

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: June 2, 2009

SUBJECT: Combined Master Plan and Development Plan for Leon Allison (File #2009-M03)

STAFF CONTACT: Parker Sloan

ATTACHMENTS:

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

SUMMARY OF REQUEST:

Hill and Associates Surveyors, P.A., agent, on behalf of Leon Allison, owners, submitted a Combined Master and Development Plan and major subdivision application for the project. The applicant is proposing a total of 2 lots. No new buildings or roads are proposed. The project is located on approximately 12.77 acres of land (PIN 9578-51-9559) located off Old Spartanburg Rd.

The project is not located in a watershed, however, it is 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. It is located in the CC (Community Commercial) Zoning District. The existing commercial use is the Allison landscaping facility. No new roads or buildings are proposed. Existing public water and sewerlines abut the property to the south and east.

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). Staff recommends approval of the Combined Master 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 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 (LDC);

And

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

Henderson County Planning Department Staff Report**Combined Master and Development Plan Review for Leon Allison
(File #2009-M03)****Leon Allison, Owners
Hill and Associates Surveyors, P.A., Agent**

Master Plan Comments:

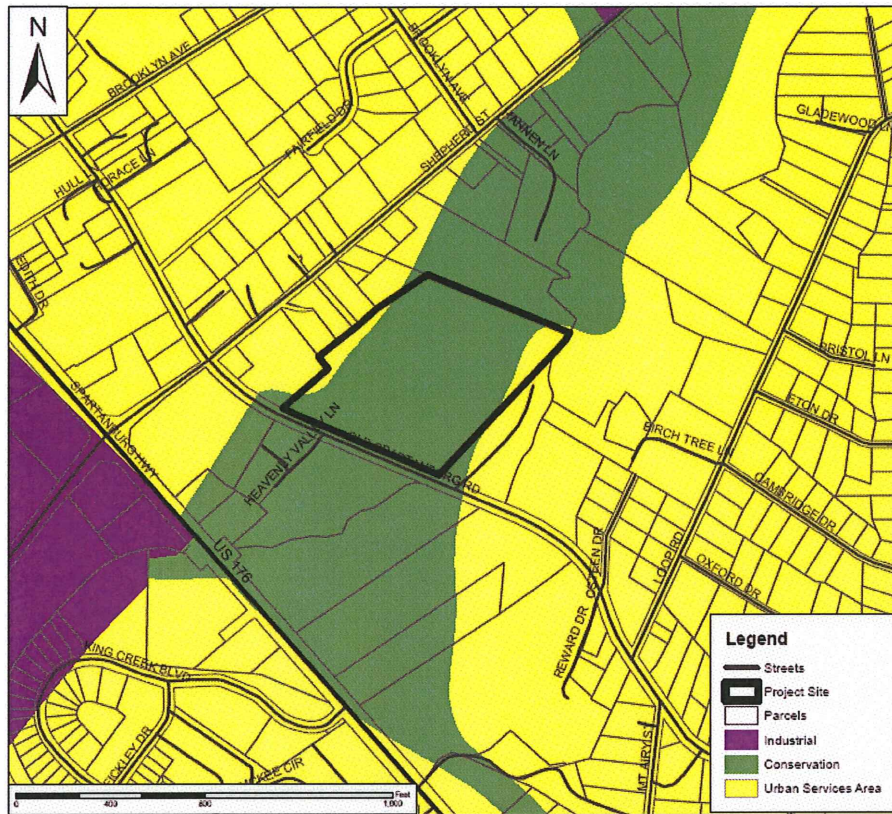
According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, 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 the Leon Allison 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. ***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.
 - a. **The Conservation Area** includes land areas that are intended to remain largely in their natural state, with only limited development. The conservation area shown in Map A reflects the former 1982 floodplain maps. These maps were amended in 2008, reducing the floodplain within the project site.

