REQUEST FOR BOARD ACTION

HENDERSON COUNTY PLANNING BOARD

MEETING DATE: March 18, 2021

SUBJECT: Development Plan for Horseshoe Farm Phase I (2021-M02)

PRESENTER: Matt Champion, Zoning Administrator and Code Enforcement Director

ATTACHMENTS: 1.) Staff Report

2.) Master Plan3.) PowerPoint

SUMMARY OF REQUEST:

Conditional District CD-2020-02 was approved by the Board of Commissioners on August 19, 2020. The master plan approved by the BOC included a mixture of residential uses with specific associated amenities. As part of the conditions for approval set by the BOC and agreed upon by the applicant, each development plan must be reviewed and approved by the Planning Board. Phase 1 Development Plan includes 4 townhome units and the pool with amenities. The acreage of Phase 1 is approximately 3.603 acres. The property owner is SEN-Asheville I, LLC. John Turchin will be serving as agent.

The Technical Review Committee (TRC) review the application on March 2, 2021 and voted to forward the item to the Planning Board with the comments noted in the staff report.

PLANNING BOARD ACTION REQUESTED:

Staff has found that the Revised Master Plan meet the standards of the subdivision regulations of Chapter 42A, Henderson County Land Development Code (LDC). Staff recommends the Revised Master Plan be subject to the developer addressing any issues raised by the Planning Board and addressing the comments listed in the Staff Report.

Planning Board action to approve, approve with modifications, or deny subdivision application #2004-M21 (Revised Master Plan for Blacksmith Run)

Suggested Motion:

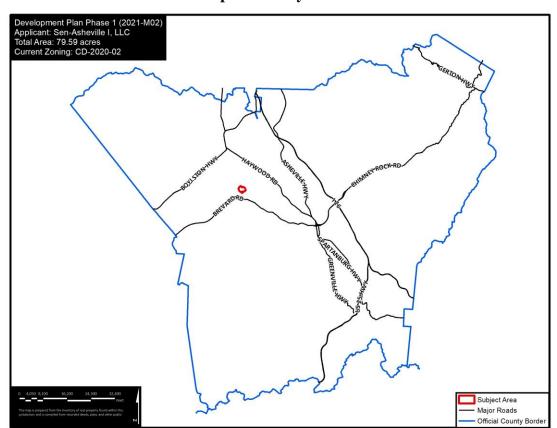
I move that the Planning Board (approve, approve with modification or deny) Phase 1 Development Plan for Horseshoe Farm, 2021-M02 based on the conditional rezoning approval for this property, the Henderson County Land Development Code and recommendations of the Henderson County Comprehensive Plan and with any conditions as discussed within the staff report or by the Planning Board.

Henderson County Planning Department Staff Report Development Plan for Horseshoe Farm Phase 1 (2021-M02)

Owner(s) SEN-ASHEVILLE I, LLC (John Turchin, Agent)

1. <u>Development Plan Request</u>

- 1.1. **Applicant:** SEN-Asheville I, LLC
- 1.2. **Property Owner:** SEN-Asheville I, LLC (John Turchin, Agent)
- 1.3. **PINs:** 9640-21-6060, 9640-11-6673, 9640-30-4804, 9640-21-6420, 9640-31-1473, & 9640-31-4154
- 1.4. **Zoning:** Conditional District (CD-2020-02).
- 1.5. **Size:** Phase 1 acreage is approximately 3.603 acres. Total acreage of site is approximately 79.59 acres.
- 1.6. **Location:** The subject area is located on South Rugby Road (SR 1312) approximately a half mile north of Brevard Road (US 64) and south of Haywood Road (NC 191). The western boundary of the site runs parallel to the French Broad River.



