

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

9

MEETING DATE: Thursday, May 17, 2007

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Application Materials
4. Review Agency Response Form – City of Hendersonville
5. Review Agency Response Form – Fire Marshal's Office
6. Review Agency Response Form – Environmental Health
7. Combined Revised Master Plan and Development Plan

SUBJECT: Combined Revised Master Plan and Development Plan for Crystal Creek, Phase II and Crystal Cove

SUMMARY OF REQUEST:

Mr. Jon Laughter, agent, on behalf of Etowah Developers, LLC, owner, submitted a revised Master Plan and Phase II Development Plan for Crystal Creek. Mr. Laughter is also showing a new area labeled as Crystal Cove (see Plan). A total of 14 new lots on 15.79 acres of land are proposed in Crystal Creek Phase II and Crystal Cove.

STAFF RECOMMENDATION

Staff has found that the proposed Combined Master Plan and Development Plan appears to meet the standards of the Subdivision Ordinance except for the issues addressed in the Staff Comments section of the Staff Report. Staff recommends approval of the Combined Master Plan and Development Plan subject to the developer addressing any issues raised by the Planning Board and satisfactorily addressing the comments listed in the Staff Report. All conditions from previous approvals still apply to the subdivision.

PLANNING BOARD ACTION

Suggested Motion

I move that the Planning Board find and conclude that the Combined Master Plan and Development Plan complies with the provisions of the Subdivision Ordinance except for those matters addressed in Staff Comments section of the Staff Report that need to be addressed;

AND

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

Henderson County Planning Department Staff Report

Revised Master Plan and Phase II Development Plan for Crystal Creek and Crystal Cove Major Subdivision (File # 07-M17)

PROJECT OVERVIEW

Mr. Jon Laughter, agent, on behalf of Etowah Developers, LLC, owner, submitted a revised Master Plan and Phase II Development Plan for Crystal Creek. Mr. Laughter is also showing a new area labeled as Crystal Cove (see Plan). The Planning Board approved the original Master Plan for Crystal Creek and Crystal Heights on July 18, 2006. The Development Plans for Crystal Creek and Crystal Heights were approved on September 19, 2006.

A total of 14 new lots on 15.79 acres of land are proposed in Crystal Creek Phase II and Crystal Cove. The applicant has proposed public water (water supplied by City of Hendersonville through a private water system) and individual septic systems. Public roads are proposed. The project is located in the Open Use zoning district.

