

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### PLANNING BOARD

**MEETING DATE:** Thursday, October 18, 2007

**ATTACHMENTS:**

1. Staff Report
2. Vicinity Map
3. Photos of Project Site
4. Review Agency Response Form – Emergency Services
5. Review Agency Response Form – NCDOT
6. Review Agency Response Form – Henderson County Erosion Control Division
7. Subdivision Application
8. Master Plan

**SUBJECT:** Master Plan Review for Grandview Estates (File #07-M34)

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

Mr. Terry Baker, agent, on behalf of the owner, Flavor First Investments, Inc., submitted the Master Plan for Grandview Estates. The project is located on approximately 35.12 acres of land (PIN: 9640-87-2851). The applicant proposes 27 lots with private roads, municipal water, and individual septic systems. At the time of application the project was located in the R-40 zoning district, and should be evaluated on these merits for subdivision approval.

#### **PLANNING BOARD ACTION REQUESTED:**

Staff has found that the proposed Master Plan appears to meet the technical standards of Chapter 170 Henderson County Subdivision Ordinance except for the comments listed in the Staff Comments section of the Staff Report (Attachment 1). Staff recommends approval of the Master Plan subject to the developer addressing any issues raised by the Planning Board and addressing the comments listed in the Staff Report.

#### **Suggested Motion:**

I move that the Planning Board find and conclude that the Master Plan complies with the provisions of Chapter 170 of the Henderson County Subdivision Ordinance;

AND

I further move that the Master Plan be approved subject to the following conditions: the applicant satisfies any conditions that result from staff comments listed in the Staff Report (Attachment 1) and other conditions that may result from discussion at the Planning Board meeting.

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**Henderson County Planning Department Staff Report****Master Plan Review for Grandview Estates Major Subdivision (File #2007-M34)****Flavor First Investments, Inc., Owner  
Terry Baker, Associated Land Surveyors, Agent**

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**Project Overview:**

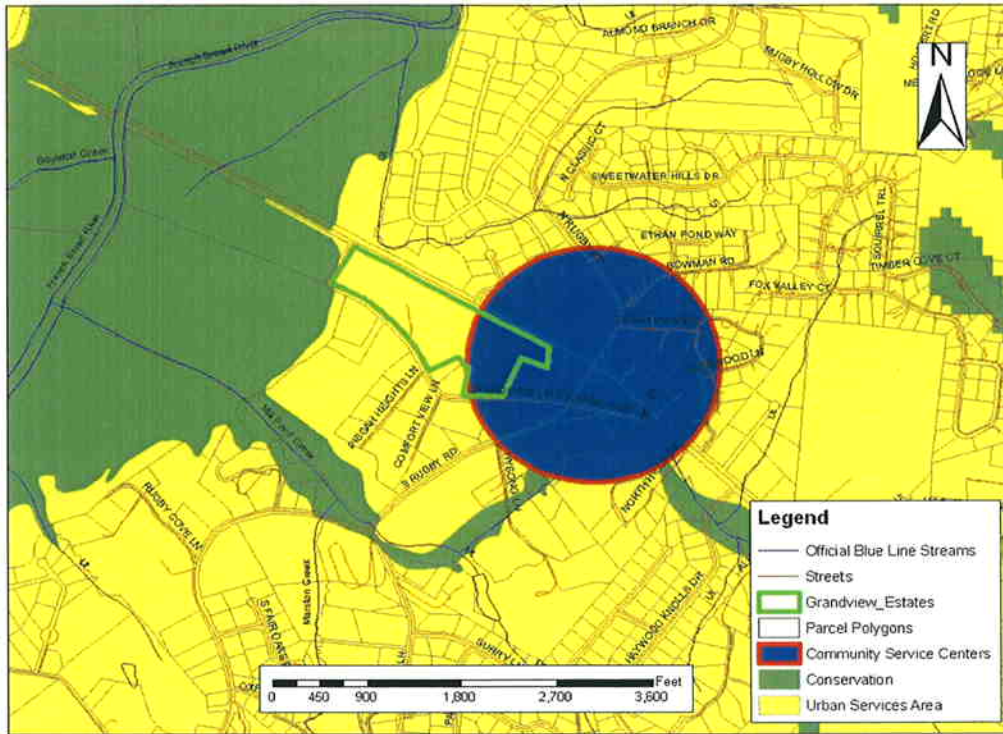
Mr. Terry Baker, agent, on behalf of the owner, Flavor First Investments, Inc, submitted the Master Plan for Grandview Estates. The project is located on approximately 35.12 acres of land (PIN: 9640-87-2851). The applicant has proposed 27 lots with private roads, municipal water (City of Hendersonville), and individual septic systems. At the time of application the project was located in the R-40 zoning district, and should be evaluated on these merits for subdivision approval.

