

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: April 15, 2010

SUBJECT: Combined Master and Development Plan for the Meadows at Rivers Edge (File #2010-M01)

STAFF CONTACT: Parker Sloan

ATTACHMENTS:

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

SUMMARY OF REQUEST:

Terry Baker with Associated Land Surveyors, agent, on behalf of Eade Road Investments, LLC, owner, submitted a Combined Master and Development Plan and major subdivision application for the project. The applicant proposes a total of 54 lots. The project is located on approximately 76.29 acres of land (PIN 9528-54-3288) with 39.3 acres proposed as open space located off Eade Road.

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 R2R (Residential Two Rural) Zoning District. The primary onsite access road for the project, Waters Edge Drive, was already constructed for an earlier development proposed for the property in 2007. In addition, 5 new roads are proposed to access the remaining property. Existing public waterlines are on site and are proposed to serve the project site along with individual septic systems.

PLANNING BOARD ACTION REQUESTED:

Staff finds 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 Master Plan and Development Plan subject to the developer addressing any issues raised by the Planning Board and addressing the comments listed in the Staff Report, including those comments and conditions recommended by the Technical Review Committee.

Suggested Motion:

I move that the Planning Board find and conclude that the Master Plan and Development Plan appear to comply with the subdivision provisions of Chapter 200A, Henderson County Land Development Code (LDC);

And I further move that the Master Plan 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), conditions recommended by the Technical Review Committee, and any conditions or other comments that result from discussion at the Planning Board meeting.



Henderson County Planning Department Staff Report

Combined Master and Development Plan Review for the Meadows at Rivers Edge (File #2010-M01)

Eade Road Investments, LLC, Owner
Terry Baker, Associated Land Surveyors, 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 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.

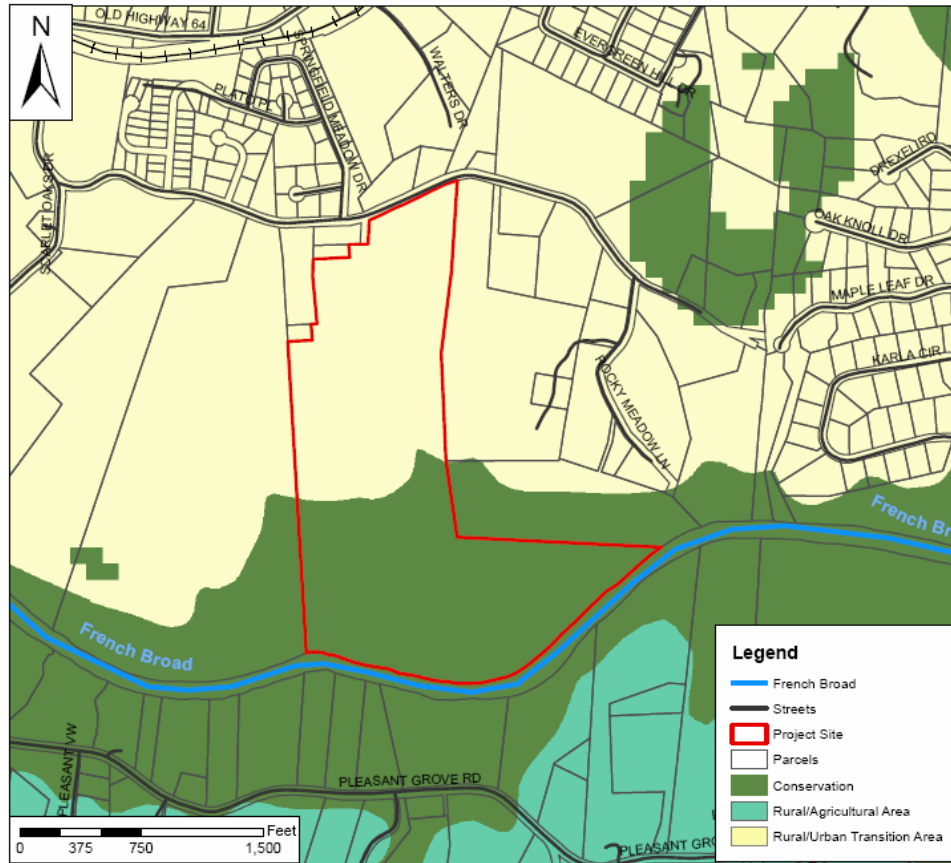
When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §200A-75).

Staff reviewed the submitted Combined Master and Development Plan for The Meadows at Rivers Edge 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: Rural Transition Area (See Map A: CCP Future Land Use Map). In the Rural Transition Area population and residential densities should be generally lower than the more urban densities found within the Urban Services Area and should be generally in keeping with topography, septic limitations, and school and transportation capacities.
 - a. **The Rural/Urban Transition Area** is currently rural in character, with existing pockets of limited higher density residential and commercial development. The proposed project density complies with the R2R zoning districts allowable density and the actual density is 1 unit per 1.41 acres.
 - b. **The Conservation Area** includes land areas that are intended to remain largely in their natural state, with only limited development. These are likely to be sensitive natural areas, such as steep slopes, streams, creeks, waterfalls, forest reserves, wildlife conservation areas and key watersheds. 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. According to the Master and

