

REQUEST FOR COMMITTEE ACTION

HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

MEETING DATE: Tuesday, January 15, 2019

SUBJECT: Combined Master and Development Plan for Massa Properties LLC
(2018-M08)

STAFF CONTACT: Eric Warren, Planner

ATTACHMENTS: 1. Staff Report
2. Combined Master and Development Plan

SUMMARY OF REQUEST:

Jason Spencer of Spencer Surveying and Mapping, appointed agent, on behalf of Massa Properties LLC, owner and applicant, submitted a Combined Master and Development Plan for the project known as the Major Subdivision for Massa Properties LLC. The project (PIN 9657-78-2064) is located on approximately 5.41 acres of land on Twin Springs Rd (S.R. 1535) near Naples Rd (S.R. 1534) and Interstate 26 (I 26).

The Combined Master and Development Plan proposes the creation of 3 lots. The property is serviced by private water and private septic.

TECHNICAL REVIEW COMMITTEE ACTION REQUESTED:

Staff has found that the Combined Master and Development Plan appears to meet the technical standards of the subdivision regulations of Chapter 42A, Henderson County Land Development Code (LDC).

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 TRC (approve, approve with conditions or deny) the Combined Master and Development Plan with the conditions noted in the staff report and any others noted by the TRC.

Henderson County Planning Department Staff Report

Combined Master and Development Plan Review For Massa Properties LLC 141-149 Twin Springs Rd (S.R. 1535), Hoopers Creek Township PIN: 9651-78-2064

**File #M-2018-08
Henderson County**

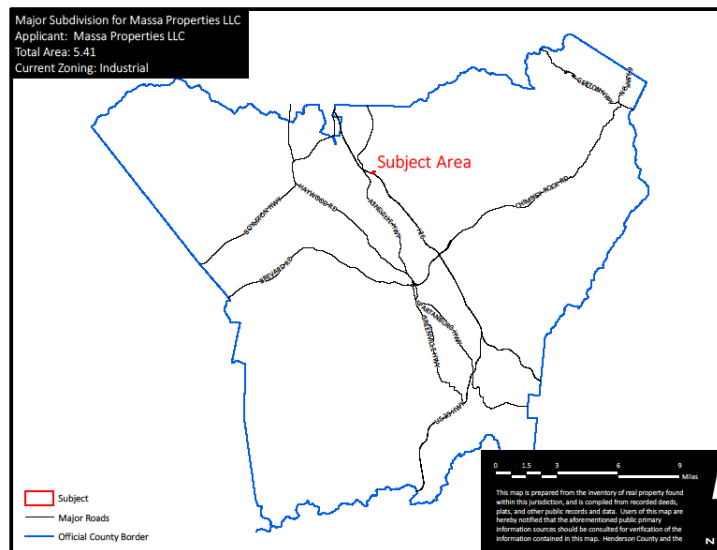
Combined Master and Development Plan Comments:

According to Chapter 42A, Henderson County Land Development Code (LDC) §42A-341, the purpose of a Combined Master and Development 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 Combined Master and Development 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 Combined Master and Development 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 §42A-75).

Staff has reviewed the submitted the Combined Master and Development Plan for the Massa Properties, LLC Major Subdivision, 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:

