

## REQUEST FOR COMMITTEE ACTION

### HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

**Meeting Date:** June 21, 2011

**Subject:** Combined Master and Development Plan for The Mountain View Industrial Park  
(File #2011-M02)

**Staff Contact:** Parker Sloan, Planner

**Attachments:**

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

#### **SUMMARY OF REQUEST:**

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Stacy Rhodes, agent, on behalf of, G. Ray and Katelynn Fussell, owner, submitted a combined Master and Development Plan and major subdivision application for the project. The applicant proposes a total of 2 lots. The project is located on approximately 75 acres of land (PIN 9660-85-6729).

The project is not located in a watershed or the floodplain. According to County records, the project site does not contain slopes in excess of 60 percent. It is located in the Industrial (I) Zoning District. A new 45ft right-of-way is proposed and a small portion of new road is proposed (See Attachment 4). Private water and private septic systems are existing on site.

#### **TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:**

Staff finds that the proposed Combined Master and Development Plan will 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) and communicated during the meeting to the applicant. 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 Technical Review Committee approve the Combined Master and Development Plan subject to any conditions that may result from comments listed in the Staff Report (Attachment 1) or other comments from discussion at the Technical Review Committee meeting.

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**Henderson County Planning Department Staff Report**  
**Combined Master and Development Plan Review for**  
**The Mountain View Industrial Park Major Subdivision**  
**(File #2011-M02)**  
**G. Ray and Katelynn Fussell**

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**Master Plan Comments:**

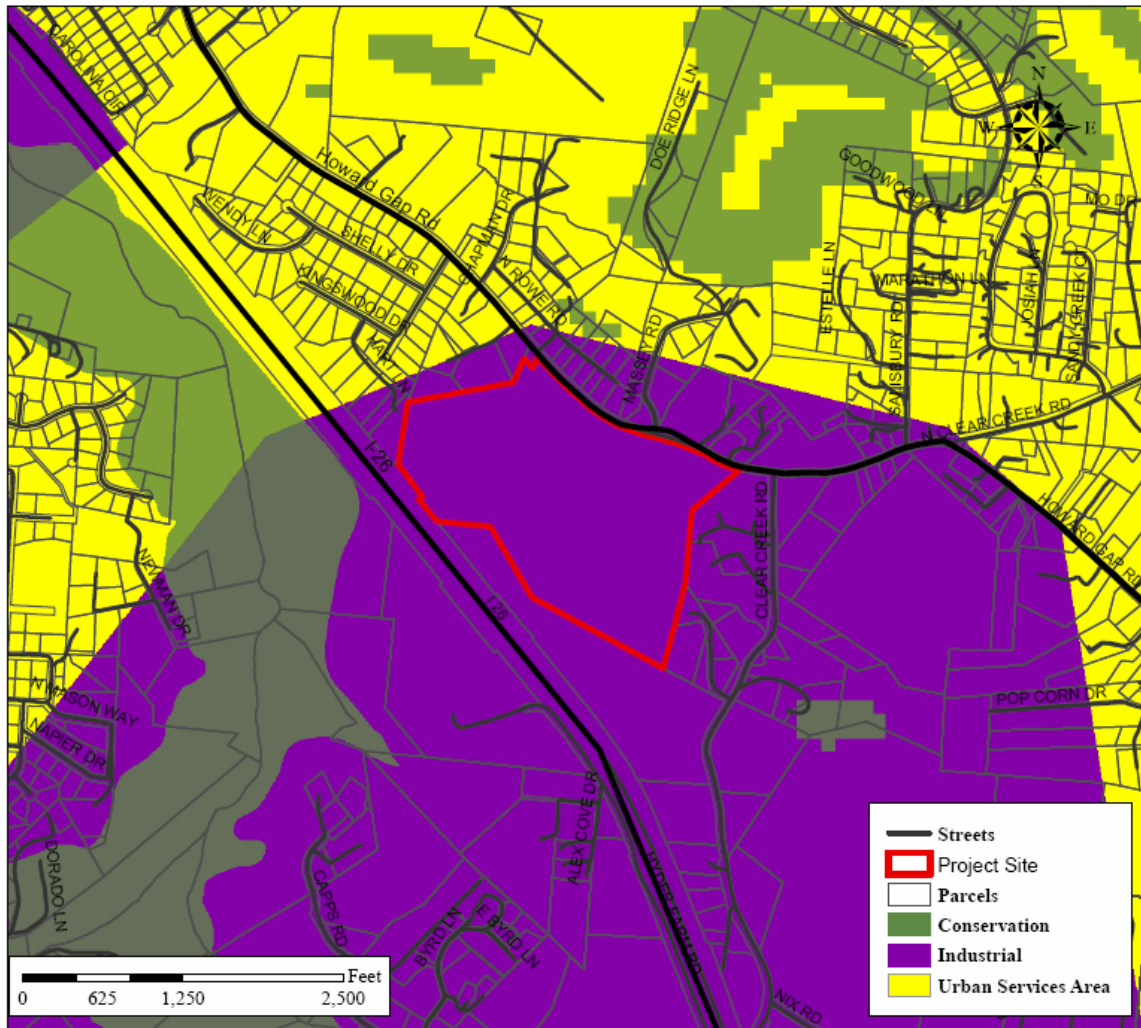
According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, 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 Mountain View Industrial Park 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 Services Area and Industrial 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. **Industrial Area** The CCP Future Land Use Map identifies the Subject Area as being located in an Industrial Area, a special designation within the urban services area (2020 CCP Pgs. Pgs. 136, 137 & Appendix 1, Map 24). The CCP states that, "most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses" (2020 CCP, Pg. 136).

