

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHINICAL REVIEW COMMITTEE

MEETING DATE: November 1, 2022

SUBJECT: Master & Development the Orchards at Howard Gap Major
Subdivision (2022-07-M)

STAFF CONTACT: Grayson Taylor, Planner III

ATTACHMENTS:

1. Staff Report
2. Master Plan
3. Roadway Plan
4. Grading, Drainage, Erosion Control Plan
5. Application

SUMMARY OF REQUEST:

A Subdivision Application was received on behalf of Howard Gap LLC, by Jared DeRidder of WGLA Engineering on October 20, 2022. The owner is represented by their engineer, Jared DeRidder. The application is for a Master & Development Plan for the Orchards at Howard Gap, consisting of 23 new lots. The subject area is located adjacent to and north of SR 1006/Howard Gap Road in Blue Ridge Township. The parcel currently contains approximately 25.02 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.



STAFF REPORT

HENDERSON COUNTY PLANNING DEPARTMENT

100 North King Street | Hendersonville, NC 28792 | (828) 697-4819

Prepared by:

Grayson Taylor, Planner III

CASE

2022-07-M

Combined Master & Development Plan

TRC MEETING DATE

November 1, 2022

PROPERTY OWNER/APPLICANT

Howard Gap LLC (Luis Graef)

PROPERTY LOCATION/ADDRESS

Adjacent to and north of Howard Gap Road
(SR 1006), Blue Ridge Township

AGENT/ENGINEER

Jared DeRidder, P.E.
WGLA Engineering

PIN(s)

9597-17-4832

SUMMARY OF REQUEST

An application for a Combined Master and Development plan, for the proposed Orchards at Howard Gap Major Subdivision, consisting of 23 lots located at the above PIN.

Existing Zoning

Residential District Two Rural (R2R)

Existing Land Use

Rural Agricultural Area / Conservation

Site Improvements

N/A

Request Acreage

25.02 acres, +/-

ADJACENT ZONING**USE OF LAND****North**

Residential District Two Rural (R2R)

Vacant Land

East

Residential District Two Rural (R2R)

Single-Family Home

South

Residential District Two Rural (R2R)

Howard Gap Rd, Single-Family Homes

West

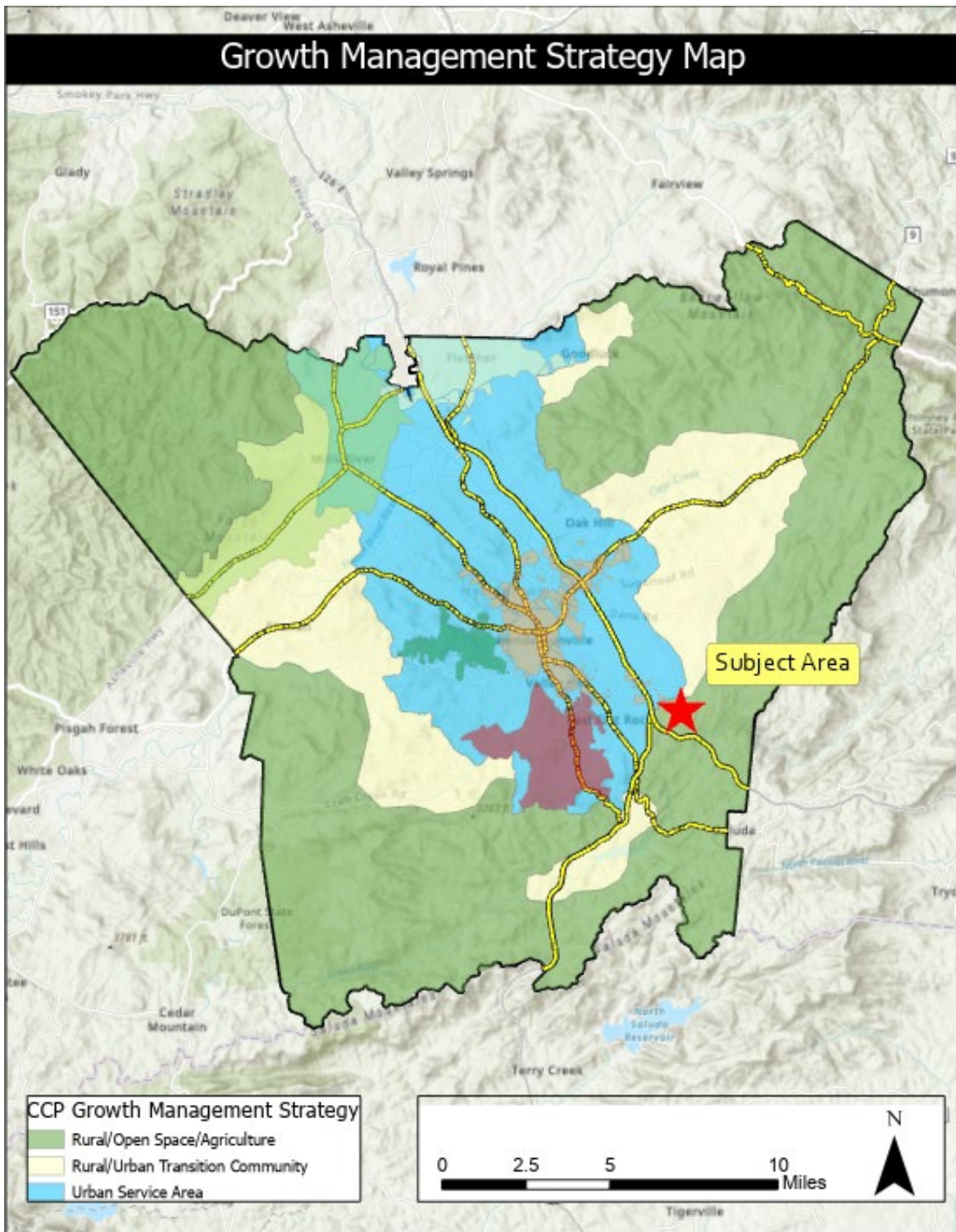
Residential District Two Rural (R2R)