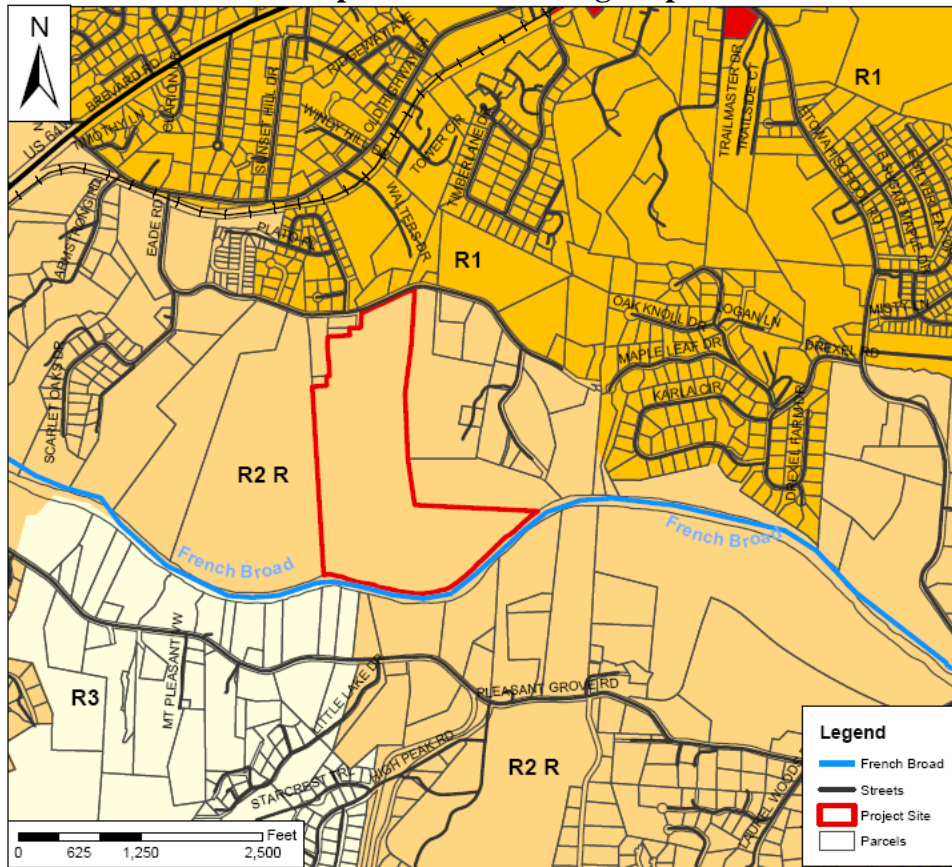
Development Plan a majority of the floodplain areas are proposed to be conserved as open space. (See Map A: CCP Future Land Use Map and Map C Floodplain Map)

Map A: CCP Future Land Use



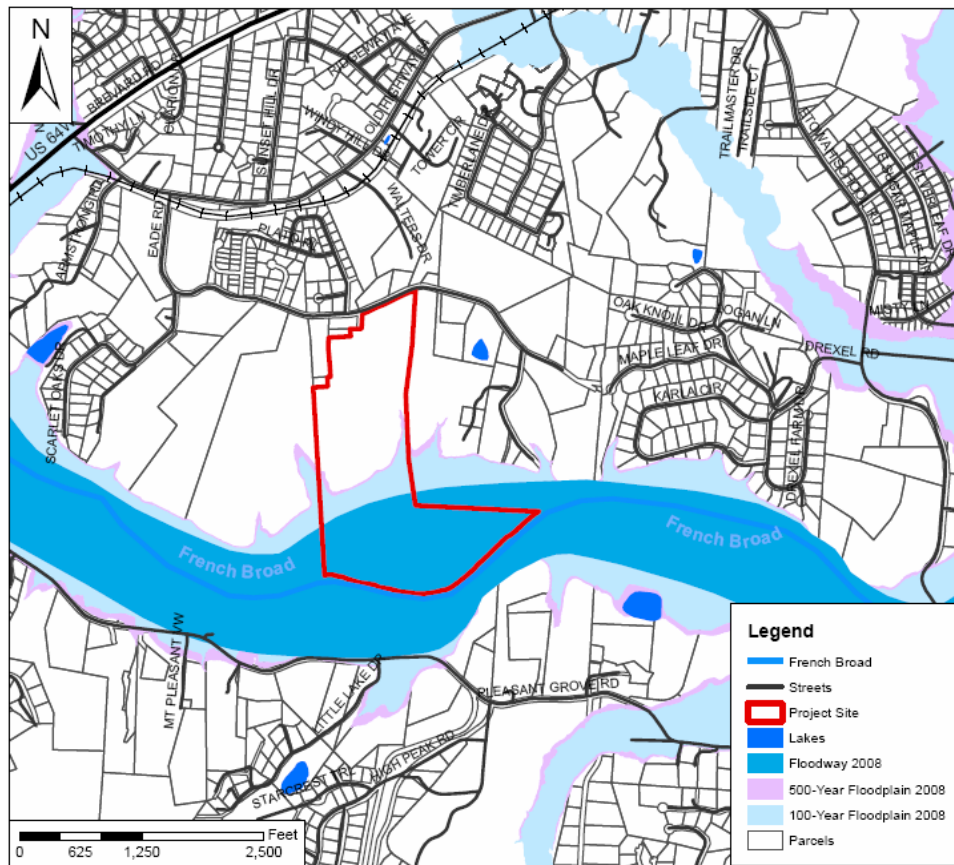
2. **Chapter 200A, Henderson County Land Development Code (LDC).**
According to Chapter 200A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the R2R (Residential Two Rural) zoning district. (See Map B: Official Zoning Map). The maximum single family density for the property is 76 dwelling units. The applicant is proposing 54 single family dwelling units which complies with the R2R zoning districts requirements.

Map B: Official Zoning Map



- Flood Damage Prevention Regulations.** According to County records the majority of the southern portion of the project site is within the 100 year floodplain or floodway. The majority of the project site within the floodplain is proposed as conservation area. Constructing buildings within the floodplain should be avoided. (See Map C: Floodplain Map).

Map C: Floodplain Map



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 §200A-81A).
- Public Utilities.** An extension for City of Hendersonville Water service was approved by the Board of Commissioners on December 13, 2007. City of Hendersonville water currently serves the project site along the existing Waters Edge Drive, as shown on the Master and Development Plan. The existing public waterline and proposed on site extensions are proposed to serve the project along with individual septic systems. According to the LDC, 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.

3. **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. There is an existing fire hydrant within 200 feet located along Eade Road near the intersection with Springfield Meadow Drive. It appears the proposed fire hydrants shown on the Master and Development Plan meet County standards. (LDC §200A-81B(4))
4. **Stub Roads and Future Connections.** The submitted Master and Development Plan shows the end of Waters Edge Road having a 50 foot right-of-way and future connection. Any existing or proposed on site rights-of-way must be built and constructed to the Major Subdivision road standards of LDC §200A-81C. **The proposed stub road must be constructed to the edge of the property line being developed to be considered a future connection (LDC §200A-81C). This connection point to the adjoining tract should be labeled as a "future road connection" on the master and development plan as well as the final plat**
5. **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 proposing 153 new trees to satisfy the street tree requirements. All of the street trees shown are within the right-of-way. It appears the spacing requirements for the street trees will be met.

