#### REQUEST FOR COMMITTEE ACTION

# HENDERSON COUNTY TECHNICAL REVIEW COMMITTEE

**MEETING DATE:** Tuesday, February 15<sup>th</sup>, 2021

**SUBJECT:** Combined Master & Development Plan and Major Site Plan for All Pro Tree

Major Commercial Subdivision (2020-M06)

**STAFF CONTACT:** Matt Champion, Zoning Administrator

**ATTACHMENTS:** 1. Staff Report

2. Major Site Plan

3. Revised Combined Master & Development Plan

#### **SUMMARY OF REQUEST:**

Stacy Rhodes of Waggoner and Rhodes, agent, on behalf of Oliver Burns, applicant, submitted a Combined Master & Development Plan and Major Site Plan for the project known as the All Pro Tree Major Commercial Subdivision. The project is located on approximately 19.64 acres of land off Crest Road (SR1804).

The Combined Master and Development Plan proposes to subdivide to create two (2) lots: Tract A is 5.0 acres and Tract B is the remaining parent tract. The property shown to have access to public water through the City of Hendersonville and an individual septic system. The applicant has proposed to construct a 4,000sqft storage building on Tract A with less than 5,000sqft of outdoor storage on the southern end of the subject area.

#### TECHINCAL REVIEW COMMITTEE ACTION REQUESTED:

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

Staff recommends approval of the Combined Master & Development Plan and Major Site 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 the Combined Master & Development Plan with the conditions noted in the staff report and any others noted by the TRC.

I move that the TRC approve the Major Site Plan with the conditions stated in the staff report and noted by the TRC.

### Henderson County Planning Department Staff Report: Combined Master & Development Plan and Major Site Plan For All Pro Tree (2021-M01)

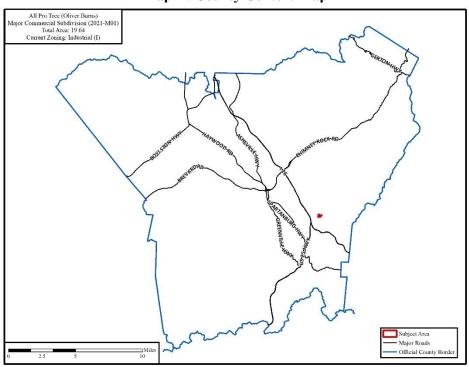
Applicant & Agent: Oliver and Lisa Burns 765 Crest Road (SR1804), Blue Ridge Township

#### **Combined Master and Development Plan Comments:**

According to Chapter 42, Henderson County Land Development Code (LDC) §42-341, 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 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.

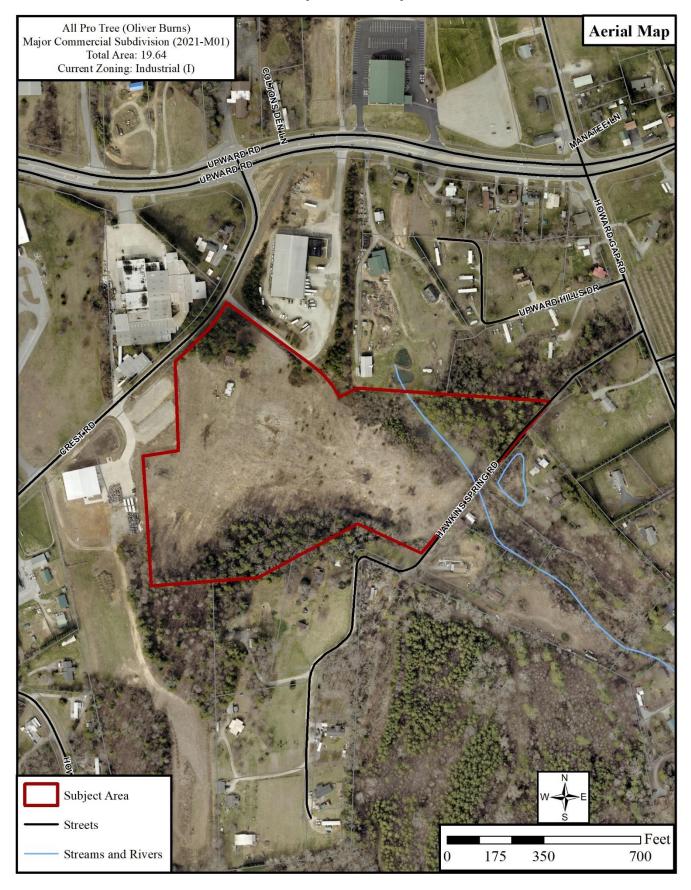
When reviewing the Combined Master and Development Plan, it is important to consider that, due to severe topographic conditions, inadequate road access, distance from services, unique natural areas, soils that do not easily support soil drainage systems and/or the proximity to existing and incompatible land uses/zoning, all land may not be suitable to be subdivided for the purpose of dense development (LDC §42-75).