Single-Family Homes

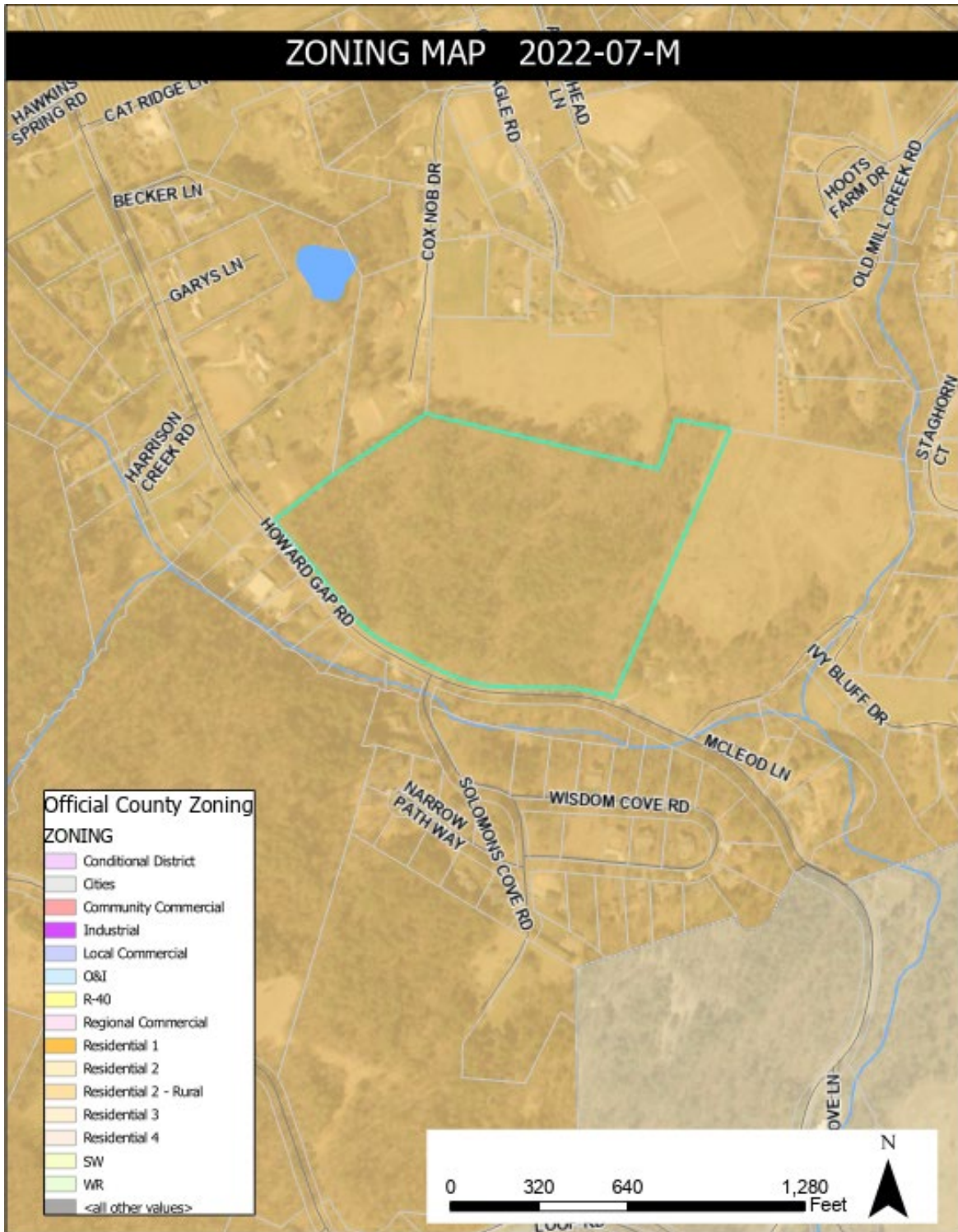
Map A: Aerial Map



Map C: Growth Management Strategy Map



Map D: Zoning Map



BACKGROUND:

The applicant, Howard Gap LLC, is seeking approval for a Major Subdivision. The applicant proposes 23 single family lots, on approximately 25.02 acres. The applicant has previously received approval for a similarly named subdivision, the Orchards at Highway 64. The applicant is represented by his engineer, Jared DeRidder of WGLA Engineering.

ANALYSIS:

According to Chapter 42, Henderson County Land Development Code (LDC) §42-340, 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 Technical Review Committee 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 §42-74).

According to Chapter 42 of the Henderson County LDC, §42-341, the purpose of Development Plans is to provide general and specific information, displayed as a graphic representation or map, indicating all proposed divisions of land, their uses, improvements, and any other information required to fully disclose the applicant's intentions.

When reviewing the Development Plan, it is important to consider that it conforms with the Master Plan, no additional lots are created (other than indicated on the Master Plan), and all technical requirements and development standards have been met.

Staff has reviewed the submitted Combined Revised Master and Development Plan for the Dodd Meadows 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:

Comprehensive Plan Compatibility:

The 2020 Comprehensive Plan’s Future Land Use Map indicates the subject area as being located primarily with the Rural/Agriculture Area and a small portion within the Conservation Area.

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. Land development ordinances in the RAA should strive for a *general, average* density of 1½ or more acres per residential dwelling unit, but due to topography and land use constraints, some areas in the RAA should have densities of 1 unit per 5 or more acres. Actual densities as defined by zoning requirements should vary across the RAA according to constraints and community characteristics.” (2020 CCP, Pg 136.)

Conservation: Conservation Areas are “land areas that are intended to remain largely in their natural state, with only limited development.” (2020 CCP, Pg. 138)

The 2020 Comprehensive Plan’s Growth Management Strategy Area also indicates the subject area as within the Rural/Agriculture Area.

Henderson County Land Development Code Compatibility:

Henderson County Zoning Map indicates the subject area as Residential District Two Rural (R2R).

Residential District Two Rural (R2R): The purpose of Residential District 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 density 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.

R2R allows for standard residential density of 1 unit per acre, and maximum density of 2 units per acre. The maximum density is allowed if multi-family housing is proposed the subject area has access to both water and sewer service, therefore is not applicable to this proposal. Under the proposed master/development plan, the total number of proposed lots is 23, and the total site area is 25.02. This is below the allowed threshold of 1 unit per acre. The proposed use and density do not appear to conflict with the zoning district regulations.

