

## **REQUEST FOR COMMITTEE ACTION**

### **HENDERSON COUNTY TECHINICAL REVIEW COMMITTEE**

**MEETING DATE:** April 7, 2020

**SUBJECT:** Revised Combined Master and Phase II Development Plan for Couch Mountain (Formerly Luna Ridge) Major Subdivision (2019 – M03)

**STAFF CONTACT:** Matt Champion, Project Development Planner

**ATTACHMENTS:** 1. Staff Report  
2. Combined Master & Phase II Development Plan

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

A subdivision application was submitted on behalf of property owners Luna Ridge, LLC on March 13, 2020. The application is for a Revised Master and Phase II Development Plan for Couch Mountain Major Subdivision, consisting of 67 lots for single family dwellings and an additional 3,771 linear feet of new private roadway. The subject area is located off Hutch Mountain Rd. (SR 1556) and contains 335.38 acres in four separate parcels (PIN: 9672-00-1345, 9672-01-2875, 9662-91-2205, & 9671-19-1082).

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

Staff has found that the Revised Master and Phase II Development Plan meet the standards of the subdivision regulations of Chapter 42, Henderson County Land Development Code (LDC). Staff recommends the Master Plan and Phase II Development Plan be subject to the developer addressing any issues raised by the TRC and addressing the comments listed in the Staff Report.

#### **Suggested Motion:**

I move that the TRC forward the Revised Master and Phase II Development Plan on to the Planning Board for further review as long as they meet all technical requirements based on the Henderson County Land Development Code and recommendations of the Henderson County 2020 Comprehensive Plan and any conditions in the staff report or as discussed by the TRC.

**Henderson County Planning Department Staff Report**

**Combined Revised Master and Phase II Development Plan  
Couch Mountain Major Residential Subdivision (2019-M03)**

**Property Owner(s): Luna Ridge, LLC**  
**Applicant: Andy Baker, Managing Member of Luna Ridge, LLC**  
**PINs: 9672-00-1345, 9672-01-2875, 9662-91-2205, & 9671-19-1082**

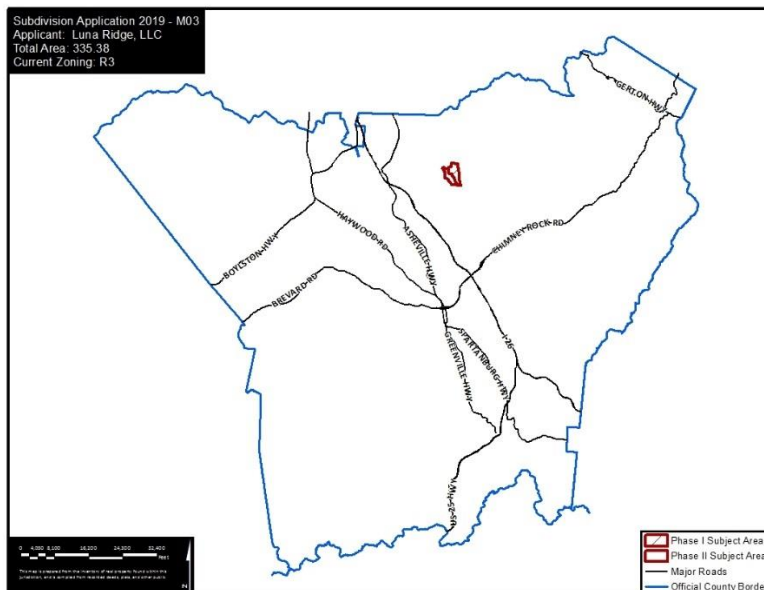
**Master & Development Plan Comments:**

According to Chapter 42, Henderson County Land Development Code (LDC) §42-341), 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 Combined the Master and Development Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 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.

