

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: June 21, 2007

SUBJECT: Tabled Phase I Development Plan for the Seven Falls Golf and River Club (File # 2007-M19)

ATTACHMENTS:

1. Letter from the City of Hendersonville
2. Letter from Mr. Lapsley and Mr. Hyder Regarding Fire Protection
3. Letter from Mr. Lapsley Regarding Private Sewerage
4. Temporary Wells and Septic Systems
5. Summary of Staff's Comments
6. Original Request for Board Action and Staff Report for the May 17, 2007 Planning Board Meeting

At its meeting on May 17, 2007 the Planning Board tabled the Phase I Development Plan for Seven Falls. The application was tabled due to some outstanding issues that arose during review of the Master Plan that had not been satisfied with the submittal of the Phase I Development Plan application. Outlined below are the outstanding issues the Planning Board needed addressed.

Outstanding Issues:

1. **Letter from City of Hendersonville.** The Planning Board requested a letter from the City of Hendersonville regarding availability and/or sufficient capacity of the public water system. Mr. Lee Smith, Director of City of Hendersonville Water and Sewer Department, provided a letter regarding water availability to Mr. Lapsley dated June 14, 2007 (see attachment 1).
2. **Letter Regarding Fire Protection.** The Planning Board requested that an agreement be reached regarding adequate fire protection for Seven Falls. Attached are two letters from Mr. Rocky Hyder, Fire Marshal, and Mr. Lapsley regarding provisions for fire protection. Also attached is a typical diagram of an acceptable sub-station (see attachment 2).
3. **Letter Addressing Sewerage.** The Planning Board wanted a letter from the applicant outlining the commitment to constructing a private community sewerage system. Mr. Lapsley submitted a letter clarifying the developer's intent to build this system (see attachment 3).

OFFICERS:

Craig 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
Jim L. Stokes
William O. Carr
John C. ...

Thursday, June 14, 2007

Mr. Bill Lapsley, P.E.
William G. Lapsley & Associates
Two Town Square, Suite 320
Asheville, NC 28803

RE: SEVEN FALLS GOLF & RIVER CLUB
PARCEL IDENTIFICATION NUMBERS 9528714607, 9528717921 AND OTHERS
WATER AVAILABILITY

Dear Mr. Lapsley:

We have received and reviewed your request, dated June 13, 2007, regarding water availability for the above referenced project. We have determined that City water is available to this project on Etowah School Rd. from a 6-inch water main terminating at Riverwind Dr. The City is currently having a 12-inch water main designed and permitted to replace this existing 6-inch main, as we have discussed. In addition to this larger water main, the project will also include the installation of a 500,000-gallon water storage tank. The location of this storage facility is still under consideration, as you know. Based on our findings, the above reference project would be eligible for City water service.

This letter is intended to serve as information only and should not be regarded as an approval for the above referenced project to connect to the City's applicable utility systems. If you have any questions or require additional information regarding this correspondence please let us know.

Sincerely,


Lee Smith
Utilities Director

cc: Dennis Frady, Assistant Utilities Director



COPY:





HENDERSON COUNTY EMERGENCY SERVICES

211 1st Avenue East
Hendersonville, NC 28792
(828) 697-4728 Fax (828) 698-6164

Rocky Hyder
Director

EMERGENCY MANAGEMENT - EMERGENCY MEDICAL SERVICES - FIRE MARSHAL
697-4527 697-4825 697-4728

May 24, 2007

Anthony Starr
Planning Director
213 First Avenue East
Hendersonville, NC 28792



RE: Seven Falls Development

Dear Anthony:

Pursuant to our meeting on May 22 with the developer's representatives and the attached letter from William G. Lapsley P.E. I submit the following comments regarding the provision of emergency services for this proposed development.

The developer's offer to provide the land and shell construction costs for an Etowah Horse-Shoe Fire & Rescue sub-station addresses our concerns about the provision of fire services. I have attached a preliminary drawing of an acceptable sub-station for consideration.

The developer's request to consider locating an EMS unit at the sub-station is not supported by our current strategic plan due to the remote location of the proposed station. However, the additional capacity to house fire apparatus at the sub-station could provide the necessary space for an EMS unit at the Etowah Horse-Shoe main station which would be consistent with our objective of reducing EMS response time.

Fire protection water supply concerns have been addressed with the requirement to connect to the City of Hendersonville water system along with the installation of an elevated water tank of at least two-hundred thousand gallons. Water points at the former Liberty Plastics location and Gore pond will provide adequate fire protection water supply for up to fifty homes during the design and construction phase of the public water supply.

If you have any questions feel free to contact me.

Sincerely:

Rocky D. Hyder,
Emergency Services Director
Henderson County, NC

cc: Lapsley & Assoc., Etowah Fire & Rescue



William G. Lapsley & Associates, P.A.

Consulting Civil Engineers and Land Planners

May 25, 2007

William G. Lapsley, P.E.
William R. Buie, P.E.
G. Thomas Jones III, P.E.
Donald L. Munley, P.E.

Mr. Rocky Hyder
Henderson County Emergency Services
213 - 1st Avenue East
Hendersonville, NC 28792

Re: Seven Falls Golf & River Club
Fire Protection

Dear Mr. Hyder:

Reference is made to our recent meeting to review the proposed fire protection facilities for the above referenced development.

The developer, Mountain Development Company, LLC, will construct a community water system with a distribution system consisting of water lines and fire hydrants designed in accordance with State standards and City of Hendersonville standards. This includes the design of pipe sizes and spacing of the fire hydrants to meet or exceed the minimum fire flow requirements. This system will be owned and operated by the City of Hendersonville.

As you know the development of a community water system will take a long period of time to design, permit & construct. During this development period there will be two (2) "dry" hydrants installed on existing ponds (Liberty Plastics site & Gore Pond), which will be available for use by the Etowah Volunteer Fire Department.

If you have any questions or concerns about the proposed fire protection system, please feel free to contact our office.

