canopy which shall not exceed 25 feet in height.
- (2) Separation Requirements. Fuel pumps shall not be placed within 100 feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*), *school*, *library*, day care facility, healthcare facility, *park*, and/or *religious institution*.
- (3) Location of Drives. *Driveways* shall not be located closer than 50 feet to one another and no more than two (2) on a single *road*.

Aerial Map - Revised Spinx Gas Station MSP

Subject Area
Parcels
Streams and Rivers
Will a subject and the subject of the subj

Map B: Aerial Map

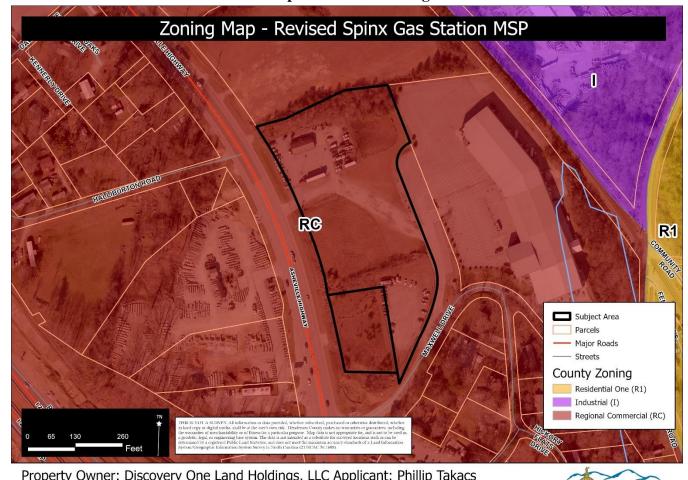
Property Owner: Discovery One Land Holdings, LLC Applicant: Phillip Takacs Assessed Acreage: 5.11 Acres PINs: 9651-49-6716 & 9652-40-5099

Current Zoning: Regional Commercial (RC)



2. Current Conditions

- 2.1. **Current Use:** The subject area contains an approximately 1,800SQFT structure that has been used for automobile sales and repairs. The structure was built in 2007. The rest of the subject is vacant except for a fenced in area for outdoor storage of vehicles.
- 2.2. **Adjacent Area Uses:** The surrounding properties consist of commercial, industrial, and residential uses. The former XCEL Sports Complex is located east of the subject area. Hipps Stone Sales is located west of the subject area across Asheville Hwy. The I-26 interchange at Asheville Hwy is located south of the subject area. Several residential single-family structures are located southeast of the subject area.



Map C: Current Zoning

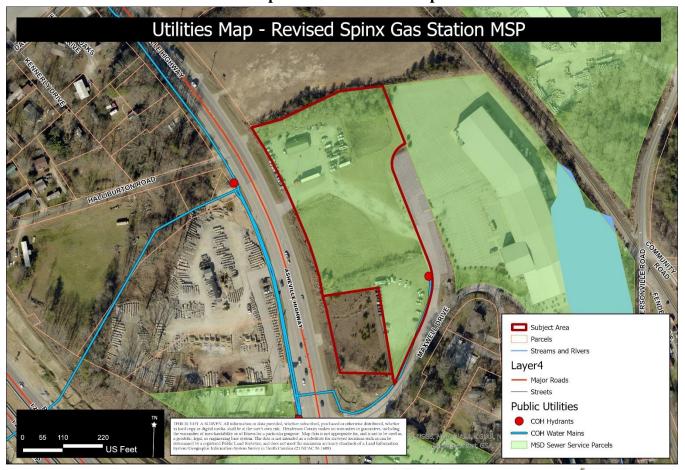
Property Owner: Discovery One Land Holdings, LLC Applicant: Phillip Takacs Assessed Acreage: 5.11 Acres PINs: 9651-49-6716 & 9652-40-5099

Current Zoning: Regional Commercial (RC)



3. Current Zoning

- 3.1. **Zoning:** The subject area and all surrounding properties are zoned Regional Commercial (RC) by Henderson County. Industrial (I) zoning is found to the east of the subject area across the railroad tracts behind the former XCEL Sports Complex.
- **4.** <u>Floodplain /Watershed Protection</u> The property is not located in a Special Flood Hazard Area. The property is not in a Water Supply Watershed district.