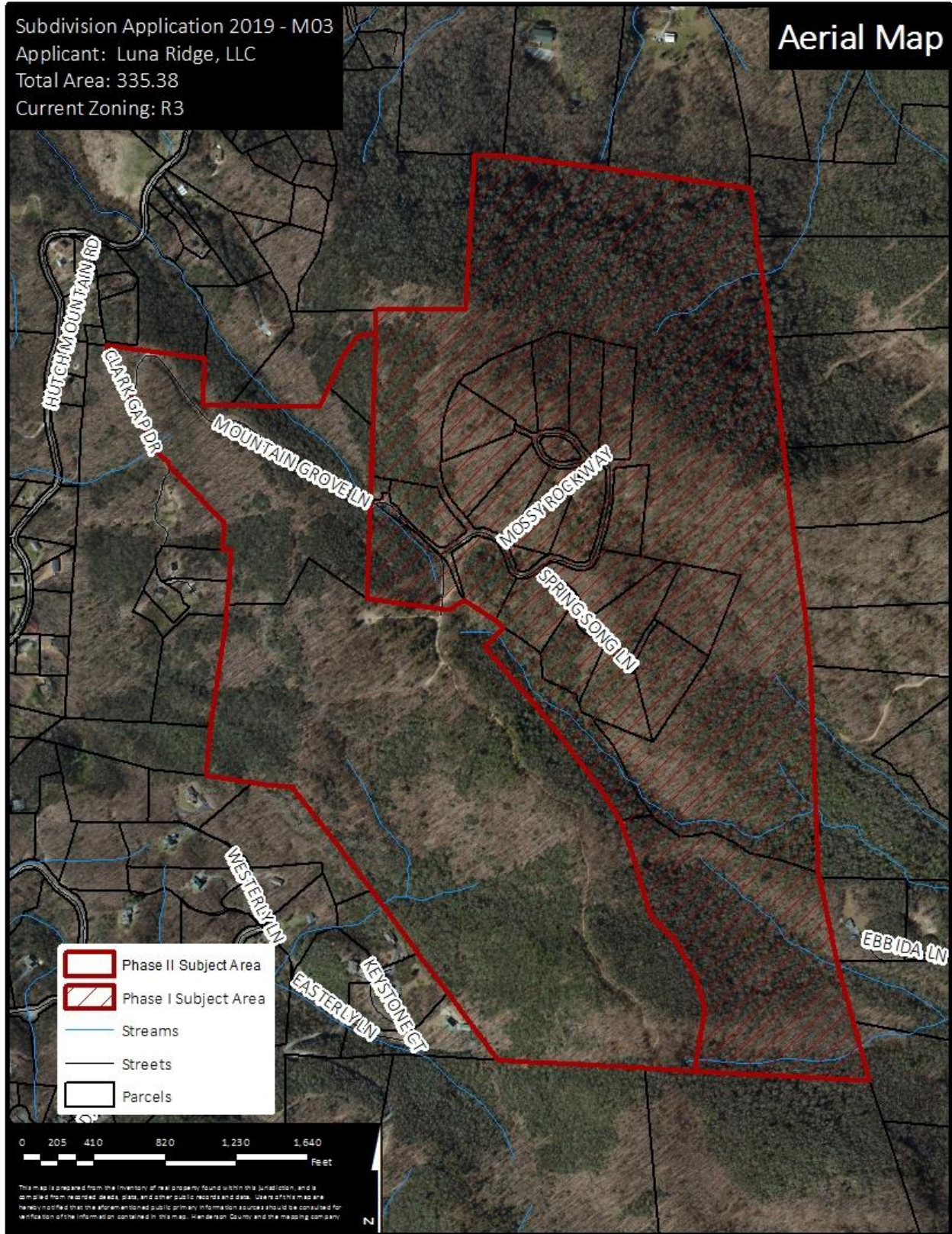
When reviewing the Combined Master and Development Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §42-75).

Staff has reviewed the submitted revised Combined Master and Development Plan for the Couch Mountain Major Subdivision, taking into consideration the recommendations of the *Henderson County Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

