213 1st Avenue East • Hendersonville, North Carolina 28792 Phone (828) 697-4819 Fax (828) 697-4533

MEMORANDUM

DATE:May 23, 2008TO:Review Agencies (see distribution list)TRC MEETING DATE:June 3, 2008REGARDING:Blue Rock Commerce Center, #2008-M08NAME OF APPLICANT:Robert O. Camenzind (Enno F. Camenzind Trust), OwnerDEPARTMENT:PlanningSTAFF CONTACT:Matt Card, PlannerATTACHMENTS:Request for Committee Action with Attachments

Please find attached plans for the following development proposal to be reviewed by the Henderson County Technical Review Committee on June 3, 2008.

Combined Master Plan and Development Plan for the Blue Rock Commerce Center Major Subdivision (2008-M08)

Charles Wilkins, agent, on behalf of the Enno F. Camenzind Trust (Robert O. Camenzind), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Blue Rock Commerce Center. The applicant is proposing a total of 11 lots for industrial purposes and two lots for residential purposes. The project is located on approximately 29.38 acres of land (PIN 9588-24-4381 and 9588-23-8300) located off McMurray Road (SR 1790).

The project is not located in a water supply watershed district nor is it located within the floodplain (see Combined Master and Development Plan). According to County records, the project site does not contain slopes in excess of 60 percent. It is currently located in the R2MH zoning district. A public hearing will be held June 2, 2008 to rezone approximately 19.51 acres of the 29.38 project site from an R2MH to an Industrial Zoning District. Public and private roads, public water, and private sewer are proposed to serve the project site.

Please review the attached plans and return any comments to the Henderson County Planning Department by **May 27, 2008** either by printing out the comment sheet provided or sending it back to the Planning Department via email to <u>mscard@hendersoncountync.org</u>. The Henderson County Technical Review Committee will consider your comments when reviewing the proposed plans.

Distribution List

Henderson County Technical Review Committee Terry Layne, Henderson County EMS Director Curtis Griffin, Henderson County Property Addressing Coordinator Dr. Stephen Page, Superintendent, Henderson County Public Schools Commander Eddie Watkins, Henderson County Sheriff's Dept. Chief Gary Brown, Blue Ridge Fire & Rescue, Inc. Josh Lanning, Assistant District Engineer, NCDOT

HENDERSON COUNTY PLANNING DEPARTMENT REVIEW AGENCY RESPONSE FORM

I have reviewed the plan(s) for subdivision application #2008-M08 (Blue Rock Commerce Center) and offer the following comments:

(If necessary use back of form or additional sheets for comments) Agency Reviewed By Date Please Return to: Matt Card, Planner Henderson County Planning Department 213 1st Avenue East Hendersonville, NC 28792 mscard@hendersoncountync.org

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: Tuesday, June 3, 2008

SUBJECT: Combined Master Plan and Development Plan for Blue Rock Commerce Center Major Subdivision (2008-M08)

STAFF CONTACT: Matt Card

ATTACHMENTS: 1. Staff Report

- 2. Vicinity Map
- 3. Pictures of the Site
- 4. Subdivision Application with Attachments
- 5. Affidavit of Understanding of Farmland Preservation
- 6. Water and Sewer Availability Letter
- 7. Combined Master Plan and Development Plan

SUMMARY OF REQUEST:

Charles Wilkins, agent, on behalf of the Enno F. Camenzind Trust (Robert O. Camenzind), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Blue Rock Commerce Center. The applicant is proposing a total of 11 lots for industrial purposes and two lots for residential purposes. The project is located on approximately 29.38 acres of land (PIN 9588-24-4381 and 9588-23-8300) located off McMurray Road (SR 1790).

The project is not located in a water supply watershed district nor is it located within the floodplain (see Combined Master and Development Plan). According to County records, the project site does not contain slopes in excess of 60 percent. It is currently located in the R2MH (Residential Two Manufactured Housing) zoning district. A public hearing will be held June 2, 2008 to rezone approximately 19.51 acres of the 29.38 project site from an R2MH to an Industrial Zoning District. Public and private roads, public water, and private sewer are proposed to serve the project site.

TECHINCAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the proposed Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 200A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report (See Attachment 1). Staff recommends approval of the Combined Master and Development Plan subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report.

Suggested Motion:

I move that the Technical Review Committee find and conclude that the Combined Master and Development Plan appears to comply with the subdivision provisions of Chapter 200A, Henderson County Land Development Code (LDC);

And

I further move that the Combined Master and Development Plan be approved subject to the following conditions: approval of rezoning application R-2008-03 for a portion of the project site to be rezoned from R2MH to an Industrial zoning district, the applicant satisfies any conditions

that may result from the comments listed in the Staff Report (Attachment 1) or other comments from discussion at the Technical Review Committee meeting.

Henderson County Planning Department Staff Report

Combined Master and Development Plan Review for Blue Rock Commerce Center (File #2008-M08)

Robert O. Camenzind, trustee to Enno F. Camenzind Trust, owner Charles Wilkins, Agent

Project Overview:

Charles Wilkins, agent, on behalf of the Enno F. Camenzind Trust (Robert O. Camenzind), owner, submitted a Combined Master and Development Plan and major subdivision application for a project known as Blue Rock Commerce Center. The applicant is proposing a total of 11 lots that will be used for industrial and commercial purposes and 2 lots for residential purposes. The project is located on 29.38 acres of land (**PIN 9588-24-4381 and 9588-23-8300**) located off McMurray Road (SR 1790) (see Combined Master and Development Plan). The project is shown to be completed in one phase. According to County records, the project site does not contain slopes in excess of 60 percent. The project is located in an R2MH (Residential Two Manufactured Housing) zoning district. A public hearing, proposing a zoning map amendment to rezone approximately 19.51 acres of the project site from an R2MH to an I (Industrial) Zoning District, will be held on June 2, 2008. Public and private roads, public water and private sewer are proposed to serve the project site.

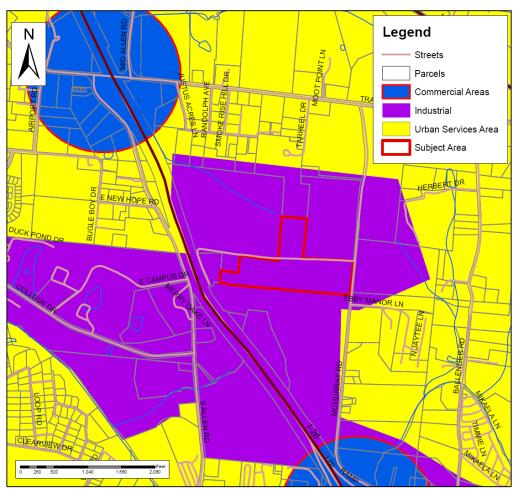
Master Plan Comments:

According to Chapter 200A, Henderson County Land Development Code (LDC) §200A-309, the purpose of a Master Plan is to provide general information about the proposed development to allow for an assessment of its impact on the orderly growth and development of the County, environmental quality, land values, natural features identified on the site analysis sketch and the County's roads and governmental services. During the review of the Master Plan, the Technical Review Committee should take into consideration: applicable recommendations of the *Henderson County 2020 Comprehensive Plan*, the potential use of the land to be subdivided, and the impact of the subdivision and proposed use whether residential, commercial or industrial.

When reviewing the Master Plan it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §200A-75).

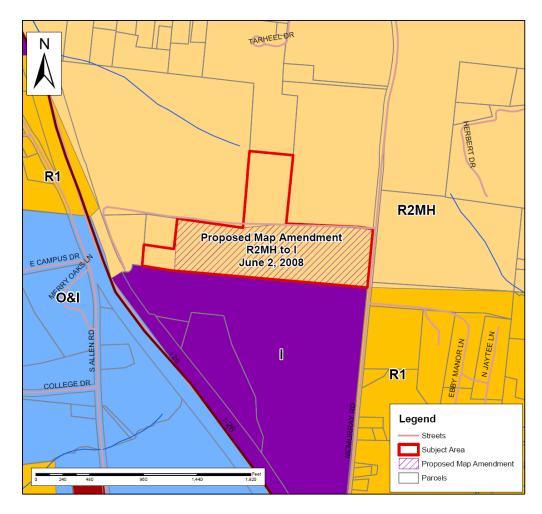
Staff has reviewed the submitted Combined Master and Development Plan for Blue Rock Commerce Center, taking into consideration the recommendations of the *Henderson County 2020 Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:

- 1. *Henderson County 2020 Comprehensive Plan* (CCP). The Future Land Use Map of the CCP shows the project site as being located within the: Urban Services Area and Industrial Area (See Map A: CCP Future Land Use Map).
 - **a.** The Urban Services Area is that area within which most urban services and urban scale development is currently concentrated. Considerable commercial development at a mixture of scales: Local, Community, and Regional should be concentrated here. Virtually all existing and future industrial developments will be contained in the USA.
 - **b.** The Industrial Area lies within the Urban Services Area. Most industrial uses should be segregated from other uses with the exception of Regional Commercial uses.



Map A: CCP Future Land Use

2. Chapter 200A, Henderson County Land Development Code (LDC). According to Chapter 200A, Henderson County Land Development Code (LDC) and its Official Zoning Map adopted September 19, 2007 (as amended), the proposed project site is located within the R2MH (Residential Two Manufactured Housing). (See Map B: Official Zoning Map). A public hearing to rezone a portion of the property from R2MH to I will be held on June 2, 2008. The results of which will influence the current subdivision application. The industrial zoning district allows for industrial and heavy commercial developments which are compatible with the community and sensitive to their impact on the surrounding land uses. The intent of the R2MH zoning district is to allow for low to medium density residential development, with the inclusion of manufactured housing.



Map B: Official Zoning Map

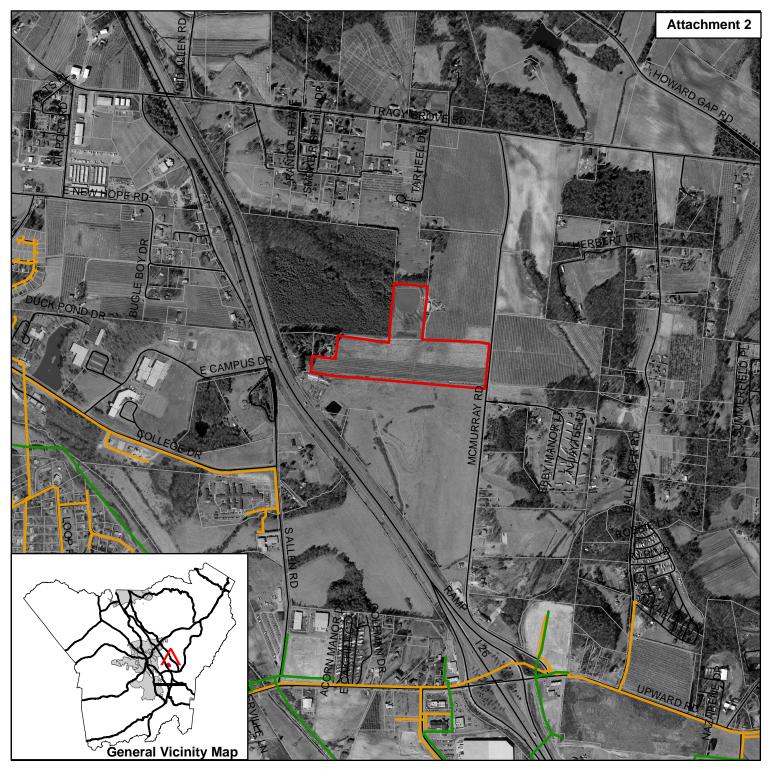
Development Plan Comments

- 1. **Subdivision Names.** The final plat shall contain certification that the public records of the County have been searched and the proposed subdivision name meets the standards set forth in this Chapter (LDC §200A-81 G).
- 2. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 142 of the Henderson County Code, Property Addressing (LDC §200A-81 F).
- 3. **Public Roads.** The applicant has proposed a public road. The proposed roads must be designed and constructed according to NCDOT's minimum construction

