

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: January 18, 2018

SUBJECT: Revised Master Plan for The Sanctuary Subdivision
(2017-M01) (December 2017 Revised Master Plan)

PRESENTER: Stedman Smith, Planner

ATTACHMENTS: 1. Staff Report
2. Approved Master Plan February 2017
3. Revised Master Plan Documents
4. PowerPoint Slides

SUMMARY OF REQUEST:

On December 21st, applicant John Turchin submitted a Revised Master Plan for The Sanctuary major subdivision. The Subject Area is located on 85.31 acres of land located off Horse Shoe Farm Drive/South Rugby Rd. The applicant is proposing a total of 132 units consisting of 1 single-family dwelling, 74 duplex, 51 triplex, one guest suite, and 5 outparcels. The Subject Area is located within a Residential Two (R2) zoning district. A City of Hendersonville public water connection is proposed and a private sewer system is proposed.

A Master Plan was approved in early 2017 for this same subject area. The Plan included 198 total units. The revised plan decreases the total units by 70.

PLANNING BOARD ACTION REQUESTED:

Staff has found that the Revised Master Plan meets the standards of the subdivision regulations of Chapter 42A, Henderson County Land Development Code (LDC). Staff recommends the Master Plan be subject to the developer addressing any issues raised by the Planning Board and addressing the comments listed in the Staff Report.

Planning Board action to approve, approve with modifications, or deny subdivision application #2017-M01 (December 2017 Revised Master Plan)

Suggested Motion:

I move that the Planning Board approve, approve with modification or deny this subdivision application based on the Henderson County Land Development Code and recommendations of the Henderson County 2020 Comprehensive Plan and with any conditions as discussed within the staff report or by the Planning Board.

Henderson County Planning Department Staff Report

**Revised Master Plan
The Sanctuary at Eagles Nest-Horseshoe Farm (2017-M01)**

Property Owner(s): SEN-Asheville, LLC (John Turchin)
Applicant/Agent: SEN-Asheville, LLC (John Turchin)

Master Plan Comments:

According to Chapter 42, Henderson County Land Development Code (LDC) §42-341, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, natural features identified on the site analysis sketch and the County's roads and governmental services. During the review of the Master Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 2020 Comprehensive Plan*, the potential use of the land to be subdivided, and the impact of the subdivision and proposed use whether residential, commercial or industrial.

When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §42-75).

Staff has reviewed the submitted Master Plan for the Sanctuary at Eagles Nest-Horse Shoe Farm Major Subdivision, taking into consideration the recommendations of the *Henderson County 2020 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

1. Application Overview

1. **Applicant:** SEN-Asheville, LLC (John Turchin)
2. **Property Owner:** SEN-Asheville, LLC (John Turchin)
3. **PINs:** 9640314154, 9640304804, 9640216060, 9640311473, 9640215420, 9640116673, 9640205321, 9640106400, 9640103677, 9640203230
4. **Request:** Major subdivision with 132 units
5. **Size:** Approximately 85.314 acres of land
6. **Location:** The subject area is located on South Rugby Road (SR 1312) approximately a half mile north of Brevard Road (US 64) and south of Haywood Road (NC 191). The western boundary of the site runs parallel to the French Broad River.