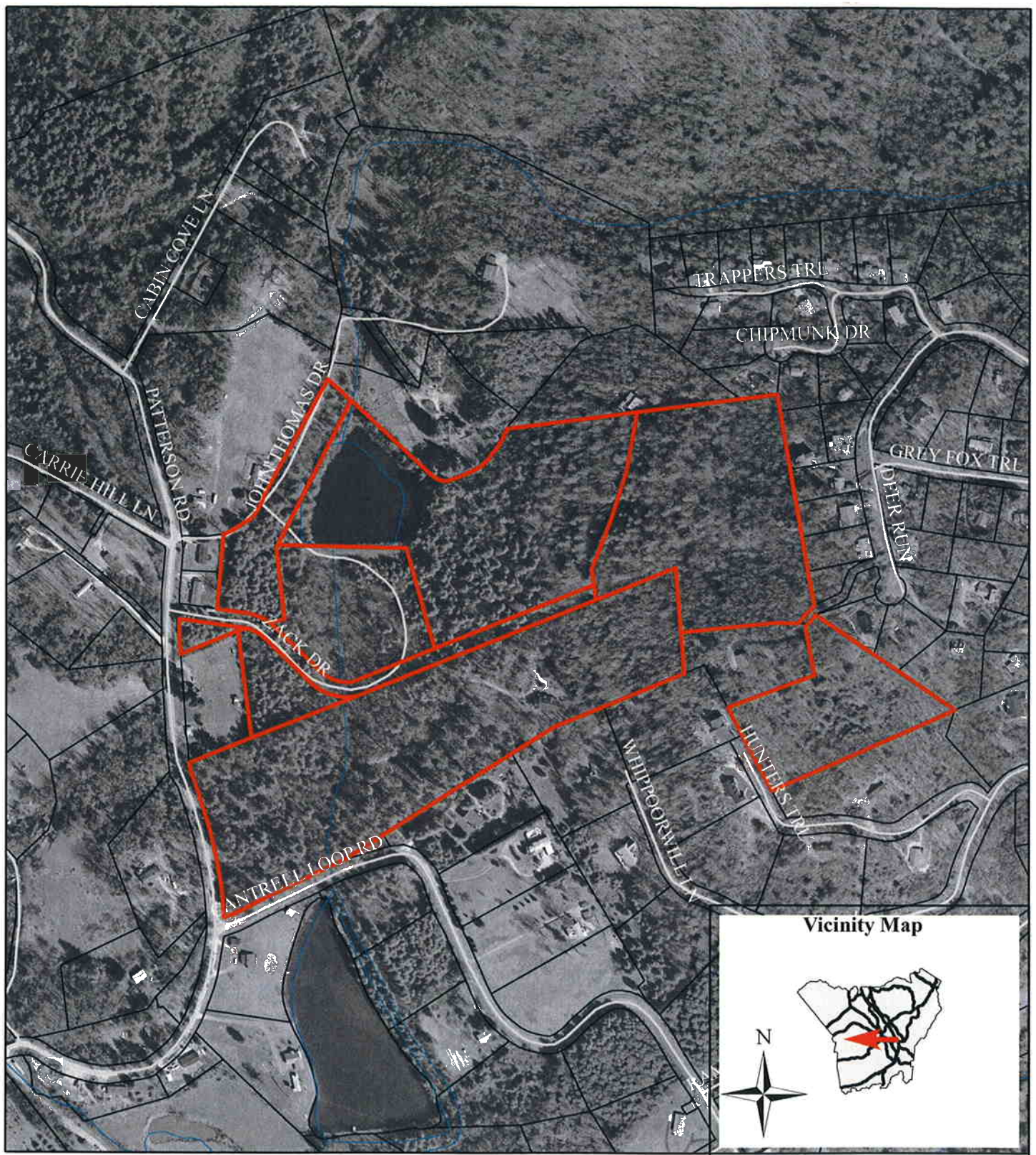
STAFF COMMENTS

1. **Public Roads.** The applicant has proposed public roads. The proposed roads must be designed and constructed according to NCDOT's minimum construction standards for subdivision roads. Staff is concerned about the proposed intersection or curve in Crystal Mountain Drive. This design may not meet NCDOT's minimum subdivision road standards. Staff suggests that the applicant contact NCDOT regarding the design and construction of these roads. Any changes to the layout of the proposed road system will require a revised Master Plan and Development Plan be submitted to the Planning Department for review. All roads proposed for public use shall be annotated as "public" on all plans and final plats (Section 170-21A).
2. **Stream Setbacks.** A minimum thirty-foot setback for buildings or other structures is required along all perennial streams. The thirty-foot setback must be noted on the final plat (HCSO 170-37, A).
3. **Soil Erosion and Sedimentation Control.** The Developer should submit notice from NCDENR that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to beginning construction.
4. **Water Supply.** See attached comments from the City of Hendersonville Water and Sewer Department regarding the water system. The applicant has proposed public water (City of Hendersonville) through a limited private water system. According to the HCSO, the applicant must provide evidence that the water supply plans have been approved by the appropriate agency. The development plan may be approved contingent on final approval from such agency; however, the final plat shall not be approved until all such final approvals have been obtained. Any subdivision served by a public water system shall meet the respective county or municipality's minimum requirements for fire hydrant installation (HSCO 170-20).

5. **Numbering of Lots.** Lots in Phase II of Crystal Creek and Crystal Cove should be numbered consecutively with the previous phases of the subdivision. A revised Master Plan and Development Plan, submitted to the Planning Department for review, should show that all lots in the subdivision are numbered consecutively.
6. **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). The density of Crystal Creek including all phases of the subdivision is approximately .9 units per 1 acre. The density of Crystal Creek and Crystal Cove is in compliance with the requirements of the proposed R2 Zoning District.

Review Agency Comments

7. **Comments from City of Hendersonville.** See attached comments regarding City water.
8. **Comments from the Fire Marshal.** See attached comments from the Henderson County Fire Marshal's office. 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.
9. **Comments from the Environmental Health Department.** See attached comments.



Crystal Creek, Crystal Heights and Crystal Cove

Current Owner: Etowah Developers, LLC and
Dan Ducote Enterprises, Inc.

