

**REQUEST FOR COMMITTEE ACTION**  
**HENDERSON COUNTY**  
**TECHNICAL REVIEW COMMITTEE**

**MEETING: TRC 11-7-23 & ZBA 11-29-23**

**SUBJECT: Special Use Permit and Major Site Plan – Spirit Cove at Kanuga SUP-23-05**

**PRESENTER: Matt Champion**

**ATTACHMENTS: Staff Report & Site Plan**

**SUMMARY OF REQUEST: Major Site Plan review for Office: Business, Professional and Public**

**SUGGESTED MOTION:**

**I recommend forwarding the Special Use Permit to the Zoning Board of Adjustment**



# Henderson County, North Carolina Code Enforcement Services

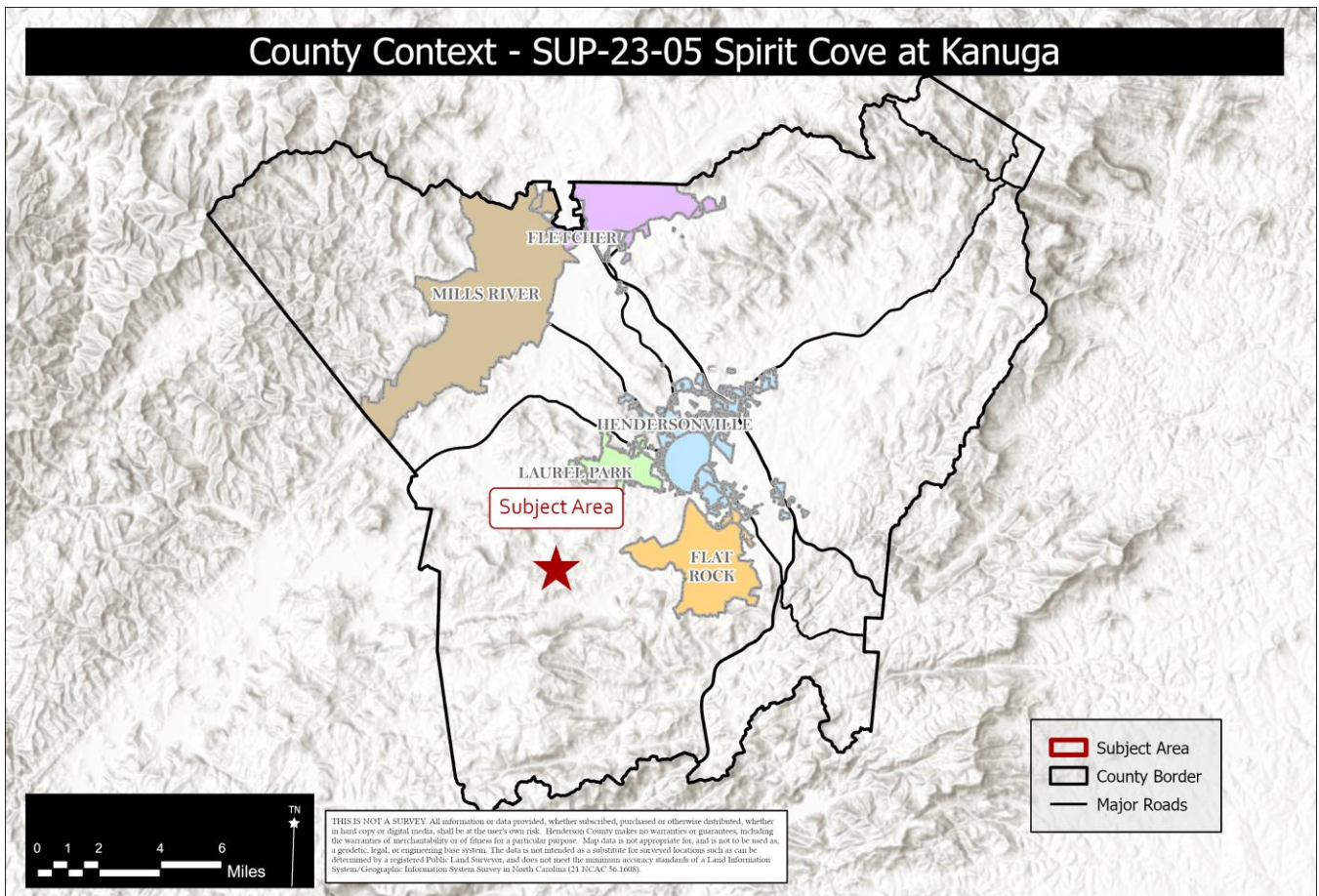
## 1. Committee Request

- 1.1. **Applicant:** Kanuga Conferences, Inc.
- 1.2. **Request:** Special Use Permit & Major Site Plan Review
- 1.3. **PIN:** 9546-49-6130
- 1.4. **Size:** 4.76 Acres
- 1.5. **Location:** Lot 5 of Minor Subdivision Off Evans Rd (SR1196)
- 1.6. **Supplemental Requirements:**

### SR 6.9. Office: Business, Professional and Public

- (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.