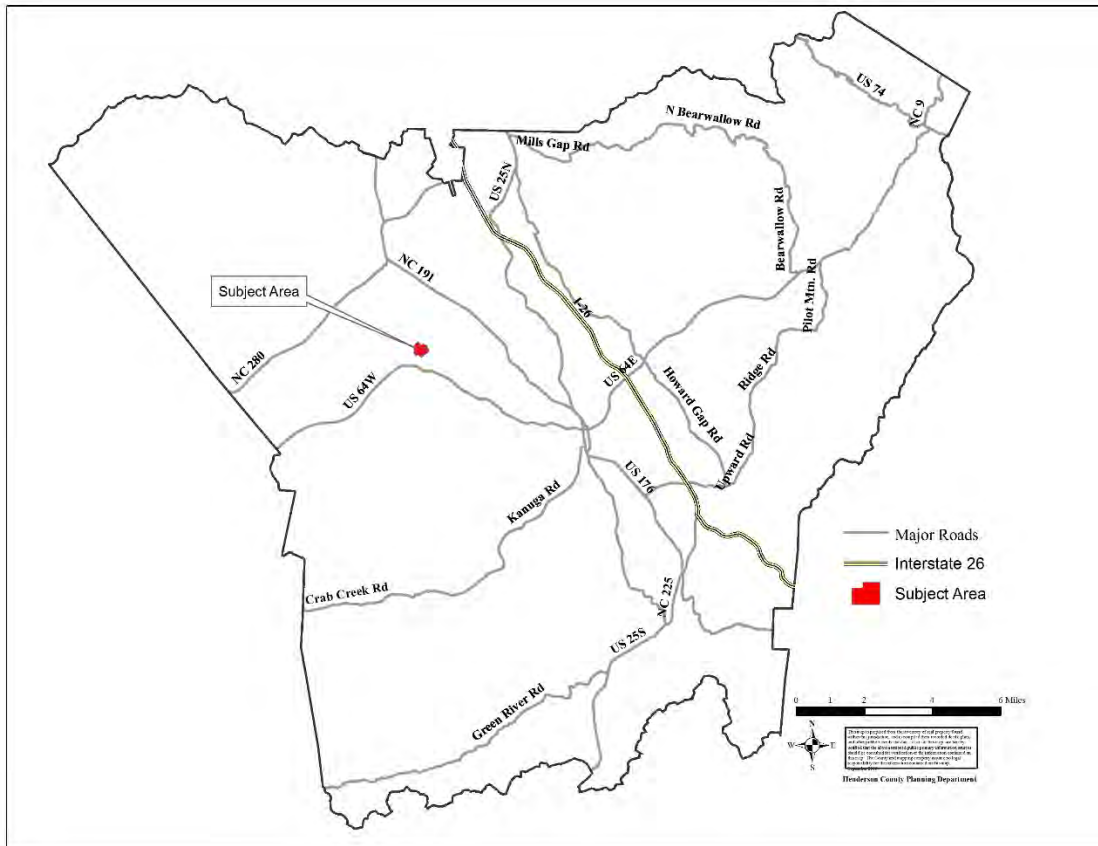
Comparison of Approved and Revised Plan

**Changes from approved plan from February 2017 are highlighted

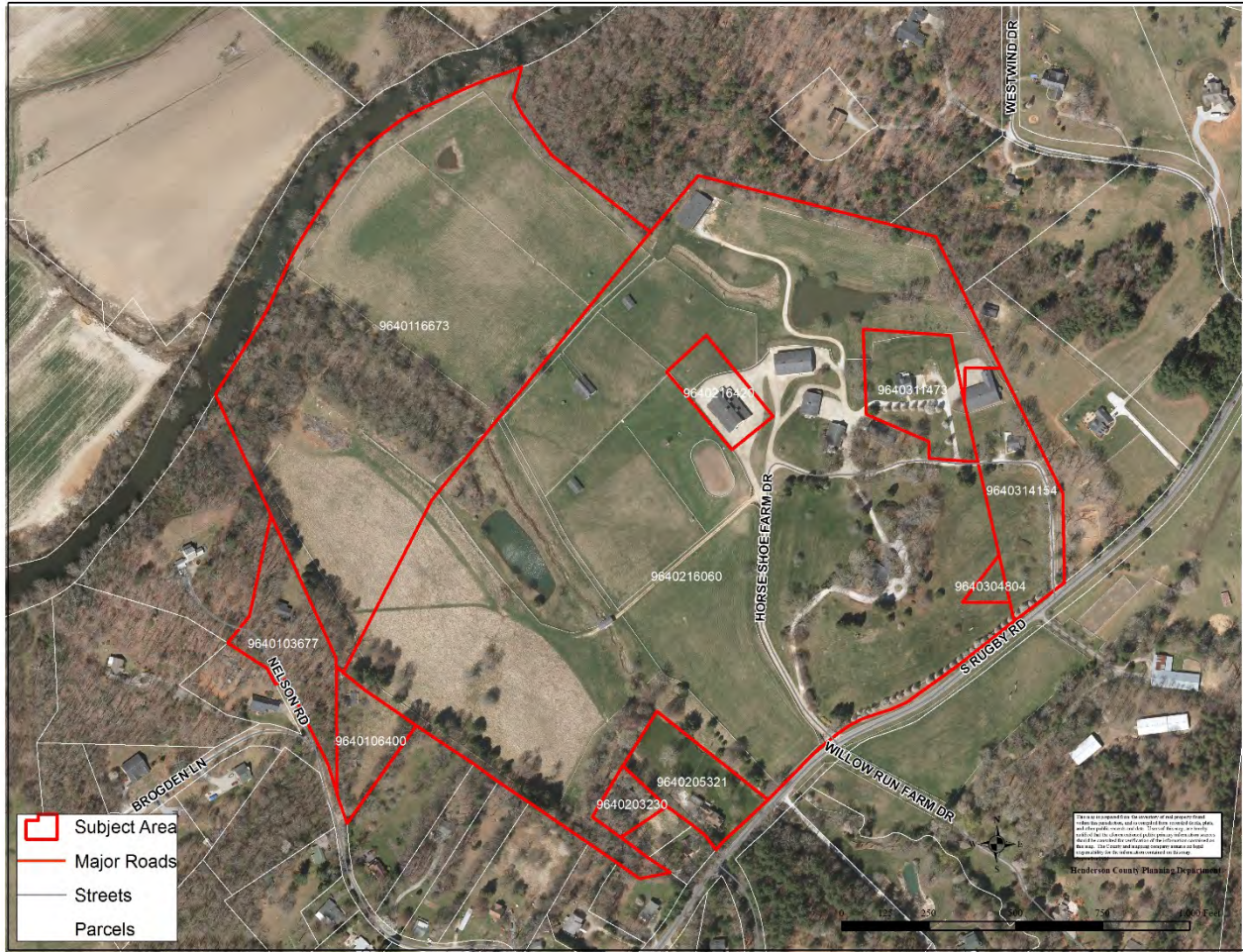
Approved	Revised
Total Acreage: 85.31	Total Acreage: 85.31
Project Acreage: 85.31	Project Acreage: 80.8
Outparcels: 0	Outparcels: 3
198 Dwelling Units	132 Dwelling Units/Lots
116 Duplex Units (58 Structures)	74 Duplex Units (37 Structures)
81 Triplex Units (27 Structures)	51 Triplex Units (17 Structures)
1 Guest Unit Over Barn	1 Guest Unit Over Barn
0 Single Family Dwellings	3 Single Family Dwelling-2 with 1 ac. lots
Density: 2.32 Units/Ac.	Density: 1.55 Units/Ac.
394 Residential Parking Spaces	264 Residential Parking Spaces
96 Commercial Parking Spaces	96 Commercial Parking Spaces
69.3% Open Space	69.6% Open Space

