

**REQUEST FOR BOARD ACTION**  
**HENDERSON COUNTY**  
**ZONING BOARD OF ADJUSTMENT**

MEETING: TRC 4-20-21 & ZBA 7-28-21

SUBJECT: **Special Use Permit – Crab Creek Mini Storage SUP-21-02**

PRESENTER: **Matt Champion**

ATTACHMENTS: **Staff Report & Site Plan**

SUMMARY OF REQUEST: **Special Use Permit for Self Storage Warehousing, Mini-Warehouses**

SUGGESTED MOTION:

**I move to approve/deny SUP-21-02 because the use will:**

- a. Not materially endanger the public health, safety or welfare;**
- b. Not substantially injure the value of property or improvements in the area; and**
- c. Be in harmony with the surrounding area.**



## Henderson County, North Carolina Code Enforcement Services

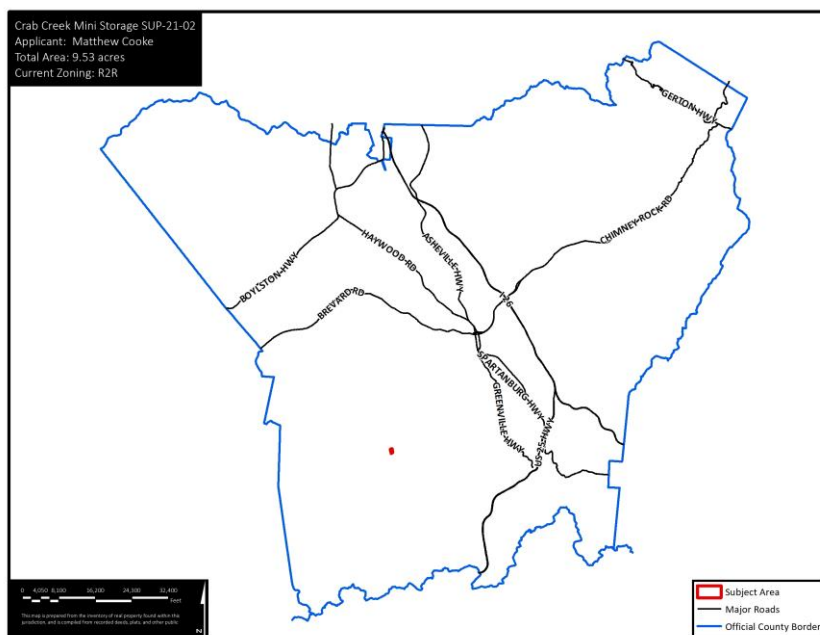
### 1. Committee Request

- 1.1. **Applicant:** Matthew Cooke
- 1.2. **Request:** Major Site Plan Approval/SUP-21-02
- 1.3. **PIN:** 9546-83-9038
- 1.4. **Size:** 9.53 acres +/-
- 1.5. **Location:** 547 Crab Creek Road. Across from the intersection of Curtis Drive and Crab Creek Road.
- 1.6. **Supplemental Requirements:**

### SR 9.7. Self Storage Warehousing, Mini-Warehouses (for Commercial District)

- (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) Separation. Self storage warehousing, mini-warehouses *structures* shall not be constructed within 100 feet of any adjacent existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (4) Structure. Garage/storage bays shall be oriented away from the public *right-of-way* where possible.
- (5) Operations. The mini-warehouse units shall be used for “dead” storage only (no commercial enterprise can be conducted from an individual unit or units and no *wholesale trade* or retail sales shall be permitted).
- (6) Lighting. Exterior lighting shall not exceed ten (10) feet in height.
- (7) Street Trees. Street *trees* shall be provided in accordance with Article V. Landscape Design Standards, Subpart C. Street Tree Requirements (Major Subdivisions).
- (8) Outdoor Storage. Open storage of *recreational vehicles* and dry storage of pleasure boats shall constitute an *outdoor storage* (see SR 2.9 and SR 2.10 (Outdoor Storage)).