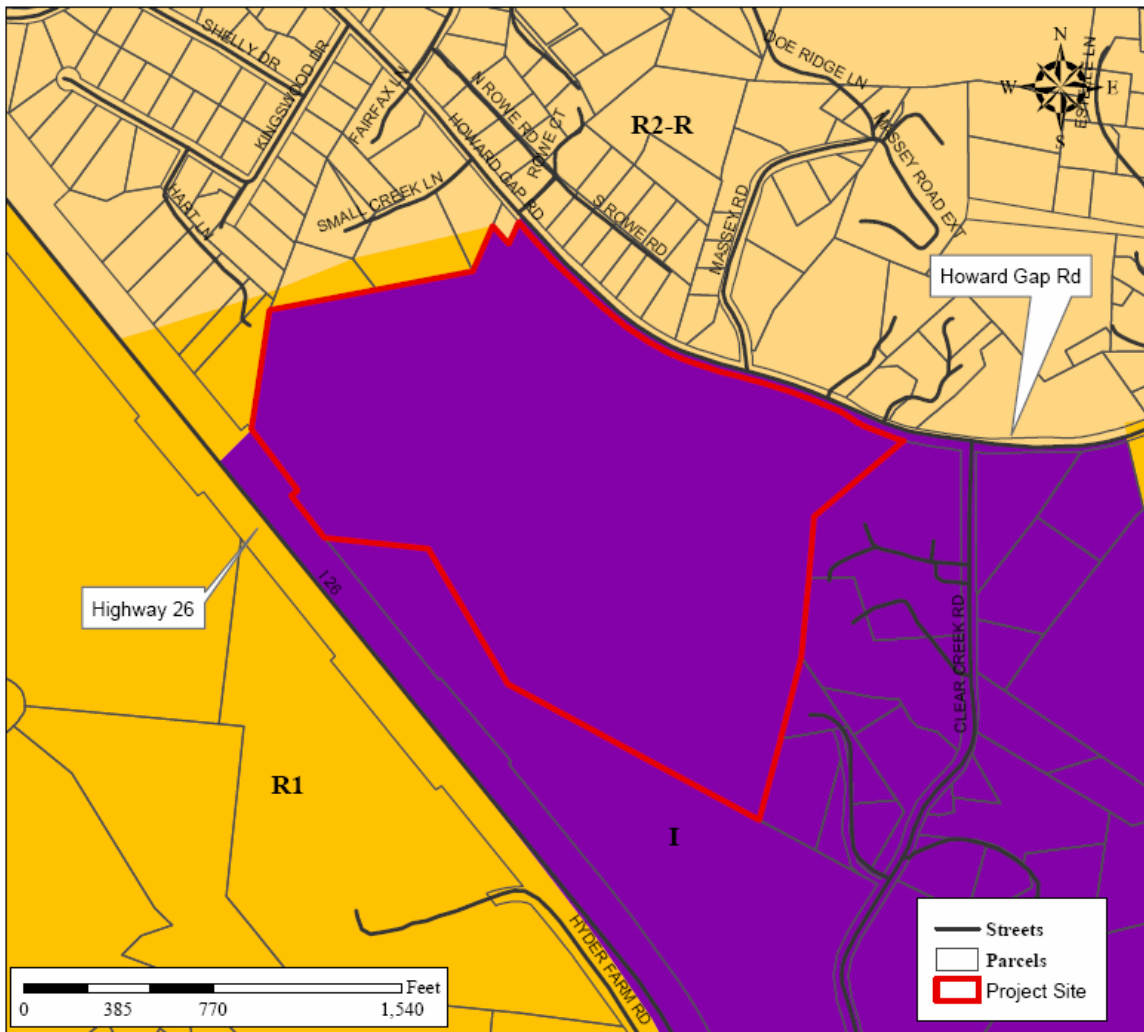
**Map A: CCP Future Land Use**



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 Industrial (I) zoning district. (See Map B: Official Zoning Map). The applicant is proposing 2 lots.

**Map B: Official Zoning Map**



**Master and 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-81A).
2. **Public Utilities.** Public Water or Sewer is not proposed. The subdivision is not within the required distance to hook up to public water (200ft) or public sewer (100ft).
3. **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. The LDC allows the TRC to alter the 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(s) for the subdivision is approved. The applicant is proposing 24 street trees which meets the requirement.
4. **Private Roads.** All proposed right-of-ways should be noted on the Master and Development Plan. The right-of-way and proposed cross-section must meet the major subdivision road standards (LDC §200A-81 C). The Cross section shown on the attached Master and Development appears to meet the requirements of the Land Development Code for Major Subdivisions.
5. **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)).
6. **Farmland Preservation District Setback.** Where a major subdivision of land occurs, a minimum 100 foot setback for all buildings or other structures is required from any Farmland Preservation District. The County strongly encourages any subdivision located adjacent to a Farmland Preservation District to use the Conservation Subdivision Option (§200A-86 (Conservation Subdivisions (Option))). The minimum 100 foot setback from Farmland Preservation Districts, where applicable, must be noted on the development plan and final plat(s).
7. **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-81G)

8. **Stream Setbacks.** All built-upon area shall be at a minimum of 30 feet landward of all perennial and intermittent surface waters. (§200A-219)
9. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the miscellaneous advisory provisions contained in LDC §200A-81S.
10. **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 §200A-81 E).
11. **Road Name Approval.** Proposed road names for a private road shall be preapproved by Henderson County in accordance with Chapter 142 of the Henderson County Code, Property Addressing (LDC §200A-81 F).
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-311B(2)).



View of lot being subdivided with existing building, looking south.



View of entrance and existing brick warehouse, looking south.

