

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: February 4, 2008

SUBJECT: Review Special Intensity Allocation application WS-2006-11-02
(PT Greene Family Partnership) (Applicant #1)

ATTACHMENTS:

1. Staff Memorandum
2. Planning Staff Memorandum
3. Mills River Staff Memorandum
4. Applicant Information, narrative and plan

SUMMARY OF REQUEST:

Tom Jacobson, Agent, submitted an application on behalf of PT Greene Family Partnership, for approval of a proposed warehouse space (11,620 square foot), office space (2,000 square feet) and associated parking/driveway access (55,100 square foot) on November 3, 2006. The application has a proposed impervious surface of 69.944 percent. This exceeds the 24 percent allowed by right. A Special Intensity Allocation permit would be required. The PIN for the property is 9631-63-4219 and is approximately 2.26 acres in size. The property is currently a vacant parcel of land. The parcel of land is located in the Town of Mills River.

Normally these types of applications would be under staff review using category 1 allocation for Lower Mills River (Asheville) Balance of Watershed (WS-III). On November 2, 2006, category 1 was exhausted of allocation. The Henderson County Land Development Code (LDC) Section 200A-322.D (Special Intensity Allocation staff/formal review) requires applicants submit is reviewed by the Henderson County Board of Commissioners for any proposed nonresidential development once Category 1 has been exhausted. On December 19, 2007, the Board of Commissioners approved criteria for each applicant to meet. I sent a letter along with a copy of the criteria to each applicant. Each applicant had a deadline of January 18, 2008 to return their revised drawings.

Category 3 started out with a total of 32.996 acre, this application removes 2.260 acres from the total. If approved, this would leave 30.736 acres for future projects located in the WS-III Balance of Watershed district.

BOARD ACTION REQUESTED: The Watershed Administrator recommends approval of project as submitted.

Suggested Motion: I move that the Board approve the application for PT Greene Partnership's Special Intensity Allocation (WS-III Balance of Watershed) subject to the applicant satisfying all recommendations of the Watershed Administrator, Senior Planner, Mills River staff and the Board.

MEMORANDUM

TO: Henderson County Board of Commissioners

FROM: Natalie J. Berry, Water Supply Watershed Administrator

DATE: January 25, 2008

SUBJECT: Staff review & recommendations or Category 3 SIA application
WS-2006-11-02 (PT Green Family Partnership)

I, Water Supply Watershed Administrator, have reviewed application WS-2006-11-02 submitted by Tom Jacobson, agent for the PT Green Family Partnership of property for a category 3 Special Intensity Allocation (SIA) Permit. This project is located in the Town of Mills River. The total acreage for the parcel is 2.26 acres.

Based on the Water Supply Watershed Ordinance and the criteria set by the Board of Commissioners at their December 19, 2007 meeting, as well as the recommendations from the Planning Department and the Town of Mills River staff, I have provided the following comments and recommendations for the Boards consideration:

1. **The proposed use of the property, size of the proposed use, and size of the property.** The applicant is proposing a commercial warehouse and office project. The proposed structure is approximately 13,620 square feet (0.31 acres) which includes 11,620 square feet (0.27 acres) in warehouse space and 2000 square feet (0.05 acres) of office space. The development will have approximately 55,100 square feet (1.26 acres) in "concrete" (parking/drives/sidewalks/etc.). The property is approximately 98,250 square feet (2.26 acres) in size and the applicant is proposing to cover the property with approximately 68,720 square feet (1.58 acres) of impervious surface (70 percent of the property). The proposed project maximizes the allowed impervious surface and restricts the property of future development or expansion.
2. **The proposed use shall be developed in such a manner as to:**
 - a. **Comply with all applicable local, state and federal statutes, ordinance and regulations.** The Town of Mills River stated that the project is consistent with Mills River Zoning Ordinance and will be required to comply with parking, landscaping and signage requirements at the development under a memorandum dated January 25, 2008. See attachment 3 in this package for specifics.
 - b. **Be in accordance with the Henderson County 2020 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 consensus is the proposed use of the property is

consistent with the Mills River Comprehensive Land Use Plan as well as in Henderson County Comprehensive 2020 Plan which designates this area as an urban service area and ideal for commercial development. The project also appears to be consistent with the Comprehensive Transportation Plan with easy access to NC 280 by way of Brandy Branch. See attachment 3 in this package for specifics.