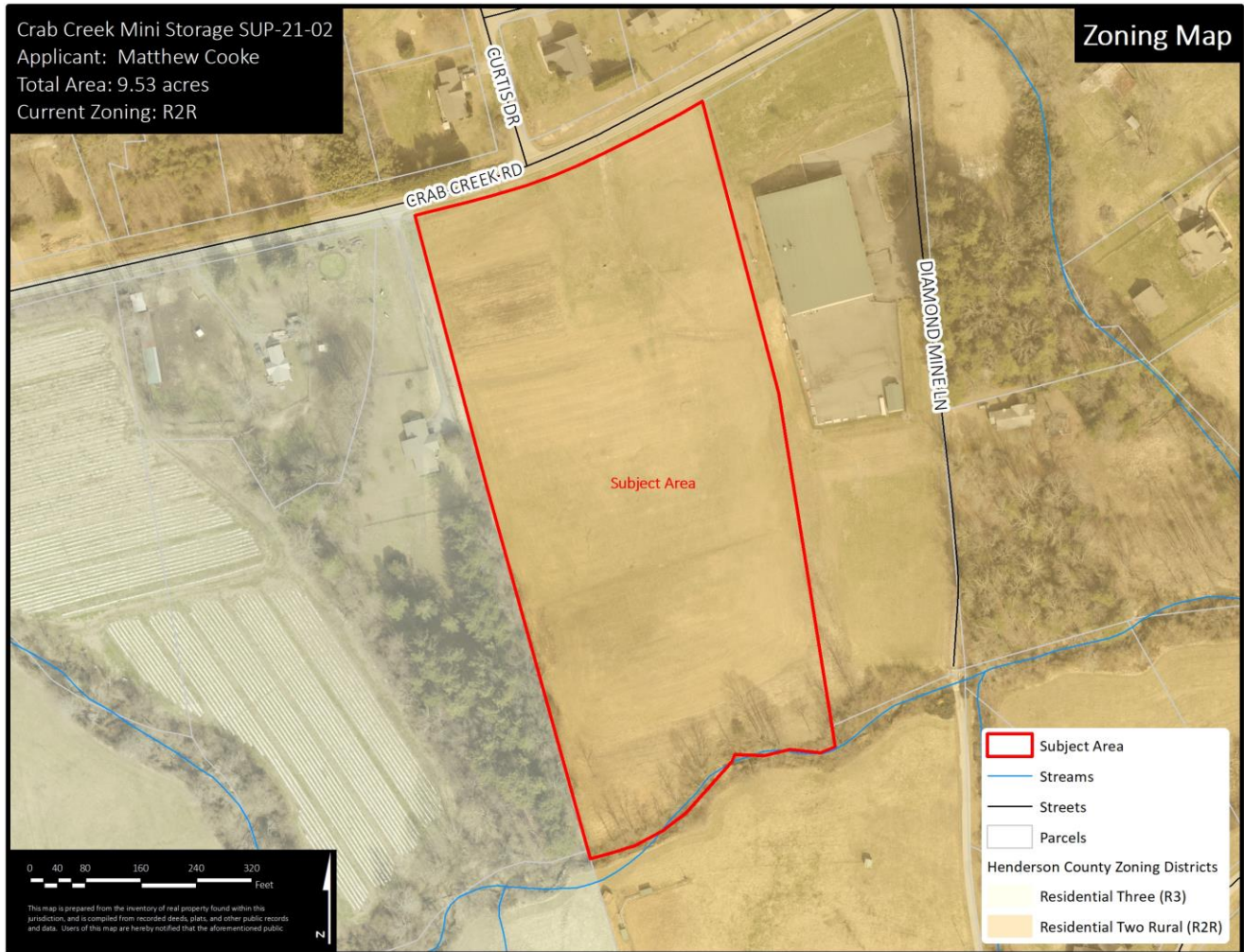
**Map A: County Context Map**



**Map B: Aerial Map**



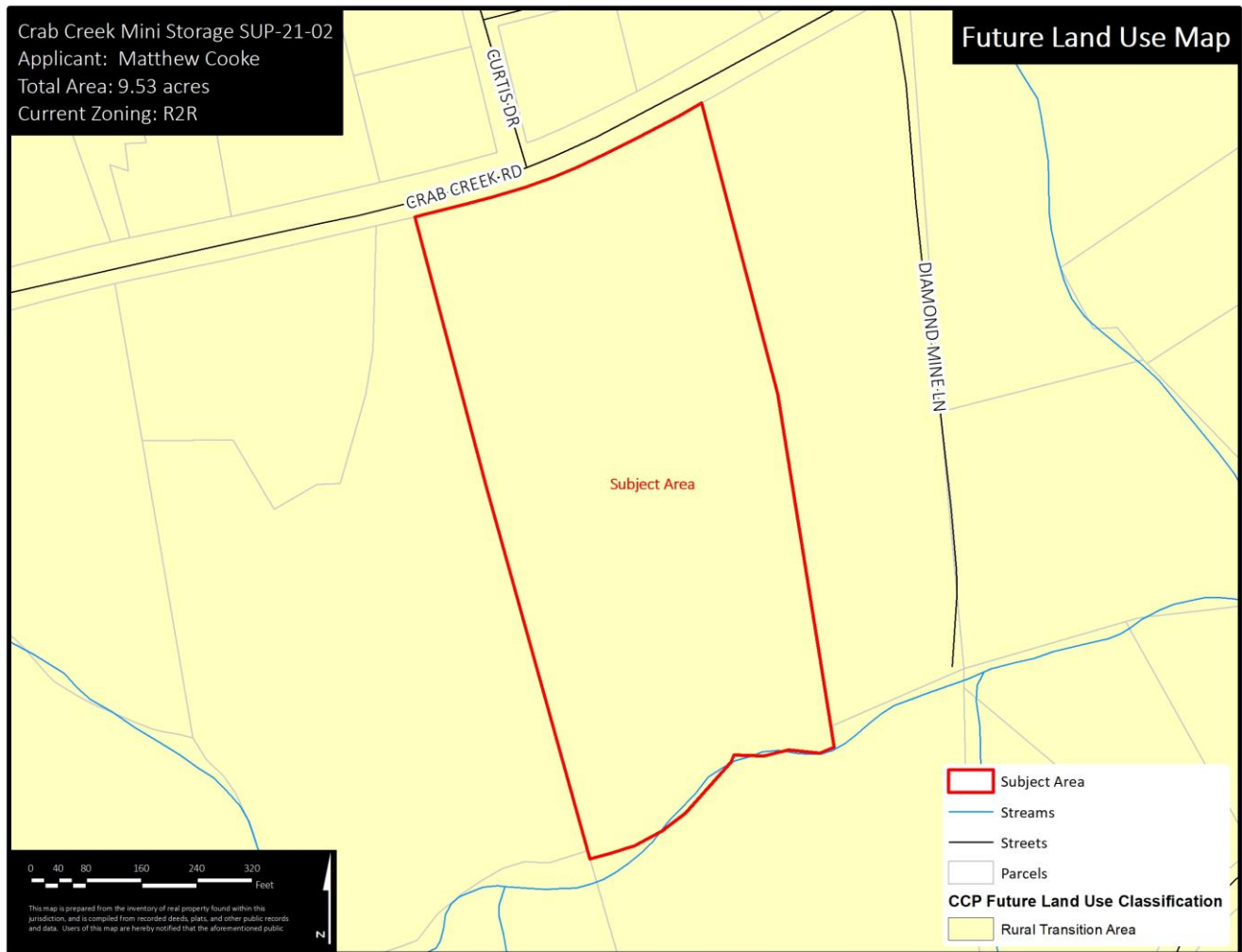
### Map C: Zoning Map



## 2. Current Conditions

- 2.1. **Current Use:** The subject area is currently vacant.
- 2.2. **Adjacent Area Uses:** Adjacent land uses consist of residential, agricultural, vacant land, and commercial surrounding the subject area. There is a commercial garage to the east and a social club to the south of the subject area. The subject area is approximately 0.3 miles west of the Henderson County Rescue Station off Crab Creek Road.
- 2.3. **Zoning:** The subject area is currently zoned Residential Two Rural (R2R). The intent of R2R is to allow for low to medium density residential development and rural commercial and light industrial development. The subject area is surrounded by Residential Two Rural (R2R) to the north, east, and south. Residential Three (R3) zoning district is found to the west of the subject area.

### Map D: CCP Future Land Use Map



### 3. Comprehensive Plan

**Henderson County Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located within the Rural Transition Area (RTA) Classification.