Waters Edge Road would be required to be extended to the edge of the property line (see above comment #4). This addition, would add approximately 170 additional feet of road frontage to the project and would thus require the addition of 3 more street trees for a total of 80 street trees required for Waters Edge Drive. 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.

6. **Conservation Subdivision Standards.** The applicant is not proposing open space for the purposes of obtaining an Open Space Density Bonus. Of the approximate 76.29 acres within the project site, 51% (39.3 acres) is proposed as conservation area. This amount, more than meets the 25% conservation area requirement for the Conservation Subdivision Option in the Land Development Code and if all of the Conservation Subdivision Standards were met it would warrant a 20% housing density increase. §200A-86K(2) states that Opens Space shall be accessible to the largest possible number of lots within the development. To

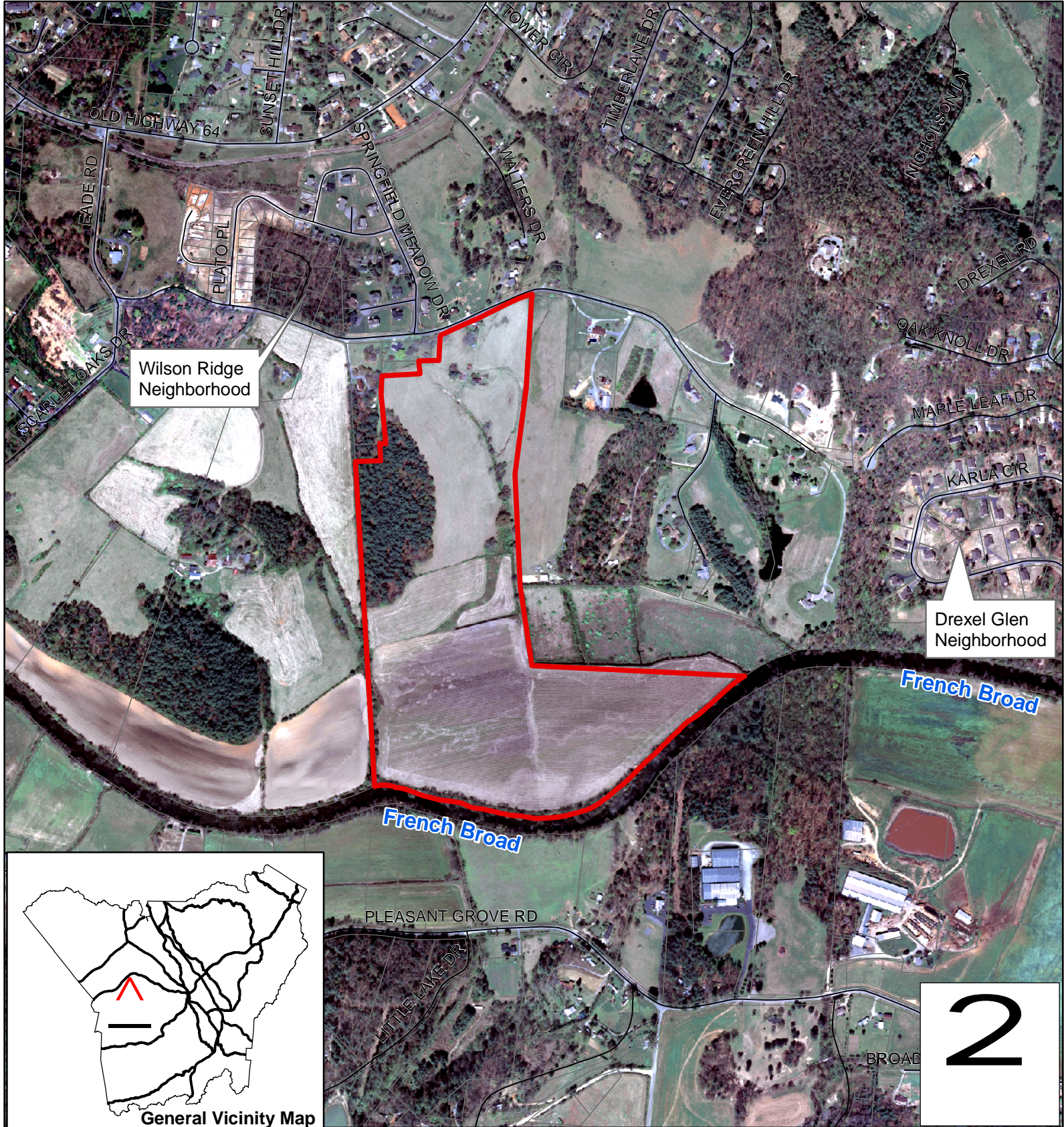
achieve this, the majority of lots should abut open space to provide residents with direct views and access. As shown on the submitted Master and Development Plan the number of lots connected to open space does not reach a majority. (§200A-86)

7. **Permanent Protection of Open Space and Management of Open Space.** The applicant shall submit a management plan for all proposed open space. Requirements for the plan can be found in §200A-86G. Open Space proposed for a conservation subdivision shall be protected in perpetuity by a binding legal document that is recorded with the deed. The document shall be one of the following 3 options: Permanent Conservation Easement, Permanent Restrictive Covenant, or an equivalent legal tool that provides permanent protection. Proof of a recorded legal instrument as well as an Open Space Management Plan must be submitted to the Planning Department before the final plat for the subdivision can be approved. (§200A-86H & §200A-86G)
8. **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-81E).
9. **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)
10. **Stream Setbacks.** All built-upon area shall be at a minimum of 30 feet landward of all perennial and intermittent surface waters. (§200A-219)
11. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the miscellaneous advisory provisions contained in LDC §200A-81S.
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)).

