

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: Tuesday, November 4, 2014

SUBJECT: Combined Master and Development Plan for Jake's Subdivision, Commercial Major Subdivision (2014-M08)

STAFF CONTACT: Matt Champion, Planner

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Application
4. Combined Master & Development Plan

SUMMARY OF REQUEST:

G. Thomas Jones, Engineer, submitted a Combined Master Plan and Development Plan for the project known as Jake's Subdivision, a commercial major subdivision of 2 lots. The project is located on approximately 20.46 acres of land located off Asheville Hwy (US 25 Bus).

The Master Plan and Development Plan propose a total of 2 lots for commercial purposes. The project is not located in a water supply watershed district, but is located within the floodway, 100 year, and 500 year floodplain. Municipal water and sewer lines are proposed to serve the project site.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the Combined Master Plan and Development Plan appear to meet the technical standards of the subdivision regulations of Chapter 42A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report (See Attachment 1).

Staff recommends approval of the Master Combined Master Plan and Development Plan subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report.

Suggested Motion: I move that the TRC approve the Combined Master Plan and Development Plan with the conditions noted in the staff report and any others noted by the TRC.

Henderson County Planning Department Staff Report**Combined Master and Development Plan
Jake's Subdivision, Commercial Major Subdivision
(2014-M08)****Cary Michael Justice, Owner
G. Thomas Jones, Engineer**

Subdivision Request:**Request:** Commercial major subdivision of two (2) lots.**PIN:** 9651-55-6603.**Size:** 20.46 total acres. Tract A 2.86 acres and Tract B 17.60 acres.**Location:** The subject area is located on Asheville Hwy (US 25 Business) across from the intersection with Naples Road (SR 1695).**Watershed and Floodplain:** Subject area is not located within the Water Supply Watershed, but is within the floodway, 100 year, and the 500 year floodplain.**Master Plan Comments:**

According to Chapter 42A, Henderson County Land Development Code (LDC) §42A-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 Planning Board 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.

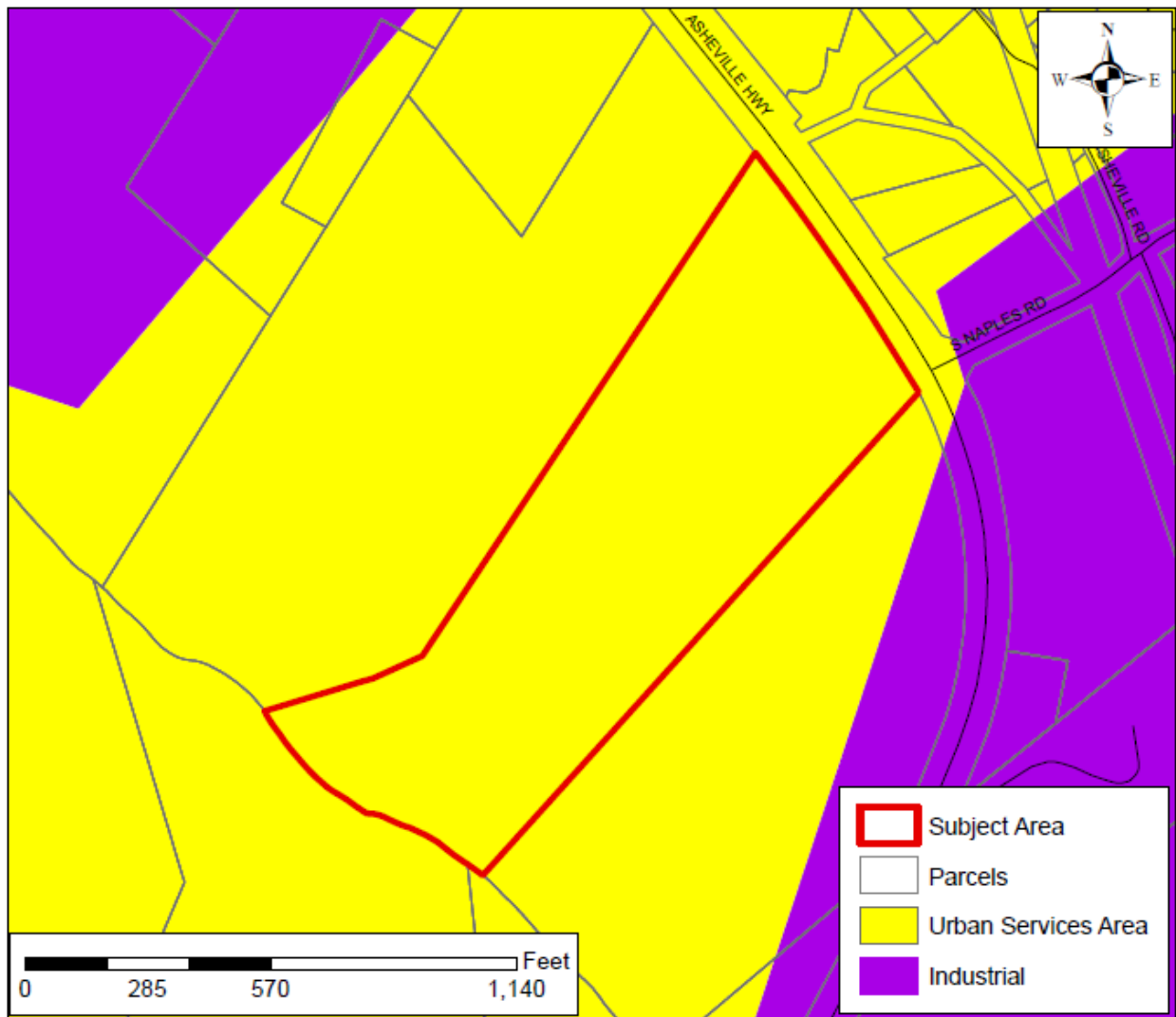
When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and or the proximity to existing and incompatible land uses/zoning, all land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