### Map A: County Context Map



Property Owner: Kanuga Conferences, Inc. Applicant: TimberKnolls Spirit Cove, Inc.  
 Assessed Acreage: 4.76 Acres PIN: 9546-49-6130  
 Current Zoning: Residential Two Rural (R2R)

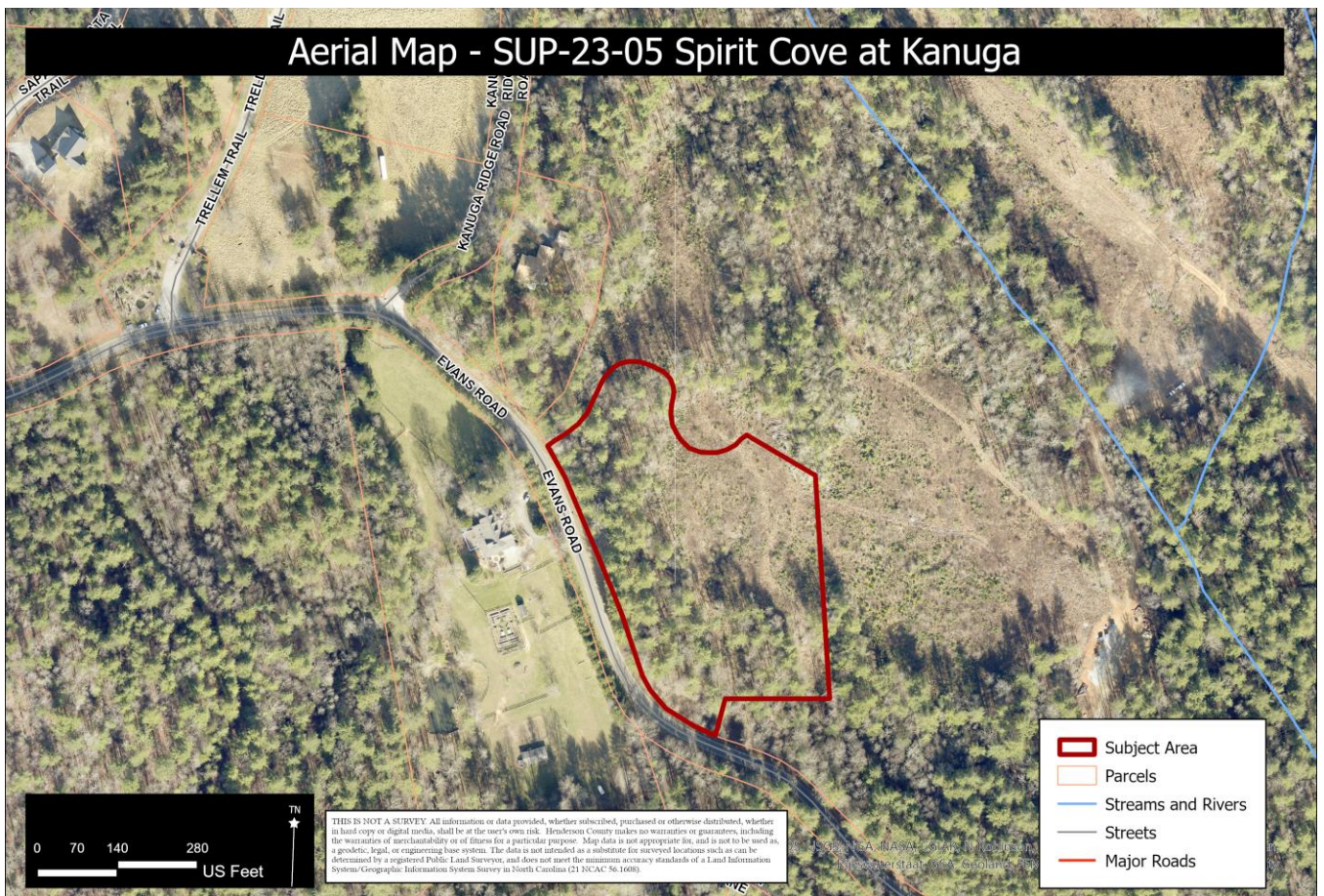




**2. History & Characteristics:**

- 2.1. **Current Property Owners:** Kanuga Conferences Inc. originally acquired the subject area through a Quitclaim Deed on February 26, 1986.
- 2.2. **Minor Subdivision:** A minor subdivision was approved for 16 acres that created 5 lots. Lot #5 on the recorded plat slide is the subject area for the application.
- 2.3. **Natural Resources:**
  - 2.3.1. **Streams:** The subject area does not contain any surface water sources. The subject area is within proximity to several surface water sources.
  - 2.3.2. **Slopes:** The subject area contains slopes between 0% to 16% and slopes between 16% and 25%. There is a small area where slopes are greater than 25%.