Sincerely,

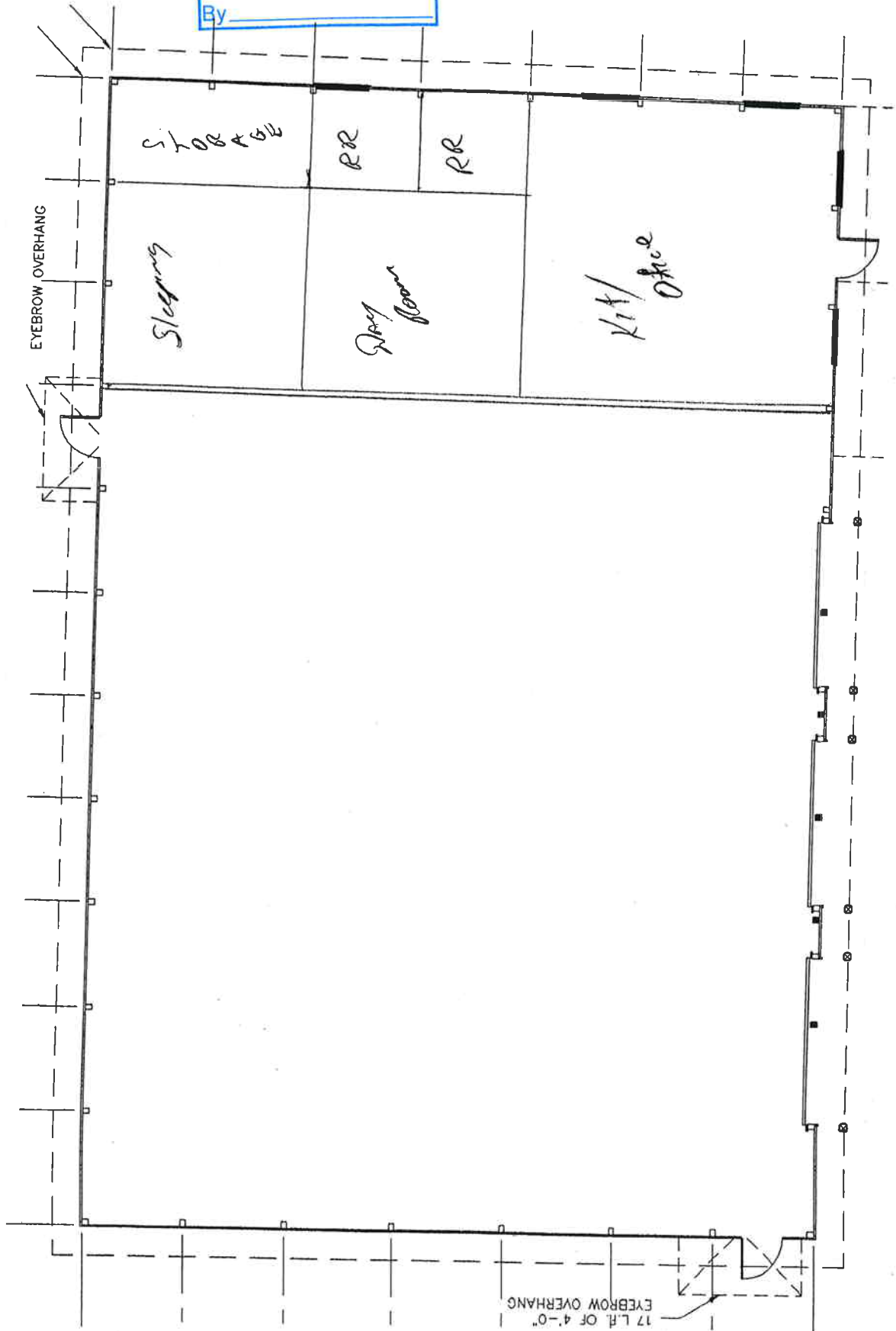
William G. Lapsley, P.E.

WGL/jg
cc: Anthony Starr,
Henderson County Planning Dept.

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(C)





William G. Lapsley & Associates, P.A.

Consulting Civil Engineers and Land Planners

William G. Lapsley, P.E.
William R. Buie, P.E.
G. Thomas Jones III, P.E.
Donald L. Hunley, P.E.

May 25, 2007

Mr. Anthony Starr, Director
Henderson County Planning Department
213 1st Avenue East
Hendersonville, NC 28792

Re: Seven Falls Golf & River Club

Dear Mr. Starr:



The purpose of this letter is to clarify the developer's commitment to construct a community wastewater collection and treatment system to serve the above referenced development.

As stated in the Master Plan and presented at the Planning Board meeting on April 19, 2007 – the developer of this project Mountain Development Co., LLC has committed to the design, permitting and construction of a sanitary sewer collection system, and wastewater treatment system. This commitment has been made publicly to the Planning Board and to the potential lot buyers.

The design, permitting and construction process for a new community wastewater system will take 12-18 months to complete. The first step is to apply to the NC Division of Water Quality for an NPDES Discharge permit. The application is expected to be submitted by July 15, 2007. The permit process will take approximately 6-9 months to complete.

Once the discharge permit is issued an application for approval to construct the sanitary sewer collection system and treatment facilities will be submitted to the NC Division of Water Quality. This permit process will take 60-90 days to complete.

Construction of the wastewater treatment plant and sewer collection system will begin immediately after the permits are issued. We anticipate 12 months to complete the installation and begin operation.

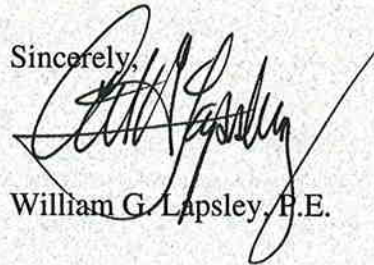
The proposed system will be constructed to State/County standards so that if the public sewer system is extended to this site a connection can be made at minimum expense.

Page 2

Mr. Anthony Starr, Director
Henderson County Planning Department

If you have any questions or need additional information please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "W. G. Lapsley", written over a horizontal line.

William G. Lapsley, P.E.

WGL/ds



9.3 Easements for Utilities.

(a) Declarant reserves for itself, its successors and assigns and grants to the Association non-exclusive, perpetual, appurtenant easements upon, across, over, and under all of the Community but not through a structure for the purpose of installing, constructing, monitoring, replacing, repairing, maintaining, operating and removing cable television systems, master television antenna systems, and other devices for sending or receiving data and/or other electronic signals; security and similar systems; roads, walkways, pathways and trails; lakes, ponds, lagoons, wetlands, irrigation and drainage systems (which may include use of wells and pumps); street lights and signage; and all utilities, including, but not limited to, water, sewer, telephone, gas, and electricity, and utility meters; and an easement for access of vehicular and pedestrian traffic over, across, and through the Community, as necessary, to exercise the easements described above. Declarant specifically reserves for the benefit of local water and sewer company, electric company, telephone company, and natural gas supplier the easements set forth herein across the Community for ingress, egress, installation, reading, replacing, repairing, and maintaining utility lines, meters and boxes, as applicable.

(b) For a period of two (2) years commencing on the date this Declaration is recorded in the Official Records, Owners of up to fifty (50) Dwellings shall be allowed to drill, install and maintain deep water wells to provide water service to such Owners' Dwellings. Additionally, during such time period, Owners shall also be allowed to install a septic tank to be utilized in the occupancy of the Dwelling. At such time as a community-wide water system and sewage collection system is available to a Dwelling (whether such systems are provided by the Declarant or governmental entities), such Owners shall be required to connect to such systems and pay any connection fees due the providers of the systems. Thereafter, no Owner shall be allowed to install a water well or septic tank or to utilize any previously installed water well or septic tank.

Below is an update to Staff's Comments for the Phase I Development Plan that need to be addressed. Staff has taken out any comments that have been satisfied or discussed at the May 17, 2007 meeting as not being an issue with the Planning Board at this time.

STAFF COMMENTS

1. **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).
2. **Soil Erosion and Sedimentation Control.** The Developer should submit notice from NC DENR that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to beginning construction (HCSO 170-19). Staff has received an approval letter for Phase IA. Staff is unclear whether this covers Phase I or just a portion of Phase I. The applicant should clarify this at the meeting.
3. **Access to Phase I.** It appears that access for Phase I will come off of the existing location of Pleasant Grove Road. It is unclear how Phase I will connect to proposed subdivision roads. Any future changes to the Plan (i.e. approval of any existing public road relocation or revision to the Master Plan) will result in revised Plans being submitted to the Planning Department for review and approval.
4. **Flag Lots.** Lots 18, 19 and 20 appear to be flag lots. Lots 18 and 19 do not meet the minimum 30-foot width for frontage (§170-31, D). The applicant must submit revised Plans to the Planning Department for review showing that lots 18 and 19 meet the 30-foot minimum frontage requirement. **Mr. Lapsley has stated that these have been removed from the project as explained in his letter dated May 16, 2007 (Planning Board received a copy of this letter at the May 17, 2007 Planning Board meeting). Staff needs a revised Plan showing this change.**
5. **Gates.** All proposed gates must meet the minimum standards of the Entry Gates Ordinance (Chapter 87 of the Henderson County Code).
6. **Bridges.** Section 170-21, I of the Subdivision Ordinance requires the applicant to submit a copy of the bridge design plans. Said Plan must show certification from a registered professional engineer indicating that the bridge plans meet state road standards for drainage, hydraulics and minimum live load. As-built drawings of the bridges with certification from a registered professional engineer that the bridges meet state road standards will be required prior to final plat approval or the release of any improvement guarantee.
7. **Townhouse Development.** The applicant has proposed 40 attached townhouse units in Phase I. The review for townhouse development is outlined in Section 170-15 of the HCSO. Sections 170-15 of HCSO states that applications for townhouse developments shall be prepared in conformance with § 170-16 (review for major subdivisions), Articles IV (all areas of review for major subdivisions which includes minimum design standards for roads, water and sewer systems, right-of-way and etc.), Article V (subdivision improvement guarantees) and Article VI (application, enforcement and legal status provisions). Section 170-15 also states that § 170-21F (minimum curve radius), § 170-21G (intersections), § 170-27 (right-of-way access), § 170-31A (lot dimensions) and § 170-31D (lot configuration and frontage) may be modified by the

