

**Henderson County
Planning Department**

213 1st Avenue East • Hendersonville, North Carolina 28792
Phone (828) 697-4819 Fax (828) 697-4533

MEMORANDUM

DATE: February 14, 2008
TO: Review Agencies (see distribution list)
TRC MEETING DATE: March 4, 2008
REGARDING: Three Seeds Neighborhood Subdivision Application #2008-M05
NAME OF APPLICANT: Housing Assistance Corporation, Owner
DEPARTMENT: Planning
STAFF CONTACT: Parker Sloan, Planner
ATTACHMENTS: Request for Committee Action with Attachments

Please find attached plans for the following development proposal to be reviewed by the Henderson County Technical Review Committee on March 4, 2008.

Combined Master Plan and Development Plan for the Three Seeds Neighborhood Major Subdivision (2008-M05)

Luther Smith and Associates, P.A., agent, on behalf of Housing Assistance Corporation (Hugh Lipham), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Three Seeds Neighborhood. The applicant is proposing a total of 16 lots that will be used for single-family residential purposes. The project site is located on 13.59 acres of land (PIN 9587-46-5787) located off Oak Grove Road.

The project is not located in a water supply watershed district nor is it located within the floodplain (see Combined Master and Development Plan). According to County records, the project site does not contain slopes in excess of 60 percent. The project is located in the Residential One (R1) zoning district. Public roads, public water, and individual septic are proposed to serve the project site.

Please review the attached plans and return any comments to the Henderson County Planning Department by **March 3, 2008** either by printing out the comment sheet provided and sending it back to the Planning Department via email to psloan@hendersoncountync.org. The Henderson County Technical Review Committee will consider your comments when reviewing the proposed plans.

Distribution List

Henderson County Technical Review Committee
Terry Layne, Henderson County EMS Director
Curtis Griffin, Henderson County Property Addressing Coordinator
Dr. Stephen Page, Superintendent, Henderson County Public Schools
Commander Eddie Watkins, Henderson County Sheriff's Dept.
Chief Gary Brown, Blue Ridge Fire & Rescue Department, Inc.
Josh Lanning, Assistant District Engineer, NCDOT

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: Tuesday, March 4, 2008

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Photos of Project Site
4. Subdivision Application with Attachments
5. Combined Master and Development Plan

SUBJECT: Combined Master and Development Plan for Three Seeds Neighborhood (File #2008-M05)

SUMMARY OF REQUEST:

Luther Smith and Associates, P.A., agent, on behalf of Housing Assistance Corporation (Hugh Lipham), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Three Seeds Neighborhood. The applicant is proposing a total of 16 lots that will be used for single-family residential purposes. The project site is located on 13.59 acres of land (PIN 9587-46-5787) off Oak Grove Road. The project is not located in a water supply watershed district nor is it located within the floodplain (see Combined Master and Development Plan). According to County records, the project site does not contain slopes in excess of 60 percent. The project is located in the Residential One (R1) zoning district. Public roads, public water, and individual septic are proposed to serve the project site.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the proposed Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 200A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report (See Attachment 1).

Suggested Motion:

I move that the Technical Review Committee find and conclude that the Combined Master and Development Plan appears to comply with the subdivision provisions of Chapter 200A, Henderson County Land Development Code;

And

I further move that the Combined Master and Development Plan be approved subject to the conditions that result from the comments listed in the Staff Report (Attachment 1) and any conditions or other comments that result from discussion at the Technical Review Committee meeting.

Henderson County Planning Department Staff Report
**Combined Master and Development Plan Review for Three Seeds Neighborhood Major
Subdivision (File #2008-M05)**

Housing Assistance Corporation, Owner
Luther Smith & Associates, Agent

Project Overview:

Luther Smith and Associates, P.A., agent, on behalf of Housing Assistance Corporation (Hugh Lipham), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Three Seeds Neighborhood. The applicant is proposing a total of 16 lots that will be used for single-family residential purposes. The project is located on 13.59 acres of land (PIN 9587-46-5787) located off Oak Grove Road (see Combined Master and Development Plan).