**Calculations provided and sealed from applicant's landscape architect

Map A: County Context



Map B: Aerial

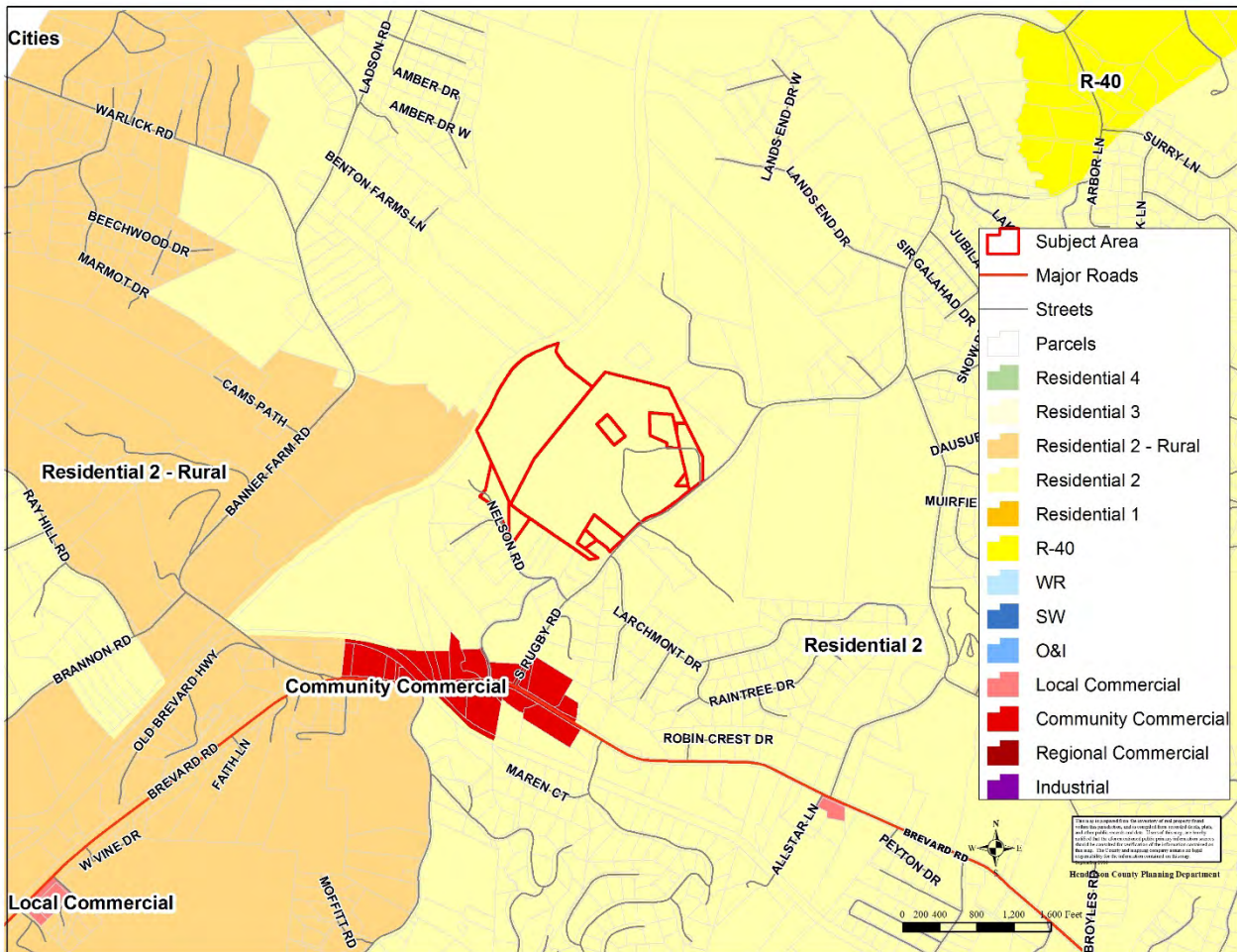


2. **Current Zoning**

1. **Application of Current Zoning:** The subject area is currently zoned Residential Two (R2). (See Map C).
2. **Adjacent Zoning:** The subject area is adjacent to mainly Residential Two (R2) zoning. There is a section of Residential Two-Rural (R2R) zoning across the French Broad River to the west