Map D: Public Utilities Map

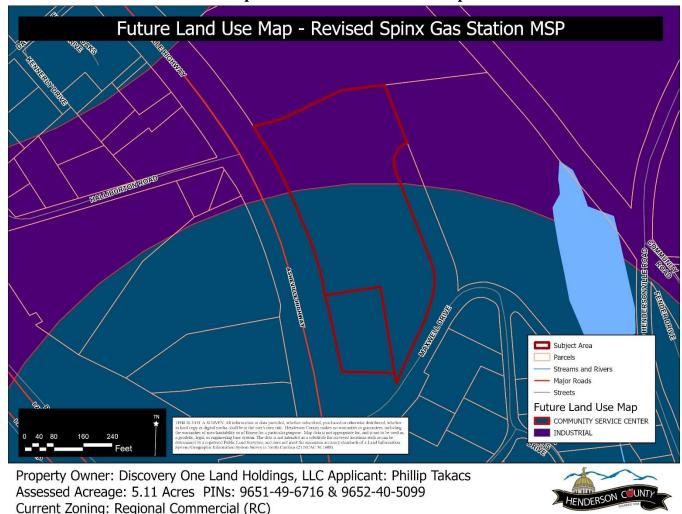
Property Owner: Discovery One Land Holdings, LLC Applicant: Phillip Takacs Assessed Acreage: 5.11 Acres PINs: 9651-49-6716 & 9652-40-5099

Current Zoning: Regional Commercial (RC)



Water and Sewer The applicant is proposing connection to the City of Hendersonville public water and MSD public sewer to serve this property.

Public Water: Yes
Public Sewer: Yes



Map E: CCP Future Land Use Map

Staff Comments 6.

Henderson County Comprehensive Plan (CCP): The CCP Future Land Use Map places the Subject Area in the Industrial classification and partially within a Community Service Center.

- a. Industrial: "Most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses." (CCP, Pg. 140)
- b. Community Service Centers: "Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. Community Service Centers are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services; and Community Facilities such as schools, parks, community centers, and other similar Community Facilities. The mixture and intensity of land uses contained within Community Service Centers are intended to be appropriate within the context of the surrounding community and intended service area. Community Service Centers should also be properly controlled by appropriate aesthetic standards, access management standards, and other appropriate development control measures." (CCP, Pg. 138)
 - i. "Regional Commercial areas are located within defined Community Service Centers. Regional Commercial areas can overlap with Industrial areas given proper design. While internally pedestrian-friendly on a project basis, they are intended to service a regional market area. As such, they generate high volumes

of traffic and are located along major roadways. Public utilities are required. They should include a variety of retail sales and services, public and private administrations, offices and all other uses done primarily for sale or profit on the local, community, and regional level. They should be compatible with adjacent development and the surrounding community and should minimize congestion and sprawl." (CCP, Pg. 139-140)

- 7. <u>Proposal</u> The applicant is proposing to redevelop the subject area to construct a 6,434SQFT convenience store with gas/diesel pumps for pedestrian vehicles and dedicated diesel pumps for large commercial vehicles. The major site plan shows a total of 55 parking spaces to serve the convenience store with 2 ADA accessible parking spaces. The major site plan also includes the following:
 - 7.1. 5 dedicated diesel pump bays for large vehicles
 - 7.2. 16 mixed fuel pump bays for smaller passenger vehicles
 - 7.3. Primary access to site off Asheville Hwy with 2 curb cuts
 - 7.3.1. One access to Asheville Hwy is shown as right-in and right-out only
 - 7.3.2. Second access to Asheville Hwy is shown as right-out only
 - 7.4. Secondary access to site off Maxwell Dr
 - 7.5. Proposed total of 59.25% impervious surfaces after completion
 - 7.6. Proposed total of 40.75% of pervious surfaces after completion
- **8.** <u>Landscaping & Buffering Requirements</u> The subject area is not required to buffer the permitter of the property since the surrounding properties all fall within the Regional Commercial (RC) zoning district. The subject area will have to provide a landscaping plan for the following elements:
 - 8.1. **Parking area landscaping** is required for new parking areas with 10 or more dedicated parking spaces. The parking area standards requires 1 small or large deciduous tree for every 5 parking spaces. Additionally, when no buffer is required along the property lines and parking is proposed within 20' of a property line, a planting strip is required. The planting strip is a minimum of 10' in width and shall contain 2 small or large deciduous or evergreen trees per 100 linear feet.
 - 8.2. **Dumpster screening** is required for a proposed solid waste collection facility. The dumpster will require a Screen Class One (1) Two (2) or Three (3) that are outlined in Section 42-181 Screen Classifications.