Agent: Associated Land Surveyors

Zoning: OU

Roads System: Public

Water System: Public

Sewer System: Individual Septic

Henderson County Planning Department 5/1/07

Legend

-  Streets
-  Official Blue Line Streams
-  Parcels
-  Project Site

Crystal Cove

06-343



APPENDIX 1

HENDERSON COUNTY
SUBDIVISION APPLICATION FORM

3-19-07 Crystal Cove PII 2007-M17
Date of Application Subdivision Name Application Number

☒ Major Subdivision ☐ Minor Subdivision ☐ Other

Property Owners Name: DAN L. DUCOTE

Address: PO Box 364

City, State, Zip: ETOWAH, NC 28729

Owner's Agent: JOHN LAUCHER

Telephone No: 692-9089

PIN 9548-20-3257 Deed Book/Page 580/681

Zoning District D-USE Fire District ETOWAH Watershed French Broad

Location of property to be divided: PATTERSON ROAD

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

No. Lots Created _____ Original Tract Size _____ New Tract Size _____ No. New Lots 14

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

Water System: ☒ Individual () Community () Municipal

Sewer System: ☒ Individual () Community () Municipal

Fees: \$ _____ Paid _____ Method _____

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

Dan L. Ducote
APPLICANT (OWNER OR AGENT)

3-12-07
DATE

Development Plan Approval / Conditions _____

Final Plat Approval: _____ Plat Recorded _____

AFFIDAVIT OF UNDERSTANDING OF FARMLAND PRESERVATION DISTRICT



I hereby certify that I acknowledge that the Henderson County Board of Commissioners on December 18, 1991, did adopt the HENDERSON COUNTY VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE whose purpose is to establish and identify designated agricultural districts to encourage the economic and financial well being of farming areas, to increase protection from nuisance suits, undesirable non-farm development and other negative impacts on participating farms, and to increase the identity and pride in the agricultural community and its way of life.

I further certify that the property I intend to develop is within _____ feet of Farmland listed in the Farmland Preservation Program and is identified as the _____ district on maps provided by the Henderson County Office of the Natural Resources Conservation Service.

David L. Ducote

Name of Owner

3-12-07

Date

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Jon H. Laugher, a Notary Public for said County and State, do hereby certify that

DAVID DUCOTE personally appeared before me this date and acknowledged the due execution of

the foregoing instrument.

Witness by hand and official seal, this the 12 day of MARCH, 2007.

Jon H. Laugher

Notary Public

My Commission Expires: May 17, 2010

OFFICERS:

Greg Newman
Mayor
Barbara Volk
Mayor Pro-Tem
Chris A. Carter
City Manager

CITY OF HENDERSONVILLE

"The City of Four Seasons"

WATER AND SEWER DEPARTMENT
Lee Smith, Utilities Director

CITY COUNCIL:

BARBARA VOLK
JON LAUGHTER
WILLIAM O'CAIN
JEFF COLLIS

Friday, February 2, 2007



Mr. Dan Ducote
Dan L. Ducote Construction, Inc.
P.O. Box 364
Etowah, NC 28729

RE: ADDITIONAL CONNECTIONS TO CRYSTAL CREEK, PHASE 2
WATER AVAILABILITY

Dear Mr. Ducote:

We have received and reviewed your request (attached), dated 11/8/06, regarding water availability for the 15 additional connections to the above referenced project. We have determined that City water is available to provide service for the 15 additional connections to this project.

Please be aware that the water for the above referenced project is provided by the Champion Hills booster pumping station which was originally designed by and installed for the Champion Hills subdivision by the developer of that project. Since the installation of this infrastructure, Crystal Heights and Rambling Ridge have connected to this isolated pressure zone.

The City will require your engineer to determine whether or not this existing pressure zone has enough excess capacity, in addition to what is required by Champion Hills and others, available to provide the required water demand for your project. This excess capacity issue will need to be determined and approved by the City prior to your engineer beginning the design and permitting process required to provide a water system for your project.

If you have any questions or require additional information regarding this correspondence please let us know.

Sincerely,



Lee Smith
Utilities Director

Attachment

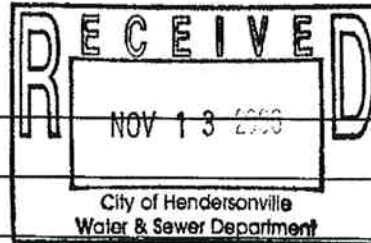
cc: Dennis Frady, Assistant Utilities Director

DAN L. DUCOTE CONSTRUCTION, INC.