Technical Review Committee Comments

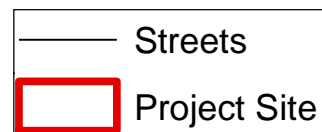
The Henderson County Technical Review Committee considered subdivision application #R-2010-01 at its regularly called meeting on April 6, 2010. During that meeting, the Technical Review Committee voted unanimously to send forward a favorable recommendation on subdivision application #R-2010-01 subject to the applicant addressing any comments listed in the Staff Report. The Technical Review Committee offered the following additional comments:

- Staff Report Development Plan Comment 4 would need to be satisfied and shown on an updated Master and Development Plan prior to Final Plat approval. This condition could be satisfied with a temporary protective barricade at the end of Waters Edge Drive. A note on the Final Plat stating that Waters Edge Drive is a potential future connection to the neighboring property would also be required.
- An Erosion Control and Storm Water permit is required. The applicant should discuss obtaining the necessary permits with the County Engineering Department.
- A Floodplain Permit is required for any proposed development parcel that contains Floodplain.



The Meadows at Rivers Edge

OWNER/DEVELOPER: Eade Road Investments
 AGENT: Terry Baker, Associated Land Surveyors
 ZONING: R2R



Map Created by the Henderson County Planning Department on 3/12/10
 See Master Plan for exact location of project.



1. View of entrance to project site looking south.



2. View of the end of Waters Edge Drive looking west.



3. View of the center of the project site on Waters Edge Drive looking north.



4. View of the project site looking south towards the French Broad and flood plain area.

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

SUBDIVISION INFORMATION

Subdivision Name: THE MEADOWS @ RIVERS EDGE
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: 54
Total Number Proposed Units: 54 Proposed Density (units per acre): 1 per 1.41 AC
Road System: () Public Private () Combination Public and Private
Water System: () Individual () Community Municipal
Sewer System: Individual () Community () Municipal

PARCEL INFORMATION

PIN: 9528-54-3288 Total Acreage: 76.29 Deed Book/Page: _____ Township _____
Location of property to be divided: _____

Zoning District: R-1 Fire District: ETOWAH - HORSE SHOE
Water Supply Watershed: _____ School District: WEST 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: EADE RD INVESTMENTS Phone: 828-890-3507
Address: PO BOX 578 City, State, Zip: HORSE SHOE, NC 28742

Applicant:
Name: TERRY BAKER Phone: 828-890-3507
Address: PO BOX 578 City, State, Zip: HORSE SHOE, NC 28742

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

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

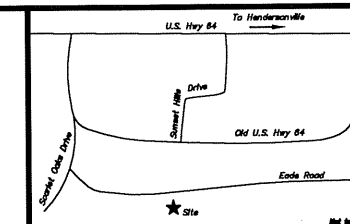
I certify that the information shown above is true and accurate and is in conformance with the Subdivision regulations of Henderson County.

TERRY A. Baker T. Baker 2-26-10
Print Applicant (Owner or Agent) Signature Applicant (Owner or Agent) Date

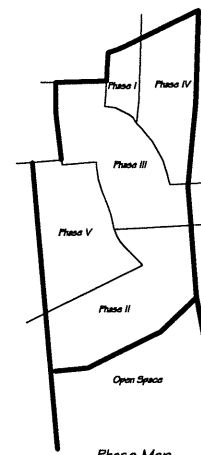
County Use Only

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

Owner and Developer
Eade Road Investments, LLC
P.O. Box 578
Horse Shoe, NC 28742



Vicinity Map

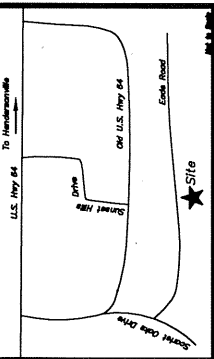


Phase Map

The Meadows at Rivers Edge

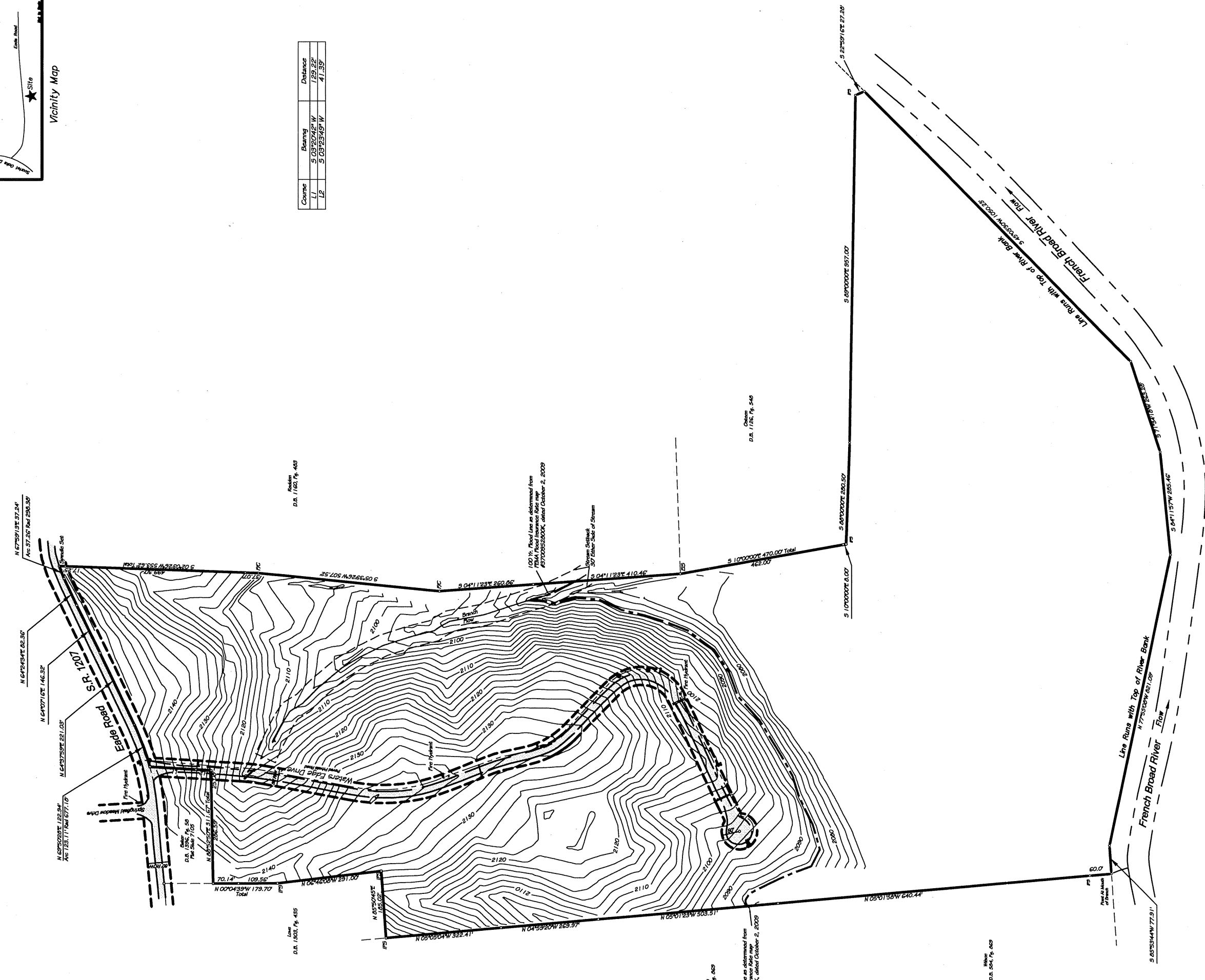
Sheet One: Existing Conditions
Sheet Two: Combined Master and Development Plan
Sheet Three: Utility Plan
Sheet Four: Landscaping Plan