**Map B: Aerial Map**



Property Owner: Kanuga Conferences, Inc. Applicant: TimberKnolls Spirit Cove, Inc.  
Assessed Acreage: 4.76 Acres PIN: 9546-49-6130  
Current Zoning: Residential Two Rural (R2R)



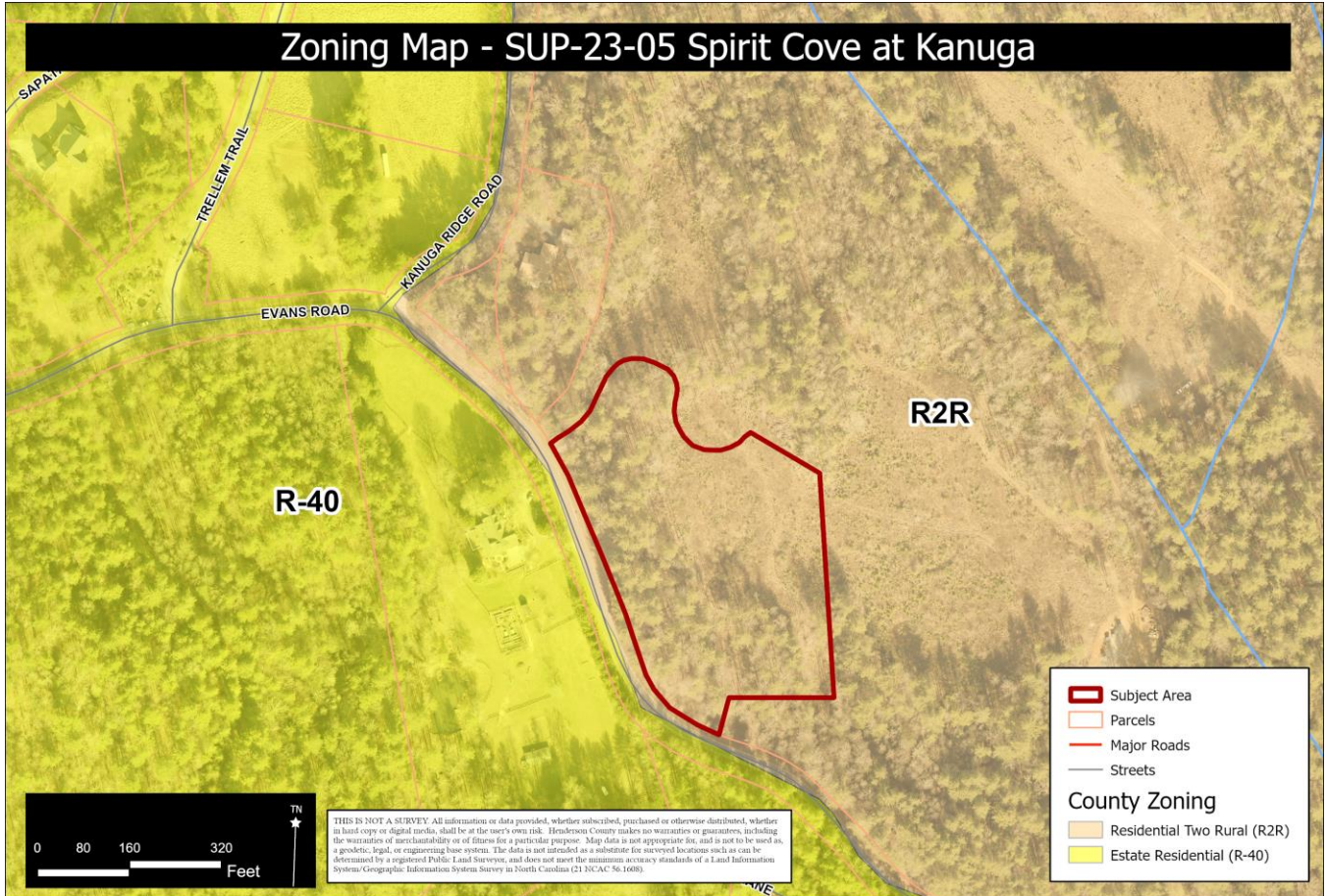
**3. Current Conditions**

- 3.1. **Current Use:** The subject area is currently vacant and partially forested. Within the past years, a portion of the subject area was timber harvested, but leaving a substantial vegetation buffer between the clearing and Evans Rd (SR1196).



3.2. **Adjacent Area Uses:** The surrounding properties contain residential structures, agricultural land, vacant land, and the remaining area encompassing the Kanuga Conference Center. The Salty Landing restaurant is located southeast of the subject area. The Kanuga Conference Center Chapel is approximately 0.75 miles east of the subject area.