and Community Commercial (CC) to the south at the intersection of South Rugby Road (SR 1312) and Brevard Road (Hwy 64).

3. **Water Supply Watershed:** The subject property is located within a WS-IV-PA and allows a maximum built upon limit of 70% under the high density option. Engineered storm water controls as prescribed in the County LDC are required.

Map C: Current Zoning



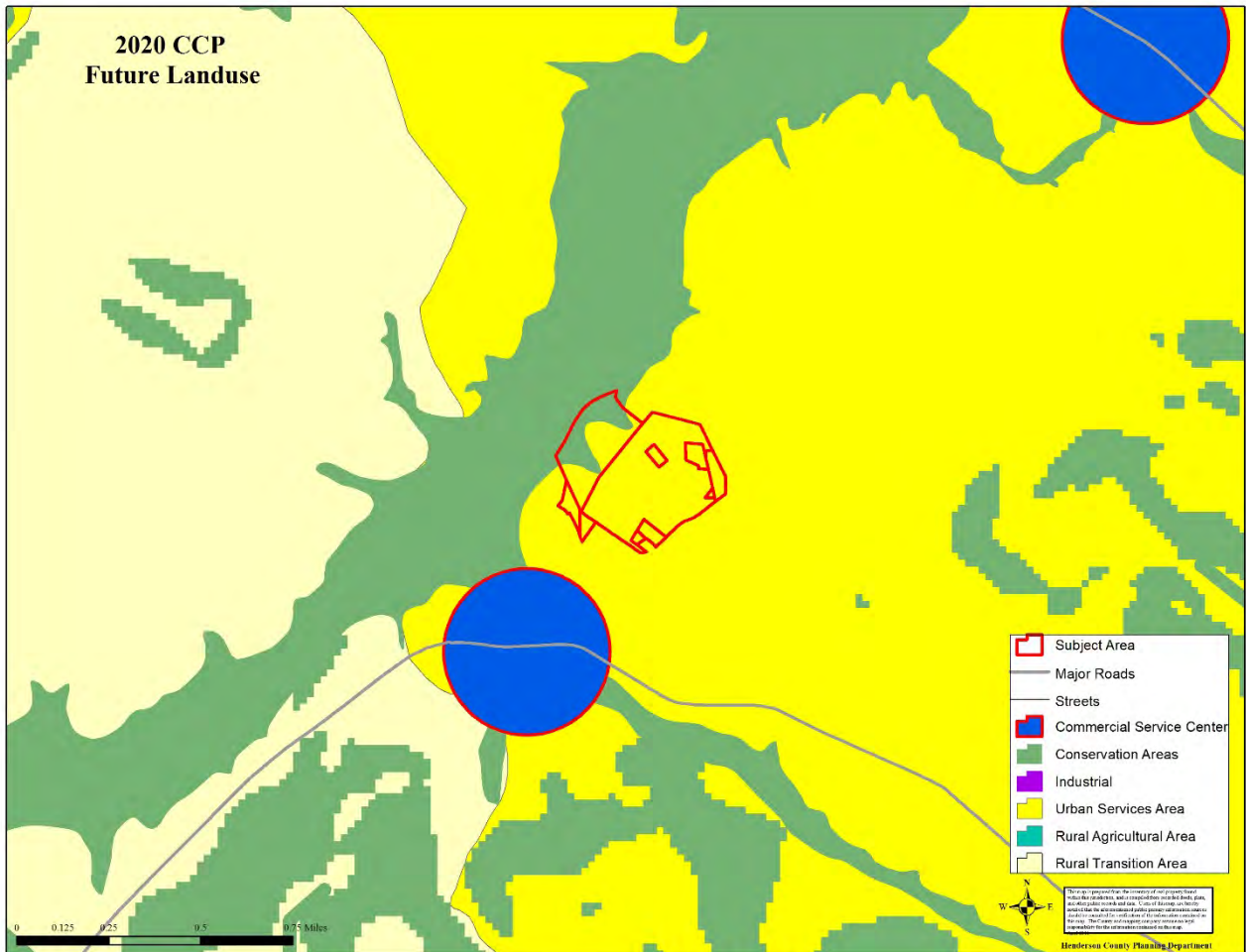
3. Current Uses of Subject Area and Adjacent Properties