The project is shown to be completed in one phase. According to County records, the project site does not contain slopes in excess of 60 percent. The project is located in the Residential One (R1) zoning district. Public roads, public water and individual septic are proposed to serve the project site.

Master Plan Comments:

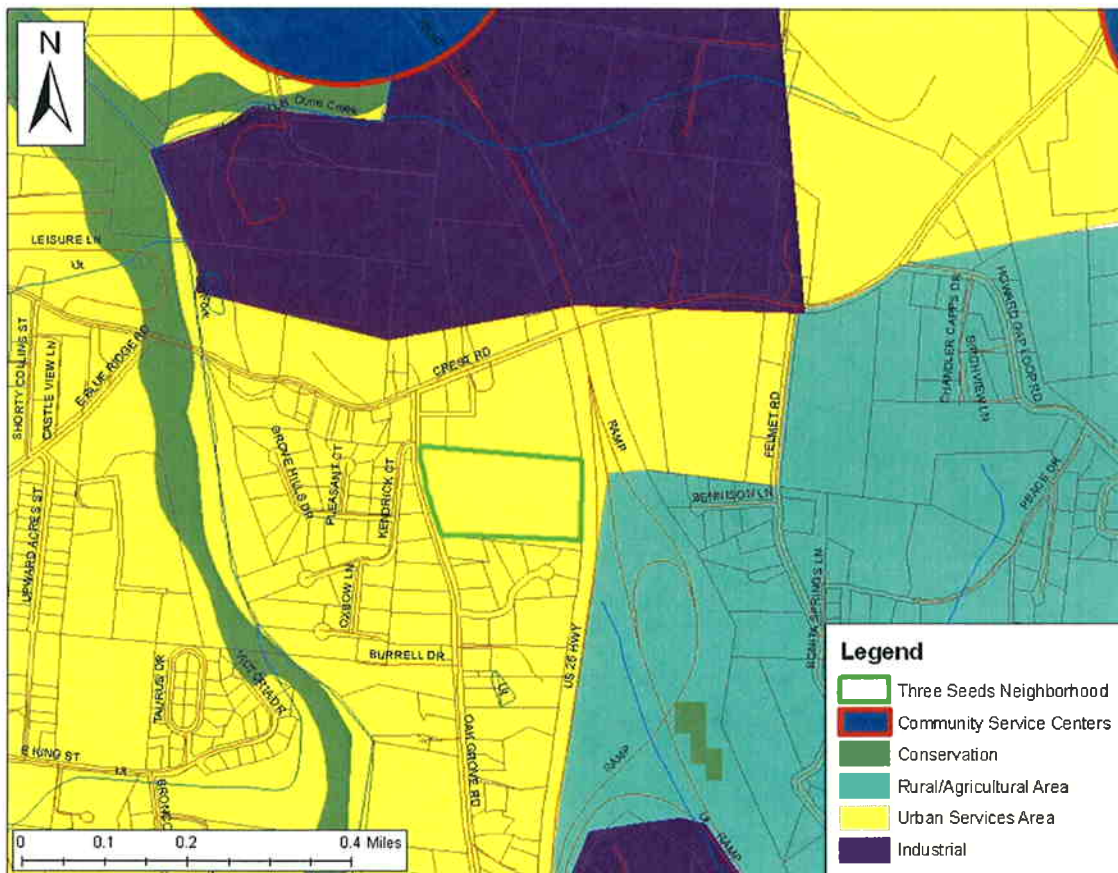
According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, 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 §200A-75).