- a. **Rural Transition Area:** “The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered generally developable. 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 over the operational timeframe of this Comprehensive Plan.”
  - i. Population and residential densities should be generally lower than the more urban population densities found within the USA and should be generally in keeping with topography, septic limitations, and school and transportation capacities. The RTA will remain in a state of transition and will absorb much of the development pressure in the USA. The RTA will be necessary to allow more dense development where appropriate.

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

5. **Water and Sewer** This property will be served by individual well and septic.

6. **Proposal** The applicant is proposing to construct 125,758sqft of mini storage space. The major site plan shows the following:

- 4 Proposed Phases
  - Phase 1: 39,900sqft
  - Phase 2: 51,065sqft
  - Phase 3: 24,509sqft
  - Phase 4: 10,284sqft
- Gated Entrance
- 9.3% Open Space
- 7.45 Acres of Disturbance
- Enclosed Dumpster
- 4 Total Parking Spaces (1 ADA Space)
- B1 Buffer along eastern and western property lines
- Proposed stormwater controls to the south

7. **Buffering for Self Storage Warehousing.**

7.1. Buffers are determined by identifying the zoning districts of adjacent land uses. Table 5.1 outlines buffers required between zones. Table 5.2 outlines the width and plant material requirements.

<b>Table 5.1 Buffer Requirements</b>			
<b>Zoning District</b>	Industrial	Commercial	Residential
Industrial	N/A	B1	B2
Commercial	B1	N/A	B1
Residential	B2	B1	N/A

<b>Table 5.2 Buffer Width and Plant Material Requirements</b>					
<b>Buffer Type</b>	<b>Width (ft)</b>	<b>Plant Material Required Per 100 Linear Feet</b>			
		<b>Deciduous Trees</b>		<b>Evergreen Trees</b>	
		<b>Large</b>	<b>Small</b>	<b>Large</b>	<b>Small</b>
<b>B1</b>	20	1	2	2	6
<b>B2</b>	30	2	3	5	12

8. **Technical Review Committee.** The Technical Review Committee met on 4/20/2021 to discuss the major site plan. The TRC moved to forward the major site plan and special use permit application to the ZBA with the following conditions: NCDOT driveway permit, maximum driveway entrance of 36', Environmental Health improvements permit, erosion control permit, stormwater control permit, and any proposed outdoor storage must not impede emergency service response.

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: Deco Motive Design, LLC Phone: (828)230-2042  
Complete Address: 264 Diamond Mine Lane Hendersonville, NC 28739

**Applicant:**

Name: Matthew Cooke Phone: (828)243-8533  
Complete Address: 2 Tatham Road Hendersonville, NC 28792

**Agent:**

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

**Plan Preparer:**

Name: Jared L. DeRidder, PE with WGLA Phone: (828)687-7177 ext. 306  
Complete Address: 724 5th Avenue West, Hendersonville, NC 28739

**GENERAL INFORMATION**

Date of Application: 03/15/2021

Site Plan Attached (Circle One): Yes    No

**PARCEL INFORMATION**

PIN: <u>9546839038</u>	Tract Size (Acres): <u>9.53</u>
Zoning District: <u>R2R</u>	Fire District: <u>Valley Hill</u>
Supplemental Requirement# <u>9.7</u>	Watershed: _____
Permitted by Right _____	Floodplain: <u>Outside of floodplain</u>
Special Use Permit <u>In process</u>	

Location / Property to be developed: 547 Crab Creek Road Hendersonville, NC 28739

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

**County Use Only**

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

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application 03/15/2021	
County: Henderson		
Development Name: Crab Creek Storage Facility		

**LOCATION OF PROPERTY**

Route/Road: 547 Crab Creek Road Hendersonville, NC 28739

Exact Distance 4.1  Miles      N   S   E   W  
 Feet                   

From the Intersection of Route No. 1127 and Route No. 1152 Toward Brevard

Property Will Be Used For:  Residential /Subdivision    Commercial    Educational Facilities    TND    Emergency Services    Other

Property:  is    is not   within Hendersonville 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**

<b>PROPERTY OWNER (APPLICANT)</b>		<b>WITNESS</b>	
COMPANY	<u>X</u>	NAME	<u>X</u>
SIGNATURE	_____	SIGNATURE	_____
ADDRESS	<u>X 2 Tatham Road Hendersonville, NC 28792</u>	ADDRESS	<u>X</u>
	<u>X</u> Phone No. <u>X(828)243-8533</u>		<u>X</u>