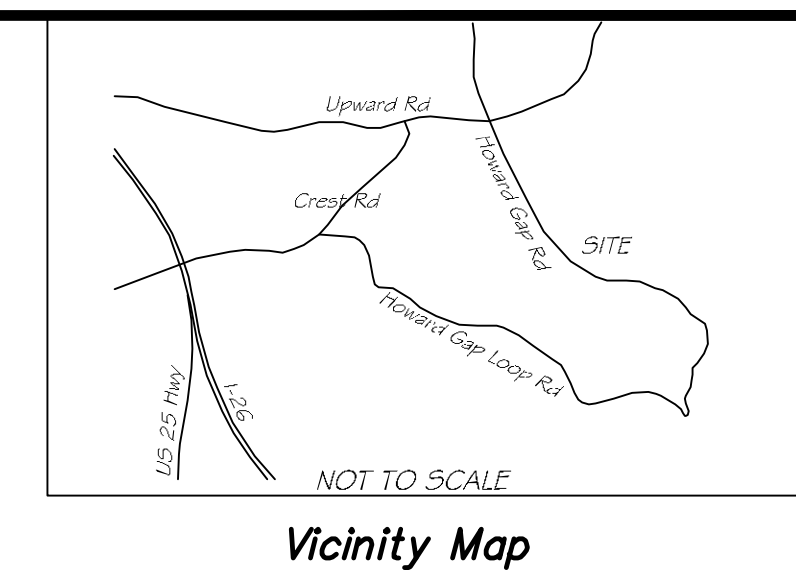
Staff Comments:

1. **Water and Sewer Availability:** The site is proposed to be served by City of Hendersonville Water and private septic systems.
2. **Open Space Requirements:** As there are only 23 lots proposed, there are no requirements for open space.
3. **Road System:** The applicant is proposing a total of 2,270 feet of new private roadway, with two new roads extending off Howard Gap Road (SR 1006). These roads are shown as paved on the roadway plans, and are to be privately maintained. Both roads will require new road names to be approved by the Henderson County Property Addresser prior to plat approval. The road name regulatory signs must be installed and inspected prior to plat approval. Private roads shall be constructed in accordance with the Private Subdivision Local Road Standards in Chapter 42 (LDC §42-109).
4. **Dead Ends, Culs-de-sac, Turnarounds:** The Applicant proposes two (3) culs-de-sac, as shown on the master plan. All turnarounds must meet the requirements of the LDC §42-110(D).
5. **Perennial and Intermittent Surface Water Buffers:** The project site is partially encumbered by a perennial stream. Section §42-250 of the LDC regulates construction and permitting within the surface water buffer, requiring all built-upon area 30 feet landward of all perennial and intermittent surface waters.
6. **Soil Erosion and Sedimentation Control Plan:** The Applicant has submitted a Soil Erosion and Sedimentation Control Plan to Henderson County, which is currently under review by Henderson County Site Development (LDC §42-255).
7. **Stormwater/Water Quality:** The Applicant has submitted an application for a Stormwater Management Permit to Henderson County, which is currently under review by Henderson County Site Development (LDC §42-239).
8. **Drainage, Culverts, 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 §42-105). 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).
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 §42-342).

11. **NCDOT Driveway Permit.** A NCDOT Driveway permit will be required for each driveway access onto Howard Gap Road (SR 1006).

STAFF CONCLUSION

Per Chapter 42 of the Henderson County Land Development Code LDC §42-337, the Technical Review Committee is the final approval authority for this proposed Major Subdivision. The Technical Review Committee may approve, approve with conditions, or deny the proposed Master and Development plan if it exhibits deficiencies or is not in compliance with any statute, ordinance, or regulation of the Henderson County Code of Ordinances.



WGLA
Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342

THE ORCHARDS
AT HOWARD'S
GAP

FLAT ROCK
HENDERSON COUNTY
NORTH CAROLINA

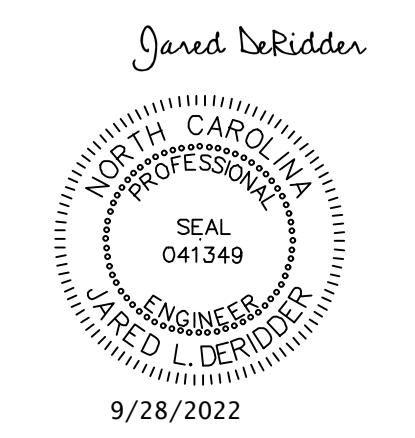
PRIVATE ROADWAY PLANS

for

THE ORCHARDS AT HOWARD'S GAP

SUBDIVISION

FLAT ROCK
HENDERSON COUNTY
NORTH CAROLINA



REVISIONS	
DATE	DESCRIPTION



Know what's below.
Call before you dig.

PROJECT NUMBER: 22129
DATE: 9/26/22
DRAWN BY: TJIV
CHECKED BY: JLD

COVER

SCALE: NTS

DEVELOPMENT BLOCK

PROJECT: THE ORCHARDS AT HOWARD'S GAP SUBDIVISION
ADDRESS: 99999 HOWARD GAP ROAD
FLAT ROCK, NC 28731
OWNER: HOWARD GAP, LLC
3872 NW 126 AVE
CORAL SPRINGS, FL 33065
DEVELOPER: LUIS GRAEF
4880 N HIATUS RD
SUNRISE FL 33351
PIN #: 9597-17-4832
DB: 3913 PG: 177
ENGINEER: JARED L. DERIDDER, P.E.
WGLA ENGINEERING, PLLC
724 5TH AVENUE WEST
HENDERSONVILLE NC 28739
828-687-7177
SURVEYOR: ASSOCIATED LAND SURVEYORS, P.C.
PO BOX 578, HORSE SHOE, NC 28742
828-890-3507
ZONING: HENDERSON COUNTY - R2R
SETBACKS:
FRONT: 15'
SIDE: 10'
REAR: 10'
TOTAL PROJECT AREA: 25.02 ACRES ±
PROPOSED LOTS : 23
PROPOSED DENSITY:
0.92 UNITS / ACRE
PROPOSED ROADWAYS:
2270 LF
PROPOSED WATER SYSTEM:
PUBLIC - CITY OF HENDERSONVILLE
PROPOSED SEWER SYSTEM
PRIVATE - SEPTIC