The project is located off NC Highway 191 and Grandview Lane (S.R. 1310). The project is located in Water Supply Watershed District IV but is not located within the floodplain (see Attachment 8). Public water (City of Hendersonville) and individual septic are proposed.

**Master Plan Comments:**

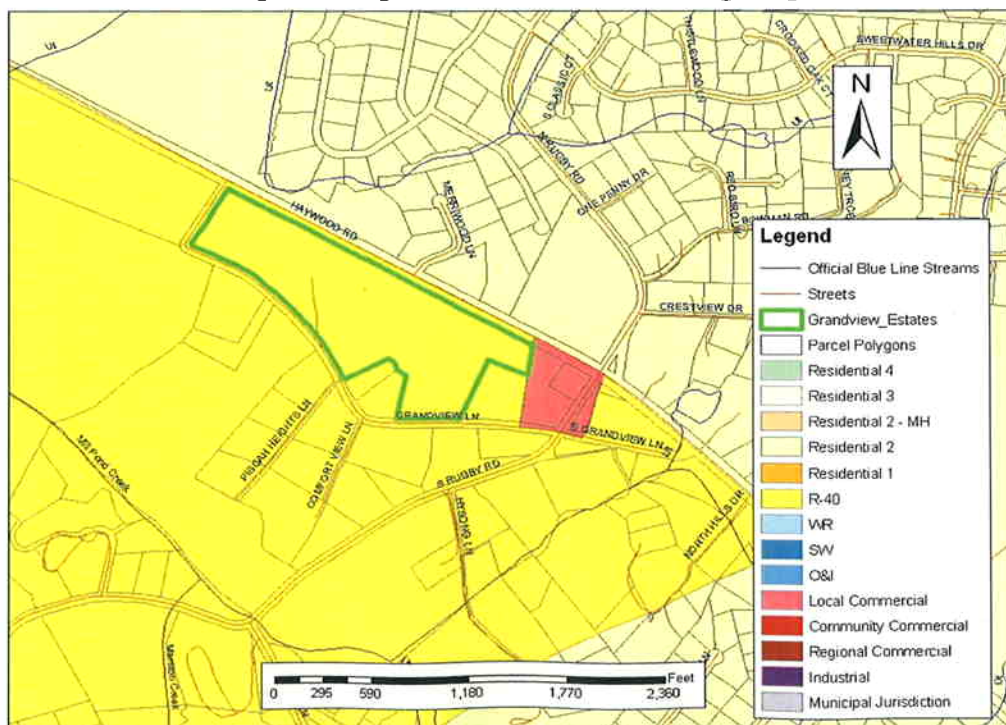
According to Chapter 170, Henderson County Subdivision Ordinance (HCSO §170-16B), the purpose of a Master Plan is to present the overall development concept for a project and to provide general information about the project to allow for assessment of its impact on growth and development of the County, environmental quality, land values, natural features, etc. When reviewing the Master Plan it is important to consider that all land may not be suited to be subdivided for the purposes of dense development (HCSO §170-3). Staff has reviewed the submitted Master Plan for Grandview Estates, taking into consideration the recommendations of Henderson County's Land Use Plan (*Henderson County 2020 Comprehensive Plan*). Staff has also taken into consideration the effect that Chapter 200A, Land Development Code, would have had on the subdivision review of the project were the application received after its adoption and implementation.