1. **Subject Area Uses:** The subject area is primarily used for agriculture and residential purposes. There are currently a number of residential homes on the Subject Area, including: garages and barns, room accommodations on the upper level of the main barn, and an on-site dining facility used by the previous owner for guests.
2. **Adjacent Area Uses:** The surrounding properties contain mainly agriculture and residential uses with nearby commercial uses.

4. The Henderson County 2020 Comprehensive Plan (CCP)

1. The CCP Future Land Use Map identifies the subject area as being located in the Urban Services Area (USA) with a small portion of the subject area along the French Board River being located in the Conservation area. A Community Service Center node is located to the south of the subject area (2020 CCP, Pgs. 128, 129 & Appendix 1, Map 24). (See Map D).

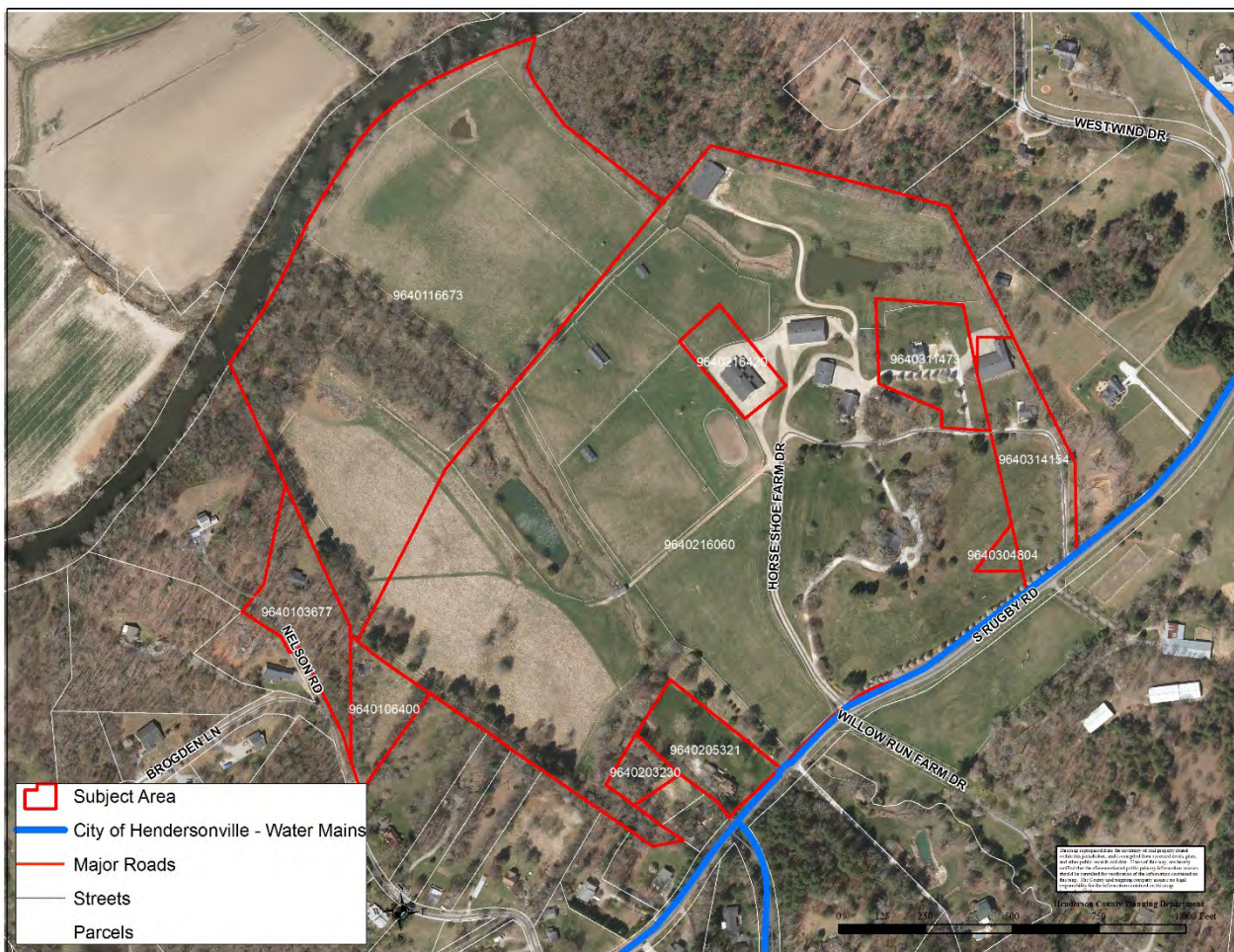
Map D: 2020 County Comprehensive Plan Future Land Use Map