### Map C: Zoning Map



Property Owner: Kanuga Conferences, Inc. Applicant: TimberKnolls Spirit Cove, Inc.  
Assessed Acreage: 4.76 Acres PIN: 9546-49-6130  
Current Zoning: Residential Two Rural (R2R)



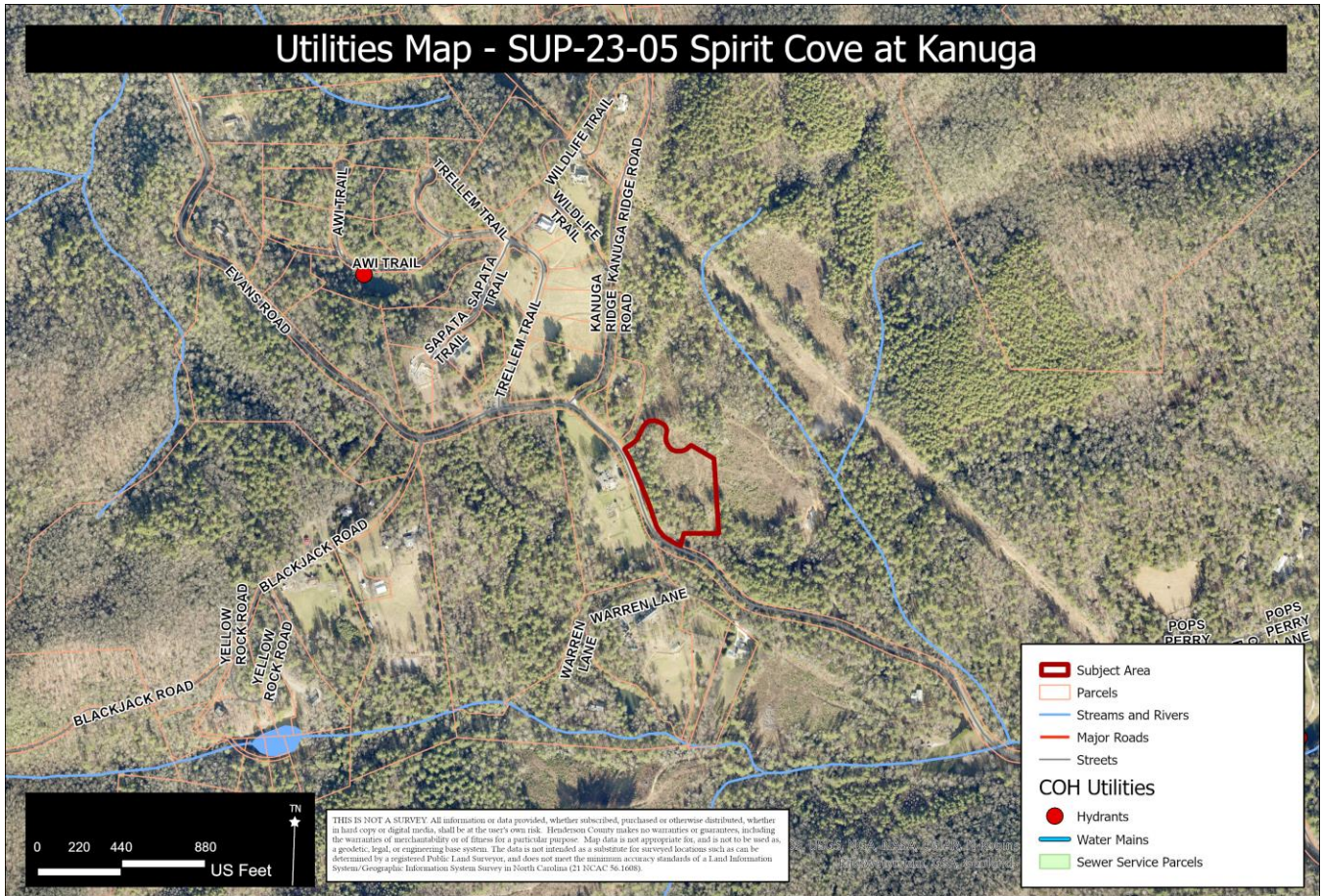
3. **Zoning** The subject area is located within the Residential Two Rural (R2R) zoning district.

3.1 **Residential Two Rural (R2R):** The purpose of Residential District Two Rural (R2R) is to foster orderly growth where the *principal use* of land is residential. The intent of this district is to allow for low to medium density *residential development* and rural commercial and light industrial development consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Transitional (RTA) in the *Comprehensive Plan*. (LDC §42-29)

3.2 **Adjacent Zoning:** Residential Two Rural (R2R) is found to the north and east of the subject area. The Estate Residential (R-40) zoning district is found south and west of the subject area.