Dead North
D.B. 1126, Pg. 540



Site

Course	Bearing	Distance
L1	S 03°20'42" W	129.22'
L2	S 03°23'49" W	41.39'



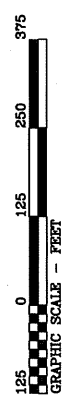
Existing Site Conditions of:
The Meadows at Rivers Edge
SHEET ONE

Owner and Developer:
Eide Road Investments, LLC
P.O. Box 578
Horse Shoe, NC 28742

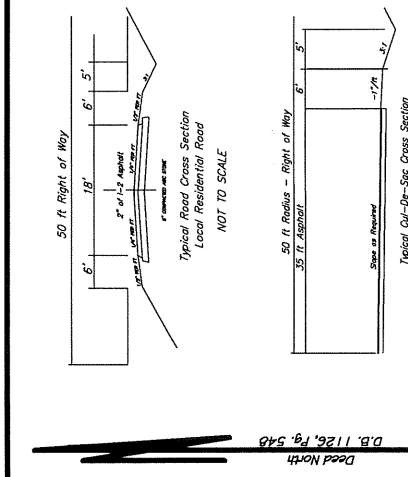
Ph: 9528-54-3288
Mills River Township
Henderson County, NC

ASSOCIATED LAND SURVEYORS
P.L.L.C.
P.O. BOX 578 • HORSE SHOE, NC 28742
(828) 890-3507
SINCE 1925

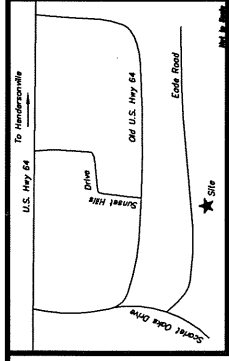
- Legend:
- IP = Iron Pipe Set
 - IF = Existing Iron Stake
 - IFP = Existing Iron Stake
 - LF = Light Pole
 - FC = Fence Corner
 - ES = Existing Iron Stake
 - F = Fence
 - C/C = Control Corner
 - = Power Pole



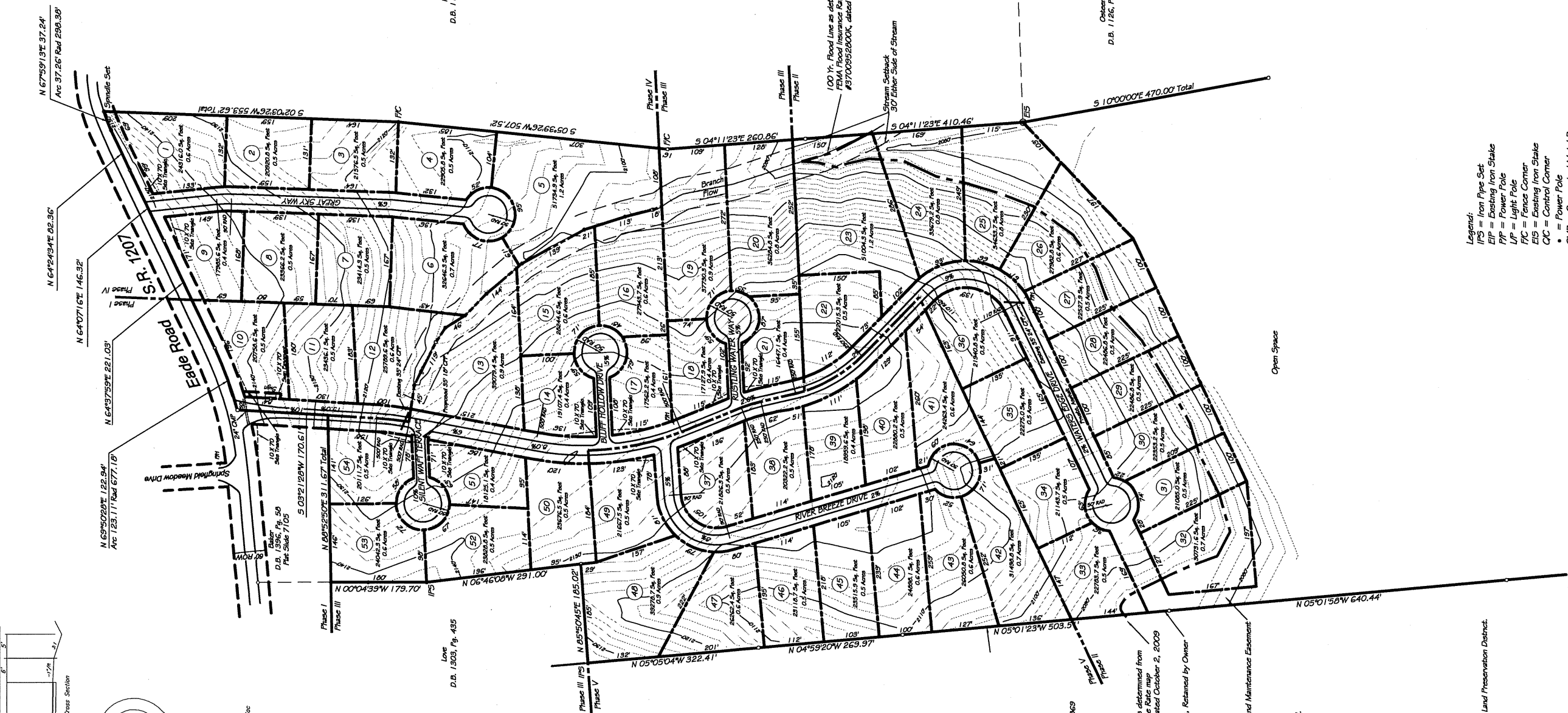
Notes:
This property lies within 1/2 mile of an Agricultural Farm Land Preservation District.
This property is not located within a Watershed.
All contours are on 2' intervals.