4.1.1. **Urban Services Area:** The CCP states that, “the USA will contain considerable commercial development at a mixture of scales,” and further, “all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community. The USA will essentially contain all existing and future industrial developments, which will be the future focus of economic development activities” (2020 CCP, Pg. 129).

4.1.2. **Conservation:** This category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives. Conservation areas are lands that generally exhibit any of the following characteristics: 1. Sensitive natural areas such as steep slopes, floodplains, major wetlands, forest reserves and wildlife conservation areas, and key watersheds 2. Areas of historic and archeological significance 3. Local, state or federally-managed natural areas 4. Areas managed for agricultural or forestry land uses 5. Other areas yet to be defined.

Map E: Water and Sewer Map



5. **Water and Sewer**

- 5.1. **Public Water:** The project will utilize public water. City of Hendersonville water currently serves the project site along South Rugby Road (SR 1312).
- 5.2. **Private Sewer:** The applicant proposes a large private onsite wastewater treatment system. Approval for this system will need to come from the state. Any approval for this subdivision is contingent upon acquisition of state permit. The applicant may consider options to potentially connect to the Cane Creek Sewer District system.

6. Etowah-Horse Shoe Community Plan

The Henderson County Board of Commissioners adopted the County Comprehensive Plan (CCP) on July 6, 2004. A principal recommendation of the CCP is the detailed study of individual communities within the County. The Etowah-Horse Shoe (EHS) Community Plan is a community specific comprehensive plan that outlines future goals related to land use and development, community character and design, natural and cultural resources, agriculture, housing, community facilities and public services, transportation and economic development as it relates to the CCP. The Board of Commissioners by resolution took action on the EHS Community Plan on September 16, 2009. On November 17, 2010, the Board of Commissioners, after holding a public hearing, adopted the zoning map amendments recommended in the EHS plan with modifications.

7. Traffic Impact Study

A Traffic Study was originally conducted in 2016 for a previously proposed site plan on this subject area. On January 3, 2018, Wesley Stokes, PE with J.M. Teague Engineering submitted a memorandum regarding traffic impact for the new revised site plan. The memorandum affirmed the same original requirements. The applicants are still proposing to construct the required turn-lane on South Rugby Rd. and is a condition of approval for a development plan.

8. Master Plan Comments:

1. **Soil Erosion and Sedimentation Control Plan.** The Applicant shall submit written notice from the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §42-113B).
2. **Stormwater Control Plan.** The Applicant shall submit written notice from the appropriate local agencies verifying that a Stormwater Control Plan has been received for the high density option under the Water Supply Watershed requirements for a WS-IV-PA (LDC §42-61).
3. **Private Road Standards.** The Applicant has indicated an addition or reconfiguration for two roads under this development plan. All subdivision roads must be designed and constructed to the minimum standards of LDC §42A-81 C (Table 3.1). The final plat(s) must contain a note stating: *The private roads indicated on this final plat may not meet the requirements of the North Carolina Department of Transportation for acceptance into the state road system.* Planning Staff proposes the following conditions to ensure the private roads meet the standards of the Land Development Code:
 - a. **Road Grade.** The maximum road grade for local roads constructed of gravel is 15 percent and 18 percent for asphalt. A professional engineer or professional land surveyor must certify on the Final Plat that no portion of the road has a grade that exceeds the allowable percent or submit a final as-built graded center line profile showing grade and alignment of the road (LDC §42A-81C (Table 3.1). and §42A-81 C(4)).