**Map D: Public Utilities Map**



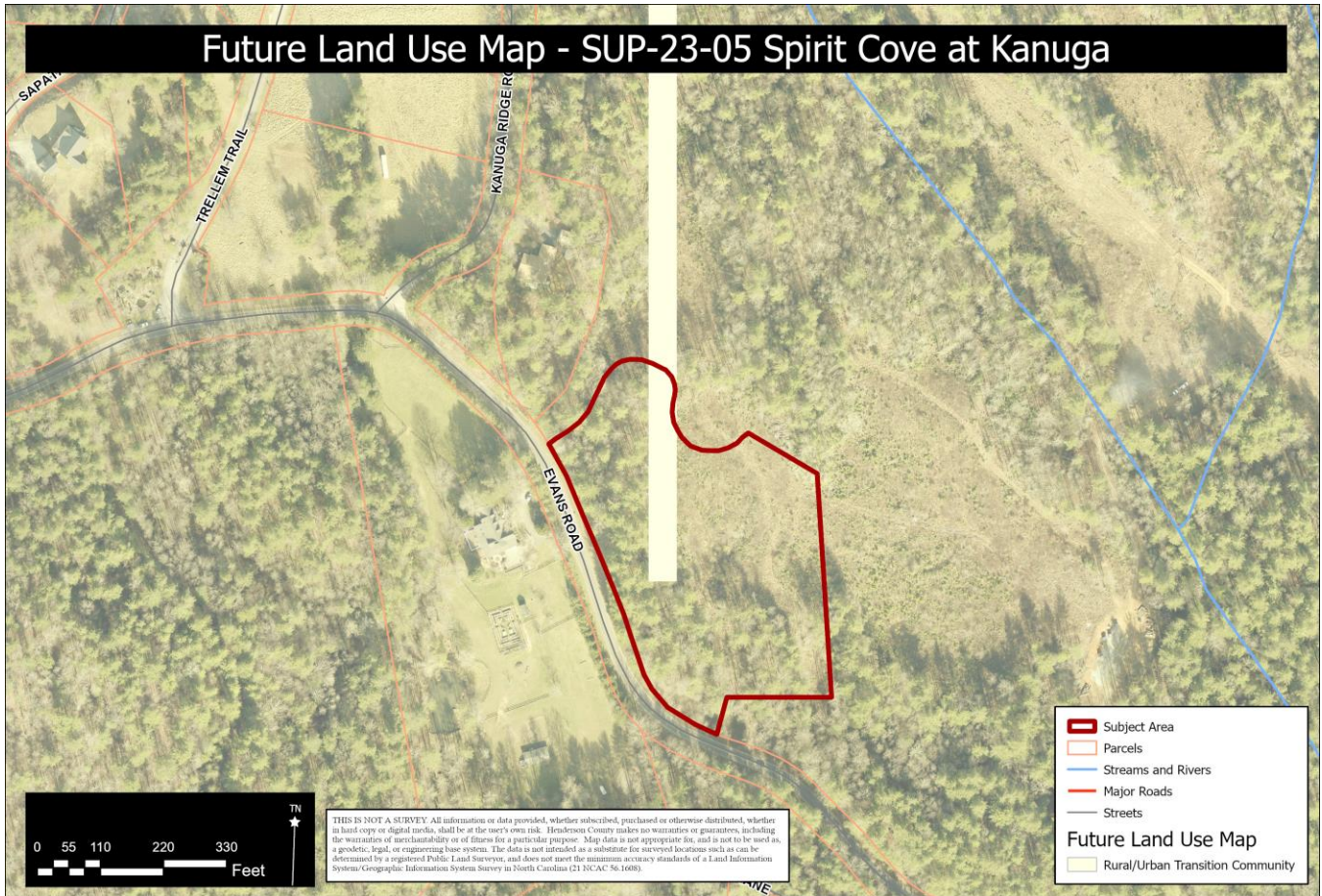
Property Owner: Kanuga Conferences, Inc. Applicant: TimberKnolls Spirit Cove, Inc.  
 Assessed Acreage: 4.76 Acres PIN: 9546-49-6130  
 Current Zoning: Residential Two Rural (R2R)



- Floodplain /Watershed Protection** The subject area is not encumbered by a Special Flood Hazard Area. The property is not in a Water Supply Watershed district. There are no known surface waters found on the subject area according to the USGS.
- Water and Sewer** This property will be served by private water and a private setpic.  
**Public Water:** N/A  
**Public Sewer:** N/A



**Map E: CCP Future Land Use Map**



Property Owner: Kanuga Conferences, Inc. Applicant: TimberKnolls Spirit Cove, Inc.  
 Assessed Acreage: 4.76 Acres PIN: 9546-49-6130  
 Current Zoning: Residential Two Rural (R2R)



**6. The Henderson County Comprehensive Plan (CCP)** The CCP Future Land Use Map identifies the subject area as being in a Rural/Urban Transition Area (See Map E).

a. **Rural Transition Area:** The CCP states that, “The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. 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.” (CCP, Pg. 134).