**County Comprehensive Plan (CCP).** The Future Land Use Map of the CCP identifies the Subject Area as being located in the Urban Services Area and a Community Service Center (2020 CCP, Pg. 128, Pg. 129 & Appendix 1, Map 24). The CCP states that within the USA, "Wide ranges of residential densities will exist," and further, "Over the long term, land use regulations and policies should favor higher density development, consistent with natural constraints and the availability of urban services." (2020 CCP, Pg. 129). Population and residential densities should be generally higher than the more rural areas within the Rural Urban Transition Area. The CCP states that, "Community Service Centers are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surroundings community and defined service areas." It appears this project is less dense than the CCP would recommend; however, a range of densities will exist within the USA.



**Chapter 200A, Land Development Code.** According to Chapter 200A, Land Development Code and its Official Zoning Map adopted September 19, 2007, the proposed project site remains in Residential District (R40) (See Map B: Chapter 200A, Official Zoning Map).

**Map B: Chapter 200A Official Zoning Map**



**Staff Comments:**

1. **Sedimentation and Erosion Control Plan.** The Applicant shall submit notice from NCDENR or the Henderson County Building Services Erosion Control Division that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to beginning construction (HCSO §170-19).
2. **Private Road Standards.** The cross section provided on the Development Plan appears to meet the private roads standards in §170-21 of the Henderson County Subdivision Ordinance (HCSO). The roads must be designed and constructed to the minimum standards of §170-21 of the HCSO.
3. **Lot Configuration and Frontage.** According to HCSO §170-31D, double-fronted lots should be used only when necessary. For traffic flow purposes proposed lots should be accessed by the internal streets. Because lots 20 through 27 and 1 through 10 are double fronted staff recommends as a condition of approval that all of the proposed lots be accessed by either Broad Acres Drive or Broad View Drive.
4. **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 (HCSO §170-21D).
5. **Site Stabilization.** All areas disturbed by the construction of a private road, including cut and fill slopes, shoulders and ditch banks, must be seeded in permanent vegetation to stabilize the soil and prevent erosion. Such seeding should be done as soon as feasible following road construction (HCSO §§170-13A[7] and 170-22).
6. **Existing Off-Site Access.** Any tract of land to be subdivided must have frontage on an existing public (state-maintained) road or a private right-of-way to the public road (HCSO §170-28). The project site fronts NC Hwy 191 and Grandview Lane (S.R. 1310) The project site is proposed to be accessed by Grandview Lane (existing right-of-way width undetermined).

According to Chapter 170, the applicant shall be required to provide additional right-of-way to conform to the standards to the maximum extent possible. The applicant is proposing, and is required, to provide up to one-half (½) of the required right-of-way measured from the centerline of the existing right-of-way (required right-of-way of 50 feet with one-half (½) of that right-of-way being 25 feet). As a condition of approval the applicant is required to provide the 25 feet of right-of-way for all portions of the project which abut one side of Grandview Lane, and 50 feet of right-of-way for all portions of the project which are located on both sides of Grandview Lane.