Staff has reviewed the submitted Combined Master and Development Plan for Three Seeds Neighborhood, 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:

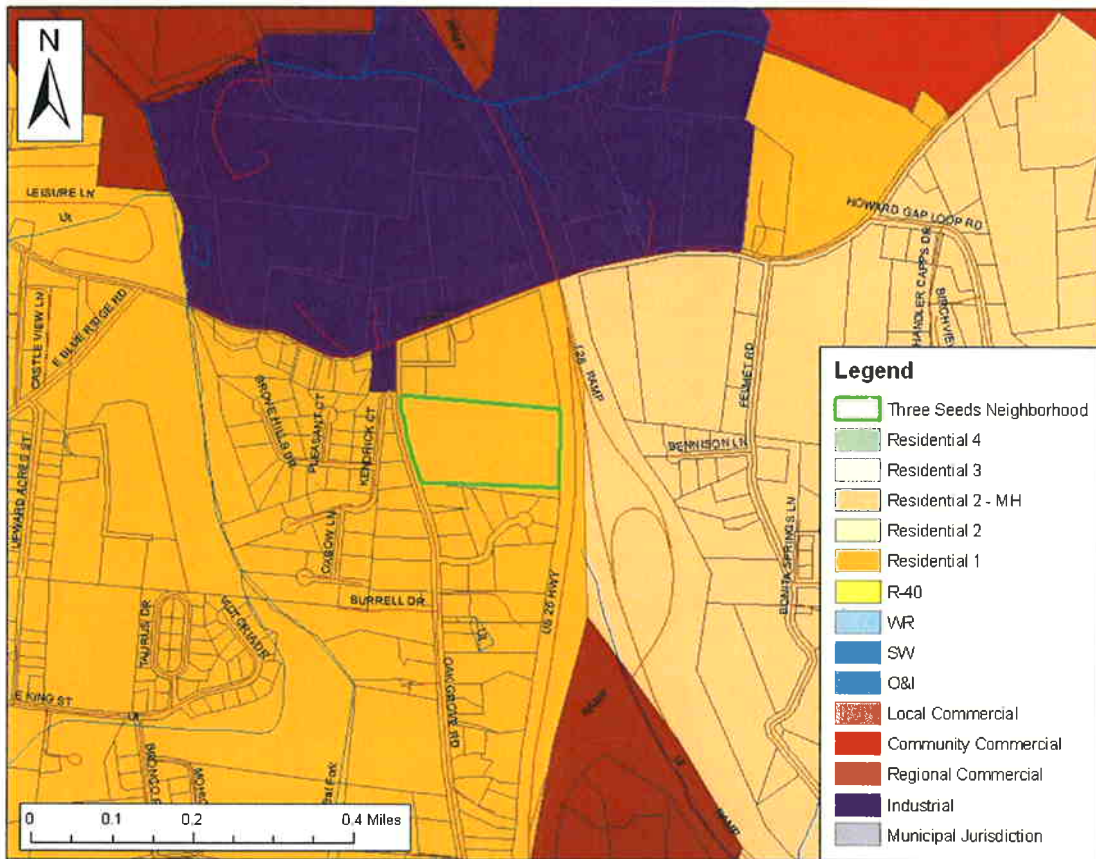
1. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the project site as being located within the: Urban Service Area (See Map A: CCP Future Land Use Map). The Urban Services Area is that area within which most urban services and urban scale development is currently concentrated. Wide ranges of residential densities will exist. Over the long term, land use regulations and policies should favor higher density development, consistent with natural constraints and the availability of urban services. The proposed density appears to be consistent with the recommendations of the CCP.

Map A: CCP Future Land Use



- Chapter 200A, Henderson County Land Development Code (LDC).**
 According to Chapter 200A, 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 Residential One (R1) Zoning District (See Map B: Official Zoning Map). The R1 district allows for single-family residential development with a standard residential density of four units per acre. The project site does not contain slopes in excess of 60 percent. A total of 54 units would be permitted on this 13.59 acre tract.

