

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHINICAL REVIEW COMMITTEE

MEETING DATE: May 17, 2022

SUBJECT: Combined Master and Development Plan for Tuttle Road (Bellflower Meadows) Major Subdivision (2022-03-M)

STAFF CONTACT: Matt Champion, Zoning Administrator

ATTACHMENTS: 1. Staff Report
2. Combined Master & Development Plan
3. Application

SUMMARY OF REQUEST:

A subdivision application was submitted on behalf of the property owner Grace Realty LLC on May 3, 2022. The application is for a Master and Development Plan for Tuttle Road (Bellflower Meadows) Major Subdivision, consisting of 16 lots for single family dwellings and 1,113 linear feet of new private roadway. The subject area is located off Tuttle Road and contains 16.86 acres.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the Master and Development Plan meet the standards of the subdivision regulations of Chapter 42, Henderson County Land Development Code (LDC). Staff recommends the Master Plan and 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 approve, approve with conditions, or deny the Master and Development Plan based on the Henderson County Land Development Code and recommendations of the Henderson County Comprehensive Plan and any conditions in the staff report or as discussed by the TRC.

Henderson County Planning Department Staff Report**Combined Master and Development Plan
Tuttle Road (Bellflower Meadows) Major Residential Subdivision (2022-02-M)**

**Property Owner(s)/Applicant(s): Grace Realty, LLC, Maria Fisher
Agent & Engineer: Jared Ownbey
PIN: 0601-22-2405**

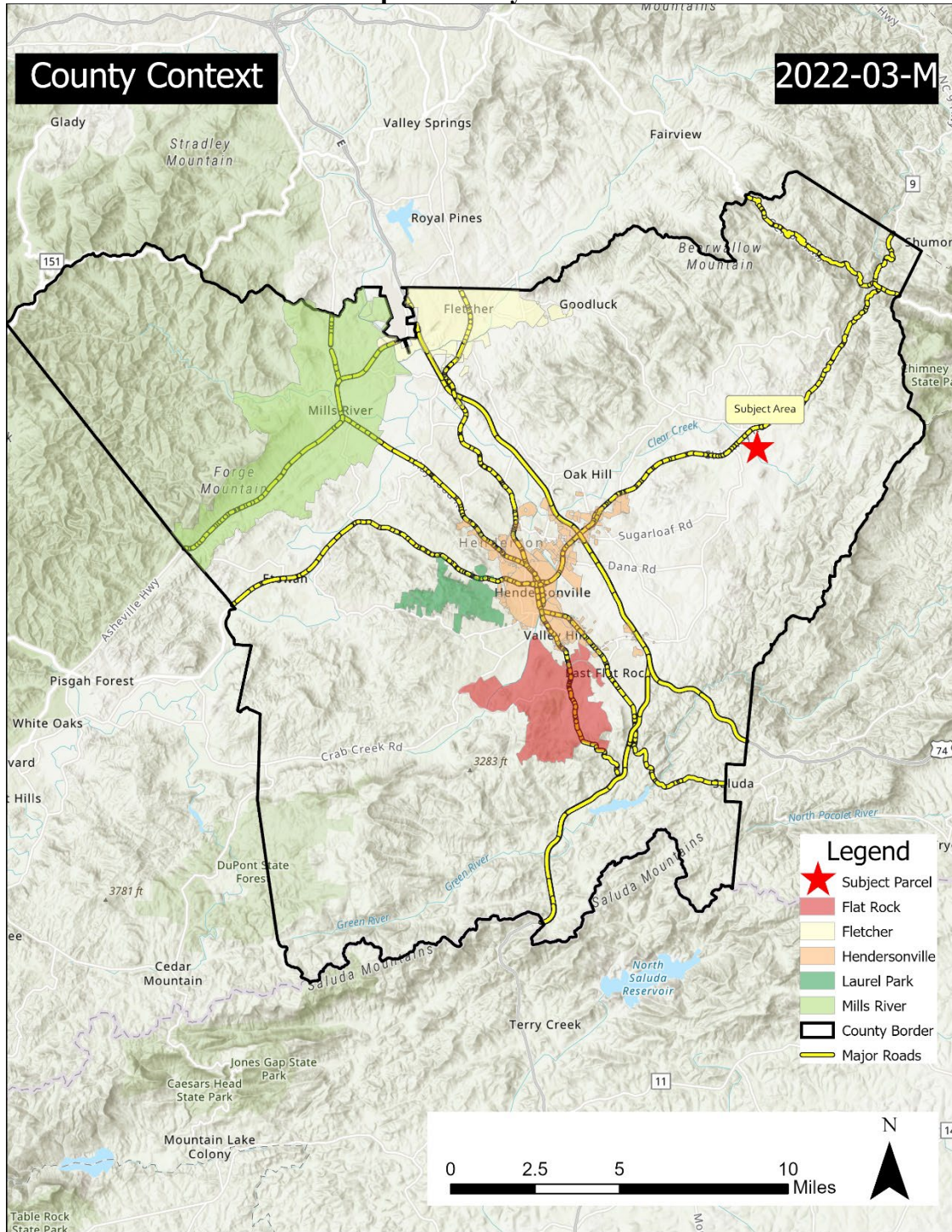
Master & Development Plan Comments:

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 Tuttle Road 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

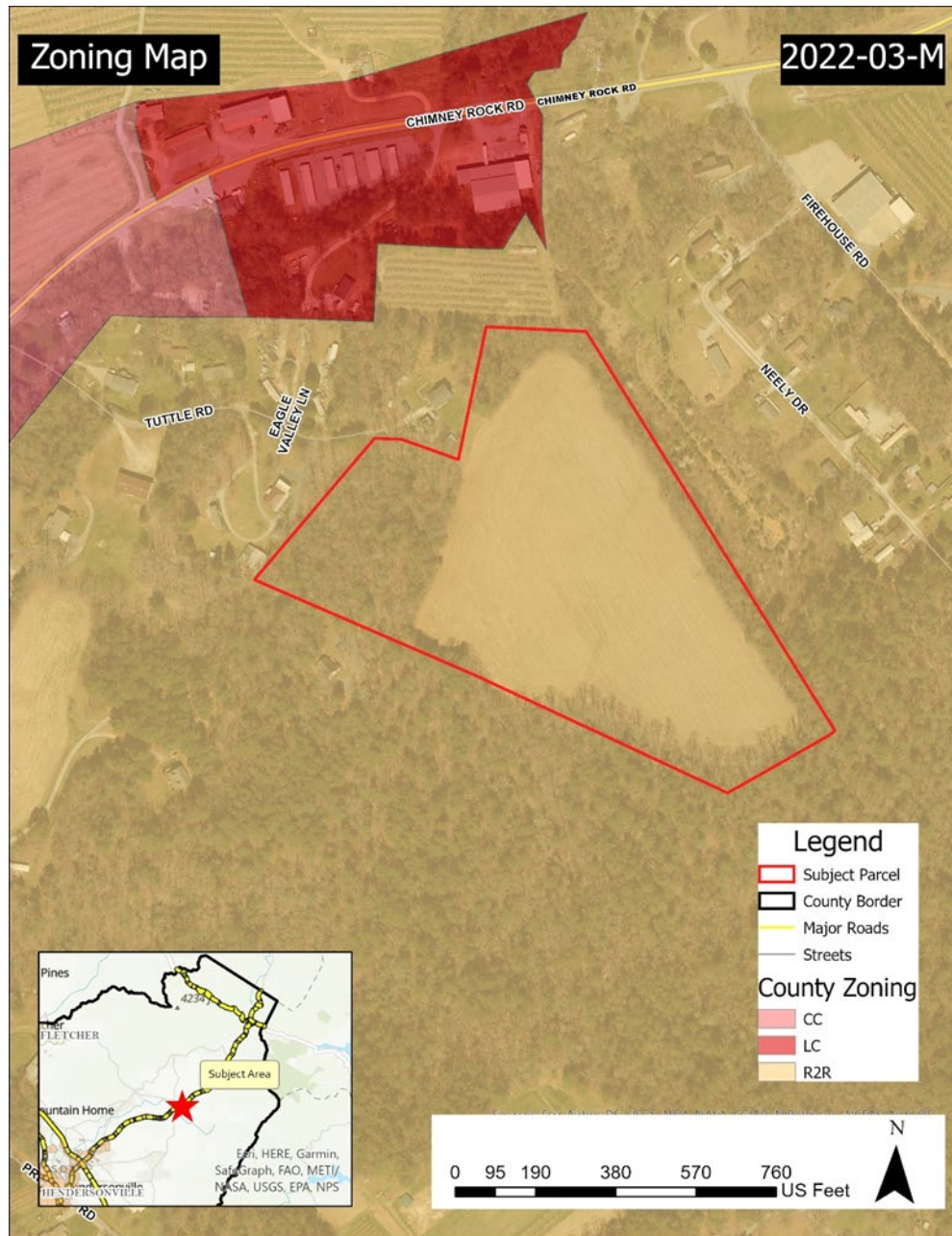


Map B: Aerial Imagery



1. **Henderson County Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located within the Rural Transition Area (RTA) Classification and a portion within the Commercial Service Area Classification.
 - a. **Rural Transition Area:** “The RTA is currently rural in character, with existing pockets of limited higher density residential and commercial development. Slopes vary across the RTA, although the area can be considered generally developable. The primary factor preventing urban development in the RTA is the absence of sewer and water service. The RTA will continue to experience extensive development over the operational timeframe of this Comprehensive Plan.”
 - i. Population and residential densities should be generally lower than the more urban population densities found within the USA and should be generally in keeping with topography, septic limitations, and school and transportation capacities. The RTA will remain in a state of transition and will absorb much of the development pressure in the USA. The RTA will be necessary to allow more dense development where appropriate.
 - b. **Community Service Centers:** The CCP states that, “CSC are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. CSC are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services. The mixture and intensity of land uses contained within CSC are intended to be appropriate within the context of the surrounding community and intended services area.” (CCP, Pg. 138).

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 Two Rural (R2R) Zoning District.

- a. **Residential Two Rural (R2R):** “The purpose of Residential Two Rural (R2R) 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 *residential development* and rural commercial and light industrial 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. R2R allows for a standard density of 1 unit per acre. The overall density for the proposed subdivision is 1.05 units per acre.
3. **Water and Sewer Availability.** The applicant proposes the use of individual wells and individual septic systems for each lot in the subdivision.
4. **Road System:** The subdivision will be served by two (2) private roads: Seneca Lane and Oseetah Lane. Seneca Lane will be accessed off Tuttle Road (private), and Oseetah Lane off Seneca. Seneca and Oseetah Lanes will be built in accordance with the Subdivision Local Road standards required in the LDC. The total linear footage of road is 1,113 linear feet and will be asphalt. The Combined Master and Development Plan specifies that the maximum slope does not exceed 18% on any portion of the proposed road. The proposed private roads show as a 45' right-of-way with a 20' asphalt roadway width with 4' shoulders. The applicant is also proposing a cul-de-sac at the end of Seneca Lane, and a cul-de-sac at the end of Oseetah Lane.
5. **Total Project Proposal Summary:**