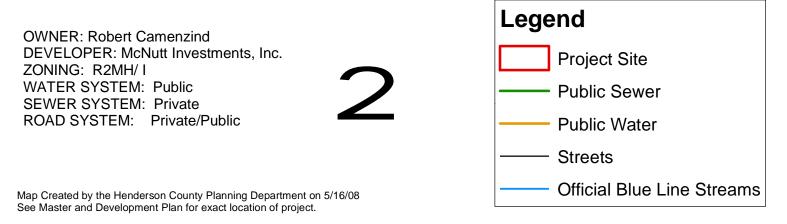
standards for subdivision roads. Pursuant to G.S. 136-102.6(d) the NCDOT District Engineer's Office must sign a certificate of approval provided on the face of the final plat for any subdivision where public roads are proposed prior to County Approval of the final plat (LDC §200A-81 C (1)).

- 4. **Shoulder Stabilization.** All areas disturbed by the construction of a private 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 §200A-81 E).
- 5. **Drainage.** All 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 §200A-81 C(3)).
- 6. Alternative Turnaround. Acceptable turnaround designs for residential subdivisions are shown in LDC §200A-81, Figure 3D. The cross-section for the alternative turnaround proposed near residential lot 2 should be shown on the Master and Development Plan (Development Plan Standards).
- 7. **Private Road.** All proposed right-of-ways should be noted on the Master and Development Plan. The right-of-way serving residential lot 2 should be noted on a revised Master and Development Plan (Development Plan Standards).
- 8. Street Tree Requirements. Street trees shall be required for all major subdivisions (LDC §200A-81 R). Trees shall be required at a rate of one (1) large deciduous tree per 50 feet of property abutting an internal road (LDC §200A-145). Trees shall be placed within the right-of-way or within 20 feet of the edge of the right-of-way and may be placed in groups with a minimum spacing of no less than 15 feet and a maximum spacing of no more than 65 feet (LDC §200A-146). The applicant has proposed 85 trees. Since the proposed private right-of-way falls partially on the applicant's property, it is suggested that 51 trees be provided. The public right-of-way requires 40 street trees. The combined number of suggested trees for the public and private right-of-way is 91 (See Attachment 5, Combined Master and Development Plan).
- 9. **Zoning and Setbacks.** All zoning districts and building setbacks should be noted on the Master and Development plan (Development Plan Standards). As the zoning of the project site may change during the June 2, 2008 Public Hearing, this should be reflected on a revised Master and Development Plan.
- 10. Road Frontage and Existing Off-Site Access. Any tract of land to be subdivided must have frontage on an existing public (state-maintained) road or a private right-of-way to the public road (LDC §200A-81 C). The project site uses a private 30-foot proposed right-of-way as access to McMurray Road. As a portion of the right-of-way falls on William McKay's and John A. Hudgins's properties, the applicant must provide staff with a "Right of Way Conveyance", filed by the register of deeds, permitting use of this off-site access.

- 11. **Subdivision Signs**. All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat (LDC §200A-81 G).
- 12. 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 or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (LDC §200A-81 A).
- 13. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-311 B(2)).



Blue Rock Commerce Center



Subdivision Application 2008-M08 Photos of Project Site



1. View of rezoning posting from southeastern corner.



2. View of existing apple orchard on subject area



3. View of subject area from the east.



4. View of subject area along existing road to the north of the subject area.

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02/28/08	10.19	<u>rna</u>	004	401	3011