Planning Board. It also states that the Planning Board may use discretion in applying subdivision standards. Portions of Phase I have duplex townhouse units. These units appear to be surrounded by common area with no proposed rights-of-way. It appears that the applicant will be requesting modifications to some of the requirements listed above. The applicant should submit to the Planning Department for review cross-sections or a plan view of the design for the driveways and roads serving the townhouses. The Subdivision Ordinance currently does not have any requirements for driveways or roads serving townhouse units. Therefore all proposed roads and driveways must meet the minimum standards for private roads and must be built before approval of a final plat or release of any improvement guarantee.

8. **Minimum Curve Radius.** It appears that on the Plan some of the centerline curve radii are less than the 110-foot minimum for private residential collector roads. In areas where the cross slope does not exceed 15 percent the centerline curve radii must comply with the minimum of 110 feet. Where the existing cross slope on private collector roads is 15% or greater a minimum centerline radius of 80 feet is permitted. The Final Plat(s) must have a notation that states where the existing cross slope exceeds 15 percent a minimum centerline radius of 80 feet are permitted, if applicable (170-21F of the HCSO). At the meeting the applicant should clarify if the centerline curve radii are being reduced due to cross slopes. If not, revised Plans should be submitted to the Planning Department demonstrating compliance with the regulations. **Mr. Lapsley is requesting a reduction in the centerline curve radius (see his letter dated May 16, 2007). The final plat must have a notation regarding this reduction.**
9. **Road Grade.** A professional engineer or professional land surveyor must certify on the final plat that no portion of private roads have grades that exceed the maximum allowable grade, which is 18 percent grade for paved local residential roads and 16 percent grade for paved collector roads.
10. **Water and Sewer.** According to the HCSO, the applicant must provide evidence that the water supply and sewer system plans have been approved by the appropriate agency. All public or private (community) water supply and sewerage systems shall be installed and shall meet the requirements of the Henderson County Health Department or other government authorities having jurisdiction thereof. The development plan may be approved contingent on final approval from such agencies; 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 hydrants installation (HSCO 170-20). The Henderson County Fire Marshal's Office has requested that hydrants are spaced 1000 feet apart or closer. Since temporary wells and septic systems may be allowed by the Planning Board this comment should be satisfied in addition to the Health Department approving individual well and septic systems as required by the Subdivision Ordinance and other County regulations.

New Comment

11. **Temporary Wells and Septic Systems.** If the Planning Board approves the use of temporary individual wells and septic systems, then Staff suggests that the Planning Board make a condition that is consistent with the language in the draft Covenants, Conditions and Restrictions ("CCRs"). The draft CCRs state:
 - a. For a period of two (2) years commencing on the date the Declaration is recorded in the Official Records, Owners of up to fifty (50) Dwellings shall be allowed to drill, install and maintain deep water wells to provide water service to such Owners'

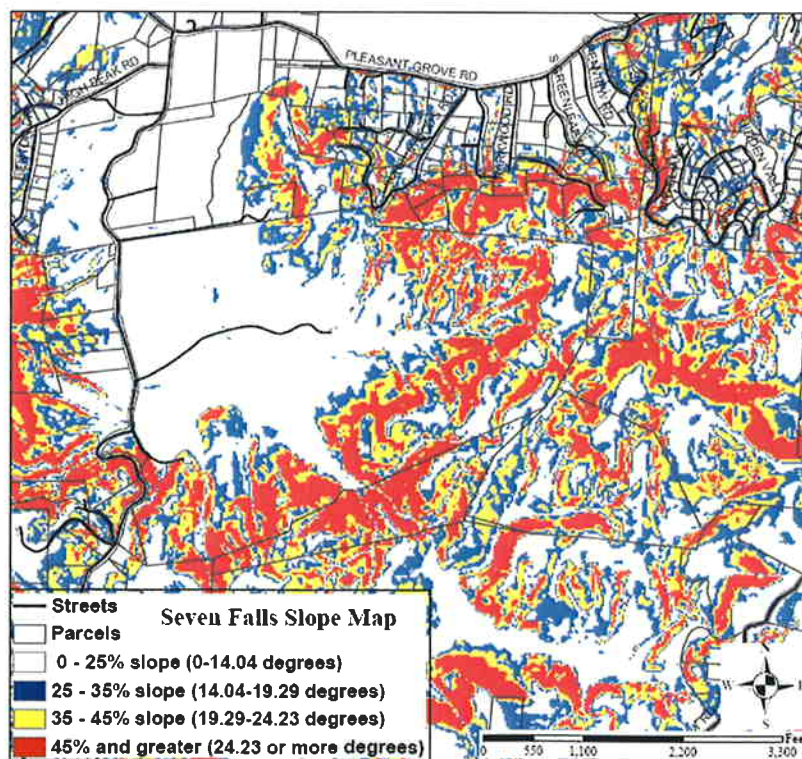
Dwellings. Additionally, during such time period, Owners shall also be allowed to install a septic tank to be utilized in the occupancy of the Dwelling. At such time as a community-wide water system and sewage collection system is available to a Dwelling (whether such systems are provided by the Declarant or governmental entities), such Owners shall be required to connect to such systems and pay any connection fees due the providers of the systems. Thereafter, no Owner shall be allowed to install a water well or septic tank or to utilize any previously installed water well or septic tank.

Review Agency Comment

12. **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 Subdivision Ordinance; the Planning Board may not have the authority to require any additional standards. **See attached Staff Report from the May 17, 2007 Planning Board meeting.**

Other Comments

13. **Slopes.** Below is a slopes map of the approximate location of Phase I. This map has been provided for informational purposes only. Pursuant to the goals of the CCP, the applicant should work to protect steep slopes and leave them in their natural state with only limited development. Note: Henderson County does not have any regulations for development on steep slopes. The Planning Board can only require the applicant to meet the minimum standards of the Subdivision Ordinance.



REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: Thursday, May 17, 2007

ATTACHMENTS:

1. Staff Report
2. Vicinity Map
3. Application Materials
4. Review Agency Response Form – Fire Marshal's Office
5. Phase I Development Plans

SUBJECT: Phase I Development Plan for Seven Falls

SUMMARY OF REQUEST:

Mr. William Lapsley on behalf of Mountain Development Company, LLC, owner and developer, submitted the Phase I Development Plan application for Seven Falls Golf and River Club. Phase I will have 126 single-family residential lots and 38 townhome units on approximately 226 acres of land.

STAFF RECOMMENDATION

Staff has numerous comments regarding the Phase I Development Plan some of which were conditions of the Master Plan approval. The proposed Phase I 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 that the Planning Board either approve the Phase I Development Plan subject to the developer addressing staff's comments and any other issues raised by the Planning Board or deny the Phase I Development Plan until these issues are addressed. If the Planning Board denies the Phase I Development Plan the applicant must resubmit a new Phase I Development Plan application for review by the Planning Board at a later meeting.