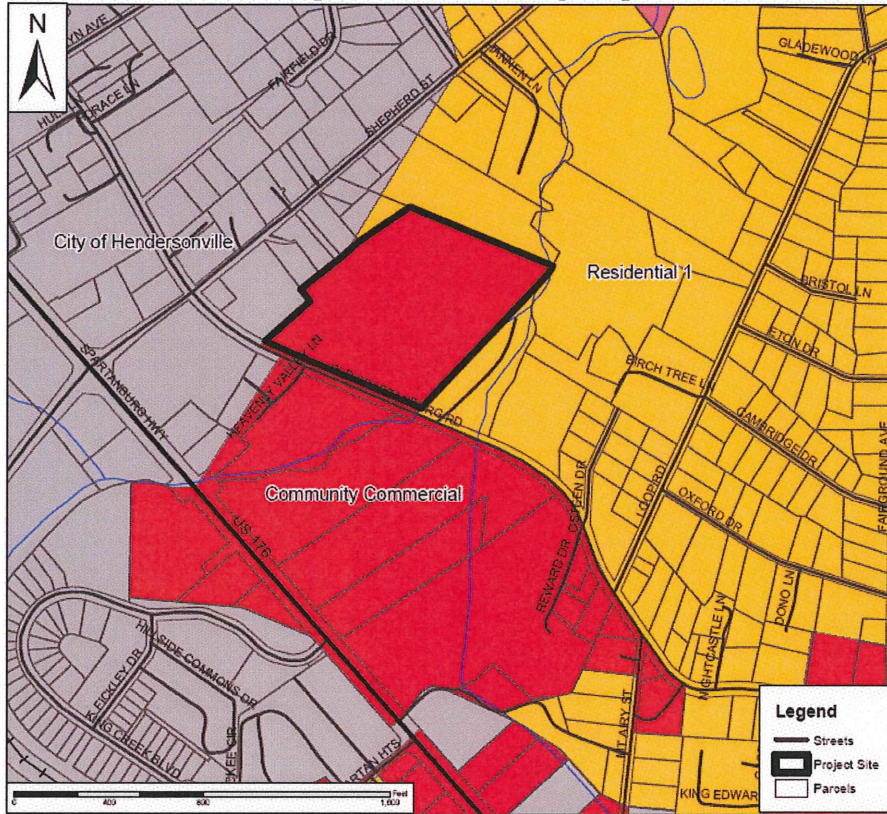
Map A: CCP Future Land Use



2. **Chapter 200A, Henderson County Land Development Code (LDC).**

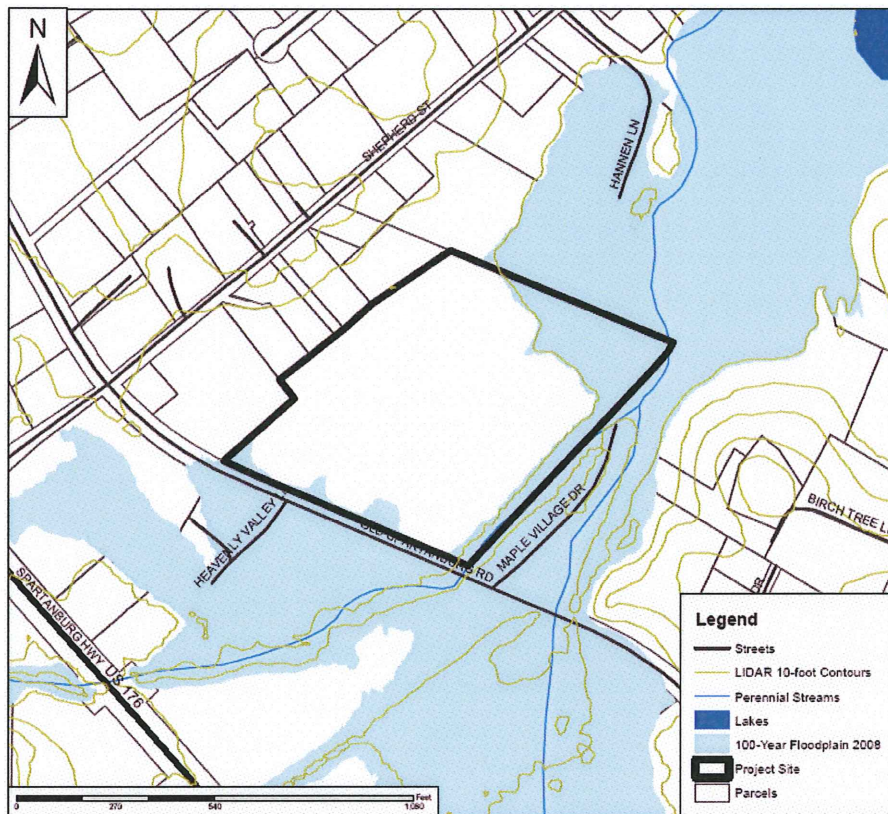
According to Chapter 200A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the CC (Community Commercial) zoning district. (See Map B: Official Zoning Map).