Map B: Official Zoning Map



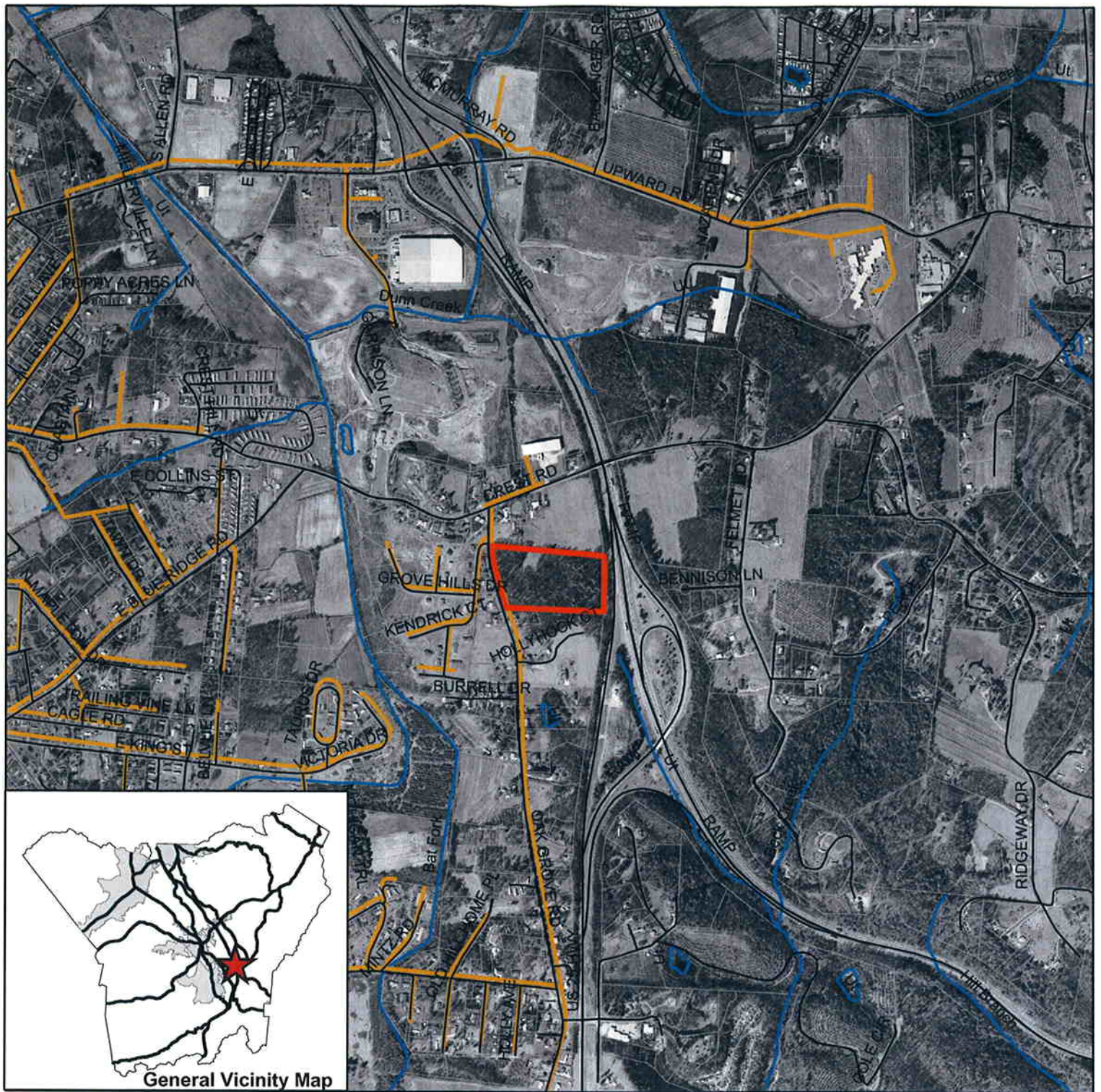
Development Plan Comments

- Water Supply.** The applicant has proposed public water (City of Hendersonville). According to the HCSO, 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.