SHEET INDEX

SHEET NO.	DESCRIPTION
C-700	OVERALL ROADWAY PLAN
C-701	ROAD "A" PLAN & PROFILE
C-702	ROAD "B" PLAN & PROFILE
C-703	ROAD "C" PLAN & PROFILE

THE ORCHARDS AT HOWARD'S GAP

FLAT ROCK
 HENDERSON COUNTY
 NORTH CAROLINA

Jared DeRidder

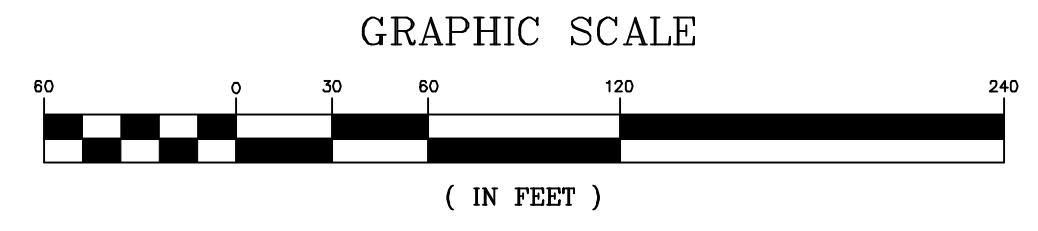
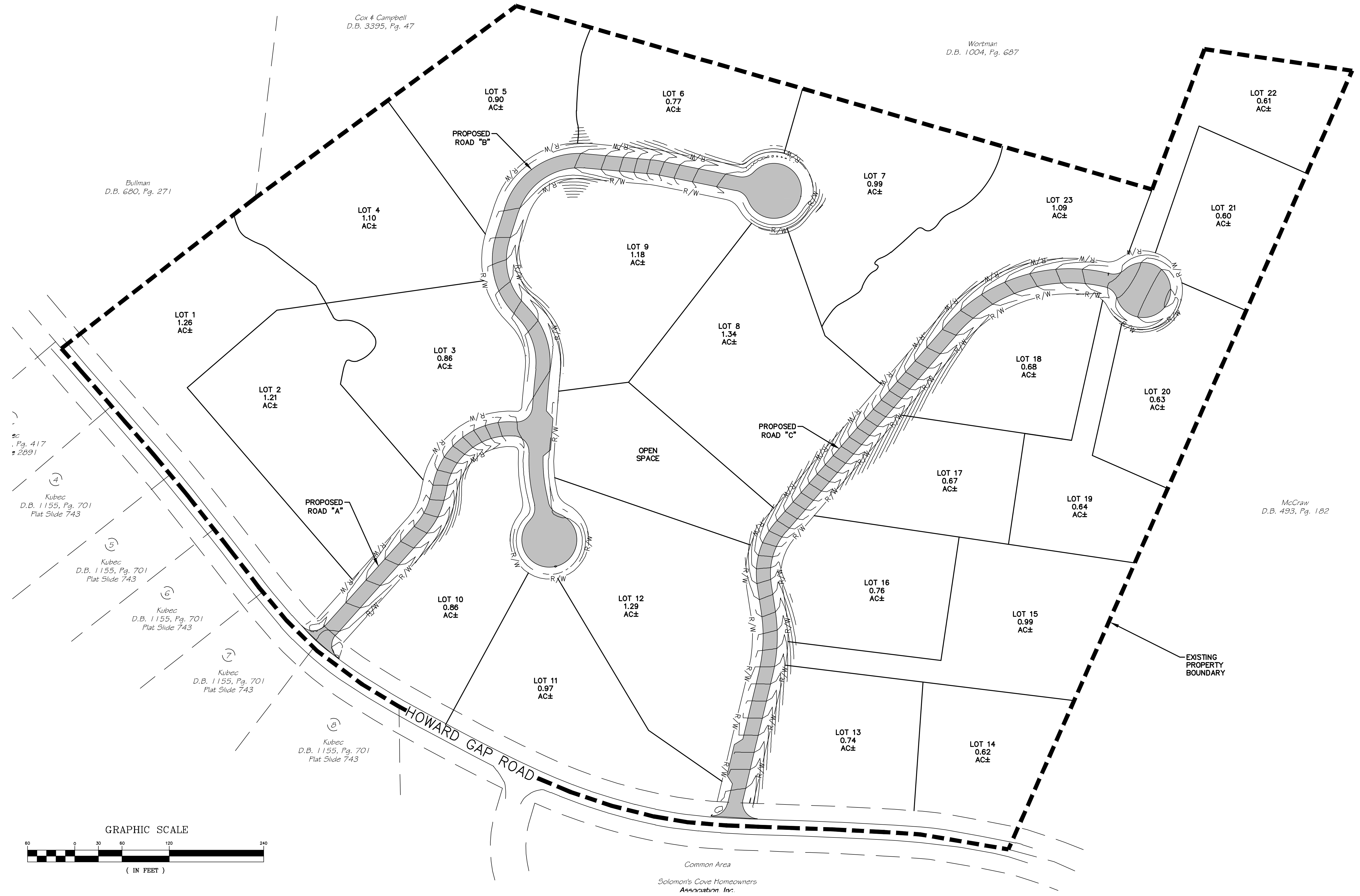
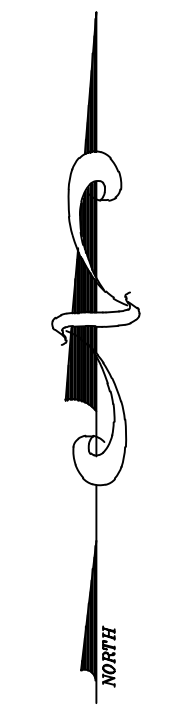
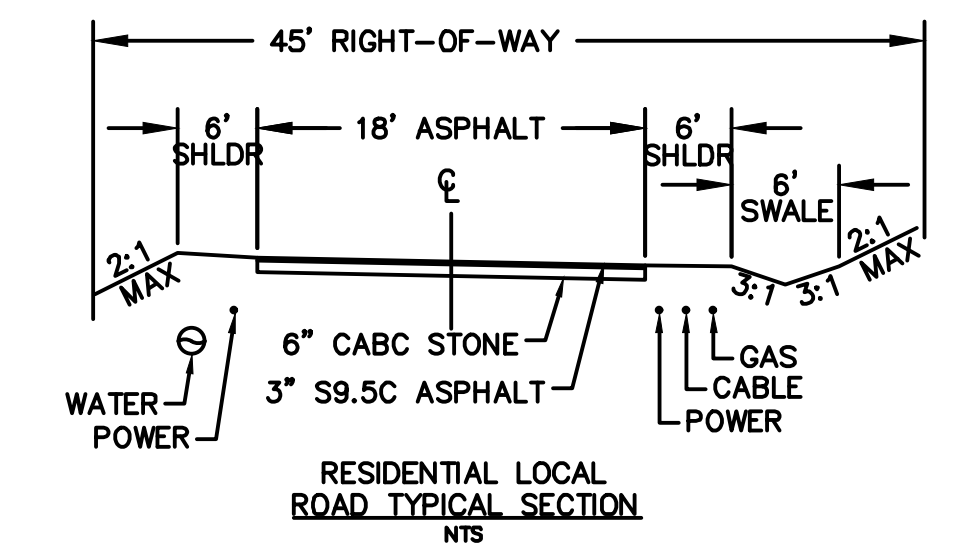
REVISIONS	
DATE	DESCRIPTION