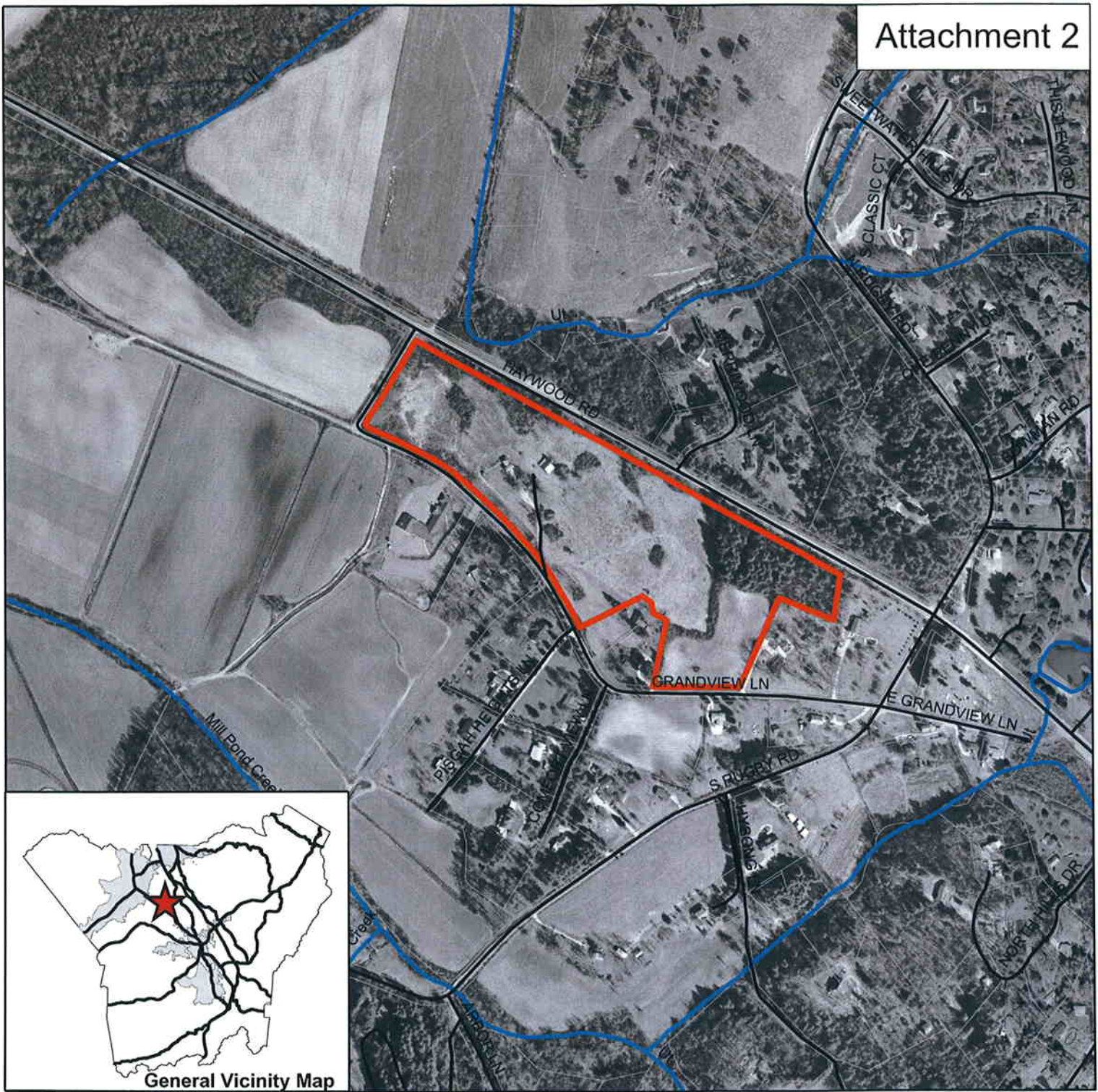
7. **Water.** The applicant has proposed public water (City of Hendersonville). According to the HCSO, the applicant must provide evidence that the water supply plans have been approved by the appropriate agency. All public water systems shall be installed and shall meet the requirements of the Henderson County Health Department or other government authorities having jurisdiction thereof. The development plan may be approved contingent on final approval from such agencies; 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 hydrants installation (HCSO §170-20).
8. **Farmland Preservation District.** The Final Plat(s) should include a notation that the property is within ½ mile of land in a Farmland Preservation District (HCSO 170-35 and

Appendix 11). An affidavit of understanding must be submitted to the Planning Department before final plat approval can be given.

9. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the miscellaneous advisory provisions contained in §170-37 of the HCSO (HCSO §170-13A[9]).
10. **Final Plat Requirements.** The Final Plat(s) must meet the requirements of Appendix 7 of the HCSO (HCSO § 170-13A[8]).