2. **Fire Protection Requirements.** The applicant has shown a proposed hydrant on the proposed public road (Victoria Springs Drive) approximately 275 feet from the proposed development entrance. 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. The approving utility agency may impose more stringent fire protection requirements where necessary.
3. **Public Road Standards.** The Applicant has provided a cross section for the proposed on site road (Victoria Springs Drive). This cross section indicates that this road is to be a public road. All roads proposed for public use shall be annotated "public" on plans and plats and shall be designed and constructed in accordance with the standards necessary to make the roads eligible to be put on the State Highway Maintenance System at a later date. Such standards are contained in a publication of the North Carolina Department of Transportation, Division of Highways, titled "Subdivision Roads – Minimum Construction Standards," a copy of which is available for review in the office of the Subdivision Administrator. Pursuant to NCGS §136-102.6(d) the NCDOT District Engineer's Office must sign a certificate of approval provided on the face of the final plat for any subdivision where public roads are proposed prior to County approval of the final plat (§200A-81 C).
4. **Street Tree Requirements.** According to the street tree requirements of Chapter 200A (LDC §§200A-145 and 200A-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 must 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 §200A-153 instead of planting new trees. These existing trees must also be located within the right-of-way or 20 feet of the edge of the right-of-way as required by §200A-146. It appears that the applicant is using approximately seven (7) existing trees and proposing 33 new trees to satisfy the street tree requirements. A number of these trees are located outside of the right-of-way but within 20 feet of the edge of the right-of-way within proposed lots. The TRC and the applicant should discuss how these trees will be protected. In some areas the spacing requirements for the street trees are not met. The TRC may alter street tree requirements because of adverse site conditions (LDC §200A-155). All street trees must be properly planted and meet the spacing requirements or the applicant may post an improvement guarantee with the County before the final plat for the subdivision can be approved.
5. **Sedimentation and Erosion Control.** The applicant must submit to the Subdivision Administrator written notice from the appropriate agencies verifying that an Erosion and Sedimentation Control Plan has been approved or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §200A-81 A).
6. **Shoulder Stabilization.** All areas disturbed by the construction of a public 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 §200A-81 E).

7. **Drainage.** All 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 §200A-81 C(3)).
8. **Farmland Preservation Notation.** The applicant has submitted an affidavit certifying awareness of an existing 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 as well as indicating where the 100 foot setback lies (LDC §200A-81 P).
9. **Subdivision Names.** The final plat shall contain certification that the public records of the County have been searched and the proposed subdivision name meets the standards set forth in this Chapter (LDC §200A-81 G).
10. **Subdivision Signs.** All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat (LDC §200A-81 G).
11. **Soils Map.** Where subdivisions are proposed, with an average lot size of less than (1) acre, and no public or community sewer is available, the applicant should review a soils map of the property and be knowledgeable of the suitability of ground absorption systems for his development (LDC §200A-81 S (4)).
12. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-311 B(2)).



Three Seeds Neighborhood

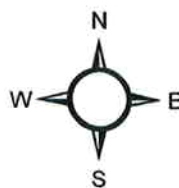
OWNER/DEVELOPER: Housing Assistance Corporation

ZONING: R-1





WATER SYSTEM: Public

SEWER SYSTEM: Private

ROAD SYSTEM: Public



Legend

-  Streets
-  3 Seeds Neighborhood
-  Existing_Water
-  Official Blue Line Streams



1. View of woods within project site.



2. View of fire hydrant at southern end of project site.



3. View of Oak Grove, looking south.



4. Looking east from Oak Grove Rd.

**HENDERSON COUNTY
SUBDIVISION APPLICATION FORM**

(Please fill out all applicable items)

SUBDIVISION INFORMATION

Subdivision Name: THREE SEEDS NEIGHBORHOOD

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: 1 Total Number of Proposed Lots: 17