Staff has reviewed the submitted the Combined Master and Development Plan for the All Pro Tree Major Commercial Subdivision, taking into consideration the recommendations of the *Henderson County Comprehensive Plan* and reviewing the plan for conformance with Henderson County Land Development Code. Staff offers the following comments:



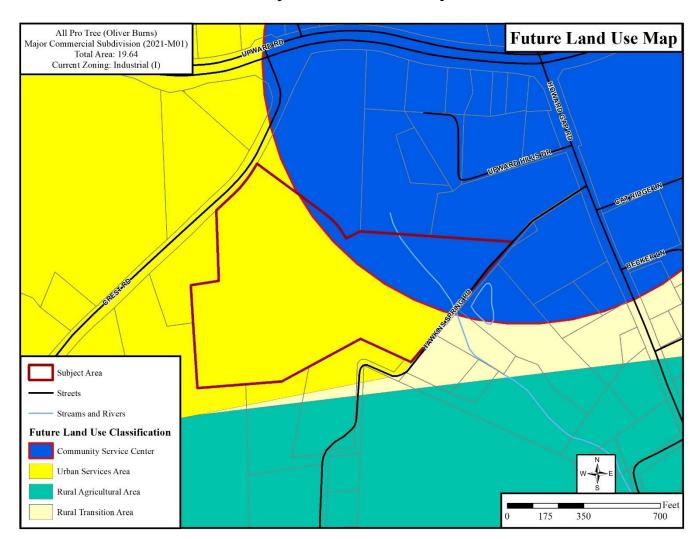
**Map A: County Context Map** 

Map B: Aerial Map



#### 1. Existing Conditions

- 1. The subject area is approximately 19.64 acres with access to Crest Road (SR1804). The site contains a single residential structure and a detached garage accessory structure. Both structures are unoccupied and identified for removal.
  - 1.1.1. The subject area is surrounded by a mixture of commercial and residential structures. The site is bound Leisure Craft to the north, west, and south. Asheville Packing is located to the east of the subject area. Residential structures and vacant land are south of the subject area. Upward Elementary School is located northwest of the subject area.
- 2. The subject area is currently made up of one (1) individual tract as shown on Map B. The property identification number associated with this project is PIN: 9587-89-7022

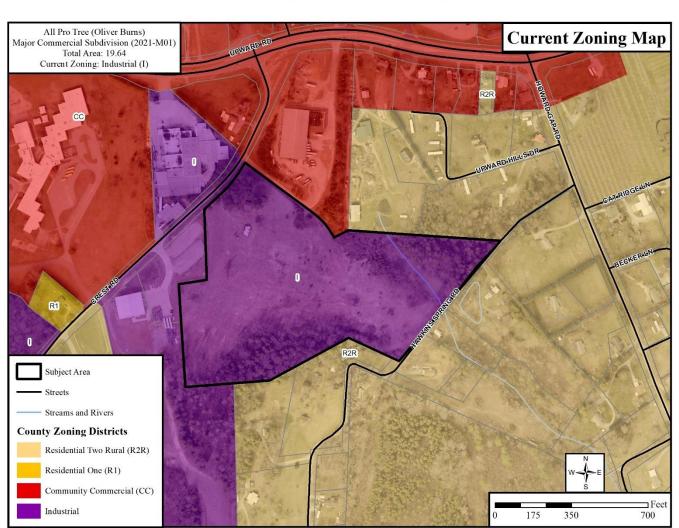


**Map C: Future Land Use Map** 

## 2. The Henderson County Comprehensive Plan (CCP)

- 2. The CCP Future Land Use Map identifies the subject area as primarily being in a Urban Services Area with a small portion of the subject area being in the Community Service Centers (CCP, Pgs. 128, 129 & Appendix 1, Map 24). (See Map C).
  - 2.2.1. **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