**Map A: County Context**

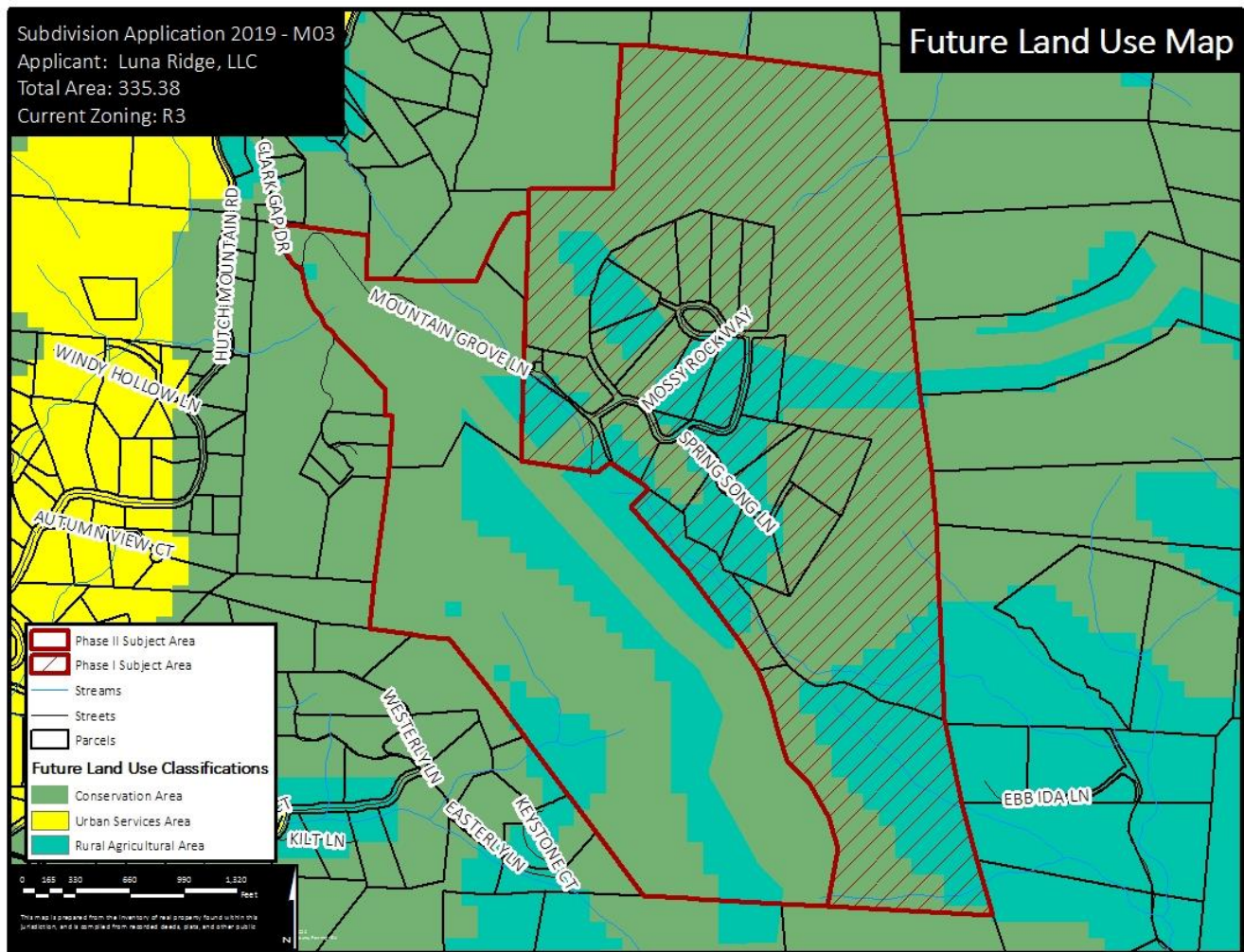


### Map B: Aerial Imagery



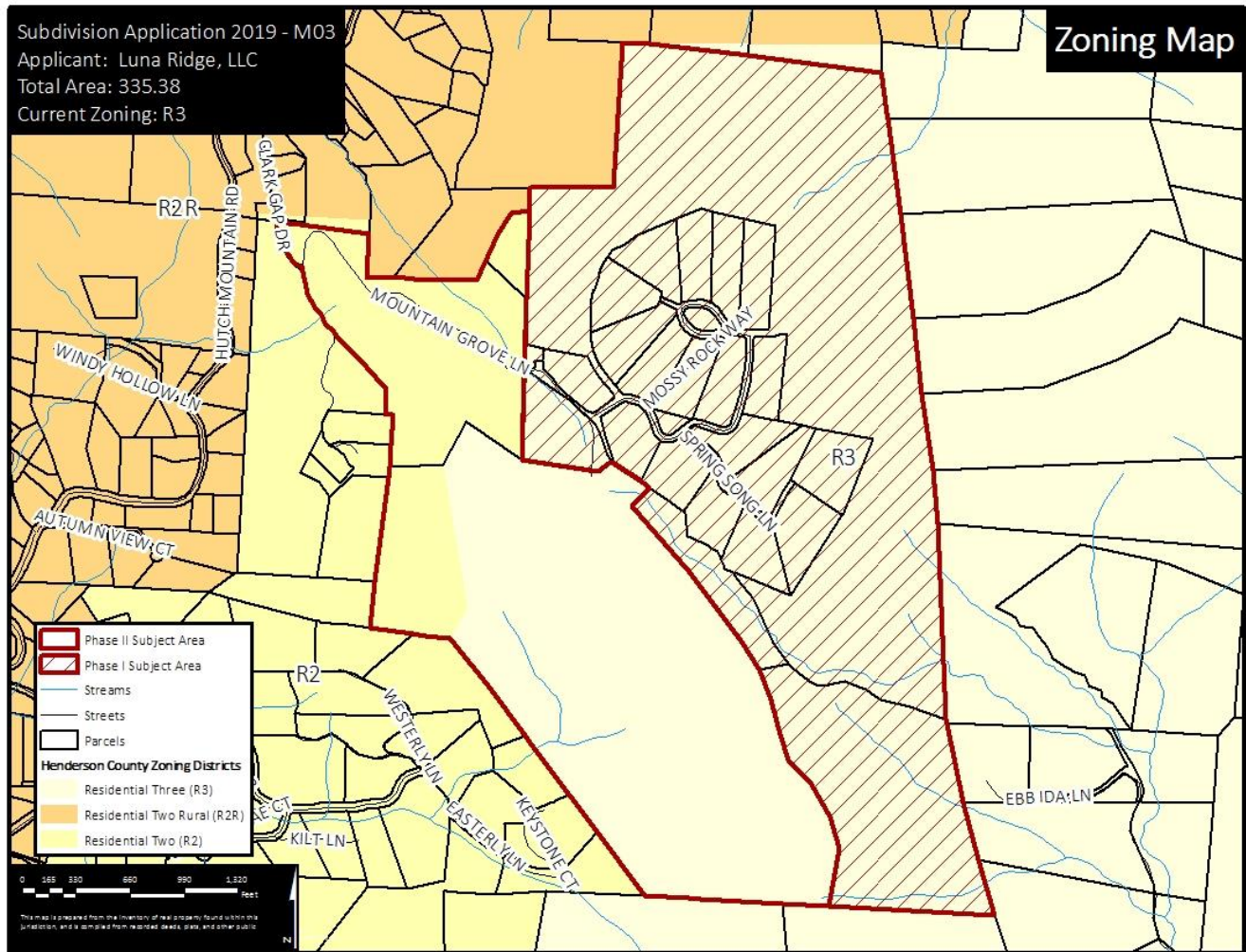


**Map C: County Comprehensive Plan Future Land Use Map**



1. **Henderson County Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located within an area of Conservation with some Rural Agriculture Area within it.
  - a. **Conservation Area:** “This category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives.”
  - b. **Rural Agriculture Area:** “The RAA covers those portions of the county that are predominantly rural and are characterized by low-density residential development with substantial land areas devoted to agriculture and undeveloped lands. Land use policies will seek to retain that character.”