**7. Proposal** The applicant is proposing to develop the subject area as a professional office with one structure. The proposed structure is shown as approximately 4,032SQFT and will be encompassed with a wraparound porch. The structure will be accessed by a private driveway easement from Evans Rd (SR1196) with a cul-de-sac for emergency response vehicles. The structure will also contain 8 parking spaces and 1 ADA accessible parking space. The major site plan shows a total disturbance of 0.71 acres. The major site plan also shows the existing 130’ wooded buffer to remain along Evans Rd (SR1196) and the eastern edge of the subject area. Total open space is shown as 4.41 acres.



8. Photos

**View from East**



**View from North**





## View from South



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## View from West





N/F: KANUGA CONFERENCES, INC.  
 PIN: 9546577342  
 DEED BK. 674 @ PG. 539  
 (ZONING R-40)

NOTE: EXISTING DIRT RD.  
 AND DUMPSTER AREA LINWORK  
 OBTAINED FROM HENDERSON  
 COUNTY GIS.

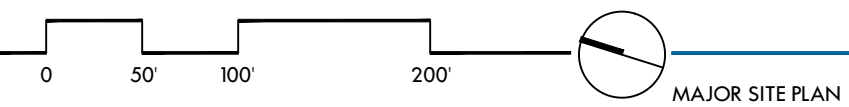
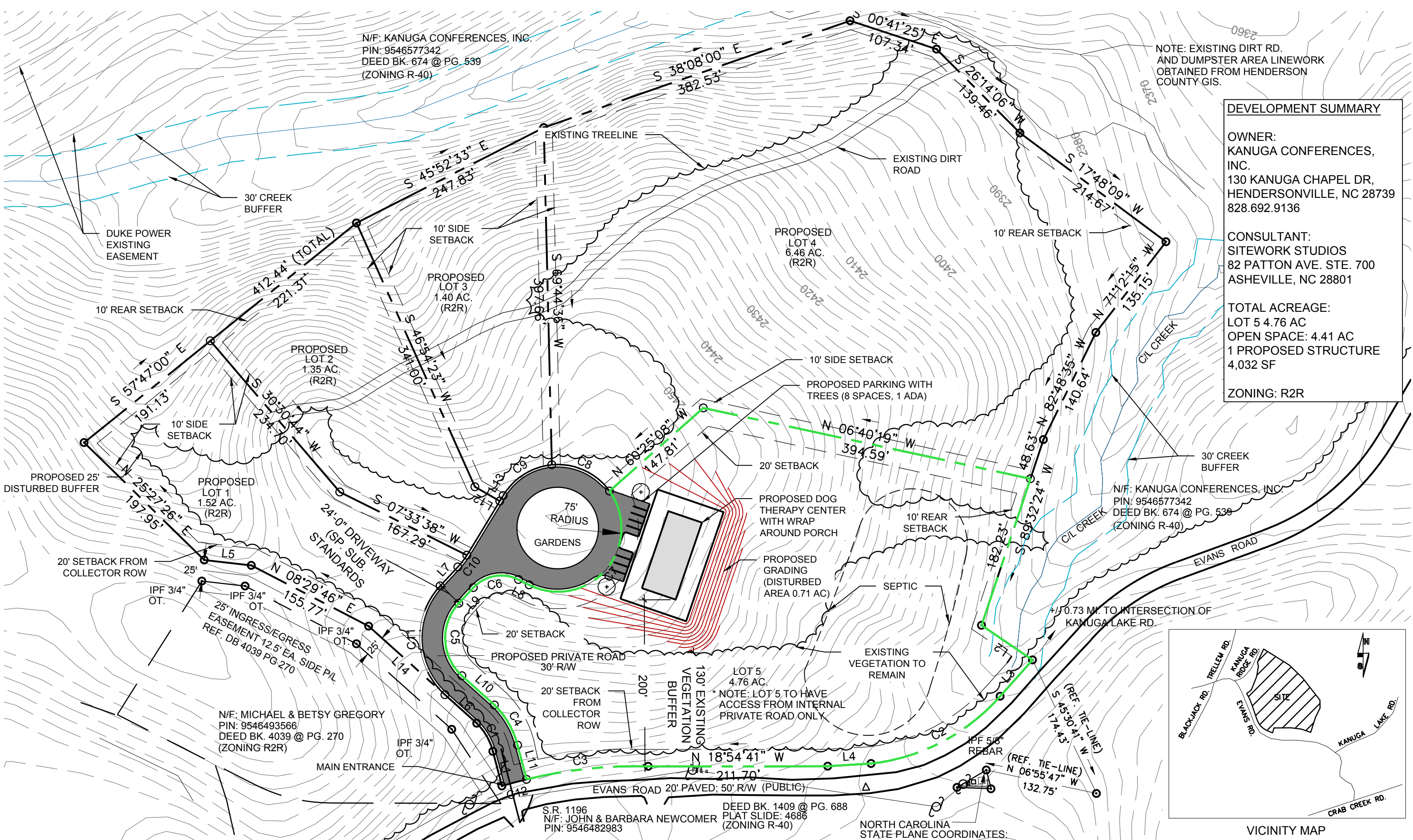
**DEVELOPMENT SUMMARY**