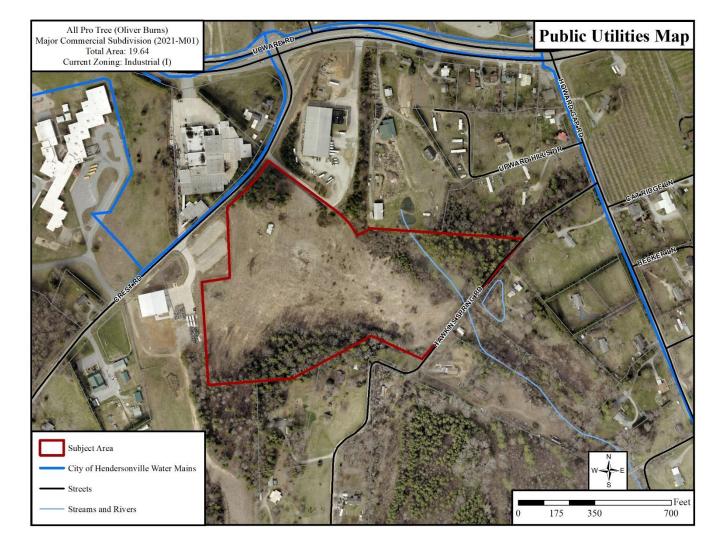
- essentially contain all existing and future industrial developments, which will be the future focus of economic development activities" (CCP, Pg. 129).
- 2.2.2. **Community Service Centers:** The CCP states that, "CSC are intended to be intensive, efficient, defined concentrations of mixed services that meet the needs of the surrounding community and defined service areas. CSC are appropriate for a mixture of commercial uses scaled to the service area in question; residential uses of varying densities depending upon available services. The mixture and intensity of land uses contained within CSC are intended to be appropriate within the context of the surrounding community and intended service area." (CCP, Pg. 138).



Map D: Official Zoning Map

- 3. Chapter 42, Henderson County Land Development Code (LDC). According to Chapter 42, 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 (I) zoning district. (See Map D: Official Zoning Map).
  - 3.2.1. **Industrial:** 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.

**4. Water and Sewer Availability.** The applicant proposes that the site is to be served by the City of Hendersonville public water and private septic system. According to Map E: Public Utilities, the subject area is within proximity to existing water access.



**Map E: Public Utilities** 

- **5. Proposed Subdivision.** As indicated in Map F, the existing 19.64-acre subject area is proposed to be subdivided into two tracts: Tract A, 5.0 acres with the proposed warehouse and Tract B, the remaining parent tract. There is an existing 50' right-of-way that provides access to Tract B.
  - 5.2.1. **Major Site Plan:** The applicant has submitted a Major Site Plan with proposed improvements for Tract A. The Major Site Plan review is attached and will be processed in conjunction with the Combined Master & Development Plan
- **6. Major Site Plan.** The Major Site Plan shows a 4,000 sqft storage building that will house the equipment utilized by All Pro Tree and an outdoor storage area on the southern end of the subject area. The proposed use is *Warehousing and Storage* with *Outdoor Storage* 5,000sqft or less and is permitted by right in the Industrial (I) zoning district. The Supplemental Requirements are as follows:

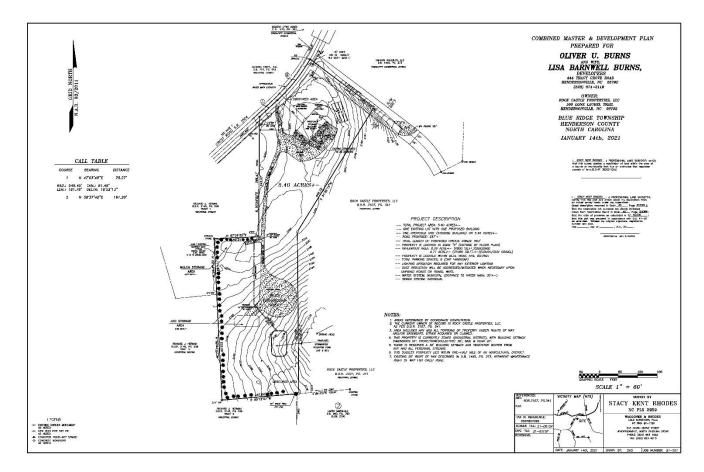
#### SR 9.15. Warehousing and Storage (Excluding Warehousing of Hazardous Substances)

(1) Site Plan. Major Site Plan required in accordance with §42-331 (Major Site Plan Review).

- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads*, *travelways* and/or parking areas shall be treated to prevent dust from adverse affects to adjacent properties.

#### SR 2.9. Outdoor Storage 5,000 square feet or less

- (1) Locational Requirements. Storage areas shall not be placed in a front yard.
- (2) Screening. Screen Class One (1) or Two (2) shall be provided consistent with the requirements of §42-182 (Screen Classification).