PROJECT NUMBER: 22129
 DATE: 9/26/22
 DRAWN BY: TJV
 CHECKED BY: JLD

OVERALL ROADWAY PLAN

C-700

SCALE: 1"=60'



Common Area
 Solomon's Cove Homeowners Association Inc.

Cox & Campbell
 D.B. 3395, Pg. 47

Bullman
 D.B. 680, Pg. 271

Wortman
 D.B. 1004, Pg. 687

McCraw
 D.B. 493, Pg. 182

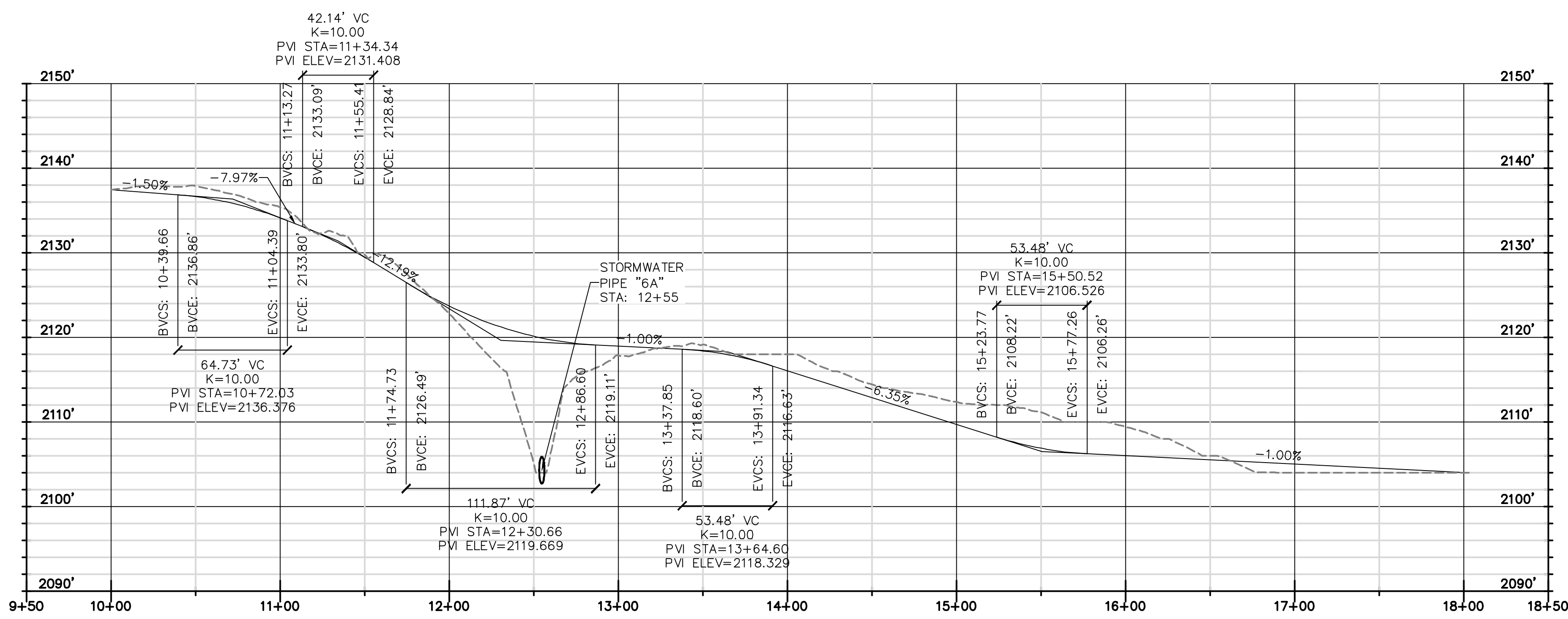
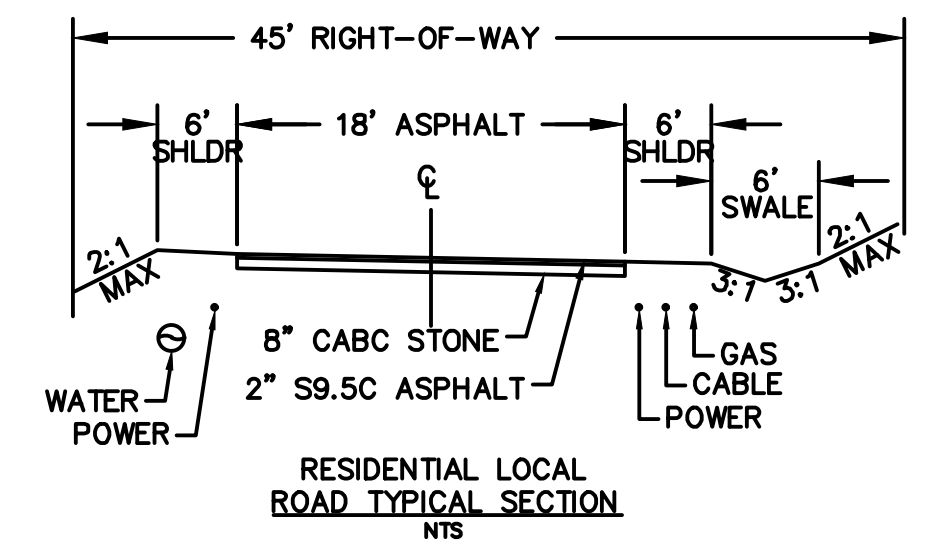
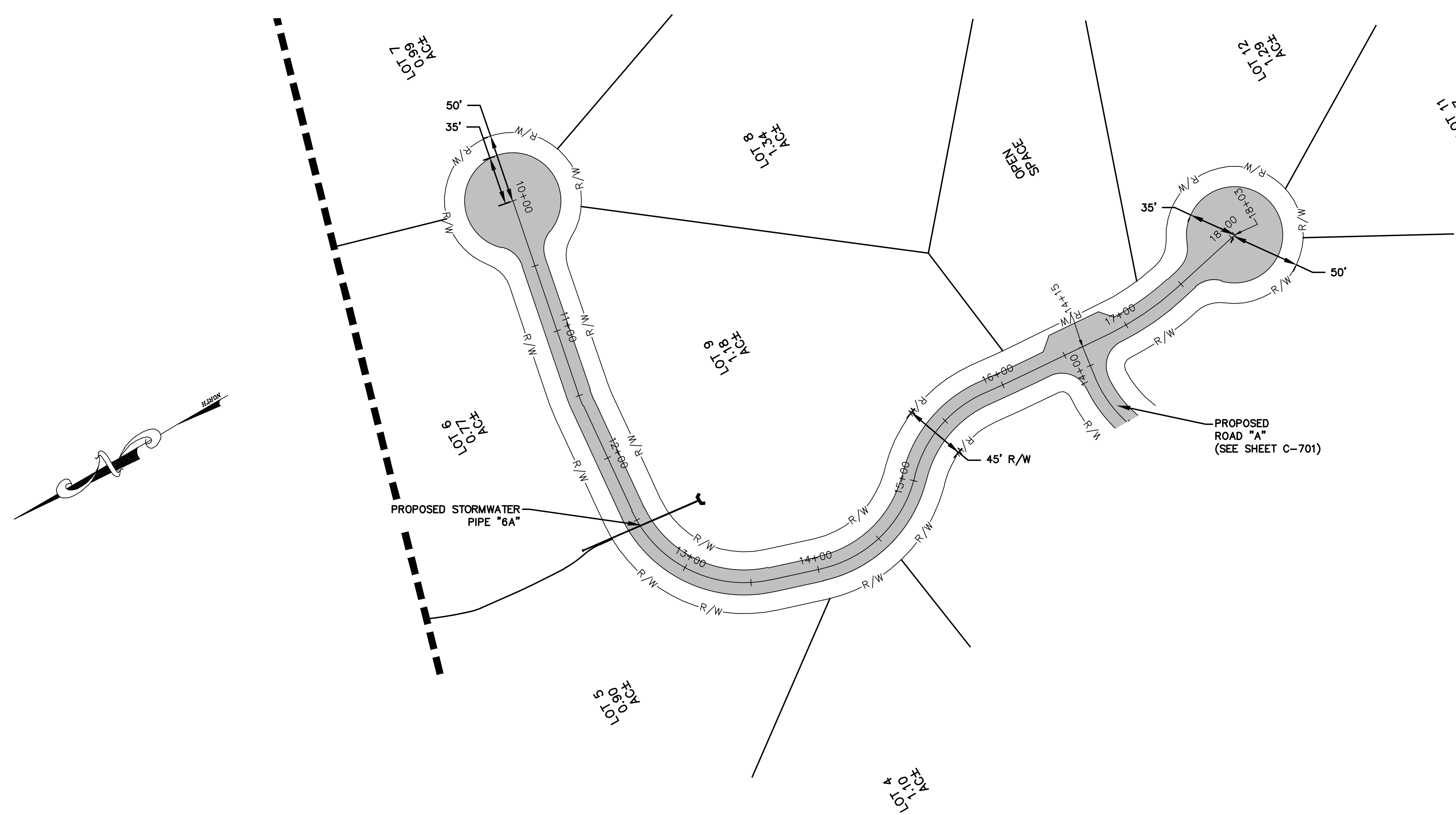
Kubec
 D.B. 1155, Pg. 701
 Plat Slide 743

Kubec
 D.B. 1155, Pg. 701
 Plat Slide 743

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 Plat Slide 743

Kubec
 D.B. 1155, Pg. 701
 Plat Slide 743

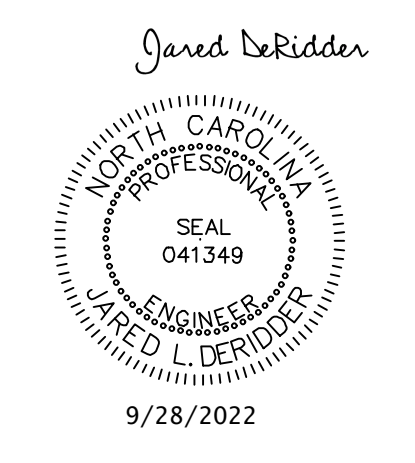


Profile View of Road B
Horizontal Scale: 1"=50' Vertical Scale: 1"=10'