- b. **Road Drainage and Culverts.** Road or drainage structures shall be constructed in accordance with state roads standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff (LDC §42A-100).
 - c. **Road Construction.** A professional engineer or professional land surveyor certify on the final plat that no portion of the constructed roads have grades that exceed maximum allowable grade as defined for each class of road or submit a final as-built graded center line profile showing grade and alignment for all roads (LDC §42A-82).
 - d. **Minimum Curve Radius.** Should the Applicant request a reduction in centerline radii, that a professional engineer or professional land surveyor certify on the final plat, the existing cross slope of roadway sections where reductions in centerline radii are requested (LDC §42A-106C).
 - e. **Dead Ends, Cul-de-sacs and Turnarounds.** The Applicant proposes one (2) cul-de-sacs or turnarounds located at the end of a local road. All turnarounds must meet of the LDC §42A-105 C(8).
 - f. **Gates.** The Applicant should become familiar with the Entry Gate provisions of Chapter 42A (LDC §42A-81 C(7)). All entry gates shall be constructed and maintained as required by and in accordance with Chapter 42 of the Henderson County Code, *Entry Gates*.
4. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 42 of the Henderson County Code, Property Addressing (LDC §42-98). The applicant lists the proposed road names for most road segments. The names of the shared drives should be confirmed with the development plan approval.
5. **Street Tree Requirements.** According to the street tree requirements of Chapter 42 (LDC §42-145 and LDC §42-146) the applicant must provide one tree per 50 linear feet of property abutting an internal road. Trees may be placed in groups with a minimum spacing of no less than 15 feet and a maximum spacing of no more than 65 feet. The trees may be placed within the right-of-way or within 20 feet of the edge of the right-of-way. The applicant may use existing trees in accordance with LDC §42-153 instead of planting new trees. These existing trees must also be located within the right-of-way or 20 feet off the edge of the right-of-way as required by LDC §42-146
6. **Pedestrian Access.** Sidewalks or walking trails are required for any major subdivision of 10 or more lots outlined in Henderson County Code Chapter 42 (LDC §42-113). Reasonable pedestrian access shall be provided to promote healthy and safe walking when a developer proposes a density equal to or greater than two (2) units per acre. The applicant must provide one (1) linear foot of sidewalk or walking trail for every linear foot of improved or newly proposed roadway within the tract. Sidewalks or walking trails are to be located in a road right-of-way, pedestrian access to easement, or other dedicated open space. Sidewalks are to be constructed at a minimum of 5 feet in width using concrete, asphalt, or other permanent all-weather surface such as gravel.

7. **Floodplain.** A Floodplain Permit is required for any proposed development parcel that contains Floodplain.
8. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
9. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42-343).
10. **Public Utilities.** City of Hendersonville water currently serves the project site. Extensions of public water are proposed to serve the project. According to the LDC, the applicant must provide evidence that the water supply plans have been approved by the appropriate agency. The development plan may be approved contingent on final approval from such agency; however, the final plat shall not be approved until all such final approvals have been obtained. Any subdivision served by a public water system shall meet the respective county or municipality's minimum requirements for fire hydrant installation.
11. **Utilities.** Any County approval is contingent upon approval from State for the proposed on site sewer system.
12. **Stream Setbacks.** A minimum thirty-foot setback for buildings or other structures is required along all perennial streams. The thirty-foot setback must be noted on the final plat (LDC §42A-37A).
13. **Notice of Farmland Preservation District.** The final plat shall contain a note stating that the property lies within one-half (½) mile of land in a Farmland Preservation District (LDC §42A-81P).
14. **Fire Protection Requirements.** Any subdivision served by a public water system shall meet the County's standard of one (1) hydrant per 1000 feet of linear road distance. (LDC §42A-81 B(4))
15. **Sewer.** The applicant is proposing an on-site drip system to treat sewage. A state permit for this system is required for future development plan approvals.
16. **Traffic Impact Study.** Future development plan approval is contingent upon the construction of required turn-lane on South Rugby Rd. The turn-lane must be approved by NCDOT. Turn-lane installation is required during phase one of construction. NCDOT requires coordination during construction of entrance, as well as a permit to construct. A driveway permit is also required per NCDOT.

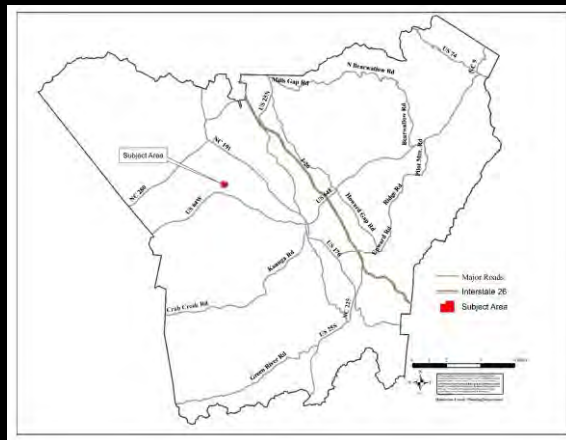
Subdivision Revised Master Plan The Sanctuary



