



PLANNING BOARD RECOMMENDATION  
HENDERSON COUNTY COURTHOUSE AND DETENTION  
CENTER EXPANSION (25-06-CZD)  
MEETING DATE: MARCH 13<sup>TH</sup>, 2025

PETITION REQUEST: Rezoning: Planned Institutional Development-Conditional Zoning District (PID-CZD)

APPLICANT/PETITIONER: Christopher Todd (Assistant County Manager) of Henderson County Government, applicant. William Lapsley (County Commissioner Chairman) of Henderson County Government, property owner

**PLANNING BOARD ACTION SUMMARY:**

The Planning Board voted 7-0 to recommend **approval** of this petition and adopted the following motion:

**PLANNING BOARD MOTION:**

Ms. Peacock moved Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9568-97-1859) from PID, Planned Institutional Development to PID-CZD, Planned Institutional Development Conditional Zoning District, for the construction of a 90,859 square foot courthouse and 53,443 square foot detention center based on the master site plan and list of conditions submitted by and agreed to by the applicant, [dated 3-6-25] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses

Permitted Uses:

1. Public & quasi-public buildings
2. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.
3. We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:
  1. This expansion would give the County the additional space needed to improve operational efficiency and enhance the services currently provided to its citizens.
  2. The proposed expansion of the detention center and courthouse builds upon a longstanding use established at this site for over three decades.
  3. Expanding the courthouse is a long-term investment in the community, ensuring that the infrastructure is capable of handling future needs without requiring another expansion in the near future.

Ms. Gilgis seconded the motion. Chair discussed having a condition concerning the handicap parking spaces. Discussion was made by the Board members on having more spaces or having a ramp and more handicap spaces. Mr. Buie stated building a ramp like that would be challenging and they can certainly look at the area and see where they can increase handicap parking up top. **Ms. Peacock amended the motion to include that City Council consider additional handicap parking.** Ms. Gilgis seconded the motion which passed unanimously.

## OVERVIEW OF BOARD DISCUSSION FROM MEETING MINUTES:

The Planning Board convened on this project for 1 hour and 11 minutes.

*Ms. Waters asked about the handicap spaces and if they would be expanded or if there would be spaces on the first level that would remain open. Mr. Bassiely stated he hopes with this new facility there will be an expanded number of spaces. He pointed out the area where the spaces would be and they would be at grade level.*

*Chair asked concerning the sidewalks, is the reason they are asking for a fee in lieu because they do not want to have to deal with the railroad.*

*Will Buie, WGLA Engineering stated they are working on the project from a civil perspective. He stated he worked on the project in 2010 for the Sheriff's Office and the county had agreed to improve the sidewalk through the Martin Luther King Jr Park rather than build the sidewalk down to the property line. The property line terminates right in the middle of the railroad and it seemed to them at that time that it was dangerous to have that sidewalk that would be extended to the property line and end in the middle of the railroad. The county has offered the alternative condition of a fee in lieu of which allows them time to figure what will happen with the rail line and the Fourth Avenue corridor. They could build the sidewalk but feels it would be a shame if it was built on the Henderson County side and the other side is not where the extension into Jackson Park continues. That is the logic behind the condition*

*Chair stated at the neighborhood meeting there was concern about the need in the detention center for more beds. Can someone from the county address that?*

*Kenny Burns, Burns Architecture stated he is an advisor to both the design team and the county, He stated there is really no one here from the county that can answer that. Chair stated he thought Mr. Todd could do it. Chair stated he just wanted to make sure the concern was addressed from the NCM. Mr. Burns stated originally there were studies done that told them how many beds to put in and so they designed the original concepts for that. As they got closer to moving forward, the needs went down a little bit, the actual need for beds and they looked at that and because of the cost and things they actually decided to split what they show as Area B and that was where the main expansion would take place and they have eliminated half of it. It can be built in the future but because the need wasn't there right now, they have taken that out. The addition they are putting in right now is 110 more beds, 24 for females and 78 are on the male side, which based on the studies and the projection on when they will need those beds, that will be adequate for at least 20 years.*