**Map D: Official Zoning Map**

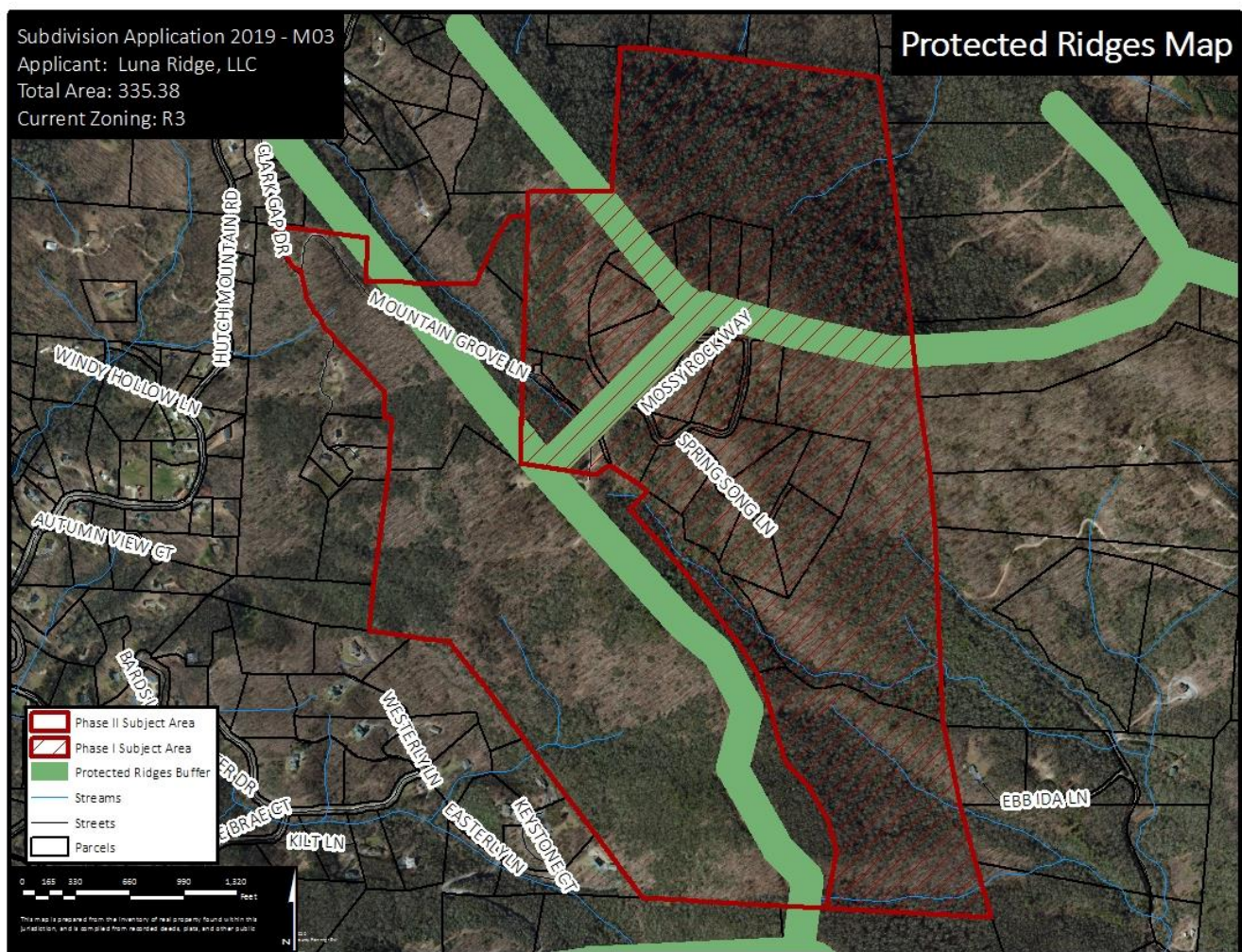


2. **Chapter 42, Henderson County Land Development Code (LDC).** According to Chapter 42, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the Residential Three (R3) Zoning District and Residential Two (R2) Zoning District.
  - a. **Residential Three (R3):** “The purpose of Residential District Three (R3) is to foster orderly growth where the *principal use* of land is low density residential. The intent of this district is to allow for *residential development* consistent with the recommendations of the *Comprehensive Plan*. This general *use district* is typically meant to be utilized in areas designated as Rural (RAA) in the *Comprehensive Plan*.
    - i. R3 allows for a standard density of 0.66 units per acre. The overall density for the proposed Couch Mountain Subdivision is 0.20 units per acre.
  - b. **Residential Two (R2):** “The purpose of Residential District Two (R2) is to foster orderly growth where the principal use of land is residential. The intent of this district is to allow for low to medium density residential development consistent with the recommendations of the *Comprehensive Plan*. This general use district is typically meant to be utilized in areas designated as Transitional (RTA) in the *Comprehensive Plan*.”



- i. R2 allows for a standard density of 1 unit per acre. As stated previously, the overall density for Couch Mountain is 0.20 units per acre.
3. **Water and Sewer Availability.** The applicant proposes the use of individual water and septic systems for each lot in the subdivision. Applicant has presented a Report of Findings from Land Resource Management for a preliminary soil investigation as well as a well permit and well construction record from AAA Sweetwater Well & Pump, Inc.
  4. **Road System:** The subdivision will be served by private roads built in accordance with the Subdivision Local Road standards required in the LDC. The total linear footage of new roads proposed in Phase II is 3,771 linear feet. Road profiles on the attached plan specify that the maximum grade does not exceed 18% on any of the proposed roads. There is a combination of 14', 16' and 18' road widths proposed, with 3' and 4' shoulders. The applicant will be required to submit a list of proposed road names to the Property Addressing Coordinator for all proposed new roads. The entrance road, Clark Gap Rd., is a private gravel road within a 50'-60' wide right of way. Applicant has re-graded and paved Clark Gap Rd. to its intersection with Hutch Mountain Rd. (SR 1556) in order to accommodate the additional lots.