 - Overall tract size is 16.86 acres
 - Total of 16 single-family lots
 - Overall density of 0.95 units/acre
 - Total right-of-way area is 1.30 acres
 - Proposed private roadway length is 1,113 linear feet
 - Private individual well and septic systems

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. **Water Quality.** The Applicant shall submit written notice from the appropriate local agencies verifying that a Stormwater Management Permit has been received (LDC §42-95E).
3. **Private Roads.** Private roads shall be constructed in accordance with the Private Subdivision Local Road standards stated in Chapter 42 (LDC§42-109).
4. **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).
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 §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).

6. **Dead Ends, Culs-de-sac, and Turnarounds.** The Applicant proposes two (2) cul-de-sacs or turnarounds located at the ends of both local roads. All turnarounds must meet of the LDC §42-105 C(8).
7. **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).
8. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
9. **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).
10. **NCDOT Driveway Permit.** An NCDOT Driveway Permit is required for the proposed private, paved road, to access the site. Design should meet requirements of NCDOT.

Application No. _____

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

SUBDIVISION INFORMATION

Subdivision Name: BELLFLOWER MEADOWS
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: 16
Total Number Proposed Units: 16 Proposed Density (units per acre): 1 UNIT / 1.05 ACRE
Road System: () Public Private () Combination Public and Private
Water System: Individual () Community () Municipal
Sewer System: Individual () Community () Municipal

PARCEL INFORMATION

PIN: 0601-22-2405 Total Acreage: 16.86 Deed Book/Page: 3838/558 Township: EDNEYVILLE
Location of property to be divided: TURTLE RD

Zoning District: RZR Fire District: EDNEYVILLE
Water Supply Watershed: _____ School District: _____

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: Grace Realty Phone: 908 256 1178
Address: 685 Big Oak Road City, State, Zip: 28792

Applicant:

Name: Maria Fisher Phone: 908 256 1178
Address: 685 Big Oak Road City, State, Zip: 28792

Agent: Agent Form (Circle One): Yes No

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

Plan Preparer:

Name: JARED R. OWENBY, PLS Phone: 808-674-9974
Address: 522 FLEMING ST. City, State, Zip: HENDERSONVILLE NC 28739

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

Maria Fisher
Print Applicant (Owner or Agent)

DocuSigned by:
Maria Fisher
Signature Applicant (Owner or Agent)

5/3/2022
Date

County Use Only

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

HENDERSON COUNTY
SUBDIVISION CERTIFICATE OF UNDERSTANDING

Please have the property owner(s) sign the below certificate for all Subdivisions All property owners must sign the certificate and agents for the property owners cannot sign on their behalf.