Total Number Proposed Units: 16 Proposed Density (units per acre): 1.18

Road System: (X) Public () Private () Combination Public and Private

Water System: () Individual () Community (X) Municipal

Sewer System: (X) Individual () Community () Municipal

PARCEL INFORMATION

PIN: 9587-46-5787 Total Acreage: 13.59 Deed Book/Page: 1331/775 Township BLUE RIDGE

Location of property to be divided: LOCATED ON OAK GROVE ROAD APPROXIMATELY 400' SOUTH OF INTERSECTION OF OAK GROVE ROAD AND CREST ROAD

Zoning District: RESIDENTIAL 1 Fire District: BLUE RIDGE

Water Supply Watershed: N/A School District: EAST HENDERSON/FLAT ROCK

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: HOUSING ASSISTANCE CORP. Phone: 828-692-4744

Address: P.O. Box 2057 City, State, Zip: Hendersonville, NC 28793

Applicant:

Name: Same Phone: _____

Address: _____ City, State, Zip: _____

Agent: Agent Form (Circle One): Yes No

Name: Same Phone: _____

Address: _____ City, State, Zip: _____

Plan Preparer:

Name: Luther E. Smith & Associates, PA Phone: 828-697-2307

Address: 129 Third Ave. West City, State, Zip: Hendersonville, NC 28792

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


Print Applicant (Owner or Agent)

PATRICK KENNEDY
Signature Applicant (Owner or Agent)

Jan. 31, 2008
Date


County Use Only

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

**AFFIDAVIT OF UNDERSTANDING OF
FARMLAND PRESERVATION DISTRICT**

I hereby certify that I acknowledge that the Henderson County Board of Commissioners on December 18, 1991, did adopt the HENDERSON COUNTY VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE whose purpose is to establish and identify designated agricultural districts to encourage the economic and financial well being of farming areas, to increase protection from nuisance suits, undesirable non-farm development and other negative impacts on participating farms, and to increase the identity and pride in the agricultural community and its way of life.

I further certify that the property I intend to develop is within 792 feet of Farmland listed in the Farmland Preservation Program and is identified as the Blue Ridge district on maps provided by the Henderson County Office of the Natural Resources Conservation Service.


Name of Owner

January 31, 2008
Date

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, DEBRA A. VAUGHAN, a Notary Public for said County and State, do hereby certify that

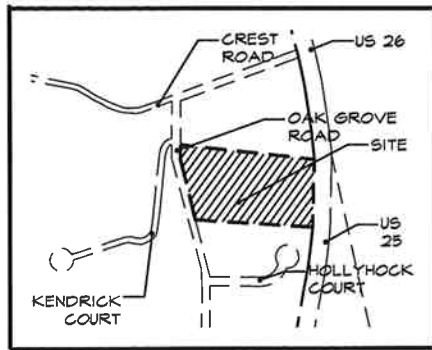
PATRICK KENNEDY personally appeared before me this date and acknowledged the due execution of the foregoing instrument.

Witness by hand and official seal, this the 31st day of January, 2008.