**Map E: Protected Ridges**



5. **Protected Ridges:** The project site is partially encumbered by the protected ridges buffer. Section §42-252 of the LDC regulates the construction and permitting of “tall buildings” within the protected ridge buffer.
- a. “Tall buildings or structures” include any building, structure or unit within a multiunit building with a vertical height of more than 40 feet measured from the top of the foundation of said building, structure or unit and the uppermost point of said building, structure or unit; provided, however, that where such foundation measured from the natural finished grade of the crest or the natural finished grade of the high side of the slope of a ridge exceeds 3 feet, then such measurement in excess of 3 feet shall be included in the 40-foot limitation described herein; provided, further, that no such building, structure or unit shall protrude at its uppermost point above the crest of the ridge by more than 35 feet.
6. **Total Project Proposal Summary:**
- 67 single-family lots (34 Lots in Phase I & 33 Lots in Phase II)
  - Overall density of 0.20 units/acre (0.17 units/acre in Phase I & 0.24 units/acre in Phase II)
  - Smallest lot in Phase I is 2.09 acres & Phase II is 2.17 acres
  - 38.2% Open Space (98.3 acres in Phase I & 29.85 acres in Phase II)
  - 9,580LF of private roads (5,809LF in Phase I and 3,771LF in Phase II)
  - Individual well and septic systems
  - Gated Entrance

#### **Master & 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 §42-95B).
2. **Private Roads.** Private roads shall be constructed in accordance with the Private Subdivision Local Road standards stated in Chapter 42 (LDC§42-109). Additionally, subdivisions of 35 or more lots shall provide a minimum of two entrance roads. The second entrance road may be specifically waived by the approving authority where unique circumstances exist (LDC §42-95A (1)).
3. **Shoulder Stabilization.** All areas disturbed by the construction of a public 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 §42-102).
4. **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 §42-100). All areas disturbed by the construction of a public 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 §42-105).
5. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 42 of the Henderson County Code, Property

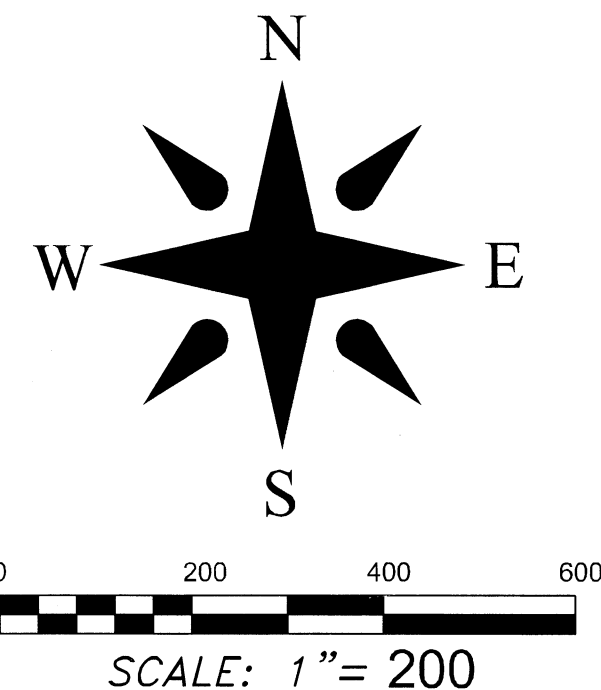
Addressing (LDC §42-103). The names of the proposed roads and easements should be confirmed with the development plan approval.

6. **Road Name Signs and Regulatory Signs.** Road name signs and regulatory signs shall be provided in accordance with Chapter 142 of the Henderson County Code. Road name signs and regulatory signs must be acquired and installed prior to final plat approval (LDC §42-104).
7. **Street Tree Requirements.** According to the street tree requirements of Chapter 42 (LDC §42-95H) 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 may 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 LDC §42-185 instead of planting new trees. These existing trees must also be located within the right-of-way or 20 feet off the edge of the right-of-way as required by LDC §42-185.
8. **Perennial and Intermittent Surface Water Buffer.** All built-upon area shall be a minimum of 30 feet landward of all perennial and intermittent surface water, as defined in LDC §42-251.
9. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
10. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42-343).