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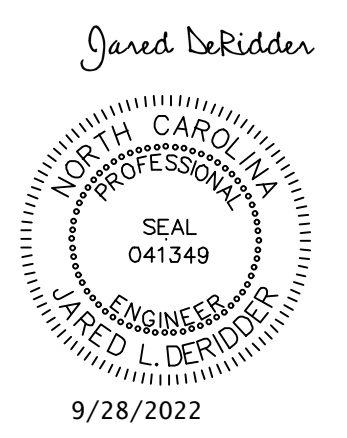
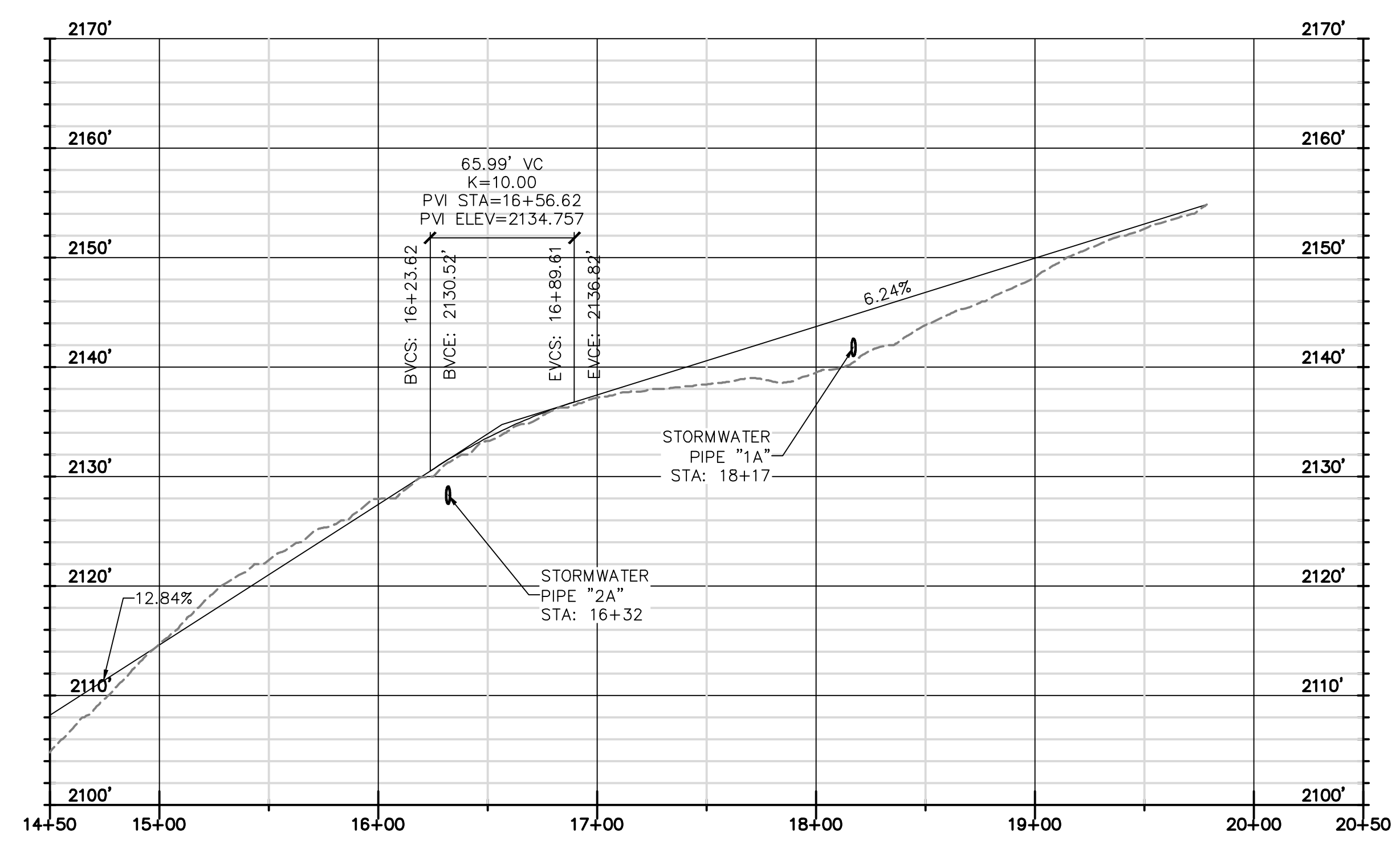