Staff has reviewed the submitted Combined Master Plan and Development Plan for Jake's Subdivision, major commercial 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. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the project site as being located within the Urban Services Area (USA) and a Commercial Service Center (See Map A: CCP Future Land Use Map).

(a) **Urban Services Area.** The Urban Services Area designation of the Growth Management Strategy is applied to the project site. The CCP states that, “the USA is that area within which most urban services and urban-scale development is currently concentrated, and within which such development should generally be concentrated” (2020 CCP, Pg. 132). The USA will essentially contain all existing and future industrial developments, which will be the future focus of economic development activities. The CCP also states that “Commercial development and Community Facilities will be encouraged within defined Community Service Centers. Commercial development will be at Local Community, and Regional Scales, whose standards and configuration are in keeping with the surrounding community” (2020 CCP, Pg. 133).

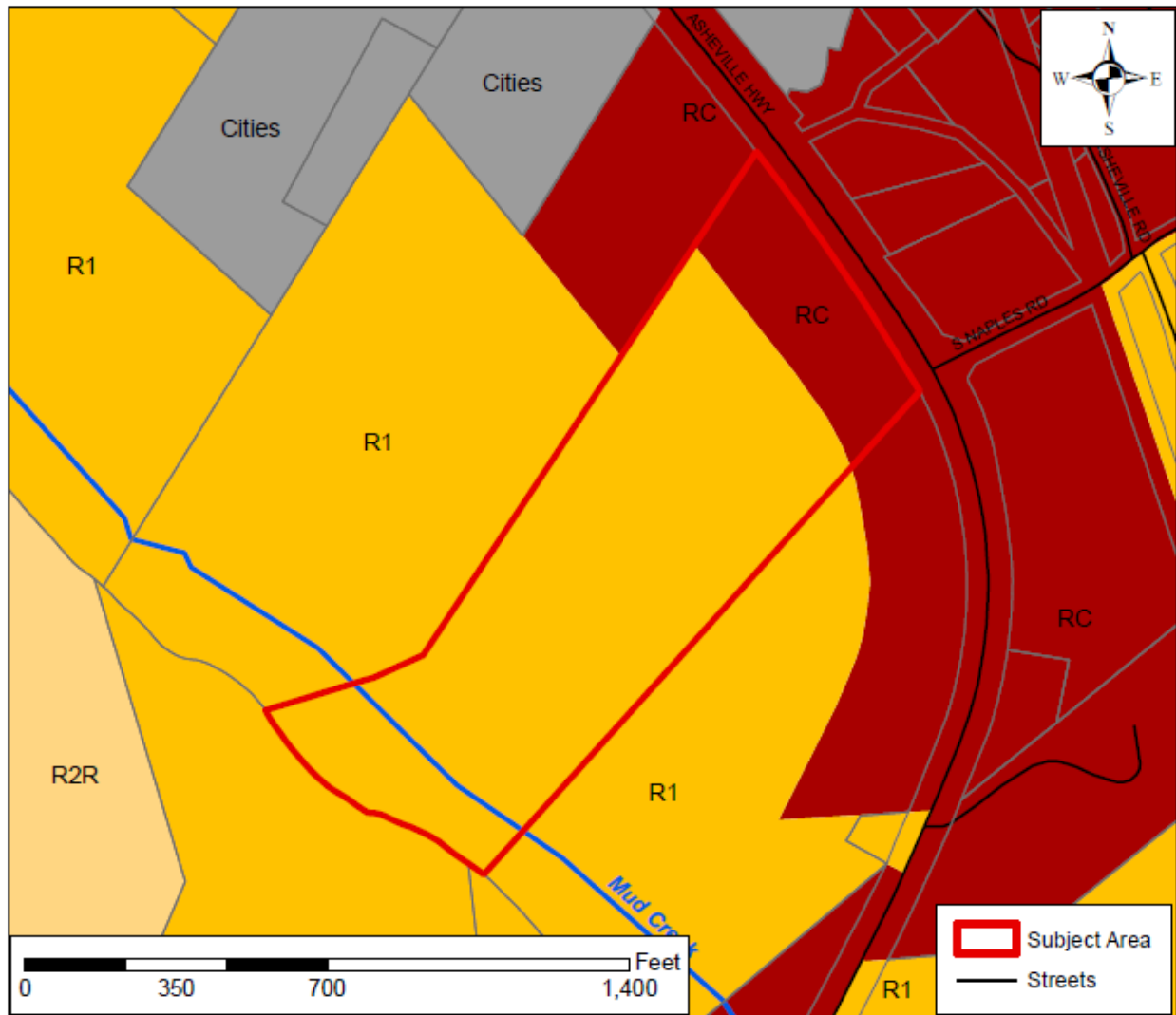
Map A: CCP Future Land Use Map



According to the plan, the entire project would have an average density of approximately 0.54 units per acre. (See Attached, Master Plan & Development Plan)

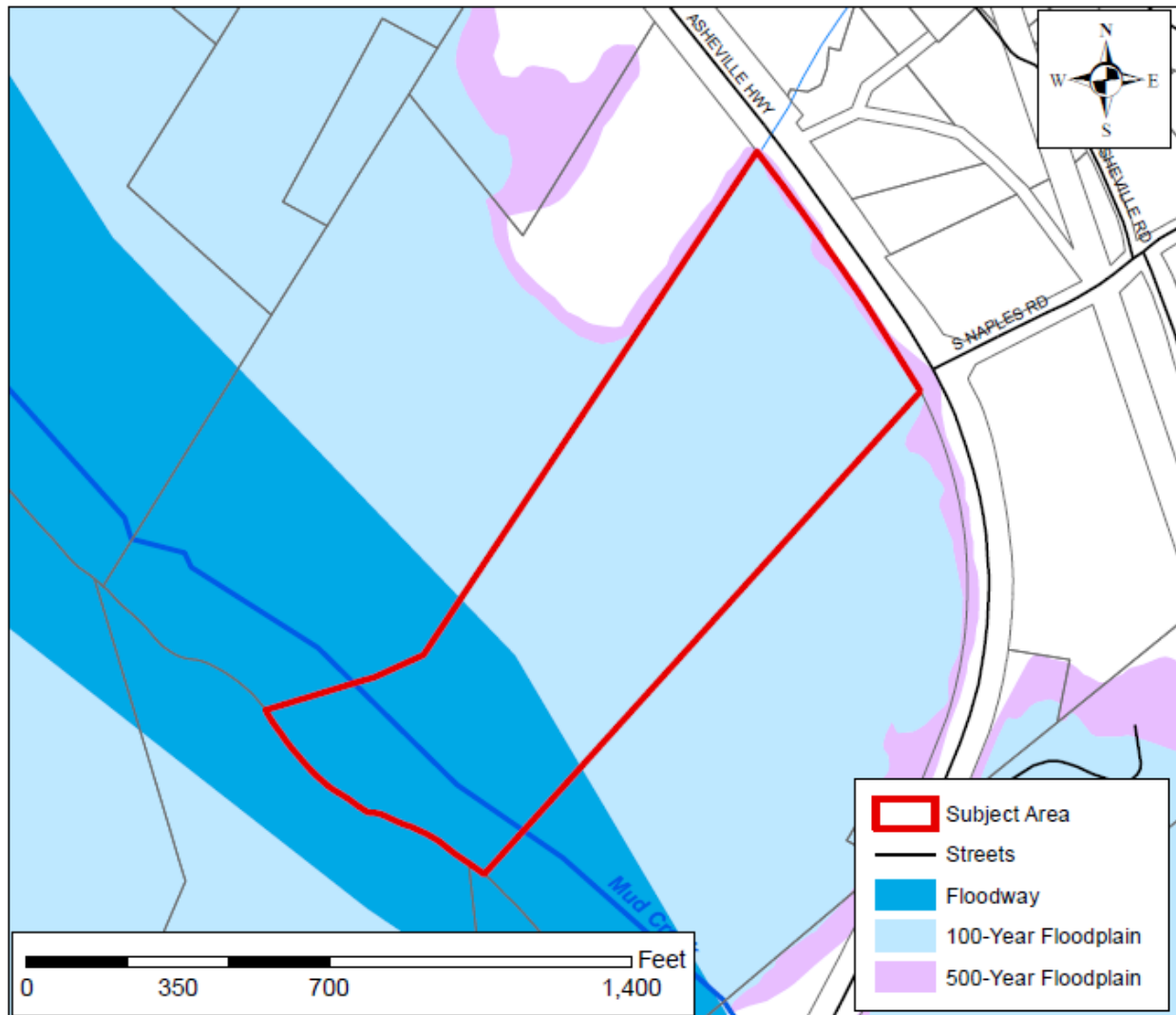
- Chapter 42A, Henderson County Land Development Code (LDC).** According to Chapter 42A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the Regional Commercial (RC) and Residential One (R1) zoning districts (See Map B: Official Zoning Map). The RC district allows for retail sales and commercial development. The R1 district has a standard density of four (4) units per acre (maximum density of 16 units per acre). R1 allows for all types of residential uses except for single wide mobile homes.