<b>AUTHORIZED AGENT</b>		<b>WITNESS</b>	
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: 03/15/2021  
Previously Submitted (Circle One): Yes  No   
Date of Pre-Application Conference: \_\_\_\_\_  
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: Mini-Storage facility SR #: 9.7  
Existing Structures or Uses on property: Vacant Land  
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: 9546839038 Deed Book/Page: 1674/103 Tract Size (Acres): 9.53  
Zoning District: R2R Fire District: Valley Hill Watershed: N/A Floodplain: Outside of floodplain  
Location of property to be developed: 547 Crab Creek Rd. Hendersonville, NC 28739

**CONTACT INFORMATION**

**Property Owner:**

Name: Deco Motive Design, LLC Phone: (828)230-2042  
Address: 264 Diamond Mine Ln. City, State, and Zip: Hendersonville, NC 28739

**Applicant:**

Name: Matthew Cooke Phone: (828)243-8533

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

Address: 2 Tatham Road

City, State, and Zip: Hendersonville, NC 28792

**Agent:**

Name: N/A

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

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

Agent Form (Circle One):    Yes    No

**Plan Preparer:**

Name: Jared L. DeRidder, PE with WGLA

Phone: (828)687-7177 ext.306

Address: 724 5th Avenue West

City, State, and Zip: Hendersonville, NC 28739

**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:

Not applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

This facility would be a convenience to the community and the surrounding area. It is also not a high car count business. It will not effect the traffic in the area.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The North side adjoining property has a large commercial building. Our buildings will be a similar color scheme to the adjoining property.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

We will comply with all local, state and federal statutes. We have been in this business since 2008 in Henderson County.  
\_\_\_\_\_  
\_\_\_\_\_

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 nay municipality of the County.

Not applicable  
\_\_\_\_\_  
\_\_\_\_\_

- 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.

There would be exterior LED pack lights on the building at 8' in height. They have dusk to dawn sensors as to not contribute to nighttime light pollution.

- 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 property does not have any landscaping on it currently. The surface water will go into storm water retention ponds on the property per County storm water requirements.

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).

Line of site for ingress/egress is very visible. DOT will dictate the location and width of the driveway.

- b. Off-street parking and loading areas.

All parking and loading areas are off-street.

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

Duke Power will set transformer according to building and road layout.

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

There is currently none. We will work with the County to achieve the necessary aesthetics for the area.

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

See Drawing.

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

Matthew Cooke

Print Applicant (Owner or Agent)

Signature Applicant (Owner or Agent)