Map A: County Context

Map B: Aerial



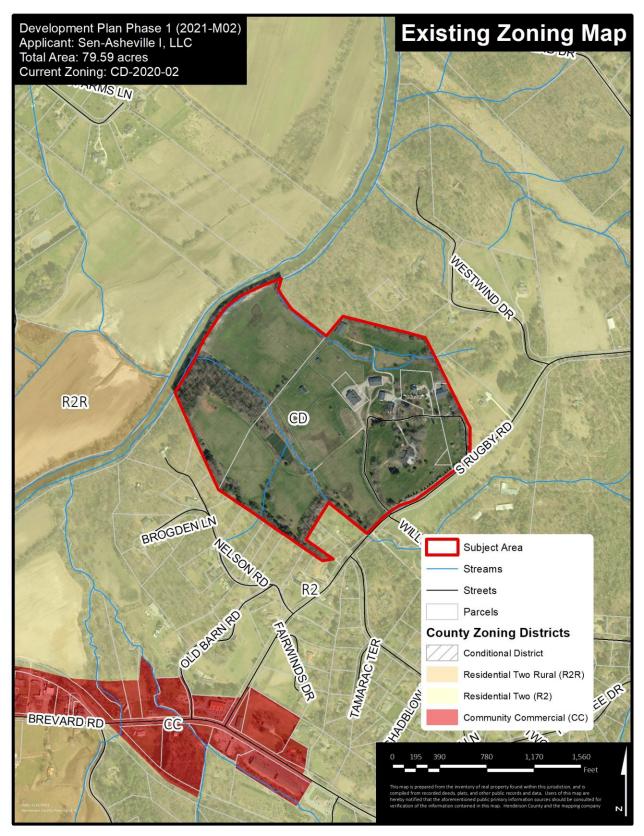
2. <u>Current Uses of Subject Area and Adjacent Properties</u>

- 2.1. **Subject Area Uses:** The subject area is primarily used for agriculture and residential purposes. There are currently several residential homes on the subject area, including: garages and barns, room accommodations on the upper level of the main barn, and an on-site dining facility used by the previous owner for guests (See Map B).
- 2.2. **Adjacent Area Uses:** The surrounding properties contain mainly agriculture and residential uses with nearby commercial uses.

3. Current Zoning

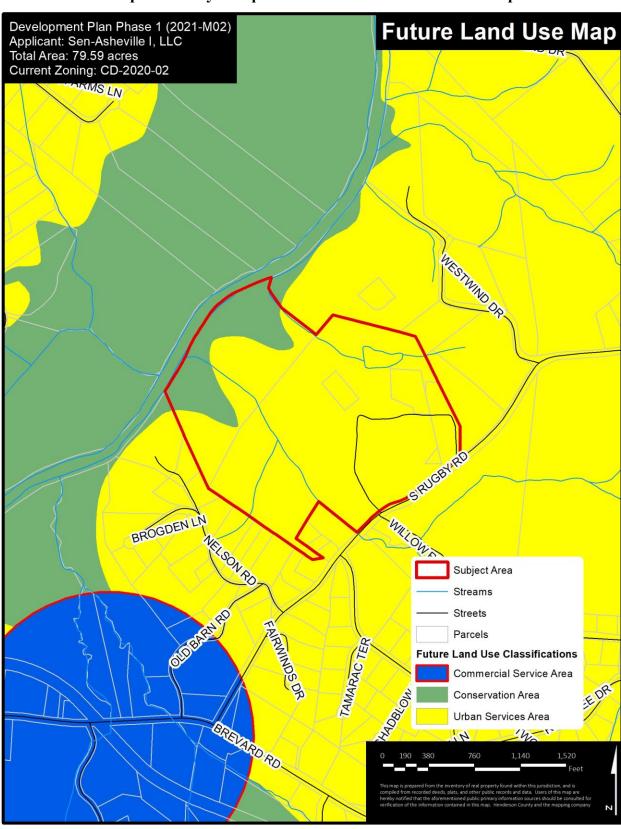
- 3.1. **Application of Current Zoning:** The subject area is currently zoned Conditional District (CD-2020-02). (See Map C).
 - 3.1.1. **Conditional District (CD):** "Conditional Zoning Districts are created for the purpose of providing an optional rezoning choice where the owner of property proposes to rezone property and, in order to, among other reasons, carry out the purposes of the Comprehensive Plan, proposes to impose special limitations and conditions on the use of the property proposed for rezoning" (Chapter 42, Land Development Code §42-45). Conditions may be imposed in the furtherance of the purpose of the LDC and the recommendations of the County Comprehensive Plan.
- 3.2. **Adjacent Zoning:** The subject area is adjacent to mainly Residential Two (R2) zoning. There is a section of Residential Two-Rural (R2R) zoning across the French Broad River to the west and Community Commercial (CC) to the south at the intersection of South Rugby Road (SR 1312) and Brevard Road (Hwy 64).
- 3.3. **Water Supply Watershed:** The subject property is located within a WS-IV-PA and allows a maximum built upon limit of 24% under the Low-Density option.