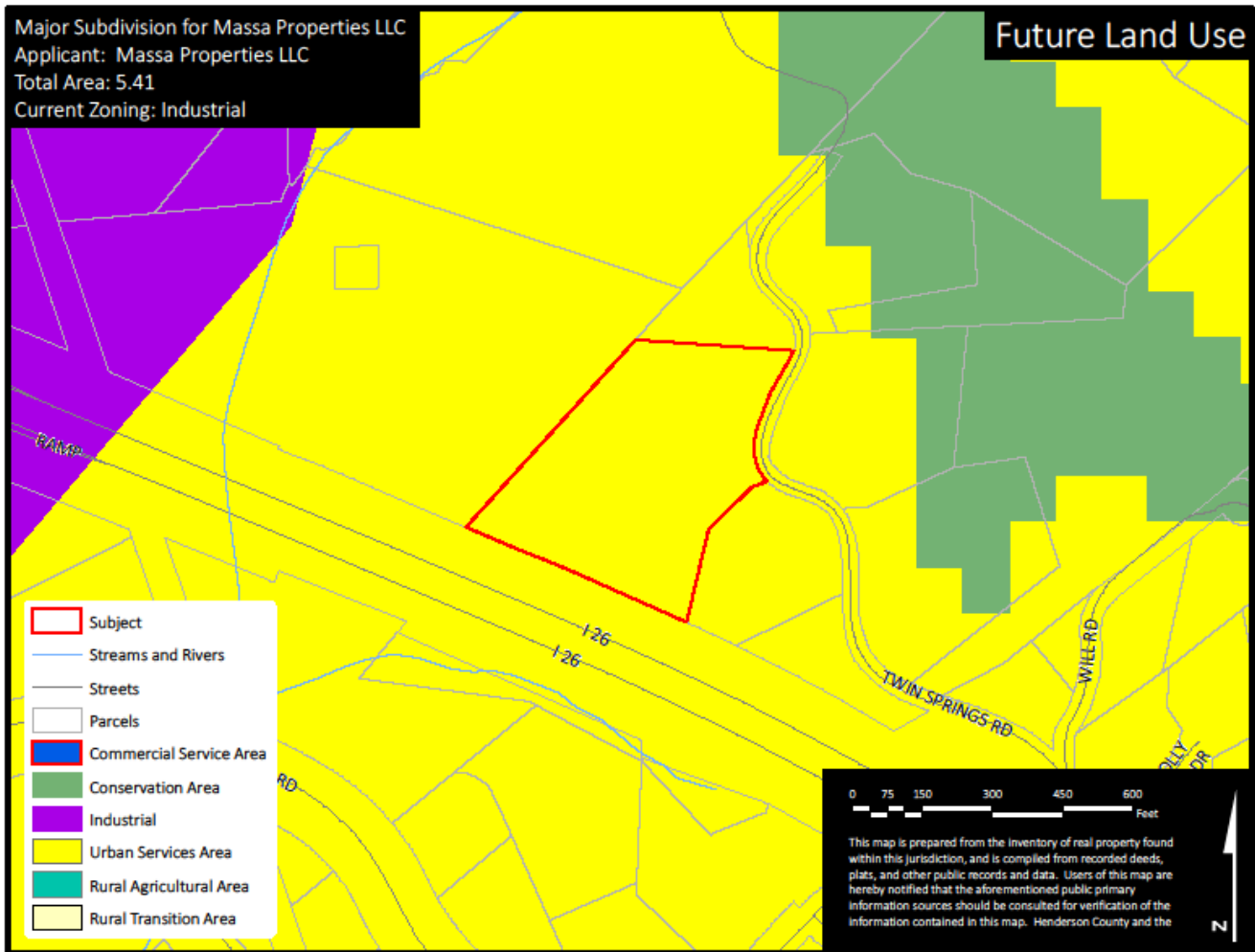
Map A: County Context



Map B: Aerial Map

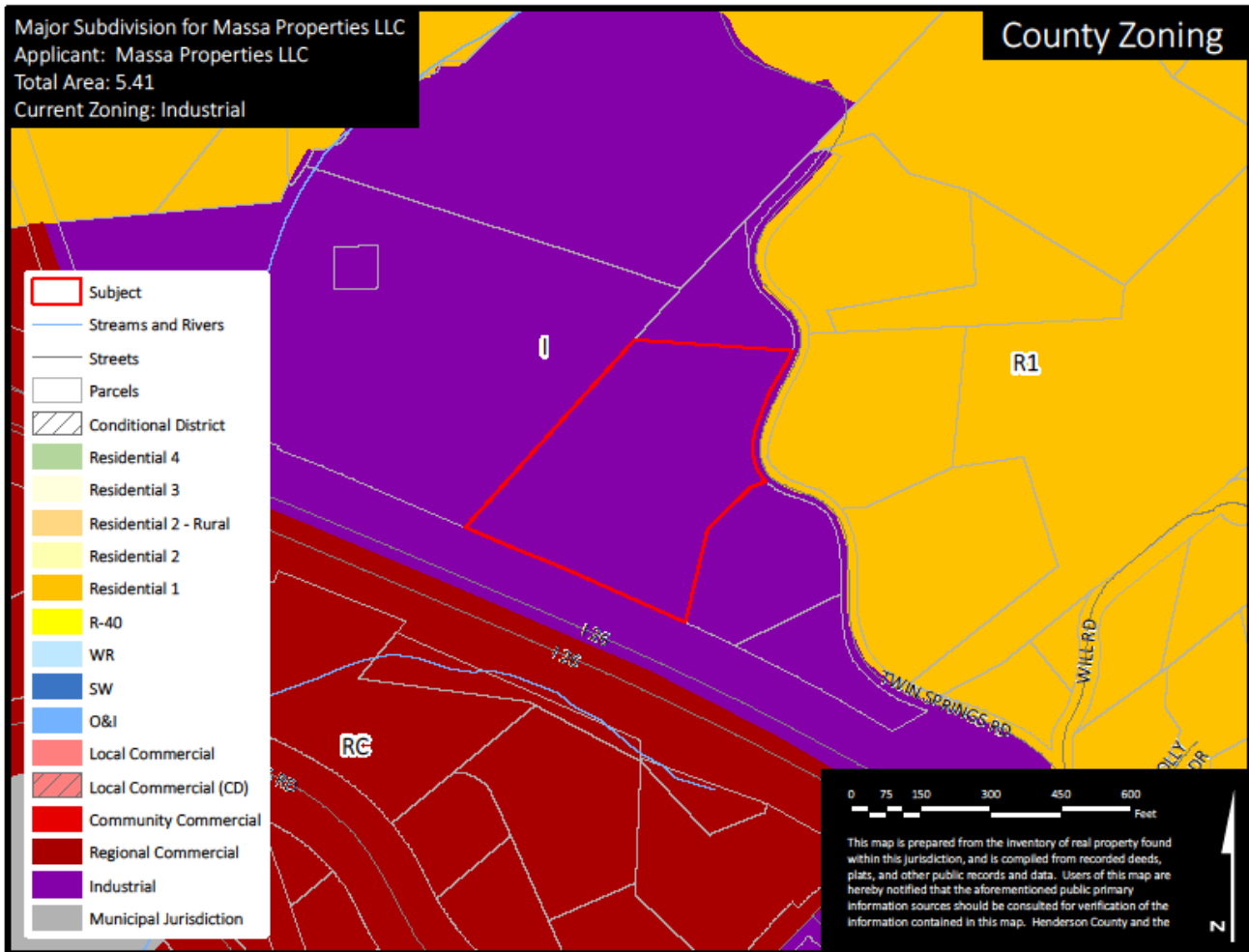


Map C: County Comprehensive Plan Future Land Use Map



1. **Henderson County 2020 Comprehensive Plan (CCP).** The Future Land Use Map of the CCP shows the Subject Area as being located entirely within an Urban Service Area. As indicated in Map C, the subject area is 735 feet from an Industrial area, as defined by the 2020 CCP.
 - a. “The Urban Service Area will contain virtually all existing and future industrial development and will be the focus of future economic development activities. Industrial development will exist within predefined zoning districts whose standards and configuration are in keeping with the surrounding community.” (CCP pg. 133)