Certificate of Understanding:

I (we) hereby certify that I am (we are) the owner(s) of the property located within the subdivision-regulation jurisdiction of Henderson County as shown and described herein, and that I (we) hereby adopt this plan of subdivision. I (we) acknowledge that all lots created from a parent tract will count toward the total number of lots permitted under density regulations. I (we) further acknowledge that upgrading existing improvements (including roads) may be necessary in order to expand this subdivision. This certification is required per Henderson County Land Development Code 200A-84.

5/3/2022	<div style="border: 1px solid black; border-radius: 5px; padding: 2px; display: inline-block;"><small>DocuSigned by:</small> <i>Maria Fisher</i> <small>026958573AB3451...</small></div> Owner
Date	Owner
Date	Owner
Date	Owner
Date	Owner

Cross-Section Details (for each proposed road type, cul-de-sac or alternative turnaround):

- Paving/base to be met
- Road width
- Right-of-way width,
- Shoulder width,
- Cut and fill slope,
- Ditch slope

Drainage Improvement Details (designed according to NCDOT standards):

Location of Existing and Proposed:

- Drainage easements
- Culvert(s)

Culvert(s) details:

- Location
- Length
- Diameter (minimum 18 inches)
- Type

Water and Sewer System Details (location of proposed):

- Water system improvement (waterlines, wells, etc. (community well/public/municipal))
- Sewer system improvement (sewer lines, pump stations, wastewater treatment plants, etc. (individual/community/public/municipal))
- Wells (individual wells (only within the RAA))
- Fire hydrants (if on public water supply system)
- Dry hydrants (if not served by a public water system and if has access to an adequate permanent water supply)

Conservation Subdivision Details:

Identify

- Primary conservation area
- Secondary conservation areas
- Bonafide agricultural operations on site
- Open space uses

Location of Proposed:

- Open space (including acreage to 0.1 acres)
- Driveway easements

Driveway Easement details:

- Right-of-way width
- Driveway length

*Applications will be considered incomplete and the plan will not be presented to the approving authority where a Development Plan and its associated additional documentation: (1) does not contain the required items by the submittal deadline; or (2) contains the required items but does not meet the standards established by the Land Development Code.

Plan Details

Existing Site Conditions

- Contours (at no more than 5' intervals)
- Project boundaries (with bearings and distances)
- Name of adjoining property owner(s)

Location of Existing:

- Areas with a 60% or greater slope
- Ponds, lakes or watercourses with direction of flow
- Floodway and floodplain (approximate)
- Water supply watershed
- Zoning district lines
- Fire district lines
- Municipal, county, or state boundaries
- Easements
- Utilities
- Structures

Location of Proposed:

- Lots (including lot lines (with approximate length) and labeled with size (to 0.1 acres))
- Ponds, lakes, and watercourse alterations (include pond/lake elevation)
- Open space or common area
- Recreation area(s), club house(s), mail delivery point(s) or other similar features
- Lots/parcels reserved for future development
- Lots/parcels reserved for other use with use specification (utility stations, public parks, schools, churches, etc.)
- Sign(s) and sign easement(s)
- Entry gates (including design thereof)

Location of Required (if required):

- Setback (100 feet) from farmland preservation district (Section 42-81 O)
- Setback (30 feet) from perennial stream(s) (Section 42-81 S)
- Buffer (including type (Section 42-81 T))
- Street trees

Road Details

Location of Existing and Proposed:

- Roads (include right-of-way for existing roads)
- Bridges

Proposed road(s) details:

- Rights-of-way
- Labeled as public or private
- Approximate finished road grades
- Approximate centerline curve radii
- Site triangles
- Intersection angles
- Labeled with proposed road(s) names (approved by Property Addressing)
- Indication that roads with dead-ends, culs-de-sac or alternative turnarounds are: (1) no more than 2,500 feet in length, and (2) serve no more than 35 lots

*Applications will be considered incomplete and the plan will not be presented to the approving authority where a Development Plan and its associated additional documentation: (1) does not contain the required items by the submittal deadline; or (2) contains the required items but does not meet the standards established by the Land Development Code.

DEVELOPMENT PLAN REQUIREMENTS*

Development Plans shall include the following information and documentation unless determined to be "not applicable" or specifically waived by the Subdivision Administrator. Any waived item(s) must be documented on a waiver form provided by the Subdivision Administrator.

Plan Preparer (please circle one):

Professional Engineer Land Surveyor Architect Landscape Architect Professional Planner

Development Plan.