Map C: Current Zoning



4. The Henderson County Comprehensive Plan (CCP)

- 4.1. The CCP Future Land Use Map identifies the subject area as being located in the Urban Services Area (USA) with a small portion of the subject area along the French Board River being located in the Conservation area. A Community Service Center node is located to the south of the subject area (CCP, Pgs. 128, 129 & Appendix 1, Map 24). (See Map D).
 - 4.1.1. **Urban Services Area:** The CCP states that, "the USA will contain considerable commercial development at a mixture of scales," and further, "all regional commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community. The USA will essentially contain all existing and future industrial developments, which will be the future focus of economic development activities" (CCP, Pg. 129).
 - 4.1.2. **Conservation:** This category includes land areas that are intended to remain largely in their natural state, with only limited development. Such areas should be targeted for protection through regulations and incentives. Conservation areas are lands that generally exhibit any of the following characteristics: 1. Sensitive natural areas such as steep slopes, floodplains, major wetlands, forest reserves and wildlife conservation areas, and key watersheds 2. Areas of historic and archeological significance 3. Local, state or federally managed natural areas 4. Areas managed for agricultural or forestry land uses 5. Other areas yet to be defined.



Map D: County Comprehensive Plan Future Land Use Map

4.1.3. **Growth Management Strategy:** The CCP shows the subject area located in the Urban Services area for Growth Management Strategy. The CCP states "The USA will contain considerable commercial development at a mixture of scales: Local, Community, and Regional, as defined below. In particular, all Regional Commercial development should be concentrated here. Commercial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community." (CCP, pg. 133, #4.) (See Map E)

Development Plan Phase 1 (2021-M02)
Applicant: Sen-Askville I, LLC
Total Area: 79.59 acres
Current Zoning: CD-2020-02

Subject Area

Light 7200 10,307 22.00 10,3

Map E: Growth Management Strategy Map

Development Plan Phase 1 (2021-M02) Applicant: Sen-Asheville I, LLC Total Area: 79.59 acres Current Zoning: CD-2020-02 Flood Hazard Area Map Townhome Area Phase 1 Pool Amenity Area Subject Area Streams Streets Parcels Flood Hazard Areas 100 Year Floodplain 500 Year Floodplain Floodway

Map F: Floodplain Map

5. Floodplain

5.1. **Floodplain:** The subject area contains both the 100-year and 500-year floodplains (See Map F). Structures are permitted in this area provided they are elevated, and up to 20% of this area may be filled by right.

6. Water and Sewer

- 6.1. **Public Water:** The applicant has applied to utilize public water. City of Hendersonville water currently serves the existing structures at the project site along South Rugby Road (SR 1312). Should the applicant not utilize City of Hendersonville water, the applicant has indicated all proposed units will install individual well systems.
- 6.2. **Public Sewer:** The applicant is proposing individual septic systems to serve each of the proposed residential units as well as the lots making up the development's common area.

7. Etowah-Horse Shoe Community Plan

The Henderson County Board of Commissioners adopted the County Comprehensive Plan (CCP) on July 6, 2004. A principal recommendation of the CCP is the detailed study of individual communities within the County. The Etowah-Horse Shoe (EHS) Community Plan is a community specific comprehensive plan that outlines future goals related to land use and development, community character and design, natural and cultural resources, agriculture, housing, community facilities and public services, transportation and economic development as it relates to the CCP. The Board of Commissioners by resolution took action on the EHS Community Plan on September 16, 2009. On November 17, 2010, the Board of Commissioners, after holding a public hearing, adopted the zoning map amendments recommended in the EHS plan with modifications.