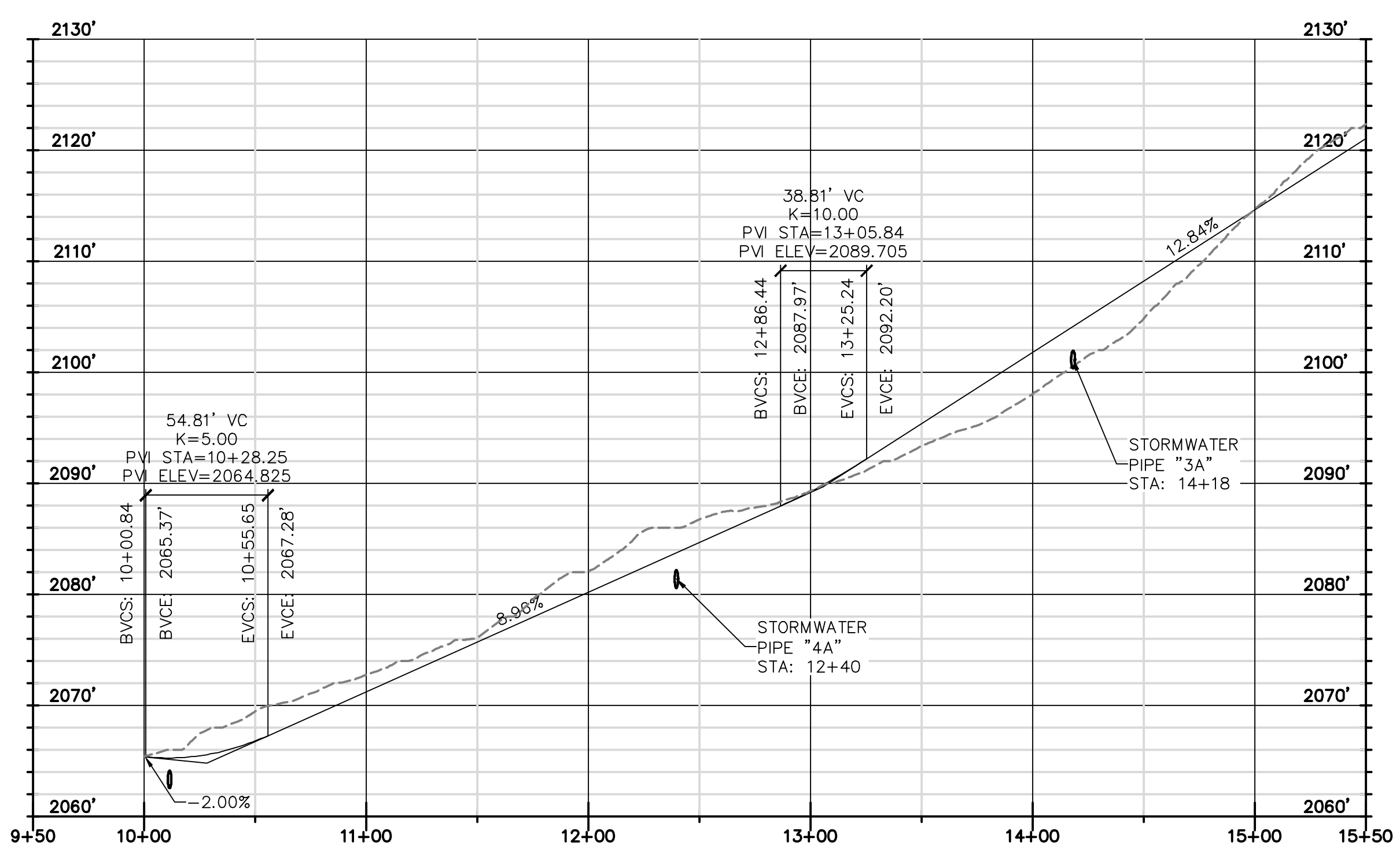
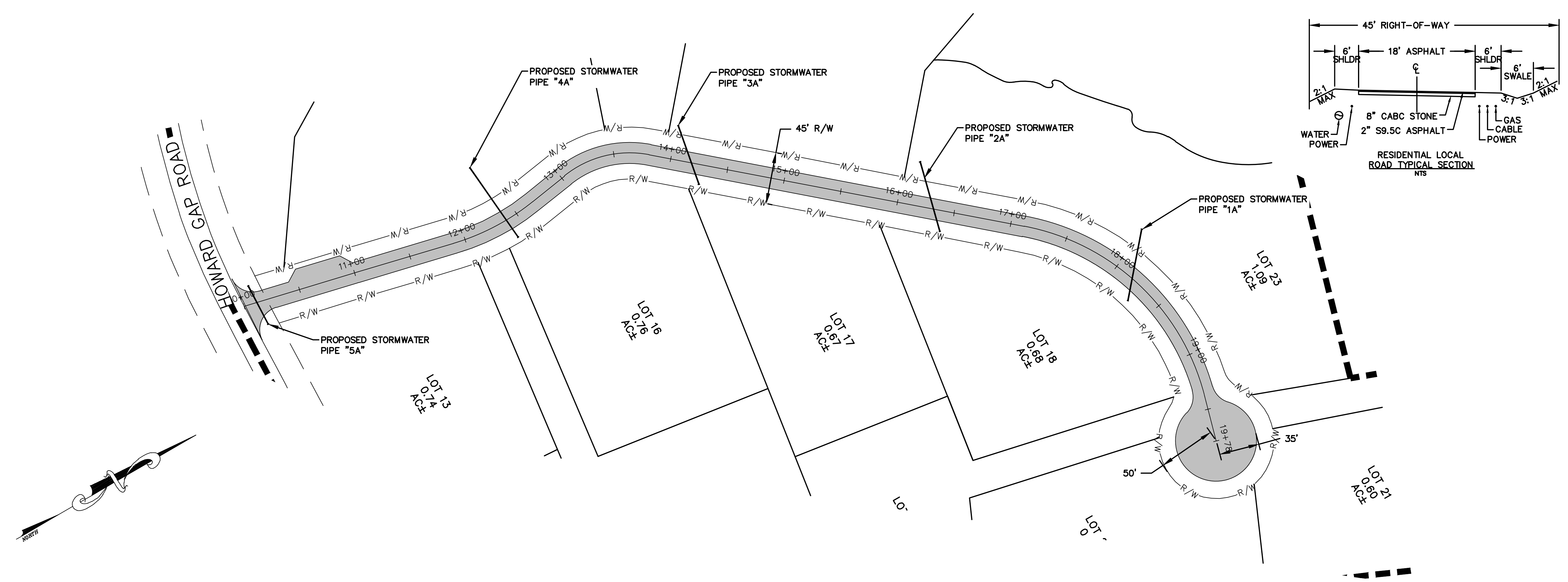
ROAD "B"
STA: 10+00 - END