PLANNING BOARD ACTION

Suggested Motion

I move that the Planning Board find and conclude that the Phase I 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 Phase I Development Plan be approved subject to the following conditions: the applicant satisfies any conditions that result from the comments in the Staff Report and any other conditions that may result from discussion at the Planning Board meeting.

Henderson County Planning Department Staff Report

Phase I Development Plan for Seven Falls Golf and River Club Major Subdivision (File # 07-M19)

PROJECT OVERVIEW

Mr. William Lapsley on behalf of Mountain Development Company, LLC, owner and developer, submitted the Phase I Development Plan application for Seven Falls Golf and River Club. Phase I will have 126 single-family residential lots and 38 townhome units on approximately 226 acres of land. Access for Phase I appears to come off of the existing location of Pleasant Grove Road (see comment 3). Private roads are proposed.

Individual wells and individual septic systems are shown on the Phase I Development Plans but according to the Master Plan approval on April 19, 2007 the Planning Board will require that the subdivision have public water (City of Hendersonville) and either community or private sewer. The Planning Board stated that this must be worked out before approval of Phase I. The subdivision is located in the Open Use Zoning District which does not regulate the residential use of land. It appears that the Mountain Ridge Protection Ordinance does not affect any lots in Phase I.

STAFF COMMENTS

1. **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).
2. **Soil Erosion and Sedimentation Control.** The Developer should submit notice from NC DENR that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to beginning construction (HCSO 170-19).
3. **Access to Phase I.** It appears that access for Phase I will come off of the existing location of Pleasant Grove Road. It is unclear how Phase I will connect to proposed subdivision roads. The applicant should clarify at the Planning Board meeting the access to Phase I. Any changes to the Plan will result in revised Plans being submitted to the Planning Department for review.
4. **Flag Lots.** Lots 18, 19 and 20 appear to be flag lots. Lots 18 and 19 do not meet the minimum 30-foot width for frontage (§170-31, D). The applicant must submit revised Plans to the Planning Department for review showing that lots 18 and 19 meet the 30-foot minimum frontage requirement.
5. **Gates.** All proposed gates must meet the minimum standards of the Entry Gates Ordinance (Chapter 87 of the Henderson County Code).
6. **Bridges.** Section 170-21, I of the Subdivision Ordinance requires the applicant to submit a copy of the bridge design plans. Said Plan must show certification from a registered professional engineer indicating that the bridge plans meet state road standards for drainage, hydraulics and minimum live load. As-built drawings of the bridges with certification from a registered professional engineer that the bridges meet state road standards will be required prior to final plat approval or the release of any improvement guarantee.

7. **Townhouse Development.** The applicant has proposed 40 attached townhouse units in Phase I. The review for townhouse development is outlined in Section 170-15 of the HCSO. Sections 170-15 of HCSO states that applications for townhouse developments shall be prepared in conformance with § 170-16 (review for major subdivisions), Articles IV (all areas of review for major subdivisions which includes minimum design standards for roads, water and sewer systems, right-of-way and etc.), Article V (subdivision improvement guarantees) and Article VI (application, enforcement and legal status provisions). Section 170-15 also states that § 170-21F (minimum curve radius), § 170-21G (intersections), § 170-27 (right-of-way access), § 170-31A (lot dimensions) and § 170-31D (lot configuration and frontage) may be modified by the Planning Board. It also states that the Planning Board may use discretion in applying subdivision standards. Portions of Phase I have duplex townhouse units. These units appear to be surrounded by common area with no proposed rights-of-way. It appears that the applicant will be requesting modifications to some of the requirements listed above. The applicant should submit to the Planning Department for review cross-sections or a plan view of the design for the driveways and roads serving the townhouses. The Subdivision Ordinance currently does not have any requirements for driveways or roads serving townhouse units. Therefore all proposed roads and driveways must meet the minimum standards for private roads and must be built before approval of a final plat or release of any improvement guarantee.
8. **Cul-de-sac.** It appears that the cul-de-sac cross section or plan view is missing from the Plan. Revised Plans with these items must be submitted to the Planning Department for review.
9. **Closing of Public Rights-of-way.** As mentioned during Master Plan approval the applicant has proposed to close sections of two public roads, Pleasant Grove Road and Pleasant Grove Church Road. NCDOT will have to approve of these changes. The Board of Commissioners will also have to approve of this pursuant to G.S. 153A-241. Staff feels that the approval of the proposed subdivision design should be contingent upon the approval of these public road relocations. Therefore staff suggests that Phase I Development Plan approval be contingent upon all necessary agencies approving the relocation of these roads. If the road relocations are not approved then the Phase I Development Plan approval will be rendered null and void.
10. **Minimum Curve Radius.** It appears that on the Plan some of the centerline curve radii are less than the 110-foot minimum for private residential collector roads. In areas where the cross slope does not exceed 15 percent the centerline curve radii must comply with the minimum of 110 feet. Where the existing cross slope on private collector roads is 15% or greater a minimum centerline radius of 80 feet is permitted. The Final Plat(s) must have a notation that states where the existing cross slope exceeds 15 percent a minimum centerline radius of 80 feet are permitted, if applicable (170-21F of the HCSO). At the meeting the applicant should clarify if the centerline curve radii are being reduced due to cross slopes. If not, revised Plans should be submitted to the Planning Department demonstrating compliance with the regulations.
11. **Farmland Preservation District.** The Affidavit of Understanding of Farmland Preservation District (Appendix 11) was not submitted. Since the property is within ½ mile of the French Broad and Jeter Mountain Agriculture Districts, an Affidavit must be submitted pursuant to Section 170-35 of the HCSO. The Final Plat should include a notation that the

property is within ½ mile of land in a Farmland Preservation District (HCSO 170-35 and Appendix 7).

12. **Road Grade.** A professional engineer or professional land surveyor must certify on the final plat that no portion of private roads have grades that exceed the maximum allowable grade, which is 18 percent grade for paved local residential roads and 16 percent grade for paved collector roads.

Conditions from the Master Plan that must be satisfied during review of Phase I.

13. **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. Agent forms must be provided before construction can begin on the project.
14. **Water and Sewer.** During Master Plan approval the Planning Board made a condition that no individual wells and septic systems would be allowed in Seven Falls. The Planning Board stated that the applicant must connect to the public water system (City of Hendersonville) and a private community sewerage system. The applicant appears to be working out the details for connecting to a public water line with the City of Hendersonville. The Planning Board wanted the above issues addressed before the review of the Phase I Development Plan. Staff suggests that the Planning Board make this a condition of the Phase I Development Plan approval.
 - a. According to the HCSO, the applicant must provide evidence that the water supply and sewer system plans have been approved by the appropriate agency. All public or private (community) water supply and sewerage systems shall be installed and shall meet the requirements of the Henderson County Health Department or other government authorities having jurisdiction thereof. The development plan may be approved contingent on final approval from such agencies; 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 hydrants installation (HSCO 170-20). The Henderson County Fire Marshal's Office has requested that hydrants are spaced 1000 feet apart or closer.
15. **Fire Protection.** The Planning Board made a condition that an adequate (acceptable to the Henderson County Fire Marshal and the developer) agreement be reached with the Henderson County Fire Marshal's office regarding fire protection for Seven Falls. The Planning Board stated that this condition must be addressed before review of the Phase I Development Plan. The applicant should be ready to discuss with the Planning Board the measures for providing fire protection during the meeting.
16. **Access to the Pleasant Grove Baptist Church.** It was unclear on the Master Plan if the Church had proper access to Pleasant Grove Road or Pleasant Grove Church Road. The Planning Board made a condition that access be provided to the Church, which is

acceptable to the Church. Access to the Church must be clearly shown on any revised Plans and on the Development Plan(s) for this portion of the subdivision.