8. Conditional District Approval

- 8.1. **Approved Master Plan:** The subject area was rezoned to a conditional district, CD-2020-02, on August 19, 2020 by the Board of Commissioners. The master plan approved by the Board of Commissioners included the following:
 - 36 Residential Units (Project Total)
 - Average Density of 0.452 units per acre
 - 76 Residential Parking Spaces
 - 12 Spa/Wellness Facility Parking Spaces
 - 7 Horse Trailer Parking Spaces
 - 11.3% impervious surface area (approximately 9.03 acres)
 - 56.054 acres of Open Space (70.4%)
 - Common Area and Development Amenities
 - o On site dining and kitchen facility (approximately 3,000 SF)
 - o Barbecue Area (approximately 800 SF)
 - o Club house (approximately 2,720 SF)
 - o Spa/Equestrian Barn (approximately 8,670 SF)
 - Including 5 Guest Rooms
 - o Event Building/Storage Facility (approximately 6,035 SF)
 - o Arts & Crafts/Maintenance Building (approximately 2,580 SF)
 - o Yoga Studio/Event Building (approximately 5,365 SF)

- Riding Ring
- o Maintenance & Storage Building (approximately 5,365 SF)
- o Rental Cottage Lot (10 Units)
- o Pool and Amenities
- o Horse Trailer/RV Parking Area

9. Development Plan

- 9.1. The development plan is a graphic representation or map of the tract of land to be developed indicating all proposed divisions of land, their uses, improvements and other information as may be required to fully disclose the applicant's intentions. The purpose of the plan is to provide general and specific information and is not intended to be a recordable document. The applicant may, only upon receipt of approval of the development plan proceed with the establishment of erosion and sedimentation control measures, clearing and other land-disturbing activities and improvement activities associated with the project (LDC§42-342).
- 9.2. As part of the conditions for approval set by the Board of Commissioners and agreed upon by the applicant, each development plan must be reviewed and approved by the Planning Board. The applicant is proposing to develop the subject area into 4 phases. Phase 1 includes the pool and associated amenities, and 4 townhome units.
- 9.3. Phase I Development Plan Elements:
 - 4 Townhome Units (36 Total Residential Units Approved)
 - Pool with Hot Tub, Changing Areas/Restrooms, and Cabana
 - 2,980LF of Private Roads
 - Proposed Density: 0.452 Units/Acre
 - Total Acreage of Phase 1: 3.603Acres
 - Townhomes 2.128 Acres
 - Pool Area 1.457 Acres

10. Staff Comments

- 10.1. **The CCP:** The CCP Future Land Use Map (See Map D) places the subject area in the Urban Services Area and Conservation classifications. The text and map of the CCP suggest that the subject area would be suitable for residential development.
- 10.2. **Adjacent Zoning:** The subject area is adjacent to Residential Two (R2) zoning and Residential Two Rural (R2R) to the west across the French Broad River. Community Commercial (CC) is nearby to the south of subject area.
- 10.3. Conditional Zoning Approval: After a petition for conditional zoning is approved, the development and use of the property shall be governed by the existing Chapter requirements applicable to the district's category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute zoning regulations for the approved district and are binding on the property as an amendment to these regulations and to the Official Zoning Map.

10.3.1. Only those uses and structures indicated in the approved petition and site plan shall be allowed on the subject property. A change of location of the structures may be authorized pursuant to §42-50 (Alterations to Approval). Changes to the site plan layout shall not increase the number of structures. (LDC §42-49)