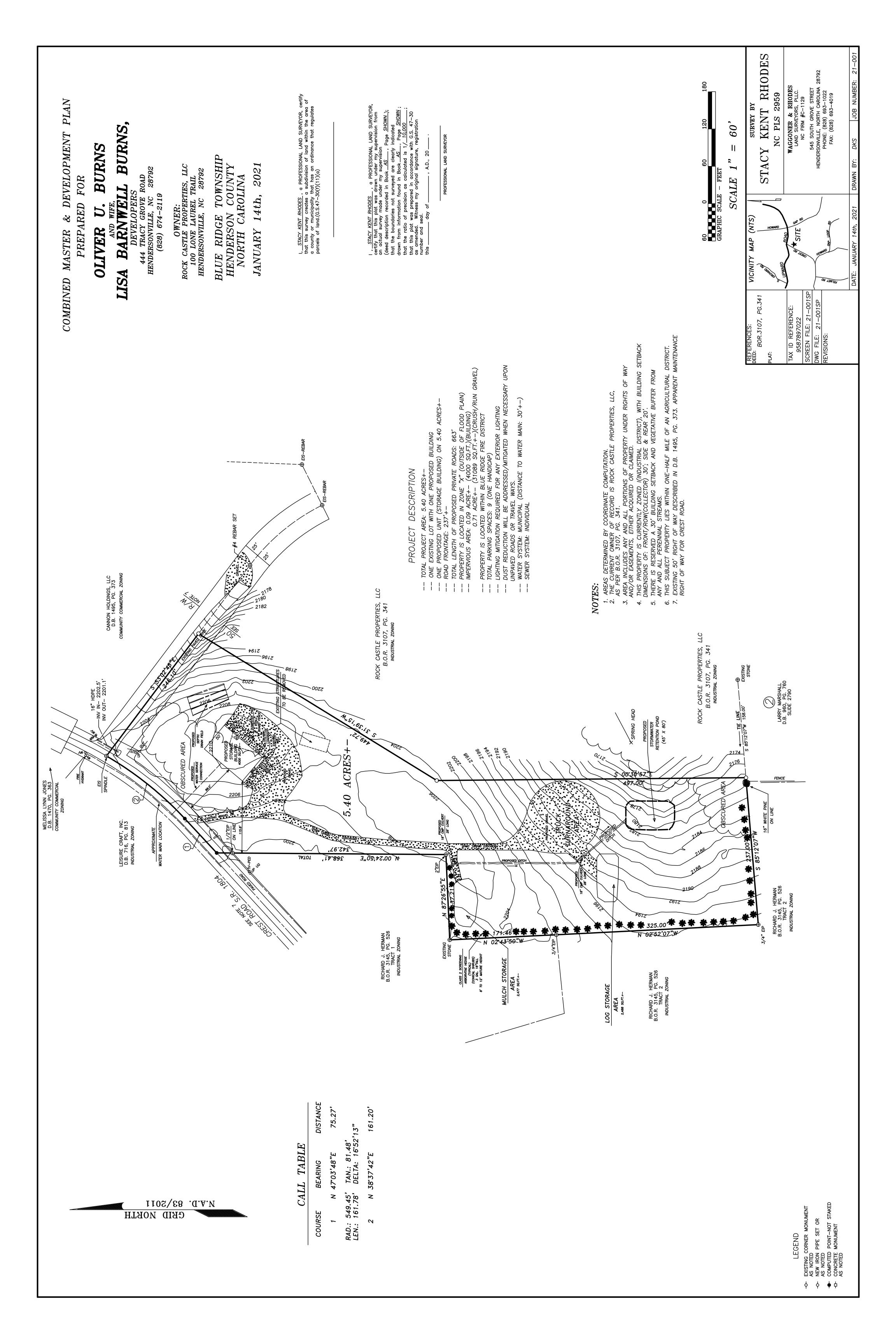


Map F: Master & Development Plan

#### Combined Master & Development Plan and Major Site 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 or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required (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§42-109).
- 3. **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 §42-100). 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 §42-105).
- 4. 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.
- 5. **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).
- 6. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 42 (LDC §42-87).
- 7. **NCDOT Driveway Permit.** An NCDOT Driveway Permit is required for the proposed access the site.
- 8. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §42-343).
- 9. **Notice of Farmland Preservation District.** The final plat shall contain a note stating that the property does not lie within one-half (½) mile of land in a Farmland Preservation District (LDC §42-81 P).



# HENDERSON COUNTY MAJOR SITE PLAN REVIEW APPLICATION

| <b>CONTACT INFORM Property Owner:</b>                                | ATION            |  |  |
|--|------------------|--|--|
| Name: Rook   | MASTIE PRIPA     | TETIES ILC                             | Phone: 978-329-7905  |
| Complete Addre   | CHOICE LYON      |  | Phone: 828-329-7905  |
| Applicant:   | 55. 100 2000     | THICKET IKNOR I                        | ENDER JOHNILL , N.C.   |
|  | ETZ II TRIATRAM  |  | Phone: 878-674-2119  |
| Complete Addre   | and: AAA TRA     | CY LEMIE RAD                           | Phone: 828-674-2119<br>HENDERSONVILLE, N.C. 28797  |
| Agent:   | 55.              | Part Holms                             | The temporal |
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|  | ess:             |  | Phone:   |
|  | rcle One): Yes ( |  | · · · · · · · · · · · · · · · · · · ·  |
|  | .cie Olie).      | INO                                    |  |
| Plan Preparer: Name: STAC  | Y K. RHODES      |  | Phone: 823-693-1922  |
| Complete Addre   | ess: 545 5 GT    | ASSOCIATE SVE                          | Phone: 823-693-1022<br>SONVILLE, N. C. 28792   |
| 0011111111111  |                  |  | p page and a second  |
| GENERAL INFORM   | ATION            |  |  |
| Date of Application:   | 1 1              |  |  |
| Site Plan Attached (Ci   | , ,              | No                                     |  |
| PARCEL INFORMATE PIN: 9537-89 Zoning District: Supplemental Requirem | -7027<br>T       | Fire District: 5                       | EN RIVER   |
| Permitted by Right   |                  |  | ONEX   |
| Special Use Permit   |                  | -                                      |  |
| Location / Property to b   | e developed:     |  |  |
| *******  | ******           | ************************************** | *************  |
| Fee: \$  | Paid:            | Method:                                | Received by:   |