Map B: Official Zoning Map



3. **Flood Damage Prevention Ordinance.** According to County records the northern and eastern portions of the project site are within the 100 year floodplain. Constructing buildings within the floodplain should be avoided. (See Map C: Floodplain Map).

Map C: Floodplain Map



Development 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 §200A-81 A).
2. **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 §200A-81 B(4)) There is a fire hydrant within 200 feet located along Old Spartanburg road.
3. **Public Utilities.** City of Hendersonville water and sewer currently border the project site on the south and east. The applicant does not appear to be proposing any new development. However, according to the LDC, the applicant must provide evidence that water supply and sewer capacity has 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. In addition, the development plan does not indicate an existing sewer easement on the east side of the property. The TRC should require a sewer easement be dedicated and incorporated into this plan

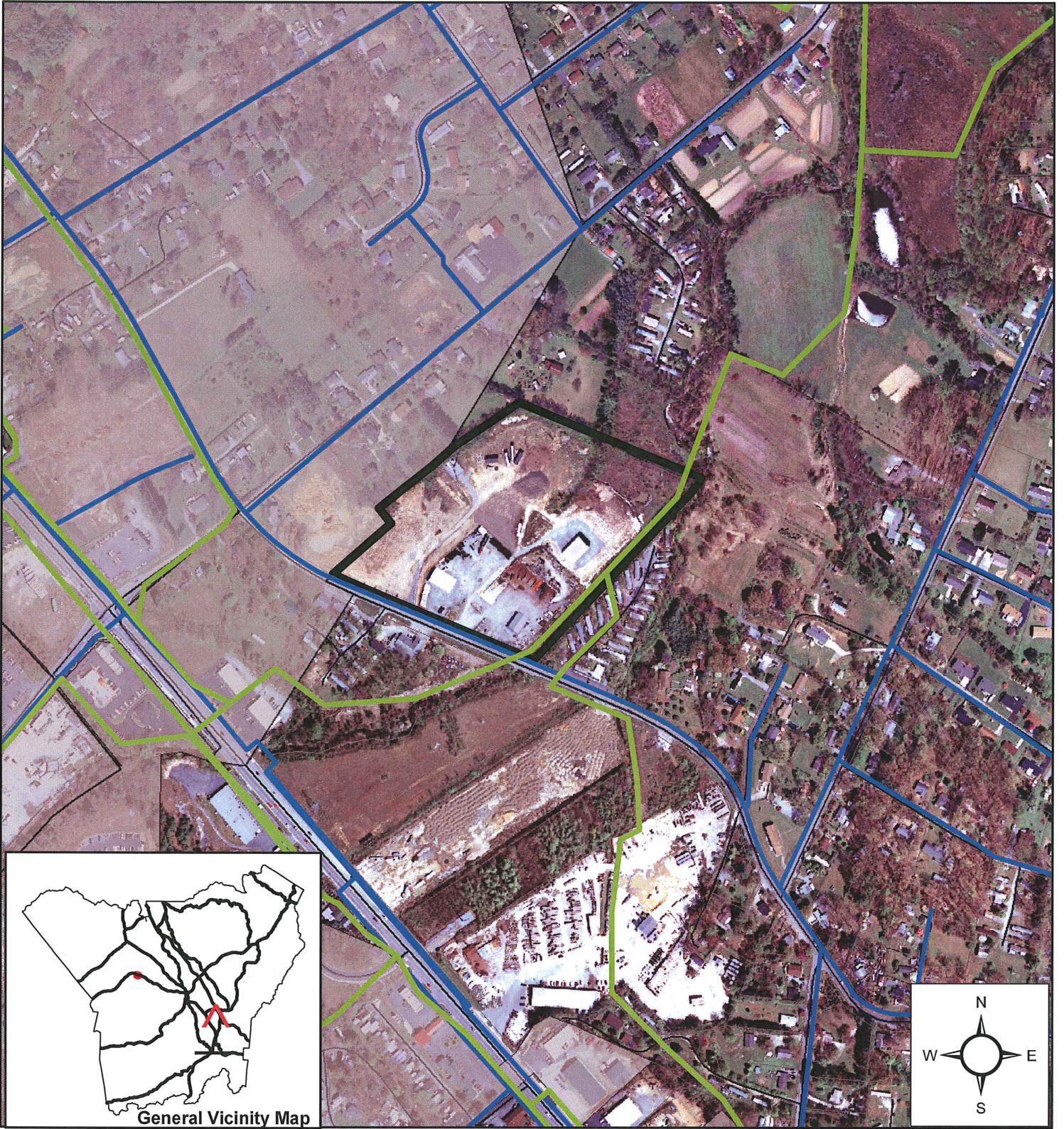
4. **Subdivision Signs.** All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat (LDC §200A-81 G)
5. **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)).