11. Technical Review Committee (TRC)

11.1. The TRC will review the application at their March 2, 2021 meeting.

12. Planning Board

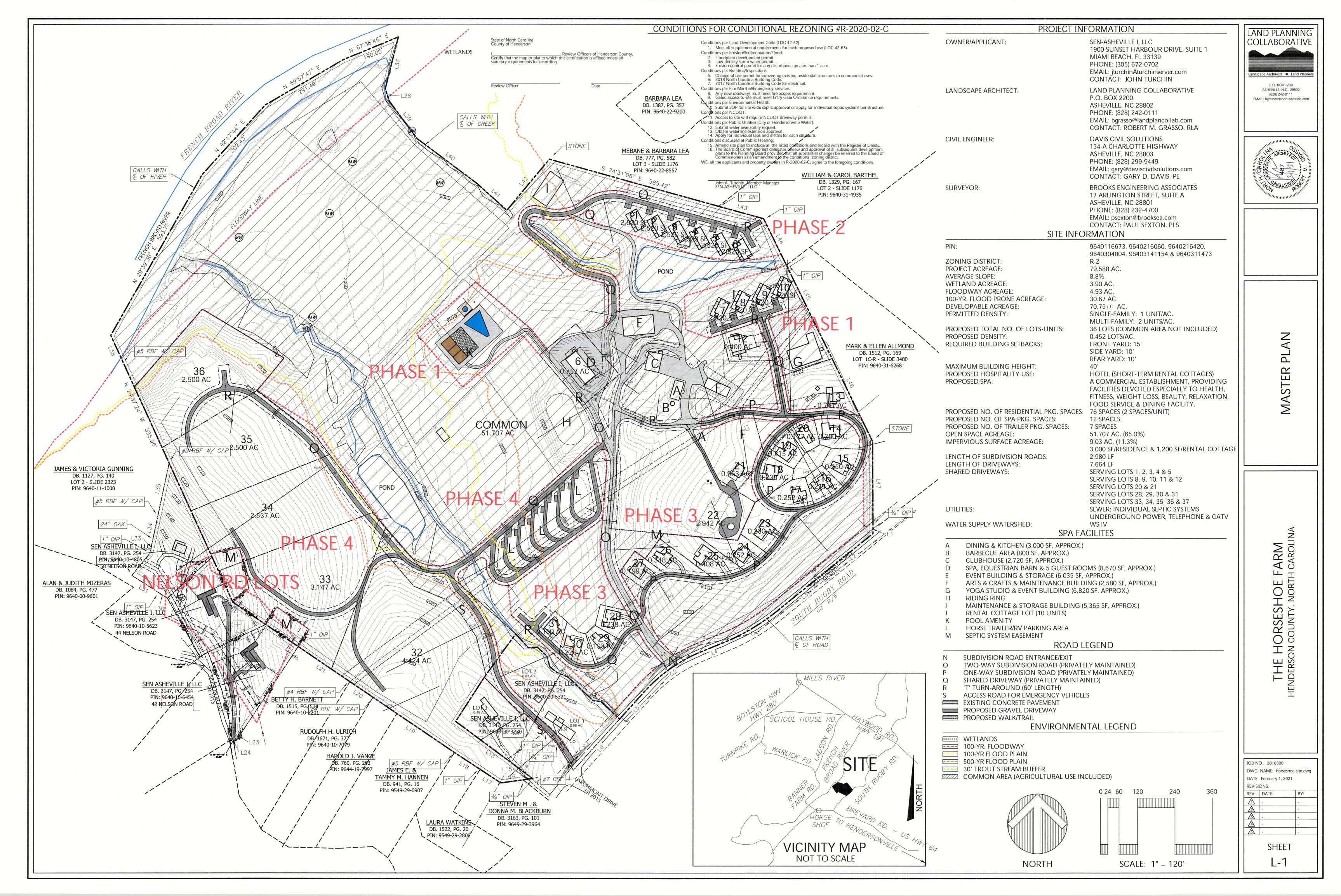
12.1. The Planning Board will review the application at their March 18, 2021 meeting.

