

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT

MEETING DATE: Wednesday, October 30, 2013

SUBJECT: Amend Special Use Permit SP-05-01-A1 for River Stone Major Subdivision (2008-M09)

STAFF CONTACT: Parker Sloan, Planner

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Revised Master Plan

SUMMARY OF REQUEST:

Drew Norwood, owner and developer submitted a new Master Plan for the project known as Riverstone. The applicant is requesting to increase the number of residential units from the current 524 to 549 within the project. The original Riverstone Major Subdivision Master Plan was approved in September 2005 with the corresponding Special Use Permit (SP-05-01-A1) approved by the Henderson County Board of Commissioners in November of 2005 and amended in August of 2006. The Master and Development plan and special use permit approval are linked together, as the special use permit order issued for the project references the approved 2005 master plan. To proceed with the project under the new density, the owner and developer would also need to seek special use permit amendment approval from the Henderson County Zoning Board of Adjustment.

The special use permit points out that under the zoning at the original time of approval a total of 661 units would be allowed. The project is located on approximately 178.4 acres of land located off Butler Bridge Road. The revised master plan proposes a total of 549 single family lots plus a second community swimming pool facility.

SUGGESTED MOTION:

Staff requests that the ZBA review the application and make a decision based on evidence presented for this project.

Suggested Motion: I move to approve SUP-05-01-A2 for Riverstone Major Subdivision with the following conditions:

Meets the requirements of the Land Development Code and the approved Master and Development Plan because the use will

- a) Not materially endanger the public health, safety or welfare;**
- b) Not substantially injure the value of the property or improvements in the area; and**
- c) Be in harmony with the surrounding area**

Henderson County Planning Department Staff Report
Revised Master Plan & Special Use Permit Amendment
River Stone
(2008-M09)

Drew Norwood, Owner & Developer

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 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.

Staff has reviewed the submitted revised Master Plan for River Stone, 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:

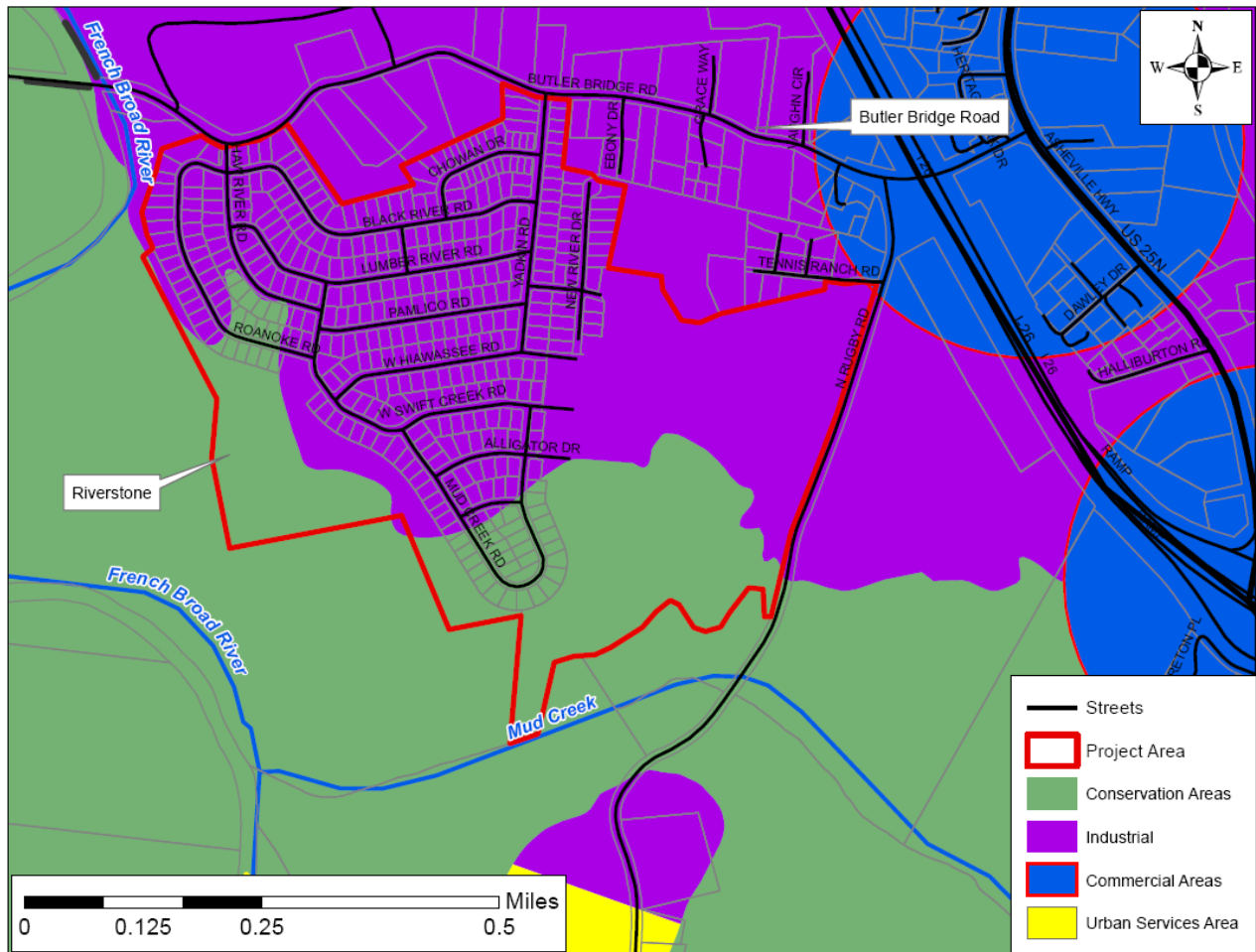
1. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the project site as being located within each of the following areas: Urban Services Area (USA) (See Map A: CCP Future Land Use Map).