- 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 properties adjacent to the northeast are owned by the applicant and are zoned MR-GB (Mills River General Business). The properties to the east and west are zoned MR-LI (Mills River Light Industrial). The properties to the south are zoned MR-NC (Neighborhood Commercial). The consensus is that this project will not affect noise, glare, dust or odor on adjacent properties, if found to do so, measures will be taken to address during construction by the Watershed Administrator.
 - d. **Minimize 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 consensus is the proposed use of the property does not suggest any environmental impacts to groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites or unique natural areas. The applicant is proposing public water and sewer services.
 - e. **Minimize built upon area.** The applicant is seeking to maximize built upon area at 70 percent. The Planning Staff felt that the applicant may be able to reduce impervious surface by the removal of portions of the loop road. Planning Staff does recommend the two proposed entrances remain for access purposes unless required by the NC DOT. The Watershed Administrator agrees.
 - f. **Direct stormwater runoff away from surface waters.** The nearest surface water is Brandy Branch creek to the south of the project site. The applicant has indicated that stormwater runoff will be directed with standard measures to include, but not limited to, drop inlets, pipe and retention basins with the approval from this office under this permit.
3. **Provisions/Arrangements have been made concerning:**
- a. **Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).** The applicant has proposed two entrances/exits to the property from Brandy Branch Road. The structure on the site is accessible from all sides by this internal loop drive. The applicant has also proposed sidewalks which connect the proposed parking areas and entrance.
 - b. **Off-street parking and loading areas.** As stated in the Town of Mills River recommendations, the project will be required to comply with the zoning ordinance at the time of the final plan submittal for zoning permits with the Town. The applicant has provided the minimum required parking (29 spaces). There are also three tractor trailer bays for loading/unloading with a ramp from the parking area to the warehouse. The applicant may not increase the impervious surface beyond 70%. Any additional parking requirements should be located in areas already proposed as impervious surfaces.
 - c. **Utilities (with particular reference to locations, availability and compatibility).** The Planning Department suggests that the final site plan indicate the location/availability/compatibility of utilities, the Watershed Administrator concurs.

- d. **Buffering and landscaping (with particular reference to type, location and dimensions).** The applicant has indicated that there will be approximately 90,350 square feet (2.07 acres) in grassy and landscaped areas. As stated in the Town of Mills River recommendations, the project will be required to comply with the zoning ordinance at the time of the final plan submittal for zoning permits with the Town.
- e. **Structures (with particular reference to location, size and use).** The applicant is proposing to locate the structure centrally on the site with parking on the south of the structure and loading to the north of the structure.

Staff recommends that the Board approve the Category 3 SIA application WS 2006-11-02 for the PT Greene Family Partnership Project subject to the applicant satisfying conditions stated above.

MEMORANDUM

TO: Natalie J. Berry, Watershed Administrator & Erosion Control Division Chief

FROM: Planning Staff

DATE: January 23, 2008

SUBJECT: Staff review & recommendation for Category 3 SIA application #WS 2006-11-02 – P.T. Green Co.

Staff has reviewed application #WS 2006-11-02 submitted by P.T. Green Co. for a Category 3 Special Intensity Allocation (SIA) on approximately 2.26 acres. Based on the Board of Commissioners criteria for evaluating category 3 SIA's, Staff has provided the following comments and recommendations for the Boards consideration:

1. **The proposed use of the property, size of the proposed use, and size of the property.** The applicant is proposing a commercial warehouse and office project. The proposed structure is approximately 13,620 square feet (0.31 acres) which includes 11,620 square feet (0.27 acres) in warehouse space and 2000 square feet (0.05 acres) of office space. The development will have approximately 55,100 square feet (1.26 acres) in "concrete" (parking/drives/sidewalks/etc.). The property is approximately 98,250 square feet (2.26 acres) in size and the applicant is proposing to cover the property with approximately 68,720 square feet (1.58 acres) of impervious surface (70 percent of the property). The proposed project maximizes the allowed impervious surface and restricts the property of future development or expansion.
2. **The proposed use shall be developed in such a manner as to:**
 - a. **Comply with all applicable local, state and federal statutes, ordinance and regulations.** The Town of Mills River has provided a letter which indicates compliance with the zoning ordinance permitted uses. The project site is zoned MR-LI (Mills River Light Industrial).
 - b. **Be in accordance with the Henderson County 2020 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 Town of Mills River has not indicated compliance with any specific municipal plans. The Henderson County 2020 Comprehensive Plan Future Land Use Map identifies the area as appropriate for Industrial development. Industrial uses include warehousing operations.
 - 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 properties adjacent to the northeast are owned by the applicant and are zoned MR-GB (Mills River General Business). The properties to the east and west are zoned MR-LI (Mills River Light Industrial). The properties to the south are zoned MR-NC (Neighborhood Commercial).