03/15/2021

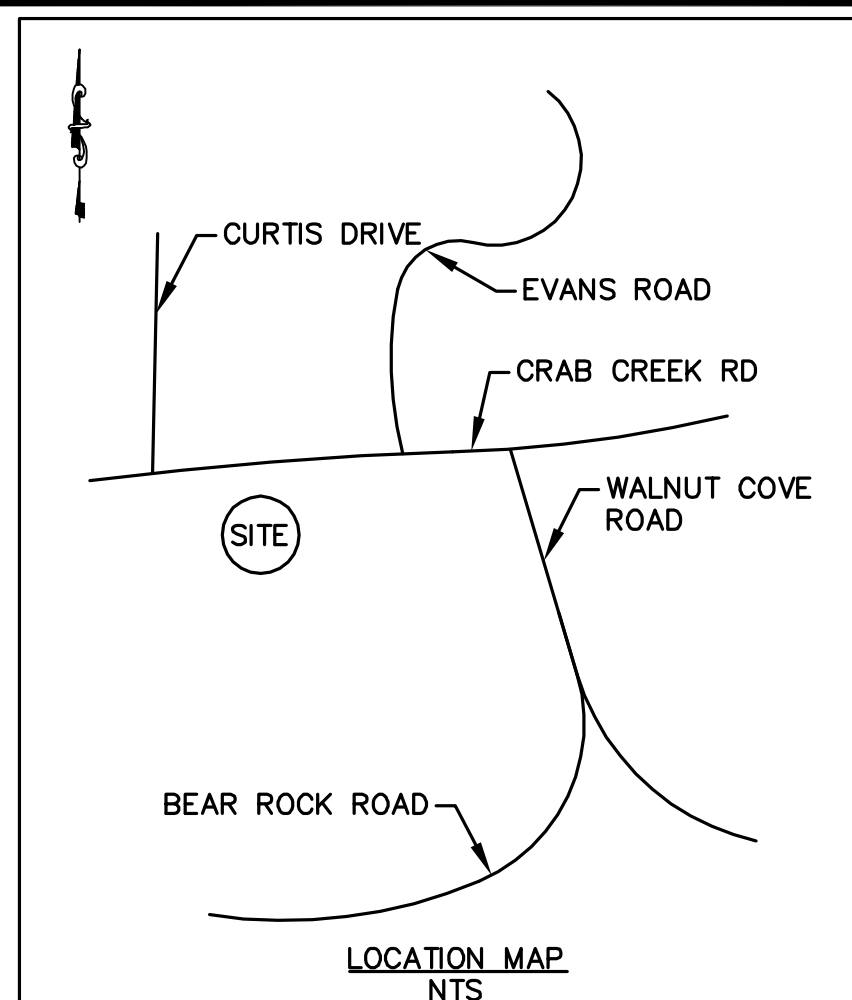
Date

County Use Only

Fee: \$ N/A Paid: N/A Method: N/A Received by: Matt Champion

Authority to grant the requested permit is contained in the Land Development Code, Sections: 42-305

Community Planning Area: Crab Creek



**DEVELOPMENT BLOCK**

PROJECT: CRAB CREEK MINI STORAGE

ADDRESS: 547 CRAB CREEK RD  
HENDERSONVILLE, NC 28739

OWNER/DEVELOPER: MATTHEW COOKE  
828-243-8533

PIN: 9546-83-9038  
DB:1674 PG:103

ENGINEER: JARED L. DERIDDER, P.E.  
WGLA ENGINEERING, PLLC  
724 5TH AVENUE WEST  
HENDERSONVILLE NC 28739  
828-687-7177

ZONING: HENDERSON COUNTY - R2R

SETBACKS:  
FRONT: 20' (COLLECTOR)  
SIDE: 10'  
REAR: 10'

TOTAL PROJECT AREA: 9.53 ACRES ±

TOTAL BUILDING SQUARE FOOTAGE: 125,758 SF (100%)

PHASE 1: 39,900 SF (31.73%)

BLDG A1: 1,900 SF  
BLDG B1: 16,150 SF  
BLDG C1: 10,450 SF  
BLDG D1: 5,700 SF  
BLDG E1: 5,700 SF

PHASE 2: 33,656 SF (26.76%)

BLDG A2: 3,597 SF  
BLDG B2: 17,409 SF  
BLDG C2: 12,650 SF

PHASE 3: 41,918 SF (33.33%)

BLDG B3: 17,409 SF  
BLDG C3: 10,709 SF  
BLDG D3: 6,900 SF  
BLDG E3: 6,900 SF

PHASE 4: 10,284 SF (8.18%)

BLDG D4: 6,110 SF  
BLDG E4: 4,174 SF

OPEN SPACE: 0.89 AC (9.34%)

COMMON SPACE: 0.89 AC (9.34%)