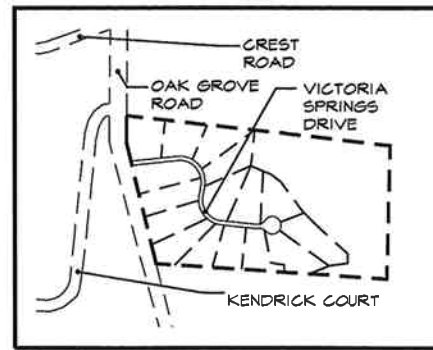

Notary Public

My Commission Expires: Oct. 31, 2008

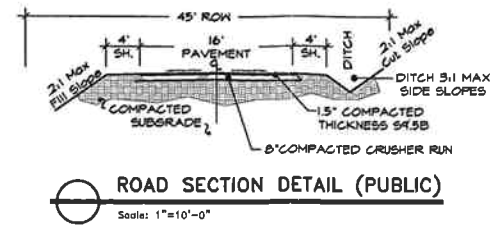




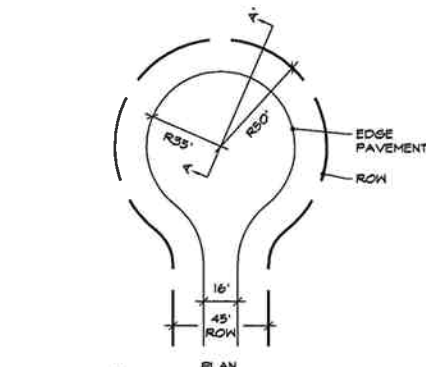
VICINITY MAP 1"=800'



PROJECT MAP 1"=400'



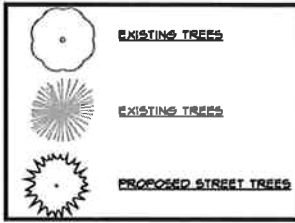
ROAD SECTION DETAIL (PUBLIC)
Scale: 1"=10'-0"



SECTION A-A'
CUL-DE-SAC DETAIL
Scale: N.T.S.

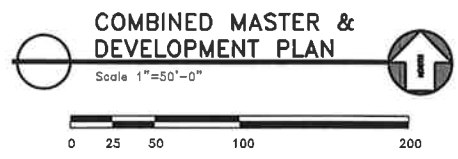
PROJECT SUMMARY	
Total Project Area	13.59 ±Ac.
PIN No.	9587-46-5787
Existing Zoning	Residential I
Proposed Zoning	Residential I
Lot Proposed No. Lots	16 Single Family Res.
Minimum Lot Size	17,854 sf
Maximum Lot Size	25,264 sf
Lot Setbacks	
Front	15'
Side	10'
Rear	10'
Project Density	1.18 Units/Acre
Max Building Height	35'
Fire District	Blue Ridge
Distance To Fire Water Sup.	450'
Water	Public
Sewer	Private
Distance To Public Water	10'
Distance To Public Sewer	.5 Miles
Trash	Private
Length of Public Road	735 LF

-No portion of the site is within the 100 yr Floodplain.
-Project is located approximately .15 miles from Blue Ridge Farmland Preservation District.



THREE SEEDS NEIGHBORHOOD

OWNER/DEVELOPER	HOUSING ASSISTANCE CORPORATION CONTACT: HUSH LIPHAM P.O. BOX 2057 HENDERSONVILLE, NC 28745 828 642-4744
ENGINEER	MOUNTAIN ENGINEERING CO. 121 3RD AVENUE WEST SUITE 2 HENDERSONVILLE, NC 28742 828-641-2122
LAND PLANNER/ LANDSCAPE ARCHITECT	LUTHER E. SMITH & ASSOCIATES, P.A. 124 3RD AVENUE WEST HENDERSONVILLE, NC 28742 828 641-2307
SURVEYOR	HILL & ASSOCIATES 804 MID ALLEN ROAD HENDERSONVILLE, NC 28742 828 645-1404



COMBINED MASTER & DEVELOPMENT PLAN
Scale 1"=50'-0"

Submitted to Henderson County for Combined Master & Development Plan Approval February 1, 2008.

Luther E. Smith & Associates, P.A.
LAND PLANNING
LANDSCAPE ARCHITECTURE
128 Third Avenue West
Hendersonville, NC 28742
(828) 641-2307
(828) 641-2308 fax
lsmith@lsmithpa.com

THREE SEEDS NEIGHBORHOOD

NORTH CAROLINA
HENDERSON COUNTY

DATE: 02-01-2008
JOB NO: 07126
DRAWN BY: NBS
CHECKED BY: LES

Revisions

COMBINED MASTER & DEVELOPMENT PLAN

S-1

OF - 1

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