9. Oblique Aerial Photos

View from East



View from North



View from South



View from West



HENDERSON COUNTY MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION	
Property Owner:	
Name: DISCOVERY ONE LAND HOLA	
Complete Address: 5998 ASHEVIL	LE HWY, HENDERSONVILLE, NC 28791
Applicant:	
Name: THE SPINX COMPAN	N, LLC Phone: 864.451.6656
Complete Address: 1414 EAST W	ASHINGTON STREET, GREENVILLE, SC 29607
Agent:	
Name: PHILIP TAKACS	Phone: 470-485-0405
Complete Address: 3039 PREMIE	CRE PKWY, DULVTH, GA 30097
Agent Form (Circle One): Yes No	
Plan Preparet: Name: Core States Group - Philip Takac	
Complete Address: 3237 Satellite Blvd, S	Suite 465, Duluth GA 30096
PARCEL INFORMATION PIN: # 9652-40-5099 /# 9651-49-6716 Zoning District: RC (Regional Commercial) Supplemental Requirement# n/a Convenience Store with auto	Tract Size (Acres): 4,35 / ,76 TOTAL 5,11 Fire District: Fletcher Fire Watershed: n/a Floodplain: n/a
Permitted by Right and truck fueling Special Use Permit	Floodplain: n/a
Location / Property to be developed: Proposed a	approximate 6,430 sf Convenience store with auto and truck dscape improvements at 6024 Asheville Highway,
Tichaci sonvinc, No.	

Face & Daide	Mathada Bassiyad by

	APPLICATION	IDENTIFICAT	ION	N.C. DEPARTMENT OF TRANSPORTATIO	
Driveway Date of		STREET AND DRIVEWAY ACCESS			
Permit No. Application			PERMIT APPLICATION		
County:					
Development Name: LOCATION OF PROPERTY:					
Route/Road:		LC	DOMINON OF THE	SI CIVIT.	
Exact Distance		□ Miles	N C E W		
Exact Blotanoo			\cap N S E W		
From the Intersec	tion of Route No.		and Route N	lo Toward	
Property Will Be I	Jsed For: □ Resi	dential /Subdivision		Educational Facilities	
Property:	room - Room	is		ithinCity Zoning Area.	
			AGREEMEN		
		ner, request ac	cess and permission	on to construct driveway(s) or street(s) on public righ	
	above location.	-il-i		(a) in all all and (a) in the control of the contro	
				(s) in absolute conformance with the current "Policy of opted by the North Carolina Department of	
Transportation		Troitir Garonna	Trigitivayo do dao	ploa by the North Garolina Department of	
				lic right-of-way other than those approved by NCDO	
				nown on the attached plans. ent include any approach tapers, storage lanes or	
	lanes as deeme		ed in this agreeme	The include any approach tapers, storage lanes of	
I agree that if:	any future improv	vements to the		necessary, the portion of driveway(s) or street(s)	
				the North Carolina Department of Transportation, and	
				ent expenditures for driveway or street construction. (s) or street(s) is not completed within the time	
				Carolina Highways".	
		on inspection fe	ee. Make checks p	payable to NCDOT. This fee will be reimbursed if	
application is		ain the driveway	/(e) or etroot(e) in a	a safe manner so as not to interfere with or endange	
the public trav		iii tile uliveway	/(s) or street(s) in a	a sale mailler so as not to interiere with or endanger	
I agree to prov	ide during const			flaggers and other warning devices for the protectio	
				affic Control Devices for Streets and Highways" and	
District Engine		inereto. Inform	ation as to the abo	ove rules and regulations may be obtained from the	
I agree to inde	emnify and save h			artment of Transportation from all damages and claim	
	at may arise by r				
				I assume no responsibility for any damages that may s, in carrying out its construction.	
				ount specified by the Division of Highways for any	
construction p	roposed on the S	State Highway s	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. 					
				PROPOSED WORK BEGINS AND WHEN IT IS	
COMPLETED.					
2004-01 NC	TE: Submit Four C	opies of Applicati	on to Local District En 61-03419	ngineer, N.C. Department of Transportation TEB 65-04rev.	