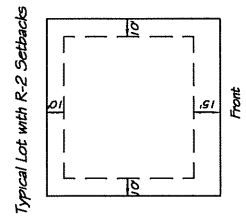
Dead North
D.B. 1126, Pg. 540



Vicinity Map



Project Summary
 76.29 Acres Total
 47-39.3 Acres Designated as Open Area
 54 Total Lots, Single Family Residential
 76.29 2.54 = 1 Unit per 1.41 Acres
 Minimum Lot Size = 0.5 Acres
 Maximum Lot Size = 51,755 Sq. Ft.
 5 Phases
 Phase I
 3 Lots
 47-1.6 Acres
 151 Lots
 Phase II
 47-9.1 Acres
 Phase III
 47-1.4 Acres
 9 Lots
 Phase IV
 47-5.4 Acres
 13 Lots
 Phase V
 47-1.4 Acres
 13 Lots
 Individual Septic Systems
 Public Water
 Distance to Public Water = 110' (Water line already ran along Waters Edge Drive)
 Distance to Private Sewer System = 47-300'
 30' Setback from all Perennial Streams
 10' X 70' Site Triangles at all Road Intersections
 Ebowith - Horse Shoe Fire District



Radcliff
D.B. 1160, Pg. 493

100 Yr. Flood Line as determined from FEMA Flood Insurance Rate map #3700952800K, dated October 2, 2009

Osborn
D.B. 1126, Pg. 540

Love
D.B. 1303, Pg. 435

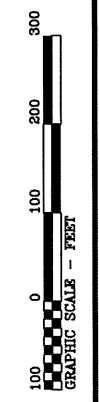
Wilson
D.B. 584, Pg. 869

Road Information
 All Proposed Roads Shown to be Private
 Waters Edge Drive (Existing, Asphalt)
 Length = 1,990'
 Frontage = 700'
 3,800 / 700 = 5.43
 Required Street Trees = 77
 River Breeze Drive
 Length = 700'
 Frontage = 700'
 1,400 / 700 = 2.00
 Required Street Trees = 29
 Resting Waters Way
 Length = 170'
 Frontage = 540'
 1,020 / 170 = 6.00
 Required Street Trees = 7
 Bluff Hollow Drive
 Length = 145'
 Frontage = 290'
 426 / 145 = 2.94
 Required Street Trees = 6
 Great Sky Way
 Length = 645'
 Frontage = 1,290'
 1,290 / 645 = 2.00
 Required Street Trees = 26
 Total Length of Private Roads = 3,845'
 Total Number of Required Street Trees = 153

100 Yr. Flood Line as determined from FEMA Flood Insurance Rate map #3700952800K, dated October 2, 2009

Pipes under road designed from topo
 Final design after engineering of roads area finalized.

Notes:
 This property lies within 1/2 mile of an Agricultural Farm Land Preservation District.
 This property is not located within a Watershed.
 All contours are on 2' intervals.



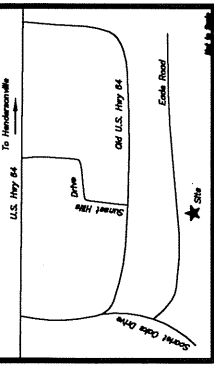
- Legend:
- IPS = Iron Pipe Set
 - ELP = Existing Iron Stake
 - FP = Power Pole
 - LFP = Light Pole
 - FIC = Fence Corner
 - FIS = Existing Iron Stake
 - CIC = Control Corner
 - = Power Pole
 - CMF = Corrugated Metal Pipe
 - CPP = Corrugated Plastic Pipe
 - FH = Fire Hydrant

2' Contour Intervals
 Continued Master and Development Plan of:
The Meadows at Rivers Edge
 SHEET TWO