OWNER:  
 KANUGA CONFERENCES,  
 INC.  
 130 KANUGA CHAPEL DR,  
 HENDERSONVILLE, NC 28739  
 828.692.9136

CONSULTANT:  
 SITWORK STUDIOS  
 82 PATTON AVE. STE. 700  
 ASHEVILLE, NC 28801

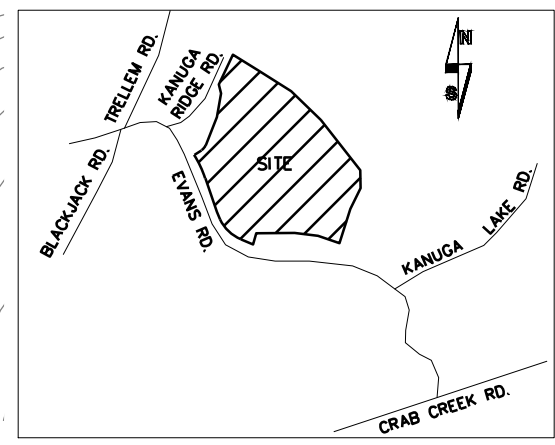
TOTAL ACREAGE:  
 LOT 5 4.76 AC  
 OPEN SPACE: 4.41 AC  
 1 PROPOSED STRUCTURE  
 4,032 SF

ZONING: R2R



# SPIRIT COVE AT KANUGA

HENDERSONVILLE, NORTH CAROLINA



VICINITY MAP



HENDERSON COUNTY  
MAJOR SITE PLAN REVIEW APPLICATION

CONTACT INFORMATION

Property Owner:

Name: KANUGA CONFERENCES, INC. Phone: \_\_\_\_\_  
Complete Address: 130 KANUGA CHAPEL DR. HENDERSONVILLE, NC. 28739

Applicant:

Name: KANUGA CONFERENCES, INC. Phone: \_\_\_\_\_  
Complete Address: 130 KANUGA CHAPEL DR. HENDERSONVILLE, NC. 28739

Agent:

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

Plan Preparer:

Name: ARMUTH CONTROL, INC. Phone: (864) 281-9600  
Complete Address: 1786 NEW CUT RD. SPARTANBURG, SC. 29303

GENERAL INFORMATION

Date of Application: 10/16/23  
Site Plan Attached (Circle One): Yes No

PARCEL INFORMATION

PIN: 954657734Z Tract Size (Acres): 16.15 AC.  
Zoning District: R-40 Fire District: VALLEY HILL  
Supplemental Requirement#: \_\_\_\_\_ Watershed: ?  
Permitted by Right \_\_\_\_\_ Floodplain: NO  
Special Use Permit \_\_\_\_\_

Location / Property to be developed: (SR.1196)  
EVANS RD., - +/- 3/4 MI. NW FROM THE  
INTERSECTION OF KANUGA LAKE RD.

\*\*\*\*\*

County Use Only

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



<b>APPLICATION IDENTIFICATION</b>		<b>N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION</b>
Driveway Permit No.	Date of Application	
County:		
Development Name:		

<b>LOCATION OF PROPERTY:</b>	
Route/Road:	S.R. 1196 - EVANS RD.
Exact Distance	0.73 <input checked="" type="checkbox"/> Miles <input type="checkbox"/> Feet      N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input checked="" type="checkbox"/>
From the Intersection of Route No.	KANAWA LAKE RD. and Route No. _____ Toward _____
Property Will Be Used For:	<input checked="" type="checkbox"/> Residential /Subdivision <input type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other
Property:	<input type="checkbox"/> is <input type="checkbox"/> 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 Kanuga Conferences, Inc	NAME	X MIRIAM E. WALSH
SIGNATURE		SIGNATURE	
ADDRESS	X 130 KANUGA CHAPEL DR X Hendersonville, NC	ADDRESS	X 1373 EVANS RD X HENDERSONVILLE, NC 28737
	Phone No. X 728.692.9136		

AUTHORIZED AGENT		WITNESS	
COMPANY	TimberKnolls Spirit Cove	NAME	
SIGNATURE		SIGNATURE	
ADDRESS	563 Orangewood Lane Dandridge, TN 37725	ADDRESS	
	Phone No. 843-291-2227		

**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: 10-17-2023  
 Previously Submitted (Circle One): Yes  No   
 Date of Pre-Application Conference: 8-2-2023  
 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: Office SR #: \_\_\_\_\_  
 Existing Structures or Uses on property: none-vacant  
 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: \_\_\_\_\_ Deed Book/Page: \_\_\_\_\_ Tract Size (Acres): \_\_\_\_\_  
 Zoning District: R2R Fire District: Valley Hill Watershed: none Floodplain: outside of FP.  
 Location of property to be developed: off Evans Rd near Kanuga Ridge Road.

