

## REQUEST FOR COMMITTEE ACTION

### HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

**MEETING DATE:** Tuesday, August 21<sup>st</sup>, 2018

**SUBJECT:** Combined Master and Development Plan for 35 Old Brickyard, LLC,  
Industrial Major Subdivision (2018 M-06)

**STAFF CONTACT:** Allen McNeill, Planner

**ATTACHMENTS:** 1. Staff Report  
2. Combined Master and Development Plan

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

Jason Spencer of Spencer Surveying and Mapping, applicant, on behalf of 35 Old Brickyard, LLC, owner, submitted a Combined Master and Development Plan for the project known as the 35 Old Brickyard, LLC Industrial major subdivision. The project is located on approximately 2.78 acres of land off Old Brickyard Rd (S.R. 1537).

The Combined Master and Development Plan proposes the creation of 2 lots. The property is serviced by public water, but is without access to public sewer.

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

Staff has found that the Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 42A, Henderson County Land Development Code (LDC).

Staff recommends approval of the Combined Master and Development Plan subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report.

**Suggested Motion:** I move that the TRC approve the Combined Master and Development Plan with the conditions noted in the staff report and any others noted by the TRC.

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**Henderson County Planning Department Staff Report**  
**Combined Master and Development Plan Review For**  
**35 Old Brickyard, LLC**  
**Old Brickyard Rd. (S.R. 1537), Hoopers Creek Township**

**File #M-2018-06**  
**Henderson County**

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**Combined Master and Development Plan Comments:**

According to Chapter 42A, Henderson County Land Development Code (LDC) §42A-341, the purpose of a Combined Master and Development 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 Master and Development 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 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 §42A-75).

Staff has reviewed the submitted the Combined Master and Development Plan for the MB NC Properties, LLC 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:

**Map A: Aerial Map**



1. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located entirely within an Industrial area. (See Map B-1: CCP Future Land Use Map). As indicated in Map B-2: CCP Future Land Use Contextual Map, the subject area is not in close proximity (within 1,800 feet) of another suggested usage area, as defined by the 2020 CCP.

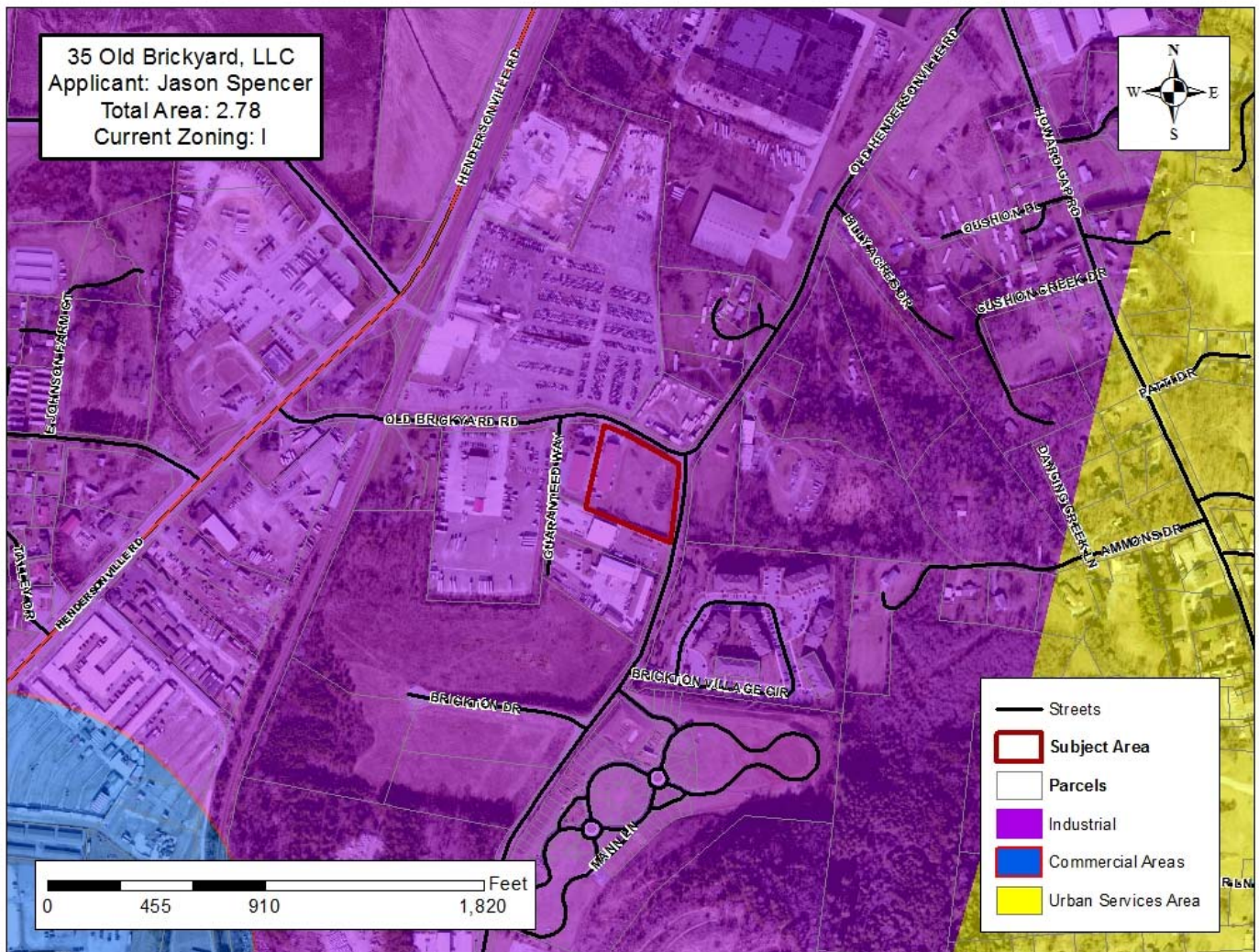
### Map B-1: County Comprehensive Plan Future Land Use Map