The CCP Future Land Use Map places the Subject Area in the Urban Service Area classification (USA). The text and map of the 2020 CCP suggest that the Subject Area would be more suitable for the following:

1. The Urban Services Area is that area within which most urban services and urban scale development is currently concentrated, and within which such development should generally be concentrated through the year 2020.

2. Growth and development will be proactively managed through extensive planning. Much of the USA falls within municipal planning jurisdictions and will be managed by those jurisdictions. Land use planning for areas falling within the County's jurisdiction should be comparable and compatible in its approach and intensity with planning conducted within the various municipal jurisdictions

Map A: CCP Future Land Use Map



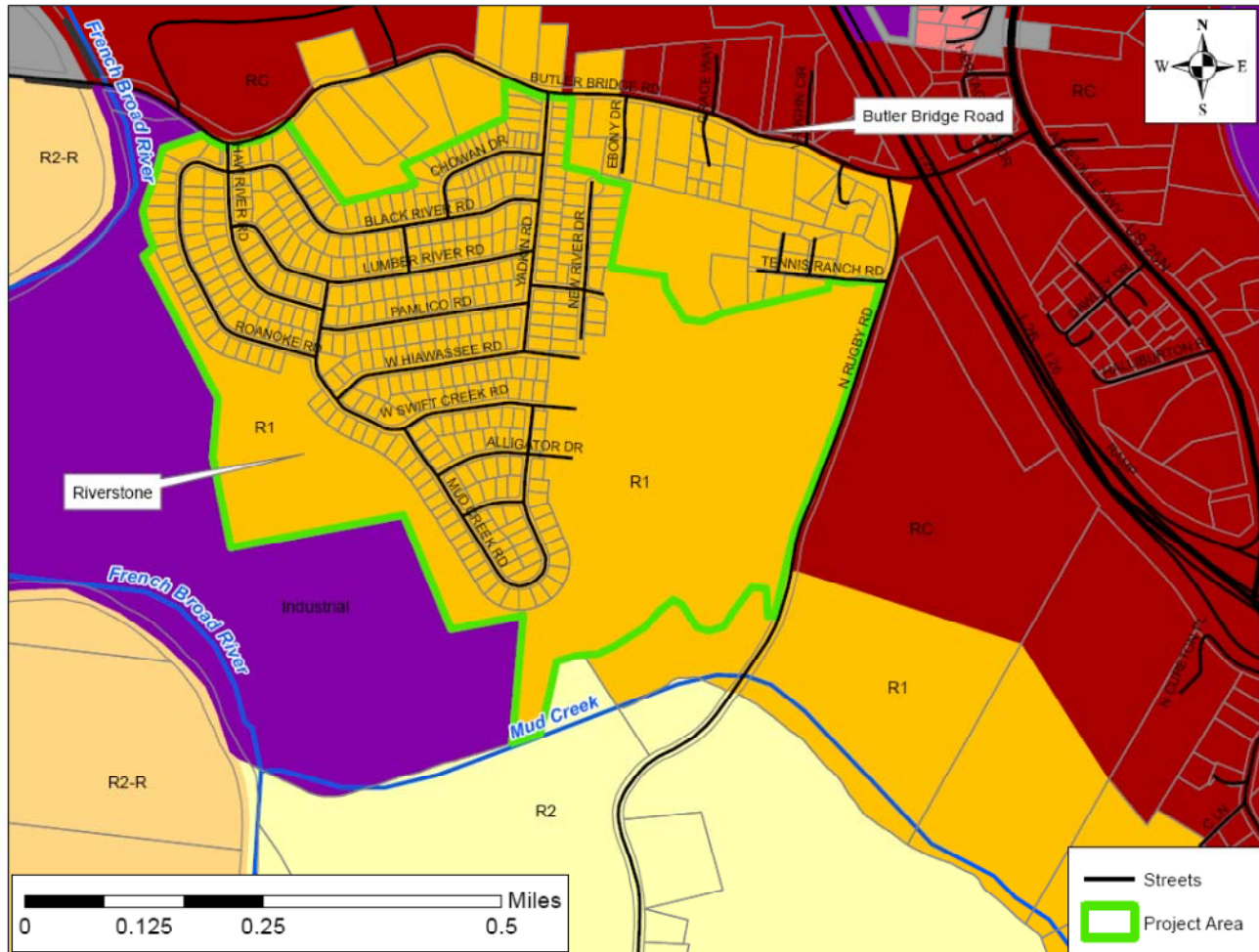
According to the plan, the project would have an average density of approximately 3.08 units per acre.

- 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) (See Map B:Official Zoning Map). The current R1 zoning district allows for single-family and multifamily units.

Combined, the original tracts total 178.4 acres. R1 allows for a standard residential density of 4 units per acre. Therefore, the LDC allows for 713 units on the project site at standard density. The Master Plan proposal of 549 lots would fall within the density permitted by the LDC. In addition, the active original special use permit (SP-05-01-A1) cited that up to 661 lots would be allowed under the zoning regulations at the time of original approval. In order

for the applicant to increase the density of the project the special use permit would have to be amended.

Map B: Official Zoning Map



3. Water and Sewer Availability. Public water and Cane Creek sewer currently service the project site.

Master & Development Plan Comments:

1. **Zoning Setbacks.** The Current setbacks under the special use permit as amended (SP-05-01-A1) are approved at: 10 feet from the edge of rights-of-way for all lots; 10 feet rear setbacks for all lots; and 5 feet side yard setback for all lots (with a minimum 10 feet separation for buildings).
2. **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-113B).

3. **Private Roads.** 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.*
4. **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-97).
5. **Road Drainage, Culverts and Shoulder Stabilization.** 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-100). 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-97).
6. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 142 of the Henderson County Code, Property Addressing (LDC §200A-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.
7. **Floodplain.** A Floodplain Permit is required for any proposed development parcel that contains Floodplain.
8. **Gates.** Entry gates shall be constructed and maintained as required by and in accordance with Chapter 89 of the Henderson County Code, Entry Gates, and SR 3.7 (Gates and/or Guardhouses). LDC §200A-105 C
9. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 200A (LDC §200A-87).
10. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-343).