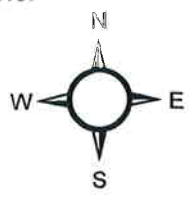
**Review Agency Comments:**

1. **Comments from the Fire Marshal.** Rocky Hyder of the Henderson County Fire Marshal's Office submitted comments regarding the project (See Attachment 4).
2. **Comments from NCDOT.** Josh Lanning of the North Carolina Department of Transportation submitted comments regarding the project (See Attachment 5).
3. **Comments from Henderson County Erosion Control Division.** Natalie Berry Erosion Control Division Chief, submitted comments regarding the project (See Attachment 6).



# Grandview Estates

OWNER/DEVELOPER: Flavor 1st Investments, Inc.  
 ZONING: R-40  
 WATERSHED: WSWS IV  
 WATER SYSTEM: Municipal  
 SEWER SYSTEM: Individual  
 ROAD SYSTEM: Private



## Legend

-  Streets
-  Grandview\_Estates
-  Official Blue Line Streams
-  Parcels

Map Created by the Henderson County Planning Department on 9/25/07  
 See Master Plan for exact location of project.

Attachment 3



View of the Project Site looking south from NC highway 191



View of Project Site looking East



View of the project site looking North from Grandview Lane



View of the project site looking East from Grandview Lane

## HENDERSON COUNTY PLANNING DEPARTMENT REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application #2007-M34 (Grandview Estates) and offer the following comments:

Hydrants – Each parcel must be located within 1000 road feet of a fire hydrant.

<u>Rocky Hyder</u>	<u>Emergency Services</u>	<u>10/01/07</u>
Reviewed By	Agency	Date

Please return to: Parker Sloan, Planner  
Henderson County Planning Department  
213 First Avenue East  
Hendersonville, NC 28792  
mcard@hendersoncountync.org

**File No. 2007- M34**



HENDERSON COUNTY  
DEPARTMENT AND AGENCY  
SUBDIVISION REVIEW RESPONSE FORM

This office has reviewed the plans for the proposed subdivision named Grandview Estates Subdivision and offer the following comments:

1. The developer must apply for and obtain a Street and Driveway Access Permit from the District Engineer's office prior to connecting any roads or drives to a NC DOT maintained road. This will include the proposed connection to SR 1310, Grandview Lane.
2. All lots must be served internally, no direct access from individual lots to NC 191 will be allowed.
3. If at anytime in the future the developer plans to have the roads within the subdivision added to the State maintained system all roads within the sub-division must be listed as public. In addition the plat must be approved by the District Engineer prior to being filed at the Register of Deeds Office.

Reviewed by: Josh Lanning  
Please return this form to:

Agency: NCDOT

Date: 09-26-07

Parker Sloan  
Henderson County Planning Department  
101 E. Allen Street  
Hendersonville, NC 28792

**File No. 2007-M34**

2007-10-04

Comments:Henderson County Flood Damage Prevention Ordinance comments:  
The portion of the property being developed does not appear to be in a regulated special flood hazard area. No comments. Henderson County Erosion and Sedimentation control Ordinance comments: If the Erosion and Sedimentation control plan has not been submitted to Environmental and Natural Resources Land Resource division for approval prior to October 1, 2007. Submittal will be required through the Henderson County offices. The offices are located in the basement of the Building Permit Center located at 240 Second Avenue East. Rooms B15 - B19. (follow the signs in the hallways) Fees and forms can be viewed at our website address

<http://www.hendersoncountync.org/ces/Erosioncontrol/ErosionControlindex.htm>

Henderson County Water Supply Watershed Ordinance comments: Property is located in a Water Supply Watershed IV Protected Area. The regulations are 1 SF for each 20,000 SF of land. Buffering requirement is 30 foot of bank edge of any blue line stream the is adjacent or on the property in question. This buffer is required to be in a vegetated state and to remain as such in its entirety.