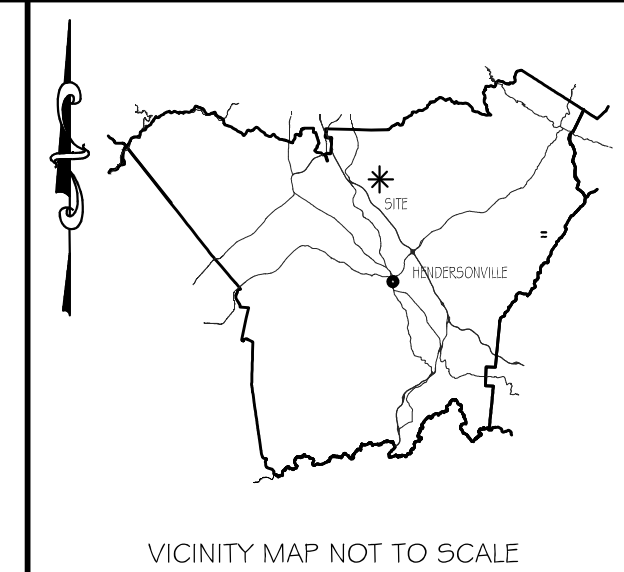
Map D: Official Zoning Map



2. **Current Zoning.** According to Chapter 42A, 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 Industrial zoning district and is adjacent to Residential One (R1) zoning district across Twin Springs Rd. (See Map C: Official Zoning Map).
 - a. **Industrial Zone:** “The purpose of the Industrial District (I) is to foster orderly growth where the *principal use* of land is a mixture of industrial and heavy commercial. The intent of this district is to allow for *industrial* and heavy *commercial development* consistent with the recommendations of the *Comprehensive Plan*. In accordance with the *Comprehensive Plan*, the district will allow for and provide *industrial* and heavy *commercial development* that: (1) is compatible with adjacent development and the surrounding community; (2) will minimize conflict between land *uses*; and (3) is sensitive to its impact on surrounding land *uses* and the environment (natural and man-made).”
3. **Water and Sewer.** The applicant is stating that there are existing individual sewer and water systems serving this property. The subject area does not currently have access to public water or sewer. Lots 1 & 2 each contain a commercial building with a shared septic system. Lot 3 contains a residential structure with a separate septic system.
4. **Proposed Subdivision and Site Plan.** As indicated in the attached Plan, the existing 5.41-acre tract is proposed to be subdivided, creating one 2.95-acre tract (Lot 1), one 1.73-acre tract (Lot 2), and one .74-acre tract (Lot 3). There are some pre-existing setback encroachments, but no new nonconformities are created by the proposed subdivision. Lots 1 & 2 are served by a shared gravel parking lot.

Combined Master and Development Plan Comments:

1. The TRC should make a determination concerning the adequacy and clarity of access to proposed subdivision lots.
2. **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 §42A- 113B).
3. **Maximum Impervious Surfaces.** Industrial Zoning Districts allow a maximum impervious surface percentage of 80 percent of the entire lot (LDC §42A-36). The Applicant should make note on the Final Plat that the combined area of any proposed, or existing, impervious surfaces, do not exceed 80 percent of the original lot's total surface area.
4. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42A (LDC §42A-87).
5. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42A-343).



REGISTERED THIS THE _____ DAY OF _____
2018 AT _____ M, RECORDED IN SLIDE _____

BY _____
REGISTER OF DEEDS

PIN 9651-68-6352
GEORGE & MILDRED JARVIS
DEED BOOK 799, PAGE 731

PIN 9651-78-4341
SCOTT JARVIS
DEED BOOK 1108, PAGE 604

LOT 1
2.95 ACRES
128,438 SF

TOTAL AREA
5.41 ACRES
235,812 SF

LOT 2
1.73 ACRES
75,287 SF

LOT 3
0.74 ACRES
32,087 SF

LINE	BEARING	DISTANCE
L1	S 39°12'34" W	86.21'
L2	S 62°10'03" W	43.97'
L3	S 47°38'38" W	123.02'
L4	N 75°36'32" W	12.92'
L5	N 26°07'26" W	45.96'
L6	S 50°55'24" E	104.47'
L7	N 63°36'46" E	261.75'
L8	S 89°55'58" E	203.96'
L10	N 63°00'44" E	169.63'
L11	N 11°04'35" W	23.98'
L12	N 35°06'38" E	23.01'
L13	S 06°24'43" E	67.44'
L14	S 71°24'36" W	113.52'
L15	N 38°36'38" W	80.22'
L16	N 42°36'44" E	99.12'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	72.00'	13.96'	13.94'	S 14°40'16" W	11°06'38"
C2	72.00'	75.26'	71.88'	S 20°49'42" E	59°53'19"

- NOTES:**
- * ALL AREAS CALCULATED BY COORDINATE COMPUTATION METHOD.
 - * THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY-AT-LAW.
 - * THIS SURVEY MAY BE SUBJECT TO ALL RIGHTS-OF-WAYS, EASEMENTS, RESERVATIONS, AND RESTRICTIONS WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
 - * ADJOINING PROPERTY OWNER INFORMATION TAKEN FROM THE HENDERSON COUNTY GIS WEBSITE.
 - * NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.
 - * BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE IN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 3700965100J, DATED 10-2-2008.
 - * ANY RIVERS, STREAMS, CREEKS, PONDS, LAKES, WETLANDS, ETC...LOCATED ON THIS PROPERTY, SHOWN OR NOT SHOWN HEREON, MAY BE SUBJECT TO BUFFER AREAS. IT IS THE OWNER/DEVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY PERSON(S)/FIRM(S) AUTHORIZED, BY THE PROPER AUTHORITIES, TO MAKE SUCH DETERMINATION.
 - * ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - * CONTOURS SHOWN HEREON ARE 5' INTERVALS AND WERE SCALED AND INTERPOLATED FROM HENDERSON COUNTY GIS.
 - * MAINTENANCE RESPONSIBILITY OF THE EASEMENT IS CONVEYED TO THE HOMEOWNERS UTILIZING IT TO ACCESS THEIR PROPERTY. EASEMENT MUST BE MAINTAINED TO ALLOW CLEAR PASSAGE FOR EMERGENCY RESPONSE VEHICLES.
 - * THIS PROPERTY IS LOCATED IN ZONE INDUSTRIAL. BUILDING SETBACKS ARE AS FOLLOWS:
 - FRONT - 20'
 - SIDE - 20'
 - REAR - 20'