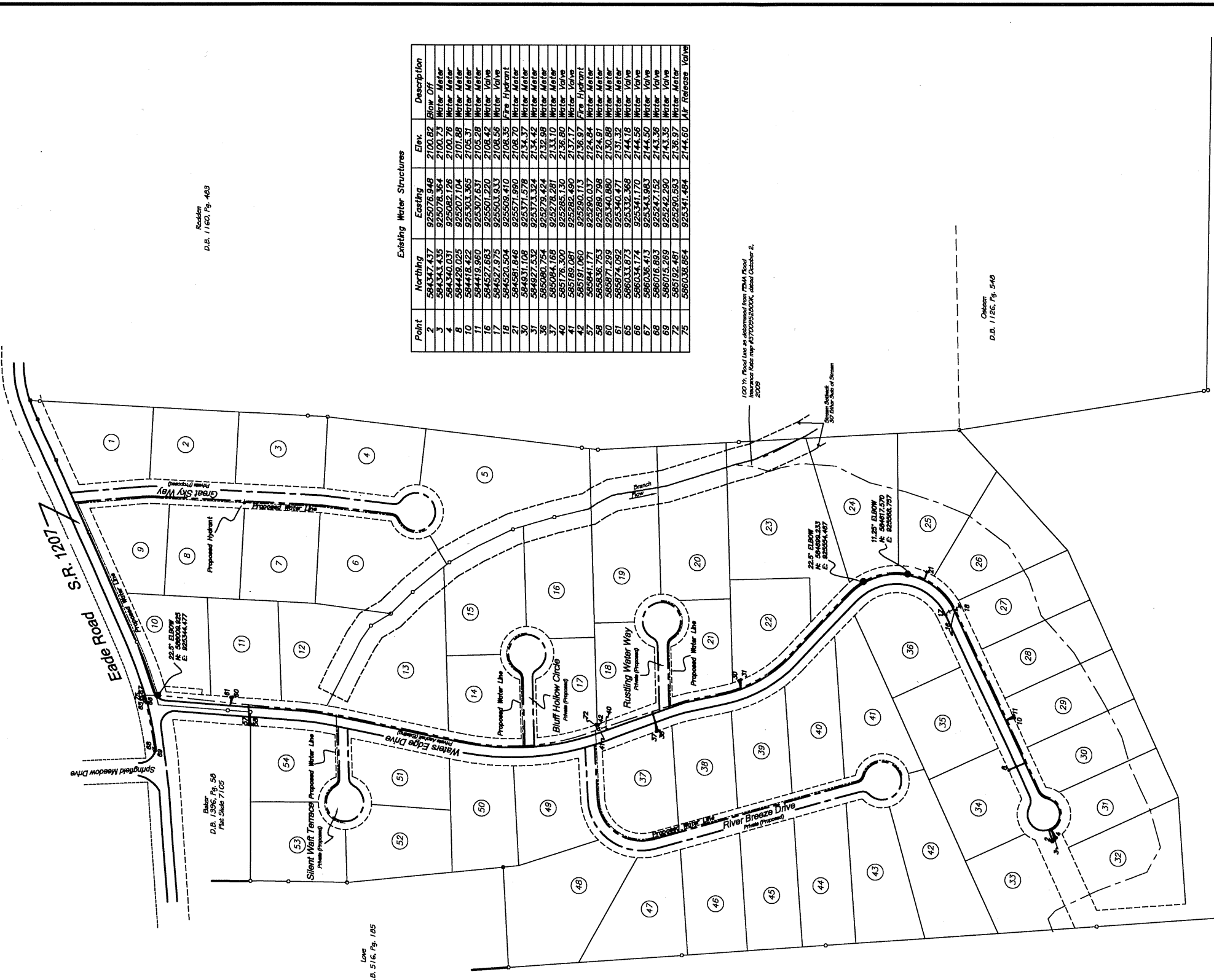
Owner and Developer
 Edge Road Investments, LLC
 P.O. Box 578
 Horse Shoe, NC 28742

Ph: 928-54-3288
 Mills River Township
 Henderson County, NC

ASSOCIATED LAND SURVEYORS & PLANNERS PC
 P.O. BOX 578 • HORSE SHOE, NC 28742
 (828) 890-3507
 Fax: (828) 890-3507
 www.alsurveyors.com



Vicinity Map



Existing Water Structures

Point	Northing	Easting	Elev.	Description
2	584347.437	925076.948	2100.82	Blow Off
3	584343.435	925076.364	2100.73	Water Meter
4	584340.031	925082.126	2100.76	Water Meter
8	584428.025	925077.104	2101.88	Water Meter
10	584418.422	925303.365	2105.31	Water Meter
11	584419.960	925307.631	2105.28	Water Meter
16	584527.975	925301.933	2108.42	Water Meter
17	584527.975	925301.933	2108.56	Water Valve
18	584527.975	925301.933	2108.56	Fire Hydrant
21	584527.975	925301.933	2108.56	Water Meter
30	584631.108	925371.528	2134.37	Water Meter
31	584627.532	925371.324	2134.42	Water Meter
36	585080.784	925278.424	2132.88	Water Meter
37	585084.168	925278.281	2133.10	Water Meter
40	585176.300	925285.130	2136.80	Water Valve
41	585189.081	925289.490	2137.17	Water Valve
42	585191.060	925290.173	2136.97	Fire Hydrant
57	585941.171	925390.037	2124.84	Water Meter
66	585367.753	925398.898	2124.91	Water Meter
67	585367.753	925398.898	2124.91	Water Meter
68	585367.753	925398.898	2124.91	Water Meter
69	585367.753	925398.898	2124.91	Water Meter
70	585367.753	925398.898	2124.91	Water Meter
71	585367.753	925398.898	2124.91	Water Meter
72	585367.753	925398.898	2124.91	Water Meter
73	585367.753	925398.898	2124.91	Water Meter
74	585367.753	925398.898	2124.91	Water Meter
75	585367.753	925398.898	2124.91	Water Meter

100 ft. Plot Line established from 1941 Field Notes. Re-surveyed 10/20/2009. Surveyed October 2, 2009.

Chatham
D.B. 126, Pg. 546

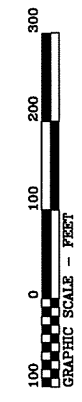
Wilson
D.B. 504, Pg. 663

Low
D.B. 516, Pg. 105

Palmer
D.B. 1396, Pg. 59
Plot Sheet 7105

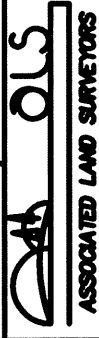
Utility Plan of
The Meadows at Rivers Edge

SHEET THREE
Owner and Developer
Eads Road Investments, LLC
P.O. Box 578 • HORSE SHOES, NC 28742
Horse Shoes, NC 28742



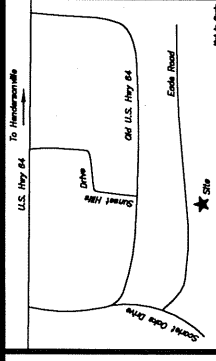
- Notes:
1. Elevations of As Built water structures taken at ground level.
 2. Location of water line based on Engineering drawings and As Built structures.