| APPLICATION IDENTIFICATION  | N.C. DEPARTMENT OF TRANSPORTATION  |
|---|--|
| Drivoway Data of  | STREET AND DRIVEWAY ACCESS PERMIT APPLICATION  |
| Permit No. Application 1/26/202   |  |
| County: HENDERSON   |  |
| Development Name: DLIVER IA. BURAS  |  |
| LOCATION OF PROP  | ERTY:  |
| Route/Road: S.R. 1804 CREST ROAD  |  |
| Exact Distance    Miles   N S E W     Feet   M       and Route No.  | 5.R.1804 Toward 5R, 1803   |
| Property Will Be Used For: 🔲 Residential /Subdivision 🔲 Commercial 🗎 Edu  | ucational Facilities   TND   Emergency Services   Other  |
| Property: ☐ is ☐ is not within  | n Henre John VILLE City Zoning Area.   |
| AGREEMENT   |  |
| <ul> <li>I, the undersigned property owner, request access and permission of-way at the above location.</li> <li>I agree to construct and maintain driveway(s) or street entrance(s) Street and Driveway Access to North Carolina Highways" as adopted Transportation.</li> <li>I agree that no signs or objects will be placed on or over the public.</li> <li>I agree that the driveway(s) or street(s) will be constructed as show.</li> <li>I agree that that driveway(s) or street(s) as used in this agreement speed change lanes as deemed necessary.</li> <li>I agree that if any future improvements to the roadway become neclocated on public right-of-way will be considered the property of the will not be entitled to reimbursement or have any claim for present.</li> <li>I agree that this permit becomes void if construction of driveway(s) specified by the "Policy on Street and Driveway Access to North Callagree to pay a \$50 construction inspection fee. Make checks pay application is denied.</li> <li>I agree to construct and maintain the driveway(s) or street(s) in a sithe public travel.</li> <li>I agree to provide during construction proper signs, signal lights, flatof traffic in conformance with the current "Manual on Uniform Traffic Amendments or Supplements thereto. Information as to the above District Engineer.</li> <li>I agree to indemnify and save harmless the North Carolina Department of damage that may arise by reason of this construction.</li> <li>I agree that the North Carolina Department of Transportation will as be caused to such facilities, within the highway right-of-way limits, it is capted to such facilities, within the highway right-of-way limits, it is agree to provide a Performance and Indemnity Bond in the amound construction proposed on the State Highway system.</li> <li>The granting of this permit is subject to the regulatory powers of the law and as set forth in the N.C. Policy on Driveways and shall not be AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROMPLETED.</li> </ul> | in absolute conformance with the current "Policy on ed by the North Carolina Department of right-of-way other than those approved by NCDOT. In on the attached plans, include any approach tapers, storage lanes or cessary, the portion of driveway(s) or street(s) e North Carolina Department of Transportation, and I expenditures for driveway or street construction, or street(s) is not completed within the time arolina Highways". In able to NCDOT. This fee will be reimbursed if after manner so as not to interfere with or endanger aggers and other warning devices for the protection of Control Devices for Streets and Highways" and a rules and regulations may be obtained from the ment of Transportation from all damages and claims assume no responsibility for any damages that may in carrying out its construction. In the specified by the Division of Highways for any devices as a contract access point. |

NOTE: Submit Four Copies of Application to Local District Engineer, N.C. Department of Transportation 61-03419

TEB 65-04rev.

2004-01

| SIGNATURES OF APPLICANT  |  |                        |  |  |  |  |
|--|--|------------------------|--|--|--|--|
| COMPANY<br>SIGNATURE<br>ADDRESS                                      | X CLIVER MENS  X CLIVER MENS  X AA TRACY GROVE TO HIVE M.C.  X 28792 Phone No. X 828-6 | NAME SIGNATURE ADDRESS | WITNESS  X DTACY K. RHODES  Stan Kulle  X 545 5. GROVE ST. HVILLE, N.C.  X 2219Z |  |  |  |
| COMPANY<br>SIGNATURE<br>ADDRESS                                      | AUTHORIZED AGENT  Phone No.  | NAME SIGNATURE ADDRESS | WITNESS  |  |  |  |
| APPROVALS  |  |                        |  |  |  |  |
| APPLICATION I  | RECEIVED BY DISTRICT ENGINEER  |                        |  |  |  |  |
|  | SIGNATURE  |                        | DATE   |  |  |  |
| APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required) |  |                        |  |  |  |  |
|  | SIGNATURE  | TITLE                  | DATE   |  |  |  |
| APPLICATION APPROVED BY DISTRICT ENGINEER                            |  |                        |  |  |  |  |
| ***************************************                              | SIGNATURE  |                        | DATE   |  |  |  |
| INSPECTION B   | Y NCDOT  |                        |  |  |  |  |
|  | SIGNATURE  | TITLE                  | DATE   |  |  |  |
| COMMENTS:  |  |                        |  |  |  |  |
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