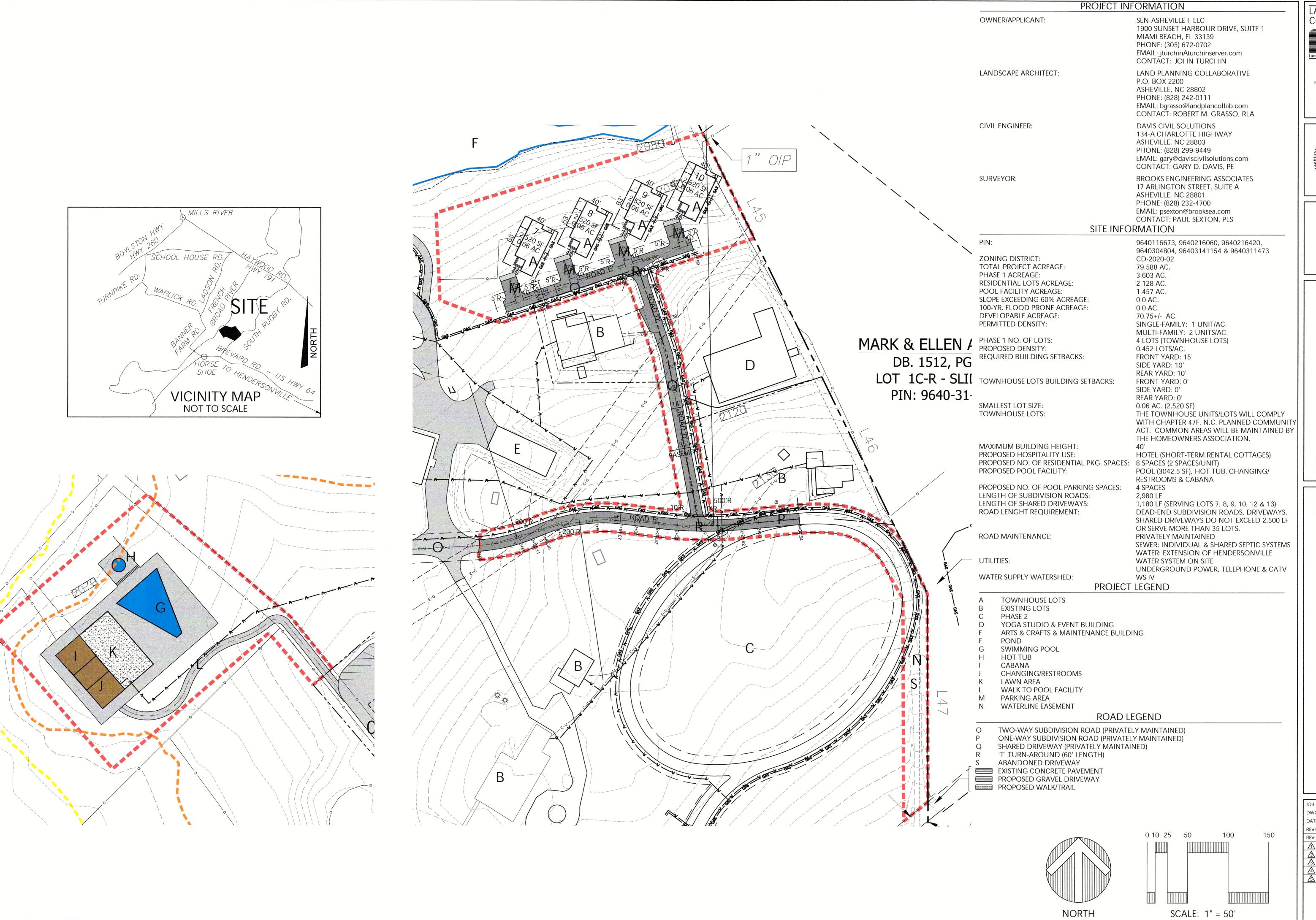
Development Plan Comments:

- 1. **Soil Erosion and Sedimentation Control Plan.** The Applicant shall submit written notice from the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received (LDC §42-95B).
- 2. **Private Roads.** Private roads shall be constructed in accordance with the Private Subdivision Local Road standards stated in Chapter 42 (LDC§42-104).
- 3. **Shoulder Stabilization.** All areas disturbed by the construction of a public road, including cut and fill slopes, shoulders and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §42-97).
- 4. **Road Drainage, Culverts and Shoulder Stabilization.** Road or drainage structures shall be constructed in accordance with state roads standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff (LDC §42A-100). All areas disturbed by the construction of a public road, including cut and fill slopes, shoulders and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §42-97).
- 5. **Perennial and Intermittent Surface Water Buffer.** All built-upon area shall be a minimum of 30 feet landward of all perennial and intermittent surface water, as defined in LDC §42-251. Stormwater permit will not be required by LDC §42-113.
- 6. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 42 of the Henderson County Code, Property Addressing (LDC §42-103). The names of the proposed roads and easements should be confirmed with the development plan approval.
- 7. **Road Name Signs and Regulatory Signs.** Road name signs and regulatory signs shall be provided in accordance with Chapter 142 of the Henderson County Code. Road name signs and regulatory signs must be acquired and installed prior to final plat approval (LDC §42-104).
- 8. **NCDOT Driveway Permit.** An NCDOT Driveway Permit is required for the proposed road to access the site. Design should meet requirements of NCDOT.

Staff Report for Development Plan Phase 1 (2021-M02)

- 9. **Water Quality.** The Applicant shall submit written notice from the appropriate local agencies verifying that a Stormwater Management Permit and a Floodplain Development Permit has been received (LDC §42-95E).
- 10. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).