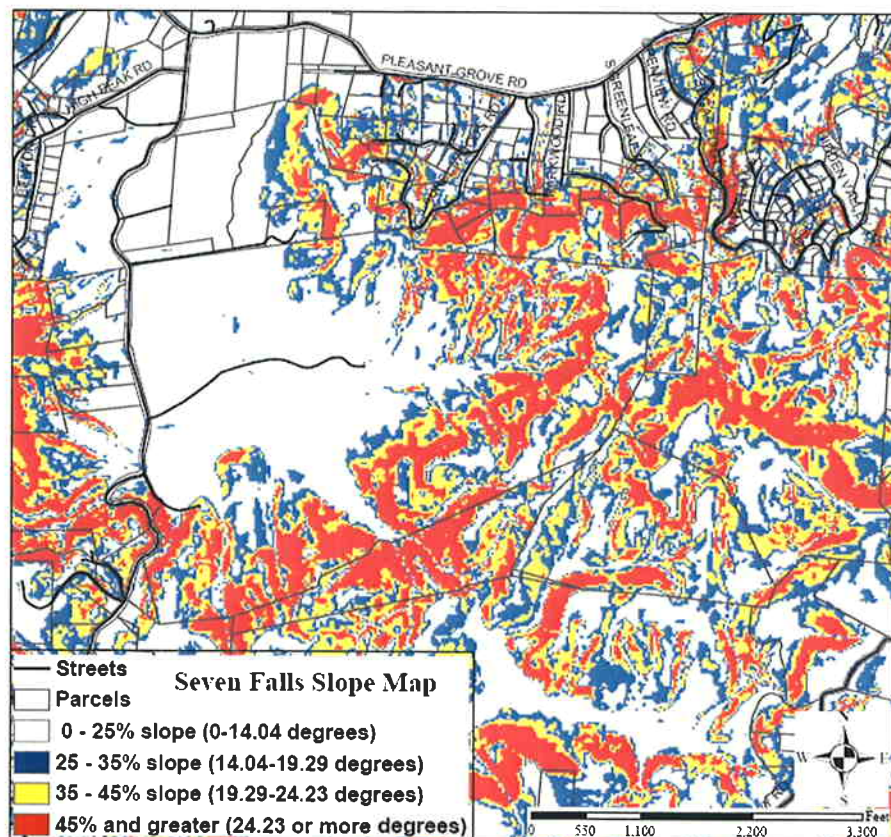
17. **Access to the Cemetery.** The Planning Board was concerned about access, for people who live outside of Seven Falls, to the existing cemetery located in the Village area of the project. The Planning Board made a condition that adequate access be provided to the cemetery for these people. Said cemetery must be clearly shown and delineated on the Development Plan pursuant to Appendix 5 of the Subdivision Ordinance.

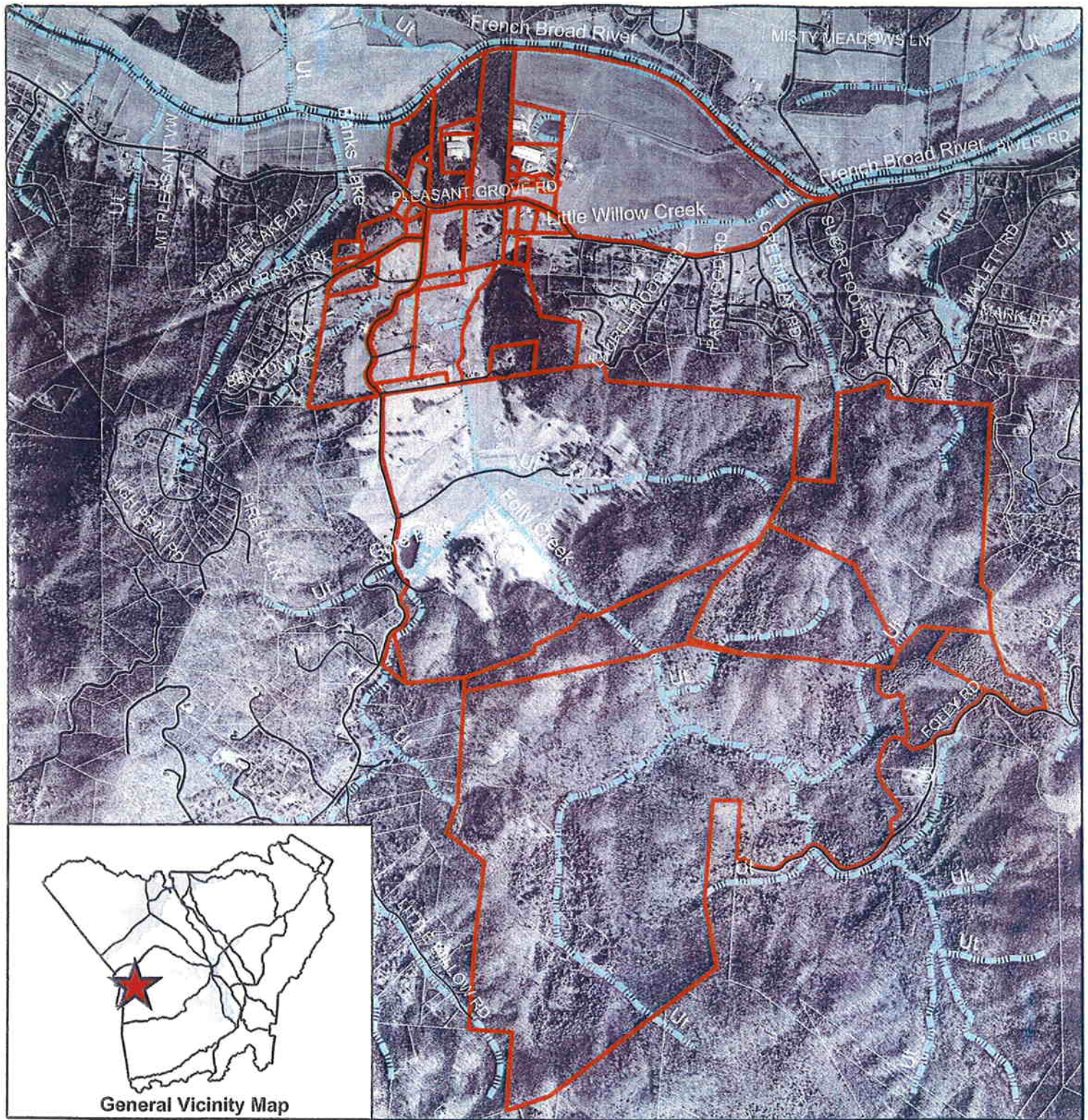
Review Agency Comments

18. **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 Subdivision Ordinance; the Planning Board may not have the authority to require any additional standards.

Other Comments:

19. **Slopes.** Below is a slopes map of the approximate location of Phase I. This map has been provided for informational purposes only. Pursuant to the goals of the CCP, the applicant should work to protect steep slopes and leave them in their natural state with only limited development. Note: Henderson County does not have any regulations for development on steep slopes. The Planning Board can only require the applicant to meet the minimum standards of the Subdivision Ordinance.





