

HENDERSON COUNTY
Planning Department

213 1st Avenue East • Hendersonville, NC 28792
Phone 828-697-4819 • Fax 828-697-4533

MEMORANDUM

TO: Henderson County Planning Board

FROM: Matt Card, Planner

MEETING DATE: April 19, 2007

**SUBJECT: Master Plan Review for Seven Falls Golf and River Club
(File # 07-M10)**

PROJECT OVERVIEW

Mr. William Lapsley, agent, on behalf of Mountain Development Company, LLC, owner and developer, submitted a Master Plan application for Seven Falls Golf and River Club. Seven Falls is located on over 40 different parcels of land totaling 1,398 acres. The applicant has proposed a total of 900 residential units which includes 700 single-family lots, 164 town homes and 36 condominiums. The applicant is also proposing an area titled the Village. The Village, located in the northern portion of the project, will have residential uses (single-family and condominium units) commercial uses, community service uses and recreational service buildings that are only intended to serve the proposed subdivision (see attached project narrative). A 211-acre golf course is also proposed. Excluding the Village area, the subdivision will be developed in six (6) phases.

The applicant is proposing to relocate a portion of two existing public roads; Pleasant Grove Road and Pleasant Grove Church Road. Access to the subdivision will come off of Pleasant Grove Road (proposed new location), Pleasant Grove Church Road and Folly Road (see attached Master Plan). NCDOT will require the applicant to conduct a traffic impact analysis.

According to County tax records it appears that a small portion of the subdivision is not located in a fire insurance district. Individual wells, individual septic systems, private community wells and a private community sewer system are proposed to serve the subdivision. Private roads are proposed. The project site is currently located in the Open Use (OU) zoning district. The applicant and the County are currently working on a development agreement which, if approved by the Board of Commissioners, would allow this project to be vested to current land use regulations

According to County records the southeastern portion of the subdivision is identified as a protected mountain ridge. The height of any buildings or structures located within this area is regulated under N.C.G.S 113A-209 and N.C.G.S 113A-206 (see Staff Comment 4). Seven Falls abuts the French Broad River. The Master Plan shows the floodway for the French Broad River and the 100-year floodplain. According to the Master Plan, a portion of the Village is located in the 100-year floodplain and the proposed location of Pleasant Grove Road will also be in the 100-year flood plain. Please see the attached Master Plan for more information.

STAFF COMMENTS

According to Section 170-16B of the Henderson County Subdivision Ordinance (HCSO), 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. Staff has reviewed the submitted Master Plan for Seven Falls for conformance with Henderson County's Ordinances and offers the following comments:

Master Plan

1. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the subject property as being located within the Rural Agricultural Area (RAA) of the Growth Management Strategy.
 - Through the year 2020 the RAA is expected to remain predominantly rural with low-density residential development because of the location, topography, and lack of public infrastructure for these areas.
 - RAAs are usually so far from public water and sewer as to make extensions of such utilities economically unfeasible.
 - The CCP suggests that areas in the RAA should be developed at an average density of 5 or more acres per residential dwelling unit.
 - The CCP states that extraordinary care should be taken in these areas to preserve their rural character and environmental resources.
 - The CCP also states that land use planning should acknowledge the presence of sensitive natural areas such as floodplains, wetlands, areas of excessively steep topography and other natural assets and should strive to protect these areas from development which would damage such resources or diminish their integrity.
 - The Future Land Use Map shows certain areas of the subdivision that are designated as conservation. It appears that these areas are floodplains, waterfalls and steep slopes. Pursuant to the goals of the CCP, the applicant should work to protect these areas and leave them in their natural state with only limited development. The Planning Board may want to discuss with the applicant the measures for protecting these areas.
2. **Land Development Code (LDC).** According to Draft 7 of the Land Development Code Zoning Map the proposed project site for this subdivision is located in the Residential Zoning District 2 (R2) and Residential Zoning District 3 (R3). The density of Seven Falls is approximately 1 unit per 1.55 acres. The density of Seven Falls is in compliance with the requirements of both residential zoning districts. The proposed multifamily residential uses (fourplex units) and some of the commercial uses (24-room inn) may not be allowed under the Land Development Code. These uses would be vested to the current Open Use zoning district requirements if the Board of Commissioners approves a development agreement for Seven Falls. Since differences exist between proposed densities with the LDC and the CCP, if the LDC is adopted as proposed then the CCP may need to be amended to be consistent with the LDC.
3. **Ownership.** It appears from County records that the owner and developer of the project, Mountain Development Company, LLC, does not own all of the parcels identified in the

subdivision. The applicant must submit agent forms for all people who own property shown as part of Seven Falls. Staff suggests that the Planning Board require, as a condition of approval, Mountain Development Company, LLC, and/or its agent to provide staff with agent forms for every current property owner in Seven Falls.