- (a) Most defined industrial areas should lie within the Urban Services Area, and in other areas on a very limited basis. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses.

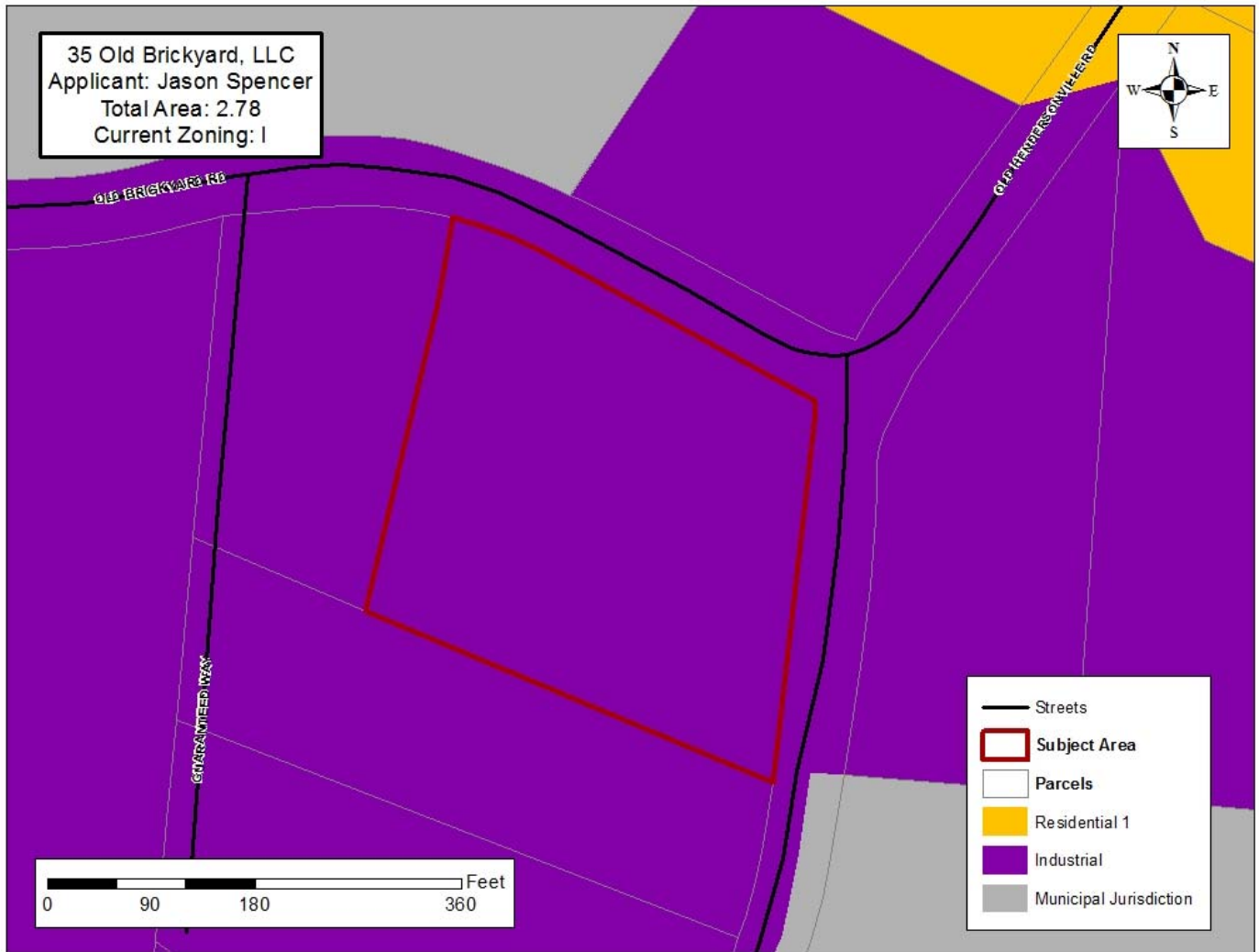


**Map B-2: County Comprehensive Plan Future Land Use Contextual Map**



- Chapter 42A, Henderson County Land Development Code (LDC).** According to Chapter 42A, 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 Industrial zoning district. (See Map C: Official Zoning Map). The applicant is proposing 2 lots, with a proposed 75’ by 75’ steel storage building on the newly created Lot 2 (as indicated in the applicant’s Combined Master and Development Plan).

### Map C: Official Zoning Map



- 3. Water and Sewer Availability.** The applicant is not proposing new public water or public sewer connections. The subject area already has access to public water. (Map D: Utilities Map).



**Map D: Public Utilities**



4. **Proposed Subdivision and Site Plan.** As indicated in Map E, the existing 2.78-acre track is proposed to be subdivided, creating one (1) 0.97-acre tract (Lot 1) and one (1) 1.81-acre tract (Lot 2). Lot 2, includes a proposed 75' by 75' steel storage building, a proposed paved area (unspecified diameters) with a