The use of the property does not indicate any unexpected noise, glare, dust or odor would be generated, however, the applicant should indicate if these are anticipated.

- d. **Minimize 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 of the property does not suggest any environmental impacts to groundwater, surface water, wetlands, endangered/threatened species, archeological sites, historic preservation sites or unique natural areas. The applicant is proposing public water and sewer services.
 - e. **Minimize built upon area.** The applicant is seeking to maximize built upon area at 70 percent. The applicant may be able to reduce impervious surface by the removal of portions of the loop road. Staff does recommend the two proposed entrances remain for access purposes unless required by the NC DOT.
 - f. **Direct stormwater runoff away from surface waters.** The nearest surface water is Brandy Branch creek to the south of the project site. The applicant has indicated that stormwater runoff will be directed with standard measures to include, but not limited to, drop inlets, pipe and retention basins with the approval from governing agencies.
3. **Provisions/Arrangements have been made concerning:**
- a. **Ingress and egress to property and proposed structures thereon (with particular reference to automotive/pedestrian safety/convenience and traffic flow/control).** The applicant has proposed two entrances/exits to the property from Brandy Branch Road. The structure on the site is accessible from all sides by this internal loop drive. The applicant has also proposed sidewalks which connect the proposed parking areas and entrance.
 - b. **Off-street parking and loading areas.** The applicant has provided the minimum required parking (29 spaces). There are also three tractor trailer bays for loading/unloading with a ramp from the parking area to the warehouse. According to the letter from Mills River, the proposed parking will be reviewed in accordance with the zoning ordinance at the time of the final site plan submittal. The applicant may not increase the impervious surface beyond 70%. Any additional parking requirements should be located in areas already proposed as impervious surfaces.
 - c. **Utilities (with particular reference to locations, availability and compatibility).** The applicant has indicated that public water and sewer will be provided to the project and is at the engineering stage for approval. The applicant is also proposing concrete dumpster pads for solid waste collection/removal. The applicant has not indicated location/ availability/ compatibility of the proposed utilities.
 - d. **Buffering and landscaping (with particular reference to type, location and dimensions).** The applicant has not indicated buffering and landscaping are proposed. According to the letter from Mills River, landscaping will be reviewed in accordance with the zoning ordinance at the time of the final site plan submittal.
 - e. **Structures (with particular reference to location, size and use).** The applicant is proposing to locate the structure centrally on the site with parking on the south of the structure and loading to the north of the structure.

Staff recommends that the Board approve the Category 3 SIA application #WS 2006-11-02 for P.T. Green Co. subject to the applicant satisfying conditions which may result from: the comments of Planning Staff, recommendations of the Watershed Administrator, and Board of Commissioners' discussion.



Town of Mills River Staff Review Report

January 24, 2008

TO: Natalie Berry, CFM, CPESC, CPSWQ

FROM: Jaime Adrignola, AICP, Town Manager

SUBJECT: WS-2006-11-02 PT Green Co Application

Review Summary

This project appears to comply with all applicable Town of Mills River ordinances and policies as well as those applicable Henderson County ordinances and policies related to watershed allocations.

Project Description

PT Greene Family Partnership has applied for approval of a 13,620 square foot building in the Mills River Light Industrial (MR-LI) Zoning district for a commercial warehouse with office use. The proposed project would cover 70% of the 2.26 acre parcel with impervious surface.

Mills River staff comments on criteria

This project's use is consistent with the Mills River Zoning Ordinance and will be required to comply with parking, landscaping and signage requirements at development. It is also consistent with the goals as outlined in the Mills River Comprehensive Land Use Plan as well as in the Henderson County Comprehensive 2020 Plan which designates this area as an industrial development zone and an urban service area. This project is also consistent with the Comprehensive Transportation Plan with easy access to NC 280, Boylston Highway for the purposes of commerce.

The watershed protection ordinance was designed to protect the drinking water supply and to protect water quality. This project does not appear to impose unnecessary noise, glare, odor, dust or impede solar access to those living and working in the area or in such a way that would impact water quality for the community.

This project appears to have minimal environmental impacts with measures taken such as stormwater runoff control. This project also meets the built upon restrictions listed in the watershed ordinance for Special Intensity Allocation approval.