4. **Compliance with the Mountain Ridge Protection.** As mentioned above, Henderson County has adopted the Mountain Ridge Protection Ordinance which states that the provisions of N.C.G.S 113A-209 apply to all mountain ridges in Henderson County whose elevation is 500 feet or more above the adjacent valley floor. North Carolina G.S. 113A-209 states no county or city may authorize the construction of, and no person may construct, a tall building or structure on any protected mountain ridge. The definition of a tall building found in G.S. 113A-206 is any building with a vertical height of more than 40 feet measured from the top of the foundation and the uppermost point of the building. It also states that where such foundation measured from the natural finished grade of the crest or the natural finished grade of the high side slope of a ridge exceeds 3 feet, then such measurement in excess of 3 feet shall be included in the 40-foot limitation provided that no such building protrudes at its uppermost point above the crest of the ridge by more than 35 feet. The area or ridge under protection is defined as the elongated crest or series of crests at the apex or uppermost point of intersection between two opposite slopes or sides of a mountain, and includes all land 100 feet below the elevation of any portion of such line or surface along the crest. By definition, this affects portions of eastern and southern ridges of the project site.
5. **Floodplain Ordinance.** See attached comments from Natalie Berry, Henderson County Floodplain Administrator, as well as Fire Marshal's comments regarding floodplain development and access.
6. **Water and Sewerage Systems.** According to Section 170-20, B(1) of the Subdivision Ordinance, a subdivision shall be required to connect to a public water supply system when the subdivision is located within a distance from the existing water system equal to the product of 100 feet multiplied by the number of lots proposed for the subdivision. However, if the subdivision is located more than 5,000 feet from an existing water line, such connection is not a requirement. The distance to public water was not labeled on the Master Plan because these details are generally reviewed during Development Plan review. If the applicant is within 5,000 feet of the nearest public water line, then the applicant shall be required to connect to this system. The applicant should clarify at the meeting the location of the nearest public water line. The applicant should also discuss the sewerage system for the subdivision.

Review Agency Comments

7. **Comments from the Fire Marshal.** The Henderson County Fire Marshal's Office submitted comments regarding the subdivision (see attached). Note: The Planning Board can only require the applicant to meet the minimum standards of the Henderson County Subdivision Ordinance; the Planning Board may not have the authority to require any additional standards.

8. **Comments from Property Addressing Office.** See attached comments regarding road names.

STAFF RECOMMENDATION

Staff has found that the proposed Master Plan appears to meet the standards of the Subdivision Ordinance for Master Plan review. Although the subdivision is inconsistent with recommendations of the County Comprehensive Plan the subdivision is consistent with the density requirements of the Land Development Code. The applicant should strive to protect land identified as conservation on the Future Land Use Map of the CCP from development which would damage these resources or diminish their integrity. Staff recommends approval of the Master Plan subject to the developer addressing any issues raised by the Planning Board and satisfactorily addressing the comments listed above.