loading dock adjacent to the proposed steel storage building, and a proposed gravel area (unspecified diameters). An existing structure is presently located on the proposed Lot 1 and will lie within required setback requirements of the Industrial Zoning District as defined by the Henderson County Land Development Code.



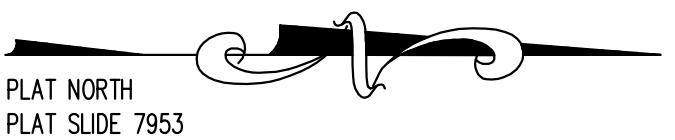
### Map E: Subdivision and Site Plan



#### Combined Master and Development Plan Comments:

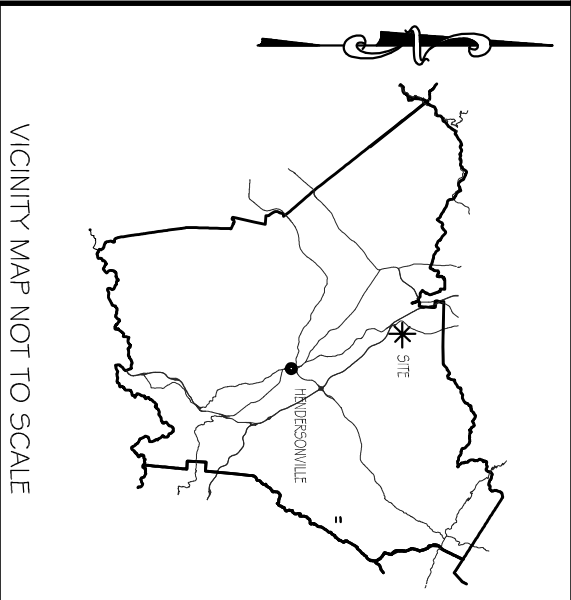
1. **Soil Erosion and Sedimentation Control Plan.** The Applicant shall submit written notice from the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §42A- 113B).
2. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42A-343).
3. **Maximum Impervious Surfaces.** Industrial Zoning Districts allow a maximum impervious surface percentage of 80 percent of the entire lot (LDC §42A-36). The Applicant should make note on the Final Plat that the combined area of any proposed, or existing, impervious surfaces, do not exceed 80 percent of the original lot's total surface area.
4. **NCDOT Driveway Permit.** The applicant as already applied for and received approval for the proposed driveway on Lot 2 as indicated in the Combined Master and Development plan.