Submit 4 full-sized and 1 reduced copy (per Section 42-310) of a plan containing the following:

Legend

- Scale (written and graphic)
- North arrow
- Names and addresses of owner(s) and applicant(s)
- Vicinity map
- Phase map (if applicable)

Comments: _____

Title Block

- Noted as: "Development Plan" or "Combined Master & Development Plan"
- N/A Noted as: "Conservation Subdivision" (if applicable)
- Project name
- N/A Phase number (if applicable)
- Name, address, and phone number of individual(s) or firm(s) preparing plan
- Date prepared or revised

Comments: _____

Project Summary

- Acreage of project
- Acreage of phase (if applicable)
- Acreage with slopes of 60% or greater (if applicable)
- Distance to municipal water and sewer systems
- Current zoning and required setbacks

Proposed

- Lots
- Units (by type)
- Density (units/acre)
- Minimum lot size in square feet (excluding road R-O-W in R-40 and WR districts)
- Length public and/or private roads
- Water system (please circle one): Individual Community Public Municipal
- Sewer system (please circle one): Individual Community Public Municipal

Comments: _____

*Applications will be considered incomplete and the plan will not be presented to the approving authority where a Development Plan and its associated additional documentation: (1) does not contain the required items by the submittal deadline; or (2) contains the required items but does not meet the standards established by the Land Development Code.

- ___ General lot layout
- ___ Location of utility sites (if known)
- ___ Adjoining property owners, subdivisions and farmland preservations districts clearly indicated
- ___ Proposed project phasing lines, if applicable
- ___ All land with slopes of 60 percent or greater clearly shown, if applicable

Project summary containing the following information:

- | Yes | No | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Total project area in acres |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Density of proposed project (units/acres) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Number of proposed lots/units by type |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Approximate length of road system (public; private) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Type of Water system <u>PRIVATE</u> (public/ <u>private</u> /individual) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Type of Sewer system <u>PRIVATE</u> (public/ <u>private</u> /individual) |
| <input type="checkbox"/> | <input type="checkbox"/> | General Layout of proposed Water and/or sewer system |

If no was checked for any above, please explain: _____

Conservation Subdivision (Option)

- | Yes | No | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Percentage of total acreage in open space in project summary |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Primary conservation areas clearly identified |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Secondary conservation areas clearly identified |

Other Master Plan Application Requirements

The following information or other items shall be provided or otherwise addressed in writing by the submittal deadline of the application for Master Plan approval unless not applicable or specifically waived by the Subdivision Administrator*, otherwise the application will be considered incomplete and will not be presented to the Planning Board.

- | Yes | No | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fee |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Master Plan (4 full-sized copies and 1 reduced copy). Additionally, please submit digital copies of the plans to planning staff, if possible. |

If no was checked for any above, please explain: _____

*Any waived item(s) must be documented on a waiver form provided by Staff

MASTER PLAN REQUIREMENTS

A Professional Engineer, Land Surveyor, Architect, Landscape Architect, or Professional Planner may prepare the Master Plan. The following information shall be shown on the plan for information and discussion purposes unless not applicable or specifically waived by the Subdivision Administrator*. **If the Master Plan does not contain the required items by the submittal deadline, the application will be considered incomplete and the plan will not be presented to the Planning Board.** Combined Master and Development Plans must be prepared in accordance with the Development Plan Requirements provided by the Planning Department. More information about Master Plans can be found at Section 42-309 in the Land Development Code. For each item below, please indicate whether the requested information has been provided

General Legend

- | <u>Yes</u> | <u>No</u> | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Scale (written and graphic): Scale for full-sized and reduced copies should be appropriate to clearly depict property |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | North arrow |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Owner's and applicant's name(s) and address(es) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Vicinity map |

If no was checked for any above, please explain: _____

Title Block

- | <u>Yes</u> | <u>No</u> | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Project name |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Title of map (must state "Master Plan") |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Date |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Name, title, address, and phone number of individual, firm, or corporation preparing the plan |

If no was checked for any above, please explain: _____

Plan Details

- | <u>Yes</u> | <u>No</u> | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Contours at maximum of twenty-foot (20') intervals |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Location of existing ponds, lakes or watercourses with direction of flow |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Boundaries of the proposed project |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Approximate location of the 100-year flood hazard line, if applicable |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Location of existing street/roads, bridges, culverts, utilities, or other major elements affecting the property |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Water supply watershed boundaries, zoning district lines, fire district boundaries and municipal, county, state boundaries (except townships lines), if applicable |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | General layout of proposed road system |