Subject property looking northeast at cell tower



Subject property looking southeast










Leon Allison Major Subdivision

OWNER/DEVELOPER: Leon Allison
 AGENT: David Hill
 ZONING: CC

Map Created by the Henderson County Planning Department on 5/13/09
 See Master Plan for exact location of project.

-  Streets
-  Hendersonville Sewer
-  Hendersonville Waterline
-  Project Site
-  Municipal Limits
-  Municipal ETJ

**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: 1 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: 9578-51-9559 Total Acreage: 12.77 Deed Book/Page: 1009/744 Township Hend.
Location of property to be divided: Old Spartanburg Rd

Zoning District: Community Commercial Fire District: Blue Ridge
Water Supply Watershed: N/A School District: EAST

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: Leon Allison Phone: (828) 692-8720 cell 674 0731
Address: 1604 Old Spartanburg Rd City, State, Zip: Hendersonville, NC 28792

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.

Leon Allison Leon Allison 4-30-09
Print Applicant (Owner or Agent) Signature Applicant (Owner or Agent) Date

County Use Only

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

**Henderson County
Planning Department**

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

MEMORANDUM

DATE: May 15, 2009
TO: Review Agencies (see distribution list)
TRC MEETING DATE: June 2, 2009
REGARDING: Leon Allison (File #2009-M03)
NAME OF APPLICANT: Leon Allison, 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 June 2, 2009.

Combined Master Plan and Development Plan for Leon Allison (File #2009-M03)

Hill and Associates Surveyors, P.A., agent, on behalf of Leon Allison, owners, submitted a Combined Master and Development Plan and major subdivision application for the project. The applicant is proposing a total of 2 lots. No new buildings or roads are proposed. The project is located on approximately 12.77 acres of land (PIN 9578-51-9559) located off Old Spartanburg Rd.

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Please review the attached plans and return any comments to the Henderson County Planning Department by **May 29, 2009** either by printing out the comment sheet provided or 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 Beau LoveLace, Hendersonville Fire Department
Josh Lanning, Assistant District Engineer, NCDOT