Map B: Official Zoning Map



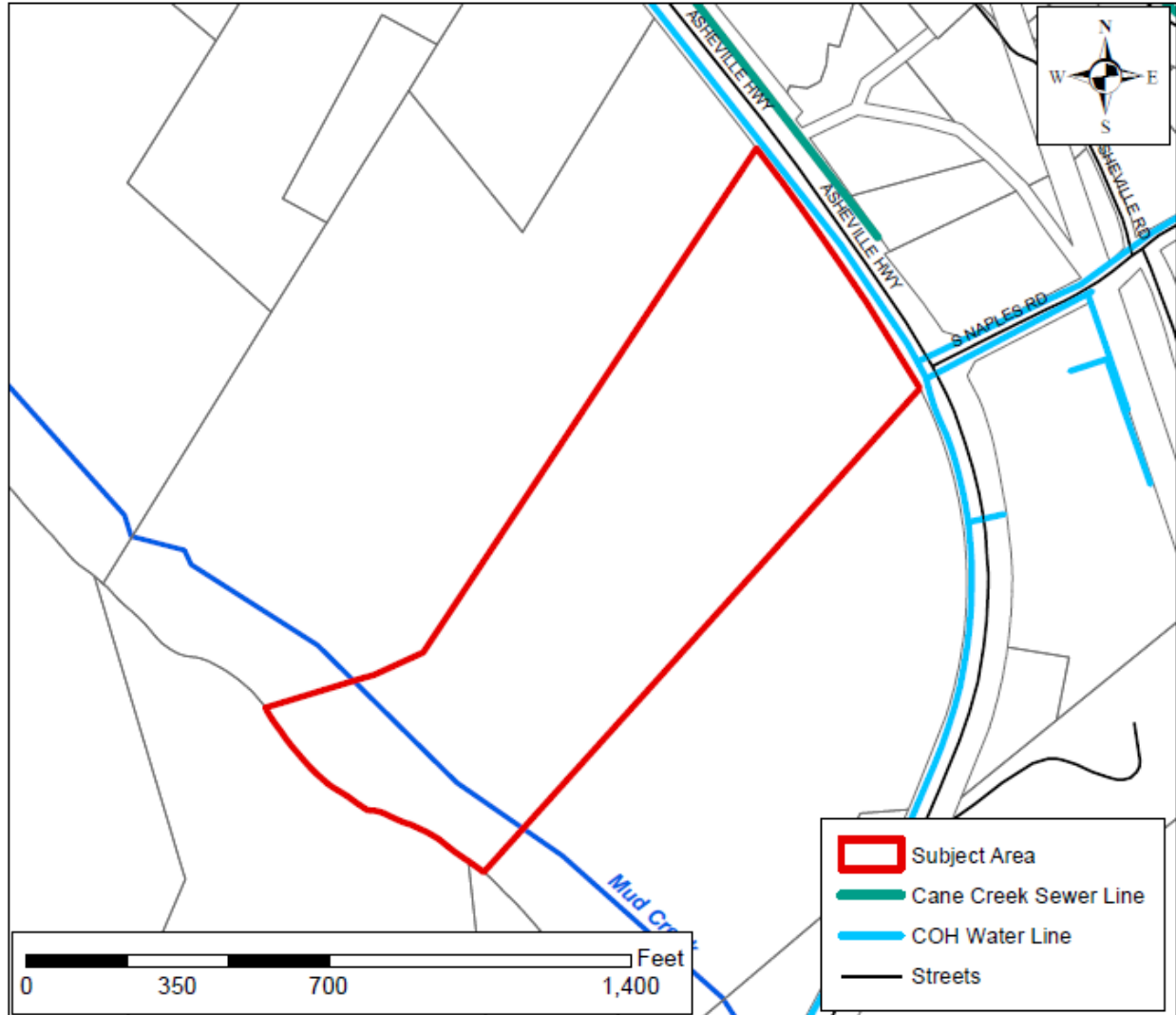
The property totals 20.46 acres and 14.64 acres are out of the floodway. The applicant proposes to fill a portion of the property to elevate out of the floodplain. The LDC states that up to 20% of the total property may be filled outside of the floodway (LDC §42A-235.1). 2.93 acres represents the maximum amount area the applicant can fill on the property. Parcel “A” contains 2.57 acres in the floodplain. The applicant proposes to fill all of Parcel “A” that is found within the floodplain. A remainder of 0.36 acres has the potential to be used for future fill. (See Attached, Master Plan & Development Plan)