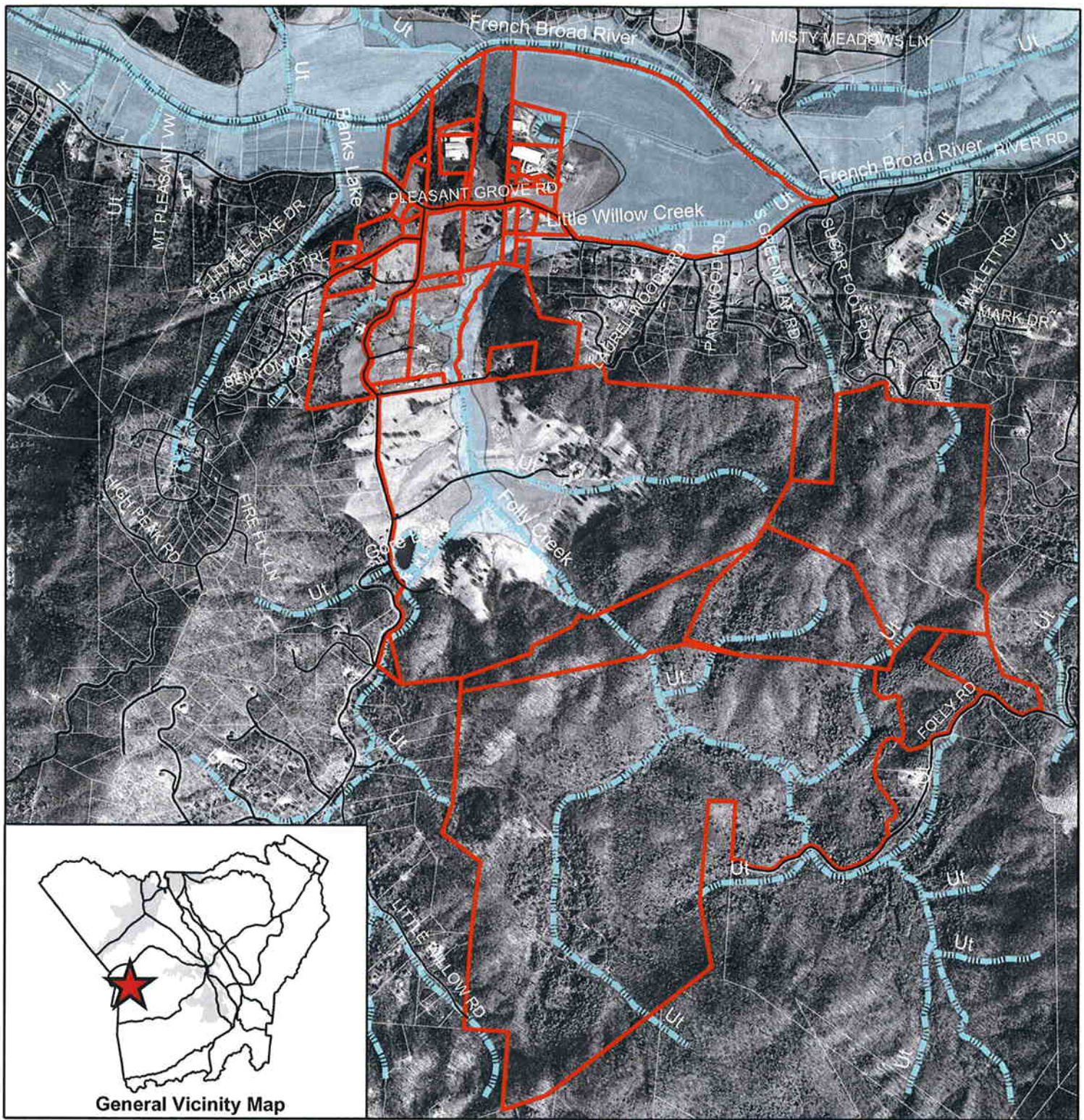
PLANNING BOARD ACTION

Suggested Motion

I move that the Planning Board find and conclude that the Master Plan appears to comply with the provisions of the Subdivision Ordinance;

AND

I further move that the Master Plan be approved subject to the following conditions: the applicant satisfies any conditions that may result from the comments listed above and any other comments that result from discussion at the Planning Board meeting.