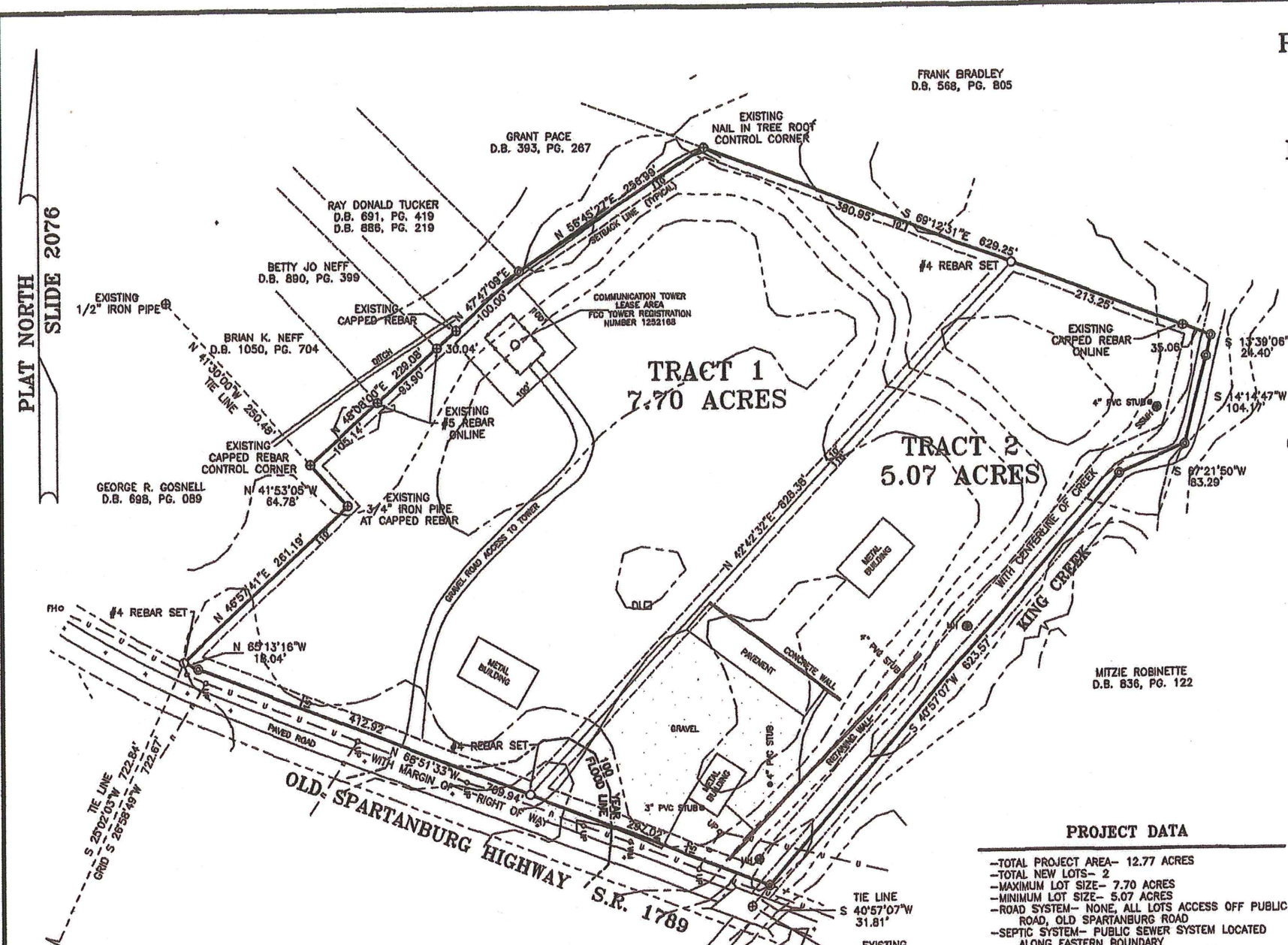
PLAT OF MASTER/DEVELOPMENT PLAN
FOR
LEON V. ALLISON
BEING THE PROPERTY DESCRIBED IN
DEED BOOK 1009, PAGE 744

HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

SCALE: 1" = 100'
APRIL 30th, 2009

OWNER/DEVELOPER
LEON V. ALLISON
1604 OLD SPARTANBURG ROAD
HENDERSONVILLE, NC 28792
(828) 685-7587

PLAT NORTH
SLIDE 2076



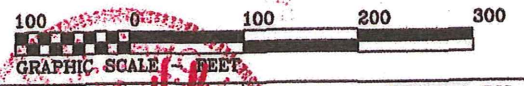
N.C.G.S. "JIMNEE"
N- 580804.793'
E- 975106.203'
COMBINED FACTOR- 0.9997776
N.A.D. 83