I, JASON D. SPENCER, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE LOT(S) CREATED BY THIS PLAT IS (ARE) SERVED AND ACCESSED BY A RECORDED DRIVEWAY EASEMENT SHOWN HEREON. THIS EASEMENT MAY OR MAY NOT MEET THE STANDARDS FOR ROADS SERVING SUBDIVISIONS IN THE HENDERSON COUNTY LAND DEVELOPMENT CODE. NEITHER THE UNDERSIGNED NOR HENDERSON COUNTY CERTIFY WHETHER THIS EASEMENT MEETS SUCH STANDARDS.

THIS THE _____ DAY OF _____ 20____

PROFESSIONAL SURVEYOR

I, _____, SUBDIVISION ADMINISTRATOR FOR
HENDERSON COUNTY, CERTIFY THAT THIS MAP HAS BEEN REVIEWED AND APPROVED AS A

SUBDIVISION IN ACCORDANCE WITH
HENDERSON COUNTY LAND DEVELOPMENT CODE.

SUBDIVISION ADMINISTRATOR DATE

NGCS MONUMENT
"NAPLES"
N: 617,382.53'
E: 958,118.05'

I, JASON D. SPENCER, N.C. P.L.S., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (PROPERTY DESCRIPTION RECORDED IN DEED BOOKS AND PLATS AS SHOWN IN THE TITLE BLOCK); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DASHED LINES AS DRAWN FROM INFORMATION FOUND IN DEED BOOKS AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(f)(1):

(a.) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS 12th DAY OF DECEMBER, A.D., 2018.

**PRELIMINARY
NOT FOR
RECORDING SALES,
OR CONVEYANCE**

N.C. PROFESSIONAL LAND SURVEYOR
L-4785
LICENSE #

DEED NORTH
DEED BOOK 3037, PAGE 353

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, REVIEW
OFFICER OF HENDERSON COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS
AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

- LEGEND:**
- = FOUND CORNER (AS NOTED)
 - = CALCULATED & UNMARKED POINT
 - = SET #5 REBAR W/ I.D. CAP
 - ▲ = SET MAG NAIL
 - = FOUND MONUMENT
 - ⊕ = WATER VALVE
 - ⊙ = SIGN
 - ⊕ = UTILITY POLE
 - ⊙ = LIGHT POLE
 - — — = OVERHEAD UTILITY LINE(S)
 - — — = FENCE
 - ⊕ = LIQUID FUEL TANK
 - ⊕ = MAILBOX
 - ⊕ = GUY ANCHOR
 - = CO
 - ⊙ = WELL
 - ⊕ = ORANGE PIN FLAG (UNLESS OTHERWISE NOTED)
 - RW = RIGHT OF WAY
 - BSL = BUILDING SETBACK LINES
 - CMP = CORRUGATED METAL PIPE

SPENCER
SURVEYING & MAPPING
1095 HENDERSONVILLE RD. SUITE S2, ASHEVILLE, NC 28803
jason@spencer-surveying.com (828)384-1480 P-1720

COMBINED MASTER AND DEVELOPMENT PLAN OF
MAJOR SUBDIVISION SURVEY FOR
MASSA PROPERTIES, LLC.

REFERENCES
PIN 9651-78-2064
DEED BOOK 3269, PAGE 666
HOOPERS CREEK TOWNSHIP, HENDERSON COUNTY, N.C.
DATE: 10-16-2018 DRAWN BY: MSW
JOB #181021 CHECKED BY: JJJ

OWNER:
MASSA PROPERTIES, LLC.
105 DOGWOOD DR.
HENDERSONVILLE, NC 27871



SCALE 1" = 50'