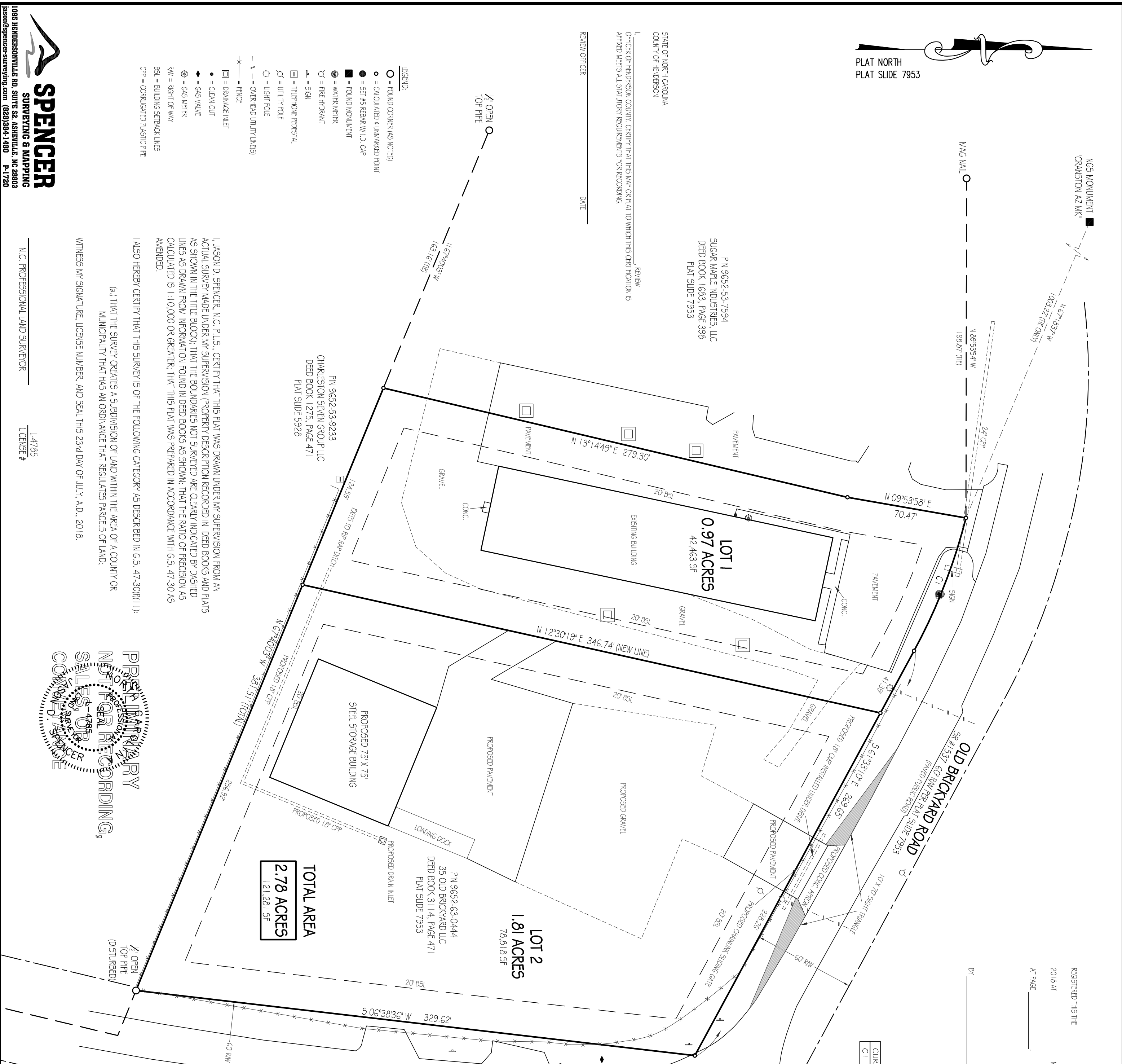
REGISTERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
 2018 AT \_\_\_\_\_ M. RECORDED IN BOOK \_\_\_\_\_  
 AT PAGE \_\_\_\_\_  
 REGISTER OF DEEDS  
 BY \_\_\_\_\_ DEFUTY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	337.50'	83.76'	83.55'	S 69°39'46" E	14°13'10"



STATE OF NORTH CAROLINA  
 COUNTY OF HENDERSON  
 OFFICE OF HENDERSON COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_