Map C: Floodplain Map



- Water and Sewer Availability.** Applicant proposes public water and sewer connections. Applicant proposes a connection to the City of Hendersonville water line and a Cane Creek sewer line. The water and sewer lines run along Asheville Hwy on the northeast side of the Subject Area (See Map D: Utilities Map).

Map D: Utilities Map



Master & Development Plan Comments:

- 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 §42A- 113B).

2. **Private Road Standards.** The Applicant has not indicated that any new roads are proposed. However, all subdivision roads must be designed and constructed to the minimum standards of LDC §42A-81 C (Table 3.1).
 3. **Shoulder Stabilization.** All areas disturbed by the construction of a private road, including cut and fill slopes, shoulders and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §42A-97).
 4. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 200A (LDC §42A-87).
 5. **Notice of Farmland Preservation District.** The final plat shall contain a note stating that the property does not lie within one-half (½) mile of land in a Farmland Preservation District (LDC §42A-81 P).
 6. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42A-343).
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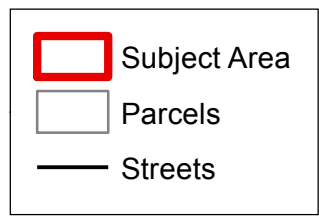
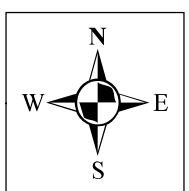
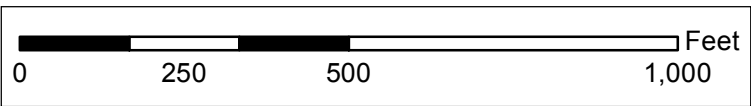
Shell Convenience Store

Asheville Hwy (US 25 Bus)

S Naples Rd (SR 1695)

Mud Creek

Southern States Dr



Subdivision Application
2014-M08
Cary Michael Justice, Owner

**HENDERSON COUNTY
SUBDIVISION APPLICATION FORM**
(Please fill out all applicable items)

SUBDIVISION INFORMATION

Subdivision Name: _____
Subdivision Type (Circle One): Major Minor Non-Standard Special
Proposed Use of Property (Circle One): Residential Commercial Industrial
Conservation Subdivision: Yes No Gated entrance to property: Yes No
Existing Number of Lots: _____ Total Number of Proposed Lots: 2
Total Number Proposed Units: _____ Proposed Density (units per acre): _____
Road System: () Public () Private () Combination Public and Private
Water System: () Individual () Community () Municipal
Sewer System: () Individual () Community () Municipal