Riverstone

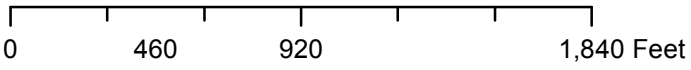
Hwy 26

Butler Bridge Road



	Project Area
	Parcels
	Streets

Riverstone
 Major Subdivision Application
 Revised 2008-M09
 Drew Norwood, owner/applicant



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SPECIAL USE PERMIT SP-05-01

OWNER
WINDSOR-AUGHTRY COMPANY
P.O. BOX 16449
GREENVILLE, SC 29606
864-271-9855

PROJECT SUMMARY
PHASE 1 - 105.6 AC
PHASE 2 - 69.1 AC
TOTAL ACRES - 174.7 AC

ALLOWABLE DENSITY
PHASE 1 - 460 LOTS
PHASE 2 - 200 LOTS
TOTAL ALLOWABLE - 660 LOTS

PROPOSED DENSITY - 524 LOTS
COMMON AREAS 47.1 ACRES

FIRE DISTRICT: FLETCHER
PUBLIC WATER: CITY OF ASHEVILLE
PUBLIC SEWER: CANE CREEK DISTRICT
ROAD SYSTEM: NCDOT (24,640 LF)

AMENDMENT 1

PROJECT SUMMARY
PHASE 1 - 105.6 AC
PHASE 2A,B,&C - 69.1 AC
PHASE 2D - 3.7 AC
TOTAL ACRES - 178.4 AC

ALLOWABLE DENSITY
PHASE 1 - 460 LOTS
PHASE 2A,B,&C - 214 LOTS
PHASE 2D - 10 LOTS
TOTAL ALLOWABLE - 670 LOTS

PROPOSED DENSITY - 538 LOTS
COMMON AREAS 47.1 ACRES

FIRE DISTRICT: FLETCHER
PUBLIC WATER: CITY OF ASHEVILLE
PUBLIC SEWER: CANE CREEK DISTRICT
ROAD SYSTEM: NCDOT (25,230 LF)

AMENDMENT 2

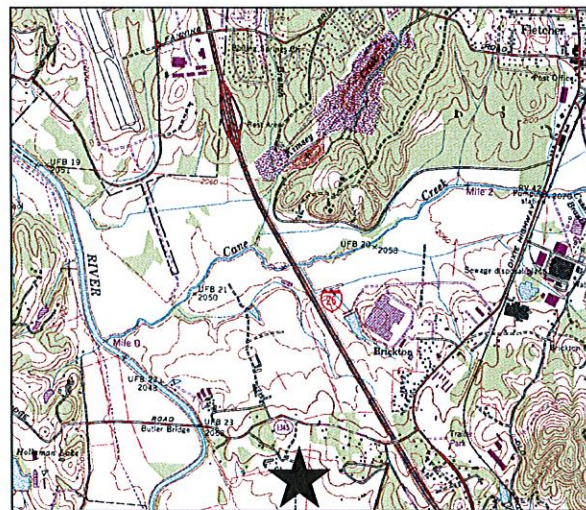
PROJECT SUMMARY

PHASE 1A - 139 LOTS
PHASE 1B - 55 LOTS
PHASE 1C - 134 LOTS
PHASE 1D - 39 LOTS
PHASE 2A - 27 LOTS
PHASE 2B - 24 LOTS
PHASE 2 - 131 LOTS (FUTURE)

