

REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

Meeting Date: July 19, 2007

Subject: Development Plan Extension for Riverstone P.U.D.
(File #05-M24)

Attachments:

1. Letter Requesting Extension
2. Planning Board Extension Policy
3. Development Plans (section 1-10)

SUMMARY OF REQUEST:

On September 20, 2005 the Henderson County Planning Board approved a Combined Master and Development Plan for the Riverstone Planned Unit Development. Pursuant to Section 170-16 C (4) of the Henderson County Subdivision Ordinance, Development Plan approval is valid for two years; however the Planning Board may, for just cause, grant extensions of development plan approval for a maximum of one additional year. On June 18, 2007, Don Hunley of William G. Lapsley & Associates, agent for the project, submitted a letter requesting a one year extension for the Development Plan approval of the first ten phases of Riverstone. The reasons for the requested extension are listed in the attached letter. An extension granted by the Planning Board would begin at the date the Development Plan Approval expired.

BOARD ACTION REQUESTED:

Action by the Planning Board is needed to either grant or deny this extension. Such action should be made with consideration of the attached extension policy.



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.

June 18, 2007

Parker Sloan, Planner
Henderson County Planning Dept.
215 East 1st Avenue
Hendersonville, NC 28792

Re: Request for One-Year Extension of Developmental Approval
River Stone Subdivision Planned Unit Development (05-M24)
Butler Bridge & North Rugby Roads
Henderson County

Dear Mr. Sloan:

On behalf of the owner of the River Stone Subdivision PUD, we are submitting a request for a One-Year Extension of Developmental Approval for the Master & Development Plans approved on 9/20/7. The owner, the Windsor-Aughtry Company of Greenville, SC, has completed improvements for 229 lots to date and rough-graded another 40 lots out of the total 538. It is anticipated that 100 families will have moved in by December of this year.

Sections 1, 3, 4, 5, and 6 are the completed sections.
Section 2 is roughgraded.
Sections 7, 8, and 11 will be completed next.
Sections 9 and 10 (North Rugby) will be the last sections finished.

The multiple aspects of the project combined with difficulty in scheduling electrical installation by Duke Power has determined the pace of the construction. Currently we are waiting for an additional permit from the US Army Corps of Engineers for Phase 2 of construction (Lentz Portion). When it is in place, we can finalize the remaining permits. Meanwhile construction will continue where permits are valid.

Please contact us if you have any questions or need additional information.

Respectfully,
WILLIAM G. LAPSLEY & ASSOCIATES, PA

Don Hunley, PE

HENDERSON COUNTY PLANNING BOARD POLICY FOR GRANTING SUBDIVISION EXTENSIONS

Statutory Reference: Section 170-16C(4) of the Henderson County Subdivision Ordinance states: "Development Plan approval shall be valid for two years, and such approval shall be annotated on the plan itself and certified by the Subdivision Administrator. The Planning Board may, for just cause, grant extensions of the development approval for a maximum of one additional year."

Policy.

1. The developer should submit in writing a request for an extension, stating the status of the subdivision improvements and the reasons for any delays. The request shall be placed on the agenda for the next scheduled Planning Board meeting.
2. The developer or his/her agent should appear before the Planning Board to answer questions regarding the progress of the development.
3. No extension will be granted unless the developer can demonstrate that a "good faith effort" has been made to develop the property.
4. Property recently developed in an adjacent section of the subdivision, in conformance with the approved Master Plan, may serve as such "good faith effort."
5. A second request for an extension will not be granted unless over fifty percent of the overall development improvements have been completed.

RECEIVED
SEP 19 2005
By _____

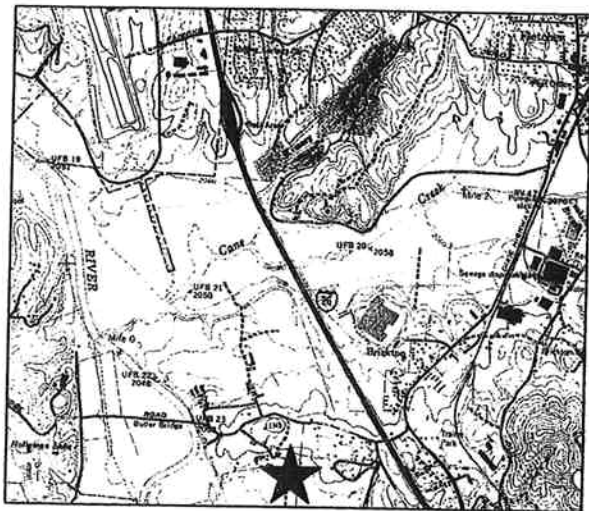
OWNER
WINDSOR-AUGHTRY COMPANY
P.O. BOX 16449
GREENVILLE, SC 29606
864-271-9855