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WILKINS & ASSOC INC

Attachment 4

			А	pplication No.	
		ION COUNT			
	SUBDIVISION A				
	(Please fill out	all applicable i	tems)		Center
SUBDIVISION INFORMATION	1	Deeks	Blue	Rock Comm	erce forts
Subdivision Name:	- thatster	TESTS			9001-000
Subdivision Type (Circle One):			Non-Standard	1 Special	
Proposed Use of Property (Circle One):		ommercial (Industrial	\sim	
Conservation Subdivision: Yes		ated entrance t		Yes No	
Existing Number of Lots:O			-	is:	
Total Number Proposed Units:	P	-	•	cre):	
Road System: () Public	(🗙) Private	() Cou	mbination Pub	lic and Private	
Water System: () Individual	() Community	(X) Mu	micipal		
Sewer System: (X) Individual	() Community	() Mu	micipal		
PARCEL INFORMATION PIN: 9588244381 + 238300 To Location of property to be divided:			55 Book/Page: 04	5/651_Township_1	310e Ridge
Zoning District. R2MH 4 I		Fire Di	strict; BL	e Ridge	
•				word, Flat Rec	KAF Hondeson
Water Supply Watershed: <u>None</u> Any portion of property within or conta	ining the fallessing				
	No Perennial	of the opening t	Yes No	۱.	
	\leq		Yes (No)		
Protected mountain ridges: Yes	No Cemetery)	
Within 1/2 mile of a Farmland Preservati		es (Ng)			
Adjacent to a Farmland Preservation Di	strict:	les No			
CONTACT INFORMATION	•	Inn: Kay	thrun to	tudgens o	
Property Owner(5);	• •	40185: 81	g-mcm	urray RX	
Name: Robert O. Coment	und 1	hone:	-(, (hudgens urray RQ 1-828	<u>-216-3300</u>
Address: <u>5133 Boyleton H</u> Applicant: Mills River, NC	ω_{5} (Lity, State, Zip:	: Mat R	OCE, NC J	8131
(9.24) 890-0504		(000)	777 _5700		
Name: McNutt Investm	and the second	hone: (\$24)			
Address: 110 Vista Blue	· (Lity, State, Zip:	: Arden, C	C 28704-	· · · · · · · · · · · · · · · · · · ·
Agent: Agent Form (Circle One):	Ver No	.			,
Name: Chorks A. Wilki	the second s	hone: (864			
Address: Po Bax 700	(Sity, State, Zip:	: Landrum	SC 28356	
Plan Preparer:					
Name:	I	hone:		······································	
Address:					
		-			
I certify that the information shown abo	ove is the and aceu	ate and is in o	onformance w	ith the Subdivision re	gulations of
Henderson County:	C(2)	hai			- ,
Charles A. Wilkins	Lth			2/13/08	
Print Applicant (Owner or Agent)	Signature Applic	ant (Owner of	Agent)	Date 02-29-08	
Henesal Partner	Kathren	n Affre	Leus	02-29-00	/
owner	SISTO	ture)	Date	
	Coun	ty Use Only			
Fee: <u>\$ 200</u> Paid:	Method:	Fi	inal Plat Appro	oved On:	Page 1 of 1

			Application	on No. Attach ment 4
	HENDERSON COUNTY SUBDIVISION APPLICATION FORM			
	(Please fill out <u>all</u> applicable items)		-	Center
SUBDIVISION INFORMATION				O ,
Subdivision Name:	Industrial	Park Blue	Rock G	ommence tapk
Subdivision Type (Circle One):	Major Mino	r Non-Sta	andard	Special
		mercial (Industri	al	
Conservation Subdivision: Yes	No Gate	d entrance to proper	rty: Yes	No
Existing Number of Lots:O		Number of Propos		
Total Number Proposed Units:				
Road System: () Public	(X) Private	() Combinatio	n Public and Pi	rivate
Water System: () Individual	() Community	(🗙) Municipal		
Sewer System: (X) Individual	() Community	() Municipal		
PARCEL INFORMATION PIN: 9588244381 + 238300 Tota Location of property to be divided:	al Acreage: <u>19</u> 19 Murray Rd.	Deed Book/Pag	550/470 e: 965/651	Township Blue Ridge
Zoning District: R2MH + I		_ Fire District:	Blue Rida	\e
Water Supply Watershed:				Flat Rock + E. Henderson
Any portion of property within or contain	ing the following:	-		••••••••••••••••••••••••••••••••••••••
Floodplain or floodway: Yes	(No) Perennial stre	ams: Yes	No	
Protected mountain ridges: Yes	No Cemetery:	Yes	(No)	
Within 1/2 mile of a Farmland Preservation	n District: Yes	No	$\mathbf{\circ}$	
Adjacent to a Farmland Preservation Dist	rict: Yes	No		
CONTACT INFORMATION		e: Kathrsn H	Megar	
Property Owner(s):	A Add	ess: RI9 MCMW	ray ica.	
Name: Robert O. Camenzi	Phon Phon	e: <u>(828) 216</u> -	3300	
Address: 5133 Boylston Hu	City,	State, Zip: Flat	Rock, NC	28131
Applicant: Mills River, NC 2 (828) 890-0509 Name: MCNutt Investment	78 157	(00) 777 5	700	
		e: (828) 777-5		- 1
Address: <u>IIO Vista Blud.</u>	\sim	State, Zip: Arder	1, NC 287	[04-
	Ves No	(OCA) ACT.	C+0.1	
Name: Charles A. Wilkin		e: <u>(864) 457-</u>		0701
Address: <u>Po Box TOO</u>	City,	State, Zip: Land	rum, SC 8	556
Plan Preparer: Name: Jon Loushter	Dhon	e: (828) 692	-9 ₀ <i>Q</i> 0	
Address: 131 Fouth Ave E.		State, Zip: Her		NC 00700
	<u> </u>	State, Zip		10 68192
I certify that the information shown abov Henderson County.	e is true and accurate	and is in conformar		-
Charles A. Wilkins				3/08
	Signature Applicant (Owner or Agent)	Date	
(Attached)				
owner	5 ignature County U		Do	ate
Fee: \$Paid:	Method:		Approved On: _	Page 1 of 1