*Chair asked why they would design a building that is 42 feet taller than what is allowed. Mr. White stated the program is really what is pushing them to build a taller building. They looked at all different kinds of scenarios on how to organize the building and they determined that the most efficient, effective way to do this is with a single stack. When you design courthouses you always design them in pairs and the prisoners are kept in holding cells between the two court rooms and there is a prisoner elevator that is in that middle court. If they were to expand horizontally they have now doubled the number of elevators for that. To make the building the most efficient and effective as possible that drove them to a stacking scenario where they stacked the courts. The second issue they were addressing by doing that was that it freed them to utilize the site more to get the number of parking spaces they needed without having to build a deck. The deck was on the table in the beginning and they just could not afford it. Right now that was something that the county could not do.*

## OVERVIEW OF BOARD DISCUSSION FROM MINUTES:

Discussion was made on the Grove Street drop-off. Mr. Morrow explained what staff was proposing.

Mr. Buie stated there are a few things that drive the need for what they are showing. He explained the Fire Department connection and pointed out the location. The truck turn would have to come in and move back again so simply carving this off and ending it here is not possible from a firefighting standpoint. They need a "T" for the trucks to be able to get in and turn around. The team felt that it is important that they needed to provide the at grade accessible parking, they could extend it a bit further but the goal with what you see here is that this is all plaza area which transitions into greenspace and blends into the MLK Park area which is existing. He thinks through signage it will be very clear and it is a one way in and it will be very clear that the right lane is for accessible parking and the left land is for drop off and they believe that can work well.

Chair stated eight handicap spaces does not seem sufficient especially with the stairs and there is no other way to access the facility. Mr. Buie discussed the number of parking spaces. There will be accessible spaces that will be provided for staff as well. Those spaces on top are only for visitors coming to the courthouse. Mr. Buie stated they have heard the concerns and can look at the number of spaces that are provided up top. Chair discussed having a condition for handicap spaces.

## PUBLIC COMMENTS:

**Ken Fitch, 1046 Patton Street (zoom)** stated the project is an essential public facility and it has gone through a long process of design and redesign. The key factor here has been the budget. We must consider functionality and compatibility. A major issue is the drop off and handicap parking at the main entrance. He talked about people having to use the stairs and if that was ADA compliant. For a big budget project like this there should be easier access. Another issue is the number of parking spaces. Are the lots adequate for the parking required? The search for parking will become a traffic issue as well. If you do not have adequate parking you will have other issues. Another issue is the height. This is a massive building and it will have a major impact on the cityscape. It would be important to see other views from this location. The stair issue is a major issue to deal with. He does not think it is functional or practical at the present time.

**Diana Byrd, 350 E Allen Street** spoke and stated if the entrance is from First Avenue at the detention center then she is concerned about there being more traffic on Pine Street which goes into that part of Allen Street in front of their building which is considered a private road and the wear and tear on that road. She just thinks the city should start helping them with that part of Allen Street. In inclement weather the city refuses to plow that area. She thinks it is not fair and with the change with the detention center there will be more traffic on it.

Discussion was made on the concerns about First Avenue and Pine and Allen Street. Mr. Holloway felt like staff could work with her on terms of whether it is a city street. Chair stated the traffic will enter the parking lot from Fourth Avenue and will not be from the First Avenue side. The detention center will be from that side which it already is on and nothing will change there as far as traffic he wouldn't think. Ms. Byrd stated when they do this redesign the main entrance will be from First Avenue. Mr. Morrow stated that entrance to the detention center is already on First Avenue. Chair stated on that side of the facility nothing is really going to change.

**BOARD ACTION:**

Motion:

- Tamara Peacock (Vice Chair)

Second:

- Kyle Gilgis

Yeas:

- Tamara Peacock (Vice-Chair), Donna Waters, Kyle Gilgis, Jim Robertson (Chair), Bob Johnson, David McKinley, Mark Russell

Nays:

- None

Absent: Peter Hanley, Laura Flores

Recused: None