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
- Seven Falls

Map Created by the Henderson County Planning Department on 4/2/07
(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 _____

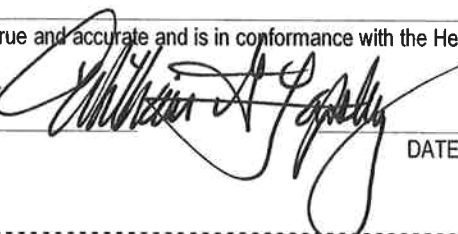
Road System: () Public ☒ Private () Combination Public and Private

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 _____

HENDERSON COUNTY PLANNING DEPARTMENT REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application **#2007-M19 (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). Residential structures should be located within 1000 feet of a fire hydrant.

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>5/03/07</u>
Reviewed By	Agency	Date

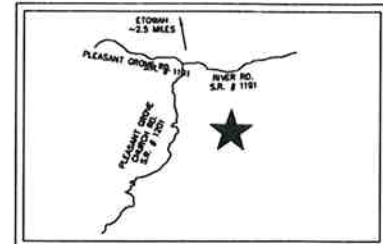
Please return to: Matt Card, Planner
Henderson County Planning Department
213 First Avenue East
Hendersonville, NC 28792
mscard@hendersoncountync.org

File No. 2007- M19

ETOWAH SCHOOL ROAD
(S.R. 1206)
1.7 MILES TO
U.S. HIGHWAY 64

FOLLY ROAD
(S.R. 1199)
1.7 MILES TO
WILLOW ROAD

SOUTHGATE



VICINITY MAP
(N.T.S.)



Owner/Developer:
Seven Falls, LLC
P.O. Box 5778
Asheville, North Carolina 28813
Mountail Development Co., LLC
208 Folkstone Lane
Aspen, 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
	232 ac.	676	162	874
Golf Course				
	216 ac.	-----	-----	-----
	1397 ac.	676	162	874

Density 1 Unit per 1.60 acres

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

SEVEN FALLS
GOLF & RIVER CLUB
HENDERSON COUNTY
NORTH CAROLINA

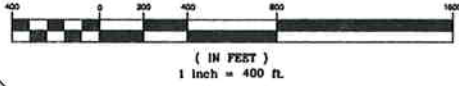
MASTER PLAN
PHASE MAP OF DEVELOPMENT PLANS

sheet
1 of 25

ENTRANCE

1.3 MILES TO
U.S. HIGHWAY 64

GRAPHIC SCALE



Land Surveyor:

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

Topographic Maps:

Spatial Data, Inc.
1008 Hutton Lane, Suite 109
High Point, North Carolina 27026
336-841-1247
www.spatialdata.com

WESTGATE

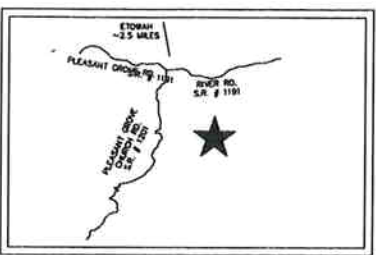
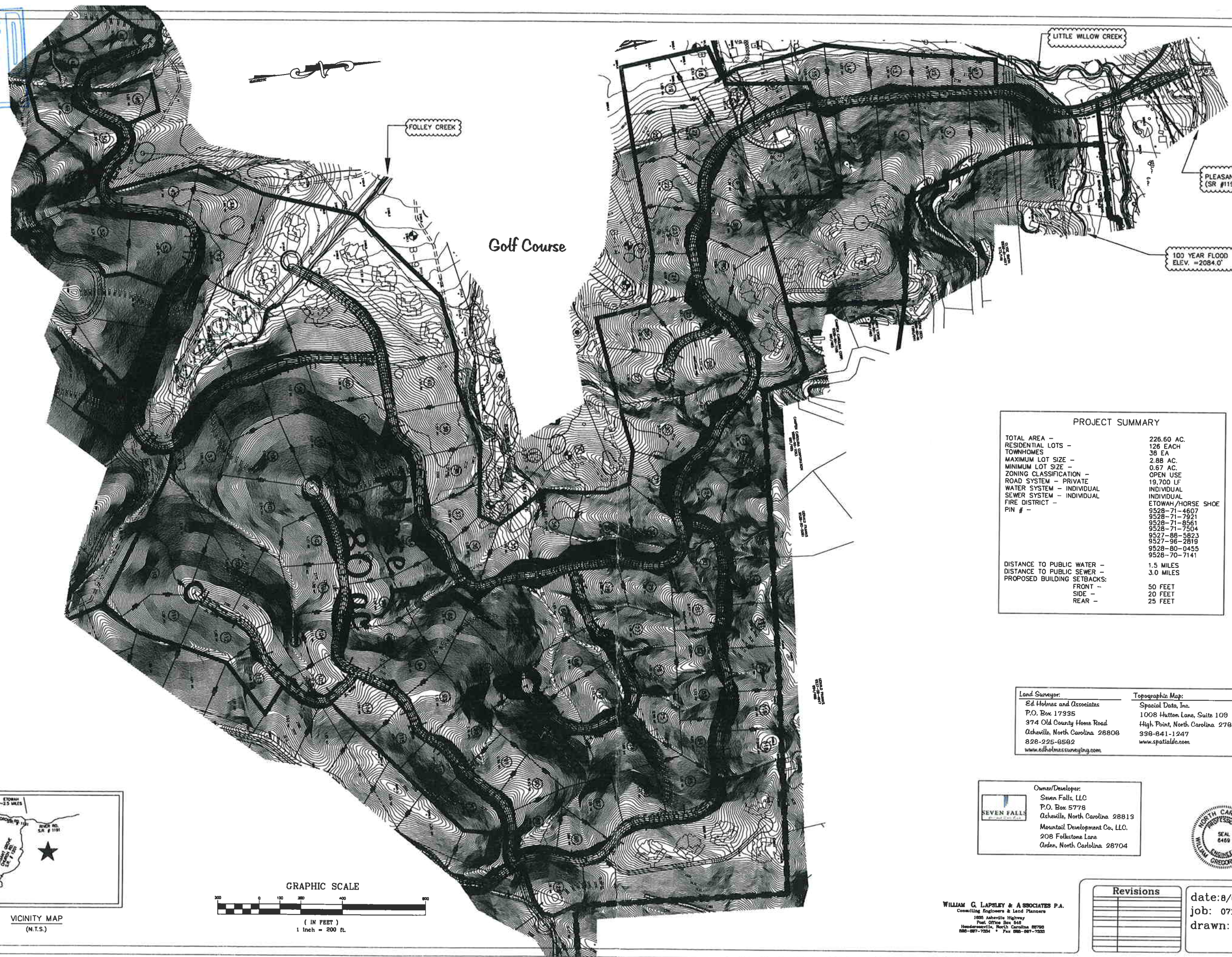


WILLIAM G. LAPSLEY & ASSOCIATES P.A.
Consulting Engineers & Land Planners
1636 Asheville Highway
Post Office Box 548
Hendersonville, North Carolina 28720
800-897-7234 • Fax 800-897-7333

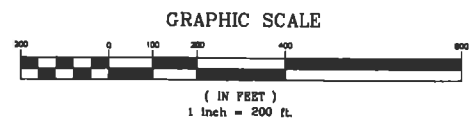
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job: 07108
drawn: KHC

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VICINITY MAP
(N.T.S.)