m	SIGNATURES	OF APPLICA	
COMPANY SIGNATURE ADDRESS	PROPERTY OWNER (APPLICANT) X THE SPINY COMPANY, LLC Shear Mathinson ST. GREEN X 1414 EAST WASHINGTON ST. GREEN X SC, 29607 Phone No. X 864-4	NAME SIGNATURE NIADORESS 51-6656	WITNESS X BRIAN S. PRICE X 104 TIMBER IN X GREENVILLE, & 29609
w	MATACAZO ACCATA	WW.	Malandes
COMPANY SIGNATURE ADDRESS	Phone No.	NAME SIGNATURE ADDRESS	
	•	ROVALS	
APPLICATION F	RECEIVED BY DISTRICT ENGINEER		
741 - 210/11011	COLIVED BY BIOTHOT ENGINEER		
	SIGNATURE		DATE
APPLICATION A	APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (wh	nen required)	
	SIGNATURE	TITLE	DATE
APPLICATION A	APPROVED BY DISTRICT ENGINEER		
	SIGNATURE		DATE
INSPECTION B	YNCDOT	d	
	SIGNATURE	TITLE	DATE
COMMENTS:			
1560			

DESIGN AND DEVELOPMENT CONTACTS: THE SPINX COMPANY 1414 E. WASHINGTON ST GREENVILLE, SC 29607 CONTACT: BRIAN PRICE TEL: 864-245-5322 DEVELOPER/APPLICANT: THE SPINX COMPANY 1414 E. WASHINGTON ST GREENVILLE, SC 29607 CONTACT: BRIAN PRICE TEL: 864-245-5322 CORE STATES GROUP CIVIL ENGINEER: 3237 SATELLITE BOULEVARD, SUITE 465 DULUTH, GA 30096 CONTACT: BRIAN SEARCY, PE TEL: 770-242-9550 ARCHITECT CORE STATES GROUP 201 S. MAPLE AVE SUITE 300 AMBLER, PA 19002 CONTACT: ROB ALDEN TEL: 678-405-1961 SURVEYOR: SITE DESIGN, INC 225 ROCKY CREEK ROAD GREENVILLE, SC 29615 CONTACT: A. CLAY JONES, PLS TEL: 864-271-0496 # 119 **GOVERNING AGENCIES CONTACTS:** PLANNING DEPARTMENT, HENDERSON COUNTY 100 NORTH KING STREET HENDERSONVILLE, NC 28792 TEL: 828-697-4819 CODE ENFORCEMENT & ZONING, HENDERSON COUNTY CODE ENFORCEMENT AND ZONING: 100 NORTH KING STREET HENDERSONVILLE, NC 28792 TEL: 828-697-4819 NORTH CAROLINA NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DEPARTMENT OF **DIVISION 14** TRANSPORTATION 253 WEBSTER ROAD SYLVA, NC 28779 TEL: 828-586-2141 ASHEVILLE REGIONAL AIRPORT PLANNING STAFF CONTACT: MIKE REISMAN (CHIEF OPERATING OFFICER) EMAIL: MREISMAN@FLYAVL.COM **UTILITY CONTACTS:** TELEPHONE / INTERNET VERIZON VIRGINIA TEL: 877-728-6101 METROPOLITAN SEWERAGE DISTRICT 2028 RIVERSIDE DRIVE ASHEVILLE, NC 28804 TEL: 828-254-9646 WATER HENDERSONVILLE WATER AND SEWER 305 WILLIAMS STREET HENDERSONVILLE, NC 28792 TEL: 828-697-3073 ELECTRICITY **DUKE ENERGY** 96 NEW ROCKWOOD RD ARDEN, NC 28704 TEL: 800-777-9898 **PROJECT INFORMATION** PROPERTY PIN NUMBER: 9652405099 MUNICIPALITY: UNINCORPORATED (HENDERSON COUNTY)

PROPERTY PIN NUMBER: 9652405099

MUNICIPALITY: UNINCORPORATED (HENDERSON COUNTY
PARCEL ZONING: RC (REGIONAL COMMERCIAL)

FIRE TAX DISTRICT: FLETCHER FIRE

WATERSHED DISTRICT: N/A

WETLANDS ON SITE: N/A

HIGH QUALITY WATER ZONES: N/A

FALLS LAKE WATERSHED: N/A

FLOOD NOTE:

THE PROPERTY LIES IN AN AREA DETERMINED TO BE WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD, AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM, FEMA FIRM #3700965100J, EFFECTIVE DATE OCTOBER 2, 2008. 100-YEAR BASE FLOOD ELEVATION NOT APPLICABLE PER FEMA MAP.