**SITE PLAN LEGEND**

- EXIST. BOUNDARY
- EXIST. ADJOINER
- EXIST. RIGHT OF WAY
- EXIST. STREAM
- EXIST. STREAM BUFFER
- EXIST. WETLAND
- EXIST. EDGE OF GRAVEL
- EXIST. SEWER EASEMENT
- EXIST. WATER EASEMENT
- EXIST. OVERHEAD UTILITIES
- NEW PROPERTY LINES
- NEW RIGHT OF WAY
- NEW DRIVEWAY EASEMENT
- BUILDING SETBACK LINE
- NEW PAVEMENT



**SITE AND ZONING NOTES**

PROPERTY ZONING: R3  
 PROPERTY SIZE: 138.22 ACRES (PH. 2)  
 PROPERTY STEEPER THAN 60%: 9.54 AC (6.9%)

MINIMUM LOT SIZE: 1.5 ACRES  
 SMALLEST PROPOSED LOT: 2.17 ACRES  
 MINIMUM LOT WIDTH: 30' @ R.O.W.  
 MAXIMUM BUILDING HEIGHT: 40'  
 SETBACKS:  
 FRONT: 15' (LOCAL)  
 REAR: 15'  
 SIDE: 15'

COMMON OPEN SPACE PROVIDED: 29.85 ACRES (PH. 2)

\*ALL DIMENSIONS ARE FROM EDGE OF ASPHALT, FACE OF CURB, FACE OF WALL, OR FACE OF BUILDING UNLESS OTHERWISE NOTED.

\*ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF DETAILS, SPECIFICATIONS, AND OTHER DEVELOPMENT ORDINANCES OF HENDERSON CO.

**DEVELOPMENT DATA**

PROPERTY ADDRESS: CLARK GAP DR  
 PIN NUMBER: 9672-01-2875, 9662-91-2205, 9672-00-1345, 9671-19-1082

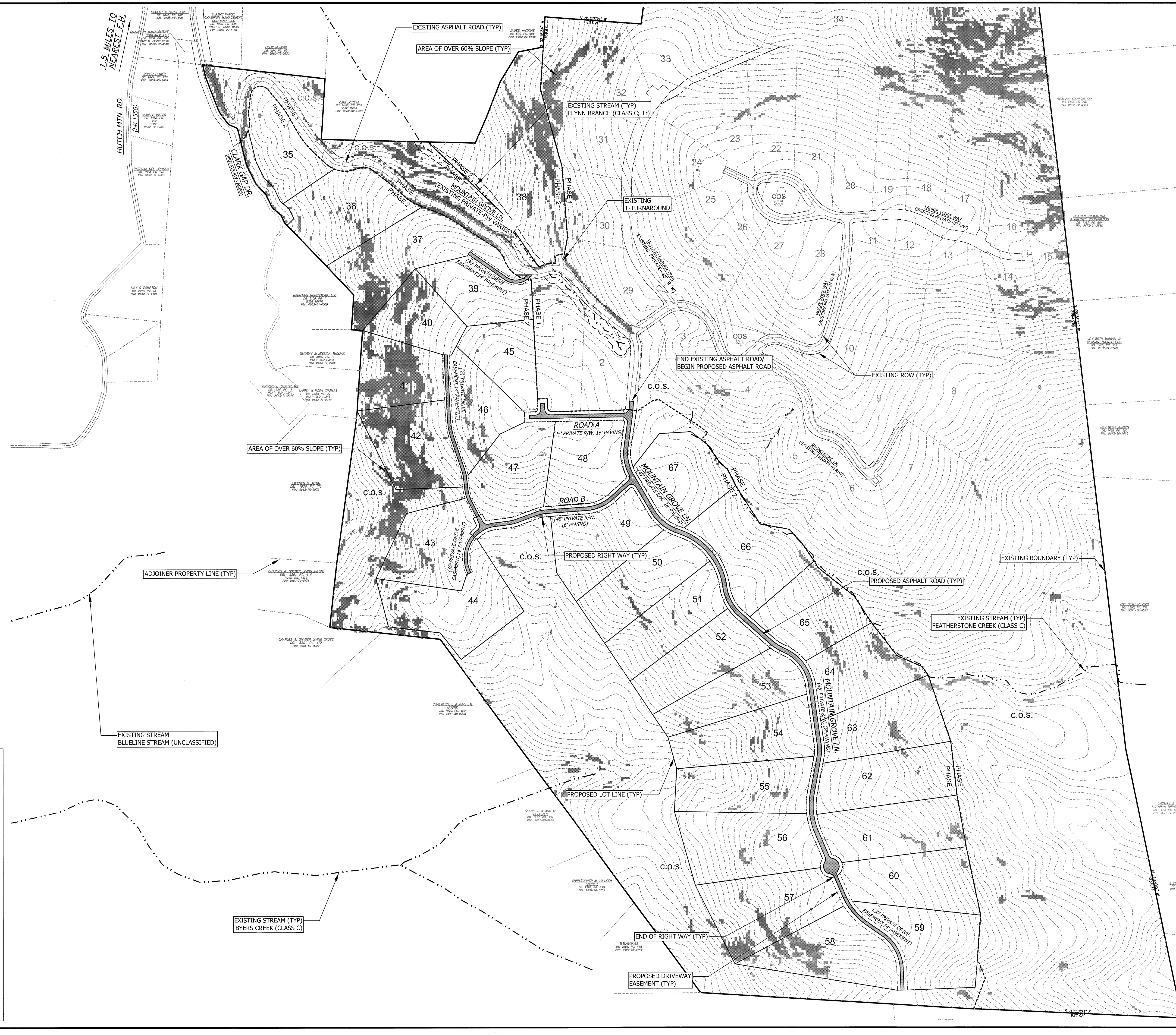
PROPERTY SIZE: 138.22 AC. (PH. 2) / 335.38 AC. (TOTAL)  
 ZONING REVIEW: HENDERSON COUNTY  
 EROSION CONTROL REVIEW: HENDERSON COUNTY  
 STORMWATER REVIEW: HENDERSON COUNTY  
 ZONING CLASSIFICATION: R-3  
 PROPOSED NUMBER OF UNITS: 33 (PH. 2) / 67 (TOTAL)  
 PROPOSED DENSITY: 0.24 (PH. 2) / 0.20 (TOTAL) units / acre  
 PROPOSED LINEAR FEET OF ROAD: 3,771 LF (PH. 2)  
 PORTIONS OF LOTS 58, 59, 60, 61, & 62 ARE WITHIN 1/2 MILE OF A FARMLAND PRESERVATION DISTRICT. WATER AND SEWER WILL BE PROVIDED BY INDIVIDUAL WELLS AND SEPTIC SYSTEMS.