PARCEL INFORMATION

PIN: 9651-55-6603 Total Acreage: 20.5 Deed Book/Page: 651/247 Township _____
Location of property to be divided: 5423 Asheville Highway

Zoning District: RC/R1 Fire District: FLETCHER
Water Supply Watershed: NA School District: _____

Any portion of property within or containing the following:

Floodplain or floodway: Yes No Perennial streams: Yes No
Protected mountain ridges: Yes No Cemetery: Yes No

Within 1/2 mile of a Farmland Preservation District: Yes No
Adjacent to a Farmland Preservation District: Yes No

CONTACT INFORMATION

Property Owner:

Name: Cary Michael Justice Phone: 828-712-1515
Address: P.O. Box 191 City, State, Zip: Naples, NC 28760

Applicant:

Name: Same Phone: _____
Address: _____ City, State, Zip: _____

Agent: Agent Form (Circle One): Yes No

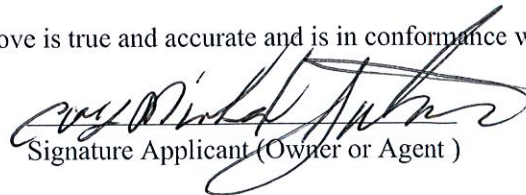
Name: _____ Phone: _____
Address: _____ City, State, Zip: _____

Plan Preparer:

Name: _____ Phone: _____
Address: _____ City, State, Zip: _____

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

Cary Michael Justice
Print Applicant (Owner or Agent)



Signature Applicant (Owner or Agent)

9-8-14
Date

County Use Only

Fee: \$ _____ Paid: _____ Method: _____ Final Plat Approved On: _____

APPOINTMENT OF AGENT FORM (OPTIONAL)

I Cary Michael Justice owner of property located on 5423 Asheville Hwy
(Name) (Street Name)

recorded in 651/247 and having a parcel identification number of 9651-55-6603
(Deed Book/Page) (PIN)

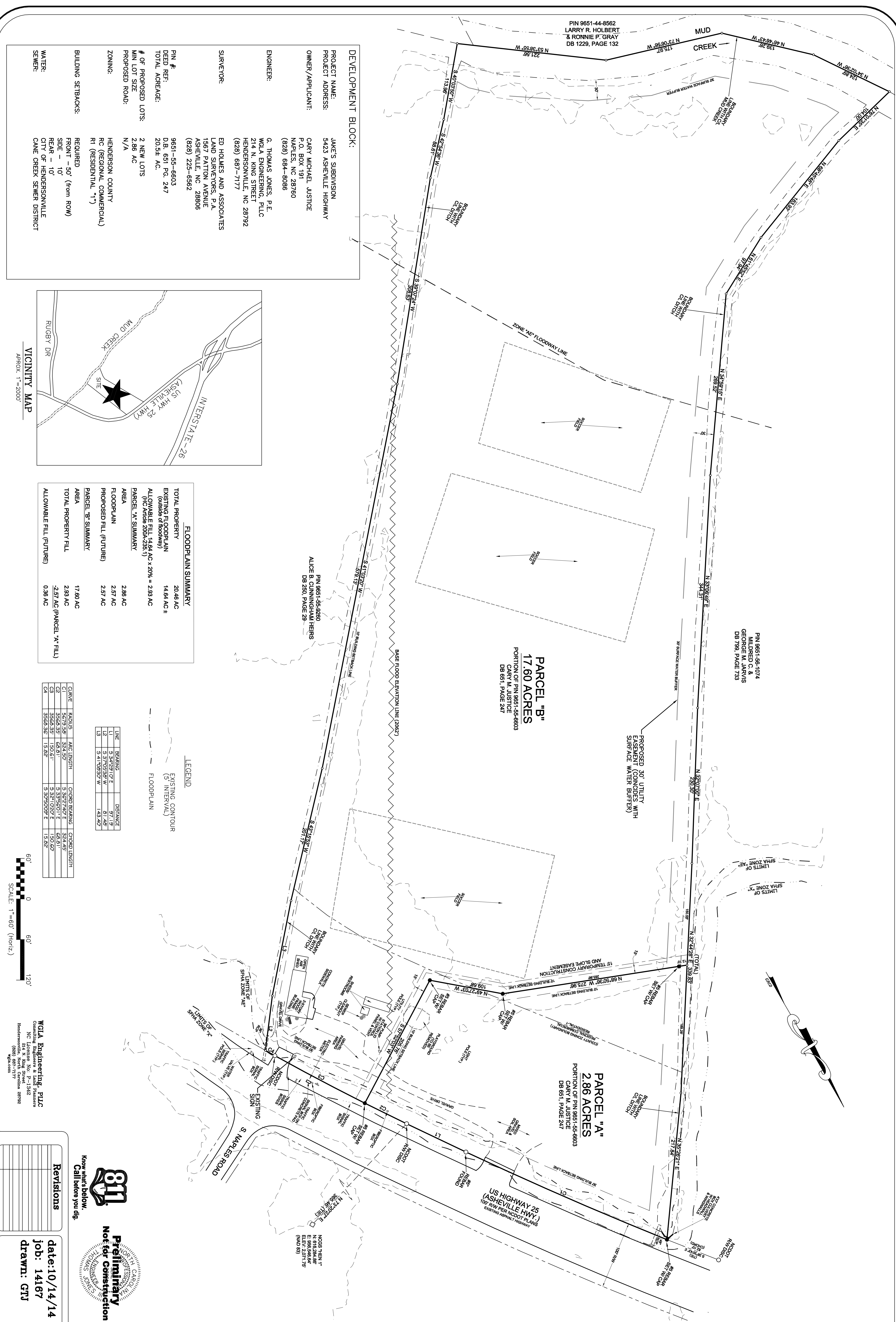
located in Henderson County, North Carolina, do hereby appoint G. Thomas Jones III,
(Agent's Name)