P.O. BOX 364
ETOWAH, NORTH CAROLINA 28729
Phone: 828-891-4119 • Office: 828-891-1000
Fax: 828-891-1099
License #14929



Nov. 8th 2006
Date



Lee Smith
Utilities Director
P.O. Box 1760
Hendersonville, N.C. 28793

Mr. Lee Smith:

This letter is to request 15 additional water meters for Crystal Creek Phase II. Phase II is below and adjacent to Crystal Creek Phase I and Crystal Heights.

If we could have the same deal on these 15 additional water meters that we have on the 40 water meters of Crystal Creek I and Crystal Heights, we would surely appreciate it.

If you have any questions, please call me at the numbers listed below.

891-4119 Home Office

891-1000 Const. Office

243-8772 Cell #

891-1099 FAX #

Sincerely,

Matthew Card

From: Wiggins, Rhonda [rwiggins@CityofHendersonville.org]
Sent: Tuesday, May 08, 2007 4:23 PM
To: Matthew Card
Subject: Hendersonville Utility Reviews

Crystal Creek / Crystal Cove

City Water is available through Heater Utilities (Aqua NC) and is available to provide service for the 30-40 additional connections to this project. Please be aware that the water for the above referenced project is provided water by the Champion Hills booster pumping station which was originally designed by and installed for the Champion Hills subdivision by the developers of that project. Since the installation of this infrastructure, Rambling Ridge and other projects have connected to this isolated pressure zone. At some point in the future this system will reach it's capacity and will require upgrading.

Individual septic is proposed.

Overlook at Waters Edge:

Cit Water available. Private Sewer proposed.

Seven Falls:

City Water available. Utility Plans to be reviewed and approved.

Individual Septic proposed.

Mountain Place

Individual Wells and Private Sewer Proposed.

5/9/2007

HENDERSON COUNTY PLANNING DEPARTMENT REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application #2007-M17 (Crystal Creek & Cove) and offer the following comments:

Hydrants - All parcels must be located within 1000 feet of a fire hydrant. A dry hydrant with fire department access should be considered for the lake on Crystal Dawn Drive.

Roads – Road width should support two-way traffic for emergency vehicles.

Entry Gates - Entry gates (if applicable) should be installed pursuant to the Henderson County Entry Gates Ordinance.

<u>Rocky Hyder</u>	<u>Emergency Services</u>	<u>5/3/07</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- M17

Matthew Card

From: Mark Jones
Sent: Monday, May 07, 2007 8:05 AM
To: Matthew Card
Subject: RE: Mtn. Place and Crystal Creek

Sufficient soil and space is required for on-site sub-surface treatment and dispersal systems (including repair areas); underbrushing is required and pits may be required due to rock and/or saprolite.

From: Seth Swift
Sent: Wednesday, May 02, 2007 3:26 PM
To: 'Curt Cline (ccline@hendersoncountync.org)'; 'Mark Jones (mjones@hendersoncountync.org)'
Subject: FW: Mtn. Place and Crystal Creek

Curt please review Mtn place. Mark Please review Crystal Creek.

Seth Swift
Environmental Health Supervisor II
1347 Spartanburg Hwy
Hendersonville, N.C. 28792