PUBLIC WATER AND SEWER SYSTEMS ARE APPROXIMATELY 1.5 MILES FROM THE SITE.

PROPERTY OWNER: LUNA RIDGE, LLC  
 CONTACT: ANDY BAKER  
 ADDRESS: 120 HIGH HICKORY TRAIL  
 ADDRESS 2: SWANNAHOA, NC 28778

DEVELOPER: LUNA RIDGE, LLC  
 CONTACT: ANDY BAKER  
 ADDRESS: 120 HIGH HICKORY TRAIL  
 ADDRESS 2: SWANNAHOA, NC 28778  
 EMAIL: ANDY@TFM-CAROLINA.COM  
 PHONE: 828-645-3815

ENGINEER: BROOKS ENGINEERING  
 CONTACT: JOHN KINNAIRD  
 ADDRESS: 17 ARLINGTON ST  
 ADDRESS 2: ASHEVILLE, NC 28801  
 EMAIL: JKINNAIRD@BROOKSEA.COM  
 PHONE: 828-232-4700



<b>Project No:</b> 486519	<b>Phase:</b> C-1.0	<b>Drawing Title:</b> MASTER PLAN	<b>Date:</b> 03/13/20
<b>Location:</b> COUCH MOUNTAIN SUBDIVISION (PHASE 2) HENDERSON COUNTY NORTH CAROLINA		<b>Revisions/Submissions:</b> SUBMITTAL TO HENDERSON COUNTY	
<b>Designated:</b> TMM Durant		<b>Reviewed:</b> MCB Scales	
<b>Checked:</b> BMT TMM		<b>AS NOTED</b> Date: 03/13/20	
<b>BROOKS ENGINEERING ASSOCIATES</b> Planning • Engineering • Surveying • Environmental Services •			
17 Arlington Street Asheville, N.C. 28801 Phone: 1-828-232-4700 Fax: 1-828-232-1331 www.brooksea.com			
<b>PERMIT SET</b>			

File Location: L:\2019 Projects\486519 TMM\_Hutch Mountain\Draw\486519-COUCH.MTN-CVIL-BASE Phase2.dwg