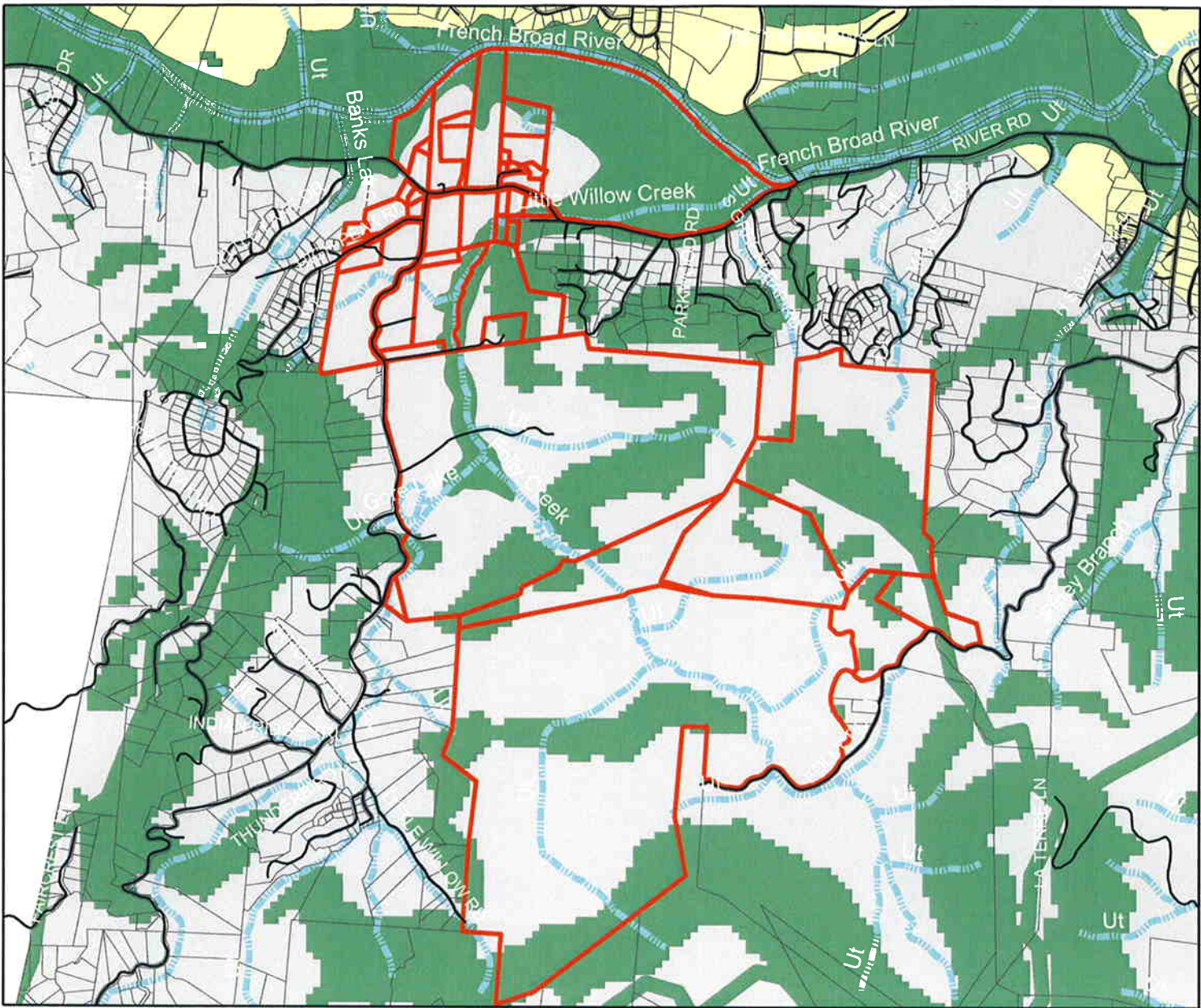
Seven Falls Golf & River Club

DEVELOPER & OWNER: Mountain Development Company, LLC
AGENT: William Lapsley & Associates P.A.
ZONING: OU
WATERSHED: None
WATER SYSTEM: Private Well and/or Community
SEWER SYSTEM: Private Septic and/or Community
ROAD SYSTEM: Private



LEGEND

- Roads
- Parcels
- Surface Water
- Floodplain
- Seven Falls



Seven Falls Golf & River Club

LEGEND

- Roads
- Parcels
- Surface Water
- Seven Falls

Future_Land_Use_Map

- CONSERVATION
- Rural/Open Space/Agriculture
- Rural/Urban Transition Community



Map Created by the Henderson County Planning Department on 4/12/07 (see Master Plan for exact location of project and more information)

**HENDERSON COUNTY
SUBDIVISION APPLICATION FORM**



Date of Application _____ Subdivision Name SEVEN FALLS GOLF RIVER CLUB
PHASE I Application Number _____

☒ Major Subdivision ☐ Minor Subdivision ☐ Other

Property Owners Name: MOUNTAIN DEVELOPMENT CO., LLC
Address: 32 ORANGE STREET
City, State, Zip: ASHEVILLE, NC 28803
Owner's Agent: WILLIAM G. LAPSLEY
Telephone No: 697-7334

PIN _____ Deed Book/Page _____

Zoning District OU Fire District ETOWAH Watershed —

Location _____ of _____ property _____ to _____ be
divided: US HWY 64 TO ETOWAH SCHOOL ROAD TO PLEASANT GROVE
ROAD.

Type of Subdivision: ☒ Residential () Commercial () Industrial Present Use _____

No. Lots Created _____ Original Tract Size _____ New Tract Size _____ No. New Lots _____

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

Water System: ☒ Individual () Community () Municipal

Sewer System: ☒ Individual () Community () Municipal

Fee: \$ _____ Paid _____ Method CHECK

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

WILLIAM G. LAPSLEY 
APPLICANT (OWNER OR AGENT) DATE

Development _____ Plan _____ Approval _____ / _____ Conditions

Final Plat Approval: _____ Plat Recorded _____



APPOINTMENT OF AGENT FORM (OPTIONAL)

I KEITH VINSON owner of property located on PLEASANT GROVE CHURCH ROAD
(name) (street name)

recorded in 1277/498 and having a parcel identification number (PIN) of 9528-61-9654
(deed book / page)


located in Henderson County, North Carolina, do hereby appoint WILLIAM G. LAPSLEY
(agent's name)

to represent me in an application for subdivision of land and authorize him/her to act as my agent in all matters, formal

and informal except as stated herein, and authorize him / her to receive all official correspondence. I however

understand that as the listed property owner, I must sign all affidavits and statements required by this Ordinance.

Property Owner


Managing Member
Mountain Development Co., LLC.

2.20.07

date

Rec'd 2400⁰⁰
2/27/07
Check # 28997

PROJECT NARRATIVE SEVEN FALLS GOLF & RIVER CLUB



Project Description

The Seven Falls Golf & River Club is a planned residential golf course community located near Etowah, North Carolina. The development will encompass approximately 1,400 acres of land that includes 38 individual parcels to be acquired by the developer.

Existing Land Uses

The parcels included in this development are currently a mixed use of farmland, pasture land, dairy farm, creamery, industrial (plastics) plant, single family residential (including mobile home units) and woodland areas. Some of the woodland areas have been timbered in recent years.

Proposed Land Uses

The proposed development will include a mixture of land uses including:

Club Services	Golf Clubhouse (w/dining)
	Wellness Center
	Swim Club
	Tennis Center
	Golf Snack Shop
	Golf Learning Center
Community Services	General Store
	Chapel
	Bike Shop
	Sports Bar
	Inn (24 room)
	Nature Center
	River Outfitter
	Kids Activity Center
Residential	Sales Center
	Single Family Homesites (0.2 ac. to 2 acres+)
	Townhomes – Fourplex Units
	Duplex Units
	Condominiums – Single Family above community & club service buildings.

A land use summary table is shown on the Master Plan.