to represent me in an **application to the Planning Department** and authorize him/her to act as my agent **in all matters**, formal and informal except as stated herein, and authorize him/her to receive all official correspondence.

I however understand that as the listed property owner, I must sign all affidavits and statements required by any applicable ordinance.

Cary M. Justice
Property Owner

10-16-14
Date



DEVELOPMENT BLOCK:

PROJECT NAME: JAKE'S SUBDIVISION
PROJECT ADDRESS: 5423 ASHEVILLE HIGHWAY
OWNER/APPLICANT: CARY MICHAEL JUSTICE
 P.O. BOX 191
 NAPLES, NC 28760
 (828) 684-8086

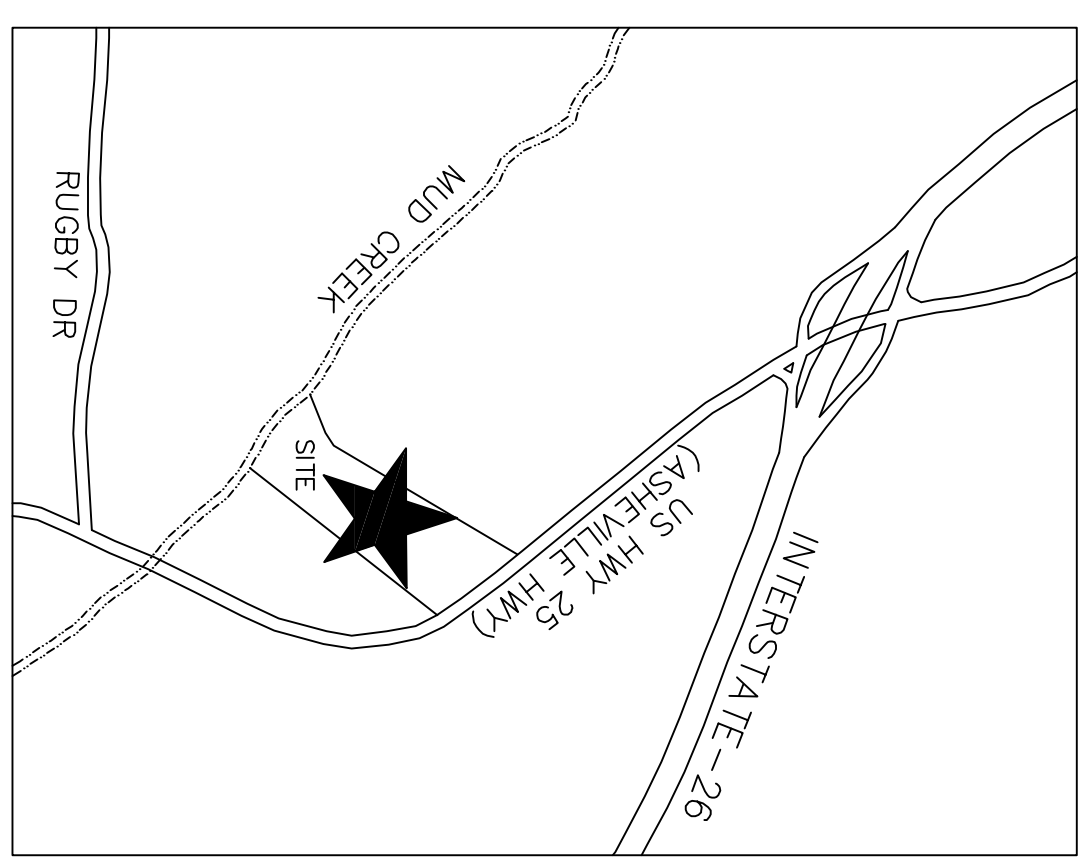
ENGINEER: G. THOMAS JONES, P.E.
 WGLA ENGINEERING, PLLC
 214 N. KING STREET
 HENDERSONVILLE, NC 28792
 (828) 687-7177