C-702

SCALE: 1"=50'

THE ORCHARDS AT HOWARD'S GAP

FLAT ROCK
 HENDERSON COUNTY
 NORTH CAROLINA



REVISIONS	
DATE	DESCRIPTION



PROJECT NUMBER: 22129
 DATE: 9/26/22
 DRAWN BY: TJV
 CHECKED BY: JLD

ROAD "C"
 STA: 10+00 - END

C-703

SCALE: 1"=50'

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

SUBDIVISION INFORMATION

Subdivision Name: Howard Gap Road Subdivision

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: 0 Total Number of Proposed Lots: 23

Total Number Proposed Units: 23 Proposed Density (units per acre): 0.94

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

Water System: () Individual () Community (X) Municipal

Sewer System: (X) Individual () Community () Municipal

PARCEL INFORMATION

PIN: 9597-17-4832 Total Acreage: 25.02 Deed Book/Page: 3913/177 Township Unincorporated

Location of property to be divided: Off of Howard Gap Road at the intersection of Howard Gap Road and Solomons Cove Road.

Zoning District: R2R Fire District: Blue Ridge

Water Supply Watershed: Broad School District: Dana

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: Howard Gap, LLC

Phone: 954-963-9331

Address: 3872 NW 126 Ave

City, State, Zip: Coral Springs, FL 33065

Applicant:

Name: Luis Graef

Phone: 954-963-9331

Address: 3872 NW 126 Ave

City, State, Zip: Coral Springs, FL 33065

Agent: Agent Form (Circle One): Yes No

Name: _____

Phone: _____

Address: _____

City, State, Zip: _____

Plan Preparer:

Name: WGLA Engineering, PLLC

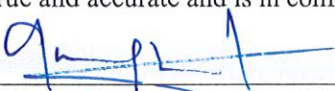
Phone: 828-687-7177

Address: 724 5th Ave West

City, State, Zip: Hendersonville, NC 28759

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

Luis Graef

X 

X 9/1/22

Print Applicant (Owner or Agent)

Signature Applicant (Owner or Agent)

Date

County Use Only

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