Henderson County Planning Board
January 18, 2018

Henderson County Planning Department

County Context



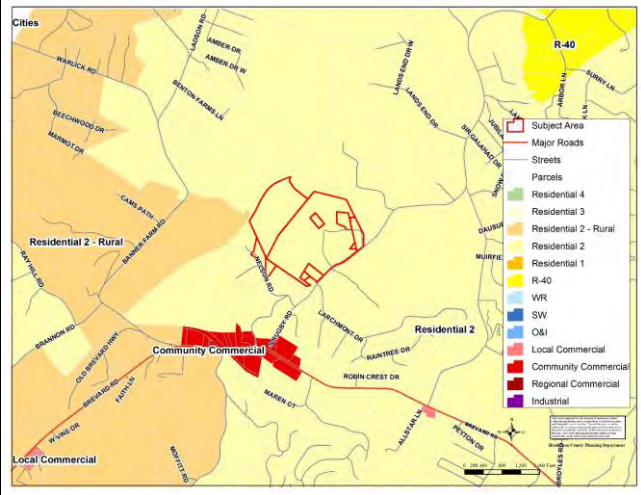
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Aerial Map



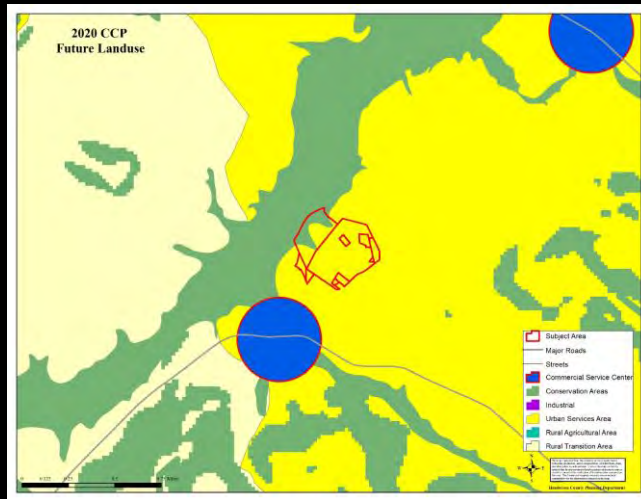
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Current Zoning Map



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Future Land Use Map



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Utilities



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Master Plan Comparison

Approved

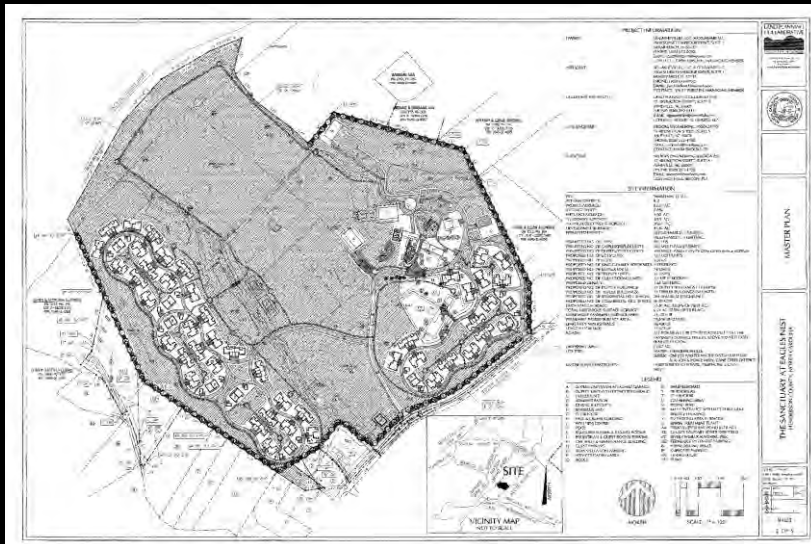
- Total Acreage: 85.31
- Project Acreage: 85.31
- Outparcels: 0
- 198 Dwelling Units
- 116 Duplex Units (58 Structures)
- 81 Triplex Units (27 Structures)
- 1 Guest Unit Over Barn
- 0 Single Family Dwellings
- Density: 2.32 Units/Ac.
- 69.3% Open Space

Revised

- Total Acreage: 85.31
- Project Acreage: 80.8
- Outparcels: 3
- 132 Dwelling Units/Lots
- 74 Duplex Units (37 Structures)
- 51 Triplex Units (17 Structures)
- 1 Guest Unit Over Barn
- 3 Single Family Dwellings
- Density: 1.55 Units/Ac.
- 69.6% Open Space

Henderson County Planning Department

Master Plan Overview



Henderson County Planning Department

Board Considerations

- **Master Plan Revisions:** Duplex units reduced by 42 and triplex units reduced by 30. Revised plan includes three single-family dwellings (The homes already exist on the property. Original plan proposed their removal). Density is reduced by .77 and open space is still around 69%
- **TIS:** The applicant will still be required to install turn-lane at main entrance.
- **Approval of Master Plan:** The applicant is seeking approval of a revised master plan. If approved, a development plan must be submitted within two years (January 2020). Master Plan approval would expire if no development plan is submitted. Conditions noted in staff report (including sewage treatment) as well as traffic impact requirements would all need to be completed before development plan approval.

Questions?

Henderson County Planning Department