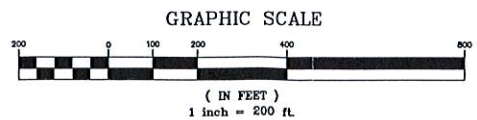
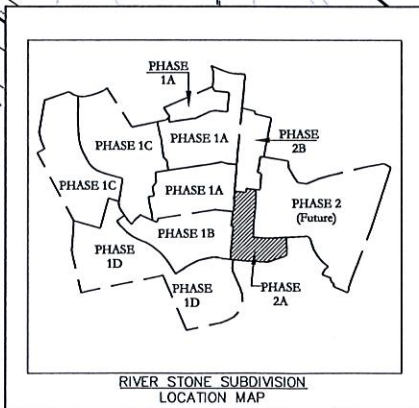
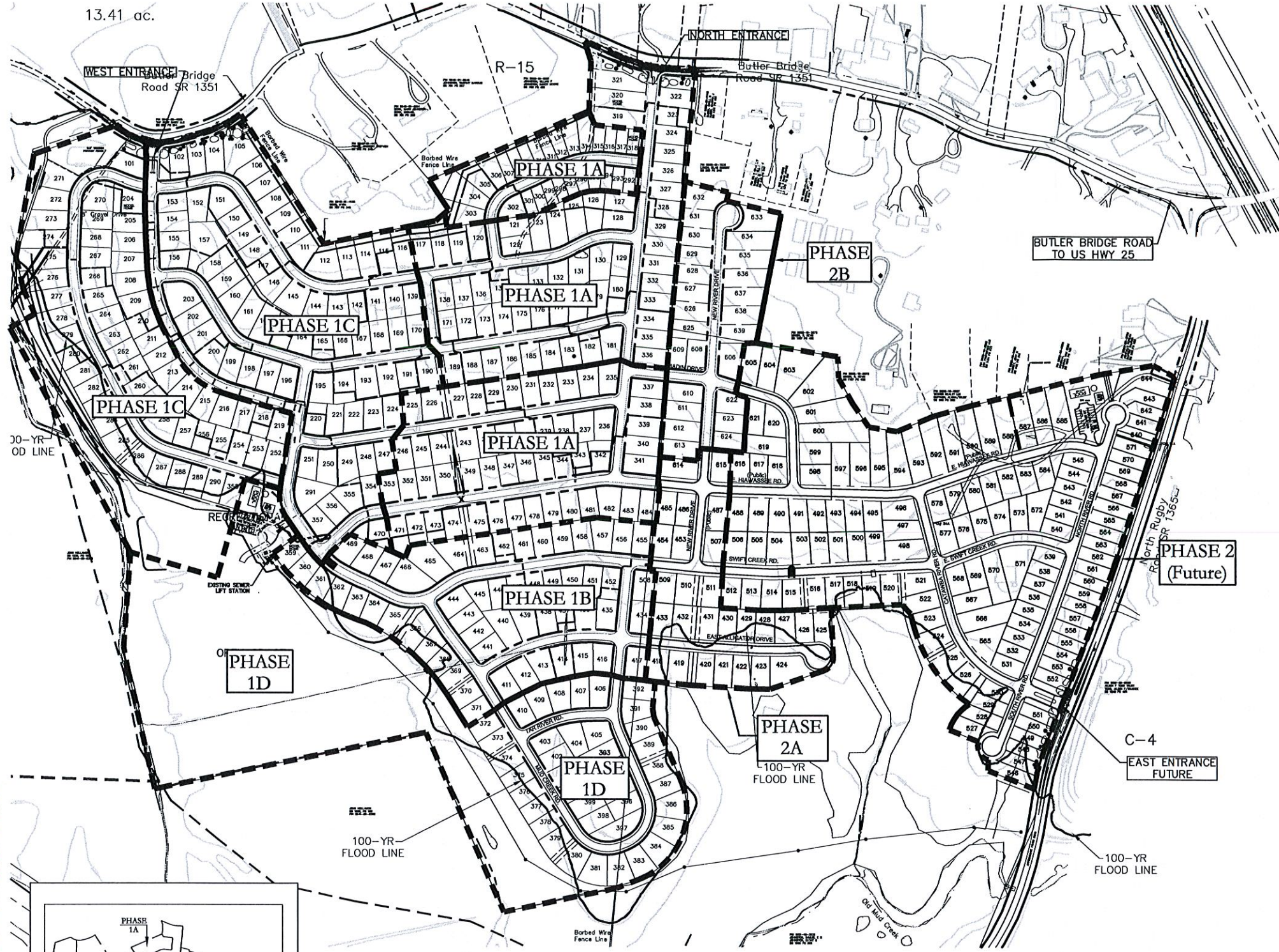
TOTAL LOTS - 549

ALLOWABLE DENSITY
670 LOTS/178.4 AC. = 3.75 UNITS/ACRES

PROPOSED DENSITY
549 LOTS/178.4 AC. = 3.08 UNITS/ACRES



LOCATION MAP
N.T.S.



OWNER:
WINDSOR-AUGHTRY COMPANY
P.O. BOX 16449
GREENVILLE, SC 29606
PHONE: 864-271-9855

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(828) 687-7177
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Know what's below.
Call before you dig.

Revisions

date: 7/2013
job: 12151
drawn: KHC

9/16/2013
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