APPROXIMATE DISTURBED AREA: 7.45 AC

ROAD FRONTAGE: 472 LF ±

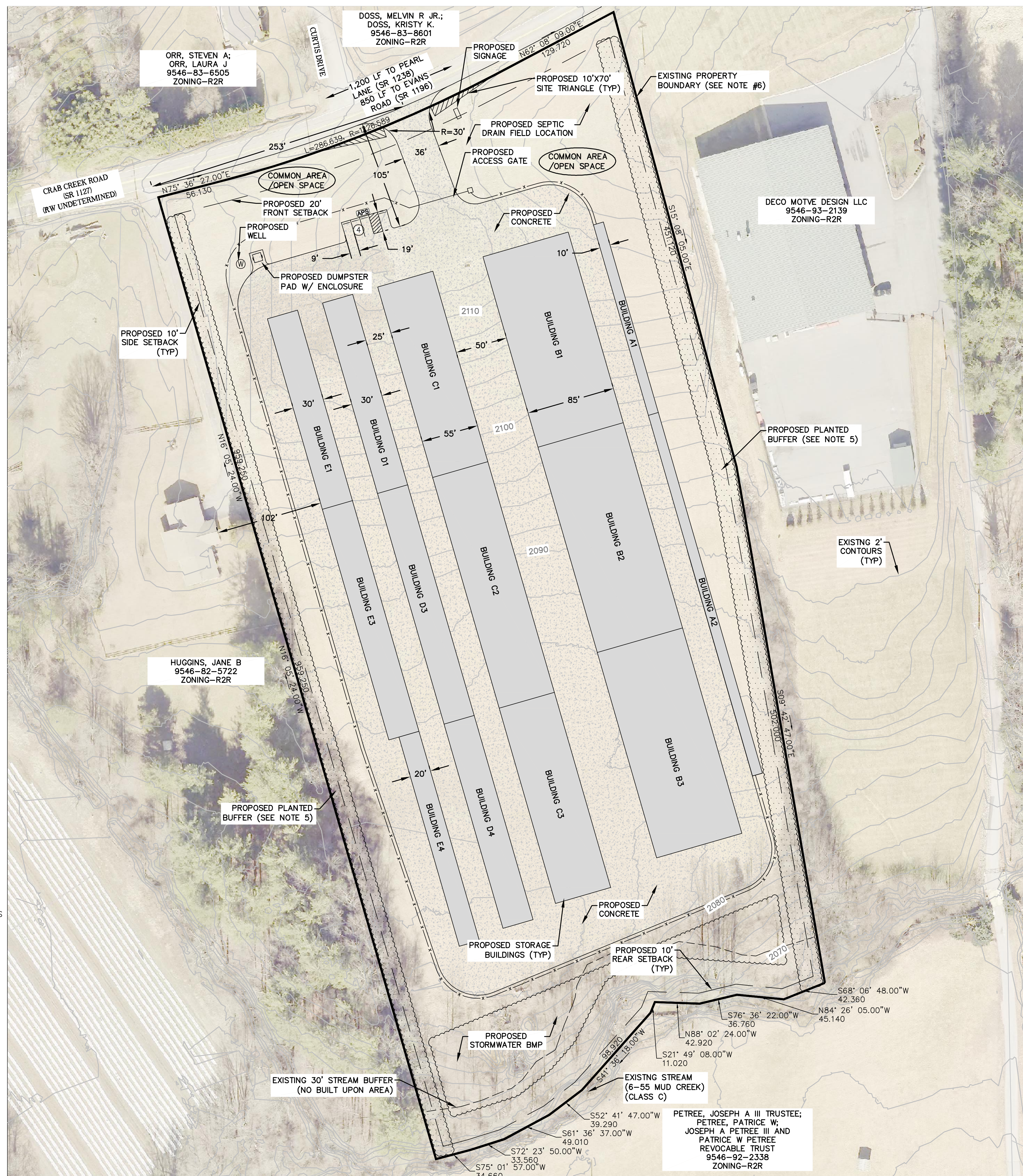
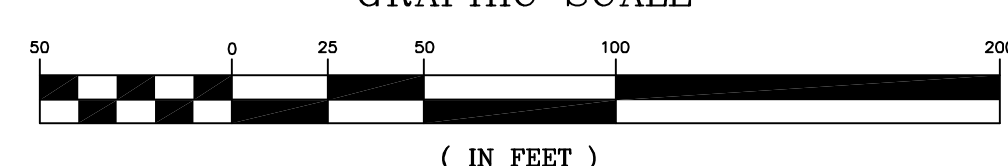
PROPOSED WATER SYSTEM: PRIVATE - WELL