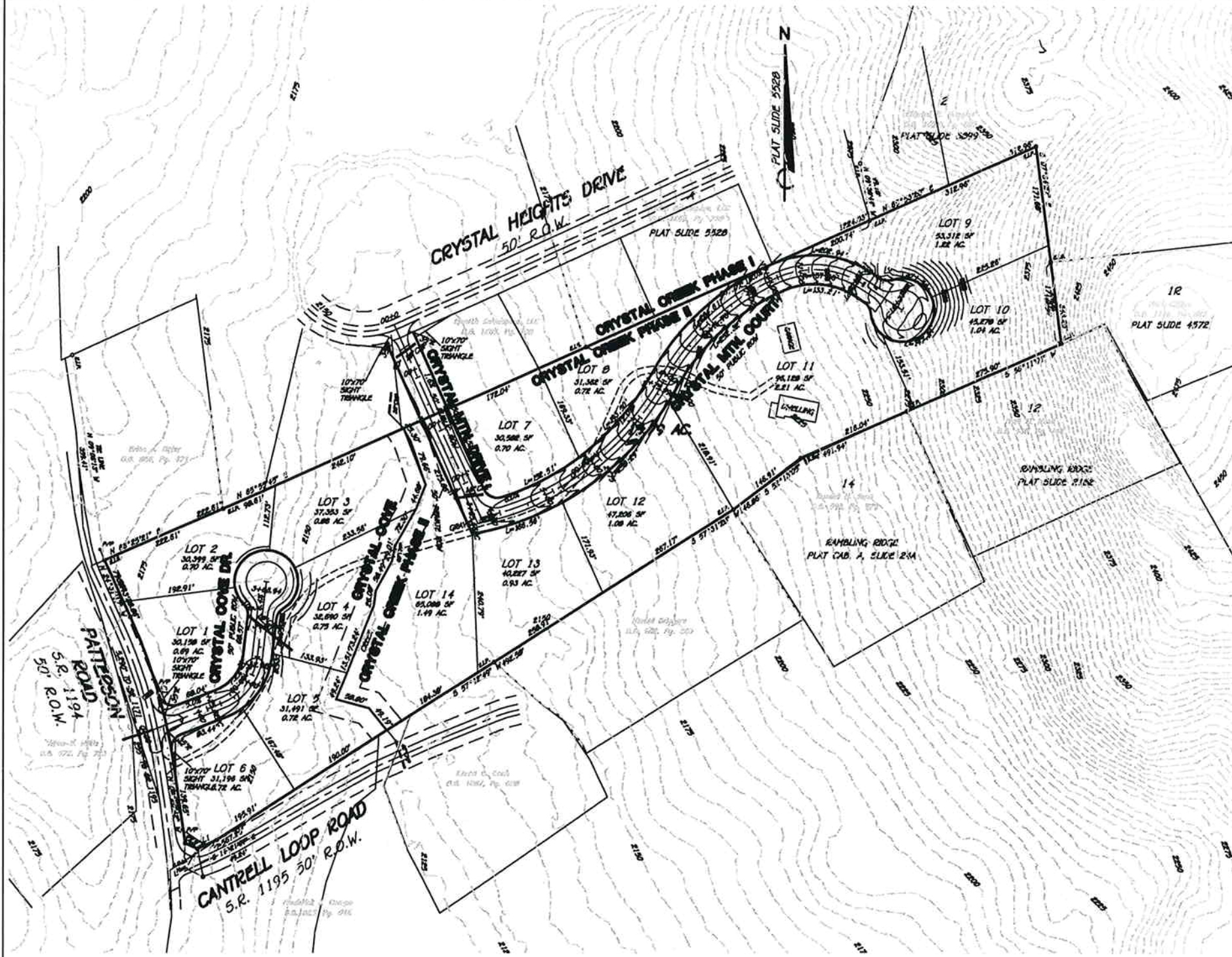
From: Kathleen Scanlan
Sent: Wednesday, May 02, 2007 2:04 PM
To: Autumn Radcliff (autumnr@hendersoncountync.org); Barbara Blaine (bblaine@henderson.k12.nc.us); Bo Caldwell (bcaldwell@henderson.k12.nc.us); Commander Eddie Watkins (number44@hotmail.com); Dr. Stephen Page (spage@henderson.k12.nc.us); Laurie Moorhead (laurie.moorhead@ncmail.net); Lee Smith (lsmith@cityofhendersonville.org); Marcus Jones (mjones@hendersoncountync.org); Natalie Berry (nberry@hendersoncountync.org); Rocky Hyder (rhyder@hendersoncountync.org); Sam Laughter (saml@hendersoncountync.org); Seth Swift (sswift@hendersoncountync.org); Terry Layne (laynetb@hendersoncountync.org); Wayne Watkins (wayne.watkins@ncmail.net); patrickl@hendersoncountync.org
Subject: Mtn. Place and Crystal Creek

Please forward your comments regarding Mtn. Place and Crystal Creek to mcard@hendersoncountync.org

Thank You.

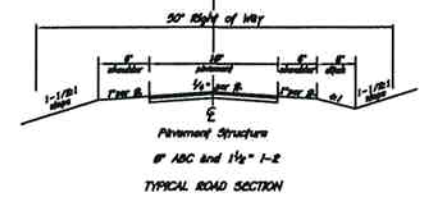
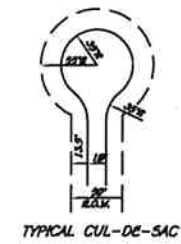
Kathleen Scanlan, Administrative Assistant
Henderson County Planning Department
Phone: 828-697-4819, Ext. 1051
Fax: 828-697-4533
kscanlan@hendersoncountync.org