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PHASE 1 DEVELOPMENT F

THE HORSESHOE FARM HENDERSON COUNTY, NORTH CAROLINA

JOB NO.: 2016300 DWG. NAME: horseshoe-site.dwg DATE: February 1, 2021 SHEET

Phase 1 Development Plan Horseshoe Farms (CD-2020-02)



Henderson County Planning Board March 18, 2021

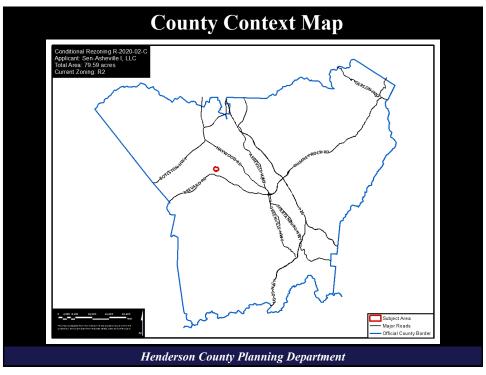
Henderson County Planning Department

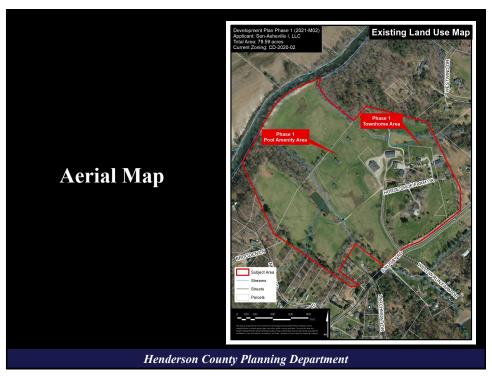
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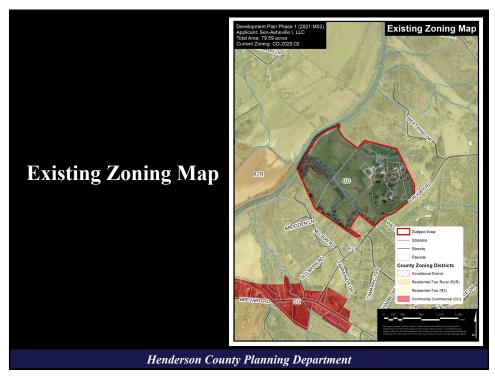
Application Summary

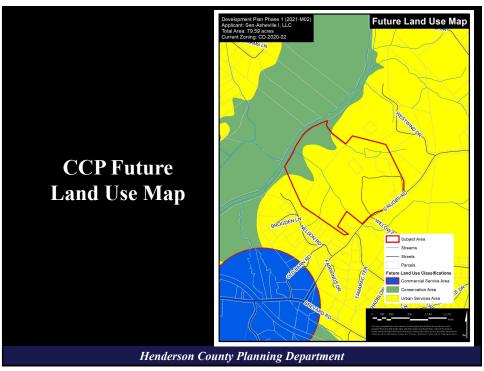
- Conditional District (CD-2020-02) Approved by BOC on August 19, 2020
- Agreed Upon Conditions Requires Development Plan Approval by Planning Board
- 4 Total Phases
- Owner: SEN Asheville I, LLC
- Applicant/Agent: John Turchin
- Total Subject Area: 79.58 Acres
- Phase 1 Area: 3.603 Acres

Henderson County Planning Department



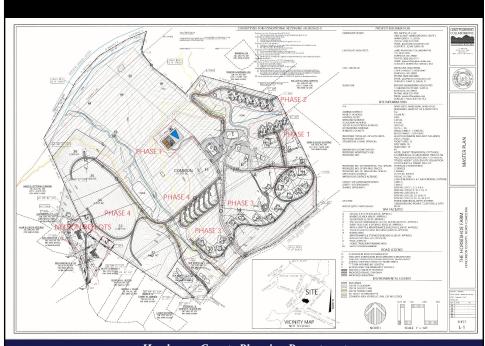












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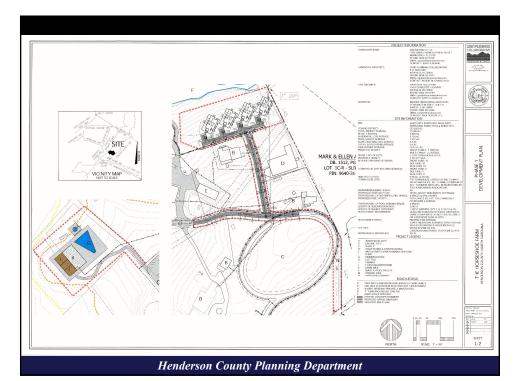
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Phase 1 Development Plan Elements

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