PROJECT SUMMARY	
TOTAL AREA -	226.60 AC.
RESIDENTIAL LOTS -	126 EACH
TOWNHOMES	38 EA
MAXIMUM LOT SIZE -	2.88 AC.
MINIMUM LOT SIZE -	0.67 AC.
ZONING CLASSIFICATION -	OPEN USE
ROAD SYSTEM - PRIVATE	19,700 LF
WATER SYSTEM - INDIVIDUAL	INDIVIDUAL
SEWER SYSTEM - INDIVIDUAL	INDIVIDUAL
FIRE DISTRICT -	ETOWAH/HORSE SHOE
PIN # -	9528-71-4607
	9528-71-7821
	9528-71-8561
	9528-71-7504
	9527-88-5823
	9527-88-2819
	9528-80-0455
	9528-70-7141
DISTANCE TO PUBLIC WATER -	1.5 MILES
DISTANCE TO PUBLIC SEWER -	3.0 MILES
PROPOSED BUILDING SETBACKS:	
FRONT -	50 FEET
SIDE -	20 FEET
REAR -	25 FEET

Land Surveyor:	Topographic Map:
Ed Holmes and Associates	Spacial Data, Inc.
P.O. Box 17935	1008 Hutton Lane, Suite 108
374 Old County Home Road	High Point, North Carolina 27828
Asheville, North Carolina 28808	338-841-1247
828-225-8502	www.spatialdata.com
www.edholmesurveying.com	

Owner/Developer:
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Asheville, North Carolina 28813
Mountail Development Co., LLC.
208 Folkstone Lane
Asheville, North Carolina 28704

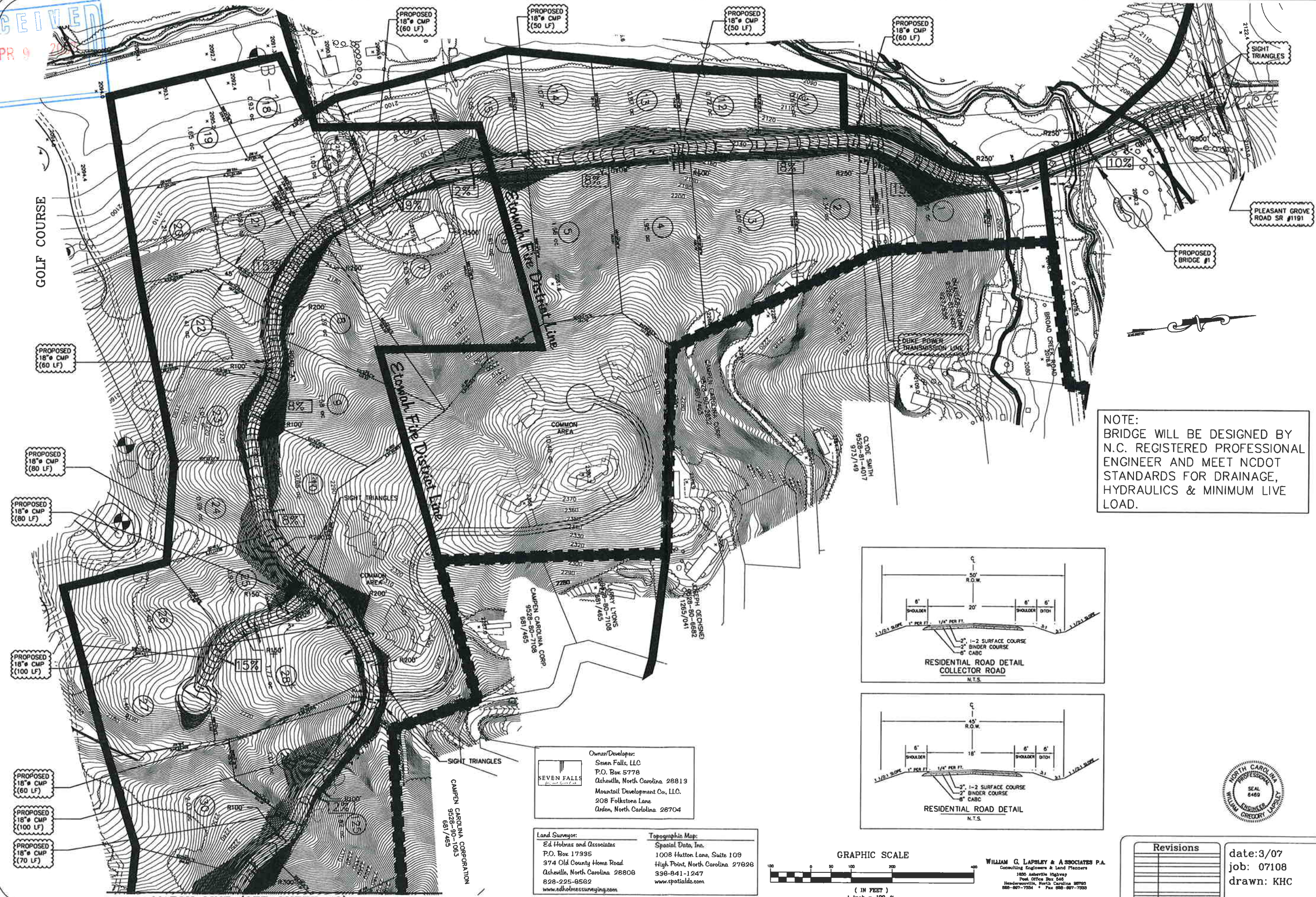


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Hendersonville, North Carolina 27530
888-887-7254 • Fax 888-887-7253

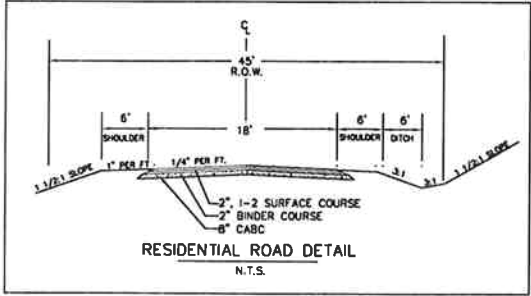
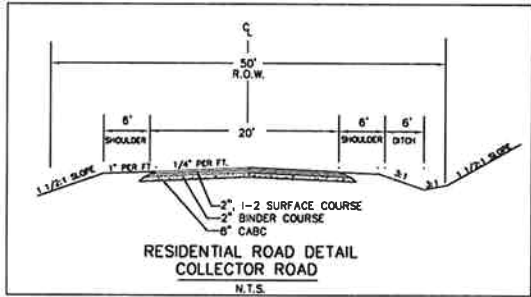
Revisions

date: a/06
job: 07108
drawn: KHC

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NOTE:
BRIDGE WILL BE DESIGNED BY
N.C. REGISTERED PROFESSIONAL
ENGINEER AND MEET NCDOT
STANDARDS FOR DRAINAGE,
HYDRAULICS & MINIMUM LIVE
LOAD.



Revisions	

date:3/07
job: 07108
drawn: KHC

sheet
3 of 25



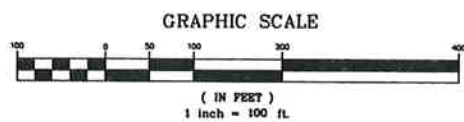
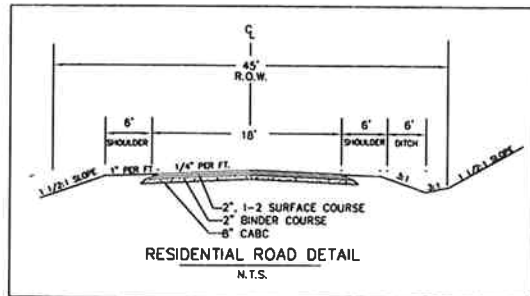
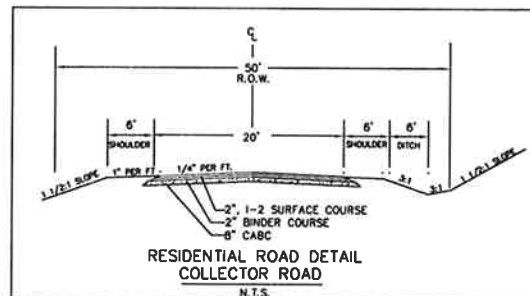
WILLIAM G. LAPSLEY & ASSOCIATES P.A.
CONSULTING ENGINEERS & LAND PLANNERS
HENDERSONVILLE, NORTH CAROLINA