Development Schedule

The scope of this proposed project is such that a 10 year build-out schedule is anticipated. The tentative site development schedule is as follows.

	<u>Start Date</u>	<u>Completion Date</u>
Phase I	6/2007	6/2008
Village	12/2007	12/2008
Phase II	6/2008	6/2009
Phase III	6/2009	6/2010
Phase IV	6/2010	6/2011
Phase V	6/2011	6/2012
Phase VI	6/2012	6/2013

Building Descriptions

There are a variety of proposed buildings to be constructed within this development – briefly described as follows:

Single Family Residential

Village Lots – These will be two (2) story units varying in size from 1,400 to 3,000sf. constructed on a small 0.20 ac. Lot. Attached is a typical lot plan w/ setbacks.

Estate Lost - These will be large homes (1-3 story) varying in size from 2,500 sf to 10,000sf. Constructed on large lots varying in size from 1.0 – 3.0 acres. Attached is a typical lot plan w/setbacks.

Condominium Units – These will be single family units constructed on the 2nd Floor above the various community/club service buildings. The units will vary in size from 1,200 sf to 3,000 sf.

Multi-family Residential

Fourplex Units – These will be large single family homes constructed with common walls. The size will vary from 2700 sf to 3433 sf. Attached is a typical floor plan of the building. The buildings will be clustered at various locations within the development as shown on the Master Plan.

Duplex Units – These will be large single family homes constructed with a common wall (2 units per building). The size will be 3,433 sf. Attached is a typical floor plan of the building. The buildings will be clustered at various locations within the development as shown on the Master Plan.