APPOINTMENT OF AGENT FORM (OPTIONAL)

I <u>Robert O. Camenzind</u> owner of property located on	Mc Mumay Rd.
(Name)	(Street Name)
recorded in <u>650 (470</u> and having a parcel identific	cation number of <u>9588244381</u> .
(Deed Book/Page)	(PIN)
located in Henderson County, North Carolina, do hereby appoint	<u>Charles A. Wilkins</u> (Agent's Name)

to represent me in an application to the Planning Department and authorize him/her to act as my agent <u>in all matters</u>, 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 any applicable ordinance Property Owner Trustee

Enno F. Comenzind Trust

<u>| 3/08</u> Date

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 $\frac{1}{1} \frac{1}{1} \frac{$

Name of Øwner

<u>57 /6 /08</u> Date

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

I. Gloria A. Owen , a Notary Public for said County and State, do hereby certify that

Robert O. Camenzind personally appeared before me this date and acknowledged the due execution of

the foregoing instrument.

Witness by hand and official seal, this the <u>16th</u>day of <u>May</u>, 2008.

Notary Public

Notary Public

My Commission Expires: 12–16–09



MAY 1 6 2008 BY

CITY COUNCIL:

Greg Newman Mayor Barbara Volk Mayor Pro-Tem William O'Cain Jeff Collis Steve Caraker CITY OF HENDERSONVILLE

"The City of Four Seasons"

WATER AND SEWER DEPARTMENT Lee Smith, Utilities Director Attachment 6 OFFICERS: W. Bowman Ferguson City Manager Samuel H. Fritschner City Attorney Tammie K. Drake City Clerk

Friday, May 16, 2008

Mr. Jon Laughter, P.E. Laughter, Austin and Associates 131 4th Avenue East Hendersonville, NC 28792

RE: BLUE ROCK COMMERCE CENTER (MCNUTT INVESTMENTS) PARCEL IDENTIFICATION NUMBER 9588244381 WATER AVAILABILITY

Dear Mr. Laughter:

We have received and reviewed your request, dated March 28, 2008, regarding water availability for the above referenced property. We have determined that City water will be available to this property along McMurray Rd. from an 8-inch water main located south of the property at Upward Rd. We have also determined that this property is within the City's water service area and would be eligible for City water service, once made available to this property, if so desired. Based on our findings, the above reference property 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 property 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

CC:

Dennis Frady, Assistant Utilities Director Anthony Starr, Henderson County Planning Director

305 Williams Street Hendersonville, NC 28792-4461 e-mail: lsmith@cityofhendersonville.org Phone: (828) 697-3063 Fax: (828) 697-3089 www.cityofhendersonville.org