**CONTACT INFORMATION**

**Property Owner:**

Name: Kanuga Conferances Inc Phone: 828.692.9136  
 Address: 130 Kanuga Chapel Rd City, State, and Zip: Hendersonville, NC 28739

**Applicant:**

Name: Michael R. Secura Phone: 828.692.9136  
PRES/CEO



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.

*see attached*

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.

*see attached*

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).

*see attached*

b. Off-street parking and loading areas.

*see attached*

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

*see attached*

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

*see attached*

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

*see attached's*

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

Kanuga Conferences, Inc

Print Applicant (Owner or Agent)

*Michael...*

Signature Applicant (Owner or Agent)

10/16/2023

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: \_\_\_\_\_

Application No. \_\_\_\_\_

Address: \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

Agent: TimberKnolls Spirit Cove , Inc

Name: \_\_\_\_\_ Phone: 843-291-2227

Address: 563 Orangewood Lane City, State, and Zip: Dandridge, TN 37725

Agent Form (Circle One): Yes No

Plan Preparer: Sitework Studios

Name: Matt Sprouse Phone: 828-225-4945

Address: 82 Patton Ave, Suite 700 City, State, and Zip: Asheville NC 28801

**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:

see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

see attached  
\_\_\_\_\_  
\_\_\_\_\_

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.

see attached  
\_\_\_\_\_  
\_\_\_\_\_



October 17, 2023

**Matt Champion, MPA CZO**

Code Services Director &  
Zoning Administrator  
100 N. King Street  
Hendersonville, NC 28792  
Office: (828) 694-6555

**RE: Special Use Permit Application**

Kanuga Conference Center  
proposed 4.76 acre parcel off Evans Road

Dear Mr., Champion,

On behalf of Kanuga and TimberKnolls Spirit Cove, we respectfully submit the enclosed package of applications and plans for a Special Use Permit on approximately 4.76 acres off Evans Road in Henderson County.

Kanuga in partnership with TimberKnolls Spirit Cove is proposing a 4,000 sf building to be used as an office and therapy center. Below are the written responses to the Henderson County SUP Standards for Review imposed by the land development code.

**Standards for Review**

- A. General Requirement #1: The Use will not materially endanger the public health, safety or welfare:
  - The 4000 sq.ft. office use proposed on the 4.76 acre lot will not endanger the public health, safety or welfare. The office will be used for therapy sessions with clients during daytime hours. The use is a partnership with Kanuga and will be used for the administration of the TimberKnolls Spirit Cove office and headquarters as well as used for therapy sessions for clients using highly trained therapy animals (dogs and horses). Clients include veterans, first responders, firefighters, EMS workers military families, doctors, and nurses. Groups of 12-25 people will be in the building at a time. If larger groups are held, parking will be coordinated by shuttle from off-site locations such as Kanuga.
  
- B. General Requirement #2: The Use will not substantially injure the value of the property or improvements in the area.
  - Professional office use is considered a compatible use adjacent to residential due to its low intensity. The proposed building is one story and will be on its own well and septic system. The proposed building, parking

and improvements are a min of 150 ft from Evans Road and a min. of 300 ft from any adjacent structure or residence. There will be a 100 ft vegetative buffer maintained between the building and Evans Road.

- C. General Requirement #3: The Use will be in harmony with the surrounding area.
- Its use is in keeping with and consistent with the rural character of this area of Henderson County. Small office and businesses are scattered in and amongst this area of Henderson County. The office use will contribute to the overall character of the surrounding areas.

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.
  - The proposed building and use will follow all applicable codes and requirements.
- 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.
  - The proposed use will not impact any traffic, existing or future along Evans Road or have an effect on Long Range and Comprehensive Plans.
- 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 proposed building and use is set back a min of 150 from Evans Road and at least 300 ft from any adjacent neighboring home or building. No excessive noise, smell, dust, glare or other nuisances are expected.
- 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.
  - The proposed use and building is set well beyond any nearby sensitive environmental areas. The goal of the project is to minimize land disturbance with currently less than an acre of land disturbance and grading.

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).
  - See site plan
- b) Off-street parking and loading areas.
  - See site plan
- c) Utilities (with particular reference to locations, availability and compatibility).
  - Utilities will be private systems (well and septic) and will comply with local and state requirements.
- d) Buffering and landscaping (with particular reference to type, location and dimensions).



- Buffers and landscaping will exceed requirements. Currently a 20 ft buffer is required for office use adjacent to residential. Th proposed use will have a min. of 100 ft of vegetative buffer.
- e) e. Structures (with particular reference to location, size and use).
- The single structure one story and will be a max of 4000 sq ft in the center of the property

Sitework Studios and our client look forward to working with you and Hendeson County on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew B. Sprouse". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Matthew B. Sprouse, FLA  
Partner