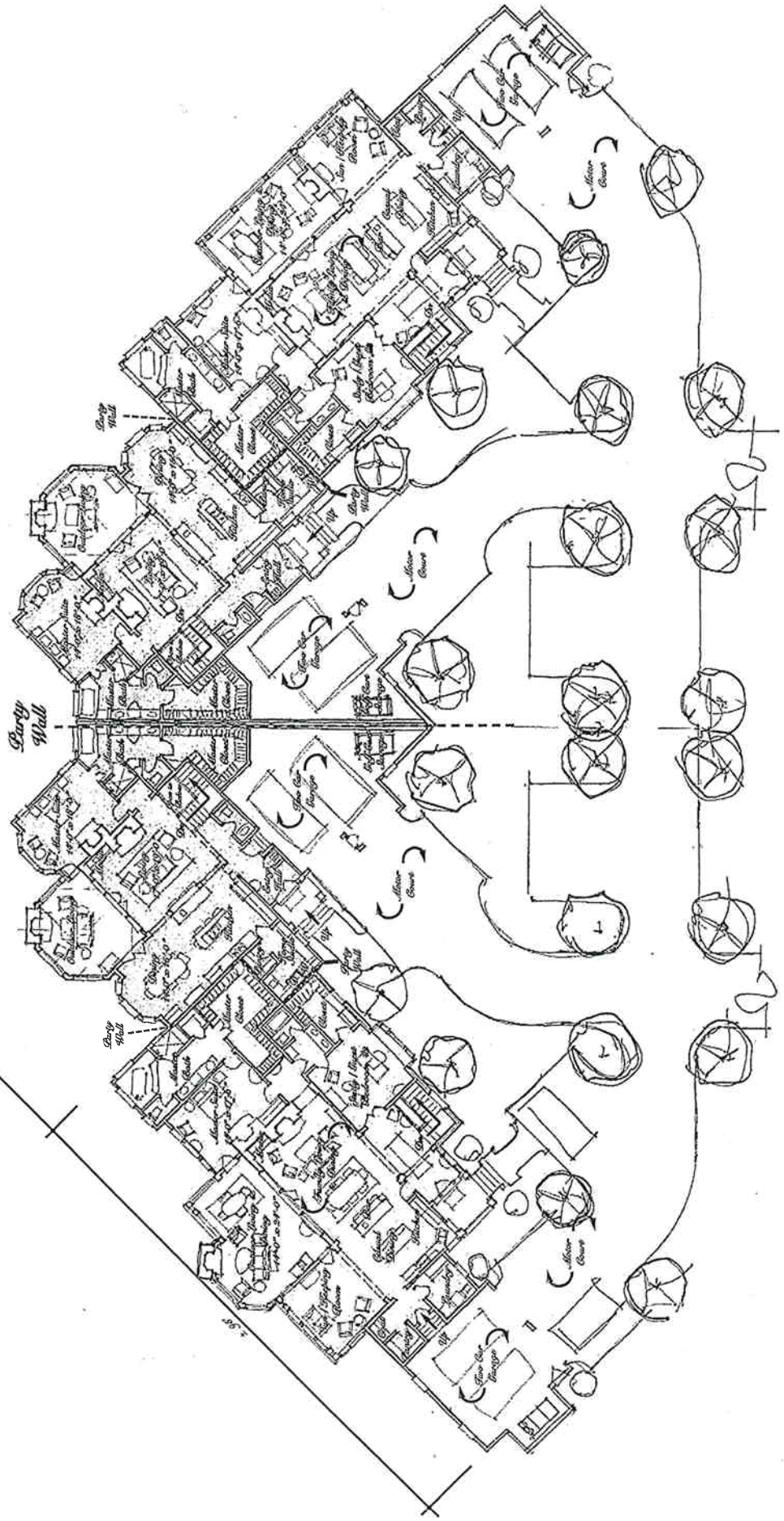
Club Service Buildings –

Golf Clubhouse –	3 story/30,000 sq ft.
Wellness Center –	2 story/10,000 sq ft
Swim Club –	1 story / 4,500 sq ft.
Tennis Center	2 story / 2,500 sq. ft.
Golf Snack Shop -	1 story / 1,500 sq ft.
Golf Learning Center	1 story / 2,000 sq ft.

Community Service Buildings

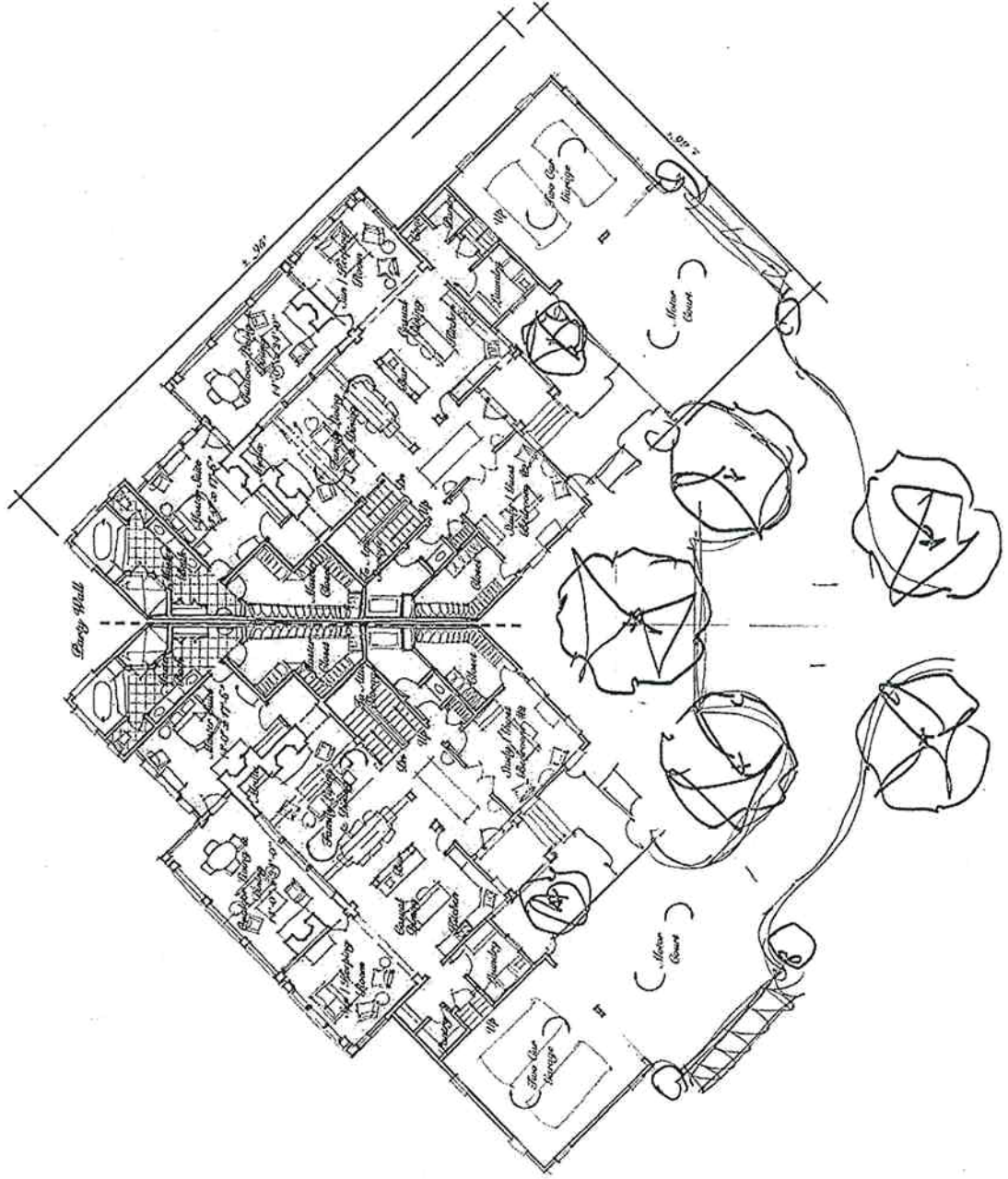
General Store	2 story / 3,500 sq ft
Chapel	1 story / 1,500 sq ft
Bike Shop	2 story / 2,000 sq ft
Sports Bar	2 story / 6,000 sq ft.
Inn	2 story / 24,000 sq ft.
Nature Center	1 story / 1,500 sq ft.
River Outfitter	1 story / 4,000 sq ft.
KidsActivityCenter	1 story / 2,500 sq ft.