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

**SUBDIVISION INFORMATION**

Subdivision Name: G. RAY FUSSELL (MOUNTAIN VIEW INDUSTRIAL PARK)  
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: 1    Proposed Density (units per acre): 1 PER 2.5 ACRES  
Road System: ( ) Public    (  ) Private    ( ) Combination Public and Private  
Water System: (  ) Individual    ( ) Community    ( ) Municipal  
Sewer System: (  ) Individual    ( ) Community    ( ) Municipal

**PARCEL INFORMATION**

PIN: 9660-85-6729    Total Acreage: 75+ ACRES    Deed Book/Page: 1254/107    Township: HENDERSONVILLE  
Location of property to be divided: TRACT OF LAND ADJOINING HOWARD GAP ROAD FORMERLY KNOWN AS THE MUSHROOM PLANT  
Zoning District: INDUSTRIAL    Fire District: MOUNTAIN HOME  
Water Supply Watershed: UNKNOWN    School District: NORTH HENDERSON

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: X G. RAY FUSSELL    Phone: X 931 265 5769  
Address: X 407 COOPERS HAWK DR.    City, State, Zip: X ASHEVILLE, N.C. 28803

**Applicant:**  
Name: \_\_\_\_\_    Phone: \_\_\_\_\_  
Address: \_\_\_\_\_    City, State, Zip: \_\_\_\_\_

**Agent:** Agent Form (Circle One): Yes    No  
Name: \_\_\_\_\_    Phone: \_\_\_\_\_  
Address: \_\_\_\_\_    City, State, Zip: \_\_\_\_\_

**Plan Preparer:**  
Name: STACY K. RHODES    Phone: 828-693-1022  
Address: 545 S. GROVE STREET    City, State, Zip: HENDERSONVILLE, N.C. 28792

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

X G. RAY FUSSELL    X [Signature]    X MAY 17, 2011  
Print Applicant (Owner or Agent)    Signature Applicant (Owner or Agent)    Date



PLAT OF COMBINED MASTER AND  
DEVELOPMENT PLAN OF  
**MOUNTAIN VIEW INDUSTRIAL PARK**

OWNERS/DEVELOPERS  
G. RAY FUSSELL  
AND WIFE  
KATELYNN H. FUSSELL  
407 COOPERS HAWK DRIVE  
ASHEVILLE, NC 28803

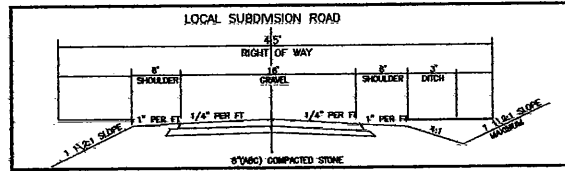
BEING A COMMERCIAL SUBDIVISION  
OF A PORTION OF THE PROPERTY  
DESCRIBED IN D.B. 1254, PG. 107  
HENDERSONVILLE TOWNSHIP  
HENDERSON COUNTY  
NORTH CAROLINA

MAY 16th, 2011

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR,  
certify that this plat was drawn under my supervision  
from an actual survey made under my supervision  
(the description recorded in Book 65, Page SHOWN);  
that the boundaries not surveyed are clearly indicated  
drawn from information found in Book 62, Page SHOWN;  
that the ratio of precision as calculated is 1/10,000;  
that this plat was prepared in accordance with G.S. 47-30  
as amended. Witness my original signature, registration  
number and seal.  
this    day of   , A.D. 20   .