SETBACKS
FRONT- 15' FROM RIGHT OF WAY
SIDE- 10'
REAR- 10'
30' SETBACK FROM PERENNIAL STREAMS

PROJECT DATA

- TOTAL PROJECT AREA- 12.77 ACRES
- TOTAL NEW LOTS- 2
- MAXIMUM LOT SIZE- 7.70 ACRES
- MINIMUM LOT SIZE- 5.07 ACRES
- ROAD SYSTEM- NONE. ALL LOTS ACCESS OFF PUBLIC ROAD, OLD SPARTANBURG ROAD
- SEPTIC SYSTEM- PUBLIC SEWER SYSTEM LOCATED ALONG EASTERN BOUNDARY
- WATER SYSTEM- PUBLIC ALONG OLD SPARTANBURG ROAD
- SMALL PORTION OF PROPERTY, AT ENTRANCE OFF OLD SPARTANBURG ROAD, IN DESIGNATED FLOOD HAZARD ZONE PER F.I.R.M. PANEL 3700957800J
- BLUE RIDGE FIRE DISTRICT
- ZONED COMMUNITY COMMERCIAL
- PROPERTY NOT WITHIN A WATERSHED DISTRICT
- PROPERTY IS WITHIN 1/2 MILE OF AGRICULTURAL DISTRICT
- FIRE CONNECTION POINT WITHIN 200', LOCATED ON OLD SPARTANBURG ROAD
- SANITARY SEWER CONNECTION LOCATED ALONG EASTERN BOUNDARY

N.T.S.



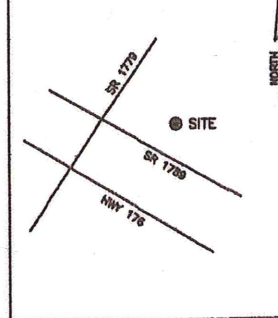
NOTES:

- 1- AREAS BY COORDINATE COMPUTATION.
- 2- ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
- 3- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS OTHERWISE NOTED.
- 4- THIS PROPERTY IS ZONED COMMUNITY COMMERCIAL BY HENDERSON COUNTY.
- 5- A PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD ZONE PER F.I.R.M. 370565 9578.
- 6- THE CURRENT OWNER OF RECORD IS LEON V. ALLISON.
- 7- NO EASEMENT FOUND FOR SEWER LINE ALONG EASTERN BOUNDARY.
- 8- 20' DUKE ENERGY EASEMENT FOUND IN DEED BOOK 1272, PAGE 079.
- 9- 30' DUKE ENERGY EASEMENT FOUND IN DEED BOOK 1328, PAGE 741.
- 10- 100 YEAR FLOOD LINE TAKEN FROM FLOOD INSURANCE RATE MAP 3700957800J, EFFECTIVE DATE OCTOBER 2, 2008.
- 11- REVISED AND REDRAWN MAY 7th, 2009 TO ADD 100 YEAR FLOOD LINE.

LEGEND

- ⊙ MONUMENT FOUND AS NOTED
- MONUMENT SET AS NOTED
- ⊙ POINT NOT STAKED
- P-PED - PHONE PEDESTAL
- UP - UTILITY POLE
- PHP - PHONE POLE
- TRANS - TRANSFORMER
- TV-PED - CABLE TV PEDESTAL
- WM - WATER METER
- WV - WATER VALVE

LOCATION MAP (NTS)

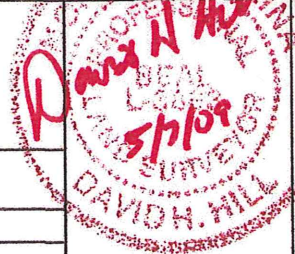


DEED REFERENCES:
D.B. 1009, PG. 744
SLIDE 2076

TAX REFERENCES:
9578-51-9559

PARTY CHIEF: DHH

REVISIONS:
SEE NOTE 11



SURVEY BY
HILL AND ASSOCIATES
SURVEYORS, P.A.

809 MID-ALLEN ROAD
HENDERSONVILLE, NORTH CAROLINA 28792
PHONE: (828)693-1409

CHECKED BY: DHH
DRAWN BY: DHH

SCREEN FILE: 22120MDP1
FILE: 22120

DATE: APRIL 30th, 2009