4 UNIT BUILDING MAIN LEVEL FLOORPLANS



PLAN "AL" PLAN "BL" PLAN "BR" PLAN "AR"

2 UNIT BUILDING MAIN LEVEL FLOORPLANS

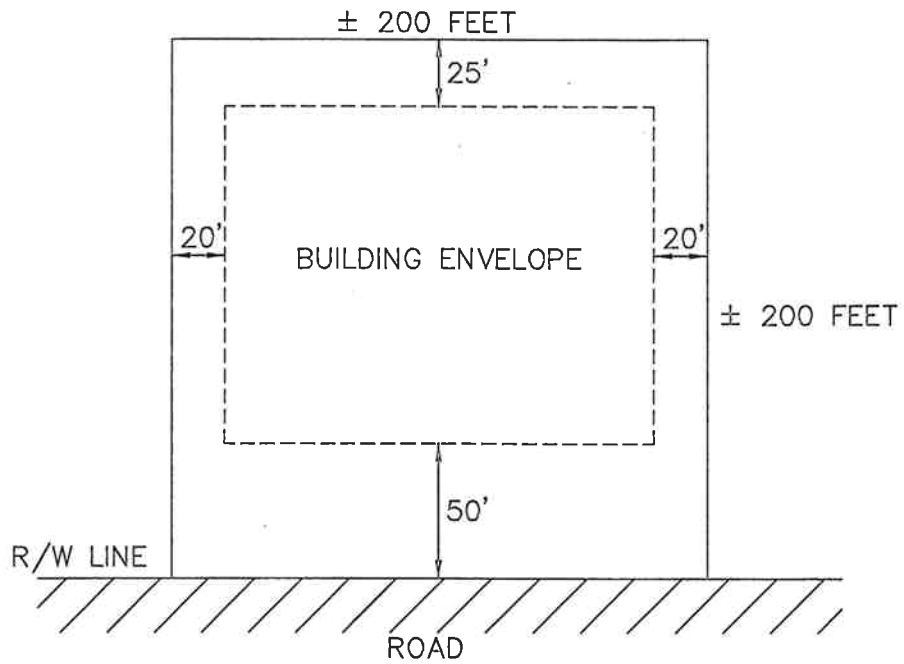


PLAN "AL"

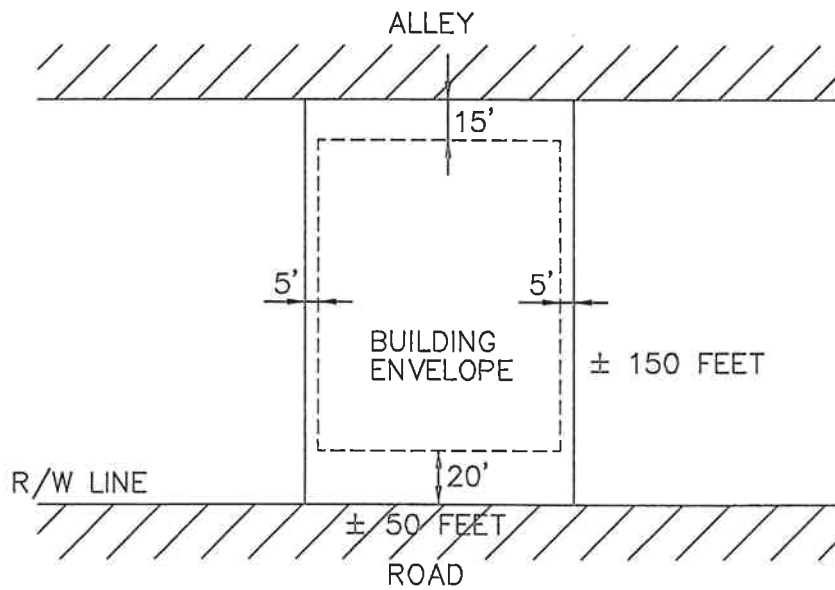
HEATED SQUARE FOOTAGE	
Main Level	2,413 sq.ft.
Upper Level	1,020 sq.ft.
Total	3,433 sq.ft.

PLAN "AR"

HEATED SQUARE FOOTAGE	
Main Level	2,413 sq.ft.
Upper Level	1,020 sq.ft.
Total	3,433 sq.ft.



TYPICAL ESTATE LOT
N.T.S.



TYPICAL VILLAGE LOT
N.T.S.

SEVEN FALLS GOLF & RIVER CLUB
SINGLE FAMILY RESIDENTIAL HOMESITES

HENDERSON COUNTY PLANNING DEPARTMENT REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application **#2007-M10 (Seven Falls)** and offer the following comments:

Hydrants – The NC Fire Prevention Code requires a fire hydrant located within 400 feet of any portion of a commercial building (clubhouse, proshop, multifamily dwellings with more than two units). Since the development will be located in an area without a public water system, dry hydrants should be located as close as possible to the commercial structures and in other lakes and streams serving the residential community.