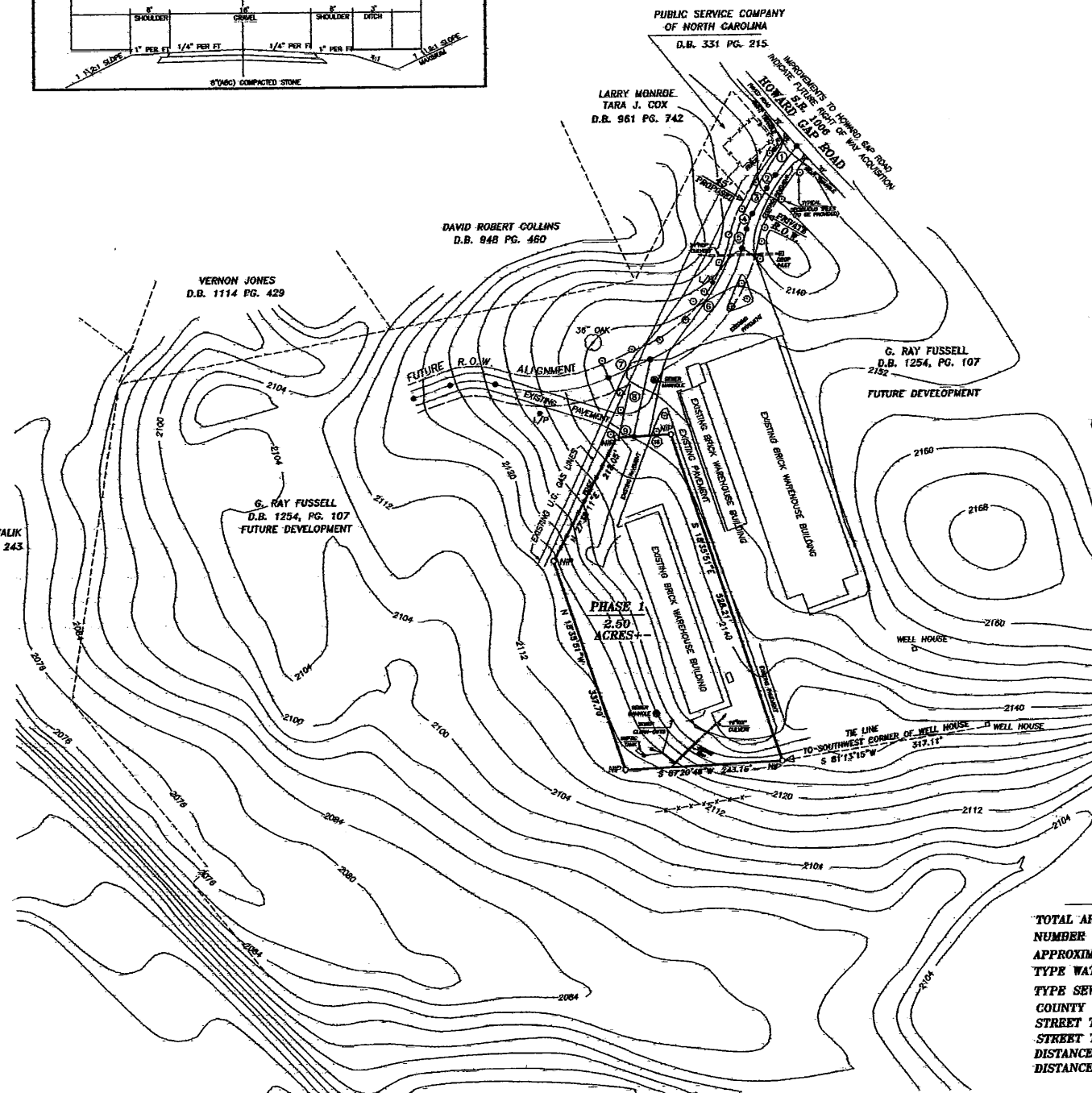
PROFESSIONAL LAND SURVEYOR

I, STACY KENT RHODES, a PROFESSIONAL LAND SURVEYOR, certify  
that this survey creates a subdivision of land within the area of  
a county or municipality that has an ordinance that regulates  
parcels of land (G.S. 47-30(f)(1)(a)).