ALERT TO CONTRACTOR:

1. THE SITE WORK FOR THE PROPOSED DEVELOPMENT SHALL MEET OR EXCEED ALL CITY AND/OR COUNTY AND STATE STANDARDS FOR SITE WORK.

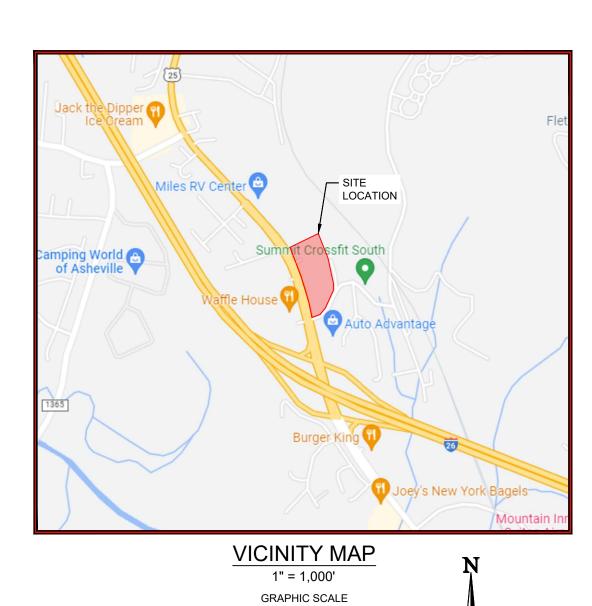
User: DCAPUTO Plot Date/Time: Jun. 20, 23 - 12:16:38 Drawing: P:\Spinx\HENDERSONVILLE, NC #401 (6010 Ashville Hwy, Hendersonville, NC 28791)-SPX.35112\Design Files\Civil\Drawings\Presentation\SPX.35112-P-DETL.dwg; CVR

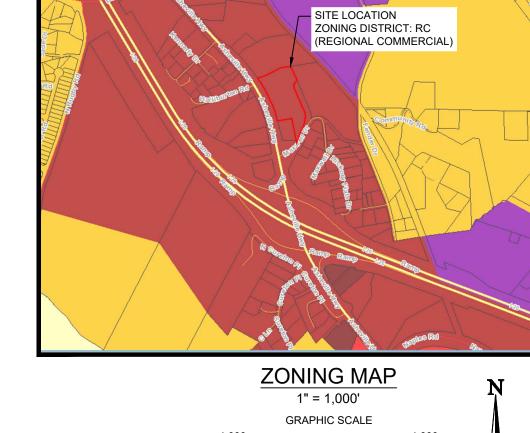
2. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO PROJECT COMPLETION.

MAJOR SITE PLAN FOR

THE SPINX COMPANY, LLC

6024 ASHVILLE HWY
HENDERSONVILLE, NC 28791
HENDERSON COUNTY
ZONING DISTRICT: RC (REGIONAL COMMERCIAL)





PROJECT NARRATIVE

THE PROPOSED PROJECT WILL DEMO THE EXISTING BUILDING AND PARKING INFRASTRUCTURE AND CONSTRUCT AN APPROXIMATELY 6,400 SF CONVENIENCE STORE WITH AUTO AND TRUCK FUELING, PARKING, UTILITIES AND ASOOCIATED LANDSCAPING THAT WILL MEET LOCAL CODES.

	SHEET INDEX						
	SHEET TITLE		REVISION NUMBER				
SHEET NUMBER			2	3			
TRC	COVER						
TRC	SITE PLAN						
TRC	OVERALL GRADING AND DRAINAGE PLAN						
TRC	UTILITY PLAN						
TRC	UTILITY PROFILE						
	REFERENCE SHEETS						
			REVISION NUMBER				
SHEET NUMBER	DESCRIPTION	\triangle	2	3			
1	TOPOGRAPHIC SURVEY BY SITE DESIGN, INC						



DOCUMENTS PREPARED BY CORESTATES, INC., INCLUDING THIS DOCUMENT, ARE TO BE USED ONLY FOR THE SPECIFIC PROJECT AND SPECIFIC USE FOR WHICH THEY WERE INTENDED. ANY EXTENSION OF USE TO ANY OTHER PROJECTS, BY OWNER OR BY ANY OTHER PARTY, WITHOUT THE EXPRESSED WRITTEN CONSENT OF CORESTATES, INC. IS DONE UNLAWFULLY AND AT THE USERS OWN RISK. IF USED IN A WAY OTHER THAN THAT SPECIFICALLY INTENDED, USER WILL HOLD CORESTATES, INC. HARMLESS FROM ALL CLAIMS AND LOSSES.