SEVEN FALLS
GOLF & RIVER CLUB
HENDERSON COUNTY
NORTH CAROLINA

PROPOSED PHASE I
SITE DEVELOPMENT PLAN
NORTH SECTION

MATCH LINE (SEE SHEET #4)

MATCH LINE (SEE SHEET #2)



PROPOSED
18" CMP
(60 LF)

PROPOSED
18" CMP
(70 LF)

PROPOSED
24" CMP
(120 LF)

SIGHT
TRIANGLE

FUTURE DEVELOPMENT

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P.O. Box 17395
374 Old County Home Road
Asheville, North Carolina 28808
828-225-0582
www.edholmessurveying.com

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1008 Hutton Lane, Suite 109
High Point, North Carolina 27626
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Consulting Engineers & Land Planners
1000 Asheville Highway
Post Office Box 548
Hendersonville, North Carolina 28030
888-887-7354 Fax 888-887-7355

Revisions

date: 3/07
job: 07108
drawn: KHC



WILLIAM G. LAPSLEY & A ASSOCIATES P.A.
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HENDERSONVILLE, NORTH CAROLINA

SEVEN FALLS
GOLF & RIVER CLUB
HENDERSON COUNTY
NORTH CAROLINA

PROPOSED - PHASE I
SITE DEVELOPMENT PLAN
EAST SECTION

sheet
4 of 25

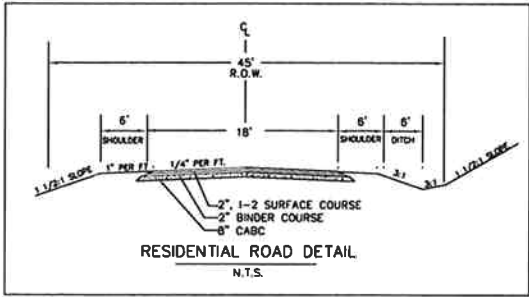
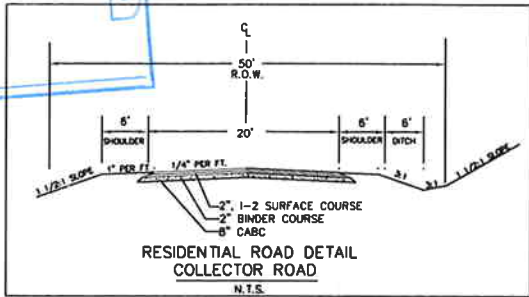
GERALD FRANKS
928-90-5051

GERALD FRANKS
9537-08-4947
984/488



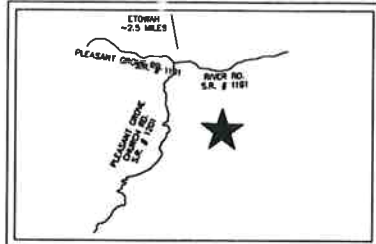
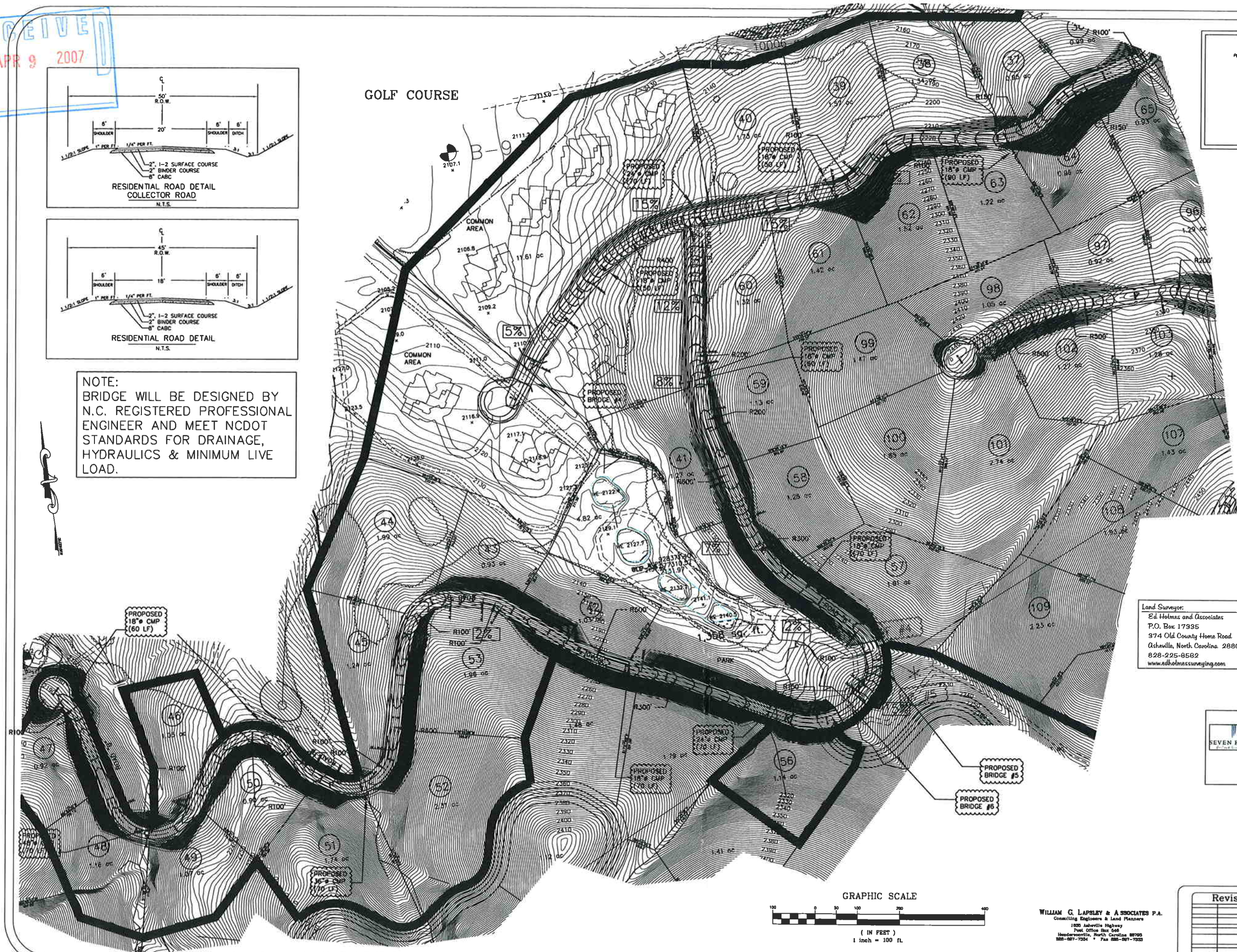
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GOLF COURSE

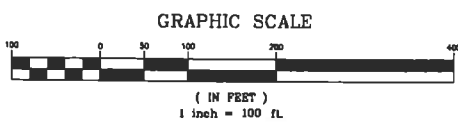


VICINITY MAP
(N.T.S.)

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1805 Asheville Highway
Post Office Box 648
Hendersonville, North Carolina 28756
888-687-7334 Fax 888-687-7335

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job: 07108
drawn: KHC

SEVEN FALLS
GOLF & RIVER CLUB
HENDERSON COUNTY
NORTH CAROLINA

PROPOSED PHASE I
SITE DEVELOPMENT PLAN
SOUTH SECTION

WILLIAM G. LAPSLEY & ASSOCIATES P.A.
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