NAD 1983

N. C. GRID NORTH

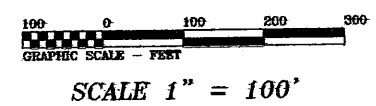


**CALL TABLE**

COURSE	BEARING	DISTANCE
1	S 37°30'39"W	55.00'
RAD: 200.00' TAN: 12.18' 70.00'		
LEN: 24.34' DELTA: 6°58'22"		
2	S 34°01'28"W	24.32'
3	S 30°32'17"W	45.00'
RAD: 80.00' TAN: 12.90' 70.00'		
LEN: 25.63' DELTA: 16°19'06"		
4	S 22°22'43"W	25.55'
5	S 14°13'10"W	30.00'
RAD: 250.00' TAN: 123.66' 70.00'		
LEN: 229.68' DELTA: 52°38'21"		
6	S 40°32'21"W	221.69'
7	S 66°51'32"W	70.00'
8	S 12°43'12"W	120.82'
9	N 87°17'39"E	26.07'
10	N 87°17'39"E	57.80'

**PROJECT SUMMARY**

TOTAL AREA OF PROJECT: 2.50 ACRES / 108,900 SQ.FT.+-  
NUMBER OF PROPOSED LOTS: 2 (PHASE 1 & FUTURE DEVELOPMENT)  
APPROXIMATE LENGTH OF PRIVATE ROAD SYSTEM: 600 FEET  
TYPE WATER SYSTEM: PRIVATE/INDIVIDUAL  
TYPE SEWER SYSTEM: PRIVATE/INDIVIDUAL  
COUNTY ZONING: INDUSTRIAL  
STREET TREES REQUIRED: 24  
STREET TREES TO BE PROVIDED: 24  
DISTANCE TO NEAREST CITY WATER LINE: 3350'+-  
DISTANCE TO NEAREST CITY SEWER LINE: 3 MILES +-



- NOTES:**
1. AREA DETERMINED BY COORDINATE COMPUTATION
  2. THE CURRENT OWNERS OF RECORD ARE G. RAY FUSSELL, AND WIFE, KATELYNN H. FUSSELL AS PER D.B. 1254, PG. 107.
  3. THIS SUBJECT PROPERTY ADJOINS A PORTION OF THE CLEAR CREEK AGRICULTURAL DISTRICT.
  4. THE CURRENT COUNTY ZONING DESIGNATION FOR THE SUBJECT PROPERTY IS INDUSTRIAL(I), WITH THE FOLLOWING BUILDING SETBACKS: FRONT 20', SIDE 20', REAR 20'. THERE IS RESERVED A 30' BUILDING SETBACK AND VEGETATIVE BUFFER FROM ANY AND ALL PERENNIAL STREAMS.
  5. THERE IS RESERVED A 30' BUILDING SETBACK AND VEGETATIVE BUFFER FROM ANY AND ALL PERENNIAL STREAMS.
  6. ELEVATION DATUM TAKEN FROM N.C.D.O.T. LIDAR MAPS AND NO RELIANCE IS TO BE ASSUMED AS TO ACTUAL FIELD ACCURACY.
  7. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.
  8. THERE IS A 100' BUILDING SETBACK FROM ANY FARMLAND PRESERVATION DISTRICT.

- LEGEND**
- EXISTING CORNER MONUMENT AS NOTED
  - NEW IRON PIPE SET OR AS NOTED
  - COMPUTED POINT-NOT STAKED
  - CONCRETE MONUMENT AS NOTED
  - DECIDUOUS TREE

<p>REFERENCES: DEED: D.B. 1254 PG. 107</p> <p>PLAT:</p> <p>TAX ID REFERENCE: 9660-85-6729</p> <p>SCREEN FILE: 11-018</p> <p>DWG FILE: 11-018</p> <p>REVISIONS: 0-6-2011</p>	<p>LOCATION MAP (NTS)</p>	<p>SURVEY BY <b>STACY KENT RHODES</b> NC PLS 2959</p> <p>WAGGONER &amp; RHODES LAND SURVEYORS, LLC.</p> <p>545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: (828) 693-1022 FAX: (828) 693-4019</p>
<p>DATE: MAY 16th, 2011</p>	<p>DRAWN BY: SKR/DKS</p>	<p>JOB NUMBER: 11-018</p>