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(Grandview Estates)

Natalie J Berry, CFM, CPESC, CPSWQ

HC Erosion Control Division Chief

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Matt Card

HENDERSON COUNTY  
SUBDIVISION APPLICATION FORM



9/13/07  
Date of Application

GRANDVIEW ESTATES  
Subdivision Name

Application Number

Major Subdivision

\* Minor Subdivision

\* Other

Property Owners Name: FLAVOR 1ST INVESTMENTS, INC

Address: P.O. BOX 609

City, State, Zip: HORSE SHOE, NC 28742

Owner's Agent: TERRY BAKER

Telephone No: 828-890-3507

PIN 9640-87-2851 Deed Book/Page 1239 / 704

Zoning District R-40 Fire District MILLS RIVER Watershed IV

Location of property to be divided: INTERSECTION OF NC HWY 191 AND  
GRANDVIEW LANE (SR 1310)

Type of Subdivision:  Residential ( ) Commercial ( ) Industrial Present Use \_\_\_\_\_

No. Lots Created 27 Original Tract Size 35.12 New Tract Size \_\_\_\_\_ No. New Lots 27

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

Water System: ( ) Individual ( ) Community  Municipal

Sewer System:  Individual ( ) Community ( ) Municipal

Cemetery on Property: ( ) Yes  No

Fee: \$ \_\_\_\_\_ Paid \_\_\_\_\_ Method \_\_\_\_\_

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

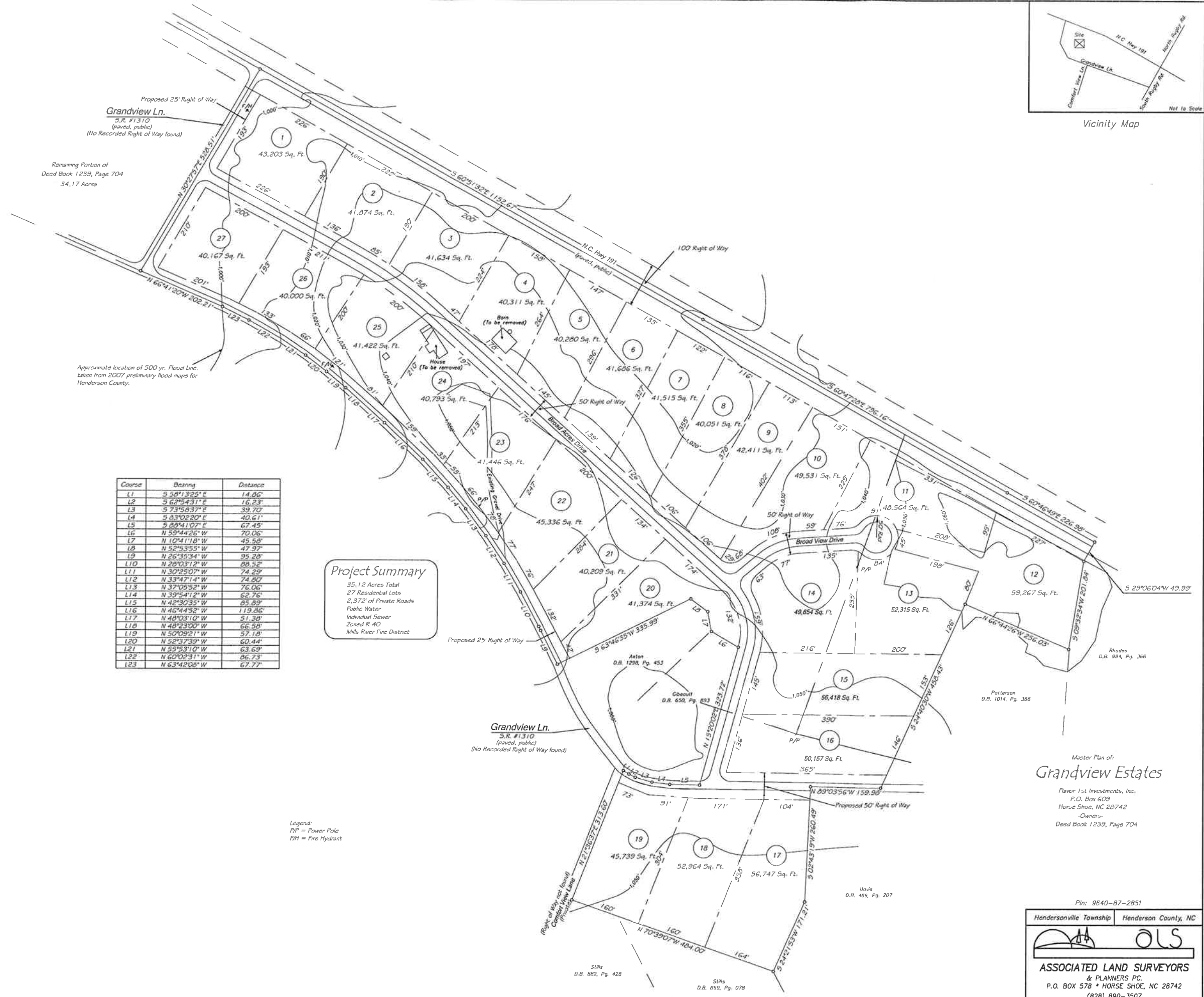
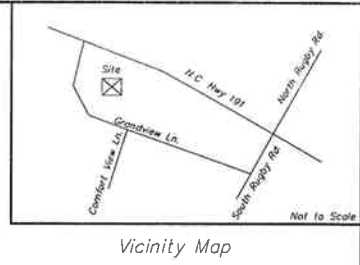
[Signature]  
APPLICANT (OWNER OR AGENT)