PROJECT SUMMARY
LOT 1 - 106.47 AC
LOT 2 - 69.05 AC
TOTAL ACRES - 175.52

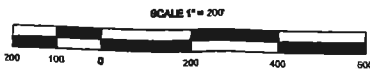
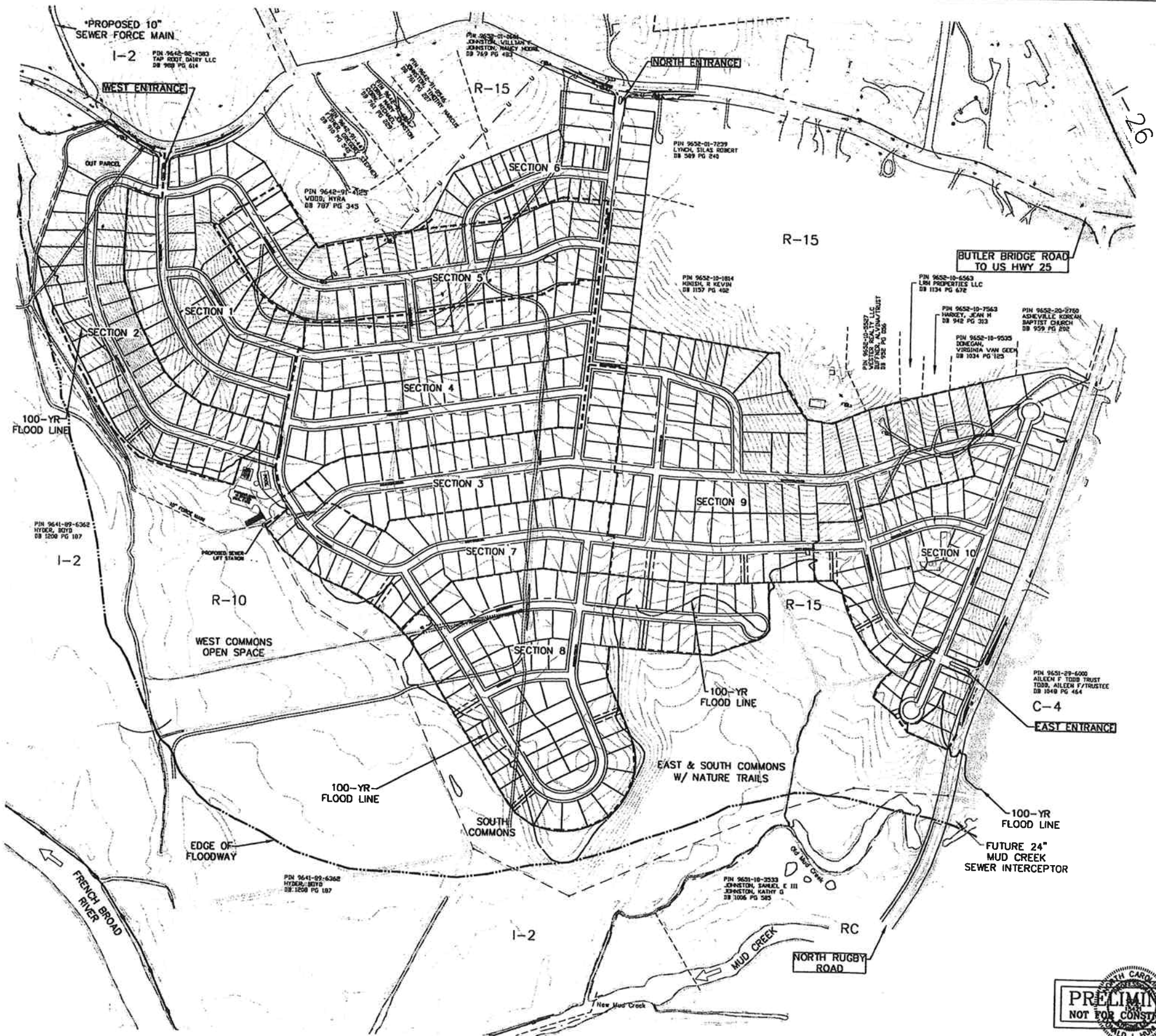
ALLOWABLE DENSITY
LOT 1 - 463 LOTS
LOT 2 - 200 LOTS
TOTAL ALLOWABLE - 663 LOTS

PROPOSED DENSITY - 524 LOTS
COMMON AREAS - 47.1 ACRES

FIRE DISTRICT: FLETCHER
PUBLIC WATER: CITY OF ASHEVILLE
PUBLIC SEWER: CANE CREEK DISTRICT
ROAD SYSTEM: NCDOT (24,640 LF)



LOCATION MAP
N.T.S.



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P.O. Box 644
Hendersonville, North Carolina 28739
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Revisions	
8/19/05	523 LOTS
9/2/05	NO RIGHT TURN LANE

date: 7/05
job: 04180
drawn: JLR

PRELIMINARY
NOT FOR CONSTRUCTION

MASTER PLAN
WITH SECTIONS 1-10

RIVER STONE SUBDIVISION
BUTLER BRIDGE RD. & NORTH RUGBY RD.
HENDERSON COUNTY, NORTH CAROLINA

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

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