**Henderson County
Special Intensity Allocation (SIA)
Application Form**

Date 11-3-2006 File No. WS-2006-11-02

Owner's Name PT. GREENE ^{Family Partnership} ~~Construction Company, Inc.~~

single

Applicant's Name TOM JACOBSEN

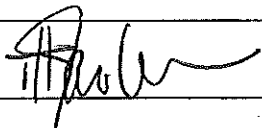
Mailing Address PO Box 1776 HENDERSONVILLE, NC 28793

Phone Number 828-692-0584

Project Location TOWN OF MELLS RIVER

PIN 9631634219

Project Description Commercial Warehouse / Office Project

Applicant's Signature 
(Date)

*****Official Use*****

Date Received 11-3-2006 Plans Attached YES

Fee Paid 250⁰⁰ check # 637

Previous Applications NO File No. —

Disposition _____

Total Project Area 2.26 acres(s)

Percent Built Upon 70.0 %

Staff Review Natalie f. Berry Watershed Administration

Comments _____

Planning Board Review _____

Planning Board Recommendations _____

Board of Commissioners Review _____

RECEIVED NOV 3 2006

Board of Commissioners Action _____

Total Acreage to Date in Special Intensity Allocation (SIA):

_____ acres

RECEIVED NOV 3 2006



Council Members
Roger Snyder, Mayor
Lois Pryor, Mayor Pro Tem
Wayne Carland
Ed Glenn
Shanon Gonce

THE TOWN OF MILLS RIVER
5046 Boylston Highway, Suite 3
Post Office 189
Mills River, North Carolina 28759
Voice (828) 890-2901 • Fax (828) 890-2903

September 20, 2006

Mr. Michael Lovoy
Advantage Civil Engineering, PA
204 Charlotte Highway
Asheville, NC 28803

Dear Mr. Lovoy,

After reviewing your preliminary site plans for the industrial subdivision including for the parcel with PIN # 9631634219, I, as the Zoning Administrator for the Town of Mills River, preliminarily approve your site plan for the purpose of pursuing SIA permits. This property is located in the Mills River Light Industrial (MR-LI) Zoning District. The intent of this district is to:

"Provide a place for the location of industrial and other uses that would be incompatible with general business areas."

The use that is proposed for the structure labeled Building A on the preliminary site plan is a warehouse (11,620 square feet) and an office (2000 square feet). These uses are permitted in the MR-LI Zoning District. The parking and landscaping will be further reviewed at the time of the final site plan submittal for compliance with our regulations.

Please contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica L. Sick".

Jessica L. Sick
Community Planner
Town of Mills River



1/14/08

Natalie J Berry, CFM, CPESC, CPSWQ
Erosion Control Division Chief
Watershed Administrator
Henderson County Building Services

Re: Special Intensity Allocation Permit Application
Lot #5 Mills River Park- 4 Brandy Branch Rd.

Dear Natalie,

Per your request, the following is P.T. Green Family Limited Partnerships response to the criteria for the Category Three (3) Special Intensity Allocation application.

1. Proposed Use- Light Industrial (currently zoned MR-Light Industrial District)
Size of proposed use- 13,620 sf. Building
55,100 sf. Paving and Concrete
68,720 sf. Total Impervious (70%)
Size of property- 98,250 sf. (2.26 ac.) PIN 9631-63-4219
2. The proposed use shall be developed in such a manner as to:
 - a. Yes
 - b. Yes
 - c. Yes, as per the Town of Mills River Zoning Ordinance 200-20. MR- Light Industrial District
 - d. Yes, as per the Town of Mills River Zoning Ordinance and requirements
 - e. Yes (70%)
 - f. Yes, stormwater runoff will be directed with standard measures to include, but not limited to, drop inlets, pipe and retention basins with the approval from governing agencies

RECEIVED JAN 16 2008

P. T. GREEN CONSTRUCTION COMPANY, INC. • TOWN & COUNTRY HOMES, INC.

106 Chadwick Avenue, P O Box 1776, Hendersonville, NC 28793
828/692-0583 800/762-7059 FAX 828/696-2120 PTGreenConstruction@ioa.com

3. Provisions/Arrangements have been made concerning:
 - a. Ingress and egress to the property as shown on site plan
 - b. Parking and loading zones as shown on site plan. (29 regular)
(2 handicap)
 - c. Utilities- Water-City of Hendersonville
Gas - Public Service of North Carolina
Sewer- Henderson County (Engineering stage and approval)
 - d. Buffering and landscaping as per Town of Mills River Zoning
 - e. Structures shall meet the Town of Mills River Zoning requirements and Henderson County SIA requirements.

If you have any comments or questions, please call anytime.

Sincerely,



Tom Jacobson

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