Roads – The additional road mileage created by this development will require an additional station for Etowah Horse-Shoe fire department in order to maintain the six road mile limit required by the NC Department of Insurance. Access roads must provide 13'6" vertical clearance and extend to within 150 feet of any portion of a commercial building. Roads located within a flood zone should be constructed in a manner to prevent closure due to flooding.

Entry Gates – Should comply with the Henderson County Entry Gate Ordinance.

<u>Rocky Hyder</u>	<u>Emergency Services</u>	<u>3/04/07</u>
Reviewed By	Agency	Date

Please return to: Matt Card, Planner
Henderson County Planning Department
213 First Avenue East
Hendersonville, NC 28792
mscard@hendersoncountync.org

File No. 2007- M10

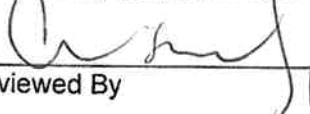
HENDERSON COUNTY PLANNING DEPARTMENT

REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application #2007-M10 (Seven Falls Golf and River Club) and offer the following comments:

Will need list of proposed Rd names
for subdivision. If moving of Pleasant Grove
is approved, old section of ~~Rd~~ Road will
retain name, new ~~Rd~~ Road name will be
needed for new section

(If necessary use back of form or additional sheets for comments)


Reviewed By

Prop Add
Agency

4-4-07
Date

Please Return to:

Matt Card, Planner
Henderson County Planning Department
213 1st Avenue East
Hendersonville, NC 28792
mscard@hendersoncountync.org

File No. 2007-M10

2007-04-05

Comments

Zoning = Open Use - Does not regulate Golf Courses, town homes, condominiums, and SFD. Commercial cannot contain the 200-32.1.F.1.a-k.

Protected Mountain Ridges - some of the parcels are within the protected mountain ridges. The protected mountain ridge ordinance does apply. This generally keeps structures under 40 feet high and has other regulations. This ordinance is chapter 121 of the Henderson County Code of ordinances.

Floodplain = 3701250090B March, 1981 several of the 40+/- parcels does lie within a special flood hazard area. Please show the floodplain information on the plan. Base Flood Elevation Contour (BFE) lines Finished Floor Elevations of any structure inside of BFE Map information in written form (i.e. Map Number 37021250090B 3-81) Fill must be kept to a maximum of 20% fill of the flood fringe area only (need calculations showing the limit of 20%). Permits are required for placement of fill in the Special Flood Hazard Area. Permits are required for construction of all structures located on any parcel that has a special flood hazard designated. These structures have specific requirements such as special foundation walls and elevation certification.

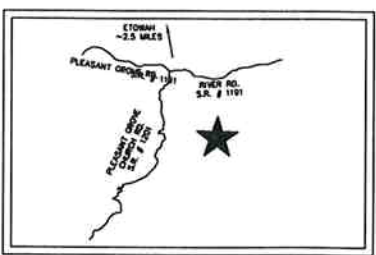
Natalie Jo Berry, Zoning Administrator - HC











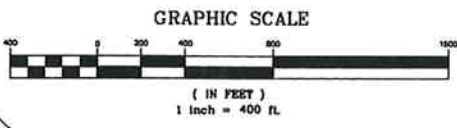
VICINITY MAP
(N.T.S.)

Owner/Developer:
 Seven Falls, LLC
 P.O. Box 5778
 Asheville, North Carolina 28813
 Mountain Development Co., LLC
 208 Folkstone Lane
 Arden, North Carolina 28704

Land Use Summary

Phase	Area	Estate Lots	Town Homes	Total
I	217 ac	126	40	166
II	127 ac	63	14	77
III	221 ac	92	70	162
IV	154 ac	88	-----	88
V	111 ac	52	8	60
VI	119 ac	64	12	76
Village				
Single Family		191	-----	191
Town Homes		-----	18	18
Condominiums		-----	36	36
	232 ac	676	162	838
Golf Course	216 ac	-----	-----	-----
	1397 ac	676	162	838

Density: 1 Unit per: 160 acres



Land Surveyor:
 Ed Holmes and Associates
 P.O. Box 17335
 374 Old County Home Road
 Asheville, North Carolina 28808
 828-225-8582
 www.edholmesurveying.com

Topographic Map:
 Special Data, Inc.
 1008 Hutton Lane, Suite 108
 High Point, North Carolina 27828
 336-841-1247
 www.spdat.com

3/20/07
 WILLIAM G. LAPSLEY & ASSOCIATES P.A.
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 828-697-7354 • Fax 828-697-7033

date: 8/06
 job: 07108
 drawn: KHC



WILLIAM G. LAPSLEY & ASSOCIATES P.A.
 CONSULTING ENGINEERS & LAND PLANNERS
 HENDERSONVILLE, NORTH CAROLINA

SEVEN FALLS
 GOLF & RIVER CLUB
 HENDERSON COUNTY
 NORTH CAROLINA

MASTER
 DEVELOPMENT PLAN