DATE

Development Plan Approval / Conditions \_\_\_\_\_

Final Plat Approval: \_\_\_\_\_ Plat Recorded \_\_\_\_\_

Grid North  
NAD 83



Remaining Portion of  
Deed Book 1239, Page 704  
34.17 Acres

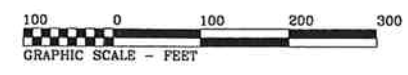
Approximate location of 500 yr. Flood Line,  
Taken from 2007 preliminary flood maps for  
Henderson County.

Course	Bearing	Distance
L1	S 58°13'25" E	14.85'
L2	S 62°54'31" E	16.23'
L3	S 73°58'37" E	39.70'
L4	S 83°02'20" E	40.61'
L5	S 88°41'07" E	67.45'
L6	N 59°44'26" W	70.06'
L7	N 10°41'18" W	45.59'
L8	N 52°35'55" W	47.97'
L9	N 26°35'34" W	95.28'
L10	N 28°03'12" W	88.52'
L11	N 30°25'07" W	74.29'
L12	N 33°47'14" W	74.80'
L13	N 37°05'52" W	76.06'
L14	N 39°54'12" W	62.76'
L15	N 42°30'35" W	85.89'
L16	N 46°44'52" W	119.86'
L17	N 48°03'10" W	51.38'
L18	N 48°23'00" W	66.58'
L19	N 50°09'21" W	57.18'
L20	N 52°37'39" W	60.44'
L21	N 55°53'10" W	63.69'
L22	N 60°02'31" W	86.73'
L23	N 63°42'08" W	67.77'

**Project Summary**  
 35.12 Acres Total  
 27 Residential Lots  
 2.372' of Private Roads  
 Public Water  
 Individual Sewer  
 Zoned R-40  
 Mills River Fire District

Legend:  
 P/P = Power Pole  
 FH = Fire Hydrant

Note:  
 This property lies within 1/2 mile of a Farmland Preservation District  
 10' Contour Intervals  
 This property is located in Watershed IV



Master Plan of:  
**Grandview Estates**  
 Flavor 1st Investments, Inc.  
 P.O. Box 609  
 Horse Shoe, NC 28742  
 -Owners-  
 Deed Book 1239, Page 704

Pin: 9640-87-2851

Hendersonville 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: September 13, 2007  
 JOB NO. S-07-231 DRAWN BY: CSB CAC: JD