CLIENT

Know what's below.

Call before you dig.

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON DESIGN DRAWNINGS, RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. CORSTATES, INC. DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES.

REVISIONS

REV DATE COMMENT BY

DOCUMENT

SPINX SITE PLAN

SITE LOCATION

6024 ASHEVILLE HWY HENDERSONVILLE, NC 28791

ENGINEER SEAL

SHEET TITLE

COVER SHEET

JOB #: SPX.35112

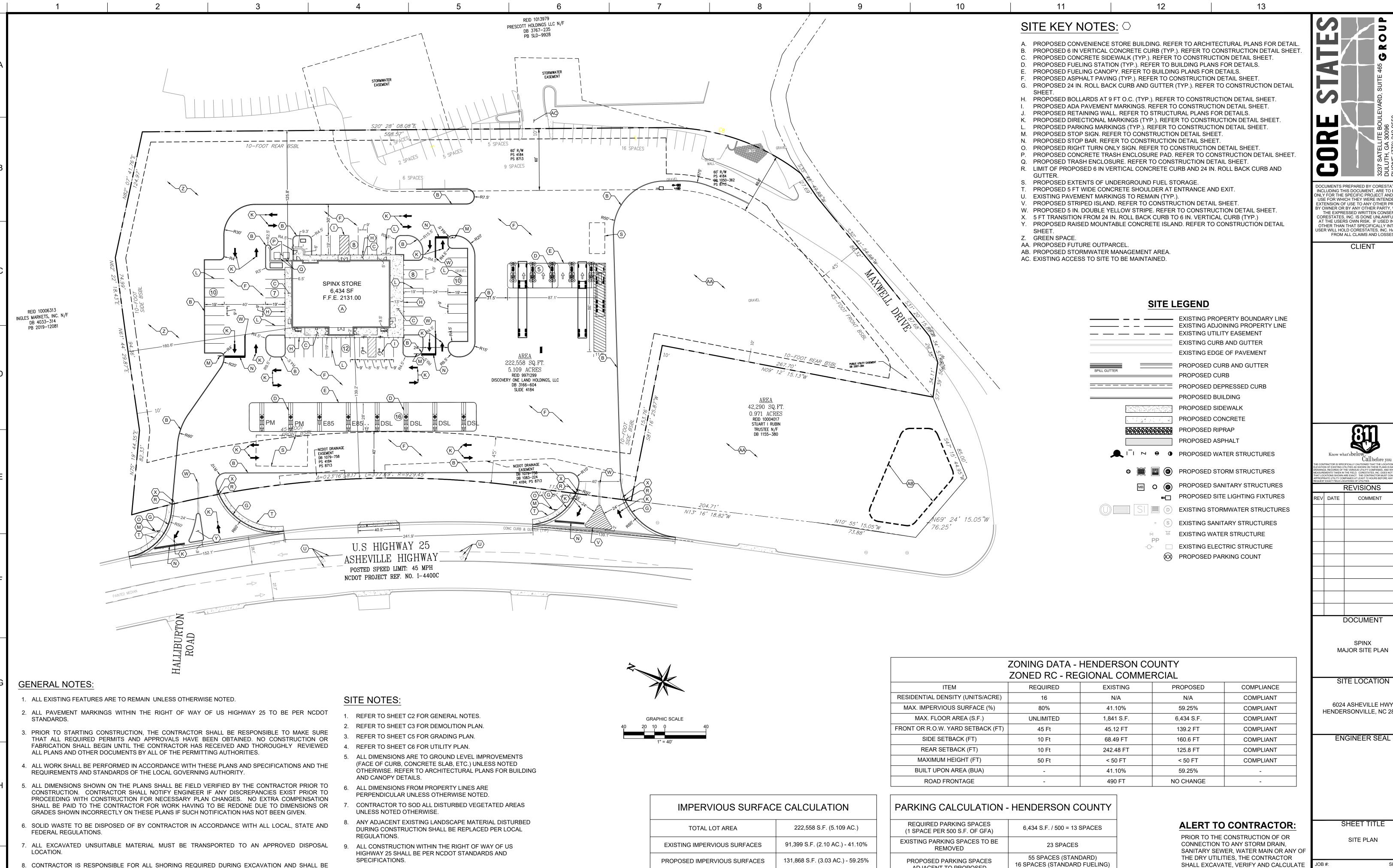
DATE: 6/20/2023

SCALE:

DRAWN BY: DC

TRC

CHECKED BY:



10. POSTED SPEED LIMIT ALONG ASHEVILLE HIGHWAY: 45 MPH.

PERFORMED IN ACCORDANCE WITH CURRENT OSHA STANDARDS. AS WELL AS ADDITIONAL

PROVISIONS TO ASSURE STABILITY OF CONTIGUOUS STRUCTURES, AS FIELD CONDITIONS DICTATE.

9. ALL DIMENSIONS ARE TO GROUND LEVEL IMPROVEMENTS (FACE OF CURB, CONCRETE SLAB, ETC.)

10. ALL DIMENSIONS FROM PROPERTY LINES ARE PERPENDICULAR UNLESS OTHERWISE NOTED.

REPLACED PER LOCAL REGULATIONS.

UNLESS NOTED OTHERWISE. REFER TO ARCHITECTURAL PLANS FOR BUILDING AND CANOPY DETAILS.

11. ANY ADJACENT EXISTING LANDSCAPE MATERIAL DISTURBED DURING CONSTRUCTION SHALL BE

User: DCAPUTO Plot Date/Time: Jun. 20, 23 - 12:16:41 Drawing: P:\Spinx\HENDERSONVILLE, NC #401 (6010 Ashville Hwy, Hendersonville, NC 28791)-SPX.35112\Design Files\Civi\ni\Drawings\Presentation\SPX.35112-P-SITE.dwg;SITE

DOCUMENTS PREPARED BY CORESTATES, IN NCLUDING THIS DOCUMENT, ARE TO BE USE

INLY FOR THE SPECIFIC PROJECT AND SPEC USE FOR WHICH THEY WERE INTENDED. AN EXTENSION OF USE TO ANY OTHER PROJECT BY OWNER OR BY ANY OTHER PARTY, WITHOU THE EXPRESSED WRITTEN CONSENT OF CORESTATES, INC. IS DONE UNLAWFULLY ANI AT THE USERS OWN RISK. IF USED IN A WAY
OTHER THAN THAT SPECIFICALLY INTENDED SER WILL HOLD CORESTATES, INC. HARMLE: FROM ALL CLAIMS AND LOSSES.

CLIENT

Call before you dig.

REVISIONS DOCUMENT

SITE LOCATION

6024 ASHEVILLE HWY HENDERSONVILLE, NC 28791

ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM ENGINEER AND THE OWNER OF ANY CONFLICT OR REQUIRED DEVIATIONS RAWN BY:

FROM THE PLAN. NOTIFICATION SHALL BE

MADE A MINIMUM OF 48 HOURS PRIOR TO

CONSTRUCTION. ENGINEER AND OWNER SHALL BE HELD HARMLESS IN THE EVENT

THAT THE CONTRACTOR FAILS TO MAKE

SUCH NOTIFICATION.

SITE PLAN

CHECKED BY:

REQUIRED PARKING SPACES (1 SPACE PER 500 S.F. OF GFA)	6,434 S.F. / 500 = 13 SPACES
EXISTING PARKING SPACES TO BE REMOVED	23 SPACES
PROPOSED PARKING SPACES ADJACENT TO PROPOSED DEVELOPMENT	55 SPACES (STANDARD) 16 SPACES (STANDARD FUELING) 5 SPACES (TRAILER FUELING) 76 SPACES TOTAL
REQUIRED STALL SIZE	9 FT X 19 FT (STANDARD) 9 FT X 22 FT (PARALELL)

PARKING CALCULATION NOTES:

1. EXISTING PARKING SPACES LOCATED TO THE EAST OF THE PROPOSED IMPROVEMENTS HAVE NOT BEEN INCLUDED IN TABLE ENTITLED "PARKING CALCULATION - HENDERSON COUNTY"