5/7/2007

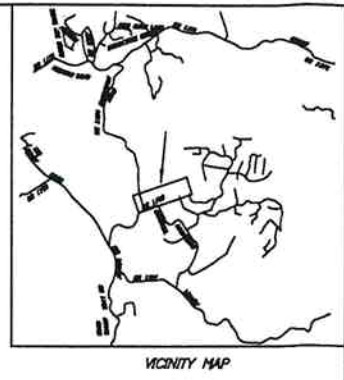


PROJECT SUMMARY

TOTAL PROJECT AREA	15.79 AC
NUMBER OF PROPOSED LOTS/UNITS BY TYPE	14 EA
MINIMUM LOT SIZE (SF)	30,150 SF
MAXIMUM LOT SIZE (SF)	95,120 SF
LENGTH OF PROPOSED PUBLIC ROADS	1,645 LF
LENGTH OF PROPOSED PRIVATE ROADS	0 LF
WATER SYSTEM	PUBLIC
SEWER SYSTEM	INDIVIDUAL
CURRENT ZONING	OPEN USE
Distance to public water system -	0 LF
Distance to public sewer system -	5+ Miles
SIGHT TRIANGLES -	AS SHOWN (10x70')
SETBACK FROM PERENNIAL STREAMS -	30'



No portion of the proposed roads shall have grades that exceed 15% as required for local residential paved surfaced roads.



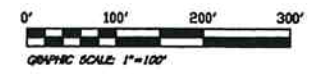
OWNER/DEVELOPER
ETOWAH DEVELOPERS, LLC
DAN DUCOTE
828-891-4119 Home
828-891-1000 Office
828-243-8772 Cell
P.O. BOX 364
ETOWAH, N.C. 28729

**CRYSTAL HEIGHTS
CRYSTAL COVE
CRYSTAL CREEK PHASE I and PHASE II**

COMBINED REVISED MASTER AND DEVELOPMENT PLAN

CRAB CREEK TWP.		HENDERSON COUNTY, N.C.	
LAUGHTER, AUSTIN AND ASSOCIATES, P.A. 131 FOURTH AVENUE EAST HENDERSONVILLE, NORTH CAROLINA 28772 (828) 692-9089			
DRAWN BY	CHKD BY	CHECKED BY	DATE
FSP	JHE	JHE	3/12/07
COORD. FILE	06343	DRAWING FILE	06343engr
FLOOR PLAN NUMBER	370125 0090	TAX PARCEL NUMBER	9548-20-3257

- LEGEND**
- I.P. SET - IRON PIPE SET
 - I.S. SET - IRON STAKE SET
 - E.I.P. - EXISTING IRON PIPE
 - E.I.S. - EXISTING IRON STAKE
 - E.C.M. - EXISTING CONCRETE MARKER
 - PK - NAIL MARKER
 - X-X- - APPROXIMATE FENCE LOCATION
 - CENTER LINE (ROAD, STREET, STREAM, ETC.)
 - M/H - MANHOLE
 - P/P - POWER POLE AND/OR TELEPHONE POLE
 - R/R - RAILROAD
 - R - RADIUS
 - L - LENGTH OF CURVE
 - D.I. - DROP INLET
 - R.O.W. - RIGHT OF WAY



APR 16 2007

REV. 4/17/07 per County Review Comments
JOB NO. 06-343



RECEIVED
APR 16 2007
By _____

APR 16 2007

OWNER/DEVELOPER
ETOWAH DEVELOPERS, LLC
DAN DUCOTE
828-891-4119 Home
828-891-1000 Office
828-243-0772 Cell
P.O. BOX 364
ETOWAH, N.C. 28729

CRYSTAL HEIGHTS
CRYSTAL COVE
CRYSTAL CREEK PHASE 1 and PHASE II

COMBINED REVISED MASTER AND DEVELOPMENT PLAN

CRAB CREEK TWP.		HENDERSON COUNTY, N.C.	
LAUGHTER, AUSTIN AND ASSOCIATES, P.A. 131 FOURTH AVENUE EAST HENDERSONVILLE, NORTH CAROLINA 28792 (828) 692-9089			
DRAWN BY	JAM	CHECKED BY	JHL
		DATE	SHEET NO.
DRAWN BY	MSP	SCALE	NTS
		3/12/07	2 OF 2
CUSTOM FILE	06343	BROWSER FILE	06343engr
FLOOR PLAN PANEL NUMBER	570125 0000	TB PANEL NUMBER	5548-20-3257