- LEGEND:**
- = FOUND CORNER (AS NOTED)
  - = CALCULATED & UNMARKED POINT
  - = SET #3 REBAR W/ I.D. CAP
  - = FOUND MONUMENT
  - ⊗ = WATER METER
  - ⊕ = FIRE HYDRANT
  - ⊖ = SIGN
  - ☒ = TELEPHONE FEDERAL
  - ☒ = UTILITY POLE
  - ☒ = LIGHT POLE
  - ⊖ = OVERHEAD UTILITY (LINE(S))
  - ⊖ = FENCE
  - ☒ = DRAINAGE INLET
  - = CLEAN-OUT
  - = GAS VALVE
  - = GAS METER
  - ⊖ = RIGHT OF WAY
  - BSL = BUILDING SETBACK LINES
  - CFP = CORRELATED PLASTIC PIPE

I, JASON D. SPENCER, N.C. P.L.S., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (PROPERTY DESCRIPTION RECORDED IN DEED BOOKS AND PLATS AS SHOWN IN THE TITLE BLOCK); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DASHED LINES AS DRAWN FROM INFORMATION FOUND IN DEED BOOKS AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

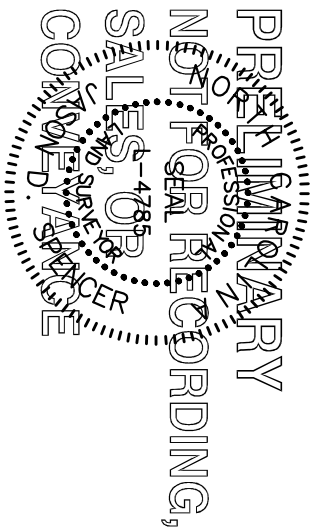
I ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(f)(1):

(a.) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS 23rd DAY OF JULY, A.D., 2018.

N.C. PROFESSIONAL LAND SURVEYOR \_\_\_\_\_

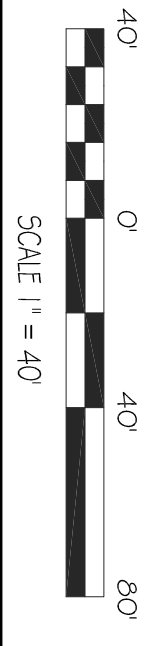
L-4795  
 LICENSE #



OWNER:  
 35 OLD BRICKYARD, LLC  
 PO BOX 926  
 HENDERSONVILLE, NC 28730

DEVELOPMENT PLAN & MASTER PLAN OF THE  
 MAJOR SUBDIVISION SURVEY FOR  
**35 OLD BRICKYARD, LLC**

REFERENCES  
 PIN 9652-53-0444  
 DEED BOOK 3114, PAGE 471  
 PLAT SLIDE 7953  
 HOOPEFS CREEK TOWNSHIP, HENDERSON COUNTY, N.C.  
 DATE: 6-21-2018 DRAWN BY: MSW  
 JOB # 180616 CHECKED BY: JLU



- NOTES:**
- \* TOTAL AREA IS 2.78 ACRES.
  - \* ALL AREAS CALCULATED BY COORDINATE COMPUTATION METHOD.
  - \* THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW.
  - \* THIS SURVEY MAY BE SUBJECT TO ALL RIGHTS-OF-WAYS, EASEMENTS, RESERVATIONS, AND RESTRICTIONS WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
  - \* ADJOINING PROPERTY OWNER INFORMATION TAKEN FROM THE HENDERSON COUNTY GIS WEBSITE.
  - \* NO UNDERGROUND UTILITIES WERE LOCATED.
  - \* CALL 1-800-632-4949 BEFORE DIGGING.
  - \* BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE IN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 37009552001, DATED 10-2-2006.
  - \* ANY RIVERS, STREAMS, CREEKS, PONDS, LAKES, WETLANDS, ETC., LOCATED ON THIS PROPERTY, SHOWN OR NOT SHOWN HEREON, MAY BE SUBJECT TO BUFFER AREAS. IT IS THE OWNER/REVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY PERSONS/FIRMS AUTHORIZED BY THE PROPER AUTHORITIES TO MAKE SUCH DETERMINATION.
  - \* ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
  - \* THIS PROPERTY IS LOCATED IN ZONE INDUSTRIAL; BUILDING SETBACKS ARE AS FOLLOWS:
    - FRONT - 20'
    - SIDE - 20'
    - REAR - 20'