SURVEYOR: ED HOLMES AND ASSOCIATES
 LAND SURVEYORS, P.A.
 1567 PATTON AVENUE
 ASHEVILLE, NC 28906
 (828) 223-6962

PIN #: 9651-55-6603
DED REF: D.B. 651 PG. 247
TOTAL ACREAGE: 20.56 AC.
OF PROPOSED LOTS: 2 NEW LOTS
MIN LOT SIZE: 2.86 AC
PROPOSED ROAD: N/A

ZONING: HENDERSON COUNTY
 RC (REGIONAL COMMERCIAL)
 R1 (RESIDENTIAL "1")

BUILDING SETBACKS: REQUIRED
FRONT - 50' (from ROW)
SIDE - 10'
REAR - 10'
CITY OF HENDERSONVILLE
CANE CREEK SEWER DISTRICT



FLOODPLAIN SUMMARY

TOTAL PROPERTY	20.46 AC
EXISTING FLOODPLAIN (BASED ON RECORDS)	14.64 AC ±
ALLOWABLE FILL (1.5% AC X 20% = 2.99 AC (NO FILL) (300'-550'))	
PARCEL "A" SUMMARY	
AREA	2.86 AC
FLOODPLAIN	2.57 AC
PROPOSED FILL (FUTURE)	2.57 AC
PARCEL "B" SUMMARY	
AREA	17.60 AC
TOTAL PROPERTY FILL	2.57 AC
ALLOWABLE FILL (FUTURE)	0.36 AC

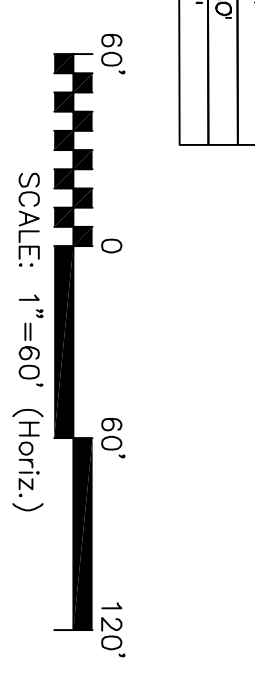
CLIQUE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	5679.59	324.50'	S 36°27'40" E	324.45'
C2	3560.35	60.81'	S 93°50'11" E	60.81'
C3	3560.35	150.81'	S 87°02'07" E	150.60'
C4	3560.35	150.81'	S 87°50'25" E	150.95'

LINE	BEARING	DISTANCE
L1	S 34°28'07" E	97.19'
L2	S 27°03'30" W	61.49'
L3	S 41°03'50" W	143.40'

LEGEND

--- EXISTING CONTOUR (3' INTERVAL)

--- FLOODPLAIN



WGLA Engineering, PLLC
 Consulting Engineers & Land Planners
 NC License No. P-1342
 Hendersonville, North Carolina 28798
 (828) 687-7177
 www.wgla.com

Revisions

date: 10/14/14
 job: 14167
 drawn: GTJ

Know what's below.
 Call before you dig.

Preliminary
 Not for construction

COMBINED MASTER/DEVELOPMENT PLAN

**JAKE'S SUBDIVISION
 NAPLES COMMUNITY
 HENDERSON COUNTY
 NORTH CAROLINA**

**WGLA Engineering, PLLC
 CONSULTING ENGINEERS & LAND PLANNERS
 HENDERSONVILLE, NORTH CAROLINA**