Ph: 9528-54-3288
Mills River Township
Henderson County, NC



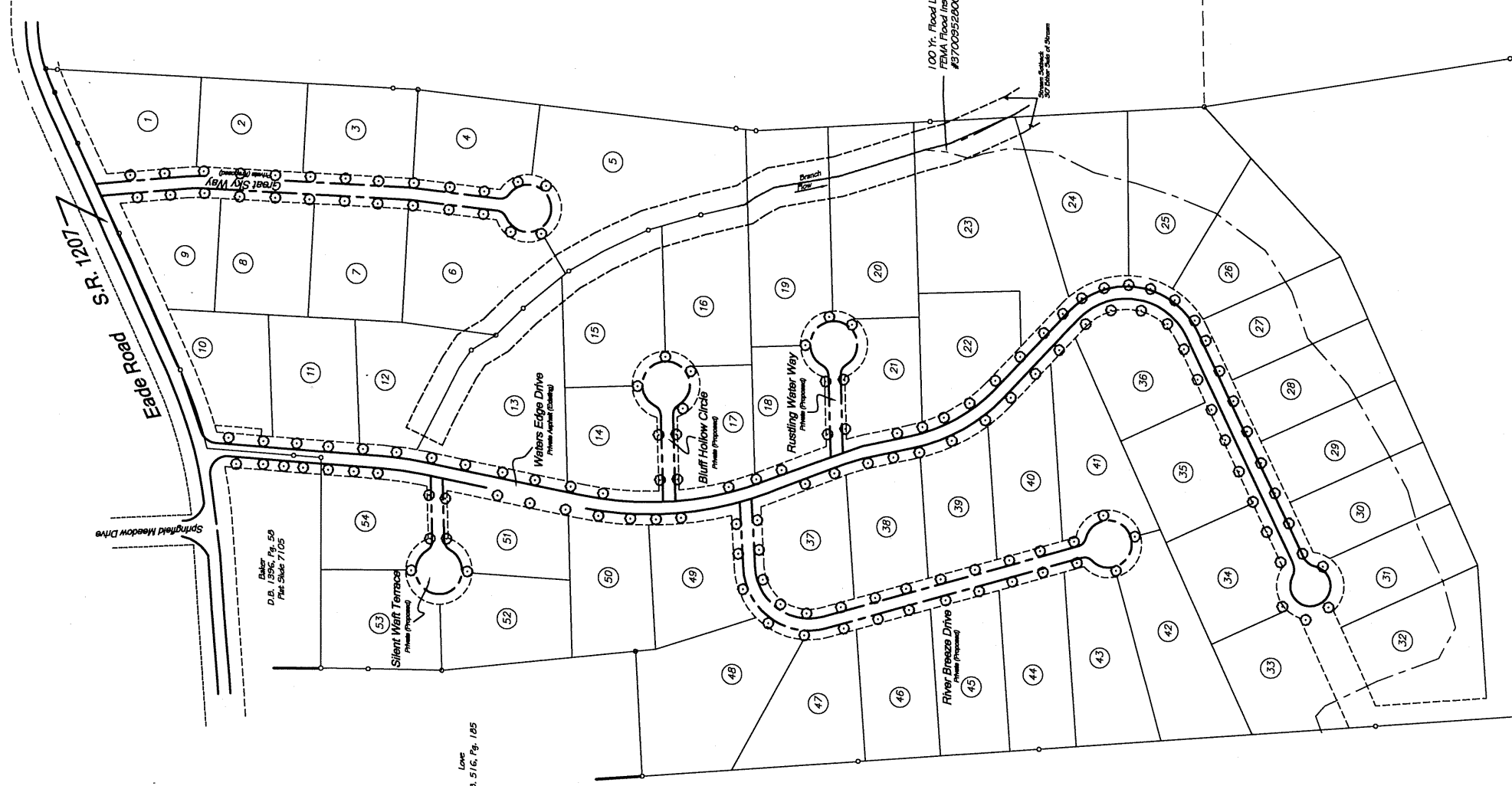
ASSOCIATED LAND SURVEYORS
PLANNERS, INC.
P.O. BOX 578 • HORSE SHOES, NC 28742
(828) 880-3507

Scale: 1 inch = 100 Feet
Date: February 23, 2010
Sheet No. S-07-001
Case No. 2009-001



Vicinity Map

Resubdiv
D.B. 1160, Pg. 403



Dulcor
D.B. 1396, Pg. 59
Plan Sheet 7105

Low
D.B. 516, Pg. 105

Wilson
D.B. 504, Pg. 069

Osborn
D.B. 1126, Pg. 540

100 Yr. Flood Line as determined from
FEMA Flood Insurance Rate map
#8700952800K, dated October 2, 2009

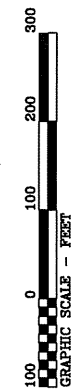
Road Information
All Proposed Roads Shown to be Private

Waters Edge Drive (Existing, Asphalt)	50' Right of Way	Length = 1,980'	Frontage = 514.5'	Required Street Trees = 77
River Breeze Drive	45' Right of Way	Length = 700'	Frontage = 190'	Required Street Trees = 29
Rustling Waters Way	30' Right of Way	Length = 170'	Frontage = 54'	Required Street Trees = 7
Bluff Hollow Circle	30' Right of Way	Length = 190'	Frontage = 56'	Required Street Trees = 8
Silent Walk Terrace	30' Right of Way	Length = 145'	Frontage = 29'	Required Street Trees = 6
Great Sky Way	45' Right of Way	Length = 645'	Frontage = 1,290'	Required Street Trees = 26

Total Length of Private Roads = 3,945'
Total Number of Required Street Trees = 153

Landscaping Plan of
The Meadows at Rivers Edge

SHEET FOUR
Owner and Developer:
Eagle Road Investments, LLC
P.O. Box 578
Horse Shoe, NC 28742



Legend:
○ = Proposed Large Deciduous Tree

Ph: 928-54-3288
Mills River Township
Henderson County, NC

ASSOCIATED LAND SURVEYORS
PLANNERS PC
P.O. BOX 578 • HORSE SHOE, NC 28742
(828) 890-3507

Scale: 1 inch = 100 Feet
Date: February 23, 2010
Drawn by: S - 07 - 001
Check by: CSB