PROPOSED SEWER SYSTEM: PRIVATE - SEPTIC

**NOTES:**

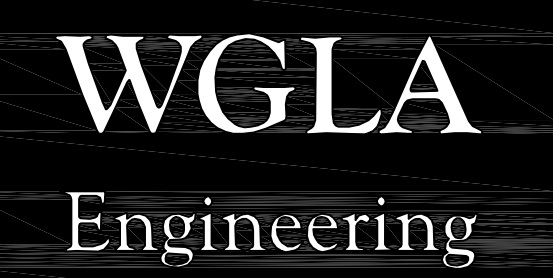
- 1) NO PORTION OF THIS PROJECT IS LOCATED WITHIN THE 100 YR FLOOD PLAIN.
- 2) THIS PROJECT WILL BE COMPLETED IN MULTIPLE PHASES.
- 3) OFFICE TO HAVE EITHER CONVENTIONAL OF MODIFIED/ENGINEERED SEPTIC SYSTEMS. ALL PERMITTING SHALL BE COORDINATED WITH THE HENDERSON COUNTY HEALTH DEPARTMENT.
- 4) NO STREAM OR WETLAND IMPACTS ARE CURRENTLY PROPOSED FOR THIS PROJECT.
- 5) ALL PROPOSED LANDSCAPE BUFFERS TO BE 20' WIDE TYPE B1 LANDSCAPE BUFFERS PER SECTION 42-168 OF THE HENDERSON COUNTY LAND DEVELOPMENT CODE. TYPE B1 BUFFERS ARE TO BE USED WHERE ADJACENT TO RESIDENTIAL USES [1 LARGE AND 2 SMALL DECIDUOUS TREES AND 2 LARGE AND 6 SMALL EVERGREEN TREES PER 100 LF OF BUFFER]. PLANT DENSITIES OF THE WESTERN SMALL BUFFER WILL BE INCREASED TO A B2 BUFFER DENSITY WITH 2 LARGE AND 3 SMALL DECIDUOUS TREES AND 5 LARGE AND 12 SMALL EVERGREEN TREES PER 100 LF OF BUFFER WHILE MAINTAINING THE B1 BUFFER WIDTH OF 20'.
- 6) BOUNDARY SURVEY PER PLAT SLIDE 10283 RECORDED BY DAVID C HUNTLEY & ASSOCIATES LAND SURVEYING ON 7-29-2016
- 7) TOPOGRAPHIC INFORMATION PROVIDED BY NC LIDAR.
- 8.) SITE LIGHTING SHALL BE AIMED, DIRECTED, SHIELDED OR ARRANGED SO THE LIGHT SOURCES FOR SUCH FACILITIES DO NOT CAUSE UNDUDE GLARE ON NEIGHBORING PROPERTIES OR INTERFERE WITH THE SAFE USE OF PUBLIC RIGHTS-OF-WAY. ALL PROPOSED SITE LIGHTING TO BE DARK SKY COMPLIANT & APPROVED BY THE INTERNATIONAL DARK-SKY ASSOCIATION.
- 9.) DURING PHASES 1-3 OF CONSTRUCTION, A PORTION OF THE SITE MAY BE USED FOR OUTDOOR STORAGE AS ALLOWED & DEFINED BY THE ORDINANCE BY THE ORDINANCE. AT COMPLETE BUILDOUT OUTDOOR STORAGE WILL NOT BE PROVIDED.

**GRAPHIC SCALE**



**LEGEND**

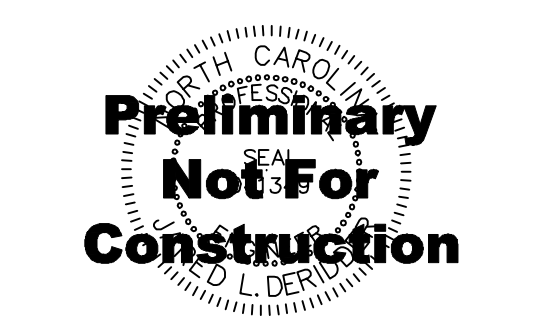
- REQUIRED BUILDING SETBACK
- ▭ PROPOSED METAL BUILDING
- ▭ PROPOSED CONCRETE
- x-x- PROPOSED PERIMETER FENCE
- ▭ PROPOSED LANDSCAPE BUFFER



WGLA ENGINEERING, PLLC  
724 5th AVENUE WEST  
HENDERSONVILLE, NC 28739  
(828) 687-7177  
WGLA.COM  
NC LICENSE P-1342

**CRAB CREEK MINI STORAGE**

CRAB CREEK  
HENDERSON COUNTY  
NORTH CAROLINA



**REVISIONS**

DATE	DESCRIPTION



PROJECT NUMBER: 21129  
DATE: 4-22-21  
DRAWN BY: JRC  
CHECKED BY: JLD

**PRELIMINARY SITE PLAN**

**C-200**

SCALE: 1"=50'